

CONSUMER PROTECTION IN THE STATES

A 50-STATE EVALUATION OF UNFAIR AND DECEPTIVE PRACTICES LAWS

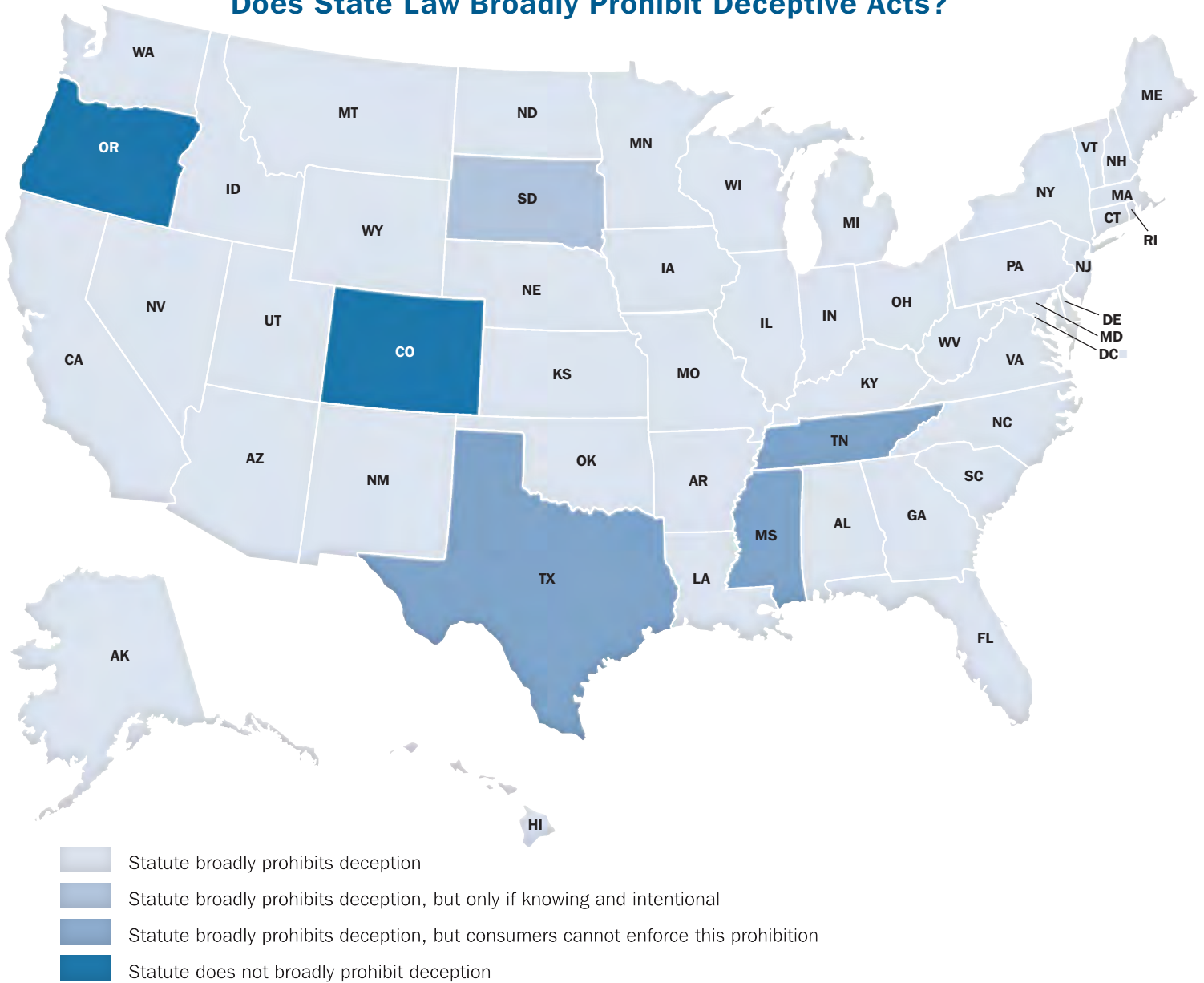
<http://bit.ly/2DJKbGp>

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MAPS

MAP 1

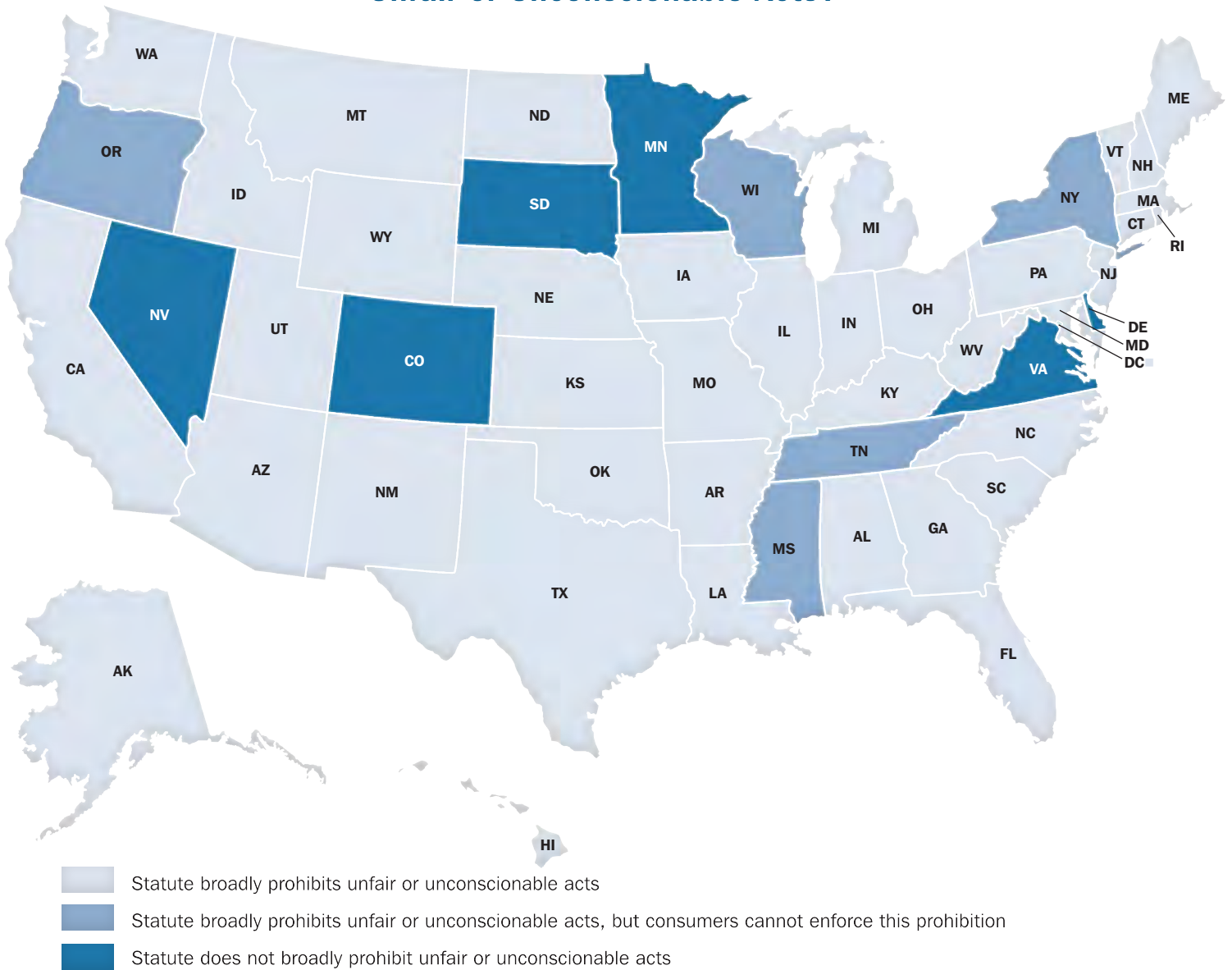
Does State Law Broadly Prohibit Deceptive Acts?



