

SENATE FILE NO. SF0011

Consumer protection act amendments.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to trade and commerce; amending notice  
2 requirements for temporary restraining orders and  
3 injunctions in actions relating to consumer protection;  
4 providing for the issuance of ex parte temporary  
5 restraining orders; amending available remedies; and  
6 providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 40-12-106 is amended to read:

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12 **40-12-106. Restraining unlawful practices.**

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14 Whenever the enforcing authority has reasonable cause to  
15 believe that any person has engaged in, is engaging in, or  
16 is about to engage in any practice which is unlawful under

1 W.S. 40-12-104 or 40-12-105, and that proceedings would be  
2 in the public interest, he may bring an action in the name  
3 of this state against such person to restrain by temporary  
4 restraining order or preliminary or permanent injunction  
5 the use of such practice., ~~upon the giving of appropriate~~  
6 ~~notice to that person. The notice must state generally the~~  
7 ~~relief sought and must be served in accordance with the~~  
8 ~~Wyoming Rules of Civil Procedure. Before commencing any~~  
9 ~~action, the enforcing authority shall give the person~~  
10 ~~against whom proceedings are contemplated a reasonable~~  
11 ~~opportunity to show why proceedings should not be~~  
12 ~~instituted.~~ The action may be brought in the district court  
13 of the county in which the person resides or has his  
14 principal place of business or in the district court of  
15 Laramie county, Wyoming. The district court may issue  
16 temporary restraining orders, including ex parte temporary  
17 restraining orders, or preliminary or permanent  
18 injunctions, in accordance with the principles of equity,  
19 to restrain and prevent violations of this act. The court  
20 may make such additional orders or judgments as are  
21 necessary to compensate identifiable persons for actual  
22 damages or restoration of money or property, real or  
23 personal, which may have been acquired by means or any act

1 or practice restrained.—~~The remedies provided by this~~  
2 ~~section, W.S. 40-12-108 and 40-12-111 shall be the~~  
3 ~~exclusive remedies for violations of this act.~~

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5 **Section 2.** This act is effective July 1, 2020.

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(END)