

REFERENCE TITLE: **unfair practices; goods; services; pricing**

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2122

Introduced by
Representatives Ortiz: Cook

AN ACT

**AMENDING TITLE 44, CHAPTER 10, ARTICLE 7, ARIZONA REVISED STATUTES, BY
ADDING SECTION 44-1535; RELATING TO CONSUMER FRAUD.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 44, chapter 10, article 7, Arizona Revised
3 Statutes, is amended by adding section 44-1535, to read:
4 44-1535. Goods and services; pricing; unlawful practice;
5 attorney general powers; violation; fine;
6 definition
7 A. A PERSON THAT ADVERTISES, DISPLAYS OR OFFERS A PRICE FOR GOODS
8 OR SERVICES IN THIS STATE MUST:
9 1. INCLUDE ALL MANDATORY FEES OR CHARGES IN THE PRICE.
10 2. DESCRIBE A CLEAR PROCESS ON A RECEIPT AFTER PURCHASE RELATING TO
11 REFUNDS, INCLUDING WHETHER THE TOTAL AMOUNT PAID MAY BE REFUNDED AND THE
12 TIME FRAME FOR A REFUND.
13 B. FAILURE TO COMPLY WITH THIS SECTION IS AN UNLAWFUL PRACTICE
14 PURSUANT TO SECTION 44-1522. THE ATTORNEY GENERAL MAY INVESTIGATE AND
15 TAKE APPROPRIATE ACTION AS PRESCRIBED BY THIS ARTICLE, INCLUDING SEEKING A
16 TEMPORARY OR PERMANENT INJUNCTION TO CEASE THE UNLAWFUL PRACTICE. A
17 PERSON THAT VIOLATES THIS SECTION IS SUBJECT TO A FINE NOT TO EXCEED
18 \$5,000.
19 C. FOR THE PURPOSES OF THIS SECTION, MANDATORY FEES OR CHARGES:
20 1. INCLUDES A FEE OR SURCHARGE TO WHICH ANY OF THE FOLLOWING APPLY:
21 (a) THAT MUST BE PAID TO PURCHASE THE ADVERTISED GOOD OR SERVICE.
22 (b) THAT IS NOT REASONABLY AVOIDABLE.
23 (c) FOR ANY GOOD OR SERVICE THAT A REASONABLE CONSUMER WOULD EXPECT
24 TO BE INCLUDED WITH THE PURCHASE OF THE ADVERTISED GOOD OR SERVICE.
25 2. DOES NOT INCLUDE TAXES IMPOSED BY THE GOVERNMENT.