



General Assembly

**Substitute Bill No. 179**

February Session, 2022



**AN ACT CONCERNING CASH REFUNDS FOR GIFT CARD BALANCES.**

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

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 Section 42-461 of the general statutes is repealed and the  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

3 (a) For the purposes of this section, "gift card" means a record  
4 evidencing a promise, made for consideration, by the seller or issuer of  
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

19 certificate or card sold by a retailer that does not have a retail  
20 establishment in this state, or (7) a gift certificate that is issued only on  
21 paper.

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

25 (c) If a person uses a gift card to purchase goods or services and the  
26 balance on the gift card is less than [three] five dollars after such  
27 purchase, the person accepting the gift card as payment, if requested by  
28 the purchaser, shall provide the purchaser with a cash refund equal to  
29 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 if  
31 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	October 1, 2022	42-461

**BA**        *Joint Favorable Subst.*