

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 336**

**Senator Blessing**

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To enact sections 1345.15, 1345.16, 1345.161,  
1345.162, and 1345.17 of the Revised Code to  
require the disclosure of mandatory fees or  
surcharges in consumer transactions.

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

**Section 1.** That sections 1345.15, 1345.16, 1345.161,  
1345.162, and 1345.17 of the Revised Code be enacted to read as  
follows:

**Sec. 1345.15.** As used in sections 1345.16 to 1345.17 of  
the Revised Code:

(A) "Auction" means the sale of goods or real estate by  
means of exchanges between an auctioneer and members of the  
audience, the exchanges consisting of a series of invitations  
for offers made by the auctioneer, offers made by members of the  
audience, and acceptance by the auctioneer of the highest or  
most favorable offer.

(B) "Broadband internet access service" has the same  
meaning as in 47 C.F.R. 8.1(b).

(C) "Cable operator" has the same meaning as in 47 U.S.C.  
522.

(D) "Clear and conspicuous" or "clearly and conspicuously" 20  
means in larger type than the surrounding text, or in 21  
contrasting type, font, or color to the surrounding text of the 22  
same size, or set off from the surrounding text of the same size 23  
by symbols or other marks, in a manner that clearly calls 24  
attention to the language. In the case of an audio disclosure, 25  
"clear and conspicuous" or "clearly and conspicuously" means in 26  
a volume and cadence sufficient to be readily audible and 27  
understandable. 28

(E) "Consumer transaction" has the same meaning as in 29  
section 1345.01 of the Revised Code. 30

(F) "Electric utility" has the same meaning as in section 31  
4928.01 of the Revised Code. 32

(G) "Federal broadband consumer requirements" means the 33  
broadband consumer requirements under 47 C.F.R. 8.2. 34

(H) "Food delivery platform" means a person that operates 35  
a mobile application or other online service to act as an 36  
intermediary between consumers and multiple restaurants to 37  
submit food orders on behalf of a consumer to a participating 38  
restaurant and to arrange for the delivery of the order from the 39  
restaurant to the consumer. 40

(I) "Hotel" has the same meaning as in section 3731.01 of 41  
the Revised Code. 42

(J) (1) "Mandatory fees or surcharges" includes any 43  
additional fee or surcharge that must be paid in order to 44  
purchase the good or service being advertised. 45

(2) "Mandatory fees or surcharges" does not include any of 46  
the following: 47

(a) Taxes or fees imposed on the consumer by a government 48  
or government-approved entity or assessment fees of a 49  
government-created special district or program paid to the 50  
government or government-approved entity; 51

(b) Reasonable postage or shipping fees. 52

(K) "Motor vehicle dealer" has the same meaning as in 53  
section 4517.01 of the Revised Code. 54

(L) "Natural gas company" has the same meaning as in 55  
section 4929.01 of the Revised Code. 56

(M) "Price-variable supplier" means a supplier that offers 57  
services the total price of which is determined by consumer 58  
selections or preferences or dependent on distance or time. 59

(N) (1) "Restaurant" means all of the following: 60

(a) Any place where food is prepared for service to the 61  
public on or off the premises or any place where food is served, 62  
including lunchrooms, short order places, cafeterias, coffee 63  
shops, cafes, taverns, delicatessens, dining accommodations of 64  
public or private clubs, kitchen facilities of hospitals and 65  
nursing homes, dining accommodations of public and private 66  
schools and institutions of higher education, and kitchen areas 67  
of local correctional facilities; 68

(b) Any place or operation that prepares or stores food 69  
for distribution to persons of the same business operation or of 70  
a related business operation for service to the public, 71  
including operations preparing or storing food for catering 72  
services, push cart operations, hot dog stands, and other mobile 73  
points of service; 74

(c) Mobile points of service to which food is distributed 75

by a place or operation described in division (N) (1) (b) of this 76  
section unless the point of service and of consumption is in a 77  
private residence; 78

(d) Any place or operation that prepares or stores food 79  
for distribution to child or adult day care centers or schools, 80  
regardless of whether the receiving day care center or school 81  
holds a restaurant license. 82

(2) "Restaurant" does not include any place manufacturing 83  
packaged or canned foods that are distributed to grocery stores 84  
or other similar retailers for sale to the public. 85

(O) "Settlement services" has the same meaning as in 12 86  
U.S.C. 2602. 87

(P) "Supplier" has the same meaning as in section 1345.15 88  
of the Revised Code. 89

(Q) "Telecommunications service provider" means a provider 90  
of telecommunication service as defined in section 4927.01 of 91  
the Revised Code. 92

