



House of Representatives

General Assembly

File No. 156

January Session, 2009

House Bill No. 5674

House of Representatives, March 24, 2009

The Committee on General Law reported through REP. SHAPIRO of the 144th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING DISCLOSURE OF ELIGIBILITY
REQUIREMENTS FOR SENIOR CITIZEN DISCOUNT PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2009*) Any person, firm or
2 corporation who offers goods or services to the public at retail and
3 who offers a discount to senior citizens shall disclose the qualifying
4 age and the percentage of such discount on a conspicuously placed
5 sign located at the point of display, the cash register or the store
6 entrance, as applicable. A violation of this section shall constitute an
7 unfair or deceptive trade practice under subsection (a) of section 42-
8 110b of the general statutes.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2009</i>	New section
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AGE *Joint Favorable C/R*

GL

GL *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Consumer Protection, Dept.	GF - Revenue Gain	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a potential revenue gain due to potential violations of the Connecticut Unfair Trade Practices Act (CUTPA). The Department of Consumer Protection currently handles complaints concerning senior citizen discount programs and it is not anticipated that this bill will substantially increase such complaints.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 5674*****AN ACT CONCERNING DISCLOSURE OF ELIGIBILITY REQUIREMENTS FOR SENIOR CITIZEN DISCOUNT PROGRAMS.*****SUMMARY:**

This bill requires an individual, firm, or corporation that sells goods and services to the public to disclose eligibility requirements for any senior citizen discounts offered. It requires the individual or business to conspicuously place a sign at the point of display, cash register, or store entrance, as applicable, stating the qualifying age and discount percentage.

A violation of the bill is an unfair trade practice under the Connecticut Unfair Trade Practice Act (CUTPA).

EFFECTIVE DATE: October 1, 2009

BACKGROUND***CUTPA***

Under the CUTPA, businesses may not engage in unfair and deceptive acts or practices. CUTPA allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. CUTPA also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorneys fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

COMMITTEE ACTION

Select Committee on Aging

Joint Favorable Change of Reference

Yea 11 Nay 0 (03/05/2009)

General Law Committee

Joint Favorable

Yea 19 Nay 0 (03/10/2009)