

SENATE No. 126

The Commonwealth of Massachusetts

In the Year Two Thousand 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
2 Chapter 266: Section 75C, the following text:-

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

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

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

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

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

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

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

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

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

24 Section 6. No bills or invoices written or received in Massachusetts can have a payment
25 due date on a Saturday, Sunday, or holiday. Consumer bills or invoices are due no earlier than
26 30 days after receipt. Electronic billing or invoicing can only be done with the consent of the
27 purchaser by a written signature. No penalty can be assessed to a purchaser that does not consent
28 to electronic billing.