

ASSEMBLY BILL

No. 69

Introduced by Assembly Member Correa

December 11, 2002

An act relating to business.

LEGISLATIVE COUNSEL'S DIGEST

AB 69, as introduced, Correa. Business: unfair competition.

Under existing law, a person who engages in unfair competition, as defined, is subject to a civil penalty and an injunction to prevent that conduct.

This bill would express the Legislature's findings concerning the unfair competition law.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares the
2 following:

3 (a) The provisions of law in Chapter 5 (commencing with
4 Section 17200) of Division 7 of the Business and Professions Code
5 (hereafter the unfair competition law), are intended to protect
6 consumers and the businesses that serve them from fraud and
7 deception in the advertising and practice of commerce.

8 (b) The unfair competition law is an important tool that has
9 provided great benefit to the people of California in halting or
10 preventing consumer and public market abuses.

1 (c) Representative actions by private attorneys on behalf of
2 consumers are a valuable component of the unfair competition law
3 and permit appropriate enforcement of the law when public
4 entities lack the resources to do so.

5 (d) Any improper or unethical use of the unfair competition law
6 damages the legitimacy and undermines the original intent of that
7 law. These abuses also hamper the ability of legitimate businesses
8 to operate efficiently and provide the jobs, goods, and services
9 needed by the consumers of this state.

10 (e) Law-abiding business owners of California have a right to
11 expect reasonable protection from unlawful, unethical, repetitive,
12 or disproportionate lawsuits or demands when the public good has
13 not been endangered.

