

Original sponsor: Commerce Committee  
by request of the Interim Committee  
on Business and Monetary Policy

Offered: 2/28/74  
Referred: Judiciary

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

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CS FOR HOUSE BILL NO. 494

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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EIGHTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to the Alaska Retail Installment

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Sales Act; and providing for an effective date."

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

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

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(b) Except as provided in (d) of this section, a [A] seller or

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holder of a retail installment contract may charge, receive and collect

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a service charge which shall not exceed the following rates multiplied

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by the number of months, including a fraction of a month in excess of

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15 days as one month, elapsing between the date of the contract and

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the due date of the last installment,

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(1) on so much of the unpaid balance as does not exceed

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\$1,000, five-sixths of one per cent;

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(2) if the unpaid balance exceeds \$1,000, on so much of

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the unpaid balance as exceeds \$1,000, two-thirds of one per cent;

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(3) if the total service charge so computed is less than

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\$12, \$12, but if the due date of the last installment of the contract

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is eight months or less after its effective date, \$10.

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\* Sec. 2. AS 45.10.120 is amended by adding a new subsection to read:

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(d) If the holder of a retail installment contract is a bank,

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the amount of the service charge which the bank may receive and collect

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may not exceed 11.8 per cent per annum.

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\* Sec. 3. AS 45.10.220(2) is amended to read:

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(2) "goods" means all personal property, whether purchased

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for personal, family, household, commercial, or business use [PERSONAL

1 CHATTELS PURCHASED PRIMARILY FOR PERSONAL, FAMILY, OR HOUSEHOLD USE AND  
2 NOT FOR COMMERCIAL OR BUSINESS USE], but does not include money or,  
3 except as provided in the next phrase, chose in action; "goods" includes  
4 but is not limited to merchandise certificates or coupons issued by a  
5 retail seller to be used in their face amount instead of cash in  
6 exchange for goods or services sold by the seller and goods which, at  
7 the time of sale or subsequently, are to be so affixed to real property  
8 as to become a part of it, whether or not severable from it;

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

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

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

23 (15) "holder" means the retail seller of the goods or  
24 services purchased under a retail installment contract or charge  
25 agreement, or the purchaser or assignee of a retail installment contract;  
26 the term includes but is not limited to a bank, finance company,  
27 investment company, trust company or other financing agency;

28 (16) "unpaid balance" means principal balance, as defined  
29 in (5) of this section.

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

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