



Legislation Text

File #: Res 0585-2023, **Version:** *

Res. No. 585

Resolution calling on Congress to pass, and the President to sign, legislation prohibiting substantially similar consumer goods and services from being priced differently based solely on the gender of individuals for whose use or benefit the products and services are intended.

Council Members Menin, Cabán, Farías, Louis, Hanif, Richardson Jordan, Velázquez, Hudson, Brewer, Ung and Riley

Whereas, The term “pink tax” was popularized following the Gender Tax Repeal Act of 1995, which prohibits inflationary price discrimination on goods and services based on gender in California state; and

Whereas, A 2015 study of gender pricing produced by the New York City Department of Consumer Affairs (DCA) revealed, on average, that similar products and services geared towards women were priced significantly higher than those marketed to men; and

Whereas, After analyzing the prices of approximately 800 products across 35 categories, the 2015 DCA study found women pay significantly more money for goods and services over the course of their lifetimes from “cradle to cane” than their male counterparts; and

Whereas, The 2015 DCA study noted significantly more money was spent on baby clothes for girls, costing 13 percent more than for boys; toys marketed to girls cost 11 percent more than for boys-even for the exact same toy in another color; on average, women’s clothing cost 15 percent more than men’s clothing; women’s shampoo products cost 48 percent more than similar products marketed to men; and women pay 56 percent more for personal care products than men do-even when the ingredients of the products are similar; and

Whereas, The 2015 DCA study concluded by citing older adult care products, such as canes, braces, and personal care products, and found products for women were at least seven percent more expensive than similar products for men; and

Whereas, On September 30, 2020, New York State General Business Law § 391-U went into effect, prohibiting businesses within the State from charging customers different prices for similar goods and services because of their gender; and

Whereas, The 117th Congress (2021-2022) introduced H.R. 3853, the Pink Tax Repeal Act, a bill to prohibit the pricing of consumer products and services that are substantially similar if such products or services are priced differently based on the gender of the individuals for whose use the products are intended or marketed, or for whom the services are performed or offered, but has not yet been reintroduced in the 118th Congress; and

Whereas, According to the 2020 United States Census Bureau, 52 percent of New Yorkers-over four million individuals-identify as women, and while protected against pink taxes in New York City by New York State law, gender-based pricing still regularly occurs in other parts of the country and has the potential to impact women New Yorkers out of state; and

Whereas, Gender-based pricing is compounded by the fact that, according to the Harvard Business Review, in 2022, individuals who identify as women earned 17 percent less than their male counterparts; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, legislation prohibiting substantially similar consumer goods and services from being priced differently based solely on the gender of individuals for whose use or benefit the products and services are intended.

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