

- ~~1.~~ (I) THE AMOUNT OF THE FEE;
- ~~2.~~ (II) THE CIRCUMSTANCES UNDER WHICH THE FEE WILL BE IMPOSED;
- ~~3.~~ (III) THE FREQUENCY WITH WHICH THE FEE WILL BE IMPOSED; AND
- ~~4.~~ (IV) WHETHER THE FEE IS TRIGGERED BY INACTIVITY.

~~(2)~~ (C) IF THE DISCLOSURES REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION (B) OF THIS SECTION ARE HIDDEN BY THE PACKAGING OF THE GIFT CARD, THE SELLER OR ISSUER SHALL GIVE THE PURCHASER A WRITTEN STATEMENT OF THE DISCLOSURES BEFORE THE GIFT CARD IS SOLD OR ISSUED.

~~(4)~~ (D) IN ADDITION TO PRINTING THE INFORMATION REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION (B) OF THIS SECTION ON A GIFT CARD:

~~(4)~~ (1) IF A GIFT CARD IS SOLD OR ISSUED BY ELECTRONIC MEANS, THE SELLER OR ISSUER SHALL INCLUDE A CONSPICUOUS WRITTEN STATEMENT OF THE INFORMATION IN THE ELECTRONIC MESSAGE OFFERING THE GIFT CARD; AND

~~(4)~~ (2) IF A GIFT CARD IS SOLD OR ISSUED BY TELEPHONIC MEANS, THE SELLER OR ISSUER, BEFORE THE GIFT CARD IS SOLD, SHALL STATE THE INFORMATION TO THE PURCHASER.

(E) UNLESS THE CHANGE BENEFITS THE CONSUMER, A TERM OR CONDITION DISCLOSED UNDER SUBSECTION (B) OF THIS SECTION MAY NOT BE CHANGED AFTER THE DATE OF PURCHASE OR ISSUANCE.

~~(6)~~ (F) A VIOLATION OF ANY PROVISION OF THIS SECTION:

(1) IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THIS ARTICLE; AND

(2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THIS ARTICLE, EXCEPT THE PROVISIONS OF § 13-411 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any gift certificate or gift card sold or issued before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2005 2006.

Approved May 26, 2005.