

1 IN THE SENATE

BY CROFT AND KERTTULA

2 SENATE BILL NO. 395 *am H*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to door-to-door sales."

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

8 * Section 1. AS 45.50.471 is amended by adding a new paragraph to read:

9 (22) failing to comply with AS 45.05.125.

10 * Sec. 2. AS 45.05.125(a) is amended to read:

11 (a) A contract for the purchase of [RETAIL] goods or services in
12 the amount of \$10 or more from a person [SALESMAN] soliciting a door-to-
13 door sale shall require, as a condition of taking effect, that the
14 purchaser may revoke his offer to buy within three business days [72
15 HOURS] of entering into the contract, and that the seller, at the time
16 of the sale, give the purchaser written notice of his right to revoke.

17 Revocation is effective either upon the tender of the rejected goods to
18 the seller or his agent, or [, IF THE GOODS HAVE NOT BEEN DELIVERED,]
19 upon the posting of a letter of rejection to the seller or his agent.
20 [SALES IN WHICH THE BUYER REQUESTED THE SELLER OR HIS AGENT TO COME TO
21 HIS HOME ARE EXEMPTED FROM THIS SUBSECTION.]

22 * Sec. 3. AS 45.05.046 is amended by adding a new subsection to read:

23 (e) A "door-to-door sale" occurs when the seller, or his repre-
24 sentative, personally solicits the sale and the purchaser's agreement or
25 offer to purchase is made at a place other than the place of business of
26 the seller. The term "door-to-door sale" does not include a transaction

27 (1) made under prior negotiations in the course of a visit
28 by the buyer to a retail business establishment having a fixed permanent
29 location where the goods are exhibited or the services are offered for

1 sale on a continuing basis;

2 (2) in which the buyer has initiated the contact and the
3 goods or services are needed to meet a bona fide immediate personal
4 emergency of the buyer;

5 (3) conducted and consummated entirely by mail; or

6 (4) in which the buyer has initiated the contact and specifi-
7 cally requested the seller to visit his home for the purpose of
8 repairing or performing maintenance upon the buyer's personal property.
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