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S.B. 301 Testimony
May 6th, 2020

Chairman Eklund, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for giving Senator Wilson and I the opportunity to provide sponsor testimony on SB 301. This legislation will target panic buying and price gouging during a declared disaster or emergency.

During unprecedented times like the current COVID-19 pandemic, Ohioans must be protected from individuals or companies that seek to profit off of fear. Currently, there are 35 states that have some form of price gouging language enacted into law, and it is time Ohio joins them. Unlike many states with similar populations, Ohio currently does not have a statute directly related to price gouging. Existing state law does provide some tools to combat unconscionable sales prices, and this legislation seeks to build on this authority.

Since the beginning of March the Attorney General has received over 1044 complaints from consumers alleging price gouging by businesses large and small, online and in-person. This is unacceptable. SB 301 will give the Attorney General's Consumer Protection Section important new tools to combat this behavior. After partnering with the Attorney General's office, this legislation provides two new tools for enforcement: 1) gives the AG permissive authority to establish per-consumer per-transaction quantity limits on goods or services sold by suppliers in times of an emergency, and 2) provides expanded authority to investigate grossly excessive price increases as a violation of the Consumer Sales Practices Act after an emergency is declared.

During a declared emergency, the Attorney General may work with businesses to issue a written directive establishing per-consumer per-transaction quantity limitations on the sale of specified consumer goods or services related to the emergency or to the health and safety of Ohioans. This will help to both protect consumers and to protect the supply chain. The written directive must be publicly announced and posted on the Attorney General's webpage, and lasts for 90 days, unless renewed or revoked by the Attorney General. Additionally, a supplier cannot sell consumer goods or services that are directly or indirectly related to the state of emergency at a price grossly in excess of the price at which such goods were sold or were for sale prior to the state of emergency.

Once again, we would like to thank Chairman Eklund, Ranking Member Thomas and members of the Judiciary Committee for allowing us to provide sponsor testimony on SB 301. We would be happy to answer any questions you may have at this time.