

HB0895/493323/1

BY: Senator Beidle

AMENDMENT TO HOUSE BILL 895, AS AMENDED  
(Third Reading File Bill)

On page 3 of the bill, in line 1, strike “(I)”; and strike in their entirety lines 6 through 31, inclusive.

On page 2 of the Finance Committee Amendments (HB0895/373020/01), in Amendment No. 2, strike beginning with “3.” in line 3 down through “PRICE;” in line 15; and in line 16, strike “8.” and “9.” and substitute “3.” and “4.”.

On page 4 of the bill, in line 18, after “(B)” insert “(1)     THIS SUBSECTION DOES NOT APPLY TO:

(I) USING PROMOTIONAL PRICING OFFERS, LOYALTY PROGRAM BENEFITS, OR OTHER TEMPORARY DISCOUNTS OR CHANGES TO PRICING RELATED TO RETENTION OF EXISTING CUSTOMERS;

(II) SETTING A DIFFERENT PRICE BASED ON OBJECTIVE COSTS ATTRIBUTABLE TO PROVIDING CONSUMER GOODS OR SERVICES TO DIFFERENT CONSUMERS, SUCH AS A DIFFERENCE IN PRICE CAUSED BY SHIPPING COSTS OR TAXES BASED ON A CONSUMER’S PHYSICAL LOCATION;

(III) SETTING A DIFFERENT PRICE BASED ON COSTS OR DIFFERENCES IN SUPPLY OR DEMAND ASSOCIATED WITH PROVIDING OR SELLING A GOOD OR SERVICE IN DIFFERENT LOCATIONS OR GEOGRAPHIES;

(IV) SETTING A DIFFERENT PRICE BASED ON COSTS ASSOCIATED WITH THE AVAILABILITY OR SUPPLY OF THE GOOD OR SERVICE;

(V) OFFERING A PRICE TO A CONSUMER THROUGH A LOYALTY, MEMBERSHIP, OR REWARDS PROGRAM IN WHICH ANY CONSUMER MAY VOLUNTARILY ENROLL OR CONSENT TO PARTICIPATE;

(VI) OFFERING A PRICE TO A CONSUMER IN CONNECTION WITH A SUBSCRIPTION-BASED CONTRACT OR AGREEMENT;

(VII) OFFERING A PRICE TO A CONSUMER WHO CONSENTS TO PROVIDING PERSONAL DATA OR OTHER INFORMATION IN EXCHANGE FOR OBTAINING THE PRICE;

(VIII) CORRECTING A PRICE RESULTING FROM A PRICING ERROR; OR

(IX) RESETTING A PRICE FOLLOWING A SYSTEM OR NETWORK OUTAGE.

(2)".

On page 3 of the Finance Committee Amendments, in lines 6 and 11 of Amendment No. 2, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively.