



General Assembly

Substitute Bill No. 6767

January Session, 2023



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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) to (f), inclusive, of section 16a-15 of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) Each person shall publicly display and maintain on each pump
5 or other dispensing device from which any gasoline or other product
6 intended as a fuel for aircraft, motor boats or motor vehicles is sold by
7 such person, such signs as the Commissioner of Consumer Protection,
8 by regulation adopted pursuant to chapter 54, may require to inform
9 the public of the octane rating and price of such gasoline or other
10 product. Each person selling such gasoline or other product on both a
11 full-serve and self-serve basis and displaying the price of such gasoline
12 or other product at a location on the premises other than at a pump or
13 other dispensing device shall include in such display both the full-
14 serve and self-serve prices of such gasoline or other product, in such
15 manner as the commissioner, by regulation, may require. All signs as
16 to price shall [be] display the per-gallon price and shall not [be]
17 display the price of less or more than one gallon, except that a sign as
18 to the price of a specialty engine fuel, including, but not limited to, a

19 racing fuel or a fuel intended for an agricultural or other off-road
20 application, that is not subject to a quality or usability standard
21 established by the American Society for Testing and Materials, or
22 another national consensus quality or usability standard, may display
23 the price per gallon, per one-half gallon or per liter.

24 (b) Each person shall publicly display and maintain on each pump
25 or other dispensing device from which any gasoline or other product
26 containing more than one per cent by volume of ethanol, methanol or
27 any other cosolvent, and intended as a fuel for aircraft, motor boats or
28 motor vehicles is sold by such person, such signs as the Commissioner
29 of Consumer Protection, by regulation adopted pursuant to chapter 54,
30 may require to inform the public of the amount of methanol, ethanol or
31 any other cosolvent contained in such gasoline or other product.

32 (c) Each person shall publicly display and maintain, in a like
33 manner, size and print, on each sign on display to the general public
34 intended to inform the public of the price of gasoline and each pump
35 or other dispensing device from which any gasoline intended as a fuel
36 for motor vehicles is sold by such person, such signs as the
37 Commissioner of Consumer Protection, by regulation adopted
38 pursuant to chapter 54, may require to inform the public of the price
39 for such gasoline for such members of the public as any such sign that
40 informs of the price of such gasoline for members of any club,
41 members of any retail membership organization or persons who
42 qualify for any special discount offer.

43 (d) Any manufacturer, hauler, blender, agent, jobber, consignment
44 agent, or distributor who distributes gasoline, or other products
45 intended as fuel for aircraft, motor boats, or motor vehicles, which
46 contain one per cent or more alcohol by volume, shall state the
47 percentage of alcohol and the type of alcohol on any invoice, bill of
48 lading, shipping paper, or other documentation used in normal and
49 customary business practices.

50 (e) Each person shall publicly display and maintain on each pump

51 or other dispensing device from which any diesel fuel intended as a
52 fuel for motor boats or motor vehicles is sold by such person, the
53 minimum cetane number for such diesel fuel.

54 (f) Each person shall publicly display and maintain on each pump
55 or other dispensing device from which any gasoline intended as a fuel
56 for motor boats or motor vehicles is sold by such person, such signs as
57 the Commissioner of Consumer Protection, by regulation adopted
58 pursuant to chapter 54, may require to inform the public of whether, if
59 a discount is offered for payment by cash, payment for such gasoline
60 by debit card is processed at the credit card price per gallon or the cash
61 price per gallon or, for a specialty engine fuel described in subsection
62 (a) of this section, the credit card price per gallon, per one-half gallon
63 or per liter or the cash price per gallon, per one-half gallon or per liter.

64 Sec. 2. Section 16a-21 of the general statutes is repealed and the
65 following is substituted in lieu thereof (*Effective from passage*):

66 (a) (1) (A) No heating fuel dealer shall sell heating fuel or rent or
67 lease a heating fuel tank without a written contract that contains all
68 [the] terms and conditions for delivery of such heating fuel and the
69 amount of fees, charges, surcharges or penalties allowed under this
70 section and assessed to the consumer under such contract. No such
71 contract shall contain any fees, charges, surcharges or penalties, except
72 for those allowed pursuant to subsections (e), (f) and (g) of this section
73 and for tank rental fees or liquidated damages for violation of the
74 contract terms. No contract for the delivery of heating fuel under this
75 subsection shall include a provision for liquidated damages for a
76 consumer breach of such contract where the liquidated damages
77 exceed the actual damages to the heating fuel dealer caused by such
78 breach. No written contract period for heating fuel shall be for a term
79 [greater] longer than thirty-six months. Each heating fuel dealer shall
80 offer consumers the option to enter into a bona fide commercially
81 reasonable contract for a term of eighteen months. A consumer and a
82 heating fuel dealer may agree to enter into a bona fide commercially
83 reasonable contract for a term of less than eighteen months. Longer

84 fuel contract term lengths may be permitted for underground tank
85 consumers, provided the fuel term agreements are concurrent with
86 tank lease agreements as specified in subdivision (2) of this subsection.
87 No provision in a contract that restricts a consumer's ability to utilize
88 another propane fuel provider shall be valid or enforceable unless the
89 consumer has initialed a clear and conspicuous statement in all capital
90 letters [of no less than] in at least twelve-point boldface type indicating
91 that the consumer is aware of such restriction.

92 (B) A heating fuel dealer who leases or lends, or who leased or lent,
93 a heating fuel tank and associated equipment to a consumer shall
94 remove such tank and associated equipment from the consumer's
95 residential premises not later than thirty days after the heating fuel
96 dealer disconnects such tank and associated equipment.

97 (2) If a tank is being leased or lent to a consumer, a contract for the
98 tank rental or loan shall indicate in writing a description of the tank,
99 initial installation charges, if any, the amount and timing of rental or
100 loan payments, the manner in which the lessor will credit the lessee for
101 any unused heating fuel and terms by which a lessee may terminate
102 the contract. A lessor may enter into a separate contract with the lessee
103 for additional services including, but not limited to, maintenance,
104 repair and warranty of equipment, provided such contract complies
105 with the provisions of this section. No contract for tanks installed
106 above ground shall be for a term [greater] longer than thirty-six
107 months. Each consumer shall be given the option to enter into a bona
108 fide commercially reasonable contract for a term of eighteen months. A
109 lessee and a lessor may agree to enter into a bona fide commercially
110 reasonable contract for a term of less than eighteen months. No
111 contract for a tank installed underground shall exceed five years.

112 (3) (A) If a tank installed underground is provided to a consumer, a
113 contract for such tank shall contain a clause providing the consumer
114 with the option to purchase the tank and associated equipment at a
115 price not exceeding a commercially reasonable price at any time
116 during the length of the contract. The purchase price for the tank shall

117 be disclosed in the contract and shall not increase before the contract
118 expires. Any waiver of liability or transfer of warranty shall be stated
119 in the contract. No contract for such tank shall be valid or enforceable
120 unless the consumer has initialed a clear and conspicuous statement in
121 all capital letters [of no less than] in at least twelve-point boldface type,
122 indicating the consumer is aware of such option to purchase the tank
123 and associated equipment. For existing contracts, whether oral or
124 written, where the purchase option or purchase price is silent or
125 unspecified, a contract addendum including the purchase option and a
126 commercially reasonable price shall be mailed or delivered to the
127 consumer not later than September 1, 2013. Such contract addendum
128 shall contain a clause providing the lessee with the option of
129 purchasing the tank and associated equipment at any time prior to
130 September 1, 2018. Upon purchase of the tank and any associated
131 equipment, any existing contract obligations pursuant to subdivisions
132 (1) and (2) of this subsection shall terminate immediately, except for
133 guaranteed price plans pursuant to chapter 296a.

134 (B) If a tank installed above ground is provided to a consumer, a
135 contract for such tank shall contain a clause providing the consumer
136 with the option to purchase a new tank and associated equipment at a
137 price not exceeding a commercially reasonable price at any time
138 during the length of the contract. The purchase price for the tank,
139 associated equipment and associated installation charges shall be
140 disclosed in the contract and not increase before the contract expires.
141 Any waiver of liability or transfer of warranty shall be stated in the
142 contract. No contract for such tank shall be valid or enforceable unless
143 the consumer has initialed a clear and conspicuous statement in all
144 capital letters [of no less than] in at least twelve-point boldface type,
145 indicating that the consumer is aware of such option to purchase a new
146 tank and associated equipment. Upon purchase of the tank and any
147 associated equipment, any existing contract obligations pursuant to
148 subdivisions (1) and (2) of this subsection shall terminate immediately,
149 except for guaranteed price plans pursuant to chapter 296a.

150 (4) A contract required by this section shall be in writing and shall
151 comply with the plain language requirements of section 42-152,
152 provided any fee, charge, surcharge or penalty disclosed in such
153 contract shall be in twelve-point, boldface type of uniform font. Any
154 fee, charge, surcharge or penalty shall not increase prior to the
155 expiration of the contract.

156 (5) A written contract for the sale of heating fuel or lease of
157 equipment that calls for an automatic renewal of the contract is not
158 valid unless such contract complies with the provisions of this section,
159 section 42-126b and chapter 296a.

160 (6) The requirement that contracts be in writing pursuant to this
161 section shall not apply to any heating fuel delivery initiated by a
162 consumer, payable on delivery or billed to the consumer with no
163 future delivery commitment, where no fee, charge, surcharge or
164 penalty is assessed, except for any fee, charge or surcharge authorized
165 under subsection (g) of this section.

166 (7) The requirement that contracts be in writing pursuant to this
167 section shall not apply to agreements that are solely automatic delivery
168 where: (A) The consumer may terminate automatic delivery at any
169 time and where no fee, charge, surcharge or penalty is assessed for
170 termination; [] and (B) the dealer providing automatic delivery
171 provides written notice to the consumer the dealer serves under
172 automatic delivery of the method for the termination of automatic
173 delivery, as specified in this subdivision. Such written notice shall be
174 included with each invoice for products subject to automatic delivery.
175 Notice from a consumer to a dealer requesting termination of
176 automatic delivery may be delivered to the dealer by (i) a written
177 request by the consumer delivered by certified mail to the dealer, (ii)
178 electronic mail sent from the consumer to a valid electronic mail
179 address of the dealer, or (iii) electronic facsimile by the consumer to be
180 sent to a valid facsimile number at the dealer's place of business. The
181 consumer shall give notice at least one day prior to the day upon
182 which the consumer desires to terminate automatic delivery. The

183 consumer shall not be responsible for payment of deliveries made by
184 the dealer after such notice has been given, except for deliveries made
185 within one business day after such notice has been given and which
186 were scheduled for delivery by the dealer prior to such notice being
187 given, provided consideration shall be given for weekend and holiday
188 closings or extenuating circumstances not under the control of the
189 dealer.

