

2021 Regular Session

HOUSE BILL NO. 64

BY REPRESENTATIVE ECHOLS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ADVERTISING: Provides relative to misleading solicitations by nongovernmental entities which imply certain governmental connections

1 AN ACT

2 To enact R.S. 51:391(A)(3), relative to solicitations; to prohibit solicitations with misleading
3 connections to the secretary of state; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 51:391(A)(3) is hereby enacted to read as follows:

6 §391. Solicitations; misleading governmental appearance prohibited; misleading
7 connections to the secretary of state prohibited; disclaimer; penalty

8 A. A solicitation by a nongovernmental entity, for the purchase of or
9 payment for a product or service, which is in the form of and reasonably could be
10 interpreted or construed as a bill, invoice, or statement of account due, but
11 constitutes, in fact, a solicitation for the order by the addressee of goods or services,
12 or both, shall not contain any material which:

13 * * *

14 (3) Reasonably could be construed by a business registered with the
15 secretary of state as implying any connection with the secretary of state or requiring
16 payment or additional action to remain in good standing as a business registered with
17 the secretary of state.

18 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 64 Original

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Echols

Abstract: Prohibits solicitations by nongovernmental entities to businesses registered with the secretary of state for the purchase of or payment for products or services that have a misleading appearance of being connected to the secretary of state.

Present law prohibits solicitations by nongovernmental entities for the purchase of or payment for products or services that have a misleading appearance of a La. state government connection, approval, or endorsement and provides for civil penalties.

Proposed law retains present law.

Proposed law prohibits solicitations by nongovernmental entities to businesses registered with the secretary of state, for the purchase of or payment for products or services, which are in the form of or could reasonably be interpreted as being a bill, invoice, or statement of account from the secretary of state or requiring payment or additional action to remain in good standing as a business registered with the secretary of state.

(Adds R.S. 51:391(A)(3))