



NEWS RELEASE

OFFICE OF ATTORNEY GENERAL HENRY MCMASTER
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New Criminal Price Gouging Law In Effect

COLUMBIA, S.C. – Price gouging is now a criminal offense, thanks to a new law passed by the General Assembly in 2002, Attorney General Henry McMaster said Friday.

Price gouging (**SC Code 39-5-145**) is now a misdemeanor and carries a fine of \$1,000 or thirty (30) days in jail for each offense, McMaster said.

The price gouging prohibition takes immediate effect upon the Governor's declaration of a state of emergency and only within the area for which the state of emergency has been declared. The prohibition remains in effect until the declaration expires or is terminated.

During a state of emergency it is illegal to rent or sell or offer to rent or sell a commodity at an "unconscionable price" within the area for which the state of emergency is declared.

Those commodities are defined as goods, services, materials, merchandise, supplies, equipment, resources, or other articles of commerce, and includes, without limitation, food, water, ice, chemicals, petroleum products, and lumber essential for consumption or use as a direct result of a declared state of emergency.

It is also illegal to impose "unconscionable prices" for the rental or lease of a dwelling unit, including a motel or hotel unit or other temporary lodging, or self-storage facility within the area for which the state of emergency is declared.

"Unconscionable price" means an amount charged, which either represents a "gross disparity" or "grossly exceeds" the average price available for these items and services in the same area thirty (30) days immediately before a declaration of a state of emergency.

McMaster asked that citizens report incidents of price gouging to local law enforcement officials and emphasized they do so by utilizing the non-emergency phone numbers. He also added that potential victims should understand that law enforcement might not be immediately available to respond to their request during an emergency.

"During an evacuation or state of emergency, law enforcement's top priority is to protect lives," said McMaster.

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