

HOUSE BILL No. 2817

By Representative Ward

2-11

9 AN ACT concerning consumer protection; relating to debit or credit
10 transactions.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) If a retailer engages in a credit or debit sale and such
14 retailer charges the credit or debit card more than once for a single sale,
15 the retailer has seven days from the time the single sale occurred to debit
16 the credit or debit account concerning such single sale. If a retailer fails
17 to act within seven days, the retailer has committed an unconscionable
18 act within the meaning of K.S.A. 50-627, and amendments thereto. The
19 fine or penalty assessed pursuant to this section shall not exceed \$50 per
20 transaction.

21 (b) If the consumer seeks a private cause of action, the court may
22 award to the prevailing party reasonable attorney fees.

23 (c) As used in this section, "retailer" means a person regularly en-
24 gaged in the business of selling tangible personal property, services or
25 entertainment for use or consumption and not for resale.

26 (d) This section shall be part of and supplemental to the Kansas con-
27 sumer protection act.

28 Sec. 2. This act shall take effect and be in force from and after its
29 publication in the statute book.