

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1496 Session of
2025

INTRODUCED BY ABNEY, BENHAM, KINKEAD, SALISBURY, MAYES, VENKAT,
GOUGHNOUR, INGLIS, MARKOSEK, KULIK, FRANKEL, DEASY, McANDREW,
STEELE, POWELL, D. MILLER, MATZIE, SANCHEZ, PIELLI, RIVERA,
HOHENSTEIN, CEPEDA-FREYTIZ, FLEMING, MADDEN, NEILSON, CIRESI,
GALLAGHER, HADDOCK AND DELLOSO, MAY 21, 2025

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
UTILITIES, MAY 28, 2025

AN ACT

1 Amending the act of October 31, 2006 (P.L.1210, No.133),
2 entitled "An act prohibiting price gouging; and imposing
3 penalties," further providing for definitions and for price
4 gouging prohibited.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The definition of "unconscionably excessive" in
8 section 3 of the act of October 31, 2006 (P.L.1210, No.133),
9 known as the Price Gouging Act, is amended to read:

10 Section 3. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 * * *

15 "Unconscionably excessive." A price is unconscionably
16 excessive when the amount charged represents a gross disparity
17 between the price of the consumer goods or services and the

1 price at which the consumer goods or services were sold or
2 offered for sale within the chain of distribution in the usual
3 course of business seven days immediately prior to the state of
4 disaster emergency or local disaster emergency.

5 Section 2. Section 4(a), (b) and (e) of the act are amended
6 to read:

7 Section 4. Price gouging prohibited.

8 (a) Prohibition.--During and within 30 days of the
9 termination of a state of disaster emergency declared by the
10 Governor pursuant to the provisions of 35 Pa.C.S. § 7301(c)
11 (relating to general authority of Governor) or a local disaster
12 emergency declared by the local governing body pursuant to the
13 provisions of 35 Pa.C.S. § 7501 (relating to the general
14 authority of political subdivisions), it shall be a violation of
15 this act for any party within the chain of distribution of
16 consumer goods or services or both to sell or offer to sell the
17 goods or services within the geographic region that is the
18 subject of the declared emergency for an amount which represents
19 an unconscionably excessive price.

20 (b) Evidence of unconscionably excessive price.--It is prima
21 facie evidence that a price is unconscionably excessive if,
22 during and within 30 days of the termination of a state of
23 disaster emergency or local disaster emergency, parties within
24 the chain of distribution charge a price that exceeds an amount
25 equal to or in excess of 20% of the average price at which the
26 same or similar consumer goods or services were obtainable in
27 the affected area during the last seven days immediately prior
28 to the declared state of emergency.

29 * * *

30 (e) Notification.--A trade association, corporation,

1 partnership, person or other entity may register an agent for
2 the purpose of being notified when the Governor declares and
3 ceases a state of emergency or when a local governing body
4 declares and ceases a local disaster emergency. The Governor,
5 local governing body or [his] a designee is responsible for
6 notifying the registered agents upon the declaration and
7 cessation of the state of emergency or local disaster emergency.
8 Lack of notification or the failure to receive notification of
9 the declaration and cessation of an emergency shall not be a
10 defense with respect to any violation of this act.

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