

Committee Substitute for Senate Bill No. 552

An act relating to game promotion in connection with sale of consumer products or services; amending s. 849.094, F.S.; providing that the operator of a game promotion in which the total announced value of the prizes offered is greater than \$5,000 need include only the material terms of the rules and regulations of the game in all advertising copy used in connection therewith if the advertising copy contains information for obtaining the full rules and regulations of the game; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 849.094, Florida Statutes, is amended to read:

849.094 Game promotion in connection with sale of consumer products or services.—

(3) The operator of a game promotion in which the total announced value of the prizes offered is greater than \$5,000 shall file with the Department of Agriculture and Consumer Services a copy of the rules and regulations of the game promotion and a list of all prizes and prize categories offered at least 7 days before the commencement of the game promotion. Such rules and regulations may not thereafter be changed, modified, or altered. The operator of a game promotion shall conspicuously post the rules and regulations of such game promotion in each and every retail outlet or place where such game promotion may be played or participated in by the public and shall also publish the rules and regulations in all advertising copy used in connection therewith. However, such advertising copy need only include the material terms of the rules and regulations if the advertising copy includes a website address, a toll-free telephone number, or a mailing address where the full rules and regulations may be viewed, heard, or obtained for the full duration of the game promotion. Such disclosures must be legible. Radio and television announcements may indicate that the rules and regulations are available at retail outlets or from the operator of the promotion. A nonrefundable filing fee of \$100 shall accompany each filing and shall be used to pay the costs incurred in administering and enforcing the provisions of this section.

Section 2. This act shall take effect July 1, 2005.

Approved by the Governor June 1, 2005.

Filed in Office Secretary of State June 1, 2005.