

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 801

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

Sponsors: Senators Dorsett, Albertson; and Purcell.

Referred to: Commerce, Small Business and Entrepreneurship.

March 16, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE DECEPTIVE PRACTICE REGARDING LOCAL
3 BUSINESS TELEPHONE LISTINGS FOR NONLOCAL FLORISTS.

4 The General Assembly of North Carolina enacts:

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

7 "**§ 75-40. Deceptive representation of geographical location in telephone directory**
8 **by florists.**

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

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

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

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

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

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

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

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

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

26 (1) Local telephone directory. – A publication listing telephone numbers
27 for various businesses in a certain geographic area and distributed free
28 of charge to some or all telephone subscribers in that area.

1 (2) Local telephone number. – A telephone number that can be dialed
2 without incurring long-distance charges from telephones located
3 within the area covered by the local telephone directory in which the
4 number is listed. 'Local telephone number' does not include long-
5 distance numbers, toll-free numbers, or 900 exchange numbers listed
6 in a local telephone directory."

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