

General Assembly

February Session, 2022

Substitute Bill No. 263

AN ACT CONCERNING CASH REFUNDS FOR THE BALANCE OF A GIFT CARD.

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

Section 1. Section 42-461 of the general statutes is repealed and the
 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) For the purposes of this section, "gift card" means a record evidencing a promise, made for consideration, by the seller or issuer of 4 5 the record that goods or services will be provided to the owner of the 6 record to the value shown in the record and includes, but is not limited 7 to, a record that contains a microprocessor chip, magnetic stripe or other 8 means for the storage of information, that is prefunded and for which 9 the value is decremented upon each use, an electronic gift card, stored-10 value card or certificate, a store card or a similar record or card. "Gift 11 card" does not include: (1) A general-use prepaid card, as defined in 12 12 CFR 1005.20(a)(3), as from time to time amended, (2) a gift certificate 13 donated or sold below face value by a retailer to a charitable 14 organization or nonprofit community organization, (3) a linked prepaid 15 card, as defined in section 42-460a, (4) a card or certificate issued by a 16 retailer pursuant to an awards, loyalty or promotional program for 17 which no money or other item of monetary value was exchanged, (5) a 18 gift certificate or card sold below face value by a retailer, (6) a gift

certificate or card sold by a retailer that does not have a retailestablishment in this state, or (7) a gift certificate that is issued only onpaper.

(b) Each seller or issuer of a gift card shall provide the purchaser of
such gift card with either an electronic or paper copy of a (1) proof of
purchase receipt, or (2) gift receipt for such gift card.

(c) If a person uses a gift card to purchase goods or services and the
balance on the gift card is less than [three] <u>five</u> dollars after such
purchase, the person accepting the gift card as payment, if requested by
the purchaser, shall provide the purchaser with a cash refund equal to
the value of the remaining balance on the gift card after the purchase.

30 [(d) The provisions of subsection (c) of this section shall only apply
31 if the purchaser provides the person accepting the gift card as payment

32 proof of purchase or a gift receipt for such gift card.]

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October</i> 1, 2022	42-461

AGE Joint Favorable Subst.