

116TH CONGRESS
2D SESSION

S. _____

To increase the penalty associated with false advertising during the COVID-19 emergency.

IN THE SENATE OF THE UNITED STATES

Mr. GARDNER introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To increase the penalty associated with false advertising during the COVID-19 emergency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Combating Egregious
5 Advertising through Sentencing Enhancement Act” or the
6 “CEASE Act”.

1 **SEC. 2. INCREASING THE PENALTY FOR FALSE ADVER-**
2 **TISING DURING THE COVID-19 EMERGENCY**
3 **PERIOD.**

4 (a) **IN GENERAL.**—Notwithstanding section 14(a) of
5 the Federal Trade Commission Act (15 U.S.C. 54(a)), any
6 person, partnership, or corporation who violates any provi-
7 sion of section 12(a) of such Act (15 U.S.C. 52(a)) during
8 the period described in subsection (b) shall—

9 (1) for a first offense, be guilty of a mis-
10 demeanor and upon conviction shall be punished by
11 a fine of not more than \$50,000 or by imprisonment
12 for not more than 1 year, or both such fine and im-
13 prisonment; and

14 (2) for a second or subsequent offense, be guilty
15 of a felony and upon conviction shall be punished by
16 a fine of not more than \$250,000 or by imprison-
17 ment for not less than 1 year and not more than 5
18 years, or both such fine and imprisonment.

19 (b) **PERIOD DESCRIBED.**—The period described in
20 this subsection is the period that—

21 (1) begins on the date of enactment of this Act;
22 and

23 (2) ends on the last day of the public health
24 emergency described in section 1135(g)(1)(B) of the
25 Social Security Act (42 U.S.C. 1320b-5(g)(1)(B)).