



House of Representatives

General Assembly

File No. 212

February Session, 2008

Substitute House Bill No. 5756

House of Representatives, March 26, 2008

The Committee on General Law reported through REP. STONE of the 9th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING SWIMMING POOL MAINTENANCE AND REPAIR WORK.

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

1 Section 1. Subsection (a) of section 20-417aa of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (a) As used in this section, "swimming pool maintenance and repair
5 work" means the performance of all plumbing, heating and electrical
6 work necessary to service, modify or repair any swimming pool, hot
7 tub, spa or similar recreational or therapeutic equipment, where such
8 work commences at an outlet, receptacle, connection, back-flow
9 preventor or fuel supply pipe previously installed by a person holding
10 the proper license. Swimming pool maintenance and repair work
11 includes: (1) The renovation or repair of nonpotable water components
12 of a pool, hot tub or spa, including, but not limited to, the shell,
13 concrete finish or vinyl liner of such pool, hot tub or spa; and (2) the
14 draining, acid washing or backwash filtration of a swimming pool. The

15 renovation or repair of nonpotable water components of a pool, hot
16 tub or spa required to be installed, renovated or repaired by a licensed
17 plumber or electrician shall not be considered swimming pool
18 maintenance and repair work. The holder of a limited license for
19 swimming pool maintenance and repair work issued pursuant to this
20 section shall not be subject to the provisions of chapter 400, provided
21 such license holder is acting within the scope of the license.

22 Sec. 2. Section 20-340 of the 2008 supplement to the general statutes
23 is repealed and the following is substituted in lieu thereof (*Effective*
24 *from passage*):

25 The provisions of this chapter shall not apply to: (1) Persons
26 employed by any federal, state or municipal agency; (2) employees of
27 any public service company regulated by the Department of Public
28 Utility Control or of any corporate affiliate of any such company when
29 the work performed by such affiliate is on behalf of a public service
30 company, but in either case only if the work performed is in
31 connection with the rendition of public utility service, including the
32 installation or maintenance of wire for community antenna television
33 service, or is in connection with the installation or maintenance of wire
34 or telephone sets for single-line telephone service located inside the
35 premises of a consumer; (3) employees of any municipal corporation
36 specially chartered by this state; (4) employees of any contractor while
37 such contractor is performing electrical-line or emergency work for
38 any public service company; (5) persons engaged in the installation,
39 maintenance, repair and service of electrical or other appliances of a
40 size customarily used for domestic use where such installation
41 commences at an outlet receptacle or connection previously installed
42 by persons licensed to do the same and maintenance, repair and
43 service is confined to the appliance itself and its internal operation; (6)
44 employees of industrial firms whose main duties concern the
45 maintenance of the electrical work, plumbing and piping work, solar
46 thermal work, heating, piping, cooling work, sheet metal work,
47 elevator installation, repair and maintenance work, automotive glass
48 work or flat glass work of such firm on its own premises or on

49 premises leased by it for its own use; (7) employees of industrial firms
50 when such employees' main duties concern the fabrication of glass
51 products or electrical, plumbing and piping, fire protection sprinkler
52 systems, solar, heating, piping, cooling, chemical piping, sheet metal or
53 elevator installation, repair and maintenance equipment used in the
54 production of goods sold by industrial firms, except for products,
55 electrical, plumbing and piping systems and repair and maintenance
56 equipment used directly in the production of a product for human
57 consumption; (8) persons performing work necessary to the
58 manufacture or repair of any apparatus, appliances, fixtures,
59 equipment or devices produced by it for sale or lease; (9) employees of
60 stage and theatrical companies performing the operation, installation
61 and maintenance of electrical equipment if such installation
62 commences at an outlet receptacle or connection previously installed
63 by persons licensed to make such installation; (10) employees of
64 carnivals, circuses or similar transient amusement shows who install
65 electrical work, provided such installation shall be subject to the
66 approval of the State Fire Marshal prior to use as otherwise provided
67 by law and shall comply with applicable municipal ordinances and
68 regulations; (11) persons engaged in the installation, maintenance,
69 repair and service of glass or electrical, plumbing, fire protection
70 sprinkler systems, solar, heating, piping, cooling and sheet metal
71 equipment in and about single-family residences owned and occupied
72 or to be occupied by such persons; provided any such installation,
73 maintenance and repair shall be subject to inspection and approval by
74 the building official of the municipality in which such residence is
75 located and shall conform to the requirements of the State Building
76 Code; (12) persons who install, maintain or repair glass in a motor
77 vehicle owned or leased by such persons; (13) persons or entities
78 holding themselves out to be retail sellers of glass products, but not
79 such persons or entities that also engage in automotive glass work or
80 flat glass work; (14) persons who install preglazed or preassembled
81 windows or doors in residential or commercial buildings; (15) persons
82 registered under chapter 400 who install safety-backed mirror
83 products or repair or replace flat glass in sizes not greater than thirty

