

Introduced: 1/28/74
Referred: Commerce and Judiciary

BY THE COMMERCE COMMITTEE
BY REQUEST OF THE INTERIM
COMMITTEE ON BUSINESS AND
MONETARY POLICY

1 IN THE HOUSE

CS
2 HOUSE BILL NO. 494 Jud

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Retail Installment Sales
7 Act; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 45.10.120(b) is amended to read:

10 (b) A seller or holder of a retail installment contract may
11 charge, receive and collect a service charge which shall not exceed
12 the following rates [MULTIPLIED BY THE NUMBER OF MONTHS, INCLUDING A
13 FRACTION OF A MONTH IN EXCESS OF 15 DAYS AS ONE MONTH, ELAPSING BETWEEN
14 THE DATE OF THE CONTRACT AND THE DUE DATE OF THE LAST INSTALLMENT],

15 (1) on so much of the principal [UNPAID] balance as does not
16 exceed \$1,000, 10 per cent add on [FIVE-SIXTHS OF ONE PER CENT];

17 (2) if the principal [UNPAID] balance exceeds \$1,000, on so
18 much of the principal [UNPAID] balance as exceeds \$1,000, eight per
19 cent add on [TWO-THIRDS OF ONE PER CENT];

20 (3) if the total service charge so computed is less than
21 \$12, \$12, but if the due date of the last installment of the contract
22 is eight months or less after its effective date, \$10.

23 * Sec. 2. AS 45.10.220(2) is amended to read:

24 (2) "goods" means all personal property, whether purchased
25 for personal, family, household, commercial, or business use [PERSONAL
26 CHATTELS PURCHASED PRIMARILY FOR PERSONAL, FAMILY, OR HOUSEHOLD USE
27 AND NOT FOR COMMERCIAL OR BUSINESS USE], but does not include money
28 or, except as provided in the next phrase, chose in action; "goods"
29 includes but is not limited to merchandise certificates or coupons

1 issued by a retail seller to be used in their face amount instead of
2 cash in exchange for goods or services sold by the seller and goods
3 which, at the time of sale or subsequently, are to be so affixed to
4 real property as to become a part of it, whether or not severable from
5 it;

6 * Sec. 3. AS 45.10.220(6) is repealed.

7 * Sec. 4. AS 45.10.220(13) is amended to read:

8 (13) "services" means work, labor, or services of any kind,
9 whether purchased for personal, family, household, commercial or business
10 use, and [PURCHASED PRIMARILY FOR PERSONAL, FAMILY, OR HOUSEHOLD USE
11 AND NOT FOR COMMERCIAL OR BUSINESS USE,] whether or not furnished in
12 connection with the delivery, installation, servicing, repair, or
13 improvement of goods; "services" includes repairs, alterations, or
14 improvements upon or in connection with real property, but does not
15 include the services of a professional person licensed by the state,
16 or services for which the price charged is required by law to be
17 determined or approved by or to be filed, subject to approval or dis-
18 approval, with the United States or a state or a department, division,
19 agency, officer, or official of either as in the case of transportation
20 services;

21 * Sec. 5. AS 45.10.220 is amended by adding new paragraphs to read:

22 (15) "holder" means the retail seller of the goods or services
23 purchased under a retail installment contract or retail charge agree-
24 ment or, if the contract or charge agreement has been purchased by or
25 otherwise transferred to a financing agency or other assignee, the
26 financing agency or other assignee;

27 (16) "financing agency" means a person engaged in whole or
28 in part in the business of purchasing or otherwise acquiring retail
29 installment contracts or retail charge agreements from one or more

1 retail sellers; the term includes but is not limited to a bank, trust
2 company, finance company or investment company, if so engaged.

3 * Sec. 6. This Act takes effect on the day after its passage and approval
4 or on the day it becomes law without approval.

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