

HB 346 -- Unlawful Merchandising Practices

Sponsor: Schieffer

This bill prohibits an individual or business organization from misrepresenting the geographic location of the service or product supplier by using a fictitious or an assumed business name in a local telephone directory or in a directory assistance database. Misrepresentation occurs if the name misrepresents the location of the supplier of the goods or service, the listing fails to identify the address and state of the supplier, calls to the local number are routinely forwarded to a location outside the scope of the local telephone directory, or the business location of the supplier is not in a county bordering a county that is part of the local telephone directory calling area. Any person violating these provisions will be guilty of a class D felony.

Telephone companies and telephone directory publishers or their officers and agents are immune from liability for publishing the listing of a fictitious or assumed business name unless they were the persons who committed the deceptive practice.