

**367.500 Listing of floral business in telephone directory -- Misrepresentation of geographical location prohibited - Application.**

- (1) A person may not misrepresent the geographical location of a business that derives fifty percent (50%) or more of its gross income from the sale or arranging for the sale of flowers or floral arrangements in the listing of the business in a telephone directory or other directory assistance database.
- (2) A person is considered to misrepresent the geographical location of a business in a telephone directory or other directory assistance database if the name of the business indicates that the business is located in a geographical area and:
  - (a) The business is not located within the geographical area indicated;
  - (b) The listing fails to identify the municipality and state of the business's geographical location; and
  - (c) A telephone call to the local telephone number listed in the telephone directory or directory assistance database routinely is forwarded or transferred to a location that is outside the calling area covered by the telephone directory or directory assistance database in which the number is listed.
- (3) A person may place a directory listing for a business described in subsection (1) of this section whose name indicates that it is located in a geographical area that is different from the geographical area in which the business is actually located, only if a conspicuous notice in the listing states the municipality and state in which the business is located.
- (4) This section does not apply to a publisher of a telephone directory or other publication or a provider of a directory assistance service publishing or providing information about another business.
- (5) This section creates no duty and imposes no obligation upon anyone other than the business that is the subject of the advertisement or listing.
- (6) This section applies only to information supplied to a telephone directory published after June 26, 2007, or to information supplied for entry into a directory assistance database after June 26, 2007.

**Effective:** June 26, 2007

**History:** Created 2007 Ky. Acts ch. 134, sec. 1, effective June 26, 2007.