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## HOUSE BILL NO. 1301

House Amendments in [ ] - February 12, 2024

A BILL to amend and reenact § 59.1-526 of the Code of Virginia, relating to Virginia Post-Disaster Anti-Price Gouging Act; definitions.

Patron Prior to Engrossment—Delegate Kilgore

Referred to Committee on Labor and Commerce

**Be it enacted by the General Assembly of Virginia:****1. That § 59.1-526 of the Code of Virginia is amended and reenacted as follows:****§ 59.1-526. Definitions.**

As used in this chapter:

"Consumer transaction," "goods," and "services," have the same meanings as are set forth for those terms in § 59.1-198. *However, "consumer transaction" also includes transactions involving the advertisement, sale, lease, license, or offering for sale, lease, or license of [ goods or services to be used for business purposes and the advertisement, sale, lease, license, or contract of ] employment services to be provided or procured for business purposes.*

"Disaster" means any "disaster," "emergency," or "major disaster," as those terms are used and defined in § 44-146.16, that results in the declaration of a state of emergency by the Governor or the President of the United States.

"Necessary goods and services" means any necessary good or service for which consumer demand does, or is likely to, increase as a consequence of the disaster, and includes water, ice, consumer food items or supplies, property or services for emergency cleanup, emergency supplies, communication supplies and services, medical supplies and services, home heating fuel, building materials and services, tree removal supplies and services, freight, storage services, housing, lodging, transportation, and motor fuels.

"Supplier" means a seller, lessor, licensor, or professional who advertises, solicits, or engages in consumer transactions, or a manufacturer, distributor, or licensor who sells, leases, or licenses goods or services to be resold, leased, or sublicensed by other persons in consumer transactions. However, a manufacturer, distributor, or licensor who sells, leases, or licenses agricultural goods or services to be resold, leased, or sublicensed by other persons in consumer transactions shall not be considered a "supplier" unless such manufacturer, distributor, or licensor advertises such agricultural goods or services.

"Time of disaster" means the ~~shorter~~ longer of (i) the period of time when a state of emergency declared by the Governor or the President of the United States as the result of a disaster, emergency, or major disaster, as those terms are used and defined in § 44-146.16, is in effect or (ii) 30 days after the occurrence of the disaster, emergency, or major disaster that resulted in the declaration of the state of emergency; however, if the state of emergency is extended or renewed within 30 days after such an occurrence, then such period shall be extended to include the 30 days following the date the state of emergency was extended or renewed.

ENGROSSED

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