

1 SENATE BILL NO. 553

2 INTRODUCED BY D. ZOLNIKOV

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING STATE POLICY LAWS; ALLOWING
5 FOOD SERVICE ESTABLISHMENTS TO SERVE FRESH KRATOM PRODUCTS; PROHIBITING
6 EXPIRATION DATES ON AIRLINE TRAVEL CREDITS; ASSOCIATING OWNERSHIP WITH THE
7 POSSESSOR OF THE TRAVEL CREDIT; LIMITING FEES; ALLOWING CASH REDEMPTION;
8 ESTABLISHING A FEE FOR AIRLINE TRAVEL TO AND FROM MONTANA; ESTABLISHING REPORTING
9 REQUIREMENTS; PROVIDING DEFINITIONS; AMENDING SECTION 30-14-102, MCA; AND PROVIDING AN
10 IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 **NEW SECTION. Section 1. Kratom tea houses.** A food service establishment under Title 50,
15 chapter 31, including but not limited to kratom tea houses, may prepare and serve fresh kratom products,
16 including tea, for consumption on premise.

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18 **NEW SECTION. Section 2. Termination of travel credit prohibited -- fee limitation -- redemption**
19 **-- airline fee -- reporting requirement.** (1) A travel credit is valid until redemption and does not terminate. A
20 travel credit is considered trust property of the possessor if the issuer or seller of the travel credit declares
21 bankruptcy after issuing or selling the travel credit.

22 (2) The value represented by the travel credit belongs to the possessor and not to the issuer or
23 seller. An issuer or seller may redeem a travel credit presented by an individual whose name does not match
24 the name on the travel credit.

25 (3) A travel credit may not be reduced in value by any fee, including a dormancy fee applied if a
26 travel credit is not used.

27 (4) If the original value of the travel credit was more than \$5 and the remaining value is less than
28 \$5 and the possessor requests cash for the remainder, the issuer or seller shall redeem the travel credit for

1 cash.

2 (5) (a) A fee of \$1 must be added to any airline ticket purchased for travel to or from this state.

3 Revenue collected from the fee must be deposited in an account in the enterprise fund type to the credit of the
4 department of justice for the purposes of combating human trafficking.

5 (b) The department of justice shall report on spending from the fund, in accordance with 5-11-210,
6 at the third-quarter interim budget committee hearing in the even-numbered year of each biennium.

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8 **Section 3.** Section 30-14-102, MCA, is amended to read:

9 **"30-14-102. Definitions.** As used in this part, the following definitions apply:

10 (1) "Consumer" means a person who purchases or leases goods, services, real property, or
11 information primarily for personal, family, or household purposes.

12 (2) "Department" means the department of justice created in 2-15-2001.

13 (3) "Documentary material" means the original or a copy of any book, record, report,
14 memorandum, paper, communication, tabulation, map, chart, photograph, mechanical transcription, or other
15 tangible document or recording.

16 (4) "Examination" of documentary material includes the inspection, study, or copying of
17 documentary material and the taking of testimony under oath or acknowledgment in respect to any
18 documentary material or copy of documentary material.

19 (5) (a) "Gift certificate" means a record, including a gift card or stored value card, that is provided
20 for paid consideration and that indicates a promise by the issuer or seller of the record that goods or services
21 will be provided to the possessor of the record for the value that is shown on the record or contained within the
22 record by means of a microprocessor chip, magnetic stripe, bar code, or other electronic information storage
23 device. The consideration provided for the gift certificate must be made in advance. The value of the gift
24 certificate is reduced by the amount spent with each use. A gift certificate is considered trust property of the
25 possessor if the issuer or seller of the gift certificate declares bankruptcy after issuing or selling the gift
26 certificate. The value represented by the gift certificate belongs to the possessor, to the extent provided by law,
27 and not to the issuer or seller.

28 (b) The term does not include:

NEW SECTION. Section 4. Codification instruction. (1) [Section 1] is intended to be codified as an

integral part of Title 16, and the provisions of Title 16 apply to [section 1]

(2) [Section 42] is intended to be codified as an integral part of Title 30, chapter 14, part 1, and the

provisions of Title 30, chapter 14, part 1, apply to [section 12].

NEW SECTION. Section 5. Saving clause. [This act] does not affect rights and duties that matured,

penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 7. Retroactive applicability. ~~This actSection 2 and 3~~ applies apply

1 retroactively, within the meaning of 1-2-109, to travel credit issued on or after January 1, 2025.

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- END -

AMEND