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BILL AIMS TO BAN DIFFERENT PRICING SCALES BASED ON GENDER OR PERCEIVED GENDER

A bill introduced by Senator Michael Padilla (Bernalillo, District 14) would make it illegal for businesses to charge more – or less – for products or services that are based on a person’s gender, or perceived gender.

Senate Bill 92 would add a provision to the current state law regarding unfair business practices.

“We’ve all heard the classic story of a car mechanic charging a woman more for basic services than they would for a man,” said Senator Padilla. “This legislation would make it illegal for businesses to bring disparity to what they charge men or women, or a person’s perceived gender identity. Too often there’s been a different set of rules for what men and women pay for the same services such as dry cleaning, haircuts and styling, mechanical work ... the list goes on and on.

“It’s only a matter of fairness.”

Similar laws have already been added to the law books in other states. The freshman senator said he heard many examples of this unfair trade practice from people in his district while on the campaign trail last year, and even from more formal groups such as the Southwest Women’s Law Center. Padilla said the proposed law would not apply to goods or services that are clearly posted or advertised, but just to the so-called hidden costs that unexpectedly slam the consumer when it’s time to pay the bill.

Companies that fall under the jurisdiction of the New Mexico Insurance Code would also be exempt from the proposed law.

“When a product or service is advertised, then it’s up to the consumer to decide whether to buy it or not – they can always just walk away,” he said. “Just like when a popular night club offers a promotion that it’s ‘ladies’ half-price night’ -- well, if the promotion is clearly advertised, then a man can decide for himself whether he wants to go in or not.”

Senate Bill 92 has already cleared the Senate Public Affairs Committee and next will be scheduled for review before the Senate Judiciary Committee.