



General Assembly

Substitute Bill No. 5227

February Session, 2010

* _____ HB05227JUD ___ 041310 _____ *

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2 repealed and the following is substituted in lieu thereof (*Effective*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.*

JUD *Joint Favorable*