

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 59.1-21.2 of the Code of Virginia, relating to home solicitation sale;*
3 *definition.*

4 [H 2422]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 59.1-21.2 of the Code of Virginia is amended and reenacted as follows:**8 **§ 59.1-21.2. Definitions.**9 A. ~~Home~~ *As used in this chapter, "home solicitation sale" means:*

10 1. A consumer sale or lease of goods or services in which the seller or a person acting for him
11 engages (i) in a personal solicitation of the sale or lease or (ii) in a solicitation of the sale or lease by
12 ~~telephonic telephone~~ or ~~other~~ electronic means at any residence other than that of the seller *without*
13 *prior invitation or appointment*; and

14 2. The buyer's agreement or offer to purchase or lease is there given to the seller or a person acting
15 for him.

16 B. *As used in this chapter:*

17 1. "Home solicitation sale" ~~shall~~ *does not mean a consumer sale or lease of farm equipment or a*
18 *consumer sale made by an entity regulated by the State Corporation Commission's Bureau of Insurance,*
19 *an affiliate of any such entity, or a dealer licensed by the Motor Vehicle Dealer Board.*

20 2. ~~It~~ *"Home solicitation sale" does not include cash sales of less than twenty-five dollars \$25, a sale*
21 *or lease made pursuant to a preexisting revolving charge account, or a sale or lease made pursuant to*
22 *prior negotiations between the parties.*

23 3. *"Home solicitation sale" does not include sales made entirely by telephone or electronic means at*
24 *the initiation of the buyer and without any other contact between the buyer and the seller or its*
25 *representative prior to the delivery of goods or performance of services.*

26 C. As used in this chapter, "goods" means tangible personal property and also includes a
27 merchandise certificate whereby a writing is issued by the seller which is not redeemable in cash and is
28 usable in lieu of cash in exchange for goods or services; "seller" means seller or lessor and "buyer"
29 means buyer or lessee.

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