

Bill No. CS for SB 2224

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Campbell moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 2, line 3, through page 3, line 7, delete those		
15	lines		
16			
17	and insert:		
18	(b) "Operator" means any person, firm, corporation, or		
19	association or <u>any contractor, representative, agent, or</u>		
20	<u>employee thereof, who promotes, advertises, endorses,</u>		
21	<u>sponsors, operates, or conducts a game promotion, except any</u>		
22	<u>charitable nonprofit organization.</u>		
23	(c) <u>"Older individual" means an individual who is 60</u>		
24	<u>years of age or older.</u>		
25	(d) <u>"Total announced value" means the total cumulative</u>		
26	<u>retail value of all prizes advertised, promoted, or otherwise</u>		
27	<u>offered.</u>		
28	(2) It is unlawful for any operator:		
29	(a) To design, engage in, promote, or conduct such a		
30	game promotion, in connection with the promotion or sale of		
31	consumer products or services, wherein the winner may be		

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1 predetermined or the game may be manipulated or rigged so as
2 to:

3 1. Allocate a winning game or any portion thereof to
4 certain lessees, agents, or franchises; or

5 2. Allocate a winning game or part thereof to a
6 particular period of the game promotion or to a particular
7 geographic area;

8 (b) Arbitrarily to remove, disqualify, disallow, or
9 reject any entry;

10 (c) To fail or refuse to award or distribute all
11 prizes offered;

12 (d) To print, publish, or circulate literature or
13 advertising material used in connection with such game
14 promotions which is false, deceptive, or misleading; ~~or~~

15 (e) To require an entry fee, payment, or proof of
16 purchase as a condition of entering a game promotion;-

17 (f) To send advertising and promotional material in
18 connection with game promotion to any person or any guardian
19 or agent who has requested that his or her name be deleted
20 from such game promotion distribution. Such a request must be
21 processed by the operator within 60 days;

22 (g) To use more than one type size, color of print, or
23 type style within the same sentence or clause in any letter or
24 on any envelope mailed to the public in connection with game
25 promotion regarding the fact, likelihood, or odds of winning a
26 prize;

27 (h) To fail to disclose clearly and prominently in all
28 advertising material used in connection with the game
29 promotion that no purchase or payment is necessary to play or
30 enter; or

31 (i) To make any deceptive, false, or misleading

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1 representation, or engage in any deceptive or unfair act or
2 practice, in connection with the game promotion.

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5 ===== T I T L E A M E N D M E N T =====

6 And the title is amended as follows:

7 On page 1, lines 4 and 5, delete the phrase "term
8 'older individual'"

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and insert:

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 terms "older individual" and "total announced
 value"

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