WEST VIRGINIA CODE: §61-4A-1

§61-4A-1. Definitions.

As used in this article:

"Cardholder" means any person or party to whom a physical or virtual gift card is issued through a purchase or receives a gift card from a willing party.

"Card issuer" means any person that issues a gift card or the agent of that person with respect to that card.

"Closed-Loop Gift Card" means a card, code, or device that is issued to a consumer on a prepaid basis for goods, services, or credits in a specified amount, regardless of whether that amount may be increased or reloaded in exchange for payment; and is redeemable upon presentation by a consumer at a single merchant or group of affiliated merchants.

"Gift Card" means a physical or digital "closed-loop gift card" or "open-loop gift card" that is either activated or inactivated.

"Gift Card Redemption Information" means information unique to each gift card which allows the cardholder to access, transfer, or spend the funds on that gift card.

"Gift Card Seller" means a merchant that is engaged in the business of selling open-loop or closed-loop gift cards to consumers.

"Open-Loop Gift Card" means a card, code, or device that is issued to a consumer on a prepaid basis for goods, services, or credits in a specified amount, regardless of whether that amount may be increased or reloaded in exchange for payment; and is redeemable upon presentation at multiple unaffiliated merchants for goods or services within the payment card network.

"Value" means the monetary amount obtained, transferred, or redeemed using the gift card or the monetary amount attempted to be obtained, transferred, or redeemed using the gift card.

WV Legislature