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H.121

Representative Andriano of Orwell moves that the report of the Committee on Commerce and Economic Development be amended in Sec. 1, 9 V.S.A. chapter 61A, in section 2427, by striking out subdivision (a)(2) in its entirety and inserting in lieu thereof a new subdivision (a)(2) to read as follows:

(2) If a consumer who is harmed by a violation of this chapter or rules adopted pursuant to this chapter notifies the controller or processor of the violation and the controller or processor fails to cure the violation within 60 days following receipt of the notice of violation, the consumer may bring an action in Superior Court for:

- (A) the greater of \$1,000.00 or actual damages;
- (B) injunctive relief;
- (C) punitive damages in the case of an intentional violation; or
- (D) reasonable costs and attorney’s fees.

1 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE