

HB1102\_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB13-1102 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 38-13-102, add  
4 (5.7) as follows:

5 **38-13-102. Definitions and use of terms.** As used in this article,  
6 unless the context otherwise requires:

7 (5.7) (a) "GIFT CARD" MEANS A PREFUNDED TANGIBLE OR  
8 ELECTRONIC RECORD OF A SPECIFIC MONETARY VALUE EVIDENCING A  
9 BUSINESS ASSOCIATION'S AGREEMENT TO PROVIDE GOODS, SERVICES,  
10 CREDIT, MONEY, OR ANYTHING OF VALUE.

11 (b) "GIFT CARD" INCLUDES, BUT IS NOT LIMITED TO, A TANGIBLE  
12 CARD; ELECTRONIC CARD; STORED-VALUE CARD; OR CERTIFICATE OR  
13 SIMILAR INSTRUMENT, CARD, OR TANGIBLE RECORD, ALL OF WHICH  
14 CONTAIN A MICROPROCESSOR CHIP, MAGNETIC CHIP, OR OTHER MEANS FOR  
15 THE STORAGE OF INFORMATION AND FOR WHICH THE VALUE IS  
16 DECREMENTED UPON EACH USE.

17 (c) "GIFT CARD" DOES NOT INCLUDE A PREFUNDED TANGIBLE OR  
18 ELECTRONIC RECORD ISSUED BY, OR ON BEHALF OF, ANY GOVERNMENT  
19 AGENCY; A GIFT CERTIFICATE THAT IS ISSUED ONLY ON PAPER; A PREPAID  
20 TELECOMMUNICATIONS OR TECHNOLOGY CARD; A CARD OR CERTIFICATE  
21 ISSUED TO A CONSUMER PURSUANT TO AN AWARDS, LOYALTY, OR  
22 PROMOTIONAL PROGRAM FOR WHICH NO MONEY OR OTHER ITEM OF  
23 MONETARY VALUE WAS EXCHANGED; A CARD ISSUED FOR WAGES OR  
24 OTHER PAYROLL PURPOSES; A CARD USED FOR REBATES OR REFUNDS; OR  
25 A CARD THAT IS DONATED OR SOLD BELOW FACE VALUE AT A VOLUME  
26 DISCOUNT TO AN EMPLOYER OR CHARITABLE ORGANIZATION FOR  
27 FUNDRAISING PURPOSES.

28 **SECTION 2.** In Colorado Revised Statutes, add 38-13-108.9 as  
29 follows:

30 **38-13-108.9. Unclaimed gift cards - limited exception.** THIS  
31 ARTICLE DOES NOT APPLY TO UNCLAIMED GIFT CARDS WHERE THE HOLDER  
32 OR ISSUER IS A BUSINESS ASSOCIATION WITH ANNUAL GROSS RECEIPTS  
33 FROM THE SALES OR ISSUANCE OF ALL GIFT CARDS TOTALING TWO  
34 HUNDRED THOUSAND DOLLARS OR LESS.

35 **SECTION 3. Applicability.** This act applies to business  
36 associations with annual gross receipts from the sales of gift cards  
37 totaling two hundred thousand dollars or less on or after the effective date



1 of this act and to any unresolved claims by the state treasurer against any  
2 business association for payment related to unclaimed gift cards as of the  
3 effective date of this act.

4 **SECTION 4. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, and safety."

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