

1 CONSUMER PROTECTION FROM ~~h~~ [DIRECT
2 MAIL] LOTTERY ADVERTISEMENTS ~~h~~

3 2001 GENERAL SESSION

4 STATE OF UTAH

5 Sponsor: Stephen D. Clark

6 This act modifies the Offenses Against Public Health, Safety, Welfare and Morals Act. The
7 act makes it a crime if the words "Void in Utah" are not conspicuously printed on any
8 written or printed material containing an advertisement or solicitation for participation in
9 a lottery.

10 This act affects sections of Utah Code Annotated 1953 as follows:

11 ENACTS:

12 76-10-1104.5, Utah Code Annotated 1953

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

14 Section 1. Section 76-10-1104.5 is enacted to read:

15 76-10-1104.5. Advertisement or solicitation for participation in lotteries -- Void in
16 Utah.

17 (1) For purposes of this section:

18 (a) "Conspicuously printed" means printed in either larger or bolder type size than the
19 adjacent and surrounding material so as to be clearly legible to any person viewing the print.

20 (b) "Lottery" means the same as defined in Section 76-10-1101.

21 (2) It is unlawful for any person to distribute or disseminate any advertisement or other
22 written or printed material containing an advertisement or solicitation for participation in any
23 lottery unless the advertisement or solicitation contains or includes the words "Void in Utah"
24 conspicuously printed.

25 (3) (a) Any person § WHO IS CONVICTED OF § violating Subsection (2) § [is guilty of a
25a class B misdemeanor] SHALL BE FINED THE SUM OF \$2,500 § .

26 (b) Any person who is twice § OR MORE § convicted under this section § [is guilty of a h
26a third degree

26a felony] CLASS A MISDEMEANOR h] SHALL BE FINED THE SUM OF \$10,000 § .



Legislative Review Note
as of 2-2-01 11:25 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel