

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83 Page __1__ Line __6__ by inserting after said line the following:

"Further amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 123, Section 348.274, Line 140 by inserting after said line the following:

"407.312. 1. As used in this section, the following terms shall mean:

(1) "Florist", any business that derives fifty percent or more of its gross income from the sale or arranging for the sale of flowers or floral arrangements;

(2) "Local telephone number", a specific telephone number with area code and prefix assigned for the purpose of completing local calls between a calling party or station and any other party or station within a designated exchange or all of its designated local calling areas. The term "local telephone number" shall not mean long distance telephone numbers or any toll-free telephone numbers listed in a local telephone directory;

(3) "Person", shall have the same meaning as in section 407.010.

2. A person shall not misrepresent the geographical location of a florist in a contact listing:

(1) In a telephone directory or other directory assistance database;

(2) On an internet website; or

(3) In a print advertisement.

3. A person is considered to misrepresent the geographical location of a florist for purposes of this section if the name of the florist indicates that the florist is located in a geographical area and:

(1) The florist is not physically located within the geographical area indicated;

(2) The listing fails to identify the municipality and state of the florist's actual physical geographical location; and

(3) A telephone call to the local telephone number provided for the florist that is:

(a) Listed in the directory or database is routinely forwarded or transferred to a location that is outside the calling area covered by the directory or database in which the number is listed; or

(b) Provided on the internet website or in a print advertisement is routinely forwarded or transferred to a location that is outside the calling area of the geographical area indicated by the name of the florist.

4. A person may place a contact listing for a florist under this section when the name of the florist indicates that it is located in a geographical area that is different from the geographical area in which the florist is actually physically located if a conspicuous notice in the listing states the municipality and state in which the florist is actually physically located.

5. This section shall not apply to:

Action Taken _____ Date _____

- 1 (1) A publisher of a telephone directory or other publication, or a provider of a directory
2 assistance service publishing or providing information about another business;
3 (2) An internet website that aggregates and provides information about other businesses;
4 (3) An owner or publisher of a print medium providing information about other businesses;
5 (4) An internet service provider; or
6 (5) An internet service that displays or distributes advertisements for other businesses.
7 6. A violation of this section shall be considered an unlawful practice under 407.020 and
8 may be prosecuted in the same manner as any unlawful practice under that section."; and"; and
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11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.
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