

1 **GENDER PRICE EQUALITY**

2 1998 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Steve Barth**

5 AN ACT RELATING TO COMMERCE AND TRADE; AND DEFINING DISCRIMINATORY
6 BEHAVIOR BASED ON GENDER.

7 This act affects sections of Utah Code Annotated 1953 as follows:

8 ENACTS:

9 **13-7-5**, Utah Code Annotated 1953

10 *Be it enacted by the Legislature of the state of Utah:*

11 Section 1. Section **13-7-5** is enacted to read:

12 **13-7-5. Price discrimination based on gender prohibited.**

13 (1) For purposes of this section:

14 (a) "Discriminate" means charging a person a higher price than another person for the
15 same or similar service based on a factor prohibited by law.

16 (b) "Services" include:

17 (i) dry cleaning;

18 (ii) clothing alterations; and

19 (iii) services that fall within the practice of cosmetology/barbering as defined in Section
20 58-11a-102.

21 (2) A business establishment may not discriminate, with respect to the price charged for
22 services, against a person because of the person's gender.

23 (3) Notwithstanding Subsection (2), a business may base price differences specifically on:

24 (a) the amount of time;

25 (b) difficulty; or

26 (c) cost of providing the service.

27 (4) A business establishment that provides services shall post in a prominent place in its

1 establishment any gender-related differences in price charged for services in accordance with
2 Subsection (3).
3 (5) A business establishment that discriminates with respect to the price charged for
4 services against a person because of the person's gender violates Section 13-7-3.

Legislative Review Note
as of 2-4-98 3:37 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel