

**To Whom It May Concern:**

A public hearing will be held by the Office of Ohio Attorney General Dave Yost on April 2, 2020 at 9:30AM in the Large Conference Room in the Rhodes State Office Tower, Fl. 17, 30 E. Broad St., Columbus, OH 43215.

The purpose of the hearing is to solicit comment on Administrative Rules 109:4-3-09 – Failure to deliver; substitution of goods or services; and, 109:4-3-12 – Price comparison. Specifically, 109:4-3-09 amends the rule to clarify that this rule also applies to purchases made via the internet; and, 109:4-3-12 amends the rule to clarify that this rule applies to online or digital adds.

The specific amended language of the rule is as follows:

109:4-3-09. Failure to deliver; substitution of goods or services.

(A) It shall be a deceptive act or practice in connection with a consumer transaction for a supplier:

[. . .]

(2) To accept money from a consumer for goods or services ordered by mail, telephone, [the internet](#), or otherwise and then permit eight weeks to elapse without:

[. . .]

109:4-3-12. Price comparisons

[. . .]

(B) Definitions

[. . .]

(3) "Out-of-store advertising" means any advertisement, message, or representation made by a supplier outside of its interior premises. It includes but is not limited to communications made via newspapers, television, radio, printed brochures, leaflets, fliers, billboards, [any online or digital medium](#), or signs painted on or posted in windows.

[. . .]

All interested parties are invited to attend the hearing and present oral and/or written testimony. Written comments may also be submitted prior to the hearing to the attention of Andrew Hopkins, Policy and Legislation Section, Office of Ohio Attorney General Dave Yost, 30 E. Broad Street, Fl. 17, Columbus, Ohio 43215, or Andrew.Hopkins@OhioAttorneyGeneral.gov no later than Tuesday, March 31, 2020 by close of business. For security purposes, please also notify Andrew Hopkins if you plan to attend the hearing no later than Tuesday, March 31, 2020 by close of business.