

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

Offered: 4/15/74  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 494

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  
7 Sales 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) Except as provided in (d) of this section, a [A] seller or  
11 holder of a retail installment contract may charge, receive and collect  
12 a service charge which shall not exceed the following rates multiplied  
13 by the number of months, including a fraction of a month in excess of  
14 15 days as one month, elapsing between the date of the contract and  
15 the due date of the last installment,

16 (1) on so much of the unpaid principal balance as does not  
17 exceed \$1,000, five-sixths of one per cent;

18 (2) if the unpaid principal balance exceeds \$1,000, on so  
19 much of the unpaid balance as exceeds \$1,000, two-thirds of one per  
20 cent;

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

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

25 (d) If the holder of a retail installment contract is a bank,  
26 the amount of the service charge which the bank may receive and collect  
27 may not exceed 11.8 per cent per annum.

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

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

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

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

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

23 \* Sec. 5. AS 45.10.220 is amended by adding a new paragraph to read:

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

29 \* Sec. 6. This Act takes effect on the day after its passage and approval

1 or on the day it becomes law without approval.

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