General Assembly

Governor's Bill No. 837

January Session, 2009

LCO No. **3058**

03058_____

Referred to Committee on Finance, Revenue and Bonding

Introduced by:
SEN. MCKINNEY, 28th Dist.
REP. CAFERO, 142nd Dist.

AN ACT CONCERNING VARIOUS FEES.

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

Section 1. Section 1-212 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) Any person applying in writing shall receive, promptly upon request, a plain or certified copy of any public record. The fee for any copy provided in accordance with the Freedom of Information Act:

(1) By an executive, administrative or legislative office of the state, a state agency or a department, institution, bureau, board, commission, authority or official of the state, including a committee of, or created by, such an office, agency, department, institution, bureau, board, commission, authority or official, and also including any judicial office, official or body or committee thereof but only in respect to its or their administrative functions, shall not exceed twenty-five cents per page; and

(2) By all other public agencies, as defined in section 1-200, shall not exceed fifty cents per page. If any copy provided in accordance with

said Freedom of Information Act requires a transcription, or if any person applies for a transcription of a public record, the fee for such transcription shall not exceed the cost thereof to the public agency.

(b) The fee for any copy provided in accordance with subsection (a) of section 1-211 shall not exceed the cost thereof to the public agency. In determining such costs for a copy, other than for a printout which exists at the time that the agency responds to the request for such copy, an agency may include only:

(1) An amount equal to the hourly salary attributed to all agency employees engaged in providing the requested computer-stored public record, including their time performing the formatting or programming functions necessary to provide the copy as requested, but not including search or retrieval costs except as provided in subdivision (4) of this subsection;

(2) An amount equal to the cost to the agency of engaging an outside professional electronic copying service to provide such copying services, if such service is necessary to provide the copying as requested;

(3) The actual cost of the storage devices or media provided to the person making the request in complying with such request; and

(4) The computer time charges incurred by the agency in providing the requested computer-stored public record where another agency or contractor provides the agency with computer storage and retrieval services. Notwithstanding any other provision of this section, the fee for any copy of the names of registered voters shall not exceed three cents per name delivered or the cost thereof to the public agency, as determined pursuant to this subsection, whichever is less. The Department of Information Technology shall monitor the calculation of the fees charged for copies of computer-stored public records to ensure that such fees are reasonable and consistent among agencies.

46 (c) A public agency may require the prepayment of any fee required
47 or permitted under the Freedom of Information Act if such fee is
48 estimated to be ten dollars or more. The sales tax provided in chapter
49 219 shall not be imposed upon any transaction for which a fee is
50 required or permissible under this section or section 1-227.

51 (d) The public agency shall waive any fee provided for in this
52 section when:

53 (1) The person requesting the records is an indigent individual;

54 (2) The records located are determined by the public agency to be
55 exempt from disclosure under subsection (b) of section 1-210;

56 (3) In its judgment, compliance with the applicant's request benefits
57 the general welfare; or

58 (4) The person requesting the record is an elected official of a
59 political subdivision of the state and the official (A) obtains the record
60 from an agency of the political subdivision in which the official serves,
61 and (B) certifies that the record pertains to the official's duties.

62 (e) Except as otherwise provided by law, the fee for any person who
63 has the custody of any public records or files for certifying any copy of
64 such records or files, or certifying to any fact appearing therefrom,
65 shall be for the first page of such certificate, or copy and certificate, one
66 dollar; and for each additional page, fifty cents. For the purpose of
67 computing such fee, such copy and certificate shall be deemed to be
68 one continuous instrument.

69 (f) The Secretary of the State, after consulting with the chairperson
70 of the Freedom of Information Commission, the Commissioner of
71 Correction and a representative of the Judicial Department, shall
72 propose a fee structure for copies of public records provided to an
73 inmate, as defined in section 18-84, in accordance with subsection (a) of
74 this section. The Secretary of the State shall submit such proposed fee
75 structure to the joint standing committee of the General Assembly

76 having cognizance of matters relating to government administration,
77 not later than January 15, 2000.

78 (g) Any individual may copy a public record through the use of a
79 hand-held scanner. A public agency may establish a fee structure not
80 to exceed **[**ten**]** fifteen dollars for an individual to pay each time the
81 individual copies records at the agency with a hand-held scanner. As
82 used in this section, "hand-held scanner" means a battery operated
83 electronic scanning device the use of which (1) leaves no mark or
84 impression on the public record, and (2) does not unreasonably
85 interfere with the operation of the public agency.

86 Sec. 2. Section 3-90 of the general statutes is repealed and the
87 following is substituted in lieu thereof (*Effective July 1, 2009*):

88 (a) The Secretary shall, annually, prepare and publish a Register and
89 Manual that shall give a complete list of the state, county and town
90 officers, of the judges of all courts and of the officials attending
91 thereon. The population, railroad and postal facilities and other items
92 of general interest concerning each town shall also be given in such
93 book and such other information in relation to state departments, state
94 institutions and other matters of public concern as the Secretary deems
95 desirable. The number of copies of the State Register and Manual
96 published each year shall be determined at the discretion of the
97 Secretary. The Secretary shall determine, by regulations adopted in
98 accordance with chapter 54, the agencies and officers of the federal,
99 state and municipal governments to whom the State Register and
100 Manual shall be distributed without charge and the number of copies
101 of such manual to be distributed to each such agency and officer. The
102 price to be charged for any additional copies distributed or sold, except
103 for copies sold pursuant to subsection (b) of this section, shall be **[**ten**]**
104 twenty dollars per copy for soft-bound copies and **[**nineteen**]** thirty-
105 eight dollars per copy for hard-bound special edition copies. Any
106 copies not distributed or sold by July first of the year following
107 publication may be distributed, at no cost, except the cost of mailing if

108 mailed, to any person making a request to the Secretary. Any
109 remaining copies may be disposed of at the time of the next annual
110 publication.

111 (b) The Secretary shall adopt regulations in accordance with chapter
112 54, providing for the sale of copies of the Register and Manual through
113 an agent or agents, including, but not limited to, wholesale and retail
114 booksellers according to a discount schedule similar to one that would
115 be available to such agents from commercial book publishers and
116 generally in keeping with standard book industry practices, provided
117 the price of the Register and Manual under such schedule shall be not
118 less than the cost of producing the Register and Manual.

119 Sec. 3. Section 3-94b of the general statutes is repealed and the
120 following is substituted in lieu thereof (*Effective July 1, 2009*):

121 (a) Except as provided in subsection (c) of this section, the Secretary
122 of the State may appoint as a notary public any qualified person who
123 submits an application in accordance with this section.

124 (b) In order to qualify for appointment as a notary public, a person
125 shall:

126 (1) Be eighteen years of age or older at the time of application;

127 (2) (A) Be a resident of the state of Connecticut at the time of
128 application and appointment, or (B) have one's principal place of
129 business in the state at the time of application and appointment;

130 (3) Pass a written examination approved or administered by the
131 Secretary;

132 (4) Submit an application, on a form prescribed and provided by the
133 Secretary, which the applicant shall complete in the applicant's
134 handwriting without misstatement or omission of fact. The application
135 shall be accompanied by (A) a nonrefundable application fee of **[**sixty**]**
136 one hundred twenty dollars, and (B) the recommendation of an

137 individual who has personally known the applicant for at least one
138 year and is not legally related to the applicant.

139 (c) The Secretary may deny an application based on:

140 (1) The applicant's conviction of a felony or a crime involving
141 dishonesty or moral turpitude;

142 (2) Revocation, suspension or restriction of a notary public
143 appointment or professional license issued to the applicant by this
144 state or any other state; or

145 (3) The applicant's official misconduct, whether or not any
146 disciplinary action has resulted.

147 (d) Upon approval of an application for appointment as a notary
148 public, the Secretary shall cause a certificate of appointment bearing a
149 facsimile of the Secretary's signature and countersigned by the
150 Secretary's executive assistant or an employee designated by the
151 Secretary to be issued to such appointee.

152 (e) A notary public may obtain a replacement certificate of
153 appointment by filing a written request with the Secretary,
154 accompanied by a nonrefundable fee of five dollars.

155 Sec. 4. Section 3-94n of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective July 1, 2009*):

157 Within thirty days after a change of residence address, a notary
158 public who is a resident of the state shall file with the Secretary a
159 signed, written notice which shall include both the old and new
160 addresses. Within thirty days after a change of address of one's
161 principal place of business, a notary public who is not a resident of the
162 state shall file with the Secretary a signed, written notice which shall
163 include both the old and new addresses. Such notice shall be
164 accompanied by a nonrefundable fee of **[**five**]** <u>fifteen</u> dollars. If the
165 change of address is to a different municipality, the notary shall,

166 within thirty days after issuance of a replacement certificate of
167 appointment by the Secretary, record such certificate with the town
168 clerk of the municipality in which the new address is located. The
169 failure of a notary to so record such replacement certificate shall not
170 invalidate any notarial act performed by the notary.

171 Sec. 5. Section 3-94o of the general statutes is repealed and the
172 following is substituted in lieu thereof (*Effective July 1, 2009*):

173 (a) Within thirty days after a change in the name of a notary public,
174 the notary shall file a notice of the change with the Secretary, on a form
175 prescribed and provided by the Secretary. The notice shall state the
176 notary's old and new names and the effective date of the new name,
177 include such proof of the change of name as the Secretary shall require,
178 be signed by the notary and be accompanied by a nonrefundable fee of
179 **[**five**]** fifteen dollars. The notary shall, within thirty days after the
180 issuance of a replacement certificate of appointment by the Secretary,
181 record such certificate with the town clerk of the municipality wherein
182 the notary recorded the notary's original certificate of appointment and
183 oath of office. The failure of a notary to so record such replacement
184 certificate shall not invalidate any notarial act performed by the notary.
185 Any town clerk who is required by statute to make a record of the
186 certificate of appointment and oath of office of a notary shall record the
187 replacement certificate of appointment containing the change of name
188 of the notary upon payment of a fee of **[**one dollar**]** fifteen dollars by
189 such notary to the town clerk.

190 (b) Beginning on the date of issuance of such replacement certificate
191 of appointment by the Secretary, the notary public shall (1) sign the
192 notary's new name on all notarial certificates, and (2) if the notary uses
193 a notarial seal, use only a notarial seal that contains the notary's new
194 name.

195 Sec. 6. Section 3-99a of the general statutes is repealed and the
196 following is substituted in lieu thereof (*Effective July 1, 2009*):

197 (a) Except as provided in subsection (b) of this section, the Secretary
198 of the State shall receive, for filing or recording any document,
199 instrument or paper required to be filed or recorded regardless of the
200 number of pages, when fees are not otherwise specially provided for,
201 [twenty-five] fifty dollars. The Secretary shall receive, for preparing
202 and furnishing a copy of any document, instrument or paper filed or
203 recorded: For each copy of each such document, regardless of the
204 number of pages, [twenty] forty dollars, for affixing the Secretary's
205 certificate and the state seal thereto, [five] fifteen dollars; for the
206 Secretary's certificate with the state seal imprinted or affixed, [twenty-
207 five] fifty dollars; for a certificate, with the seal of the state imprinted
208 or affixed thereon, of any fact or record for which no special provision
209 is made, [twenty-five] fifty dollars; for certifying the incumbency of a
210 judge of probate, notary public or other official, [twenty] forty dollars,
211 except that for certifying the incumbency of an official in connection
212 with an adoption of a child, such fee shall be [five] fifteen dollars.

213 (b) No fee shall be charged for filing any document required to be
214 filed pursuant to the provisions of titles 4, 7 and 9, and the fee for
215 furnishing copies of such documents shall be such as will, in the
216 judgment of said Secretary, cover the costs of such copies, except that
217 the fee for furnishing copies of documents filed pursuant to title 9 shall
218 not exceed twenty-five cents per page. No fee shall be charged for
219 filing resolutions relating to payment from the Treasury and
220 statements of receipts and expenditures of judges of probate.

221 (c) No fee shall be charged for any copy required by any state
222 officer, department, board or commission, the fee for which would be
223 payable from the State Treasury. For other services for which fees are
224 not provided by the general statutes, the Secretary may charge such
225 fees as will in his judgment cover the cost of the services provided. The
226 tax imposed under chapter 219 shall not be imposed upon any
227 transaction for which a fee may be charged under the provisions of this
228 section. Overpayments made to the Records and Legislative Services
229 Division or to the Commercial Recording Division of the office of the

230 Secretary of the State, whether for documents or for fees, in an amount
231 not to exceed five dollars shall not be refunded but shall be placed in
232 the General Fund. No overpayment claim shall be presented under this
233 section but within one year after it accrues.

234 (d) In the performance of their functions, the Commercial Recording
235 Division and the Records and Legislative Services Division of the office
236 of the Secretary of the State may, in the discretion of the Secretary,
237 provide expedited services. The Secretary shall provide for the
238 establishment and administration of a system of payment for such
239 expedited services and may include in such system prepaid deposit
240 accounts. The Secretary shall charge, in addition to the filing fees
241 provided for by law, the sum of **[**twenty-five**]** fifty dollars for each
242 expedited service provided. The filing fee and the expediting fee shall
243 be paid by the person requesting the information and documents, in
244 such manner as required by the Secretary. The Secretary may
245 promulgate rules and regulations necessary to establish guidelines for
246 the use of expedited services and shall establish fees, in addition to the
247 expediting fee, for expedited electronic data processing services which
248 cover the cost of such services.

249 (e) The Secretary of the State may accept the filing of documents by
250 telecopier or other electronic media and employ new technology, as it
251 is developed, to aid in the performance of all duties required by the
252 law. The Secretary of the State may establish rules, fee schedules and
253 regulations, not inconsistent with the law, for filing documents by
254 telecopier or other electronic media, for the adoption, employment and
255 use of new technology in the performance of the duties of the office
256 and for providing electronic access and other related products or
257 services that result from the employment of such new technology.

258 (f) The Secretary of the State may require that a unique
259 identification number be provided on documents or requests
260 processed by the office.

261 (g) The Secretary of the State may allow remittances to be in the

262 form of a credit account number and an authorization to draw upon a
263 specified credit account, at such time and under such conditions as the
264 Secretary may prescribe. Remittances in the form of an authorization to
265 draw upon a specified credit account shall include an amount for
266 purposes of paying the discount rate associated with drawing upon
267 the credit account, unless the remittances are drawn on an account
268 with a financial institution that agrees to add the number to the credit
269 card holder's billing, in which event the remittances drawn shall not
270 include an amount for purposes of paying the discount rate associated
271 with the drawing upon the credit account.

272 Sec. 7. Section 7-74 of the general statutes is repealed and the
273 following is substituted in lieu thereof (*Effective July 1, 2009*):

274 (a) The fee for a certification of birth registration, short form, shall
275 be **[**five**]** ten dollars. The fee for a certified copy of a certificate of birth,
276 long form, shall be **[**ten**]** twenty dollars, except that the fee for such
277 certifications and copies when issued by the department shall be
278 **[**fifteen**]** thirty dollars.

279 (b) The fee for a certified copy of a certificate of marriage or death
280 shall be **[**ten**]** fifteen dollars. Such fees shall not be required of the
281 department.

282 Sec. 8. Section 7-169d of the general statutes is repealed and the
283 following is substituted in lieu thereof (*Effective July 1, 2009*):

284 (a) As used in this section (1) "bingo" has the same meaning as
285 provided in section 7-169, and (2) "bingo products" means bingo ball
286 equipment, bingo cards or bingo paper.

287 (b) Each group or organization authorized to operate or conduct a
288 bingo game or series of bingo games pursuant to sections 7-169, 7-169a
289 and 7-169c shall use bingo products that are (1) owned in full by such
290 group or organization, (2) used without compensation by such group
291 or organization, or (3) rented or purchased from a bingo product

292 manufacturer or equipment dealer who is registered with the Division
293 of Special Revenue in accordance with subsection (c) of this section.

294 (c) Each applicant for registration as a bingo product manufacturer
295 or equipment dealer shall apply to the executive director of the
296 Division of Special Revenue on such forms as the executive director
297 prescribes. The application shall be accompanied by an annual fee of
298 **[**fifteen hundred**]** one thousand seven hundred fifty dollars payable to
299 the State Treasurer. Each applicant for an initial registration shall
300 submit to state and national criminal history records checks conducted
301 in accordance with section 29-17a, as amended by this act, before such
302 registration is issued.

303 (d) No registered bingo product manufacturer or equipment dealer
304 shall rent or sell any type of bingo product that has not been approved
305 by the executive director of the Division of Special Revenue.

306 (e) The Division of Special Revenue may revoke for cause any
307 registration issued in accordance with subsection (c) of this section.

308 (f) The executive director of the Division of Special Revenue may
309 adopt regulations, in accordance with chapter 54, to implement the
310 provisions of this section.

311 Sec. 9. Section 7-169e of the general statutes is repealed and the
312 following is substituted in lieu thereof (*Effective July 1, 2009*):

313 (a) Any parent teacher association or organization may operate and
314 conduct games of bingo, as defined in section 7-169, for the amusement
315 and recreation of such association's or organization's members and
316 guests without a permit, as required by said section, provided (1) such
317 association or organization registers annually with the Division of
318 Special Revenue and pays an annual registration fee of **[**twenty**]** forty
319 dollars, (2) such association or organization obtains an identification
320 number from the division, (3) such association or organization charges
321 an admission fee of not more than one dollar, (4) each individual prize

322 of cash or merchandise offered does not exceed twenty dollars in
323 value, and (5) only active members of such association or organization
324 assist in the operation of the games of bingo and assist without
325 compensation. The executive director of the Division of Special
326 Revenue may revoke any such registration for cause. Any registration
327 fees collected in accordance with this subsection shall be remitted to
328 the state.

329 (b) Each such association or organization shall keep accurate records
330 of receipts and disbursements related to such games of bingo, and such
331 records shall be available for inspection by the executive director.

332 (c) Each such association or organization shall be exempt from the
333 requirements of sections 7-169 and 7-169a.

334 (d) The executive director of the Division of Special Revenue, in
335 consultation with the Gaming Policy Board, shall adopt regulations, in
336 accordance with chapter 54, to implement the provisions of this section
337 in order to prevent fraud and protect the public.

338 Sec. 10. Section 7-169i of the general statutes is repealed and the
339 following is substituted in lieu thereof (*Effective July 1, 2009*):

340 (a) No permittee pursuant to section 7-169h may use a mechanical
341 or electronic ticket dispensing machine to sell sealed tickets unless
342 such machine is owned in full by the permittee or is rented or
343 purchased from a manufacturer or dealer who is registered with the
344 Division of Special Revenue.

345 (b) Each applicant for registration as a manufacturer or dealer in
346 sealed ticket dispensing machines shall apply to the executive director
347 on such forms as the executive director prescribes. The application
348 shall be accompanied by an annual fee of **[**five hundred**]** <u>six hundred</u>
349 <u>twenty-five</u> dollars payable to the State Treasurer. Each applicant for
350 initial registration shall submit to state and national criminal history
351 records checks conducted in accordance with section 29-17a<u>, as</u>

352 amended by this act, before such registration is issued.

353 (c) The Division of Special Revenue may revoke for cause any
354 registration issued in accordance with subsection (a) of this section.

355 (d) The executive director of the Division of Special Revenue may
356 adopt regulations, in accordance with chapter 54, to implement the
357 provisions of this section.

358 Sec. 11. Section 7-178 of the general statutes is repealed and the
359 following is substituted in lieu thereof (*Effective July 1, 2009*):

360 (a) No bazaar or raffle shall be conducted with any equipment
361 except such as is owned absolutely or used without payment of any
362 compensation therefor by the permittee or as is rented from a dealer in
363 such equipment who (1) has a principal place of business in this state,
364 and (2) is registered with the executive director of the Division of
365 Special Revenue in such manner and on such form as he may
366 prescribe, which form shall be accompanied by an annual fee of three
367 hundred seventy-five dollars payable to the Treasurer of the state of
368 Connecticut. No item of expense shall be incurred or paid in
369 connection with the holding, operating or conducting of any bazaar or
370 raffle pursuant to any permit issued under sections 7-170 to 7-186,
371 inclusive, except such as are bona fide items of reasonable amount for
372 goods, wares and merchandise furnished or services rendered, which
373 are reasonably necessary to be purchased or furnished for the holding,
374 operating or conducting thereof, and no commission, salary,
375 compensation, reward or recompense whatever shall be paid or given,
376 directly or indirectly, to any person holding, operating or conducting,
377 or assisting in the holding, operation or conduct of, any such bazaar or
378 raffle. Each raffle ticket shall have printed thereon the time, date and
379 place of the raffle, the three most valuable prizes to be awarded and
380 the total number of prizes to be awarded as specified on the form
381 prescribed in section 7-173. In addition to any other information
382 required under this section to be printed on a raffle ticket, each ticket
383 for a raffle authorized pursuant to a "Class No. 7" permit shall have

384 printed thereon the time, date and place of each raffle drawing.

385 (b) Notwithstanding the provisions of subsection (a) of this section,
386 a permittee may rent equipment from a dealer who does not have a
387 principal place of business in this state if an in-state dealer is
388 unavailable, provided such out-of-state dealer is registered with said
389 executive director pursuant to the provisions of said subsection (a).

390 Sec. 12. Section 9-623 of the general statutes is repealed and the
391 following is substituted in lieu thereof (*Effective July 1, 2009*):

392 (a) Any person who knowingly and wilfully violates any provision
393 of this chapter shall be fined not more than five thousand dollars or
394 imprisoned not more than five years, or both. The Secretary of the
395 State or the town clerk shall notify the State Elections Enforcement
396 Commission of any such violation of which said secretary or such
397 town clerk may have knowledge. Any such fine for a violation of any
398 provision of this chapter applying to the office of the Treasurer shall be
399 deposited on a pro rata basis in any trust funds, as defined in section 3-
400 13c, affected by such violation.

401 (b) (1) If any campaign treasurer fails to file any statement required
402 by section 9-608, or if any candidate fails to file either (A) a statement
403 for the formation of a candidate committee as required by section 9-
404 604, or (B) a certification pursuant to section 9-603 that the candidate is
405 exempt from forming a candidate committee as required by section
406 9-604, within the time required, the campaign treasurer or candidate,
407 as the case may be, shall pay a late filing fee of **[**one**]** two hundred
408 dollars.

409 (2) In the case of any such statement or certification that is required
410 to be filed with the State Elections Enforcement Commission, the
411 commission shall, not later than ten days after the filing deadline is, or
412 should be, known to have passed, notify by certified mail, return
413 receipt requested, the person required to file that, if such statement or
414 certification is not filed not later than twenty-one days after such

415 notice, the person is in violation of section 9-603, 9-604 or 9-608.

416 (3) In the case of any such statement or certification that is required
417 to be filed with a town clerk, the town clerk shall forthwith after the
418 filing deadline is, or should be, known to have passed, notify by
419 certified mail, return receipt requested, the person required to file that,
420 if such statement or certification is not filed not later than seven days
421 after the town clerk mails such notice, the town clerk shall notify the
422 State Elections Enforcement Commission that the person is in violation
423 of section 9-603, 9-604 or 9-608.

424 (4) The penalty for any violation of section 9-603, 9-604 or 9-608 shall
425 be a fine of not less than two hundred dollars or more than two
426 thousand dollars or imprisonment for not more than one year, or both.

427 Sec. 13. Section 10-145b of the general statutes is repealed and the
428 following is substituted in lieu thereof (*Effective July 1, 2009*):

429 (a) The State Board of Education, upon receipt of a proper
430 application, shall issue an initial educator certificate to any person who
431 has graduated (1) from a four-year baccalaureate program of teacher
432 education as approved by said state board, or (2) from a four-year
433 baccalaureate program approved by said state board or from a college
434 or university accredited by the board of governors or regionally
435 accredited, provided such person has taken such teacher training
436 equivalents as the State Board of Education shall require and, unless
437 such equivalents are taken at institutions outside of this state, as the
438 board of governors shall accredit. In addition, on and after July 1, 1993,
439 each applicant shall have completed a subject area major as defined by
440 the State Board of Education. Each such initial educator certificate shall
441 be valid for three years, except as provided in subsection (c) of this
442 section, and may be extended by the Commissioner of Education for
443 an additional year for good cause upon the request of the
444 superintendent in whose school district such person is employed or
445 upon the request of the assessment team reviewing such person's
446 performance.

447 (b) During the period of employment in a public school, a person
448 holding an initial educator certificate shall (1) be under the supervision
449 of the superintendent of schools or of a principal, administrator or
450 supervisor designated by such superintendent who shall regularly
451 observe, guide and evaluate the performance of assigned duties by
452 such holder of an initial certificate, and (2) participate in a beginning
453 educator program if there is such a program for such person's
454 certification endorsement area.

455 (c) (1) The State Board of Education, upon request of a local or
456 regional board of education, shall issue a temporary ninety-day
457 certificate to any applicant in the certification endorsement areas of
458 elementary education, middle grades education, secondary academic
459 subjects, special subjects or fields, special education, early childhood
460 education and administration and supervision when the following
461 conditions are met:

462 (A) The employing agent of a board of education makes a written
463 request for the issuance of such certificate and attests to the existence
464 of a special plan for supervision of temporary ninety-day certificate
465 holders;

466 (B) The applicant meets the following requirements, except as
467 otherwise provided in subparagraph (C) of this subdivision:

468 (i) Holds a bachelor's degree from an institution of higher education
469 accredited by the Board of Governors of Higher Education or
470 regionally accredited with a major either in or closely related to the
471 certification endorsement area in which the requesting board of
472 education is placing the applicant or, in the case of secondary or
473 special subject or field endorsement area, possesses at least the
474 minimum total number of semester hours of credit required for the
475 content area;

476 (ii) Has met the requirements pursuant to subsection (b) of section
477 10-145f;

478 (iii) Presents a written application on such forms as the
479 Commissioner of Education shall prescribe;

480 (iv) Has successfully completed a program of classroom
481 management and instructional methodology approved by the State
482 Board of Education and, within available appropriations, provided
483 under contract with an institution of higher education designated by
484 the Department of Higher Education;

485 (v) Possesses an undergraduate college overall grade point average
486 of at least "B" or, if the applicant has completed at least twenty-four
487 hours of graduate credit, possesses a graduate grade point average of
488 at least "B"; and

489 (vi) Presents supporting evidence of appropriate experience
490 working with children; and

491 (C) The Commissioner of Education may waive the requirements of
492 subparagraphs (B)(v) or (B)(vi), or both, of this subdivision upon a
493 showing of good cause.

494 (2) A person serving under a temporary ninety-day certificate shall
495 participate in a beginning support and assessment program pursuant
496 to section 10-220a which is specifically designed by the state
497 Department of Education for holders of temporary ninety-day
498 certificates.

499 (3) Notwithstanding the provisions of subsection (a) of this section
500 to the contrary, on and after July 1, 1989, the State Board of Education,
501 upon receipt of a proper application, shall issue an initial educator
502 certificate, which shall be valid for three years, to any person who has
503 taught successfully while holding a temporary ninety-day certificate
504 and meets the requirements pursuant to regulations adopted pursuant
505 to section 10-145d.

506 (d) On and after July 1, 1986, and prior to July 1, 1989, a person who
507 has graduated (1) from a four-year baccalaureate program of teacher

508 education as approved by the state board, or (2) from a four-year
509 baccalaureate program approved by the state board or from a college
510 or university accredited by the Board of Governors of Higher
511 Education or regionally accredited, provided such person has taken
512 such teacher training equivalents as the State Board of Education shall
513 require and, unless such equivalents are taken at institutions outside of
514 this state, as the Board of Governors of Higher Education shall
515 accredit, shall be issued upon proper application a provisional
516 teaching certificate by the state board which shall be valid for up to ten
517 years.

518 (e) In order to be eligible to obtain a provisional teaching certificate,
519 a provisional educator certificate or an initial educator certificate, each
520 person shall be required to complete a course of study in special
521 education comprised of not fewer than thirty-six hours, which shall
522 include an understanding of the growth and development of
523 exceptional children, including handicapped and gifted and talented
524 children and children who may require special education, and
525 methods for identifying, planning for and working effectively with
526 special needs children in a regular classroom. Notwithstanding the
527 provisions of this subsection to the contrary, each applicant for such
528 certificates who has met all requirements for certification except the
529 completion of the course in special education shall be entitled to a
530 certificate (1) for a period not to exceed one year, provided the
531 applicant completed a teacher preparation program either in the state
532 prior to July 1, 1987, or outside the state, or completed the necessary
533 combination of professional experience or coursework as required by
534 the State Board of Education or (2) for a period not to exceed two years
535 if the applicant applies for certification in an area for which a
536 bachelor's degree is not required.

537 (f) During the period of employment, a person holding a provisional
538 teaching certificate pursuant to subsection (d) of this section shall be
539 under the direct supervision of the superintendent of schools or of a
540 principal, administrator or supervisor designated by such

541 superintendent who shall regularly observe, guide and evaluate the
542 performance of assigned duties by such holder of a provisional
543 teaching certificate as well as cooperate with and counsel such holder
544 in accordance with the provisions of sections 10-145a to 10-145d,
545 inclusive, and 10-146b.

546 (g) On and after July 1, 1989, the State Board of Education, upon
547 receipt of a proper application, shall issue a provisional educator
548 certificate to any person who (1) has successfully completed a
549 beginning educator program and one school year of successful
550 teaching as attested to by the superintendent, or the superintendent's
551 designee, in whose local or regional school district such person was
552 employed, (2) has completed at least three years of successful teaching
553 in a public or nonpublic school approved by the State Board of
554 Education or appropriate governing body in another state within ten
555 years prior to application for such provisional educator certificate, as
556 attested to by the superintendent, or the superintendent's designee, in
557 whose school district such person was employed, or by the supervising
558 agent of the nonpublic school in which such person was employed,
559 and has met preparation and eligibility requirements for an initial
560 educator certificate, (3) has taught successfully in public schools in this
561 state for the 1988-1989 school year under a temporary emergency
562 permit and has met the preparation and eligibility requirements for an
563 initial educator certificate, or (4) has successfully taught with a
564 provisional teaching certificate for the year immediately preceding an
565 application for a provisional educator certificate as an employee of a
566 local or regional board of education or facility approved for special
567 education by the State Board of Education.

568 (h) Prior to July 1, 1989, to qualify for a standard certificate, a person
569 who holds or has held a provisional teaching certificate pursuant to
570 subsection (d) of this section shall have completed thirty credit hours
571 of course work beyond the baccalaureate degree. Such course work
572 need not necessarily lead to a master's degree and may include
573 graduate or undergraduate courses. It shall consist of (1) a planned

574 program at an institution of higher education accredited by the board
575 of governors or regionally accredited, or (2) an individual program
576 which is mutually determined or approved by the teacher and the
577 supervisory agent of the local or regional board of education or by the
578 supervisory agent of a nonpublic school approved by the State Board
579 of Education and which is designed to increase the ability of the
580 teacher to improve student learning. Such an individual program may
581 include course work taken at one or more institutions for higher
582 education approved by the board of governors and may include in-
583 service programs sponsored by local or regional boards of education or
584 nonpublic schools approved by the State Board of Education. Such in-
585 service programs shall have been approved by the joint subcommittee
586 of the Board of Governors of Higher Education and the State Board of
587 Education established pursuant to section 10-155b of the revision of
588 1958, revised to January 1, 1983.

589 (i) Unless otherwise provided in regulations adopted under section
590 10-145d, in not less than three years [nor] or more than ten years after
591 the issuance of a provisional teaching certificate pursuant to subsection
592 (d) of this section and upon the statement of the employing board of
593 education or nonpublic school approved by the State Board of
594 Education that the person who holds or has held a provisional
595 certificate has a record of competency in the discharge of his or her
596 duties during such provisional period, the state board, upon receipt of
597 a proper application, shall issue to a person who holds or has held a
598 provisional certificate, a standard teaching certificate prior to July 1,
599 1989, and a professional educator certificate on or after said date. A
600 signed recommendation from the superintendent of schools for the
601 local or regional board of education or by the superintendent of a
602 nonpublic school approved by the State Board of Education shall be
603 evidence of competency. Such recommendation shall state that the
604 person who holds or has held a provisional teaching certificate has
605 successfully completed at least three school years of satisfactory
606 teaching for one or more local or regional boards of education or
607 approved nonpublic schools. Each applicant for a certificate pursuant

608 to this subsection shall provide to the Department of Education, in
609 such manner and form as prescribed by the commissioner, evidence
610 that the applicant has successfully completed coursework pursuant to
611 subsection (h) or (j) of this section, as appropriate. Any person holding
612 a standard or permanent certificate on July 1, 1989, shall be eligible to
613 receive upon application a professional educator certificate to replace
614 said standard or permanent certificate. On and after July 1, 1989,
615 standard and permanent certificates shall no longer be valid.

616 (j) On or after July 1, 1989, to qualify for a professional educator
617 certificate, a person who holds or has held a provisional educator
618 certificate under subsection (g) of this section shall have completed
619 thirty credit hours of course work beyond the baccalaureate degree. It
620 is not necessary that such course work be taken for a master's degree
621 and such work may include graduate or undergraduate courses. Such
622 course work shall consist of (1) a planned program at an institution of
623 higher education accredited by the board of governors or regionally
624 accredited and shall be related directly to the subject areas or grade
625 levels for which the person holds endorsement or shall be in an area or
626 areas related to the person's ability to provide instruction effectively or
627 to meet locally determined goals and objectives or (2) an individual
628 program which is mutually determined or approved by the teacher
629 and the supervisory agent of the local or regional board of education
630 or by the supervisory agent of a nonpublic school approved by the
631 State Board of Education. Such program shall be designed to increase
632 the ability of the teacher to improve student learning.

633 (k) (1) Unless otherwise provided in regulations adopted under
634 section 10-145d, in not less than three years or more than eight years
635 after the issuance of a provisional educator certificate pursuant to
636 subsection (g) of this section and upon the statement of the
637 superintendent in whose school district such certificate holder was
638 employed, or the supervisory agent of a nonpublic school approved by
639 the State Board of Education, in whose school such certificate holder
640 was employed, that the provisional educator certificate holder and

641 such superintendent or supervisory agent have mutually determined
642 or approved an individual program pursuant to subdivision (2) of
643 subsection (j) of this section and upon the statement of such
644 superintendent or supervisory agent that such certificate holder has a
645 record of competency in the discharge of such certificate holder's
646 duties during such provisional period, the state board upon receipt of
647 a proper application shall issue such certificate holder a professional
648 educator certificate. A signed recommendation from the
649 superintendent of schools, or the superintendent's designee, for the
650 local or regional board of education or from the supervisory agent of a
651 nonpublic school approved by the State Board of Education shall be
652 evidence of competency. Such recommendation shall state that the
653 person who holds or has held a provisional educator certificate has
654 successfully completed at least three school years of satisfactory
655 teaching for one or more local or regional boards of education or such
656 nonpublic schools. Each applicant for a certificate pursuant to this
657 subsection shall provide to the Department of Education, in such
658 manner and form as prescribed by the commissioner, evidence that the
659 applicant has successfully completed coursework pursuant to
660 subsection (h) or (j) of this section, as appropriate.

661 (2) Upon receipt of a proper application, the State Board of
662 Education shall issue to a teacher from another state, territory or
663 possession of the United States or the District of Columbia or the
664 Commonwealth of Puerto Rico who (A) is nationally board certified by
665 an organization deemed appropriate by the Commissioner of
666 Education to issue such certifications, and (B) has taught in another
667 state, territory or possession of the United States or the District of
668 Columbia or the Commonwealth of Puerto Rico for a minimum of
669 three years in the preceding ten years (i) a provisional educator
670 certificate with the appropriate endorsement, or (ii) if such teacher has
671 completed thirty credit hours of coursework beyond the baccalaureate
672 degree, in accordance with subdivision (1) of subsection (j) of this
673 section, a professional educator certificate with the appropriate
674 endorsement, subject to the provisions of subsection (m) of this section

675 relating to denial of applications for certification.

676 (l) (1) For certified employees of local and regional boards of
677 education, except as provided in this subdivision, each professional
678 educator certificate shall be valid for five years and continued every
679 five years thereafter upon the successful completion of professional
680 development activities which shall consist of not less than ninety hours
681 of continuing education, as determined by the local or regional board
682 of education in accordance with this section, or documented
683 completion of a national board certification assessment in the
684 appropriate endorsement area, during each successive five-year
685 period. (A) Such continuing education completed by certified
686 employees with an early childhood nursery through grade three or an
687 elementary endorsement who hold a position requiring such an
688 endorsement shall include at least fifteen hours of training in the
689 teaching of reading and reading readiness and assessment of reading
690 performance, including methods of teaching language skills necessary
691 for reading, reading comprehension skills, phonics and the structure of
692 the English language during each five-year period. (B) Such continuing
693 education requirement completed by certified employees with
694 elementary, middle grades or secondary academic endorsements who
695 hold a position requiring such an endorsement shall include at least
696 fifteen hours of training in the use of computers in the classroom
697 during each five-year period unless such employees are able to
698 demonstrate technology competency, in a manner determined by their
699 local or regional board of education, based on state-wide standards for
700 teacher competency in the use of technology for instructional purposes
701 adopted pursuant to section 4d-85. (C) Such continuing education
702 completed by (i) the superintendent of schools, and (ii) employees
703 employed in positions requiring an intermediate administrator or
704 supervisory certificate, or the equivalent thereof, and whose
705 administrative or supervisory duties equal at least fifty per cent of
706 their assigned time, shall include at least fifteen hours of training in the
707 evaluation of teachers pursuant to section 10-151b during each five-
708 year period. (D) In the case of certified employees with a bilingual

709 education endorsement who hold positions requiring such an
710 endorsement (i) in an elementary school and who do not hold an
711 endorsement in elementary education, such continuing education
712 taken on or after July 1, 1999, shall only count toward the ninety-hour
713 requirement if it is in language arts, reading and mathematics, and (ii)
714 in a middle or secondary school and who do not hold an endorsement
715 in the subject area they teach, such continuing education taken on or
716 after July 1, 1999, shall only count toward the ninety-hour requirement
717 if it is in such subject area or areas. During each five-year period in
718 which a professional educator certificate is valid, a holder of such
719 certificate who has not completed the ninety hours of continuing
720 education required pursuant to this subdivision, and who has not been
721 employed while holding such certificate by a local or regional board of
722 education for all or part of the five-year period, shall, upon
723 application, be reissued such certificate for five years minus any period
724 of time such holder was employed while holding such certificate by a
725 local or regional board of education, provided there shall be only one
726 such reissuance during each five-year period in which such certificate
727 is valid. A certified employee of a local or regional board of education
728 who is a member of the General Assembly and who has not completed
729 the ninety hours of continuing education required pursuant to this
730 subdivision for continuation of a certificate, upon application, shall be
731 reissued a professional educator certificate for a period of time equal to
732 six months for each year the employee served in the General Assembly
733 during the previous five years. Continuing education hours completed
734 during the previous five years shall be applied toward such ninety-
735 hour requirement which shall be completed during the reissuance
736 period in order for such employee to be eligible to have a certificate
737 continued. The cost of the professional development activities required
738 under this subsection for certified employees of local or regional
739 boards of education shall be shared by the state and local or regional
740 boards of education, except for those activities identified by the State
741 Board of Education as the responsibility of the certificate holder. Each
742 local and regional board of education shall make available, annually, at

743 no cost to its certified employees not fewer than eighteen hours of
744 professional development activities for continuing education credit.
745 Such activities may be made available by a board of education directly,
746 through a regional educational service center or cooperative
747 arrangement with another board of education or through
748 arrangements with any continuing education provider approved by
749 the State Board of Education. Local and regional boards of education
750 shall grant continuing education credit for professional development
751 activities which the certified employees of the board of education are
752 required to attend, professional development activities offered in
753 accordance with the plan developed pursuant to subsection (b) of
754 section 10-220a, or professional development activities which the
755 board may approve for any individual certified employee. Each board
756 of education shall determine the specific professional development
757 activities to be made available with the advice and assistance of the
758 teachers employed by such board, including representatives of the
759 exclusive bargaining unit for such teachers pursuant to section 10-
760 153b. The time and location for the provision of such activities shall be
761 in accordance with either an agreement between the board of
762 education and the exclusive bargaining unit pursuant to said section
763 10-153b or, in the absence of such agreement or to the extent such
764 agreement does not provide for the time and location of all such
765 activities, in accordance with a determination by the board of
766 education.

767 (2) Each local and regional board of education shall attest to the
768 state Department of Education, in such form and at such time as the
769 commissioner shall prescribe, that professional development activities
770 for which continuing education credit is granted by the board: (A) Are
771 planned in response to identified needs, (B) are provided by qualified
772 instructional personnel, as appropriate, (C) have the requirements for
773 participation in the activity shared with participants before the
774 commencement of the activity, (D) are evaluated in terms of its
775 effectiveness and its contribution to the attainment of school or
776 district-wide goals, and (E) are documented in accordance with

777 procedures established by the State Board of Education. At the end of
778 each five-year period each professional educator shall attest to the state
779 Department of Education, in such form and at such time as the
780 commissioner shall prescribe, that the professional educator has
781 successfully completed ninety hours of continuing education.

782 (3) In the event that the state Department of Education notifies the
783 local or regional board of education that the provisions of subdivision
784 (2) of this subsection have not been met and that specific corrective
785 action is necessary, the local or regional board of education shall take
786 such corrective action immediately. The department shall not
787 invalidate continuing education credit awarded prior to such notice.

788 (m) (1) The State Board of Education may revoke any certificate,
789 authorization or permit issued pursuant to sections 10-144o to 10-149,
790 inclusive, for any of the following reasons: (A) The holder of the
791 certificate, authorization or permit obtained such certificate,
792 authorization or permit through fraud or misrepresentation of a
793 material fact; (B) the holder has persistently neglected to perform the
794 duties for which the certificate, authorization or permit was granted;
795 (C) the holder is professionally unfit to perform the duties for which
796 the certificate, authorization or permit was granted; (D) the holder is
797 convicted in a court of law of a crime involving moral turpitude or of
798 any other crime of such nature that in the opinion of the board
799 continued holding of a certificate, authorization or permit by the
800 person would impair the standing of certificates, authorizations or
801 permits issued by the board; or (E) other due and sufficient cause. The
802 State Board of Education shall revoke any certificate, authorization or
803 permit issued pursuant to said sections if the holder is found to have
804 intentionally disclosed specific questions or answers to students or
805 otherwise improperly breached the security of any administration of a
806 state-wide examination pursuant to section 10-14n. In any revocation
807 proceeding pursuant to this section, the State Board of Education shall
808 have the burden of establishing the reason for such revocation by a
809 preponderance of the evidence. Revocation shall be in accordance with

810 procedures established by the State Board of Education pursuant to
811 chapter 54.

812 (2) When the Commissioner of Education is notified, pursuant to
813 section 10-149a or 17a-101i that a person holding a certificate,
814 authorization or permit issued by the State Board of Education under
815 the provisions of sections 10-144o to 10-149, inclusive, has been
816 convicted of (A) a capital felony, pursuant to section 53a-54b, (B) arson
817 murder, pursuant to section 53a-54d, (C) a class A felony, (D) a class B
818 felony, except a violation of section 53a-122, 53a-252 or 53a-291, (E) a
819 crime involving an act of child abuse or neglect as described in section
820 46b-120, or (F) a violation of section 53-21, 53-37a, 53a-60b, 53a-60c,
821 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-99, 53a-103a, 53a-181c,
822 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or subsection
823 (a) of section 21a-277, any certificate, permit or authorization issued by
824 the State Board of Education and held by such person shall be deemed
825 revoked and the commissioner shall notify such person of such
826 revocation, provided such person may request reconsideration
827 pursuant to regulations adopted by the State Board of Education, in
828 accordance with the provisions of chapter 54. As part of such
829 reconsideration process, the board shall make the initial determination
830 as to whether to uphold or overturn the revocation. The commissioner
831 shall make the final determination as to whether to uphold or overturn
832 the revocation.

833 (3) The State Board of Education may deny an application for a
834 certificate, authorization or permit for any of the following reasons: (A)
835 The applicant seeks to obtain a certificate, authorization or permit
836 through fraud or misrepresentation of a material fact; (B) the applicant
837 has been convicted in a court of law of a crime involving moral
838 turpitude or of any other crime of such nature that in the opinion of
839 the board issuance of a certificate, authorization or permit would
840 impair the standing of certificates, authorizations or permits issued by
841 the board; or (C) other due and sufficient cause. Any applicant denied
842 a certificate, authorization or permit shall be notified in writing of the

843 reasons for denial. Any applicant denied a certificate, authorization or
844 permit may request a review of such denial by the State Board of
845 Education.

846 (n) Within thirty days after receipt of notification, any initial
847 educator certificate holder who is not granted a provisional educator
848 certificate, or any provisional certificate holder who is not granted a
849 standard certificate, or any provisional educator or provisional
850 teaching certificate holder who is not granted a professional educator
851 certificate, or any professional educator certificate holder who is not
852 granted a continuation, under the provisions of sections 10-145a to 10-
853 145d, inclusive, and 10-146b, may appeal to the State Board of
854 Education for reconsideration. Said board shall review the records of
855 the appropriate certification period, hold a hearing within sixty days if
856 such hearing is requested in writing and render a written decision
857 within thirty days. Any teacher aggrieved by the decision of said
858 board may appeal therefrom in accordance with the provisions of
859 section 4-183 and such appeal shall be privileged with respect to
860 assignment thereof.

861 (o) For the purposes of this section "supervisory agent" means the
862 superintendent of schools or the principal, administrator or supervisor
863 designated by such superintendent to provide direct supervision to a
864 provisional certificate holder.

865 (p) Upon application to the State Board of Education for the
866 issuance of any certificate in accordance with this section and section
867 10-145d there shall be paid to the board by or on behalf of the
868 applicant a nonreturnable fee of **[**one**]** two hundred dollars in the case
869 of an applicant for an initial educator certificate, two hundred fifty
870 dollars in the case of an applicant for a provisional educator certificate
871 and three hundred seventy-five dollars in the case of an applicant for a
872 professional educator certificate, except that applicants for certificates
873 for teaching adult education programs mandated under subdivision
874 (1) of subsection (a) of section 10-69 shall pay a fee of **[**fifty**]** one

875 hundred dollars; persons eligible for a certificate or endorsement for
876 which the fee is less than that applied for shall receive an appropriate
877 refund; persons not eligible for any certificate shall receive a refund of
878 the application fee minus fifty dollars; and persons holding standard
879 or permanent certificates on July 1, 1989, who apply for professional
880 certificates to replace the standard or permanent certificates, shall not
881 be required to pay such a fee. Upon application to the State Board of
882 Education for the issuance of a subject area endorsement there shall be
883 paid to the board by or on behalf of such applicant a nonreturnable fee
884 of [fifty] one hundred dollars. With each request for a duplicate copy
885 of any such certificate or endorsement there shall be paid to the board
886 a nonreturnable fee of [twenty-five] fifty dollars.

887 Sec. 14. Section 12-285b of the general statutes is repealed and the
888 following is substituted in lieu thereof (*Effective July 1, 2009*):

889 (a) Every tobacco product manufacturer, as defined in section 4-28h,
890 selling cigarettes to consumers within this state, whether directly or
891 through a distributor, dealer, or similar intermediary or
892 intermediaries, shall secure a cigarette manufacturer's license from the
893 Commissioner of Revenue Services. Such license shall be renewable
894 annually. The annual fee for a cigarette manufacturer's license shall be
895 [five thousand] five thousand two hundred fifty dollars. The
896 commissioner shall not include or retain in the directory of tobacco
897 product manufacturers developed and maintained in accordance with
898 section 4-28m the name or brand families of any tobacco product
899 manufacturer that has failed to secure and retain a cigarette
900 manufacturer's license in accordance with this section.

901 (b) The commissioner shall not issue or reissue a cigarette
902 manufacturer's license to an applicant if any of the following
903 conditions apply: (1) The applicant is neither (A) a participating
904 manufacturer, as defined in Subsection II(jj) of the Master Settlement
905 Agreement, as defined in section 4-28h, nor (B) in full compliance with
906 section 4-28i; (2) the applicant has imported cigarettes into the United

907 States in violation of 19 USC 1681a; or (3) the applicant has imported or
908 manufactured cigarettes that do not fully comply with the federal
909 Cigarette Labeling and Advertising Act, 15 USC 1331 et seq.

910 (c) Such license shall be valid for a period beginning with the date of
911 license to the thirtieth day of September next succeeding the date of
912 license unless sooner revoked in the same manner provided in section
913 12-295 for revocation of the license of a dealer or distributor or unless
914 the person to whom it was issued discontinues business. Upon
915 revocation or discontinuance of business, the holder of the license shall
916 immediately return such license to the commissioner. In the event of
917 mutilation or destruction of such license, a duplicate copy, marked as
918 such, shall be issued by said commissioner upon application
919 accompanied by a fee of **[**five**]** ten dollars.

920 Sec. 15. Section 12-287 of the general statutes is repealed and the
921 following is substituted in lieu thereof (*Effective July 1, 2009*):

922 Each person engaging in, or intending to engage in, the business of
923 selling cigarettes in this state as a dealer, and each person engaging in
924 or intending to engage in, the business of selling taxed tobacco
925 products at retail, shall secure a dealer's license from the
926 Commissioner of Revenue Services before engaging in such business
927 or continuing to engage therein. Subject to the provisions of section 12-
928 286, such license shall be renewable annually. The annual fee for a
929 dealer's license shall be **[**twenty-five**]** fifty dollars. Such license shall be
930 valid for a period beginning with the date of license to the thirtieth day
931 of September next succeeding the date of license unless sooner revoked
932 as provided in section 12-295, or unless the person to whom it was
933 issued discontinues business, in either of which cases the holder of the
934 license shall immediately return it to the commissioner. In the event of
935 mutilation or destruction of such license, a duplicate copy, marked as
936 such, shall be issued by said commissioner upon application
937 accompanied by a fee of **[**five**]** fifteen dollars.

938 Sec. 16. Section 12-288 of the general statutes is repealed and the

939 following is substituted in lieu thereof (*Effective July 1, 2009*):

940 Each person engaging in, or intending to engage in, the business of
941 selling cigarettes in this state as a distributor shall secure a license from
942 the Commissioner of Revenue Services before engaging or continuing
943 to engage in such business. Subject to the provisions of section 12-286,
944 such license shall be renewable annually. The annual fee for a
945 distributor's license shall be one thousand dollars, provided in the case
946 of a distributor who sells cigarettes as a distributor exclusively to retail
947 stores which such distributor is operating, the fee for such distributor's
948 license shall be: (1) **[**Two hundred fifty**]** Three hundred fifteen dollars
949 annually if such distributor operates less than fifteen such retail stores;
950 (2) **[**five hundred**]** six hundred twenty-five dollars annually if such
951 distributor operates fifteen or more but less than twenty-five such
952 retail stores; and (3) one thousand two hundred fifty dollars annually
953 if such distributor operates twenty-five or more such retail stores. Such
954 license shall be valid for a period beginning with the date of license to
955 the thirtieth day of September next succeeding the date of license
956 unless sooner revoked by the commissioner as provided in section 12-
957 295 or unless the person to whom such license was issued discontinues
958 business, in either of which cases the holder of the license shall
959 immediately return it to the Commissioner of Revenue Services.

960 Sec. 17. Section 12-330b of the general statutes is repealed and the
961 following is substituted in lieu thereof (*Effective July 1, 2009*):

962 Each distributor or unclassified importer shall obtain a license
963 issued by the commissioner before manufacturing, purchasing,
964 importing, receiving or acquiring any untaxed tobacco products in this
965 state. The commissioner may, in his or her discretion, refuse to issue a
966 license if such commissioner has reasonable ground to believe (1) that
967 the applicant has wilfully made any false statement of substance with
968 respect to such application for license, (2) that the applicant has
969 neglected to pay any taxes due to this state, or (3) that the applicant
970 has been convicted of violating any of the cigarette or other tobacco

971 product tax laws of this or any other state or the cigarette tax laws of
972 the United States or has such a criminal record that the commissioner
973 reasonably believes that such applicant is not a suitable person to be
974 issued a license, provided no refusal shall be rendered under this
975 subdivision except in accordance with the provisions of sections 46a-80
976 and 46a-81. The fee for a distributor's license shall be **[**one**]** two
977 hundred dollars a year. There shall be no fee for an unclassified
978 importer's license. Each distributor's license shall be conspicuously
979 displayed on the premises covered by the license. Notwithstanding the
980 provisions of section 12-15, the commissioner shall publish on the
981 Internet web site of the Department of Revenue Services a list of every
982 distributor licensed under this chapter. The commissioner shall
983 prescribe the form of application for a distributor's license and for an
984 unclassified importer's license.

985 Sec. 18. Section 12-409 of the general statutes is repealed and the
986 following is substituted in lieu thereof (*Effective July 1, 2009*):

987 (1) No person shall engage in or transact business as a seller within
988 this state, unless a permit or permits have been issued to him as
989 hereinafter prescribed.

990 (2) Every person desiring to engage in or conduct business as a
991 seller within this state shall file with the commissioner an application
992 for a permit for each place of business. Every application for a permit
993 shall be made upon a form prescribed by the commissioner and shall
994 set forth the name under which the applicant transacts or intends to
995 transact business, the location of his place or places of business and
996 such other information as the commissioner requires. The application
997 shall be signed by the owner if a natural person; in the case of an
998 association or partnership, by a member or partner; in the case of a
999 corporation, by an executive officer or some person specifically
1000 authorized by the corporation to sign the application.

1001 (3) At the time of making an application the applicant shall pay to
1002 the Commissioner of Revenue Services a permit fee of **[**fifty**]** one

1003 hundred dollars for each permit. Any permit issued on or after July 1,
1004 1985, but prior to October 1, 2003, shall expire biennially on the
1005 anniversary date of the issuance of such permit unless renewed in
1006 accordance with such procedure and application form as prescribed by
1007 the commissioner. Any permit issued on or after October 1, 2003, shall
1008 expire on the fifth anniversary date of the issuance of such permit
1009 unless renewed in accordance with such procedure and application
1010 form as prescribed by the commissioner.

1011 (4) After compliance with subsections (1), (2) and (3) of this section
1012 by the applicant, the commissioner shall grant and issue to such
1013 applicant a separate permit for each place of business within the state.
1014 A permit is not assignable and is valid only for the person in whose
1015 name it is issued and for the transaction of business at the place
1016 designated therein. It shall at all times be conspicuously displayed at
1017 the place for which issued.

1018 (5) A seller whose permit has been suspended or revoked shall pay
1019 to the Commissioner of Revenue Services a fee of **[**fifty**]** one hundred
1020 dollars for the reissuance of a permit.

1021 (6) Whenever any person fails to comply with any provision of this
1022 chapter relating to the sales tax or any regulation of the commissioner
1023 relating to the sales tax prescribed and adopted under this chapter or
1024 whenever any seller files returns for four successive monthly or
1025 quarterly periods, as the case may be, showing no sales, the
1026 commissioner, upon hearing, after giving such person ten days' notice
1027 in writing specifying the time and place of hearing and requiring him
1028 to show cause why his permit or permits should not be revoked, may
1029 revoke or suspend any one or more of the permits held by the person.
1030 The notice may be served personally or by registered or certified mail.
1031 The commissioner shall not issue a new permit after the revocation of a
1032 permit unless he is satisfied that the former holder of the permit will
1033 comply with the provisions of this chapter relating to the sales tax and
1034 the regulations of the commissioner.

1035 (7) Any person who knowingly violates any provision of this section
1036 shall be fined not more than five hundred dollars or imprisoned not
1037 more than three months or both for each offense.

1038 Sec. 19. Section 12-578 of the general statutes is repealed and the
1039 following is substituted in lieu thereof (*Effective July 1, 2009*):

1040 (a) The executive director, with the advice and consent of the board,
1041 shall adopt regulations governing registration and the issuance and
1042 annual renewal of licenses and payment of annual nonrefundable
1043 application fees for the same in accordance with the following
1044 schedule:

1045 (1) Registration: (A) Stable name, **[**fifty**]** one hundred dollars; (B)
1046 partnership name, **[**fifty**]** one hundred dollars; (C) colors, **[**ten**]** fifteen
1047 dollars; (D) kennel name, **[**fifty**]** one hundred dollars.

1048 (2) Licenses: (A) Owner, **[**fifty**]** one hundred dollars; (B) trainer,
1049 **[**fifty**]** one hundred dollars; (C) assistant trainer, **[**fifty**]** one hundred
1050 dollars; (D) jockey, **[**twenty**]** forty dollars; (E) jockey agent, for each
1051 jockey, **[**fifty**]** one hundred dollars; (F) stable employees, including
1052 exercise boy, groom, stable foreman, hot walker, outrider, **[**ten**]** fifteen
1053 dollars; (G) veterinarian, **[**fifty**]** one hundred dollars; (H) jockey
1054 apprentice, **[**twenty**]** forty dollars; (I) driver, **[**fifty**]** one hundred
1055 dollars; (J) valet, **[**ten**]** fifteen dollars; (K) blacksmith, **[**ten**]** fifteen
1056 dollars; (L) plater, **[**ten**]** fifteen dollars; (M) concessionaire, for each
1057 concession, two hundred fifty dollars; (N) concessionaire affiliate, for
1058 each concession of the concessionaire, two hundred fifty dollars; (O)
1059 concession employees, **[**ten**]** fifteen dollars; (P) jai alai players, **[**fifty**]**
1060 one hundred dollars; (Q) officials and supervisors, **[**fifty**]** one hundred
1061 dollars; (R) pari-mutuel employees, **[**twenty**]** forty dollars; (S) other
1062 personnel engaged in activities regulated under this chapter, **[**ten**]**
1063 fifteen dollars; (T) vendor, for each contract, two hundred fifty dollars;
1064 (U) totalizator, for each contract, two hundred fifty dollars; (V) vendor
1065 and totalizator affiliates, for each contract of the vendor or totalizator,
1066 two hundred fifty dollars. For the purposes of this subdivision,

1067 "concessionaire affiliate" means a business organization, other than a
1068 shareholder in a publicly traded corporation, that may exercise control
1069 in or over a concessionaire; and "concessionaire" means any individual
1070 or business organization granted the right to operate an activity at a
1071 dog race track or off-track betting facility for the purpose of making a
1072 profit that receives or, in the exercise of reasonable business judgment,
1073 can be expected to receive more than twenty-five thousand dollars or
1074 twenty-five per cent of its gross annual receipts from such activity at
1075 such track or facility.

1076 (b) The executive director shall require each applicant for a license
1077 under subdivision (2) of subsection (a) of this section to submit to state
1078 and national criminal history records checks before such license is
1079 issued. The criminal history records checks required pursuant to this
1080 subsection shall be conducted in accordance with section 29-17a, as
1081 amended by this act.

1082 Sec. 20. Section 12-815a of the general statutes is repealed and the
1083 following is substituted in lieu thereof (*Effective July 1, 2009*):

1084 (a) The executive director of the Division of Special Revenue shall
1085 issue vendor, affiliate and occupational licenses in accordance with the
1086 provisions of this section.

1087 (b) No person or business organization awarded a primary contract
1088 by the Connecticut Lottery Corporation to provide facilities,
1089 components, goods or services that are necessary for and directly
1090 related to the secure operation of the activities of said corporation shall
1091 do so unless such person or business organization is issued a vendor
1092 license by the executive director of the Division of Special Revenue.
1093 For the purposes of this subsection, "primary contract" means a
1094 contract to provide facilities, components, goods or services to said
1095 corporation by a person or business organization (1) that provides any
1096 lottery game or any online wagering system related facilities,
1097 components, goods or services and that receives or, in the exercise of
1098 reasonable business judgment, can be expected to receive more than

1099 seventy-five thousand dollars or twenty-five per cent of its gross
1100 annual sales from said corporation, or (2) that has access to the
1101 facilities of said corporation and provides services in such facilities
1102 without supervision by said corporation. Each applicant for a vendor
1103 license shall pay a nonrefundable application fee of two hundred fifty
1104 dollars.

1105 (c) No person or business organization, other than a shareholder in
1106 a publicly traded corporation, may be a subcontractor for the provision
1107 of facilities, components, goods or services that are necessary for and
1108 directly related to the secure operation of the activities of the
1109 Connecticut Lottery Corporation, or may exercise control in or over a
1110 vendor licensee unless such person or business organization is licensed
1111 as an affiliate licensee by the executive director. Each applicant for an
1112 affiliate license shall pay a nonrefundable application fee of two
1113 hundred fifty dollars.

1114 (d) (1) Each employee of a vendor or affiliate licensee who has
1115 access to the facilities of the Connecticut Lottery Corporation and
1116 provides services in such facilities without supervision by said
1117 corporation or performs duties directly related to the activities of said
1118 corporation shall obtain an occupational license.

1119 (2) Each officer, director, partner, trustee or owner of a business
1120 organization licensed as a vendor or affiliate licensee and any
1121 shareholder, executive, agent or other person connected with any
1122 vendor or affiliate licensee who, in the judgment of the executive
1123 director, will exercise control in or over any such licensee shall obtain
1124 an occupational license.

1125 (3) Each employee of the Connecticut Lottery Corporation shall
1126 obtain an occupational license.

1127 (e) The executive director shall issue occupational licenses in the
1128 following classes: (1) Class I for persons specified in subdivision (1) of
1129 subsection (d) of this section; (2) Class II for persons specified in

1130 subdivision (2) of subsection (d) of this section; (3) Class III for persons
1131 specified in subdivision (3) of subsection (d) of this section who, in the
1132 judgment of the executive director, will not exercise authority over or
1133 direct the management and policies of the Connecticut Lottery
1134 Corporation; and (4) Class IV for persons specified in subdivision (3) of
1135 subsection (d) of this section who, in the judgment of the executive
1136 director, will exercise authority over or direct the management and
1137 policies of the Connecticut Lottery Corporation. Each applicant for a
1138 Class I or III occupational license shall pay a nonrefundable
1139 application fee of **[**ten**]** fifteen dollars. Each applicant for a Class II or
1140 IV occupational license shall pay a nonrefundable application fee of
1141 **[**fifty**]** one hundred dollars. The nonrefundable application fee shall
1142 accompany the application for each such occupational license.

1143 (f) In determining whether to grant a vendor, affiliate or
1144 occupational license to any such person or business organization, the
1145 executive director may require an applicant to provide information as
1146 to such applicant's: (1) Financial standing and credit; (2) moral
1147 character; (3) criminal record, if any; (4) previous employment; (5)
1148 corporate, partnership or association affiliations; (6) ownership of
1149 personal assets; and (7) such other information as the executive
1150 director deems pertinent to the issuance of such license, provided the
1151 submission of such other information will assure the integrity of the
1152 state lottery. The executive director shall require each applicant for a
1153 vendor, affiliate or occupational license to submit to state and national
1154 criminal history records checks and may require each such applicant to
1155 submit to an international criminal history records check before such
1156 license is issued. The state and national criminal history records checks
1157 required pursuant to this subsection shall be conducted in accordance
1158 with section 29-17a, as amended by this act. The executive director
1159 shall issue a vendor, affiliate or occupational license, as the case may
1160 be, to each applicant who satisfies the requirements of this subsection
1161 and who is deemed qualified by the executive director. The executive
1162 director may reject for good cause an application for a vendor, affiliate
1163 or occupational license.

1164 (g) Each vendor, affiliate or Class I or II occupational license shall be
1165 effective for not more than one year from the date of issuance. Each
1166 Class III or IV occupational license shall remain in effect throughout
1167 the term of employment of any such employee holding such a license.
1168 The executive director may require each employee issued a Class IV
1169 occupational license to submit information as to such employee's
1170 financial standing and credit annually. Initial application for and
1171 renewal of any such license shall be in such form and manner as the
1172 executive director shall prescribe.

1173 (h) (1) The executive director may suspend or revoke for good cause
1174 a vendor, affiliate or occupational license after a hearing held before
1175 the executive director in accordance with chapter 54. The executive
1176 director may order summary suspension of any such license in
1177 accordance with subsection (c) of section 4-182.

1178 (2) Any such applicant aggrieved by the action of the executive
1179 director concerning an application for a license, or any person or
1180 business organization whose license is suspended or revoked, may
1181 appeal to the Gaming Policy Board not later than fifteen days after
1182 such decision. Any person or business organization aggrieved by a
1183 decision of the board may appeal pursuant to section 4-183.

1184 (3) The executive director may impose a civil penalty on any
1185 licensee for a violation of any provision of this chapter or any
1186 regulation adopted under section 12-568a in an amount not to exceed
1187 two thousand five hundred dollars after a hearing held in accordance
1188 with chapter 54.

1189 (i) The executive director may require that the books and records of
1190 any vendor or affiliate licensee be maintained in any manner which the
1191 executive director may deem best, and that any financial or other
1192 statements based on such books and records be prepared in
1193 accordance with generally accepted accounting principles in such form
1194 as the executive director shall prescribe. The executive director or a
1195 designee may visit, investigate and place expert accountants and such

1196 other persons as deemed necessary in the offices or places of business
1197 of any such licensee for the purpose of satisfying himself or herself that
1198 such licensee is in compliance with the regulations of the division.

1199 (j) For the purposes of this section, (1) "business organization"
1200 means a partnership, incorporated or unincorporated association, firm,
1201 corporation, trust or other form of business or legal entity; (2) "control"
1202 means the power to exercise authority over or direct the management
1203 and policies of a licensee; and (3) "person" means any individual.

1204 (k) The executive director of the Division of Special Revenue may
1205 adopt such regulations, in accordance with chapter 54, as are necessary
1206 to implement the provisions of this section.

1207 Sec. 21. Section 14-319 of the general statutes is repealed and the
1208 following is substituted in lieu thereof (*Effective July 1, 2009*):

1209 (a) No person shall sell or offer for sale any gasoline or other
1210 product intended for use in the propelling of motor vehicles using
1211 combustion type engines over the highways of this state without
1212 having applied for and received from the commissioner a license to sell
1213 such gasoline or other product. Each person applying for any such
1214 license shall, in such application, state the location of each place or
1215 station where such person intends to sell or offer for sale any such
1216 gasoline or other product. Each such license shall be renewed
1217 annually. A license fee for each such place or station shall be charged
1218 as follows: For each station containing one pump, **[**fifty**]** one hundred
1219 dollars; and, for each station containing more than one pump, **[**fifty**]**
1220 one hundred dollars, plus **[**fourteen**]** twenty-eight dollars for each
1221 pump in excess of one. The fees shall be paid to the commissioner.