Source: ©National Consumer Law Center, 2018.

MAP 2

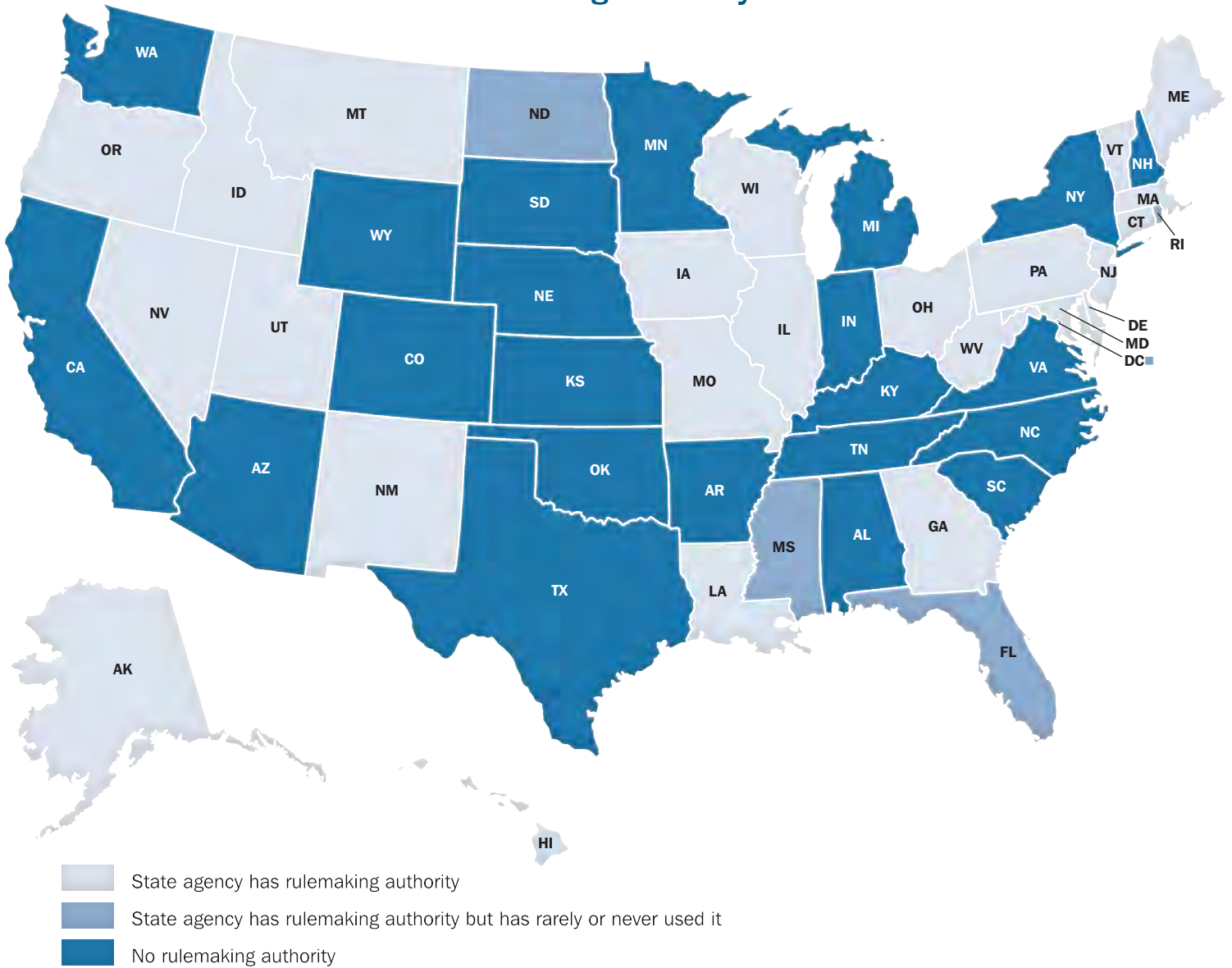
Does State Law Broadly Prohibit Unfair or Unconscionable Acts?



Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, 2016.

