



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

As New Yorkers Prepare For Coronavirus, Senator Brad Hoylman Introduces New Legislation To Crack Down On Price Gouging Of Face Masks, Hand Sanitizer And Other Medical Supplies

BRAD HOYLMAN-SIGAL March 3, 2020

| ISSUE: **SD 27, CORONAVIRUS, PUBLIC HEALTH EMERGENCY, PRICE GOUGING**

NEW YORK—Today, Senator Brad Hoylman (D/WF-Manhattan) will introduce new legislation to address price gouging of consumer medical supplies during a public health emergency.

Senator Hoylman said: "It's said that after the storm come the vultures – and that's exactly what could happen here if we don't act now to stop price gouging in anticipation of the coronavirus outbreak here in New York. Profiting off fear of disease is unconscionable. We can't allow shady businesses to hike prices on the supplies New Yorkers need to stay safe and healthy, like hand sanitizer and face masks "

"And remember, the U.S. Surgeon General has made it clear that face masks won't help healthy people avoid COVID-19: the best way to stay healthy is by washing hands regularly and getting the flu shot," continued Senator Hoylman.

In response to growing fears of COVID-19 coronavirus, retailers have begun price gouging on consumer medical supplies. Prices on items like face masks and hand sanitizer have skyrocketed in Manhattan, including in the [Upper West Side](#) and [Chinatown](#), due to

apparent price gouging from retailers or distributors. In areas of the world where coronavirus is most prevalent, price gouging is a major issue: [Amazon announced](#) tens of thousands of third-party listings unfairly charged customers for medical supplies, and countries including [Italy](#) and [Australia](#) have already seen massive price gouging.

Senator Hoylman’s legislation amends New York’s price gouging statute to establish that an “unconscionable excessive price” is a price greater than 10% higher than before a public health emergency began. The bill would prohibit selling consumer medical supplies (such as hand sanitizer, face masks, and over-the-counter medications) during a public health crisis at an unconscionably excessive price. It would also empower the New York Attorney General to enforce a civil penalty of up to \$25,000 against businesses proven to have participated in price gouging.

Currently, 34 states and the District of Columbia have price gouging statutes. While New York law does not currently define what an “unconscionable excessive” price increase is, states including California and New Jersey have established a 10% price increase as the threshold for price gouging.

RELATED LEGISLATION

2019-S7932

- Introduced
- ◦ In Committee Assembly

- In Committee Senate

- ◦ On Floor Calendar Assembly
- On Floor Calendar Senate

- ◦ Passed Assembly
- Passed Senate

- Delivered to Governor
- Signed By Governor
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Prohibits price gouging with respect to medical supplies during a public health emergency

March 03, 2020

In Senate Committee [Consumer Protection](#)

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Do you support this bill?