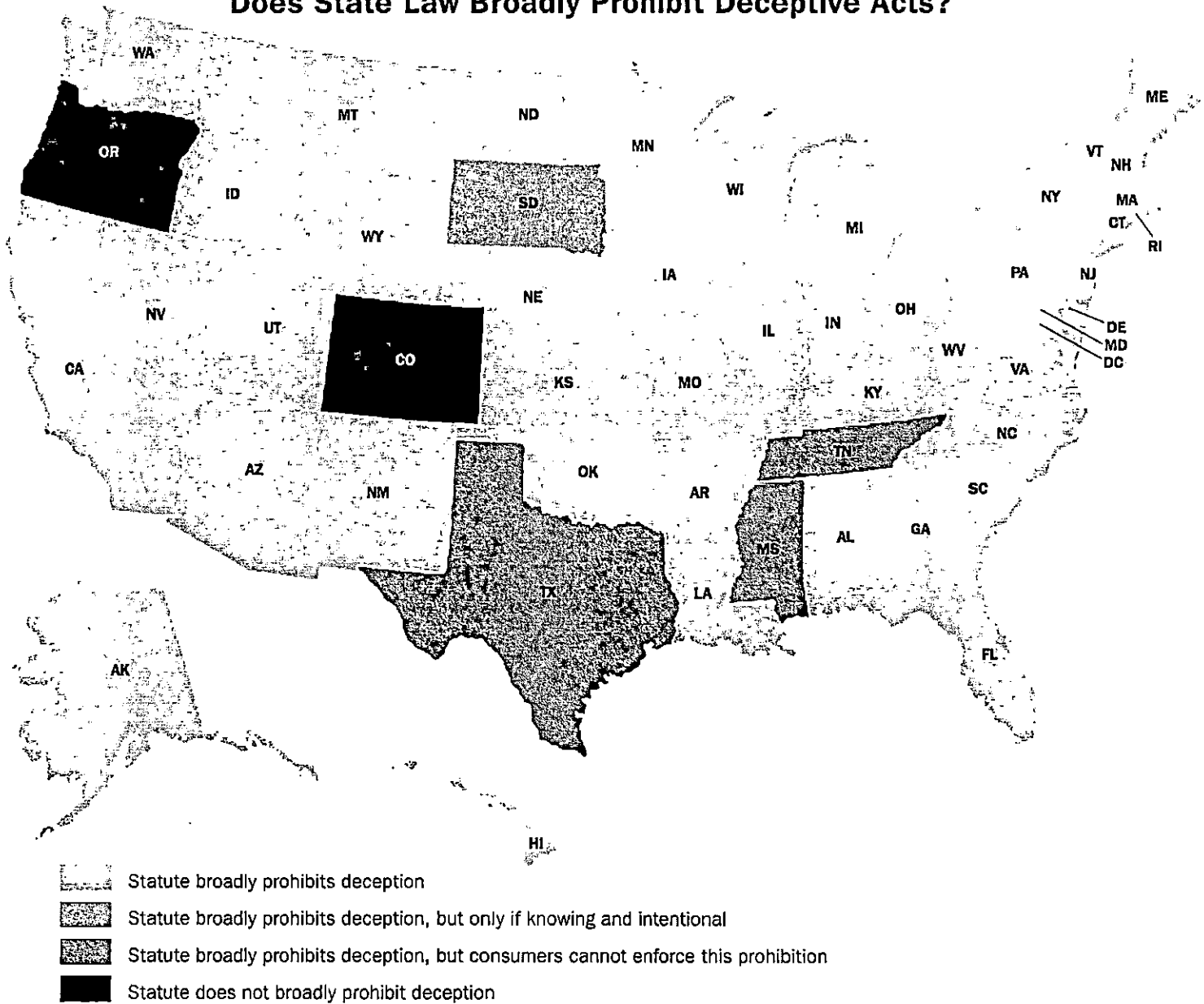


MAP 1

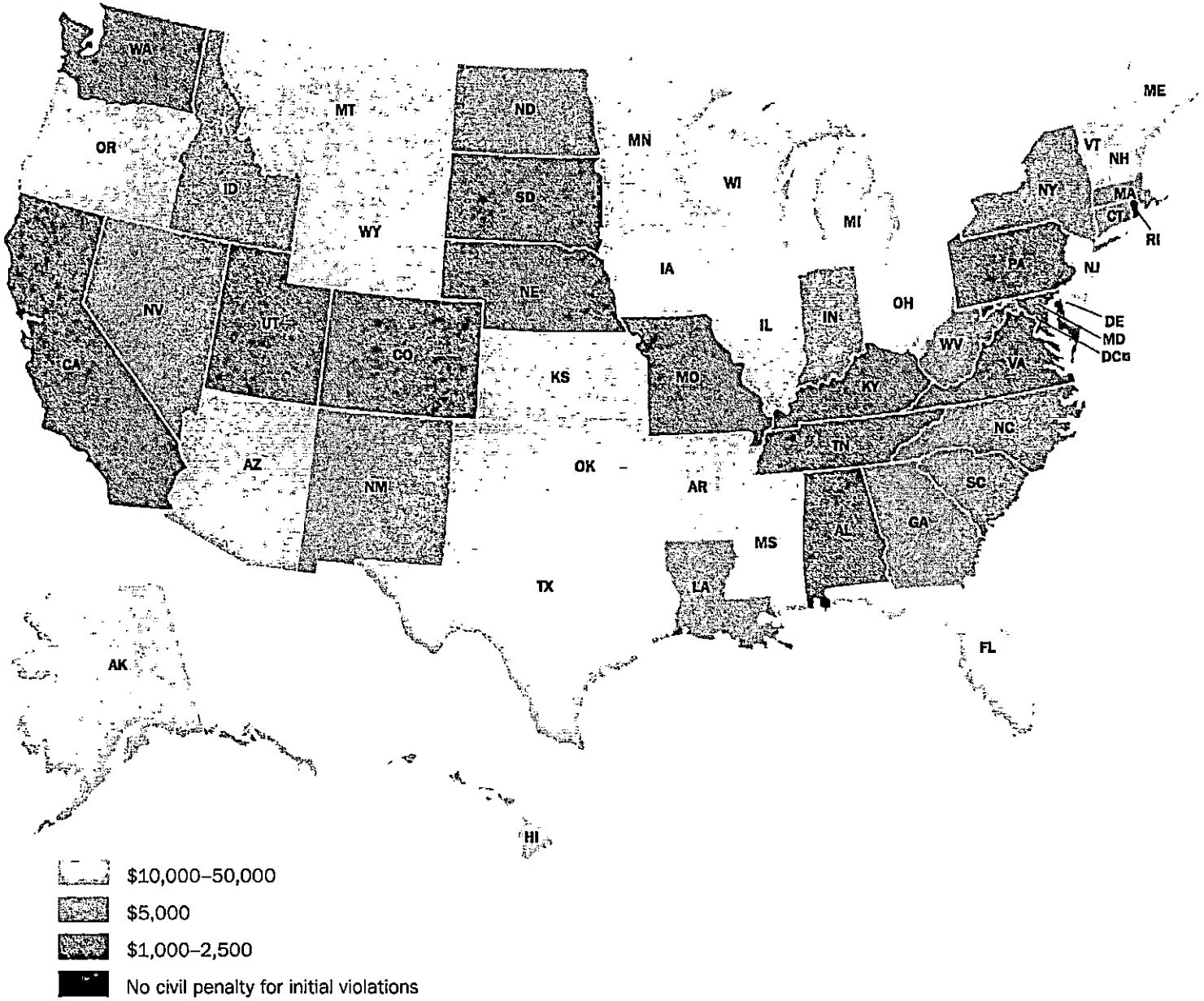
## Does State Law Broadly Prohibit Deceptive Acts?



**Unfairness.** In 39 states and the District of Columbia, the UDAP statute includes at least a fairly broad prohibition against unfair or unconscionable acts that is enforceable by consumers and a state agency. But six state UDAP statutes—those in **Colorado, Delaware, Minnesota, Nevada, South Dakota, and Virginia**—do not include a general prohibition of unfair or unconscionable practices. In addition, **Mississippi, Oregon, and**

MAP 10

### Strength of States' Civil Penalties



Source: ©National Consumer Law Center, 2018.

## AT A GLANCE: STATE UDAP STATUTES' STRENGTHS AND WEAKNESSES

This chart summarizes the factors analyzed in the National  
Consumer Law Center's report *Consumer Protection in the  
States: A 50-State Evaluation of Unfair and Deceptive  
Practices Laws*

