



General Assembly

January Session, 2001

Raised Bill No. 730

LCO No. 2863

Referred to Committee on Government Administration and
Elections

Introduced by:
(GAE)

AN ACT CONCERNING THE SUNSET LAW.

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

1 Section 1. Section 2c-2b of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 [(a) The following governmental entities and programs are
4 terminated, effective July 1, 2003, unless reestablished in accordance
5 with the provisions of section 2c-10:

6 (1) Regulation of hearing aid dealers pursuant to chapter 398;

7 (2) Repealed by P.A. 99-102, S. 51;

8 (3) Connecticut Homeopathic Medical Examining Board, established
9 under section 20-8;

10 (4) State Board of Natureopathic Examiners, established under
11 section 20-35;

12 (5) Board of Examiners of Hypertrichologists, established under

13 section 20-268;

14 (6) Connecticut State Board of Examiners for Nursing, established
15 under section 20-88;

16 (7) Connecticut Board of Veterinary Medicine, established under
17 section 20-196;

18 (8) Liquor Control Commission, established under section 30-2;

19 (9) Connecticut State Board of Examiners for Optometrists,
20 established under section 20-128a;

21 (10) Board of Examiners of Psychologists, established under section
22 20-186;

23 (11) Regulation of speech pathologists and audiologists pursuant to
24 chapter 399;

25 (12) Connecticut Examining Board for Barbers and Hairdressers and
26 Cosmeticians established under section 20-235a;

27 (13) Board of Examiners of Embalmers and Funeral Directors
28 established under section 20-208;

29 (14) Regulation of nursing home administrators pursuant to chapter
30 368v;

31 (15) Board of Examiners for Opticians established under section 20-
32 139a;

33 (16) Medical Examining Board established under section 20-8a;

34 (17) Board of Examiners in Podiatry, established under section 20-
35 51;

36 (18) Board of Chiropractic Examiners, established under section 20-
37 25;

38 (19) The agricultural lands preservation program, established under
39 section 22-26cc;

40 (20) Nursing Home Ombudsmen Office, established under section
41 17a-405;

42 (21) Mobile Manufactured Home Advisory Council established
43 under section 21-84a;

44 (22) Repealed by P.A. 93-262, S. 86, 87;

45 (23) The Child Day Care Council established under section 17b-748;

46 (24) The Connecticut Advisory Commission on Intergovernmental
47 Relations established under section 2-79a;

48 (25) The Commission on Children established under section 46a-126;

49 (26) The task force on the development of incentives for conserving
50 energy in state buildings established under section 16a-39b;

51 (27) The estuarine embayment improvement program established
52 by sections 22a-113 to 22a-113c, inclusive;

53 (28) The State Dental Commission, established under section 20-
54 103a;

55 (29) The Connecticut Economic Information Steering Committee,
56 established under section 32-6i;

57 (30) Repealed by P.A. 95-257, S. 57, 58; and

58 (31) The registry established under section 17a-247b.

59 (b) The following governmental entities and programs are
60 terminated, effective July 1, 2004, unless reestablished in accordance
61 with the provisions of section 2c-10:

62 (1) Program of regulation of sanitarians, established under chapter

63 395;

64 (2) Program of regulation of subsurface sewage disposal system
65 installers and cleaners, established under chapter 393a;

66 (3) Program of regulation of bedding and upholstered furniture
67 established by sections 21a-231 to 21a-236, inclusive;

68 (4) Regional mental health boards, established under section 17a-
69 484;

70 (5) Repealed by P.A. 88-285, S. 34, 35;

71 (6) All advisory boards for state hospitals and facilities, established
72 under section 17a-470;

73 (7) Repealed by P.A. 85-613, S. 153, 154;

74 (8) State Board of Examiners for Physical Therapists, established
75 under section 20-67;

76 (9) Commission on Medicolegal Investigations, established under
77 subsection (a) of section 19a-401;

78 (10) Board of Mental Health and Addiction Services, established
79 under section 17a-456;

80 (11) Repealed by P.A. 95-257, S. 57, 58;

81 (12) Commission on Prison and Jail Overcrowding established
82 under section 18-87j; and

83 (13) The residential energy conservation service program authorized
84 under sections 16a-45a, 16a-46 and 16a-46a.

