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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1083 Session of  
2013

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INTRODUCED BY MOUL, FABRIZIO, COHEN, R. BROWN, V. BROWN, MURT  
AND THOMAS, APRIL 2, 2013

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, APRIL 2, 2013

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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 definitions and for  
7 unlawful acts or practices and exclusions.

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

10 Section 1. Section 2(4)(xxi) of the act of December 17, 1968  
11 (P.L.1224, No.387), known as the Unfair Trade Practices and  
12 Consumer Protection Law, reenacted and amended November 24, 1976  
13 (P.L.1166, No.260) and amended December 4, 1996 (P.L.906,  
14 No.146), is amended and the clause is amended by adding a  
15 subclause to read:

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

17 \* \* \*

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

20 \* \* \*

1     (xxi) Delivering propane or heating fuel to a residential  
2 customer, who has agreed to automatic delivery, without  
3 notifying the customer at least ten days prior to delivery of  
4 the price of the propane or heating fuel if the price is more  
5 than the price of propane or heating fuel delivered the last  
6 time to the customer.

7     [(xxi)] (xxii) Engaging in any other fraudulent or deceptive  
8 conduct which creates a likelihood of confusion or of  
9 misunderstanding.

10     Section 2. Section 3 of the act, amended November 29, 2006  
11 (P.L.1624, No.185), is amended to read:

12     Section 3. Unlawful Acts or Practices; Exclusions.--Unfair  
13 methods of competition and unfair or deceptive acts or practices  
14 in the conduct of any trade or commerce as defined by  
15 [subclauses (i) through (xxi) of] clause (4) of section 2 of  
16 this act and regulations promulgated under section 3.1 of this  
17 act are hereby declared unlawful. The provisions of this act  
18 shall not apply to any owner, agent or employe of any radio or  
19 television station, or to any owner, publisher, printer, agent  
20 or employe of an Internet service provider or a newspaper or  
21 other publication, periodical or circular, who, in good faith  
22 and without knowledge of the falsity or deceptive character  
23 thereof, publishes, causes to be published or takes part in the  
24 publication of such advertisement.

25     Section 3. This act shall take effect in 60 days.