

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 636 Session of
2023

INTRODUCED BY PISCIOTTANO, VENKAT, MARKOSEK, STEHR, SCHLOSSBERG,
KINSEY, SIEGEL, HILL-EVANS, KHAN, CIRESI AND TAKAC,
MARCH 21, 2023

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
UTILITIES, MARCH 21, 2023

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, is amended and clause (4) is amended by
13 adding a subclause to 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 (xxi) Advertising, displaying or offering a price for goods

1 or services that does not include all mandatory fees or charges
2 other than taxes imposed by a government entity.

3 [(xxi)] (xxii) Engaging in any other fraudulent or deceptive
4 conduct which creates a likelihood of confusion or of
5 misunderstanding.

6 * * *

7 Section 2. Section 3(a) of the act is amended to read:

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

21 * * *

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