

HR 2782

Competitive Prices Act

Congress: 118 (2023–2025, Ended)

Chamber: House

Policy Area: Agriculture and Food

Introduced: Apr 20, 2023

Current Status: Referred to the House Committee on the Judiciary.

Latest Action: Referred to the House Committee on the Judiciary. (Apr 20, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/house-bill/2782>

Sponsor

Name: Rep. Porter, Katie [D-CA-47]

Party: Democratic • State: CA • Chamber: House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cicilline, David N. [D-RI-1]	D · RI		Apr 20, 2023
Rep. Jayapal, Pramila [D-WA-7]	D · WA		Apr 20, 2023
Rep. Nadler, Jerrold [D-NY-12]	D · NY		Apr 20, 2023

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Apr 20, 2023

Subjects & Policy Tags

Policy Area:

Agriculture and Food

Related Bills

No related bills are listed.

Competitive Prices Act

This bill makes consciously parallel pricing coordination (i.e., a tacit agreement among two or more persons to raise, lower, change, maintain, or manipulate pricing for the purchase or sale of reasonably interchangeable products or services) a prohibited form of price fixing.

In a civil action for a claimed violation, the plaintiff may shift the burden of proof to the defendant by demonstrating that two or more persons (1) engaged in substantially similar conduct within a substantially similar time period with respect to the pricing of reasonably interchangeable products, and (2) had a similar motivation to coordinate their efforts to change or manipulate the pricing of those products or services.

The defendant may rebut such a presumption of a violation by demonstrating the action was motivated by business judgment that is economically rational in the absence of a tacit agreement, such as by showing the action was in response to, or in anticipation of, changing market conditions for the product or service.

If the defendant rebuts the presumption, the plaintiff must demonstrate by a preponderance of the evidence that the defendant entered a tacit agreement to change or manipulate the pricing for the product or service, such as by showing the business judgment of the defendant was not rational in the absence of such a tacit agreement.

Actions Timeline

- **Apr 20, 2023:** Introduced in House
- **Apr 20, 2023:** Referred to the House Committee on the Judiciary.