

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1494 Session of 2011

INTRODUCED BY MOUL, BISHOP, BOBACK, CALTAGIRONE, COHEN,
D. COSTA, CREIGHTON, DONATUCCI, FARRY, GABLER, GEIST,
GINGRICH, JOSEPHS, MILLER, MURT, READSHAW, STABACK AND
SWANGER, MAY 9, 2011

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 9, 2011

AN ACT

1 Amending the act of December 17, 1968 (P.L.1224, No.387),
2 entitled "An act prohibiting unfair methods of competition
3 and unfair or deceptive acts or practices in the conduct of
4 any trade or commerce, giving the Attorney General and
5 District Attorneys certain powers and duties and providing
6 penalties," further providing for the definition of "unfair
7 methods of competition" and "unfair or deceptive acts or
8 practices."

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The definition of "unfair methods of competition"
12 and "unfair or deceptive acts or practices" in section 2(4) of
13 the act of December 17, 1968 (P.L.1224, No.387), known as the
14 Unfair Trade Practices and Consumer Protection Law, reenacted
15 and amended November 24, 1976 (P.L.1166, No.260), is amended by
16 adding subclauses to read:

17 Section 2. Definitions.--As used in this act.

18 * * *

19 (4) "Unfair methods of competition" and "unfair or deceptive
20 acts or practices" mean any one or more of the following:

* * *

(ix.1) Advertising goods or services using a promotional price that does not:

(A) Include the total costs associated with the goods or services, including applicable taxes, fees or other related charges in the same style, type font and size as the promotional price.

(B) Specify the regular price of the goods or services.

* * *

(xx.1) Render any billing to a customer that includes fees, penalties or other charges that have not been disclosed to the customer prior to the billing in accordance with all of the following:

(1) In writing, in at least a fourteen-point bold face type font.

(2) Detailing the nature of the fee, penalty or charge and whether the fee, penalty or charge is mandated by a governmental or regulatory body.

(3) Be provided at least sixty days prior to billing the customer.

(xx.2) Offer contracted services that do not specify the total costs associated with the contracted services, including taxes, fees, surcharges or equipment charges. The requirements under this subclause shall be enumerated on the first page of a written contract and shall be in at least a fourteen-point bold face type font.

* * *

Section 2. This act shall take effect in 60 days.