

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 1948, 2066, 1721 & 2276, Page 4,  
2 Section 407.300, Line 70, by inserting after all of said section and line the following:

3  
4 "407.313. 1. It is unlawful for a person to solicit payment of money by any writing that  
5 reasonably could be considered a bill, invoice, or statement of account due, but is in fact a  
6 solicitation for an order, unless the solicitation meets the requirements of subsections 2 through 6 of  
7 this section.

8 2. A solicitation described in subsection 1 of this section shall bear on its face either the  
9 disclaimer prescribed by subparagraph (A) of paragraph (2) of subsection (d) of Section 3001 of  
10 Title 39 of the United States Code or the following notice:

11  
12 THIS IS NOT A BILL. THIS IS A SOLICITATION. YOU ARE UNDER NO  
13 OBLIGATION TO PAY THE AMOUNT STATED ABOVE UNLESS YOU ACCEPT THIS  
14 OFFER.

15  
16 The statutory disclaimer or the alternative notice required under this subsection shall be displayed in  
17 conspicuous boldface capital letters of a color prominently contrasting with the background against  
18 which they appear, including all other print on the face of the solicitation and shall be at least as  
19 large, bold, and conspicuous as any other print on the face of the solicitation but no smaller than  
20 thirty-point font.

21 3. The disclaimer or notice required under subsection 2 of this section shall be displayed  
22 conspicuously apart from other print on the page and immediately below each portion of the  
23 solicitation that reasonably could be construed to specify a monetary amount due and payable by the  
24 recipient. The disclaimer or notice shall not be preceded, followed, or surrounded by words,  
25 symbols, or other matter that reduces its conspicuousness or that introduces, modifies, qualifies, or  
26 explains the required text, such as legal notice required by law.

27 4. The disclaimer or notice shall not, by folding or any other device, be rendered  
28 unintelligible or less prominent than any other information on the face of the solicitation.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           5. If a solicitation consists of more than one page or if any page is designed to be separated  
2 into portions, such as by tearing along a perforated line, the disclaimer or notice shall be displayed  
3 in its entirety on the face of each page or portion of a page that reasonably might be considered a  
4 bill, invoice, or statement of account due.

5           6. For the purposes of this section, the term "color" includes black and the term "color  
6 prominently contrasting" excludes any color, or any intensity of an otherwise included color, that  
7 does not permit legible reproduction by ordinary office photocopying equipment used under normal  
8 operating conditions, and that is not at least as vivid as any other color on the face of the solicitation.

9           7. Any person damaged by noncompliance with this section is entitled to damages in an  
10 amount equal to three times the sum solicited."; and

11  
12 Further amend said bill by amending the title, enacting clause, and intersectional references  
13 accordingly.