

Senate, March 25, 1998. The Committee on General Law reported through SEN. COLAPIETRO, 31st DIST., Chairman of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT PROHIBITING SURCHARGES ON PURCHASES BY CASH, CHECK OR OTHER MEANS.

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

1 Section 42-133ff of the general statutes is
2 repealed and the following is substituted in lieu
3 thereof:

4 (a) No seller may impose a surcharge on a
5 buyer who elects to use [a credit card in lieu of
6 payment by cash, check or similar means] ANY
7 METHOD OF PAYMENT, INCLUDING, BUT NOT LIMITED TO,
8 CASH, CHECK, CREDIT CARD OR ELECTRONIC MEANS, in
9 any sales transaction.

10 (b) Any seller who accepts or offers to
11 accept a bank credit card bearing a trade name as
12 a means of payment [,] shall accept any bank
13 credit card bearing such trade name presented by a
14 cardholder, notwithstanding the identity of the
15 card issuer. For the purposes of this subsection,
16 "bank credit card" means any credit card issued by
17 a bank, savings bank, savings and loan association
18 or credit union.

19 (c) Nothing in this section shall prohibit
20 any seller from offering a discount to a buyer to
21 induce such buyer to pay by cash, check or similar
22 means rather than by credit card.

23 (d) Nothing in this section shall prohibit
24 any seller from conditioning acceptance of a
25 credit card on a buyer's minimum purchase. Each
26 seller shall disclose [his] ANY SUCH minimum
27 purchase policy [if such policy exists,] orally or
28 in writing at the point of purchase. For the
29 purposes of this subsection, [the term] "at the
30 point of purchase" includes, but [shall not be] IS
31 NOT limited to, at or on a cash register and in an
32 advertisement or menu.

33 GL COMMITTEE VOTE: YEA 16 NAY 0 JF

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER SB 390

STATE IMPACT	Potential	Minimal	Workload
	Increase,	see	explanation below
MUNICIPAL IMPACT	None		
STATE AGENCY(S)	Department of Consumer Protection		

EXPLANATION OF ESTIMATES:

The bill prohibits imposing surcharges for using any method of payment, including cash, check, credit card or electronic means in any sales transaction.

There could be some complaints to the Department of Consumer Protection as a result of the passage of this bill. It is expected that these complaints can be handled within the anticipated budgetary resources of the department.

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OLR BILL ANALYSIS

SB 390

AN ACT PROHIBITING SURCHARGES ON PURCHASES BY CASH, CHECK OR OTHER MEANS

SUMMARY: This bill prohibits imposing surcharges for using any method of payment, including cash, check, credit card, or electronic means in any sales transaction. The law already prohibits imposing a surcharge in a credit card transaction.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

General Law Committee

Joint Favorable Report
Yea 16 Nay 0