

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Brown

1 Amend printed bill, page 2, strike lines 2 through 24.

2 Page 3, strike lines 1 through 10 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 24-33.5-703, **amend**
4 (3) as follows:

5 **24-33.5-703. Definitions.** As used in this part 7, unless the
6 context otherwise requires:

7 (3) "Disaster" means the occurrence or imminent threat of
8 widespread or severe damage, injury, or loss of life or property resulting
9 from any natural cause or cause of human origin, including but not
10 limited to fire; flood; earthquake; wind; storm; wave action; hazardous
11 substance incident; oil spill or other water contamination requiring
12 emergency action to avert danger or damage; volcanic activity; epidemic;
13 air pollution; blight; drought; infestation; explosion; civil disturbance;
14 hostile military or paramilitary action; A MARKET DISRUPTION, INCLUDING
15 A TRADE DISRUPTION OR AN ATYPICAL DISRUPTION IN THE MARKET THAT
16 AFFECTS PRODUCTION, DISTRIBUTION, OR CONSUMPTION OF A PRODUCT OR
17 SERVICE; or a condition of riot, insurrection, or invasion existing in the
18 state or in any county, city, town, or district in the state.

19 **SECTION 2.** In Colorado Revised Statutes, 6-1-730, **add** (2.5)
20 as follows:

21 **6-1-730. Price gouging during declared disaster prohibited -**
22 **deceptive trade practice - legislative declaration - definitions.** (2.5) IF
23 THE GOVERNOR DECLARES A DISASTER EMERGENCY PURSUANT TO SECTION
24 24-33.5-704 (4) AND THE DISASTER EMERGENCY DECLARATION CITES TO
25 THIS SUBSECTION (2.5), A PRICE INCREASE IN THE SALE OR OFFER FOR SALE
26 OF ANY GOOD OR SERVICE LISTED IN SUBSECTION (2) OF THIS SECTION
27 AMOUNTS TO PRICE GOUGING IF THE PRICE HAS INCREASED BY MORE THAN
28 TEN PERCENT OF THE PRICE AT WHICH THE SELLER SOLD OR OFFERED FOR
29 SALE SIMILAR GOODS OR SERVICES BEFORE THE DISASTER BEGAN OR, IF
30 THE SELLER DID NOT SELL OR OFFER FOR SALE SIMILAR GOODS OR
31 SERVICES BEFORE THE DISASTER BEGAN, THE PRICE AT WHICH A SIMILARLY
32 SITUATED SELLER SOLD OR OFFERED FOR SALE SIMILAR GOODS OR
33 SERVICES BEFORE THE DISASTER BEGAN."

34 Renumber succeeding section accordingly.

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