85 (c) The following governmental entities and programs are
86 terminated, effective July 1, 2005, unless reestablished in accordance
87 with the provisions of section 2c-10:

88 (1) Board of Firearms Permit Examiners, established under section
89 29-32b;

90 (2) State Board of Landscape Architects, established under section
91 20-368;

92 (3) Repealed by P.A. 89-364, S. 6, 7;

93 (4) Police Officer Standards and Training Council, established under
94 section 7-294b;

95 (5) State Board of Examiners for Professional Engineers and Land
96 Surveyors, established under section 20-300;

97 (6) State boards for occupational licensing, established under section
98 20-331;

99 (7) Commission of Pharmacy, established under section 20-572;

100 (8) Connecticut Real Estate Commission, established under section
101 20-311a;

102 (9) State Codes and Standards Committee, established under section
103 29-251;

104 (10) Commission on Fire Prevention and Control, established under
105 section 7-323k;

106 (11) Program of regulation of building demolition, established
107 under section 29-401;

108 (12) Repealed by P.A. 93-262, S. 86, 87 and P.A. 93-423, S. 7; and

109 (13) Connecticut Food Policy Council, established under section 22-
110 456.

111 (d) The following governmental entities and programs are
112 terminated, effective July 1, 2006, unless reestablished in accordance
113 with the provisions of section 2c-10:

- 114 (1) State Insurance and Risk Management Board, established under
115 section 4a-19;
- 116 (2) Connecticut Marketing Authority, established under section 22-
117 63;
- 118 (3) Occupational Safety and Health Review Commission,
119 established under section 31-376;
- 120 (4) Connecticut Siting Council, established under section 16-50j;
- 121 (5) Connecticut Public Transportation Commission, established
122 under section 13b-11a;
- 123 (6) State Board of Accountancy, established under section 20-280;
- 124 (7) Repealed by P.A. 99-73, S. 10;
- 125 (8) Repealed by P.A. 85-613, S. 153, 154;
- 126 (9) State Milk Regulation Board, established under section 22-131;
- 127 (10) Deleted by P.A. 99-73, S. 1;
- 128 (11) Council on Environmental Quality, established under section
129 22a-11;
- 130 (12) Repealed by P.A. 85-613, S. 153, 154;
- 131 (13) Repealed by P.A. 83-487, S. 32, 33;
- 132 (14) Employment Security Board of Review, established under
133 section 31-237c;
- 134 (15) Repealed by P.A. 85-613, S. 153, 154;
- 135 (16) Connecticut Energy Advisory Board, established under section
136 16a-3;
- 137 (17) Connecticut Solid Waste Management Advisory Council,

- 138 established under subsection (a) of section 22a-279;
- 139 (18) Investment Advisory Council, established under section 3-13b;
- 140 (19) State Properties Review Board, established under subsection (a)
141 of section 4b-3;
- 142 (20) Commission on Human Rights and Opportunities, established
143 under section 46a-52;
- 144 (21) The coastal management program, established under chapter
145 444;
- 146 (22) Department of Economic and Community Development,
147 established under sections 4-38c and 8-37r;
- 148 (23) Family support grant program of the Department of Social
149 Services, established under section 17b-616;
- 150 (24) Program of regulation of occupational therapists, established
151 under chapter 376a;
- 152 (25) Repealed by P.A. 85-613, S. 153, 154;
- 153 (26) Architectural Licensing Board, established under section 20-289;
154 and
- 155 (27) Bradley International Airport Commission, established under
156 section 15-101r.
- 157 (e) The following governmental entities and programs are
158 terminated, effective July 1, 2007, unless reestablished in accordance
159 with the provisions of section 2c-10:
- 160 (1) Regional advisory councils for children and youth center
161 facilities, established under section 17a-30;
- 162 (2) Repealed by P.A. 93-262, S. 86, 87;

163 (3) Advisory Council on Children and Families, established under
164 section 17a-4;

165 (4) Board of Education and Services for the Blind, established under
166 section 10-293;

