



General Assembly

Amendment

January Session, 2019

LCO No. 8937



Offered by:
REP. PETIT, 22nd Dist.

To: Subst. House Bill No. 7070 File No. 753 Cal. No. 451

(As Amended)

**"AN ACT CONCERNING DECEPTIVE ADVERTISING PRACTICES
OF LIMITED SERVICES PREGNANCY CENTERS."**

- 1 Strike section 2 in its entirety and insert the following in lieu thereof:
- 2 "Sec. 2. (NEW) (*Effective July 1, 2019*) No limited services pregnancy
3 center, with the intent to perform a pregnancy-related service, shall
4 make or disseminate before the public, or cause to be made or
5 disseminated before the public, in any newspaper or other publication,
6 through any advertising device, or in any other manner, including, but
7 not limited to, through use of the Internet, any statement concerning
8 any pregnancy-related service or the provision of any pregnancy-
9 related service that is deceptive, whether by statement or omission,
10 and that a limited services pregnancy center knows or reasonably
11 should know to be deceptive. A limited services pregnancy center may
12 post or disseminate, or cause to be posted or disseminated, (A) a list of
13 all services it provides, (B) a list of all services it does not provide, (C) a
14 list of the services for which it makes referrals, and (D) a list of the

15 services for which it does not make referrals."

16 Strike subsections (a) and (b) of section 3 in their entirety and insert
17 the following in lieu thereof:

18 "(a) The Commissioner of Consumer Protection may apply to any
19 court of competent jurisdiction for injunctive relief to compel
20 compliance with the provisions of section 2 of this act and correct the
21 effects of the false, misleading or deceptive advertising, provided the
22 commissioner gives written notice to the limited services pregnancy
23 center in accordance with subsection (b) of this section. Any injunctive
24 relief ordered by the court under this section may require a limited
25 services pregnancy center to take whatever remedial steps the court
26 deems necessary to correct the effects of the false, misleading or
27 deceptive advertising and to prevent further harm from occurring.
28 Such steps may include requiring the limited services pregnancy
29 center to:

30 (1) Pay for and disseminate appropriate corrective advertising in the
31 same form and using the same advertising device as used in the false,
32 misleading or deceptive advertising;

33 (2) Post a remedial notice that corrects the effects of the false,
34 misleading or deceptive advertising for clients entering the facility that
35 may have seen the original false, misleading or deceptive
36 advertisements, but have not seen any subsequent court-ordered
37 corrective advertisements required under subdivision (1) of this
38 subsection; or

39 (3) Provide such other relief as the court deems necessary to remedy
40 the adverse effects of the false, misleading or deceptive advertising on
41 any clients seeking pregnancy-related services.

42 (b) Prior to commencing an action pursuant to subsection (a) of this
43 section, the commissioner shall give written notice to the limited
44 services pregnancy center of the violation of section 2 of this act and
45 allow the limited services pregnancy center to cure such violation not

46 later than ten days after receipt of the written notice. The
47 commissioner may file an action pursuant to subsection (a) of this
48 section after such ten-day period if the limited services pregnancy
49 center does not respond to the written notice or refuses to cure the
50 violation of section 2 of this act."