



House of Representatives

General Assembly

File No. 23

January Session, 2009

House Bill No. 6322

House of Representatives, February 26, 2009

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE PUBLIC SAFETY STATUTES.

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

1 Section 1. Subsection (c) of section 7-323s of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (c) The municipalities that are parties to an agreement entered into
5 under subsection (b) of this section may request the Labor
6 Commissioner [, within available appropriations,] to provide
7 assistance, within available appropriations, in resolving such issues
8 arising out of the agreement as the commissioner deems appropriate.

9 Sec. 2. Subsection (c) of section 12-557c of the general statutes is
10 repealed and the following is substituted in lieu thereof (*Effective from*
11 *passage*):

12 (c) Whenever the term "Commission on Special Revenue" occurs or

13 is referred to in the public acts of the 1979 session of the General
14 Assembly, it shall be deemed to refer to the Division of Special
15 Revenue within the Department of Business Regulation.

16 Sec. 3. Section 29-158 of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective from passage*):

18 Any license or registration issued under the provisions of sections
19 29-153 to 29-161, inclusive, may be suspended or revoked by the
20 commissioner, after giving notice and an opportunity to be heard to
21 the licensee or registrant when the commissioner finds that the licensee
22 or registrant has: (1) Violated any of the terms or provisions of sections
23 29-153 to 29-161, inclusive, or any of the regulations adopted
24 thereunder; (2) practiced fraud, deceit or misrepresentation in dealing
25 with the clients of the licensee or registrant; (3) made a material
26 misstatement in the application for issuance of such license or
27 registration, or, in the case of a licensee, [or] in the application for
28 renewal of such license; (4) demonstrated incompetence or
29 untrustworthiness in the conduct of the business; or (5) been convicted
30 of a felony or other crime involving moral turpitude. If the licensee or
31 registrant has been convicted under section 53a-61 or 53a-62, the
32 commissioner shall consider the facts and circumstances surrounding
33 such [convictions] conviction prior to suspending or revoking the
34 license or registration. Any party aggrieved by an order of the
35 commissioner under the provisions of this section may appeal
36 therefrom in accordance with the provisions of section 4-183, except
37 the venue for such appeal shall be the judicial district of New Britain.

38 Sec. 4. Subsection (d) of section 29-305 of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective from*
40 *passage*):

41 (d) Upon receipt by the local fire marshal of information from an
42 authentic source that any other building or facility within the local fire
43 marshal's jurisdiction is hazardous to life safety from fire, the local fire
44 marshal shall inspect such building or facility. In each case in which
45 the local fire marshal conducts an inspection, the local fire marshal

46 shall be satisfied that all pertinent statutes and regulations are
47 complied with, and shall keep a record of such investigations. Such
48 local fire marshal or a designee shall have the right of entry at all
49 reasonable hours into or upon any premises within the local fire
50 marshal's jurisdiction for the performance of the fire marshal's duties
51 except that occupied dwellings and habitations, exclusive of common
52 use passageways and rooms in tenement houses, hotels and rooming
53 houses, may only be entered for inspections between the hours of 9:00
54 a.m. and 5:00 p.m., except in the event of any emergency requiring
55 immediate attention for [safety to life] life safety, or in the interests of
56 public safety. Each local fire marshal shall make a monthly report to
57 the authority which appointed the local fire marshal and shall be paid
58 for his or her services in making such inspections of buildings,
59 facilities, processes, equipment, systems and other areas the
60 compensation agreed upon with such appointing authority.

61 Sec. 5. Subsection (b) of section 51-164n of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective from*
63 *passage*):

64 (b) Notwithstanding any provision of the general statutes, any
65 person who is alleged to have committed (1) a violation under the
66 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
67 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-
68 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 [,] or 12-
69 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of
70 section 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-
71 107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-
72 140, 13a-143b, 13a-247 or 13a-253, subsection (f) of section 13b-42,
73 section 13b-90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a,
74 13b-410b or 13b-410c, subsection (a), (b) or (c) of section 13b-412,
75 section 13b-414, subsection (d) of section 14-12, section 14-20a or 14-
76 27a, subsection (e) of section 14-34a, subsection (d) of section 14-35,
77 section 14-43, 14-49, 14-50a or 14-58, subsection (b) of section 14-66,
78 section 14-66a, 14-66b or 14-67a, subsection (g) of section 14-80,
79 subsection (f) of section 14-80h, section 14-97a, 14-100b, 14-103a, 14-

80 106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first violation as
81 specified in subsection (f) of section 14-164i, section 14-219 as specified
82 in subsection (e) of said section, subdivision (1) of section 14-223a,
83 section 14-240, 14-249, 14-250 or 14-253a, subsection (a) of section 14-
84 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or
85 14-279, subsection (e) of section 14-283, section 14-291, 14-293b, 14-
86 296aa, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a,
87 subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection
88 (a) of section 15-115, section 16-256, 16-256e, 16a-15 or 16a-22,
89 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,
90 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734,
91 subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-
92 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,
93 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301,
94 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502,
95 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 or 20-324e, subsection (a) of
96 section 20-341, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-
97 39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-30,
98 subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-
99 77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159, 22-
100 13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a,
101 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98,
102 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-
103 326 or 22-342, subsection (b) or (e) of section 22-344, section 22-359, 22-
104 366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of
105 section 22a-250, subsection (e) of section 22a-256h, subsection (a) of
106 section 22a-381d, section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b,
107 subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-19, 26-21,
108 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97,
109 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-
110 224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-143o, 29-143z [,] or
111 29-156a, subsection (b), (d), (e) or (g) of section 29-161q, section 29-
112 161y, 29-161z, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-341, 29-
113 381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16,
114 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44,

115 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c)
 116 of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-
 117 134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-230,
 118 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
 119 section 46a-59, 46b-22, 46b-24, 46b-34, 46b-38dd, 46b-38gg, 46b-38kk,
 120 47-34a, 47-47, 49-8a, 49-16 or 53-133, or section 53-212a, 53-249a, 53-252,
 121 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344
 122 or 53-450, or (2) a violation under the provisions of chapter 268, or (3) a
 123 violation of any regulation adopted in accordance with the provisions
 124 of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance,
 125 regulation or bylaw of any town, city or borough, except violations of
 126 building codes and the health code, for which the penalty exceeds
 127 ninety dollars but does not exceed two hundred fifty dollars, unless
 128 such town, city or borough has established a payment and hearing
 129 procedure for such violation pursuant to section 7-152c, shall follow
 130 the procedures set forth in this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-323s(c)
Sec. 2	<i>from passage</i>	12-557c(c)
Sec. 3	<i>from passage</i>	29-158
Sec. 4	<i>from passage</i>	29-305(d)
Sec. 5	<i>from passage</i>	51-164n(b)

PS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill makes a number of technical changes to various public safety statutes which results in no fiscal impact.

The Out Years

None

OLR Bill Analysis

HB 6322

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE PUBLIC SAFETY STATUTES.

SUMMARY:

This bill makes technical changes in various public safety statutes.

EFFECTIVE DATE: Upon Passage

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 20 Nay 0 (02/17/2009)