§ 218-a. Disclosure of refund policies. 1. Every retail mercantile establishment and online retailer shall conspicuously post, in the following manner, its refund policy as to all goods, wares or merchandise offered to the public for sale:

(a) on a sign attached to the item itself; or

(b) on a sign affixed to each cash register or point of sale; or

(c) on a sign so situated as to be clearly visible to the buyer from the cash register; or

(d) on a sign posted at each store entrance used by the public; or

(e) in case of an online retailer, by a notice displayed or made accessible by hyperlink near the item itself or by a notice displayed to or made accessible by hyperlink by the consumer prior to requesting billing information.

2. The sign, required by subdivision one of this section to be posted in every retail mercantile establishment, and notice required by subdivision one of this section, shall (a) state whether or not it is the policy of such establishment or online retailer to give refunds and, if so, under what conditions, including but not limited to whether a refund will be given:

(i) on merchandise which had been advertised as "sale" merchandise or marked "as is;"

(ii) on merchandise for which no proof of purchase exists;

(iii) at any time or not beyond a point in time specified;

(iv) in cash, or as credit or store credit only; or

(v) subject to any fees, including a restocking fee, and the dollar or percentage amount of each fee; and

(b) advise consumers that they are entitled to a written copy of the store's refund policy upon request.

3. Enforcement. Any retail mercantile establishment or online retailer which violates any provision of this section shall be liable, for a period of up to thirty days from the date of purchase, to the buyer for a cash refund or a credit, at the buyer's option, provided that the merchandise has not been used or damaged by the buyer and the buyer can verify the date of the purchase with a receipt or any other purchase verification method utilized by the retail merchant.

4. Preemption. This section does not relieve any person, firm, corporation or association subject to the provisions of this section from complying with any law, ordinance, rule or regulation of any locality relating to the posting of refund policies which affords the buyer greater protection than do the provisions of this section.