190 (b) If a consumer complaint is being mediated or investigated by the
191 commissioner, the heating fuel dealer, if it owns the tank and has
192 exclusive fill requirements, may not deny the consumer deliveries of
193 heating fuel, or fuel for cooking or power generation, because of the
194 existence of the mediation or investigation, provided the heating fuel
195 dealer remains the exclusive supplier of such fuel and the consumer
196 pays cash for such fuel upon delivery.

197 (c) The requirement that contracts be in writing as set forth in this
198 section may be satisfied pursuant to the provisions of: (1) The
199 Connecticut Uniform Electronic Transactions Act, sections 1-266 to 1-
200 286, inclusive; [] (2) sections 42a-7-101 to 42a-7-106, inclusive; [] or (3)
201 the Electronic Signatures in Global and National Commerce Act, 15
202 USC 7001 et seq. Except as provided in subsection (d) of this section,
203 verbal telephonic communications shall not satisfy the writing
204 requirement of this section.

205 (d) The requirement that contracts be in writing pursuant to this
206 section and section 16a-23n may be satisfied telephonically, only if a
207 heating fuel dealer:

208 (1) Has provided to the consumer prior to any telephonic
209 communication all terms and conditions of the contract, in writing,
210 except for the contract duration, the unit price and the maximum
211 number of units covered by the contract;

212 (2) Employs an interactive voice response system or similar
213 technology that provides the consumer with the contract duration, the

214 unit price and the maximum number of units covered by the contract;

215 (3) Retains for a period of not less than one year from the date of the
216 expiration of the contract, in a readily retrievable format, a recording
217 of the consumer affirmation to each such term and condition;

218 (4) Sends the consumer a letter confirming the consumer's
219 agreement to such terms and conditions, with a written copy of the
220 terms and conditions agreed to; and

221 (5) Retains a copy of each such letter.

222 (e) No heating fuel dealer shall deliver heating fuel without placing
223 the unit price, clearly indicated as such, the total number of gallons or
224 units sold and the amount of any fee, charge or surcharge allowed
225 pursuant to this section in a conspicuous place on the delivery ticket
226 given to the consumer or an agent of the consumer at the time of
227 delivery. No heating fuel dealer shall bill or otherwise attempt to
228 collect from any consumer of heating fuel an amount that exceeds the
229 unit price multiplied by the total number of gallons or units stated on
230 the delivery ticket, plus the amount of any fee, charge or surcharge
231 allowed pursuant to this section and stated on the delivery ticket.

232 (f) No heating fuel dealer shall assess a fee, charge or surcharge on
233 any delivery, including, but not limited to, any delivery under an
234 automatic delivery agreement, initiated by the dealer to a consumer.

235 (g) No heating fuel dealer shall assess a fee, charge or surcharge on
236 the price per gallon or total delivery charge for any heating fuel
237 delivery initiated by a consumer, except when:

238 (1) The heating fuel delivery is less than one hundred gallons;

239 (2) The heating fuel delivery is made outside the normal service area
240 of the dealer;

241 (3) The heating fuel delivery is made outside the normal business

242 hours of the dealer; or

243 (4) The dealer incurs extraordinary labor costs for the heating fuel
244 delivery.

245 (h) Except for the underground tank addendum required pursuant
246 to subdivision (3) of subsection (a) of this section, the provisions of this
247 section shall not apply to existing customers of a heating fuel dealer on
248 July 1, 2013, who have valid written contracts on said date. The
249 provisions of this section shall apply as of the renewal or expiration
250 dates of such contracts.

251 (i) A consumer shall have the right to cancel [his or her] the
252 consumer's relationship with a heating fuel dealer without penalty for
253 an above-ground tank that is lent or leased if such relationship is based
254 upon either an oral agreement or a course of dealing. No tank removal
255 charge or forfeiture of unused heating fuel shall be permitted if a
256 consumer cancels such relationship. The consumer shall be entitled to
257 a refund of all unused heating fuel at the same price at which the
258 consumer purchased such heating fuel.

259 (j) The Commissioner of Consumer Protection may adopt
260 regulations pursuant to chapter 54 to: (1) Establish a consumer bill of
261 rights regarding home heating dealers; [] (2) require heating fuel
262 dealers to provide consumers with such consumer bill of rights prior to
263 entering into a contract; [] and (3) permit home heating dealers to post
264 such consumer bill of rights on their Internet web sites or record and
265 play back such consumer bill of rights when consumers call the offices
266 of such heating fuel dealers.

267 (k) A violation of the provisions of this section shall be an unfair
268 trade practice under subsection (a) of section 42-110b.

269 (l) [Any] (1) Except as provided in subdivision (2) of this subsection,
270 any heating fuel dealer who violates any provision of this section shall
271 be fined not more than five hundred dollars for the first offense, not
272 more than seven hundred fifty dollars for a second offense occurring

273 not more than three years after a prior offense and not more than one
274 thousand five hundred dollars for a third or subsequent offense
275 occurring not more than three years after a prior offense.

276 (2) Any heating fuel dealer who violates any provision of
277 subdivision (1) of subsection (a) of this section may be fined not more
278 than two hundred fifty dollars per violation in accordance with the
279 provisions of section 51-164n.

280 Sec. 3. Subsection (b) of section 20-280e of the general statutes is
281 repealed and the following is substituted in lieu thereof (*Effective from*
282 *passage*):

283 (b) (1) Any individual who has been convicted of any criminal
284 offense may request, at any time, that the [board] Department of
285 Consumer Protection determine whether such individual's criminal
286 conviction disqualifies [the] such individual from obtaining a
287 certificate or license issued or conferred [by the board] pursuant to this
288 chapter based on (A) the nature of the conviction and its relationship
289 to [the] such individual's ability to safely or competently perform the
290 duties or responsibilities associated with such certificate or license, (B)
291 information pertaining to the degree of rehabilitation of [the] such
292 individual, and (C) the time elapsed since the conviction or release of
293 [the] such individual.

294 (2) An individual making [such] a request under subdivision (1) of
295 this subsection shall [include (A)] make such request on a form, and in
296 a manner, prescribed by the Commissioner of Consumer Protection,
297 which form shall require the individual to (A) submit to state and
298 national criminal history records checks conducted in accordance with
299 section 29-17a, and (B) provide details of the individual's criminal
300 conviction. [, and (B)] Such individual shall make any payment
301 required by the [board. The board] department to cover the cost of
302 conducting such criminal history records checks concerning such
303 individual, and the department may charge [a] an administrative
304 processing fee of not more than fifteen dollars for each request made

305 under this subsection. [The board may waive such fee.]

306 (3) Not later than thirty days after receiving a complete request
307 under subdivisions (1) and (2) of this subsection, the [board]
308 department shall inform the individual making such request whether,
309 based on the criminal record information submitted, such individual is
310 disqualified from receiving or holding a certificate or license issued
311 pursuant to this chapter.

312 (4) The [board] department is not bound by a determination made
313 under this section [.] if, upon further investigation, the [board]
314 department determines that the individual's criminal conviction differs
315 from the information presented in [the] such individual's
316 determination request made under this subsection.

317 Sec. 4. Subsection (b) of section 20-291 of the general statutes is
318 repealed and the following is substituted in lieu thereof (*Effective from*
319 *passage*):

320 (b) (1) Any individual who has been convicted of any criminal
321 offense may request, at any time, that the [commissioner] Department
322 of Consumer Protection determine whether such individual's criminal
323 conviction disqualifies [the] such individual from obtaining a
324 certificate or license issued or conferred [by the commissioner]
325 pursuant to this chapter based on (A) the nature of the conviction and
326 its relationship to [the] such individual's ability to safely or
327 competently perform the duties or responsibilities associated with
328 such certificate or license, (B) information pertaining to the degree of
329 rehabilitation of [the] such individual, and (C) the time elapsed since
330 the conviction or release of [the] such individual.

331 (2) An individual making [such] a request under subdivision (1) of
332 this subsection shall [include (A)] make such request on a form, and in
333 a manner, prescribed by the Commissioner of Consumer Protection,
334 which form shall require the individual to (A) submit to state and
335 national criminal history records checks conducted in accordance with

336 section 29-17a, and (B) provide details of the individual's criminal
337 conviction. [, and (B)] Such individual shall make any payment
338 required by the [commissioner. The commissioner] department to
339 cover the cost of conducting such criminal history records checks
340 concerning such individual, and the department may charge [a] an
341 administrative processing fee of not more than fifteen dollars for each
342 request made under this subsection. [The commissioner may waive
343 such fee.]

344 (3) Not later than thirty days after receiving a complete request
345 under subdivisions (1) and (2) of this subsection, the [commissioner]
346 department shall inform the individual making such request whether,
347 based on the criminal record information submitted, such individual is
348 disqualified from receiving or holding a certificate or license issued
349 pursuant to this chapter.

350 (4) The [commissioner] department is not bound by a determination
351 made under this section [,] if, upon further investigation, the
352 [commissioner] department determines that the individual's criminal
353 conviction differs from the information presented in [the] such
354 individual's determination request made under this subsection.

355 Sec. 5. Section 20-295b of the general statutes is repealed and the
356 following is substituted in lieu thereof (*Effective from passage*):

357 (a) Any person who, on October 1, 1969, holds a certificate of
358 authority or renewal issued pursuant to sections 20-295 and 20-295a of
359 the general statutes, revised to 1968, shall be entered on the roster of
360 licensed architects and shall thereafter be authorized and entitled to
361 practice architecture in accordance with the provisions of this chapter.

362 (b) An architect licensed in this state may perform the work of an
363 interior designer [,] as prescribed in chapter 396a without obtaining a
364 certificate of registration as an interior designer under said chapter.
365 Except as provided in subsection (c) of this section, an architect
366 licensed in this state shall not be required to satisfy the continuing

367 education requirements for registered interior designers established in
368 subsections (f) and (g) of section 20-377s if such architect satisfies all
369 continuing education requirements set forth in this chapter necessary
370 for such architect to maintain such license.

