



State of Tennessee

PUBLIC CHAPTER NO. 308

SENATE BILL NO. 634

By Johnson

Substituted for: House Bill No. 1163

By Ogles, Whitson, Hardaway, White, Helton

AN ACT to amend Tennessee Code Annotated, Title 47 and Title 62, relative to travel promoters.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 1, is amended by adding the following new section:

(a) For purposes of this section:

(1) "Travel promoter" means a person who sells, provides, furnishes, contracts for, or arranges travel services for a fee, commission, or other valuable consideration. "Travel promoter" does not include a transportation carrier if the carrier provides, furnishes, contracts for, or arranges only transportation services that are directly provided by the transportation carrier as the substantial portion of the transportation carrier's business; and

(2) "Travel services" means arranging or booking vacation or travel packages, travel reservations, or travel accommodations.

(b)(1) A travel promoter shall not commingle in the same account or fund those funds that belong to the travel promoter or the travel promoter's business entity with customer funds that are held for disbursement for payment of travel services.

(2) A travel promoter shall deposit into a trust account any funds the travel promoter receives from a customer for disbursement for payment of travel services.

(c)(1) Each travel promoter that conducts business in this state shall establish and maintain a separate general trust account in a state or national bank authorized by law to administer trust funds in this state.

(2) Funds required by subsection (b) to be deposited in a trust account must be identified or earmarked with an identifier unique to the customer or transaction for which the funds were deposited and are being held for disbursement.


(d) A violation of this section constitutes an unfair or deceptive act prohibited under § 47-18-104, and is punishable as provided in this part. Each act in violation of this section constitutes a separate violation.

SECTION 2. This act shall take effect January 1, 2020, the public welfare requiring it.

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PASSED: April 22, 2019


RANDY McNALLY
SPEAKER OF THE SENATE


GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 8th day of May 2019


BILL LEE, GOVERNOR