

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 955**

Introduced by Bostar, 29.

Read first time January 04, 2024

Committee:

- 1 A BILL FOR AN ACT relating to business practices; to require certain
- 2 notice to purchasers of gift certificates and gift cards; and to
- 3 provide penalties.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) For purposes of this section, gift certificate or  
2 gift card means a certificate, electronic card, or other prefunded record  
3 that (a) is usable at a single merchant or an affiliated group of  
4 merchants that share the same name, mark, or logo, or is usable at  
5 multiple, unaffiliated merchants or service providers, (b) is issued in a  
6 specified amount, (c) may or may not be increased in value or reloaded,  
7 (d) is purchased or loaded on a prepaid basis for the future purchase or  
8 delivery of any goods or services, and (e) is honored upon presentation.

9           (2) No person, firm, partnership, association, limited liability  
10 company, corporation, or other business entity shall sell a gift  
11 certificate or gift card to a purchaser unless, at the location where the  
12 sale occurs, the following notice is provided:

13           "Protect yourself from prepaid card scams, including requests  
14 related to lotteries, taxes, employment status, or utility payments. Do  
15 not provide any prepaid card information to someone you do not know,  
16 including the PIN number or card number. If you feel that you are a  
17 victim of fraud, contact local law enforcement."

18           (3) The notice required pursuant to subsection (2) of this section  
19 shall be provided as follows:

20           (a) If the person, firm, partnership, association, limited liability  
21 company, corporation, or other business entity has an electronic payment  
22 system screen, notice may be given on such screen to the purchaser before  
23 finalizing payment; or

24           (b) If the person, firm, partnership, association, limited liability  
25 company, corporation, or other business entity does not have an  
26 electronic payment system screen or does not wish to provide notice on an  
27 electronic payment system screen, notice shall be posted in a conspicuous  
28 manner in the location where the sale occurs.

29           (4) The Attorney General shall enforce this section and may recover  
30 a civil penalty not to exceed one thousand dollars for each violation and  
31 seek equitable relief to restrain any violation.