371 (c) An architect licensed in this state who holds a certificate of
372 registration as an interior designer issued under chapter 396a shall be
373 subject to (1) the continuing education requirements for registered
374 interior designers established in subsections (f) and (g) of section 20-
375 377s, and (2) the fee for renewal of such certificate of registration
376 established in subsection (e) of section 20-377s.

377 Sec. 6. Subsection (d) of section 20-334 of the general statutes is
378 repealed and the following is substituted in lieu thereof (*Effective from*
379 *passage*):

380 (d) (1) Any individual who has been convicted of any criminal
381 offense may request, at any time, that the [commissioner] Department
382 of Consumer Protection determine whether such individual's criminal
383 conviction disqualifies [the] such individual from obtaining a [license
384 or] certificate or license issued or conferred [by the commissioner]
385 pursuant to this chapter based on (A) the nature of the conviction and
386 its relationship to [the] such individual's ability to safely or
387 competently perform the duties or responsibilities associated with
388 such certificate or license, (B) information pertaining to the degree of
389 rehabilitation of [the] such individual, and (C) the time elapsed since
390 the conviction or release of [the] such individual.

391 (2) An individual making [such] a request under subdivision (1) of
392 this subsection shall [include (A)] make such request on a form, and in
393 a manner, prescribed by the Commissioner of Consumer Protection,
394 which form shall require the individual to (A) submit to state and
395 national criminal history records checks conducted in accordance with
396 section 29-17a, and (B) provide details of the individual's criminal
397 conviction. [, and (B)] Such individual shall make any payment
398 required by the [commissioner. The commissioner] department to

399 cover the cost of conducting such criminal history records checks
400 concerning such individual, and the department may charge [a] an
401 administrative processing fee of not more than fifteen dollars for each
402 request made under this subsection. [The commissioner may waive
403 such fee.]

404 (3) Not later than thirty days after receiving a complete request
405 under subdivisions (1) and (2) of this subsection, the [commissioner]
406 department shall inform the individual making such request whether,
407 based on the criminal record information submitted, such individual is
408 disqualified from receiving or holding a [license or] certificate or
409 license issued pursuant to this chapter.

410 (4) The [commissioner] department is not bound by a determination
411 made under this section [.] if, upon further investigation, the
412 [commissioner] department determines that the individual's criminal
413 conviction differs from the information presented in [the] such
414 individual's determination request made under this subsection.

415 Sec. 7. Section 20-341 of the general statutes is repealed and the
416 following is substituted in lieu thereof (*Effective from passage*):

417 (a) Any person who wilfully engages in or practices the work or
418 occupation for which a license is required by this chapter or chapter
419 399b without having first obtained an apprentice permit or a certificate
420 and license for such work, as applicable, or who wilfully employs or
421 supplies for employment a person who does not have a certificate and
422 license for such work, or who wilfully and falsely pretends to qualify
423 to engage in or practice such work or occupation, including, but not
424 limited to, offering to perform such work in any print, electronic,
425 television or radio advertising or listing when such person does not
426 hold a license for such work as required by this chapter, or who
427 wilfully engages in or practices any of the work or occupations for
428 which a license is required by this chapter after the expiration of such
429 person's license, shall be guilty of a class B misdemeanor, except that
430 no criminal charges shall be instituted against such person pursuant to

431 this subsection unless the work activity in question is reviewed by the
432 Commissioner of Consumer Protection, or the commissioner's
433 authorized agent, and the commissioner or such agent specifically
434 determines, in writing, that such work activity requires a license and is
435 not the subject of a bona fide dispute between persons engaged in any
436 trade or craft, whether licensed or unlicensed. Notwithstanding the
437 provisions of subsection (d) or (e) of section 53a-29 and subsection (d)
438 of section 54-56e, if the court determines that such person cannot fully
439 repay any victims of such person within the period of probation
440 established in subsection (d) or (e) of section 53a-29 or subsection (d) of
441 section 54-56e, the court may impose probation for a period of not
442 more than five years. The penalty provided in this subsection shall be
443 in addition to any other penalties and remedies available under this
444 chapter or chapter 416.

445 (b) The Commissioner of Consumer Protection may order any
446 person who is not registered as an apprenticeship sponsor with the
447 Labor Department and who advertises, offers, engages in or practices
448 the work of a program of apprenticeship training for the purpose of
449 providing the experience necessary to obtain a journeyperson's license
450 under this chapter without first registering such program with the
451 Labor Department pursuant to sections 31-22m to 31-22v, inclusive, to
452 immediately cease and desist such advertising, offer, engagement or
453 practice until such person and program are properly registered with
454 the Labor Department pursuant to sections 31-22m to 31-22v, inclusive.
455 The Commissioner of Consumer Protection may, after a hearing held
456 in accordance with chapter 54, impose a fine in an amount not to
457 exceed five thousand dollars for each violation of this subsection.

458 (c) The Commissioner of Consumer Protection may order any
459 person who is registered as an apprenticeship sponsor with the Labor
460 Department to provide a program of apprenticeship training pursuant
461 to sections 31-22m to 31-22v, inclusive, for the purpose of providing
462 the experience necessary to obtain a journeyperson's license under this
463 chapter and who employs an individual as an apprentice without first

464 verifying that such individual is registered as an apprentice under this
465 chapter to immediately cease and desist any conduct for which an
466 apprenticeship registration is required under this chapter. The
467 commissioner may, after a hearing held in accordance with chapter 54,
468 impose a fine in an amount not to exceed five thousand dollars for
469 each violation of this subsection.

470 [(b)] (d) The appropriate examining board or the Commissioner of
471 Consumer Protection may, after notice and a hearing conducted in
472 accordance with chapter 54, impose a civil penalty for each violation
473 on any person who (1) engages in or practices the work or occupation
474 for which a license or apprentice registration certificate is required by
475 this chapter, chapter 394, chapter 399b or chapter 482 without having
476 first obtained such a license or certificate, or (2) wilfully employs or
477 supplies for employment a person who does not have such a license or
478 certificate or who wilfully and falsely pretends to qualify to engage in
479 or practice such work or occupation, or (3) engages in or practices any
480 of the work or occupations for which a license or certificate is required
481 by this chapter, chapter 394, chapter 399b or chapter 482 after the
482 expiration of the license or certificate, or (4) violates any of the
483 provisions of this chapter, chapter 394, chapter 399b or chapter 482 or
484 the regulations adopted pursuant thereto. Such penalty shall be in an
485 amount not [more than one thousand dollars for a first violation of this
486 subsection, not more than one thousand five hundred dollars for a
487 second violation of this subsection and not more than] to exceed three
488 thousand dollars for each violation of this subsection, [occurring less
489 than three years after a second or subsequent violation of this
490 subsection,] except that any individual employed as an apprentice but
491 improperly registered shall not be penalized for a first offense.

492 [(c)] (e) If an examining board or the Commissioner of Consumer
493 Protection imposes a civil penalty under the provisions of subsection
494 [(b)] (d) of this section as a result of a violation initially reported by [,]
495 a municipal building official in accordance with subsection (c) of
496 section 29-261, the commissioner shall, not less than sixty days after

497 collecting such civil penalty, remit one-half of the amount collected to
498 such municipality.

499 [(d)] (f) A violation of any of the provisions of this chapter shall be
500 deemed an unfair or deceptive trade practice under subsection (a) of
501 section 42-110b.

502 [(e)] (g) This section shall not apply to any person who (1) holds a
503 license issued under this chapter, chapter 394, chapter 399b or chapter
504 482 and performs work that is incidentally, directly and immediately
505 appropriate to the performance of such person's trade where such
506 work commences at an outlet, receptacle or connection previously
507 installed by a person holding the proper license, or (2) engages in work
508 that does not require a license under this chapter, chapter 394, chapter
509 399b or chapter 482.

510 Sec. 8. Subsection (d) of section 20-341gg of the general statutes is
511 repealed and the following is substituted in lieu thereof (*Effective from*
512 *passage*):

513 (d) (1) Any individual who has been convicted of any criminal
514 offense may request, at any time, that the [commissioner] Department
515 of Consumer Protection determine whether such individual's criminal
516 conviction disqualifies [the] such individual from obtaining a
517 registration issued or conferred by the commissioner pursuant to this
518 section based on (A) the nature of the conviction and its relationship to
519 [the] such individual's ability to safely or competently perform the
520 duties or responsibilities associated with such [license] registration, (B)
521 information pertaining to the degree of rehabilitation of [the] such
522 individual, and (C) the time elapsed since the conviction or release of
523 [the] such individual.

524 (2) An individual making [such] a request under subdivision (1) of
525 this subsection shall [include (A)] make such request on a form, and in
526 a manner, prescribed by the Commissioner of Consumer Protection,
527 which form shall require the individual to (A) submit to state and

528 national criminal history records checks conducted in accordance with
529 section 29-17a, and (B) provide details of the individual's criminal
530 conviction. [, and (B)] Such individual shall make any payment
531 required by the [commissioner. The commissioner] department to
532 cover the cost of conducting such criminal history records checks
533 concerning such individual, and the department may charge [a] an
534 administrative processing fee of not more than fifteen dollars for each
535 request made under this subsection. [The commissioner may waive
536 such fee.]

537 (3) Not later than thirty days after receiving a complete request
538 under subdivisions (1) and (2) of this subsection, the [commissioner]
539 department shall inform the individual making such request whether,
540 based on the criminal record information submitted, such individual is
541 disqualified from receiving or holding a registration issued pursuant
542 to this section.

543 (4) The [commissioner] department is not bound by a determination
544 made under this section [,] if, upon further investigation, the
545 [commissioner] department determines that the individual's criminal
546 conviction differs from the information presented in [the] such
547 individual's determination request made under this subsection.

548 Sec. 9. Section 20-417b of the general statutes is repealed and the
549 following is substituted in lieu thereof (*Effective from passage*):

550 (a) No person shall engage in the business of new home
551 construction or hold [himself or herself] such person out as a new
552 home construction contractor unless such person has been issued a
553 certificate of registration by the commissioner in accordance with the
554 provisions of sections 20-417a to [~~20-417j~~] 20-417k, inclusive. No new
555 home construction contractor shall be relieved of responsibility for the
556 conduct and acts of [its] such new home construction contractor's
557 agents, employees or officers by reason of such new home construction
558 contractor's compliance with the provisions of sections 20-417a to [~~20-~~
559 ~~417j~~] 20-417k, inclusive.

