

Introduced by Senator DuchenyFebruary 26, 2009

An act to amend Section 17701 of the Business and Professions Code, relating to coupons.

LEGISLATIVE COUNSEL'S DIGEST

SB 411, as introduced, Ducheny. Coupons.

Existing law prohibits a person from issuing a coupon, as defined, unless the person is the individual issuing the coupon, a member of an association issuing the coupon, or a person engaged in the business of issuing coupons, and specified information is included on the coupon. Existing law requires a coupon issued by a member or members of an association to include the name and address of the principal place of business of the association. Existing law makes a violation of those provisions a misdemeanor.

This bill would additionally require a coupon issued by a member or members of an association to include an Internet Web site address. The bill would also make technical, nonsubstantive changes to that provision. Because a violation of that requirement would constitute a misdemeanor, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17701 of the Business and Professions
2 Code is amended to read:

3 17701. It is unlawful for any person to issue ~~coupons~~ *a coupon*
4 unless there ~~shall be~~ *is* specified in or upon ~~such coupons that~~
5 *coupon*, specifically or by class, the person by whom or with whom
6 ~~such that~~ *that* coupon is exchangeable or redeemable, and unless ~~such~~
7 *that* person ~~specified~~ *is either one of the following*:

8 (a) The person issuing ~~such the~~ *the* coupon.

9 (b) ~~Member~~ *A member* or members of an association issuing
10 ~~such the~~ *the* coupon, which association shall be a bona fide
11 organization in existence for a period of at least six months prior
12 to issuing ~~such the~~ *the* coupon. The name and address by street and
13 number of the principal place of business of the association *and*
14 *an Internet Web site address* shall also be specified in or upon
15 ~~such the~~ *the* coupon.

16 (c) A person engaged in the business of issuing coupons for use
17 or distribution by ~~itself himself or herself~~ *or by any other persons*
18 *person*.

19 SEC. 2. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 the only costs that may be incurred by a local agency or school
22 district will be incurred because this act creates a new crime or
23 infraction, eliminates a crime or infraction, or changes the penalty
24 for a crime or infraction, within the meaning of Section 17556 of
25 the Government Code, or changes the definition of a crime within
26 the meaning of Section 6 of Article XIII B of the California
27 Constitution.