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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

**RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS --
DECEPTIVE TRADE PRACTICES**

Introduced By: Representative Stephen M. Casey

Date Introduced: February 06, 2026

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 6-13.1-1 of the General Laws in Chapter 6-13.1 entitled "Deceptive
2 Trade Practices" is hereby amended to read as follows:

3 **6-13.1-1. Definitions. [Effective January 1, 2026; Effective until March 31, 2026.]**

4 As used in this chapter:

5 (1) "Claimant" means any natural person or business entity asserting rights to payment,
6 benefits, or performance under an insurance policy, including policyholders, insureds, third-party
7 beneficiaries, or assignees of rights or benefits.

8 (4)(2) "Documentary material" means the original or a copy of any book, record, report,
9 memorandum, paper, communication, tabulation, map, chart, photograph, mechanical
10 transcription, or other tangible document or recording wherever situated.

11 (2)(3) "Examination" of documentary material includes the inspection, study, or copying
12 of any documentary material, and the taking of testimony under oath or acknowledgment in respect
13 of any documentary material or copy of any documentary material.

14 (4) "Insurer" means an entity that issues or administers insurance contracts, policies, or
15 certificates under the laws of this state.

16 (5) "Insurance claim handling services" means activities including investigation,
17 adjustment, appraisal, negotiation, or settlement of insurance claims performed by an insurer or
18 any person or entity acting directly or indirectly on behalf of or at the direction of an insurer.

1 (3)(6) “Person” means natural persons, corporations, trusts, partnerships, incorporated or
2 unincorporated associations, and any other legal entity.

3 (4)(7) “Rebate” means the return of a payment or a partial payment that serves as a discount
4 or reduction in price.

5 (5)(8) “Trade” and “commerce” mean the advertising, offering for sale, sale, or distribution
6 of any services and any property, tangible or intangible, real, personal, or mixed, and any other
7 article, commodity, or thing of value wherever situate, and include any trade or commerce directly
8 or indirectly affecting the people of this state.

9 (6)(9) “Unfair methods of competition and unfair or deceptive acts or practices” means any
10 one or more of the following:

11 (i) Passing off goods or services as those of another;

12 (ii) Causing likelihood of confusion or of misunderstanding as to the source, sponsorship,
13 approval, or certification of goods or services;

14 (iii) Causing likelihood of confusion or of misunderstanding as to affiliation, connection,
15 or association with, or certification by, another;

16 (iv) Using deceptive representations or designations of geographic origin in connection
17 with goods or services;

18 (v) Representing that goods or services have sponsorship, approval, characteristics,
19 ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship,
20 approval, status, affiliation, or connection that he or she does not have;

21 (vi) Representing that goods are original or new if they are deteriorated, altered,
22 reconditioned, reclaimed, used, or secondhand; and if household goods have been repaired or
23 reconditioned, without conspicuously noting the defect that necessitated the repair on the tag that
24 contains the cost to the consumer of the goods;

25 (vii) Representing that goods or services are of a particular standard, quality, or grade, or
26 that goods are of a particular style or model, if they are of another;

27 (viii) Disparaging the goods, services, or business of another by false or misleading
28 representation of fact;

29 (ix) Advertising goods or services with intent not to sell them as advertised;

30 (x) Advertising goods or services with intent not to supply reasonably expectable public
31 demand, unless the advertisement discloses a limitation of quantity;

32 (xi) Making false or misleading statements of fact concerning the reasons for, existence of,
33 or amounts of price reductions;

34 (xii) Engaging in any other conduct that similarly creates a likelihood of confusion or of

1 misunderstanding;

2 (xiii) Engaging in any act or practice that is unfair or deceptive to the consumer;

3 (xiv) Using any other methods, acts, or practices that mislead or deceive members of the

4 public in a material respect;

5 (xv) Advertising any brand name goods for sale and then selling substituted brand names

6 in their place;

7 (xvi) Failure to include the brand name and/or manufacturer of goods in any advertisement

8 of the goods for sale, and, if the goods are used or secondhand, failure to include the information

9 in the advertisement;

10 (xvii) Advertising claims concerning safety, performance, and comparative price unless

11 the advertiser, upon request by any person, the consumer council, or the attorney general, makes

12 available documentation substantiating the validity of the claim;

13 (xviii) Representing that work has been performed on or parts replaced in goods when the

14 work was not in fact performed or the parts not in fact replaced;

15 (xix) Failing to separately state the amount charged for labor and the amount charged for

16 services when requested by the purchaser as provided for in § 44-18-12(b)(3);

17 (xx) Advertising for sale at a retail establishment the availability of a manufacturer's rebate

18 by displaying the net price of the advertised item (the price of the item after the rebate has been

19 deducted from the item's price) in the advertisement, unless the amount of the manufacturer's

20 rebate is provided to the consumer by the retailer at the time of the purchase of the advertised item.

21 It shall be the retailer's burden to redeem the rebate offered to the consumer by the manufacturer;

22 or

23 (xi) Advertising, displaying, or offering a price for live-event tickets or short-term lodging

24 in violation of 16 C.F.R. Part 464.

