2016 Regular Session

SENATE BILL NO. 190

BY SENATOR BARROW

ADVERTISING. Provides relative to false advertisements. (8/1/16)

1   AN ACT

2   To amend and reenact R.S. 51:411(D) and (E) and to enact R.S. 51:411(F), relative to

3   advertising; to provide relative to false advertisements; to provide for certain terms

4   and conditions; and to provide for related matters.

5   Be it enacted by the Legislature of Louisiana:

6   Section 1. R.S. 51:411(D) and (E) are hereby amended and reenacted and R.S.

7   51:411(F) is hereby enacted to read as follows:

8   SUBPART D. FALSE ADVERTISING

9   §411. Advertisements, untrue or misleading, prohibited; penalty

10   *   *   *

11   D. **No person shall advertise, represent, or hold out that he is selling or**

12   **will sell any goods, wares, or merchandise unless he is licensed or otherwise**

13   **authorized by law to sell such goods, wares, or merchandise.**

14   **E.** The carriage by a radio or television broadcast station or by a cable

15   television station or newspaper of advertising which is found to be in violation of this

16   Section shall not be considered a violation by the broadcast or television station or

17   newspaper of this Section.

1   ~~E.~~ **F.** Whoever violates this Section shall be fined not less than five hundred

2   dollars nor more than twenty-five hundred dollars or imprisoned for not less than ten

3   days nor more than six months, or both for each offense.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Ridge.

DIGEST
SB 190 Original   2016 Regular Session   Barrow

Present law provides relative to false advertisements.

Proposed law retains present law and adds that no person shall advertise, represent, or hold
out that he is selling or will sell any goods, wares, or merchandise unless he is licensed or
otherwise authorized by law to sell such goods, wares, or merchandise.

Effective August 1, 2016.

(Amends R.S. 51:411(D) and (E); adds R.S. 51:411(F))