



SPONSOR: Rep. Wagner & Sen. DeLuca;
Rep. Maier

HOUSE OF REPRESENTATIVES
144th GENERAL ASSEMBLY

HOUSE BILL NO. 52

AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO GIFT CERTIFICATES AND GIFT CARDS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Title 6 of the Delaware Code by enacting as a new § 2709 the following:

2 “§ 2709. Gift Certificates and Gift Cards, Definitions, Expiration Dates.

- 3 a) ‘Gift certificates’ and ‘gift cards’ are those items sold for cash or credit and upon their issuance, shall
4 have no expiration date if sold within the State, and may have an expiration date if sold in another
5 state pursuant to that state’s law as long as the date is printed on the card or certificate or is otherwise
6 communicated to the recipient, nor shall any charge or fees be made against the value of the card or
7 certificate for inactivity or other reasons unless provided elsewhere in this act. ‘Gift certificates’ and
8 ‘gift cards’ shall for the purposes of this Chapter not include any general purpose stored value
9 card/bank gift card/general use prepaid card useable with multiple sellers of goods or services,
10 provided the expiration date, if any, is printed on the card. The definitions appearing in this Section
11 shall only apply to this Chapter and shall not be applicable to any other Title of the Delaware Code.
12 Any fees charged against the value of the card or certificate for inactivity or other reasons shall not,
13 under any circumstances, have any bearing on the provisions of, or administration pursuant to Title
14 12, Chapter 11 of the Delaware Code.
- 15 b) If a gift certificate or gift card is given by the merchant or supplier or is a prize, Subsection (a) shall
16 not apply and the expiration date shall be as designated by the merchant and any monthly inactivity
17 charges may apply.”.

SYNOPSIS

This Bill defines gift cards and gift certificates, prohibits fees against the value of the card of certificate for inactivity, but exempts those certificates or cards which are given at no cost from application under this Act.