

By Mr. Buxbaum of Sharon, petition of Laurence R. Buxbaum that provision be made for the return of deposits in certain consumer transactions. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT PROVIDING FOR THE RETURN OF DEPOSITS IN CERTAIN CONSUMER TRANSACTIONS.

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

1 Chapter 93 of the General Laws is hereby amended by
2 inserting after section 48 the following section: —

3 *Section 48A.* In any consumer transaction for the sale or
4 lease of real or personal property, or the rendering of services, or
5 both, primarily for personal, family or household purposes,
6 between a consumer and a merchant, as defined by section 2-104
7 of chapter one hundred and six, in which the merchant requires a
8 deposit of more than 10% of the total purchase or lease price, the
9 consumer shall be entitled to cancel said agreement within three
10 business days following the giving of the deposit and to receive
11 back the entire deposit, unless the consumer has previously
12 acquired control over the property or the merchant has affirma-
13 tively relied upon the deposit and has incurred actual expenses
14 paid as a result of such reliance. If there has been such reliance
15 the merchant may, upon presentation to the consumer of a
16 written explanation of such expenses, deduct the actual expenses
17 from the amount of the deposit to be returned.

18 The provisions of this section shall not apply to transactions
19 subject to section forty-eight of this chapter or to section
20 fourteen of chapter 255 D.

SECTION 1. That the Secretary of the Interior be and he is authorized to make and to cause to be made such regulations as may be necessary to carry out the purposes of this Act.

CHAPTER I
GENERAL PROVISIONS

SECTION 1. SHORT TITLE

1. This Act may be cited as the "National Historic Sites Act."

2. The Secretary of the Interior is authorized to acquire, by purchase, donation, or otherwise, any land or interest in land which is of historic or scientific interest and which is situated on the public domain.

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