

CHAPTER 2860
DEPARTMENT OF COMMERCE
FRANCHISES

2860 4400 UNFAIR AND INEQUITABLE
PRACTICES

2860.4400 UNFAIR AND INEQUITABLE PRACTICES.

All franchise contracts or agreements and any other device or practice of a franchisor, shall conform to the following provisions. It shall be unfair and inequitable for any person to:

[For text of items A to I, see M.R.]

J. require a franchisee to waive his or her rights to a jury trial or to waive rights to any procedure, forum, or remedies provided for by the laws of the jurisdiction, or to consent to liquidated damages, termination penalties, or judgment notes; provided that this part shall not bar an exclusive arbitration clause;

[For text of items K to M, see M.R.]

Statutory Authority: *MS s 45.023; 80C.18*

History: *15 SR 2104*