

Price Gouging During a Declared Emergency

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Issue

Summarize Connecticut's law on price gouging for retail sales during a declared emergency.

Price Gouging Law

Connecticut law prohibits retailers from price gouging during certain declared emergencies, including during a disaster or transportation emergency declaration issued by the governor, or a major disaster or emergency declaration issued by the president ([CGS § 42-230](#)). Generally under this law, no person or business may increase the price of any item he or she sells or offers for retail sale at any location subject to the emergency declaration while the declaration is pending. However, the law allows retailers to raise their prices if they can justify doing so as the normal course of business market fluctuations.

Recently, the Office of the Attorney General issued a Coronavirus and Price Gouging in Connecticut [handout](#). According to the handout, acting in coordination with the Department of Consumer Protection (DCP), the attorney general may file suits against price gougers and seek injunctive relief, restraining orders, restitution, and civil financial penalties designed to deter future unscrupulous sales.

Violators of the price gouging prohibition are subject to a fine of up to \$99. In addition, a violation is deemed an unfair or deceptive trade practice under the Connecticut Unfair Trade Practices Act (CUTPA).

Among other things, CUTPA allows the DCP commissioner to investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for a violation of a restraining order ([CGS § 42-110b](#) et seq.).

Price gouging complaints may be filed with both the [Attorney General's Office](#) and [DCP](#).

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