

# HOUSE . . . . . No. 5036

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Mindy Domb***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act requiring the disclosure of consumer information related to tariffs.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>10/1/2025</i>

# HOUSE . . . . . No. 5036

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By Representative Domb of Amherst, a petition (subject to Joint Rule 12) of Mindy Domb relative to the disclosure of consumer information related to tariffs. Consumer Protection and Professional Licensure.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Fourth General Court  
(2025-2026)  
\_\_\_\_\_

An Act requiring the disclosure of consumer information related to tariffs.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith tariff transparency, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 90 of the General Laws is hereby amended by adding the following  
2 section:—

3           Section 64. (a) As used in this section, the following words shall, unless the context  
4 clearly requires otherwise, have the following meanings:—

5           “Monroney label”, the label required by the Automobile Information Disclosure Act, 15  
6 U.S.C. §§ 1231–1233, affixed to the window of a new automobile, which includes price  
7 information for the automobile.

8           “Tariff”, any duty, tariff, or trade-related import tax imposed under federal law and  
9 collected by U.S. Customs and Border Protection, including, but not limited to, duties imposed

pursuant to section 301 of the Trade Act of 1974, 19 U.S.C. § 2411; section 232 of the Trade Expansion Act of 1962, 19 U.S.C. § 1862; section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), the International Emergency Economic Powers Act, 50 U.S.C. §§ 1701–1706 or an Executive Order issued by the President of the United States and published in the Federal Register.

“Tariff cost estimate”, a good-faith estimate of the increase, if any, in the price listed on the Monroney label for a new motor vehicle that is directly or indirectly attributable to tariffs imposed by the federal government, including tariffs on inputs used in the manufacture, assembly or distribution of the vehicle.

(b) A manufacturer that ships a new motor vehicle for sale to a dealer in the commonwealth shall affix to the vehicle a clear and conspicuous label presenting the tariff cost estimate. Compliance with this subsection may be satisfied by inclusion of the tariff cost estimate on the Monroney label or by a supplemental window label displayed immediately adjacent to the Monroney label, to the maximum extent permitted by federal law and by posting the tariff cost estimate on the manufacturer’s public facing website.

(c) A dealer shall not remove, obscure or alter the tariff cost estimate label prior to sale to the retail purchaser.

(d) A manufacturer or dealer may rely in good faith on supplier or importer documentation when preparing a tariff cost estimate. A good-faith estimate prepared in accordance with regulations promulgated under subsection (g) shall not, standing alone, constitute an unfair or deceptive act or practice under chapter 93A.

(e) The attorney general shall enforce this section. A violation of this section or of regulations promulgated hereunder shall constitute an unfair or deceptive act or practice under paragraph (a) of section 2 of chapter 93A. The attorney general may seek injunctive relief, civil penalties not to exceed \$1,000 per vehicle, and any other relief available at law or in equity. Each vehicle offered or sold without the required disclosure shall constitute a separate violation.

(f) This section shall be construed to the maximum extent permitted by federal law and shall not be interpreted to require any content on a federally prescribed label that is preempted by federal law.

(g) The attorney general, in consultation with the registrar of motor vehicles, shall promulgate regulations establishing: (i) a standardized method to calculate tariff cost estimates; (ii) form, placement and minimum formatting requirements for the label; and (iii) recordkeeping sufficient to substantiate estimates.

SECTION 2. The General Laws are hereby amended by inserting after chapter 93L the following chapter:—

#### CHAPTER 93M.

#### TARIFF TRANSPARENCY IN RETAIL PRICING.

Section 1. As used in this chapter, the following terms shall, unless the context clearly requires otherwise, have the following meanings:—

“Consumer”, an individual who buys or leases goods or services in the commonwealth primarily for personal, family, household or work purposes.

“Retail establishment”, a business, whether operating at a physical location in the commonwealth or selling to consumers in the commonwealth through an online storefront or application, that sells goods or services directly to consumers.

“Retail price”, the posted or advertised price available to any customer of a retail establishment, inclusive of mandatory charges but exclusive of taxes and government-imposed fees that are required to be stated separately.

“Tariff”, any duty, tariff or trade-related import tax imposed under federal law and collected by U.S. Customs and Border Protection on an incoming raw material, component or finished good at the point of entry, including duties imposed pursuant to 19 U.S.C. § 2411, 19 U.S.C. § 1862, 19 U.S.C. § 2483, 50 U.S.C. §§ 1701–1706 or an Executive Order issued by the President of the United States and published in the Federal Register.

“Tariff portion”, the dollar amount or percentage of a retail price that is attributable to tariffs borne in the supply chain for the retail product.

Section 2. (a) A retail establishment shall disclose the tariff portion for a retail product as a dollar amount or percentage.

(b) The disclosure shall appear in all of the following locations: (i) on the point-of-sale shelf tag or price display; (ii) on the online product page in reasonable proximity to the price; and (iii) as a distinct line item on the printed or electronic receipt.

(c) For online disclosures, a hyperlink labeled “Tariff cost” that opens an on-page notice stating the tariff portion shall satisfy clause (ii).

(d) If a product has a tariff portion of less than 2 per cent of the retail price or less than \$0.50, a retailer may disclose “Tariff portion: de minimis”.

Section 3. (a) A retail establishment shall maintain documentation sufficient to substantiate the tariff portion disclosed, which may include supplier invoices reflecting tariff amounts, customs entries, tariff schedules, or importer certifications.

(b) Wholesale trade firms and importers that supply retail establishments doing business in the commonwealth shall, upon request, provide retailers with the tariff information reasonably necessary to comply with this chapter.

Section 4. (a) The attorney general may require a retail establishment to produce records to verify compliance with this chapter. Any request shall be limited to information relevant to tariff disclosures.

(b) A violation of this chapter or of regulations promulgated hereunder shall constitute an unfair or deceptive act or practice under paragraph (a) of section 2 of chapter 93A and shall be subject to all remedies available thereunder, including injunctive relief and civil penalties. In addition, the attorney general may assess a civil administrative penalty not to exceed \$500 per violation. Each item offered or sold without the required disclosure may constitute a separate violation.

Section 5. (a) This chapter shall not apply to retail establishments with less than \$500,000 in annual gross revenue.

(b) The attorney general may by promulgated regulation exempt classes of commodities or retail establishments if compliance would be impractical, unreasonably burdensome, or unnecessary for adequate consumer protection.

Section 6. The attorney general shall promulgate regulations establishing a standardized methodology for calculating the tariff portion and recordkeeping requirements.

Section 7. Nothing in this chapter shall be construed to limit any other state or federal disclosure requirement or to authorize a retailer to include on a federally prescribed label any content that is preempted by federal law.

SECTION 3. The attorney general may adopt regulations in advance of the effective date of sections 1 and 2.

SECTION 4. Sections 1 and 2 shall take effect 60 days after their passage.