167 (5) Repealed by P.A. 84-361, S. 6, 7;

168 (6) Commission on the Deaf and Hearing Impaired, established
169 under section 46a-27;

170 (7) Advisory and planning councils for regional centers for the
171 mentally retarded, established under section 17a-273;

172 (8) Board for State Academic Awards, established under section 10a-
173 143;

174 (9) Repealed by P.A. 94-245, S. 45, 46;

175 (10) Repealed by P.A. 85-613, S. 153, 154;

176 (11) State Library Board, established under section 11-1;

177 (12) Advisory Council for Special Education, established under
178 section 10-76i;

179 (13) State Commission on the Arts, established under section 10-369;

180 (14) Connecticut Historical Commission, established under section
181 10-320b;

182 (15) Repealed by P.A. 89-362, S. 4, 5;

183 (16) Repealed by June Sp. Sess. P.A. 91-14, S. 28, 30;

184 (17) Repealed by P.A. 90-230, S. 100, 101;

185 (18) State Commission on Capitol Preservation and Restoration,
186 established under section 4b-60;

187 (19) Repealed by P.A. 90-230, S. 100, 101; and

188 (20) Examining Board for Crane Operators, established under
189 section 29-222.]

190 (a) As used in this chapter:

191 (1) "State action" means (A) a process that includes an approval or a
192 revocation or termination of an approval by an agency, including,
193 without limitation, the process of licensure, certification, permitting,
194 chartering or franchising, or (B) the process of registration with an
195 agency; and

196 (2) "Agency" means a department, commission, board, office,
197 bureau, institution, authority, official or other entity in the executive
198 branch of the state government that engages in a state action,
199 including, without limitation, (A) the issuance, revocation or
200 termination of licenses, certificates, permits, franchises or other
201 approvals, or (B) the receipt of registrations.

202 (b) Effective July 1, 2005, the requirement for state action under each
203 of the following provisions is terminated, and any person may engage
204 in the activities governed by said provisions without such state action,
205 unless said provisions are reestablished in accordance with the
206 provisions of section 2c-10, as amended by this act: Chapters 368d, 370,
207 371, 372, 373, 375, 376, 376a, 376c, 377, 378, 378a, 379, 379a, 380, 381a,
208 384, 384b and 384c.

209 (c) Effective July 1, 2006, the requirement for state action under each
210 of the following provisions is terminated, and any person may engage
211 in the activities governed by said provisions without such state action,
212 unless said provisions are reestablished in accordance with the
213 provisions of section 2c-10, as amended by this act: Chapters 368a,
214 368r, 368v, 368z, 376b, 381, 383, 383a, 383b, 384a, 385, 386, 387, 388,
215 393a, 395, 398 and 399.

216 (d) Effective July 1, 2007, the requirement for state action under each

217 of the following provisions is terminated, and any person may engage
218 in the activities governed by said provisions without such state action,
219 unless said provisions are reestablished in accordance with the
220 provisions of section 2c-10, as amended by this act: Chapters 389, 390,
221 391, 392, 393, 393b, 393c, 394, 396, 396a, 400, 400a, 400b, 400c, 400d,
222 400g, 400h and 400i, parts I, II and III of chapter 400j, and chapters
223 400k, 420a, 451 and 482.

224 (e) Effective July 1, 2008, the requirement for state action under each
225 of the following provisions is terminated, and any person may engage
226 in the activities governed by said provisions without such state action,
227 unless said provisions are reestablished in accordance with the
228 provisions of section 2c-10, as amended by this act: Chapter 422, part I
229 of chapter 423, chapters 432, 434, 435, 437, 438a and 440, part I of
230 chapter 441, chapters 446a, 446c and 446d, part I of chapter 446i,
231 chapters 446j and 446k, parts III and IX of chapter 490 and chapter 491.

232 (f) Effective July 1, 2009, the requirement for state action under each
233 of the following provisions is terminated, and any person may engage
234 in the activities governed by said provisions without such state action,
235 unless said provisions are reestablished in accordance with the
236 provisions of section 2c-10, as amended by this act: Chapter 226, parts
237 III and IV of chapter 246, part I of chapter 249, chapters 529, 531, 532,
238 533, 534 and 539 and parts Ia, II and IV of chapter 541.

