

HOUSE OF DELEGATES AMENDMENT FORM

Number: 1/17/99
Consolidated
Draft

Amendment Number: OAG-1

Committee:

or

Floor Amendment Offered By:

Title Amendment

Page 24 draft line 7 after B.1.

Strike

the remainder of line 7 and all of lines 8-17.

Insert

Any person who suffers loss (i) as the result of marketing practices, including telemarketing practices, engaged in by any public service company, licensed supplier, aggregator or any other provider of any service made competitive under this chapter, and in violation of subsection C of § 56-589, including any rule or regulation adopted by the Commission pursuant thereto, or (ii) as the result of any violation of subsection A, shall be entitled to initiate an action to recover actual damages, or \$500, whichever is greater. If the trier of fact finds that the violation was willful, it may increase damages to an amount not exceeding three times the actual damages sustained, or \$1,000, whichever is greater.

2. Upon referral from the Commission, the Attorney General, the attorney for the Commonwealth, or the attorney for any city, county, or town may cause an action to be brought in the appropriate circuit court for relief of violations within the scope of (i) subsection C of § 56-589, including any rule or regulation adopted by the Commission pursuant thereto, or (ii) subsection A.

Date: _____

Date: _____
Agreed to: _____

Agreed to: _____
Committee Clerk

Clerk
Rejected: _____
Clerk