

## ADMINISTRATIVE RULES FISCAL ESTIMATE AND ECONOMIC IMPACT ANALYSIS

Type of Estimate and Analysis

Original     Updated     Corrected

Administrative Rule Chapter, Title and Number

HAS 6.18(1)(d) and 6.175(6)

Subject

Deceptive Advertising

Fund Sources Affected

Chapter 20 , Stats. Appropriations Affected

GPR    FED    PRO    PRS    SEG    SEG-S

None

Fiscal Effect of Implementing the Rule

No Fiscal Effect

Increase Existing Revenues

Increase Costs

Indeterminate

Decrease Existing Revenues

Could Absorb Within Agency's Budget

Decrease Costs

The Rule Will Impact the Following (Check All That Apply)

State's Economy

Specific Businesses/Sectors

Local Government Units

Public Utility Rate Payers

Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes     No

Policy Problem Addressed by the Rule

2009 Act 356 created a definition for deceptive practices which further clarifies what constitutes deceptive advertising. The new definition includes a list of specified types of representation or materials which are considered deceptive advertising if they are misleading, false or untruthful. The Act also amends deceptive practices as a basis for professional discipline by eliminating the words false and misleading which are now included in the new definition. This rule is amended to be consistent with the statutory change.

Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

No economic or fiscal impact to business, organization or the economy as a whole.

Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit of implementing the rule is to bring the rule into compliance with the statutory changes.

Long Range Implications of Implementing the Rule

The long range implication is clarity between the statutes and the rule.

Compare With Approaches Being Used by Federal Government

None

Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

The comparison of the proposed rules to the adjacent states demonstrates that the proposed rules are relatively comparable to those in adjacent states.

Name and Phone Number of Contact Person

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