

[First Reprint]

ASSEMBLY, No. 4636

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 25, 2024

Sponsored by:

Assemblywoman BARBARA MCCANN STAMATO

District 31 (Hudson)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

SYNOPSIS

Requires that notice concerning gift card fraud be posted by retail mercantile establishments that sell gift cards to consumers.

CURRENT VERSION OF TEXT

As reported by the Assembly Consumer Affairs Committee on January 27, 2025, with amendments.



(Sponsorship Updated As Of: 6/26/2024)

1 AN ACT concerning the sale of gift cards and amending P.L.2021,
2 c.431.

3

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

6

7 1. Section 1 of P.L.2021, c.431 (C.56:8-110.1) is amended to
8 read as follows:

9 1. a. Every retail mercantile establishment in this State that
10 displays gift cards for sale shall:

11 (1) train employees on how to identify and respond to gift card
12 fraud. A retail mercantile establishment shall conduct the training
13 in accordance with guidelines issued pursuant to section 2 of **[this**
14 **act]** P.L.2021, ¹**[c.110]** c.431¹ (C.56:8-110.2); and

15 (2) post a notice, in a conspicuous manner at or near the physical
16 location where gift cards are displayed for sale in the establishment,
17 to caution consumers about gift card fraud and to instruct
18 consumers on steps to take if fraud is suspected.

19 b. A retail mercantile establishment that violates the provisions
20 of this section shall be subject to a civil penalty of \$1,000, which
21 may be collected and enforced by the Director of the Division of
22 Consumer Affairs in the Department of Law and Public Safety in a
23 summary proceeding pursuant to the "Penalty Enforcement Law of
24 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court
25 shall have jurisdiction of proceedings for the enforcement of the
26 penalty provided by this section.

27 A violation of this section shall not be considered an unlawful
28 practice in violation of P.L.1960, c.39 (C.56:8-1 et seq.).

29 c. As used in this section:

30 "Gift card" means a tangible device, whereon is embedded or
31 encoded in an electronic or other format a value issued in exchange
32 for payment, which promises to provide to the bearer merchandise
33 of equal value to the remaining balance of the device.

34 "Merchandise" means any objects, wares, goods, commodities,
35 services, or anything offered, directly or indirectly, to the public for
36 sale.

37 "Retail mercantile establishment" means any place of business
38 where merchandise is exposed or offered for sale at retail to
39 members of the consuming public.

40 (cf: P.L.2021, c.431, s.1)

41

42 2. This act shall take effect **1****[six months after the date of]** on
43 the first day of the seventh month following the date of¹ enactment.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACO committee amendments adopted January 27, 2025.