

The House Committee on Agriculture and Consumer Affairs offers the following substitute to SB 534:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia
2 Annotated, the "Fair Business Practices Act of 1975," so as provide that the failure of a
3 marketplace innkeeper to provide a consumer with an itemized receipt detailing certain taxes
4 and fees is an unlawful business practice; to require cash overpayments to be remitted by
5 merchants in the form of store credit under certain circumstances; to provide for exceptions;
6 to provide for penalties and remedies; to provide for definitions; to provide for related
7 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, the
11 "Fair Business Practices Act of 1975," is amended in subsection (b) of Code
12 Section 10-1-393, relating to unfair or deceptive practices in consumer transactions unlawful
13 and examples, by striking "and" at the end of paragraph (34), striking the period at the end
14 of paragraph (35) and inserting"; and" in lieu thereof, and by adding a new paragraph to read
15 as follows:

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16 "(36)(A) Failure of a marketplace innkeeper to provide a consumer with an itemized
17 receipt detailing the amount and type of each tax and fee charged to the consumer in
18 relation to the rental or lease of any room, lodging, or accommodation.
19 (B) As used in this paragraph, the term 'marketplace innkeeper' shall have the same
20 meaning as provided in Code Section 48-13-50.2."

21 **SECTION 2.**

22 Said part is further amended by is amended by adding a new Code section to read as follows:
23 "10-1-393.20.

24 (a) As used in this Code section, the term 'merchant' means any person that offers goods,
25 wares, merchandise, or services for sale, excluding offers made online or entirely through
26 an automated machine, in this state to the public and shall include any employee of a
27 merchant.

28 (b) If a merchant does not have exact change to give a buyer for an overpayment for goods
29 and services paid for with cash, the merchant shall remit the amount of payment in excess
30 of the purchase price and sales tax to the buyer in the form of a store credit.

31 (c) The provisions of this Code section shall not apply to a merchant that:

32 (1) Is a sole proprietor;

33 (2) Is a business with only one employee; or

34 (3) Is at an event expected to attract 500 or more persons.

35 (d) Any merchant that violates any provision of this Code section shall be subject to the
36 penalties provided in this part.

37 (e) The rights and remedies provided for in this Code section are in addition to any other
38 rights and remedies provided by law."

39 **SECTION 3.**

40 This Act shall become effective on January 1, 2025.

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SECTION 4.

42 All laws and parts of laws in conflict with this Act are repealed.