

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2049 - SB 1928

February 7, 2016

SUMMARY OF BILL: Establishes the *Government Impostor and Deceptive Advertisements Act* ("Act") that prohibits any person or entity from using or employing any advertisement for the purpose of selling goods or services which simulate a summons, complaint, jury notice or other judicial, or administrative process of any kind, or which represent, imply, or cause a likelihood of confusion that the advertisement is a part of or associated with a unit of any governmental entity, when such claim is false.

Specifies conditions by which any person or entity can avoid a violation by providing a proper disclosure notice as specified by the bill. Any violation of the Act is considered an unfair or deceptive act or practice, punishable as a Class B misdemeanor.

Authorizes the Attorney General and Reporter's Office to investigate any potential violations of this Act in accordance with Tenn. Code Ann. §§ 47-18-106 and 47-18-108 regarding investigations arising from violations of the *Consumer Protection Act of 1977*. Any person failing to timely respond to a request for information from the Attorney General and Reporter's Office is considered to have committed a violation of this Act.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The Division of Consumer Affairs of the Department of Commerce and Insurance, in conjunction with the Attorney General and Reporter's Office will have authority to investigate complaints regarding violations of this Act.
- The Division of Consumer Affairs and the Attorney General and Reporter's Office can accommodate any additional complaints or cases utilizing existing resources during normal work hours.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

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IMPACT TO COMMERCE:

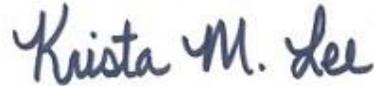
NOT SIGNIFICANT

Assumption:

- Businesses which may be at risk of committing a violation will provide proper disclosure as prescribed by the provisions of the bill in order to avoid committing an offense under this Act; therefore, no significant impact to commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/jdb