

1 H.699
2 Introduced by Representative Priestley of Bradford
3 Referred to Committee on
4 Date:
5 Subject: Commerce and trade; consumer protection
6 Statement of purpose of bill as introduced: This bill proposes to amend the
7 Vermont consumer protection statutes to prohibit abusive acts or practices in
8 commerce as defined.

9 An act relating to consumer protection from abusive acts or practices
10 It is hereby enacted by the General Assembly of the State of Vermont:
11 Sec. 1. 9 V.S.A. § 2453 is amended to read:
12 § 2453. PRACTICES PROHIBITED; ANTITRUST AND CONSUMER
13 PROTECTION
14 (a)(1) Unfair methods of competition in commerce and unfair or deceptive
15 acts or practices in commerce are hereby declared unlawful.
16 (2)(A) Abusive acts or practices in commerce are hereby declared
17 unlawful.
18 (B) As used in this subdivision (2), “abusive acts or practices” means
19 any conduct that:

11 (b) It is the intent of the Legislature that in construing subsection (a)(1) of
12 this section, the courts of this State will be guided by the construction of
13 similar terms contained in Section 5(a)(1) of the Federal Trade Commission
14 Act as from time to time amended by the Federal Trade Commission and the
15 courts of the United States.

16 (c)(1) The Attorney General shall adopt rules, when necessary and proper
17 to carry out the purposes of this chapter, relating to unfair methods of
18 competition in commerce and unfair or deceptive acts or practices in
19 commerce. The rules shall not be inconsistent with the rules, regulations, and
20 decisions of the Federal Trade Commission and the federal courts interpreting
21 the Federal Trade Commission Act.

1 (2) The Attorney General shall adopt rules, when necessary and proper
2 to carry out the purposes of this chapter, relating to abusive acts or practices in
3 commerce.

4 (d) Violation of a rule adopted by the Attorney General is prima facie proof
5 of the commission of an unfair or deceptive act in commerce.

6 (e) The provisions of subsections (a), (c), and (d) of this section shall also
7 be applicable to real estate transactions.

8 Sec. 2. EFFECTIVE DATE

9 This act shall take effect on passage.