



General Assembly

**Amendment**

January Session, 2005

LCO No. 6429

\*SB0065206429SD0\*

Offered by:  
SEN. LOONEY, 11<sup>th</sup> Dist.

To: Senate Bill No. 652

File No. 76

Cal. No. 133

**"AN ACT REGARDING THE RETURN POLICY OF RETAIL STORES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 42-110aa of the general statutes is repealed and  
4 the following is substituted in lieu thereof (*Effective January 1, 2006*):

5 (a) [A refusal by any] No person engaged in trade or commerce in  
6 this state, upon the return of goods purchased from such person's  
7 place of business, shall refuse to accept the returned goods  
8 immediately and issue the individual returning such goods either a  
9 cash or credit refund of the purchase price or credit towards the  
10 purchase of another item offered for sale at such person's place of  
11 business, provided such return is made within the period of time  
12 established by such person for the acceptance of returned goods and  
13 provided further, such goods are returned in a manner consistent with  
14 such person's conspicuously posted refund or exchange policy; [,  
15 constitutes an unfair trade practice under subsection (a) of section 42-

16 110b.] Any such person that utilizes an electronic system to record,  
 17 monitor and limit the number or total dollar value of returns made by  
 18 a consumer shall clearly indicate the use of such system within such  
 19 person's conspicuously posted refund or exchange policy.

20 (b) Any person that utilizes an electronic system to record, monitor  
 21 and limit the number or total dollar value of returns made by a  
 22 consumer shall, prior to terminating the right of any such consumer to  
 23 return goods at such person's place of business pursuant to any such  
 24 limitation, provide written notice to such consumer that indicates such  
 25 termination. Such termination notice shall not affect such consumer's  
 26 right to return any goods purchased by such consumer or purchased  
 27 for the benefit of such consumer prior to the date of such notice. Any  
 28 such notice that is mailed to the last known address of such consumer  
 29 or to the address of such consumer that is obtained through reasonably  
 30 available public records shall be deemed to comply with the  
 31 notification requirements of this subsection.

32 [(b)] (c) This section shall not be construed to prohibit any person  
 33 engaged in trade or commerce in this state from extending the period  
 34 of time during which such person will accept the return of goods  
 35 purchased from such person's place of business.

36 [(c)] (d) This section does not apply to perishable goods, including  
 37 readily perishable foods and beverages, or goods clearly marked as  
 38 nonreturnable pursuant to such person's conspicuously posted refund  
 39 or exchange policy.

40 (e) Any violation of the provisions of subsection (a) of this section  
 41 shall constitute an unfair trade practice for purposes of section 42-  
 42 110b."

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2006	42-110aa