



General Assembly

**Amendment**

January Session, 2019

LCO No. 10945



Offered by:

SEN. FASANO, 34<sup>th</sup> Dist.  
SEN. CHAMPAGNE, 35<sup>th</sup> Dist.  
SEN. MARTIN, 31<sup>st</sup> Dist.  
SEN. SAMPSON, 16<sup>th</sup> Dist.

To: Subst. House Bill No. 7070

File No. 936

Cal. No. 542

(As Amended)

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

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- 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, (1) a list of  
13 all services it provides, (2) a list of all services it does not provide, (3) a  
14 list of the services for which it makes referrals, and (4) 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."