1222 (b) The commissioner shall not refuse to grant or renew any license
1223 under this section on the ground that (1) any licensed activity shall be
1224 conducted by the licensee on real property on which shall also be
1225 located one or more other businesses, enterprises, or activities, whether
1226 or not licensed under section 14-52, owned or operated by one or more

1227 persons, other than the licensee, or (2) the licensee shall make use of
1228 any common areas or facilities together with the owner or operator of
1229 any such other business, enterprise or activity.

1230 (c) In determining whether to grant or to renew any license under
1231 this section, the commissioner shall consider whether the applicant or
1232 licensee has been found in any judicial or administrative proceeding to
1233 have violated the requirements of subsection (c) of section 14-332a.

1234 Sec. 22. Section 14-327b of the general statutes is repealed and the
1235 following is substituted in lieu thereof (*Effective July 1, 2009*):

1236 (a) No distributor shall sell or offer to sell motor fuel in this state
1237 unless such distributor has first registered with the Department of
1238 Consumer Protection each type of motor fuel which he intends to sell
1239 and has received from the department a certificate of registration for
1240 each type of motor fuel which he intends to sell.

1241 (b) Each distributor required to register with the department as
1242 provided in subsection (a) of this section shall apply annually to the
1243 commissioner, in writing on a form provided by the commissioner, for
1244 such certificate of registration.

1245 (c) The application for a certificate of registration shall include: (1)
1246 The name and address of the person registering the motor fuel, (2) the
1247 name, brand or trademark under which the type of motor fuel will be
1248 sold, (3) the antiknock index or Cetane number, as is applicable, at
1249 which the motor fuel will be sold, (4) a certification that each
1250 individual type of motor fuel registered shall conform to the
1251 provisions of sections 14-327a to 14-327e, inclusive, and (5) any other
1252 information required by the commissioner. A separate application
1253 shall be made for each type of motor fuel to be registered. Such
1254 application and its contents shall not be available to the public.

1255 (d) Each application for a certificate of registration shall be
1256 accompanied by a fee of **[**one**]** <u>two</u> hundred dollars.

1257 Sec. 23. Section 16a-23m of the general statutes is repealed and the
1258 following is substituted in lieu thereof (*Effective July 1, 2009*):

1259 (a) No person, firm or corporation shall engage in the retail sale of
1260 home heating oil or propane gas without a certificate of registration as
1261 a home heating oil or propane gas dealer issued pursuant to this
1262 section. Only one registration shall be required of a dealer to engage in
1263 both the retail sale of heating oil and propane gas.

1264 (b) Each person, firm or corporation seeking registration as a home
1265 heating oil or propane gas dealer shall apply annually for a certificate
1266 of registration with the Department of Consumer Protection on forms
1267 prescribed by the Commissioner of Consumer Protection. Each
1268 applicant shall pay a registration fee of **[**one**]** two hundred dollars. The
1269 commissioner shall require all applicants for registration as a home
1270 heating oil or propane gas dealer to provide evidence of general
1271 liability insurance coverage and insurance to cover any potential
1272 environmental damage due to fuel oil spills or propane gas leaks
1273 caused by such applicant as a registered dealer which coverage shall
1274 be not less than one million dollars. Each registered dealer shall
1275 provide the department with evidence of each renewal of or change to
1276 such insurance coverage not later than five days after such renewal or
1277 change during the period of registration, which renewal or change
1278 shall meet the requirements of this subsection.

1279 (c) Each registered dealer shall display its registration number in all
1280 advertisements and other materials prepared or issued by the dealer,
1281 which contain information on such dealer.

1282 (d) The insurance company of a home heating oil or propane gas
1283 dealer shall notify the Commissioner of Consumer Protection, in
1284 writing, upon cancellation of insurance required by subsection (b) of
1285 this section by any home heating oil or propane gas dealer. The
1286 Commissioner of Consumer Protection shall revoke the registration of
1287 any such dealer without the insurance coverage required by subsection
1288 (b) of this section.

1289 Sec. 24. Section 19a-29a of the general statutes is repealed and the
1290 following is substituted in lieu thereof (*Effective July 1, 2009*):

1291 (a) As used in this section, "environmental laboratory" means any
1292 facility or other area used for biological, chemical, physical or other
1293 examination of drinking waters, ground waters, sea waters, rivers,
1294 streams and surface waters, recreational waters, fresh water sources,
1295 wastewaters, swimming pools, air, soil, solid waste, hazardous waste,
1296 food, food utensils, sewage, sewage effluent, or sewage sludge for the
1297 purpose of providing information on the sanitary quality or the
1298 amount of pollution and any substance prejudicial to health or the
1299 environment.

1300 (b) The Department of Public Health shall, in its Public Health
1301 Code, adopt regulations and reasonable standards governing
1302 environmental laboratory operations and facilities, personnel
1303 qualifications and certification, levels of acceptable proficiency in
1304 testing programs approved by the department, the collection,
1305 acceptance and suitability of samples for analysis and such other
1306 pertinent laboratory functions, including the establishment of advisory
1307 committees, as may be necessary to insure environmental quality,
1308 public health and safety. Each registered environmental laboratory
1309 shall comply with all standards for environmental laboratories set
1310 forth in the Public Health Code and shall be subject to inspection by
1311 said department, including inspection of all records necessary to carry
1312 out the purposes of this section.

1313 (c) Each application for registration of an environmental laboratory
1314 or application for approval shall be made on forms provided by said
1315 department, shall be accompanied by a fee of one thousand <u>two</u>
1316 <u>hundred fifty</u> dollars and shall be executed by the owner or owners or
1317 by a responsible officer of the firm or corporation owning the
1318 laboratory. Upon receipt of any such application, the department shall
1319 make such inspections and investigations as are necessary and shall
1320 deny registration or approval when operation of the environmental

1321 laboratory would be prejudicial to the health of the public. Registration
1322 or approval shall not be in force until notice of its effective date and
1323 term has been sent to the applicant.

1324 (d) Each registration or certificate of approval shall be issued for a
1325 period of not less than twenty-four or more than twenty-seven months
1326 from the deadline for applications. Renewal applications shall be made
1327 (1) biennially within the twenty-fourth month of the current
1328 registration or certificate of approval; (2) before any change in
1329 ownership or change in director is made; and (3) prior to any major
1330 expansion or alteration in quarters.

1331 (e) This section shall not apply to any environmental laboratory
1332 which only provides laboratory services or information for the agency,
1333 person, firm or corporation which owns or operates such laboratory
1334 and the fee required under subsection (c) of this section shall not be
1335 required of laboratories operated by a state agency.

1336 Sec. 25. Section 19a-30 of the general statutes is repealed and the
1337 following is substituted in lieu thereof (*Effective July 1, 2009*):

1338 (a) As used in this section, "clinical laboratory" means any facility or
1339 other area used for microbiological, serological, chemical,
1340 hematological, immunohematological, biophysical, cytological,
1341 pathological or other examinations of human body fluids, secretions,
1342 excretions or excised or exfoliated tissues, for the purpose of providing
1343 information for the diagnosis, prevention or treatment of any human
1344 disease or impairment, for the assessment of human health or for the
1345 presence of drugs, poisons or other toxicological substances.

1346 (b) The Department of Public Health shall, in its Public Health
1347 Code, adopt regulations and reasonable standards governing
1348 exemptions from the licensing provisions of this section, clinical
1349 laboratory operations and facilities, personnel qualifications and
1350 certification, levels of acceptable proficiency in testing programs
1351 approved by the department, the collection, acceptance and suitability

1352 of specimens for analysis and such other pertinent laboratory
1353 functions, including the establishment of advisory committees, as may
1354 be necessary to insure public health and safety. No person, firm or
1355 corporation shall establish, conduct, operate or maintain a clinical
1356 laboratory unless such laboratory is licensed or approved by said
1357 department in accordance with its regulations. Each clinical laboratory
1358 shall comply with all standards for clinical laboratories set forth in the
1359 Public Health Code and shall be subject to inspection by said
1360 department, including inspection of all records necessary to carry out
1361 the purposes of this section.

1362 (c) Each application for licensure of a clinical laboratory, if such
1363 laboratory is located within an institution licensed in accordance with
1364 sections 19a-490 to 19a-503, inclusive, shall be made on forms provided
1365 by said department and shall be executed by the owner or owners or
1366 by a responsible officer of the firm or corporation owning the
1367 laboratory. Such application shall contain a current itemized rate
1368 schedule, full disclosure of any contractual relationship, written or
1369 oral, with any practitioner using the services of the laboratory and
1370 such other information as said department requires, which may
1371 include affirmative evidence of ability to comply with the standards as
1372 well as a sworn agreement to abide by them. Upon receipt of any such
1373 application, said department shall make such inspections and
1374 investigations as are necessary and shall deny licensure when
1375 operation of the clinical laboratory would be prejudicial to the health
1376 of the public. Licensure shall not be in force until notice of its effective
1377 date and term has been sent to the applicant.

1378 (d) A nonrefundable fee of **[**one**]** <u>two</u> hundred dollars shall
1379 accompany each application for a license or for renewal thereof, except
1380 in the case of a laboratory owned and operated by a municipality, the
1381 state, the United States or any agency of said municipality, state or
1382 United States. Each license shall be issued for a period of not less than
1383 twenty-four nor more than twenty-seven months from the deadline for
1384 applications. Renewal applications shall be made (1) biennially within

1385 the twenty-fourth month of the current license; (2) before any change
1386 in ownership or change in director is made; and (3) prior to any major
1387 expansion or alteration in quarters.

1388 (e) A license issued under this section may be revoked or suspended
1389 in accordance with chapter 54 if such laboratory has engaged in
1390 fraudulent practices, fee-splitting inducements or bribes, including but
1391 not limited to violations of subsection (f) of this section, or violated any
1392 other provision of this section.

1393 (f) No representative or agent of a clinical laboratory shall solicit
1394 referral of specimens to his or any other clinical laboratory in a manner
1395 which offers or implies an offer of fee-splitting inducements to persons
1396 submitting or referring specimens, including inducements through
1397 rebates, fee schedules, billing methods, personal solicitation or
1398 payment to the practitioner for consultation or assistance or for
1399 scientific, clerical or janitorial services.

1400 (g) No clinical laboratory shall terminate the employment of an
1401 employee because such employee reported a violation of this section to
1402 the Department of Public Health.

1403 (h) Any person, firm or corporation operating a clinical laboratory
1404 in violation of this section shall be fined not less than one hundred
1405 dollars **[**nor**]** <u>or</u> more than three hundred dollars for each offense.

1406 (i) The Commissioner of Public Health shall adopt regulations in
1407 accordance with the provisions of chapter 54 to establish levels of
1408 acceptable proficiency to be demonstrated in testing programs
1409 approved by the department for those laboratory tests which are not
1410 performed in a licensed clinical laboratory. Such levels of acceptable
1411 proficiency shall be determined on the basis of the volume or the
1412 complexity of the examinations performed.

1413 Sec. 26. Section 19a-36 of the general statutes is repealed and the
1414 following is substituted in lieu thereof (*Effective July 1, 2009*):

1415 (a) The Commissioner of Public Health shall establish a Public
1416 Health Code and, from time to time, amend the same. The Public
1417 Health Code may provide for the preservation and improvement of
1418 the public health.

1419 (1) Said code may include regulations pertaining to retail food
1420 establishments, including, but not limited to, food service
1421 establishments, catering food service establishments and itinerant food
1422 vending establishments and the required permitting from local health
1423 departments or districts to operate said establishments.

1424 (2) Drainage and toilet systems to be installed in any house or
1425 building arranged or designed for human habitation, or field
1426 sanitation provided for agricultural workers or migratory farm
1427 laborers, shall conform to minimum requirements prescribed in said
1428 code.

1429 (3) Said code may include regulations requiring toilets and
1430 handwashing facilities in large stores, as defined in such regulations,
1431 in shopping centers and in places dispensing food or drink for
1432 consumption on the premises, for the use of patrons of such
1433 establishments, except that the provisions of such regulations shall not
1434 apply to such establishments constructed or altered pursuant to plans
1435 and specifications approved or building permits issued prior to
1436 October 1, 1977.

1437 (4) The provisions of such regulations (A) with respect to the
1438 requirement of employing a qualified food operator and any reporting
1439 requirements relative to such operator, shall not apply to an owner or
1440 operator of a soup kitchen who relies exclusively on services provided
1441 by volunteers, and (B) shall not prohibit the sale of food at a
1442 noncommercial function such as an educational, religious, political or
1443 charitable organization's bake sale or potluck supper provided the
1444 seller maintains such food under the temperature, pH level and water
1445 activity level conditions that will inhibit the rapid and progressive
1446 growth of infectious or toxigenic microorganisms. For the purposes of

1447 this section, a "noncommercial function" means a function where food
1448 is sold by a person not regularly engaged in the business of selling
1449 such food.

1450 (5) The provisions of such regulations with respect to qualified food
1451 operators shall require that the contents of the test administered to
1452 qualified food operators include elements testing the qualified food
1453 operator's knowledge of food allergies.

1454 (6) Each regulation adopted by the Commissioner of Public Health
1455 shall state the date on which it shall take effect, and a copy of the
1456 regulation, signed by the Commissioner of Public Health, shall be filed
1457 in the office of the Secretary of the State and a copy sent by said
1458 commissioner to each director of health, and such regulation shall be
1459 published in such manner as the Commissioner of Public Health may
1460 determine.

1461 (7) Any person who violates any provision of the Public Health
1462 Code shall be fined not more than one hundred dollars or imprisoned
1463 not more than three months, or both.

1464 (b) Notwithstanding any regulations to the contrary, the
1465 Commissioner of Public Health shall charge the following fees for the
1466 following services: (1) Review of plans for each public swimming pool,
1467 **[**six hundred**]** seven hundred fifty dollars; (2) review of each
1468 resubmitted plan for each public swimming pool, two hundred fifty
1469 dollars; (3) inspection of each public swimming pool, **[**one**]** two
1470 hundred dollars; (4) reinspection of each public swimming pool,
1471 **[**seventy-five**]** one hundred fifty dollars; (5) review of each small flow
1472 plan for subsurface sewage disposal, **[**one**]** two hundred dollars; and
1473 (6) review of each large flow plan for subsurface sewage disposal, **[**five
1474 hundred**]** six hundred twenty-five dollars.

1475 (c) Notwithstanding subsection (a) of this section, regulations
1476 governing the safety of swimming pools shall not require fences
1477 around naturally formed ponds subsequently converted to swimming

1478 pool use, provided the converted ponds (1) retain sloping sides
1479 common to natural ponds and (2) are on property surrounded by a
1480 fence.

1481 (d) The local director of health may authorize the use of an existing
1482 private well, consistent with all applicable sections of the regulations
1483 of Connecticut state agencies, the installation of a replacement well at a
1484 single-family residential premises on property whose boundary is
1485 located within two hundred feet of an approved community water
1486 supply system, measured along a street, alley or easement, where (1) a
1487 premises that is not connected to the public water supply may replace
1488 a well used for domestic purposes if water quality testing is performed
1489 at the time of the installation, and for at least every ten years thereafter,
1490 or for such time as requested by the local director of health, that
1491 demonstrates that the replacement well meets the water quality
1492 standards for private wells established in the Public Health Code, and
1493 provided there is no service to the premises by a public water supply,
1494 or (2) a premises served by a public water supply may utilize or
1495 replace an existing well or install a new well solely for irrigation
1496 purposes or other outdoor water uses provided such well is
1497 permanently and physically separated from the internal plumbing
1498 system of the premises and a reduced pressure device is installed to
1499 protect against a cross connection with the public water supply. Upon
1500 a determination by the local director of health that an irrigation well
1501 creates an unacceptable risk of injury to the health or safety of persons
1502 using the water, to the general public, or to any public water supply,
1503 the local director of health may issue an order requiring the immediate
1504 implementation of mitigation measures, up to and including
1505 permanent abandonment of the well, in accordance with the
1506 provisions of the Connecticut Well Drilling Code adopted pursuant to
1507 section 25-128. In the event a cross connection with the public water
1508 system is found, the owner of the system may terminate service to the
1509 premises.

1510 Sec. 27. Section 19a-42 of the general statutes is repealed and the

1511 following is substituted in lieu thereof (*Effective July 1, 2009*):

1512 (a) To protect the integrity and accuracy of vital records, a certificate
1513 registered under chapter 93 may be amended only in accordance with
1514 sections 19a-41 to 19a-45, inclusive, chapter 93, regulations adopted by
1515 the Commissioner of Public Health pursuant to chapter 54 and
1516 uniform procedures prescribed by the commissioner. Only the
1517 commissioner may amend birth certificates to reflect changes
1518 concerning parentage or gender change. Amendments related to
1519 parentage or gender change shall result in the creation of a
1520 replacement certificate that supersedes the original, and shall in no
1521 way reveal the original language changed by the amendment. Any
1522 amendment to a vital record made by the registrar of vital statistics of
1523 the town in which the vital event occurred or by the commissioner
1524 shall be in accordance with such regulations and uniform procedures.

1525 (b) The commissioner and the registrar of vital statistics shall
1526 maintain sufficient documentation, as prescribed by the commissioner,
1527 to support amendments and shall ensure the confidentiality of such
1528 documentation as required by law. The date of amendment and a
1529 summary description of the evidence submitted in support of the
1530 amendment shall be endorsed on or made part of the record and the
1531 original certificate shall be marked "Amended", except for
1532 amendments due to parentage or gender change. When the registrar of
1533 the town in which the vital event occurred amends a certificate, such
1534 registrar shall, within ten days of making such amendment, forward
1535 an amended certificate to the commissioner and to any registrar
1536 having a copy of the certificate. When the commissioner amends a
1537 birth certificate, including changes due to parentage or gender, the
1538 commissioner shall forward an amended certificate to the registrars of
1539 vital statistics affected and their records shall be amended accordingly.

1540 (c) An amended certificate shall supersede the original certificate
1541 that has been changed and shall be marked "Amended", except for
1542 amendments due to parentage or gender change. The original

1543 certificate in the case of parentage or gender change shall be physically
1544 or electronically sealed and kept in a confidential file by the
1545 department and the registrar of any town in which the birth was
1546 recorded, and may be unsealed for viewing or issuance only upon a
1547 written order of a court of competent jurisdiction. The amended
1548 certificate shall become the public record.

1549 (d) (1) Upon receipt of (A) an acknowledgment of paternity
1550 executed in accordance with the provisions of subsection (a) of section
1551 46b-172 by both parents of a child born out of wedlock, or (B) a
1552 certified copy of an order of a court of competent jurisdiction
1553 establishing the paternity of a child born out of wedlock, the
1554 commissioner shall include on or amend, as appropriate, such child's
1555 birth certificate to show such paternity if paternity is not already
1556 shown on such birth certificate and to change the name of the child if
1557 so indicated on the acknowledgment of paternity form or within the
1558 certified court order as part of the paternity action.

1559 (2) If another father is listed on the birth certificate, the
1560 commissioner shall not remove or replace the father's information
1561 unless presented with a certified court order that meets the
1562 requirements specified in section 7-50, or upon the proper filing of a
1563 rescission, in accordance with the provisions of section 46b-172. The
1564 commissioner shall thereafter amend such child's birth certificate to
1565 remove or change the father's name and to change the name of the
1566 child, as requested at the time of the filing of a rescission, in
1567 accordance with the provisions of section 46b-172. Birth certificates
1568 amended under this subsection shall not be marked "Amended".

1569 (3) A fee of **[**twenty-five**]** <u>fifty</u> dollars shall be charged by the
1570 department for each amendment to a birth certificate requested
1571 pursuant to this subsection which request is not received from a
1572 hospital, a state agency or a court of competent jurisdiction.

1573 (e) When the parent or parents of a child request the amendment of
1574 the child's birth certificate to reflect a new mother's name because the

1575 name on the original certificate is fictitious, such parent or parents
1576 shall obtain an order of a court of competent jurisdiction declaring the
1577 putative mother to be the child's mother. Upon receipt of a certified
1578 copy of such order, the department shall amend the child's birth
1579 certificate to reflect the mother's true name.

1580 (f) Upon receipt of a certified copy of an order of a court of
1581 competent jurisdiction changing the name of a person born in this state
1582 and upon request of such person or such person's parents, guardian, or
1583 legal representative, the commissioner or the registrar of vital statistics
1584 of the town in which the vital event occurred shall amend the birth
1585 certificate to show the new name by a method prescribed by the
1586 department.

1587 (g) When an applicant submits the documentation required by the
1588 regulations to amend a vital record, the commissioner shall hold a
1589 hearing, in accordance with chapter 54, if the commissioner has
1590 reasonable cause to doubt the validity or adequacy of such
1591 documentation.

1592 (h) When an amendment under this section involves the changing of
1593 existing language on a death certificate due to an error pertaining to
1594 the cause of death, the death certificate shall be amended in such a
1595 manner that the original language is still visible. A copy of the death
1596 certificate shall be made. The original death certificate shall be sealed
1597 and kept in a confidential file at the department and only the
1598 commissioner may order it unsealed. The copy shall be amended in
1599 such a manner that the language to be changed is no longer visible.
1600 The copy shall be a public document.

1601 Sec. 28. Section 19a-55 of the general statutes is repealed and the
1602 following is substituted in lieu thereof (*Effective July 1, 2009*):

1603 (a) The administrative officer or other person in charge of each
1604 institution caring for newborn infants shall cause to have administered
1605 to every such infant in its care an HIV-related test, as defined in section

1606 19a-581, a test for phenylketonuria and other metabolic diseases,
1607 hypothyroidism, galactosemia, sickle cell disease, maple syrup urine
1608 disease, homocystinuria, biotinidase deficiency, congenital adrenal
1609 hyperplasia and such other tests for inborn errors of metabolism as
1610 shall be prescribed by the Department of Public Health. The tests shall
1611 be administered as soon after birth as is medically appropriate. If the
1612 mother has had an HIV-related test pursuant to section 19a-90 or 19a-
1613 593, the person responsible for testing under this section may omit an
1614 HIV-related test. The Commissioner of Public Health shall (1)
1615 administer the newborn screening program, (2) direct persons
1616 identified through the screening program to appropriate specialty
1617 centers for treatments, consistent with any applicable confidentiality
1618 requirements, and (3) set the fees to be charged to institutions to cover
1619 all expenses of the comprehensive screening program including
1620 testing, tracking and treatment. The fees to be charged pursuant to
1621 subdivision (3) of this subsection shall be set at a minimum of **[**twenty-
1622 eight**]** fifty-six dollars. The commissioner shall adopt regulations, in
1623 accordance with chapter 54, to implement the provisions of this
1624 section. The Commissioner of Public Health shall publish a list of all
1625 the abnormal conditions for which the department screens newborns
1626 under the newborn screening program, which shall include screening
1627 for amino acid disorders, organic acid disorders and fatty acid
1628 oxidation disorders, including, but not limited to, long-chain 3-
1629 hydroxyacyl CoA dehydrogenase (L-CHAD) and medium-chain acyl-
1630 CoA dehydrogenase (MCAD).

1631 (b) The provisions of this section shall not apply to any infant whose
1632 parents object to the test or treatment as being in conflict with their
1633 religious tenets and practice.

1634 Sec. 29. Section 19a-80 of the general statutes is repealed and the
1635 following is substituted in lieu thereof (*Effective July 1, 2009*):

1636 (a) No person, group of persons, association, organization,
1637 corporation, institution or agency, public or private, shall maintain a

1638 child day care center or group day care home without a license issued
1639 in accordance with sections 19a-77 to 19a-80, inclusive, and 19a-82 to
1640 19a-87, inclusive. Applications for such license shall be made to the
1641 Commissioner of Public Health on forms provided by the
1642 commissioner and shall contain the information required by
1643 regulations adopted under said sections. The forms shall contain a
1644 notice that false statements made therein are punishable in accordance
1645 with section 53a-157b.

1646 (b) (1) Upon receipt of an application for a license, the
1647 Commissioner of Public Health shall issue such license if, upon
1648 inspection and investigation, said commissioner finds that the
1649 applicant, the facilities and the program meet the health, educational
1650 and social needs of children likely to attend the child day care center or
1651 group day care home and comply with requirements established by
1652 regulations adopted under sections 19a-77 to 19a-80, inclusive, and
1653 sections 19a-82 to 19a-87, inclusive. Each license shall be for a term of
1654 two years, provided on and after October 1, 2008, each license shall be
1655 for a term of four years, shall be transferable, may be renewed upon
1656 payment of the licensure fee and may be suspended or revoked after
1657 notice and an opportunity for a hearing as provided in section 19a-84
1658 for violation of the regulations adopted under sections 19a-77 to 19a-
1659 80, inclusive, and sections 19a-82 to 19a-87, inclusive.

1660 (2) Prior to October 1, 2008, the Commissioner of Public Health shall
1661 collect from the licensee of a day care center a fee of two hundred
1662 dollars for each license issued or renewed for a term of two years. Prior
1663 to October 1, 2008, said commissioner shall collect from the licensee of
1664 a group day care home a fee of one hundred dollars for each license
1665 issued or renewed for a term of two years.

1666 (3) On and after October 1, 2008, the Commissioner of Public Health
1667 shall collect from the licensee of a day care center a fee of **[**four**]** <u>five</u>
1668 hundred dollars for each license issued or renewed for a term of four
1669 years. On and after October 1, 2008, said commissioner shall collect

1670 from the licensee of a group day care home a fee of two hundred fifty
1671 dollars for each license issued or renewed for a term of four years. The
1672 Commissioner of Public Health shall require only one license for a
1673 child day care center operated in two or more buildings, provided the
1674 same licensee provides child day care services in each building and the
1675 buildings are joined together by a contiguous playground that is part
1676 of the licensed space.

1677 (c) The Commissioner of Public Health, within available
1678 appropriations, shall require each prospective employee of a child day
1679 care center or group day care home in a position requiring the
1680 provision of care to a child to submit to state and national criminal
1681 history records checks. The criminal history records checks required
1682 pursuant to this subsection shall be conducted in accordance with
1683 section 29-17a, as amended by this act. The commissioner shall also
1684 request a check of the state child abuse registry established pursuant to
1685 section 17a-101k. Pursuant to the interagency agreement provided for
1686 in section 10-16s, the Department of Social Services may agree to
1687 transfer funds appropriated for criminal history records checks to the
1688 Department of Public Health. The commissioner shall notify each
1689 licensee of the provisions of this subsection.

1690 (d) The commissioner shall inform each licensee, by way of a plain
1691 language summary provided not later than sixty days after the
1692 regulation's effective date, of new or changed regulations adopted
1693 under sections 19a-77 to 19a-80, inclusive, or sections 19a-82 to 19a-87,
1694 inclusive, with which a licensee must comply.

1695 Sec. 30. Section 19a-87b of the general statutes is repealed and the
1696 following is substituted in lieu thereof (*Effective July 1, 2009*):

1697 (a) No person, group of persons, association, organization,
1698 corporation, institution or agency, public or private, shall maintain a
1699 family day care home, as defined in section 19a-77, without a license
1700 issued by the Commissioner of Public Health. Licensure forms shall be
1701 obtained from the Department of Public Health. Applications for

1702 licensure shall be made to the commissioner on forms provided by the
1703 department and shall contain the information required by regulations
1704 adopted under this section. The licensure and application forms shall
1705 contain a notice that false statements made therein are punishable in
1706 accordance with section 53a-157b. Applicants shall state, in writing,
1707 that they are in compliance with the regulations adopted by the
1708 commissioner pursuant to subsection (c) of this section. Before a family
1709 day care home license is granted, the department shall make an
1710 inquiry and investigation which shall include a visit and inspection of
1711 the premises for which the license is requested. Any inspection
1712 conducted by the department shall include an inspection for evident
1713 sources of lead poisoning. The department shall provide for a chemical
1714 analysis of any paint chips found on such premises. Neither the
1715 commissioner nor the commissioner's designee shall require an annual
1716 inspection for homes seeking license renewal or for licensed homes,
1717 except that the commissioner or the commissioner's designee shall
1718 make unannounced visits, during customary business hours, to at least
1719 thirty-three and one-third per cent of the licensed family day care
1720 homes each year. A licensed family day care home shall not be subject
1721 to any conditions on the operation of such home by local officials,
1722 other than those imposed by the department pursuant to this
1723 subsection, if the home complies with all local codes and ordinances
1724 applicable to single and multifamily dwellings.

1725 (b) The Commissioner of Public Health, within available
1726 appropriations, shall require each initial applicant or prospective
1727 employee of a family day care home in a position requiring the
1728 provision of care to a child to submit to state and national criminal
1729 history records checks. The criminal history records checks required
1730 pursuant to this subsection shall be conducted in accordance with
1731 section 29-17a, as amended by this act. The commissioner shall also
1732 request a check of the state child abuse registry established pursuant to
1733 section 17a-101k. The commissioner shall notify each licensee of the
1734 provisions of this subsection.

1735 (c) The Commissioner of Public Health shall adopt regulations, in
1736 accordance with the provisions of chapter 54, to assure that family day
1737 care homes, as defined in section 19a-77, shall meet the health,
1738 educational and social needs of children utilizing such homes. Such
1739 regulations shall ensure that the family day care home is treated as a
1740 residence, and not an institutional facility. Such regulations shall
1741 specify that each child be protected as age-appropriate by adequate
1742 immunization against diphtheria, pertussis, tetanus, poliomyelitis,
1743 measles, mumps, rubella, hemophilus influenzae type B and any other
1744 vaccine required by the schedule of active immunization adopted
1745 pursuant to section 19a-7f. Such regulations shall provide appropriate
1746 exemptions for children for whom such immunization is medically
1747 contraindicated and for children whose parents object to such
1748 immunization on religious grounds. Such regulations shall also specify
1749 conditions under which family day care home providers may
1750 administer tests to monitor glucose levels in a child with diagnosed
1751 diabetes mellitus, and administer medicinal preparations, including
1752 controlled drugs specified in the regulations by the commissioner, to a
1753 child receiving day care services at a family day care home pursuant to
1754 a written order of a physician licensed to practice medicine in this or
1755 another state, an advanced practice registered nurse licensed to
1756 prescribe in accordance with section 20-94a, as amended by this act, or
1757 a physician assistant licensed to prescribe in accordance with section
1758 20-12d, and the written authorization of a parent or guardian of such
1759 child. Such regulations shall specify appropriate standards for
1760 extended care and intermittent short-term overnight care. The
1761 commissioner shall inform each licensee, by way of a plain language
1762 summary provided not later than sixty days after the regulation's
1763 effective date, of any new or changed regulations adopted under this
1764 subsection with which a licensee must comply.

1765 (d) Applications for initial licensure under this section submitted
1766 prior to October 1, 2008, shall be accompanied by a fee of twenty
1767 dollars and such licenses shall be issued for a term of two years.
1768 Applications for renewal of licenses granted under this section

1769 submitted prior to October 1, 2008, shall be accompanied by a fee of
1770 twenty dollars and such licenses shall be renewed for a term of two
1771 years. No such license shall be renewed unless the licensee certifies
1772 that the children enrolled in the family day care home have received
1773 age-appropriate immunization in accordance with regulations adopted
1774 pursuant to subsection (c) of this section.

1775 (e) Each license issued on or after October 1, 2008, shall be for a term
1776 of four years, shall be nontransferable and may be renewed upon
1777 payment of the licensure fee and a signed statement from the licensee
1778 certifying that the children enrolled in the family day care home have
1779 received age-appropriate immunization in accordance with regulations
1780 adopted pursuant to subsection (c) of this section. The Commissioner
1781 of Public Health shall collect from the licensee of a family day care
1782 home a fee of **[**forty**]** eighty dollars for each license issued or renewed
1783 for a term of four years.

1784 Sec. 31. Section 19a-88 of the general statutes is repealed and the
1785 following is substituted in lieu thereof (*Effective July 1, 2009*):

1786 (a) Each person holding a license to practice dentistry, optometry,
1787 midwifery or dental hygiene shall, annually, during the month of such
1788 person's birth, register with the Department of Public Health, upon
1789 payment of the professional services fee for class I, as defined in
1790 section 33-182*l*, as amended by this act, in the case of a dentist, except
1791 as provided in sections 19a-88b and 20-113b, the professional services
1792 fee for class H, as defined in section 33-182*l*, as amended by this act, in
1793 the case of an optometrist, **[**five**]** fifteen dollars in the case of a
1794 midwife, and **[**fifty**]** one hundred dollars in the case of a dental
1795 hygienist, on blanks to be furnished by the department for such
1796 purpose, giving such person's name in full, such person's residence
1797 and business address and such other information as the department
1798 requests. Each person holding a license to practice dentistry who has
1799 retired from the profession may renew such license, but the fee shall be
1800 ten per cent of the professional services fee for class I, as defined in

1801 section 33-182*l*, as amended by this act, or fifteen dollars, whichever is
1802 greater. Any license provided by the department at a reduced fee
1803 pursuant to this subsection shall indicate that the dentist is retired.

1804 (b) Each person holding a license to practice medicine, surgery,
1805 podiatry, chiropractic or natureopathy shall, annually, during the
1806 month of such person's birth, register with the Department of Public
1807 Health, upon payment of the professional services fee for class I, as
1808 defined in section 33-182*l*, as amended by this act, on blanks to be
1809 furnished by the department for such purpose, giving such person's
1810 name in full, such person's residence and business address and such
1811 other information as the department requests.

1812 (c) (1) Each person holding a license to practice as a registered
1813 nurse, shall, annually, during the month of such person's birth, register
1814 with the Department of Public Health, upon payment of **[**one**]** two
1815 hundred dollars, on blanks to be furnished by the department for such
1816 purpose, giving such person's name in full, such person's residence
1817 and business address and such other information as the department
1818 requests. Each person holding a license to practice as a registered nurse
1819 who has retired from the profession may renew such license, but the
1820 fee shall be ten per cent of the professional services fee for class B, as
1821 defined in section 33-182*l*, as amended by this act, or fifteen dollars,
1822 whichever is greater. Any license provided by the department at a
1823 reduced fee shall indicate that the registered nurse is retired.

1824 (2) Each person holding a license as an advanced practice registered
1825 nurse shall, annually, during the month of such person's birth, register
1826 with the Department of Public Health, upon payment of **[**one hundred
1827 twenty**]** two hundred forty dollars, on blanks to be furnished by the
1828 department for such purpose, giving such person's name in full, such
1829 person's residence and business address and such other information as
1830 the department requests. No such license shall be renewed unless the
1831 department is satisfied that the person maintains current certification
1832 as either a nurse practitioner, a clinical nurse specialist or a nurse

1833 anesthetist from one of the following national certifying bodies which
1834 certify nurses in advanced practice: The American Nurses' Association,
1835 the Nurses' Association of the American College of Obstetricians and
1836 Gynecologists Certification Corporation, the National Board of
1837 Pediatric Nurse Practitioners and Associates or the American
1838 Association of Nurse Anesthetists. Each person holding a license to
1839 practice as an advanced practice registered nurse who has retired from
1840 the profession may renew such license, but the fee shall be ten per cent
1841 of the professional services fee for class C, as defined in section 33-182*l*,
1842 as amended by this act, or fifteen dollars, whichever is greater. Any
1843 license provided by the department at a reduced fee shall indicate that
1844 the advanced practice registered nurse is retired.

1845 (3) Each person holding a license as a licensed practical nurse shall,
1846 annually, during the month of such person's birth, register with the
1847 Department of Public Health, upon payment of the professional
1848 services fee for class C, as defined in section 33-182*l*, as amended by
1849 this act, on blanks to be furnished by the department for such purpose,
1850 giving such person's name in full, such person's residence and
1851 business address and such other information as the department
1852 requests. Each person holding a license to practice as a licensed
1853 practical nurse who has retired from the profession may renew such
1854 license, but the fee shall be ten per cent of the professional services fee
1855 for class A, as defined in section 33-182*l*, as amended by this act, or
1856 fifteen dollars, whichever is greater. Any license provided by the
1857 department at a reduced fee shall indicate that the licensed practical
1858 nurse is retired.

1859 (4) Each person holding a license as a nurse-midwife shall, annually,
1860 during the month of such person's birth, register with the Department
1861 of Public Health, upon payment of **[**one hundred twenty**]** two hundred
1862 forty dollars, on blanks to be furnished by the department for such
1863 purpose, giving such person's name in full, such person's residence
1864 and business address and such other information as the department
1865 requests. No such license shall be renewed unless the department is

1866 satisfied that the person maintains current certification from the
1867 American College of Nurse-Midwives.

1868 (5) (A) Each person holding a license to practice physical therapy
1869 shall, annually, during the month of such person's birth, register with
1870 the Department of Public Health, upon payment of the professional
1871 services fee for class B, as defined in section 33-182*l*, as amended by
1872 this act, on blanks to be furnished by the department for such purpose,
1873 giving such person's name in full, such person's residence and
1874 business address and such other information as the department
1875 requests.

1876 (B) Each person holding a physical therapist assistant license shall,
1877 annually, during the month of such person's birth, register with the
1878 Department of Public Health, upon payment of the professional
1879 services fee for class A, as defined in section 33-182*l*, as amended by
1880 this act, on blanks to be furnished by the department for such purpose,
1881 giving such person's name in full, such person's residence and
1882 business address and such other information as the department
1883 requests.

1884 (6) Each person holding a license as a physician assistant shall,
1885 annually, during the month of such person's birth, register with the
1886 Department of Public Health, upon payment of a fee of **[**seventy-five**]**
1887 one hundred fifty dollars, on blanks to be furnished by the department
1888 for such purpose, giving such person's name in full, such person's
1889 residence and business address and such other information as the
1890 department requests. No such license shall be renewed unless the
1891 department is satisfied that the practitioner has met the mandatory
1892 continuing medical education requirements of the National
1893 Commission on Certification of Physician Assistants or a successor
1894 organization for the certification or recertification of physician
1895 assistants that may be approved by the department and has passed
1896 any examination or continued competency assessment the passage of
1897 which may be required by said commission for maintenance of current

1898 certification by said commission.

1899 (d) No provision of this section shall be construed to apply to any
1900 person practicing Christian Science.

1901 (e) (1) Each person holding a license or certificate issued under
1902 section 19a-514, 20-65k, 20-74s, as amended by this act, 20-195cc, as
1903 amended by this act, or 20-206*ll*, as amended by this act, and chapters
1904 370 to 373, inclusive, 375, 378 to 381a, inclusive, 383 to 383c, inclusive,
1905 384, 384b, 384d, 385, 393a, 395, 399 or 400a and section 20-206n, as
1906 amended by this act, or 20-206o, as amended by this act, shall,
1907 annually, during the month of such person's birth, apply for renewal of
1908 such license or certificate to the Department of Public Health, giving
1909 such person's name in full, such person's residence and business
1910 address and such other information as the department requests.

1911 (2) Each person holding a license or certificate issued under section
1912 19a-514 and chapters 384a, 384c, 386, 387, 388 and 398 shall apply for
1913 renewal of such license or certificate once every two years, during the
1914 month of such person's birth, giving such person's name in full, such
1915 person's residence and business address and such other information as
1916 the department requests.

1917 (3) Each person holding a license or certificate issued pursuant to
1918 section 20-475, as amended by this act, or 20-476, as amended by this
1919 act, shall, annually, during the month of such person's birth, apply for
1920 renewal of such license or certificate to the department.

1921 (4) Each entity holding a license issued pursuant to section 20-475,
1922 as amended by this act, shall, annually, during the anniversary month
1923 of initial licensure, apply for renewal of such license or certificate to
1924 the department.

1925 (5) Each person holding a license issued pursuant to section 20-
1926 162bb shall, annually, during the month of such person's birth, apply
1927 for renewal of such license to the Department of Public Health, upon

1928 payment of a fee of **[**two hundred fifty**]** three hundred fifteen dollars,
1929 giving such person's name in full, such person's residence and
1930 business address and such other information as the department
1931 requests.

1932 (f) Any person or entity which fails to comply with the provisions of
1933 this section shall be notified by the department that such person's or
1934 entity's license or certificate shall become void ninety days after the
1935 time for its renewal under this section unless it is so renewed. Any
1936 such license shall become void upon the expiration of such ninety-day
1937 period.

1938 (g) On or before July 1, 2008, the Department of Public Health shall
1939 establish and implement a secure on-line license renewal system for
1940 persons holding a license to practice medicine or surgery under
1941 chapter 370, dentistry under chapter 379 or nursing under chapter 378.
1942 The department shall allow any such person who renews his or her
1943 license using the on-line license renewal system to pay his or her
1944 professional service fees on-line by means of a credit card or electronic
1945 transfer of funds from a bank or credit union account and may charge
1946 such person a service fee not to exceed five dollars for any such on-line
1947 payment made by credit card or electronic funds transfer. On or before
1948 January 1, 2009, the department shall submit, in accordance with
1949 section 11-4a, a report on the feasibility and implications of the
1950 implementation of a biennial license renewal system for persons
1951 holding a license to practice nursing under chapter 378 to the joint
1952 standing committee of the General Assembly having cognizance of
1953 matters relating to public health.

1954 Sec. 32. Section 19a-89b of the general statutes is repealed and the
1955 following is substituted in lieu thereof (*Effective July 1, 2009*):

1956 (a) The Department of Public Health shall charge a fee of **[**four**]**
1957 fifteen dollars for a copy of its pool design guidelines.

1958 (b) The department shall charge a fee of **[**four**]** fifteen dollars for a

1959 copy of its food compliance guide.

1960 Sec. 33. Section 19a-180 of the general statutes is repealed and the
1961 following is substituted in lieu thereof (*Effective July 1, 2009*):

1962 (a) No person shall operate any ambulance service, rescue service or
1963 management service without either a license or a certificate issued by
1964 the commissioner. No person shall operate a commercial ambulance
1965 service or commercial rescue service or a management service without
1966 a license issued by the commissioner. A certificate shall be issued to
1967 any volunteer or municipal ambulance service which shows proof
1968 satisfactory to the commissioner that it meets the minimum standards
1969 of the commissioner in the areas of training, equipment and personnel.
1970 No license or certificate shall be issued to any volunteer, municipal or
1971 commercial ambulance service, rescue service or management service,
1972 as defined in subdivision (19) of section 19a-175, unless it meets the
1973 requirements of subsection (e) of section 14-100a. Applicants for a
1974 license shall use the forms prescribed by the commissioner and shall
1975 submit such application to the commissioner accompanied by an
1976 annual fee of **[**one**]** two hundred dollars. In considering requests for
1977 approval of permits for new or expanded emergency medical services
1978 in any region, the commissioner shall consult with the Office of
1979 Emergency Medical Services and the emergency medical services
1980 council of such region and shall hold a public hearing to determine the
1981 necessity for such services. Written notice of such hearing shall be
1982 given to current providers in the geographic region where such new or
1983 expanded services would be implemented, provided, any volunteer
1984 ambulance service which elects not to levy charges for services
1985 rendered under this chapter shall be exempt from the provisions
1986 concerning requests for approval of permits for new or expanded
1987 emergency medical services set forth in this subsection. A primary
1988 service area responder in a municipality in which the applicant
1989 operates or proposes to operate shall, upon request, be granted
1990 intervenor status with opportunity for cross-examination. Each
1991 applicant for licensure shall furnish proof of financial responsibility

1992 which the commissioner deems sufficient to satisfy any claim. The
1993 commissioner may adopt regulations, in accordance with the
1994 provisions of chapter 54, to establish satisfactory kinds of coverage and
1995 limits of insurance for each applicant for either licensure or
1996 certification. Until such regulations are adopted, the following shall be
1997 the required limits for licensure: (1) For damages by reason of personal
1998 injury to, or the death of, one person on account of any accident, at
1999 least five hundred thousand dollars, and more than one person on
2000 account of any accident, at least one million dollars, (2) for damage to
2001 property at least fifty thousand dollars, and (3) for malpractice in the
2002 care of one passenger at least two hundred fifty thousand dollars, and
2003 for more than one passenger at least five hundred thousand dollars. In
2004 lieu of the limits set forth in subdivisions (1) to (3), inclusive, of this
2005 subsection, a single limit of liability shall be allowed as follows: (A) For
2006 damages by reason of personal injury to, or death of, one or more
2007 persons and damage to property, at least one million dollars; and (B)
2008 for malpractice in the care of one or more passengers, at least five
2009 hundred thousand dollars. A certificate of such proof shall be filed
2010 with the commissioner. Upon determination by the commissioner that
2011 an applicant is financially responsible, properly certified and otherwise
2012 qualified to operate a commercial ambulance service, rescue service or
2013 management service, the commissioner shall issue the appropriate
2014 license effective for one year to such applicant. If the commissioner
2015 determines that an applicant for either a certificate or license is not so
2016 qualified, the commissioner shall notify such applicant of the denial of
2017 the application with a statement of the reasons for such denial. Such
2018 applicant shall have thirty days to request a hearing on the denial of
2019 the application.

2020 (b) Any person, management service organization or emergency
2021 medical service organization which does not maintain standards or
2022 violates regulations adopted under any section of this chapter
2023 applicable to such person or organization may have such person's or
2024 organization's license or certification suspended or revoked or may be
2025 subject to any other disciplinary action specified in section 19a-17 after

2026 notice by certified mail to such person or organization of the facts or
2027 conduct which warrant the intended action. Such person or emergency
2028 medical service organization shall have an opportunity to show
2029 compliance with all requirements for the retention of such certificate or
2030 license. In the conduct of any investigation by the commissioner of
2031 alleged violations of the standards or regulations adopted under the
2032 provisions of this chapter, the commissioner may issue subpoenas
2033 requiring the attendance of witnesses and the production by any
2034 medical service organization or person of reports, records, tapes or
2035 other documents which concern the allegations under investigation.
2036 All records obtained by the commissioner in connection with any such
2037 investigation shall not be subject to the provisions of section 1-210 for a
2038 period of six months from the date of the petition or other event
2039 initiating such investigation, or until such time as the investigation is
2040 terminated pursuant to a withdrawal or other informal disposition or
2041 until a hearing is convened pursuant to chapter 54, whichever is
2042 earlier. A complaint, as defined in subdivision (6) of section 19a-13,
2043 shall be subject to the provisions of section 1-210 from the time that it is
2044 served or mailed to the respondent. Records which are otherwise
2045 public records shall not be deemed confidential merely because they
2046 have been obtained in connection with an investigation under this
2047 chapter.

2048 (c) Any person, management service organization or emergency
2049 medical service organization aggrieved by an act or decision of the
2050 commissioner regarding certification or licensure may appeal in the
2051 manner provided by chapter 54.

2052 (d) Any person guilty of any of the following acts shall be fined not
2053 more than two hundred fifty dollars, or imprisoned not more than
2054 three months, or be both fined and imprisoned: (1) In any application
2055 to the commissioner or in any proceeding before or investigation made
2056 by the commissioner, knowingly making any false statement or
2057 representation, or, with knowledge of its falsity, filing or causing to be
2058 filed any false statement or representation in a required application or

2059 statement; (2) issuing, circulating or publishing or causing to be issued,
2060 circulated or published any form of advertisement or circular for the
2061 purpose of soliciting business which contains any statement that is
2062 false or misleading, or otherwise likely to deceive a reader thereof,
2063 with knowledge that it contains such false, misleading or deceptive
2064 statement; (3) giving or offering to give anything of value to any
2065 person for the purpose of promoting or securing ambulance or rescue
2066 service business or obtaining favors relating thereto; (4) administering
2067 or causing to be administered, while serving in the capacity of an
2068 employee of any licensed ambulance or rescue service, any alcoholic
2069 liquor to any patient in such employee's care, except under the
2070 supervision and direction of a licensed physician; (5) in any respect
2071 wilfully violating or failing to comply with any provision of this
2072 chapter or wilfully violating, failing, omitting or neglecting to obey or
2073 comply with any regulation, order, decision or license, or any part or
2074 provisions thereof; (6) with one or more other persons, conspiring to
2075 violate any license or order issued by the commissioner or any
2076 provision of this chapter.

2077 (e) No person shall place any advertisement or produce any printed
2078 matter that holds that person out to be an ambulance service unless
2079 such person is licensed or certified pursuant to this section. Any such
2080 advertisement or printed matter shall include the license or certificate
2081 number issued by the commissioner.

2082 (f) Each licensed or certified ambulance service shall secure and
2083 maintain medical control, as defined in section 19a-179, by a sponsor
2084 hospital, as defined in section 19a-179, for all its emergency medical
2085 personnel, whether such personnel are employed by the ambulance
2086 service or a management service.

2087 (g) Each applicant whose request for new or expanded emergency
2088 medical services is approved shall, not later than six months after the
2089 date of such approval, acquire the necessary resources, equipment and
2090 other material necessary to comply with the terms of the approval and

2091 operate in the service area identified in the application. If the applicant
2092 fails to do so, the approval for new or expanded medical services shall
2093 be void and the commissioner shall rescind the approval.

2094 (h) Notwithstanding the provisions of subsection (a) of this section,
2095 any volunteer, hospital-based or municipal ambulance service that is
2096 licensed or certified and is a primary service area responder may apply
2097 to the commissioner to add one emergency vehicle to its existing fleet
2098 every three years, on a short form application prescribed by the
2099 commissioner. No such volunteer, hospital-based or municipal
2100 ambulance service may add more than one emergency vehicle to its
2101 existing fleet pursuant to this subsection regardless of the number of
2102 municipalities served by such volunteer, hospital-based or municipal
2103 ambulance service. Upon making such application, the applicant shall
2104 notify in writing all other primary service area responders in any
2105 municipality or abutting municipality in which the applicant proposes
2106 to add the additional emergency vehicle. Except in the case where a
2107 primary service area responder entitled to receive notification of such
2108 application objects, in writing, to the commissioner not later than
2109 fifteen calendar days after receiving such notice, the application shall
2110 be deemed approved thirty calendar days after filing. If any such
2111 primary service area responder files an objection with the
2112 commissioner within the fifteen-calendar-day time period and requests
2113 a hearing, the applicant shall be required to demonstrate need at a
2114 public hearing as required under subsection (a) of this section.

2115 (i) The commissioner shall develop a short form application for
2116 primary service area responders seeking to add an emergency vehicle
2117 to their existing fleets pursuant to subsection (h) of this section. The
2118 application shall require an applicant to provide such information as
2119 the commissioner deems necessary, including, but not limited to, (1)
2120 the applicant's name and address, (2) the primary service area where
2121 the additional vehicle is proposed to be used, (3) an explanation as to
2122 why the additional vehicle is necessary and its proposed use, (4) proof
2123 of insurance, (5) a list of the providers to whom notice was sent

2124 pursuant to subsection (h) of this section and proof of such
2125 notification, and (6) total call volume, response time and calls passed
2126 within the primary service area for the one-year period preceding the
2127 date of the application.

2128 Sec. 34. Section 19a-310 of the general statutes is repealed and the
2129 following is substituted in lieu thereof (*Effective July 1, 2009*):

2130 No person shall construct any vault, crypt, columbarium or
2131 mausoleum for public use, wholly or partially above the surface of the
2132 ground, to be used to contain the body of any dead person (1) unless
2133 the same is located within the confines of an established cemetery
2134 containing not less than five acres, which cemetery has been in
2135 existence and operation for a period of at least five years immediately
2136 preceding the time of the erection thereof, or (2) if located within a
2137 cemetery containing less than five acres, such location has been
2138 approved by the selectmen of any town, the mayor and council or
2139 board of aldermen of any city and the warden and burgesses of any
2140 borough; except that in any town, city or borough having a zoning
2141 commission or combined planning and zoning commission, such
2142 commission shall have the authority to grant such approval; nor until
2143 plans and specifications for such vault, crypt, columbarium or
2144 mausoleum are approved by the Department of Public Health and a
2145 fee of one thousand <u>two hundred fifty</u> dollars is paid to the
2146 Department of Public Health for its review and approval of such plans
2147 and specifications, provided a columbarium which is used solely as a
2148 repository for the remains, after cremation, of deceased persons and is
2149 located on the premises of any religious society or corporation shall
2150 not be subject to the provisions of this section. Such plans and
2151 specifications shall set forth the sections, halls, rooms, corridors,
2152 elevators or other subdivisions thereof, with their descriptive names
2153 and numbers, and shall provide: (a) That such structure be so arranged
2154 that the cell, niche or crypt may be readily examined at any time by
2155 any person authorized by law to do so; (b) that the materials of which
2156 such structure is to be constructed are to be of the best quality and of a

2157 character best suited for the purposes intended; and (c) that the
2158 structure shall be so constructed as to insure its durability and
2159 permanence as well as the safety, convenience, comfort and health of
2160 the community in which it is located, as dictated and determined at the
2161 time by modern mausoleum construction and engineering science. The
2162 person making the application shall file a certificate of such approval,
2163 signed by the Commissioner of Public Health, with a copy of such
2164 plans and specifications, in the office of the town clerk of the town
2165 wherein such structure is to be erected, and such clerk shall retain the
2166 same on file.

2167 Sec. 35. Section 19a-320 of the general statutes is repealed and the
2168 following is substituted in lieu thereof (*Effective July 1, 2009*):

2169 (a) Any resident of this state, or any corporation formed under the
2170 law of this state, may erect, maintain and conduct a crematory in this
2171 state and provide the necessary appliances and facilities for the
2172 disposal by incineration of the bodies of the dead, in accordance with
2173 the provisions of this section. The location of such crematory shall be
2174 within the confines of an established cemetery containing not less than
2175 twenty acres, which cemetery shall have been in existence and
2176 operation for at least five years immediately preceding the time of the
2177 erection of such crematory, or shall be within the confines of a plot of
2178 land approved for the location of a crematory by the selectmen of any
2179 town, the mayor and council or board of aldermen of any city and the
2180 warden and burgesses of any borough; provided, in any town, city or
2181 borough having a zoning commission, such commission shall have the
2182 authority to grant such approval. On and after October 1, 1998, no
2183 crematory which is not operating on October 1, 1998, shall be located
2184 within five hundred feet of any residential structure or land used for
2185 residential purposes not owned by the owner of the crematory. This
2186 section shall not apply to any resident of this state or any corporation
2187 formed under the law of this state that was issued an air quality permit
2188 by the Department of Environmental Protection prior to October 1,
2189 1998.

2190 (b) Application for such approval shall be made in writing to the
2191 local authority specified in subsection (a) of this section and a hearing
2192 shall be held within the town, city or borough in which such location is
2193 situated within sixty-five days from the date of receipt of such
2194 application. Notice of such hearing shall be given to such applicant by
2195 mail, postage paid, to the address given on the application, and to the
2196 Commissioner of Public Health, and by publication twice in a
2197 newspaper having a substantial circulation in the town, city or
2198 borough at intervals of not less than two days, the first being not more
2199 than fifteen days **[**nor**]** or less than ten days, and the second being not
2200 less than two days before such hearing. The local authority shall
2201 approve or deny such application within sixty-five days after such
2202 hearing, provided an extension of time not to exceed a further period
2203 of sixty-five days may be had with the consent of the applicant. The
2204 grounds for its action shall be stated in the records of the authority.
2205 Each applicant shall pay a fee of ten dollars, together with the costs of
2206 the publication of such notice and the reasonable expense of such
2207 hearing, to the treasurer of such town, city or borough.

2208 (c) (1) No such crematory shall be erected until the plans therefor
2209 have been filed with and approved by the Department of Public
2210 Health; and no such crematory shall be used until it has been inspected
2211 and received a certificate of inspection by said department and a fee of
2212 one thousand two hundred fifty dollars is paid to the Department of
2213 Public Health for its inspection and approval.

2214 (2) Each holder of an inspection certificate shall, annually, on or
2215 before July first, submit in writing to the Department of Public Health
2216 an application for renewal of such certificate together with a fee of
2217 **[**two hundred fifty**]** three hundred fifteen dollars. If the department
2218 issues to such applicant such an inspection certificate, the same shall
2219 be valid until July first next following, unless revoked or suspended.

2220 (3) Upon receipt of an application for a renewal of such certificate,
2221 the Department of Public Health shall make an inspection of each

2222 crematory.

2223 (4) A crematory shall be open at all times for inspection by the
2224 Department of Public Health. The department may make inspections
2225 whenever it deems advisable.

2226 (5) If, upon inspection by the Department of Public Health, it is
2227 found that such crematory is in such condition as to be detrimental to
2228 public health, the department shall give to the applicant or operator of
2229 the crematory notice and opportunity for hearing as provided in
2230 regulations adopted by the Commissioner of Public Health, in
2231 accordance with the provisions of chapter 54. The commissioner may,
2232 after such hearing, revoke, suspend or refuse to issue or renew any
2233 such certificate upon cause found at hearing. Any person aggrieved by
2234 the finding of or action taken by the Department of Public Health may
2235 appeal therefrom in accordance with the provisions of section 4-183.

2236 (6) Any of the inspections provided for in this section may be made
2237 by a person designated by the Department of Public Health or by a
2238 representative of the Commissioner of Public Health.

2239 Sec. 36. Section 19a-332a of the general statutes is repealed and the
2240 following is substituted in lieu thereof (*Effective July 1, 2009*):

2241 (a) The commissioner, within available appropriations, and after
2242 consultation with the Labor Commissioner, shall adopt regulations in
2243 accordance with the provisions of chapter 54 to administer the
2244 provisions of sections 19a-332 to 19a-332c, inclusive. Such regulations
2245 shall include, but need not be limited to, the following: (1) Standards
2246 for the proper performance of asbestos abatement; (2) procedures for
2247 enforcement action; (3) procedures for inspection of asbestos
2248 abatement by employees of the department; (4) minimum standards
2249 for completion of asbestos abatement projects.

2250 (b) On and after the effective date of any regulations adopted
2251 pursuant to this section, no person shall engage in asbestos abatement

2252 without following the provisions of sections 19a-332 to 19a-332c,
2253 inclusive, and such regulations.

2254 (c) Notwithstanding any regulations to the contrary, the
2255 Commissioner of Public Health shall charge the following fees for the
2256 services of the department in connection with asbestos abatement: (1)
2257 Notification of abatement, less than one hundred sixty square feet,
2258 **[**fifty**]** one hundred dollars; (2) notification of abatement, one hundred
2259 sixty square feet or greater, **[**fifty**]** one hundred dollars plus one per
2260 cent of the total abatement cost, up to a maximum of five thousand
2261 dollars; (3) reinspections, **[**fifty**]** one hundred dollars; (4) asbestos
2262 alternative work practice review, **[**one**]** two hundred dollars; and (5)
2263 notice of demolition activities, **[**twenty-five**]** fifty dollars.

2264 Sec. 37. Section 19a-421 of the general statutes is repealed and the
2265 following is substituted in lieu thereof (*Effective July 1, 2009*):

2266 No person shall establish, conduct or maintain a youth camp
2267 without a license issued by the department. Applications for such
2268 license shall be made in writing at least thirty days prior to the
2269 opening of the youth camp on forms provided and in accordance with
2270 procedures established by the commissioner and shall be accompanied
2271 by a fee of **[**six hundred fifty**]** eight hundred fifteen dollars or, if the
2272 applicant is a nonprofit, nonstock corporation or association, a fee of
2273 **[**two hundred fifty**]** three hundred fifteen dollars or, if the applicant is
2274 a day camp affiliated with a nonprofit organization, for no more than
2275 five days duration and for which labor and materials are donated, no
2276 fee. All such licenses shall be valid for a period of one year from the
2277 date of issuance unless surrendered for cancellation or suspended or
2278 revoked by the commissioner for violation of this chapter or any
2279 regulations adopted under section 19a-428 and shall be renewable
2280 upon payment of a **[**six-hundred-fifty-dollar**]** eight-hundred-fifteen-
2281 dollar license fee or, if the licensee is a nonprofit, nonstock corporation
2282 or association, a **[**two-hundred-fifty-dollar**]** three-hundred-fifteen-
2283 dollar license fee or, if the applicant is a day camp affiliated with a

2284 nonprofit organization, for no more than five days duration and for
2285 which labor and materials are donated, no fee.

2286 Sec. 38. Section 19a-491 of the general statutes is repealed and the
2287 following is substituted in lieu thereof (*Effective July 1, 2009*):

2288 (a) No person acting individually or jointly with any other person
2289 shall establish, conduct, operate or maintain an institution in this state
2290 without a license as required by this chapter. Application for such
2291 license shall be made to the Department of Public Health upon forms
2292 provided by it and shall contain such information as the department
2293 requires, which may include affirmative evidence of ability to comply
2294 with reasonable standards and regulations prescribed under the
2295 provisions of this chapter. The commissioner may require as a
2296 condition of licensure that an applicant sign a consent order providing
2297 reasonable assurances of compliance with the Public Health Code. The
2298 commissioner may issue more than one chronic disease hospital
2299 license to a single institution until such time as the state offers a
2300 rehabilitation hospital license.

2301 (b) If any person acting individually or jointly with any other person
2302 shall own real property or any improvements thereon, upon or within
2303 which an institution, as defined in subsection (c) of section 19a-490, is
2304 established, conducted, operated or maintained and is not the licensee
2305 of the institution, such person shall submit a copy of the lease
2306 agreement to the department at the time of any change of ownership
2307 and with each license renewal application. The lease agreement shall,
2308 at a minimum, identify the person or entity responsible for the
2309 maintenance and repair of all buildings and structures within which
2310 such an institution is established, conducted or operated. If a violation
2311 is found as a result of an inspection or investigation, the commissioner
2312 may require the owner to sign a consent order providing assurances
2313 that repairs or improvements necessary for compliance with the
2314 provisions of the Public Health Code shall be completed within a
2315 specified period of time. The provisions of this subsection shall not

2316 apply to any property or improvements owned by a person licensed in
2317 accordance with the provisions of subsection (a) of this section to
2318 establish, conduct, operate or maintain an institution on or within such
2319 property or improvements.

2320 (c) Notwithstanding any regulation to the contrary, the
2321 Commissioner of Public Health shall charge the following fees for the
2322 biennial licensing and inspection of the following institutions: (1)
2323 Chronic and convalescent nursing homes, per site, [three hundred
2324 fifty] four hundred forty dollars; (2) chronic and convalescent nursing
2325 homes, per bed, five dollars; (3) rest homes with nursing supervision,
2326 per site, [three hundred fifty] four hundred forty dollars; (4) rest
2327 homes with nursing supervision, per bed, five dollars; (5) outpatient
2328 dialysis units and outpatient surgical facilities, [five hundred] six
2329 hundred twenty-five dollars; (6) mental health residential facilities, per
2330 site, three hundred seventy-five dollars; (7) mental health residential
2331 facilities, per bed, five dollars; (8) hospitals, per site, [seven hundred
2332 fifty] nine hundred forty dollars; (9) hospitals, per bed, seven dollars
2333 and fifty cents; (10) nonstate agency educational institutions, per
2334 infirmary, [seventy-five] one hundred fifty dollars; and (11) nonstate
2335 agency educational institutions, per infirmary bed, twenty-five dollars.

2336 (d) Notwithstanding any regulation, the commissioner shall charge
2337 the following fees for the triennial licensing and inspection of the
2338 following institutions: (1) Residential care homes, per site, [four
2339 hundred fifty] five hundred sixty-five dollars; and (2) residential care
2340 homes, per bed, four dollars and fifty cents.

2341 (e) Notwithstanding any regulation, the commissioner shall charge
2342 the following fees for the licensing and inspection every four years of
2343 the following institutions: (1) Outpatient clinics that provide either
2344 medical or mental health service, and well-child clinics, except those
2345 operated by municipal health departments, health districts or licensed
2346 nonprofit nursing or community health agencies, one thousand
2347 dollars; (2) maternity homes, per site, two hundred dollars; and (3)

2348 maternity homes, per bed, ten dollars.

2349 (f) The commissioner shall charge a fee of [four hundred fifty] five
2350 hundred sixty-five dollars for the technical assistance provided for the
2351 design, review and development of an institution's construction, sale
2352 or change in ownership.

2353 (g) The commissioner may require as a condition of the licensure of
2354 home health care agencies and homemaker-home health aide agencies
2355 that each agency meet minimum service quality standards. In the
2356 event the commissioner requires such agencies to meet minimum
2357 service quality standards as a condition of their licensure, the
2358 commissioner shall adopt regulations, in accordance with the
2359 provisions of chapter 54, to define such minimum service quality
2360 standards, which shall (1) allow for training of homemaker-home
2361 health aides by adult continuing education, (2) require a registered
2362 nurse to visit and assess each patient receiving homemaker-home
2363 health aide services as often as necessary based on the patient's
2364 condition, but not less than once every sixty days, and (3) require the
2365 assessment prescribed by subdivision (2) of this subsection to be
2366 completed while the homemaker-home health aide is providing
2367 services in the patient's home.

2368 Sec. 39. Section 19a-506 of the general statutes is repealed and the
2369 following is substituted in lieu thereof (*Effective July 1, 2009*):

2370 "Maternity home", as used in this section, shall include any place
2371 operated and maintained in whole or in part for the purpose of caring
2372 for women during pregnancies and for women and their infants
2373 following such pregnancies, but shall not include maternity hospitals
2374 subject to the provisions of section 19a-505. No person shall establish,
2375 conduct or maintain a maternity home without a license issued by the
2376 Department of Public Health. The fee for each application for license
2377 and each renewal of license shall be [one] two hundred dollars per site
2378 and five dollars per bed. In connection with any application for license
2379 or renewal of license, said department shall consider the character and

2380 qualifications of the person or persons operating or proposing to
2381 operate the maternity home and the physical facilities, financial
2382 resources and health and welfare standards and practices with respect
2383 to such operation or proposed operation and any other factors deemed
2384 by said department to be pertinent to safeguarding the health and
2385 welfare of the persons using such maternity home. Each such license
2386 shall remain in effect for a period of twenty-four months from the date
2387 of issue, shall not be transferable and may be revoked by said
2388 department for violation of or lack of compliance with the provisions
2389 of this section. An opportunity for a hearing before said department
2390 shall be given to any maternity home with respect to a refusal to issue
2391 or renew a license or revocation of an existing license. Any person
2392 aggrieved by refusal to issue or renew or by revocation of any such
2393 license or by any order issued under the provisions of this section may
2394 appeal therefrom in accordance with the provisions of section 4-183,
2395 except venue for such appeal shall be in the judicial district within
2396 which the home is, or is proposed to be, located. Maternity homes shall
2397 maintain such records and make such reports as are prescribed by the
2398 Department of Public Health to ensure compliance with the provisions
2399 of this section. The Department of Public Health shall supervise the
2400 operation of maternity homes and, in such connection, may consult
2401 with and assist any such home toward the attainment of improved
2402 standards of operation, and said department may inspect any
2403 maternity home for the purpose of investigating and ensuring
2404 compliance with this section. The commissioner shall adopt
2405 regulations in accordance with the provisions of chapter 54 to carry out
2406 the provisions of this section. Any person who violates any provision
2407 of this section shall be fined not more than two hundred dollars or
2408 imprisoned not more than six months, or both.