25 **6-13.1-1. Definitions. [Effective March 31, 2026.]**

26 As used in this chapter:

27 (1) "Claimant" means any natural person or business entity asserting rights to payment,

28 benefits, or performance under an insurance policy, including policyholders, insureds, third-party

29 beneficiaries, or assignees of rights or benefits.

30 (4)(2) "Documentary material" means the original or a copy of any book, record, report,

31 memorandum, paper, communication, tabulation, map, chart, photograph, mechanical

32 transcription, or other tangible document or recording wherever situated.

33 (4)(3) "Examination" of documentary material includes the inspection, study, or copying

34 of any documentary material, and the taking of testimony under oath or acknowledgment in respect

1 of any documentary material or copy of any documentary material.

2 (4) "Insurer" means an entity that issues or administers insurance contracts, policies, or
3 certificates under the laws of this state.

4 (5) "Insurance claim handling services" means activities including investigation,
5 adjustment, appraisal, negotiation, or settlement of insurance claims performed by an insurer or
6 any person or entity acting directly or indirectly on behalf of or at the direction of an insurer.

7 (3)(6) "Person" means natural persons, corporations, trusts, partnerships, incorporated or
8 unincorporated associations, and any other legal entity.

9 (4)(7) "Rebate" means the return of a payment or a partial payment that serves as a discount
10 or reduction in price.

11 (5)(8) "Trade" and "commerce" mean the advertising, offering for sale, sale, or distribution
12 of any services and any property, tangible or intangible, real, personal, or mixed, and any other
13 article, commodity, or thing of value wherever situate, and include any trade or commerce directly
14 or indirectly affecting the people of this state.

15 (6)(9) "Unfair methods of competition and unfair or deceptive acts or practices" means any
16 one or more of the following:

17 (i) Passing off goods or services as those of another;

18 (ii) Causing likelihood of confusion or of misunderstanding as to the source, sponsorship,
19 approval, or certification of goods or services;

20 (iii) Causing likelihood of confusion or of misunderstanding as to affiliation, connection,
21 or association with, or certification by, another;

22 (iv) Using deceptive representations or designations of geographic origin in connection
23 with goods or services;

24 (v) Representing that goods or services have sponsorship, approval, characteristics,
25 ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship,
26 approval, status, affiliation, or connection that the person does not have;

27 (vi) Representing that goods are original or new if they are deteriorated, altered,
28 reconditioned, reclaimed, used, or secondhand; and if household goods have been repaired or
29 reconditioned, without conspicuously noting the defect that necessitated the repair on the tag that
30 contains the cost to the consumer of the goods;

31 (vii) Representing that goods or services are of a particular standard, quality, or grade, or
32 that goods are of a particular style or model, if they are of another;

33 (viii) Disparaging the goods, services, or business of another by false or misleading
34 representation of fact;

- 1 (ix) Advertising goods or services with intent not to sell them as advertised;
- 2 (x) Advertising goods or services with intent not to supply reasonably expectable public
- 3 demand, unless the advertisement discloses a limitation of quantity;
- 4 (xi) Making false or misleading statements of fact concerning the reasons for, existence of,
- 5 or amounts of price reductions;
- 6 (xii) Engaging in any other conduct that similarly creates a likelihood of confusion or of
- 7 misunderstanding;
- 8 (xiii) Engaging in any act or practice that is unfair or deceptive to the consumer;
- 9 (xiv) Using any other methods, acts, or practices that mislead or deceive members of the
- 10 public in a material respect;
- 11 (xv) Advertising any brand name goods for sale and then selling substituted brand names
- 12 in their place;
- 13 (xvi) Failure to include the brand name and/or manufacturer of goods in any advertisement
- 14 of the goods for sale, and, if the goods are used or secondhand, failure to include the information
- 15 in the advertisement;
- 16 (xvii) Advertising claims concerning safety, performance, and comparative price unless
- 17 the advertiser, upon request by any person, the consumer council, or the attorney general, makes
- 18 available documentation substantiating the validity of the claim;
- 19 (xviii) Representing that work has been performed on or parts replaced in goods when the
- 20 work was not in fact performed or the parts not in fact replaced;
- 21 (xix) Failing to separately state the amount charged for labor and the amount charged for
- 22 services when requested by the purchaser as provided for in § 44-18-12(b)(3);
- 23 (xx) Advertising for sale at a retail establishment the availability of a manufacturer's rebate
- 24 by displaying the net price of the advertised item (the price of the item after the rebate has been
- 25 deducted from the item's price) in the advertisement, unless the amount of the manufacturer's
- 26 rebate is provided to the consumer by the retailer at the time of the purchase of the advertised item.
- 27 It shall be the retailer's burden to redeem the rebate offered to the consumer by the manufacturer;
- 28 (xxi) Advertising, displaying, or offering a price for live-event tickets or short-term lodging
- 29 in violation of 16 C.F.R. Part 464; or
- 30 (xxii) Engaging in any act or practice that is unfair or deceptive by a person advising or
- 31 assisting any veteran filing a claim for disability benefits with the Department of Veterans Affairs.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS --
DECEPTIVE TRADE PRACTICES

- 1 This act would strengthen consumer protections by including definitions related directly to
- 2 deceptive trade practices inherent in the insurance claim process.
- 3 This act would take effect upon passage.

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