

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1991 Session of  
1991

INTRODUCED BY SCRIMENTI, D. R. WRIGHT, BELFANTI, VEON, McHALE,  
HAYDEN, JOHNSON, PISTELLA, FAIRCHILD, KUKOVICH, MIHALICH,  
TIGUE, ARMSTRONG, FAJT, KOSINSKI, JOSEPHS, WOZNIAK,  
R. C. WRIGHT, STURLA, LAUGHLIN AND BROUJOS, OCTOBER 8, 1991

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, OCTOBER 8, 1991

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," providing for attorney fees in private actions.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 9.2(a) of the act of December 17, 1968  
10 (P.L.1224, No.387), known as the Unfair Trade Practices and  
11 Consumer Protection Law, reenacted and amended November 24, 1976  
12 (P.L.1166, No.260) and repealed in part April 28, 1978 (P.L.202,  
13 No.53), is amended to read:

14 Section 9.2. Private Actions.--(a) Any person who purchases  
15 or leases goods or services primarily for personal, family or  
16 household purposes and thereby suffers any ascertainable loss of  
17 money or property, real or personal, as a result of the use or  
18 employment by any person of a method, act or practice declared  
19 unlawful by section 3 of this act, may bring a private action to

1 recover actual damages or one hundred dollars (\$100), whichever  
2 is greater. The court may, in its discretion, award up to three  
3 times the actual damages sustained, but not less than one  
4 hundred dollars (\$100), and may provide such additional relief  
5 as it deems necessary or proper. The court may award to the  
6 plaintiff, in addition to other relief provided in this section,  
7 costs and reasonable attorney fees.

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