2409 Sec. 40. Section 19a-512 of the general statutes is repealed and the
2410 following is substituted in lieu thereof (*Effective July 1, 2009*):

2411 (a) In order to be eligible for licensure by examination pursuant to
2412 sections 19a-511 to 19a-520, inclusive, a person shall submit an

2413 application, together with a fee of [one] two hundred dollars, and
2414 proof satisfactory to the Department of Public Health that he (1) is
2415 physically and emotionally capable of administering a nursing home;
2416 (2) has satisfactorily completed a program of instruction and training,
2417 including residency training which meets the requirements of
2418 subsection (b) of this section and which is approved by the
2419 Commissioner of Public Health; and (3) has passed an examination
2420 prescribed and administered by the Department of Public Health
2421 designed to test the applicant's knowledge and competence in the
2422 subject matter referred to in subsection (b) of this section. Passing
2423 scores shall be established by the department.

2424 (b) Minimum education and training requirements for applicants for
2425 licensure are as follows:

2426 (1) Each person other than an applicant for renewal, applying prior
2427 to February 1, 1985, shall have completed: (A) A program so designed
2428 as to content and so administered as to present sufficient knowledge of
2429 the needs to be properly served by nursing homes, laws and
2430 regulations governing the operation of nursing homes and the
2431 protection of the interest of patients therein and the elements of good
2432 nursing home administration, or presented evidence satisfactory to the
2433 Department of Public Health of sufficient education and training in the
2434 foregoing fields; and (B) a one-year residency period under the joint
2435 supervision of a duly licensed nursing home administrator in an
2436 authorized nursing home and an accredited institution of higher
2437 education, approved by said department, which period may
2438 correspond to one academic year in such accredited institution. The
2439 supervising administrator shall submit such reports as may be
2440 required by the department on the performance and progress of such
2441 administrator-in-training, on forms provided by the department. This
2442 subdivision shall not apply to any person who has successfully
2443 completed a program of study for a master's degree in nursing home
2444 administration or in a related health care field and who has been
2445 awarded such degree from an accredited institution of higher learning.

2446 (2) Each such person applying on or after February 1, 1985, in
2447 addition to the requirements of subdivision (1) of this subsection, shall
2448 either (A) have a baccalaureate degree in any area and have completed
2449 a course in long-term care administration approved by the department,
2450 or (B) have a master's degree in long-term care administration or in a
2451 related health care field approved by the commissioner.

2452 (c) Notwithstanding the provisions of subsection (b) of this section,
2453 the Department of Public Health shall renew the license of any person
2454 licensed as a nursing home administrator on July 1, 1983.

2455 Sec. 41. Section 19a-513 of the general statutes is repealed and the
2456 following is substituted in lieu thereof (*Effective July 1, 2009*):

2457 In order to be eligible for licensure by endorsement pursuant to
2458 sections 19a-511 to 19a-520, inclusive, a person shall submit an
2459 application for endorsement licensure on a form provided by the
2460 department, together with a fee of **[**one**]** two hundred dollars, and
2461 meet the following requirements: (1) Have completed preparation in
2462 another jurisdiction equal to that required in this state; (2) hold a
2463 license as a nursing home administrator by examination in another
2464 state; and (3) be a currently practicing competent practitioner in a state
2465 whose licensure requirements are substantially similar to or higher
2466 than those of this state. No license shall be issued under this section to
2467 any applicant against whom disciplinary action is pending or who is
2468 the subject of an unresolved complaint.

2469 Sec. 42. Section 19a-515 of the general statutes is repealed and the
2470 following is substituted in lieu thereof (*Effective July 1, 2009*):

2471 (a) Each nursing home administrator's license issued pursuant to the
2472 provisions of sections 19a-511 to 19a-520, inclusive, shall be renewed
2473 once every two years, in accordance with section 19a-88, as amended
2474 by this act, except for cause, by the Department of Public Health, upon
2475 forms to be furnished by said department and upon the payment to
2476 said department, by each applicant for license renewal, of the sum of

2477 [one] two hundred dollars. Each such fee shall be remitted to the
2478 Department of Public Health on or before the date prescribed under
2479 section 19a-88, as amended by this act. Such renewals shall be granted
2480 unless said department finds the applicant has acted or failed to act in
2481 such a manner or under such circumstances as would constitute
2482 grounds for suspension or revocation of such license.

2483 (b) Each licensee shall complete a minimum of forty hours of
2484 continuing education every two years. Such two-year period shall
2485 commence on the first date of renewal of the licensee's license after
2486 January 1, 2004. The continuing education shall be in areas related to
2487 the licensee's practice. Qualifying continuing education activities are
2488 courses offered or approved by the Connecticut Association of
2489 Healthcare Facilities, the Connecticut Association of Not-For-Profit
2490 Providers for the Aging, the Connecticut Assisted Living Association,
2491 the Connecticut Alliance for Subacute Care, Inc., the Connecticut
2492 Chapter of the American College of Health Care Administrators, the
2493 Association For Long Term Care Financial Managers or any accredited
2494 college or university, or programs presented or approved by the
2495 National Continuing Education Review Service of the National
2496 Association of Boards of Examiners of Long Term Care
2497 Administrators, or by federal or state departments or agencies.

2498 (c) Each licensee shall obtain a certificate of completion from the
2499 provider of the continuing education for all continuing education
2500 hours that are successfully completed and shall retain such certificate
2501 for a minimum of three years. Upon request by the department, the
2502 licensee shall submit the certificate to the department. A licensee who
2503 fails to comply with the continuing education requirements shall be
2504 subject to disciplinary action pursuant to section 19a-517.

2505 (d) The continuing education requirements shall be waived for
2506 licensees applying for licensure renewal for the first time. The
2507 department may, for a licensee who has a medical disability or illness,
2508 grant a waiver of the continuing education requirements for a specific

2509 period of time or may grant the licensee an extension of time in which
2510 to fulfill the requirements.

2511 Sec. 43. Section 20-11 of the general statutes is repealed and the
2512 following is substituted in lieu thereof (*Effective July 1, 2009*):

2513 The Department of Public Health under the supervision of the
2514 examining boards provided for by sections 20-8 and 20-8a shall hold
2515 examinations not less than twice each year at such places as the
2516 department designates. Applicants for licenses to practice medicine or
2517 surgery shall be examined in such medical subjects as the department
2518 may prescribe, with the advice and consent of the appropriate board,
2519 provided each applicant for examination shall be notified concerning
2520 the subjects in which he is to be examined. The Commissioner of
2521 Public Health, with advice and assistance from each board, shall make
2522 such rules and regulations for conducting examinations and for the
2523 operation of the board as, from time to time, he deems necessary.
2524 Passing scores for examinations shall be established by the department
2525 with the consent of the appropriate board. Each applicant for
2526 examination shall be examined with respect to the same school of
2527 practice in which the applicant was graduated except that an applicant
2528 for licensure in homeopathic medicine who is licensed as a physician
2529 or meets the requirements in section 20-10 may be examined in other
2530 than the school of practice in which such applicant was graduated.
2531 Before being admitted to the examination, an applicant shall pay the
2532 sum of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars and an
2533 applicant rejected by the department may be reexamined at any
2534 subsequent examination, upon payment of the sum of **[**four hundred
2535 fifty**]** <u>five hundred sixty-five</u> dollars for each appearance.

2536 Sec. 44. Section 20-12 of the general statutes is repealed and the
2537 following is substituted in lieu thereof (*Effective July 1, 2009*):

2538 (a) Except as hereinafter provided, in lieu of the examination
2539 required in section 20-10, the department may, under such regulations
2540 as the Commissioner of Public Health, with advice and assistance from

2541 the appropriate board, may establish and, upon receipt of [four
2542 hundred fifty] five hundred sixty-five dollars, accept a license from the
2543 board of medical examiners or any board authorized to issue a license
2544 to practice osteopathic medicine, osteopathy or its equivalent of any
2545 state or territory of the United States or the District of Columbia or the
2546 Medical Council of Canada or of any agency in such jurisdictions
2547 authorized to issue licenses to practice medicine, osteopathic medicine
2548 or osteopathy, provided the applicant obtained such license after an
2549 examination substantially similar to or of higher quality than that
2550 required for a license in this state, has met all the requirements of
2551 section 20-10 except for examination and is a currently practicing,
2552 competent practitioner of good professional standing. The department
2553 may issue to an applicant approved without examination as
2554 hereinbefore provided a license to practice medicine and surgery.

2555 (b) Except as hereinafter provided, the department may, in its
2556 discretion, and on receipt of [four hundred fifty] five hundred sixty-
2557 five dollars, likewise accept and approve, in lieu of the examination
2558 required in section 20-10, a diploma of the National Board of Medical
2559 Examiners or a certificate of the National Board of Osteopathic Medical
2560 Examiners, subject to the same conditions as hereinbefore set forth for
2561 acceptance, in lieu of examination, of a license from a board of medical
2562 examiners or any board authorized to issue a license to practice
2563 osteopathic medicine, osteopathy or its equivalent of any state or
2564 territory of the United States or the District of Columbia or the Medical
2565 Council of Canada, and may issue to such diplomate or certificate
2566 holder a statement certifying to the fact that the person named therein
2567 has been found qualified to practice medicine and surgery.

2568 (c) In lieu of the examination required in section 20-10, the
2569 department may, under such regulations as the Commissioner of
2570 Public Health, with advice and assistance from the appropriate board,
2571 may establish, and upon the receipt of one hundred fifty dollars,
2572 accept and approve the application of any physician for a temporary
2573 license to practice solely in any state facility, and issue such license,

2574 subject to the same conditions set forth in subsection (a) of this section
2575 for the acceptance of a license from another jurisdiction or the
2576 application of a person who has been a resident student in and a
2577 graduate of a medical school listed in the World Health Organization
2578 Directory, and has received the degree of doctor of medicine,
2579 osteopathic medicine or other academic distinction that, in the
2580 judgment of such board, is equivalent to the degree of doctor of
2581 medicine or osteopathic medicine from such a school and has
2582 completed an additional year of postgraduate experience subsequent
2583 to the receipt of said degree. Such temporary license shall not be issued
2584 for a period longer than twelve months. During the period such
2585 temporary license is in effect, such physician shall make application for
2586 an examination administered or approved by the department under
2587 the supervision of the appropriate board.

2588 (d) No license shall be issued under this section to any applicant
2589 against whom professional disciplinary action is pending or who is the
2590 subject of an unresolved complaint. The department shall inform the
2591 boards established under sections 20-8 and 20-8a annually of the
2592 number of applications it receives for licensure under this section.

2593 (e) Any physician licensed in another state who is board-certified in
2594 pediatrics or family medicine, or whose state standards for licensure
2595 are equivalent to or greater than those required in this state, may
2596 practice as a youth camp physician in this state without a license for a
2597 period not to exceed nine weeks.

2598 (f) Any physician licensed or otherwise authorized to practice
2599 medicine by the armed forces of the United States may practice as a
2600 physician without a license in a free clinic in this state provided (1) the
2601 physician does not receive payment for such practice, and (2) the
2602 physician carries, either directly or through the clinic, professional
2603 liability insurance or indemnity against liability for professional
2604 malpractice equal to or greater than that required of state-licensed
2605 physicians under section 20-11b.

2606 Sec. 45. Section 20-12b of the general statutes is repealed and the
2607 following is substituted in lieu thereof (*Effective July 1, 2009*):

2608 (a) The department may, upon receipt of a fee of one hundred **[**fifty**]**
2609 ninety dollars, issue a physician assistant license to an applicant who:
2610 (1) Holds a baccalaureate or higher degree in any field from a
2611 regionally accredited institution of higher education; (2) has graduated
2612 from an accredited physician assistant program; (3) has passed the
2613 certification examination of the national commission; (4) has satisfied
2614 the mandatory continuing medical education requirements of the
2615 national commission for current certification by such commission and
2616 has passed any examination or continued competency assessment the
2617 passage of which may be required by the national commission for
2618 maintenance of current certification by such commission; and (5) has
2619 completed not less than sixty hours of didactic instruction in
2620 pharmacology for physician assistant practice approved by the
2621 department.

2622 (b) The department may, upon receipt of a fee of **[**seventy-five**]** one
2623 hundred fifty dollars, issue a temporary permit to an applicant who (1)
2624 is a graduate of an accredited physician assistant program; (2) has
2625 completed not less than sixty hours of didactic instruction in
2626 pharmacology for physician assistant practice approved by the
2627 department; and (3) if applying for such permit on and after
2628 September 30, 1991, holds a baccalaureate or higher degree in any field
2629 from a regionally accredited institution of higher education. Such
2630 temporary permit shall authorize the holder to practice as a physician
2631 assistant only in those settings where the supervising physician is
2632 physically present on the premises and is immediately available to the
2633 physician assistant when needed, but shall not authorize the holder to
2634 prescribe or dispense drugs. Such temporary permit shall be valid for a
2635 period not to exceed one hundred twenty calendar days after the date
2636 of graduation and shall not be renewable. Such permit shall become
2637 void and shall not be reissued in the event that the applicant fails to
2638 pass a certification examination scheduled by the national commission

2639 following the applicant's graduation from an accredited physician
2640 assistant program. Violation of the restrictions on practice set forth in
2641 this subsection may constitute a basis for denial of licensure as a
2642 physician assistant.

2643 (c) No license or temporary permit shall be issued under this section
2644 to any applicant against whom professional disciplinary action is
2645 pending or who is the subject of an unresolved complaint.

2646 (d) No person shall practice as a physician assistant or represent
2647 himself as a physician assistant unless he holds a license or temporary
2648 permit pursuant to this section or training permit issued pursuant to
2649 section 20-12h.

2650 (e) Any person, except a licensed physician assistant or a physician
2651 licensed to practice medicine under this chapter, who practices or
2652 attempts to practice as a physician assistant, or any person who buys,
2653 sells or fraudulently obtains any diploma or license to practice as a
2654 physician assistant, whether recorded or not, or any person who uses
2655 the title "physician assistant" or any word or title to induce the belief
2656 that he or she is practicing as a physician assistant, without complying
2657 with the provisions of this section, shall be fined not more than five
2658 hundred dollars or imprisoned not more than five years, or both. For
2659 the purposes of this section, each instance of patient contact or
2660 consultation that is in violation of any provision of this chapter shall
2661 constitute a separate offense. Failure to renew a license in a timely
2662 manner shall not constitute a violation for the purposes of this section.

2663 Sec. 46. Section 20-27 of the general statutes is repealed and the
2664 following is substituted in lieu thereof (*Effective July 1, 2009*):

2665 (a) No person shall engage in the practice of chiropractic in this state
2666 until he has obtained a license.

2667 (b) No person shall receive a license until he has passed an
2668 examination prescribed by the Department of Public Health, with the

2669 advice and consent of the Board of Chiropractic Examiners, except as
2670 hereinafter provided. Any person desiring to practice chiropractic shall
2671 make application to the department upon such form as the department
2672 adopts. Applications shall be in writing, signed by the applicant and
2673 shall contain a statement of the educational advantages of the
2674 applicant, his experience in matters pertaining to a knowledge of the
2675 care of the sick, the length of time applied and the school in which he
2676 studied chiropractic, any collateral branch of study and the length of
2677 time engaged in clinical practice and any diploma, certificate or degree
2678 which has been conferred upon such applicant. Each applicant shall
2679 present to the department satisfactory evidence that he graduated
2680 from an approved high school or possessed educational qualifications
2681 equivalent to those required for graduation from such school before
2682 beginning the study of chiropractic and that he graduated with the
2683 degree of doctor of chiropractic from an accredited college of
2684 chiropractic approved by said board with the consent of the
2685 Commissioner of Public Health, as provided herein, that, if he
2686 graduated prior to July 1, 1932, he has been a resident student in such
2687 an approved chiropractic college or colleges during three graded
2688 courses of six months each, each of which courses shall have included
2689 not less than nine hundred class hours, that, if he graduated after July
2690 1, 1932, he has been a resident student in such an approved
2691 chiropractic college or colleges during four graded courses of eight
2692 months each, totaling not less than three thousand six hundred hours,
2693 and that, if he graduated after July 1, 1955, he has been a resident
2694 student in such an approved chiropractic college or colleges during
2695 four graded courses of eight months each, totaling not less than four
2696 thousand hours. On and after July 1, 1960, each applicant shall present
2697 to said department satisfactory evidence that before beginning the
2698 study of chiropractic he has completed at least two academic years or
2699 sixty semester hours of study leading to a baccalaureate degree in a
2700 college or university approved by said board with the consent of the
2701 Commissioner of Public Health. Said department shall issue a license
2702 to each applicant who passes the examination and who has met all

2703 other requirements of this chapter and any regulations adopted
2704 hereunder. There shall be paid to the department by each applicant a
2705 fee of [four hundred fifty] five hundred sixty-five dollars. The
2706 examination shall be administered by the Department of Public Health
2707 under the supervision of the board. Passing scores shall be established
2708 by the department with the consent of the board.

2709 (c) The Department of Public Health may grant a license without
2710 written examination to any currently practicing, competent licensee
2711 from any other state having licensure requirements substantially
2712 similar to, or higher than, those of this state, who (1) is a graduate of an
2713 accredited school of chiropractic approved by said board with the
2714 consent of the Commissioner of Public Health, (2) presents evidence
2715 satisfactory to the department that he has completed a course of two
2716 academic years or sixty semester hours of study in a college or
2717 scientific school approved by the board with the consent of the
2718 Commissioner of Public Health, and (3) successfully passes the
2719 practical examination provided for in subsection (a) of section 20-28.
2720 There shall be paid to the department by each such applicant a fee of
2721 [four hundred fifty] five hundred sixty-five dollars. No license shall be
2722 issued under this section to any applicant against whom professional
2723 disciplinary action is pending or who is the subject of an unresolved
2724 complaint. The department shall inform the board of the applications it
2725 receives for licenses under this section.

2726 (d) Any person who has passed the prescribed examination shall
2727 receive from said department a license, which license shall include a
2728 statement that the person named therein is qualified to practice
2729 chiropractic. Any person practicing chiropractic in this state under a
2730 license granted by the Board of Chiropractic Examiners previous to
2731 July 1, 1927, shall, upon filing such license, together with the statement
2732 provided for, with the Department of Public Health, receive from said
2733 department a license. Said board shall file, annually, with the
2734 Department of Public Health, a list of accredited chiropractic colleges
2735 or institutions approved by said board with the consent of the

2736 Commissioner of Public Health.

2737 Sec. 47. Section 20-37 of the general statutes is repealed and the
2738 following is substituted in lieu thereof (*Effective July 1, 2009*):

2739 No person shall engage in the practice of natureopathy in this state
2740 until he has obtained a license. No person shall receive a license until
2741 he has passed an examination prescribed by the department with the
2742 advice and consent of the board. The examination shall be
2743 administered by the Department of Public Health under the
2744 supervision of the board. Passing scores shall be established by the
2745 department with the consent of the board. Any person desiring to
2746 practice natureopathy shall make application to the department, upon
2747 such form as it adopts. Applications shall be in writing upon blanks
2748 furnished by said department, setting forth such facts concerning the
2749 applicant as said department requires and shall be signed by the
2750 applicant. Each applicant shall present to said department satisfactory
2751 evidence that he graduated from an approved high school, that he has
2752 completed a course of study of an academic year consisting of not less
2753 than thirty-two weeks' duration, or, if he begins the study of
2754 natureopathy after September 1, 1963, not less than sixty-four weeks'
2755 duration, in a college or scientific school approved by the board with
2756 the consent of the Commissioner of Public Health or possessed
2757 educational qualifications equivalent to those required for graduation
2758 from such school before beginning the study of natureopathy and that
2759 he is a graduate of a legally chartered, reputable school or college of
2760 natureopathy, approved by said board with the consent of the
2761 Commissioner of Public Health. Said department shall issue a license
2762 to each applicant who passes the examination and who has met all
2763 other requirements of this chapter and any regulations adopted
2764 hereunder. There shall be paid to the department by such applicant a
2765 fee of **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. Any person
2766 who has passed the prescribed examination shall receive from said
2767 department a license, which license shall include a statement that the
2768 person named therein is qualified to practice natureopathy. The

2769 secretary of said board shall file annually with the Department of
2770 Public Health a list of natureopathic colleges or institutions recognized
2771 by said board as legal and reputable.

2772 Sec. 48. Section 20-55 of the general statutes is repealed and the
2773 following is substituted in lieu thereof (*Effective July 1, 2009*):

2774 The Department of Public Health shall hold examinations under the
2775 supervision of the board at least once each year and on such other days
2776 and at such time and place as the department may designate.
2777 Candidates shall be examined in the following subjects: Anatomy and
2778 histology, physiology, dermatology and syphilology, bacteriology and
2779 pathology, chemistry, pharmacy and materia medica, theory and
2780 practice of podiatry, including diagnosis, podiatric orthopedics and
2781 therapeutics in all branches as taught and practiced in the approved
2782 schools and colleges of podiatry. The fee for such examination shall be
2783 **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. The examination
2784 shall be prescribed by the department with the advice and consent of
2785 the board. Passing scores shall be established by the department with
2786 the consent of the board.

2787 Sec. 49. Section 20-57 of the general statutes is repealed and the
2788 following is substituted in lieu thereof (*Effective July 1, 2009*):

2789 The Department of Public Health may accept a certificate issued by
2790 the National Board of Podiatry Examiners or the license of any state
2791 board of podiatry examiners or duly authorized licensing agency of
2792 any state in the United States or in the District of Columbia, in lieu of
2793 the written examination provided for in this chapter, if the department
2794 finds that such applicant has been graduated from a chiropody or
2795 podiatry school or college recognized by the Connecticut Board of
2796 Examiners in Podiatry at the time of his graduation from such school
2797 or college and that such state board or licensing agency maintains
2798 standards for licensure determined by the department to be equal to or
2799 higher than those of this state, and that he has presented to said
2800 department evidence showing him to be of good professional

2801 standing, provided the application shall be accompanied by a fee of
2802 [four hundred fifty] five hundred sixty-five dollars. No license shall be
2803 issued under this section to any applicant against whom professional
2804 disciplinary action is pending or who is the subject of an unresolved
2805 complaint. The department shall inform the board annually of the
2806 number of applications it receives for licensure under this section.

2807 Sec. 50. Section 20-65k of the general statutes is repealed and the
2808 following is substituted in lieu thereof (*Effective July 1, 2009*):

2809 (a) The commissioner shall grant a license to practice athletic
2810 training to an applicant who presents evidence satisfactory to the
2811 commissioner of having met the requirements of section 20-65j. An
2812 application for such license shall be made on a form required by the
2813 commissioner. The fee for an initial license under this section shall be
2814 one hundred [fifty] ninety dollars.

2815 (b) A license to practice athletic training may be renewed in
2816 accordance with the provisions of section 19a-88, provided any
2817 licensee applying for license renewal shall maintain certification as an
2818 athletic trainer by the Board of Certification, Inc., or its successor
2819 organization. The fee for such renewal shall be [one] two hundred
2820 dollars.

2821 (c) The department may, upon receipt of an application for athletic
2822 training licensure, accompanied by the licensure application fee of one
2823 hundred [fifty] ninety dollars, issue a temporary permit to a person
2824 who has met the requirements of subsection (a) of section 20-65j,
2825 except that the applicant has not yet sat for or received the results of
2826 the athletic training certification examination administered by the
2827 Board of Certification, Inc., or its successor organization. Such
2828 temporary permit shall authorize the permittee to practice athletic
2829 training under the supervision of a person licensed pursuant to
2830 subsection (a) of this section. Such practice shall be limited to those
2831 settings where the licensed supervisor is physically present on the
2832 premises and is immediately available to render assistance and

2833 supervision, as needed, to the permittee. Such temporary permit shall
2834 be valid for a period not to exceed one hundred twenty calendar days
2835 after the date of completion of the required course of study in athletic
2836 training and shall not be renewable. Such permit shall become void
2837 and shall not be reissued in the event that the permittee fails to pass
2838 the athletic training certification examination. No permit shall be
2839 issued to any person who has previously failed the athletic training
2840 certification examination or who is the subject of an unresolved
2841 complaint or pending professional disciplinary action. Violation of the
2842 restrictions on practice set forth in this section may constitute a basis
2843 for denial of licensure as an athletic trainer.

2844 Sec. 51. Section 20-70 of the general statutes is repealed and the
2845 following is substituted in lieu thereof (*Effective July 1, 2009*):

2846 (a) (1) Any person who is a graduate of a school of physical therapy
2847 approved by the Board of Examiners for Physical Therapists, with the
2848 consent of the Commissioner of Public Health, or has successfully
2849 completed requirements for graduation from such school, shall be
2850 eligible for examination for licensure as a physical therapist upon the
2851 payment of a fee of two hundred **[**twenty-five**]** eighty-five dollars. The
2852 Department of Public Health, with the consent of the board, shall
2853 determine the subject matter of such examination, which shall be
2854 designed to show proficiency in physical therapy and related subjects,
2855 and shall determine whether such examination shall be written, oral or
2856 practical, or a combination thereof. Passing scores shall be established
2857 by the department with the consent of the board. Warning of such
2858 examination shall be given by the department not less than two weeks
2859 in advance of the date set for the examination. If the applicant passes
2860 such examination, the department shall issue to such applicant a
2861 license to practice physical therapy.

2862 (2) Any person who is a graduate of a physical therapy or physical
2863 therapy assistant program accredited by the Commission on
2864 Accreditation in Physical Therapy shall be eligible for examination for

2865 licensure as a physical therapist assistant upon the payment of a fee of
2866 one hundred [fifty] ninety dollars. The department, with the consent of
2867 the board, shall determine the subject matter of such examination,
2868 which shall be designed to show proficiency in physical therapy and
2869 related subjects, and shall determine whether such examination shall
2870 be written, oral or practical, or a combination thereof. Passing scores
2871 shall be established by the department with the consent of the board.
2872 Warning of such examination shall be given by the department not less
2873 than two weeks in advance of the date set for the examination. If the
2874 applicant passes such examination, the department shall issue to such
2875 applicant a physical therapist assistant license. Any applicant for
2876 examination for licensure as a physical therapy assistant whose
2877 application is based on a diploma issued to such applicant by a foreign
2878 physical therapy school shall furnish documentary evidence,
2879 satisfactory to the department, that the requirements for graduation
2880 are similar to or higher than those required of graduates of approved
2881 United States schools of physical therapy.

2882 (b) (1) Any person who is a graduate of an approved United States
2883 physical therapy school and who has filed an application with the
2884 department may practice as a physical therapist under the direct and
2885 immediate supervision of a licensed physical therapist in this state for
2886 a period not to exceed one hundred twenty calendar days after the
2887 date of application. If the person practicing pursuant to this
2888 subdivision fails to pass the licensure examination, all privileges under
2889 this subdivision shall automatically cease.

2890 (2) Any person who is a graduate of an approved United States
2891 physical therapist assistant school or an approved physical therapy
2892 school and who has filed an application with the department may
2893 practice as a physical therapist assistant under the direct and
2894 immediate supervision of a licensed physical therapist in this state for
2895 a period not to exceed one hundred twenty calendar days after the
2896 date of application. If the person practicing pursuant to this
2897 subdivision fails to pass the licensure examination, all privileges under

2898 this subdivision shall automatically cease.

2899 (c) Any applicant under this section who fails to pass the
2900 examination prescribed by the department with the consent of the
2901 board may take a subsequent examination on payment of an additional
2902 application fee.

2903 Sec. 52. Section 20-74d of the general statutes is repealed and the
2904 following is substituted in lieu thereof (*Effective July 1, 2009*):

2905 The department may issue a temporary permit to an applicant who
2906 is a graduate of an educational program in occupational therapy who
2907 meets the educational and field experience requirements of section 20-
2908 74b and has not yet taken the licensure examination. Such temporary
2909 permit shall authorize the holder to practice occupational therapy only
2910 under the direct supervision of a licensed occupational therapist and in
2911 a public, voluntary or proprietary facility. Such temporary permit shall
2912 be valid for a period not to exceed one hundred twenty calendar days
2913 after the date of application and shall not be renewable. Such permit
2914 shall become void and shall not be reissued in the event that the
2915 applicant fails to pass such examination. The fee for a limited permit
2916 shall be **[**twenty-five**]** fifty dollars.

2917 Sec. 53. Section 20-74f of the general statutes is repealed and the
2918 following is substituted in lieu thereof (*Effective July 1, 2009*):

2919 (a) The department shall issue a license to any person who meets the
2920 requirements of this chapter upon payment of a **[**one-hundred-dollar**]**
2921 two-hundred-dollar license fee. Any person who is issued a license as
2922 an occupational therapist under the terms of this chapter may use the
2923 words "occupational therapist", "licensed occupational therapist", or
2924 "occupational therapist registered" or he may use the letters "O.T.",
2925 "L.O.T.", or "O.T.R." in connection with his name or place of business
2926 to denote his registration hereunder. Any person who is issued a
2927 license as an occupational therapy assistant under the terms of this
2928 chapter may use the words "occupational therapy assistant", or he may

2929 use the letters "O.T.A.", "L.O.T.A.", or "C.O.T.A." in connection with his
2930 name or place of business to denote his registration thereunder. No
2931 person shall practice occupational therapy or hold himself out as an
2932 occupational therapist or an occupational therapy assistant, or as being
2933 able to practice occupational therapy or to render occupational therapy
2934 services in this state unless he is licensed in accordance with the
2935 provisions of this chapter.

2936 (b) No person, unless registered under this chapter as an
2937 occupational therapist or an occupational therapy assistant or whose
2938 registration has been suspended or revoked, shall use, in connection
2939 with his name or place of business the words "occupational therapist",
2940 "licensed occupational therapist", "occupational therapist registered",
2941 "occupational therapy assistant", or the letters, "O.T.", "L.O.T.",
2942 "O.T.R.", "O.T.A.", "L.O.T.A.", or "C.O.T.A.", or any words, letters,
2943 abbreviations or insignia indicating or implying that he is an
2944 occupational therapist or an occupational therapy assistant or in any
2945 way, orally, in writing, in print or by sign, directly or by implication,
2946 represent himself as an occupational therapist or an occupational
2947 therapy assistant. Any person who violates the provisions of this
2948 section shall be fined not more than five hundred dollars or
2949 imprisoned not more than five years, or both. For the purposes of this
2950 section, each instance of patient contact or consultation which is in
2951 violation of any provision of this chapter shall constitute a separate
2952 offense. Failure to renew a license in a timely manner shall not
2953 constitute a violation for the purposes of this section.

2954 Sec. 54. Section 20-74s of the general statutes is repealed and the
2955 following is substituted in lieu thereof (*Effective July 1, 2009*):

2956 (a) For purposes of this section and subdivision (18) of subsection (c)
2957 of section 19a-14:

2958 (1) "Commissioner" means the Commissioner of Public Health;

2959 (2) "Licensed alcohol and drug counselor" means a person licensed

2960 under the provisions of this section;

2961 (3) "Certified alcohol and drug counselor" means a person certified
2962 under the provisions of this section;

2963 (4) "Practice of alcohol and drug counseling" means the professional
2964 application of methods that assist an individual or group to develop an
2965 understanding of alcohol and drug dependency problems, define
2966 goals, and plan action reflecting the individual's or group's interest,
2967 abilities and needs as affected by alcohol and drug dependency
2968 problems;

2969 (5) "Private practice of alcohol and drug counseling" means the
2970 independent practice of alcohol and drug counseling by a licensed or
2971 certified alcohol and drug counselor who is self-employed on a full-
2972 time or part-time basis and who is responsible for that independent
2973 practice;

2974 (6) "Self-help group" means a voluntary group of persons who offer
2975 peer support to each other in recovering from an addiction; and

2976 (7) "Supervision" means the regular on-site observation of the
2977 functions and activities of an alcohol and drug counselor in the
2978 performance of his or her duties and responsibilities to include a
2979 review of the records, reports, treatment plans or recommendations
2980 with respect to an individual or group.

2981 (b) Except as provided in subsections (s) to (x), inclusive, of this
2982 section, no person shall engage in the practice of alcohol and drug
2983 counseling unless licensed as a licensed alcohol and drug counselor
2984 pursuant to subsection (d) of this section or certified as a certified
2985 alcohol and drug counselor pursuant to subsection (e) of this section.

2986 (c) Except as provided in subsections (s) to (x), inclusive, of this
2987 section, no person shall engage in the private practice of alcohol and
2988 drug counseling unless (1) licensed as a licensed alcohol and drug
2989 counselor pursuant to subsection (d) of this section, or (2) certified as a

2990 certified alcohol and drug counselor pursuant to subsection (e) of this
2991 section and practicing under the supervision of a licensed alcohol and
2992 drug counselor.

2993 (d) To be eligible for licensure as a licensed alcohol and drug
2994 counselor, an applicant shall (1) have attained a master's degree from
2995 an accredited institution of higher education with a minimum of
2996 eighteen graduate semester hours in counseling or counseling-related
2997 subjects, except that applicants holding certified clinical supervisor
2998 status by the Connecticut Certification Board, Inc. as of October 1,
2999 1998, may substitute such certification in lieu of the master's degree
3000 requirement, and (2) be certified or have met all the requirements for
3001 certification as a certified alcohol and drug counselor.

3002 (e) To be eligible for certification by the Department of Public
3003 Health as a certified alcohol and drug counselor, an applicant shall
3004 have (1) completed three hundred hours of supervised practical
3005 training in alcohol and drug counseling that the commissioner deems
3006 acceptable; (2) completed three years of supervised paid work
3007 experience or unpaid internship that the commissioner deems
3008 acceptable that entailed working directly with alcohol and drug clients,
3009 except that a master's degree may be substituted for one year of such
3010 experience; (3) completed three hundred sixty hours of commissioner-
3011 approved education, at least two hundred forty hours of which relates
3012 to the knowledge and skill base associated with the practice of alcohol
3013 and drug counseling; and (4) successfully completed a department
3014 prescribed examination.

3015 (f) For individuals applying for certification as an alcohol and drug
3016 counselor by the Department of Public Health prior to October 1, 1998,
3017 current certification by the Department of Mental Health and
3018 Addiction Services may be substituted for the certification
3019 requirements of subsection (e) of this section.

3020 (g) The commissioner shall grant a license as an alcohol and drug
3021 counselor to any applicant who furnishes satisfactory evidence that he

3022 has met the requirements of subsections (d) or (o) of this section. The
3023 commissioner shall develop and provide application forms. The
3024 application fee shall be one hundred **[**fifty**]** ninety dollars.

3025 (h) A license as an alcohol and drug counselor shall be renewed in
3026 accordance with the provisions of section 19a-88, as amended by this
3027 act, for a fee of one hundred **[**fifty**]** ninety dollars.

3028 (i) The commissioner shall grant certification as a certified alcohol
3029 and drug counselor to any applicant who furnishes satisfactory
3030 evidence that he has met the requirements of subsections (e) or (o) of
3031 this section. The commissioner shall develop and provide application
3032 forms. The application fee shall be one hundred **[**fifty**]** ninety dollars.

3033 (j) A certificate as an alcohol and drug counselor may be renewed in
3034 accordance with the provisions of section 19a-88, as amended by this
3035 act, for a fee of one hundred **[**fifty**]** ninety dollars.

3036 (k) The commissioner may contract with a qualified private
3037 organization for services that include (1) providing verification that
3038 applicants for licensure or certification have met the education,
3039 training and work experience requirements under this section; and (2)
3040 any other services that the commissioner may deem necessary.

3041 (l) Any person who has attained a master's level degree and is
3042 certified by the Connecticut Certification Board as a substance abuse
3043 counselor on or before July 1, 2000, shall be deemed a licensed alcohol
3044 and drug counselor. Any person so deemed shall renew his license
3045 pursuant to section 19a-88, as amended by this act, for a fee of one
3046 hundred **[**fifty**]** ninety dollars.

3047 (m) Any person who has not attained a master's level degree and is
3048 certified by the Connecticut Certification Board as a substance abuse
3049 counselor on or before July 1, 2000, shall be deemed a certified alcohol
3050 and drug counselor. Any person so deemed shall renew his
3051 certification pursuant to section 19a-88, as amended by this act, for a

3052 fee of one hundred [fifty] ninety dollars.

3053 (n) Any person who is not certified by the Connecticut Certification
3054 Board as a substance abuse counselor on or before July 1, 2000, who (1)
3055 documents to the department that he has a minimum of five years full-
3056 time or eight years part-time paid work experience, under supervision,
3057 as an alcohol and drug counselor, and (2) successfully passes a
3058 commissioner-approved examination no later than July 1, 2000, shall
3059 be deemed a certified alcohol and drug counselor. Any person so
3060 deemed shall renew his certification pursuant to section 19a-88, as
3061 amended by this act, for a fee of one hundred [fifty] ninety dollars.

3062 (o) The commissioner may license or certify without examination
3063 any applicant who, at the time of application, is licensed or certified by
3064 a governmental agency or private organization located in another
3065 state, territory or jurisdiction whose standards, in the opinion of the
3066 commissioner, are substantially similar to, or higher than, those of this
3067 state.

3068 (p) No person shall assume, represent himself as, or use the title or
3069 designation "alcoholism counselor", "alcohol counselor", "alcohol and
3070 drug counselor", "alcoholism and drug counselor", "licensed clinical
3071 alcohol and drug counselor", "licensed alcohol and drug counselor",
3072 "licensed associate alcohol and drug counselor", "certified alcohol and
3073 drug counselor", "chemical dependency counselor", "chemical
3074 dependency supervisor" or any of the abbreviations for such titles,
3075 unless licensed or certified under subsections (g) to (n), inclusive, of
3076 this section and unless the title or designation corresponds to the
3077 license or certification held.

3078 (q) The commissioner shall adopt regulations, in accordance with
3079 chapter 54, to implement provisions of this section.

3080 (r) The commissioner may suspend, revoke or refuse to issue a
3081 license in circumstances that have endangered or are likely to
3082 endanger the health, welfare or safety of the public.

3083 (s) Nothing in this section shall be construed to apply to the
3084 activities and services of a rabbi, priest, minister, Christian Science
3085 practitioner or clergyman of any religious denomination or sect, when
3086 engaging in activities that are within the scope of the performance of
3087 the person's regular or specialized ministerial duties and for which no
3088 separate charge is made, or when these activities are performed, with
3089 or without charge, for or under the auspices or sponsorship,
3090 individually or in conjunction with others, of an established and
3091 legally cognizable church, denomination or sect, and when the person
3092 rendering services remains accountable to the established authority
3093 thereof.

3094 (t) Nothing in this section shall be construed to apply to the
3095 activities and services of a person licensed in this state to practice
3096 medicine and surgery, psychology, marital and family therapy, clinical
3097 social work, professional counseling, advanced practice registered
3098 nursing or registered nursing, when such person is acting within the
3099 scope of the person's license and doing work of a nature consistent
3100 with that person's license, provided the person does not hold himself
3101 or herself out to the public as possessing a license or certification
3102 issued pursuant to this section.

3103 (u) Nothing in this section shall be construed to apply to the
3104 activities and services of a student intern or trainee in alcohol and drug
3105 counseling who is pursuing a course of study in an accredited
3106 institution of higher education or training course, provided these
3107 activities are performed under supervision and constitute a part of an
3108 accredited course of study, and provided further the person is
3109 designated as an intern or trainee or other such title indicating the
3110 training status appropriate to his level of training.

3111 (v) Nothing in this section shall be construed to apply to any alcohol
3112 and drug counselor or substance abuse counselor employed by the
3113 state, except that this section shall apply to alcohol and drug
3114 counselors employed by the Department of Correction pursuant to

3115 subsection (x) of this section.

3116 (w) Nothing in this section shall be construed to apply to the
3117 activities and services of paid alcohol and drug counselors who are
3118 working under supervision or uncompensated alcohol and drug abuse
3119 self-help groups, including, but not limited to, Alcoholics Anonymous
3120 and Narcotics Anonymous.

3121 (x) The provisions of this section shall apply to employees of the
3122 Department of Correction, other than trainees or student interns
3123 covered under subsection (u) of this section and persons completing
3124 supervised paid work experience in order to satisfy mandated clinical
3125 supervision requirements for certification under subsection (e) of this
3126 section, as follows: (1) Any person hired by the Department of
3127 Correction on or after October 1, 2002, for a position as a substance
3128 abuse counselor or supervisor of substance abuse counselors shall be a
3129 licensed or certified alcohol and drug counselor; (2) any person
3130 employed by the Department of Correction prior to October 1, 2002, as
3131 a substance abuse counselor or supervisor of substance abuse
3132 counselors shall become licensed or certified as an alcohol and drug
3133 counselor by October 1, 2007; and (3) any person employed by the
3134 Department of Correction on or after October 1, 2007, as a substance
3135 abuse counselor or supervisor of substance abuse counselors shall be a
3136 licensed or certified alcohol and drug counselor.

3137 Sec. 55. Section 20-74bb of the general statutes is repealed and the
3138 following is substituted in lieu thereof (*Effective July 1, 2009*):

3139 (a) No person shall operate a medical x-ray system unless such
3140 person has obtained a license as a radiographer from the department
3141 pursuant to this section. Each person seeking licensure as a
3142 radiographer shall make application on forms prescribed by the
3143 department, pay an application fee of **[**one**]** <u>two</u> hundred dollars and
3144 present to the department satisfactory evidence that such person (1)
3145 has completed a course of study in radiologic technology in a program
3146 accredited by the Committee on Allied Health Education and

3147 Accreditation of the American Medical Association or its successor
3148 organization, or a course of study deemed equivalent to such
3149 accredited program by the American Registry of Radiologic
3150 Technologists, and (2) has passed an examination prescribed by the
3151 department and administered by the American Registry of Radiologic
3152 Technologists.

3153 (b) A radiographer licensed pursuant to this chapter may operate a
3154 medical x-ray system under the supervision and upon the written or
3155 verbal order of a physician licensed pursuant to chapter 370, a
3156 chiropractor licensed pursuant to chapter 372, a natureopath licensed
3157 pursuant to chapter 373, a podiatrist licensed pursuant to chapter 375,
3158 a dentist licensed pursuant to chapter 379 or a veterinarian licensed
3159 pursuant to chapter 384.

3160 (c) Licenses shall be renewed annually in accordance with the
3161 provisions of section 19a-88, as amended by this act. The fee for
3162 renewal shall be **[**fifty**]** one hundred dollars.

3163 (d) No license shall be issued under this section to any applicant
3164 against whom professional disciplinary action is pending or who is the
3165 subject of an unresolved complaint in this or any other state or
3166 territory.

3167 (e) No person shall use the title "radiographer" unless such person
3168 holds a license issued in accordance with this section.

3169 (f) Notwithstanding the provisions of subsection (a) of this section, a
3170 graduate of a course of study approved pursuant to subdivision (1) of
3171 said subsection may operate a medical x-ray system for a period not to
3172 exceed one hundred twenty calendar days after the date of graduation,
3173 provided such graduate is working in a hospital or similar
3174 organization where adequate supervision is provided. If the person
3175 practicing pursuant to this subsection fails to pass the licensure
3176 examination, all privileges under this subsection shall cease.

3177 (g) Notwithstanding the requirements of this section, the
3178 commissioner shall grant a license to any person who submits
3179 satisfactory evidence that such person has a degree in radiography or
3180 identical field of study under a different designation from an
3181 institution of higher education authorized to grant degrees by the state
3182 or country where located, has a minimum of ten years' experience in
3183 the field of radiography, has a temporary license from the Department
3184 of Public Health and applies for licensure prior to January 1, 1998.

3185 (h) Notwithstanding the requirements of subsection (a) of this
3186 section, during the period from October 1, 2003, to October 31, 2003,
3187 inclusive, the commissioner shall grant a license to any person who (1)
3188 has practiced as a radiographer for at least ten years, one of which
3189 years was no earlier than two years from the date of application
3190 pursuant to this section, (2) holds a current registration as a radiation
3191 therapy technologist that was originally issued by the American
3192 Registry of Radiological Technologists on or before January 1, 1984,
3193 and (3) holds current licensure as a radiographer in another state, that
3194 was originally issued on or before January 1, 1984. No license shall be
3195 issued pursuant to this subsection to any applicant regarding whom
3196 disciplinary action was taken, is pending or who is the subject of an
3197 unresolved complaint.

3198 Sec. 56. Section 20-86c of the general statutes is repealed and the
3199 following is substituted in lieu thereof (*Effective July 1, 2009*):

3200 The Department of Public Health may issue a license to practice
3201 nurse-midwifery upon receipt of a fee of **[**one**]** <u>two</u> hundred dollars, to
3202 an applicant who (1) is eligible for registered nurse licensure in this
3203 state, under sections 20-93<u>, as amended by this act,</u> or 20-94<u>, as</u>
3204 <u>amended by this act</u>; (2) holds and maintains current certification from
3205 the American College of Nurse-Midwives; and (3) has completed thirty
3206 hours of education in pharmacology for nurse-midwifery. No license
3207 shall be issued under this section to any applicant against whom
3208 professional disciplinary action is pending or who is the subject of an

3209 unresolved complaint.

3210 Sec. 57. Section 20-86g of the general statutes is repealed and the
3211 following is substituted in lieu thereof (*Effective July 1, 2009*):

3212 Any person who held a current valid license as a midwife on June
3213 30, 1983, shall be entitled to renew such license annually, upon
3214 payment of a fee of **[**five**]** fifteen dollars, in accordance with the
3215 provisions of section 19a-88, as amended by this act.

3216 Sec. 58. Section 20-93 of the general statutes is repealed and the
3217 following is substituted in lieu thereof (*Effective July 1, 2009*):

3218 Any person who shows to the satisfaction of the department that he
3219 or she holds a degree, diploma or certificate from an accredited
3220 institution evidencing satisfactory completion of a nursing program
3221 approved by said board with the consent of the Commissioner of
3222 Public Health shall be eligible for examination for licensure as a
3223 registered nurse upon payment of a fee of **[**ninety**]** one hundred eighty
3224 dollars, the subjects of which examination shall be determined by said
3225 department with the advice and consent of the board. If such applicant
3226 passes such examination said department shall issue to such applicant
3227 a license to practice nursing in this state.

3228 Sec. 59. Section 20-94 of the general statutes is repealed and the
3229 following is substituted in lieu thereof (*Effective July 1, 2009*):

3230 (a) (1) Any registered nurse who is licensed at the time of
3231 application in another state of the United States, the District of
3232 Columbia or a commonwealth or territory subject to the laws of the
3233 United States, which has licensure requirements that are substantially
3234 similar to or higher than those of this state shall be eligible for
3235 licensure in this state and entitled to a license without examination
3236 upon payment of a fee of **[**ninety**]** one hundred eighty dollars. No
3237 license shall be issued under this section to any applicant against
3238 whom professional disciplinary action is pending or who is the subject

3239 of an unresolved complaint. The department shall inform the board
3240 annually of the number of applications it receives for licenses under
3241 this section.

3242 (2) For the period from October 1, 2004, to one year after said date,
3243 any advanced practice registered nurse licensed pursuant to section
3244 20-94a, as amended by this act, whose license as a registered nurse
3245 pursuant to section 20-93, as amended by this act, has become void
3246 pursuant to section 19a-88, as amended by this act, shall be eligible for
3247 licensure and entitled to a license without examination upon receipt of
3248 a completed application form and payment of a fee of **[**ninety**]** one
3249 hundred eighty dollars.

3250 (b) The Department of Public Health may issue a temporary permit
3251 to an applicant for licensure without examination or to an applicant
3252 previously licensed in Connecticut whose license has become void
3253 pursuant to section 19a-88, as amended by this act, upon receipt of a
3254 completed application form, accompanied by the fee for licensure
3255 without examination, a copy of a current license from another state of
3256 the United States, the District of Columbia or a commonwealth or
3257 territory subject to the laws of the United States, and a notarized
3258 affidavit attesting that said license is valid and belongs to the person
3259 requesting notarization. Such temporary permit shall be valid for a
3260 period not to exceed one hundred twenty calendar days and shall not
3261 be renewable. No temporary permit shall be issued under this section
3262 to any applicant against whom professional disciplinary action is
3263 pending or who is the subject of an unresolved complaint.

3264 Sec. 60. Section 20-94a of the general statutes is repealed and the
3265 following is substituted in lieu thereof (*Effective July 1, 2009*):

3266 (a) The Department of Public Health may issue an advanced
3267 practice registered nurse license to a person seeking to perform the
3268 activities described in subsection (b) of section 20-87a, upon receipt of
3269 a fee of **[**one**]** two hundred dollars, to an applicant who: (1) Maintains a
3270 license as a registered nurse in this state, as provided by section 20-93,

3271 as amended by this act, or 20-94, as amended by this act; (2) holds and
3272 maintains current certification as a nurse practitioner, a clinical nurse
3273 specialist or a nurse anesthetist from one of the following national
3274 certifying bodies that certify nurses in advanced practice: The
3275 American Nurses' Association, the Nurses' Association of the
3276 American College of Obstetricians and Gynecologists Certification
3277 Corporation, the National Board of Pediatric Nurse Practitioners and
3278 Associates or the American Association of Nurse Anesthetists, their
3279 successors or other appropriate national certifying bodies approved by
3280 the Board of Examiners for Nursing; (3) has completed thirty hours of
3281 education in pharmacology for advanced nursing practice; and (4) if
3282 first certified by one of the foregoing certifying bodies after December
3283 31, 1994, holds a master's degree in nursing or in a related field
3284 recognized for certification as either a nurse practitioner, a clinical
3285 nurse specialist, or a nurse anesthetist by one of the foregoing
3286 certifying bodies. No license shall be issued under this section to any
3287 applicant against whom professional disciplinary action is pending or
3288 who is the subject of an unresolved complaint.

3289 (b) During the period commencing January 1, 1990, and ending
3290 January 1, 1992, the Department of Public Health may in its discretion
3291 allow a registered nurse, who has been practicing as an advanced
3292 practice registered nurse in a nurse practitioner role and who is unable
3293 to obtain certification as a nurse practitioner by one of the national
3294 certifying bodies specified in subsection (a) of this section, to be
3295 licensed as an advanced practice registered nurse provided the
3296 individual:

3297 (1) Holds a current Connecticut license as a registered nurse
3298 pursuant to this chapter;

3299 (2) Presents the department with documentation of the reasons one
3300 of such national certifying bodies will not certify him as a nurse
3301 practitioner;

3302 (3) Has been in active practice as a nurse practitioner for at least five

3303 years in a facility licensed pursuant to section 19a-491, as amended by
3304 this act;

3305 (4) Provides the department with documentation of his preparation
3306 as a nurse practitioner;

3307 (5) Provides the department with evidence of at least seventy-five
3308 contact hours, or its equivalent, of continuing education related to his
3309 nurse practitioner specialty in the preceding five calendar years;

3310 (6) Has completed thirty hours of education in pharmacology for
3311 advanced nursing practice;

3312 (7) Has his employer provide the department with a description of
3313 his practice setting, job description, and a plan for supervision by a
3314 licensed physician;

3315 (8) Notifies the department of each change of employment to a new
3316 setting where he will function as an advanced practice registered nurse
3317 and will be exercising prescriptive and dispensing privileges.

3318 (c) Any person who obtains a license pursuant to subsection (b) of
3319 this section shall be eligible to renew such license annually provided
3320 he presents the department with evidence that he received at least
3321 fifteen contact hours, or its equivalent, eight hours of which shall be in
3322 pharmacology, of continuing education related to his nurse
3323 practitioner specialty in the preceding licensure year. If an individual
3324 licensed pursuant to subsection (b) of this subsection becomes eligible
3325 at any time for certification as a nurse practitioner by one of the
3326 national certifying bodies specified in subsection (a) of this section, the
3327 individual shall apply for certification, and upon certification so notify
3328 the department, and apply to be licensed as an advanced practice
3329 registered nurse in accordance with subsection (a) of this section.

3330 (d) A person who has received a license pursuant to this section
3331 shall be known as an "Advanced Practice Registered Nurse" and no
3332 other person shall assume such title or use the letters or figures which

3333 indicate that the person using the same is a licensed advanced practice
3334 registered nurse.

3335 Sec. 61. Section 20-96 of the general statutes is repealed and the
3336 following is substituted in lieu thereof (*Effective July 1, 2009*):

3337 Any person who holds a certificate from a nursing program
3338 approved by said board with the consent of the Commissioner of
3339 Public Health, which program consists of not less than twelve months'
3340 instruction in the care of the sick as prescribed by said board, or its
3341 equivalent as determined by said board, shall be eligible for
3342 examination for licensure as a licensed practical nurse upon payment
3343 of a fee of **[**seventy-five**]** one hundred fifty dollars. Such examination
3344 shall include such subjects as the department, with the advice and
3345 consent of the board, determines. If such applicant passes such
3346 examination said department shall issue to such applicant a license to
3347 practice as a licensed practical nurse in this state.

3348 Sec. 62. Section 20-97 of the general statutes is repealed and the
3349 following is substituted in lieu thereof (*Effective July 1, 2009*):

3350 (a) Any person who is licensed at the time of application as a
3351 licensed practical nurse, or as a person entitled to perform similar
3352 services under a different designation, in another state of the United
3353 States, the District of Columbia or a commonwealth or territory subject
3354 to the laws of the United States whose requirements for licensure in
3355 such capacity are substantially similar to or higher than those of this
3356 state, shall be eligible for licensure in this state and entitled to a license
3357 without examination upon payment of a fee of **[**seventy-five**]** one
3358 hundred fifty dollars. No license shall be issued under this section to
3359 any applicant against whom professional disciplinary action is
3360 pending or who is the subject of an unresolved complaint. The
3361 department shall inform the board annually of the number of
3362 applications it receives for licenses under this section.

3363 (b) The Department of Public Health may issue a temporary permit

3364 to an applicant for licensure without examination or to an applicant
3365 previously licensed in Connecticut whose license has become void
3366 pursuant to section 19a-88, as amended by this act, upon receipt of a
3367 completed application form, accompanied by the appropriate fee for
3368 licensure without examination, a copy of a current license from
3369 another state of the United States, the District of Columbia or a
3370 commonwealth or territory subject to the laws of the United States and
3371 a notarized affidavit attesting that the license is valid and belongs to
3372 the person requesting notarization. Such temporary permit shall be
3373 valid for a period not to exceed one hundred twenty calendar days and
3374 shall not be renewable. No temporary permit shall be issued under this
3375 section to any applicant against whom professional disciplinary action
3376 is pending or who is the subject of an unresolved complaint.

3377 Sec. 63. Section 20-109 of the general statutes is repealed and the
3378 following is substituted in lieu thereof (*Effective July 1, 2009*):

3379 Upon the payment of a fee of **[**four hundred fifty**]** five hundred
3380 sixty-five dollars by an applicant, the Department of Public Health,
3381 under the supervision of the dental commissioners shall examine
3382 applicants. All examinations shall be given at least once per year and
3383 at other times prescribed by the department. The department shall
3384 grant licenses to such applicants as are qualified.

3385 Sec. 64. Section 20-110 of the general statutes is repealed and the
3386 following is substituted in lieu thereof (*Effective July 1, 2009*):

3387 The Department of Public Health may without examination, issue a
3388 license to any dentist who is licensed in some other state or territory, if
3389 such other state or territory has requirements for admission
3390 determined by the department to be similar to or higher than the
3391 requirements of this state, upon certification from the board of
3392 examiners or like board of the state or territory in which such dentist
3393 was a practitioner certifying to his competency and upon payment of a
3394 fee of **[**four hundred fifty**]** five hundred sixty-five dollars to said
3395 department. No license shall be issued under this section to any

3396 applicant against whom professional disciplinary action is pending or
3397 who is the subject of an unresolved complaint. The department shall
3398 inform the Dental Commission annually of the number of applications
3399 it receives for licensure under this section.

3400 Sec. 65. Section 20-123b of the general statutes is repealed and the
3401 following is substituted in lieu thereof (*Effective July 1, 2009*):

3402 (a) On and after the effective date of the regulations adopted in
3403 accordance with subsection (d) of this section, no dentist licensed
3404 under this chapter shall use general anesthesia or conscious sedation,
3405 as these terms are defined in section 20-123a, on any patient unless
3406 such dentist has a permit, currently in effect, issued by the
3407 commissioner, initially for a period of twelve months and renewable
3408 annually thereafter, authorizing the use of such general anesthesia or
3409 conscious sedation.

3410 (b) No applicant shall be issued a permit initially as required in
3411 subsection (a) of this section unless (1) the commissioner approves the
3412 results of an on-site evaluation of the applicant's facility conducted in
3413 consultation with the Connecticut Society of Oral and Maxillo-Facial
3414 Surgeons by an individual or individuals selected from a list of site
3415 evaluators approved by the commissioner, provided such evaluation is
3416 conducted without cost to the state, (2) the commissioner is satisfied
3417 that the applicant is in compliance with guidelines in the American
3418 Dental Association Guidelines for Teaching and the Comprehensive
3419 Control of Pain and Anxiety in Dentistry, and (3) such initial
3420 application includes payment of a fee in the amount of **[**one hundred
3421 sixty**]** two hundred dollars.

3422 (c) The commissioner may renew such permit annually, provided
3423 (1) application for renewal is received by the commissioner not later
3424 than three months after the date of expiration of such permit, (2)
3425 payment of a renewal fee of **[**one hundred sixty**]** two hundred dollars
3426 is received with such application and (3) an on-site evaluation of the
3427 dentist's facility is conducted in consultation with The Connecticut

3428 Society of Oral and Maxillo-Facial Surgeons by an individual or
3429 individuals selected from a list of site evaluators approved by the
3430 commissioner, provided such evaluation is conducted without cost to
3431 the state on a schedule established in regulations adopted pursuant to
3432 this section and the commissioner approves the results of each such
3433 evaluation.

3434 (d) The commissioner, with the advice and assistance of the State
3435 Dental Commission, shall adopt regulations in accordance with the
3436 provisions of chapter 54 to implement the provisions of this section.

3437 Sec. 66. Section 20-126i of the general statutes is repealed and the
3438 following is substituted in lieu thereof (*Effective July 1, 2009*):

3439 (a) Each application for a license to practice dental hygiene shall be
3440 in writing and signed by the applicant and accompanied by
3441 satisfactory proof that such person has received a diploma or
3442 certificate of graduation from a dental hygiene program with a
3443 minimum of two academic years of curriculum provided in a college
3444 or institution of higher education the program of which is accredited
3445 by the Commission on Dental Accreditation or such other national
3446 professional accrediting body as may be recognized by the United
3447 States Department of Education, and a fee of **[**seventy-five**]** <u>one</u>
3448 <u>hundred fifty</u> dollars.

3449 (b) Notwithstanding the provisions of subsection (a) of this section,
3450 each application for a license to practice dental hygiene from an
3451 applicant who holds a diploma from a foreign dental school shall be in
3452 writing and signed by the applicant and accompanied by satisfactory
3453 proof that such person has (1) graduated from a dental school located
3454 outside the United States and received the degree of doctor of dental
3455 medicine or surgery, or its equivalent; (2) passed the written and
3456 practical examinations required in section 20-126j; and (3) enrolled in a
3457 dental hygiene program in this state that is accredited by the
3458 Commission on Dental Accreditation or its successor organization and
3459 successfully completed not less than one year of clinical training in a

3460 community health center affiliated with and under the supervision of
3461 such dental hygiene program.

3462 Sec. 67. Section 20-126k of the general statutes is repealed and the
3463 following is substituted in lieu thereof (*Effective July 1, 2009*):

3464 The Department of Public Health may, without examination, issue a
3465 license to any dental hygienist who has provided evidence of
3466 professional education not less than that required in this state and who
3467 is licensed in some other state or territory, if such other state or
3468 territory has requirements of admission determined by the department
3469 to be similar to or higher than the requirements of this state, upon
3470 certification from the board of examiners or like board of the state or
3471 territory in which such dental hygienist was a practitioner certifying to
3472 his competency and upon payment of a fee of **[**seventy-five**]** <u>one</u>
3473 <u>hundred fifty</u> dollars to said department. No license shall be issued
3474 under this section to any applicant against whom professional
3475 disciplinary action is pending or who is the subject of an unresolved
3476 complaint.

3477 Sec. 68. Section 20-130 of the general statutes is repealed and the
3478 following is substituted in lieu thereof (*Effective July 1, 2009*):

3479 Each person, before beginning the practice of optometry in this
3480 state, except as hereinafter provided, shall present to the Department
3481 of Public Health satisfactory evidence that such person has been
3482 graduated from a school of optometry approved by the board of
3483 examiners with the consent of the Commissioner of Public Health. The
3484 board shall consult, where possible, with nationally recognized
3485 accrediting agencies when approving schools of optometry. All
3486 applicants shall be required to successfully complete an examination
3487 prescribed by the Department of Public Health with the consent of the
3488 board of examiners, in theoretic, practical and physiological optics,
3489 theoretic and practical optometry, ocular pharmacology, treatment and
3490 management of ocular disease, and the anatomy and physiology of the
3491 eye; and said department shall determine the qualifications of the

3492 applicant and, if they are found satisfactory, shall give a license to that
3493 effect. Passing scores shall be established by the department with the
3494 consent of the board. The department may, upon receipt of **[**four
3495 hundred fifty**]** five hundred sixty-five dollars, issue a license to any
3496 person who is a currently practicing competent practitioner who holds
3497 (1) a license issued to such person after examination by a board of
3498 registration in optometry in any other state or territory of the United
3499 States in which the requirements for registration are deemed by the
3500 department to be equivalent to, or higher than, those prescribed in this
3501 chapter, or (2) a Council on Endorsed Licensure Mobility for
3502 Optometrists certificate issued by the Association of Regulatory Boards
3503 of Optometry, or its successor organization. No license shall be issued
3504 under this section to any applicant against whom professional
3505 disciplinary action is pending or who is the subject of an unresolved
3506 complaint.

3507 Sec. 69. Section 20-149 of the general statutes is repealed and the
3508 following is substituted in lieu thereof (*Effective July 1, 2009*):

3509 A license under the provisions of this chapter shall be given under
3510 the hand of the Commissioner of Public Health or his designee. A fee
3511 shall be paid to the department, at the date of application for a license,
3512 as follows: For licensed optician, granting full responsibility, **[**one**]** two
3513 hundred dollars. Such licenses shall be renewed annually in
3514 accordance with the provisions of section 19a-88, as amended by this
3515 act, and a fee shall be paid to the department at the date of renewal
3516 application as follows: For a licensed optician, **[**one**]** two hundred
3517 dollars.

3518 Sec. 70. Section 20-151 of the general statutes is repealed and the
3519 following is substituted in lieu thereof (*Effective July 1, 2009*):

3520 Any licensed optician and any optical department in any
3521 establishment, office or store may apply to said department for a
3522 registration certificate to sell at retail optical glasses and instruments
3523 from given formulas and to make and dispense reproductions of the

3524 same, in a shop, store, optical establishment or office owned and
3525 managed by a licensed optician as defined in section 20-145 or where
3526 the optical department thereof is under the supervision of such a
3527 licensed optician, and said registration shall be designated as an
3528 optical selling permit. Said department shall grant such permits for a
3529 period not exceeding one year, upon the payment of a fee of **[**two
3530 hundred fifty**]** three hundred fifteen dollars, and upon satisfactory
3531 evidence to said department that such optical establishment, office or
3532 store is being conducted in accordance with the regulations adopted
3533 under this chapter. Such permit shall be conspicuously posted within
3534 such optical establishment, office or store. All permits issued under the
3535 provisions of this chapter shall expire on September first in each year.

3536 Sec. 71. Section 20-159 of the general statutes is repealed and the
3537 following is substituted in lieu thereof (*Effective July 1, 2009*):

3538 Each person entering into employment in an optical office, store or
3539 establishment for the purpose of obtaining practical experience and
3540 skill required under the provisions of this chapter shall register as an
3541 apprentice with the department and the computation of any period of
3542 apprenticeship shall commence at the date of such registration. Such
3543 application for registration shall be certified to, under oath, by the
3544 employer and by such applicant, and the department may issue to
3545 such applicant an apprentice's certificate. A renewal of each
3546 certification of such apprenticeship shall be filed with the department
3547 annually. A fee of **[**twenty-five**]** fifty dollars shall accompany the
3548 original application and any renewals of the same. Any person who
3549 served part of his apprenticeship in any other state or country not
3550 requiring such registration shall be obliged to give proof of such
3551 service satisfactory to the department.

3552 Sec. 72. Section 20-162o of the general statutes is repealed and the
3553 following is substituted in lieu thereof (*Effective July 1, 2009*):

3554 (a) Each person seeking licensure as a respiratory care practitioner
3555 shall make application on forms prescribed by the commissioner, pay

3556 an application fee of one hundred [fifty] ninety dollars and present to
3557 the commissioner satisfactory evidence that (1) he has successfully
3558 completed an educational program for respiratory therapists or
3559 respiratory therapy technicians which, at the time of his completion,
3560 was accredited by the Committee on Allied Health Education and
3561 Accreditation, or the Commission on Accreditation of Allied Health
3562 Education Programs, in cooperation with the Joint Review Committee
3563 for Respiratory Therapy Education, or was recognized by the Joint
3564 Review Committee for Respiratory Therapy Education, (2) he has
3565 passed the entry level or advanced practitioner respiratory care
3566 examination administered by the National Board for Respiratory Care,
3567 Inc., and (3) he is currently credentialed by the National Board for
3568 Respiratory Care as a certified respiratory therapy technician or
3569 registered respiratory therapist.

3570 (b) Notwithstanding the provisions of subsection (a) of this section,
3571 the department may issue a license as a respiratory care practitioner to
3572 a person who (1) was credentialed by the National Board for
3573 Respiratory Care as a certified respiratory therapy technician not later
3574 than June 30, 1978, or as a registered respiratory therapist not later
3575 than June 30, 1971, and (2) meets the requirements of subdivisions (2)
3576 and (3) of subsection (a) of this section. Each person seeking licensure
3577 pursuant to this subsection shall make application on forms prescribed
3578 by the commissioner, pay an application fee of one hundred [fifty]
3579 ninety dollars and present to the commissioner satisfactory evidence of
3580 his credentialing by said board.

