

Consumer Protection Code

Notification for the adoption of rules 37-6-404

An officer appointed by the Commission of Consumer Affairs must give notice before the adoption, amendment or abolishment of any rules under the Consumer Protection Code. A notice shall be mailed to anyone requesting advanced notice on his ruling and also be placed in a newspaper of general circulation in the state. The notice shall be placed at least twenty days before the intended action, include a description of the subjects and issues involved, and the time and place where individuals can present their views.

Section When	Notice	Where	
37-6-404	A notice of the adoption, amendment or abolishment of rules in regard. The notice shall be placed at least twenty days before the intended action, include a description of the subjects and issues involved, and the time and place where individuals can present their views.	A newspaper of general circulation in the State	At least twenty days prior to the action

Exact wording:

“(1) Prior to the adoption, amendment, or repeal of any rule, the Administrator shall (a) Give at least twenty days' notice of his intended action. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, and the time when, the place where, and the manner in which interested persons may present their views therein. The notice shall be mailed to all persons who have made timely request of the Administrator for advance notice of his rule-making proceedings and shall be published in a newspaper of general circulation in the State.”

Publisher of violative material not liable 37-15-40

If a publisher is unaware that an advertisement or promotion in terms of prizes and gifts published in their newspaper violates regulations than they are not held liable.

Section When	Notice	Where	
37-15-40	Advertisement or promotion in connection with prizes and gifts	A newspaper in the State	Anytime

Exact wording

“(E) Nothing in this section creates liability for an act by the publisher, owner, agent, or employee of a newspaper, periodical, radio station, television station, cable-television system, or other advertising medium arising out of the publication or dissemination of an advertisement or promotion governed by this section, when the publisher, owner, agent, or employee did not know that the advertisement or promotion violated this section.”