



General Assembly

Substitute Bill No. 5414

January Session, 2009

* HB05414GL 031009 *

AN ACT CONCERNING DISCLOSURES BY HOME IMPROVEMENT CONTRACTORS AND NEW HOME CONSTRUCTION CONTRACTORS.

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

1 Section 1. Subsection (a) of section 20-417d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2009*):

4 (a) A new home construction contractor shall (1) prior to entering
5 into a contract with a consumer for new home construction, provide to
6 the consumer a copy of the new home construction contractor's
7 certificate of registration and a written notice that (A) discloses that the
8 certificate of registration does not represent in any manner that such
9 contractor's registration constitutes an endorsement of the quality of
10 such person's work or of such contractor's competency by the
11 commissioner, (B) advises the consumer to contact the Department of
12 Consumer Protection to determine (i) if such contractor is registered in
13 this state as a new home construction contractor, (ii) if any complaints
14 have been filed against such contractor, and (iii) the disposition of any
15 such complaints, [and] (C) advises the consumer to request from such
16 contractor a list of consumers of new homes constructed to completion
17 by the contractor during the previous twenty-four months and to
18 contact several individuals on the list to discuss the quality of such
19 contractor's new home construction work, and (D) discloses each

20 corporation, limited liability company, partnership, sole proprietorship
21 or other legal entity, which is or has been a new home construction
22 contractor under the provisions of this chapter or a home
23 improvement contractor under the provisions of chapter 400, in which
24 the owner or owners of the new home construction contractor
25 providing the written notice required by this section are or have been a
26 shareholder, member, partner or owner during the previous five years,
27 (2) state in any advertisement, including any advertisement in a
28 telephone directory, the fact that such contractor is registered, and (3)
29 include such contractor's registration number in any such
30 advertisement. The new home construction contractor, or his agent,
31 shall also discuss with the consumer the installation of an automatic
32 fire extinguishing system in a new home.

33 Sec. 2. Subsection (a) of section 20-429 of the general statutes is
34 repealed and the following is substituted in lieu thereof (*Effective July*
35 *1, 2009*):

36 (a) No home improvement contract shall be valid or enforceable
37 against an owner unless it: (1) Is in writing, (2) is signed by the owner
38 and the contractor, (3) contains the entire agreement between the
39 owner and the contractor, (4) contains the date of the transaction, (5)
40 contains the name and address of the contractor and the contractor's
41 registration number, (6) contains a notice of the owner's cancellation
42 rights in accordance with the provisions of chapter 740, (7) contains a
43 starting date and completion date, [and] (8) is entered into by a
44 registered salesman or registered contractor, and (9) includes a
45 provision disclosing each corporation, limited liability company,
46 partnership, sole proprietorship or other legal entity, which is or has
47 been a home improvement contractor pursuant to the provisions of
48 this chapter or a new home construction contractor pursuant to the
49 provisions of chapter 399a, in which the owner or owners of the home
50 improvement contractor are or have been a shareholder, member,
51 partner, or owner during the previous five years. Each change in the
52 terms and conditions of a contract shall be in writing and shall be
53 signed by the owner and contractor, except that the commissioner

54 may, by regulation, dispense with the necessity for complying with the
55 requirement that each change in a home improvement contract shall be
56 in writing and signed by the owner and contractor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	20-417d(a)
Sec. 2	<i>July 1, 2009</i>	20-429(a)

GL *Joint Favorable Subst.*