560 (b) Any person seeking a certificate of registration shall apply to the
561 commissioner, online, on a form provided by the commissioner. The
562 application shall include (1) the applicant's name, business street
563 address and business telephone number, (2) the identity of the insurer
564 that provides the applicant with insurance coverage for liability, (3) if
565 such applicant is required by any provision of the general statutes to
566 have workers' compensation coverage, the identity of the insurer that
567 provides the applicant with such workers' compensation coverage, (4)
568 if such applicant is required by any provision of the general statutes to
569 have an agent for service of process, the name and address of such
570 agent, and (5) proof of general liability insurance coverage in an
571 amount not less than twenty thousand dollars, demonstrated by
572 providing the policy number and business name of the insurance
573 provider. Each such application shall be accompanied by a fee of one
574 hundred twenty dollars, except that no such application fee shall be
575 required if such person has paid the registration fee required under
576 section 20-421, as amended by this act, during any year in which such
577 person's registration as a new home construction contractor would be
578 valid.

579 (c) Certificates issued to new home construction contractors shall
580 not be transferable or assignable, except when the holder of a
581 certificate, who is engaged in the business, changes the name or form
582 of such business.

583 (d) ~~[All]~~ (1) Except as provided in subdivision (2) or (3) of this
584 subsection, all certificates issued under the provisions of sections 20-
585 417a to [20-417j] 20-417k, inclusive, shall expire annually [. The] on the
586 thirty-first day of March, and the fee charged for renewal of such a
587 certificate shall be the same as the fee charged for [an] the original
588 application [, except that no] for such certificate.

589 (2) No renewal fee is due if a person seeking renewal of a certificate
590 has paid the registration fee under section 20-427, as amended by this
591 act, during any year in which such person's registration as a new home
592 construction contractor would be valid.

593 (3) A new home construction contractor that holds a certificate of
594 registration issued in accordance with sections 20-417a to 20-417k,
595 inclusive, that expires on September 30, 2023, shall renew such
596 certificate of registration on or before the renewal date established for
597 the eighteen-month period beginning October 1, 2023, and ending
598 March 31, 2025, and shall pay a prorated renewal fee in the amount of
599 one hundred eighty dollars, a prorated fee due under subsection (b) of
600 section 20-417i in the amount of three hundred sixty dollars and a
601 prorated fee due under subsection (b) of section 20-432, as amended by
602 this act, in the amount of one hundred fifty dollars if such new home
603 construction contractor has opted to engage in home improvement
604 under subsection (f) of this section.

605 [(e) All certificates issued under the provisions of this chapter shall
606 expire annually on the thirty-first day of March. The fee for renewal of
607 a certificate shall be the same as charged for the original application.]

608 [(f)] (e) Failure to receive a notice of expiration or a renewal
609 application shall not exempt a new home construction contractor from
610 the obligation to renew.

611 [(g)] (f) The holder of a certificate of registration issued by the
612 commissioner in accordance with the provisions of sections 20-417a to
613 [20-417j] 20-417k, inclusive, may opt to engage in home improvement,
614 as defined in section 20-419, as amended by this act. If a new home
615 construction contractor does opt to engage in such home
616 improvement, such new home construction contractor shall first notify
617 the commissioner in writing and shall pay to the Department of
618 Consumer Protection any fee due to the Home Improvement Guaranty
619 Fund pursuant to section 20-432, as amended by this act.

620 Sec. 10. Section 20-419 of the general statutes is repealed and the
621 following is substituted in lieu thereof (*Effective from passage*):

622 As used in this chapter, unless the context otherwise requires:

623 (1) "Business entity" means an association, corporation, limited

624 liability company, limited liability partnership or partnership.

625 [(1)] (2) "Certificate" means a certificate of registration issued under
626 section 20-422.

627 [(2)] (3) "Commissioner" means (A) the Commissioner of Consumer
628 Protection, [or] and (B) any person designated by the commissioner to
629 administer and enforce this chapter.

630 [(3)] (4) (A) "Contractor" means any person who (i) owns and
631 operates a home improvement business, or [who] (ii) undertakes,
632 offers to undertake or agrees to perform any home improvement.

633 (B) "Contractor" does not include a person for whom the total price
634 of all of [his] such person's home improvement contracts with all of
635 [his] such person's customers does not exceed one thousand dollars
636 during any period of twelve consecutive months.

637 [(4)] (5) (A) "Home improvement" includes, but is not limited to, the
638 repair, replacement, remodeling, alteration, conversion,
639 modernization, improvement, rehabilitation or sandblasting of, or
640 addition to, any land or building or that portion thereof which is used
641 or designed to be used as a private residence, dwelling place or
642 residential rental property, or the construction, replacement,
643 installation or improvement of alarm systems not requiring electrical
644 work, as defined in section 20-330, driveways, swimming pools,
645 porches, garages, roofs, siding, insulation, sunrooms, flooring, patios,
646 landscaping, fences, doors and windows, waterproofing, water, fire or
647 storm restoration or mold remediation in connection with such land or
648 building or that portion thereof which is used or designed to be used
649 as a private residence, dwelling place or residential rental property or
650 the removal or replacement of a residential underground heating oil
651 storage tank system, in which the total price for all work agreed upon
652 between the contractor and owner or proposed or offered by the
653 contractor exceeds two hundred dollars.

654 (B) "Home improvement" does not include [:(A) The] (i) the

655 construction of a new home; [; (B)] (ii) the sale of goods or materials by
656 a seller who neither arranges to perform nor performs, directly or
657 indirectly, any work or labor in connection with the installation or
658 application of the goods or materials; [; (C)] (iii) the sale of goods or
659 services furnished for commercial or business use or for resale,
660 provided commercial or business use does not include use as
661 residential rental property; [; (D)] (iv) the sale of appliances, such as
662 stoves, refrigerators, freezers, room air conditioners and others, which
663 are designed for and are easily removable from the premises without
664 material alteration thereof; [; (E)] (v) tree or shrub cutting or the
665 grinding of tree stumps; [; (F)] (vi) any work performed without
666 compensation by the owner on such owner's own private
667 residence or residential rental property.

668 [(5)] (6) "Home improvement contract" means an agreement
669 between a contractor and an owner for the performance of a home
670 improvement.

671 [(6)] (7) "Owner" means a person who owns or resides in a private
672 residence and includes any agent thereof, including, but not limited to,
673 a condominium association. An owner of a private residence shall not
674 be required to reside in such residence to be deemed an owner under
675 this subdivision.

676 [(7)] (8) "Person" means an individual [, partnership, limited liability
677 company or corporation] or a business entity.

678 [(8)] (9) "Private residence" means a single family dwelling, a
679 multifamily dwelling consisting of not more than six units, or a unit,
680 common element or limited common element in a condominium, as
681 defined in section 47-68a, or in a common interest community, as
682 defined in section 47-202, or any number of condominium units for
683 which a condominium association acts as an agent for such unit
684 owners.

685 [(9)] (10) "Salesman" means any individual who (A) negotiates or

686 offers to negotiate a home improvement contract with an owner, or (B)
687 solicits or otherwise endeavors to procure by any means whatsoever,
688 directly or indirectly, a home improvement contract from an owner on
689 behalf of a contractor.

690 [(10)] (11) "Residential rental property" means a single family
691 dwelling, a multifamily dwelling consisting of not more than six units,
692 or a unit, common element or limited common element in a
693 condominium, as defined in section 47-68a, or in a common interest
694 community, as defined in section 47-202, which is not owner-occupied.

695 [(11)] (12) "Residential underground heating oil storage tank
696 system" means an underground storage tank system used with or
697 without ancillary components in connection with real property
698 composed of four or less residential units.

699 [(12)] (13) "Underground storage tank system" means an
700 underground tank or combination of tanks, with any underground
701 pipes or ancillary equipment or containment systems connected to
702 such tank or tanks, used to contain an accumulation of petroleum,
703 which volume is ten per cent or more beneath the surface of the
704 ground.

705 Sec. 11. Section 20-420 of the general statutes is repealed and the
706 following is substituted in lieu thereof (*Effective from passage*):

707 (a) No person shall hold [himself or herself] such person out to be a
708 contractor or salesperson without first obtaining a certificate of
709 registration from the commissioner as provided in this chapter, except
710 (1) that an individual or partner, or officer or director of a corporation
711 registered as a contractor shall not be required to obtain a salesperson's
712 certificate, and (2) as provided in subsections (e) and (f) of this section.
713 No certificate shall be given to any person who holds [himself or
714 herself] such person out to be a contractor that performs radon
715 mitigation unless such contractor provides evidence, satisfactory to the
716 commissioner, that the contractor is certified as a radon mitigator by

717 the National Radon Safety Board or the National Environmental
718 Health Association. No certificate shall be given to any person who
719 holds [himself or herself] such person out to be a contractor that
720 performs removal or replacement of any residential underground
721 heating oil storage tank system unless such contractor provides
722 evidence, satisfactory to the commissioner, that the contractor (A) has
723 completed a hazardous material training program approved by the
724 Department of Energy and Environmental Protection, and (B) has
725 presented evidence of liability insurance coverage of one million
726 dollars.

727 (b) No contractor shall employ any salesman to procure business
728 from an owner unless the salesman is registered under this chapter.

729 (c) No individual shall act as a home improvement salesman for an
730 unregistered contractor.

731 (d) On and after July 1, 2008, a home improvement contractor shall
732 not perform gas hearth product work, as defined in subdivision (22) of
733 section 20-330, unless such home improvement contractor holds a
734 limited contractor or journeyman gas hearth installer license pursuant
735 to section 20-334f.

