



House of Representatives

General Assembly

File No. 64

January Session, 2009

House Bill No. 5791

House of Representatives, March 16, 2009

The Committee on General Law reported through REP. SHAPIRO of the 144th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE REGULATION OF CONTEST ENTRY FEES AND SERVICES CHARGES.

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 Section 42-110b of the general statutes is repealed and the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, 2009*):

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.

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

11 (c) The commissioner may, in accordance with chapter 54, establish
12 by regulation acts, practices or methods which shall be deemed to be

13 unfair or deceptive in violation of subsection (a) of this section. Such
14 regulations shall not be inconsistent with the rules, regulations and
15 decisions of the federal trade commission and the federal courts in
16 interpreting the provisions of the Federal Trade Commission Act. Such
17 regulations shall not prohibit an organizer or promoter of a contest or
18 game from charging an entry fee or entry service charge.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	42-110b

GL *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**HB 5791*****AN ACT CONCERNING THE REGULATION OF CONTEST ENTRY FEES AND SERVICES CHARGES.*****SUMMARY:**

This bill allows state residents to participate in contests and games charging entry fees and service charges by prohibiting the Department of Consumer Protection from adopting regulations that would bar organizers or contest promoters from charging fees. Existing law authorizes the commissioner to establish by regulation acts, practices, or methods deemed unfair or deceptive.

EFFECTIVE DATE: October 1, 2009

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 17 Nay 0 (03/03/2009)