



General Assembly

February Session, 2006

Raised Bill No. 494

LCO No. 2515

02515 _____ GL_

Referred to Committee on General Law

Introduced by:

(GL)

AN ACT CONCERNING OCCUPATIONAL LICENSING.

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

1 Section 1. Section 20-341 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any person who engages in or practices the work or occupation
4 for which a license is required by this chapter without having first
5 obtained an apprentice permit or a certificate and license for such
6 work, or who wilfully employs or supplies for employment a person
7 who does not have a certificate and license for such work or who
8 wilfully and falsely pretends to qualify to engage in or practice such
9 work or occupation, or who engages in or practices any of the work or
10 occupations for which a license is required by this chapter after the
11 expiration of his license, or who violates any other provision of this
12 chapter, [unless the penalty is otherwise specifically prescribed, shall
13 be fined not more than two hundred dollars for each such violation]
14 shall be guilty of a class A misdemeanor. Notwithstanding the
15 provisions of subsection (d) of section 53a-29 of the 2006 supplement to
16 the general statutes and section 54-56e of the 2006 supplement to the
17 general statutes, if the court determines that a person cannot fully

18 repay such person's victims within the period of probation established
19 in subsection (d) of section 53a-29 of the 2006 supplement to the
20 general statutes or 54-56e of the 2006 supplement to the general
21 statutes, as applicable, the court may impose probation for a period of
22 not more than five years.

23 (b) The appropriate examining board may, after notice and hearing,
24 impose a civil penalty on any person who engages in or practices the
25 work or occupation for which a license or apprentice registration
26 certificate is required by this chapter, chapter 394 or chapter 482
27 without having first obtained such a certificate or license, or who
28 wilfully employs or supplies for employment a person who does not
29 have such a license or certificate or who wilfully and falsely pretends
30 to qualify to engage in or practice such work or occupation, or who
31 engages in or practices any of the work or occupations for which a
32 license or certificate is required by this chapter, chapter 394 or chapter
33 482 after the expiration of the license or certificate or who violates any
34 of the provisions of this chapter, chapter 394 or chapter 482 or the
35 regulations adopted pursuant thereto. Such penalty shall be in an
36 amount not more than one thousand dollars for a first violation of this
37 subsection, not more than one thousand five hundred dollars for a
38 second violation and not more than three thousand dollars for each
39 violation of this subsection occurring less than three years after a
40 second or subsequent violation of this subsection, except that any
41 individual employed as an apprentice but improperly registered shall
42 not be penalized for a first offense.

43 (c) If an examining board imposes a fine or civil penalty under the
44 provisions of this section as a result of a violation initially reported by
45 a municipal official, the commissioner shall, not less than sixty days
46 after collecting such fine or penalty, remit one-half of the amount
47 collected to such municipality.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	20-341
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Statement of Purpose:

To increase enforcement power against trades persons who repeatedly work without required licenses and defraud consumers.

[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.]