

Senate, March 16, 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 THE AUTOMATIC CONTINUATION OF TRIAL OFFERS.

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

1 Section 42-126b of the general statutes is
2 repealed and the following is substituted in lieu
3 thereof:

4 (a) No person, firm, partnership, association
5 or corporation, or agent or employee thereof,
6 shall, in any manner, or by any means, offer for
7 sale goods, wares or merchandise, where the offer
8 includes the voluntary and unsolicited sending of
9 goods, wares or merchandise not actually ordered
10 or requested by the recipient, either orally or in
11 writing. The receipt of any such unsolicited
12 goods, wares or merchandise shall for all purposes
13 be deemed an unconditional gift to the recipient
14 who may use or dispose of the same in any manner
15 he sees fit without any obligation on his part to
16 the sender.

17 (b) NO PERSON, FIRM, PARTNERSHIP, ASSOCIATION
18 OR CORPORATION THAT SELLS OR OFFERS TO SELL ANY
19 PRODUCTS OR SERVICES, AND NO AGENT OR EMPLOYEE
20 THEREOF, SHALL RENEW ANY TRIAL OFFER FOR SUCH
21 PRODUCTS OR SERVICES UNLESS THE RECIPIENT OF SUCH
22 PRODUCTS OR SERVICES (1) IS OFFERED A WRITTEN
23 RENEWAL OPTION FOR CONTINUED PARTICIPATION, (2)

24 ACCEPTS SUCH RENEWAL IN WRITING, AND (3) PAYS THE
25 RENEWAL PRICE. NO SUCH RENEWAL SHALL BE EFFECTIVE
26 UNTIL SUCH RENEWAL PRICE IS PAID BY THE RECIPIENT
27 OF SUCH PRODUCTS OR SERVICES.

28 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 199

STATE IMPACT Potential Minimal Workload
 Decrease or Increase, see
 explanation below

MUNICIPAL IMPACT None

STATE AGENCY(S) Department of Consumer Protection

EXPLANATION OF ESTIMATES:

There could be a potential minimal workload increase or decrease for the Department of Consumer Protection as a result of the passage of this bill. It is not certain whether the requirement of written renewal options will generate more or less complaints from recipients of products.

There could be more complaints to the department if written renewal options are not given to the recipients of products. There could be less complaints if written renewal options are presented to recipients thus these individuals would not need the assistance of the Department of Consumer Protection.

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OLR BILL ANALYSIS

SB 199

AN ACT PROHIBITING THE AUTOMATIC CONTINUATION OF TRIAL OFFERS

SUMMARY: This bill prohibits sellers from renewing trial offers unless the consumer (1) is offered a

written renewal option, (2) agrees in writing to renew, and (3) pays the renewal price. Under the bill, renewals are not effective until the renewal price has been paid.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

General Law Committee

Joint Favorable Report
Yea 16 Nay 0