

By Senator Margolis

35-477-05

1 A bill to be entitled
2 An act relating to game promotion in connection
3 with sale of consumer products or services;
4 amending s. 849.094, F.S.; requiring that the
5 operator of a game promotion in which the total
6 announced value of the prizes offered is
7 greater than \$5,000 include the material terms
8 of the rules and regulations of the game in all
9 advertising copy used in connection therewith;
10 providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (3) of section 849.094, Florida
15 Statutes, is amended to read:

16 849.094 Game promotion in connection with sale of
17 consumer products or services.--

18 (3) The operator of a game promotion in which the
19 total announced value of the prizes offered is greater than
20 \$5,000 shall file with the Department of Agriculture and
21 Consumer Services a copy of the rules and regulations of the
22 game promotion and a list of all prizes and prize categories
23 offered at least 7 days before the commencement of the game
24 promotion. Such rules and regulations may not thereafter be
25 changed, modified, or altered. The operator of a game
26 promotion shall conspicuously post the rules and regulations
27 of such game promotion in each and every retail outlet or
28 place where such game promotion may be played or participated
29 in by the public and shall also publish the material terms of
30 the rules and regulations in all advertising copy used in
31 connection therewith. Radio and television announcements may

1 indicate that the rules and regulations are available at
2 retail outlets or from the operator of the promotion. A
3 nonrefundable filing fee of \$100 shall accompany each filing
4 and shall be used to pay the costs incurred in administering
5 and enforcing the provisions of this section.

6 Section 2. This act shall take effect July 1, 2005.

7

8

9

SENATE SUMMARY

10 Requires the operator of a game promotion in which the
11 total announced value of the prizes offered is greater
12 than \$5,000 to publish the material terms of the rules
and regulations in all advertising copy.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31