

S.105 (Vetoed). Consumer protection

This bill would have created a new chapter in the Commerce and Trade title to govern standard form contracts entered into between an individual and a corporate entity or employer where the individual is not the drafter of the contract, while exempting from the chapter contracts between individuals and companies regulated by Vermont's Department of Financial Regulation and contracts between individuals and financial institutions. The chapter would have created a rebuttable presumption that certain types of contractual terms are on their face unconscionable, while providing for a hearing and opportunity for the parties to present evidence prior to the court issuing a ruling on unconscionability. In the event that a court found a term to be unconscionable, the bill would have allowed the court to either limit the application of the unconscionable term to avoid any unconscionable result or refuse to enforce the whole contract or only the part with the unconscionable term.

Vetoed by the Governor: May 22, 2018

Effective Date: Not applicable