

119TH CONGRESS
1ST SESSION

H. R. 1479

To prohibit unfair and deceptive advertising of prices for hotel rooms and other places of short-term lodging, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 2025

Mrs. KIM (for herself, Ms. CASTOR of Florida, Mr. FRY, and Mr. MULLIN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit unfair and deceptive advertising of prices for hotel rooms and other places of short-term lodging, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hotel Fees Trans-
5 parency Act of 2025”.

6 **SEC. 2. PROHIBITION ON UNFAIR AND DECEPTIVE ADVER-**
7 **TISING OF HOTEL ROOMS AND OTHER**
8 **SHORT-TERM RENTAL PRICES.**

9 (a) PROHIBITION.—

1 (1) IN GENERAL.—It shall be unlawful for a
2 covered entity to display, advertise, market, or offer
3 in interstate commerce, including through direct of-
4 ferings, third-party distribution, or metasearch refer-
5 rals, a price for covered services that does not clear-
6 ly, conspicuously, and prominently—

7 (A) display the total services price, if a
8 price is displayed, in any advertisement, mar-
9 keting, or price list wherever the covered serv-
10 ices are displayed, advertised, marketed, or of-
11 fered for sale;

12 (B) disclose to any individual who seeks to
13 purchase covered services the total services
14 price at the time the covered services are first
15 displayed to the individual and anytime there-
16 after throughout the covered services pur-
17 chasing process; and

18 (C) disclose, prior to the final purchase,
19 any tax, fee, or assessment imposed by any gov-
20 ernment entity, quasi-government entity, or
21 government-created special district or program
22 on the sale of covered services.

23 (2) INDIVIDUAL COMPONENTS.—Provided that
24 such displays are less prominent than the total serv-

1 ice price required in paragraph (1), nothing in this
2 Act shall be construed to prohibit the display of—

3 (A) individual components of the total
4 price; or

5 (B) details of other items not required by
6 paragraph (1).

7 (3) INDEMNIFICATION PROVISIONS.—Nothing
8 in this section shall be construed to prohibit any cov-
9 ered entity from entering into a contract with any
10 other covered entity that contains an indemnification
11 provision with respect to price or fee information
12 disclosed, exchanged, or shared between the covered
13 entities that are parties to the contract.

14 (b) ENFORCEMENT.—

15 (1) ENFORCEMENT BY THE COMMISSION.—

16 (A) UNFAIR OR DECEPTIVE ACTS OR PRAC-
17 TICES.—A violation of subsection (a) shall be
18 treated as a violation of a rule defining an un-
19 fair or deceptive act or practice prescribed
20 under section 18(a)(1)(B) of the Federal Trade
21 Commission Act (15 U.S.C. 57a(a)(1)(B)).

22 (B) POWERS OF THE COMMISSION.—

23 (i) IN GENERAL.—The Commission
24 shall enforce this section in the same man-
25 ner, by the same means, and with the

1 same jurisdiction, powers, and duties as
2 though all applicable terms and provisions
3 of the Federal Trade Commission Act (15
4 U.S.C. 41 et seq.) were incorporated into
5 and made a part of this Act.

6 (ii) PRIVILEGES AND IMMUNITIES.—

7 Any person who violates this section shall
8 be subject to the penalties and entitled to
9 the privileges and immunities provided in
10 the Federal Trade Commission Act (15
11 U.S.C. 41 et seq.).

12 (iii) AUTHORITY PRESERVED.—

13 Nothing in this section shall be construed to
14 limit the authority of the Commission
15 under any other provision of law.

16 (2) ENFORCEMENT BY STATES.—

17 (A) IN GENERAL.—

18 If the attorney general
19 of a State has reason to believe that an interest
20 of the residents of the State has been or is
21 being threatened or adversely affected by a
22 practice that violates subsection (a), the attor-
23 ney general of the State may, as *parens patriae*,
24 bring a civil action on behalf of the residents of
25 the State in an appropriate district court of the
United States to obtain appropriate relief.

1 (B) RIGHTS OF THE COMMISSION.—

2 (i) NOTICE TO THE COMMISSION.—

3 (I) IN GENERAL.—Except as pro-
4 vided in subclause (III), the attorney
5 general of a State, before initiating a
6 civil action under subparagraph (A)
7 shall notify the Commission in writing
8 that the attorney general intends to
9 bring such civil action.

10 (II) CONTENTS.—The notifica-
11 tion required by subclause (I) shall in-
12 clude a copy of the complaint to be
13 filed to initiate the civil action.

