1	L.D. 414
2	Date: (Filing No. H- )
3	HOUSING AND ECONOMIC DEVELOPMENT
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	132ND LEGISLATURE
8	FIRST SPECIAL SESSION
9 10	COMMITTEE AMENDMENT " " to H.P. 268, L.D. 414, "An Act to Prohibit Deceptive Pricing"
11	Amend the bill by striking out the title and substituting the following:
12 13	'An Act to Prohibit Deceptive Pricing in the Rental of Short-term Lodging and in the Sale of Tickets'
14 15	Amend the bill by striking out everything after the enacting clause and inserting the following:
16	'Sec. 1. 10 MRSA c. 206-D is enacted to read:
17	CHAPTER 206-D
18 19	PRICE TRANSPARENCY FOR SHORT-TERM LODGING RENTALS AND TICKET SALES
20	§1250-P. Price transparency for short-term lodging rentals and ticket sales
21 22	1. <b>Definitions.</b> As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
23 24 25	A. "Mandatory fee" means a fee or charge required as part of an advertised price, including, but not limited to, a resort fee, service charge or convenience fee. "Mandatory fee" does not include:
26 27 28	(1) Taxes or fees imposed by a government or quasi-governmental entity or assessment fees imposed on the transaction by a government-created special district or program;
29 30 31	(2) Shipping fees or charges that reasonably reflect the amount of the charges a business incurs to send physical goods to consumers through the mail, including private mail services; or

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1 2	(3) Amounts charged for ancillary goods or services offered to a consumer as part of the same transaction.
3	B. "Short-term lodging" means an accommodation for transient occupancy in a hotel,
4	motel, vacation rental or similar establishment, typically for under 30 days.
5 6	C. "Ticket" has the same meaning as in Title 8, section 1301, subsection 1, paragraph C.
7 8	<b>2.</b> Total price disclosure. A person advertising or offering for rent or renting a short-term lodging or a person advertising or offering for sale or selling a ticket:
9 10	A. Shall clearly and conspicuously disclose the total price of the short-term lodging or ticket, including any mandatory fee, whenever the price is advertised or displayed;
11 12	B. Shall display the total price of the short-term lodging or ticket more prominently than other pricing information in all advertisements, offers or displays; and
13 14	C. May not misrepresent any fee or charge associated with a short-term lodging or ticket in any advertisement, offer or display.
15 16 17	The requirements of this subsection do not apply to a provider of short-term lodging or a person advertising or offering for sale or selling a ticket that complies with the provisions of 16 Code of Federal Regulations, Part 464.
18	3. Enforcement. The Attorney General shall enforce this section.
19 20	<b>4. Violation.</b> A person that violates this section commits an unfair and deceptive act and a violation of Title 5, chapter 10.'
21 22	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.
23	SUMMARY
24 25 26 27 28 29 30	This amendment replaces the bill and changes the title. It prohibits a person that is renting short-term lodging or selling an entertainment event ticket from advertising, displaying or offering a price that does not include all mandatory fees or charges other than taxes or fees imposed by a government, shipping charges and charges for ancillary goods or services. The amendment provides that sellers of short-term lodging or tickets in compliance with 16 Code of Federal Regulations, Part 464, the Federal Trade Commission final rule relating to unfair or deceptive fees, are exempt from this prohibition.
31	FISCAL NOTE REQUIRED
32	(See attached)