

The House Committee on Agriculture and Consumer Affairs offers the following substitute to HB 42:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 4 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia
2 Annotated, relating to false advertising, so as to repeal the prohibition against the use of the
3 term "wholesale" and certain other terms by persons, firms, associations, and corporations
4 in sales or advertising when such persons, firms, associations, and corporations sell to
5 consuming purchasers; to provide for related matters; to provide an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 4 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,
10 relating to false advertising, is amended by repealing Code Section 10-1-424, relating to
11 misrepresenting the nature of a business, and designating said Code section as reserved.

12 **SECTION 2.**

13 Said part is further amended by revising Code Section 10-1-426, relating to penalties for
14 violations, as follows:

15 "10-1-426.

16 Any person, firm, association, or corporation violating any of the provisions of Code
17 ~~Sections 10-1-424 and Section~~ 10-1-425 shall be guilty of a misdemeanor. Nothing in
18 Code Section ~~10-1-424 or~~ 10-1-425 or this Code section shall apply to any visual or sound
19 broadcasting station or to any publisher or printer of a newspaper, magazine, or other form
20 of printed advertising who broadcasts, telecasts, publishes, or prints such advertisement in
21 good faith without knowledge of its false or fraudulent character."

22 **SECTION 3.**

23 This Act shall become effective upon its approval by the Governor or upon its becoming law
24 without such approval.

25

SECTION 4.

26 All laws and parts of laws in conflict with this Act are repealed.