

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 64

2021 Regular Session

Echols

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

Synopsis of Senate Amendments

1. Makes technical changes.
2. Adds a provision which prohibits warranty solicitations by individuals or entities under certain circumstances, except when the solicitor has an existing business relationship with the La. resident.
3. Provides that violations of proposed law are subject to the enforcement provisions of the Unfair Trade Practices and Consumer Protection Law in present law.

Digest of Bill as Finally Passed by Senate

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.

Proposed law prohibits solicitations by individuals or entities to La. residents for the purchase of a warranty, sent via USPS, an expedited shipping service, or any electronic means, which use phrases like "final notice", "immediate response requested", or "official notification", except when the solicitor has an existing business relationship with the La. resident.

Proposed law provides that violations of proposed law constitute an unfair method of competition and an unfair or deceptive act or practice as provided for in present law and makes violations of proposed law subject to the enforcement provisions of the Unfair Trade Practices and Consumer Protection Law in present law.

(Adds R.S. 51:391(A)(3) and 392)