MAP 3

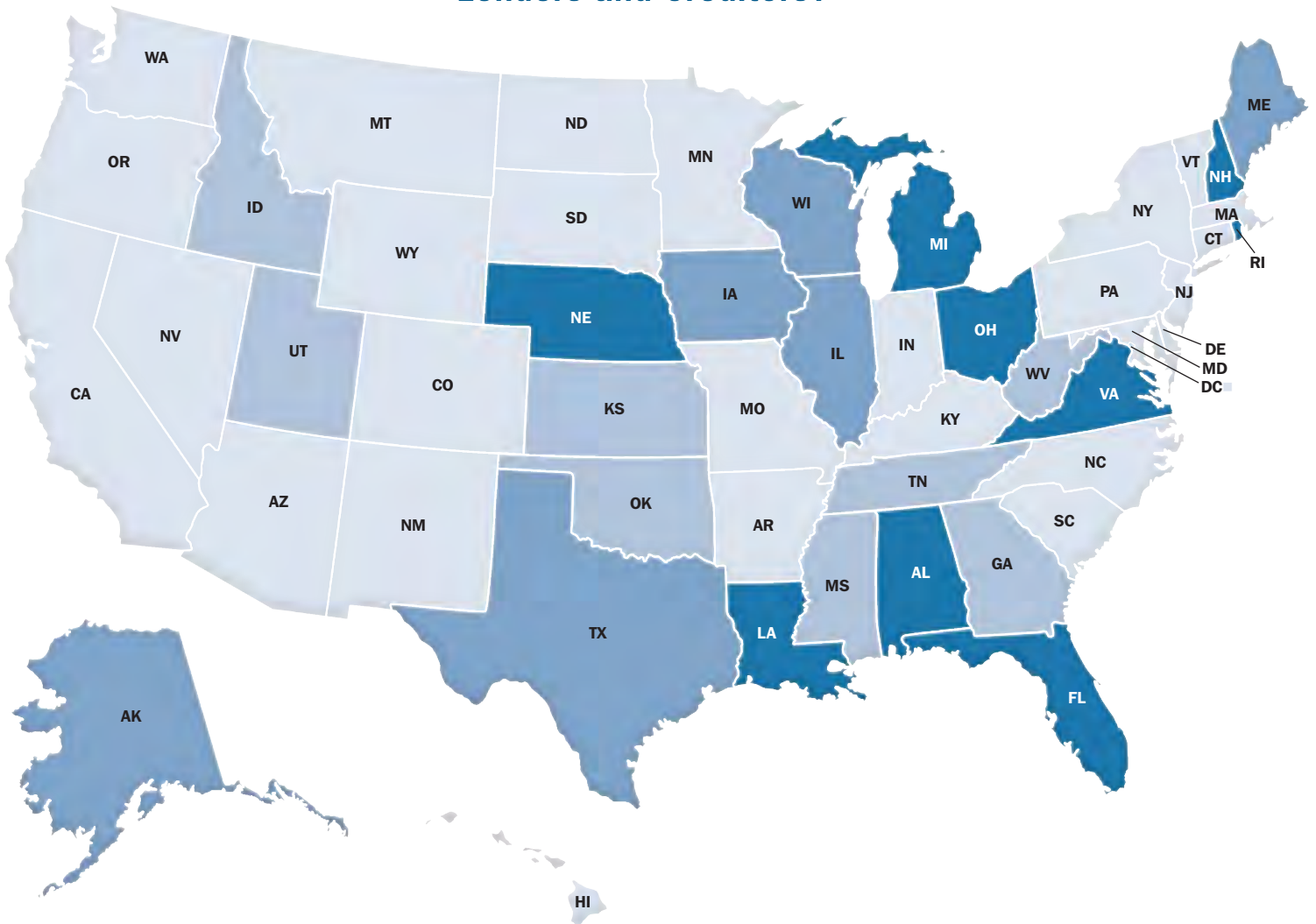
Does a State UDAP Law Give a State Agency Rulemaking Authority?



Source: ©National Consumer Law Center, 2018.

MAP 4

Does the State UDAP Law Immunize Lenders and Creditors?

