

SENATE No. 126

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to consumer issues.

PETITION OF:

NAME:

Harvey Green

DISTRICT/ADDRESS:

25 Westland Street
Worcester, MA 01602

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00176 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO CONSUMER ISSUES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 266 of the General Laws is hereby amended by inserting after Chapter 266:
2 Section 75C, the following text:-

3 “Section 75D. Regardless of whether or not merchandise is purchased by any form of payment all returns
4 made between 14 days and 30 days of the original purchase with a receipt, the option of cash or applied
5 store credit will be determined by the purchaser. Returns shall be accepted for at least 30 days.

6 Section 75E. Merchandise returned to a store purchased by any form of payment after 30 days but no
7 longer than 90 days of the original purchase shall always be refunded with cash.”

8 SECTION 2. Chapter 64H of the General Laws is hereby amended by inserting after Section 2
9 the following new text:-

10 When a return of property is made to a store with a receipt, the purchaser shall be entitled to a tax refund
11 of the full amount paid at the time of purchase within 30 but no longer than 90 days of sale.

12 Section 4. When a return of property is made to a store without a receipt, the purchaser shall be entitled
13 to only as much tax refund as would be offered on the item at the lowest price within 90 days of return.

14 Section 5. All sales tax must be returned in cash.

15 SECTION 3. Notwithstanding any law to the contrary, nothing for sale in the Commonwealth of
16 Massachusetts shall be offered at a fraction of one cent.

17 SECTION 4. All gift certificates and gift cards will retain the original value except for deduction
18 occurring due to purchases using the card or certificate by the holder of the card.

19 SECTION 5. No business offering goods or services shall charge an extra fee to consumers for
20 payment by check.

21 Section 6. No bills or invoices written or received in Massachusetts can have a payment due date on a
22 Saturday, Sunday, or holiday. Consumer bills or invoices are due no earlier than 30 days after receipt.
23 Electronic billing or invoicing can only be done with the consent of the purchaser by a written signature.
24 No penalty can be assessed to a purchaser that does not consent to electronic billing.