

2016 Regular Session

SENATE BILL NO. 122

BY SENATOR BARROW

ADVERTISING. Prohibits certain forms of untrue or misleading advertisements. (8/1/16)

1 AN ACT

2 To amend and reenact R.S. 51:411(A), relative to advertisements; to provide for untrue or  
3 misleading advertisements; to prohibit certain forms of untrue or misleading  
4 advertisements; to provide certain terms and conditions; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 51:411(A) is hereby amended and reenacted to read as follows:

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

9 A. No person, with intent to sell or in any way dispose of merchandise,  
10 securities, service, or anything directly or indirectly, to the public for sale or  
11 distribution, or with intent to increase the consumption, or to induce the public in any  
12 manner to enter into any obligation relating thereto, or to acquire title, or an interest  
13 therein, shall make, publish, disseminate, circulate, or place before the public, or  
14 cause directly or indirectly to be made, published, disseminated, circulated, or placed  
15 before the public, in this state, in a newspaper or other publication, or in the form of  
16 a book, notice, hand-bill, poster, bill, circular, pamphlet, **building signage**, or letter,  
17 or radio broadcasts, telecasts, wire, wireless, motion picture, or in any other way, an

1 advertisement of any sort regarding merchandise, securities, service, or anything  
2 offered to the public, which advertisement contains any assertion, representation, or  
3 statement of fact which is untrue, deceptive, or misleading.

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

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SB 122 Original DIGEST 2016 Regular Session Barrow

Present law prohibits forms of advertisements that contain any assertion, representation, or statement of fact that are untrue, deceptive, or misleading. Such forms include a book, notice, hand-bill, poster, bill, circular, pamphlet, or letter.

Proposed law retains present law and adds building signage as a prohibited form of advertisement if its content is untrue, deceptive, or misleading.

Effective August 1, 2016.

(Amends R.S. 51:411(A))