



General Assembly

**Amendment**

January Session, 2007

LCO No. 7903

\*HB0720407903HDO\*

Offered by:

REP. STONE, 9<sup>th</sup> Dist.  
REP. TABORSAK, 109<sup>th</sup> Dist.  
REP. CHRIST, 11<sup>th</sup> Dist.  
REP. GREENE, 105<sup>th</sup> Dist.

To: Subst. House Bill No. 7204

File No. 648

Cal. No. 118

**"AN ACT CONCERNING THE ENFORCEABILITY OF AUTOMATIC CONTRACT RENEWAL PROVISIONS."**

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

3 "Section 1. (NEW) (*Effective October 1, 2007, and applicable to contracts*  
4 *entered into on and after said date*) (a) No provision of a contract for  
5 refuse removal or disposal which states that the term of such contract  
6 shall be deemed renewed for a specified additional period of time shall  
7 be enforceable unless the person against whom such provision is to be  
8 enforced initialed or signed a conspicuous statement immediately  
9 following such provision, stating, in boldface type at least twelve  
10 points in size: "I acknowledge that this contract contains an  
11 AUTOMATIC RENEWAL provision." The provisions of this  
12 subsection apply to written contracts and shall also apply to contracts  
13 meeting the requirements of the Connecticut Uniform Electronic

14 Transactions Act, sections 1-266 to 1-286, inclusive, of the general  
15 statutes.

16 (b) The provisions of this section shall not apply to: (1) Any contract  
17 in which the automatic renewal period specified is thirty-one days or  
18 less and can be cancelled at any time without penalty or damages, or  
19 (2) a written contract subject to the provisions of section 42-126b of the  
20 general statutes, as amended by this act.

21 Sec. 2. Subsection (c) of section 42-126b of the general statutes is  
22 repealed and the following is substituted in lieu thereof (*Effective*  
23 *October 1, 2007*):

24 (c) (1) Any person, firm, partnership, association or corporation that  
25 sells or offers to sell any products or services used primarily for  
26 personal, family or household purposes for a specified period of time  
27 of more than one hundred eighty days pursuant to a written contract  
28 that contains a provision for automatic renewal of the contract for a  
29 period of time of more than thirty-one days at the end of the period of  
30 time specified in the contract shall provide the recipient of such  
31 products or services with a clear and conspicuous written notice that  
32 the recipient may cancel such contract. Such notice shall include the  
33 procedure for such cancellation. Such notice shall be given at least  
34 fifteen days but not more than sixty days prior to: [the end of such  
35 specified period of time] (1) The date upon which the contract will be  
36 renewed, or (2) the expiration of the time period for cancellation by the  
37 recipient, whichever time period is earlier. Mailing of the written  
38 notice required by this subdivision by United States mail to the  
39 address of the recipient listed in the contract shall satisfy the notice  
40 requirements of this subdivision.

41 (2) Any person, firm, partnership, association or corporation that  
42 sells or offers to sell any products or services used primarily for  
43 personal, family or household purposes for a specified period of time  
44 of one hundred eighty days or less pursuant to a written contract that  
45 contains a provision for automatic renewal of the contract for a period

46 of time of more than thirty-one days at the end of the period of time  
 47 specified in the contract, shall include in such contract a clear and  
 48 conspicuous written notice that the recipient of such products or  
 49 services may cancel such contract and the procedure for such  
 50 cancellation, provided the recipient shall not be required to exercise  
 51 such right of cancellation more than sixty days prior to the expiration  
 52 of the specified period of time.

53 (3) If such notice is not provided to the recipient in accordance with  
 54 subdivision (1) of this subsection or included in the contract in  
 55 accordance with subdivision (2) of this subsection, as the case may be,  
 56 any such products or services furnished to the recipient after the  
 57 expiration of the period of time specified in the contract shall be  
 58 deemed an unconditional gift under subsection (a) of this section.

59 (4) Nothing in this subsection shall be construed to apply to a health  
 60 club contract subject to the provisions of section 21a-219, a contract  
 61 subject to the provisions of sections 36a-675 to 36a-685, inclusive, or  
 62 any contract between a condominium or housing association and a  
 63 person other than an individual."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007, and applicable to contracts entered into on and after said date</i>	New section
Sec. 2	<i>October 1, 2007</i>	42-126b(c)