

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1654 Session of
2019

INTRODUCED BY B. MILLER, MURT, ZIMMERMAN, T. DAVIS, NEILSON,
DeLUCA, BOBACK AND RADER, JUNE 19, 2019

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 19, 2019

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) of the act of December 17, 1968
11 (P.L.1224, No.387), known as the Unfair Trade Practices and
12 Consumer Protection Law, is amended by adding a subclause to
13 read:

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

15 * * *

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

18 * * *

19 (xxii) Refusing to issue a refund at the full purchase price
20 for a returned item in the same form of payment in which the

1 good was purchased if proof of purchase is presented within 14
2 days following the purchase. The provisions of this subclause
3 shall not apply if:

4 (A) the good has been used, altered or damaged after
5 purchase;

6 (B) the good is a of a type that is unsuitable for resale,
7 including a customer-ordered or customized good; or

8 (C) a refund policy was explained or conspicuously posted in
9 the establishment or at the point of sale.

10 Section 2. Section 3 of the act is amended to read:

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

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