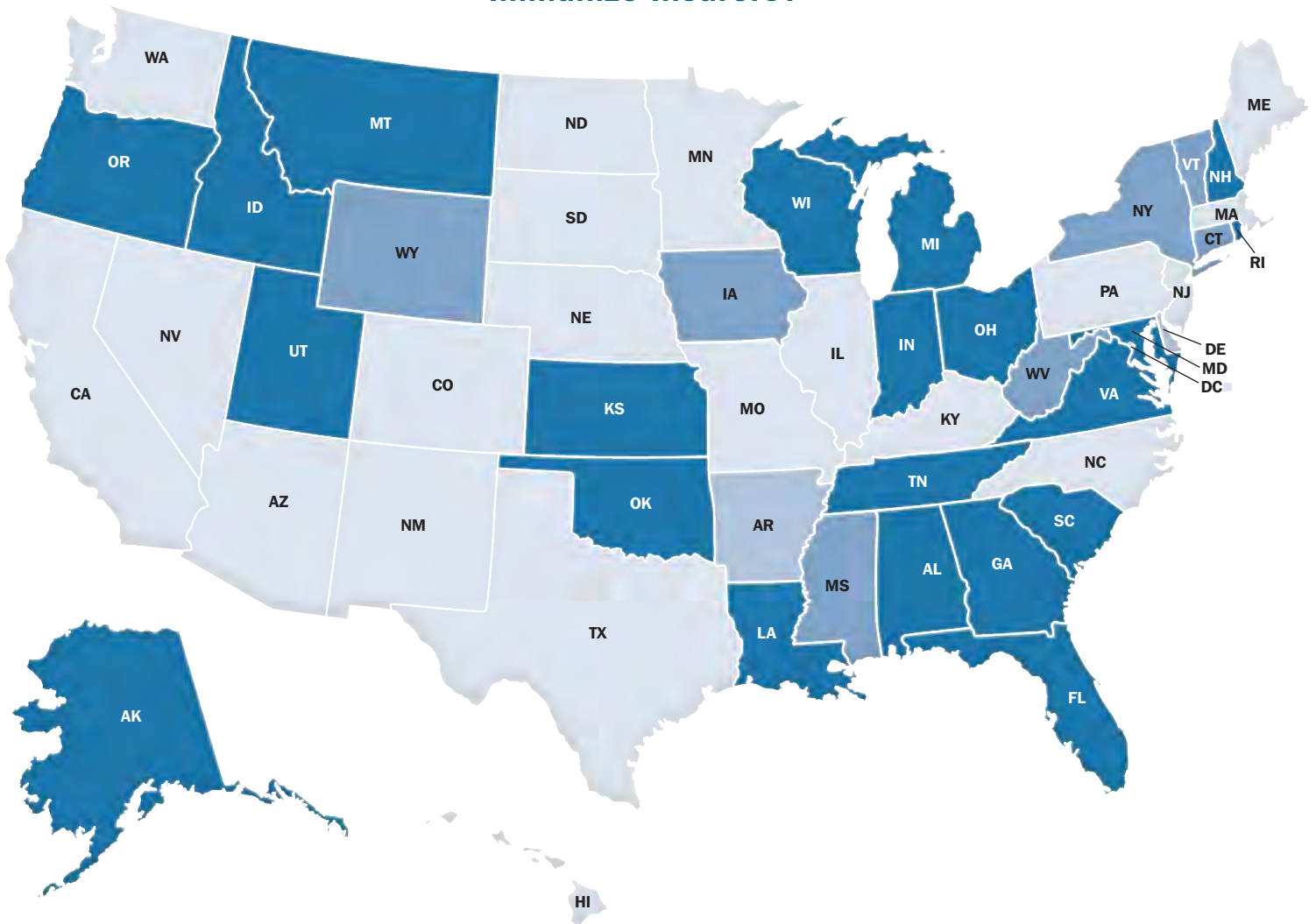


- Statute applies broadly to lenders and creditors
- Courts have not resolved whether statute applies to lenders and creditors
- Statute applies to some lenders and creditors, but there are major gaps in scope or in consumers' ability to enforce it
- Statute excludes most lenders and creditors

Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, § 2.2.1.7.

MAP 5

Does the State UDAP Law Immunize Insurers?

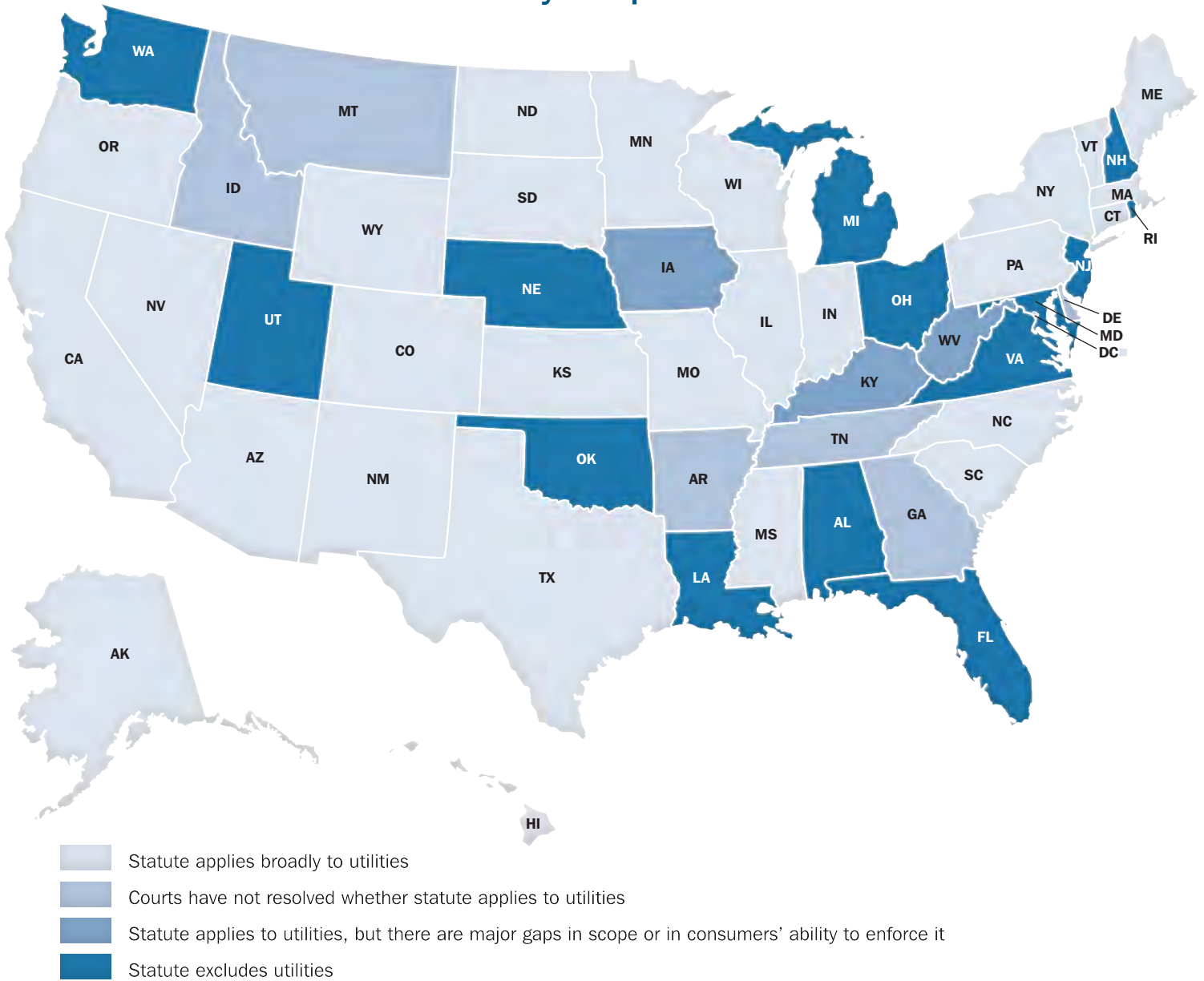


- Statute applies broadly to insurers
- Courts have not resolved whether statute applies to insurers
- Statute applies to insurers but there are major gaps in scope or in consumers' ability to enforce it
- Statute excludes insurers

Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, § 2.3.1.5.