84 square feet in residential buildings; (16) sheet metal work performed in
 85 residential buildings consisting of six units or less by new home
 86 construction contractors registered pursuant to chapter 399a, by home
 87 improvement contractors registered pursuant to chapter 400 or by
 88 persons licensed pursuant to this chapter, when such work is limited
 89 to exhaust systems installed for hoods and fans in kitchens and baths,
 90 clothes dryer exhaust systems, radon vent systems, fireplaces, fireplace
 91 flues, masonry chimneys or prefabricated metal chimneys rated by the
 92 Underwriter's Laboratory or installation of stand-alone appliances
 93 including wood, pellet or other stand-alone stoves that are installed in
 94 residential buildings by such contractors or persons; [and] (17)
 95 employees of or any contractor employed by and under the direction
 96 of a properly licensed solar contractor, performing work limited to the
 97 hoisting, placement and anchoring of solar collectors, photovoltaic
 98 panels, towers or turbines; and (18) persons performing swimming
 99 pool maintenance and repair work authorized pursuant to section 20-
 100 417aa, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-417aa(a)
Sec. 2	<i>from passage</i>	20-340

Statement of Legislative Commissioners:

In subdivision (18) of section 2, "as amended by this act" was added for accuracy.

GL *Joint Favorable Subst.-LCO*

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 chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Consumer Protection, Dept.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

It is anticipated that the Department of Consumer Protection can carry out the requirements of the bill within existing resources.

OLR Bill Analysis

sHB 5756

AN ACT CONCERNING SWIMMING POOL MAINTENANCE AND REPAIR WORK.

SUMMARY:

This bill redefines “swimming pool maintenance and repair work.” The law already requires anyone performing such work to have a license issued by the Plumbing and Piping Work Board within the Department of Consumer Protection (DCP).

In addition, the bill clarifies the division of work between holders of these licenses and other licensed tradesmen and registered home improvement contractors.

EFFECTIVE DATE: Upon passage

SWIMMING POOL MAINTENANCE AND REPAIR WORK

The bill specifies that the work includes (1) renovating or repairing the nonpotable water components of a pool, hot tub, or spa, including its shell, concrete finish, or vinyl liner and (2) the draining, acid washing, or backwash filtration of a swimming pool. The law already provides that the work includes performing all of the plumbing, heating, and electrical work necessary to service, modify, or repair a swimming pool, hot tub, spa, where the work begins at an outlet, receptacle, connection, back-flow preventer, or fuel supply pipe.

DIVISION OF WORK

The bill exempts holders of swimming pool maintenance and repair work licenses from registering as home improvement contractors if acting within the scope of their licenses. It also exempts them from the law applying to occupational tradesmen (see BACKGROUND). Finally, it makes it clear that licensed plumbers and electricians do not

need to hold swimming pool maintenance and repair licenses to install, renovate, or repair a pool, hot tub, or spa.

BACKGROUND

Occupational Licensing System

State law establishes a licensing system for several trades overseen by the Examining Boards for the Electrical Work; Heating, Piping, and Cooling Work; Plumbing and Piping Work; Elevator Installation, Repair, and Maintenance Work; Automotive Glass Work and Flat Glass Work; and Fire Protection Sprinkler Systems Boards. The boards are within DCP. They have the power to determine who qualifies for a license and to enforce standards by disciplining licensees. The boards may create limited licenses authorizing their holders to work in a specific area of a trade that have less extensive requirements. Each trade has different levels of expertise—apprentice, journeyman, and contractor. Workers must meet education, training, and experience requirements to qualify for each level. The law establishes DCP’s duties in relation to the boards, which include receiving complaints, carrying out investigations, and performing administrative tasks, such as physically issuing licenses and renewals.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 18 Nay 0 (03/11/2008)