

SECOND REGULAR SESSION

HOUSE BILL NO. 2028

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PRATT.

Read 1st time March 16, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5571L.01I

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the merchandising practices act, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be
2 known as section 407.015, to read as follows:

**407.015. 1. In pertinent cases, the courts shall be guided by the policies of the
2 Federal Trade Commission and interpretations given by the Federal Trade Commission
3 and the federal courts to Section 5(a)(1) of the Federal Trade Commission Act, 15 U.S.C.
4 Section 45(a)(1), as amended.**

**5 2. This section shall not apply to actions or transactions otherwise permitted or
6 approved by the Federal Trade Commission or any other regulatory body or officer acting
7 under statutory authority of this state or the United States.**

Section B. Because of the need to ensure consistency pertaining to deceptive
2 merchandising practices, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and section A of this act shall be in full
5 force and effect upon its passage and approval.

✓

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.