

HOUSE RESEARCH

Bill Summary

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Overview

This bill specifies that the advertising of deceptive local telephone numbers and geographically deceptive business names in directories, the Internet, or print advertisements is a deceptive trade practice.

Section

- 1 Deceptive directory listings and print advertisements.** Determines that the misleading use of local telephone numbers or business names cause likelihood of confusion or of misunderstanding as to the sources, sponsorship, approval, or certification of goods or services and are deceptive representations or designations of geographic origin in connection with goods or services. This classification may subject the person causing the misleading use of a name or number to existing civil remedies provided in law for other deceptive trade practices.

To be considered a “business located within an advertised geographic area,” at least one owner or employee of the business must regularly perform services on behalf of the business at the advertised location. This does not include renting use of a street address, post office box, or other mail-drop location.

When businesses advertise contact information in a telephone directory, other database, or on the Internet, misrepresentation of geographic location occurs if: (1) the business name indicates that the business is located within a certain geographic area and the business is not actually located within that area; (2) the listing does not identify the actual business location; and (3) telephone calls to the local number are routinely forwarded to a location outside the local calling area.

Geographic misrepresentation occurs in print advertisements if a fictitious or assumed business name is listed and the name used misrepresents its location, and if a telephone call to the listed number is routinely forwarded or transferred to a location outside the local calling area.

The proposed subdivision does not limit the application of the Uniform Deceptive Trade Practices Act.

The provisions apply to any telephone directory, directory assistance database, Internet Web site, or print advertisement provided, published, or posted on or after August 1, 2010.