

SCS SB 101 -- FLORISTS

SPONSOR: Wasson (Elmer)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Professional Registration and Licensing by a vote of 20 to 0.

This substitute prohibits a person from misrepresenting the geographical location of a florist in a contact listing in a telephone directory or other directory assistance database, on an Internet website, or in a print advertisement. A person is considered to misrepresent the location if the name of the florist indicates that the florist is located in a geographical area and the florist is not physically located within the area; the listing fails to identify the municipality and state of the florist's actual physical location; and a telephone call to the local telephone number listed in a directory or database or on the Internet is routinely forwarded or transferred to a location that is outside of the calling area indicated by the name of the florist. A person may place a contact listing if a conspicuous notice in the listing states the florist's actual physical location. The provisions of the substitute do not apply to specified publishers and Internet services. A violation of these provisions must be considered an unlawful merchandising practice and may be prosecuted in the same manner as any unlawful practice.

PROPOSERS: Supporters say that many florists are finding vacant lots located in or around cities and using those addresses for advertising as local businesses. It is a deceptive business practice and has an impact on local tax revenue. By making this practice a felony, it will allow law enforcement to pursue a fictitious business across state lines.

Testifying for the bill were Senator Wasson; John Pelzer; Missouri Retailers Association; and Missouri Grocers' Association.

OPPOSERS: There was no opposition voiced to the committee.