14 (III) EXCEPTION.—If it is not
15 feasible for the attorney general of a
16 State to provide the notification re-
17 quired by subclause (I) before initi-
18 ating a civil action under subpara-
19 graph (A), the attorney general shall
20 notify the Commission immediately
21 upon instituting the civil action.

22 (ii) INTERVENTION BY THE COMMIS-
23 SION.—The Commission may—

1 (I) intervene in any civil action
2 brought by the attorney general of a
3 State under subparagraph (A); and

4 (II) upon intervening—

5 (aa) be heard on all matters
6 arising in the civil action; and

7 (bb) file petitions for appeal.

8 (C) INVESTIGATORY POWERS.—Nothing in
9 this paragraph may be construed to prevent the
10 attorney general of a State from exercising the
11 powers conferred on the attorney general by the
12 laws of the State to conduct investigations, to
13 administer oaths or affirmations, or to compel
14 the attendance of witnesses or the production of
15 documentary or other evidence.

16 (D) ACTION BY THE COMMISSION.—When-
17 ever a civil action has been instituted by or on
18 behalf of the Commission for violation of sub-
19 section (a), no attorney general of a State may,
20 during the pendency of that action, institute an
21 action under subparagraph (A) against any de-
22 fendant named in the complaint in that action
23 for a violation of subsection (a) alleged in such
24 complaint.

25 (E) VENUE; SERVICE OF PROCESS.—

1 (i) VENUE.—Any action brought
2 under subparagraph (A) may be brought
3 in—

4 (I) the district court of the
5 United States that meets applicable
6 requirements relating to venue under
7 section 1391 of title 28, United States
8 Code; or

9 (II) another court of competent
10 jurisdiction.

11 (ii) SERVICE OF PROCESS.—In an ac-
12 tion brought under subparagraph (A),
13 process may be served in any district in
14 which—

15 (I) the defendant is an inhab-
16 itant, may be found, or transacts
17 business; or

18 (II) venue is proper under section
19 1391 of title 28, United States Code.

20 (F) ACTIONS BY OTHER STATE OFFI-
21 CIALS.—

22 (i) IN GENERAL.—In addition to civil
23 actions brought by an attorney general
24 under subparagraph (A), any other officer
25 of a State who is authorized by the State

1 to do so may bring a civil action under
2 subparagraph (A), subject to the same re-
3 quirements and limitations that apply
4 under this paragraph to civil actions
5 brought by attorneys general.

6 (ii) SAVINGS PROVISION.—Nothing in
7 this paragraph may be construed to pro-
8 hibit an authorized official of a State from
9 initiating or continuing any proceeding in
10 a court of the State for a violation of any
11 civil or criminal law of the State.

12 (3) AFFIRMATIVE DEFENSE.—In any action
13 pursuant to paragraph (1) or (2), an intermediary
14 or third-party online seller may assert an affirmative
15 defense if such intermediary or third-party online
16 seller—

17 (A) established procedures to receive up-to-
18 date price information from hotels or short-
19 term rentals, or agents acting on behalf of a
20 hotel or short-term rental;

21 (B) relied in good faith on information
22 provided to the intermediary or third-party on-
23 line seller by a hotel or short-term rental, or
24 agent acting on behalf of such hotel or short-
25 term rental, and such information was inac-

1 accurate at the time it was provided to the inter-
2 mediary or third-party online seller; and

3 (C) took prompt action to remove or cor-
4 rect any false or inaccurate information about
5 the total services price after receiving notice
6 that such information was false or inaccurate.

7 (c) PREEMPTION.—

8 (1) IN GENERAL.—A State, or political subdivi-
9 sion of a State, may not maintain, enforce, pre-
10 scribe, or continue in effect any law, rule, regulation,
11 requirement, standard, or other provision having the
12 force and effect of law of the State, or political sub-
13 division of the State, that prohibits a covered entity
14 from advertising, displaying, marketing, or otherwise
15 offering, or otherwise affects the manner in which a
16 covered entity may advertise, display, market, or
17 otherwise offer, for sale in interstate commerce, in-
18 cluding through a direct offering, third-party dis-
19 tribution, or metasearch referral, a price of a res-
20 ervation for a covered service, and that requires fee
21 disclosure, unless such provision requires the total
22 services price to include each service fee in accord-
23 ance with subsection (a)(1).

24 (2) RULE OF CONSTRUCTION.—This section
25 may not be construed to—

1 (A) preempt any law of a State or political
2 subdivision of a State relating to contracts or
3 torts; or

4 (B) preempt any law of a State or political
5 subdivision of a State to the extent that such
6 law relates to an act of fraud, unauthorized ac-
7 cess to personal information, or notification of
8 unauthorized access to personal information.