**Sec. 1345.16.** (A) No supplier shall, in connection with a 93  
consumer transaction, advertise or display a price for goods or 94  
services without clearly and conspicuously displaying the total 95  
price, which shall include all mandatory fees or surcharges. A 96  
supplier that provides both a good and a service to consumers 97  
may comply with this section by displaying or advertising the 98  
total price of the good separately from the total price or rate 99  
charged for providing the service. 100

(B) A supplier offering goods or services in an auction is 101  
compliant with this section if the supplier clearly and 102  
conspicuously discloses any mandatory fees associated with the 103  
transaction and that the total cost of such goods or services 104

<u>may vary.</u>	105
<u>(C) A restaurant or hotel is compliant with this section</u>	106
<u>if, in every offer or advertisement for the purchase of a good</u>	107
<u>or service that includes pricing information, such restaurant or</u>	108
<u>hotel includes a clear and conspicuous disclosure of the</u>	109
<u>percentage of any automatic and mandatory gratuities charged.</u>	110
<u>(D) A price-variable supplier is compliant with this</u>	111
<u>section if such supplier clearly and conspicuously discloses all</u>	112
<u>of the following:</u>	113
<u>(1) The factors determining the final price;</u>	114
<u>(2) Any mandatory fees or surcharges associated with the</u>	115
<u>transaction;</u>	116
<u>(3) That the total cost of services may vary.</u>	117
<u>(E) A provider of broadband internet access service on its</u>	118
<u>own or as part of a bundle that complies with federal broadband</u>	119
<u>consumer requirements shall be deemed compliant with this</u>	120
<u>section.</u>	121
<u>(F) A cable operator that complies with the pricing</u>	122
<u>requirements of 47 U.S.C. 552 shall be deemed compliant with</u>	123
<u>this section.</u>	124
<u>(G) A direct broadcast satellite provider that complies</u>	125
<u>with the pricing requirements of 47 C.F.R. 76.310 shall be</u>	126
<u>deemed compliant with this section.</u>	127
<u>(H) A provider of live event tickets that complies with</u>	128
<u>the provisions of 16 C.F.R. 464 relating to live event tickets</u>	129
<u>shall be deemed compliant with this section.</u>	130
<u>(I) A food delivery platform that complies with section</u>	131

1345.17 of the Revised Code shall be deemed compliant with this 132  
section. 133

**Sec. 1345.161.** (A) It is not a violation of section 134  
1345.16 of the Revised Code for a supplier to do any of the 135  
following: 136

(1) Reduce the total price that was previously advertised 137  
or displayed; 138

(2) Display a promotion or discount, including an offer to 139  
waive one or more mandatory fees; 140

(3) Advertise or display a price for goods and services in 141  
compliance with applicable state or federal laws. 142

(B) Section 1345.16 of the Revised Code shall not be 143  
construed to apply to any of the following: 144

(1) Fees authorized by law related to the purchase or 145  
lease of a motor vehicle that are charged by a motor vehicle 146  
dealer; 147

(2) Fees, surcharges, or costs charged by any electric 148  
utility, natural gas company, or telecommunications service 149  
provider; 150

(3) Any fees, surcharges, or other costs associated with 151  
settlement services, provided that such associated costs do not 152  
include real estate broker commissions and fees; 153

(4) The provision of air transportation by air carriers, 154  
as defined in 49 U.S.C. 40102; 155

(5) In a way that is expressly preempted by federal law. 156

**Sec. 1345.162.** A violation of sections 1345.16 to 1345.17 157  
of the Revised Code is an unfair or deceptive act or practice in 158

violation of section 1345.02 of the Revised Code. All powers and 159  
remedies available to the attorney general to enforce sections 160  
1345.01 to 1345.13 of the Revised Code are available to the 161  
attorney general to enforce sections 1345.16 to 1345.17 of the 162  
Revised Code. 163

**Sec. 1345.17.** (A) A food delivery platform shall do both 164  
of the following: 165

(1) At the point when a consumer views and selects a 166  
vendor or items for purchase, include a clear and conspicuous 167  
disclosure of any mandatory fees or surcharges; 168

(2) Prior to checkout, display a subtotal page that 169  
itemizes the price of the selected items for purchase and any 170  
mandatory fees or surcharges included in the total cost. 171

(B) Nothing in this section shall be construed to prohibit 172  
a food delivery platform from doing any of the following: 173

(1) Reducing the total cost that was previously advertised 174  
or displayed; 175

(2) Displaying a promotion or discount, including an offer 176  
to waive one or more mandatory fees; 177

(3) Advertising or displaying a price for goods and 178  
services in compliance with applicable state or federal laws. 179

(C) A food delivery platform that is a price-variable 180  
supplier complies with division (A) of this section if the 181  
supplier includes a disclosure at the point when a consumer 182  
selects items for purchase that includes all of the following: 183

(1) The factors determining the final price; 184

(2) Any mandatory fees or surcharges associated with the 185

transaction; 186

(3) That the total cost of services may vary. 187