



February 2025

To: House Judiciary Committee

Re: AAUW Supports HB25-1090--Protections Against Deceptive Pricing Practices

Dear Committee Members:

The American Association of University Women (AAUW) is one of the oldest women's organizations in the country, empowering women since 1881. The mission of AAUW is to advance equity for women and girls through research, education and advocacy. More than 700 community leaders are members of AAUW branches around Colorado.

With the ever-growing presence of the internet in consumer transactions, unfair and deceptive trade practices are proliferating. Often a person only finds the true cost of a purchase after the transaction is done. These practices impact women in several ways. Women are often the ones who purchase goods and services for their families. Many women are single mothers responsible for all their families' major financial decisions, especially regarding housing.

HB1090 adds important consumer protections by establishing clear requirements for how businesses and landlords disclose pricing information. HB1090 prohibits a person from offering, displaying, or advertising pricing information for a good, service, or property unless the person discloses the maximum total of all amounts that a person may pay for the good, service, or property.

For these reasons, AAUW of Colorado strongly supports HB1090 and requests your YES vote in committee and throughout the process of becoming law.

Respectfully submitted,

A handwritten signature in blue ink that reads "Su Ryden". The signature is written in a cursive, flowing style.

Hon. Su Ryden
AAUW Colorado Public Policy Co-Director

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American Association of University Women--AAUW is a top-rated 501(c)3 charitable organization whose mission is to advance gender equity for women and girls through research, education, and advocacy.



**Testimony of
Mike Blank
CTIA**

**In Opposition to
Colorado HB 1090**

**Before the
Colorado House Judiciary Committee**

February 18, 2025

On behalf of CTIA®, the trade association for the wireless communications industry, I write in opposition to House Bill 1090, relating to deceptive trade practices. We appreciate the goal of protecting consumers from practices that may undermine a consumer’s ability to make informed commercial decisions, and our industry is committed to ensuring consumers have accurate and transparent information. However, robust federal regulations and public industry commitments already exist, thereby making any new state-specific law imposed on our industry potentially duplicative and not in the consumer’s interest.

Industry is Committed to Keeping Consumers Informed

In the competitive wireless marketplace, CTIA and its members have established the *Consumer Code for Wireless Service*¹—an evolving set of principles designed to help consumers make informed decisions when selecting wireless services. This code has been regularly updated since it was first created nearly 20 years ago. Importantly, more than half of the principles contained in the *Consumer Code for Wireless Service* speak to this important issue, with disclosure of rates and terms of service being the first commitment. Further, Principle 5 *establishes a commitment to “clearly and conspicuously” disclosing material charges.*

¹ CTIA, *Consumer Code for Wireless Service* (2020), <https://api.ctia.org/wp-content/uploads/2020/03/CTIA-Consumer-Code-2020.pdf> (“*Consumer Code for Wireless Service*”).



Wireless services are used every day to connect consumers to school, work, and loved ones, and as of 2023, there more than 1.6 wireless connections for every person in the United States.² Consumers tend to use their wireless devices throughout the day, which serves as a tangible reminder of the services they are receiving. Wireless services are thus distinguishable from other products and services where consumers may not even be aware that they are being charged for a service, such as services that may renew on an annual basis. Moreover, wireless providers typically have regular engagement with their customers, including through monthly notices regarding plan terms and itemized costs, as well as through alerts that may be sent in accordance with commitments made as part of the *Consumer Code for Wireless Service*.

Robust Federal Regulation of the Wireless Industry Already Exists

The wireless industry is regulated by the FCC, which has its own regulatory regime to protect consumers from surprise or unfair fees and billing practices, including broadband labeling and Truth-in-Billing regulation. The FCC's rules already require the wireless industry to convey relevant information to consumers and prevent unfair or deceptive fees. CTIA's members have for years embraced regulatory efforts already undertaken by the FCC to ensure consumers have clear information about service charges and to help protect consumers from fraud and unauthorized third-party fees. These rules and policies effectively prevent and hold wireless providers responsible for any unfair or deceptive fees.

