

HOUSE COMMITTEE OF REFERENCE REPORT

	February 6, 2025
Chair of Committee	Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB25-1010 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 3 and 4 and substitute
- 2 "introductory portion, (1)(a)(I), (2) introductory portion, (3), (5)
- 3 introductory portion, (5)(a), and (5)(k); and **add** (2.5), (3.5), (4.5),
- 4 (5)(a.5), (5)(1.5), and (5)(1.7) as follows:".

- 5 Page 2, strike line 11 and substitute "declared disaster ~~results in~~ OR
- 6 abnormal MARKET disruptions ~~of the market~~ RESULT IN PRICE INCREASES
- 7 OR WHEN A".

- 8 Page 2, after line 14 insert:

- 9 "(2) A person engages in an unfair and unconscionable act or
- 10 practice when, DURING AN ABNORMAL MARKET DISRUPTION, THE PERSON
- 11 CHARGES A PRICE SO EXCESSIVE AS TO AMOUNT TO PRICE GOUGING IN THE
- 12 SALE OR OFFER FOR SALE OF NECESSITIES OR WHEN, during a disaster
- 13 period and within the designated area, the person charges a price so
- 14 excessive as to amount to price gouging in:".

- 15 Page 2, line 24, strike "attributable to" and substitute "attributable to:".

- 16 Page 3, strike line 1 and substitute:

- 17 "(a) Additional costs imposed by the seller's supplier or suppliers
- 18 or other

- 19 Page 3, strike line 3 and substitute "the seller; OR
- 20 (b) SEASONAL PRICING.
- 21 (3.5) THIS SECTION DOES NOT APPLY TO:

- 1 (a) A SHORT-TERM RENTAL;
2 (b) A PUBLIC UTILITY REGULATED BY THE PUBLIC UTILITIES
3 COMMISSION PURSUANT TO TITLE 40; EXCEPT THAT THIS SECTION DOES
4 APPLY TO A BUSINESS THAT THE PUBLIC UTILITIES COMMISSION REGULATES
5 PURSUANT TO ARTICLE 10.1 OF TITLE 40; OR
6 (c) THE SALE OF REAL PROPERTY."

7 Page 3, after line 7 insert:

- 8 "(a) ~~"Building materials" means lumber, construction tools,~~
9 ~~windows, and other materials used in the repair or reconstruction of a~~
10 ~~structure or other property~~ "ABNORMAL MARKET DISRUPTION" MEANS ANY
11 CHANGE IN THE MARKET, WHETHER ACTUAL OR IMMINENTLY
12 THREATENED, THAT RESULTS FROM A DISASTER, FAILURE OR SHORTAGE OF
13 ELECTRIC POWER OR OTHER SOURCE OF ENERGY, CIVIL DISORDER, WAR,
14 TERRORIST ATTACK, MILITARY ACTION, NATIONAL OR LOCAL EMERGENCY,
15 PUBLIC HEALTH EMERGENCY, DRUG SHORTAGE, EXCESSIVE MARKET
16 CONSOLIDATION, TRADE DISRUPTION, INFLATION, OR ANY OTHER CAUSE OF
17 AN ATYPICAL DISRUPTION IN THE MARKET THAT A PERSON MAY EXPLOIT
18 TO MANIPULATE PRICES IN A MANNER THAT DOES NOT REFLECT THE BASIC
19 FORCES OF SUPPLY AND DEMAND.
20 (a.5) "BUILDING MATERIALS" MEANS LUMBER, CONSTRUCTION
21 TOOLS, WINDOWS, AND OTHER MATERIALS USED IN THE REPAIR OR
22 RECONSTRUCTION OF A STRUCTURE OR OTHER PROPERTY."

23 Page 3, after line 10 insert:

- 24 "(1.5) "SEASONAL PRICING" MEANS PRICING THAT IS CONSISTENT
25 WITH HISTORICAL DATA SHOWING THE PRICES THAT WERE CHARGED
26 DURING THE SAME SEASON IN THE PREVIOUS THREE YEARS.
27 (1.7) "SHORT-TERM RENTAL" has the meaning set forth in section
28 30-15-401 (1)(s.5)(III)."

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