



# House of Representatives

General Assembly

**File No. 301**

January Session, 2025

Substitute House Bill No. 5571

*House of Representatives, March 27, 2025*

The Committee on General Law reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT ESTABLISHING A MAXIMUM RESTOCKING FEE FOR RETURNED CONSUMER GOODS.**

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

1       Section 1. (NEW) (*Effective January 1, 2026*) (a) As used in this section:

2       (1) "Business" has the same meaning as provided in section 42-158ff  
3       of the general statutes;

4       (2) "Consumer" means an individual who is physically present in this  
5       state and is a prospective purchaser or purchaser of consumer goods;  
6       and

7       (3) "Consumer good" has the same meaning as provided in section  
8       42-158ff of the general statutes.

9       (b) No business shall require a consumer to pay any fee or charge in  
10      exchange for accepting any consumer good for return to such business's  
11      general inventory or regular stock if the amount of such fee or charge  
12      exceeds five per cent of the purchase price charged for such consumer

13 good.

14 (c) The Commissioner of Consumer Protection may adopt  
15 regulations, in accordance with the provisions of chapter 54 of the  
16 general statutes, to implement the provisions of this section.

17 (d) Any violation of the provisions of subsection (b) of this section  
18 shall be deemed an unfair or deceptive trade practice under subsection  
19 (a) of section 42-110b of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2026	New section

**Statement of Legislative Commissioners:**

In Subsec. (d), "this section" was changed to "subsection (b) of this section" for accuracy.

**GL**            *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the 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 chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

---

**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill establishes a maximum restocking fee for returned consumer goods and makes violations an unfair trade practice resulting in no fiscal impact to the state. The Department of Consumer Protection investigates unfair trade practice violations and has the resources and expertise to meet the requirements of the bill.

**The Out Years****State Impact:** None**Municipal Impact:** None

---

**OLR Bill Analysis****sHB 5571*****AN ACT ESTABLISHING A MAXIMUM RESTOCKING FEE FOR RETURNED CONSUMER GOODS.*****SUMMARY**

This bill prohibits businesses from making a consumer pay a fee or charge that is more than 5% of the consumer's purchase price of a consumer good in order to accept the return of the good to the business's general inventory or regular stock.

It applies to businesses, which include any person or entity conducting commerce for profit or not for profit, and consumers, who are any people in the state who purchase or may purchase a consumer good. Under the bill, a consumer good is an article purchased, leased, exchanged, or received primarily for personal, family, or household use.

The bill permits the consumer protection commissioner to adopt implementing regulations and makes any violation of the bill's provisions a Connecticut Unfair Trade Practices Act (CUTPA) violation.

EFFECTIVE DATE: January 1, 2026

**BACKGROUND*****CUTPA***

By law, CUTPA prohibits businesses from engaging in unfair and deceptive acts or practices. It allows the Department of Consumer Protection commissioner, under specified procedures, to issue regulations defining an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, impose civil penalties of up to \$5,000, 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 up to \$25,000 for a restraining order violation.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea    22    Nay   0    (03/12/2025)