



General Assembly

Amendment

February Session, 2010

LCO No. 3953

HB0522703953HDO

Offered by:

REP. SHAPIRO, 144th Dist.

REP. TABORSAK, 109th Dist.

SEN. COLAPIETRO, 31st Dist.

To: Subst. House Bill No. 5227

File No. 102

Cal. No. 73

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

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

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4 is repealed and the following is substituted in lieu thereof (*Effective*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

6 "(a) (1) (A) No person engaged in trade or commerce in this state,
7 upon the return of goods purchased from such person's place of
8 business, shall refuse to accept the returned goods immediately and
9 issue the individual returning such goods either a cash or credit refund
10 of the purchase price or credit towards the purchase of another item
11 offered for sale at such person's place of business, provided such
12 return is made within the period of time established by such person for
13 the acceptance of returned goods and provided further, such goods are

14 returned in a manner consistent with such person's conspicuously
15 posted refund or exchange policy.

16 (B) In the event that such policy contains a restocking or any other
17 fee associated with the return of such goods, such fee shall be disclosed
18 in bold or underlined print in such posted policy. A person engaged in
19 trade or commerce in this state who discloses such fee in such posted
20 policy and in at least one other location shall not be required to
21 disclose such fee in bold or underlined print pursuant to this
22 subdivision.

23 (C) Any such person that utilizes an electronic system to record,
24 monitor and limit the number or total dollar value of returns made by
25 a consumer shall clearly indicate the use of such system within such
26 person's conspicuously posted refund or exchange policy.

27 (2) No person engaged in trade or commerce in this state shall
28 charge an individual returning such goods a restocking or any other
29 fee associated with the return of such goods if such goods were (A)
30 received by the original purchaser in defective condition, or (B) not
31 those offered for sale by the seller to the purchaser."

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2011	42-110aa(a)