239 (g) Effective July 1, 2010, the authority of the Public Utility Control
240 Authority under chapter 277 to revoke or otherwise affect a franchise
241 and the requirement for state action under chapter 277a are
242 terminated, and any person may engage in the activities governed by
243 said provisions without such state action, unless said provisions are
244 reestablished in accordance with the provisions of section 2c-10, as
245 amended by this act.

246 (h) Effective July 1, 2011, the requirement for state action under each
247 of the following provisions is terminated, and any person may engage
248 in the activities governed by said provisions without such state action,

249 unless said provisions are reestablished in accordance with the
250 provisions of section 2c-10, as amended by this act: Part I of chapter
251 664b, parts I, II and VI of chapter 664c, parts I and II of chapter 666,
252 chapter 667, parts I, II, III, IV, V and VII of chapter 668, parts II and XII
253 of chapter 669, chapters 672a and 672c, parts I, IIb, V, VI and VII of
254 chapter 698, parts I and III of chapter 698a, chapters 698b and 698c,
255 part VI of chapter 700c, part I of chapter 700d, chapters 700f and 701e,
256 parts I, II, III, IV, V, VI, VII and IX of chapter 702 and chapter 706.

257 (i) Effective July 1, 2012, the requirement for state action under each
258 of the following provisions is terminated, and any person may engage
259 in the activities governed by said provisions without such state action,
260 unless said provisions are reestablished in accordance with the
261 provisions of section 2c-10, as amended by this act: Parts I and IVb of
262 chapter 164, part I of chapter 166, parts I and II of chapter 319a and
263 chapter 564.

264 Sec. 2. Section 2c-3 of the general statutes is repealed and the
265 following is substituted in lieu thereof:

266 (a) The Legislative Program Review and Investigations Committee
267 may conduct performance audits of one or more state actions listed in
268 section 2c-2b, as amended by this act, to assist the General Assembly in
269 carrying out its responsibilities under this chapter. Not later than
270 eighteen months prior to the scheduled termination date of a state
271 action, as provided in section 2c-2b, as amended by this act, [The] the
272 Legislative Program Review and Investigations Committee,
273 [established by the provisions of section 2-53e,] in consultation with
274 the joint standing committee of the General Assembly having
275 cognizance of matters relating to state government organization and
276 reorganization, structures and procedures, and any joint standing
277 committee of the General Assembly having cognizance of such state
278 action shall [conduct a performance audit of each governmental entity
279 and program scheduled for termination under section 2c-2b]
280 determine which of the state actions listed in section 2c-2b, as amended

281 by this act, shall be the subject of a performance audit by the
282 Legislative Program Review and Investigations Committee.

283 (b) The Legislative Program Review and Investigations Committee
284 shall complete its performance audit by January first of the year in
285 which the [governmental entity and program are] state action is
286 scheduled for termination under section 2c-2b, as amended by this act.
287 In conducting the audit, the committee shall take into consideration,
288 but not be limited to considering, the factors set forth in sections 2c-7
289 and 2c-8, as amended by this act.

290 (c) [The entities enumerated in] Each agency that engages in a state
291 action that is scheduled for termination pursuant to section 2c-2b, as
292 amended by this act, shall cooperate with the Legislative Program
293 Review and Investigations Committee in carrying out the purposes of
294 sections 2c-1 to 2c-12, inclusive, as amended by this act, and shall
295 provide such information, books, records and documents as said
296 committee may require to conduct its performance audit. Each
297 [governmental entity or program scheduled for termination pursuant
298 to section 2c-2b] such agency shall provide at the request of and at a
299 time specified by the Legislative Program Review and Investigations
300 Committee an analysis of its activities which specifically addresses the
301 factors enumerated in sections 2c-7 and 2c-8, as amended by this act.