3581 (c) Notwithstanding the provisions of subsection (a) of this section,
3582 the department may issue a license as a respiratory care practitioner to
3583 a person who (1) has been registered as a respiratory therapist by the
3584 Canadian Society of Respiratory Therapists, (2) has passed the clinical
3585 simulation examination of the National Board for Respiratory Care
3586 and (3) is currently credentialed by said board as a registered
3587 respiratory therapist. Each person seeking licensure pursuant to this
3588 subsection shall make application on forms prescribed by the

3589 commissioner, pay an application fee of one hundred [fifty] ninety
3590 dollars and present to the commissioner satisfactory evidence of his
3591 credentialing by said society and said board.

3592 (d) The department may, upon receipt of an application for
3593 respiratory care licensure, accompanied by the licensure application
3594 fee of one hundred [fifty] ninety dollars, issue a temporary permit to a
3595 person who has completed an educational program in respiratory care
3596 which satisfies the requirements of subdivision (1) of subsection (a) of
3597 this section. Such temporary permit shall authorize the permittee to
3598 practice as a respiratory care practitioner under the supervision of a
3599 person licensed pursuant to this section. Such practice shall be limited
3600 to those settings where the licensed supervisor is physically present on
3601 the premises and is immediately available to render assistance and
3602 supervision as needed, to the permittee. Such temporary permit shall
3603 be valid from the date of issuance of same until the date of issuance of
3604 the results of the first examination administered pursuant to
3605 subdivision (2) of subsection (a) of this section, following the
3606 permittee's completion of said educational program in respiratory care.
3607 Such permit shall remain valid for each person who passes said
3608 examination until the permittee receives their license from the
3609 department. Such permit shall become void and shall not be reissued
3610 in the event that the permittee fails to pass said examination. No
3611 permit shall be issued to any person who has previously failed said
3612 examination or who is the subject of an unresolved complaint or
3613 pending professional disciplinary action. Violation of the restrictions
3614 on practice set forth in this section may constitute a basis for denial of
3615 licensure as a respiratory care practitioner.

3616 (e) Notwithstanding the provisions of subsection (a) of this section,
3617 from July 1, 1995, until July 1, 1996, a person seeking licensure
3618 pursuant to this section may present to the department satisfactory
3619 evidence that he has, from July 1, 1980, until July 1, 1995, practiced as a
3620 respiratory care practitioner for at least ten years and has been
3621 determined eligible by the National Board for Respiratory Care, Inc. to

3622 sit for the examination required pursuant to subdivision (2) of
3623 subsection (a) of this section, provided any license issued pursuant to
3624 this subsection shall become void on October 1, 1997, unless the person
3625 has, on or before that date, presented to the department satisfactory
3626 evidence that he has met the requirements of subdivisions (2) and (3)
3627 of subsection (a) of this section.

3628 (f) Licenses shall be renewed annually in accordance with the
3629 provisions of section 19a-88, as amended by this act. The fee for
3630 renewal shall be **[**fifty**]** one hundred dollars.

3631 (g) No license shall be issued under this section to any applicant
3632 against whom professional disciplinary action is pending or who is the
3633 subject of an unresolved complaint in this or any other state or
3634 territory.

3635 (h) The commissioner may adopt regulations in accordance with the
3636 provisions of chapter 54 to administer provisions of sections 20-162n to
3637 20-162q, inclusive.

3638 Sec. 73. Section 20-188 of the general statutes is repealed and the
3639 following is substituted in lieu thereof (*Effective July 1, 2009*):

3640 Before granting a license to a psychologist, the department shall,
3641 except as provided in section 20-190, as amended by this act, require
3642 any applicant therefor to pass an examination in psychology
3643 prescribed by the department with the advice and consent of the
3644 board. Each applicant shall pay a fee of **[**four hundred fifty**]** five
3645 hundred sixty-five dollars, and shall satisfy the department that such
3646 applicant (1) has received the doctoral degree based on a program of
3647 studies whose content was primarily psychological from an
3648 educational institution approved in accordance with section 20-189;
3649 and (2) has had at least one year's experience that meets the
3650 requirements established in regulations adopted by the department, in
3651 consultation with the board, in accordance with the provisions of
3652 chapter 54. The department shall establish a passing score with the

3653 consent of the board. Any certificate granted by the board of examiners
3654 prior to June 24, 1969, shall be deemed a valid license permitting
3655 continuance of profession subject to the provisions of this chapter.

3656 Sec. 74. Section 20-190 of the general statutes is repealed and the
3657 following is substituted in lieu thereof (*Effective July 1, 2009*):

3658 An applicant for licensure by endorsement shall present evidence
3659 satisfactory to the Department of Public Health that the applicant is a
3660 currently practicing, competent practitioner and who at the time of
3661 application is licensed or certified by a similar board of another state
3662 whose standards, in the opinion of the department, are substantially
3663 similar to, or higher than, those of this state, or that the applicant holds
3664 a current certificate of professional qualification in psychology from
3665 the Association of State and Provincial Psychology Boards. The
3666 department may waive the examination for any person holding a
3667 diploma from a nationally recognized board or agency approved by
3668 the department, with the consent of the board of examiners. The
3669 department may require such applicant to provide satisfactory
3670 evidence that the applicant understands Connecticut laws and
3671 regulations relating to the practice of psychology. The fee for such
3672 license shall be **[**four hundred fifty**]** <u>five hundred sixty-five</u> dollars. No
3673 license shall be issued under this section to any applicant against
3674 whom professional disciplinary action is pending or who is the subject
3675 of an unresolved complaint. The department shall inform the board
3676 annually of the number of applications it receives for licensure by
3677 endorsement under this section.

3678 Sec. 75. Section 20-195c of the general statutes is repealed and the
3679 following is substituted in lieu thereof (*Effective July 1, 2009*):

3680 (a) Each applicant for licensure as a marital and family therapist
3681 shall present to the department satisfactory evidence that such
3682 applicant has: (1) Completed a graduate degree program specializing
3683 in marital and family therapy from a regionally accredited college or
3684 university or an accredited postgraduate clinical training program

3685 approved by the Commission on Accreditation for Marriage and
3686 Family Therapy Education and recognized by the United States
3687 Department of Education; (2) completed a supervised practicum or
3688 internship with emphasis in marital and family therapy supervised by
3689 the program granting the requisite degree or by an accredited
3690 postgraduate clinical training program, approved by the Commission
3691 on Accreditation for Marriage and Family Therapy Education
3692 recognized by the United States Department of Education in which the
3693 student received a minimum of five hundred direct clinical hours that
3694 included one hundred hours of clinical supervision; (3) completed a
3695 minimum of twelve months of relevant postgraduate experience,
3696 including at least (A) one thousand hours of direct client contact
3697 offering marital and family therapy services subsequent to being
3698 awarded a master's degree or doctorate or subsequent to the training
3699 year specified in subdivision (2) of this subsection, and (B) one
3700 hundred hours of postgraduate clinical supervision provided by a
3701 licensed marital and family therapist who is not directly compensated
3702 by such applicant for providing such supervision; and (4) passed an
3703 examination prescribed by the department. The fee shall be **[**two
3704 hundred fifty**]** <u>three hundred fifteen</u> dollars for each initial application.

3705 (b) The department may grant licensure without examination,
3706 subject to payment of fees with respect to the initial application, to any
3707 applicant who is currently licensed or certified in another state as a
3708 marital or marriage and family therapist on the basis of standards
3709 which, in the opinion of the department, are substantially similar to or
3710 higher than those of this state. No license shall be issued under this
3711 section to any applicant against whom professional disciplinary action
3712 is pending or who is the subject of an unresolved complaint.

3713 (c) Licenses issued under this section may be renewed annually in
3714 accordance with the provisions of section 19a-88<u>, as amended by this</u>
3715 <u>act</u>. The fee for such renewal shall be **[**two hundred fifty**]** <u>three</u>
3716 <u>hundred fifteen</u> dollars. Each licensed marital and family therapist
3717 applying for license renewal shall furnish evidence satisfactory to the

3718 commissioner of having participated in continuing education
3719 programs. The commissioner shall adopt regulations, in accordance
3720 with chapter 54, to (1) define basic requirements for continuing
3721 education programs, (2) delineate qualifying programs, (3) establish a
3722 system of control and reporting, and (4) provide for waiver of the
3723 continuing education requirement for good cause.

3724 Sec. 76. Section 20-195o of the general statutes is repealed and the
3725 following is substituted in lieu thereof (*Effective July 1, 2009*):

3726 (a) Application for licensure shall be on forms prescribed and
3727 furnished by the commissioner. Each applicant shall furnish evidence
3728 satisfactory to the commissioner that he has met the requirements of
3729 section 20-195n. The application fee shall be **[**two hundred fifty**]** three
3730 hundred fifteen dollars.

3731 (b) Notwithstanding the provisions of section 20-195n concerning
3732 examinations, the commissioner may issue a license without
3733 examination, prior to January 1, 1998, to any applicant who offers
3734 proof to the satisfaction of the commissioner that he met the
3735 requirements of subdivisions (1) and (2) of section 20-195n and was an
3736 employee of the federal government with not less than three thousand
3737 hours postmaster's social work experience prior to October 1, 1986.

3738 (c) (1) Each person licensed pursuant to this chapter may apply for
3739 renewal of such licensure in accordance with the provisions of
3740 subsection (e) of section 19a-88, as amended by this act. A fee of one
3741 hundred **[**fifty**]** ninety dollars shall accompany each renewal
3742 application. Each such applicant shall furnish evidence satisfactory to
3743 the commissioner of having participated in continuing education. The
3744 commissioner shall adopt regulations in accordance with chapter 54 to
3745 (A) define basic requirements for continuing education programs, (B)
3746 delineate qualifying programs, (C) establish a system of control and
3747 reporting, and (D) provide for waiver of the continuing education
3748 requirement for good cause.

3749 (2) A person licensed pursuant to this chapter who holds a
3750 professional educator certificate that is endorsed for school social work
3751 and issued by the State Board of Education pursuant to sections 10-
3752 144o to 10-149, inclusive, may satisfy the continuing education
3753 requirements contained in regulations adopted pursuant to this section
3754 by successfully completing professional development activities
3755 pursuant to subsection (l) of section 10-145b, as amended by this act,
3756 provided the number of continuing education hours completed by
3757 such person is equal to the number of hours per registration period
3758 required by such regulations. For purposes of this subdivision,
3759 "registration period" means the one-year period during which a license
3760 has been renewed in accordance with section 19a-88, as amended by
3761 this act, and is current and valid.

3762 Sec. 77. Section 20-195cc of the general statutes is repealed and the
3763 following is substituted in lieu thereof (*Effective July 1, 2009*):

3764 (a) The Commissioner of Public Health shall grant a license as a
3765 professional counselor to any applicant who furnishes evidence
3766 satisfactory to the commissioner that such applicant has met the
3767 requirements of section 20-195dd. The commissioner shall develop and
3768 provide application forms. The application fee shall be **[**two hundred
3769 fifty**]** three hundred fifteen dollars.

3770 (b) Licenses issued under this section may be renewed annually
3771 pursuant to section 19a-88, as amended by this act. The fee for such
3772 renewal shall be one hundred **[**fifty**]** ninety dollars. Each licensed
3773 professional counselor applying for license renewal shall furnish
3774 evidence satisfactory to the commissioner of having participated in
3775 continuing education programs. The commissioner shall adopt
3776 regulations, in accordance with chapter 54, to (1) define basic
3777 requirements for continuing education programs, (2) delineate
3778 qualifying programs, (3) establish a system of control and reporting,
3779 and (4) provide for a waiver of the continuing education requirement
3780 for good cause.

3781 Sec. 78. Section 20-199 of the general statutes is repealed and the
3782 following is substituted in lieu thereof (*Effective July 1, 2009*):

3783 No person shall be issued a license until such person has taken and
3784 passed, with a minimum passing grade established by the department
3785 with the consent of the board, written, oral or practical examinations
3786 prescribed by the department with the advice and consent of the
3787 board. Before being admitted to the examination, each applicant shall
3788 pay to the department the sum of **[**four hundred fifty**]** five hundred
3789 sixty-five dollars and an applicant rejected by the department may be
3790 reexamined at any subsequent time, upon payment of the sum of **[**four
3791 hundred fifty**]** five hundred sixty-five dollars for each appearance. The
3792 Department of Public Health under the supervision of the board shall
3793 hold such examinations at least once each year at such places as it
3794 designates and at such other times and places as it determines.

3795 Sec. 79. Section 20-200 of the general statutes is repealed and the
3796 following is substituted in lieu thereof (*Effective July 1, 2009*):

3797 (a) Notwithstanding the provisions of section 20-198, the
3798 Department of Public Health may issue a license by endorsement to
3799 any veterinarian of good professional character who is currently
3800 licensed and practicing in some other state or territory, having
3801 requirements for admission determined by the department to be at
3802 least equal to the requirements of this state, upon the payment of a fee
3803 of **[**four hundred fifty**]** five hundred sixty-five dollars to said
3804 department. Notwithstanding the provisions of section 20-198, the
3805 department may, upon payment of a fee of **[**four hundred fifty**]** five
3806 hundred sixty-five dollars, issue a license without examination to a
3807 currently practicing, competent veterinarian in another state or
3808 territory who (1) holds a current valid license in good professional
3809 standing issued after examination by another state or territory that
3810 maintains licensing standards which, except for examination, are
3811 commensurate with this state's standards, and (2) has worked
3812 continuously as a licensed veterinarian in an academic or clinical

3813 setting in another state or territory for a period of not less than five
3814 years immediately preceding the application for licensure without
3815 examination. No license shall be issued under this section to any
3816 applicant against whom professional disciplinary action is pending or
3817 who is the subject of an unresolved complaint. The department shall
3818 inform the board annually of the number of applications it receives for
3819 licensure under this section.

3820 (b) The Department of Public Health may issue a temporary permit
3821 to an applicant for licensure without examination upon receipt of a
3822 completed application form, accompanied by the fee for licensure
3823 without examination, a copy of a current license from another state of
3824 the United States, the District of Columbia or a commonwealth or
3825 territory subject to the laws of the United States, and a notarized
3826 affidavit attesting that the license is valid and belongs to the person
3827 requesting notarization. Such temporary permit shall be valid for a
3828 period not to exceed one hundred twenty calendar days and shall not
3829 be renewable. The department shall not issue a temporary permit
3830 under this section to any applicant against whom professional
3831 disciplinary action is pending, or who is the subject of an unresolved
3832 complaint.

3833 Sec. 80. Section 20-206b of the general statutes is repealed and the
3834 following is substituted in lieu thereof (*Effective July 1, 2009*):

3835 (a) No person shall engage in the practice of massage therapy unless
3836 the person has obtained a license from the department pursuant to this
3837 section. Each person seeking licensure as a massage therapist shall
3838 make application on forms prescribed by the department, pay an
3839 application fee of three hundred <u>seventy-five</u> dollars and present to the
3840 department satisfactory evidence that the applicant: (1) Has graduated
3841 from a school of massage therapy offering a course of study of not less
3842 than five hundred classroom hours, with the instructor present, and, at
3843 the time of the applicant's graduation, was either (A) accredited by an
3844 agency recognized by the United States Department of Education or by

3845 a state board of postsecondary technical trade and business schools, or
3846 (B) accredited by the Commission on Massage Therapy Accreditation,
3847 and (2) has passed the National Certification Examination for
3848 Therapeutic Massage and Bodywork. Passing scores on the
3849 examination shall be prescribed by the department.

3850 (b) Licenses shall be renewed once every two years in accordance
3851 with the provisions of section 19a-88, as amended by this act. The fee
3852 for renewal shall be two hundred fifty dollars. No license shall be
3853 issued under this section to any applicant against whom professional
3854 disciplinary action is pending or who is the subject of an unresolved
3855 complaint in this or any other state or jurisdiction. Any certificate
3856 granted by the department prior to June 1, 1993, shall be deemed a
3857 valid license permitting continuance of profession subject to the
3858 provisions of this chapter.

3859 (c) (1) Notwithstanding the provisions of subsection (a) of this
3860 section, the department may issue a license to an applicant whose
3861 school of massage therapy does not satisfy the requirement of
3862 subparagraph (A) or (B) of subdivision (1) of said subsection (a),
3863 provided the school held, at the time of the applicant's graduation, a
3864 certificate issued by the Commissioner of Education pursuant to
3865 section 10-7b and provided the applicant graduated within thirty-three
3866 months of the date such school first offered the curriculum completed
3867 by the applicant. No license shall be issued under this subsection to a
3868 graduate of a school that fails to apply for and obtain accreditation by
3869 (A) an accrediting agency recognized by the United States Department
3870 of Education, or (B) the Commission on Massage Therapy
3871 Accreditation within thirty-three months of the date such school first
3872 offered the curriculum.

3873 (2) Notwithstanding the provisions of subsection (a) of this section
3874 and subdivision (1) of this subsection, the department may issue a
3875 license to an applicant who submits evidence satisfactory to the
3876 commissioner that the applicant (A) was enrolled, on or before July 1,

3877 2005, in a school of massage therapy that was approved or accredited
3878 by a state board of postsecondary technical trade and business schools
3879 or a state agency recognized as such state's board of postsecondary
3880 technical trade and business schools, (B) graduated from a school of
3881 massage therapy with a course of study of not less than five hundred
3882 classroom hours, with the instructor present, that at the time of the
3883 applicant's graduation was approved or accredited by a state board of
3884 postsecondary technical trade and business schools or a state agency
3885 recognized as such state's board of postsecondary technical trade and
3886 business schools, and (C) has passed the National Certification
3887 Examination for Therapeutic Massage and Bodywork. Passing scores
3888 on the examination shall be prescribed by the department.

3889 (d) Each person licensed pursuant to this section has an affirmative
3890 duty to make a written referral to a licensed healing arts practitioner,
3891 as defined in section 20-1, of any client who has any physical or
3892 medical condition that would constitute a contraindication for massage
3893 therapy or that may require evaluation or treatment beyond the scope
3894 of massage therapy.

3895 (e) No person shall use the title "massage therapist", "licensed
3896 massage therapist", "massage practitioner", "massagist", "masseur" or
3897 "masseuse", unless the person holds a license issued in accordance
3898 with this section or other applicable law.

3899 (f) Notwithstanding the provisions of subsection (a) of this section,
3900 the commissioner may issue a license to an out-of-state applicant who
3901 submits evidence satisfactory to the commissioner of either: (1) (A) A
3902 current license to practice therapeutic massage from another state or
3903 jurisdiction, (B) documentation of practice for at least one year
3904 immediately preceding application, and (C) successful completion of
3905 the National Certification Examination for Therapeutic Massage and
3906 Bodywork; or (2) (A) graduation from a school of massage therapy
3907 offering a course of study of not less than five hundred classroom
3908 hours, with the instructor present, and, at the time of the applicant's

3909 graduation, was either (i) accredited by an agency recognized by the
3910 United States Department of Education or by a state board of
3911 postsecondary technical trade and business schools, or (ii) accredited
3912 by the Commission on Massage Therapy Accreditation, and (B)
3913 successful completion of the National Certification Examination for
3914 Therapeutic Massage and Bodywork.

3915 Sec. 81. Section 20-206e of the general statutes is repealed and the
3916 following is substituted in lieu thereof (*Effective July 1, 2009*):

3917 The department may, upon receipt of an application for massage
3918 therapist licensure, accompanied by the licensure application fee of
3919 three hundred seventy-five dollars, issue a temporary permit to a
3920 person who has met the requirements of subsection (a) of section 20-
3921 206b, as amended by this act, except that the applicant has not yet sat
3922 for or received the results of the examination required under said
3923 subsection (a). Such temporary permit shall authorize the permittee to
3924 practice as a massage therapist under the supervision of a person
3925 licensed pursuant to section 20-206b, as amended by this act. Such
3926 practice shall be limited to those settings where the licensed supervisor
3927 is physically present on the premises and is immediately available to
3928 render assistance and supervision, as needed, to the permittee. Such
3929 temporary permit shall be valid for a period not to exceed one
3930 hundred twenty calendar days after the date of completion of the
3931 required course of study in massage therapy and shall not be
3932 renewable. Such permit shall become void and shall not be reissued in
3933 the event that the permittee fails to pass the examination for licensure.
3934 No permit shall be issued to any person who has previously failed the
3935 examination for licensure prescribed pursuant to section 20-206b, as
3936 amended by this act, or who is the subject of an unresolved complaint
3937 or pending professional disciplinary action. Violation of the
3938 restrictions on practice set forth in this section may constitute a basis
3939 for denial of licensure as a massage therapist.

3940 Sec. 82. Section 20-206n of the general statutes is repealed and the

3941 following is substituted in lieu thereof (*Effective July 1, 2009*):

3942 (a) The department may, upon receipt of an application and fee of
3943 one hundred **[**fifty**]** ninety dollars, issue a certificate as a dietitian-
3944 nutritionist to any applicant who has presented to the commissioner
3945 satisfactory evidence that (1) such applicant is certified as a registered
3946 dietitian by the Commission on Dietetic Registration, or (2) such
3947 applicant has (A) successfully passed a written examination prescribed
3948 by the commissioner, and (B) received a master's degree or doctoral
3949 degree, from an institution of higher education accredited to grant
3950 such degree by a regional accrediting agency recognized by the United
3951 States Department of Education, with a major course of study which
3952 focused primarily on human nutrition or dietetics and which included
3953 a minimum of thirty graduate semester credits, twenty-one of which
3954 shall be in not fewer than five of the following content areas: (i)
3955 Human nutrition or nutrition in the life cycle, (ii) nutrition
3956 biochemistry, (iii) nutrition assessment, (iv) food composition or food
3957 science, (v) health education or nutrition counseling, (vi) nutrition in
3958 health and disease, and (vii) community nutrition or public health
3959 nutrition.

3960 (b) No certificate shall be issued under this section to any applicant
3961 against whom a professional disciplinary action is pending or who is
3962 the subject of an unresolved complaint.

3963 Sec. 83. Section 20-206o of the general statutes is repealed and the
3964 following is substituted in lieu thereof (*Effective July 1, 2009*):

3965 The department may, upon receipt of an application and fee of one
3966 hundred **[**fifty**]** ninety dollars, issue a certificate without examination
3967 to any person who presents proof of current licensure or certification
3968 as a dietitian or nutritionist in another state, the District of Columbia,
3969 or territory of the United States which maintains standards for
3970 certification determined by the department to be equal to or higher
3971 than those of this state. No certificate shall be issued under this section
3972 to any applicant against whom professional disciplinary action is

3973 pending or who is the subject of an unresolved complaint.

3974 Sec. 84. Section 20-206r of the general statutes is repealed and the
3975 following is substituted in lieu thereof (*Effective July 1, 2009*):

3976 Certificates issued under section 20-206n, as amended by this act, or
3977 20-206o, as amended by this act, shall be renewed annually, subject to
3978 the provisions of section 19a-88, as amended by this act, upon payment
3979 of a **[**fifty-dollar**]** one-hundred-dollar renewal fee.

3980 Sec. 85. Section 20-206bb of the general statutes is repealed and the
3981 following is substituted in lieu thereof (*Effective July 1, 2009*):

3982 (a) No person shall perform acupuncture without a license as an
3983 acupuncturist issued pursuant to this section.

3984 (b) Each person seeking licensure as an acupuncturist shall make
3985 application on forms prescribed by the department, pay an application
3986 fee of **[**one**]** two hundred dollars and present to the department
3987 satisfactory evidence that the applicant (1) has completed sixty
3988 semester hours, or its equivalent, of postsecondary study in an
3989 institution of postsecondary education that, if in the United States or
3990 its territories, was accredited by a recognized regional accrediting
3991 body or, if outside the United States or its territories, was legally
3992 chartered to grant postsecondary degrees in the country in which
3993 located, (2) has successfully completed a course of study in
3994 acupuncture in a program that, at the time of graduation, was in
3995 candidate status with or accredited by an accrediting agency
3996 recognized by the United States Department of Education and
3997 included a minimum of one thousand three hundred fifty hours of
3998 didactic and clinical training, five hundred of which were clinical, (3)
3999 has passed an examination prescribed by the department and (4) has
4000 successfully completed a course in clean needle technique prescribed
4001 by the department. Any person successfully completing the education,
4002 examination or training requirements of this section in a language
4003 other than English shall be deemed to have satisfied the requirement

4004 completed in that language.

4005 (c) An applicant for licensure as an acupuncturist by endorsement
4006 shall present evidence satisfactory to the commissioner of licensure or
4007 certification as an acupuncturist, or as a person entitled to perform
4008 similar services under a different designation, in another state or
4009 jurisdiction whose requirements for practicing in such capacity are
4010 substantially similar to or higher than those of this state and that there
4011 are no disciplinary actions or unresolved complaints pending. Any
4012 person completing the requirements of this section in a language other
4013 than English shall be deemed to have satisfied the requirements of this
4014 section.

4015 (d) Notwithstanding the provisions of subsection (b) of this section,
4016 the department shall, prior to September 1, 2005, issue a license to any
4017 applicant who presents to the department satisfactory evidence that
4018 the applicant has (1) earned, or successfully completed requirements
4019 for, a master's degree in acupuncture from a program that includes a
4020 minimum of one thousand three hundred fifty hours of didactic and
4021 clinical training, five hundred of which are clinical, from an institution
4022 of higher education accredited by the Department of Higher Education
4023 at the time of the applicant's graduation, (2) passed all portions of the
4024 National Certification Commission for Acupuncture and Oriental
4025 Medicine acupuncture examination, including the acupuncture portion
4026 of the comprehensive written examination in acupuncture, the clean
4027 needle technique portion of the comprehensive written examination in
4028 acupuncture and the practical examination of point location skills, and
4029 (3) successfully completed a course in clean needle technique offered
4030 by the Council of Colleges of Acupuncture and Oriental Medicine.

4031 (e) Licenses shall be renewed once every two years in accordance
4032 with the provisions of subsection (e) of section 19a-88<u>, as amended by</u>
4033 <u>this act</u>. The fee for renewal shall be two hundred <u>fifty</u> dollars.

4034 (f) No license shall be issued under this section to any applicant
4035 against whom professional disciplinary action is pending or who is the

4036 subject of an unresolved complaint in this or any other state or
4037 territory of the United States.

4038 (g) Nothing in section 19a-89c, 20-206aa, 20-206cc or this section
4039 shall be construed to prevent licensed practitioners of the healing arts,
4040 as defined in sections 20-1 and 20-196, physical therapists or dentists
4041 from providing care or performing services consistent with accepted
4042 standards within their respective professions.

4043 (h) Notwithstanding the provisions of subsection (a) of this section,
4044 any person certified by an organization approved by the
4045 Commissioner of Public Health may practice auricular acupuncture for
4046 the treatment of alcohol and drug abuse, provided the treatment is
4047 performed under the supervision of a physician licensed under chapter
4048 370 and is performed in either (1) a private free-standing facility
4049 licensed by the Department of Public Health for the care or treatment
4050 of substance abusive or dependent persons, or (2) a setting operated by
4051 the Department of Mental Health and Addiction Services. The
4052 Commissioner of Public Health shall adopt regulations, in accordance
4053 with the provisions of chapter 54, to ensure the safe provision of
4054 auricular acupuncture within private free-standing facilities licensed
4055 by the Department of Public Health for the care or treatment of
4056 substance abusive or dependent persons.

4057 (i) Notwithstanding the provisions of subsection (a) of this section,
4058 no license to practice acupuncture is required of: (1) Students enrolled
4059 in a college or program of acupuncture if (A) the college or program is
4060 recognized by the Accreditation Commission for Acupuncture and
4061 Oriental Medicine or licensed or accredited by the Board of Governors
4062 of Higher Education, and (B) the practice that would otherwise require
4063 a license is pursuant to a course of instruction or assignments from a
4064 licensed instructor and under the supervision of the instructor; or (2)
4065 licensed faculty members providing the didactic and clinical training
4066 necessary to meet the accreditation standards of the Accreditation
4067 Commission for Acupuncture and Oriental Medicine at a college or

4068 program recognized by the commission or licensed or accredited by
4069 the Board of Governors of Higher Education. For purposes of this
4070 subsection, "licensed faculty member" and "licensed instructor" means
4071 a faculty member or instructor licensed under this section or otherwise
4072 authorized to practice acupuncture in this state.

4073 Sec. 86. Section 20-206*ll* of the general statutes is repealed and the
4074 following is substituted in lieu thereof (*Effective July 1, 2009*):

4075 (a) The commissioner, as defined in section 19a-175, shall issue a
4076 license as a paramedic to any applicant who furnishes evidence
4077 satisfactory to the commissioner that the applicant has met the
4078 requirements of section 20-206mm, as amended by this act. The
4079 commissioner shall develop and provide application forms. The
4080 application fee shall be **[**seventy-five**]** one hundred fifty dollars.

4081 (b) The license may be renewed annually pursuant to section 19a-88,
4082 as amended by this act, for a fee of **[**seventy-five**]** one hundred fifty
4083 dollars.

4084 Sec. 87. Section 20-206mm of the general statutes is repealed and the
4085 following is substituted in lieu thereof (*Effective July 1, 2009*):

4086 (a) Except as provided in subsections (b) and (c) of this section, an
4087 applicant for a license as a paramedic shall submit evidence
4088 satisfactory to the commissioner, as defined in section 19a-175, that the
4089 applicant has successfully (1) completed a mobile intensive care
4090 training program approved by the commissioner, and (2) passed an
4091 examination prescribed by the commissioner.

4092 (b) An applicant for licensure by endorsement shall present
4093 evidence satisfactory to the commissioner that the applicant (1) is
4094 licensed or certified as a paramedic in another state or jurisdiction
4095 whose requirements for practicing in such capacity are substantially
4096 similar to or higher than those of this state and that the applicant has
4097 no pending disciplinary action or unresolved complaint against him or

4098 her, or (2) (A) is currently licensed or certified as a paramedic in good
4099 standing in any New England state, New York or New Jersey, (B) has
4100 completed an initial training program consistent with the United States
4101 Department of Transportation, National Highway Traffic Safety
4102 Administration paramedic curriculum, and (C) has no pending
4103 disciplinary action or unresolved complaint against him or her.

4104 (c) Any person who is certified as an emergency medical technician-
4105 paramedic by the Department of Public Health on October 1, 1997,
4106 shall be deemed a licensed paramedic. Any person so deemed shall
4107 renew his license pursuant to section 19a-88, as amended by this act,
4108 for a fee of **[**seventy-five**]** one hundred fifty dollars.

4109 Sec. 88. Section 20-213 of the general statutes is repealed and the
4110 following is substituted in lieu thereof (*Effective July 1, 2009*):

4111 (a) After a student embalmer has completed a program of education
4112 in mortuary science approved by the board with the consent of the
4113 Commissioner of Public Health, has successfully completed an
4114 examination prescribed by the department with the consent of the
4115 board and has completed one year of practical training and experience
4116 in full-time employment under the personal supervision and
4117 instruction of an embalmer licensed under the provisions of this
4118 chapter, such training and experience to be in the state of Connecticut
4119 and of a grade and character satisfactory to the commissioner, and has
4120 embalmed fifty human bodies under the supervision of a licensed
4121 embalmer or embalmers, he shall submit to the department an
4122 application and fee of **[**one hundred sixty-five**]** two hundred ten
4123 dollars and then be examined in writing on the Connecticut public
4124 health laws and the regulations of the Department of Public Health
4125 pertaining to the activities of an embalmer, and shall take an
4126 examination in practical embalming which shall include an actual
4127 demonstration upon a cadaver. When such registered student
4128 embalmer has satisfactorily passed said examinations, said department
4129 shall issue to him a license to practice embalming. At the expiration of

4130 such license, if the holder thereof desires a renewal, the department
4131 shall grant it pursuant to section 20-222a, as amended by this act,
4132 except for cause.

4133 (b) Examinations for registration as a student embalmer and for an
4134 embalmer's license shall be administered to applicants by the
4135 Department of Public Health, under the supervision of the board,
4136 semiannually and at such other times as may be determined by the
4137 department.

4138 (c) Any person licensed as an embalmer in another state whose
4139 requirements for licensure in such capacity are substantially similar to
4140 or higher than those of this state and who is a currently practicing
4141 competent practitioner shall be eligible for licensure without
4142 examination upon application and payment of a fee of **[**one hundred
4143 sixty-five**]** two hundred ten dollars, provided all such applicants shall
4144 be required to pass an examination, given in writing, on the
4145 Connecticut public health laws and the regulations of the Department
4146 of Public Health pertaining to the activities of an embalmer. No license
4147 shall be issued under this section to any applicant against whom
4148 professional disciplinary action is pending or who is the subject of an
4149 unresolved complaint.

4150 Sec. 89. Section 20-217 of the general statutes is repealed and the
4151 following is substituted in lieu thereof (*Effective July 1, 2009*):

4152 (a) When a student funeral director has completed a program of
4153 education approved by the board with the consent of the
4154 Commissioner of Public Health, has successfully completed an
4155 examination prescribed by the department with the consent of the
4156 board and furnishes the department with satisfactory proof that he has
4157 completed one year of practical training and experience in full-time
4158 employment under the personal supervision of a licensed embalmer or
4159 funeral director, and pays to the department a fee of **[**one hundred
4160 sixty-five**]** two hundred ten dollars, he shall be entitled to be examined
4161 upon the Connecticut state law and regulations pertaining to his

4162 professional activities. If found to be qualified by the Department of
4163 Public Health, he shall be licensed as a funeral director. Renewal
4164 licenses shall be issued by the Department of Public Health pursuant
4165 to section 20-222a, as amended by this act, unless withheld for cause as
4166 herein provided, upon a payment of a fee of [one hundred fifteen] two
4167 hundred thirty dollars.

4168 (b) Examinations for a funeral director's license shall be held
4169 semiannually and at such other times as may be determined by the
4170 Department of Public Health.

4171 (c) Any person licensed as a funeral director in another state whose
4172 requirements for licensure in such capacity are substantially similar to
4173 or higher than those of this state and who is a currently practicing
4174 competent practitioner shall be eligible for licensure without
4175 examination upon application and payment of a fee of [one hundred
4176 sixty-five] two hundred ten dollars, provided all such applicants shall
4177 be required to pass an examination, given in writing, on the
4178 Connecticut public health laws and the regulations of the Department
4179 of Public Health pertaining to the activities of a funeral director. No
4180 license shall be issued under this section to any applicant against
4181 whom professional disciplinary action is pending or who is the subject
4182 of an unresolved complaint.

4183 Sec. 90. Section 20-222 of the general statutes is repealed and the
4184 following is substituted in lieu thereof (*Effective July 1, 2009*):

4185 (a) No person, firm, partnership or corporation shall enter into,
4186 engage in, or carry on a funeral service business unless an inspection
4187 certificate has been issued by the department for each place of
4188 business. Any person, firm, partnership or corporation desiring to
4189 engage in the funeral service business shall submit, in writing, to the
4190 department an application upon blanks furnished by the department
4191 for an inspection certificate for a funeral service business for each place
4192 of business, and each such application shall be accompanied by a fee of
4193 three hundred seventy-five dollars and shall identify the manager.

4194 Each holder of an inspection certificate shall, annually, on or before
4195 July first, submit in writing to the Department of Public Health an
4196 application for renewal of such certificate together with a fee of one
4197 hundred **[**fifty**]** ninety dollars. If the Department of Public Health
4198 issues to such applicant such an inspection certificate, the same shall
4199 be valid until July first next following, unless revoked or suspended.

4200 (b) Upon receipt of an application for an inspection certificate or
4201 renewal thereof, the Department of Public Health shall make an
4202 inspection of each building or part thereof wherein a funeral service
4203 business is conducted or is intended to be conducted, and satisfactory
4204 proof shall be furnished the Department of Public Health that the
4205 building or part thereof, in which it is intended to conduct the funeral
4206 service business, contains an adequate sanitary preparation room
4207 equipped with tile, cement or composition flooring, necessary
4208 ventilation, sink, and hot and cold running water, sewage facilities,
4209 and such instruments and supplies for the preparing or embalming of
4210 dead human bodies for burial, transportation or other disposition as
4211 the Commissioner of Public Health, with advice and assistance from
4212 the board, deems necessary and suitable for the conduct and
4213 maintenance of such business.

4214 (c) Any person, firm, partnership or corporation desiring to change
4215 its place of business shall notify the Department of Public Health thirty
4216 days in advance of such change, and a fee of twenty-five dollars shall
4217 accompany the application for the inspection certificate of the new
4218 premises. Any person, firm, partnership or corporation desiring to
4219 change its manager shall notify the Department of Public Health thirty
4220 days in advance of such change, on a form prescribed by the
4221 Commissioner of Public Health.

4222 (d) The building or part thereof in which is conducted or intended
4223 to be conducted any funeral service business shall be open at all times
4224 for inspection by the board or the Department of Public Health. The
4225 Department of Public Health may make inspections whenever it

4226 deems advisable.

4227 (e) If, upon inspection by the Department of Public Health, it is
4228 found that such building, equipment or instruments are in such an
4229 unsanitary condition as to be detrimental to public health, the board
4230 shall give to the applicant or operator of the funeral service business
4231 notice and opportunity for hearing as provided in the regulations
4232 adopted by the Commissioner of Public Health. At any such hearing,
4233 the Commissioner of Public Health or his designee shall be considered
4234 a member of the board and entitled to a vote. The board, or the
4235 Department of Public Health or his designee acting upon the board's
4236 finding or determination, may, after such hearing, revoke or refuse to
4237 issue or renew any such certificate upon cause found after hearing.
4238 Any person aggrieved by the finding of said board or action taken by
4239 the Department of Public Health may appeal therefrom in accordance
4240 with the provisions of section 4-183.

4241 (f) Any of the inspections provided for in this section may be made
4242 by a person designated by the Department of Public Health or by a
4243 representative of the Commissioner of Public Health.

4244 (g) Any person, firm, partnership or corporation engaged in the
4245 funeral service business shall maintain at the address of record of the
4246 funeral service business identified on the certificate of inspection:

4247 (1) All records relating to contracts for funeral services, prepaid
4248 funeral contracts or escrow accounts for a period of not less than three
4249 years after the death of the individual for whom funeral services were
4250 provided;

4251 (2) Copies of all death certificates, burial permits, authorizations for
4252 cremation, documentation of receipt of cremated remains and written
4253 agreements used in making arrangements for final disposition of dead
4254 human bodies, including, but not limited to, copies of the final bill and
4255 other written evidence of agreement or obligation furnished to
4256 consumers, for a period of not less than three years after such final

4257 disposition; and

4258 (3) Copies of price lists, for a period of not less than three years from
4259 the last date such lists were distributed to consumers.

4260 Sec. 91. Section 20-222a of the general statutes is repealed and the
4261 following is substituted in lieu thereof (*Effective July 1, 2009*):

4262 Each embalmer's license, funeral director's license and inspection
4263 certificate issued pursuant to the provisions of this chapter shall be
4264 renewed, except for cause, by the Department of Public Health upon
4265 the payment to said Department of Public Health by each applicant for
4266 license renewal of the sum of **[**fifty-five] one hundred ten dollars in the
4267 case of an embalmer, **[**one hundred fifteen**]** two hundred thirty dollars
4268 in the case of a funeral director and for inspection certificate renewal
4269 the sum of one hundred **[**fifty**]** ninety dollars for each certificate to be
4270 renewed. Fees for renewal of inspection certificates shall be given to
4271 the Department of Public Health on or before July first in each year
4272 and the renewal of inspection certificates shall begin on July first of
4273 each year and shall be valid for one calendar year. Licenses shall be
4274 renewed in accordance with the provisions of section 19a-88, as
4275 amended by this act.

4276 Sec. 92. Section 20-236 of the general statutes is repealed and the
4277 following is substituted in lieu thereof (*Effective July 1, 2009*):

4278 (a) (1) Any person desiring to obtain a license as a barber shall apply
4279 in writing on forms furnished by the Department of Public Health and
4280 shall pay to the department a fee of **[**fifty**]** one hundred dollars. The
4281 department shall not issue a license until the applicant has made
4282 written application to the department, setting forth by affidavit that
4283 the applicant has (A) successfully completed the eighth grade, (B)
4284 completed a course of not less than fifteen hundred hours of study in a
4285 school approved in accordance with the provisions of this chapter, or,
4286 if trained outside of Connecticut, in a barber school or college whose
4287 requirements are equivalent to those of a Connecticut barber school or

4288 college, and (C) passed a written examination satisfactory to the
4289 department. Examinations required for licensure under this chapter
4290 shall be prescribed by the department with the advice and assistance of
4291 the board. The department shall establish a passing score for
4292 examinations required under this chapter with the advice and
4293 assistance of the board.

4294 (2) Any person who (A) holds a license at the time of application to
4295 practice the occupation of barbering in any other state, the District of
4296 Columbia or in a commonwealth or territory of the United States, (B)
4297 has completed not less than fifteen hundred hours of formal education
4298 and training in barbering, and (C) was issued such license on the basis
4299 of successful completion of an examination, shall be eligible for
4300 licensing in this state and entitled to a license without examination
4301 upon payment of a fee of **[**fifty**]** one hundred dollars. Applicants who
4302 trained in another state, district, commonwealth or territory which
4303 required less than fifteen hundred hours of formal education and
4304 training, may substitute no more than five hundred hours of licensed
4305 work experience in such other state, district, commonwealth or
4306 territory toward meeting the training requirement. If the examination
4307 was taken in a language other than English, the applicant shall
4308 demonstrate successful completion of an English proficiency
4309 examination as prescribed by the department.

4310 (3) Any person who holds a license to practice the occupation of
4311 barbering in any other state, the District of Columbia, or in a
4312 commonwealth or territory of the United States, and has held such
4313 license for a period of not less than forty years, shall be eligible for
4314 licensure without examination. No license shall be issued under this
4315 section to any applicant against whom professional disciplinary action
4316 is pending or who is the subject of an unresolved complaint.

4317 (b) Barber schools shall obtain approval pursuant to this section
4318 prior to commencing operation. In the event that an approved school
4319 undergoes a change of ownership or location, such approval shall

4320 become void and the school shall apply for a new approval pursuant
4321 to this section. Applications for such approval shall be on forms
4322 prescribed by the Commissioner of Public Health. In the event that a
4323 school fails to comply with the provisions of this subsection, no credit
4324 toward the fifteen hundred hours of study required pursuant to
4325 subsection (a) of this section shall be granted to any student for
4326 instruction received prior to the effective date of school approval.

4327 Sec. 93. Section 20-239 of the general statutes is repealed and the
4328 following is substituted in lieu thereof (*Effective July 1, 2009*):

4329 All licenses issued to master barbers by the Department of Public
4330 Health shall be renewed once every two years, and shall expire in
4331 accordance with the provisions of section 19a-88, as amended by this
4332 act. No person shall carry on the occupation of master barber after the
4333 expiration of his license until he has made application bearing the date
4334 of his insignia card to said department, accompanied by a fee of **[**fifty**]**
4335 one hundred dollars for the renewal of such license for two years. Such
4336 application shall be in writing, addressed to said department and
4337 signed by the person applying for such renewal.

4338 Sec. 94. Section 20-253 of the general statutes is repealed and the
4339 following is substituted in lieu thereof (*Effective July 1, 2009*):

4340 License or examination fees shall be paid to the department at the
4341 time of application as follows: (1) For examination as a registered
4342 hairdresser and cosmetician, the sum of **[**fifty**]** one hundred dollars;
4343 and (2) for renewal of any hairdresser and cosmetician license, the sum
4344 of **[**fifty**]** one hundred dollars. Each person engaged in the occupation
4345 of registered hairdresser and cosmetician shall, at all times,
4346 conspicuously display such person's license within the place where
4347 such occupation is being conducted. All hairdresser and cosmetician
4348 licenses, except as otherwise provided in this chapter, shall be renewed
4349 once every two years and shall expire in accordance with the
4350 provisions of section 19a-88, as amended by this act. No person shall
4351 carry on the occupation of hairdressing and cosmetology after the

4352 expiration of such person's license until such person has made
4353 application to the department for the renewal of such license. Such
4354 application shall be in writing, addressed to the department and
4355 signed by the person applying for such renewal. The department may
4356 renew any hairdresser and cosmetician license if application for such
4357 renewal is received by the department within ninety days after the
4358 expiration of such license.

4359 Sec. 95. Section 20-270 of the general statutes is repealed and the
4360 following is substituted in lieu thereof (*Effective July 1, 2009*):

4361 No person shall engage in the practice of electrology, except as
4362 provided in this section, until such person has obtained a license
4363 issued by the department. No person shall receive a license, except as
4364 provided in this section, until such person has passed a written, oral
4365 and practical examination prescribed by the department with the
4366 advice and consent of the board. The examination shall be
4367 administered to applicants by the department under the supervision of
4368 the board. All applications to the department for examination shall be
4369 in writing signed by the applicant and upon blanks, furnished by the
4370 department, which shall set forth such facts concerning the applicant
4371 as the department may require. Application to the department shall be
4372 accompanied by a fee of **[**seventy-five**]** one hundred fifty dollars. No
4373 person shall be eligible for examination under the provisions of this
4374 chapter unless the department finds, from evidence satisfactory to it,
4375 presented by the applicant, that such person has met the educational
4376 and other requirements prescribed by the board with the consent of
4377 the department. The department shall issue a license to any person
4378 who has passed such examination, which license shall include a
4379 statement that the person named therein has been examined and found
4380 qualified to practice electrology. The department may waive the
4381 written examination for a person who has passed the written
4382 examination of a nationally recognized board or agency approved by
4383 the department and the board. The department may refuse to grant a
4384 license, or the board may revoke such license or take any action set

4385 forth in section 19a-17 for the following reasons: (1) The employment
4386 of fraud or deception in applying for admittance to examination or in
4387 the act of taking an examination; (2) addiction to alcoholic liquor,
4388 narcotics or other habit-forming drugs; or (3) conviction in a court of
4389 competent jurisdiction, either within or without this state, of any crime
4390 in the practice of the person's profession. Such person shall file with
4391 the department such certificates and a statement on blanks furnished
4392 by the department, subscribed to by the applicant, which shall set forth
4393 such person's name, age, place of birth, residence, academic and
4394 professional training with such other information as the department
4395 requires, and such person shall thereupon receive from the department
4396 a license to practice electrology. Such license shall include a statement
4397 that the person named therein is qualified to practice electrology. Such
4398 license shall also contain a statement defining the practice of
4399 electrology. The department shall establish a passing score for
4400 examinations with the consent of the board. No license shall be issued
4401 under this section to any applicant against whom professional
4402 disciplinary action is pending or who is the subject of an unresolved
4403 complaint in this or any other state or territory.

4404 Sec. 96. Section 20-275 of the general statutes is repealed and the
4405 following is substituted in lieu thereof (*Effective July 1, 2009*):

4406 (a) Each person licensed under the provisions of this chapter shall
4407 renew such license once every two years with the department in
4408 accordance with the provisions of section 19a-88, as amended by this
4409 act, on forms provided by the department. The renewal fee shall be
4410 **[**one**]** two hundred dollars.

4411 (b) Each licensed electrologist applying for license renewal shall
4412 furnish evidence satisfactory to the Commissioner of Public Health of
4413 having participated in continuing education programs. The
4414 commissioner shall adopt regulations, in accordance with chapter 54,
4415 to (1) define basic requirements for continuing education programs, (2)
4416 delineate qualifying programs, (3) establish a system of control and

4417 reporting, and (4) provide for waiver of the continuing education
4418 requirement for good cause.

4419 Sec. 97. Section 20-281c of the general statutes is repealed and the
4420 following is substituted in lieu thereof (*Effective July 1, 2009*):

4421 (a) The board shall grant the certificate of "certified public
4422 accountant" to any person who meets the good character, education,
4423 experience and examination requirements of subsections (b) to (d),
4424 inclusive, of this section and upon the payment of a fee of **[**seventy-
4425 five**]** one hundred fifty dollars.

4426 (b) Good character for purposes of this section means lack of a
4427 history of dishonest or felonious acts. The board may refuse to grant a
4428 certificate on the grounds of failure to satisfy this requirement only if
4429 there is a substantial connection between the lack of good character of
4430 the applicant and the professional responsibilities of a licensee and if
4431 the finding by the board of lack of good character is supported by clear
4432 and convincing evidence, and when based upon the prior conviction of
4433 a crime, is in accordance with the provisions of section 46a-80. When
4434 an applicant is found to be unqualified for a certificate because of a
4435 finding of lack of good character, the board shall furnish the applicant
4436 a statement containing the findings of the board and a complete record
4437 of the evidence upon which the determination was based.

4438 (c) An applicant may apply to take the examination if such person
4439 holds a baccalaureate degree, or its equivalent, conferred by a college
4440 or university acceptable to the board, with an accounting concentration
4441 or equivalent, as determined by the board by regulation to be
4442 appropriate. The educational requirements for a certificate shall be
4443 prescribed in regulations to be adopted by the board as follows:

4444 (1) Until December 31, 1999, a baccalaureate degree or its equivalent
4445 conferred by a college or university acceptable to the board, with an
4446 accounting concentration or equivalent as determined by the board by
4447 regulation to be appropriate;

4448 (2) After January 1, 2000, at least one hundred fifty semester hours
4449 of college education including a baccalaureate or higher degree
4450 conferred by a college or university acceptable to the board. The total
4451 educational program shall include an accounting concentration or
4452 equivalent, as determined by the board by regulation to be
4453 appropriate.

4454 (d) The board may charge each applicant a fee, in an amount
4455 prescribed by the board by regulation, for each section of the
4456 examination or reexamination taken by the applicant, or the board
4457 may authorize a third party administering the examination to charge
4458 each applicant a fee for each section of the examination or
4459 reexamination taken by the applicant.

4460 (e) The experience requirement for a certificate shall be as
4461 prescribed by the board by regulation.

4462 (f) The holder of a certificate may register his certificate annually
4463 and pay a fee of **[**twenty**]** forty dollars in lieu of an annual renewal of a
4464 license and such registration shall entitle the registrant to use the
4465 abbreviation "CPA" and the title "certified public accountant" under
4466 conditions and in the manner prescribed by the board by regulation.

4467 Sec. 98. Section 20-281d of the general statutes is repealed and the
4468 following is substituted in lieu thereof (*Effective July 1, 2009*):

4469 (a) The board shall issue or renew licenses to persons who make
4470 application and demonstrate their qualifications in accordance with
4471 subsections (b) to (g), inclusive, of this section.

4472 (b) Licenses shall be initially issued for one year and renewed
4473 annually. Applications for such licenses shall be made in such form,
4474 and in the case of applications for renewal, between such dates, as the
4475 board shall by regulation specify.

4476 (c) An applicant for initial issuance of a license under this section
4477 shall show:

4478 (1) That he holds a valid certificate;

4479 (2) If the applicant's certificate was issued more than four years
4480 prior to his application for issuance of an initial license under this
4481 section, that he has fulfilled the requirements of continuing
4482 professional education that would have been applicable under
4483 subsection (e) of this section if he had secured his initial license within
4484 four years of issuance of his certificate and was now applying under
4485 subsection (e) of this section for renewal of such license.

4486 (d) The board shall issue a certificate to a holder of a certificate
4487 issued by another state upon a showing that:

4488 (1) The applicant passed the examination required for issuance of
4489 his certificate with grades that would have been passing grades at the
4490 time in this state; and

4491 (2) The applicant meets all current requirements in this state for
4492 issuance of a certificate at the time the application is made; or the
4493 applicant, at the time of the issuance of the applicant's certificate in the
4494 other state, met all such requirements then applicable in this state; or
4495 the applicant has had five years of experience in the practice of public
4496 accountancy no earlier than the ten years immediately preceding the
4497 applicant's application or meets equivalent requirements prescribed by
4498 the board by regulation.

4499 (e) For renewal of a license under this section an applicant shall
4500 show that he has completed forty hours of continuing professional
4501 education during each year from the date of issuance or last renewal.
4502 The board may prescribe, by regulation, the content, duration and
4503 organization of continuing professional education courses which
4504 contribute to the general professional competence of the applicant.

4505 (f) For renewal of a license under this section, the board shall charge
4506 the following fees for failure to earn continuing education credits by
4507 the June thirtieth deadline:

4508 (1) [Two hundred fifty] Three hundred fifteen dollars for reporting
4509 on a renewal application a minimum of forty hours of continuing
4510 professional education, any of which was earned after June thirtieth
4511 and on or by September thirtieth;

4512 (2) [Five hundred] Six hundred twenty-five dollars for reporting on
4513 a renewal application a minimum of forty hours of continuing
4514 professional education any of which was earned after June thirtieth
4515 and on or by December thirty-first.

4516 (g) The board shall charge a fee of [seventy-five] one hundred fifty
4517 dollars for the initial issuance and the professional services fee for class
4518 I, as defined in section 33-182*l*, as amended by this act, for each annual
4519 renewal of such license.

4520 (h) Applicants for initial issuance or renewal of licenses under this
4521 section shall in their applications list all states in which they have
4522 applied for or hold certificates or licenses, and each holder of or
4523 applicant for a license under this section shall notify the board in
4524 writing, within thirty days after its occurrence, of any issuance, denial,
4525 revocation or suspension of a certificate or license by another state.

4526 Sec. 99. Subsection (e) of section 20-281e of the general statutes is
4527 repealed and the following is substituted in lieu thereof (*Effective July*
4528 *1, 2009*):

4529 (e) The board shall charge an annual fee for each application for
4530 initial issuance or renewal of a permit under this section in the amount
4531 of [seventy-five] one hundred fifty dollars; provided, no such fee shall
4532 be charged to a firm having not more than one licensee.

4533 Sec. 100. Section 20-292 of the general statutes is repealed and the
4534 following is substituted in lieu thereof (*Effective July 1, 2009*):

4535 (a) Each licensed architect shall renew his license each year and pay
4536 to the department the professional services fee for class F, as defined in
4537 section 33-182*l*, as amended by this act.

4538 (b) Each corporation holding a certificate of authorization for the
4539 practice of architecture shall renew its certificate of authorization for
4540 the practice of architecture each year and pay to the department a
4541 renewal fee of [one hundred seventy-five] two hundred twenty
4542 dollars.

4543 (c) An applicant for examination or reexamination under this
4544 chapter shall pay a nonrefundable fee of [thirty-six] seventy-two
4545 dollars and an amount sufficient to meet the cost of conducting each
4546 portion of the examination taken by such applicant. The fee for an
4547 applicant who qualifies for a license, other than by examination, in
4548 accordance with the provisions of section 20-291, shall be [fifty] one
4549 hundred dollars.

4550 Sec. 101. Section 20-305 of the general statutes is repealed and the
4551 following is substituted in lieu thereof (*Effective July 1, 2009*):

4552 Applications for licensure under this chapter shall be on forms
4553 prescribed and furnished by the Department of Consumer Protection.
4554 The nonrefundable application fee for a professional engineer license
4555 shall be [forty] eighty dollars. The nonrefundable application fee for an
4556 engineer-in-training license shall be [thirty-eight] seventy-six dollars,
4557 which shall accompany the application and which shall include the
4558 cost of the issuance of a license. The nonrefundable application fee for
4559 a land surveyor license shall be [forty] eighty dollars. The
4560 nonrefundable application fee for a surveyor-in-training license shall
4561 be [thirty-two] sixty-four dollars, which shall accompany the
4562 application and which shall include the cost of the issuance of a
4563 license. The initial license fee for a professional engineer license or a
4564 land surveyor license shall be [one hundred ten] two hundred twenty
4565 dollars. The application fee for a combined license as professional
4566 engineer and land surveyor shall be [forty] eighty dollars. The initial
4567 license fee for such combined license shall be [one hundred ten] two
4568 hundred twenty dollars.

4569 Sec. 102. Section 20-306a of the general statutes is repealed and the

4570 following is substituted in lieu thereof (*Effective July 1, 2009):*

4571 (a) The practice of or the offer to practice professional engineering in
4572 this state by individual licensed professional engineers or the practice
4573 of or the offer to practice land surveying in this state by individual
4574 licensed land surveyors under the corporate form or by a corporation
4575 or limited liability company, a material part of the business of which
4576 includes engineering or land surveying, is permitted, provided (1)
4577 such personnel of such corporation or limited liability company as act
4578 in its behalf as engineers or land surveyors are licensed or exempt
4579 from licensure under the provisions of this chapter, and (2) such
4580 corporation or limited liability company has been issued a certificate of
4581 registration by the board as provided in this section. No such
4582 corporation or limited liability company shall be relieved of
4583 responsibility for the conduct or acts of its agents, employees or
4584 officers by reason of its compliance with the provisions of this section,
4585 nor shall any individual practicing engineering or land surveying be
4586 relieved of responsibility for engineering or land surveying services
4587 performed by reason of his employment or relationship with such
4588 corporation or limited liability company. All final drawings,
4589 specifications, plots, reports or other engineering or land surveying
4590 papers or documents involving the practice of engineering or land
4591 surveying which are prepared or approved by any such corporation or
4592 limited liability company or engineer or land surveyor for use of or for
4593 delivery to any person or for public record within this state shall be
4594 dated and bear the signature and seal of the engineer or land surveyor
4595 who prepared them or under whose supervision they were prepared.

4596 (b) A qualifying corporation or limited liability company desiring a
4597 certificate of registration shall file with the board an application upon a
4598 form prescribed by the Department of Consumer Protection
4599 accompanied by an application fee of **[**four hundred fifty**]** <u>five hundred</u>
4600 <u>sixty-five</u> dollars. Each such certificate shall expire annually and shall
4601 be renewable upon payment of a fee of three hundred <u>seventy-five</u>
4602 dollars. If all requirements of this chapter are met, the board shall

4603 authorize the department to issue to such corporation or limited
4604 liability company a certificate of registration within thirty days of such
4605 application, provided the board may refuse to authorize the issuance
4606 of a certificate if any facts exist which would entitle the board to
4607 suspend or revoke an existing certificate.

4608 (c) Each such corporation or limited liability company shall file with
4609 the board a designation of an individual or individuals licensed to
4610 practice engineering or land surveying in this state who shall be in
4611 charge of engineering or land surveying by such corporation or limited
4612 liability company in this state. Such corporation or limited liability
4613 company shall notify the board of any change in such designation
4614 within thirty days after such change becomes effective.

4615 Sec. 103. Section 20-306b of the general statutes is repealed and the
4616 following is substituted in lieu thereof (*Effective July 1, 2009*):

4617 (a) One or more architects, each of whom is licensed under the
4618 provisions of chapter 390, one or more professional engineers or one or
4619 more land surveyors each of whom is licensed under the provisions of
4620 this chapter, may form a corporation or limited liability company for
4621 the joint practice of architecture, professional engineering and land
4622 surveying services, or for the joint practice of architecture and
4623 professional engineering services, or for the joint practice of
4624 architecture and land surveying services, or for the joint practice of
4625 professional engineering and land surveying services, provided (1)
4626 persons licensed as architects, engineers or land surveyors under
4627 chapter 390 or this chapter together own not less than two-thirds of the
4628 voting stock of the corporation or not less than two-thirds of the voting
4629 interests of the limited liability company, and the members of each
4630 profession forming the corporation or limited liability company
4631 together own at least twenty per cent of the voting stock of the
4632 corporation or at least twenty per cent of the voting interests of the
4633 limited liability company, (2) the personnel in responsible charge of
4634 the practice of architecture for such corporation or limited liability

4635 company shall be licensed under chapter 390 and the personnel in
4636 responsible charge of the practice of engineering or land surveying for
4637 such corporation or limited liability company shall be licensed under
4638 this chapter, and (3) such corporation or limited liability company has
4639 been issued a joint certificate of registration by the Department of
4640 Consumer Protection at the direction of the Architectural Licensing
4641 Board and the appropriate members of the State Board of Examiners
4642 for Professional Engineers and Land Surveyors designated to
4643 administer the provisions of this chapter with respect to professional
4644 engineers or land surveyors. Such corporation or limited liability
4645 company shall, upon request by the Architectural Licensing Board or
4646 the State Board of Examiners for Professional Engineers and Land
4647 Surveyors, provide the requesting board with information concerning
4648 its officers, directors, members, beneficial owners and all other aspects
4649 of its business organization. Corporations for such joint practice in
4650 existence as of July 1, 1992, may continue to be governed by the
4651 provisions of this subsection as revised to 1989, provided the certificate
4652 issued under this section did not expire more than two years before
4653 that date.

4654 (b) Application by such corporation or limited liability company for
4655 a certificate of registration under this section shall be made to both
4656 boards jointly on a form prescribed by the department and
4657 accompanied by an application fee of **[**four hundred fifty**]** <u>five hundred</u>
4658 <u>sixty-five</u> dollars. Each such certificate shall expire annually and shall
4659 be renewable upon payment of a fee of three hundred <u>seventy-five</u>
4660 dollars, if all requirements of chapter 390 and this chapter with respect
4661 to corporate or limited liability company practice are met. The boards
4662 by joint action may refuse to authorize the issuance or renewal of a
4663 certificate if any facts exist which would entitle the boards to suspend
4664 or revoke an existing certificate.

4665 (c) Any corporation or limited liability company issued a certificate
4666 under this section shall be required to comply with all provisions of
4667 chapter 390 and this chapter with respect to corporate or limited

4668 liability company practice.

4669 (d) No such corporation or limited liability company shall be
4670 relieved of responsibility for the conduct or acts of its agents,
4671 employees, members or officers by reason of its compliance with the
4672 provisions of this section, nor shall any individual practicing
4673 architecture, engineering or land surveying be relieved of
4674 responsibility for services performed by reason of his employment or
4675 relationship with such corporation or limited liability company.

4676 (e) All fees collected under this section shall be paid to the State
4677 Treasurer for deposit in the General Fund.

4678 (f) The Commissioner of Consumer Protection, with the advice and
4679 assistance of the Architectural Licensing Board and the appropriate
4680 members of the State Board of Examiners for Professional Engineers
4681 and Land Surveyors designated to administer the provisions of this
4682 chapter with respect to professional engineers or land surveyors, shall
4683 adopt regulations, in accordance with chapter 54, to carry out the
4684 provisions of this section.

4685 Sec. 104. Section 20-308 of the general statutes is repealed and the
4686 following is substituted in lieu thereof (*Effective July 1, 2009*):

4687 (a) The board may, upon application and the payment of a fee of
4688 one hundred **[**fifty**]** <u>ninety</u> dollars to the Department of Consumer
4689 Protection, authorize the department to issue a license as a professional
4690 engineer, or a combined license as a professional engineer and land
4691 surveyor or, upon application and the payment of a fee of **[**one
4692 hundred fifty**]** <u>one hundred ninety</u> dollars, to issue a license as a land
4693 surveyor to any person who holds a certificate of qualification,
4694 licensure or registration issued to such person by the proper authority
4695 of any state, territory or possession of the United States, or any
4696 country, or the National Bureau of Engineering Registration, provided
4697 the requirements for the licensure or registration of professional
4698 engineers or land surveyors under which such license, certificate of

4699 qualification or registration was issued shall not conflict with the
4700 provisions of this chapter and shall be of a standard not lower than
4701 that specified in section 20-302. Upon request of any such applicant the
4702 board may, if it determines that the application is in apparent good
4703 order, authorize the department to grant to such applicant permission
4704 in writing to practice engineering or land surveying or both for a
4705 specified period of time while such application is pending. The board
4706 may waive the first part of the examination specified in subdivision (1)
4707 of section 20-302 in the case of an applicant for licensure as a
4708 professional engineer who holds a certificate as an engineer-in-training
4709 issued to him by the proper authority of any state, territory or
4710 possession of the United States, provided the requirements under
4711 which the certificate was issued do not conflict with the provisions of
4712 this chapter and are of a standard at least equal to that specified in said
4713 subdivision (1). The board may waive that part of the examination
4714 specified in subdivision (3) of section 20-302 relating to the
4715 fundamentals of land surveying, in the case of an applicant for
4716 licensure as a land surveyor who holds a certificate as a surveyor-in-
4717 training issued to him by the proper authority of any state, territory or
4718 possession of the United States, provided the requirements under
4719 which the certificate was issued do not conflict with the provisions of
4720 this chapter and are of a standard at least equal to that specified in said
4721 subdivision (3).

4722 (b) The board may, upon application and the payment of a fee to be
4723 fixed by the board, authorize the Department of Consumer Protection
4724 to issue a license as an engineer-in-training to any person who holds a
4725 certificate of qualification as engineer-in-training or surveyor-in-
4726 training issued to him by the proper authority of any state or territory
4727 or possession of the United States, or any country, provided the
4728 requirements for certification under which such certificate of
4729 qualification was issued do not conflict with the provisions of this
4730 chapter and are of a standard at least equal to that specified in section
4731 20-302.

4732 Sec. 105. Section 20-314 of the general statutes is repealed and the
4733 following is substituted in lieu thereof (*Effective July 1, 2009*):

4734 (a) Licenses shall be granted under this chapter only to persons who
4735 bear a good reputation for honesty, truthfulness and fair dealing and
4736 who are competent to transact the business of a real estate broker or
4737 real estate salesperson in such manner as to safeguard the interests of
4738 the public.

4739 (b) Each application for a license or for a renewal thereof shall be
4740 made in writing, on such forms and in such manner as is prescribed by
4741 the Department of Consumer Protection and accompanied by such
4742 evidence in support of such application as is prescribed by the
4743 commission. The commission may require such information with
4744 regard to an applicant as the commission deems desirable, with due
4745 regard to the paramount interests of the public, as to the honesty,
4746 truthfulness, integrity and competency of the applicant and, where the
4747 applicant is a corporation, association or partnership, as to the honesty,
4748 truthfulness, integrity and competency of the officers of such
4749 corporation or the members of such association or partnership.

4750 (c) In order to determine the competency of any applicant for a real
4751 estate broker's license or a real estate salesperson's license the
4752 commission shall, on payment to the commission of an application fee
4753 of **[**sixty**]** <u>one hundred twenty</u> dollars by an applicant for a real estate
4754 broker's license or on payment to the commission of an application fee
4755 of **[**forty**]** <u>eighty</u> dollars by an applicant for a real estate salesperson's
4756 license, subject such applicant to personal written examination as to
4757 the applicant's competency to act as a real estate broker or real estate
4758 salesperson, as the case may be. Such examination shall be prepared by
4759 the Department of Consumer Protection or by a national testing
4760 service designated by the Commissioner of Consumer Protection and
4761 shall be administered to applicants by the Department of Consumer
4762 Protection or by such testing service at such times and places as the
4763 commissioner may deem necessary. The commission may waive the

4764 uniform portion of the written examination requirement in the case of
4765 an applicant who has taken the national testing service examination in
4766 another state within two years from the date of application and has
4767 received a score deemed satisfactory by the commission. The
4768 Commissioner of Consumer Protection shall adopt regulations, in
4769 accordance with chapter 54, establishing passing scores for
4770 examinations. In addition to such application fee, applicants taking the
4771 examination administered by a national testing service shall be
4772 required to pay directly to such testing service an examination fee
4773 covering the cost of such examination. Each payment of such
4774 application fee shall entitle the applicant to take such examination four
4775 times within the one-year period from the date of payment.

