

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

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District Attorney



01-671

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RELEASE DATE

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***** PRESS RELEASE *****

Re: Price Gouging Following Storm Event

On January 4, 2023, the Governor issued a Proclamation of a State of Emergency as a result of the severe winter storms affecting Santa Barbara County and the entire State of California. As a result, the price gouging protections of Penal Code Section 396 (PC 396), which are designed to “protect citizens from excessive and unjustified increases in the prices charged during or shortly after a declared state of emergency,” are in effect.

PC 396 prohibits raising the price of many consumer goods and services by more than 10% in the 30 days following a declaration or proclamation of a State of Emergency. With regard to construction repair and reconstruction services, these protections are in effect for 180 days following such a declaration or proclamation.

PC 396 applies to any person or business selling or offering to sell a variety of goods and services, including consumer food items, goods or services used for emergency cleanup, emergency supplies, medical supplies, building materials, housing, and transportation, freight, and storage services.

Violations of PC396 are subject to criminal prosecution that can result in one-year imprisonment in county jail and/or a fine of up to \$10,000. Violators are also subject to civil enforcement actions including civil penalties of up to \$5,000 per violation, injunctive relief and mandatory restitution.

District Attorney John Savrnoch stated, “Local businesses have offered invaluable service and assistance to the community in past times of crisis, and we call on everyone in Santa Barbara County to continue in this tradition. Anyone who takes advantage of the current emergency to engage in price gouging will be prosecuted to the full extent of the law.”

The Santa Barbara County District Attorney’s Office is committed to protecting consumers during this emergency. Anyone who suspects they have been the victim of price-gouging, or who has information regarding potential price-gouging, is encouraged to immediately file a complaint with the District Attorney’s Office by calling 805-568-2300 or by completing a Consumer Complaint Form on our website:

<https://da.countyofsb.org/da/consumer-protection>.

For more information on price gouging, please see the Attorney General’s website:

<https://www.oag.ca.gov/consumers/pricegougingduringdisasters>

For more information on where price gouging laws are currently in effect, and for how long, please see the California Office of Emergency Services website:

<https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/price-gouging/>

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