

SB62 ENROLLED



1 45JG3I-2

2 By Senator Givhan

3 RFD: Fiscal Responsibility and Economic Development

4 First Read: 07-Mar-23

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6 2023 Regular Session



SB62 Enrolled

1 Enrolled, An Act,

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4 Related to the Alabama Unconscionable Pricing Act; to
5 amend Sections 8-31-3 and 8-31-4, Code of Alabama 1975 to
6 authorize the Governor or the Legislature to specify the
7 affected areas and time periods to which the prohibition
8 against imposition of unconscionable pricing would apply.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Sections 8-31-3 and 8-31-4, Code of Alabama
11 1975, are amended to read as follows:

12 "§8-31-3

13 It is unlawful and a violation of Section 8-19-5, for
14 any person to impose unconscionable prices for the sale or
15 rental of any commodity or rental facility during the period
16 of a declared state of emergency for any time periods and in
17 any affected areas specified in a proclamation by the Governor
18 or a joint resolution of the Legislature issued pursuant to
19 Section 31-9-8(a)."

20 "§8-31-4

21 It is prima facie evidence that a price is
22 unconscionable if any person, during a state of emergency
23 declared pursuant to the powers granted to the Governor in
24 Section 31-9-8, charges a price that exceeds, by an amount
25 equal to or in excess of ~~twenty-five~~²⁵ percent the average
26 price at which the same or similar commodity or rental
27 facility was obtainable in the affected area during the last
28 30 days immediately prior to the declared state of emergency



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29 and the increase in the price charged is not attributable to
30 reasonable costs incurred in connection with the rental or
31 sale of the commodity. For purposes of this section, the term
32 "affected area" means any area specified as an affected area
33 in a proclamation by the Governor or a joint resolution by the
34 Legislature issued pursuant to Section 31-9-8(a)."

35 Section 2. This act shall become effective on the
36 first day of the third month following its passage and
37 approval by the Governor, or its otherwise becoming law.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB62

Senate 11-Apr-23

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives

Passed: 27-Apr-23

By: Senator Givhan