MAP 6

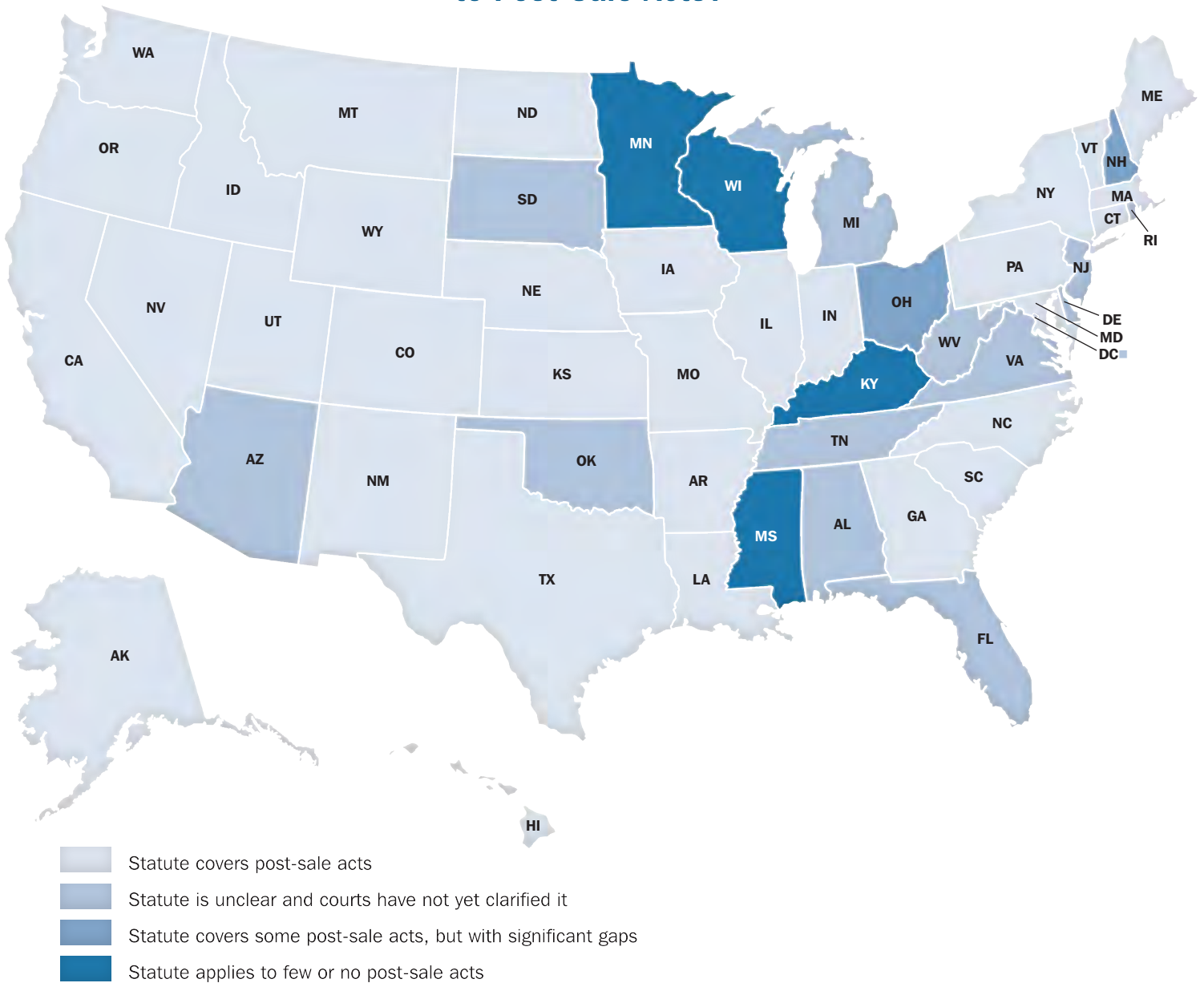
Does the State UDAP Law Apply to Utility Companies?



Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, § 2.3.2.2.

MAP 7

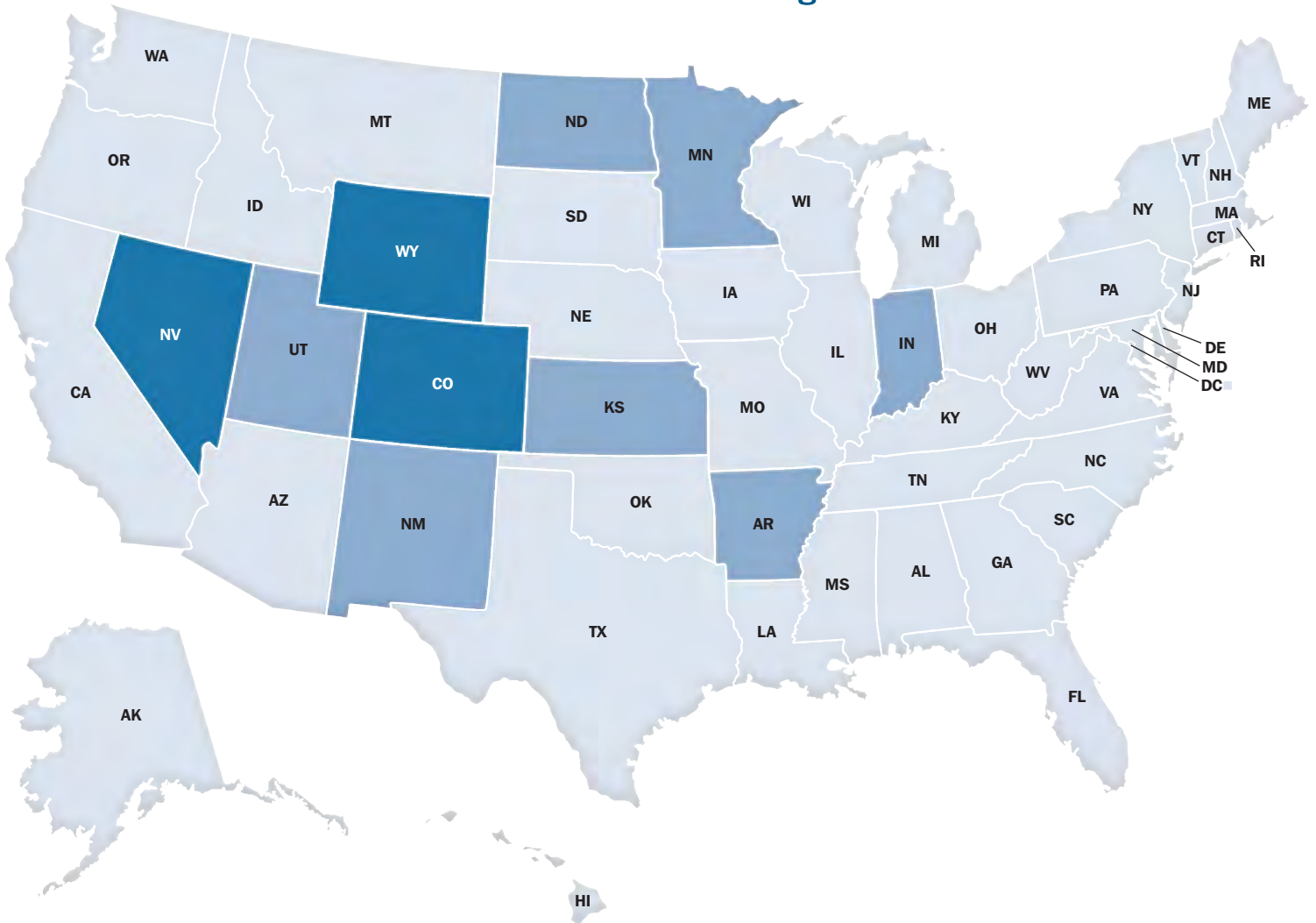
Does the State UDAP Statute Apply to Post-Sale Acts?



Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, §§ 2.2.2.2, 2.2.3.

MAP 9

States that Deny Consumer Relief Unless the State Proves the Business's Knowledge or Intent

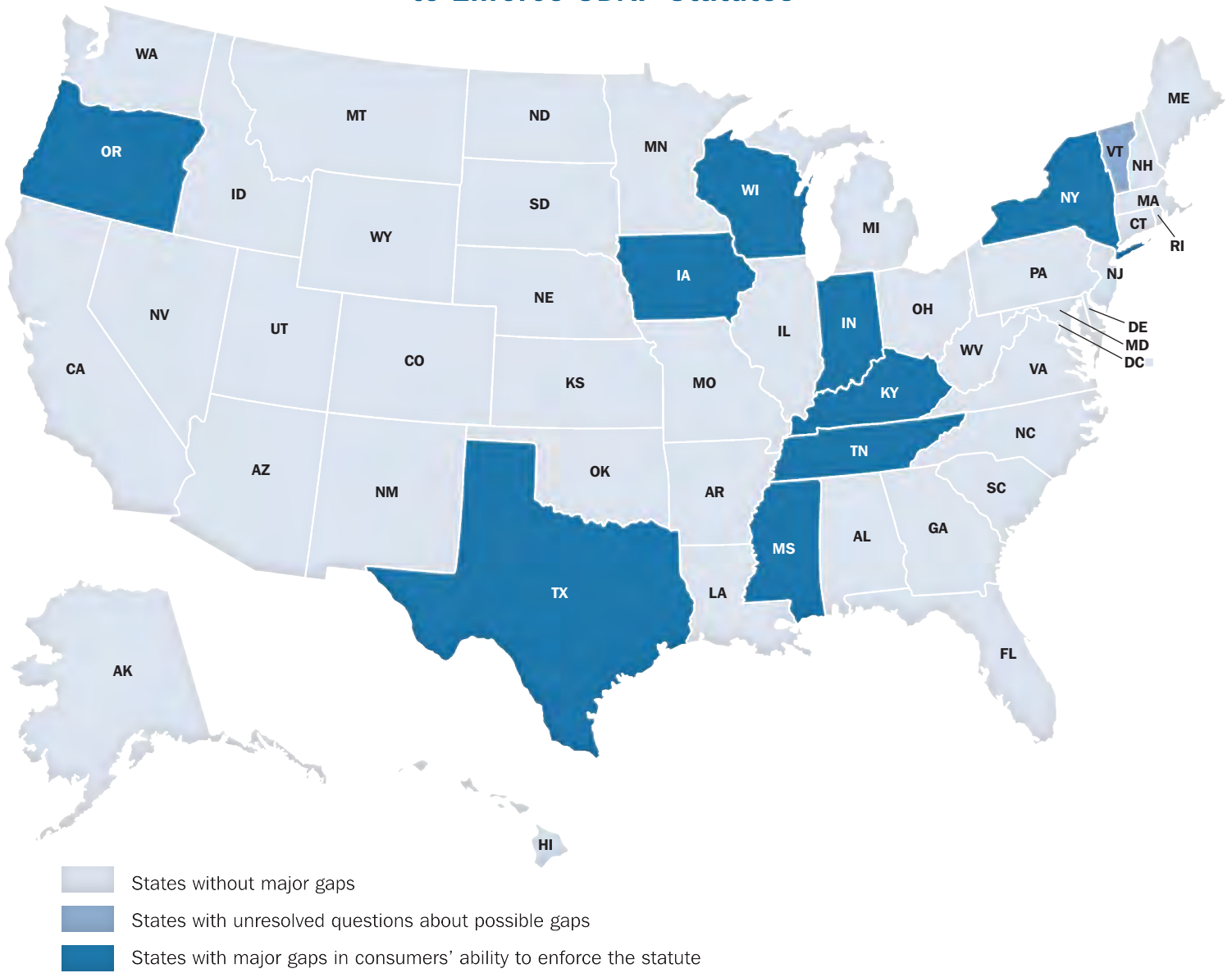


- States that do not require proof of intent
- States that require proof of intent, but with significant exceptions or flexible interpretations
- States that require proof of intent

Source: ©National Consumer Law Center, 2018.

