

AMENDMENTS TO HOUSE BILL NO. 1594

Sponsor: SENATOR TOMLINSON

Printer's No. 2659

1 Amend Bill, page 2, line 5, by striking out "may" and

2 inserting

3 shall

4 Amend Bill, page 3, line 2, by striking out "notify" and

5 inserting

6 issue a written or electronic notice to

7 Amend Bill, page 3, lines 6 through 14, by striking out all

8 of said lines and inserting

9 (2) Require a high-volume third-party seller on the online
10 marketplace's platform to, not later than ten days after
11 receiving the notice under this subsection:

12 (i) Submit any changes to the information under subsection
13 (a).

14 (ii) Certify there have been no changes to the information
15 required under subsection (a).

16 Amend Bill, page 3, line 15, by striking out "If" and

17 inserting

18 Immediately following the ten days, if

19 Amend Bill, page 3, line 16, by striking out "(b)" and

20 inserting

21 (b) (2)

22 Amend Bill, page 3, line 16, by striking out ", after

23 providing" and inserting

24 provide

25 Amend Bill, page 3, line 17, by inserting after "a"

26 second

1 Amend Bill, page 3, line 19, by striking out "(b) not later
2 than" and inserting

3 (b) (2).
4 (d) If a high-volume third-party seller fails to comply
5 within

6 Amend Bill, page 3, line 20, by inserting after "notice,"
7 the online marketplace shall

8 Amend Bill, page 3, line 22, by striking out "(b)" and
9 inserting

10 (b) (2)

11 Amend Bill, page 3, line 23, by striking out "(d)" and
12 inserting

13 (e)

14 Amend Bill, page 3, line 29, by striking out "(e)" and
15 inserting

16 (f)

17 Amend Bill, page 4, line 4, by striking out "(f)" and
18 inserting

19 (g)

20 Amend Bill, page 4, line 13, by striking out "(g)" and
21 inserting

22 (h)

23 Amend Bill, page 4, line 18, by striking out "(h)" and
24 inserting

25 (i)

26 Amend Bill, page 4, line 20, by striking out "(h)" and
27 inserting

28 (i)

29 Amend Bill, page 4, line 26, by striking out "(h)" and
30 inserting

31 (i)

1 Amend Bill, page 4, line 26, by striking out "(i)" and

2 inserting

3 (j)

4 Amend Bill, page 4, line 27, by inserting after "third-party"

5 seller

6 Amend Bill, page 4, line 27, by striking out "(g)" and

7 inserting

8 (h)

9 Amend Bill, page 4, line 29, by striking out "(g)" and

10 inserting

11 (h)

12 Amend Bill, page 5, line 9, by striking out "sellers" and

13 inserting

14 seller

15 Amend Bill, page 5, line 9, by striking out "user of" and

16 inserting

17 consumer on

18 Amend Bill, page 5, lines 10 through 12, by striking out "zi

19 PROVIDED, THE REQUIREMENTS OF THIS SUBSECTION" in line 10, all

20 of line 11 and "ABUSE OR SPAM THROUGH SUCH COMMUNICATION" in

21 line 12

22 Amend Bill, page 5, line 21, by striking out "of an

23 authenticated purchaser"

24 Amend Bill, page 5, line 24, by striking out "(i)" and

25 inserting

26 (j)

27 Amend Bill, page 5, line 27, by striking out "(h)(1)" and

28 inserting

29 (i)(1)

30 Amend Bill, page 6, line 13, by striking out "(iii)" and

1 inserting

2 (2)

3 Amend Bill, page 6, line 18, by striking out "(iv)" and

4 inserting

5 (3)

6 Amend Bill, page 6, lines 27 and 28, by striking out all of

7 line 27 and "(j)" in line 28 and inserting

8 (k)

9 Amend Bill, page 7, line 1, by striking out "(i)" and

10 inserting

11 (j)

12 Amend Bill, page 7, line 3, by striking out "(i)" and

13 inserting

14 (j)

15 Amend Bill, page 7, line 6, by striking out "(i)" and

16 inserting

17 (j)

18 Amend Bill, page 7, line 12, by striking out "(h)(1)" and

19 inserting

20 (i)(1)

21 Amend Bill, page 7, line 13, by striking out "(k)" and

22 inserting

23 (l)

24 Amend Bill, page 7, line 14, by inserting after "on"

25 each

26 Amend Bill, page 7, line 18, by striking out "(l)" and

27 inserting

28 (m)

29 Amend Bill, page 7, line 19, by inserting after "information"

30 on the platform

31 Amend Bill, page 7, line 20, by inserting after "the" where

1 it occurs the second time

2 high-volume third-party

3 Amend Bill, page 7, lines 27 through 30; page 8, lines 1
4 through 17; by striking out all of said lines on said pages and
5 inserting

6 (n) This section shall not be construed to prevent an online
7 marketplace from preventing fraud, abuse or spam through any
8 legal capacity on the online marketplace.

9 (o) The Attorney General shall enforce the provisions of
10 this section. In addition to the relief under this act pursuant
11 to sections 4 and 4.1, a civil penalty of up to one thousand
12 dollars (\$1,000) may be levied against any person or entity that
13 violates this section. A penalty may be levied for each
14 violation.

15 Amend Bill, page 8, line 18, by striking out "(n)" and
16 inserting

17 (p)

18 Amend Bill, page 8, line 22, by striking out "(o)" and
19 inserting

20 (q)

21 Amend Bill, page 8, lines 23 through 28, by striking out
22 "means tangible personal property that is" in line 23 and all of
23 lines 24 through 28 and inserting

24 as defined under section 101(1) of the Magnuson-Moss
25 Warranty-Federal Trade Commission Improvement Act (Public Law
26 93-637, 15 U.S.C. § 2301(1)).

27 Amend Bill, page 9, line 3, by striking out "or transactions"

28 Amend Bill, page 9, line 6, by striking out "or transactions"

29 Amend Bill, page 9, lines 7 and 8, by striking out "or
30 transactions"

31 Amend Bill, page 9, lines 13 and 14, by striking out "meets
32 all of the following criteria:

33 (1) The platform"

1 Amend Bill, page 9, lines 17 through 20, by striking out the
2 period in line 17, all of lines 18 and 19 and "(3) The
3 platform" in line 20 and inserting
4 ; is used by a third-party seller and
5 Amend Bill, page 10, line 16, by inserting after "a"
6 high-volume third-party
7 Amend Bill, page 10, line 17, by inserting after "the" where
8 it occurs the first time
9 high-volume third-party