

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 395** SLS 20RS 574  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> May 28, 2020 5:51 PM	<b>Author:</b> CLOUD
<b>Dept./Agy.:</b> Department of Justice	<b>Analyst:</b> Rebecca Robinson
<b>Subject:</b> Unfair or deceptive trade practice	

ADVERTISING RE NO IMPACT See Note Page 1 of 1  
 Provides relative to false, misleading, or deceptive advertising. (8/1/20)

Proposed legislation amends the statute regarding unfair or deceptive trade practices or acts. Legislation would prohibit advertisements from making false, misleading, or deceptive statements about a monetary result obtained on behalf of a client. Violations of the statute would be prosecuted by the Attorney General's (AG) office.

Effective August 1, 2020.

<b>EXPENDITURES</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

The Deputy Attorney General reports that there will be no impact to the expenditures of the Department of Justice.

The Public Protection Division of the Civil Law Program at the AG's office is charged with the investigation and prosecution of unfair trade practices where the AG has reason to believe an unfair or deceptive trade practice has taken place. The AG's office reports that the proposed legislation will apply only to attorney advertisements and that investigations will be complaint driven. The AG anticipates approximately 6 claims per year as a result of the proposed legislation, and that those investigations/prosecutions will be performed by existing staff. The Public Protection Division is staffed with a total of 34 employees, 13 of which are attorneys (approximately 10 cases/investigations per attorney).

Per the Executive Budget Supporting Document's performance information, the AG's office received 2,910 consumer complaints in FY 17; 3,120 consumer complaints in FY 16; and 2,696 consumer complaints in FY 15.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**