



H.B. 444

126th General Assembly
(As Introduced)

Rep. T. Patton

BILL SUMMARY

- Requires coupons sold in coupon books to disclose, on the front of the coupon, all limitations and requirements placed on the coupon's redemption.
- Requires those disclosures to be in ten-point or larger boldface type.
- Makes violations of the bill's provisions a violation of the Consumer Sales Practices Act and entitles the consumer to the same remedies available under that Act.

CONTENT AND OPERATION

Disclosures on coupons in coupon books

The bill defines "coupon" as any certificate, ticket, card, or similar item that is designed or intended to be offered for sale as part of a coupon book and that entitles the holder to purchase or obtain goods, services, or other benefits at a reduced price or free of charge upon the presentation of the coupon to the person named on the front of the coupon (sec. 1349.05(C)(1)). Under the bill, each coupon sold as part of a coupon book, which is a collection of two or more coupons sold as a single unit, must clearly and conspicuously set forth on the front of the coupon the name and address of the person that will redeem the coupon and the discounted or free goods, services, or other benefits that the redeemer will provide in exchange for the coupon. Each coupon must disclose all limitations and requirements placed on the redemption of the coupon, including, but not limited to, all restrictions on the hours of each day and the days during each week when the coupon will be accepted for redemption, any purchase a coupon holder is required to make as a condition of redemption, and the expiration date of the coupon. Under the bill, the disclosures must be printed on the front of the coupon in ten-point or larger boldface type. (Sec. 1349.05(B).)

The bill makes a violation of its provisions an unfair and deceptive act or practice in violation of the Consumer Sales Practices Act (R.C. Chapter 1345.). A person injured by a violation of the bill's provisions is entitled to the same relief as is available to a consumer under the Consumer Sales Practices Act to remedy violations of that Act. Under that Act, a consumer may bring several types of actions for a violation of the Act, including an individual action to rescind the transaction or recover the consumer's damages and an action to seek a declaratory judgment, an injunction, or other appropriate relief. (Sec. 1349.05(B) and sec. 1345.09, not in the bill.) Additionally, all powers and remedies available to the Attorney General to enforce the Consumer Sales Practices Act are available to the Attorney General to enforce the bill (sec. 1349.05(B)). Under that Act, the powers and remedies available to the Attorney General include the ability to impose a civil penalty and to bring a class action, an action to obtain a declaratory judgment that an act or practice violates that Act, or to obtain a temporary restraining order, preliminary injunction, or permanent injunction to restrain the act or practice (sec. 1345.07, not in the bill).

HISTORY

ACTION	DATE
Introduced	12-08-05

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