736 (e) A retail establishment, which is a business that operates from a
737 fixed location where goods or services are offered for sale, may apply
738 annually for a certificate of registration as a salesperson on behalf of its
739 employees if it employs or otherwise compensates one or more
740 salespersons whose solicitation, negotiation and completion of sales
741 are conducted entirely at the retail establishment or virtually or by
742 phone. The retail establishment shall [: (1) Apply] (1) apply for such
743 registration on a form prescribed by the commissioner, (2) maintain a
744 list of all salespersons intended to be covered by the retailer's
745 certificate of registration, and (3) pay a fee equal to the amount that
746 would be due if each person were to apply individually for a certificate
747 of registration, including the amount that would be due under the
748 guaranty fund. The list of salespersons covered by the retailer's

749 certificate of registration shall be made available to the department
750 upon request. If any person covered by the retail establishment's
751 salesperson certificate of registration conducts activity covered by the
752 salesperson credential at a place other than the retail establishment or
753 virtually or by phone, such person shall apply for an individual
754 salesperson certificate of registration using the form prescribed by the
755 commissioner for such registrations and shall pay the corresponding
756 application fee.

757 (f) Certificates of registration for salespersons issued to retail
758 establishments shall not be transferable or assignable, except a retail
759 establishment that is a holder of a salesperson certificate may remove
760 an existing or former employee currently listed on the certification of
761 registration and replace such person with a new or existing employee
762 employed as a salesperson. If the retail establishment adds or removes
763 salespeople, there shall be no refund or supplemental payment. The
764 fee shall be based on the number of salespeople at the time of each
765 renewal.

766 (g) A contractor or salesperson shall update, through the
767 department's online licensing system, any application information the
768 contractor or salesperson has provided to the department pursuant to
769 this section, including, but not limited to, any contact information,
770 insurance information or criminal history for such contractor or
771 salesperson, or, if such contractor is a business entity, criminal
772 histories of the individual owners of such business entity, not later
773 than thirty days after any change in such information.

774 Sec. 12. Section 20-420a of the general statutes is repealed and the
775 following is substituted in lieu thereof (*Effective from passage*):

776 (a) No [corporation] business entity shall perform or offer to
777 perform home improvements in this state unless such [corporation]
778 business entity has been issued a certificate of registration by the
779 commissioner. No such [corporation] business entity shall be relieved
780 of responsibility for the conduct and acts of its agents, employees or

781 officers by reason of its compliance with the provisions of this section,
782 nor shall any individual contractor be relieved of responsibility for
783 home improvements performed by reason of [his] such individual
784 contractor's employment or relationship with such [corporation]
785 business entity.

786 (b) A [qualifying corporation] business entity desiring a certificate
787 of registration shall apply to the commissioner, online, on a form
788 provided by the commissioner. The application shall (1) state the name
789 and address of such [corporation] business entity, the city or town and
790 the street and number where such [corporation] business entity is to
791 maintain its principal place of business in this state and the names and
792 addresses of [officers; and] its individual owners, (2) contain a
793 [statement that] list of one or more individuals who shall direct,
794 supervise or perform home improvements for such [corporation are
795 registered home improvement contractors] business entity, (3) require
796 each individual owner of such business entity to disclose whether such
797 individual owner has been found guilty or convicted as a result of an
798 act which (A) constitutes a felony under the laws of this state or federal
799 law, or (B) was committed in another jurisdiction but, if committed in
800 this state, would constitute a felony under the laws of this state, and (4)
801 such other information as the commissioner may require.

802 (c) Any certificate issued by the commissioner pursuant to this
803 section may be revoked, suspended, or have conditions placed upon
804 the holder of the certificate by the commissioner after notice and a
805 hearing in accordance with the provisions of chapter 54 concerning
806 contested cases, if it is shown that the holder of such certificate has not
807 conformed to the requirements of this chapter, that the certificate was
808 obtained through fraud or misrepresentation or that [the contractor of
809 record employed by or acting on behalf of such corporation has had
810 his certificate of registration suspended or revoked by the
811 commissioner] any individual owner of such home improvement
812 contractor, if such registrant is a business entity, has been convicted of
813 a crime that would preclude such registrant from holding such

814 registration in accordance with section 46a-80. The commissioner may
815 refuse to issue or renew a certificate if any facts exist which would
816 entitle the commissioner to suspend or revoke an existing certificate.

817 (d) Each such [corporation] business entity shall file with the
818 commissioner, upon application or renewal thereof, a designation of
819 an individual or individuals registered to perform home
820 improvements in this state who shall direct or supervise the
821 performance of home improvements by such [corporation] business
822 entity in this state. [Such corporation shall notify the commissioner of
823 any change in such designation within thirty days after such change
824 becomes effective.]

825 (e) Each such [corporation] business entity shall [file with the
826 commissioner] confirm, upon application or renewal thereof, [a
827 certificate of] that such applicant business entity is in good standing
828 [issued by the office of] with the Secretary of the State. Such
829 corporation shall notify the commissioner of any change in [corporate
830 good] such standing [within] not later than thirty days after such
831 change becomes effective.

832 (f) Each such business entity shall maintain a list of all of such
833 business entity's employees and contractors, and all employment
834 documents associated with such employees and contractors, in an
835 auditable format for at least four taxable years. Such business entity
836 shall, upon request by the commissioner or the commissioner's
837 authorized representative, (1) immediately make such list and
838 documents available to the commissioner or the commissioner's
839 authorized representative for the purpose of inspecting and copying
840 such list and documents, and (2) produce copies of such list and
841 documents to the commissioner or the commissioner's authorized
842 representative not later than two business days after the commissioner
843 or the commissioner's authorized representative requests such copies.
844 Such business entity shall make such list, documents and copies
845 available to the commissioner or the commissioner's authorized
846 representative in an electronic format unless it is not commercially

847 practical for such business entity to make such list, documents and
848 copies available to the commissioner or the commissioner's authorized
849 representative in an electronic format.

850 Sec. 13. Section 20-421 of the general statutes is repealed and the
851 following is substituted in lieu thereof (*Effective from passage*):

852 (a) Any person seeking a certificate of registration shall apply to the
853 commissioner online, on a form provided by the commissioner. The
854 application shall include (1) the applicant's name, residence address,
855 business address, business telephone number [,] and electronic mail
856 address, (2) a statement by the applicant disclosing whether the
857 applicant has been found guilty or convicted as a result of an act which
858 (A) constitutes a felony under the laws of this state or federal law, or
859 (B) was committed in another jurisdiction but, if committed in this
860 state, would constitute a felony under the laws of this state, (3) proof
861 that the applicant has obtained general liability insurance coverage in
862 an amount not less than twenty thousand dollars, demonstrated by
863 providing the policy number and business name of the insurance
864 provider, and (4) such other information as the commissioner may
865 require.

866 (b) Each application for a certificate of registration as a home
867 improvement contractor shall be accompanied by a fee of one hundred
868 twenty dollars, except that no such application fee shall be required in
869 any year during which such person has paid the registration fee
870 required under section 20-417b, as amended by this act, or in any year
871 in which such person's registration as a new home construction
872 contractor is valid.

873 (c) Each application for a certificate of registration as a salesman
874 shall be accompanied by a fee of one hundred twenty dollars.

875 (d) The application fee for a certificate of registration as a home
876 improvement contractor acting solely as the contractor of record for a
877 [corporation] business entity, shall be waived, provided the contractor

878 of record shall use such registration for the sole purpose of directing,
879 supervising or performing home improvements for such [corporation]
880 business entity.

881 Sec. 14. Subsection (a) of section 20-426 of the general statutes is
882 repealed and the following is substituted in lieu thereof (*Effective from*
883 *passage*):

884 (a) The commissioner may revoke, suspend or refuse to issue or
885 renew any certificate of registration as a home improvement contractor
886 or salesperson or place a registrant on probation or issue a letter of
887 reprimand [for: (1) Conduct] (1) for conduct of a character likely to
888 mislead, deceive or defraud the public or the commissioner, [;] (2) for
889 engaging in any untruthful or misleading advertising, [;] (3) for failing
890 to reimburse the guaranty fund established pursuant to section 20-432,
891 as amended by this act, for any moneys paid to an owner pursuant to
892 subsection (o) of section 20-432, [;] (4) for unfair or deceptive business
893 practices, [;] (5) subject to section 46a-80, based on a felony conviction
894 of an individual registrant or an individual owner of a registrant that is
895 a business entity; or [(5)] (6) for violation of any of the provisions of the
896 general statutes relating to home improvements or any regulation
897 adopted pursuant to any of such provisions. The commissioner may
898 refuse to issue or renew any certificate of registration as a home
899 improvement contractor or salesperson of any person subject to the
900 registration requirements of chapter 969.

901 Sec. 15. Subsection (d) of section 20-427 of the general statutes is
902 repealed and the following is substituted in lieu thereof (*Effective from*
903 *passage*):

904 (d) The commissioner may, after notice and a hearing in accordance
905 with the provisions of chapter 54, impose a civil penalty on any person
906 who engages in or practices the work or occupation for which a
907 certificate of registration is required by this chapter without having
908 first obtained such a certificate of registration or who wilfully employs
909 or supplies for employment a person who does not have such a

910 certificate of registration or who wilfully and falsely pretends to
911 qualify to engage in or practice such work or occupation, or who
912 engages in or practices any of the work or occupations for which a
913 certificate of registration is required by this chapter after the expiration
914 of such person's certificate of registration or who violates any of the
915 provisions of this chapter or the regulations adopted pursuant thereto.
916 Such penalty shall be in an amount not more than [five hundred
917 dollars for a first violation of this subsection, not more than seven
918 hundred fifty dollars for a second violation of this subsection occurring
919 not more than three years after a prior violation, not more than] one
920 thousand five hundred dollars [for a third or subsequent violation of
921 this subsection occurring not more than three years after a prior
922 violation and, in the case of radon mitigation work, such penalty shall
923 be not less than two hundred fifty dollars] per violation. Any civil
924 penalty collected pursuant to this subsection shall be deposited in the
925 consumer protection enforcement account established in section 21a-
926 8a.

927 Sec. 16. Subsection (b) of section 20-432 of the general statutes is
928 repealed and the following is substituted in lieu thereof (*Effective from*
929 *passage*):

930 (b) Each salesman who receives a certificate pursuant to this chapter
931 shall pay a fee of forty dollars annually. Each contractor (1) who
932 receives a certificate pursuant to this chapter, or (2) receives a
933 certificate pursuant to chapter 399a and has opted to engage in home
934 improvement pursuant to subsection [(g)] (f) of section 20-417b, as
935 amended by this act, shall pay a fee of one hundred dollars annually to
936 the guaranty fund. Such fee shall be payable with the fee for an
937 application for a certificate or renewal thereof. The annual fee for a
938 contractor who receives a certificate of registration as a home
939 improvement contractor acting solely as the contractor of record for a
940 corporation shall be waived, provided the contractor of record shall
941 use such registration for the sole purpose of directing, supervising or
942 performing home improvements for such corporation.

