

Introduced: 4/23/75
Referred: Commerce

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 five 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 registered letter (marked Deliver to Addressee
20 Only, Return Receipt) of rejection to the seller or his agent. [SALES
21 IN WHICH THE BUYER REQUESTED THE SELLER OR HIS AGENT TO COME TO HIS HOME
22 ARE EXEMPTED FROM THIS SUBSECTION.]

23 * Sec. 3. AS 45.05.046 is amended by adding new subsections to read:

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

28 (1) made under prior negotiations in the course of a visit
29 by the buyer to a retail business establishment having a fixed permanent

1 location where the goods are exhibited or the services are offered for
2 sale on a continuing basis;

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

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

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

10 (5) conducted at the purchaser's place of business.

11 (f) As used in (e) of this section, "personally" means in person
12 or by telephone.
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