ASSEMBLY, No. 1490

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman PAUL D. MORIARTY
District 4 (Camden and Gloucester)
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

SYNOPSIS

Requires disclosure of usual and customary price for merchandise offered in certain advertisements.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 1/27/2020)

AN ACT concerning the sale of merchandise offered in certain advertisements and supplementing Title 56 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. It shall be an unlawful practice for a person to advertise an offer for merchandise at reduced or no cost to the consumer and contingent upon the purchase of other merchandise, commonly referred to as a "Buy One, Get One Free" or "Two-For-One" offer, unless the advertisement discloses the usual and customary, single item price of the advertised merchandise.

b. A violation of any provision of subsection a. of this section shall be an unlawful practice pursuant to P.L.1960, c.39 (C.56:8-1 et seq.).

2. This act shall take effect immediately.

STATEMENT

This bill requires businesses to disclose the usual and customary price for merchandise that is advertised as part of a "Buy One, Get One Free" or similar offer. Current law does not require that a business disclose the usual and customary price of merchandise advertised as part of a bargain offer. This bill is meant to discourage businesses from artificially inflating the sale price of merchandise offered as part of a "Buy One, Get One Free" or similar sale.

A violation of the bill's provisions is an unlawful practice under the consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.). An unlawful practice is punishable by a monetary penalty of not more than $10,000 for a first offense and not more than $20,000 for any subsequent offense. In addition, a violation can result in cease and desist orders issued by the Attorney General, the assessment of punitive damages, and the awarding of treble damages and costs to the injured.