
OLR Bill Analysis

sSB 438

AN ACT REGULATING SELF-CHECKOUT STATIONS IN GROCERY STORES.

SUMMARY

This bill requires grocery stores with self-checkout stations to have at least one manual checkout station for every two self-checkout stations, and at least one employee monitoring every two self-checkout stations. It prohibits the stores from (1) assigning employees to any other duties while they are monitoring the self-checkout stations and (2) offering more than eight self-checkout stations at a location.

The bill allows employees or customers to file a complaint about a violation of the bill with the labor commissioner. Upon receiving a complaint, the commissioner must promptly investigate and immediately notify the store if she finds evidence of a violation. Under the bill, if the grocery store does not correct the violation within 30 days after receiving the notice, it may be liable to the labor department for a civil penalty equal to a full day of wages for the store's highest paid retail clerk for each day that the violation continues. (The bill does not further specify what a "full day" or "retail clerk" is for determining this penalty.)

The bill also prohibits grocery stores from discharging, or discriminating or retaliating against, an employee or customer who makes a good faith complaint under the bill. It allows an employee or customer who believes that a store did so to sue in Superior Court for damages and injunctive relief.

Lastly, the bill allows the labor commissioner to adopt regulations to implement the bill's provisions.

EFFECTIVE DATE: October 1, 2026

GROCERY STORES & CHECKOUT STATIONS

Under the bill, a “grocery store” is any store that derives most of its retail sales from “groceries,” which include (1) any raw or processed food or beverage intended for human consumption and (2) when sold by a retailer that also sells food and beverages, (a) prescription and over-the-counter drugs, (b) personal care and hygiene items, and (c) household maintenance items. “Groceries” do not include alcoholic beverages and cannabis products.

A “manual checkout station” is a checkout station with an employee to help customers by scanning and bagging their purchased items and taking payment for their purchases. A “self-checkout station” is an automated checkout station where a customer can scan, bag, and pay for their purchased items without employee assistance.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 9 Nay 4 (03/19/2026)