

**SENATE APPROPRIATIONS COMMITTEE  
FISCAL NOTE**

**BILL NO.** Senate Bill 139

**PRINTER NO.** 115

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

January 31, 2019

**PRIME SPONSOR**

Senator J. Ward

**DESCRIPTION**

Senate Bill 139 amends the Price Gouging Act definitions and prohibitions in the case of a declaration of a state of disaster emergency.

The bill allows the Governor, when declaring a state of disaster emergency, to impose a price restriction on the sale of consumer goods or services necessary for use or consumption in the affected geographic area of the disaster. The resolution will last for 15 days and can be renewed for three additional 15-day periods.

It also changes the definition of unconscionably excessive price to be a determination of the court if there is a gross disparity between the price immediately before and following the declaration. A price is not unconscionably excessive if it is 10% or less above the price or the price including normal mark up, is consistent with normal market fluctuations, or is a contract price established before the declaration.

This bill would take effect in 60 days.

**FISCAL IMPACT:**

There is no fiscal impact to Commonwealth funds. Any costs related to the declaration can be accommodated within funding levels of the Pennsylvania Emergency Management Agency and other Executive Branch agencies.