



General Assembly

January Session, 2007

**Raised Bill No. 7198**

LCO No. 4465

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Referred to Committee on General Law

Introduced by:  
(GL)

**AN ACT CONCERNING THE SCOPE OF THE CONNECTICUT UNFAIR  
TRADE PRACTICES ACT.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 42-110b of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) No person shall engage in unfair methods of competition and  
4 unfair or deceptive acts or practices in the conduct of any trade or  
5 commerce, either within or outside of the scope of such person's  
6 primary trade or business.

7 (b) It is the intent of the legislature that in construing subsection (a)  
8 of this section, the commissioner and the courts of this state shall be  
9 guided by interpretations given by the Federal Trade Commission and  
10 the federal courts to Section 5(a)(1) of the Federal Trade Commission  
11 Act (15 USC 45(a)(1)), as from time to time amended.

12 (c) The commissioner may, in accordance with chapter 54, establish  
13 by regulation acts, practices or methods which shall be deemed to be  
14 unfair or deceptive in violation of subsection (a) of this section. Such

15 regulations shall not be inconsistent with the rules, regulations and  
16 decisions of the federal trade commission and the federal courts in  
17 interpreting the provisions of the Federal Trade Commission Act.

18 (d) It is the intention of the legislature that this chapter be remedial  
19 and be so construed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	42-110b

**Statement of Purpose:**

To abrogate McCann Real Equities Series XXII, LLC v. David McDermott Chevrolet, Inc., 93 Conn. App. 486 (2006), regarding the scope of the Connecticut Unfair Trade Practices Act.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*