

119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Mr. CURTIS (for himself and Mr. SCHIFF) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**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”.

6       **SEC. 2. TIMESHARE ACQUISITION TRANSPARENCY.**

7       (a) IN GENERAL.—It shall be unlawful for a  
8       timeshare company and an individual to enter into a  
9       timeshare agreement for the sale of a timeshare unless—

10               (1) such agreement incorporates—

1 (A) in a single document, an itemized spec-  
2 ification of all the costs required to acquire and  
3 maintain ownership of the timeshare, including  
4 ongoing fees;

5 (B) a specification of each fee that may be  
6 altered by the timeshare company and an expla-  
7 nation of the notice, including the timing of  
8 such notice, that will be provided to the indi-  
9 vidual with respect to an alteration of each such  
10 fee;

11 (C) a specification of each option available  
12 to the individual for ending ownership of the  
13 timeshare; and

14 (D) a provision stating that the individual  
15 may terminate the agreement, without penalty,  
16 during the 14-day period beginning on the date  
17 on which such individual enters into such agree-  
18 ment; and

19 (2) the individual, prior to entering into the  
20 agreement and free from the supervision of an em-  
21 ployee of the timeshare company, is provided an op-  
22 portunity to review all documents associated with  
23 the agreement, including documents containing the  
24 specifications and provisions described in paragraph  
25 (1).

1 (b) ENFORCEMENT BY FEDERAL TRADE COMMIS-  
2 SION.—

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

9 (2) POWERS OF THE COMMISSION.—

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

17 (B) PRIVILEGES AND IMMUNITIES.—Any  
18 person who violates subsection (a) or a regula-  
19 tion promulgated thereunder shall be subject to  
20 the penalties and entitled to the privileges and  
21 immunities provided in the Federal Trade Com-  
22 mission Act (15 U.S.C. 41 et seq.).

23 (C) AUTHORITY PRESERVED.—Nothing in  
24 this section shall be construed to limit the au-

1           thority of the Commission under any other pro-  
2           vision of law.

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

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

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

16          (e) DEFINITIONS.—In this section:

17               (1) COMMISSION.—The term “Commission”  
18               means the Federal Trade Commission.

19               (2) TIMESHARE.—The term “timeshare” means  
20               an interest purchased in any arrangement, plan,  
21               scheme, or similar device (not including any ex-  
22               change program), whether by membership, agree-  
23               ment, tenancy in common, sale, lease, deed, rental  
24               agreement, license, right to use agreement, or by  
25               any other means, whereby a purchaser, in exchange

1       for consideration, receives a right to use accom-  
2       modations, facilities, or recreational sites, whether  
3       improved or unimproved, for a specific period of  
4       time less than 1 full year during any given year, but  
5       not necessarily for consecutive years, and which ex-  
6       tends for a period of more than 3 years.

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