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HOUSE BILL NO. 1920

Offered January 14, 2015

Prefiled January 13, 2015

A BILL to amend and reenact § 59.1-199 of the Code of Virginia, relating to the Virginia Consumer Protection Act; exclusion for public service companies.

Patron—LeMunyon

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:**1. That § 59.1-199 of the Code of Virginia is amended and reenacted as follows:****§ 59.1-199. Exclusions.**

Nothing in this chapter shall apply to:

A. 1. Any aspect of a consumer transaction which aspect is authorized under laws or regulations of this the Commonwealth or the United States, or the formal advisory opinions of any regulatory body or official of this the Commonwealth or the United States;;

B. 2. Acts done by the publisher, owner, agent, or employee of a newspaper, periodical, or radio or television station, or other advertising media such as outdoor advertising and advertising agencies, in the publication or dissemination of an advertisement in violation of § 59.1-200, unless it be proved that such person knew that the advertisement was of a character prohibited by § 59.1-200;;

C. 3. Those aspects of a consumer transaction which that are regulated by the Federal Consumer Credit Protection Act, 15 U.S.C. § 1601 et seq.;

D. 4. Banks, savings institutions, credit unions, ~~small loan~~ consumer finance companies, ~~public service corporations~~, mortgage lenders as defined in § 6.2-1600, broker-dealers as defined in § 13.1-501, gas suppliers as defined in subsection E of § 56-235.8, and insurance companies, *provided such entity is* regulated and supervised by the State Corporation Commission or a comparable federal regulating body;;

E. 5. Any aspect of a consumer transaction which that is subject to the Landlord and Tenant Act, Chapter 13 (§ 55-217 et seq.) of Title 55 or the Virginia Residential Landlord and Tenant Act, Chapter 13.2 (§ 55-248.2 et seq.) of Title 55, unless the act or practice of a landlord constitutes a misrepresentation or fraudulent act or practice under § 59.1-200;;

F. 6. Real estate licensees who are licensed under Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1; or

7. Any aspect of a consumer transaction that relates to the provision, by a public service corporation that is regulated and supervised by the State Corporation Commission, of a service unless such public service corporation's provision of the service is not subject to regulation by the State Corporation Commission.

INTRODUCED

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