

**13-28-4 Contents of notices.**

- (1) A written prize notice shall contain all of the following information presented in the manner required under Subsections (2) through (6):
  - (a) the name and address of the solicitor and sponsor;
  - (b) the verifiable retail value of each prize the individual has been selected or may be eligible to receive;
  - (c) if the notice lists more than one prize that the individual has been selected or may be eligible to receive, a statement of the odds the individual has of receiving each prize;
  - (d) any requirement or invitation for the individual to view, hear, or attend a sales presentation in order to claim a prize, the approximate length of the sales presentation and a description of the property or service that is the subject of the sales presentation;
  - (e) any requirement that the individual pay shipping or handling fees or any other charges to obtain or use a prize;
  - (f) if receipt of the prize is subject to a restriction, a statement that a restriction applies, a description of the restriction, and a statement containing the location in the notice where the restriction is described; and
  - (g) any limitations on eligibility.
- (2)
  - (a) The verifiable retail value and the statement of odds required in a written prize notice under Subsections (1)(b) and (c) shall be stated in immediate proximity to each listing of the prize in each place the prize appears on the written prize notice and shall be in the same size and boldness of type as the prize.
  - (b) The statement of odds shall include, for each prize, the total number of prizes to be given away and the total number of written prize notices to be delivered. The number of prizes and written prize notices shall be stated in Arabic numerals. The statement of odds shall be in the following form: "...(number of prizes) out of... written prize notices".
  - (c) The verifiable retail value shall be in the following form: "verifiable retail value: \$...".
- (3) If an individual is required to pay shipping or handling fees or any other charges to obtain or use a prize, the following statement shall appear in immediate proximity to each listing of the prize in each place the prize appears in the written prize notice and shall be in not less than 10-point boldface type: "YOU MUST PAY \$... IN ORDER TO RECEIVE OR USE THIS ITEM."
- (4) The information required in a written prize notice under Subsection (1)(d) shall be on the first page of the written prize notice in not less than 10-point boldface type. The information required under Subsections (1)(f) and (g) shall be in not less than 10-point boldface type.
- (5) If a written prize notice is given by a solicitor on behalf of a sponsor, the name of the sponsor shall be more prominently and conspicuously displayed than the name of the solicitor.
- (6) A solicitor or sponsor may not do any of the following:
  - (a) place on an envelope containing a written prize notice any representation that the person to whom the envelope is addressed has been selected or may be eligible to receive a prize;
  - (b) deliver a written prize notice that contains language, or is designed in a manner that would lead a reasonable person to believe that it originates from a government agency, public utility, insurance company, consumer reporting agency, debt collector, accounting or law firm unless the written prize notice originates from that source; or
  - (c) represent directly or by implication that the number of individuals eligible for the prize is limited or that an individual has been separately selected to receive a particular prize unless the representation is true.

Enacted by Chapter 196, 1995 General Session

