



Hundredth Legislature - Second Session - 2008
Introducer's Statement of Intent
LB 781

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 20, 2008

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 781 is a bill to update and amend the Uniform Deceptive Trade Practices Act in order to combat fraudulent business practices and better protect Nebraskans.

General Fraud provision:

Expands the definition of deceptive trade practice to include a general catch-all provision to use to combat fraud and prohibit those schemes devised to defraud consumers by the use of false or fraudulent pretenses, representations or promises to obtain money or property, as well as, to sell, distribute, supply, furnish or procure any property for the purpose of furthering such a scheme.

Live Check Solicitation:

Expands the definition of deceptive trade practice to prohibit the use of unsolicited promotional or incentive checks that obligate the endorser to pay for goods and services if cashed or deposited.

Unsolicited billing statement:

Expands the definition of deceptive trade practice to prohibit the use of unsolicited billing statements or invoices that appear to obligate the consumer to pay for goods or services he or she did not order.

Clarification on Restitution for Nebraska Consumers:

New section clarifies that the Uniform Deceptive Trade Practices Act applies to fraudulent practices that occur in Nebraska, in whole or in part, and affect residents and non-residents, as well as to such practices occurring outside of Nebraska which affect residents if there is a direct connection between the fraud and the state of Nebraska.

Principal Introducer:

Senator Kent Rogert