4776 (d) (1) Each applicant for a real estate broker's license shall, before
4777 being admitted to such examination, prove to the satisfaction of the
4778 commission: (A) (i) That the applicant has been actively engaged for at
4779 least two years as a licensed real estate salesperson under the
4780 supervision of a licensed real estate broker in this state, (ii) that the
4781 applicant has successfully completed a course approved by the
4782 commission in real estate principles and practices of at least sixty
4783 classroom hours of study, (iii) that the applicant has successfully
4784 completed a course approved by the commission in real estate
4785 appraisal consisting of at least thirty classroom hours of study, and (iv)
4786 that the applicant has successfully completed a course approved by the
4787 commission consisting of at least thirty classroom hours as prescribed
4788 by the commission, or (B) that the applicant has equivalent experience
4789 or education as determined by the commission.

4790 (2) Each applicant for a real estate salesperson's license shall, before
4791 being admitted to such examination, prove to the satisfaction of the
4792 commission (A) that the applicant has successfully completed a course
4793 approved by the commission in real estate principles and practices
4794 consisting of at least sixty classroom hours of study, or (B) that the
4795 applicant has equivalent experience or education as determined by the
4796 commission.

4797 (e) The provisions of subsections (c) and (d) of this section shall not
4798 apply to any renewal of a real estate broker's license, or a real estate
4799 salesperson's license issued prior to October 1, 1973.

4800 (f) All licenses issued under the provisions of this chapter shall
4801 expire annually. At the time of application for a real estate broker's
4802 license, there shall be paid to the commission, for each individual
4803 applicant and for each proposed active member or officer of a firm,
4804 partnership, association or corporation, the sum of **[**four hundred fifty**]**
4805 five hundred sixty-five dollars, and for the annual renewal thereof, the
4806 sum of three hundred seventy-five dollars and for a real estate
4807 salesperson's license two hundred **[**twenty-five**]** eighty-five dollars and
4808 for the annual renewal thereof the sum of two hundred **[**twenty-five**]**
4809 eighty-five dollars. Three dollars of each such annual renewal fee shall
4810 be payable to the Real Estate Guaranty Fund established pursuant to
4811 section 20-324a. If a license is not issued, the fee shall be returned. A
4812 real estate broker's license issued to any partnership, association or
4813 corporation shall entitle the individual designated in the application,
4814 as provided in section 20-312, upon compliance with the terms of this
4815 chapter, but without the payment of any further fee, to perform all of
4816 the acts of a real estate broker under this chapter on behalf of such
4817 partnership, association or corporation. Any license which expires and
4818 is not renewed pursuant to this subsection may be reinstated by the
4819 commission, if, not later than two years after the date of expiration, the
4820 former licensee pays to the commission for each real estate broker's
4821 license the sum of three hundred seventy-five dollars and for each real
4822 estate salesperson's license the sum of two hundred **[**twenty-five**]**
4823 eighty-five dollars for each year or fraction thereof from the date of
4824 expiration of the previous license to the date of payment for
4825 reinstatement, except that any licensee whose license expired after
4826 such licensee entered military service shall be reinstated without
4827 payment of any fee if an application for reinstatement is filed with the
4828 commission within two years after the date of expiration. Any such
4829 reinstated license shall expire on the next succeeding April thirtieth.

4830 (g) Any person whose application has been filed as provided in this
4831 section and who is refused a license shall be given notice and afforded
4832 an opportunity for hearing as provided in the regulations adopted by
4833 the Commissioner of Consumer Protection.

4834 Sec. 106. Section 20-329f of the general statutes is repealed and the
4835 following is substituted in lieu thereof (*Effective July 1, 2009*):

4836 (a) The commission shall, upon completion of the investigation and
4837 inspection as provided in section 20-329e, but, in the absence of any
4838 agreement to the contrary between the applicant and the commission,
4839 not later than three months from the receipt of the completed license
4840 application, or receipt of an effective statement of record filed with the
4841 Secretary of Housing and Urban Development and filed with the
4842 commission pursuant to subsection (c) of section 20-329b, (1) approve
4843 or disapprove the prospectus, property report or offering statement
4844 submitted under subsection (c) of section 20-329b or section 20-329d, as
4845 the case may be, and (2) if satisfied, issue to the applicant, upon
4846 payment to the commission of a fee computed as provided in
4847 subsection (b) of this section, a license to offer and dispose of in this
4848 state the subdivision or parcels, units or other interests in any
4849 subdivision that is the subject of the application or such effective
4850 statement of record. Such license shall be valid for one year and may
4851 be renewed annually upon payment to the commission of a fee,
4852 computed as provided in subsection (b) of this section, unless there is a
4853 material change affecting such subdivision or lot, parcels, units or
4854 other interest in any subdivision or the offer or disposition thereof, in
4855 which case all new facts shall be reported to the commission
4856 immediately. Upon receipt of such report or in the event that any such
4857 material change is discovered by or comes to the attention of the
4858 commission through other sources, the commission may, after hearing
4859 pursuant to section 20-321, take such action as the commission
4860 considers necessary, including the suspension or revocation of such
4861 license if justified.

4862 (b) The amount any person shall pay for an initial license fee or a
4863 renewal license fee for each subdivision covered by the license shall be
4864 computed on the basis of the rates set forth in the following schedule.

Number Of Lots or Units	Initial Fee	Annual Renewal Fee
1- 50	[$250.] $315.	[$100.] $200.
51-100	[$275.] 345.	[$125.] 250.
101-150	[$300.] 375.	[$150.] 190.
151-200	[$325.] 410.	[$175.] 220.
201-250	[$350.] 440.	[$200.] 250.
251-300	[$375.] 470.	[$225.] 285.
301-350	[$400.] 500.	[$250.] 315.
351-400	[$425.] 535.	[$275.] 345.
401-450	[$450.] 565.	[$300.] 375.
451-500	[$475.] 595.	[$325.] 410.
501 and above	[$500.] 625.	[$350.] 440.

4865 Sec. 107. Section 20-333 of the general statutes is repealed and the
4866 following is substituted in lieu thereof (*Effective July 1, 2009*):

4867 The Department of Consumer Protection shall hold at least four
4868 examinations each year, at such times as the appropriate board may
4869 determine and in such locations as may be convenient, written notice
4870 of the time and place of each such examination to be given to each
4871 applicant at least ten days prior to such examination. To obtain a
4872 license under this chapter, an applicant shall have attained such
4873 applicant's eighteenth birthday and shall furnish such evidence of
4874 competency as the appropriate board, with the consent of the
4875 Commissioner of Consumer Protection, shall require. The applicant
4876 shall satisfy such board that such applicant is of good moral character,
4877 possesses a diploma or other evidence of graduation from the eighth
4878 grade of grammar school, or possesses an equivalent education to be
4879 determined on examination and has the requisite skill to perform the
4880 work in the trade for which such applicant is applying for a license and

4881 can comply with all other requirements of this chapter and the
4882 regulations adopted under this chapter. Upon application for any such
4883 license, the applicant shall pay to the department a nonrefundable
4884 application fee of [forty-five] ninety dollars for a license under
4885 subdivisions (2) and (3) of subsection (a) and subdivision (4) of
4886 subsection (e) of section 20-334a, or a nonrefundable application fee of
4887 [seventy-five] one hundred fifty dollars for a license under subdivision
4888 (1) of subsection (a), subdivisions (1) and (2) of subsection (b),
4889 subdivision (1) of subsection (c) and subdivisions (1), (2) and (3) of
4890 subsection (e) of section 20-334a. The department shall conduct such
4891 written, oral and practical examinations as the appropriate board, with
4892 the consent of the commissioner, deems necessary to test the
4893 knowledge of the applicant in the work for which a license is being
4894 sought. Any person completing the required apprentice training
4895 program for a journeyman's license under section 20-334a shall, within
4896 thirty days following such completion, apply for a licensure
4897 examination given by the department. If an applicant does not pass
4898 such licensure examination, the commissioner shall provide each failed
4899 applicant with information on how to retake the examination and a
4900 report describing the applicant's strengths and weaknesses in such
4901 examination. The applicant may take up to two additional
4902 examinations during the one-year period commencing on the date of
4903 such applicant's first examination application, provided, if the
4904 applicant does not pass such applicant's third examination the
4905 applicant may not be examined again until one year after the date of
4906 such third examination. Any apprentice permit issued under section
4907 20-334a to an applicant who fails three licensure examinations in any
4908 one-year period shall remain in effect if such applicant applies for and
4909 takes the first licensure examination given by the department
4910 following the one-year period from the date of such applicant's third
4911 and last unsuccessful licensure examination. Otherwise, such permit
4912 shall be revoked as of the date of the first examination given by the
4913 department following expiration of such one-year period. When an
4914 applicant has qualified for a license, the department shall, upon receipt

4915 of the license fee, issue to such applicant a license entitling such
4916 applicant to engage in the work or occupation for which a license was
4917 sought and shall register each successful applicant's name and address
4918 in the roster of licensed persons authorized to engage in the work or
4919 occupation within the appropriate board's authority. Each board may
4920 declare forfeited the application fee of any applicant who has failed to
4921 appear for examination at three successive examinations for which
4922 written notice has been sent. All fees and other moneys collected by
4923 the department shall be promptly transmitted to the State Treasurer as
4924 provided in section 4-32.

4925 Sec. 108. Section 20-334a of the general statutes is repealed and the
4926 following is substituted in lieu thereof (*Effective July 1, 2009*):

4927 (a) Except as otherwise provided in this section, the following
4928 licenses may be issued by the Department of Consumer Protection,
4929 upon authorization of the boards, under the provisions of section
4930 20-333:

4931 (1) (A) An unlimited contractor's license may be issued to a person
4932 who has served as a journeyman in the trade for which such person
4933 seeks a license for not less than two years and, if such service as a
4934 journeyman was outside this state, has furnished evidence satisfactory
4935 to the appropriate state board that such service is comparable to
4936 similar service in this state, or has furnished satisfactory evidence of
4937 education and experience and has passed an examination which has
4938 demonstrated that such person is competent in all aspects of such
4939 trade to be an unlimited contractor. (B) A limited contractor's license
4940 may be issued to a person who fulfills the requirements of
4941 subparagraph (A) of this subdivision as to a specific area or areas
4942 within the trade for which such person seeks a license. (C) The holder
4943 of an unlimited or a limited contractor's license may, within the trade,
4944 or the area or areas of the trade, for which such holder has been
4945 licensed, furnish supplies and do layout, installation, repair and
4946 maintenance work and distribute and handle materials, provided

4947 nothing in this subdivision shall be construed to authorize the
4948 performance of any action for which licensure is required under the
4949 provisions of chapter 390 or 391. Such licensee shall furnish the board
4950 with evidence that such licensee will comply with all state
4951 requirements pertaining to workers' compensation and unemployment
4952 insurance and that such evidence shall be available to any properly
4953 interested person prior to the issuance of a license under this
4954 subdivision.

4955 (2) (A) An unlimited journeyman's license may be issued to any
4956 person who has completed a bona fide apprenticeship program,
4957 including not less than four years' experience in the trade for which
4958 such person seeks a license, and has demonstrated such person's
4959 competency to perform all services included in the trade for which a
4960 license is sought by successfully completing the applicable state
4961 licensure examination. (B) A limited journeyman's license may be
4962 issued to a person who fulfills the requirements of subparagraph (A) of
4963 this subdivision in a specific area or areas of the trade for which such
4964 person seeks a license, provided the length of experience required may
4965 be less than four years for such area or areas of the trade.

4966 (3) (A) An elevator craftsman's license may be issued to any person
4967 who has completed an apprenticeship program, has at least two years'
4968 experience in elevator installation, repair and maintenance work and
4969 has demonstrated such person's competency to perform such work. (B)
4970 An elevator helper's license may be issued for the performance of
4971 elevator maintenance under the supervision of an elevator craftsman.

4972 (4) An apprentice's permit may be issued for the performance of
4973 work in a trade licensed under the provisions of this chapter, for the
4974 purpose of training, which work may be performed only under the
4975 supervision of a licensed contractor, journeyman or elevator craftsman.

4976 (5) An apprentice permit shall expire upon the failure of the
4977 apprentice holding such permit to apply for the first licensure
4978 examination given by the department following completion of an

4979 apprentice training program as provided in subdivision (2) of this
4980 subsection.

4981 (b) The following licenses for solar thermal work may be issued by
4982 the department, upon authorization of the examining board for
4983 heating, piping, cooling and sheet metal work, under the provisions of
4984 section 20-333, including an examination on solar work:

4985 (1) A solar thermal contractor's license may be issued to any person
4986 who (A) not later than July 1, 1984, (i) has been issued a P-1, P-3, S-1,
4987 S-3, S-5, S-7, D-1 or D-3 license under subdivision (1) of subsection (a)
4988 of this section or installs at least six fully operational solar hot water
4989 heating systems, and (ii) qualifies for a solar thermal contractor's
4990 license under section 20-333, or (B) has served as a solar thermal
4991 journeyman for not less than two years.

4992 (2) A solar thermal journeyman's license may be issued to any
4993 person who (A) not later than July 1, 1984, (i) is issued a P-2, P-4, S-2,
4994 S-4, S-6, S-8, D-2 or D-4 license under subdivision (2) of subsection (a)
4995 of this section, and (ii) qualifies for a solar thermal journeyman's
4996 license under section 20-333, (B) after July 1, 1984, is issued a P-2, P-4,
4997 S-2, S-4, S-6, S-8, D-2 or D-4 license under subdivision (2) of subsection
4998 (a) of this section and whose bona fide apprenticeship program
4999 includes instruction in solar thermal work, or (C) after July 1, 1984,
5000 completes a bona fide solar thermal work apprenticeship program and
5001 has not less than two years' experience in solar thermal work. A solar
5002 thermal journeyman may work only under the supervision of a
5003 licensed solar thermal contractor.

5004 (3) A solar thermal apprentice's permit may be issued for the
5005 performance of solar thermal work for the purpose of training. Such
5006 work may be performed only under the supervision of a licensed solar
5007 thermal contractor or journeyman.

5008 (c) The following licenses for fire protection sprinkler systems work
5009 may be issued by the department: (1) A fire protection sprinkler

5010 contractor's license may be issued to a person who provides
5011 satisfactory evidence of education and experience in fire protection
5012 sprinkler systems work, as defined in subdivision (9) of section 20-330,
5013 and who has passed an examination which has demonstrated
5014 competence in all aspects of such trade. Applicants for such license
5015 shall complete a form provided by the commissioner; and (2) a
5016 journeyman sprinkler fitter's license may be issued to a person who
5017 has completed a bona fide apprenticeship program pursuant to section
5018 20-334c, and who has not less than four years experience in fire
5019 protection sprinkler systems work, as defined in subdivision (9) of
5020 section 20-330, or who has been licensed under this section, and has
5021 passed an examination which has demonstrated competence in all
5022 aspects of such trade. Applicants for such license shall complete a form
5023 provided by the department.

5024 (d) The following licenses for irrigation work may be issued by the
5025 department upon authorization of the examining board for plumbing
5026 and piping work under the provisions of section 20-333: (1) An
5027 irrigation contractor's license, and (2) an irrigation journeyman's
5028 license.

5029 (e) The following licenses for sheet metal work may be issued by the
5030 department upon authorization of the examining board for heating,
5031 piping, cooling and sheet metal work, under the provisions of section
5032 20-333, in addition to any licenses or permits issued for such work
5033 under subsection (a) of this section:

5034 (1) Prior to January 1, 2002, a limited contractor's license for large
5035 commercial sheet metal work may be issued to any person who has
5036 worked as a sheet metal contractor or successfully worked in such
5037 trade in the capacity of a journeyman sheet metal worker for not less
5038 than two years.

5039 (2) On or after January 1, 2002, a limited contractor's license for large
5040 commercial sheet metal work may be issued to any person who has
5041 (A) served as a journeyman in the trade for which such person seeks a

5042 license for not less than two years, and (B) if such service as a
5043 journeyman was outside this state, furnished evidence satisfactory to
5044 the examining board for heating, piping, cooling and sheet metal work
5045 that such service is comparable to similar service in this state.

5046 (3) Prior to January 1, 2002, a limited journeyman's license for large
5047 commercial sheet metal work may be issued to any person who has
5048 (A) successfully completed a bona fide apprenticeship program,
5049 including not less than four years of experience in the trade for which
5050 such person seeks a license, or (B) demonstrated such person's
5051 competency to perform such work by furnishing proof of continuous
5052 employment in such trade for not less than eight thousand hours
5053 within the previous five years, subject to the approval of the examining
5054 board for heating, piping, cooling and sheet metal work.

5055 (4) On or after January 1, 2002, a limited journeyman's license for
5056 large commercial sheet metal work may be issued to any person who
5057 has (A) successfully completed a bona fide apprenticeship program,
5058 including not less than four years of experience in the trade for which
5059 such person seeks a license, and (B) demonstrated such person's
5060 competency to perform all services included in the trade for which a
5061 license is sought by successfully completing the applicable state
5062 licensure examination.

5063 (f) On and after January 1, 2002, the following licenses for
5064 automotive glass work and flat glass work may be issued by the
5065 department upon authorization of the examining board for automotive
5066 glass work and flat glass work, under the provisions of section 20-333:

5067 (1) On and after January 1, 2002, but before January 1, 2003, an
5068 unlimited contractor's license for automotive glass work or flat glass
5069 work may be issued to any person who has served as a journeyman in
5070 the trade for which such person seeks a license for not less than three
5071 years. On and after January 1, 2002, an unlimited contractor's license
5072 for automotive glass work or flat glass work may be issued to any
5073 person who (A) has served as a journeyman in the trade for which

5074 such person seeks a license for not less than three years and, if such
5075 service as a journeyman was outside this state, has furnished evidence
5076 satisfactory to the examining board for automotive glass work and flat
5077 glass work that such service is comparable to similar service in this
5078 state, and (B) has furnished satisfactory evidence of education and
5079 experience and has passed an examination which has demonstrated
5080 that such person is competent in all aspects of such trade to be an
5081 unlimited contractor for automotive glass work or flat glass work.

5082 (2) On and after January 1, 2002, but before January 1, 2003, an
5083 unlimited journeyman's license for automotive glass work or flat glass
5084 work may be issued to any person who has served in the trade for
5085 which such person seeks a license for not less than two years. On and
5086 after January 1, 2002, an unlimited journeyman's license for
5087 automotive glass work or flat glass work may be issued to any person
5088 who has successfully completed a bona fide apprenticeship program as
5089 required by the examining board for automotive glass work and flat
5090 glass work, and has demonstrated such person's competency to
5091 perform all services included in the trade for which a license is sought
5092 by successfully completing the applicable state licensure examination.

5093 (g) On or after July 1, 2003, a medical gas and vacuum systems
5094 certificate for medical gas and vacuum systems work may be issued by
5095 the department, upon the authorization of the Plumbing and Piping
5096 Work Board or the Heating, Piping and Cooling Work Board, as
5097 appropriate, to any person who (1) has been issued a P-1, P-2, S-1, S-2,
5098 S-3 or S-4 license under subdivision (1) of subsection (a) of this section,
5099 (2) has been certified as a medical gas and vacuum system brazer
5100 issued in accordance with the standards of Section IX entitled
5101 "Welding and Brazing Qualifications" of the American Society of
5102 Mechanical Engineers Boiler and Pressure Vessel Code, and (3) has
5103 been certified as having completed an approved training course on
5104 medical gas and vacuum system installation as required by American
5105 National Standards Institute-American Society of Sanitary Engineering
5106 Series 6000. No person shall perform medical gas and vacuum systems

5107 work unless such person has obtained a certificate pursuant to this
5108 subsection. Such certificate shall be renewed consistent with the
5109 renewal process for the prerequisite licenses. The fee for such
5110 certificate shall be [twenty-five] fifty dollars.

5111 (h) A limited sheet metal power industry license may be issued to
5112 any person upon authorization of the examining board for heating,
5113 piping, cooling and sheet metal work, subject to the provisions of
5114 section 20-333. Prior to taking the licensure examination, an applicant
5115 shall successfully complete an education and training program
5116 established and approved by the Labor Department with the advice of
5117 the Connecticut State Apprenticeship Council. The holder of such
5118 license may only install, erect, replace, repair or alter breeching
5119 exhaust and inlet air systems at electric generation facilities, including,
5120 but not limited to, cogeneration plants, bio-mass facilities, blast
5121 furnaces, combined cycle facilities, fossil fuel, gas and hydro power
5122 facilities, incinerators and nuclear power facilities. The holder of such
5123 license may only perform such work while in the employ of a
5124 contractor licensed to perform such sheet metal work under this
5125 chapter.

5126 (i) The Electrical Work Board shall authorize any person to install,
5127 service and repair residential security systems limited to twenty-five
5128 volts and five amperes in one to three-family residential dwellings,
5129 provided the person is in the employ of an electrical contractor holding
5130 an E-1 unlimited contractor license or an L-5 contractor license issued
5131 pursuant to subdivision (1) of subsection (a) of this section and the
5132 person has successfully completed an apprenticeship and training
5133 program established and approved by the Labor Department with the
5134 advice of the Connecticut State Apprenticeship Council. Any person
5135 authorized to work under this subsection shall not perform
5136 telecommunications electrical work, as defined in section 20-340b, with
5137 the exception of work involving interface wiring from a residential
5138 security system to an existing telephone connection for monitoring
5139 purposes. Any person who is authorized to work under this subsection

5140 shall, no later than fifteen months after being issued said
5141 authorization, secure an L-6 limited electrical journeyperson's license
5142 pursuant to subdivision (2) of subsection (a) of this section.

5143 Sec. 109. Section 20-335 of the general statutes is repealed and the
5144 following is substituted in lieu thereof (*Effective July 1, 2009):*

5145 Any person who has successfully completed an examination for
5146 such person's initial license under this chapter shall pay to the
5147 Department of Consumer Protection a fee of **[**seventy-five**]** one
5148 hundred fifty dollars for a contractor's license or a fee of **[**sixty**]** one
5149 hundred twenty dollars for any other such license. All such licenses
5150 shall expire annually. No person shall carry on or engage in the work
5151 or occupations subject to this chapter after the expiration of such
5152 person's license until such person has filed an application bearing the
5153 date of such person's registration card with the appropriate board.
5154 Such application shall be in writing, addressed to the secretary of the
5155 board from which such renewal is sought and signed by the person
5156 applying for such renewal. A licensee applying for renewal shall, at
5157 such times as the commissioner shall by regulation prescribe, furnish
5158 evidence satisfactory to the board that the licensee has completed any
5159 continuing professional education required under sections 20-330 to
5160 20-341, inclusive, or any regulations adopted thereunder. The board
5161 may renew such license if the application for such renewal is received
5162 by the board no later than one month after the date of expiration of
5163 such license, upon payment to the department of a renewal fee of
5164 **[**seventy-five**]** one hundred fifty dollars in the case of a contractor and
5165 of **[**sixty**]** one hundred twenty dollars for any other such license. The
5166 department shall issue a receipt stating the fact of such payment,
5167 which receipt shall be a license to engage in such work or occupation.
5168 A licensee who has failed to renew such licensee's license for a period
5169 of over one year from the date of expiration of such license shall have
5170 it reinstated only upon complying with the requirements of section 20-
5171 333. All license fees and renewal fees paid to the department pursuant
5172 to this section shall be deposited in the General Fund.

5173 Sec. 110. Section 20-341e of the general statutes is repealed and the
5174 following is substituted in lieu thereof (*Effective July 1, 2009*):

5175 The Department of Public Health shall hold at least four
5176 examinations each year, at such times and in such locations as may be
5177 convenient. Notice of the time and place of each examination shall be
5178 given in writing to each applicant at least ten days prior to the
5179 examination. To obtain a license an applicant shall furnish such
5180 evidence of competency as said department shall require. The
5181 applicant shall satisfy said department that he has the requisite skill to
5182 perform the work of a subsurface sewage disposal system installer or
5183 cleaner and can comply with all other requirements of this chapter.
5184 Upon application to said department for a license, the applicant shall
5185 pay to said department a fee of **[**twenty-five**]** fifty dollars for a
5186 subsurface sewage disposal system installer license or **[**ten**]** twenty
5187 dollars for a subsurface sewage disposal system cleaner license. The
5188 applicant shall present himself at the next regular examination. The
5189 Department of Public Health shall conduct such written, oral and
5190 practical examinations as it deems necessary to test the knowledge of
5191 the applicant for a subsurface sewage disposal system installer's
5192 license on sewage disposal system construction and installation or to
5193 test the knowledge of the applicant for a subsurface sewage disposal
5194 system cleaner on subsurface sewage disposal system cleaning and
5195 servicing. When an applicant has qualified for a license, the
5196 department shall issue to such person a license entitling him to engage
5197 in the work or occupation of subsurface sewage disposal system
5198 installer or subsurface sewage disposal system cleaner until the date
5199 for renewal under section 19a-88, as amended by this act. All fees
5200 collected by said department shall be promptly transmitted to the State
5201 Treasurer.

5202 Sec. 111. Section 20-341y of the general statutes is repealed and the
5203 following is substituted in lieu thereof (*Effective July 1, 2009*):

5204 (a) Each mechanical contractor shall exhibit on all job sites the

5205 original or a copy of its certificate of registration.

5206 (b) No mechanical contractor shall: (1) Present or attempt to present,
5207 as its own, the certificate of another, (2) knowingly give false evidence
5208 of a material nature to the commissioner for the purpose of procuring a
5209 certificate, (3) use or attempt to use a certificate which has expired or
5210 which has been suspended or revoked, (4) offer to perform or perform
5211 any heating, piping and cooling work or any plumbing and piping
5212 work without having first obtained a certificate of registration under
5213 sections 20-341s to 20-341bb, inclusive, or (5) represent in any manner
5214 that its registration constitutes an endorsement of the quality of its
5215 workmanship or of its competency by the commissioner. A violation of
5216 any of the provisions of sections 20-341s to 20-341bb, inclusive, shall be
5217 deemed an unfair or deceptive trade practice under subsection (a) of
5218 section 42-110b.

5219 (c) Certificates issued to mechanical contractors shall be valid for
5220 one year and shall not be transferable or assignable.

5221 (d) The fee for renewal of a certificate shall be **[**fifty-five**]** <u>one</u>
5222 <u>hundred ten</u> dollars.

5223 Sec. 112. Section 20-349 of the general statutes is repealed and the
5224 following is substituted in lieu thereof (*Effective July 1, 2009*):

5225 (a) No person shall install, service, maintain, recondition or repair
5226 receiving equipment of another, or procure the services of a third
5227 person to act on his behalf in the installation, servicing, maintenance,
5228 reconditioning or repair of receiving equipment of another without a
5229 license or a temporary permit issued for such purpose in accordance
5230 with the provisions of this chapter.

5231 (b) No person shall offer by advertisement, telephone or in any
5232 other manner to install, service, maintain or repair receiving
5233 equipment unless such person has been licensed for such purpose in
5234 accordance with the provisions of this chapter.

5235 (c) Any person desiring to be licensed under this chapter shall apply
5236 to the board in writing, on forms which the Department of Consumer
5237 Protection shall provide, stating: (1) Such person's name, residence
5238 address and business address; (2) a brief description of his
5239 qualifications, including the length and nature of his experience; (3) in
5240 the case of an apprentice, the name of his employer or supervisor; and
5241 (4) such other information as the department may require. Each
5242 application for a license as a service dealer shall be accompanied by a
5243 fee of **[**one**]** two hundred dollars. Each application for a license as a
5244 licensed electronics technician, licensed antenna technician or licensed
5245 radio electronics technician shall be accompanied by a fee of **[**forty**]**
5246 eighty dollars. Each application for a permit as an apprentice shall be
5247 accompanied by a fee of **[**twenty**]** forty dollars. If a service dealer as an
5248 individual is a licensed electronics technician or licensed radio
5249 electronics technician, only one license fee shall be charged in the
5250 amount of **[**one**]** two hundred dollars. On receipt of an application
5251 under the provisions of this section, the board may, for an additional
5252 fee of **[**twenty**]** forty dollars, authorize the department to issue a
5253 temporary permit which will allow the applicant to serve in the
5254 capacity for which he seeks licensure until the next examination for
5255 such license, provided only one such temporary permit shall be issued
5256 to such applicant. All such fees shall be paid to the department.

5257 Sec. 113. Section 20-357m of the general statutes is repealed and the
5258 following is substituted in lieu thereof (*Effective July 1, 2009*):

5259 (a) As used in this section:

5260 (1) "Telecommunications infrastructure" means structured cabling
5261 for voice and data telecommunications;

5262 (2) "Telecommunications infrastructure layout technician" means an
5263 individual licensed by the Department of Consumer Protection
5264 pursuant to this section, to produce telecommunications infrastructure
5265 designs that comply with nationally recognized standards;

5266 (3) "Telecommunications infrastructure layout" means the preparing
5267 and producing of telecommunications infrastructure design and
5268 working drawings to be used for the installation, alteration or
5269 modification of a telecommunications infrastructure in all buildings,
5270 except residential buildings;

5271 (4) "Nationally recognized standards" means the National Electric
5272 Code (NFPA-70), the (ANSI/TIA/EIA 568-A) Commercial Building
5273 Telecommunications Cabling Standard, the (ANSI/EIA/TIA-569-A)
5274 Commercial Building Standard for Telecommunications Pathways and
5275 Spaces, the (ANSI/EIA/TIA-570) Residential and Light Commercial
5276 Telecommunications Wiring Standard and all other ANSI approved
5277 telecommunications infrastructure installation standards or the
5278 equivalent thereof, as determined by the Department of Consumer
5279 Protection.

5280 (b) No individual shall use the title "telecommunications
5281 infrastructure layout technician" unless the individual has obtained a
5282 telecommunications infrastructure layout technician license from the
5283 Department of Consumer Protection issued pursuant to this section.

5284 (c) Each applicant shall submit an application for a
5285 telecommunications infrastructure layout technician license on forms
5286 prescribed and furnished by the Department of Consumer Protection.
5287 The applications shall include the applicant's name, residential
5288 address, business address, business telephone number and such other
5289 information or photographs as the commissioner may require. The
5290 submitted application shall include a nonrefundable application fee of
5291 **[**seventy-five**]** <u>one hundred fifty</u> dollars.

5292 (d) The commissioner shall issue a telecommunications
5293 infrastructure layout technician license to any individual who: (1)
5294 Completes a college level program or other program of instruction
5295 approved by the Department of Consumer Protection that assures
5296 industry standards in telecommunications infrastructure design; (2)
5297 submits an application pursuant to subsection (c) of this section

5298 deemed acceptable by the Commissioner of Consumer Protection; and
5299 (3) at the time of application, has held for not less than five years and
5300 continues to hold a valid unlimited or limited electrical license issued
5301 under the Electrical Work Board or a public service technician
5302 certificate of registration issued pursuant to section 20-340b, or has
5303 other equivalent experience and training as required for an electrical
5304 license, as determined by the commissioner. A license issued pursuant
5305 to this subsection is nontransferable. The fee for a telecommunications
5306 infrastructure layout technician license is **[**two hundred fifty**]** three
5307 hundred fifteen dollars. Such license shall be renewed biennially and
5308 the renewal fee is **[**two hundred fifty**]** three hundred fifteen dollars.

5309 (e) Each licensee shall obtain a seal in such manner as prescribed by
5310 the Department of Consumer Protection. The licensee shall sign and
5311 apply the seal to all documentation required by this subsection
5312 concerning work within the scope of the telecommunications
5313 infrastructure layout technician license. If such documentation is more
5314 than one page and bound together, the licensee may sign and apply
5315 the seal to one page, unless such documentation concerns filing plans
5316 for a building permit or appurtenant structures where the licensee
5317 shall sign and apply the seal to every page. No licensee shall sign or
5318 apply the seal to any documentation that such licensee did not
5319 supervise the preparation of.

5320 (f) If, after notice and opportunity for hearing as provided in
5321 regulations adopted by the Commissioner of Consumer Protection in
5322 accordance with the provisions of chapter 54, the Department of
5323 Consumer Protection determines that: (1) Negligent or incompetent
5324 work within the scope of a license issued pursuant to this section is
5325 performed by a licensee; or (2) the licensee engages in conduct of a
5326 character likely to mislead, deceive or defraud the department or the
5327 public, the department may issue an appropriate order to such licensee
5328 providing for the immediate discontinuance of such negligent or
5329 incompetent work or conduct, and may order restitution or issue a
5330 civil penalty of up to one thousand dollars, or both.

5331 (g) The Department of Consumer Protection may adopt regulations,
5332 in accordance with the provisions of chapter 54, to carry out the
5333 provisions of this section and section 20-340b.

5334 (h) Any person who is a professional engineer licensed in
5335 accordance with the provisions of chapter 391 shall be exempt from
5336 provisions of this section.

5337 (i) Nothing in this section shall be construed to require any plans,
5338 designs, drawings or similar materials used by a public service
5339 technician, as defined in section 20-340b, in connection with
5340 telecommunications electrical work performed by such public service
5341 technician to be signed by a telecommunications infrastructure layout
5342 technician.

5343 Sec. 114. Section 20-360 of the general statutes is repealed and the
5344 following is substituted in lieu thereof (*Effective July 1, 2009*):

5345 Applications for licensure shall be on forms prescribed by the
5346 commissioner. The licensure fee for a sanitarian shall be **[**forty**]** eighty
5347 dollars for initial licensure. Each license shall be renewed annually in
5348 accordance with the provisions of section 19a-88, as amended by this
5349 act. The fee for license renewal shall be **[**twenty**]** forty dollars.

5350 Sec. 115. Section 20-374 of the general statutes is repealed and the
5351 following is substituted in lieu thereof (*Effective July 1, 2009*):

5352 (a) Every licensed landscape architect shall pay an annual license fee
5353 to the department. A holder of a valid license who is not engaging in
5354 the active practice of the holder's profession in this state and does not
5355 desire to register may allow the license to lapse by notifying the board
5356 of the holder's intention not to renew the license. After a license has
5357 been allowed to lapse or has been suspended, it may be reinstated
5358 upon payment of a reinstatement fee and such proof of the landscape
5359 architect's qualifications as may be required in the sound discretion of
5360 the board. The department shall issue a receipt to each landscape

5361 architect promptly upon the payment of the annual fee for a license.
5362 The amount of fees prescribed by this chapter is that fixed by the
5363 following schedule: (1) The application fee for examination shall be a
5364 nonrefundable fee of **[**forty**]** eighty dollars; (2) the fee for an initial
5365 license shall be **[**one hundred forty**]** two hundred eighty dollars; (3) the
5366 fee for a duplicate license shall be **[**five**]** fifteen dollars; (4) the annual
5367 license fee shall be the professional services fee for class E, as defined
5368 in section 33-182*l*, as amended by this act; (5) the reinstatement fee for
5369 a suspended license shall be two hundred fifty dollars; and (6) the
5370 reinstatement fee for a lapsed license shall be **[**ninety**]** one hundred
5371 eighty dollars.

5372 (b) The Commissioner of Consumer Protection shall adopt
5373 regulations, in accordance with chapter 54, that require persons
5374 licensed in accordance with the provisions of this chapter to fulfill a
5375 continuing education requirement. Any such person applying to
5376 renew his license shall submit to the board such proof of compliance
5377 with such continuing education requirement as the commissioner may
5378 require.

5379 Sec. 116. Section 20-377m of the general statutes is repealed and the
5380 following is substituted in lieu thereof (*Effective July 1, 2009*):

5381 (a) A person seeking a certificate of registration as an interior
5382 designer shall apply to the commissioner in writing, on a form
5383 provided by the commissioner. Such application shall include the
5384 applicant's name, residence address, business address and such other
5385 information as the commissioner may by regulation require.

5386 (b) Each application for a certificate of registration shall be
5387 accompanied by a fee of **[**one hundred fifty**]** one hundred ninety
5388 dollars, provided any architect licensed in this state shall not be
5389 required to pay such fee.

5390 Sec. 117. Section 20-377s of the general statutes is repealed and the
5391 following is substituted in lieu thereof (*Effective July 1, 2009*):

5392 (a) A registered interior designer shall exhibit his certificate of
5393 registration upon request by any interested party.

5394 (b) No person shall: (1) Present or attempt to present, as his own, the
5395 certificate of another, (2) knowingly give false evidence of a material
5396 nature to the commissioner for the purpose of procuring a certificate,
5397 (3) use or attempt to use a certificate which has expired or which has
5398 been suspended or revoked, (4) represent himself falsely as, or
5399 impersonate, a registered interior designer or (5) include his certificate
5400 number as a part of any advertisement or represent in any manner that
5401 his certificate of registration constitutes an endorsement of the quality
5402 of his workmanship or of his competency by the commissioner.

5403 (c) Certificates of registration issued to an interior designer shall not
5404 be transferable or assignable.

5405 (d) All certificates of registration issued under the provisions of
5406 sections 20-377k to 20-377v, inclusive, shall expire annually.

5407 (e) The fee for renewal of a certificate of registration as an interior
5408 designer shall be one hundred **[**fifty**]** <u>ninety</u> dollars, provided any
5409 architect licensed in this state shall not be required to pay such fee.

5410 Sec. 118. Section 20-398 of the general statutes is repealed and the
5411 following is substituted in lieu thereof (*Effective July 1, 2009*):

5412 (a) No person may engage in the practice of fitting or selling hearing
5413 aids, or display a sign or in any other way advertise or claim to be a
5414 person who sells or engages in the practice of fitting or selling hearing
5415 aids unless such person has obtained a license under this chapter or as
5416 an audiologist under chapter 399. No audiologist, other than an
5417 audiologist who is a licensed hearing instrument specialist on and after
5418 July 1, 1996, shall engage in the practice of fitting or selling hearing
5419 aids until such audiologist has presented satisfactory evidence to the
5420 commissioner that the audiologist has (1) completed at least six
5421 semester hours of coursework regarding the selection and fitting of

5422 hearing aids and eighty hours of supervised clinical experience with
5423 children and adults in the selection and fitting of hearing aids at an
5424 institution of higher education in a program accredited, at the time of
5425 the audiologist's completion of coursework and clinical experience, by
5426 the American Speech-Language Hearing Association or such successor
5427 organization as may be approved by the department, or (2) has
5428 satisfactorily passed the written section of the examination required by
5429 this section for licensure as a hearing instrument specialist. No person
5430 may receive a license, except as provided in subsection (b) of this
5431 section, unless such person has submitted proof satisfactory to the
5432 department that such person has completed a four-year course at an
5433 approved high school or has an equivalent education as determined by
5434 the department; has satisfactorily completed a course of study in the
5435 fitting and selling of hearing aids or a period of training approved by
5436 the department; and has satisfactorily passed a written, oral and
5437 practical examination given by the department. Application for the
5438 examination shall be on forms prescribed and furnished by the
5439 department. Examinations shall be given at least twice yearly. The fee
5440 for the examination shall be **[**one**]** two hundred dollars; and for the
5441 initial license and each renewal thereof shall be two hundred fifty
5442 dollars.

5443 (b) Nothing in this chapter shall prohibit a corporation, partnership,
5444 trust, association or other like organization maintaining an established
5445 business address from engaging in the business of selling or offering
5446 for sale hearing aids at retail, provided such organization employs
5447 only persons licensed, in accordance with the provisions of this
5448 chapter or as audiologists under chapter 399, in the direct sale and
5449 fitting of such products.

5450 (c) Nothing in this chapter shall prohibit a hearing instrument
5451 specialist licensed under this chapter from making impressions for
5452 earmolds or a physician licensed in this state or an audiologist licensed
5453 under the provisions of chapter 399, from making impressions for
5454 earmolds in the course of such person's clinical practice.

5455 Sec. 119. Section 20-400 of the general statutes is repealed and the
5456 following is substituted in lieu thereof (*Effective July 1, 2009*):

5457 (a) A temporary permit may be issued to a person who has
5458 submitted proof satisfactory to the department that the applicant has
5459 completed a four-year course at an approved high school or has an
5460 equivalent education as determined by the department, upon
5461 application on forms prescribed and furnished by the department,
5462 accompanied by a fee of **[**thirty**]** sixty dollars. A temporary permit shall
5463 entitle the applicant to engage in the fitting or sale of hearing aids for a
5464 period of one year under the direct supervision and training of a
5465 person holding a valid hearing instruments dispenser's license or a
5466 license as an audiologist under chapter 399 or while enrolled in a
5467 course of study approved by the department, except that a person who
5468 holds a temporary permit shall be excluded from making selections of
5469 hearing aids.

5470 (b) If a person who holds a temporary permit under this section has
5471 not successfully passed the licensing examination within one year from
5472 the date of its issuance, the temporary permit may be renewed once
5473 upon a payment of a **[**thirty-dollar**]** sixty-dollar fee for such renewal.

5474 Sec. 120. Section 20-412 of the general statutes is repealed and the
5475 following is substituted in lieu thereof (*Effective July 1, 2009*):

5476 The fee for an initial license as provided for in section 20-411 as a
5477 speech and language pathologist or audiologist shall be **[**one**]** two
5478 hundred dollars and for a combined license as a speech and language
5479 pathologist and audiologist shall be **[**one hundred eighty**]** two
5480 hundred twenty-five dollars. Licenses shall expire in accordance with
5481 section 19a-88, as amended by this act, and shall become invalid unless
5482 renewed. Renewal may be effected upon payment of a fee of **[**one**]** two
5483 hundred dollars and in accordance with section 19a-88, as amended by
5484 this act.

5485 Sec. 121. Section 20-417b of the general statutes is repealed and the

5486 following is substituted in lieu thereof (*Effective July 1, 2009*):

5487 (a) No person shall engage in the business of new home
5488 construction or hold himself or herself out as a new home construction
5489 contractor unless such person has been issued a certificate of
5490 registration by the commissioner in accordance with the provisions of
5491 sections 20-417a to 20-417j, inclusive. No new home construction
5492 contractor shall be relieved of responsibility for the conduct and acts of
5493 its agents, employees or officers by reason of such new home
5494 construction contractor's compliance with the provisions of sections
5495 20-417a to 20-417j, inclusive.

5496 (b) Any person seeking a certificate of registration shall apply to the
5497 commissioner, in writing, on a form provided by the commissioner.
5498 The application shall include (1) the applicant's name, business street
5499 address and business telephone number, (2) the identity of the insurer
5500 that provides the applicant with insurance coverage for liability, (3) if
5501 such applicant is required by any provision of the general statutes to
5502 have workers' compensation coverage, the identity of the insurer that
5503 provides the applicant with such workers' compensation coverage, and
5504 (4) if such applicant is required by any provision of the general statutes
5505 to have an agent for service of process, the name and address of such
5506 agent. Each such application shall be accompanied by a fee of **[**one
5507 hundred twenty**]** <u>two hundred forty</u> dollars, except that no such
5508 application fee shall be required if such person has paid the
5509 registration fee required under section 20-421 during any year in
5510 which such person's registration as a new home construction
5511 contractor would be valid.

5512 (c) Certificates issued to new home construction contractors shall
5513 not be transferable or assignable.

5514 (d) All certificates issued under the provisions of sections 20-417a to
5515 20-417j, inclusive, shall expire biennially. The fee for renewal of a
5516 certificate shall be the same as the fee charged for an original
5517 application, except that no renewal fee is due if a person seeking

5518 renewal of a certificate has paid the registration fee under section 20-
5519 427 during any year in which such person's registration as a new home
5520 construction contractor would be valid.

5521 (e) A certificate shall not be restored unless it is renewed not later
5522 than one year after its expiration.

5523 (f) Failure to receive a notice of expiration or a renewal application
5524 shall not exempt a new home construction contractor from the
5525 obligation to renew.

5526 Sec. 122. Section 20-421 of the general statutes is repealed and the
5527 following is substituted in lieu thereof (*Effective July 1, 2009*):

5528 (a) Any person seeking a certificate of registration shall apply to the
5529 commissioner in writing, on a form provided by the commissioner.
5530 The application shall include the applicant's name, residence address,
5531 business address, business telephone number and such other
5532 information as the commissioner may require.

5533 (b) Each application for a certificate of registration as a home
5534 improvement contractor shall be accompanied by a fee of **[**sixty**]** <u>one</u>
5535 <u>hundred twenty</u> dollars, except that no such application fee shall be
5536 required in any year during which such person has paid the
5537 registration fee required under section 20-417b or in any year in which
5538 such person's registration as a new home construction contractor is
5539 valid.

5540 (c) Each application for a certificate of registration as a salesman
5541 shall be accompanied by a fee of **[**sixty**]** <u>one hundred twenty</u> dollars.

5542 (d) The application fee for a certificate of registration as a home
5543 improvement contractor acting solely as the contractor of record for a
5544 corporation, shall be waived, provided the contractor of record shall
5545 use such registration for the sole purpose of directing, supervising or
5546 performing home improvements for such corporation.

5547 Sec. 123. Section 20-435 of the general statutes is repealed and the
5548 following is substituted in lieu thereof (*Effective July 1, 2009*):

5549 On and after one year following the effective date of regulations
5550 adopted pursuant to section 20-440, no person shall provide services as
5551 an asbestos contractor in this state without a license issued by the
5552 commissioner. Applications for such license shall be made to the
5553 department on forms provided by it, shall be accompanied by a fee of
5554 **[**five hundred**]** six hundred twenty-five dollars and shall contain such
5555 information regarding the applicant's qualifications as the department
5556 may require in regulations adopted pursuant to section 20-440,
5557 including, but not limited to, demonstrating that all employees have
5558 passed a training course approved by the department and have been
5559 issued a certificate by the department. The department shall approve
5560 the technical, equipment and personnel resources of each applicant.
5561 No person shall be issued a license to act as an asbestos contractor
5562 unless he obtains such approval. The commissioner may issue a license
5563 under this section to any person who is licensed in another state under
5564 a law which provides standards which are equal to or higher than
5565 those of Connecticut and is not subject to any unresolved complaints
5566 or pending disciplinary actions. Licenses issued pursuant to this
5567 section shall be renewed annually in accordance with the provisions of
5568 section 19a-88, as amended by this act, upon payment of a fee of **[**five
5569 hundred**]** six hundred twenty-five dollars.

5570 Sec. 124. Section 20-436 of the general statutes is repealed and the
5571 following is substituted in lieu thereof (*Effective July 1, 2009*):

5572 (a) On and after one year following the effective date of regulations
5573 adopted pursuant to section 20-440, no person shall act as an asbestos
5574 consultant in this state without a license issued by the commissioner.
5575 Applications for such license shall be made to the department on forms
5576 provided by it, and shall be accompanied by a fee of two hundred fifty
5577 dollars, and shall contain such information regarding the applicant's
5578 qualifications and experience in asbestos-related consultations as the

5579 department may require in regulations adopted pursuant to section 20-
5580 440. Except as provided in this section, no person shall be licensed as
5581 an asbestos consultant unless he completes a training course approved
5582 by the department, passes an examination prescribed by the
5583 department, receives a certificate issued by the department and
5584 satisfies employment experience and educational requirements
5585 established by the commissioner pursuant to section 20-441.

5586 (b) The commissioner may issue a license under this section without
5587 examination to any person who is licensed in another state under a law
5588 which provides standards equal to or higher than those of Connecticut
5589 and is not subject to any unresolved complaints or pending
5590 disciplinary actions. Licenses issued pursuant to this section shall be
5591 renewed annually in accordance with the provisions of section 19a-88,
5592 as amended by this act, upon payment of a fee of two hundred fifty
5593 dollars.

5594 (c) Notwithstanding the provisions of subsection (a) of this section,
5595 a person who between July 1, 1985, and November 1, 1994, has been
5596 employed for a minimum of two years as an asbestos consultant may
5597 be licensed as an asbestos consultant without the educational
5598 requirements established pursuant to subsection (a) of this section.

5599 Sec. 125. Section 20-437 of the general statutes is repealed and the
5600 following is substituted in lieu thereof (*Effective July 1, 2009*):

5601 On and after one year following the effective date of regulations
5602 adopted pursuant to section 20-440, no person shall be employed as an
5603 asbestos abatement worker unless such worker has completed a
5604 training program on asbestos hazards and abatement procedures
5605 approved by the department and has been issued a certificate by the
5606 department. Applications for such certificate shall be made to the
5607 department on forms provided by the department and shall contain
5608 such information regarding the applicant's qualifications as may be
5609 required in regulations adopted pursuant to section 20-440, and shall
5610 be accompanied by a fee of **[**twenty-five**]** fifty dollars. The department

5611 may issue a certificate under this section to any person who is licensed
5612 or certified in another state under a law which provides standards
5613 which are equal to or higher than those of this state, provided such
5614 person is not subject to any unresolved complaints or pending
5615 disciplinary actions. Certificates issued pursuant to this section shall be
5616 renewed annually in accordance with the provisions of section 19a-88,
5617 as amended by this act, upon payment of a fee of [twenty-five] fifty
5618 dollars.

5619 Sec. 126. Section 20-457 of the general statutes is repealed and the
5620 following is substituted in lieu thereof (*Effective July 1, 2009*):

5621 (a) Each person engaged in providing association management
5622 services shall (1) exhibit his certificate of registration upon request by
5623 any interested party, (2) state in any advertisement the fact that he is
5624 registered, and (3) include his registration number in any
5625 advertisement.

5626 (b) No person shall: (1) Present or attempt to present, as his own, the
5627 certificate of another, (2) knowingly give false evidence of a material
5628 nature to the commission or department for the purpose of procuring a
5629 certificate, (3) represent himself falsely as, or impersonate, a registered
5630 community association manager, (4) use or attempt to use a certificate
5631 which has expired or which has been suspended or revoked, (5) offer
5632 to provide association management services without having a current
5633 certificate of registration under sections 20-450 to 20-462, inclusive, (6)
5634 represent in any manner that his registration constitutes an
5635 endorsement of the quality of his services or of his competency by the
5636 commission or department. In addition to any other remedy provided
5637 for in sections 20-450 to 20-462, inclusive, any person who violates any
5638 provision of this subsection shall be fined not more than five hundred
5639 dollars or imprisoned for not more than one year or be both fined and
5640 imprisoned. A violation of any of the provisions of sections 20-450 to
5641 20-462, inclusive, shall be deemed an unfair or deceptive trade practice
5642 under subsection (a) of section 42-110b.

5643 (c) Certificates issued to community association managers shall not
5644 be transferable or assignable.

5645 (d) All certificates issued under the provisions of sections 20-450 to
5646 20-462, inclusive, shall expire annually on the thirty-first day of
5647 January. The fee for renewal of a certificate shall be **[**one**]** two hundred
5648 dollars.

5649 (e) A community association manager whose certificate has expired
5650 more than one month before his application for renewal is made shall
5651 have his registration restored upon payment of a fee of **[**twenty-five**]**
5652 fifty dollars in addition to his renewal fee. Restoration of a registration
5653 shall be effective upon approval of the application for renewal by the
5654 commission.

5655 (f) A certificate shall not be restored unless it is renewed not later
5656 than one year after its expiration.

5657 (g) Failure to receive a notice of expiration or a renewal application
5658 shall not exempt a community association manager from the obligation
5659 to renew.

5660 Sec. 127. Section 20-475 of the general statutes is repealed and the
5661 following is substituted in lieu thereof (*Effective July 1, 2009*):

5662 On and after the effective date of regulations adopted pursuant to
5663 section 20-478, no entity shall hold itself out as a lead abatement
5664 contractor or lead consultant contractor, or to principally engage in
5665 such work in this state without a license issued by the Commissioner
5666 of Public Health. Applications for such license shall be made to the
5667 department on forms provided by it, and shall be accompanied by a
5668 fee of **[**five hundred**]** six hundred twenty-five dollars, and shall contain
5669 such information regarding the applicant's qualifications as the
5670 department may require in regulations adopted pursuant to said
5671 section 20-478 including, but not limited to, demonstrating that all
5672 employees of any applicant who require certification pursuant to

5673 subsections (e) and (f) of section 19a-88, as amended by this act, and
5674 sections 20-474 to 20-482, inclusive, are certified by the department.
5675 The department shall review the technical, equipment and personnel
5676 resources of each applicant. No person shall be issued a license to act
5677 as a lead abatement contractor or lead consultant contractor unless
5678 such person obtains such approval. The commissioner may issue a
5679 license under this section to any person who is licensed in another
5680 state under a law which provides standards which are equal to or
5681 higher than those of Connecticut and is not subject to any unresolved
5682 complaints or pending disciplinary actions. Licenses issued pursuant
5683 to this section shall be renewed annually in accordance with the
5684 provisions of section 19a-88, as amended by this act, upon payment of
5685 a fee of **[**five hundred**]** six hundred twenty-five dollars.

5686 Sec. 128. Section 20-476 of the general statutes is repealed and the
5687 following is substituted in lieu thereof (*Effective July 1, 2009*):

5688 On and after the effective date of regulations adopted pursuant to
5689 section 20-478, no person shall hold himself out as a lead consultant,
5690 lead abatement supervisor or a lead abatement worker as defined in
5691 regulations adopted pursuant to section 20-478, in this state without a
5692 certificate issued by the Commissioner of Public Health. Applications
5693 for such certificate shall be made to the department on forms provided
5694 by it and shall be accompanied by a fee of **[**twenty-five**]** fifty dollars,
5695 and shall contain such information regarding the applicant's
5696 qualifications as the department may require in regulations adopted
5697 pursuant to said section 20-478. No person shall be issued a certificate
5698 to act as a lead consultant, lead abatement supervisor or lead
5699 abatement worker unless such person obtains such approval. The
5700 commissioner may issue a certificate under this section to any person
5701 who is licensed or certified in another state under a law which
5702 provides standards which are equal to or higher than those of
5703 Connecticut and is not subject to any unresolved complaints or
5704 pending disciplinary actions. Certificates issued pursuant to this
5705 section shall be renewed annually in accordance with the provisions of

5706 section 19a-88, as amended by this act, upon payment of a fee of
5707 [twenty-five] fifty dollars.

5708 Sec. 129. Section 20-477 of the general statutes is repealed and the
5709 following is substituted in lieu thereof (*Effective July 1, 2009*):

5710 (a) On and after July 1, 1994, all training courses and refresher
5711 training courses offered by training providers for persons seeking
5712 instruction as a lead consultant, including inspector or planner-project
5713 designer, lead abatement supervisor and lead abatement worker, shall
5714 be approved by the department and shall be conducted in accordance
5715 with the requirements of this section. Each application for approval of
5716 each training course offered by a training provider shall be
5717 accompanied by a fee of one thousand two hundred fifty dollars. Each
5718 application for approval of each refresher training course offered by a
5719 training provider shall be accompanied by a fee of [two hundred fifty]
5720 three hundred fifteen dollars. Each training course shall be reapproved
5721 by the department every three years. Each training provider shall pay
5722 a fee of one thousand two hundred fifty dollars for application for
5723 reapproval of each training course in accordance with this section.
5724 Each refresher training course shall be reapproved by the department
5725 every three years. Each refresher training provider shall pay a fee of
5726 [two hundred fifty] three hundred fifteen dollars for application for
5727 reapproval of each refresher training course in accordance with this
5728 section. No fee shall be imposed upon training courses or refresher
5729 training courses operated and provided by the state, municipalities or
5730 nonprofit agencies. In order to facilitate uniformity among states in
5731 regulatory programs for lead abatement and lead consultant personnel
5732 and reciprocity of licensure and certification programs, the
5733 commissioner may establish liaisons with other states having state
5734 certification or licensure programs.

5735 (b) (1) A training provider seeking approval of a training course or a
5736 refresher training course shall submit to the department completed
5737 application forms provided by the department and other associated

5738 material and such information as the department shall require to
5739 establish compliance with the requirements of this section.

5740 (2) A training provider may offer any training course or refresher
5741 training course as desired, provided each course is approved by the
5742 department. Only training providers who have already received
5743 approval for a training course in a particular discipline, or are
5744 concurrently seeking such approval, may seek approval for a refresher
5745 training course in that discipline.

5746 (3) Training course curricula shall encompass topics and materials
5747 as established by the commissioner. These curricula shall conform to
5748 standards or guidance for such course as established by the federal
5749 Environmental Protection Agency or such other federal agencies as
5750 may have jurisdiction.

5751 (4) Training courses and refresher training courses shall utilize staff
5752 and faculty who comply with educational and experience standards as
5753 established by the commissioner. These standards shall conform to
5754 standards or guidance for such personnel qualifications as established
5755 by the federal Environmental Protection Agency or such other federal
5756 agencies as may have jurisdiction.

5757 (c) Refresher training courses for each training course shall include
5758 the following: (1) An overview of key safety practices; (2) an update on
5759 new federal, state and local laws and regulations; and (3) an update on
5760 new technologies. Each refresher course shall consist of a minimum of
5761 seven training hours.

5762 (d) Each training provider shall administer a closed book objective
5763 examination at the completion of each training or refresher training
5764 course. Such examination shall be an evaluation of the knowledge and
5765 skills acquired by each student. The course examination shall cover the
5766 course curriculum taught in each course. Training providers shall
5767 establish a passing standard for each course examination, provided
5768 such standard shall not be lower than seventy per cent correct.

5769 (e) The department may conduct an audit of any training course or
5770 refresher training course prior to reapproval. The training provider
5771 shall submit an application for reapproval not earlier than one
5772 hundred eighty days [nor] or later than ninety days before the current
5773 course approval expires. In the event an audit is performed, the
5774 following elements may be examined: (1) Course materials; (2)
5775 instructor competency; (3) validity and security of the course
5776 examination; (4) the conduct of hands-on skills assessments; (5)
5777 adequacy of the facility and equipment; and (6) the training course
5778 quality control plan.

5779 (f) Each training provider shall retain the following information: (1)
5780 Records of staff and faculty qualifications; (2) curriculum and course
5781 materials; (3) course examination or pool of examination questions; (4)
5782 information on how hands-on skills assessments were conducted; and
5783 (5) student files grouped alphabetically by class and year. Each student
5784 file shall contain results of the hands-on skills assessment and the
5785 examination and copies of any course completion certificate issued.
5786 The training provider shall retain these records at the location
5787 specified on the training provider's approved application for a
5788 minimum of three years.

5789 (g) The department may, after opportunity for hearing, suspend,
5790 revoke or withdraw approval of a training or refresher training course
5791 upon a finding that a training course provider has committed any of
5792 the following acts: (1) Misrepresentation or concealment of a material
5793 fact in the obtaining of approval or reapproval of a training or a
5794 refresher training course; (2) failure to submit required information or
5795 notifications in a timely manner; (3) failure to maintain requisite
5796 records; (4) falsification of records, instructor qualifications or other
5797 approval information; (5) failure to adhere to the training standards
5798 and requirements of this section; (6) failure on the part of the training
5799 manager or other person with supervisory authority over the delivery
5800 of training to comply with federal, state or local lead statutes or
5801 regulations; or (7) fraudulent issuance of a course completion

5802 document to a person who has failed to successfully complete the
5803 course or course examination. Notice of any contemplated action
5804 under this subsection, the cause of action and the date of a hearing on
5805 the action shall be given and an opportunity for hearing afforded in
5806 accordance with the provisions of chapter 54. The commissioner may
5807 petition the superior court for the judicial district of Hartford to
5808 enforce any order or action taken pursuant to this subsection. The
5809 provisions of this subsection shall not apply to applications for
5810 approval or reapproval filed pursuant to this section.

5811 (h) The commissioner may adopt regulations, in accordance with
5812 the provisions of chapter 54, requiring that applicants successfully
5813 complete an examination prescribed by the department, for
5814 certification in the following professions: Lead consultant, lead
5815 abatement supervisor and lead abatement worker.

5816 Sec. 130. Section 20-492a of the general statutes is repealed and the
5817 following is substituted in lieu thereof (*Effective July 1, 2009*):

5818 (a) The department shall issue to each applicant who achieves a
5819 passing score on the examination administered by the department
5820 pursuant to section 20-491a and who meets the requirements for
5821 licensure set forth in subsection (a) of section 20-492b and in
5822 regulations adopted by the commissioner pursuant to section 20-491 a
5823 home inspector license indicating that the holder is entitled to engage
5824 in home inspection, and the holder of such license shall carry it upon
5825 such holder's person while engaging in such work. The licensee shall
5826 show such license to any client on request. No license shall be
5827 transferred to or used by any person other than the person to whom
5828 the license was issued.

5829 (b) Prior to performing a home inspection, each licensee shall inform
5830 the client, in writing, that the licensee's work is subject to regulation by
5831 the department and that inquiries and complaints concerning the
5832 licensee's work may be directed to the department.

5833 (c) All licenses issued under the provisions of this section shall
5834 expire biennially and may be renewed upon application and payment
5835 to the department of a renewal fee in the amount of two hundred fifty
5836 dollars.

5837 (d) The department shall maintain a register containing the names
5838 of all persons to whom such licenses are issued which shall be open to
5839 public inspection.

5840 Sec. 131. Section 20-493a of the general statutes is repealed and the
5841 following is substituted in lieu thereof (*Effective July 1, 2009*):

5842 (a) The department shall issue to each applicant who meets the
5843 eligibility requirements set forth in section 20-493b and the regulations
5844 adopted by the commissioner pursuant to section 20-491 a home
5845 inspector intern permit indicating that the holder is entitled to engage
5846 in home inspection under the supervision of a licensed home inspector,
5847 and the holder of such permit shall carry it upon such holder's person
5848 while engaging in such work. Such permit shall state that it must be
5849 shown to any properly interested person on request. No permit shall
5850 be transferred to or used by any person other than the person to whom
5851 the permit was issued.

5852 (b) All permits issued under the provisions of this section shall
5853 expire biennially and may be renewed upon application and payment
5854 to the department of an application fee in the amount of **[**one**]** two
5855 hundred dollars.

5856 (c) The department shall keep a register containing the names of all
5857 persons to whom such permits are issued which shall be open to
5858 public inspection.

5859 Sec. 132. Section 20-511 of the general statutes is repealed and the
5860 following is substituted in lieu thereof (*Effective July 1, 2009*):

5861 (a) In order to obtain a certification, license, limited license or
5862 provisional license, persons who have met, to the satisfaction of the

5863 commission, the minimum requirements established by the
5864 commission for such certification, license, limited license or
5865 provisional license, shall pay to the commission, in addition to the
5866 application fee described in subsection (c) of section 20-509, an initial
5867 fee of: Three hundred seventy-five dollars, in the case of certified
5868 appraisers; two hundred [twenty-five] eighty-five dollars, in the case
5869 of licensed appraisers and limited licensed appraisers; and [fifty] one
5870 hundred dollars, in the case of provisional appraisers.

5871 (b) All certifications, licenses, limited licenses and provisional
5872 licenses issued under the provisions of sections 20-500 to 20-528,
5873 inclusive, shall expire annually and be subject to renewal. The renewal
5874 fee for certifications, licenses, limited licenses and provisional licenses,
5875 to be paid to the commission, shall be: Two hundred [twenty-five]
5876 eighty-five dollars in the case of certified appraisers; two hundred
5877 [twenty-five] eighty-five dollars in the case of licensed and limited
5878 licensed appraisers; and [fifty] one hundred dollars, in the case of
5879 provisional appraisers.

5880 (c) In order for the commission to comply with federal law and
5881 transmit a roster of real estate appraisers to the appropriate federal
5882 regulatory entity, real estate appraisers shall pay to the Commissioner
5883 of Consumer Protection, in addition to application and recordation
5884 fees, an annual registry fee established by the commission.

5885 (d) Any certification, license, limited license or provisional license
5886 which expires pursuant to this subsection may be reinstated by the
5887 commission, if, not later than two years after the date of expiration, the
5888 former certification holder, licensee, limited licensee or provisional
5889 licensee pays to the commission for each certification the sum of two
5890 hundred twenty-five dollars, for each license or limited license the sum
5891 of two hundred twenty-five dollars and for each provisional license the
5892 sum of fifty dollars for each year or fraction thereof from the date of
5893 expiration of the previous certification, license, limited license or
5894 provisional license to the date of payment for reinstatement, except

5895 that any certified, licensed, limited licensed or provisionally licensed
5896 appraiser whose certification, license, limited license or provisional
5897 license expired after entering military service shall be reinstated
5898 without payment of any fee if an application for reinstatement is filed
5899 with the commission within two years after the date of expiration. Any
5900 such reinstated certification, license, limited license or provisional
5901 license shall expire annually. Any such reinstated certification, license,
5902 limited license or provisional license shall be subject to an annual
5903 renewal thereafter.

5904 (e) Any person whose application has been filed as provided in this
5905 section and section 20-509 who is refused a certification, license,
5906 limited license or provisional license shall be given notice and afforded
5907 an opportunity for hearing as provided in the regulations adopted by
5908 the Commissioner of Consumer Protection.

5909 Sec. 133. Section 20-517 of the general statutes is repealed and the
5910 following is substituted in lieu thereof (*Effective July 1, 2009*):

5911 (a) There is hereby established an annual renewal certification,
5912 license, limited license and provisional license to be issued by the
5913 Department of Consumer Protection.

5914 (b) The commission shall authorize the Department of Consumer
5915 Protection to issue a renewal certification, license, limited license or
5916 provisional license, as the case may be, to any applicant who possesses
5917 the qualifications specified and otherwise has complied with the
5918 provisions of sections 20-500 to 20-528, inclusive, and any regulation
5919 adopted in conformity with said sections.

5920 (c) Persons certified, licensed, limited licensed or provisionally
5921 licensed in accordance with the provisions of sections 20-500 to 20-528,
5922 inclusive, shall fulfill a continuing education requirement. Applicants
5923 for an annual renewal certification, license, limited license or
5924 provisional license shall, in addition to the other requirements
5925 imposed by the provisions of said sections, biennially within any even-

5926 numbered year submit proof of compliance with the continuing
5927 education requirements of this subsection, if any, to the commission,
5928 accompanied by [an eight-dollar] a sixteen-dollar processing fee.

