

OFFICE OF FISCAL ANALYSIS

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HB-7070

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

AMENDMENT

LCO No.: 8915

File Copy No.: 753

House Calendar No.: 451

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Resources of the General Fund	GF - Potential Revenue Gain	Up to 10,000	Up to 10,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The strike-all amendment prohibits deceptive advertising by pregnancy centers under certain conditions. It allows the Department of Consumer Protection to apply to court for injunctive relief, if written notice is given to the center first and it did not cure the violation within ten days.¹ If the court finds that the center violated the deceptive advertising practices, the pregnancy center also must pay civil penalties of \$50 to \$500 per violation and reasonable attorney's fees.

¹ Injunctive relief is a court-ordered act or prohibition against an act or condition which has been requested, and sometimes granted, in a petition to the court for an injunction. Such an act is the use of judicial (court) authority to handle a problem and is not a judgment for money. Whether the relief will be granted is usually argued by both sides in a hearing rather than in a full-scale trial, although sometimes it is part of a lawsuit for damages and/or contract performance.

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This could result in a revenue gain to the extent violations of the bill's provisions occur; it is estimated that there are approximately 30 pregnancy centers that meet the bill's definitions. As such, the bill could result in a revenue gain up to \$10,000 annually.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does 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.