

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS65063-LD-55 (02/12)

Short Title: Deceptive Local Listing of Nonlocal Florist. (Public)

Sponsors: Senators Dorsett, and Lucas.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE DECEPTIVE PRACTICE REGARDING LOCAL
BUSINESS TELEPHONE LISTINGS FOR NONLOCAL FLORISTS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 75 of the General Statutes is amended by adding a new section to read:

"§ 75-40. Deceptive representation of geographical location in telephone directory by florists.

(a) No person, firm, or corporation, engaged in the business of selling, delivery, or solicitation of cut flowers, flower arrangements, or floral products may misrepresent its geographic location by either of the following means:

(1) Listing a local telephone number in a local telephone directory if both of the following apply:

a. Calls to the telephone number are routinely forwarded or otherwise transferred to a business location that is outside the calling area covered by the local telephone directory.

b. The listing fails to conspicuously disclose the locality and state in which the business is located.

(2) Listing a business name in a local telephone directory if both of the following apply:

a. The name misrepresents the business's geographic location.

b. The listing fails to disclose the locality and state in which the business is located.

(b) A violation of this section is an unfair trade practice under G.S. 75-1.1.

(c) As used in this section, the following definitions apply:

- 1 (1) Local telephone directory. – A publication listing telephone numbers
2 for various businesses in a certain geographic area and distributed free
3 of charge to some or all telephone subscribers in that area.
4 (2) Local telephone number. – A telephone number that can be dialed
5 without incurring long-distance charges from telephones located
6 within the area covered by the local telephone directory in which the
7 number is listed. 'Local telephone number' does not include long-
8 distance numbers, toll-free numbers, or 900 exchange numbers listed
9 in a local telephone directory."

10 **SECTION 2.** This act becomes effective October 1, 2007, and applies to
11 local telephone directories published on or after that date.