



850722

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
4/15/2008	.	
	.	
	.	

1 The Committee on Regulated Industries (Aronberg) recommended the
 2 following **amendment**:

Senate Amendment

5 Delete line(s) 230-242
 6 and insert:

7
 8 proof.--Notwithstanding the provisions of any franchise
 9 agreement, a franchise agreement of a motor vehicle dealer shall
 10 not be terminated, canceled, discontinued, or not renewed by a
 11 licensee on the basis of any misrepresentation or fraud, or the
 12 filing of false or fraudulent statements or claims with the
 13 licensee, unless the licensee proves by clear and convincing
 14 evidence at a hearing that the majority owner or, if there is no
 15 majority owner, the person designated as dealer-principal in the
 16 franchise agreement, had actual knowledge of such acts at the
 17 time they allegedly were committed or that the licensee provided

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18 written notice to the majority owner or dealer-principal
19 detailing such alleged acts, and that the majority owner or
20 dealer-principal, within a reasonable time after receipt of such
21 written notice, failed to take actions reasonably calculated to
22 prevent such acts from continuing or reoccurring.