

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 5076

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2023

The Assembly Commerce and Economic Development Committee reports favorably Assembly Bill No. 5076, with committee amendments.

This bill, as amended by the committee, would require retail stores that offer digital coupons to customers to also provide in-store alternatives to allow customers to purchase items at the same price and terms as provided by the digital coupon.

The bill defines the term “digital coupon” to mean a store coupon, rebate, or similar instrument offered to a consumer through the Internet and only obtainable through a consumer’s personal computing device, such as a personal computer, smartphone, or tablet, and that provides to a consumer a discounted price or benefit, redeemable at the physical location where the goods or services are being offered for sale.

The bill defines the term “in-store alternative” to mean providing an on-site consumer the ability to purchase an item at the same discount or other benefit offered by a digital coupon. Examples of an “in-store alternative” set forth in the bill include: paper coupons, electronic kiosks, or providing a customer the discounted price or benefit at the point-of-sale upon request.

Violation of the bill would subject a person to a civil penalty of up to \$250 for a first offense, and up to \$500 for a subsequent offense, which may be collected and enforced by the Director of the Division of Consumer Affairs.

COMMITTEE AMENDMENTS:

The committee amendments provide that the bill takes effect on the first day of the twelfth month, rather than the sixth month, next following enactment.