



General Assembly

**Substitute Bill No. 5227**

February Session, 2010

\* \_\_\_\_\_HB05227GL\_\_\_\_\_030910\_\_\_\_\_\*

**AN ACT PROHIBITING PENALTY FEES IN CERTAIN CONSUMER CONTRACTS.**

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

1 Section 1. Subsection (a) of section 42-110aa of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *January 1, 2011*):

4 (a) (1) No person engaged in trade or commerce in this state, upon  
5 the return of goods purchased from such person's place of business,  
6 shall refuse to accept the returned goods immediately and issue the  
7 individual returning such goods either a cash or credit refund of the  
8 purchase price or credit towards the purchase of another item offered  
9 for sale at such person's place of business, provided such return is  
10 made within the period of time established by such person for the  
11 acceptance of returned goods and provided further, such goods are  
12 returned in a manner consistent with such person's conspicuously  
13 posted refund or exchange policy. Any such person that utilizes an  
14 electronic system to record, monitor and limit the number or total  
15 dollar value of returns made by a consumer shall clearly indicate the  
16 use of such system within such person's conspicuously posted refund  
17 or exchange policy.

18 (2) No person engaged in trade or commerce in this state shall  
19 charge an individual returning such goods a restocking, handling,

20 processing or any other fee associated with the return of such goods in  
21 an amount exceeding the lesser of five per cent of the retail purchase  
22 price of such goods or fifty dollars.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>January 1, 2011</i>	42-110aa(a)
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**GL**      *Joint Favorable Subst.*