

HB 902 -- Merchandising Practices

Sponsor: Stevenson

This bill changes the laws regarding merchandising practices. Missouri courts are required to use the policies of the Federal Trade Commission and interpretations given by the commission and the federal courts to the Federal Trade Commission Act in cases relating to unfair practices in merchandising. Recovery in a civil action against a seller for unfair merchandising practices is limited to an amount equal to the difference between the amount paid for the good or service and the actual market value of the good or service. Class action plaintiffs are required to prove that the unfair actions of the seller caused each class action plaintiff to purchase the good or service. Each plaintiff is also required to submit a statement requesting a specific dollar amount and providing information regarding the nature of his or her loss or injury. The bill requires any judgment to identify each plaintiff and his or her individual monetary award and authorizes the court to determine an award of reasonable fees for the attorney representing the class of plaintiffs.