

### **367.395 Definitions.**

As used in KRS 367.397 to 367.407, unless the context requires otherwise:

- (1) "Club" means any buying club or vacation club.
- (2) "Contract" means any oral or written agreement by which one becomes a member of a club.
- (3) "Buying club" means any person, corporation, unincorporated association, or other organization which for a consideration provides or purports to provide its members or the members of any other buying club with the ability to purchase goods or services at discount prices; except that such organization shall not include any buying club in which persons receive discount buying services incidentally as part of a package of services provided to, or available to, such individuals on account of membership in such organization which is not organized for the profit of any person or corporation or which does not have as one of its primary purposes or businesses the provision of discount buying services.
- (4) "Member" or "membership" means a status by which any natural person is entitled to any of the benefits of a club.
- (5) "Prepayment" means any payment for service or merchandise made before the service is rendered or the merchandise is received. It is not a prepayment if a payment for service is made on the same day the service is rendered. Money received by a club from a financial institution upon assignment of a contract shall be considered prepayment when and to the extent the member is required to make prepayments to the financial institution pursuant to the contract.
- (6) "Vacation club" means any person, corporation, unincorporated association, or other organization which for a consideration provides or purports to provide its members or the members of any other vacation club with any vacation, vacation plan, or services connected with the scheduling of a vacation at discount prices.

**Effective:** July 15, 1988

**History:** Amended 1988 Ky. Acts ch. 62, sec. 1, effective July 15, 1988. -- Created 1982 Ky. Acts ch. 21, sec. 1, effective July 15, 1982.