943 Sec. 17. Subsection (m) of section 20-540 of the general statutes is
944 repealed and the following is substituted in lieu thereof (*Effective from*
945 *passage*):

946 (m) (1) Any individual who has been convicted of any criminal
947 offense may request, at any time, that the [commissioner] Department
948 of Consumer Protection determine whether such individual's criminal
949 conviction disqualifies [the] such individual from obtaining a
950 certificate or license [or certificate] issued or conferred [by the
951 commissioner] pursuant to this section.

952 (2) An individual making [such] a request under subdivision (1) of
953 this subsection shall [include (A)] make such request on a form, and in
954 a manner, prescribed by the Commissioner of Consumer Protection,
955 which form shall require the individual to (A) submit to state and
956 national criminal history records checks conducted in accordance with
957 section 29-17a, and (B) provide details of the individual's criminal
958 conviction. [, and (B)] Such individual shall make any payment
959 required by the [commissioner. The commissioner] department to
960 cover the cost of conducting such criminal history records checks
961 concerning such individual, and the department may charge [a] an
962 administrative processing fee of not more than fifteen dollars for each
963 request made under this subsection. [The commissioner may waive
964 such fee.]

965 [(2)] (3) Not later than thirty days after receiving a complete request
966 under subdivisions (1) and (2) of this subsection, the [commissioner]
967 department shall inform the individual making such request whether,
968 based on the criminal record information submitted, such individual is
969 disqualified from receiving or holding a [license or] certificate or
970 license issued pursuant to this section.

971 [(3)] (4) The [commissioner] department is not bound by a
972 determination made under this section [,] if, upon further
973 investigation, the [commissioner] department determines that the
974 individual's criminal conviction differs from the information presented

975 in [the] such individual's determination request made under this
976 subsection.

977 Sec. 18. Section 20-677 of the general statutes is repealed and the
978 following is substituted in lieu thereof (*Effective from passage*):

979 (a) Each person obtaining a homemaker-companion agency
980 certificate of registration shall [: (1) Exhibit] (1) exhibit the agency's
981 certificate of registration upon request by any interested party, (2) state
982 in any advertisement the fact that the agency is registered, and (3)
983 include the agency's registration number in any advertisement.

984 (b) No person shall [: (1) Present] (1) present or attempt to present,
985 as such person's own, the certificate of another, (2) knowingly give
986 false evidence of a material nature to the Commissioner of Consumer
987 Protection for the purpose of procuring a certificate, (3) represent
988 [himself or herself] such person falsely as, or impersonate, a registered
989 homemaker-companion agency, (4) use or attempt to use a certificate
990 which has expired or which has been suspended or revoked, (5) offer
991 or provide homemaker services or companion services without having
992 a current certificate of registration under the provisions of sections 20-
993 670 to 20-680, inclusive, or (6) represent in any manner that such
994 person's registration constitutes an endorsement by the commissioner
995 of the quality of services provided by such person.

996 (c) In addition to any other remedy provided for in sections 20-670
997 to 20-676, inclusive, any person who violates any provision of
998 subsection (b) of this section shall be fined not more than one thousand
999 dollars or imprisoned not more than six months, or both.

1000 (d) Certificates issued to a homemaker-companion agency shall not
1001 be transferable or assignable. Prior to any sale or change in ownership
1002 of a registered homemaker-companion agency, each proposed new
1003 individual owner, or, if a proposed new owner is a business entity, the
1004 individual owners of such business entity, shall submit to state and
1005 national criminal history records checks as required under section 20-

1006 672, unless:

1007 (1) The proposed new owner (A) owns less than ten per cent of the
1008 shares or other equity interests in any publicly listed or traded
1009 homemaker-companion agency, and (B) will not engage in the day-to-
1010 day operations, or direct the management and policies, of the
1011 registered homemaker-companion agency that is the subject of the
1012 proposed sale or change in ownership;

1013 (2) The proposed new owner (A) owns less than five per cent of the
1014 shares or other equity interests in any private homemaker-companion
1015 agency, and (B) will not engage in the day-to-day operations, or direct
1016 the management and policies, of the registered homemaker-
1017 companion agency that is the subject of the proposed sale or change in
1018 ownership; or

1019 (3) The commissioner waives the requirement that a new
1020 application be filed under section 20-672.

1021 (e) All certificates issued under the provisions of sections 20-670 to
1022 20-680, inclusive, shall expire annually. The fee for renewal of a
1023 certificate shall be the same as the fee charged for an original
1024 application pursuant to section 20-672. Fees collected pursuant to the
1025 issuance of a certificate or renewal of a certificate shall be deposited in
1026 the General Fund.

1027 (f) Failure to receive a notice of expiration of registration or a
1028 renewal application shall not exempt a homemaker-companion agency
1029 from the obligation to renew.

1030 (g) Not later than ten days before a homemaker-companion agency
1031 ceases providing all homemaker services and companion services in
1032 this state, the homemaker-companion agency shall send a written
1033 notice to the Department of Consumer Protection disclosing the
1034 impending cessation and contact information that the department may
1035 use to contact such homemaker-companion agency to obtain
1036 additional information.

1037 (h) Not later than ten days before a homemaker-companion agency
1038 unilaterally ceases providing homemaker services or companion
1039 services to a person in this state, the homemaker-companion agency
1040 shall send a written notice to the person disclosing (1) the impending
1041 cessation, (2) how such person may transition to alternative care, (3)
1042 how such person shall be reimbursed for any prepaid homemaker
1043 services or companion services, and (4) contact information that such
1044 person may use to contact such homemaker-companion agency to
1045 obtain additional information.

1046 Sec. 19. Section 20-679 of the general statutes is repealed and the
1047 following is substituted in lieu thereof (*Effective from passage*):

1048 (a) A homemaker-companion agency shall disclose, in writing, to a
1049 person who is scheduled to receive homemaker services or companion
1050 services, or such person's authorized representative, the full legal
1051 name of the employee who will provide such services. The
1052 homemaker-companion agency shall make such disclosure to such
1053 person, or such person's authorized representative, before such
1054 employee enters such person's home.

1055 ~~[(a)]~~ (b) Not later than seven calendar days after the date on which a
1056 homemaker-companion agency commences providing homemaker
1057 services or companion services, such agency shall provide the person
1058 who receives [the] such services, or the authorized representative of
1059 such person, with a written contract or service plan that prescribes the
1060 anticipated scope, type, frequency, duration and cost of [the] such
1061 services. [provided by the agency.] In addition, any contract or service
1062 plan provided by a homemaker-companion agency to a person
1063 receiving homemaker services or companion services shall also
1064 provide conspicuous notice, in boldface type, disclosing (1) [of] the
1065 person's right to request changes to, or review of, the contract or
1066 service plan, (2) [of] that such agency shall provide at least sixty days'
1067 advance written notice to such person or such person's authorized
1068 representative disclosing any change in the rate charged for such
1069 services, (3) the employees of such agency who, pursuant to section 20-

1070 678 are required to submit to a comprehensive background check, [(3)]
1071 (4) that upon the request of such person or an authorized
1072 representative of such person, such agency shall provide such person
1073 or representative of such person with written notice that a
1074 comprehensive background check, as required pursuant to section 20-
1075 678, was performed for all employees of such agency performing
1076 homemaker services or companion services for such person, [(4)] (5)
1077 that such agency's records are available for inspection or audit by the
1078 Department of Consumer Protection, [(5)] (6) that the agency is not
1079 able to guarantee the extent to which its homemaker services or
1080 companion services will be covered under any insurance plan, and
1081 [(6)] (7) that such contract or service plan may be cancelled at any time
1082 by the client if such contract or service plan does not contain a specific
1083 period of duration. No contract or service plan for the provision of
1084 homemaker or companion services shall be valid against the person
1085 who receives the services or the authorized representative of such
1086 person, unless the contract or service plan has been signed by a duly
1087 authorized representative of the homemaker-companion agency and
1088 the person who receives the services or the authorized representative
1089 of such person. No change in the rate charged for homemaker services
1090 or companion services shall be valid against a person who is receiving
1091 such services unless the homemaker-companion agency providing
1092 such services provides at least sixty days' advance written notice to
1093 such person, or such person's authorized representative, disclosing
1094 such rate change. The requirements of this section shall not apply to
1095 homemaker services or companion services provided under the
1096 Connecticut home-care program for the elderly administered by the
1097 Department of Social Services in accordance with section 17b-342. A
1098 written contract or service plan between a homemaker-companion
1099 agency and a person receiving services or the authorized
1100 representative of such person shall not be enforceable against such
1101 person receiving services or authorized representative unless such
1102 written contract or service plan contains all of the requirements of this
1103 section.

1104 [(b)] (c) Nothing in this section shall preclude a homemaker-
1105 companion agency that has complied with subdivisions (1) to [(6)] (7),
1106 inclusive, of subsection [(a)] (b) of this section from the recovery of
1107 payment for work performed based on the reasonable value of
1108 homemaker services or companion services which were requested by
1109 the person receiving such services, provided the court determines that
1110 it would be inequitable to deny such recovery.

1111 Sec. 20. Subsections (c) to (f), inclusive, of section 21a-4 of the
1112 general statutes are repealed and the following is substituted in lieu
1113 thereof (*Effective from passage*):

1114 (c) The Commissioner of Consumer Protection may impose a [fine]
1115 late fee on any applicant who fails to renew a license, permit,
1116 certificate or registration [not later than] on or before the expiration
1117 date of such license, permit, certificate or registration. The amount of
1118 the [fine] late fee shall be equal to ten per cent of the renewal fee but
1119 shall not be less than ten dollars or more than one hundred dollars.

