

(II) A RADIO OR TELEVISION BROADCAST THAT ORIGINATES OUTSIDE THE STATE AND IS RECEIVED IN THE STATE.

(3) FOR PURPOSES OF THIS SECTION, AN OFFER TO BUY IS ACCEPTED IN THE STATE WHEN ACCEPTANCE IS COMMUNICATED TO THE OFFEROR IN THE STATE.

(4) FOR PURPOSES OF THIS SECTION, ACCEPTANCE IS COMMUNICATED TO THE OFFEROR IN THE STATE WHEN:

(I) THE OFFEREE DIRECTS ACCEPTANCE TO THE OFFEROR IN THE STATE REASONABLY BELIEVING THE OFFEROR TO BE IN THE STATE; AND

(II) THE ACCEPTANCE IS RECEIVED AT THE PLACE TO WHICH IT IS DIRECTED.

(C) EXISTING FRANCHISE.

THIS SUBTITLE DOES NOT APPLY TO THE RENEWAL OR EXTENSION OF AN EXISTING FRANCHISE IF THERE IS NO INTERRUPTION IN THE OPERATION OF THE FRANCHISED BUSINESS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 345(d)(3), as it related to a fee in excess of \$100, and (m)(2), (3), (4), and, as it related to the renewal or extension of an existing franchise, (1).

Subsection (a)(1) of this section is revised as a scope provision, rather than as part of the definition of "franchise", to clarify that the amount of payment of a franchise fee is irrelevant to whether or not an agreement is a franchise. The amount paid, however, is relevant to whether the franchise is covered by this subtitle.

Subsection (c) of this section is revised as a scope provision, rather than as part of the definition of "offer" or "offer to sell", for clarity.

Former Art. 56, § 345(m)(1), as it defined "offer" or "offer to sell" as an attempt to offer to dispose of a franchise, is deleted as unnecessary insofar as the definitions do not differ from the common meanings of the terms and as misleading insofar as the definitions are limited to franchises.

Defined terms: "Advertisement" § 14-201

"Franchise" § 14-201

"Franchisee" § 14-201

"Franchise fee" § 14-201

14-204. SUBTITLE IN ADDITION TO OTHER LAW.

THE POWERS, REMEDIES, PROCEDURES, AND PENALTIES OF THIS SUBTITLE ARE IN ADDITION TO AND NOT IN LIMITATION OF ANY OTHER POWERS, REMEDIES, PROCEDURES, AND PENALTIES PROVIDED BY LAW.