5929 (d) The continuing education requirements for certified, licensed,
5930 limited licensed, or provisionally licensed appraisers shall be satisfied
5931 by successful completion of the required number of hours of classroom
5932 study, during the two-year period preceding such renewal of
5933 certification, license, limited license or provisional license as provided
5934 by the commission or standards of the Appraiser Qualification Board
5935 of the Appraisal Foundation, as the case may be.

5936 (e) If the commission refuses to grant a renewal certification, license,
5937 limited license or provisional license, the certificate holder, licensee,
5938 limited licensee or provisional licensee, upon written notice received as
5939 provided for in this chapter, may avail himself or herself of any of the
5940 remedies provided by sections 20-511 and 20-520.

5941 (f) The Commissioner of Consumer Protection, in consultation with
5942 the commission, shall adopt regulations in accordance with the
5943 provisions of chapter 54, concerning the approval of schools,
5944 institutions or organizations offering courses in current real estate or
5945 real estate appraisal practices and licensing laws and the content of
5946 such courses. Such regulations may include, but not be limited to: (1)
5947 Specifications for meeting equivalent continuing educational
5948 experience or study; (2) exceptions from continuing education
5949 requirements for reasons of health or instances of individual hardship.

5950 Sec. 134. Section 20-540 of the general statutes is repealed and the
5951 following is substituted in lieu thereof (*Effective July 1, 2009*):

5952 (a) As used in this section and section 20-541:

5953 (1) "Gas service work" means the repair, alteration or maintenance
5954 of equipment, appliances, accessories or fixtures within or adjacent to a
5955 building or structure in connection with the utilization of gas supplied

5956 by a public service company.

5957 (2) "Public service gas technician" means an employee of a public
5958 service company, as defined in section 16-1, who is engaged in the
5959 supervision or performance of gas service work.

5960 (b) Notwithstanding any provisions of chapter 393 to the contrary, a
5961 public service gas technician shall be issued a certificate of registration
5962 by the Department of Consumer Protection in lieu of any license which
5963 otherwise might be required under said chapter, which shall entitle the
5964 holder of such certificate to perform gas service work only as provided
5965 in this section, provided the public service company which employs
5966 the public service gas technician certifies to the Department of
5967 Consumer Protection that the employee has obtained such training
5968 and experience deemed necessary by the public service company to
5969 perform gas service work included in such employee's job functions.
5970 All public service gas technicians employed by a public service
5971 company prior to July 1, 1995, who have completed a gas public
5972 service company's training program or are participating in such a
5973 program on said date shall be issued a certificate of registration upon
5974 the payment of the fee required in subsection (h) of this section.

5975 (c) The content and duration of the training and experience
5976 programs provided by the public service company shall be relevant to
5977 the duties of the employee and shall be approved biennially by the
5978 Labor Department. In reviewing the programs and training provided
5979 by a public service company, the Labor Department shall consider the
5980 specialization of the employees of the company, the employee's
5981 previous company training, the service record of the company, the
5982 experience of the company in training employees to perform gas
5983 service work and the quality assurance measures used by the
5984 company.

5985 (d) An employee enrolled in the company's training programs shall
5986 be issued a trainee's certificate by such company valid for the duration
5987 of the training program and may perform gas service work only under

5988 the supervision of an employee of the public service company who is a
5989 registered public service gas technician or holds a journeyman's
5990 license.

5991 (e) A public service company employing a public service gas
5992 technician shall inform the Department of Consumer Protection upon
5993 the change in job description or termination of any registered public
5994 service gas technician previously certified pursuant to subsection (b) of
5995 this section and upon the issuance or termination of a trainee's
5996 certificate provided to an employee pursuant to subsection (d) of this
5997 section.

5998 (f) A registered public service gas technician or employee of a public
5999 service company issued a trainee's certificate by such company may
6000 only perform such work on behalf of such public service company and
6001 only while in the direct employment of such public service company.
6002 Such registration or trainee's certificate shall be immediately
6003 relinquished upon termination of employment from such public
6004 service company.

6005 (g) A registered public service gas technician may not supervise any
6006 duly registered apprentice performing work under a permit issued
6007 pursuant to subdivision (4) of subsection (a) of section 20-334a.

6008 (h) The public service gas technician's registration shall expire
6009 annually. Upon application for a license, the applicant shall pay to the
6010 department a nonrefundable application fee of **[**forty-five**]** <u>ninety</u>
6011 dollars. The fee for registration as a public service gas technician shall
6012 be the same fee as that charged for a journeyman's license under
6013 section 20-335.

6014 (i) The Department of Consumer Protection may suspend or revoke
6015 a certificate granted or issued by it pursuant to this section if the
6016 holder of such certificate is convicted of a felony, is grossly
6017 incompetent, engages in malpractice or unethical conduct or
6018 knowingly makes false, misleading or deceptive representations

6019 regarding his work. Prior to such suspension or revocation, such
6020 holder shall be given notice and an opportunity for hearing as
6021 provided in regulations adopted by the Commissioner of Consumer
6022 Protection. Any person whose certificate has been suspended may,
6023 after ninety days, apply to the department to have such certificate
6024 reinstated.

6025 (j) The Department of Consumer Protection may, after notice and
6026 hearing, impose a civil penalty on any person who (1) engages in or
6027 practices gas service work without having first obtained a trainee's
6028 certificate or a certificate of registration for such work, (2) wilfully
6029 employs a person who does not have a certificate for such work, (3)
6030 wilfully and falsely pretends to qualify to engage in or practice such
6031 work, or (4) engages in or practices such work after the expiration of
6032 his certificate. Such penalty shall be in an amount not more than five
6033 hundred dollars for a first violation of this subsection, not more than
6034 seven hundred fifty dollars for a second violation and not more than
6035 one thousand five hundred dollars for each violation of this subsection
6036 occurring less than three years after a second or subsequent violation
6037 of this subsection.

6038 (k) The Department of Consumer Protection may act in accordance
6039 with the provisions of subdivision (7) of section 21a-7 in the case of a
6040 person who: (1) Knowingly engages in fraud or material deception in
6041 order to obtain a certificate to perform gas service work or doing so in
6042 order to aid another in obtaining such a certificate; (2) performs work
6043 beyond the scope of such a certificate; (3) illegally uses or transfers
6044 such a certificate; (4) performs incompetent or negligent gas service
6045 work; (5) knowingly makes false, misleading or deceptive
6046 representations to the public regarding gas service work to be
6047 performed; or (6) violates any provision of the general statutes or any
6048 regulation adopted thereunder, relating to his profession or
6049 occupation.

6050 (l) In lieu of displaying a contractor's license number, each public

6051 service company authorized pursuant to this section to employ
6052 registered public service gas technicians shall display its name, logo or
6053 other trademark which clearly identifies the company on all
6054 commercial vehicles used in its business and in a conspicuous manner
6055 on all printed advertisements, bid proposals, contracts, invoices and on
6056 all stationery used in its business.

6057 Sec. 135. Section 20-559h of the general statutes is repealed and the
6058 following is substituted in lieu thereof (*Effective July 1, 2009*):

6059 An application for registration or renewal of registration shall be
6060 accompanied by a fee in the following amount:

6061 (1) Two hundred fifty dollars for an initial application for
6062 registration;

6063 (2) Two hundred fifty dollars for an application for registration
6064 based upon a certificate of registration or licensure issued by another
6065 state;

6066 (3) Two hundred fifty dollars for an application for renewal of
6067 registration; or

6068 (4) Two hundred fifty dollars for an application for renewal of
6069 registration based upon an application for renewal of registration or
6070 licensure submitted in another state.

6071 Sec. 136. Section 20-601 of the general statutes is repealed and the
6072 following is substituted in lieu thereof (*Effective July 1, 2009*):

6073 The department shall collect the following nonrefundable fees:

6074 (1) The fee for issuance of a pharmacist license is **[**one**]** two hundred
6075 dollars, payable at the date of application for the license.

6076 (2) The fee for applying to take the pharmacist license examination
6077 required in section 20-590 and in section 20-591 is one hundred **[**fifty**]**
6078 ninety dollars, payable at the date of application for the pharmacist

6079 license.

6080 (3) The fee for renewal of a pharmacist license is the professional
6081 services fee for class A, as defined in section 33-182*l*. Before the
6082 commission grants a license to an applicant who has not held a license
6083 authorized by the commission within five years of the date of
6084 application, the applicant shall pay the fees required in subdivisions
6085 (1) and (2) of this section.

6086 (4) The fee for issuance of a pharmacy license is **[**six hundred**]** seven
6087 hundred fifty dollars.

6088 (5) The fee for renewal of a pharmacy license is one hundred **[**fifty**]**
6089 ninety dollars.

6090 (6) The late fee for an application for renewal of a license to practice
6091 pharmacy, a pharmacy license or a permit to sell nonlegend drugs is
6092 the amount set forth in section 21a-4.

6093 (7) The fee for notice of a change in officers or directors of a
6094 corporation holding a pharmacy license is **[**thirty**]** sixty dollars for each
6095 pharmacy license held. A late fee for failing to give such notice within
6096 ten days of the change is **[**twenty-five**]** fifty dollars in addition to the
6097 fee for notice.

6098 (8) The fee for filing notice of a change in name, ownership or
6099 management of a pharmacy is **[**forty-five**]** ninety dollars. A late fee for
6100 failing to give such notice within ten days of the change is **[**twenty-
6101 five**]** fifty dollars in addition to the fee for notice.

6102 (9) The fee for application for registration as a pharmacy intern is
6103 **[**thirty**]** sixty dollars.

6104 (10) The fee for application for a permit to sell nonlegend drugs is
6105 **[**seventy**]** one hundred forty dollars.

6106 (11) The fee for renewal of a permit to sell nonlegend drugs is **[**fifty**]**

6107 one hundred dollars.

6108 (12) The late fee for failing to notify the commission of a change of
6109 ownership, name or location of the premises of a permit to sell
6110 nonlegend drugs within five days of the change is [ten] twenty dollars.

6111 (13) The fee for issuance of a nonresident pharmacy certificate of
6112 registration is [six hundred] seven hundred fifty dollars.

6113 (14) The fee for renewal of a nonresident pharmacy certificate of
6114 registration is one hundred [fifty] ninety dollars.

6115 (15) The fee for application for registration as a pharmacy technician
6116 is [fifty] one hundred dollars.

6117 (16) The fee for renewal of a registration as a pharmacy technician is
6118 [twenty-five] fifty dollars.

6119 (17) The fee for issuance of a temporary permit to practice pharmacy
6120 is [one] two hundred dollars.

6121 Sec. 137. Section 20-653 of the general statutes is repealed and the
6122 following is substituted in lieu thereof (*Effective July 1, 2009*):

6123 (a) Any person seeking a license under the provisions of sections 20-
6124 650 to 20-656, inclusive, shall apply to the board in writing on a form
6125 provided by the board. Such application shall include the applicant's
6126 name, residence address, business address and such other information
6127 as the Commissioner of Consumer Protection may require by
6128 regulation adopted in accordance with chapter 54 upon the
6129 recommendation of the board.

6130 (b) Each application for a license under the provisions of sections 20-
6131 650 to 20-656, inclusive, shall be accompanied by a nonrefundable
6132 application fee of [fifty] one hundred dollars and a license fee of one
6133 hundred [fifty] ninety dollars. The fee for the renewal of any license
6134 issued under the provisions of sections 20-650 to 20-656, inclusive,

6135 shall be one hundred [fifty] ninety dollars.

6136 Sec. 138. Section 20-660 of the general statutes is repealed and the
6137 following is substituted in lieu thereof (*Effective July 1, 2009*):

6138 (a) No person shall practice hypnosis or hold himself or herself out
6139 as a hypnotist in this state without first registering with the
6140 Department of Consumer Protection pursuant to subsection (b) of this
6141 section.

6142 (b) Each person who practices hypnosis in this state shall, upon
6143 payment of an application fee of [fifty] one hundred dollars, register
6144 with the Department of Consumer Protection on a form provided by
6145 the department with such information and attestation as the
6146 Commissioner of Consumer Protection deems necessary, including,
6147 but not limited to, (1) such person's name in full, (2) such person's
6148 residential and business addresses, and (3) a representation, in writing,
6149 that such person is not subject to the registration requirements of
6150 chapter 969. Each such person shall notify the department, in writing,
6151 not later than thirty days after the date of any change in such person's
6152 name, residential address or business address or if such person
6153 becomes subject to the registration requirements of chapter 969. A
6154 registration shall expire annually and may be renewed upon payment
6155 of a renewal fee of [fifty] one hundred dollars.

6156 (c) The Commissioner of Consumer Protection may deny
6157 registration as a hypnotist to an individual who has been the subject of
6158 a finding rendered pursuant to subsection (d) of this section. The
6159 registry shall contain information concerning any individual who has
6160 been denied said registration, as well as any brief statement disputing
6161 such denial by such individual.

6162 (d) The Department of Consumer Protection shall receive and
6163 investigate complaints against individuals who are practicing or have
6164 practiced hypnosis in this state and may cause a prosecution to be
6165 instigated based on such investigation. The grounds for complaint

6166 shall include physical or sexual abuse, misappropriation of property,
6167 and fraud or deceit in obtaining or attempting to obtain registration as
6168 a hypnotist. A hypnotist shall be given written notice by certified mail
6169 by the commissioner of any complaint against him or her. A hypnotist
6170 who wishes to appeal a complaint against him or her shall, not later
6171 than thirty days after the date of the mailing, file with the department
6172 a request in writing for a hearing to contest the complaint. Any such
6173 hearing shall be conducted pursuant to chapter 54. The commissioner
6174 shall render a finding on such complaint and enter such finding on the
6175 registry. The commissioner shall have the authority to render a finding
6176 and enter such finding on the registry against an individual who is
6177 practicing or has practiced hypnosis in this state, without regard to
6178 whether such individual is on the registry or has obtained registration
6179 as a hypnotist from the department.

6180 (e) A hypnotist may petition the Commissioner of Consumer
6181 Protection to have the finding removed from the registry upon a
6182 determination by the commissioner that: (1) The employment and
6183 personal history of the hypnotist does not reflect a pattern of abusive,
6184 deceitful or fraudulent behavior; and (2) the conduct involved in the
6185 original finding was a singular occurrence. In no case shall a
6186 determination on a petition submitted under this subsection be made
6187 prior to the expiration of a one-year period beginning on the date on
6188 which the finding was added to the registry pursuant to subsection (d)
6189 of this section.

6190 (f) The Commissioner of Consumer Protection may, after notice and
6191 hearing, in accordance with the provisions of chapter 54, assess a civil
6192 penalty of not more than one hundred dollars against any person who
6193 has practiced hypnosis in this state without first registering with the
6194 department pursuant to subsection (b) of this section.

6195 (g) The Commissioner of Consumer Protection shall revoke the
6196 registration of a person under this section after notice and hearing in
6197 accordance with the provisions of chapter 54 if such person becomes

6198 subject to the registration requirements of chapter 969.

6199 (h) The provisions of this section do not apply to any person
6200 licensed in this state to provide medical, dental, nursing, counseling or
6201 other health care, substance abuse or mental health services.

6202 (i) The Commissioner of Consumer Protection, in consultation with
6203 the Commissioner of Public Health, may adopt regulations, in
6204 accordance with chapter 54, to implement the provisions of this
6205 section.

6206 (j) For purposes of this section, "hypnosis" means an artificially
6207 induced altered state of consciousness, characterized by heightened
6208 suggestibility and receptivity to direction.

6209 Sec. 139. Section 20-672 of the general statutes is repealed and the
6210 following is substituted in lieu thereof (*Effective July 1, 2009*):

6211 (a) Any person seeking a certificate of registration as a homemaker-
6212 companion agency shall apply to the Commissioner of Consumer
6213 Protection, in writing, on a form provided by the commissioner. The
6214 application shall include the applicant's name, residence address,
6215 business address, business telephone number and such other
6216 information as the commissioner may require. An applicant shall also
6217 be required to certify under oath to the commissioner that: (1) Such
6218 agency complies with the requirements of section 20-678 concerning
6219 employee comprehensive background checks, (2) such agency
6220 provides all persons receiving homemaker or companion services with
6221 a written individualized contract or service plan that specifically
6222 identifies the anticipated scope, type, frequency and duration of
6223 homemaker or companion services provided by the agency to the
6224 person, (3) such agency maintains a surety bond, and (4) all records
6225 maintained by such agency shall be open, at all reasonable hours, for
6226 inspection, copying or audit by the commissioner.

6227 (b) Each application for a certificate of registration as a homemaker-

6228 companion agency shall be accompanied by a fee of three seventy-five
6229 hundred dollars.

6230 (c) Upon the failure by a homemaker-companion agency to comply
6231 with the registration provisions of this section, the Attorney General, at
6232 the request of the Commissioner of Consumer Protection, is authorized
6233 to apply in the name of the state of Connecticut to the Superior Court
6234 for an order temporarily or permanently restraining and enjoining a
6235 homemaker-companion agency from continuing to do business in the
6236 state.

6237 Sec. 140. Section 21-28 of the general statutes is repealed and the
6238 following is substituted in lieu thereof (*Effective July 1, 2009*):

6239 (a) Each itinerant vendor or managing itinerant vendor shall obtain
6240 a license from the Department of Consumer Protection prior to
6241 conducting business in this state. Application for such license shall be
6242 made on a form prescribed by the Commissioner of Consumer
6243 Protection and the commissioner shall require as a condition to the
6244 issuance and renewal of any license obtained under this chapter that
6245 the application for such license shall be accompanied by a license fee of
6246 **[**one**]** two hundred dollars, together with a fee of **[**one**]** two hundred
6247 dollars payable to the Itinerant Vendor Guaranty Fund established in
6248 section 21-33b. Such license shall authorize the licensee to do business
6249 in this state in conformity with the provisions of this chapter for the
6250 term of one year from the date thereof. Each license shall set forth a
6251 copy of the application upon which it is granted and shall not be
6252 transferable. Each itinerant vendor or managing itinerant vendor
6253 licensed under this chapter shall display in a conspicuous manner in
6254 all printed advertisements, the license number and the name under
6255 which the license is issued. Any license obtained, held or used in
6256 violation of law shall be void. All applications for state licenses shall be
6257 sworn to, shall disclose the names and residences of the owner or
6258 owners or parties in whose interest the business is to be conducted,
6259 and shall be kept on file by the commissioner, and a record shall be

6260 kept by him of all licenses issued upon such applications. All files and
6261 records, both of the commissioner and of the several towns, cities and
6262 boroughs, relative to such licenses shall be in convenient form and
6263 open for public inspection.

6264 (b) At least ten days prior to the commencement of any organized
6265 show of itinerant vendors, each managing itinerant vendor shall
6266 submit a list of participating vendors to the commissioner, together
6267 with any other information which the commissioner may prescribe.
6268 The list of participating itinerant vendors in each show shall be
6269 maintained by the managing itinerant vendor for a period of one year
6270 and shall be made available to the commissioner within ten days of a
6271 written request by the commissioner.

6272 (c) For the purposes of this chapter, any itinerant vendor who
6273 participates in any show under the direction and control of a managing
6274 itinerant vendor, shall be deemed to be an agent of the managing
6275 itinerant vendor and shall not be required to obtain an individual
6276 itinerant vendor license.

6277 (d) The commissioner, after providing notice and conducting a
6278 hearing in accordance with the provisions of chapter 54, may revoke,
6279 suspend or refuse to issue an itinerant vendor license or a managing
6280 itinerant vendor license to any person who (1) engages in conduct of a
6281 character likely to mislead, deceive or defraud the public or the
6282 commissioner; (2) engages in any untruthful or misleading advertising;
6283 or (3) violates any provision of the general statutes relating to this
6284 chapter or any regulation adopted pursuant to section 21-33a or 42-
6285 110b.

6286 Sec. 141. Section 21-35m of the general statutes is repealed and the
6287 following is substituted in lieu thereof (*Effective July 1, 2009*):

6288 (a) No person shall act as a promoter, as defined in section 21-35a,
6289 for any closing-out sale unless he has first registered with the
6290 commissioner. Applications for registration and for the renewal of a

6291 registration shall be in writing, under oath in the form prescribed by
6292 the commissioner and shall be accompanied by a fee of **[**one**]** two
6293 hundred dollars. The application shall contain such information as the
6294 commissioner shall require. Each registration shall be valid for one
6295 year and may be renewed for additional one-year periods.

6296 (b) Each agreement between a promoter and a closing-out sale
6297 licensee shall: (1) Be in writing; (2) contain the date of the agreement;
6298 (3) contain the entire agreement between the promoter and licensee; (4)
6299 contain the name and address of the promoter; and (5) be signed by
6300 both parties.

6301 (c) The commissioner, after providing notice and conducting a
6302 hearing in accordance with the provisions of chapter 54, may revoke or
6303 suspend the registration of any person as a promoter for (1) conduct of
6304 a character likely to mislead, deceive or defraud the public or the
6305 commissioner; (2) engaging in any untruthful or misleading
6306 advertising; or (3) violating any provision of this chapter relating to
6307 closing-out sales or any regulation established pursuant to section 21-
6308 35i or 42-110b. In addition, the commissioner, after providing notice
6309 and conducting a hearing in accordance with the provisions of chapter
6310 54 may impose a civil penalty of not more than five hundred dollars
6311 for each offense. Each violation with respect to each separate item of
6312 merchandise shall be deemed a separate offense.

6313 Sec. 142. Section 21-67 of the general statutes is repealed and the
6314 following is substituted in lieu thereof (*Effective July 1, 2009*):

6315 (a) Application for a license to operate a mobile manufactured home
6316 park shall be made in writing to the department on such forms and in
6317 such manner and accompanied by such evidence in support of the
6318 application as the department may prescribe together with a fee
6319 determined in accordance with subsection (c) of this section.
6320 Certification of approval by the appropriate local official or
6321 commission of compliance with the State Building Code and any
6322 existing municipal ordinance or planning or zoning regulation shall

6323 accompany such application.

6324 (b) The department shall, within sixty-five days after the receipt of
6325 the application, review the application, plans and specifications and
6326 inspect the location. If the department finds that the proposed park
6327 meets the provisions of this chapter and of any other state statutes or
6328 regulations and municipal ordinances or regulations, it shall approve
6329 the application and, subject to reinspection and approval on
6330 completion of the park or sections of the park and payment of the
6331 annual license fee as provided in subsection (c), shall issue a license
6332 effective for one year.

6333 (c) The annual license fee for each mobile manufactured home park
6334 shall be computed on the basis of the number of mobile manufactured
6335 home spaces located in the park in accordance with the following
6336 schedule:

T1 Not more than twenty-nine	
T2 spaces	**[**One hundred
T3	twenty-five**]** two
	hundred fifty dollars
T4	plus three dollars
T5	for each space
T6 More than twenty-nine	
T7 but not more than	
T8 fifty spaces	**[**Six hundred
T9	eighty-eight**]** eight
	hundred sixty dollars
T10 More than fifty	
T11 but not more than	
T12 one hundred spaces	One thousand
T13	**[**sixty-three**]** three
	hundred fifteen
	dollars

More than one hundred spaces	One thousand [two hundred fifty] five hundred dollars

No municipality shall charge any fee or assessment under a mobile manufactured home or trailer ordinance or zoning regulation other than a fee for seasonal use.

(d) The department shall, upon receipt of a renewal application, accompanied by the annual license fee, and after inspection of the mobile manufactured home park and determination that the park continues to conform with the requirements of this chapter, issue a renewal license.

(e) The department shall annually issue a mobile manufactured home seller's license to any person who, on October 1, 1992, has a valid Department of Motor Vehicles dealers' and repairers' license under which the licensee has engaged in the sale or resale of mobile manufactured homes. The mobile manufactured home seller's license shall allow the licensee, or any of his employees, to sell new or used mobile manufactured homes. The mobile manufactured home seller's license shall be issued annually after payment of an annual licensing fee of three hundred seventy-five dollars. No person, except a person licensed or specifically exempted under chapter 392, shall act as a real estate broker or a real estate agent for the resale of a mobile manufactured home without a license issued pursuant to this subsection.

Sec. 143. Section 21a-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) The applicant for a vending machine operator's license shall pay a license fee according to the following schedule: For machines vending products at one penny; a fee of [ten] twenty dollars for the first three machines; a fee of [twenty] forty dollars for four but not more than fifty machines; a fee of [forty] eighty dollars for fifty-one but

6365 not more than one hundred machines; and for operators of more than
6366 one hundred machines, a fee of [forty] eighty dollars for each one
6367 hundred machines or fraction thereof. For machines vending products
6368 at five cents or more; a fee of [twenty] forty dollars for the first three
6369 machines; a fee of [fifty] one hundred dollars for four but not more
6370 than fifty machines; a fee of [one] two hundred dollars for fifty-one but
6371 not more than one hundred machines; and for operators of more than
6372 one hundred machines, a fee of [one] two hundred dollars for each one
6373 hundred machines or fraction thereof. An operator may place
6374 machines in operation in excess of the number permitted by the fee
6375 schedule for his license, during the period covered by such license,
6376 provided he shall pay the higher fee required by the fee schedule for
6377 the applicable number of machines, less the fee previously paid for
6378 such period.

6379 (b) An applicant who operates machines in both vending price
6380 categories shall pay the sum of the fees in each appropriate category.

6381 (c) The provisions of this section shall not apply to any religious
6382 association or society, any department or agency of the United States,
6383 the state or any political subdivision of this state, or to any person
6384 exempted under the provisions of section 10-303. The commissioner
6385 may exempt from the provisions of this section any amateur athletic
6386 group composed principally of minors, any association of youths
6387 sponsored by the Division of State Police within the Department of
6388 Public Safety or a municipal police department or the members
6389 thereof, and any charitable or philanthropic organization registered
6390 with the Commissioner of Consumer Protection under the provisions
6391 of section 21a-190b or exempted from such registration under the
6392 provisions of section 21a-190d upon finding that the application of this
6393 section to any such group, association or organization would not
6394 materially aid in its administration and that such exception would not
6395 be inimical to public health and safety.

6396 Sec. 144. Section 21a-52 of the general statutes is repealed and the

6397 following is substituted in lieu thereof (*Effective July 1, 2009*):

6398 The license fee for a retail manufacturer of frozen desserts shall be
6399 **[**twenty-five**]** fifty dollars for each plant. The license fee for a wholesale
6400 manufacturer to manufacture frozen desserts or frozen dessert mix
6401 within Connecticut or to sell within Connecticut, as the case may be,
6402 shall be **[**fifty**]** one hundred dollars for the first twenty-five thousand
6403 gallons or fraction thereof and an additional **[**seventy-five**]** one dollar
6404 and fifty cents per thousand gallons or fraction thereof above twenty-
6405 five thousand gallons manufactured or sold in Connecticut during the
6406 previous calendar year, provided such fee shall not exceed **[**twenty-
6407 five hundred**]** five thousand dollars. In any case where dessert mix is
6408 manufactured by a particular manufacturer and such mix is
6409 subsequently converted by the same manufacturer into frozen dessert,
6410 either in the same plant or in another owned by such manufacturer,
6411 the license fee payable by such manufacturer on account of all of the
6412 processes wherein such mix is concerned shall be computed on the
6413 basis of the total number of gallons of finished frozen desserts so
6414 manufactured using such mix, and no license fee shall be due or
6415 payable on any such frozen mix so manufactured and used. The fee
6416 shall be tendered to the Commissioner of Consumer Protection with
6417 the application and, upon the issuance of the license, shall be remitted
6418 by the commissioner to the State Treasurer.

6419 Sec. 145. Section 21a-70 of the general statutes is repealed and the
6420 following is substituted in lieu thereof (*Effective July 1, 2009*):

6421 (a) As used in this section: (1) "Wholesaler" or "distributor" means a
6422 person, whether within or without the boundaries of the state of
6423 Connecticut, who supplies drugs, medical devices or cosmetics
6424 prepared, produced or packaged by manufacturers, to other
6425 wholesalers, manufacturers, distributors, hospitals, prescribing
6426 practitioners, as defined in subdivision (22) of section 20-571,
6427 pharmacies, federal, state or municipal agencies, clinics or any other
6428 person as permitted under subsection (h) of this section, except that a

6429 retail pharmacy or a pharmacy within a licensed hospital which
6430 supplies to another such pharmacy a quantity of a noncontrolled drug
6431 or a schedule III, IV or V controlled substance normally stocked by
6432 such pharmacies to provide for the immediate needs of a patient
6433 pursuant to a prescription or medication order of an authorized
6434 practitioner, a pharmacy within a licensed hospital which supplies
6435 drugs to another hospital or an authorized practitioner for research
6436 purposes, and a retail pharmacy which supplies a limited quantity of a
6437 noncontrolled drug or of a schedule II, III, IV or V controlled substance
6438 for emergency stock to a practitioner who is a medical director of a
6439 chronic and convalescent nursing home, of a rest home with nursing
6440 supervision or of a state correctional institution shall not be deemed a
6441 wholesaler under this section; (2) "manufacturer" means a person
6442 whether within or without the boundaries of the state of Connecticut
6443 who produces, prepares, cultivates, grows, propagates, compounds,
6444 converts or processes, directly or indirectly, by extraction from
6445 substances of natural origin or by means of chemical synthesis or by a
6446 combination of extraction and chemical synthesis, or who packages,
6447 repackages, labels or relabels a container under such manufacturer's
6448 own or any other trademark or label any drug, device or cosmetic for
6449 the purpose of selling such items. The words "drugs", "devices" and
6450 "cosmetics" shall have the meaning ascribed to them in section 21a-92;
6451 and (3) "commissioner" means the Commissioner of Consumer
6452 Protection.

6453 (b) No wholesaler or manufacturer shall operate as such until he has
6454 received a certificate of registration issued by the commissioner, which
6455 certificate shall be renewed annually, provided no such certificate shall
6456 be required of a manufacturer whose principal place of business is
6457 located outside the state, who is registered with the federal Food and
6458 Drug Administration or any successor agency and who files a copy of
6459 such registration with the commissioner. A fee of one hundred **[**fifty**]**
6460 <u>ninety</u> dollars shall be charged for each wholesaler's certificate and
6461 renewal thereof and the fee for a manufacturer's certificate and
6462 renewal thereof shall be two hundred **[**twenty-five**]** <u>eighty-five</u> dollars

6463 for manufacturers employing not more than five licensed pharmacists
6464 or qualified chemists or both; three hundred seventy-five dollars for
6465 manufacturers employing not more than ten licensed pharmacists or
6466 qualified chemists or both; and [seven hundred fifty] nine hundred
6467 forty dollars for manufacturers employing more than ten licensed
6468 pharmacists or qualified chemists or both. No such certificate shall be
6469 issued to a manufacturer unless such drugs, medical devices or
6470 cosmetics are manufactured or compounded under the direct
6471 supervision of a licensed pharmacist or a qualified chemist. No
6472 certificate of registration shall be issued under this section until the
6473 applicant has furnished proof satisfactory to the commissioner that the
6474 applicant is equipped as to facilities and apparatus to properly carry
6475 on the business described in his application and that the applicant
6476 conforms to chapter 418 and regulations adopted thereunder.

6477 (c) The commissioner shall have the right to deny a certificate of
6478 registration if he determines that the issuance of such registration is
6479 inconsistent with the public interest. In determining the public interest,
6480 the commissioner shall consider, at a minimum, the following factors:

6481 (1) Any convictions or regulatory actions involving the applicant
6482 under any federal, state or local law relating to drug samples,
6483 wholesale or retail drug distribution, or distribution or possession of
6484 drugs including controlled substances;

6485 (2) Any felony convictions of the applicant under federal, state or
6486 local laws;

6487 (3) The applicant's past experience in the manufacture or
6488 distribution of drugs;

6489 (4) The furnishing by the applicant of false or fraudulent material in
6490 any application made in connection with drug manufacturing or
6491 distribution;

6492 (5) Suspension, revocation or other sanction by federal, state or local

6493 government of any license or registration currently or previously held
6494 by the applicant for the manufacture or distribution of any drugs;

6495 (6) Compliance with licensing or registration requirements under
6496 previously granted licenses or registrations;

6497 (7) Compliance with requirements to maintain or make available to
6498 the commissioner or to federal, state or local law enforcement officials
6499 those records required by any federal or state statute or regulation;

6500 (8) Failure to provide adequate control against the diversion, theft
6501 and loss of drugs;

6502 (9) Provision of required security for legend drugs and, in the case
6503 of controlled substances, compliance with security requirements for
6504 wholesalers set forth in regulations adopted under chapter 420b; and

6505 (10) Compliance with all regulations adopted to enforce the
6506 provisions of this section.

6507 (d) The commissioner may suspend, revoke or refuse to renew a
6508 registration, or may issue a letter of reprimand or place a registrant on
6509 probationary status, for sufficient cause. Any of the following shall be
6510 sufficient cause for such action:

6511 (1) The furnishing of false or fraudulent information in any
6512 application or other document filed with the commissioner;

6513 (2) Any criminal conviction of the registrant under any federal or
6514 state statute concerning drugs;

6515 (3) The suspension, revocation or other restriction or penalty issued
6516 against a license or registration related to drugs;

6517 (4) Failure to provide adequate control against the diversion, theft
6518 and loss of drugs; or

6519 (5) A violation of any provision of any federal or state statute or

6520 regulation concerning drugs.

6521 (e) Wholesalers shall operate in compliance with applicable federal,
6522 state and local statutes, regulations and ordinances, including any
6523 applicable laws concerning controlled substances, drug product
6524 salvaging or reprocessing.

6525 (f) Wholesalers and manufacturers shall permit the commissioner,
6526 or his authorized representatives, to enter and inspect their premises
6527 and delivery vehicles, and to audit their records and written operating
6528 procedures, at reasonable times and in a reasonable manner.

6529 (g) Before denying, suspending, revoking or refusing to renew a
6530 registration, or before issuing a letter of reprimand or placing a
6531 registrant on probationary status, the commissioner shall afford the
6532 applicant or registrant an opportunity for a hearing in accordance with
6533 the provisions of chapter 54. Notice of such hearing may be given by
6534 certified mail. The commissioner may subpoena witnesses and require
6535 the production of records, papers and documents pertinent to such
6536 hearing.

6537 (h) No manufacturer or wholesaler shall sell any drugs except to the
6538 state or any political subdivision thereof, to another manufacturer or
6539 wholesaler, to any hospital recognized by the state as a general or
6540 specialty hospital, to any institution having a full-time pharmacist who
6541 is actively engaged in the practice of pharmacy in such institution not
6542 less than thirty-five hours a week, to a chronic and convalescent
6543 nursing home having a pharmacist actively engaged in the practice of
6544 pharmacy based upon the ratio of one-tenth of one hour per patient
6545 per week but not less than twelve hours per week, to a practicing
6546 physician, podiatrist, dentist, optometrist or veterinarian or to a
6547 licensed pharmacy or a store to which a permit to sell nonlegend drugs
6548 has been issued as provided in section 20-624. The commissioner may
6549 adopt such regulations as are necessary to administer and enforce the
6550 provisions of this section.

6551 (i) Any person who violates any provision of this section shall be
6552 fined not more than five hundred dollars or imprisoned not more than
6553 six months, or both.

6554 Sec. 146. Section 21a-79 of the general statutes is repealed and the
6555 following is substituted in lieu thereof (*Effective July 1, 2009*):

6556 (a) For the purposes of this section (1) "consumer commodity" and
6557 "unit of a consumer commodity" have the same meaning as in section
6558 21a-73, except that consumer commodity does not include alcoholic
6559 liquor, as defined in subdivision (3) of section 30-1, or a carbonated
6560 soft drink container; (2) "carbonated soft drink container" means an
6561 individual, separate, sealed glass, metal or plastic bottle, can, jar or
6562 carton containing a carbonated liquid soft drink sold separately or in
6563 packages of not more than twenty-four individual containers; (3)
6564 "universal product coding" means any system of coding that entails
6565 electronic pricing; (4) an electronic shelf labeling system is an
6566 electronic system that utilizes an electronic device attached to the shelf
6567 or at any other point of sale, immediately below or above the item, that
6568 conspicuously and clearly displays to the consumer the unit price and
6569 the price of the consumer commodity. Such electronic shelf labeling
6570 system reads the exact same data as the electronic cash register
6571 scanning system; and (5) an electronic pricing system is a system that
6572 utilizes the universal product coding bar code by means of a scanner in
6573 combination with the cash register to record and total a customer's
6574 purchases.

6575 (b) (1) (A) Any person, firm, partnership, association or corporation
6576 that utilizes universal product coding in totaling a retail customer's
6577 purchases shall mark or cause to be marked each consumer
6578 commodity that bears a Universal Product Code with its retail price.

6579 (B) Any person, firm, partnership, association or corporation that
6580 utilizes an electronic pricing system in totaling a retail consumer's
6581 purchases shall provide each consumer with an item-by-item digital
6582 display, plainly visible to the consumer as each universal pricing code

6583 is scanned, of the price of each consumer commodity or carbonated
6584 soft drink container, or both, selected for purchase by such consumer
6585 prior to accepting payment from such consumer for such commodity
6586 or container. The provisions of this subparagraph do not apply to any
6587 person, firm, partnership, association or corporation operating in a
6588 retail sales area of not more than ten thousand square feet.

6589 (2) The provisions of subparagraph (A) of subdivision (1) of this
6590 subsection shall not apply if: (A) The Commissioner of Consumer
6591 Protection, by regulation, allows for the utilization of electronic shelf
6592 labeling systems; (B) a retailer is granted approval to utilize an
6593 electronic shelf labeling system by the commissioner; (C) the retailer
6594 has demonstrated to the satisfaction of the commissioner that such
6595 electronic shelf labeling system is supported by an electronic pricing
6596 system that utilizes universal product coding in totaling a retail
6597 customer's purchases; and (D) the retailer has received approval for
6598 such an electronic pricing system by the commissioner.

6599 (3) The provisions of subparagraph (A) of subdivision (1) of this
6600 subsection shall not apply if: (A) The retailer has met the conditions of
6601 subdivision (2) of this subsection; and (B) the retailer has received
6602 permission by the commissioner to suspend implementation of the
6603 electronic pricing system for a period not to exceed thirty days in order
6604 to allow the retailer or an agent acting on behalf of the retailer to reset,
6605 remodel, repair or otherwise modify such system at the retail
6606 establishment.

6607 (4) The provisions of subparagraph (A) of subdivision (1) of this
6608 subsection shall not apply if: (A) The retailer applies and is approved
6609 for an exemption by the Commissioner of Consumer Protection, (B) the
6610 retailer demonstrates to the satisfaction of the commissioner that the
6611 retailer has achieved price scanner accuracy of at least ninety-eight per
6612 cent, as determined by the latest version of the National Institute of
6613 Standards and Technology Handbook 130, "Examination Procedures
6614 for Price Verification, as adopted by The National Conference on

6615 Weights and Measures", (C) the retailer pays an application fee, to be
6616 used to offset annual inspection costs, of [two hundred fifty] three
6617 hundred fifteen dollars if the premises consists of less than twenty
6618 thousand square feet of retail space and [five hundred] six hundred
6619 twenty-five dollars if the premises consists of twenty thousand square
6620 feet or more of retail space, (D) the retailer makes available a consumer
6621 price test scanner approved by the commissioner and located
6622 prominently in an easily accessible location for each twelve thousand
6623 square feet of retail floor space, or fraction thereof, and (E) price
6624 accuracy inspections resulting in less than ninety-eight per cent price
6625 scanner accuracy are reinspected without penalty and the retailer pays
6626 a [two-hundred-dollar] two-hundred-fifty-dollar reinspection fee.

6627 (5) Notwithstanding any provision of this subsection, consumer
6628 commodities that are offered for sale and that are located on an end
6629 cap display within the retail sales area are not subject to the
6630 requirements specified under this subsection, provided any
6631 information that would have been available to a consumer pursuant to
6632 this section is clearly and conspicuously posted on or adjacent to such
6633 end cap. For purposes of this subdivision, "end cap display" means the
6634 location in the retail sales area that is at the immediate end of an aisle.

6635 (6) Consumer commodities that are advertised in a publicly-
6636 circulated printed form as being offered for sale at a reduced price for
6637 a minimum seven-day period need not be individually marked at such
6638 reduced retail price, provided such consumer commodities are
6639 individually marked with their regular retail price and a conspicuous
6640 sign is adjacent to such consumer commodities, which sign discloses:
6641 (A) The reduced retail price and its unit price; and (B) a statement that
6642 the item will be electronically priced at the reduced price by the
6643 cashier.

6644 (7) If a consumer commodity is offered for sale and its electronic
6645 price is higher than the posted price, then one item of such consumer
6646 commodity, up to a value of twenty dollars, shall be given to the

6647 consumer at no cost. A conspicuous sign shall adequately disclose to
6648 the consumer that in the event the electronic price is higher than the
6649 posted retail price, one item of such consumer commodity shall be
6650 given to the customer at no cost.

6651 (c) (1) The Commissioner of Consumer Protection may adopt
6652 regulations, in accordance with the provisions of chapter 54,
6653 concerning the marking of prices and use of universal product coding
6654 on each unit of a consumer commodity.

6655 (2) The Commissioner of Consumer Protection may adopt
6656 regulations, in accordance with the provisions of chapter 54,
6657 designating not more than twelve consumer commodities that need
6658 not be marked in accordance with subdivision (1) of subsection (b) of
6659 this section and specifying the method of providing adequate
6660 disclosure to consumers to insure that the electronic pricing of the
6661 designated consumer commodities is accurate. The commissioner may
6662 establish by regulation methods to protect consumers against
6663 electronic pricing errors of such designated consumer commodities
6664 and to insure that the electronic prices of such designated consumer
6665 commodities are accurate. Among the methods that the commissioner
6666 may consider are conditions similar to those set forth in subdivision (5)
6667 of subsection (b) of this section.

6668 (d) The Commissioner of Consumer Protection, after providing
6669 notice and conducting a hearing in accordance with the provisions of
6670 chapter 54, may issue a warning citation or impose a civil penalty of
6671 not more than one hundred dollars for the first offense and not more
6672 than five hundred dollars for each subsequent offense on any person,
6673 firm, partnership, association or corporation that violates any
6674 provision of subsection (b) of this section or any regulation adopted
6675 pursuant to subsection (c) of this section. Any person, firm,
6676 partnership, association or corporation that violates any provision of
6677 subsection (b) of this section or any regulation adopted pursuant to
6678 subsection (c) of this section shall be fined not more than two hundred

6679 dollars for the first offense and not more than one thousand dollars for
6680 each subsequent offense. Each violation with respect to all units of a
6681 particular consumer commodity on any single day shall be deemed a
6682 single offense.

6683 Sec. 147. Section 21a-137 of the general statutes is repealed and the
6684 following is substituted in lieu thereof (*Effective July 1, 2009*):

6685 A fee of **[**seventy-five**]** one hundred fifty dollars shall accompany
6686 each application for the license provided for in section 21a-136. Each
6687 such license shall expire annually. Such license shall be in such form as
6688 the commissioner determines and shall be kept exposed to view in a
6689 conspicuous place upon the premises where such business is
6690 conducted or carried on. All fees received for such licenses shall be
6691 paid by the commissioner to the State Treasurer. No person, firm or
6692 corporation shall sell or offer for sale within the state any beverages
6693 manufactured or bottled beyond the boundaries of the state unless
6694 such person, firm or corporation has made application for and secured
6695 a license from said commissioner upon the payment of **[**seventy-five**]**
6696 one hundred fifty dollars, and no such license shall be issued by said
6697 commissioner until such establishment has been inspected by him or
6698 his agent or until such establishment has furnished said commissioner
6699 a certificate from the commission having the enforcement of the
6700 beverage law in the state where such establishment is located that such
6701 establishment complies in every respect with the requirements of the
6702 Connecticut beverage law. The provisions of this section shall not
6703 apply to out-of-state manufacturers, bottlers or distributors of malt
6704 and cereal drinks, grape juice, lime juice, fruit-flavored syrups,
6705 powders or mixtures, concentrated fruit juices or fruit and vegetable
6706 juices.

6707 Sec. 148. Section 21a-146 of the general statutes is repealed and the
6708 following is substituted in lieu thereof (*Effective July 1, 2009*):

6709 (a) Under the provisions of this part apple juice is exempted from
6710 the provisions of part I. Any plant or place where juice is extracted

6711 from apples or put in containers shall be registered with the
6712 Commissioner of Consumer Protection and shall be subject to sanitary
6713 inspection by the commissioner or his agents and to labeling
6714 regulations promulgated by the commissioner. The registration fee
6715 shall be [ten] twenty dollars per year and shall accompany each
6716 registration application. Each registration shall expire annually. The
6717 form of registration application shall be specified by the commissioner.

6718 (b) Each container in which unpasteurized apple juice or cider is
6719 sold shall carry a label stating that such apple juice or cider is not
6720 pasteurized. Such label shall be printed in at least ten-point type.

6721 Sec. 149. Section 21a-152 of the general statutes is repealed and the
6722 following is substituted in lieu thereof (*Effective July 1, 2009*):

6723 (a) Each building or room occupied as a bakery shall be so situated
6724 as not to be exposed to contamination from its surroundings, shall be
6725 drained and plumbed in a manner conducive to a healthful and
6726 sanitary condition, shall be adequately lighted and shall have such air-
6727 shafts and windows or ventilating pipes, to insure ventilation, as the
6728 Commissioner of Consumer Protection directs. Each bakery shall be
6729 provided with a washroom and lavatory facilities apart from the bake-
6730 room and any room where the manufacture of food products is
6731 conducted and suitable locker space shall be provided for each
6732 employee. Lavatory facilities shall not be within, or communicate
6733 directly with, production areas of a bakery. All bakery rooms shall be
6734 of a height adequate for proper ventilation. The walls and ceilings of
6735 preparation areas shall be constructed of a smooth material which is
6736 impervious to water and which is easily cleaned. Floors and walls shall
6737 fit tightly to prevent the accumulation of filth. All bakeries shall be free
6738 of vermin. Doors, windows, transoms, skylights and other openings
6739 shall be tightly screened between May first and November first of each
6740 year. The furniture, utensils and floors of such rooms shall be kept in a
6741 sanitary condition and fly-tight metal or plastic refuse containers shall
6742 be provided and emptied each day. Bakery products shall not be

6743 produced, prepared, packed or held under unsanitary conditions
6744 whereby they may be rendered unwholesome or otherwise injurious to
6745 health. The manufactured flour or meal food products shall be kept in
6746 clean, dry and airy rooms. Hot and cold running water under pressure
6747 shall be provided at a sink of sufficient size to be used for the washing
6748 of baking utensils. A sink suitable for washing hands shall be provided
6749 in the production area. Flour shall be stored on suitable racks at least
6750 six inches above the floor and all raw materials shall be protected in a
6751 sanitary manner at all times. Sleeping rooms shall be separated from
6752 the rooms where bakery products are manufactured or stored.

6753 (b) No person, firm or corporation shall operate a bakery without
6754 having obtained from said commissioner a bakery license. Application
6755 for such license shall be made on forms, furnished by the
6756 commissioner, showing the name and address of such bakery and the
6757 number of persons engaged in the production of bread and pastry
6758 products, excluding porters, dishwashers, drivers, sales personnel and
6759 other employees not directly engaged in such production. The
6760 commissioner shall cause an inspection to be made of the premises
6761 described in the application and, if conditions are found satisfactory,
6762 such license shall be issued. No person, firm or corporation operating a
6763 bakery, or any agent, servant or employee thereof, shall refuse, hinder
6764 or otherwise interfere with access by the commissioner or his
6765 authorized representative for the purpose of conducting an inspection.
6766 No person, firm or corporation shall sell or distribute bread, cakes,
6767 doughnuts, crullers, pies, cookies, crackers, spaghetti, macaroni or
6768 other food products, including frozen or canned baked goods made in
6769 whole or in part of flour or meal produced in any bakery located
6770 within or beyond the boundaries of this state, unless such bakery has
6771 obtained a license from said commissioner. The commissioner may
6772 promulgate regulations excepting out-of-state manufacturers of
6773 products, commonly known as cookies, crackers, brown bread or plum
6774 puddings in hermetically sealed containers and other similar products,
6775 from the license provisions of this section. Such license shall be valid
6776 for one year and a fee therefor shall be collected as follows: From a

6777 person, firm or corporation owning or conducting a bakery in which
6778 there are four persons or fewer engaged in the production of bread
6779 and pastry products, [ten] twenty dollars; in which there are not fewer
6780 than five nor more than nine persons so engaged, [twenty] forty
6781 dollars; in which there are not fewer than ten nor more than twenty-
6782 four persons so engaged, [fifty] one hundred dollars; in which there
6783 are not fewer than twenty-five nor more than ninety-nine persons so
6784 engaged, [one] two hundred dollars; in which there are more than one
6785 hundred persons so engaged, two hundred fifty dollars.

6786 (c) A bakery license may be revoked by said commissioner for
6787 violation of this chapter after a hearing conducted in accordance with
6788 chapter 54. In addition, a bakery license may be summarily suspended
6789 pending a hearing if said commissioner has reason to believe that the
6790 public health, safety or welfare imperatively requires emergency
6791 action. Within ten days following the suspension order said
6792 commissioner shall cause to be held a hearing which shall be
6793 conducted in accordance with the provisions of said chapter 54.
6794 Following said hearing said commissioner shall dissolve such
6795 suspension or order revocation of the bakery license. Any person, firm
6796 or corporation whose license has been revoked may make application
6797 for a new license and said commissioner shall act on such application
6798 within thirty days of receipt. The costs of any inspections necessary to
6799 determine whether or not an applicant, whose license has been
6800 revoked, is entitled to have a new license granted shall be borne by the
6801 applicant at such rates as the commissioner may determine. Said
6802 commissioner may refuse to grant any bakery license if he finds that
6803 the applicant has evidenced a pattern of noncompliance with the
6804 provisions of this chapter. Prima facie evidence of a pattern of
6805 noncompliance shall be established if said commissioner shows that
6806 the applicant has had two or more bakery licenses revoked.

6807 (d) All vehicles used in the transportation of bakery products shall
6808 be kept in a sanitary condition and shall have the name and address of
6809 the bakery, owner, operator or distributor legibly printed on both

6810 sides. Each compartment in which unwrapped bakery products are
6811 transported shall be enclosed in a manner approved by the
6812 commissioner.

6813 (e) The provisions of this section shall not prevent local health
6814 authorities from enforcing orders or regulations concerning the
6815 sanitary condition of bakeries.

6816 Sec. 150. Section 21a-223 of the general statutes is repealed and the
6817 following is substituted in lieu thereof (*Effective July 1, 2009*):

6818 (a) Each individual place of business of each health club shall obtain
6819 a license from the Department of Consumer Protection prior to the sale
6820 of any health club contract. Application for such license shall be made
6821 on forms provided by the Commissioner of Consumer Protection and
6822 said commissioner shall require as a condition to the issuance and
6823 renewal of any license obtained under this chapter (1) that the
6824 applicant provide for and maintain on the premises of the health club
6825 sanitary facilities; (2) that the application be accompanied by (A) a
6826 license or renewal fee of two hundred fifty dollars, (B) a list of the
6827 equipment and each service which the applicant intends to have
6828 available for use by buyers during the year of operations following
6829 licensure or renewal, and (C) two copies of each health club contract
6830 which the applicant is currently using or intends to use; and (3)
6831 compliance with the requirements of section 21a-226. Such licenses
6832 shall be renewed annually. The commissioner may impose a civil
6833 penalty of not more than three hundred dollars against any health club
6834 that continues to sell or offer for sale health club contracts for any
6835 location but fails to submit a license renewal and license renewal fee
6836 for such location not later than thirty days after such license's
6837 expiration date.

6838 (b) No health club shall (1) engage in any act or practice which is in
6839 violation of or contrary to the provisions of this chapter or any
6840 regulation adopted to carry out the provisions of this chapter,
6841 including the use of contracts which do not conform to the

6842 requirements of this chapter, or (2) engage in conduct of a character
6843 likely to mislead, deceive or defraud the buyer, the public or the
6844 commissioner. The Commissioner of Consumer Protection may refuse
6845 to grant or renew a license to, or may suspend or revoke the license of,
6846 any health club which engages in any conduct prohibited by this
6847 chapter.

6848 (c) If the commissioner refuses to grant or renew a license of any
6849 health club, the commissioner shall notify the applicant or licensee of
6850 the refusal, and of his right to request a hearing within ten days from
6851 the date of receipt of the notice of refusal. If the applicant or licensee
6852 requests a hearing within ten days, the commissioner shall give notice
6853 of the grounds for his refusal and shall conduct a hearing concerning
6854 such refusal in accordance with the provisions of chapter 54
6855 concerning contested matters.

6856 (d) The Attorney General at the request of the Commissioner of
6857 Consumer Protection is authorized to apply in the name of the state of
6858 Connecticut to the Superior Court for an order temporarily or
6859 permanently restraining and enjoining any health club from operating
6860 in violation of any provision of this chapter.

6861 Sec. 151. Section 21a-234 of the general statutes is repealed and the
6862 following is substituted in lieu thereof (*Effective July 1, 2009*):

6863 (a) No person shall act as a manufacturer, supply dealer, importer,
6864 renovator or secondhand dealer without first completing an
6865 application and obtaining a numbered license from the commissioner.
6866 Based on the information furnished in the application, the
6867 commissioner shall determine and issue the appropriate license. The
6868 license shall be conspicuously posted in the establishment of the
6869 person to whom the license is issued. A license shall be valid for one
6870 year.

6871 (b) Any method of sterilization or sanitation used in connection
6872 with this chapter shall require the prior approval of the commissioner.

6873 Each person who wishes to sterilize or sanitize bedding or filling
6874 material shall complete an application and obtain a numbered permit
6875 from the commissioner. The permit must be conspicuously posted in
6876 the establishment of the person to whom the permit is issued. Each
6877 permit shall cost twenty-five dollars and shall be valid for one year.

6878 (c) Manufacturers shall pay, prior to the issuance or reissuance of a
6879 manufacturers' license, a fee of **[**fifty**]** one hundred dollars. The
6880 licensee may then operate as a manufacturer, supply dealer, renovator
6881 or secondhand dealer. Supply dealers shall pay, prior to the issuance
6882 or reissuance of a supply dealers' license, a fee of **[**fifty**]** one hundred
6883 dollars. The licensee may then operate as a supply dealer, renovator or
6884 secondhand dealer. Renovators shall pay, prior to the issuance or
6885 reissuance of a renovators' license, a fee of **[**twenty-five**]** fifty dollars.
6886 The licensee may then operate as a renovator and secondhand dealer.
6887 Secondhand dealers shall pay, prior to the issuance or reissuance of a
6888 secondhand dealers' license, a fee of **[**twenty-five**]** fifty dollars. The
6889 licensee may then operate as a secondhand dealer. Importers shall pay,
6890 prior to the issuance or reissuance of an importer's license, a fee of one
6891 hundred dollars.

6892 (d) A person shall be entitled to a refund of a license or permit fee
6893 only in the case of error on the part of the department.

6894 Sec. 152. Section 21a-246 of the general statutes is repealed and the
6895 following is substituted in lieu thereof (*Effective July 1, 2009*):

6896 (a) No person within this state shall manufacture, wholesale,
6897 repackage, supply, compound, mix, cultivate or grow, or by other
6898 process produce or prepare, controlled substances without first
6899 obtaining a license to do so from the Commissioner of Consumer
6900 Protection and no person within this state shall operate a laboratory
6901 for the purpose of research or analysis using controlled substances
6902 without first obtaining a license to do so from the Commissioner of
6903 Consumer Protection, except that such activities by pharmacists or
6904 pharmacies in the filling and dispensing of prescriptions or activities

6905 incident thereto, or the dispensing or administering of controlled
6906 substances by dentists, podiatrists, physicians or veterinarians, or
6907 other persons acting under their supervision, in the treatment of
6908 patients shall not be subject to the provisions of this section, and
6909 provided laboratories for instruction in dentistry, medicine, nursing,
6910 pharmacy, pharmacology and pharmacognosy in institutions duly
6911 licensed for such purposes in this state shall not be subject to the
6912 provisions of this section except with respect to narcotic drugs and
6913 schedule I and II controlled substances. Upon application of any
6914 physician licensed pursuant to chapter 370, the Commissioner of
6915 Consumer Protection shall without unnecessary delay, license such
6916 physician to possess and supply marijuana for the treatment of
6917 glaucoma or the side effects of chemotherapy. No person outside this
6918 state shall sell or supply controlled substances within this state
6919 without first obtaining a license to do so from the Commissioner of
6920 Consumer Protection, provided no such license shall be required of a
6921 manufacturer whose principal place of business is located outside this
6922 state and who is registered with the federal Drug Enforcement
6923 Administration or other federal agency, and who files a copy of such
6924 registration with the appropriate licensing authority under this
6925 chapter.

6926 (b) Such licenses shall expire annually, and may be renewed by
6927 application to the licensing authority. The Commissioner of Consumer
6928 Protection following a hearing as prescribed in section 21a-275, may
6929 revoke or suspend any license granted by him pursuant to this section
6930 for violation of the provisions of any statute relative to controlled
6931 substances or of any regulation made hereunder. The licensing
6932 authority, upon application of any person whose license has been
6933 suspended or revoked, may reinstate such license upon a showing of
6934 good cause.

6935 (c) The fee for licenses provided pursuant to this section shall be
6936 according to the following schedule: For any wholesaler, one hundred
6937 **[**fifty**]** <u>ninety</u> dollars per annum; for manufacturers employing not

6938 more than five licensed pharmacists or qualified chemists or both, two
6939 hundred [twenty-five] eighty-five dollars per annum; for
6940 manufacturers employing six to ten licensed pharmacists or qualified
6941 chemists or both, three hundred seventy-five dollars per annum; for
6942 manufacturers employing more than ten licensed pharmacists or
6943 qualified chemists or both, [seven hundred fifty] nine hundred forty
6944 dollars per annum; for laboratories, [forty] eighty dollars per annum.
6945 A separate fee is required for each place of business or professional
6946 practice where the licensee uses, manufactures, stores, distributes,
6947 analyzes or dispenses controlled drugs.

6948 (d) Controlled substances which are possessed, kept or stored at an
6949 address or location other than the address or location indicated on the
6950 registration required by chapter 420c or by federal laws and
6951 regulations shall be deemed to be possessed, kept or stored illegally
6952 and shall be subject to seizure and forfeited to the state. The following
6953 are subject to forfeitures: (1) All controlled substances which have been
6954 manufactured, distributed, dispensed or acquired in violation of this
6955 chapter; (2) all raw materials, products and equipment of any kind
6956 which are used, or intended for use, in manufacturing, compounding,
6957 processing, delivering, importing, or exporting any controlled
6958 substance in violation of this chapter; (3) all property which is used, or
6959 intended for use, as a container for property described in paragraph (1)
6960 or (2); (4) all conveyances, including aircraft, vehicles or vessels, which
6961 are used, or intended for use, to transport or in any manner to facilitate
6962 the transportation, for the purpose of sale or receipt of property
6963 described in paragraph (1) or (2), but (i) no conveyance used by any
6964 person as a common carrier is subject to forfeiture under this chapter
6965 unless it appears that the owner or other person in charge of the
6966 conveyance is a consenting party or privy to a violation of this chapter;
6967 (ii) no conveyance is subject to forfeiture under this chapter by reason
6968 of any act or omission established by the owner thereof to have been
6969 committed or omitted without his knowledge or consent.

6970 Sec. 153. Section 21a-321 of the general statutes is repealed and the

6971 following is substituted in lieu thereof (*Effective July 1, 2009*):

6972 Registration may be renewed by application to the Commissioner of
6973 Consumer Protection. Renewal applications shall be in such form as
6974 the commissioner shall prescribe and shall be accompanied by a
6975 biennial renewal fee of **[**twenty**]** forty dollars. A separate fee shall be
6976 required for each place of business or professional practice where the
6977 practitioner stores, distributes or dispenses controlled substances.

6978 Sec. 154. Section 22-12b of the general statutes is repealed and the
6979 following is substituted in lieu thereof (*Effective July 1, 2009*):

6980 The breeding and raising in captivity of foxes, mink, chinchilla,
6981 marten, fisher, nutria and muskrat, and the marketing of such animals,
6982 shall be classified as farming and as an agricultural pursuit and all
6983 such animals so raised in captivity, or lawfully acquired, shall be
6984 classified as domestic animals. No person shall possess two or more
6985 such animals of opposite sex without first obtaining a fur breeder's
6986 license from the Department of Agriculture. The fee for such license
6987 shall be **[**eight**]** fifteen dollars. Such license shall be annual and
6988 nontransferable and shall expire on the thirty-first day of December
6989 after its issuance. All applications for such licenses shall be upon
6990 blanks prepared and furnished by the Commissioner of Agriculture.
6991 All license fees received by the commissioner under the provisions of
6992 this section shall be transmitted to the State Treasurer and by him be
6993 applied to the General Fund. All licensees shall keep a record of all
6994 such animals exchanged or transported by such licensees, whether the
6995 same are alive or dead, and shall report to the commissioner at the
6996 expiration of the license period, on forms furnished by the
6997 commissioner, the number of animals possessed at the beginning of
6998 the license period, those disposed of during such period and the
6999 number of animals on hand at the close of the period. For purposes of
7000 disease control, the commissioner at his discretion may require special
7001 import or export permits for any specified period. Said commissioner,
7002 in the interest of protecting game or domestic animals from disease,

7003 may confiscate animals possessed by licensees referred to herein, and
7004 may quarantine the same, and may destroy such animals when, in his
7005 opinion, such action is advisable. Any license granted under the
7006 provisions of this section may be revoked by the commissioner for a
7007 violation of any regulation made by him or a violation of any provision
7008 of this section. Any person who violates any provision of this section
7009 shall be fined not more than one hundred dollars or imprisoned not
7010 more than thirty days, or both.

7011 Sec. 155. Section 22-57 of the general statutes is repealed and the
7012 following is substituted in lieu thereof (*Effective July 1, 2009*):

7013 (a) No person shall sell, offer for sale, expose for sale or transport for
7014 sale any agricultural or vegetable seed or seed used for lawn or turf
7015 purposes within this state unless the person is registered with the
7016 Commissioner of Agriculture, except that any person selling only
7017 seeds which are supplied and labeled by a registered distributor is not
7018 required to be registered. The application for registration shall be
7019 submitted to the commissioner on a form furnished by the
7020 commissioner. The application shall be accompanied by a fee of **[**fifty**]**
7021 one hundred dollars. On and after January 1, 1993, said fee shall be
7022 established by the commissioner by regulations adopted in accordance
7023 with the provisions of chapter 54. All registrations shall expire on
7024 March thirty-first of each year.

7025 (b) No person shall sell, offer for sale, expose for sale or transport
7026 for sale any agricultural or vegetable seed or seed used for lawn or turf
7027 purposes within this state unless the following conditions are
7028 complied with: (1) The test to determine the percentage of germination
7029 required by section 22-56 was completed within the nine-month
7030 period, exclusive of the calendar month in which the test was
7031 completed, immediately prior to the sale, exposure for sale or offering
7032 for sale or transportation. Any seed not sold within the nine-month
7033 period shall be retested with test samples taken from stock at the point
7034 of wholesale and retail sale; (2) the seed is labeled in accordance with

7035 the provisions of this chapter and the labeling is not false or
7036 misleading and the seed has not been advertised in a false or
7037 misleading manner; (3) the labeling, advertising or other
7038 representations subject to this chapter shall represent the seed as
7039 certified or registered if: (A) A seed-certifying agency has determined
7040 that the seed was produced, processed and packaged, and conforms to
7041 purity standards for the kind or variety of seed, in compliance with the
7042 rules and regulations of the agency pertaining to the seed and (B) the
7043 seed bears an official label of the certifying agency stating that the seed
7044 is certified or registered, and (4) the seed does not contain: (A)
7045 Prohibited noxious weed seeds subject to tolerances; (B) restricted
7046 noxious-weed seeds per pound in excess of the number prescribed by
7047 the regulations adopted in accordance with the provisions of this
7048 chapter, or in excess of the number declared on the label attached to
7049 the container of the seed or associated with the seed within recognized
7050 tolerances, and (C) more than two and one-half per cent by weight of
7051 all weed seeds.

7052 (c) No person shall, within this state: (1) Detach, alter, deface or
7053 destroy any label provided for in this chapter or the regulations
7054 adopted thereunder, or alter or substitute seed, in a manner that may
7055 defeat the purposes of this chapter; (2) disseminate any false or
7056 misleading advertisement concerning agricultural or vegetable seed;
7057 (3) hinder or obstruct any authorized person in the performance of his
7058 duties under this chapter; (4) fail to comply with a "stop-sale" order, or
7059 move or otherwise handle or dispose of any lot of seed held under a
7060 "stop-sale" order or tags attached thereto, except with express
7061 permission of the enforcing officer and for the purpose specified
7062 thereby; (5) use the word "trace" as a substitute for any statement
7063 which is required, or (6) use the word "type" in any labeling in
7064 connection with the name of any agricultural or vegetable seed variety.
7065 Each person whose name appears on the label as handling agricultural
7066 or vegetable seeds subject to this chapter shall keep for a period of two
7067 years complete records of each lot of agricultural or vegetable seed
7068 handled, and keep for one year a file sample of each lot of seed after

7069 final disposition of such lot. All records and samples pertaining to the
7070 shipment or shipments involved shall be accessible for inspection by
7071 the Commissioner of Agriculture or the commissioner's authorized
7072 agents during usual business hours.

7073 Sec. 156. Section 22-111c of the general statutes is repealed and the
7074 following is substituted in lieu thereof (*Effective July 1, 2009*):

7075 (a) Each brand and grade of commercial fertilizer shall be registered
7076 before being distributed in this state. The application for registration
7077 shall be submitted to the commissioner on a form furnished by the
7078 commissioner and shall be accompanied by a fee of **[**fifteen**]** thirty
7079 dollars per major and minor element for each brand and grade listed
7080 on the application form, provided the cost for each registration shall
7081 not exceed **[**ninety**]** one hundred eighty dollars per individual product.
7082 On and after January 1, 1993, said fee shall be established by the
7083 commissioner by regulations adopted in accordance with the
7084 provisions of chapter 54. The application shall include the following
7085 information: (1) The net weight; (2) the brand and grade; (3) the
7086 guaranteed analysis; (4) the name and address of the registrant; (5) the
7087 sources from which the nitrogen, phosphorus and potassium are
7088 derived. Upon approval of the application by the commissioner, a
7089 copy of the registration shall be furnished to the applicant. All
7090 registrations shall expire on June thirtieth of each year.

