



**Senate Bill No. 71**

**Public Act No. 12-15**

**AN ACT EXPANDING THE "ONE FREE ITEM" RETAIL SALES LAW.**

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

Section 1. Subsection (b) of section 21a-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(b) "Consumer commodity" means any food, including, but not limited to, any food that is weighed for retail sale at the point of purchase, or any drug, device, cosmetic or other article, product, or commodity of any other kind or class, except drugs sold only by prescription, which is customarily produced for sale to retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered in or around the household, and which usually is consumed or expended in the course of such consumption or use;

Sec. 2. (NEW) (*Effective July 1, 2012*) (a) For the purposes of this section "consumer commodity" shall have the same meaning as in section 21a-73 of the general statutes, except that consumer commodity does not include alcoholic liquor, as defined in subdivision (3) of

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section 30-1 of the general statutes, or a carbonated soft drink container.

(b) Notwithstanding the provisions of section 21a-79 of the general statutes, if a consumer commodity, including, but not limited to, fruits or vegetables weighed at the point of sale, is offered for sale by a retailer and its price to the consumer at the point of sale is higher than the posted or advertised price, then such consumer commodity, up to a value of twenty dollars, shall be given to the consumer at no cost. A conspicuous sign shall adequately disclose to the consumer that in the event such price is higher than the posted or advertised retail price, such consumer commodity shall be given to the customer at no cost.

(c) The Commissioner of Consumer Protection, after providing notice and conducting a hearing in accordance with the provisions of chapter 54 of the general statutes, may issue a warning citation or impose a civil penalty of not more than one hundred dollars for the first offense and not more than five hundred dollars for each subsequent offense on any person, firm, partnership, association or corporation that violates any provision of subsection (b) of this section. Each violation with respect to all units of a particular consumer commodity on any single day shall be deemed a single offense.

(d) The provisions of this section do not apply to any person, firm, partnership, association or corporation operating in a retail sales area of not more than ten thousand square feet.