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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To establish requirements with respect to the sale of timeshares to improve acquisition transparency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON of Pennsylvania introduced the following bill; which was referred to the Committee on _____

A BILL

To establish requirements with respect to the sale of timeshares to improve acquisition transparency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Timeshare Trans-
5 parency Act”.

1 **SEC. 2. TIMESHARE ACQUISITION TRANSPARENCY.**

2 (a) IN GENERAL.—It shall be unlawful for a
3 timeshare company to enter into a timeshare agreement
4 with an individual for the sale of a timeshare unless—

5 (1) such agreement incorporates—

6 (A) in a single document, an itemized spec-
7 ification of all the costs required to acquire and
8 maintain ownership of the timeshare, including
9 ongoing fees;

10 (B) a specification of each fee that may be
11 altered by the timeshare company and an expla-
12 nation of the notice, including the timing of
13 such notice, that will be provided to the indi-
14 vidual with respect to an alteration of each such
15 fee;

16 (C) a specification of each option available
17 to the individual for ending ownership of the
18 timeshare; and

19 (D) a provision stating that the individual
20 may terminate the agreement, without penalty,
21 during the 14-day period beginning on the date
22 on which such individual enters into such agree-
23 ment; and

24 (2) the individual, prior to entering into the
25 agreement and free from the supervision of an em-
26 ployee of the timeshare company, is provided an op-

1 portunity to review all documents associated with
2 the agreement, including documents containing the
3 specifications and provisions described in paragraph
4 (1).

5 (b) ENFORCEMENT BY FEDERAL TRADE COMMIS-
6 SION.—

7 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
8 TICE.—A violation of subsection (a) or a regulation
9 promulgated thereunder shall be treated as a viola-
10 tion of a rule defining an unfair or deceptive act or
11 practice under section 18(a)(1)(B) of the Federal
12 Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

13 (2) POWERS OF THE COMMISSION.—

14 (A) IN GENERAL.—The Commission shall
15 enforce this section in the same manner, by the
16 same means, and with the same jurisdiction,
17 powers, and duties as though all applicable
18 terms and provisions of the Federal Trade
19 Commission Act (15 U.S.C. 41 et seq.) were in-
20 corporated into and made a part of this section.

21 (B) PRIVILEGES AND IMMUNITIES.—Any
22 person who violates subsection (a) or a regula-
23 tion promulgated thereunder shall be subject to
24 the penalties and entitled to the privileges and

1 immunities provided in the Federal Trade Com-
2 mission Act (15 U.S.C. 41 et seq.).

3 (C) AUTHORITY PRESERVED.—Nothing in
4 this section shall be construed to limit the au-
5 thority of the Commission under any other pro-
6 vision of law.

7 (3) RULEMAKING.—The Commission shall pro-
8 mulgate in accordance with section 553 of title 5,
9 United States Code, such rules as may be necessary
10 to carry out this section.

11 (c) APPLICABILITY.—Subsection (a) shall apply to
12 agreements entered into on or after the date that is 90
13 days after the date of the enactment of this Act.

14 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion may be interpreted to preclude a State from imposing
16 or enforcing any requirement relating to the sale of a
17 timeshare that provides greater protection to consumers
18 than the protection provided by the requirements of this
19 section.

20 (e) DEFINITIONS.—In this section:

21 (1) COMMISSION.—The term “Commission”
22 means the Federal Trade Commission.

23 (2) TIMESHARE.—The term “timeshare” means
24 an interest purchased in any arrangement, plan,
25 scheme, or similar device (not including any ex-

1 change program), whether by membership, agree-
2 ment, tenancy in common, sale, lease, deed, rental
3 agreement, license, right to use agreement, or by
4 any other means, whereby a purchaser, in exchange
5 for consideration, receives a right to use accom-
6 modations, facilities, or recreational sites, whether
7 improved or unimproved, for a specific period of
8 time less than 1 full year during any given year, but
9 not necessarily for consecutive years, and which ex-
10 tends for a period of more than 3 years.

11 (3) **TIMESHARE COMPANY.**—The term
12 “timeshare company” means any person that sells,
13 offers, arranges, or otherwise engages in the busi-
14 ness of providing a timeshare to a consumer, directly
15 or indirectly, for monetary consideration.