7091 (b) A distributor shall not be required to register any brand of
7092 commercial fertilizer which is already registered under this chapter by
7093 another person.

7094 (c) A distributor shall not be required to register a commercial
7095 fertilizer formulated according to specifications which are furnished by
7096 a consumer prior to mixing; but shall be required to label such
7097 fertilizer as provided in subsection (c) of section 22-111d.

7098 Sec. 157. Section 22-236 of the general statutes is repealed and the
7099 following is substituted in lieu thereof (*Effective July 1, 2009*):

7100 (a) The annual license fee for each milk dealer, yogurt manufacturer,
7101 or subdealer shall be [fifty] one hundred dollars. The license fee for
7102 dealers and subdealers with yearly sales in excess of one hundred
7103 thousand quarts shall be increased at a rate of .021 cents per one
7104 hundred quarts of milk product sold during the reporting period.

7105 (b) The license fee for each cheese manufacturer shall be [fifty] one
7106 hundred dollars.

7107 (c) The license fee for each dry milk manufacturer shall be [fifty] one
7108 hundred dollars.

7109 (d) The license fee for each store shall be [thirty] sixty dollars.

7110 (e) The Commissioner of Agriculture shall adopt regulations, in
7111 accordance with the provisions of chapter 54, necessary to carry out
7112 the provisions of this section.

7113 (f) The commissioner may grant a waiver from any fee established
7114 in this chapter to any nonprofit organization, as defined in Section
7115 501(c)(3) of the United States Internal Revenue Code, upon
7116 presentation to the commissioner of adequate proof of the
7117 organization's nonprofit status.

7118 Sec. 158. Section 22-277 of the general statutes is repealed and the
7119 following is substituted in lieu thereof (*Effective July 1, 2009*):

7120 (a) As used in this section, "livestock animal" means any camelid or
7121 hooved animal raised for domestic or commercial use. The
7122 Commissioner of Agriculture shall supervise commission sales stables
7123 where livestock animals are sold at public auctions. Any person, firm
7124 or corporation engaged in the business of selling livestock animals at
7125 such auctions or sales shall annually apply to said commissioner for a
7126 license upon a form to be prescribed by the commissioner. The fee for
7127 each such license shall be one hundred [fifty] ninety dollars, payable to
7128 said commissioner. Each such license shall be issued for the period of
7129 one year from July first and may be revoked for cause. If, in the

7130 judgment of the commissioner, any provision of this section has been
7131 violated, the commissioner shall send notice by registered or certified
7132 mail to the licensee, who shall be given a hearing, and, if violation is
7133 proven, the license shall be revoked. If a license to deal in livestock,
7134 issued to any person, firm or corporation by another state, has been
7135 suspended or revoked by such state within five years next preceding
7136 the date of issuance or renewal of a license to such person, firm or
7137 corporation under the provisions of this section, such suspension or
7138 revocation shall constitute just cause for revocation under this section.
7139 All dairy animals to be sold at such auction shall be segregated from
7140 beef animals prior to such sales. The sale of dairy animals shall precede
7141 the sale of those assigned for slaughter. All bovines more than three
7142 hundred pounds in weight, except dairy and breeding animals, that
7143 are delivered to a sale shall be branded with the letter "S" in a
7144 conspicuous place or identified in a manner acceptable to the
7145 commissioner or the commissioner's designee by the operator of the
7146 sale or the operator's representative. All dairy and breeding animals
7147 from within the state arriving at a sale shall be from a herd that: (1) Is
7148 under state supervision for the control of brucellosis and tuberculosis
7149 and that has been tested for brucellosis and tuberculosis less than
7150 fourteen months before the sale, (2) has been tested for tuberculosis
7151 less than fourteen months before the sale and is regularly tested under
7152 the brucellosis ring test program of the Department of Agriculture or
7153 (3) is certified to be brucellosis-free under the program established
7154 pursuant to section 22-299a. All dairy and breeding animals arriving at
7155 a sale from outside the state shall comply with section 22-304 and be
7156 accompanied by a health certificate issued by the livestock official of
7157 the state of their origin and by a permit from the commissioner. All
7158 animals offered for dairy or breeding purposes over six months of age
7159 shall be identified by an official ear tag, a tattoo or by registration
7160 papers. All female dairy or breeding animals over six months of age
7161 shall have been calfhood vaccinated against brucellosis. Animals
7162 consigned for slaughter shall be sold only to owners or agents of
7163 slaughtering establishments and moved directly to such slaughtering

7164 establishments for immediate slaughter. All stables and sales rings
7165 shall be kept clean and shall be suitably disinfected prior to each sale.
7166 The provisions of this section shall not apply to the sale of an
7167 individual herd at an auction conducted by the owner thereof. Any
7168 person, or any officer or agent of any corporation, who violates any
7169 provision of this section or who obstructs or attempts to obstruct the
7170 Commissioner of Agriculture or the commissioner's deputy or
7171 assistants in the performance of their duty, shall be fined not more
7172 than two hundred dollars or imprisoned not more than thirty days, or
7173 both.

7174 (b) Any person, firm or corporation licensed pursuant to subsection
7175 (a) of this section shall make, execute and thereafter maintain on file
7176 with the Commissioner of Agriculture a bond to the state, satisfactory
7177 to the commissioner, to secure the performance of obligations incurred
7178 in this state or in lieu thereof, and a bond filed with the United States
7179 Department of Agriculture in the amount as required herein, pursuant
7180 to the provisions of the Packers and Stockyards Act (7 USC 181 et seq.).
7181 The amount of each such bond shall be based on the amount of one
7182 average sale of such person, firm or corporation. One average sale shall
7183 be computed by dividing the total yearly gross receipts from the sale of
7184 all livestock during the preceding twelve months by the number of
7185 sales during such time, provided the number of sales used to compute
7186 one average sale shall not be greater than one hundred thirty. If the
7187 amount of one average sale is ten thousand dollars or less the amount
7188 of the bond shall be ten thousand dollars. If the amount of one average
7189 sale is more than ten thousand dollars but not more than twenty-six
7190 thousand dollars, the amount of the bond shall be not less than the
7191 next multiple of two thousand dollars above such amount. If the
7192 amount of one average sale is more than twenty-six thousand dollars
7193 but not more than thirty thousand dollars, the amount of such bond
7194 shall be thirty thousand dollars. If the amount of one average sale is
7195 more than thirty thousand dollars, the amount of the bond shall be not
7196 less than the next multiple of five thousand dollars above such
7197 amount.

7198 Sec. 159. Section 22-320c of the general statutes is repealed and the
7199 following is substituted in lieu thereof (*Effective July 1, 2009*):

7200 No person shall feed garbage to swine on any premises unless such
7201 premises have been registered with the department. Upon receipt of an
7202 application for registration on a form provided by the department,
7203 which application shall be accompanied by a registration fee of **[**five**]**
7204 fifteen dollars, unless the applicant is the state or any political
7205 subdivision thereof, the department shall send an authorized
7206 representative familiar with equipment used to cook garbage on swine
7207 farms to inspect the premises where the applicant desires to conduct
7208 garbage cooking. If such representative finds that such premises
7209 cannot be approved under sections 22-320a to 22-320h, inclusive, and
7210 regulations promulgated thereunder, he shall notify the applicant
7211 wherein he fails to comply. If, within a reasonable time thereafter, to be
7212 fixed by the department, the specified defects are remedied, the
7213 department shall make a second inspection and proceed therewith as
7214 in the case of the original inspection. No registration granted under
7215 this section shall be transferable by the registrant and each registration
7216 shall apply to only one place of business, which shall be specified in
7217 the registration. There shall be only one registrant for each place of
7218 business. No registration shall be issued by the department to conduct
7219 a garbage-feeding swine farm, nor shall any place be used for that
7220 purpose, unless the department is satisfied that all regulations of the
7221 department will be complied with and that all garbage fed to swine
7222 will be satisfactorily treated as required by section 22-320b.

7223 Sec. 160. Section 22-326f of the general statutes is repealed and the
7224 following is substituted in lieu thereof (*Effective July 1, 2009*):

7225 (a) On and after July 1, 1989, no person shall commence an intensive
7226 poultry farming operation without a permit from the Commissioner of
7227 Agriculture. Any person seeking such a permit shall apply on forms
7228 provided by the commissioner and pay an application fee of **[**ten**]**
7229 twenty dollars. Upon receipt of a completed application the

7230 commissioner shall cause an inspection to be made of the premises
7231 where the applicant desires to conduct an intensive poultry farming
7232 operation. If the commissioner finds that such premises meet the
7233 requirements of sections 22-323a to 22-324a, inclusive, and applicable
7234 regulations and may reasonably be expected to continue to meet such
7235 requirements, he shall issue the permit. If the commissioner finds that
7236 the premises do not meet such requirements, or may not reasonably be
7237 expected to continue to meet such requirements, the application shall
7238 be denied. When any permit has been denied the applicant may,
7239 within ten days of the notification of the denial, request in writing a
7240 hearing and appeal before the commissioner or his designee. Any
7241 person aggrieved by the decision of the commissioner after a hearing
7242 may appeal to the superior court for the judicial district in which he
7243 seeks to conduct such farming operation. No permit granted under this
7244 section shall be transferable by the permittee, and each permit shall
7245 apply to only one premise, which shall be specified in the permit. The
7246 commissioner may issue only one permit for a premise.

7247 (b) The commissioner may require a surety bond in an amount not
7248 exceeding ten thousand dollars as a condition of the permit described
7249 in subsection (a) of this section. The bond shall indemnify the
7250 commissioner for expenses he may incur in carrying out the provisions
7251 of section 22-326d.

7252 (c) The commissioner may suspend or revoke a permit issued
7253 pursuant to subsection (a) of this section for failure to operate in
7254 compliance with the provisions of sections 22-323a to 22-324a,
7255 inclusive, and applicable regulations. Whenever the commissioner is
7256 satisfied of the existence of one or more reasons for suspending or
7257 revoking a permit, he shall give notice to the permittee by registered
7258 mail of a hearing to be held in accordance with the provisions of
7259 chapter 54 at the time stated in the notice. The commissioner may
7260 compel the attendance of witnesses and the person complained against
7261 shall have the opportunity to produce witnesses or other evidence in
7262 his behalf. Any person aggrieved by the decision of the commissioner

7263 after a hearing may appeal to the superior court for the judicial district
7264 in which he conducts such farming operation.

7265 Sec. 161. Section 22-332b of the general statutes is repealed and the
7266 following is substituted in lieu thereof (*Effective July 1, 2009*):

7267 (a) Any hospital, educational institution or laboratory desiring to
7268 obtain a license to use living dogs in medical or biological teaching,
7269 research or study shall apply to the Commissioner of Public Health, on
7270 forms which said commissioner shall provide, giving its name,
7271 address, the nature of the activity for which a license is desired and the
7272 location at which such activity is to be conducted. Such application
7273 shall be accompanied by a fee of **[**two hundred fifty**]** <u>three hundred</u>
7274 <u>fifteen</u> dollars. Upon receipt of an application and fee, the
7275 Commissioner of Public Health shall cause an investigation to be made
7276 of the applicant and shall issue a license upon finding that the
7277 applicant (1) has adequate land, buildings, equipment and facilities to
7278 engage in the activity described in the application<u>,</u> and (2) agrees to
7279 comply with all laws and regulations respecting the housing and care
7280 of dogs. Each license shall be in lieu of any license required by sections
7281 22-338, 22-339, 22-342 and 22-344<u>, as amended by this act,</u> and shall be
7282 issued only for the premises and activity described in the application.
7283 No license shall be transferable. Each license shall expire on June
7284 thirtieth following the date of issue and shall be renewable annually
7285 upon application and payment of a fee of **[**two hundred fifty**]** <u>three</u>
7286 <u>hundred fifteen</u> dollars.

7287 (b) The Commissioner of Public Health shall suspend or revoke a
7288 license for wilful or material failure to comply with the provisions of
7289 this section or any law or regulation relating to the acquisition,
7290 housing and care of dogs. No such suspension or revocation shall be
7291 ordered except upon notice and hearing. Such notice shall be in
7292 writing and shall inform the licensee of the substance of the violation
7293 charged and that an opportunity for hearing will be provided upon
7294 written request filed within ten days after receipt of such notice. The

7295 Commissioner of Public Health shall file with each order suspending
7296 or revoking a license a finding of fact and statement of his conclusions
7297 and serve upon the licensee, by registered or certified mail, a copy of
7298 such order, finding and statement. Any person whose application for a
7299 license is denied or whose license is revoked or suspended under the
7300 provisions of this section may appeal therefrom in accordance with the
7301 provisions of section 4-183.

7302 (c) The Commissioner of Public Health shall adopt regulations in
7303 accordance with chapter 54, establishing humane standards for the
7304 proper housing, care, treatment, handling and disposition of dogs used
7305 by licensees under this section.

7306 Sec. 162. Section 22-344 of the general statutes is repealed and the
7307 following is substituted in lieu thereof (*Effective July 1, 2009*):

7308 (a) No person shall maintain a commercial kennel until he has
7309 obtained from the commissioner a license to maintain such kennel
7310 under such regulations as the commissioner provides as to sanitation,
7311 disease and humane treatment of dogs or cats and the protection of the
7312 public safety. Upon written application and the payment of a fee of
7313 **[**one**]** two hundred dollars, the commissioner shall issue such license to
7314 be effective until the ensuing December thirty-first provided the
7315 commissioner finds (1) that such regulations have been complied with,
7316 and (2) in the case of each initial application for such license, that the
7317 zoning enforcement official of the municipality wherein such kennel is
7318 to be maintained has certified that the kennel conforms to the
7319 municipal zoning regulations. Such license shall be renewed annually,
7320 not later than December thirty-first, in accordance with the provisions
7321 of this section, and may be transferred by the licensee to another
7322 premises upon approval of the commissioner.

7323 (b) No person shall maintain a pet shop until he has obtained from
7324 the commissioner a license to maintain such pet shop under such
7325 regulations as the commissioner provides as to sanitation, disease and
7326 humane treatment of animals and the protection of the public safety.

7327 Upon written application and the payment of a fee of two hundred
7328 dollars, the commissioner shall issue such license to be effective until
7329 the ensuing December thirty-first provided the commissioner finds (1)
7330 that such regulations have been complied with and (2) in the case of
7331 each initial application for such license, that the zoning enforcement
7332 official of the municipality wherein such pet shop is to be maintained
7333 has certified that the pet shop conforms to the municipal zoning
7334 regulations. Such pet shop license may be transferred by the licensee to
7335 another premises upon the approval of the commissioner. The
7336 commissioner, after consultation with the Commissioners of Public
7337 Health and Environmental Protection, shall establish and maintain,
7338 pursuant to regulations adopted in accordance with chapter 54, a list of
7339 animals which are deemed to be injurious to the health and safety of
7340 the public or whose maintenance in captivity is detrimental to the
7341 health and safety of the animal. The sale or offer of sale of any animal
7342 which is on said list is prohibited and any person who violates this
7343 provision shall be fined not more than five hundred dollars.

7344 (c) No person shall engage in the business of grooming or
7345 maintaining a grooming facility until such person has obtained from
7346 the commissioner a license to maintain such facility under such
7347 regulations as the commissioner provides as to sanitation, disease and
7348 humane treatment of such animals and the protection of the public
7349 safety. Upon written application and the payment of a fee of one
7350 hundred dollars, the commissioner shall issue such license to be
7351 effective until the ensuing December thirty-first provided the
7352 commissioner finds (1) that such regulations have been complied with,
7353 and (2) in the case of each initial application for such license, that the
7354 zoning enforcement official of the municipality wherein such
7355 grooming is to be maintained has certified that the facility conforms to
7356 the municipal zoning regulations. Such license shall be renewed
7357 annually, not later than December thirty-first, in accordance with the
7358 provisions of this section, and may be transferred by the licensee to
7359 other premises upon approval of the commissioner.

7360 (d) No person shall maintain a training facility until such person has
7361 obtained from the commissioner a license to maintain such facility
7362 under such regulations as the commissioner provides as to sanitation,
7363 disease and humane treatment of such animals and the protection of
7364 public safety. Upon written application and the payment of a fee of
7365 one hundred dollars, the commissioner shall issue such license to be
7366 effective until the ensuing December thirty-first provided the
7367 commissioner finds (1) that such regulations have been complied with
7368 and (2) in the case of each initial application for such license, that the
7369 zoning enforcement official of the municipality wherein such training
7370 facility is to be maintained has certified that the facility conforms to the
7371 municipal zoning regulations. Such license shall be renewed annually
7372 upon the terms required for the original license and may be transferred
7373 by the licensee to another premises upon approval of the
7374 commissioner.

7375 (e) The commissioner may, at any time, inspect or cause to be
7376 inspected by his agents any such commercial kennel, pet shop,
7377 grooming facility or training facility, and if, in his judgment such
7378 kennel, pet shop, grooming facility or training facility is not being
7379 maintained in a sanitary and humane manner or in a manner that
7380 protects the public safety, or if he finds that contagious, infectious or
7381 communicable disease or other unsatisfactory conditions exist, he may
7382 issue such orders as he deems necessary for the correction of such
7383 conditions and may quarantine the premises and animals. If the owner
7384 or keeper of such kennel, pet shop, grooming facility or training
7385 facility fails to comply with the regulations or orders of the
7386 commissioner, or fails to comply with any provision of the statutes or
7387 regulations relating to dogs or other animals, the commissioner may
7388 revoke or suspend such license. Any person aggrieved by any order
7389 issued under the provisions of this section may appeal therefrom in
7390 accordance with the provisions of section 4-183. Any person
7391 maintaining any commercial kennel, pet shop, grooming facility or
7392 training facility without having obtained a license for the same or after
7393 any such license has been revoked or suspended as provided herein

7394 shall be fined not more than two hundred dollars. The provisions of
7395 this section shall not apply to veterinary hospitals, except those
7396 boarding or grooming dogs for nonmedical purposes, and other
7397 establishments where all the dogs or animals were born and raised on
7398 the premises where they are kept for sale.

7399 (f) The provisions of subsections (a) to (d), inclusive, of this section
7400 requiring certification by the zoning enforcement official that every
7401 commercial kennel, pet shop, grooming facility and training facility
7402 conforms to the zoning regulations of the municipality wherein such
7403 kennel, pet shop, grooming facility or training facility is maintained
7404 shall not apply to any person who is licensed under said subsections
7405 and maintained any such kennel, pet shop or grooming facility prior to
7406 October 1, 1977, provided such person does not relocate such kennel,
7407 pet shop, grooming facility or training facility in a zone in which such
7408 kennel, pet shop, grooming facility or training facility is not a
7409 permitted use. In addition, the provisions of said subsections requiring
7410 certification by the zoning enforcement official that every commercial
7411 kennel, pet shop, grooming facility and training facility conforms to
7412 the zoning regulations of the municipality wherein such kennel, pet
7413 shop, grooming facility or training facility is maintained shall not
7414 apply when a zone in which such kennel, pet shop, grooming facility
7415 or training facility is maintained is changed to a use which does not
7416 permit such kennel, pet shop, grooming facility or training facility in
7417 such zone.

7418 Sec. 163. Section 22-384 of the general statutes is repealed and the
7419 following is substituted in lieu thereof (*Effective July 1, 2009*):

7420 Any person before engaging in the business of a dealer or broker
7421 shall file an application with the commissioner on a form prescribed by
7422 the commissioner and pay a license fee. The fee shall be one hundred
7423 **[**fifty**]** <u>ninety</u> dollars, provided the fee may be increased by the
7424 commissioner by regulations adopted in accordance with the
7425 provisions of chapter 54. Such application shall state the nature of the

7426 business, the type of livestock the applicant proposes to handle, the
7427 name of the person applying for a license and, if the applicant is a firm,
7428 association, partnership or corporation, the full name of each member
7429 of such firm, association or partnership or the names of the officers of
7430 the corporation, and the name of the agent or agents of the applicant,
7431 the municipality and post-office address at which business is to be
7432 conducted and such other facts as the commissioner may prescribe.
7433 The applicant shall further satisfy the commissioner as to the
7434 applicant's character, financial responsibility and good faith in seeking
7435 to engage in the business.

7436 Sec. 164. Section 22-385 of the general statutes is repealed and the
7437 following is substituted in lieu thereof (*Effective July 1, 2009*):

7438 Upon compliance by the applicant with section 22-384, as amended
7439 by this act, the commissioner shall, subject to the provisions of this
7440 chapter, issue a license entitling the applicant or the applicant's agents
7441 to conduct the business of buying or receiving livestock or receiving,
7442 selling, exchanging or soliciting or negotiating the sale, resale,
7443 exchange or shipment of livestock at the place named in the
7444 application until June thirtieth next following. Such license shall be
7445 renewable annually, unless suspended or revoked, on payment of a fee
7446 of **[**fifty**]** one hundred dollars.

7447 Sec. 165. Section 22-414 of the general statutes is repealed and the
7448 following is substituted in lieu thereof (*Effective July 1, 2009*):

7449 The Commissioner of Agriculture shall supervise commission sales
7450 stables where equines are sold at public auctions. Any person, firm or
7451 corporation engaged in the business of selling equines at auctions shall
7452 annually apply to the commissioner for a license upon a form to be
7453 prescribed by the commissioner. The fee for a license to hold one
7454 public auction annually shall be **[**fifteen**]** thirty dollars and the fee for a
7455 license to hold more than one public auction annually shall be **[**fifty**]**
7456 one hundred dollars. Each such license shall be issued for the period of
7457 one year from July first and may be revoked for cause. If, in the

7458 judgment of the commissioner, any provision of this section has been
7459 violated, the commissioner shall send notice by registered or certified
7460 mail to the licensee, who shall be given a hearing, and, if violation is
7461 proven, the licensee's license shall be revoked. All stables and sales
7462 rings shall be kept clean and shall be suitably disinfected prior to each
7463 sale. The provisions of this section shall not apply to the private sale of
7464 equines conducted by the owner thereof. Any person, or any officer or
7465 agent of any corporation, who violates any provision of this section or
7466 who obstructs or attempts to obstruct the Commissioner of Agriculture
7467 or the commissioner's deputy or any of the commissioner's assistants
7468 in the performance of the commissioner's duty shall be fined not less
7469 than one hundred dollars or more than five hundred dollars.

7470 Sec. 166. Section 25-129 of the general statutes is repealed and the
7471 following is substituted in lieu thereof (*Effective July 1, 2009*):

7472 (a) The Commissioner of Consumer Protection, with the advice and
7473 assistance of the board, shall establish the requirements of registration
7474 for well drilling contractors. Each person, before engaging in the
7475 business of well drilling or pump installing, shall obtain annually from
7476 the Department of Consumer Protection a certificate of registration as a
7477 well drilling contractor, using an application blank prepared by said
7478 department. Each application for issuance or renewal of a certificate of
7479 registration shall be accompanied by a certificate of liability coverage
7480 for bodily injury of at least one hundred thousand dollars per person
7481 with an aggregate of at least three hundred thousand dollars and for
7482 property damage of at least fifty thousand dollars per accident with an
7483 aggregate of at least one hundred thousand dollars. The applicant shall
7484 pay a registration fee of **[**forty-four**]** <u>eighty-eight</u> dollars with the
7485 application and an annual renewal registration fee of **[**one hundred
7486 twenty-five**]** <u>two hundred fifty</u> dollars for renewals on and after April
7487 1, 1984. A certificate of registration is not transferable and expires
7488 annually. A lost, destroyed or mutilated registration certificate may be
7489 replaced by a duplicate upon payment of a lost fee of **[**three**]** <u>fifteen</u>
7490 dollars. One seal shall be issued to each registrant as provided in

7491 subsection (b) of this section. Additional seals may be obtained at a fee
7492 of three dollars each.

7493 (b) A well drilling contractor shall place in a conspicuous location
7494 on both sides of his well drilling machine his registration number in
7495 letters not less than two inches high. A seal furnished by said
7496 department designating the year the certificate of registration was
7497 issued or renewed and the words "Connecticut registered well drilling
7498 contractor" shall be affixed directly adjacent to the registration number.

7499 (c) A governmental unit engaged in water-supply well drilling shall
7500 be registered under this chapter, but shall be exempt from paying the
7501 registration fees. A governmental unit engaged in non-water-supply
7502 well drilling shall be exempt from the requirements for registration
7503 under this chapter if the drilling is done by regular employees of, and
7504 with equipment owned by, the unit and the work is on non-water-
7505 supply wells intended for use by the governmental unit.

7506 (d) This chapter shall not restrict a plumber or electrician from
7507 engaging in the trade for which he has been licensed.

7508 (e) (1) A certificate of registration may be refused, or a certificate of
7509 registration duly issued may be suspended or revoked, or the renewal
7510 thereof refused by the board if said board has good and sufficient
7511 reason to believe or finds that the applicant for or the holder of such a
7512 certificate has: (A) Made a material misstatement in the application for
7513 a registration of any application for renewal thereof; or (B) obtained
7514 the registration through wilful fraud or misrepresentation; or (C)
7515 demonstrated gross incompetency to act as a well driller; or (D) been
7516 guilty of failure to comply with the provisions of this chapter or the
7517 State Well Drilling Code, as from time to time amended; or (E) refused
7518 to file reports of wells drilled as required by subsection (a) of section
7519 25-131; or (F) been found guilty by the board, the Commissioner of
7520 Public Health or by a court of competent jurisdiction, of any fraud,
7521 deceit, gross negligence, incompetency or misconduct in the industry,
7522 operations or business of well drilling.

7523 (2) Before any certificate of registration shall be refused, suspended
7524 or revoked, or the renewal thereof refused, the board shall give notice
7525 of the intended action and afford opportunity for hearing in
7526 accordance with regulations adopted pursuant to this chapter.

7527 (3) Appeal from the decisions of the board may be taken in
7528 accordance with the provisions of section 4-183.

7529 (4) After one year from the date of refusal or revocation of a
7530 registration, application to register may be made again by the person
7531 affected.

7532 (f) The department shall prepare a roster of all registered well
7533 drillers and distribute it annually to the local director of health or his
7534 agent and the building inspector, if there is one, of each town.

7535 (g) The Commissioner of Consumer Protection, with the advice and
7536 assistance of the board, shall adopt regulations, in accordance with the
7537 provisions of chapter 54, to establish certificates of registration for
7538 limited contractor and limited journeyperson well casing extension.
7539 Such certificates of registration shall permit persons licensed to
7540 perform plumbing and piping work pursuant to chapter 393 to
7541 perform well casing extension, repair and maintenance work. Upon
7542 initial application, an applicant shall demonstrate knowledge of well
7543 casing extension, repair and maintenance work by passing an
7544 examination subject to the provisions of section 20-333. The applicant
7545 shall pay a registration fee of **[**twenty-five**]** <u>fifty</u> dollars upon initial
7546 application and an annual renewal registration fee of **[**twenty-five**]**
7547 <u>fifty</u> dollars. A certificate of registration under this subsection is
7548 nontransferable and expires annually.

7549 Sec. 167. Section 26-212 of the general statutes is repealed and the
7550 following is substituted in lieu thereof (*Effective July 1, 2009*):

7551 No person shall take or gather for commercial purposes oysters,
7552 clams, mussels or other molluscan shellfish from any natural shellfish

7553 bed in the state in any boat or vessel unless it is licensed and
7554 numbered in the manner provided in this section. Any person desiring
7555 to use any boat or vessel for such purpose may make written
7556 application to the Commissioner of Agriculture, stating the name,
7557 owner, rig, general description and tonnage of such boat or vessel and
7558 the place where it is owned, and the commissioner shall issue to the
7559 owner of such boat or vessel a license to take and gather for
7560 commercial purposes oysters, clams, mussels or other molluscan
7561 shellfish from the natural shellfish beds in the state for the term
7562 expiring on the next succeeding twentieth day of July, unless sooner
7563 revoked, upon the payment of **[**fifteen**]** thirty dollars; provided, before
7564 such license is granted, the owner or master shall prove to the
7565 satisfaction of the commissioner that such boat or vessel may legally be
7566 used on work on the public beds of the state and that the dredges and
7567 other contrivances do not weigh more than thirty pounds. Each boat or
7568 vessel so licensed shall, while at work upon any of the natural shellfish
7569 beds of the state, display the number of such license in black figures
7570 not less than one foot in length. No such license may be transferred.
7571 The sale of any boat so licensed shall operate as a forfeiture and
7572 revocation of the license, and the license certificate shall be
7573 surrendered to the commissioner.

7574 Sec. 168. Section 26-213 of the general statutes is repealed and the
7575 following is substituted in lieu thereof (*Effective July 1, 2009*):

7576 No person shall take or gather for commercial purposes oysters,
7577 clams, mussels or other molluscan shellfish from any natural shellfish
7578 bed in the state and no person shall be permitted upon any boat,
7579 licensed pursuant to the provisions of section 26-212, as amended by
7580 this act, while the boat is being used for such taking or gathering until
7581 the person has been licensed in the manner provided in this section.
7582 The person shall apply in writing, to the Commissioner of Agriculture
7583 upon blanks to be furnished by the commissioner, stating his name,
7584 residence, post-office address and such other information as may be
7585 required by said commissioner, and said commissioner, upon payment

7586 of a fee of [ten] twenty dollars, shall issue to the person a license for
7587 such purpose. All licenses so issued shall be revocable at any time by
7588 the commissioner and shall expire on the twentieth day of July in each
7589 year. The commissioner shall account to the Treasurer for all money
7590 received for licenses under the provisions of this section. Any person
7591 who violates any of the provisions of this section relating to licensing
7592 shall be fined not more than one hundred dollars or imprisoned not
7593 more than thirty days, or both.

7594 Sec. 169. Section 26-219 of the general statutes is repealed and the
7595 following is substituted in lieu thereof (*Effective July 1, 2009*):

7596 Any person may apply to the Commissioner of Agriculture for a
7597 license to take conchs in excess of one-half bushel daily. Such license
7598 shall not apply to any area lawfully designated as oyster, clam or
7599 mussel beds under town or state jurisdiction. Such application shall
7600 state the name, residence and post-office address of the applicant and
7601 such other information as said commissioner requires. Such license
7602 shall be valid for one year from the date of its issuance, and a fee of
7603 [fifty] one hundred dollars shall be charged therefor. Any person who
7604 takes any conchs in excess of one-half bushel daily without having
7605 obtained such a license shall be fined not more than two hundred
7606 dollars or imprisoned not more than thirty days, or both.

7607 Sec. 170. Section 29-10b of the general statutes is repealed and the
7608 following is substituted in lieu thereof (*Effective July 1, 2009*):

7609 The Commissioner of Public Safety shall charge the following fees
7610 for the item or service indicated:

7611 (1) Each search of the record files made pursuant to a request for a
7612 copy of an accident or investigative report which results in no
7613 document being produced, six dollars, and on and after July 1, 1993,
7614 [eight] sixteen dollars.

7615 (2) Each copy of an accident or investigative report, six dollars, and

7616 on and after July 1, 1993, [eight] sixteen dollars.

7617 Sec. 171. Section 29-11 of the general statutes is repealed and the
7618 following is substituted in lieu thereof (*Effective July 1, 2009*):

7619 (a) The bureau in the Division of State Police within the Department
7620 of Public Safety known as the State Police Bureau of Identification shall
7621 be maintained for the purposes (1) of providing an authentic record of
7622 each person sixteen years of age or over who is charged with the
7623 commission of any crime involving moral turpitude, (2) of providing
7624 definite information relative to the identity of each person so arrested,
7625 (3) of providing a record of the final judgment of the court resulting
7626 from such arrest, unless such record has been erased pursuant to
7627 section 54-142a, and (4) for maintaining a central repository of
7628 complete criminal history record disposition information. The
7629 Commissioner of Public Safety is directed to maintain the State Police
7630 Bureau of Identification, which bureau shall receive, classify and file in
7631 an orderly manner all fingerprints, pictures and descriptions,
7632 including previous criminal records as far as known of all persons so
7633 arrested, and shall classify and file in a like manner all identification
7634 material and records received from the government of the United
7635 States and from the various state governments and subdivisions
7636 thereof, and shall cooperate with such governmental units in the
7637 exchange of information relative to criminals. The State Police Bureau
7638 of Identification shall accept fingerprints of applicants for admission to
7639 the bar of the state and, to the extent permitted by federal law, shall
7640 exchange state, multistate and federal criminal history records with the
7641 State Bar Examining Committee for purposes of investigation of the
7642 qualifications of any applicant for admission as an attorney under
7643 section 51-80. The record of all arrests reported to the bureau after
7644 March 16, 1976, shall contain information of any disposition within
7645 ninety days after the disposition has occurred.

7646 (b) Any cost incurred by the State Police Bureau of Identification in
7647 conducting any name search and fingerprinting of applicants for

7648 admission to the bar of the state shall be paid from fees collected by the
7649 State Bar Examining Committee.

7650 (c) The Commissioner of Public Safety shall charge the following
7651 fees for the service indicated: (1) Name search, **[**eighteen**]** thirty-six
7652 dollars; (2) fingerprint search, **[**twenty-five**]** fifty dollars; (3) personal
7653 record search, **[**twenty-five**]** fifty dollars; (4) letters of good conduct
7654 search, **[**twenty-five**]** fifty dollars; (5) bar association search, **[**twenty-
7655 five**]** fifty dollars; (6) fingerprinting, **[**five**]** ten dollars; (7) criminal
7656 history record information search, **[**twenty-five**]** fifty dollars. Except as
7657 provided in subsection (b) of this section, the provisions of this
7658 subsection shall not apply to any federal, state or municipal agency.

7659 (d) The Commissioner of Public Safety may adopt regulations, in
7660 accordance with the provisions of chapter 54, necessary to implement
7661 the provisions of the National Child Protection Act of 1993, the Violent
7662 Crime Control and Law Enforcement Act of 1994, the Volunteers for
7663 Children Act of 1998, and the National Crime Prevention and Privacy
7664 Compact as provided in section 29-164f to provide for national
7665 criminal history records checks to determine an employee's or
7666 volunteer's suitability and fitness to care for the safety and well-being
7667 of children, the elderly and individuals with disabilities.

7668 Sec. 172. Section 29-17a of the general statutes is repealed and the
7669 following is substituted in lieu thereof (*Effective July 1, 2009*):

7670 (a) If a criminal history records check is required pursuant to any
7671 provision of the general statutes, such check shall be requested from
7672 the State Police Bureau of Identification and shall be applicable to the
7673 individual identified in the request. The requesting party shall arrange
7674 for the fingerprinting of the individual or for conducting any other
7675 method of positive identification required by the State Police Bureau of
7676 Identification and, if a national criminal history records check is
7677 requested, by the Federal Bureau of Investigation. The fingerprints or
7678 other positive identifying information shall be forwarded to the State
7679 Police Bureau of Identification which shall conduct a state criminal

7680 history records check. If a national criminal history records check is
7681 requested, the State Police Bureau of Identification shall submit the
7682 fingerprints or other positive identifying information to the Federal
7683 Bureau of Investigation for a national criminal history records check,
7684 unless the Federal Bureau of Investigation permits direct submission of
7685 the fingerprints or other positive identifying information by the
7686 requesting party.

7687 (b) The Commissioner of Public Safety may charge fees for
7688 conducting criminal history background checks as follows:

7689 (1) Except as provided in subdivision (2) of this subsection, for a
7690 person requesting (A) a state criminal history records check, the fee
7691 charged by the Department of Public Safety for performing such check,
7692 and (B) a national criminal history records check, the fee charged by
7693 the Federal Bureau of Investigation for performing such check.

7694 (2) For a state agency requesting a national criminal history records
7695 check of a person, the fee charged by the Federal Bureau of
7696 Investigation for performing such check. The state agency shall
7697 reimburse the Department of Public Safety for such cost. Unless
7698 otherwise provided by the provision of the general statutes requiring
7699 the criminal history records check, the state agency may charge the
7700 person a fee equal to the amount paid by the state agency under this
7701 subdivision.

7702 (c) The Commissioner of Public Safety may provide an expedited
7703 service for persons requesting criminal history records checks in
7704 accordance with this section. Such expedited service shall include
7705 making the results of such records checks available to the requesting
7706 party through the Internet. The commissioner may enter into a contract
7707 with any person, firm or corporation to establish and administer such
7708 expedited service. The commissioner shall charge, in addition to the
7709 fees charged pursuant to subsection (b) of this section, a fee of **[**twenty-
7710 five**]** <u>fifty</u> dollars for each expedited criminal history record check
7711 provided. The fee charged pursuant to subsection (b) of this section

7712 and the expedited service fee charged pursuant to this subsection shall
7713 be paid by the requesting party in such manner as may be required by
7714 the commissioner.

7715 Sec. 173. Section 29-30 of the general statutes is repealed and the
7716 following is substituted in lieu thereof (*Effective July 1, 2009*):

7717 (a) The fee for each permit originally issued under the provisions of
7718 subsection (a) of section 29-28 for the sale at retail of pistols and
7719 revolvers shall be **[**one**]** two hundred dollars and for each renewal
7720 thereof **[**one**]** two hundred dollars. The fee for each state permit
7721 originally issued under the provisions of subsection (b) of section 29-28
7722 for the carrying of pistols and revolvers shall be **[**seventy**]** one hundred
7723 forty dollars plus sufficient funds as required to be transmitted to the
7724 Federal Bureau of Investigation to cover the cost of a national criminal
7725 history records check. The local authority shall forward sufficient
7726 funds for the national criminal history records check to the
7727 commissioner no later than five business days after receipt by the local
7728 authority of the application for the temporary state permit. Thirty-five
7729 dollars shall be retained by the local authority. Upon approval by the
7730 local authority of the application for a temporary state permit, **[**thirty-
7731 five**]** seventy dollars shall be sent to the commissioner. The fee to
7732 renew each state permit originally issued under the provisions of
7733 subsection (b) of section 29-28 shall be **[**thirty-five**]** seventy dollars.
7734 Upon deposit of such fees in the General Fund, ten dollars of each fee
7735 shall be credited within thirty days to the appropriation for the
7736 Department of Public Safety to a separate nonlapsing account for the
7737 purposes of the issuance of permits under subsections (a) and (b) of
7738 section 29-28.

7739 (b) A local permit originally issued before October 1, 2001, whether
7740 for the sale at retail of pistols and revolvers or for the carrying of
7741 pistols and revolvers, shall expire five years after the date it becomes
7742 effective and each renewal thereof shall expire five years after the
7743 expiration date of the permit being renewed. On and after October 1,

7744 2001, no local permit for the carrying of pistols and revolvers shall be
7745 renewed.

7746 (c) A state permit originally issued under the provisions of section
7747 29-28 for the carrying of pistols and revolvers shall expire five years
7748 after the date such permit becomes effective and each renewal thereof
7749 shall expire five years after the expiration date of the state permit being
7750 renewed and such renewal shall not be contingent on the renewal or
7751 issuance of a local permit. A temporary state permit issued for the
7752 carrying of pistols and revolvers shall expire sixty days after the date it
7753 becomes effective, and may not be renewed.

7754 (d) The renewal fee required pursuant to subsection (a) of this
7755 section shall apply for each renewal which is requested not earlier than
7756 thirty-one days before, and not later than thirty-one days after, the
7757 expiration date of the state permit being renewed.

7758 (e) No fee or portion thereof paid under the provisions of this
7759 section for issuance or renewal of a state permit shall be refundable
7760 except if such permit for which the fee or portion thereof was paid was
7761 not issued or renewed. The portion of the fee expended on the national
7762 criminal history records check for any such permit that was not issued
7763 or renewed shall not be refunded.

7764 (f) The issuing authority shall send a notice of the expiration of a
7765 state permit to carry a pistol or revolver, issued pursuant to section 29-
7766 28, to the holder of such permit, by first class mail, not less than ninety
7767 days before such expiration, and shall enclose with such notice a form
7768 for the renewal of said state permit. A state permit to carry a pistol or
7769 revolver, issued pursuant to section 29-28, shall be valid for a period of
7770 ninety days after the expiration date, except this provision shall not
7771 apply to any state permit to carry a pistol or revolver which has been
7772 revoked or for which revocation is pending, pursuant to section 29-32.

7773 Sec. 174. Section 29-130 of the general statutes is repealed and the
7774 following is substituted in lieu thereof (*Effective July 1, 2009*):

7775 The Commissioner of Public Safety shall prescribe a form of
7776 application to be signed by each applicant and may require such
7777 information respecting the business in which the applicant proposes to
7778 engage as he finds necessary to safeguard the public from all forms of
7779 lascivious conduct, immoral practices, vice or violations of the law.
7780 Said commissioner or any employee of the Department of Public
7781 Safety authorized by him for said purpose may enter into any place so
7782 licensed or upon the premises where such business is being conducted
7783 for the purpose of observing the conduct of the same. Said
7784 commissioner shall issue to each applicant so licensed a certificate to
7785 be designated "amusement park license", and each certificate shall state
7786 the name of the applicant, the location of the place where such
7787 amusement, entertainment, diversion or recreation may be conducted
7788 and the hours each day during which the same may be conducted.
7789 Each certificate shall be displayed conspicuously for public view by
7790 the licensee at the place where the business so licensed is conducted.
7791 Any such license may be suspended or revoked by said commissioner
7792 whenever it appears that any of the conditions required to be stated in
7793 such license have been violated. Such applications and license
7794 certificates shall be printed at the expense of the state. The annual
7795 license fee shall be **[**fifty**]** <u>one hundred</u> dollars to be paid by the
7796 applicant to the Commissioner of Public Safety with each application
7797 for such license. Such licenses shall not be transferable and, if any
7798 licensee voluntarily discontinues operations thereunder, all rights
7799 secured thereby shall terminate. On and after January 1, 1986, the
7800 license year shall be from January first until December thirty-first
7801 following, inclusive. Each such license shall be for a period of one
7802 license year.

7803 Sec. 175. Section 29-134 of the general statutes is repealed and the
7804 following is substituted in lieu thereof (*Effective July 1, 2009*):

7805 No owner shall exhibit or provide any amusement, as defined in
7806 section 29-133, in this state unless he has obtained a license therefor as
7807 hereinafter provided and otherwise complies with the provisions of

7808 sections 29-133 to 29-142, inclusive. An annual license fee of [one] two
7809 hundred dollars shall be paid by the applicant to the Commissioner of
7810 Public Safety with each application for such amusement license.

7811 Sec. 176. Section 29-143j of the general statutes is repealed and the
7812 following is substituted in lieu thereof (*Effective July 1, 2009*):

7813 (a) As used in this chapter, "commissioner" means the
7814 Commissioner of Public Safety.

7815 (b) The commissioner shall have sole control of and jurisdiction over
7816 all amateur and professional boxing and sparring matches held,
7817 conducted or given within the state by any person or persons, club,
7818 corporation or association, except amateur boxing and sparring
7819 matches held under the supervision of any school, college or university
7820 having an academic course of study or of the recognized athletic
7821 association connected with such school, college or university or
7822 amateur boxing and sparring matches held under the auspices of any
7823 amateur athletic association that has been determined by the
7824 commissioner to be capable of ensuring the health and safety of the
7825 participants; provided the commissioner may at any time assume
7826 jurisdiction over any amateur boxing or sparring match if the
7827 commissioner determines that the health and safety of the participants
7828 is not being sufficiently safeguarded. The commissioner may appoint
7829 inspectors who shall, on the order of the commissioner, represent the
7830 commissioner at all boxing matches. The commissioner may appoint a
7831 secretary who shall prepare for service such notices and papers as may
7832 be required and perform such other duties as the commissioner
7833 directs.

7834 (c) The commissioner or the commissioner's authorized
7835 representative may cause a full investigation to be made of the location
7836 of, and paraphernalia and equipment to be used in any boxing or
7837 sparring match and all other matters and shall determine whether or
7838 not such match will be reasonably safe for the participants and for
7839 public attendance and may make reasonable orders concerning

7840 alterations or betterments to the equipment and paraphernalia, and
7841 concerning the character and arrangement of the seating, means of
7842 egress, lighting, firefighting appliances, fire and police protection and
7843 such other provisions as shall make the match reasonably safe against
7844 both fire and casualty hazards.

7845 (d) When any serious physical injury, as defined in subdivision (4)
7846 of section 53a-3, or death occurs in connection with a boxing or
7847 sparring match, the owner of the location of the match shall, not later
7848 than four hours after such occurrence, report the injury or death to the
7849 commissioner or the commissioner's designee. Not later than four
7850 hours after receipt of such report, the commissioner or the
7851 commissioner's designee shall cause an investigation of the occurrence
7852 to determine the cause of such serious physical injury or death. The
7853 commissioner or the commissioner's designee may enter into any place
7854 or upon any premises so registered or licensed in furtherance of such
7855 investigation and inspection.

7856 (e) The commissioner, in consultation with the Connecticut Boxing
7857 Commission, shall adopt such regulations in accordance with chapter
7858 54 as the commissioner deems necessary and desirable for the conduct,
7859 supervision and safety of boxing matches, including the licensing of
7860 the sponsors and the participants of such boxing matches, and for the
7861 development and promotion of the sport of boxing in this state,
7862 including, but not limited to, regulations to improve the
7863 competitiveness of the sport of boxing in this state relative to other
7864 states. Such regulations shall require fees for the issuance of licenses to
7865 such sponsors and participants as follows: (1) For referees, a fee of not
7866 less than **[**sixty-three**]** one hundred twenty-six dollars; (2) for
7867 matchmakers and assistant matchmakers, a fee of not less than
7868 **[**sixty-three**]** one hundred twenty-six dollars; (3) for timekeepers, a fee
7869 of not less than **[**thirteen**]** twenty-six dollars; (4) for professional
7870 boxers, a fee of not less than **[**thirteen**]** twenty-six dollars; (5) for
7871 amateur boxers, a fee of not less than **[**three**]** fifteen dollars; (6) for
7872 managers, a fee of not less than **[**sixty-three**]** one hundred twenty-six

7873 dollars; (7) for trainers, a fee of not less than [thirteen] twenty-six
7874 dollars; (8) for seconds, a fee of not less than [thirteen] twenty-six
7875 dollars; (9) for announcers, a fee of not less than [thirteen] twenty-six
7876 dollars; and (10) for promoters, a fee of not less than [two hundred
7877 fifty] three hundred fifteen dollars.

7878 (f) No organization, gymnasium or independent club shall host a
7879 sparring match unless such organization, gymnasium or independent
7880 club registers with the Department of Public Safety in accordance with
7881 this subsection. The commissioner shall register any organization,
7882 gymnasium or independent club that the commissioner deems
7883 qualified to host such matches. Application for such registration shall
7884 be made on forms provided by the department and accompanied by a
7885 fee of [fifty] one hundred dollars. For the purpose of enforcing the
7886 provisions of this chapter, the commissioner or an authorized
7887 representative may inspect the facility of any such organization,
7888 gymnasium or independent club. The Attorney General, at the request
7889 of the Commissioner of Public Safety, may apply in the name of the
7890 state of Connecticut to the Superior Court for an order temporarily or
7891 permanently restraining any organization, gymnasium or independent
7892 club from operating in violation of any provision of this chapter or the
7893 regulations adopted pursuant to this subsection. The commissioner, in
7894 consultation with the Connecticut Boxing Commission, shall adopt
7895 such regulations, in accordance with chapter 54, as the commissioner
7896 deems necessary for the conduct, supervision and safety of sparring
7897 matches.

7898 (g) The state, acting by and in the discretion of the commissioner,
7899 may enter into a contract with any person for the services of such
7900 person acting as an inspector appointed in accordance with the
7901 provisions of this section.

7902 Sec. 177. Section 29-146 of the general statutes is repealed and the
7903 following is substituted in lieu thereof (*Effective July 1, 2009*):

7904 The Commissioner of Public Safety shall, upon receipt of such

7905 application, cause an investigation to be made of the character and
7906 financial responsibility of the applicant and, if he finds that such
7907 applicant is a resident elector of good moral character and of sound
7908 financial responsibility, he shall, upon payment by such applicant to
7909 the state of a license fee of **[**one**]** two hundred dollars, issue a license to
7910 such applicant to do business in this state as a professional bondsman.
7911 Each such license shall be for such term not exceeding one year as said
7912 commissioner determines.

7913 Sec. 178. Section 29-152g of the general statutes is repealed and the
7914 following is substituted in lieu thereof (*Effective July 1, 2009*):

7915 Upon being satisfied, after investigation, that the applicant is a
7916 suitable person to receive a license as a bail enforcement agent, and
7917 that the applicant meets the licensing requirements of section 29-152f,
7918 the Commissioner of Public Safety may issue a license to such
7919 applicant to do business in this state as a bail enforcement agent. The
7920 fee for such license shall be **[**one**]** two hundred dollars. Each such
7921 license shall be for such term not exceeding one year as said
7922 commissioner determines. Any bail enforcement agent holding a
7923 license issued pursuant to this section or section 29-152h shall notify
7924 the commissioner within two business days of any change of address.
7925 The notification shall include the bail enforcement agent's old address
7926 and new address.

7927 Sec. 179. Section 29-152m of the general statutes is repealed and the
7928 following is substituted in lieu thereof (*Effective July 1, 2009*):

7929 (a) No professional bondsman licensed under chapter 533, surety
7930 bail bond agent licensed under chapter 700f or bail enforcement agent
7931 licensed under sections 29-152f to 29-152i, inclusive, shall carry a
7932 pistol, revolver or other firearm while engaging in the business of a
7933 professional bondsman, surety bail bond agent or bail enforcement
7934 agent, as the case may be, or while traveling to or from such business
7935 unless such bondsman or agent obtains a special permit from the
7936 Commissioner of Public Safety in accordance with the provisions of

7937 subsection (b) of this section. The permit required under this section
7938 shall be in addition to the permit requirement imposed under section
7939 29-28.

7940 (b) The Commissioner of Public Safety may grant to any
7941 professional bondsman licensed under chapter 533, surety bail bond
7942 agent licensed under chapter 700f or bail enforcement agent licensed
7943 under sections 29-152f to 29-152i, inclusive, a permit to carry a pistol or
7944 revolver or other firearm while engaging in the business of
7945 professional bondsman, surety bail bond agent or bail enforcement
7946 agent, as the case may be, or while traveling to or from such business,
7947 provided that such bondsman or agent has proven to the satisfaction of
7948 the commissioner that such bondsman or agent has successfully
7949 completed a course, approved by the commissioner, of training in the
7950 safety and use of firearms. The commissioner shall adopt regulations
7951 in accordance with the provisions of chapter 54 concerning the
7952 approval of schools, institutions or organizations offering such
7953 courses, requirements for instructors and the required number of
7954 hours and content of such courses.

7955 (c) Application for a permit issued pursuant to this section shall be
7956 made on forms provided by the commissioner and shall be
7957 accompanied by a **[**thirty-one-**]** sixty-two dollar fee. Such permit shall
7958 have an expiration date that coincides with that of the state permit to
7959 carry a pistol or revolver issued pursuant to section 29-28. A permit
7960 issued pursuant to this section shall be renewable every five years with
7961 a renewal fee of **[**thirty-one**]** sixty-two dollars. The commissioner shall
7962 send, by first class mail, a notice of expiration of the bail enforcement
7963 agent firearms permit issued pursuant to this section, together with a
7964 notice of expiration of the permit to carry a pistol or revolver issued
7965 pursuant to section 29-28, in one combined form. The commissioner
7966 shall send such combined notice to the holder of the permits not later
7967 than ninety days before the date of the expiration of both permits, and
7968 shall enclose a form for renewal of the permits. A bail enforcement
7969 agent firearms permit issued pursuant to this section shall be valid for

7970 a period of ninety days after the expiration date, except this provision
7971 shall not apply if the permit to carry a pistol or revolver has been
7972 revoked or revocation is pending pursuant to section 29-32, in which
7973 case the bail enforcement agent firearms permit shall also be revoked.

7974 Sec. 180. Section 29-155c of the general statutes is repealed and the
7975 following is substituted in lieu thereof (*Effective July 1, 2009*):

7976 The fee for an individual private detective shall, for an original
7977 license, be one thousand **[**two hundred**]** <u>four hundred fifty</u> dollars and
7978 for renewal of any such license, **[**five hundred**]** <u>six hundred twenty-</u>
7979 <u>five</u> dollars every two years. The fee for a private detective agency
7980 shall, for an original license, be one thousand **[**five hundred**]** <u>seven</u>
7981 <u>hundred fifty</u> dollars and for renewal of any such license, **[**eight
7982 hundred**]** <u>one thousand</u> dollars every two years. If a licensee fails to
7983 apply for renewal of any license within ninety days after the expiration
7984 thereof, such licensee shall pay for renewal thereof the fee provided for
7985 an original license.

7986 Sec. 181. Section 29-156a of the general statutes is repealed and the
7987 following is substituted in lieu thereof (*Effective July 1, 2009*):

7988 (a) Any licensee may employ as many private investigators as such
7989 licensee deems necessary for the conduct of such licensee's business,
7990 provided such employees shall be of good moral character and at least
7991 eighteen years of age.

7992 (b) Immediately upon hiring a private investigator, the licensee shall
7993 apply to register such employee with the Commissioner of Public
7994 Safety. Such application shall be made on forms furnished by the
7995 commissioner, and, under oath of the employee, shall give the
7996 employee's name, address, date and place of birth, employment for the
7997 past five years, experience in the position applied for, any convictions
7998 for violations of the law and such other information as the
7999 commissioner may require, by regulation, to properly investigate the
8000 character, competency and integrity of the employee.

8001 (c) The Commissioner of Public Safety shall require any applicant
8002 for registration under this section to submit to state and national
8003 criminal history records checks conducted in accordance with section
8004 29-17a, as amended by this act. The application for registration shall be
8005 accompanied by two sets of fingerprints of the employee and two full-
8006 face photographs of the employee, two inches wide by two inches
8007 high, taken no earlier than six months prior to the date of application
8008 for registration, and a [twenty] forty-dollar registration fee payable to
8009 the state. Subject to the provisions of section 46a-80, no person shall be
8010 registered who has been convicted of a felony, any sexual offense or
8011 any crime involving moral turpitude, or who has been refused a
8012 license under the provisions of this chapter for any reason except lack
8013 of minimum experience, or whose license, having been granted, has
8014 been revoked or is under suspension. The commissioner shall register
8015 all qualified employees and so notify the licensee and place the
8016 registration form and all related material on file with the Division of
8017 State Police within the Department of Public Safety.

8018 (d) The licensee shall notify the commissioner not later than five
8019 days after the termination of employment of any registered employees.

8020 (e) Any person, firm or corporation that violates any provision of
8021 this section shall be fined seventy-five dollars for each offense. Each
8022 distinct violation of this section shall be a separate offense and, in the
8023 case of a continuing violation, each day thereof shall be deemed a
8024 separate offense.

8025 Sec. 182. Section 29-161n of the general statutes is repealed and the
8026 following is substituted in lieu thereof (*Effective July 1, 2009*):

8027 The fee for an individual, association or partnership licensed as a
8028 security service shall, for an original license, be one thousand [two
8029 hundred] four hundred fifty dollars, and for renewal thereof, [five
8030 hundred] six hundred twenty-five dollars every two years. The fee for
8031 a corporation licensed as a security service shall, for an original license,
8032 be one thousand [five hundred] seven hundred fifty dollars and for

8033 renewal thereof [eight hundred] one thousand dollars every two years.
8034 If a licensee fails to apply for renewal of any license within ninety days
8035 after the expiration thereof, the licensee shall pay for renewal thereof
8036 the fee provided for an original license.

8037 Sec. 183. Section 29-161q of the general statutes is repealed and the
8038 following is substituted in lieu thereof (*Effective July 1, 2009*):

8039 (a) Any security service or business may employ as many security
8040 officers as such security service or business deems necessary for the
8041 conduct of the business, provided such security officers are of good
8042 moral character and at least eighteen years of age.

8043 (b) No person hired or otherwise engaged to perform work as a
8044 security officer, as defined in section 29-152u, shall perform the duties
8045 of a security officer prior to being licensed as a security officer by the
8046 Commissioner of Public Safety. Each applicant for a license shall
8047 complete a minimum of eight hours training in the following areas:
8048 Basic first aid, search and seizure laws and regulations, use of force,
8049 basic criminal justice and public safety issues. The training shall be
8050 approved by the commissioner in accordance with regulations adopted
8051 pursuant to section 29-161x.

8052 (1) On and after October 1, 2008, no person or employee of an
8053 association, corporation or partnership shall conduct such training
8054 without the approval of the commissioner except as provided in
8055 subdivision (2) of this subsection. Application for such approval shall
8056 be submitted on forms prescribed by the commissioner and
8057 accompanied by a fee of [twenty] forty dollars. Such application shall
8058 be made under oath and shall contain the applicant's name, address,
8059 date and place of birth, employment for the previous five years,
8060 education or training in the subjects required to be taught under this
8061 subsection, any convictions for violations of the law and such other
8062 information as the commissioner may require by regulation adopted
8063 pursuant to section 29-161x to properly investigate the character,
8064 competency and integrity of the applicant. No person shall be

8065 approved as an instructor for such training who has been convicted of
8066 a felony, a sexual offense or a crime of moral turpitude or who has
8067 been denied approval as a security service licensee, a security officer or
8068 instructor in the security industry by any licensing authority, or whose
8069 approval has been revoked or suspended. The term for such approval
8070 shall not exceed two years. Not later than two business days after a
8071 change of address, any person approved as an instructor in accordance
8072 with this section shall notify the commissioner of such change and
8073 such notification shall include both the old and new addresses.

8074 (2) If a security officer training course described in this subsection is
8075 approved by the commissioner on or before September 30, 2008, the
8076 instructor of such course shall have until April 1, 2009, to apply for
8077 approval as an instructor in accordance with subdivision (1) of this
8078 subsection.

8079 (3) Each person approved as an instructor in accordance with this
8080 section may apply for the renewal of such approval on a form
8081 approved by the commissioner, accompanied by a fee of **[**twenty**]** forty
8082 dollars. Such form may require the disclosure of any information
8083 necessary for the commissioner to determine whether the instructor's
8084 suitability to serve as an instructor has changed since the issuance of
8085 the prior approval. The term of such renewed approval shall not
8086 exceed two years.

8087 (c) Upon successful completion of the training pursuant to
8088 subsection (b) of this section, the applicant may submit an application
8089 for a license as a security officer on forms furnished by the
8090 commissioner and, under oath, shall give the applicant's name,
8091 address, date and place of birth, employment for the previous five
8092 years, experience in the position applied for, any convictions for
8093 violations of the law and such other information as the commissioner
8094 may require, by regulation, to properly investigate the character,
8095 competency and integrity of the applicant. Applicants shall submit
8096 with their application two sets of fingerprints of the employee and the

8097 Commissioner of Public Safety shall require any applicant for a license
8098 under this section to submit to state and national criminal history
8099 records checks conducted in accordance with section 29-17a, as
8100 amended by this act. Applicants shall submit with their application
8101 two sets of their fingerprints and two full-face photographs of them,
8102 two inches wide by two inches high, taken not earlier than six months
8103 prior to the date of application, and a [fifty-dollar] one-hundred-dollar
8104 licensing fee, made payable to the state. Subject to the provisions of
8105 section 46a-80, no person shall be approved for a license who has been
8106 convicted of a felony, any sexual offense or any crime involving moral
8107 turpitude, or who has been refused a license under the provisions of
8108 sections 29-161g to 29-161x, inclusive, for any reason except minimum
8109 experience, or whose license, having been granted, has been revoked
8110 or is under suspension. Upon being satisfied of the suitability of the
8111 applicant for licensure, the commissioner may license the applicant as
8112 a security officer. Such license shall be renewed every five years for a
8113 [fifty-dollar] one-hundred-dollar fee.

8114 (d) Upon the security officer's successful completion of training and
8115 licensing by the commissioner, or immediately upon hiring a licensed
8116 security officer, the security service employing such security officer
8117 shall apply to register such security officer with the commissioner on
8118 forms provided by the commissioner. Such application shall be
8119 accompanied by payment of a [twenty-dollar] forty-dollar application
8120 fee payable to the state. The Division of State Police within the
8121 Department of Public Safety shall keep on file the completed
8122 registration form and all related material. An identification card with
8123 the name, date of birth, address, full-face photograph, physical
8124 descriptors and signature of the applicant shall be issued to the
8125 security officer, and shall be carried by the security officer at all times
8126 while performing the duties associated with the security officer's
8127 employment. Registered security officers, in the course of performing
8128 their duties, shall present such card for inspection upon the request of
8129 a law enforcement officer.

8130 (e) The security service shall notify the commissioner not later than
8131 five days after the termination of employment of any registered
8132 employee.

8133 (f) Any fee or portion of a fee paid pursuant to this section shall not
8134 be refundable.

8135 (g) No person, firm or corporation shall employ or otherwise engage
8136 any person as a security officer, as defined in section 29-152u, unless
8137 such person is a licensed security officer.

8138 (h) Any person, firm or corporation that violates any provision of
8139 subsection (b), (d), (e) or (g) of this section shall be fined seventy-five
8140 dollars for each offense. Each distinct violation of this section shall be a
8141 separate offense and, in the case of a continuing violation, each day
8142 thereof shall be deemed a separate offense.

8143 Sec. 184. Section 29-161z of the general statutes is repealed and the
8144 following is substituted in lieu thereof (*Effective July 1, 2009*):

8145 (a) No employee of a licensed security service and no employee
8146 hired by a firm or corporation to perform work as a security officer
8147 may carry a pistol, revolver or other firearm while on duty or directly
8148 en route to or from such employment unless such employee obtains a
8149 special permit from the Commissioner of Public Safety in accordance
8150 with the provisions of subsection (b) of this section. No licensed
8151 security service and no firm or corporation may permit any employee
8152 to carry a pistol, revolver or other firearm while on duty or directly en
8153 route to or from such employment unless it obtains proof that such
8154 employee has obtained such permit from the commissioner. The
8155 permit required under this section shall be in addition to the permit
8156 requirement imposed under section 29-28.

8157 (b) The Commissioner of Public Safety may grant to any suitable
8158 employee of a licensed security service, or to an employee hired by a
8159 firm or corporation to perform work as a uniformed or nonuniformed

8160 security officer, a special permit to carry a pistol or revolver or other
8161 firearm while actually on duty on the premises of the employer, or,
8162 while directly en route to or from such employment, provided that
8163 such employee has proven to the satisfaction of the commissioner that
8164 such employee has successfully completed a course, approved by the
8165 commissioner, of training in the safety and use of firearms. The
8166 commissioner may grant to such employee a temporary permit
8167 pending issuance of the permit, provided such employee has
8168 submitted an application and successfully completed such training
8169 course immediately following employment. All armed security officers
8170 shall complete such safety course and yearly complete a refresher
8171 safety course approved by the commissioner. The commissioner shall
8172 adopt regulations in accordance with the provisions of chapter 54
8173 concerning the approval of schools, institutions or organizations
8174 offering such courses, requirements for instructors and the required
8175 number of hours and content of such courses.

8176 (c) Application for a special permit shall be made on forms provided
8177 by the commissioner and shall be accompanied by a **[**thirty-one-dollar**]**
8178 sixty-two-dollar fee. Such permit shall have the same expiration date
8179 as the pistol permit issued under subsection (b) of section 29-28 and
8180 may be renewed for additional five-year periods.

8181 (d) (1) On and after October 1, 2008, no person or employee of an
8182 association, corporation or partnership shall conduct the training
8183 pursuant to subsection (b) of this section without the approval of the
8184 commissioner, except as provided in subdivision (2) of this subsection.
8185 Application for such approval shall be submitted on forms prescribed
8186 by the commissioner, accompanied by a fee of **[**twenty**]** forty dollars.
8187 Such application shall be made under oath and shall contain the
8188 applicant's name, address, date and place of birth, employment for the
8189 previous five years, education or training in the subjects required to be
8190 taught under subsection (b) of this section, any convictions for
8191 violations of the law and such other information as the commissioner
8192 may require by regulation adopted pursuant to section 29-161x to

8193 properly investigate the character, competency and integrity of the
8194 applicant. No person shall be approved as an instructor for such
8195 training who has been convicted of a felony, a sexual offense or a crime
8196 of moral turpitude or who has been denied approval as a security
8197 service licensee, a security officer or instructor in the security industry
8198 by any licensing authority, or whose approval has been revoked or
8199 suspended. The term for such approval shall not exceed two years. Not
8200 later than two business days after a change of address, any person
8201 approved as an instructor in accordance with this section shall notify
8202 the commissioner of such change and such notification shall include
8203 both the old and new addresses.

8204 (2) If a course of training in the safety and use of firearms is
8205 approved by the commissioner in accordance with subsection (b) of
8206 this section on or before September 30, 2008, the person serving as an
8207 instructor of such course shall have until April 1, 2009, to apply for
8208 approval as an instructor in accordance with subdivision (1) of this
8209 subsection.

8210 (3) Each person approved as an instructor in accordance with this
8211 section may apply for the renewal of such approval on a form
8212 approved by the commissioner, accompanied by a fee of **[**twenty**]** forty
8213 dollars. Such form may require the disclosure of any information
8214 necessary for the commissioner to determine whether the instructor's
8215 suitability to serve as an instructor has changed since the issuance of
8216 the prior approval. The term of such renewed approval shall not
8217 exceed two years.

8218 (e) Any fee or portion of a fee paid pursuant to the provisions of this
8219 section shall not be refundable.

8220 (f) Any person, firm or corporation that violates any provision of
8221 this section shall be fined seventy-five dollars for each offense. Each
8222 violation of this section shall be a separate and distinct offense, and, in
8223 the case of a continuing violation, each day's continuance thereof shall
8224 be deemed to be a separate and distinct offense.

8225 (g) The commissioner may suspend or revoke a security service
8226 license, a special permit issued to a security officer or instructor
8227 approval upon a finding by the commissioner that such licensee,
8228 permit holder or instructor has violated any provision of this section,
8229 provided notice shall have been given to such licensee, permit holder
8230 or instructor to appear before the commissioner to show cause why the
8231 license, permit or approval should not be suspended or revoked. Any
8232 party aggrieved by an order of the commissioner may appeal
8233 therefrom in accordance with the provisions of section 4-183, except
8234 the venue for such appeal shall be the judicial district of New Britain.

