

1 **CONSUMER PROTECTION AGENCY**

2 2006 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: M. Susan Lawrence**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill requires notice to consumers of rights under Title 13, Chapter 11, Utah
10 Consumer Sales Practices Act.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ requires a retailer to post a notice near a point of sale that a consumer may have
14 rights under Title 13, Chapter 11, Utah Consumer Sales Practices Act; and
15 ▶ provides for enforcement.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 This bill takes effect on September 1, 2006.

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **13-11-24**, Utah Code Annotated 1953

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **13-11-24** is enacted to read:

26 **13-11-24. Notification to consumer.**

27 (1) As used in this section, "retailer" means a supplier who sells goods or services



28 directly to a member of the public who is an end-user that does not resell the goods or services.

29 (2) A retailer shall conspicuously post a notice near each point of sale at each place
30 where the retailer typically sells goods or services that indicates that the person buying the
31 goods or services may have rights under this chapter.

32 (3) The notice required by Subsection (2) shall:

33 (a) contain the following language in at least 12-point boldface type: "A consumer who
34 has been the victim of a deceptive sales practice may have rights under Utah Code Title 13,
35 Chapter 11, Utah Consumer Sales Practices Act."; and

36 (b) provide the division's current telephone number and Internet website address.

37 (4) Notwithstanding Sections 13-11-17 and 13-11-19, a retailer is liable for an
38 administrative fine of \$100 per day of violation, not to exceed \$2,500 if:

39 (a) the retailer is notified in writing by the Division of Consumer Protection that it is in
40 violation of this section; and

41 (b) the retailer fails to comply with this section within 30 days after the day on which
42 the retailer receives the written notice from the Division of Consumer Protection.

43 **Section 2. Effective date.**

44 This bill takes effect on September 1, 2006.

Legislative Review Note
as of 12-2-05 2:19 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0065

Consumer Protection Agency

18-Jan-06

11:39 AM

State Impact

This bill can be implemented within existing budgets.

Individual and Business Impact

No significant fiscal impact.

Office of the Legislative Fiscal Analyst