

Sec. 42-110b-20. Bait and switch

It shall be an unfair and deceptive act or practice to: (a) Advertise merchandise or a service for sale when the advertisement is not a bona fide offer to sell the advertised merchandise or service. Among acts or practices which will be considered in determining if an advertisement is a bona fide offer are:

- (1) the refusal to show, demonstrate, or sell the merchandise or service offered in accordance with the terms of the offer,
- (2) the disparagement by acts or words of the advertised merchandise or service or the disparagement of the guarantee, credit terms, availability of service, repairs or parts, or in any other respect, in connection with it,
- (3) the failure to have available at all outlets listed in the advertisement a sufficient quantity of the advertised merchandise to meet reasonable anticipated demands, unless the advertisement clearly, adequately, and specifically (see § 18 above) discloses that supply is limited and/or the merchandise is available only at designated outlets.
- (4) the refusal to take orders for the advertised merchandise to be delivered within a reasonable period of time at the advertised price,
- (5) the showing or demonstrating of merchandise which is defective, unusable or impractical for the purpose represented or implied in the advertisement,
- (6) use of a sales plan or method of compensation for salesmen or penalizing salesmen which has, or tends to have, the effect of preventing or discouraging them from selling the advertised merchandise or service,
- (7) the delivery of the advertised merchandise which is defective, unusable, or impractical for the purpose represented or implied in the advertisement.