

By Mr. Menton of Watertown, petition of Paul C. Menton for an amendment of the law relative to certain retail installment sales and services subject to the supervision of the Commissioner of Banks. Banks and Banking.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT FOR AN AMENDMENT OF THE LAW RELATIVE TO CERTAIN  
RETAIL INSTALLMENT SALES AND SERVICES SUBJECT TO THE SUPER-  
VISION OF THE COMMISSIONER OF BANKS.

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

1 SECTION 1. Section 1 of chapter 255D of the General Laws  
2 as inserted by section 1 of chapter 284 of the acts of 1966 is  
3 hereby amended by striking out the definition "Services" and  
4 inserting in place thereof the following definition:—"Serv-  
5 ices", any work or labor, purchased primarily for personal,  
6 family or household purposes, or furnished or agreed to be  
7 furnished in the delivery, installation, repair or improvement  
8 of goods, including but not limited to alterations or improve-  
9 ments upon or in connection with real property, but exclud-  
10 ing insurance subject to the provisions of chapter two hun-  
11 dred and fifty-five C of the General Laws.

1 SECTION 2. The second paragraph of clause (6) of paragraph  
2 2 of section 9 of chapter 255D is hereby amended by striking  
3 out in the third line the words "all parties thereto" and insert-  
4 ing in place thereof the words:—the buyer, so that said para-  
5 graph will read as follows:—If the seller takes no security in-  
6 terest in the goods, clauses (4) and (5) need not be included  
7 in the notice, and, if the agreement was not consummated by  
8 the buyer at a place other than an address of the seller, which  
9 may be his main office or any branch thereof, one of which  
10 must be shown on the agreement, clause (6) need not be in-  
11 cluded in the notice.

1 SECTION 3. Paragraph C of section 13 of chapter 255D is  
2 hereby amended by striking out said paragraph and inserting  
3 in place thereof the following paragraph:—

4 C. Where the amount of credit for anticipation of payment  
5 is less than one dollar, no refund need be made. Where the  
6 earned finance charge amounts to less than the minimum  
7 provided for in section eleven B (1), there may be retained  
8 an amount equal to said minimum.

1 SECTION 4. The second paragraph of clause (6) of section  
2 27 of chapter 255D of the General Laws is hereby amended  
3 by striking out in the fourth line the words “all parties  
4 thereto” and inserting in place thereof the words:—the  
5 buyer,—so that said paragraph will read as follows:—

6 If the seller does not take a security interest in goods  
7 purchased pursuant to the revolving credit agreement,  
8 clauses (4) and (5) need not be included in the notice, and if  
9 the agreement was not consummated by the buyer at a place  
10 other than the address of the seller, which may be his main  
11 office or any branch thereof, one of which must be shown on  
12 the agreement, clause (6) need not be included in the  
13 notice.

1 SECTION 5. Clause 1 of paragraph C of chapter 255D is  
2 hereby amended by striking out in the fourth line the word  
3 “thereunder” and inserting in place thereof the words:—at  
4 the beginning of the billing period,—so that said clause will  
5 read as follows:—

6 C. 1. An installment seller under a revolving credit agree-  
7 ment may assess a finance charge upon the installment buyer  
8 which shall not exceed the following rates computed upon  
9 the outstanding unpaid balance at the beginning of the  
10 billing period, from month to month, which need not be a  
11 calendar month, or other regular period.

1 SECTION 6. Clause 2 of paragraph D of chapter 255D is  
2 hereby amended by striking out said clause and inserting in  
3 place thereof the following clause:—

4 2. The finance charge thereon in dollars, computed accord-  
5 ing to paragraph C 1 of this section.