1120 (d) [Notwithstanding any other provision of the general statutes,
1121 each applicant whose license has lapsed for a period longer than the
1122 length of time allowing automatic reinstatement may apply for
1123 reinstatement to the appropriate board. Upon receipt of such
1124 application and payment of the fee, the department may, at its
1125 discretion, reinstate a lapsed license without examination, provided
1126 such application for reinstatement is accompanied by a notarized letter
1127 and supporting documentation attesting to the applicant's related
1128 work experience in their occupation or profession from the time he or
1129 she had let such license lapse. Such applicant, upon approval by the
1130 department, shall pay all back license and late fees in order for such
1131 license to be reinstated.] If the Department of Consumer Protection
1132 does not receive a completed license, permit, certificate or registration
1133 renewal application from an applicant on or before the expiration date
1134 of such license, permit, certificate or registration but the applicant
1135 submits a completed renewal application to the department not later
1136 than ninety days after such expiration date, the applicant shall pay any

1137 late fee imposed by the commissioner under subsection (c) of this
1138 section but shall not be required to apply for reinstatement under
1139 subsection (e) of this section.

1140 (e) When a license, permit, [certification] certificate or registration
1141 has lapsed for a period longer than ninety days after its expiration date
1142 or the length of time specified in any other provision of the general
1143 statutes allowing [automatic] for its reinstatement, [or the general
1144 statutes are silent as to the period of time during which reinstatement
1145 of the license, permit, certification or registration is permissible] an
1146 applicant may apply [for reinstatement to the department] to the
1147 Department of Consumer Protection to reinstate such lapsed license,
1148 permit, certificate or registration. Upon receipt of such completed
1149 reinstatement application and payment of the corresponding
1150 application fee, the department may, in the department's discretion
1151 and if such application [was] is made not later than three years after
1152 [the] such expiration date [allowing automatic reinstatement] or
1153 specified time, reinstate [the] such lapsed license, permit, [certification]
1154 certificate or registration without examination. The applicant, prior to
1155 reinstatement by the department, shall [pay all back license and late
1156 fees, unless the applicant attests] attest that [he or she] the applicant
1157 has not worked in the applicable occupation or profession in this state
1158 while [the] such license, permit, [certification] certificate or registration
1159 was lapsed, [in which case the applicant shall] pay the current year's
1160 renewal fee for reinstatement and take any continuing education
1161 required for the year preceding such reinstatement and the year of
1162 such reinstatement. If the applicant worked in the applicable
1163 occupation or profession in this state while such license, permit,
1164 certificate or registration was lapsed, the applicant shall pay all license
1165 and late fees due and owing for the period in which such license,
1166 permit, certificate or registration was lapsed and demonstrate to the
1167 department that the applicant has completed all continuing education
1168 required for the year preceding reinstatement. If [the] a license, permit,
1169 [certification] certificate or registration [lapse is three years or more]
1170 has lapsed for longer than three years after the license, permit,

1171 certificate or registration expiration date or the length of time specified
1172 in any other provision of the general statutes allowing for
1173 reinstatement, whichever is longer, the applicant shall apply for a new
1174 license, permit, [certification] certificate or registration under this
1175 subsection. No person who had a license, permit, certificate or
1176 registration that lapsed during the three years immediately preceding
1177 the date of an application made pursuant to this subsection may seek a
1178 new license, permit, certificate or registration of the same type under
1179 the same name.

1180 (f) Unless expressly provided otherwise by law, application fees for
1181 a license, permit, [certification] certificate or registration within the
1182 purview of the Department of Consumer Protection shall be
1183 nonrefundable.

1184 Sec. 21. Subsection (a) of section 21a-11 of the general statutes is
1185 repealed and the following is substituted in lieu thereof (*Effective from*
1186 *passage*):

1187 (a) (1) The Commissioner of Consumer Protection may, subject to
1188 the provisions of chapter 67, employ such agents and assistants as are
1189 necessary to enforce the provisions of the general statutes wherein
1190 [said] the commissioner is empowered to carry out the duties and
1191 responsibilities assigned to [him or his department] the commissioner
1192 or the Department of Consumer Protection. For the purpose of
1193 inquiring into any suspected violation of such provisions, the
1194 commissioner [and his deputy and assistants] or the commissioner's
1195 authorized representative may subpoena witnesses and require the
1196 production of records, papers and documents pertinent to an
1197 investigation or inquiry, and shall have free access, at all reasonable
1198 hours, to all places and premises, homes and apartments of private
1199 families keeping no boarders excepted. The commissioner and [his or
1200 her] the commissioner's deputy or assistants shall have the authority to
1201 issue citations pursuant to section 51-164n for violations for the
1202 purpose of enforcing such provisions. The commissioner may delegate
1203 [his or her] the commissioner's authority to render a final decision in a

1204 contested case to a hearing officer employed by, or contracted with, the
1205 department.

1206 (2) Notwithstanding the provisions of the Freedom of Information
1207 Act, as defined in section 1-200, all records, papers and documents
1208 obtained during an investigation or enforcement action conducted
1209 pursuant to subdivision (1) of this subsection shall be confidential and
1210 not subject to disclosure under said act until such investigation or
1211 enforcement action has been finally adjudicated or otherwise settled or
1212 closed.

1213 Sec. 22. Subsection (a) of section 21a-101 of the general statutes is
1214 repealed and the following is substituted in lieu thereof (*Effective from*
1215 *passage*):

1216 (a) A food shall be deemed to be adulterated:

1217 (1) (A) If it bears or contains any poisonous or deleterious substance
1218 which may render it injurious to health; but, if the substance is not an
1219 added substance, such food shall not be considered adulterated under
1220 this clause if the quantity of such substance in such food would not
1221 ordinarily render it injurious to health; (B) if it bears or contains any
1222 added poisonous or added deleterious substance which is unsafe
1223 within the meaning of section 21a-104; (C) if it consists in whole or in
1224 part of any diseased, contaminated, filthy, putrid or decomposed
1225 substance or if it is otherwise unfit for food; (D) if it has been
1226 produced, prepared, packed or held under insanitary conditions
1227 whereby it may have become contaminated with filth, or whereby it
1228 may have been rendered diseased, unwholesome or injurious to
1229 health; (E) if it is in whole or in part the product of a diseased animal
1230 or of an animal which has died otherwise than by slaughter or which
1231 has been fed on the uncooked offal from a slaughterhouse; or (F) if its
1232 container is composed in whole or in part of any poisonous or
1233 deleterious substance which may render the contents injurious to
1234 health;

1235 (2) (A) If any valuable constituent has been in whole or in part
1236 omitted or abstracted therefrom; (B) if any substance has been
1237 substituted wholly or in part therefor; (C) if damage or inferiority has
1238 been concealed in any manner; or (D) if any substance has been added
1239 thereto or mixed or packed therewith so as to increase its bulk or
1240 weight, or reduce its quality or strength, or make it appear better or of
1241 greater value than it is;

1242 (3) If it bears or contains a color additive which is unsafe within the
1243 meaning of section 21a-104;

1244 (4) If it is confectionery and it bears or contains any alcohol or
1245 nonnutritive article or substance except harmless coloring, harmless
1246 flavoring, harmless resinous glaze not in excess of four-tenths of one
1247 per cent, harmless natural gum or pectin; provided this subdivision
1248 shall not apply to any confectionery by reason of its containing less
1249 than one-half of one per cent by volume of alcohol derived solely from
1250 the use of flavoring extracts, or to any chewing gum by reason of its
1251 containing harmless nonnutritive masticatory substances, or any
1252 alcohol-infused confection subject to regulations adopted under
1253 subsection (b) of this section; and

1254 (5) If such food is to be offered for sale at retail as a food product
1255 and a retail or wholesale establishment has added to such food any
1256 sulfiting agent, including sulfur dioxide, sodium sulfite, sodium
1257 bisulfite, potassium bisulfite, sodium metabisulfite or potassium
1258 metabisulfite, separately or in combination, [to such food] unless such
1259 sulfiting agent is an incidental additive, as defined in section 21a-104a,
1260 as amended by this act.

1261 Sec. 23. Section 21a-104a of the general statutes is repealed and the
1262 following is substituted in lieu thereof (*Effective from passage*):

1263 (a) For the purposes of this section:

1264 (1) "Incidental additive" has the same meaning as provided in 21
1265 CFR 101.100, as amended from time to time;

1266 (2) "Manufacturer" means any person, firm or corporation which (A)
1267 produces or grows food, and (B) packages such food for resale or
1268 distribution;

1269 [(1)] (3) "Person" means any individual, partnership, firm,
1270 association, limited liability company or corporation; and

1271 [(2)] (4) "Sulfiting agent" means any sulfur dioxide, sodium sulfite,
1272 sodium bisulfite, potassium bisulfite, sodium metabisulfite or
1273 potassium metabisulfite. [;]

1274 [(3) "Manufacturer" means any person, firm or corporation which
1275 produces or grows food and which packages such food for resale or
1276 distribution.]

1277 (b) No person who sells, offers for sale or distributes food, other
1278 than a manufacturer of food, shall add any sulfiting agent, other than
1279 an incidental additive, to any food sold, offered for sale or distributed
1280 in this state.

1281 [(c) Any retailer who displays, sells or offers for sale any bulk
1282 display of unpackaged food, including food displayed in any salad
1283 bar, which food contains any sulfiting agent, shall prominently display
1284 a sign which shall read as follows:

1285 THIS PRODUCT CONTAINS A SULFITING AGENT. SULFITES
1286 MAY CAUSE AN ALLERGIC REACTION IN CERTAIN PERSONS,
1287 PARTICULARLY ASTHMATICS.

1288 Each letter on such sign shall be not less than one-half inch in height
1289 and shall be of the same type, style and color, which color shall
1290 contrast clearly with the background of such sign.]

1291 (c) Each sulfiting agent that is added to any food or to any
1292 ingredient in any food shall comply with the requirements established
1293 in 21 CFR 101.100(a)(4), as amended from time to time.

1294 (d) [Any] Except as provided in 21 CFR 101.100, as amended from
1295 time to time, with respect to incidental additives, any manufacturer
1296 who adds a sulfiting agent to any food or to any ingredient in any
1297 food, which sulfiting agent is present in the finished food product,
1298 shall include such sulfiting agent as an ingredient of the food in the
1299 ingredient statement of the label attached to such food product. Such
1300 ingredient statement shall indicate the name of the sulfiting agent and
1301 the function of such sulfiting agent.

1302 Sec. 24. Section 21a-231 of the general statutes is repealed and the
1303 following is substituted in lieu thereof (*Effective from passage*):

1304 When used in this section and sections [21a-231] 21a-232 to 21a-236,
1305 inclusive, as amended by this act:

1306 (1) "Bedding" means any mattress, pillow, cushion, quilt, bed pad,
1307 comforter, sleeping bag, upholstered spring bed, box spring,
1308 davenport, bedspring metal couch, metal bed, metal cradle, hammock
1309 pillow, upholstered furniture or other substantially similar article or
1310 part thereof used or intended to be used for sleeping, resting or
1311 reclining.