302 Sec. 3. Section 2c-4 of the general statutes is repealed and the
303 following is substituted in lieu thereof:

304 The Legislative Program Review and Investigations Committee
305 shall submit to the General Assembly a written report on each
306 [governmental entity and program] state action specified in section 2c-
307 2b, as amended by this act, by January first of the year in which such
308 [entity and program are] state action is scheduled for termination.
309 Such report shall specifically address the factors set forth in sections
310 2c-7 and 2c-8, as amended by this act, and shall include
311 recommendations regarding the abolition, reestablishment,

312 modification or consolidation of such [entity and program] state
313 action. On and after October 1, 1996, the report shall be submitted to
314 the joint standing committee of the General Assembly having
315 cognizance of matters relating to state government organization and
316 reorganization, structures and procedures, to any other joint standing
317 committee of the General Assembly having cognizance and, upon
318 request, to any member of the General Assembly. A summary of the
319 report shall be submitted to each member of the General Assembly if
320 the summary is two pages or less and a notification of the report shall
321 be submitted to each member if the summary is more than two pages.
322 Submission shall be by mailing the report, summary or notification to
323 the legislative address of each member of the committees or the
324 General Assembly, as applicable.

325 Sec. 4. Section 2c-5 of the general statutes is repealed and the
326 following is substituted in lieu thereof:

327 Prior to the termination, modification, consolidation or
328 reestablishment of any [governmental entity or program, the joint
329 standing committee of the General Assembly having cognizance of
330 matters relating to government administration, organization and
331 reorganization] state action, as provided in section 2c-2b, as amended
332 by this act, the Legislative Program Review and Investigations
333 Committee shall hold a public hearing, receiving testimony from the
334 public and the [governmental entity] agency involved.

335 Sec. 5. Section 2c-6 of the general statutes is repealed and the
336 following is substituted in lieu thereof:

337 Each [governmental entity enumerated in] agency that engages in a
338 state action that is scheduled for termination pursuant to section 2c-2b,
339 as amended by this act, shall have the burden of demonstrating a
340 public need for the reestablishment of the [entity or program] state
341 action. Each such [entity] agency shall also have the burden of
342 demonstrating that it has served the public interest and not merely the

343 interests of the persons regulated. The joint standing committee of the
344 General Assembly having cognizance of matters relating to
345 government administration, [organization and reorganization] or the
346 Legislative Program Review and Investigations Committee may
347 recommend to the General Assembly that the [governmental entity or
348 program] state action be modified, consolidated with another [entity or
349 program] state action, transferred to another agency or reestablished.

350 Sec. 6. Section 2c-7 of the general statutes is repealed and the
351 following is substituted in lieu thereof:

352 In determining whether there is a public need for the continued
353 existence of [an entity or program] a state action, the General
354 Assembly shall consider, among other things:

355 [(a)] (1) Whether termination of the [entity or program] state action
356 would significantly endanger the public health, safety or welfare;

357 [(b)] (2) Whether the public could be adequately protected by
358 another statute, [entity] agency or program, or by a less restrictive
359 method of regulation;

360 [(c)] (3) Whether the [governmental entity or program] state action
361 produces any direct or indirect increase in the cost of goods or services,
362 and if it does, whether the public benefits attributable to the [entity or
363 program] state action outweigh the public burden of the increase in
364 cost; [, and]

365 [(d)] (4) Whether the effective operation of the [governmental entity
366 or program] state action is impeded by existing statutes, regulations or
367 policies, including budgetary and personnel policies; and

368 (5) Whether the state action has been administered in accordance
369 with existing statutes, regulations and policies, including budgetary
370 and personnel policies.

371 Sec. 7. Section 2c-8 of the general statutes is repealed and the
372 following is substituted in lieu thereof:

373 In determining whether a [regulatory entity or program] state action
374 has served the general public, and not merely the persons regulated,
375 the General Assembly shall consider, among other things:

376 [(a)] (1) The extent to which qualified applicants have been
377 permitted to engage in any profession, occupation, trade or activity
378 [regulated by the entity or program] that requires the state action;

379 [(b)] (2) The extent to which the [governmental entity involved]
380 agency that engages in the state action has (A) complied with federal
381 and state affirmative action requirements; [(c) The extent to which the
382 governmental entity involved has] (B) recommended statutory
383 changes [which] that would benefit the public as opposed to the
384 persons regulated; and [(d) The extent to which the governmental
385 entity involved has] (C) encouraged public participation in the
386 formulation of its regulations and policies; [, and]

387 [(e)] (3) The manner in which the [governmental entity involved]
388 agency that engages in the state action has processed and resolved
389 public complaints concerning persons subject to regulation.