MAP 11

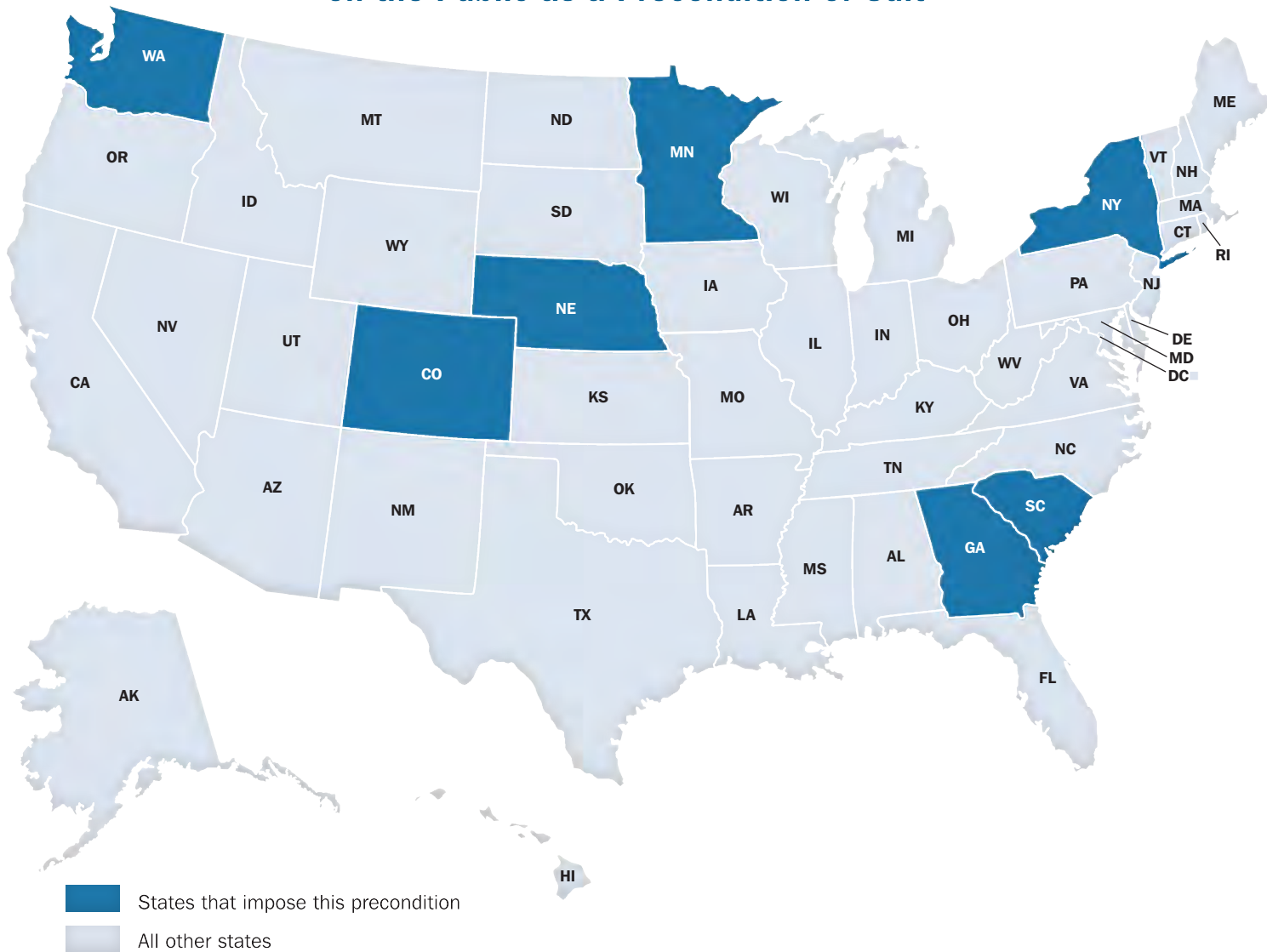
States with Major Gaps in Consumers' Ability to Enforce UDAP Statutes



Source: ©National Consumer Law Center, 2018.

MAP 12

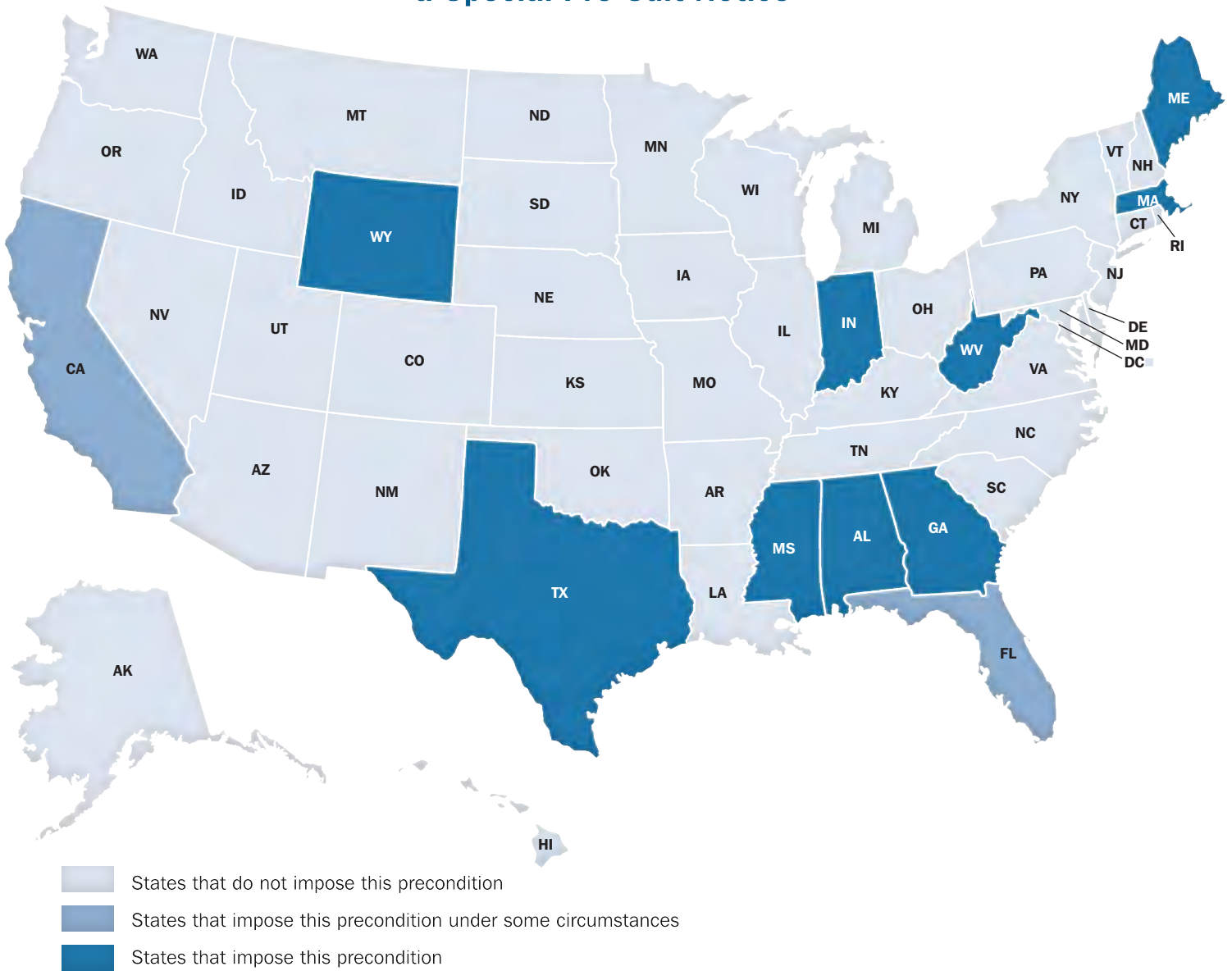
States that Require Consumers to Prove an Impact on the Public as a Precondition of Suit



Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, § 11.4.3.

MAP 13

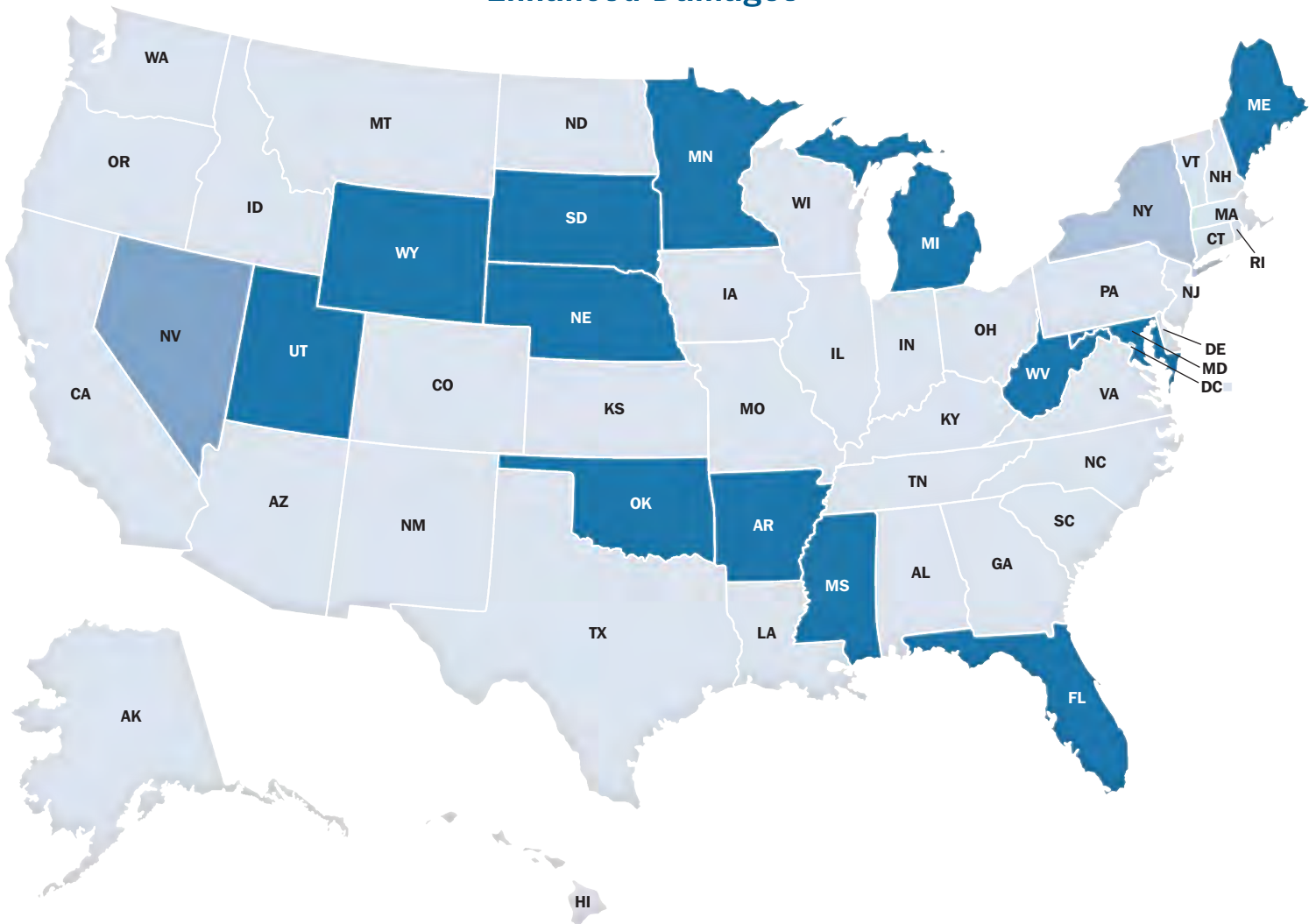
States that Require Consumers to Give a Special Pre-Suit Notice



Source: ©National Consumer Law Center, *Unfair and Deceptive Acts and Practices*, § 11.4.4.

MAP 14

States That Allow Consumers to Seek Enhanced Damages



- States that allow multiple or punitive damages
- States that allow multiple damages but with an unusually low cap
- States where the availability of multiple or punitive damages has not been resolved
- States that do not allow multiple or punitive damages

Source: ©National Consumer Law Center, 2018.