Key: ○ = Strong  
◐ = Mixed  
● = Weak  
? = Undecided\*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL
<b>PRACTICES PROHIBITED</b>														
Broad deception prohibition	○	○	○	○	○	●	○	○	○	○	○	○	○	○
Broad unfairness prohibition	○	○	○	○	○	●	○	○	○	○	○	○	○	○
Rulemaking authority	●	○	●	●	●	●	○	○	◐	◐	○	○	○	○
<b>SCOPE</b>														
Covers credit	●	◐	○	○	○	○	○	○	○	○	●	?	○	◐
Covers insurance	●	●	○	○	○	○	◐	?	○	●	●	○	●	○
Covers utilities	●	○	○	?	○	○	○	?	○	●	?	○	?	○
Covers post-sale acts	?	○	?	○	○	○	○	?	?	?	○	○	○	○
Covers real estate	○	●	○	○	○	○	○	○	○	◐	○	○	○	○
<b>STATE ENFORCEMENT</b>														
Civil penalty amount	●	○	○	○	○	●	○	○	○	○	○	◐	○	○
Does not require proof of intent or knowledge	○	○	○	○	◐	○	○	○	○	○	○	○	○	○
<b>REMEDIES FOR CONSUMERS</b>														
No major gaps in scope of consumers' ability to enforce	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Multiple or punitive damages	○	○	○	○	●	○	○	○	○	○	○	○	○	○
Attorney fees for consumers	○	●	●	○	○	○	○	○	○	●	○	○	○	○
Class actions	●	○	○	○	○	○	○	○	○	○	○	○	○	○
Allows consumer suit without proof of reliance	?	○	?	○	●	◐	○	○	○	○	?	○	○	○
Allows consumer suit without proof of public impact	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Allows consumer suit without pre-suit notice	●	○	○	○	○	○	○	○	○	○	○	○	○	○
Allows consumer suit for any type of injury	●	●	○	○	●	●	○	○	○	○	○	○	○	○

\*The statute is unclear and courts have not resolved the question, or courts have issued conflicting interpretations.

	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE
<b>PRACTICES PROHIBITED</b>														
Broad deception prohibition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Broad unfairness prohibition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rulemaking authority	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>SCOPE</b>														
Covers credit	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Covers insurance	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Covers utilities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Covers post-sale acts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Covers real estate	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<b>State enforcement</b>														
Civil penalty amount	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Does not require proof of intent or knowledge	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>REMEDIES FOR CONSUMERS</b>														
No major gaps in scope of consumers' ability to enforce	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Multiple or punitive damages	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Attorney fees for consumers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Class actions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Allows consumer suit without proof of reliance	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allows consumer suit without proof of public impact	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allows consumer suit without pre-suit notice	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allows consumer suit for any type of injury	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD
<b>PRACTICES PROHIBITED</b>														
Broad deception prohibition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Broad unfairness prohibition	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Rulemaking authority	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
<b>SCOPE</b>														
Covers credit	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Covers insurance	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Covers utilities	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Covers post-sale acts	<input type="radio"/>	<input checked="" type="radio"/>	?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	?	<input type="radio"/>	<input type="radio"/>	?	<input type="radio"/>	?
Covers real estate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>STATE ENFORCEMENT</b>														
Civil penalty amount	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Does not require proof of intent or knowledge	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>REMEDIES FOR CONSUMERS</b>														
No major gaps in scope of consumers' ability to enforce	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Multiple or punitive damages	?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Attorney fees for consumers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Class actions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Allows consumer suit without proof of reliance	?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	?	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	?	?
Allows consumer suit without proof of public impact	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Allows consumer suit without pre-suit notice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allows consumer suit for any type of injury	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

	TN	TX	UT	VT	VA	WA	WV	WI	WY
<b>PRACTICES PROHIBITED</b>									
Broad deception prohibition	●	●	○	○	○	○	○	○	○
Broad unfairness prohibition	●	○	○	○	●	○	○	●	○
Rulemaking authority	●	●	○	○	●	●	○	○	●
<b>SCOPE</b>									
Covers credit	?	●	?	○	●	○	?	●	○
Covers insurance	●	○	●	●	●	○	●	●	●
Covers utilities	?	○	●	○	●	●	●	○	○
Covers post-sale acts	?	○	○	○	?	○	?	●	○
Covers real estate	○	○	○	○	●	○	?	○	○
<b>State enforcement</b>									
Civil penalty amount	●	○	●	○	●	●	●	○	○
Does not require proof of intent or knowledge	○	○	●	○	○	○	○	○	●
<b>REMEDIES FOR CONSUMERS</b>									
No major gaps in scope of consumers' ability to enforce	●	●	○	?	○	○	○	●	○
Multiple or punitive damages	○	○	●	○	○	○	●	○	●
Attorney fees for consumers	○	○	○	○	○	○	○	○	●
Class actions	●	○	○	○	●	○	○	○	○
Allows consumer suit without proof of reliance	○	●	?	○	●	○	●	○	●
Allows consumer suit without proof of public impact	○	○	○	○	○	●	○	○	○
Allows consumer suit without pre-suit notice	○	●	○	○	○	○	●	○	●
Allows consumer suit for any type of injury	●	○	○	○	○	●	●	●	○