390 Sec. 8. Section 2c-9 of the general statutes is repealed and the
391 following is substituted in lieu thereof:

392 [Upon] Notwithstanding the provisions of section 2c-2b, as
393 amended by this act, upon termination, [a governmental entity or
394 program] a state action listed in section 2c-2b shall continue in
395 existence for one year. [for the purpose of concluding its affairs.]
396 During the one-year period, termination shall not reduce the powers or
397 authority of the [entity or program] agency that engages in the state
398 action. Upon the expiration of the one-year period, [the entity or
399 program] (1) such agency shall cease all activities [;] related to the state
400 action, (2) all regulations [promulgated] adopted by the [entity or

401 pursuant] state agency that are related to the [program] state action
402 shall cease to exist, and (3) all unexpended balances of appropriations
403 or other funds related to the state action shall revert to the fund from
404 which they were appropriated, or if that fund is abolished, to the
405 General Fund.

406 Sec. 9. Section 2c-10 of the general statutes is repealed and the
407 following is substituted in lieu thereof:

408 Any [governmental entity or program] state action scheduled for
409 termination under section 2c-2b, as amended by this act, may be
410 reestablished by the General Assembly for periods not to exceed [five]
411 eight years, at the end of which the [entity or program] state action
412 shall again be subject to review under the provisions of sections 2c-1 to
413 2c-12, inclusive, as amended by this act. Any such reenactment may
414 provide for the consolidation of [governmental entities or programs]
415 state action or for the transfer of [governmental functions] state action
416 from one [entity or program] agency to another.

417 Sec. 10. Section 2c-11 of the general statutes is repealed and the
418 following is substituted in lieu thereof:

419 Termination of a [governmental entity or program] state action shall
420 not affect any claim, right or cause of action by or against the [entity or
421 program] agency that engages in such state action. Any such claim,
422 right or cause of action pending on the date the [entity or program]
423 state action is terminated, or instituted thereafter, shall be prosecuted
424 or defended in the name of the state by the Attorney General.

425 Sec. 11. Section 2c-12 of the general statutes is repealed and the
426 following is substituted in lieu thereof:

427 Nothing in this section or in sections 2c-1 to 2c-11, inclusive, as
428 amended by this act, shall prohibit the General Assembly from
429 terminating a [governmental entity or program] state action prior to
430 the termination date established in section 2c-2b, as amended by this

431 act, nor from considering any other legislation concerning any such
432 [entity or program] state action.

433 Sec. 12. Subsections (b) and (c) of section 17a-2 of the general
434 statutes are repealed and the following is substituted in lieu thereof:

435 (b) Said department shall constitute a successor department to the
436 Department of Children and Youth Services, for the purposes of
437 sections [2c-2b,] 4-5, 4-38c, 4-60i, 4-77a, 4-165b, 4a-11b, 4a-12, 4a-16, 5-
438 259, 7-127c, 8-206d, 10-8a, 10-15d, 10-76d, 10-76h, 10-76i, 10-76w, 10-
439 76g, 10-94g, 10-253, 17-86a, 17-294, 17-409, 17-437, 17-572, 17-578, 17-
440 579, 17-585, 17a-1 to 17a-89, inclusive, 17a-90 to 17a-209, inclusive, 17a-
441 218, 17a-277, 17a-450, 17a-458, 17a-463, 17a-474, 17a-560, 17a-511, 17a-
442 634, 17a-646, 17a-659, 18-69, 18-69a, 18-87, 19a-78, 19a-125, 19a-216, 20-
443 14i, 20-14j, 31-23, 31-306a, 38a-514, 45a-591 to 45a-705, inclusive, 45a-
444 706 to 45a-770, inclusive, 46a-28, 46a-126, 46b-15 to 46b-19, inclusive,
445 46b-120 to 46b-159, inclusive, 54-56d, 54-142k, 54-199, 54-203 and in
446 accordance with the provisions of sections 4-38d and 4-39.

