



General Assembly

February Session, 2012

Raised Bill No. 71

LCO No. 674

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Referred to Committee on General Law

Introduced by:
(GL)

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

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

1 Section 1. Subsection (b) of section 21a-73 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2012*):

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

14 Sec. 2. (NEW) (*Effective July 1, 2012*) (a) For the purposes of this
15 section "consumer commodity" shall have the same meaning as in
16 section 21a-73 of the general statutes, except that consumer commodity

17 does not include alcoholic liquor, as defined in subdivision (3) of
18 section 30-1 of the general statutes, or a carbonated soft drink
19 container.

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

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	21a-73(b)
Sec. 2	<i>July 1, 2012</i>	New section

Statement of Purpose:

To require retailers to give consumers certain consumer commodities, such as vegetables or fruit, for free if the price of the commodity at the cash register is higher than the posted or advertised price.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]