



House of Representatives

General Assembly

File No. 473

January Session, 2003

House Bill No. 6036

House of Representatives, April 22, 2003

The Committee on Environment reported through REP. WIDLITZ of the 98th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING RADON MITIGATORS.

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

1 Section 1. Subsection (a) of section 20-420 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2003*):

4 (a) No person shall hold oneself out to be a contractor or salesperson
5 without first obtaining a certificate of registration from the
6 commissioner as provided in this chapter, except that an individual or
7 partner, or officer or director of a corporation registered as a contractor
8 shall not be required to obtain a salesperson's certificate. No certificate
9 shall be given to any person who holds oneself out to be a contractor
10 that performs radon mitigation unless such contractor provides
11 evidence, satisfactory to the commissioner, that the contractor [has
12 attended a program approved by the Commissioner of Public Health
13 and received a passing score on an examination approved by said
14 commissioner] is certified as a radon mitigator by the National Radon

15 Safety Board or the National Environmental Health Association.

16 Sec. 2. Subsection (d) of section 20-427 of the general statutes is
 17 repealed and the following is substituted in lieu thereof (*Effective*
 18 *October 1, 2003*):

19 (d) The commissioner may, after notice and hearing in accordance
 20 with the provisions of chapter 54, impose a civil penalty on any person
 21 who engages in or practices the work or occupation for which a
 22 certificate of registration is required by this chapter without having
 23 first obtained such a certificate of registration or who wilfully employs
 24 or supplies for employment a person who does not have such a
 25 certificate of registration or who wilfully and falsely pretends to
 26 qualify to engage in or practice such work or occupation, or who
 27 engages in or practices any of the work or occupations for which a
 28 certificate of registration is required by this chapter after the expiration
 29 of his certificate of registration or who violates any of the provisions of
 30 this chapter or the regulations adopted pursuant thereto. Such penalty
 31 shall be in an amount not more than five hundred dollars for a first
 32 violation of this subsection, not more than seven hundred fifty dollars
 33 for a second violation of this subsection occurring not more than three
 34 years after a prior violation, [and] not more than one thousand five
 35 hundred dollars for a third or subsequent violation of this subsection
 36 occurring not more than three years after a prior violation and, in the
 37 case of radon mitigation work, such penalty shall be not less than two
 38 hundred fifty dollars. Any civil penalty collected pursuant to this
 39 subsection shall be deposited in the Consumer Protection Enforcement
 40 Fund established in section 21a-8a.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>

ENV *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Consumer Protection, Dept.	GF - Potential Revenue Gain	Indeterminate	Indeterminate

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires contractors who advertise themselves as radon mitigators to obtain certification from the National Radon Safety Board or from the National Environmental Health Association. It also establishes a civil penalty of not less than \$250 on those individuals who violate the certification requirement.

A potential revenue increase could result from the imposition of fines. However, since the number of would be violators is unknown the potential revenue gain is indeterminate.

A workload increase, if any, can be performed by staff without the need for an additional appropriation.

OLR Bill Analysis

HB 6036

AN ACT CONCERNING RADON MITIGATORS**SUMMARY:**

This bill changes the certification requirement for contractors who advertise themselves as radon mitigators. Under current law, radon mitigators must attend a program and pass an examination that the public health commissioner approved before the consumer protection commissioner can certify them as radon mitigation contractors. The bill instead requires people to provide satisfactory proof of certification from the National Radon Safety Board or the National Environmental Health Association before they can be certified.

It also sets a \$250 minimum fine for violators of the certification requirement and makes a conforming technical change. Under current law, the fines range from up to \$500 for the first violation, up to \$750 for the second violation occurring within three years of the first, and up to \$1,500 for the third and subsequent violations occurring within three years of the prior violation.

By law, anyone who advertises himself as a contractor or salesperson must first obtain a certificate of registration from the consumer protection commissioner. The law exempts certain corporate officials already registered as contractors from also being certified as salespeople.

EFFECTIVE DATE: October 1, 2003

COMMITTEE ACTION

Environment Committee

Joint Favorable Report

Yea 27 Nay 0