



AG Derek Schmidt: State price-gouging law now in effect for virus-response supplies

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TOPEKA – (March 13, 2020) – A Kansas price-gouging law that prohibits profiteering by raising prices on items consumers find necessary because of the COVID-19 virus outbreak is now in effect statewide, Kansas Attorney General Derek Schmidt announced today.

“The Kansas anti-profiteering statute is rarely invoked but is designed to prevent opportunistic greed from overcoming the public need for necessary virus-response products and services during this time of emergency,” Schmidt said. “We take the law’s requirements seriously and will diligently investigate complaints and vigorously prosecute any violations.”

The law generally prohibits unjustifiably raising prices for goods and services for which consumer demand is likely to increase because of the virus outbreak. A price increase is presumed unjustified if it exceeds by 25 percent or more the price at which the goods or services were available on March 11 or the price for which the same goods or services are available from other sellers in the trade area.

Examples of consumer goods and services governed by the anti-profiteering law include, but are not limited to, food items, sanitary and cleaning supplies such as hand sanitizer and disinfecting wipes, emergency supplies, medical supplies and services, lodging, and any other property or service for which consumer demand may increase in response to the virus outbreak. The law carries a penalty of up to \$10,000 per violation.

The anti-profiteering law, which is enforced by the Attorney General’s Office and county and district attorneys, was triggered yesterday by Governor Laura Kelly’s declaration of a state of emergency related to the virus outbreak. It will remain in effect through April 11, or until the disaster declaration is lifted, whichever is later. The law was enacted in response to the September 11, 2001, terrorist attacks and is codified at K.S.A. 50-6,106.

Anyone with information about price-gouging in violation of the anti-profiteering law should file a complaint with the Attorney General’s Consumer Protection Division online at www.InYourCornerKansas.org or call (800) 432-2310 to request a paper complaint form be sent by mail.