FCC Broadband Labeling: Implementing a Congressional directive, the FCC adopted requirements for broadband labeling in 2023.³ These requirements will ensure consumers are given clear, accurate, and transparent information to guide their purchasing decisions. Under these new broadband consumer label rules, all wireless consumers will have access to easy-to-understand labels modeled on the nutrition labels that appear on food products. The labels clearly lay out key information about prices (including monthly and one-time fees, and the availability of discounts and bundles), the amount of data included in the base price, typical upload and download speeds that consumers can expect, and a provider's network management and privacy practices. Importantly, in adopting its

² See CTIA, *2023 Annual Survey Highlights*, at 5 (July 25, 2023), <https://www.ctia.org/news/2023-annual-survey-highlights>.

³ See *Empowering Broadband Consumers Through Transparency*, Order, CG Docket No. 22-2, DA 23-617 (CGB rel. July 18, 2023).



directive, Congress clearly intended that the FCC should regulate the advertising of broadband on a *national* level.⁴

FCC's Truth-in-Billing: For nearly two decades, wireless voice providers have abided by the FCC's Truth-in-Billing requirements, which are broad, binding principles that ensure voice providers offer information on customers' bills that is clear and not misleading.⁵ The Truth-in-Billing rules have also served to help protect consumers from fraud and unauthorized third-party charges. Importantly, the FCC created a comprehensive framework that affords providers flexibility in their billing procedures without discouraging the introduction of new pricing plans or impairing the ability of providers to adopt improvements to their billing systems or bill structures.⁶

Therefore, the law should clearly exempt services that are regulated by the FCC.

Title 47 U.S.C.: It is not clear if the requirements in the bill is consistent with federal law, which plainly states that “no State or local government shall have any authority to regulate the entry of or *the rates charged by any commercial mobile service . . . except that this paragraph shall not prohibit a State from regulating the *other* terms and conditions of commercial mobile services.”⁷ It is also not clear if the proposed exceptions in the legislation related to “tax or fees imposed by a government entity on the transaction” would include the wide range of monies wireless providers collect at the behest and with the blessing of government regulators.*

Wireless Services are Already Regulated by the FCC

Commitments made by wireless service providers through the *Consumer Code for Wireless Service*, coupled with regulatory protections adopted by the FCC, serve today to provide protection and clarity to consumers regarding their commercial decisions. Given the incentives wireless

⁴ Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, § 60504(a), 135 Stat. 429, 1244 (2021).

⁵ *Truth-in-Billing and Billing Format*, First Report and Order and Further Notice of Proposed Rulemaking, 14 FCC Rcd 7492 (1999) (“FCC Truth-in-Billing R&O”); *Truth-in-Billing and Billing Format; National Association of State Utility Consumer Advocates’ Petition for Declaratory Ruling Regarding Truth-in-Billing*, Second Report and Order, Declaratory Ruling, and Second Further Notice of Proposed Rulemaking, 20 FCC Rcd 6448 (2005).

⁶ See FCC Truth-in-Billing R&O, 14 FCC Rcd at 7499, ¶ 10

⁷ 47 U.S.C. § 332(c)(3)(A) (emphasis added); see also, e.g., *MCI Telecommunications Corp. v. FCC*, 822 F.2d 80 (D.C. Cir. 1987).



providers have to ensure their trusted relationship is maintained with consumers, CTIA urges Colorado to recognize the dynamics within the competitive wireless marketplace and refrain from imposing a new state law on the wireless industry that would be unnecessary, duplicative, and not in the consumer interest.

If Colorado ultimately enacts a law regarding unfair and deceptive fees, any new law should expressly exempt services already regulated by the FCC for the reasons stated above.



February 18, 2025

RE: HB25-1090 Protections Against Deceptive Pricing Practices—SUPPORT

Dear Members of the Judiciary Committee:

My name is Kathy Smith, and I am a Volunteer Lobbyist with the League of Women Voters of Colorado's Legislative Action Committee. **I am writing in support of HB25-1090 on behalf of the League of Women Voters of Colorado.**

The League of Women Voters of Colorado (LWVCO) has been a nonpartisan organization for 105 years, encourages informed and active participation in government, and influences public policy through education and advocacy. Our membership spans the state of Colorado with 18 local leagues operating in several regions around our state. The LWVCO supports policies to provide a decent home and a suitable living environment for everyone and continued evaluation to provide a basis for revision and strengthening of all procedures so that equality of opportunity for access to housing can be accomplished.

