

# OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200  
Hartford, CT 06106 ◊ (860) 240-0200  
<http://www.cga.ct.gov/ofa>

sHB-6767

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING LICENSING AND ENFORCEMENT.

As Amended by House "A" (LCO 8456)

House Calendar No.: 167

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## ***OFA Fiscal Note***

### ***State Impact:***

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Various	Various - Revenue Impact	See Below	See Below

Note: Various=Various

***Municipal Impact:*** None

### ***Explanation***

The bill makes various changes to consumer protection statutes resulting in the revenue impact described below.

**Section 2** requires heating fuel dealers to remove disconnected tanks or equipment from consumers premises within 30 days and establishes a fine of up to \$250 for violations resulting in a potential revenue gain to the state to the extent violations occur.

**Sections 3, 4, 6, 8, 17 and 18** require certain individuals to submit to and cover associated costs for a state criminal history records check resulting in a potential revenue gain to the General Fund and the Applicant Fingerprint Card Submission Account. DESPP conducts state background checks for \$75 per person and to the extent additional background checks are requested, there is a potential revenue gain to the state. State background checks require fingerprinting, which DESPP conducts for \$15 per person resulting in a potential revenue gain to the

Primary Analyst: ME  
Contributing Analyst(s):  
Reviewer: RP

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Applicant Fingerprint Card Submission Account.<sup>1</sup>

These sections also remove the Department of Consumer Protection's (DCP) ability to charge a fee of up to \$15 when an individual convicted of a criminal offense request to know if it disqualifies them from obtaining a certificate or license resulting in a potential revenue loss to the state to the extent these fees are assessed.

**Section 7** increases the civil penalty for a trade licensing violation to \$3,000 resulting in a potential revenue gain to the extent violations occur. This section also creates a new fine of up to \$5,000 for apprentice hiring violations resulting in a potential revenue gain to the state to the extent violations occur.

**Section 9** prorates the fee for new home construction contractors during the transition year<sup>2</sup> resulting in a potential revenue loss to the extent higher license fees would have been paid. This section also prorates the fee to the New Home Construction Guaranty Fund<sup>3</sup> and the Home Improvement Guaranty Fund<sup>4</sup> resulting in a potential revenue loss during the transition year to the extent higher fees would have been paid.

**Section 15** makes all fines \$1,500 instead of a tiered structure starting at \$500, resulting in a potential revenue gain to the consumer protection enforcement account<sup>5</sup> to the extent violations occur.

**Section 20** requires late renewals for (within 90 days of expiration)

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<sup>1</sup> Funds in the non-lapsing Applicant Fingerprint Card Submission Account are used for IT support and maintenance for the fingerprinting systems.

<sup>2</sup> New home construction contractor registrations are transitioning from biennial to annual fees in 2023, this eliminates the potential for overcharging certain contractors.

<sup>3</sup> The New Home Construction Guaranty Fund is non-appropriated and makes restitution payments to CT consumers for damages caused by licensed New Home construction contractors

<sup>4</sup> The Home Improvement Guaranty Fund is non-appropriated and makes restitution payments to CT consumers for damages caused by licensed Home Improvement contractors or salespersons.

<sup>5</sup> The Consumer Protection Enforcement Account is a non-appropriated account that funds positions dedicated to the enhanced enforcement of DCP licensing laws and regulations.

DCP credentials to pay late fees of 10 percent and applies the existing fee structure to reinstatements resulting in a potential revenue gain to the state to the extent late renewals and reinstatements occur.

**Section 503** increases the civil penalty to not more than \$5,000 per violation and removes the cap on civil penalties for any single event resulting in a potential revenue gain to the state to the extent that these violations occur.

The bill also makes various minor, technical, and conforming changes to consumer protection statutes resulting in no fiscal impact to the state.

House "A" retains the current fee language for violating existing law's written contract provisions in section 2 which removes the potential revenue loss from this section in the underlying bill.

The amendment removes the Department of Consumer Protection's (DCP) ability to charge a fee of up to \$15 when an individual convicted of a criminal offense request to know if it disqualifies them from obtaining a certificate or license resulting in a potential revenue loss to the state to the extent these fees are assessed.

The amendment also adds Section 503 which increases the civil penalty to not more than \$5,000 per violation and removes the cap on civil penalties for any single event resulting in a potential revenue gain to the state to the extent that these violations occur.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of licenses applied for, violations, and inflation.