



TO: The Honorable Members of the PA House of Representatives
FROM: Megan Martin, Vice President & General Counsel
DATE: July 1, 2024
RE: H.B. 2012, P.N. 2971 - Multiple Amendments

On behalf of the PA Chamber, I write to share our thoughts on amendments that have been filed to H.B. 2012 and could be considered today. The underlying bill would establish a state anti-trust statute and has generated significant concerns from employers.

A05332

This amendment removes the language creating rights of private action (antitrust enforcement by private parties), indirect purchaser liability, and class actions.

We support this amendment because HB 2012 provides the OAG with extensive powers to investigate and sue on behalf of private citizens; therefore, private rights of action are superfluous, mostly benefit the attorneys, and are not needed to ensure competitive fairness.

A05333

This amendment caps the contingent fees for an attorney not to exceed 25% of the amount recovered by the plaintiff.

We support this amendment.

There are additional amendments to HB 2012 that propose improvements to the bill including removing the vague abuse of market power standard and exempting the insurance industry from the bill. We support those changes. However, these amendments do not remove the private rights of action, mandatory treble damages, or healthcare notifications, which are important factors that need to be addressed as consideration of HB 2012 continues.

Please contact Megan Martin at mmartin@pachamber.org or 717-343-4171 with questions or to discuss.