This bill mandates transparency, requiring landlords and businesses to clearly disclose the total cost of goods, property, or services, including any hidden fees. Landlords will be prohibited from charging "junk fees" for services beyond rent and utilities, with violations classified as deceptive trade practices. Hidden charges hinder consumers' ability to compare prices and manage their finances effectively. In Colorado, over a third of residents are renters, and half of them are cost burdened. These hidden fees contribute to financial strain and exacerbate the challenges of housing affordability.

We urge the committee members to vote YES on HB25-1090 to help protect Colorado consumers and renters. Thank you for your consideration of this bill.

Respectfully,
Kathy Smith, Volunteer Lobbyist, Housing
League of Women Voters of Colorado
110 16th Street Mall, Suite 1326
Denver, CO 80202
303-863-0437



Comments GA <comments.ga@coleg.gov>

Travel Tech Opposition to House Bill 1090 Unless Amended

1 message

Laura Chadwick <lchadwick@traveltech.org>
Reply-To: Bethany Reitsm <breitsma@traveltech.org>
To: comments.ga@coleg.gov

Tue, Feb 18, 2025 at 4:17 PM

Dear Chair Mabrey, Vice Chair Carter, and Members of the House Judiciary Committee:

On behalf of the Travel Technology Association (Travel Tech) and our members, I thank you for the opportunity to submit [these comments](#) concerning HB1090, which would create the Protections Against Deceptive Pricing Practices Act.

Travel Tech represents the leading innovators in travel technology, including online travel agencies (OTAs), metasearch companies, travel management companies, and short-term rental platforms. Our members' vital role in the travel and tourism industry empowers consumers, creates a fair and competitive marketplace, fosters accountability, and promotes positive customer experiences.

Promoting transparency is a top priority for Travel Tech and its members. It is essential that travelers make informed decisions without hidden fees or unexpected expenses. When travelers have complete pricing details, they can accurately compare different options and make choices that align with their preferences and budget. This transparency enables travelers to plan more effectively and promotes fair marketplace competition.

Last month, the Federal Trade Commission issued a final rule in a bipartisan vote to address price transparency in the accommodations and live events industries. This final rule is effective on May 12, 2025. It defines "total price" as "the maximum total of all fees or charges a consumer must pay for any good(s) or service(s) and any mandatory ancillary good or service, except that government charges, shipping charges, and fees or charges for any optional ancillary good or service may be excluded."^[1] The final rule requires that businesses disclose the Total Price up front when advertising any prices and display it more prominently than other price information. Before receiving customer payments, businesses must also disclose the purpose of all charges and the final amount of payment. Importantly, the FTC rule empowers state attorneys general to enforce its provisions, ensuring effective enforcement across the country and in your state.

Since the accommodations industry must comply with the FTC's final rule on price transparency, we respectfully ask that HB1090 be amended to deem the accommodations industry in compliance with the legislation should it pass into law. To do so, the following text should be added to HB1090:

"Offers or advertisements for short-term lodging, including temporary sleeping accommodations at a hotel, motel, inn, short-term rental, vacation rental, or other place of lodging that are in compliance with part 464 of chapter I of title 16 of the Code of Federal Regulations shall be deemed in compliance with this section."

Alternatively, the text "or regulation" should be added to SECTION 2, so the revised text reads: "Can demonstrate that the person is governed by and compliant with applicable federal law or regulation regarding pricing transparency."

In light of our concerns, we must oppose HB1090 unless it is amended. With pricing display resolved at the federal level, introducing state-specific requirements risks creating conflicting standards that could complicate compliance and undermine consumer clarity. We respectfully request that you defer to the established federal measures to ensure a streamlined, effective approach to price transparency that is consistent no matter where a consumer or lodging supplier is located.

Thank you for your careful consideration of this matter.

Sincerely,

Laura

Laura Chadwick | President & CEO

Travel Technology Association

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[1] **Federal Trade Commission. (2024).** *Trade Regulation Rule on Unfair or Deceptive Fees.* 16 CFR Part 464. Federal Register, 89(21216). [Retrieved from Federal Register](#)