

**REVENUE: No revenue impact**

**FISCAL: No fiscal impact**

---

**Action:** Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

**Vote:** 3 - 2 - 0

**Yeas:** Monnes Anderson, Prozanski, Shields

**Nays:** Baertschiger, George

**Exc.:** 0

**Prepared By:** Channa Newell, Administrator

**Meeting Dates:** 5/17, 5/31

---

**WHAT THE MEASURE DOES:** Requires person selling or advertising consumer goods provide, at time of transaction, clear disclosure of shipping and handling charges consumer must pay on goods shipped to consumer. Creates unlawful trade practice for failure to disclose shipping and handling charges. Provides enforcement authority to prosecuting attorney.

**ISSUES DISCUSSED:**

- Personal experiences with large shipping charges
- Disclosure required in several other states
- Commercials for products may already include disclosure
- Measure would not require Oregon-specific commercials for products

**EFFECT OF COMMITTEE AMENDMENT:** Remove private right of action for failure to disclose shipping and handling charges. Makes failure to disclose an unlawful practice under ORS 646.607 and provides prosecuting attorney with authority to enjoin unlawful practices.

**BACKGROUND:** The Unlawful Trade Practices Act (UTPA) was enacted by the Oregon Legislature in 1971. The UTPA defines and prohibits various unfair and deceptive trade practices, giving the Attorney General, district attorneys, and in some instances, private citizens the right to sue for violations of the Act. Currently, the UTPA prohibits unfair or deceptive conduct in trade or commerce, but does not specifically require the disclosure of shipping and handling charges in advertised consumer goods.

House Bill 3070-B requires the seller of consumer goods to clearly disclose shipping and handling charges to the consumer at the time of the sales transaction and makes failure to disclose such charges an unlawful trade practice. The measure allows enforcement by the Attorney General or district attorney only and does not contain a private right of action.