1312 (2) "Commissioner" means the Commissioner of Consumer
1313 Protection or such commissioner's designee.

1314 (3) "Department" means the Department of Consumer Protection.

1315 (4) "Fee", "permit fee" and "license fee" mean the respective fees paid
1316 at the time of application for the issuance or renewal of any permit or
1317 license.

1318 (5) "Filling material" means any natural or synthetic fibers or
1319 filaments, down, feathers or other soft material which may be used in
1320 the manufacture of bedding.

1321 (6) "Importer" means any person who imports bedding from outside
1322 the United States.

1323 (7) "Manufacture", "make", or "made" refer to the assembly,
1324 construction or the importation of bedding or filling material for sale.

1325 (8) "Manufacturer" means any person who makes or prepares for
1326 sale or imports bedding, in whole or in part, that contains filling
1327 material.

1328 (9) "New" means any filling material or bedding which has not been
1329 previously used for any purpose.

1330 (10) "Person" means an individual, partnership, corporation, limited
1331 liability company, association, receiver or agent.

1332 (11) "Renovate" means addition of new filling material to bedding.

1333 (12) "Renovator" means any person who adds new filling material to
1334 bedding for a fee.

1335 (13) "Sale", "sell", or "sold" means offering or exposing for sale or
1336 exchange or lease or holding in possession with like intent.

1337 (14) "Sanitized" or "method of sanitation" means the direct
1338 application of chemicals to kill pathogenic agents.

1339 (15) "Sterilized" or "method of sterilization" refers to the mitigation
1340 of any infective and deleterious substances including germs, fungi and
1341 insects from bedding or filling material by a process approved by the
1342 commissioner.

1343 (16) "Secondhand" means any filling material or bedding subject to
1344 prior use.

1345 (17) "Secondhand dealer" means any person who sells any
1346 secondhand bedding.

1347 [(18) "Supply dealer" means any person who manufactures,
1348 processes, packages, repackages or otherwise prepares for sale, any
1349 filling or material.]

1350 [(19)] (18) "Upholstered furniture" means any furniture that contains
1351 filling material and is used or intended to be used for sitting, resting or
1352 reclining.

1353 Sec. 25. Subsection (m) of section 21a-232 of the general statutes is
1354 repealed and the following is substituted in lieu thereof (*Effective from*
1355 *passage*):

1356 (m) No manufacturer, [supply dealer,] renovator, secondhand
1357 dealer or vendor shall deliver any tag required by this chapter unless it
1358 is affixed to an article of bedding or filling material provided that the
1359 commissioner may permit the delivery of unattached tags.

1360 Sec. 26. Subsections (a) to (d), inclusive, of section 21a-233 of the
1361 general statutes are repealed and the following is substituted in lieu
1362 thereof (*Effective from passage*):

1363 (a) Every article of bedding or filling material offered for sale shall
1364 have attached to it a tag which states: The name, as approved by the
1365 commissioner, of the filling material; whether the filling material is
1366 new or secondhand; the license number of the manufacturer, [supply
1367 dealer,] renovator or secondhand dealer; the name and address of the
1368 manufacturer, [supply dealer,] secondhand dealer, renovator or
1369 vendor; when applicable, the words "contents sterilized" and the
1370 permit number of the sterilizer; and the per cent by weight of each
1371 filling material. Secondhand bedding which has not been renovated
1372 may also bear on the tag the statement "as is-- contents unknown".
1373 Nothing other than the disclosures and statements required or
1374 permitted by this chapter shall appear on the tag.

1375 (b) All tags attached to new bedding and filling material shall be
1376 legibly marked with the date of delivery to the consumer.

1377 (c) Renovated bedding shall bear a tag which, in addition to the
1378 other statements required by this chapter, states: "Renovated for"
1379 followed by the name and address of the person for whom the bedding
1380 is renovated, the name and address of the renovator, the date

1381 sterilized, that the bedding contains the same filling material as when
1382 it was received, and the name and per cent by weight of each filling
1383 material added during renovation.

1384 (d) Each container of filling material shall bear a tag which states:
1385 The name, license number and address of the manufacturer [, supply
1386 dealer] or vendor; the name of the filling material and whether the
1387 filling material is new or secondhand; and, if sterilized, the words
1388 "contents sterilized" and the permit number of the sterilizer. New
1389 bedding or new filling material shall not be transported with
1390 secondhand bedding or secondhand filling material that has not been
1391 sterilized.

1392 Sec. 27. Subsections (a) to (c), inclusive, of section 21a-234 of the
1393 general statutes are repealed and the following is substituted in lieu
1394 thereof (*Effective from passage*):

1395 (a) No person shall act as a manufacturer, [supply dealer,] importer,
1396 renovator or secondhand dealer without first completing an
1397 application and obtaining a numbered license from the commissioner.
1398 The license shall be conspicuously posted in the establishment of the
1399 person to whom the license is issued. A license shall be valid for one
1400 year.

1401 (b) Any method of sterilization or sanitation used in connection
1402 with this chapter shall require the prior approval of the commissioner.
1403 Each person who wishes to sterilize or sanitize bedding or filling
1404 material shall complete an application and obtain a numbered permit
1405 from the commissioner. The permit must be conspicuously posted in
1406 the establishment of the person to whom the permit is issued. Each
1407 permit shall cost twenty-five dollars and shall be valid for one year.

1408 (c) Manufacturers shall pay, prior to the issuance or reissuance of a
1409 license, a fee of one hundred dollars. The licensee may then operate as
1410 a manufacturer, [supply dealer,] renovator or secondhand dealer.
1411 [Supply dealers shall pay, prior to the issuance or reissuance of a

1412 license, a fee of one hundred dollars. The licensee may then operate as
1413 a supply dealer, renovator or secondhand dealer.] Renovators shall
1414 pay, prior to the issuance or reissuance of a license, a fee of fifty
1415 dollars. The licensee may then operate as a renovator and secondhand
1416 dealer. Secondhand dealers shall pay, prior to the issuance or
1417 reissuance of a license, a fee of fifty dollars. The licensee may then
1418 operate as a secondhand dealer. Importers shall pay, prior to the
1419 issuance or reissuance of a license, a fee of one hundred dollars.

1420 Sec. 28. Subsection (e) of section 21a-415 of the general statutes is
1421 repealed and the following is substituted in lieu thereof (*Effective from*
1422 *passage*):

1423 (e) The department may renew a dealer registration issued under
1424 this section that has expired if the applicant pays to the department
1425 any [fine] late fee imposed by the commissioner pursuant to subsection
1426 (c) of section 21a-4, as amended by this act, which [fine] late fee shall
1427 be in addition to the fees prescribed in this section for the dealer
1428 registration applied for. The provisions of this subsection shall not
1429 apply to any dealer registration which is the subject of administrative
1430 or court proceedings.

1431 Sec. 29. Subsection (d) of section 21a-415a of the general statutes is
1432 repealed and the following is substituted in lieu thereof (*Effective from*
1433 *passage*):

1434 (d) The department may renew a manufacturer registration issued
1435 under this section that has expired for a period of six months or less if
1436 the applicant pays to the department any [fine] late fee imposed by the
1437 commissioner pursuant to subsection (c) of section 21a-4, as amended
1438 by this act, which [fine] late fee shall be in addition to the fees
1439 prescribed in this section for the certificate of manufacturer
1440 registration applied for. The provisions of this subsection shall not
1441 apply to any manufacturer registration which is the subject of
1442 administrative or court proceedings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16a-15(a) to (f)
Sec. 2	<i>from passage</i>	16a-21
Sec. 3	<i>from passage</i>	20-280e(b)
Sec. 4	<i>from passage</i>	20-291(b)
Sec. 5	<i>from passage</i>	20-295b
Sec. 6	<i>from passage</i>	20-334(d)
Sec. 7	<i>from passage</i>	20-341
Sec. 8	<i>from passage</i>	20-341gg(d)
Sec. 9	<i>from passage</i>	20-417b
Sec. 10	<i>from passage</i>	20-419
Sec. 11	<i>from passage</i>	20-420
Sec. 12	<i>from passage</i>	20-420a
Sec. 13	<i>from passage</i>	20-421
Sec. 14	<i>from passage</i>	20-426(a)
Sec. 15	<i>from passage</i>	20-427(d)
Sec. 16	<i>from passage</i>	20-432(b)
Sec. 17	<i>from passage</i>	20-540(m)
Sec. 18	<i>from passage</i>	20-677
Sec. 19	<i>from passage</i>	20-679
Sec. 20	<i>from passage</i>	21a-4(c) to (f)
Sec. 21	<i>from passage</i>	21a-11(a)
Sec. 22	<i>from passage</i>	21a-101(a)
Sec. 23	<i>from passage</i>	21a-104a
Sec. 24	<i>from passage</i>	21a-231
Sec. 25	<i>from passage</i>	21a-232(m)
Sec. 26	<i>from passage</i>	21a-233(a) to (d)
Sec. 27	<i>from passage</i>	21a-234(a) to (c)
Sec. 28	<i>from passage</i>	21a-415(e)
Sec. 29	<i>from passage</i>	21a-415a(d)

Statement of Legislative Commissioners:

In Section 1(a), "[shall not be] not" was changed to "shall not [be]" for clarity; in Section 5(b), "necessary" was added after "chapter" for clarity; in Section 7(b), "who" was added before "advertises" for clarity; in Section 7(c), "who" was added before "employs" and references to "person" were changed to "individual" for clarity; in Section 11(g), "individual" was added before "owners" for consistency; in Sections

12(c) and 15(d), "a" was added before "hearing" for consistency; in Section 14(a)(3), "as amended by this act" was deleted for consistency with standard drafting conventions; in Section 14(a)(5), "the owners" was changed to "an individual owner" for clarity and consistency; in Section 18(d), "individual" was added before "owner" and "individuals who own" was changed to "individual owners of" for consistency; Section 18(h) was divided into subdivisions and "how such person" was added before "shall be reimbursed" for clarity; and in Section 19(a), "authorized" was added before "representative" for consistency.

GL *Joint Favorable Subst.*