

Senate Bill 549

By: Senators Mallow of the 2nd, Merritt of the 9th, Esteves of the 6th, McLaurin of the 14th and Islam Parkes of the 7th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia
2 Annotated, relating to the "Fair Business Practices Act of 1975," so as to prohibit retailers
3 from conditioning the issuance of refunds on the buyer returning goods to any place other
4 than the retail establishment where such goods were purchased; to provide a definition; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,
9 relating to the "Fair Business Practices Act of 1975," is amended by adding a new Code
10 section to read as follows:

11 "10-1-393.20.

12 (a) As used in this Code section, the term 'retail store' means any physical establishment
13 where goods are offered for sale to members of the public.

14 (b) It shall be unlawful for any person operating a retail store to condition, in connection
15 with a consumer transaction taking place at such retail store, the issuance of a refund for
16 any goods sold by such person on the buyer returning the goods to any place other than the
17 retail store where such goods were purchased; provided, however, that nothing in this Code

18 section shall prohibit such person from allowing the buyer to return such goods to one or
19 more alternative locations or in an alternative manner.
20 (c) Any person who violates this Code section shall be subject to the penalties provided
21 in this part."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.