Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

| 1  | State of Arkansas  | As Engrossed: H4/4/01                      |                             |
|----|--|--|-----------------------------|
| 2  | 83rd General Assembly  | A Bill                                     | Act 1670 of 2001            |
| 3  | Regular Session, 2001  |  | HOUSE BILL 1730             |
| 4  |  |  |                             |
| 5  | By: Representative Teague  |  |                             |
| 6  |  |  |                             |
| 7  |  |  |                             |
| 8  | For An Act To Be Entitled  |  |                             |
| 9  | AN ACT TO AMEND THE ARKANSAS PRIZE PROMOTION ACT;                            |  |                             |
| 10 | AND FOR  | OTHER PURPOSES.                            |                             |
| 11 |  |  |                             |
| 12 |  | Subtitle                                   |                             |
| 13 | AN AC  | CT TO AMEND THE ARKANSAS PRIZE             |                             |
| 14 | PROMC  | DTION ACT.                                 |                             |
| 15 |  |  |                             |
| 16 |  |  |                             |
| 17 | BE IT ENACTED BY THE G   | ENERAL ASSEMBLY OF THE STATE OF AR         | KANSAS:                     |
| 18 |  |  |                             |
| 19 | SECTION 1. Arka  | nsas Code 4-102-104 is amended to a        | add addi ti onal            |
| 20 | subsections to read as follows:  |  |                             |
| 21 | (f) Exemption for Magazine, Newspaper or Other Periodicals. This             |  |                             |
| 22 | <u>chapter does not apply to prize promotions that appear in a magazine,</u> |  |                             |
| 23 | newspaper, or other periodical if the prize promotions are not directed to a |  |                             |
| 24 | <u>named individual or if</u>  | f the prize promotions do not inclu        | <u>de an opportunity to</u> |
| 25 | <u>make a payment or orde</u>  | er a product or service.                   |                             |
| 26 | <u>(g)</u> The solicit   | ations or representations exempted         | from the coverage of        |
| 27 | <u>this chapter in subsec</u>  | tion (c) shall only be exempt if:          |                             |
| 28 | <u>(1)</u> The i   | nformation specified in <u>§§</u> 4-102-10 | <u>06(b)(1) through 4-</u>  |
| 29 | <u>102-106(b)(7) is clear</u>  | ly and conspicuously set forth or          | <u>contained in the</u>     |
| 30 | <u>rules for any solicita</u>  | ntion which includes entry material.       | <u>s for a sweepstakes;</u> |
| 31 | (2) The notification and steps to deliver a prize are commenced              |  |                             |
| 32 | within thirty (30) days of a prize award; and                                |  |                             |
| 33 | (3) A prize is not available, the sponsor complies with the                  |  |                             |
| 34 | provisions set out in §4-102-107(1) or §4-102-107(2).                        |  |                             |
| 35 |  |  |                             |
| 36 | SECTION 2. Arka  | nsas Code 4-102-102(3) is amended          | to read as follows:         |



## As Engrossed: H4/4/01

HB1730

| 1  | (3) "Sponsor" means a corporation, partnership, limited liability                |  |  |  |
|----|--|--|--|--|
| 2  | company, sole proprietorship, or natural person that offers a prize or           |  |  |  |
| 3  | <u>information about a prize</u> to a person in Arkansas in conjunction with the |  |  |  |
| 4  | sale or lease of any product or service, or <u>offers a prize or information</u> |  |  |  |
| 5  | about a prize in conjunction with any real or purported contest competition,     |  |  |  |
| 6  | sweepstakes, puzzle, drawing, scheme, plan or other selection process that       |  |  |  |
| 7  | requires, or creates the reasonable impression of requiring, or allows the       |  |  |  |
| 8  | person to pay any money as a condition of receiving, or in conjunction with      |  |  |  |
| 9  | allowing the person to receive, use, compete for, or obtain a prize or           |  |  |  |
| 10 | information about a prize.   |  |  |  |
| 11 | /s/ Teague   |  |  |  |
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| 14 | APPROVED: 4/16/2001  |  |  |  |
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