

TO: The Honorable Members of the PA House House Consumer Protection,
Technology, and Utilities Committee

FROM: Neal Leshner, Director, Government Affairs

DATE: March 17, 2025

RE: **Oppose H.B. 81 – Prohibiting Paper Account Statement Fees**

On behalf of the PA Chamber of Business and Industry, I urge lawmakers to **oppose House Bill 81**, which amends existing Unfair Trade Practices and Consumer Protection Law to prohibit businesses from charging a fee for paper account statements, creating a new private right of action. This legislation is scheduled for consideration in committee today.

H.B. 81 has broad-reaching implications for the business community, including creating a precedent for the government to get involved in price-setting and ongoing enhanced fraud concerns when financial statements go through the mail.

This legislation designates charging paper account statement fees as an unfair trade practice under Pennsylvania law and creates a new private right of action. The PA Chamber has advocated consistently that enforcement in such matters should be limited to the Attorney General only. Additionally, there is a need for additional exemptions to be included in the bill for already regulated industries.

There is a strong likelihood that if enacted, HB 81 would face a constitutional challenge. In 2021, a [U.S. District Court in New York](#) found a New York statute that prohibited fees for paper billing statements to violate the First Amendment because it limits businesses communication of fees and pricing to their consumers.

There have also been a number of [federal court decisions](#) that found prohibitions on credit card surcharges to violate the First Amendment by regulating how businesses communicate their prices and fees. It is reasonable to believe that a prohibition on surcharges for payment by mail would face a similar analysis in Pennsylvania.

For any questions or further discussion, please contact Neal Leshner, Director of Government Affairs, at nlesher@pachamber.org, or via phone at 717-507-9240.

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