

As Introduced

136th General Assembly

Regular Session

H. B. No. 633

2025-2026

Representatives Grim, Abdullahi

Cosponsors: Representatives Troy, McNally, Brewer, Sims, Russo

To enact section 1345.023 of the Revised Code to
enact the Fee Transparency Act prohibiting a
supplier from advertising, displaying, or
offering a price for a good or service that does
not include all mandatory fees and charges.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1345.023 of the Revised Code be
enacted to read as follows:

Sec. 1345.023. (A) Except as otherwise provided in this
section, no supplier shall advertise, display, or offer a price
for a good or service that does not include all mandatory fees
and charges in a clear and conspicuous manner.

(B) Neither of the following are "mandatory fees or
charges" for the purposes of division (A) of this section:

(1) Any tax, duty, fee, or custom levied by any local,
state, federal, or other governmental entity;

(2) Fees covering the cost of delivery of goods, the
amount of which is based upon the delivery method selected by
the consumer, so long as the supplier discloses the amount of
the delivery fees prior to accepting payment.

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<u>(C) Division (A) of this section does not apply to any of the following transactions:</u>	20
<u>(1) A supplier providing broadband internet access service on its own or as part of a bundle;</u>	21
<u>(2) A financial transaction subject to any of the following:</u>	22
<u>(a) The federal "Truth in Savings Act," 12 U.S.C. 4301 et seq.;</u>	23
<u>(b) The federal "Electronic Fund Transfer Act," 15 U.S.C. 1693 et seq.;</u>	24
<u>(c) The federal "Truth in Lending Act," 15 U.S.C. 1601 et seq.;</u>	25
<u>(d) The federal "Real Estate Settlement Procedures Act," 12 U.S.C. 2601 et seq.;</u>	26
<u>(e) The federal "Home Ownership and Equity Protection Act," 15 U.S.C. 1639 et seq.;</u>	27
<u>(3) Any transaction regulated under Title XI or Chapter 1321., 1322., or 1733. of the Revised Code;</u>	28
<u>(4) A supplier that advertises a motor vehicle manufacturer's suggested retail price set by an automobile manufacturer or lease payments based upon a manufacturer's suggested retail price;</u>	29
<u>(5) Air transportation provided by air carriers, as those terms are used in 49 U.S.C. 41713.</u>	30
<u>(D) Division (A) of this section does not require a supplier that is a food delivery platform to include in the menu price shown to the consumer the fees the supplier charges for</u>	31

providing its services.

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(E) A violation of division (A) of this section is an unconscionable act or practice in connection with a consumer transaction under section 1345.03 of the Revised Code.

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Section 2. Section 1345.023 of the Revised Code shall be known as The Fee Transparency Act.

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