



General Assembly

January Session, 2021

Raised Bill No. 5307

LCO No. 1364



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING PRICE GOUGING.

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

1 Section 1. Section 42-230 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) As used in this section:

4 (1) "Seller" means a person, firm or corporation, including, but not
5 limited to, a manufacturer, supplier, wholesaler, distributor or retailer;

6 (2) "Precipitating event" means a disaster emergency declaration
7 issued by the Governor pursuant to chapter 517, a transportation
8 emergency declaration issued by the Governor pursuant to section 3-6b
9 or any major disaster or emergency declaration issued by the President
10 of the United States; and

11 (3) "Unconscionably excessive price" means (A) the amount charged
12 by the seller represents a gross disparity between the price for which an
13 item was sold, rented or leased immediately prior to the precipitating
14 event or when the precipitating event was reasonably anticipated, or (B)

15 the amount charged by the seller was not attributable to additional costs
16 incurred by the seller in connection with the sale, rental or lease of an
17 item.

18 (b) No [person, firm or corporation] seller shall [increase the price of]
19 sell, rent or lease, or offer to sell, rent or lease any item [which such
20 person, firm or corporation sells or offers for sale at retail] within the
21 chain of distribution for an amount that represents an unconscionably
22 excessive price at any location in an area which is the subject of any
23 [disaster emergency declaration issued by the Governor pursuant to
24 chapter 517, any transportation emergency declaration issued by the
25 Governor pursuant to section 3-6b or any major disaster or emergency
26 declaration issued by the President of the United States, until the period
27 of emergency or disaster] precipitating event until the precipitating
28 event is declared by the Governor or the President to be at an end.
29 [Nothing in this section shall prohibit the fluctuation in the price of
30 items sold at retail which occurs during the normal course of business.]
31 Any person, firm or corporation which violates any provision of this
32 section shall be fined not more than ninety-nine dollars. Any violation
33 of the provisions of this section shall be deemed an unfair or deceptive
34 trade practice under subsection (a) of section 42-110b and if an
35 enforcement action is brought on behalf of the state, such action shall be
36 brought in the judicial district of Hartford.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	42-230

Statement of Purpose:

To prohibit price gouging.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]