

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 12-15—SB 71**

*General Law Committee*

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

**SUMMARY:** By law, consumers are entitled to receive an item for free, up to a \$20 value, if an electronic bar code scanner charges a price that is higher than the posted price. This act expands the “one free item” law to cover (1) consumer commodities without bar codes, including retail foods that must be weighed at purchase and (2) cases where the sales price of a commodity with or without a bar code differs from its advertised price. As under existing law, the retailer must post a conspicuous sign to inform consumers of this right.

The act gives the consumer protection commissioner the same disciplinary powers regarding violations of these provisions as under the existing law. It allows him, after providing notice and conducting a hearing, to issue violators a warning citation or impose a civil penalty of up to \$100 for a first offense and up to \$500 for a subsequent offense. Each violation with respect to all units of a particular commodity on a single day is deemed a single offense. The act appears to reduce the penalty for electronic pricing violations by superseding the fine of up to \$200 for a first offense and up to \$1,000 for subsequent offenses.

The act applies only to stores with retail sales areas of more than 10,000 square feet. It also makes related minor changes.

EFFECTIVE DATE: July 1, 2012

OLR Tracking: DC:KM:JSL:DY