$\mathbf{B}\mathbf{y}$  the Committee on Commerce and Consumer Services; and Senator Margolis

## 577-1452-05

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.; providing 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 need include only the
8	material terms of the rules and regulations of
9	the game in all advertising copy used in
10	connection therewith if the advertising copy
11	contains information for obtaining the full
12	rules and regulations of the game; providing an
13	effective date.
14	
15	Be It Enacted by the Legislature of the State of Florida:
16	
17	Section 1. Subsection (3) of section 849.094, Florida
18	Statutes, is amended to read:
19	849.094 Game promotion in connection with sale of
20	consumer products or services
21	(3) The operator of a game promotion in which the
22	total announced value of the prizes offered is greater than
23	\$5,000 shall file with the Department of Agriculture and
24	Consumer Services a copy of the rules and regulations of the
25	game promotion and a list of all prizes and prize categories
26	offered at least 7 days before the commencement of the game
27	promotion. Such rules and regulations may not thereafter be
28	changed, modified, or altered. The operator of a game
29	promotion shall conspicuously post the rules and regulations
30	of such game promotion in each and every retail outlet or
31	place where such game promotion may be played or participated

1	in by the public and shall also publish the rules and
2	regulations in all advertising copy used in connection
3	therewith. However, such advertising copy need only include
4	the material terms of the rules and regulations if the
5	advertising copy includes a website address, a toll-free
6	telephone number, or a mailing address where the full rules
7	and regulations may be viewed, heard, or obtained for the full
8	duration of the game promotion. Such disclosures must be
9	legible. Radio and television announcements may indicate that
10	the rules and regulations are available at retail outlets or
11	from the operator of the promotion. A nonrefundable filing fee
12	of \$100 shall accompany each filing and shall be used to pay
13	the costs incurred in administering and enforcing the
14	provisions of this section.
15	Section 2. This act shall take effect July 1, 2005.
16	
17	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
18	Senate Bill 552
19	
20	This committee substitute differs from the original bill as filed in that when operators of game promotions include only
21	the material terms of the game rules and regulations in advertising copy, they must also include a website address, a
22	toll-free telephone number, or a mailing address where the full rules and regulations may be viewed, heard, or obtained
23	for the entire duration of the game promotion.
24	
25	
26	
27	
28	
29	
30	
31	