

### **367.976 Definitions for KRS 367.976 to 367.985.**

As used in KRS 367.976 to 367.985, unless the context otherwise requires:

- (1) "Advertisement" means a commercial message in any medium that aids, promotes, or assists directly or indirectly a rental-purchase agreement, excluding in-store merchandising aids.
- (2) "Cash price" means the price at which the lessor would have sold the property to the consumer for cash on the date of the rental-purchase agreement.
- (3) "Consumer" means a natural person who rents personal property under a rental-purchase agreement.
- (4) "Consummation" means the time a consumer becomes contractually obligated on a rental-purchase agreement.
- (5) "Division" means the Division of Consumer Protection in the Office of the Attorney General.
- (6) "Lessor" means a person who, in the ordinary course of business, regularly leases, offers to lease, or arranges for the leasing of property under a rental-purchase agreement.
- (7) "Rental-purchase agreement" means an agreement for the use of personal property by a natural person primarily for personal, family, or household purposes, for an initial period of four (4) months or less, whether or not there is any obligation beyond the initial period, that is automatically renewable with each payment and that permits the consumer to become the owner of the property. The term rental-purchase agreement shall not be construed to be, nor be governed by, any of the following:
  - (a) A lease or agreement which constitutes a credit sale as defined in 12 C.F.R. part 226.2(a)(16) and Section 1602(g) of the Truth in Lending Act, 15 U.S.C. secs. 1601 et seq.;
  - (b) A lease which constitutes a consumer lease as defined in 12 C.F.R. part 213.2(a)(6);
  - (c) Any lease for agricultural, business, or commercial purposes;
  - (d) Any lease made to an organization;
  - (e) A lease or agreement which constitutes a retail installment transaction or retail installment contract as defined in KRS 371.210;
  - (f) A security interest as defined in KRS 355.1-201(37); or
  - (g) A home solicitation sale as that term is defined in KRS 367.410.

**Effective:** July 13, 1990

**History:** Created 1990 Ky. Acts ch. 196, sec. 1, effective July 13, 1990; and ch. 304, sec. 1, effective July 13, 1990.

**Legislative Research Commission Note (7/13/90).** This section was created by two separate 1990 Acts which are identical and have therefore been compiled together.