447 (c) Whenever the words "Commissioner of Children and Youth
448 Services", "Department of Children and Youth Services", or "Council
449 on Children and Youth Services" are used in sections [2c-2b,] 4-5, 4-38c,
450 4-60i, 4-77a, 4-165b, 4a-11b, 4a-12, 4a-16, 5-259, 7-127c, 8-206d, 10-8a,
451 10-15d, 10-76d, 10-76h, 10-76i, 10-76w, 10-94g, 10-253, 17-86a, 17-294,
452 17-409, 17-437, 17-572, 17-578, 17-579, 17-585, 17a-1 to 17a-89, inclusive,
453 17a-90 to 17a-209, inclusive, 17a-218, 17a-277, 17a-450, 17a-458, 17a-463,
454 17a-474, 17a-511, 17a-634, 17a-646, 17a-659, 18-69, 18-69a, 18-87, 19a-78,
455 19a-125, 19a-216, 20-14i, 20-14j, 31-23, 31-306a, 38a-514, 45a-591 to 45a-
456 705, inclusive, 45a-706 to 45a-770, inclusive, 46a-28, 46a-126, 46b-15 to
457 46b-19, inclusive, 46b-120 to 46b-159, inclusive, 54-56d, 54-142k, 54-199,
458 54-203, the words "Commissioner of Children and Families",
459 "Department of Children and Families", and "Council on Children and
460 Families" shall be substituted respectively in lieu thereof.

461 Sec. 13. Section 17a-247a of the general statutes is repealed and the

462 following is substituted in lieu thereof:

463 As used in sections 17a-247b to 17a-247e, inclusive: [, and
464 subdivision (31) of subsection (a) of section 2c-2b:]

465 (1) "Abuse" means the wilful infliction by an employee of physical
466 pain or injury or the wilful deprivation of services necessary to the
467 physical and mental health and safety of a department client.

468 (2) "Authorized agency" means any agency authorized in
469 accordance with the general statutes to conduct abuse and neglect
470 investigations and responsible for issuing or carrying out protective
471 services for persons with mental retardation.

472 (3) "Commissioner" means the Commissioner of Mental Retardation.

473 (4) "Department" means the Department of Mental Retardation.

474 (5) "Department client" means a person who is eligible for, and
475 receives services or funding from, the department.

476 (6) "Employee" means any individual employed (A) by the
477 department, or (B) by an agency, organization or individual that is
478 licensed or funded by the department.

479 (7) "Employer" means (A) the department, or (B) an agency,
480 organization or individual that is licensed or funded by the
481 department.

482 (8) "Neglect" means the failure by an employee, through action or
483 inaction, to provide a department client with the services necessary to
484 maintain such client's physical and mental health and safety.

485 (9) "Protective services" has the same meaning as provided in
486 section 46a-11a.

487 (10) "Registry" means a centralized data base containing information
488 regarding substantiated abuse or neglect.

489 (11) "Substantiated abuse or neglect" means a determination by an
490 authorized agency, following an investigation conducted or monitored
491 by such agency, that (A) abuse or neglect of a department client has
492 occurred, or (B) there has been a criminal conviction of a felony or
493 misdemeanor involving abuse or neglect.

494 Sec. 14. Subsection (a) of section 17a-450a of the general statutes is
495 repealed and the following is substituted in lieu thereof:

