

SENATE BILL 41

By Summerville

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 51 and Title 47, Chapter 18, relative to lottery advertisements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 51, Part 1, is amended by adding the following as a new section:

(a) All advertisements for selling lottery tickets, including, but not limited to, print media, outdoor advertising, electronic media and point-of-purchase advertisements, shall include the following warning:

**Warning: You will probably lose money playing the lottery.**

(b) The warning in subsection (a) shall:

(1) For radio advertisements, be read at the end of the advertisement;

(2) For television and video advertisements, be read at the end of the advertisement while being visually displayed in the same manner as provided in subdivision (b)(4);

(3) For billboards, be displayed in the same manner as provided in subdivision (b)(4). Additionally each letter of the warning shall stand at least twelve inches (12") high; and

(4) For print media, outdoor advertising and point-of-purchase advertisements, be displayed:

(A) In conspicuous, legible, sans serif type, contrasting in typography, layout or color from all other printed material in the advertisement; and

(B) Enclosed by a black border.

(c) For purposes of this section:

(1) "Electronic media" means radio, television and Internet;

(2) "Lottery ticket" means a lottery ticket or share issued by, or under the authority of, the Tennessee Education Lottery Corporation for evidence of participation in a state lottery game;

(3) "Outdoor advertising" means billboards or signs meant to be read by pedestrian or vehicular traffic;

(4) "Point-of-purchase" means any sign:

(A) Professionally printed or otherwise printed; and

(B)

(i) Distributed by the Tennessee education lottery corporation; or

(ii) Created by the point-of-purchase vendor; and

(5) "Print media":

(A) Means advertisements in newspapers, magazines or programs for events underwritten by public money; and

(B) Includes print media whether sold or distributed freely.

(d) A violation of this section constitutes a violation of the Consumer Protection Act, compiled in title 47, chapter 18, part 1, subject only to the civil remedies provided in title 47, chapter 18, part 1, including treble damages and attorney's fees.

SECTION 2 This act shall take effect January 1, 2014, the public welfare requiring it.