9 (d) DEFINITIONS.—In this Act:

10 (1) BASE SERVICES PRICE.—The term “base
11 services price”—

12 (A) means, with respect to the covered
13 services provided by a hotel or short-term rent-
14 al, the price in order to obtain the covered serv-
15 ices of the hotel or short-term rental; and

16 (B) does not include—

17 (i) any service fee;

18 (ii) any taxes or fees imposed by a
19 government or quasi-government entity;

20 (iii) assessment fees of a government-
21 created special district or program; or

22 (iv) any charges or fees for an op-
23 tional product or service associated with
24 the covered services that may be selected
25 by a purchaser of covered services.

1 (2) COMMISSION.—The term “Commission”
2 means the Federal Trade Commission.

3 (3) COVERED ENTITY.—The term “covered en-
4 tity” means a person, partnership, or corporation
5 with respect to whom the Commission has jurisdic-
6 tion under section 5(a)(2) of the Federal Trade
7 Commission Act (15 U.S.C. 45(a)(2)), including—

8 (A) a hotel or short-term rental;

9 (B) a third-party online seller; or

10 (C) an intermediary.

11 (4) COVERED SERVICES.—The term “covered
12 services”—

13 (A) means the temporary provision of a
14 room, building, or other lodging facility; and

15 (B) does not include the provision of a
16 meeting room, banquet services, or catering
17 services.

18 (5) HOTEL.—The term “hotel” means an es-
19 tablishment that is—

20 (A) primarily engaged in providing a cov-
21 ered service to the general public; and

22 (B) promoted, advertised, or marketed in
23 interstate commerce or for which such estab-
24 lishment’s services are sold in interstate com-
25 merce.

1 (6) INTERMEDIARY.—The term “intermediary”
2 means an entity that operates either as a business-
3 to-business platform, consumer-facing platform, or
4 both, that displays, including through direct offer-
5 ings, third-party distribution, or metasearch referral,
6 a price for covered services or price comparison tools
7 for consumers seeking covered services.

8 (7) OPTIONAL PRODUCT OR SERVICE.—The
9 term “optional product or service” means a product
10 or service that an individual does not need to pur-
11 chase to use or obtain covered services.

12 (8) SERVICE FEE.—The term “service fee”—
13 (A) means a charge imposed by a covered
14 entity that must be paid in order to obtain cov-
15 ered services; and

16 (B) does not include—

17 (i) any taxes or fees imposed by a
18 government or quasi-government entity;

19 (ii) any assessment fees of a govern-
20 ment-created special district or program;

21 or

22 (iii) any charges or fees for an op-
23 tional product or service associated with
24 the covered services that may be selected
25 by a purchaser of covered services.

1 (9) SHORT-TERM RENTAL.—The term “short-
2 term rental” means a property, including a single-
3 family dwelling or a unit in a condominium, coopera-
4 tive, or time-share, that provides covered services
5 (either with respect to the entire property or a part
6 of the property) to the general public—

7 (A) in exchange for a fee;

8 (B) for periods shorter than 30 consecutive
9 days; and

10 (C) is promoted, advertised, or marketed in
11 interstate commerce or for which such prop-
12 erty’s services are sold in interstate commerce.

13 (10) STATE.—The term “State” means each of
14 the 50 States, the District of Columbia, and any ter-
15 ritory or possession of the United States.

16 (11) THIRD-PARTY ONLINE SELLER.—The term
17 “third-party online seller” means any person other
18 than a hotel or short-term rental that sells covered
19 services or offers for sale covered services with re-
20 spect to a hotel or short-term rental in a transaction
21 facilitated on the internet.

22 (12) TOTAL SERVICES PRICE.—The term “total
23 services”—

24 (A) means, with respect to covered serv-
25 ices, the total cost of the covered services, in-

1 including the base services price and any service
2 fees; and

3 (B) does not include—

4 (i) any taxes or fees imposed by a
5 government or quasi-government entity;

6 (ii) any assessment fees of a govern-
7 ment-created special district or program;
8 or

9 (iii) any charges or fees for an op-
10 tional product or service associated with
11 the covered services that may be selected
12 by a purchaser of covered services.

13 (e) EFFECTIVE DATE.—The prohibition under sub-
14 section (a) shall take effect 450 days after the date of
15 the enactment of this Act and shall apply to advertise-
16 ments, displays, marketing, and offers of covered services
17 of a covered entity made on or after such date.

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