496 (a) The Department of Mental Health and Addiction Services shall
497 constitute a successor department to the Department of Mental Health.
498 Whenever the words "Commissioner of Mental Health" are used or
499 referred to in the following general statutes, the words "Commissioner
500 of Mental Health and Addiction Services" shall be substituted in lieu
501 thereof and whenever the words "Department of Mental Health" are
502 used or referred to in the following general statutes, the words
503 "Department of Mental Health and Addiction Services" shall be
504 substituted in lieu thereof: [2c-2b,] 4-5, 4-38c, 4-60i, 4-77a, 4a-12, 4a-16,
505 5-142, 8-206d, 10-19, 10-71, 10-76d, 13b-38n, 17a-14, 17a-26, 17a-31, 17a-
506 33, 17a-218, 17a-246, 17a-450, 17a-451, 17a-452, 17a-453, 17a-454, 17a-
507 455, 17a-456, 17a-457, 17a-458, 17a-459, 17a-460, 17a-463, 17a-464, 17a-
508 465, 17a-466, 17a-467, 17a-468, 17a-470, 17a-471, 17a-472, 17a-473, 17a-
509 474, 17a-476, 17a-478, 17a-479, 17a-480, 17a-481, 17a-482, 17a-483, 17a-
510 484, 17a-498, 17a-499, 17a-502, 17a-506, 17a-510, 17a-511, 17a-512, 17a-
511 513, 17a-519, 17a-528, 17a-560, 17a-561, 17a-562, 17a-565, 17a-576, 17a-
512 581, 17a-582, 17a-675, 17b-28, 17b-222, 17b-223, 17b-225, 17b-359, 17b-
513 420, 17b-694, 19a-82, 19a-495, 19a-498, 19a-507a, 19a-507c, 19a-576, 19a-
514 583, 20-14i, 20-14j, 21a-240, 21a-301, 22a-224, 27-122a, 31-222, 38a-514,
515 46a-28, 51-51o, 52-146h and 54-56d.

516 Sec. 15. Subsection (b) of section 17a-456 of the general statutes is
517 repealed and the following is substituted in lieu thereof:

518 (b) Whenever the term "Board of Mental Health" is used or referred
519 to in the following sections of the general statutes, the term "Board of
520 Mental Health and Addiction Services" shall be substituted in lieu

521 thereof: [2c-2b,] 17a-457, 17a-460, 17a-467, 17a-473, 17a-564.

522 Sec. 16. Section 19a-13 of the general statutes is repealed and the
523 following is substituted in lieu thereof:

524 As used in [subsection (a) of section 2c-2b,] this chapter and
525 chapters 368v, 369 to 375, inclusive, 378 to 381, inclusive, 383 to 388,
526 inclusive, 398 and 399 unless the context otherwise requires:

527 (1) "Certificate" includes the whole or part of any Department of
528 Public Health permit [which] that the department is authorized by the
529 general statutes to issue and which further: (A) Authorizes practice of
530 the profession by certified persons but does not prohibit the practice of
531 the profession by others, not certified; (B) prohibits a person from
532 falsely representing that [he] the person is certified to practice the
533 profession unless the person holds a certificate issued by the
534 department; (C) requires as a condition to certification that a person
535 submit specified credentials to the department which attest to
536 qualifications to practice the profession;

537 (2) "Emerging occupation or profession" means a group of health
538 care providers whose actual or proposed duties, responsibilities and
539 services include functions which are not presently regulated or
540 licensed or which are presently performed within the scope of practice
541 of an existing licensed or otherwise regulated health occupation or
542 profession;

543 (3) "License" includes the whole or part of any Department of Public
544 Health permit, approval or similar form of permission required by the
545 general statutes and which further requires: (A) Practice of the
546 profession by licensed persons only; (B) that a person demonstrate
547 competence to practice through an examination or other means and
548 meet certain minimum standards; (C) enforcement of standards by the
549 department or regulatory board or commission;

550 (4) "Public member" means an elector of the state who has no

551 substantial financial interest in, is not employed in or by, and is not
552 professionally affiliated with, any industry, profession, occupation,
553 trade or institution regulated or licensed by the board or commission
554 to which [he] the elector is appointed, and who has had no
555 professional affiliation with any such industry, profession, occupation,
556 trade or institution for three years preceding [his] the elector's
557 appointment to the board or commission;

558 (5) "Registration" means the required entry upon a list maintained
559 by the Department of Public Health of the name of a practitioner or the
560 address of a place where a practice or profession subject to the
561 provisions of subsection (a) of section 2c-2b, this chapter and chapters
562 368v, 369 to 375, inclusive, 378 to 381, inclusive, 383 to 388, inclusive,
563 398 and 399 may be engaged in;

564 (6) "Complaint" means a formal statement of charges issued by the
565 Department of Public Health.

Statement of Purpose:

To amend the sunset laws.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]