HOUSE DOCKET, NO. FILED ON: 1/16/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Elizabeth Poirier**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General  
 Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act providing security to consumers for purchases from certain vendors.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Elizabeth Poirier | 14th Bristol |

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act providing security to consumers for purchases from certain vendors.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 8 of chapter 64H of the General Laws, as appearing in the 2006 Official Edition, is herby amended by adding the following subsection:-

(j) Every vendor providing retail sales or services in a booth, tent, table, kiosk, or other space that is not the vendor’s fixed building site, shall obtain a surety bond from a licensed insurance or surety company, guaranteeing repayment of a consumer’s purchase price in the event of a return by a consumer. The bond shall be written to provide surety for a period of 1 year from date of sublease or license issuance. Any landlord providing sublease space or a license to use any premises for such retail activity shall be provided a copy of said bond prior to issuing a sublease or license to use any portion of the premises for such activity and shall retain a copy of such bond for a period of one year following expiration of the bond. Any city or town authorizing the use of such non-fixed building site for retail sales or services shall be provided a copy of the above-described surety bond prior to issuing a vendor’s license and shall retain a copy for a period of one year following issuance Every vendor contemplated in this subsection shall display in a conspicuous site a copy of such bond. Every bond shall be written to guarantee a minimum return amount of up to $1000 for a single purchase. All other lawful rights and remedies shall remain available to any consumer affected by this subsection.