

HOUSE No.

The Commonwealth of Massachusetts

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:

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

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