8235 Sec. 185. Section 29-193 of the general statutes is repealed and the
8236 following is substituted in lieu thereof (*Effective July 1, 2009*):

8237 No new elevator or escalator shall be erected or installed and no
8238 elevator or escalator shall be relocated or altered until detailed plans
8239 and specifications of the proposed construction or other work have
8240 been submitted in triplicate to the department for approval. A fee of
8241 two hundred <u>fifty</u> dollars for each elevator or escalator payable to the
8242 department shall accompany each such proposal. Notice that such
8243 plans are approved or disapproved shall be given within a reasonable
8244 time and final inspection of the elevator or escalator, when installed,
8245 relocated or altered, shall be made before final approval for operation
8246 is given by the department. The department may issue a temporary
8247 operating permit, if necessary, pending final inspection and approval.
8248 The provisions of this chapter shall not prevent the operation of any
8249 elevator installed for temporary use in connection with building
8250 operations or the operation of any elevator for purposes connected
8251 with the installation or the testing of the same.

8252 Sec. 186. Section 29-196 of the general statutes is repealed and the
8253 following is substituted in lieu thereof (*Effective July 1, 2009*):

8254 As soon as the department approves any new, relocated or altered
8255 elevator or escalator as being fit for operation, it shall issue to the
8256 owner a certificate of operation for a capacity and speed specified in

8257 the inspector's report. The fee for the certificate first issued shall be two
8258 hundred fifty dollars. Such certificate shall be posted conspicuously in
8259 the car or cage or on the platform of the elevator or escalator and shall
8260 be valid for twelve months. Thereafter, the certificate shall be renewed
8261 every two years upon receipt of the renewal fee of **[**one hundred
8262 twenty**]** two hundred forty dollars, except that private residence
8263 elevators, as defined in the regulations adopted pursuant to section 29-
8264 192, shall not be subject to said renewal requirement. No fee shall be
8265 required of the state or any agency of the state. No elevator or escalator
8266 may be lawfully operated without such certificate.

8267 Sec. 187. Section 29-238 of the general statutes is repealed and the
8268 following is substituted in lieu thereof (*Effective July 1, 2009*):

8269 The owner or user of a boiler required by this chapter to be
8270 inspected by the Commissioner of Public Safety, state boiler inspectors
8271 or special inspectors shall pay to the commissioner the sum of **[**forty**]**
8272 eighty dollars for each operating certificate issued. No fee shall be
8273 required of the state or any agency of the state. All fees collected by the
8274 commissioner under authority of this chapter shall be transferred by
8275 the commissioner to the State Treasurer for deposit in the General
8276 Fund. If the report of inspection by the Department of Public Safety
8277 inspector or special inspector indicates that any boiler meets the
8278 requirements of this chapter and the boiler regulations, an operating
8279 certificate shall be issued by the commissioner to the owner or user.
8280 Such certificate shall state the pressure and other conditions under
8281 which such boiler may be lawfully operated. An operating certificate
8282 shall be valid for a period of not more than twelve months from the
8283 date of internal inspection, in the case of power boilers inspected
8284 pursuant to subdivision (1) of section 29-237, except that the certificate
8285 shall be valid for a period of not more than two months beyond the
8286 period set by the Commissioner of Public Safety in accordance with
8287 section 29-237. An operating certificate shall be valid for a period of
8288 not more than eighteen months from the date of internal inspection in
8289 the case of power boilers inspected pursuant to subdivision (2) of

8290 section 29-237. Operating certificates shall be valid for twenty-four
8291 months in the case of low pressure steam or vapor heating boilers, hot
8292 water heating boilers, hot water supply boilers and hot water heaters
8293 approved by a nationally recognized testing agency. If a boiler
8294 inspected by a state boiler inspector or special inspector commissioned
8295 by said commissioner is found to conform with the requirements of
8296 this chapter and the boiler regulations, an operating certificate shall be
8297 issued by said commissioner to the owner or user upon the receipt of
8298 the insuring company's report or the state boiler inspector's report.
8299 Said commissioner may order reinspection if reasonable doubt exists
8300 regarding any inspection. Such certificate shall state the pressure and
8301 other conditions under which such boiler may be lawfully operated
8302 and shall be valid not more than the period indicated in this section
8303 and shall be renewed each year in the case of power boilers inspected
8304 pursuant to subdivision (1) of section 29-237, every eighteen months in
8305 the case of power boilers inspected pursuant to subdivision (2) of
8306 section 29-237, and biennially in the case of hot water heating or hot
8307 water supply boilers and hot water heaters. An operating certificate
8308 shall be immediately invalid if the boiler is relocated or altered, unless
8309 such relocation or alteration has been approved in accordance with
8310 this chapter or the boiler code and regulations. No boiler shall be
8311 operated unless a valid operating certificate is displayed under glass in
8312 a conspicuous place in the room in which such boiler is located. If the
8313 boiler is not located within the building, the certificate shall be posted
8314 in a location convenient to the boiler inspected. In the case of a
8315 portable boiler such certificate shall be kept in a metal container to be
8316 fastened to the boiler or kept in a tool box accompanying the boiler.

8317 Sec. 188. Section 29-349 of the general statutes is repealed and the
8318 following is substituted in lieu thereof (*Effective July 1, 2009*):

8319 (a) The Commissioner of Public Safety shall have exclusive
8320 jurisdiction in the preparation of and may enforce reasonable
8321 regulations for the safe and convenient storage, transportation and use
8322 of explosives and blasting agents used in connection therewith, which

8323 regulations shall deal in particular with the quantity and character of
8324 explosives and blasting agents to be stored, transported and used, the
8325 proximity of such storage to inhabited dwellings or other occupied
8326 buildings, public highways and railroad tracks, the character and
8327 construction of suitable magazines for such storage, protective
8328 measures to secure such stored explosives and blasting agents and the
8329 abatement of any hazard that may arise incident to the storage,
8330 transportation or use of such explosives and blasting agents.

8331 (b) No person, firm or corporation shall engage in any activity
8332 concerning the storage, transportation or use of explosives unless such
8333 person, firm or corporation has obtained a license therefor from the
8334 Commissioner of Public Safety. Such license shall be issued upon
8335 payment of a fee of **[**one**]** two hundred dollars and upon submission
8336 by the applicant of evidence of good moral character and of
8337 competence in the control and handling of explosives, provided, if
8338 such license is for the use of explosives, it may be issued only to an
8339 individual person after demonstration that such individual is
8340 technically qualified to detonate explosives. Any such license to use
8341 explosives shall bear both the fingerprints of the licensee obtained by
8342 the Commissioner of Public Safety at the time of licensing, and the
8343 licensee's photograph, furnished by the licensee, of a size specified by
8344 the commissioner and taken not more than one year prior to the
8345 issuance of the license. Each such license shall be valid for one year
8346 from the date of its issuance, unless sooner revoked or suspended, and
8347 may be renewed annually thereafter upon a payment of **[**seventy-five**]**
8348 one hundred fifty dollars.

8349 (c) The Commissioner of Public Safety shall require any applicant
8350 for a license under this section to submit to state and national criminal
8351 history records checks. The criminal history records checks required
8352 pursuant to this subsection shall be conducted in accordance with
8353 section 29-17a, as amended by this act.

8354 (d) No person shall manufacture, keep, store, sell or deal in any

8355 explosives unless such person has a valid license under the provisions
8356 of subsection (b) of this section and obtains from the Commissioner of
8357 Public Safety or from the fire marshal of the town where such business
8358 is conducted a written permit therefor, which permit shall not be valid
8359 for more than one year and for which such person shall pay a fee of
8360 **[**fifty**]** one hundred dollars. If the permit is issued by the
8361 Commissioner of Public Safety, the commissioner shall forward a copy
8362 thereof to the local fire marshal. Such permit so granted shall definitely
8363 state the location of the building where such business is to be carried
8364 on or such explosive deposited and shall state that such building or
8365 premises complies with the regulations provided for in this section.

8366 (e) No person shall procure, transport or use any explosives unless
8367 such person has a valid license under subsection (b) of this section and
8368 has obtained a written permit therefor signed by the Commissioner of
8369 Public Safety or by the fire marshal of the town where such explosive
8370 is to be used, specifying the name of the purchaser, the amount to be
8371 purchased and transported and the purpose for which it is to be used.
8372 Any such permit to use explosives shall state the number of years the
8373 permittee has been engaged in blasting activity. Such permit shall be
8374 valid for such period, not longer than one year, as is required to
8375 accomplish the purpose for which it was obtained. No carrier shall
8376 transport any such explosive until the vehicle transporting the
8377 explosive has been inspected and approved by the Department of
8378 Public Safety and unless such written permit accompanies the same
8379 and no person shall have in such person's possession any such
8380 explosive unless such person has a license and permit therefor. The fee
8381 for such inspection shall be **[**fifty**]** one hundred dollars. The fee for
8382 such permit shall be **[**thirty**]** sixty dollars. Each person who has in such
8383 person's custody or possession any explosive or any detonating caps
8384 for explosives shall keep the same either under personal observation or
8385 securely locked up.

8386 (f) Any license or permit issued under the provisions of this section
8387 may be suspended or revoked by the issuing authority for violation by

8388 the licensee or permittee of any provision of law or regulation relating
8389 to explosives or conviction of such licensee or permittee of any felony
8390 or misdemeanor. Suspension or revocation of a license shall
8391 automatically suspend or revoke the permit and the suspension or
8392 revocation of a permit shall automatically suspend or revoke the
8393 license.

8394 (g) Any person who, by himself or herself or by such person's
8395 employee or agent or as the employee or agent of another, violates any
8396 provision of this section, or any regulation made by the Commissioner
8397 of Public Safety pursuant to the provisions of this section, shall be
8398 fined not more than ten thousand dollars or imprisoned not more than
8399 ten years, or both.

8400 (h) As used in this section, "blasting agent" means any material,
8401 composition or mixture intended for blasting, consisting substantially
8402 of a fuel and oxidizer, none of the ingredients of which is an explosive
8403 as defined in section 29-343, and the finished product of which as
8404 mixed and packaged for use or shipment cannot be detonated by the
8405 test procedure established by regulations adopted by the
8406 Commissioner of Public Safety in accordance with chapter 54.

8407 (i) Notwithstanding the provisions of this section, the Labor
8408 Commissioner shall regulate the storage, transportation and use of
8409 explosives and blasting agents in places of employment insofar as such
8410 activities relate to employee health and safety, provided such
8411 regulations shall be no less stringent than those prepared and enforced
8412 by the Commissioner of Public Safety pursuant to this section.

8413 Sec. 189. Section 29-357 of the general statutes is repealed and the
8414 following is substituted in lieu thereof (*Effective July 1, 2009*):

8415 (a) Except as provided in subsection (b) of this section, no person,
8416 firm or corporation shall offer for sale, expose for sale, sell at retail or
8417 use or explode or possess with intent to sell, use or explode any
8418 fireworks. A person who is sixteen years of age or older may offer for

8419 sale, expose for sale, sell at retail, purchase, use or possess with intent
8420 to sell or use sparklers or fountains of not more than one hundred
8421 grams of pyrotechnic mixture per item, which are nonexplosive and
8422 nonaerial, provided (1) such sparklers and fountains do not contain
8423 magnesium, except for magnalium or magnesium-aluminum alloy, (2)
8424 such sparklers and fountains containing any chlorate or perchlorate
8425 salts do not exceed five grams of composition per item, and (3) when
8426 more than one fountain is mounted on a common base, the total
8427 pyrotechnic composition does not exceed two hundred grams.

8428 (b) The State Fire Marshal shall adopt reasonable regulations, in
8429 accordance with chapter 54, for the granting of permits for supervised
8430 displays of fireworks or for the indoor use of pyrotechnics, sparklers
8431 and fountains for special effects by municipalities, fair associations,
8432 amusement parks, other organizations or groups of individuals or
8433 artisans in pursuit of their trade. Such permit may be issued upon
8434 application to said State Fire Marshal and after (1) inspection of the site
8435 of such display or use by the local fire marshal to determine
8436 compliance with the requirements of such regulations, (2) approval of
8437 the chiefs of the police and fire departments, or, if there is no police or
8438 fire department, of the first selectman, of the municipality wherein the
8439 display is to be held as is provided in this section, and (3) the filing of a
8440 bond by the applicant as provided in section 29-358. No such display
8441 shall be handled or fired by any person until such person has been
8442 granted a certificate of competency by the State Fire Marshal, in
8443 respect to which a fee of **[**one**]** two hundred dollars shall be payable to
8444 the State Treasurer when issued and which may be renewed every
8445 three years upon payment of a fee of one hundred **[**fifty**]** ninety dollars
8446 to the State Treasurer, provided such certificate may be suspended or
8447 revoked by said marshal at any time for cause. Such certificate of
8448 competency shall attest to the fact that such operator is competent to
8449 fire a display. Such display shall be of such a character and so located,
8450 discharged or fired as in the opinion of the chiefs of the police and fire
8451 departments or such selectman, after proper inspection, will not be
8452 hazardous to property or endanger any person or persons. In an aerial

8453 bomb, no salute, report or maroon may be used that is composed of a
8454 formula of chlorate of potash, sulphur, black needle antimony and
8455 dark aluminum. Formulas that may be used in a salute, report or
8456 maroon are as follows: (A) Perchlorate of potash, black needle
8457 antimony and dark aluminum, and (B) perchlorate of potash, dark
8458 aluminum and sulphur. No high explosive such as dynamite,
8459 fulminate of mercury or other stimulator for detonating shall be used
8460 in any aerial bomb or other pyrotechnics. Application for permits shall
8461 be made in writing at least fifteen days prior to the date of display, on
8462 such notice as the State Fire Marshal by regulation prescribes, on forms
8463 furnished by him, and a fee of **[**fifty**]** one hundred dollars shall be
8464 payable to the State Treasurer with each such application. After such
8465 permit has been granted, sales, possession, use and distribution of
8466 fireworks for such display shall be lawful for that purpose only. No
8467 permit granted hereunder shall be transferable. Any permit issued
8468 under the provisions of this section may be suspended or revoked by
8469 the State Fire Marshal or the local fire marshal for violation by the
8470 permittee of any provision of the general statutes, any regulation or
8471 any ordinance relating to fireworks.

8472 (c) The State Fire Marshal may grant variations or exemptions from,
8473 or approve equivalent or alternate compliance with, particular
8474 provisions of any regulation issued under the provisions of subsection
8475 (b) of this section where strict compliance with such provisions would
8476 entail practical difficulty or unnecessary hardship or is otherwise
8477 adjudged unwarranted, provided any such variation, exemption,
8478 approved equivalent or alternate compliance shall, in the opinion of
8479 the State Fire Marshal, secure the public safety and shall be made in
8480 writing.

8481 (d) Any person, firm or corporation violating the provisions of this
8482 section shall be fined not more than one hundred dollars or
8483 imprisoned not more than ninety days or be both fined and
8484 imprisoned, except that (1) any person, firm or corporation violating
8485 the provisions of subsection (a) of this section by offering for sale,

8486 exposing for sale or selling at retail or possessing with intent to sell any
8487 fireworks with a value exceeding ten thousand dollars shall be guilty
8488 of a class A misdemeanor, and (2) any person, firm or corporation
8489 violating any provision of subsection (b) of this section or any
8490 regulation adopted thereunder shall be guilty of a class A
8491 misdemeanor, except if death or injury results from any such violation,
8492 such person, firm or corporation shall be fined not more than ten
8493 thousand dollars or imprisoned not more than ten years, or both.

8494 Sec. 190. Section 29-402 of the general statutes is repealed and the
8495 following is substituted in lieu thereof (*Effective July 1, 2009*):

8496 (a) No person shall engage in the business of demolition of
8497 buildings without a certificate of registration obtained from the
8498 Department of Public Safety. An applicant for initial registration shall
8499 file an application with the Department of Public Safety, furnish
8500 evidence of expertise and financial responsibility and pay a fee of
8501 **[**three hundred fifty**]** <u>four hundred forty</u> dollars for a class B certificate
8502 and **[**seven hundred fifty**]** <u>nine hundred forty</u> dollars for a class A
8503 certificate. Each certificate shall be valid for twelve months from date
8504 of issuance and shall be renewable on application of the registrant
8505 upon payment of an annual fee of two hundred <u>fifty</u> dollars for a class
8506 B certificate and **[**six hundred**]** <u>seven hundred fifty</u> dollars for a class A
8507 certificate. The department may refuse to issue any such certificate for
8508 cause, and may revoke or refuse to renew any such certificate for
8509 failure to carry out and conform to the provisions of this part or to any
8510 regulations adopted hereunder, or for any violation of title 22a. No
8511 person shall be refused a certificate or a renewal thereof, and no
8512 certificate shall be revoked, without an opportunity for a hearing
8513 conducted by the Department of Public Safety.

8514 (b) As used in this part, the term "registration" includes the whole or
8515 part of any permit which the Department of Public Safety issues under
8516 authority of the general statutes and which (1) requires persons to
8517 place their names on a list maintained by the department before they

8518 can engage in the business of demolition of buildings, (2) does not
8519 require a person to demonstrate competence by examination or other
8520 means, and (3) may be revoked or suspended by the department for
8521 cause.

8522 (c) The provisions of this section shall not apply to (1) a person who
8523 is engaged in the disassembling, transportation and reconstruction of
8524 historic buildings for historical purposes or in the demolition of farm
8525 buildings or in the renovation, alteration or reconstruction of a single-
8526 family residence, (2) the removal of underground petroleum storage
8527 tanks, (3) the burning of a building or structure as part of an organized
8528 fire department training exercise, or (4) the demolition of a single-
8529 family residence or outbuilding by an owner of such structure if it does
8530 not exceed a height of thirty feet, provided (A) the owner shall be
8531 present on site while such demolition work is in progress and shall be
8532 held personally liable for any injury to individuals or damage to public
8533 or private property caused by such demolition, and (B) such
8534 demolition shall be permitted only with respect to buildings which
8535 have clearance from other structures, roads or highways equal to or
8536 greater than the height of the structure subject to demolition. The local
8537 building official may require additional clearance when deemed
8538 necessary for safety.

8539 Sec. 191. Section 30-16 of the general statutes is repealed and the
8540 following is substituted in lieu thereof (*Effective July 1, 2009*):

8541 (a) A manufacturer permit shall allow the manufacture of alcoholic
8542 liquor and the storage, bottling and wholesale distribution and sale of
8543 alcoholic liquor manufactured or bottled to permittees in this state and
8544 without the state as may be permitted by law; but no such permit shall
8545 be granted unless the place or the plan of the place of manufacture has
8546 received the approval of the Department of Consumer Protection. A
8547 holder of a manufacturer permit may apply for and shall receive an
8548 out-of-state shipper's permit for manufacturing plants and warehouse
8549 locations outside the state owned by such manufacturer or a

8550 subsidiary corporation thereof, at least eighty-five per cent of the
8551 voting stock of which is owned by such manufacturer, to bring into
8552 any of its plants or warehouses in the state alcoholic liquors for
8553 reprocessing, repackaging, reshipment or sale either (1) within the
8554 state to wholesaler permittees not owned or controlled by such
8555 manufacturer, or (2) outside the state. A holder of a manufacturer
8556 permit, except a manufacturer permit for cider, may apply for and
8557 shall receive a wholesaler permit. The annual fee for a manufacturer
8558 permit shall be **[**one thousand six hundred**]** two thousand dollars.

8559 (b) A manufacturer permit for beer shall be in all respects the same
8560 as a manufacturer permit, except that the scope of operations of the
8561 holder shall be limited to beer, but shall permit the storage of beer in
8562 any part of the state. Such permit shall also authorize the offering and
8563 tasting, on the premises of the permittee, of free samples of beer
8564 brewed on such premises and the selling at retail from the premises of
8565 sealed bottles or other sealed containers of such beer for consumption
8566 off the premises. The offering and tasting shall be limited to visitors
8567 who have attended a tour of the premises of the permittee. Such selling
8568 at retail from the premises of sealed bottles or other sealed containers
8569 shall comply with the provisions of subsection (d) of section 30-91 and
8570 shall permit not more than eight liters of beer to be sold to any person
8571 on any day on which such sale is authorized under the provisions of
8572 subsection (d) of section 30-91. The annual fee for a manufacturer
8573 permit for beer shall be **[**eight hundred**]** one thousand dollars.

8574 (c) A manufacturer permit for cider not exceeding six per cent
8575 alcohol by volume and apple wine not exceeding fifteen per cent
8576 alcohol by volume shall allow the manufacture, storage, bottling and
8577 wholesale distribution and sale at retail of such cider and apple wine
8578 to permittees and nonpermittees in this state as may be permitted by
8579 law; but no such permit shall be issued unless the place or the plan of
8580 the place of manufacture has received the approval of the department.
8581 The annual fee for a manufacturer permit for cider shall be **[**one
8582 hundred sixty**]** two hundred dollars.

8583 (d) A manufacturer permit for apple brandy and eau-de-vie shall be
8584 in all respects the same as a manufacturer permit, except that the scope
8585 of operations of the holder shall be limited to apple brandy or eau-de-
8586 vie, or both. The annual fee for a manufacturer permit for apple
8587 brandy and eau-de-vie shall be **[**three hundred twenty**]** <u>four hundred</u>
8588 dollars.

8589 (e) (1) A manufacturer permit for a farm winery shall be in all
8590 respects the same as a manufacturer permit, except that the scope of
8591 operations of the holder shall be limited to wine and brandies distilled
8592 from grape products or other fruit products, including grappa and
8593 eau-de-vie. As used in this section, "farm winery" means any place or
8594 premises, located on a farm in the state in which wine is manufactured
8595 and sold.

8596 (2) Such permit shall, at the single principal premises of the farm
8597 winery, authorize (A) the sale in bulk by the holder thereof from the
8598 premises where the products are manufactured pursuant to such
8599 permit; (B) as to a manufacturer who produces one hundred thousand
8600 gallons of wine or less per year, the sale and shipment by the holder
8601 thereof to a retailer of wine manufactured by the farm winery
8602 permittee in the original sealed containers of not more than fifteen
8603 gallons per container; (C) the sale and shipment by the holder thereof
8604 of wine manufactured by the farm winery permittee to persons outside
8605 the state; (D) the offering and tasting of free samples of such wine or
8606 brandy to visitors and prospective retail customers for consumption on
8607 the premises of the farm winery permittee; (E) the sale at retail from
8608 the premises of sealed bottles or other sealed containers of such wine
8609 or brandy for consumption off the premises; (F) the sale at retail from
8610 the premises of wine or brandy by the glass and bottle to visitors on
8611 the premises of the farm winery permittee for consumption on the
8612 premises; and (G) subject to the provisions of subdivision (3) of this
8613 subsection, the sale and delivery or shipment of wine manufactured by
8614 the permittee directly to a consumer in this state. Notwithstanding the
8615 provisions of subparagraphs (D), (E) and (F) of this subdivision, a

8616 town may, by ordinance or zoning regulation, prohibit any such
8617 offering, tasting or selling at retail at premises within such town for
8618 which a manufacturer permit for a farm winery has been issued.

8619 (3) A permittee, when selling and shipping wine directly to a
8620 consumer in this state, shall: (A) Ensure that the shipping labels on all
8621 containers of wine shipped directly to a consumer in this state
8622 conspicuously state the following: "CONTAINS ALCOHOL—
8623 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
8624 DELIVERY"; (B) obtain the signature of a person age twenty-one or
8625 older at the address prior to delivery, after requiring the signer to
8626 demonstrate that he or she is age twenty-one or older by providing a
8627 valid motor vehicle operator's license or a valid identity card described
8628 in section 1-1h; (C) not ship more than five gallons of wine in any two-
8629 month period to any person in this state; (D) pay, to the Department of
8630 Revenue Services, all sales taxes and alcoholic beverage taxes due
8631 under chapters 219 and 220 on sales of wine to consumers in this state,
8632 and file, with said department, all sales tax returns and alcoholic
8633 beverage tax returns relating to such sales; (E) report to the
8634 Department of Consumer Protection a separate and complete record of
8635 all sales and shipments to consumers in the state, on a ledger sheet or
8636 similar form which readily presents a chronological account of such
8637 permittee's dealings with each such consumer; (F) not ship to any
8638 address in the state where the sale of alcoholic liquor is prohibited by
8639 local option pursuant to section 30-9; and (G) hold an in-state
8640 transporter's permit pursuant to section 30-19f or make any such
8641 shipment through the use of a person who holds such an in-state
8642 transporter's permit.

8643 (4) No licensed farm winery may sell any such wine or brandy not
8644 manufactured by such winery, except a licensed farm winery may sell
8645 from the premises wine manufactured by another farm winery located
8646 in this state.

8647 (5) The farm winery permittee shall grow on the premises of the

8648 farm winery or on property under the same ownership and control of
8649 said permittee or leased by the backer of a farm winery permit or by
8650 said permittee within the farm winery's principal state an average crop
8651 of fruit equal to not less than twenty-five per cent of the fruit used in
8652 the manufacture of the farm winery permittee's wine. An average crop
8653 shall be defined each year as the average yield of the farm winery
8654 permittee's two largest annual crops out of the preceding five years,
8655 except that during the first seven years from the date of issuance of a
8656 farm winery permit, an average crop shall be defined as three tons of
8657 grapes for each acre of vineyard farmed by the farm winery permittee.
8658 In the event the farm winery consists of more than one property, the
8659 aggregate acreage of the farm winery shall not be less than five acres.

8660 (6) A holder of a manufacturer permit for a farm winery, when
8661 advertising or offering wine for direct shipment to a consumer in this
8662 state via the Internet or any other on-line computer network, shall
8663 clearly and conspicuously state such liquor permit number in its
8664 advertising.

8665 (7) The annual fee for a manufacturer permit for a farm winery shall
8666 be **[**two hundred forty**]** <u>three hundred</u> dollars.

8667 (f) A manufacturer permit for a brew pub shall allow: (1) The
8668 manufacture, storage and bottling of beer, (2) the retail sale of alcoholic
8669 liquor to be consumed on the premises with or without the sale of
8670 food, (3) the selling at retail from the premises of sealed bottles or
8671 other sealed containers of beer brewed on such premises for
8672 consumption off the premises, and (4) the sale of sealed bottles or other
8673 sealed containers of beer brewed on such premises to the holder of a
8674 wholesaler permit issued pursuant to subsection (b) of section 30-17,
8675 provided that the holder of a manufacturer permit for a brew pub
8676 produces at least five thousand gallons of beer on the premises
8677 annually. Such selling at retail from the premises of sealed bottles or
8678 other sealed containers shall comply with the provisions of subsection
8679 (d) of section 30-91 and shall permit not more than eight liters of beer

8680 to be sold to any person on any day on which such sale is authorized
8681 under the provisions of subsection (d) of section 30-91. The annual fee
8682 for a manufacturer permit for a brew pub shall be **[**two hundred forty**]**
8683 three hundred dollars.

8684 Sec. 192. Section 30-17 of the general statutes is repealed and the
8685 following is substituted in lieu thereof (*Effective July 1, 2009*):

8686 (a) (1) A wholesaler permit shall allow the bottling of alcoholic
8687 liquor and the wholesale sale of alcoholic liquor to permittees in this
8688 state and without the state, as may be permitted by law, and the sale of
8689 alcoholic liquors to vessels engaged in coastwise or foreign commerce,
8690 and the sale of alcohol and alcoholic liquor for industrial purposes to
8691 nonpermittees, such sales to be made in accordance with the
8692 regulations adopted by the Department of Consumer Protection, and
8693 the sale of alcohol and alcoholic liquor for medicinal purposes to
8694 hospitals and charitable institutions and to religious organizations for
8695 sacramental purposes and the receipt from out-of-state shippers of
8696 multiple packages of alcoholic liquor. The holder of a wholesaler
8697 permit may apply for and shall thereupon receive an out-of-state
8698 shipper's permit for direct importation from abroad of alcoholic
8699 liquors manufactured outside the United States and an out-of-state
8700 shipper's permit for direct importation from abroad of beer
8701 manufactured outside the United States. The annual fee for a
8702 wholesaler permit shall be **[**two thousand four hundred**]** three
8703 thousand dollars.

8704 (2) When a holder of a wholesaler permit has had the
8705 distributorship of any alcohol, beer, spirits or wine product of a
8706 manufacturer or out-of-state shipper for six months or more, such
8707 distributorship may be terminated or its geographic territory
8708 diminished upon (A) the execution of a written stipulation by the
8709 wholesaler and manufacturer or out-of-state shipper agreeing to the
8710 change and the approval of such change by the Department of
8711 Consumer Protection; or (B) the sending of a written notice by

8712 registered mail, return receipt requested, by the manufacturer or out-
8713 of-state shipper to the wholesaler, a copy of which notice has been sent
8714 simultaneously by registered mail, return receipt requested, to the
8715 Department of Consumer Protection. No such termination or
8716 diminishment shall become effective except for just and sufficient
8717 cause, provided such cause shall be set forth in such notice and the
8718 Department of Consumer Protection shall determine, after hearing,
8719 that just and sufficient cause exists. If an emergency occurs, caused by
8720 the wholesaler, prior to such hearing, which threatens the
8721 manufacturers' or out-of-state shippers' products or otherwise
8722 endangers the business of the manufacturer or out-of-state shipper and
8723 said emergency is established to the satisfaction of the Department of
8724 Consumer Protection, the department may temporarily suspend such
8725 wholesaler permit or take whatever reasonable action the department
8726 deems advisable to provide for such emergency and the department
8727 may continue such temporary action until its decision after a full
8728 hearing. The Department of Consumer Protection shall render its
8729 decision with reasonable promptness following such hearing.
8730 Notwithstanding the aforesaid, a manufacturer or out-of-state shipper
8731 may appoint one or more additional wholesalers as the distributor for
8732 an alcohol, spirits or wine product within such territory, provided
8733 such appointment shall not be effective until six months from the date
8734 such manufacturer or out-of-state shipper sets forth such intention in
8735 written notice to the existing wholesaler by registered mail, return
8736 receipt requested, with a copy of such notice simultaneously sent by
8737 registered mail, return receipt requested, to the Department of
8738 Consumer Protection. For just and sufficient cause, a manufacturer or
8739 out-of-state shipper may appoint one or more additional wholesalers
8740 as the distributor for a beer product within such territory provided
8741 such manufacturer or out-of-state shipper sets forth such intention and
8742 cause in written notice to the existing wholesaler by registered mail,
8743 return receipt requested, with a copy of such notice simultaneously
8744 sent by registered mail, return receipt requested, to the Department of
8745 Consumer Protection. For the purposes of this section, "just and

8746 sufficient cause" means the existence of circumstances which, in the
8747 opinion of a reasonable person considering all of the equities of both
8748 the wholesaler and the manufacturer or out-of-state shipper warrants a
8749 termination or a diminishment of a distributorship as the case may be.
8750 For the purposes of this section, "manufacturer or out-of-state shipper"
8751 means the manufacturer or out-of-state shipper who originally granted
8752 a distributorship of any alcohol, beer, spirits or wine product to a
8753 wholesaler, any successor to such manufacturer or out-of-state shipper,
8754 which successor has assumed the contractual relationship with such
8755 wholesaler by assignment or otherwise, or any other manufacturer or
8756 out-of-state shipper who acquires the right to ship such alcohol, beer,
8757 spirits or wine into the state.

8758 (3) Nothing contained herein shall be construed to interfere with the
8759 authority of the Department of Consumer Protection to retain or adopt
8760 reasonable regulations concerning the termination or diminishment of
8761 a distributorship held by a wholesaler for less than six months.

8762 (4) All hearings held hereunder shall be held in accordance with the
8763 provisions of chapter 54.

8764 (b) A wholesaler permit for beer shall be in all respects the same as a
8765 wholesaler permit, except that the scope of operations of the holder
8766 shall be limited to beer; but shall not prohibit the handling of
8767 nonalcoholic merchandise. The holder of a wholesaler permit for beer
8768 may apply for and shall thereupon receive an out-of-state shipper's
8769 permit for direct importation from abroad of beer manufactured
8770 outside the United States. The annual fee for a wholesaler permit for
8771 beer shall be **[**eight hundred**]** <u>one thousand</u> dollars.

8772 Sec. 193. Section 30-17b of the general statutes is repealed and the
8773 following is substituted in lieu thereof (*Effective July 1, 2009*):

8774 (a) No person shall be employed by any wholesaler of alcoholic
8775 liquor to sell or offer for sale alcoholic liquor to any retailer of alcoholic
8776 liquor unless such person holds a wholesaler's salesman certificate or

8777 files an application for such certificate not later than ten days after the
8778 date of his initial employment. Any person desiring a wholesaler's
8779 salesman certificate or renewal thereof, shall file a sworn application
8780 for such certificate upon forms to be furnished by the Department of
8781 Consumer Protection, showing his name, address and such other
8782 information as the department may require. An application for an
8783 initial certificate shall be accompanied by a nonrefundable fee in the
8784 amount of **[**twenty-five**]** fifty dollars. Upon approval of such
8785 application, the department shall issue a certificate which shall be
8786 renewed only upon change of employment. If a certified wholesaler's
8787 salesman changes employment, a renewal application shall be filed not
8788 later than ten days after the date such new employment commences
8789 and shall be accompanied by a nonrefundable fee in the amount of
8790 **[**twenty-five**]** fifty dollars.

8791 (b) The department shall not issue a wholesaler's salesman
8792 certificate to any person who is, by statute or regulation, declared to be
8793 an unsuitable person to hold a permit to sell alcoholic liquor.

8794 (c) The Department of Consumer Protection may, in its discretion,
8795 refuse a certificate to a wholesaler's salesman if it has reasonable
8796 ground to believe: (1) That the applicant appears to be financially
8797 irresponsible; (2) that the applicant is in the habit of using alcoholic
8798 beverages to excess; (3) that the applicant has wilfully made any false
8799 statement to the department in a material matter; or (4) that the
8800 applicant has been convicted of violating any of the liquor laws of this
8801 or any other state or the liquor laws of the United States or has been
8802 convicted of a felony as such term is defined in section 53a-25 or has
8803 such a criminal record that the department reasonably believes he is
8804 not a suitable person to hold a certificate, provided no refusal shall be
8805 rendered under this subdivision except in accordance with the
8806 provisions of sections 46a-80 and 46a-81.

8807 (d) The Department of Consumer Protection may, of its own
8808 motion, revoke or suspend a wholesaler's salesman certificate upon

8809 cause found after hearing, provided ten days' written notice of such
8810 hearing has been given to the holder of the certificate setting forth,
8811 with the particulars required in civil pleadings, the charges upon
8812 which such proposed revocation or suspension is predicated and
8813 provided no certificate shall be suspended or revoked for any violation
8814 of this chapter of which the holder of the certificate was finally found
8815 not guilty by, or received dismissal in, a court having jurisdiction
8816 thereof, and no disciplinary action shall be taken thereafter by said
8817 department against the holder of the certificate, and provided the
8818 department shall not initiate hearing proceedings pursuant to this
8819 section based upon any arrest which has not resulted in a conviction.
8820 Any appeal from such order of revocation or suspension shall be taken
8821 in accordance with the provisions of section 4-183.

8822 (e) Any person who applies for a wholesaler's salesman certificate or
8823 for the renewal of such certificate, whose application is refused or any
8824 person who holds a certificate which is revoked or suspended by the
8825 Department of Consumer Protection may appeal therefrom in the
8826 same manner as provided in section 30-60.

8827 Sec. 194. Section 30-18 of the general statutes is repealed and the
8828 following is substituted in lieu thereof (*Effective July 1, 2009*):

8829 (a) An out-of-state shipper's permit for alcoholic liquor other than
8830 beer shall allow the sale of such alcoholic liquor to manufacturer and
8831 wholesaler permittees in this state as permitted by law and, as to any
8832 out-of-state shipper operating a farm winery who produces not more
8833 than one hundred thousand gallons of wine per year, the sale and
8834 shipment by the holder thereof to a retailer of wine manufactured by
8835 such permittee on the permitted premises in the original sealed
8836 containers of not more than fifteen gallons per container. The permit
8837 premises of an out-of-state shipper's permit for alcoholic liquor may be
8838 located within this state or outside this state. The annual fee for an out-
8839 of-state shipper's permit for alcoholic liquor other than beer shall be
8840 **[**forty-five**]** <u>ninety</u> dollars for a Connecticut manufacturer or

8841 wholesaler holding such a permit and shall be one thousand two
8842 hundred fifty dollars for any other person holding such a permit. For
8843 purposes of this subsection, "farm winery" means any place or
8844 premises, located on a farm in which wine is manufactured and sold
8845 provided not less than twenty-five per cent of the fruit used in the
8846 manufacture of such wine is produced on such farm.

8847 (b) Subject to the provisions of this subsection, an out-of-state
8848 shipper's permit for alcoholic liquor other than beer shall allow the sale
8849 and delivery or shipment of wine manufactured by the permittee on
8850 the permitted premises directly to a consumer in this state. Such
8851 permittee, when selling and shipping wine directly to a consumer in
8852 this state, shall: (1) Ensure that the shipping labels on all containers of
8853 wine shipped directly to a consumer in this state conspicuously state
8854 the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON
8855 AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (2) obtain the
8856 signature of a person age twenty-one or older at the address prior to
8857 delivery, after requiring the signer to demonstrate that he or she is age
8858 twenty-one or older by providing a valid motor vehicle operator's
8859 license or a valid identity card described in section 1-1h; (3) not ship
8860 more than five gallons of wine in any two-month period to any person
8861 in this state and not ship any wine until such permittee is registered,
8862 with respect to the permittee's sales of wine to consumers in this state,
8863 for purposes of the taxes imposed under chapters 219 and 220, with the
8864 Department of Revenue Services; (4) pay, to the Department of
8865 Revenue Services, all sales taxes and alcoholic beverage taxes due
8866 under chapters 219 and 220 on sales of wine to consumers in this state,
8867 and file, with said department, all sales tax returns and alcoholic
8868 beverage tax returns relating to such sales, with the amount of such
8869 taxes to be calculated as if the sale were in this state at the location
8870 where delivery is made; (5) report to the Department of Consumer
8871 Protection a separate and complete record of all sales and shipments to
8872 consumers in the state, on a ledger sheet or similar form which readily
8873 presents a chronological account of such permittee's dealings with
8874 each such consumer; (6) permit the Department of Consumer

8875 Protection and Department of Revenue Services, separately or jointly,
8876 to perform an audit of the permittee's records upon request; (7) not
8877 ship to any address in the state where the sale of alcoholic liquor is
8878 prohibited by local option pursuant to section 30-9; (8) hold an in-state
8879 transporter's permit pursuant to section 30-19f or make any such
8880 shipment through the use of a person who holds such an in-state
8881 transporter's permit; and (9) execute a written consent to the
8882 jurisdiction of this state, its agencies and instrumentalities and the
8883 courts of this state concerning the enforcement of this section and any
8884 related laws, rules, or regulations, including, but not limited to, tax
8885 laws, rules or regulations.

8886 (c) The Department of Consumer Protection, in consultation with
8887 the Department of Revenue Services, may adopt regulations, in
8888 accordance with the provisions of chapter 54, to assure compliance
8889 with the provisions of subsection (b) of this section.

8890 (d) A holder of an out-of-state shipper's permit for alcoholic liquor
8891 other than beer, when advertising or offering wine for direct shipment
8892 to a consumer in this state via the Internet or any other on-line
8893 computer network, shall clearly and conspicuously state such liquor
8894 permit number in its advertising.

8895 (e) (1) For purposes of chapter 219, the holder of an out-of-state
8896 shipper's permit for alcoholic liquor other than beer, when shipping
8897 wine directly to a consumer in this state, shall be deemed to be a
8898 retailer engaged in business in this state, as defined in chapter 219, and
8899 shall be required to be issued a seller's permit pursuant to chapter 219.

8900 (2) For purposes of chapter 220, the holder of an out-of-state
8901 shipper's permit for alcoholic liquor other than beer, when shipping
8902 wine directly to a consumer in this state, shall be deemed to be a
8903 distributor as defined in chapter 220 and shall be required to be
8904 licensed pursuant to chapter 220.

8905 (f) As used in this section, "out-of-state" means any state other than

8906 Connecticut, any territory or possession of the United States, the
8907 District of Columbia or the Commonwealth of Puerto Rico, but does
8908 not include any foreign country.

8909 Sec. 195. Section 30-18a of the general statutes is repealed and the
8910 following is substituted in lieu thereof (*Effective July 1, 2009*):

8911 (a) An out-of-state winery shipper's permit for wine shall allow the
8912 sale of wine to manufacturer and wholesaler permittees in this state as
8913 permitted by law and for those shippers that produce not more than
8914 one hundred thousand gallons of wine per year, the sale and shipment
8915 by the holder thereof to a retailer of wine manufactured by such
8916 permittee in the original sealed containers of not more than fifteen
8917 gallons per container.

8918 (b) Subject to the provisions of this subsection, an out-of-state
8919 winery shipper's permit for wine shall allow the sale and delivery or
8920 shipment of wine manufactured by the permittee directly to a
8921 consumer in this state. Such permittee, when selling and shipping
8922 wine directly to a consumer in this state, shall: (1) Ensure that the
8923 shipping labels on all containers of wine shipped directly to a
8924 consumer in this state conspicuously state the following: "CONTAINS
8925 ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER
8926 REQUIRED FOR DELIVERY"; (2) obtain the signature of a person age
8927 twenty-one or older at the address prior to delivery, after requiring the
8928 signer to demonstrate that he or she is age twenty-one or older by
8929 providing a valid motor vehicle operator's license or a valid identity
8930 card described in section 1-1h; (3) not ship more than five gallons of
8931 wine in any two-month period to any person in this state and not ship
8932 any wine until such permittee is registered, with respect to the
8933 permittee's sales of wine to consumers in this state, for purposes of the
8934 taxes imposed under chapters 219 and 220, with the Department of
8935 Revenue Services; (4) pay, to the Department of Revenue Services, all
8936 sales taxes and alcoholic beverage taxes due under chapters 219 and
8937 220 on sales of wine to consumers in this state, and file, with said

8938 department, all sales tax returns and alcoholic beverage tax returns
8939 relating to such sales, with the amount of such taxes to be calculated as
8940 if the sale were in this state at the location where delivery is made; (5)
8941 report to the Department of Consumer Protection a separate and
8942 complete record of all sales and shipments to consumers in the state,
8943 on a ledger sheet or similar form which readily presents a
8944 chronological account of such permittee's dealings with each such
8945 consumer; (6) permit the Department of Consumer Protection and
8946 Department of Revenue Services, separately or jointly, to perform an
8947 audit of the permittee's records upon request; (7) not ship to any
8948 address in the state where the sale of alcoholic liquor is prohibited by
8949 local option pursuant to section 30-9; (8) hold an in-state transporter's
8950 permit pursuant to section 30-19f or make any such shipment through
8951 the use of a person who holds such an in-state transporter's permit;
8952 and (9) execute a written consent to the jurisdiction of this state, its
8953 agencies and instrumentalities and the courts of this state concerning
8954 the enforcement of this section and any related laws, rules, or
8955 regulations, including tax laws, rules or regulations.

8956 (c) The Department of Consumer Protection, in consultation with
8957 the Department of Revenue Services, may adopt regulations in
8958 accordance with the provisions of chapter 54 to assure compliance
8959 with the provisions of subsection (b) of this section.

8960 (d) A holder of an out-of-state winery shipper's permit for wine,
8961 when advertising or offering wine for direct shipment to a consumer in
8962 this state via the Internet or any other on-line computer network, shall
8963 clearly and conspicuously state such liquor permit number in its
8964 advertising.

8965 (e) (1) For purposes of chapter 219, the holder of an out-of-state
8966 winery shipper's permit for wine, when shipping wine directly to a
8967 consumer in this state, shall be deemed to be a retailer engaged in
8968 business in this state as defined in chapter 219 and shall be required to
8969 be issued a seller's permit pursuant to chapter 219.

8970 (2) For purposes of chapter 220, the holder of an out-of-state winery
8971 shipper's permit for wine, when shipping wine directly to a consumer
8972 in this state, shall be deemed to be a distributor as defined in chapter
8973 220 and shall be required to be licensed pursuant to chapter 220.

8974 (f) Any person who applies for an out-of-state winery shipper's
8975 permit for wine or for the renewal of such permit shall furnish an
8976 affidavit to the Department of Consumer Protection, in such form as
8977 may be prescribed by the department, affirming whether the out-of-
8978 state winery that is the subject of such permit produced more than one
8979 hundred thousand gallons of wine during the most recently completed
8980 calendar year.

8981 (g) The annual fee for an out-of-state winery shipper's permit for
8982 wine shall be **[**two hundred fifty**]** <u>three hundred fifteen</u> dollars.

8983 (h) As used in this section, "out-of-state" means any state other than
8984 Connecticut, any territory or possession of the United States, the
8985 District of Columbia or the Commonwealth of Puerto Rico, but does
8986 not include any foreign country.

8987 Sec. 196. Section 30-19 of the general statutes is repealed and the
8988 following is substituted in lieu thereof (*Effective July 1, 2009*):

8989 An out-of-state shipper's permit for beer shall allow the sale of beer
8990 to manufacturer and wholesaler permittees in this state as permitted
8991 by law. The permit premises of an out-of-state shipper's permit for
8992 beer may be located within this state or outside this state. The annual
8993 fee for an out-of-state shipper's permit for beer shall be **[**forty-five**]**
8994 <u>ninety</u> dollars for a Connecticut manufacturer or wholesaler holding
8995 such a permit and shall be one thousand <u>two hundred fifty</u> dollars for
8996 any other person holding such a permit.

8997 Sec. 197. Section 30-19f of the general statutes is repealed and the
8998 following is substituted in lieu thereof (*Effective July 1, 2009*):

8999 (a) An in-state transporter's permit for alcoholic liquor shall allow

9000 the commercial transportation of any alcoholic liquor as permitted by
9001 law. The annual fee for an in-state transporter's liquor permit shall be
9002 one thousand two hundred fifty dollars.

9003 (b) No person, corporation, trust, partnership, incorporated or
9004 unincorporated association, and any other legal entity except: (1) The
9005 holder of an out-of-state shipper's permit issued pursuant to section
9006 30-18 or 30-19; (2) the holder of a manufacturer's permit issued
9007 pursuant to section 30-16 other than the holder of a manufacturer's
9008 permit for a farm winery; and (3) the holder of a wholesaler's permit
9009 issued pursuant to section 30-17 shall transport any alcoholic
9010 beverages imported into this state unless such person holds an in-state
9011 transporter's permit and the tax imposed on such alcoholic liquor by
9012 section 12-435 has been paid and, if applicable, the tax imposed on the
9013 sale of such alcoholic liquor pursuant to chapter 219 has been paid.

9014 (c) An in-state transporter, when shipping or delivering wine
9015 directly to a consumer in this state, shall: (1) Ensure that the shipping
9016 labels on all containers of wine shipped directly to a consumer in this
9017 state conspicuously state the following: "CONTAINS ALCOHOL—
9018 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
9019 DELIVERY"; (2) obtain the signature of a person age twenty-one or
9020 older at the address prior to delivery, after requiring the signer to
9021 demonstrate that he or she is age twenty-one or older by providing a
9022 valid motor vehicle operator's license or a valid identity card described
9023 in section 1-1h; and (3) not ship to any address in the state where the
9024 sale of alcoholic liquor is prohibited by local option pursuant to section
9025 30-9.

9026 (d) Any person convicted of violating subsections (a), (b) and (c) of
9027 this section shall be fined not more than two thousand dollars for each
9028 offense.

9029 Sec. 198. Section 30-20 of the general statutes is repealed and the
9030 following is substituted in lieu thereof (*Effective July 1, 2009*):

9031 (a) A package store permit shall allow the retail sale of alcoholic
9032 liquor not to be consumed on the premises, such sales to be made only
9033 in sealed bottles or other containers. The holder of a package store
9034 permit may, in accordance with regulations adopted by the
9035 Department of Consumer Protection pursuant to the provisions of
9036 chapter 54, offer free samples of alcoholic liquor for tasting on the
9037 premises, conduct demonstrations and conduct tastings or
9038 demonstrations provided by a permittee or backer of a package store
9039 for a nominal charge to charitable nonprofit organizations. Any
9040 offering, tasting or demonstration held on permit premises shall be
9041 conducted only during the hours a package store is permitted to sell
9042 alcoholic liquor under section 30-91. No store operating under a
9043 package store permit shall sell any commodity other than alcoholic
9044 liquor except that, notwithstanding any other provision of law, such
9045 store may sell (1) cigarettes, (2) publications, (3) bar utensils, which
9046 shall include, but need not be limited to, corkscrews, beverage
9047 strainers, stirrers or other similar items used to consume or related to
9048 the consumption of alcoholic liquor, (4) gift packages of alcoholic
9049 liquor shipped into the state by a manufacturer or out-of-state shipper,
9050 which may include a nonalcoholic item in the gift package that may be
9051 any item, except food or tobacco products, provided the dollar value of
9052 the nonalcoholic items does not exceed the dollar value of the alcoholic
9053 items of the package, (5) nonalcoholic beverages, (6) concentrates used
9054 in the preparation of mixed alcoholic beverages, (7) beer and wine-
9055 making kits and products related to beer and wine-making kits, (8) ice
9056 in any form, (9) articles of clothing imprinted with advertising related
9057 to the alcoholic liquor industry, (10) gift baskets or other containers of
9058 alcoholic liquor, (11) multiple packages of alcoholic liquors, as defined
9059 in subdivision (3) of section 30-1, provided in all such cases the
9060 minimum retail selling price for such alcoholic liquor shall apply, and
9061 (12) lottery tickets authorized by the Division of Special Revenue, if
9062 licensed as an agent to sell such tickets by said division. A package
9063 store permit shall also allow the taking and transmitting of orders for
9064 delivery of such merchandise in other states. Notwithstanding any

9065 other provision of law, a package store permit shall allow the
9066 participation in any lottery ticket promotion or giveaway sponsored by
9067 the Division of Special Revenue. The annual fee for a package store
9068 permit shall be **[**four**]** five hundred dollars plus the sum required by
9069 section 30-66.

9070 (b) A grocery store beer permit may be granted to any grocery store
9071 and shall allow the retail sale of beer in standard size containers not to
9072 be consumed on the premises. A holder of a grocery store beer permit
9073 shall post in a prominent location adjacent to the beer display, the
9074 retail price for each brand of beer and said retail price shall include all
9075 applicable federal and state taxes including the applicable state sales
9076 taxes. The annual fee for a grocery store beer permit shall be **[**eighty**]**
9077 one hundred sixty dollars plus the sum required by section 30-66.

9078 (c) "Grocery store" means any store commonly known as a
9079 supermarket, food store, grocery store or delicatessen, primarily
9080 engaged in the retail sale of all sorts of canned goods and dry goods
9081 such as tea, coffee, spices, sugar and flour, either packaged or in bulk,
9082 with or without fresh fruits and vegetables, and with or without fresh,
9083 smoked and prepared meats, fish and poultry, except that no store
9084 primarily engaged in the retail sale of seafood, fruits and vegetables,
9085 candy, nuts and confectioneries, dairy products, bakery products or
9086 eggs and poultry shall be included in the definition of "grocery store".

9087 Sec. 199. Section 30-20a of the general statutes is repealed and the
9088 following is substituted in lieu thereof (*Effective July 1, 2009*):

9089 (a) (1) A university permit for beer shall allow the retail sale of beer
9090 on land and in a building which is subject to the care, custody and
9091 control of an institution offering a program of higher learning as
9092 defined by section 10a-34 which has been accredited by the Board of
9093 Governors of Higher Education or otherwise is authorized to award a
9094 degree pursuant to section 10a-34. Such beverages shall be available
9095 for consumption on the premises by students, faculty and staff of the
9096 institution or their guests. Such permits shall be under the supervision

9097 and control of the Department of Consumer Protection. The annual fee
9098 for a university permit for beer shall be [two hundred forty] three
9099 hundred dollars.

9100 (2) A university permit for wine and beer shall allow the retail sale
9101 of wine and beer on land and in a building which is subject to the care,
9102 custody and control of an institution offering a program of higher
9103 learning as defined by section 10a-34 which has been accredited by the
9104 Board of Governors of Higher Education or otherwise is authorized to
9105 award a degree pursuant to section 10a-34. Such beverages shall be
9106 available for consumption on the premises by students, faculty and
9107 staff of the institution or their guests. Such permits shall be under the
9108 supervision and control of the Department of Consumer Protection.
9109 The annual fee for a university permit for beer and wine shall be [five
9110 hundred sixty] seven hundred dollars.

9111 (b) A university liquor permit shall allow the retail sale of alcoholic
9112 liquor: (1) In a room that is subject to the care, custody and control of
9113 The University of Connecticut Board of Trustees, or (2) on land or in a
9114 building situated on or abutting a golf course which is subject to the
9115 care, custody and control of an institution offering a program of higher
9116 learning, as defined in section 10a-34, which has been accredited by the
9117 Board of Governors of Higher Education or otherwise is authorized to
9118 award a degree pursuant to section 10a-34. Such permits shall be
9119 under the supervision and control of the Department of Consumer
9120 Protection. The annual fee for a university liquor permit shall be [two
9121 hundred forty] three hundred dollars.

9122 Sec. 200. Section 30-21 of the general statutes is repealed and the
9123 following is substituted in lieu thereof (*Effective July 1, 2009*):

9124 (a) A hotel permit shall allow the retail sale of alcoholic liquor to be
9125 consumed on the premises of a hotel. The annual fee for a hotel permit
9126 shall be as follows: (1) In towns having a population according to the
9127 last-preceding United States census of not more than ten thousand, one
9128 thousand [two hundred] four hundred fifty dollars, (2) in towns

9129 having a population of more than ten thousand but not more than fifty
9130 thousand, one thousand [six hundred] eight hundred fifty dollars, and
9131 (3) in towns having a population of more than fifty thousand, two
9132 thousand [four hundred] six hundred fifty dollars.

9133 (b) A hotel permit for beer shall allow the retail sale of beer and of
9134 cider not exceeding six per cent of alcohol by volume to be consumed
9135 on the premises of a hotel. The annual fee for a hotel permit for beer
9136 shall be [two hundred forty] three hundred dollars.

9137 (c) (1) A patron of a dining room, restaurant or other dining facility
9138 in a hotel may remove one unsealed bottle of wine for off-premises
9139 consumption provided the patron has purchased a full course meal
9140 and consumed a portion of the bottle of wine with such meal on the
9141 hotel premises. For purposes of this section, "full course meal" means a
9142 diversified selection of food which ordinarily cannot be consumed
9143 without the use of tableware and which cannot be conveniently
9144 consumed while standing or walking.

9145 (2) A partially consumed bottle of wine that is to be removed from
9146 the dining facility premises within the hotel pursuant to this
9147 subsection shall be securely sealed and placed in a bag by the
9148 permittee or permittee's agent or employee prior to removal from such
9149 premises.

9150 (d) "Hotel" means every building or other structure kept, used,
9151 maintained, advertised or held out to the public to be a place where
9152 food is served at all times when alcoholic liquor is served and where
9153 sleeping accommodations are offered for pay to transient guests,
9154 where, in towns having a population according to the last-preceding
9155 United States census of forty thousand or less, not less than five rooms
9156 are used for the sleeping accommodations of transient guests and food
9157 is served at least five days a week, and where, in towns having a
9158 population according to the last-preceding United States census of
9159 over forty thousand, ten or more rooms are used for the sleeping
9160 accommodations of transient guests and food is served at least seven

9161 days a week and, in any case, having one or more dining rooms where
9162 meals are served to transient guests, such sleeping accommodations
9163 and dining rooms being conducted in the same building or buildings
9164 in connection therewith, and such building or buildings, structure or
9165 structures being provided, in the judgment of the department, with
9166 adequate and sanitary kitchen and dining room equipment and
9167 capacity, and having employed therein such number and kinds of
9168 servants and employees as the department may, by regulation,
9169 prescribe for preparing, cooking and serving suitable food for its
9170 guests. Golf facilities and swimming pools within the confines of the
9171 entire property owned by and under the control of the permittee or
9172 backer shall also be considered part of the hotel premises.

9173 Sec. 201. Section 30-21b of the general statutes is repealed and the
9174 following is substituted in lieu thereof (*Effective July 1, 2009*):

9175 (a) A resort permit shall allow the retail sale of alcoholic liquor to be
9176 consumed on the premises of a resort. The annual fee for a resort
9177 permit shall be one thousand **[**two**]** <u>five</u> hundred dollars.

9178 (b) "Resort" means those premises upon which a hotel with other
9179 facilities, such as, but not limited to, a golf course, tennis courts, ski
9180 slopes or trails, riding stables or swimming facilities, is operated on a
9181 seasonal basis.

9182 Sec. 202. Section 30-22 of the general statutes is repealed and the
9183 following is substituted in lieu thereof (*Effective July 1, 2009*):

9184 (a) A restaurant permit shall allow the retail sale of alcoholic liquor
9185 to be consumed on the premises of a restaurant. A restaurant patron
9186 shall be allowed to remove one unsealed bottle of wine for off-
9187 premises consumption provided the patron has purchased such bottle
9188 of wine at such restaurant and has purchased a full course meal at
9189 such restaurant and consumed a portion of the bottle of wine with
9190 such meal on such restaurant premises. For the purposes of this
9191 section, "full course meal" means a diversified selection of food which

9192 ordinarily cannot be consumed without the use of tableware and
9193 which cannot be conveniently consumed while standing or walking. A
9194 restaurant permit, with prior approval of the Department of Consumer
9195 Protection, shall allow alcoholic liquor to be served at tables in outside
9196 areas which are screened or not screened from public view where
9197 permitted by fire, zoning and health regulations. If not required by
9198 fire, zoning or health regulations, a fence or wall enclosing such
9199 outside areas shall not be required by the Department of Consumer
9200 Protection. No fence or wall used to enclose such outside areas shall be
9201 less than thirty inches high. The annual fee for a restaurant permit
9202 shall be one thousand **[**two hundred**]** four hundred fifty dollars.

9203 (b) A restaurant permit for beer shall allow the retail sale of beer
9204 and of cider not exceeding six per cent of alcohol by volume to be
9205 consumed on the premises of a restaurant. The annual fee for a
9206 restaurant permit for beer shall be **[**two hundred forty**]** three hundred
9207 dollars.

9208 (c) A restaurant permit for wine and beer shall allow the retail sale
9209 of wine and beer and of cider not exceeding six per cent of alcohol by
9210 volume to be consumed on the premises of the restaurant. A restaurant
9211 patron may remove one unsealed bottle of wine for off-premises
9212 consumption provided the patron has purchased a full course meal
9213 and consumed a portion of the bottle of wine with such meal on the
9214 restaurant premises. The annual fee for a restaurant permit for wine
9215 and beer shall be **[**five hundred sixty**]** seven hundred dollars.

9216 (d) Repealed by P.A. 77-112, S. 1.

9217 (e) A partially consumed bottle of wine that is to be removed from
9218 the premises pursuant to subsection (a) or (c) of this section shall be
9219 securely sealed and placed in a bag by the permittee or permittee's
9220 agent or employee prior to removal from the premises.

9221 (f) "Restaurant" means space, in a suitable and permanent building,
9222 kept, used, maintained, advertised and held out to the public to be a

9223 place where hot meals are regularly served, but which has no sleeping
9224 accommodations for the public and which shall be provided with an
9225 adequate and sanitary kitchen and dining room and employs at all
9226 times an adequate number of employees.

9227 Sec. 203. Section 30-22a of the general statutes is repealed and the
9228 following is substituted in lieu thereof (*Effective July 1, 2009*):

9229 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be
9230 consumed on the premises of a cafe. Premises operated under a cafe
9231 permit shall regularly keep food available for sale to its customers for
9232 consumption on the premises. The availability of sandwiches, soups or
9233 other foods, whether fresh, processed, precooked or frozen, shall be
9234 deemed compliance with this requirement. The licensed premises shall
9235 at all times comply with all the regulations of the local department of
9236 health. Nothing herein shall be construed to require that any food be
9237 sold or purchased with any liquor, nor shall any rule, regulation or
9238 standard be promulgated or enforced requiring that the sale of food be
9239 substantial or that the receipts of the business other than from the sale
9240 of liquor equal any set percentage of total receipts from sales made
9241 therein. A cafe permit shall allow, with the prior approval of the
9242 Department of Consumer Protection, alcoholic liquor to be served at
9243 tables in outside areas that are screened or not screened from public
9244 view where permitted by fire, zoning and health regulations. If not
9245 required by fire, zoning or health regulations, a fence or wall enclosing
9246 such outside areas shall not be required by the Department of
9247 Consumer Protection. No fence or wall used to enclose such outside
9248 areas shall be less than thirty inches high. The annual fee for a cafe
9249 permit shall be **[**one thousand seven hundred fifty**]** <u>two thousand</u>
9250 dollars.

9251 (b) (1) A cafe patron may remove one unsealed bottle of wine for
9252 off-premises consumption provided the patron has purchased a full
9253 course meal and consumed a portion of the wine with such meal on
9254 the cafe premises. For purposes of this section, "full course meal"

9255 means a diversified selection of food which ordinarily cannot be
9256 consumed without the use of tableware and which cannot be
9257 conveniently consumed while standing or walking.

9258 (2) A partially consumed bottle of wine that is to be removed from
9259 the premises pursuant to this subsection shall be securely sealed and
9260 placed in a bag by the permittee or the permittee's agent or employee
9261 prior to removal from the premises.

9262 (c) As used in this section, "cafe" means space in a suitable and
9263 permanent building, kept, used, maintained, advertised and held out
9264 to the public to be a place where alcoholic liquor and food is served for
9265 sale at retail for consumption on the premises but which does not
9266 necessarily serve hot meals; it shall have no sleeping accommodations
9267 for the public and need not necessarily have a kitchen or dining room
9268 but shall have employed therein at all times an adequate number of
9269 employees.

9270 Sec. 204. Section 30-22b of the general statutes is repealed and the
9271 following is substituted in lieu thereof (*Effective July 1, 2009*):

9272 (a) A restaurant permit for a catering establishment shall allow a
9273 catering establishment to serve alcoholic liquor at a function, occasion
9274 or event on the premises of a catering establishment; provided (1) that
9275 alcoholic liquor shall be sold only to persons invited to and attending
9276 such a function, occasion or event and (2) that alcoholic liquor shall be
9277 sold only during the specific hours such function, occasion or event is
9278 scheduled on the premises. The permittee shall comply with the
9279 regulations of the local department of health. The department may
9280 waive the requirements of subdivisions (1) and (2) of this subsection
9281 for not more than four functions, occasions or events of a catering
9282 establishment annually, provided such establishment makes written
9283 application to the department at least ten days prior to the scheduled
9284 date of the function, occasion or event for which a waiver is sought.
9285 The annual fee for a restaurant permit for a catering establishment
9286 shall be one thousand **[**two hundred**]** <u>four hundred fifty</u> dollars.

9287 (b) Nothing in this section shall be construed to require that any
9288 catering establishment operated under a restaurant permit for a
9289 catering establishment be open for business to the public at any time
9290 other than when a particular function, occasion or event is scheduled
9291 on such premises.

9292 (c) No organization eligible for a club or nonprofit club permit, or
9293 other entity established primarily to serve its members shall be eligible
9294 for a restaurant permit for a catering establishment.

9295 (d) "Catering establishment" means any premises that (1) has an
9296 adequate, suitable and sanitary kitchen, dining room and facilities to
9297 provide hot meals, (2) has no sleeping accommodations for the public,
9298 (3) is owned or operated by any person, firm, association, partnership
9299 or corporation that regularly furnishes for hire on such premises, one
9300 or more ballrooms, reception rooms, dining rooms, banquet halls or
9301 similar places of assemblage for a particular function, occasion or
9302 event or that furnishes provisions and services for consumption or use
9303 at such function, occasion or event, and (4) employs an adequate
9304 number of employees on such premises at the time of any such
9305 function, occasion or event.

9306 Sec. 205. Section 30-23 of the general statutes is repealed and the
9307 following is substituted in lieu thereof (*Effective July 1, 2009*):

9308 (a) A club permit shall allow the retail sale of alcoholic liquor to be
9309 consumed on the premises of a club but only by members or their
9310 guests. The annual fee for a club permit shall be **[**two hundred forty**]**
9311 <u>three hundred</u> dollars.

9312 (b) "Club" means an association of persons, whether incorporated or
9313 unincorporated, which has been in existence as a bona fide
9314 organization for at least three years prior to applying for a permit
9315 issued as provided by this chapter, or has been a bona fide national or
9316 international fraternal or social organization or affiliation thereof
9317 which has been in existence in this state for one year, for the promotion

9318 of some common object, not including associations organized for any
9319 commercial or business purpose the object of which is money profit,
9320 owning, hiring or leasing a building, or space in a building, or having
9321 substantial control of a building or space therein, of such extent and
9322 character as, in the judgment of the department, may be suitable and
9323 adequate for the reasonable and comfortable use and accommodation
9324 of its members and their guests; provided, as to such clubs as the
9325 department finds to be bona fide and which offer facilities and
9326 privileges in addition to the privileges of the club building, such as
9327 golf, tennis, bathing or beach facilities, hunting or riding, the three-
9328 year requirement shall not apply; and provided such club shall file
9329 with the department, upon request, within ten days of February first in
9330 each year, a list of the names and residences of its members, and shall
9331 similarly file, within ten days of the election of any additional member,
9332 his name and address, and provided its aggregate annual membership
9333 fees or dues and other income, exclusive of any proceeds of the sale of
9334 alcoholic liquor, shall be sufficient to defray the annual rental of its
9335 leased or rented premises, or, if such premises are owned by the club,
9336 shall be sufficient to meet the taxes, insurance and repairs and the
9337 interest on any mortgage thereof; and provided, further, its affairs and
9338 management shall be conducted by a board of directors, executive
9339 committee or similar body chosen by the members at their annual
9340 meeting, and no member or any officer, agent or employee of the club
9341 shall be paid or, directly or indirectly, shall receive in the form of
9342 salary or other compensation any profits from the disposition or sale of
9343 alcoholic liquor to the club or to the members of the club or its guests
9344 introduced by members, beyond the amount of such salary as may be
9345 fixed and voted at annual meetings by the members or by its directors
9346 or other governing body and as reported by the club to the
9347 department, within three months after such annual meeting, and as, in
9348 the judgment of the department, is reasonable and proper
9349 compensation for the services of such member, officer, agent or
9350 employee.

9351 (c) A nonprofit club permit shall allow the retail sale of alcoholic

9352 liquor to be consumed on the premises of a nonprofit club by members
9353 or their guests and by persons other than members or their guests,
9354 provided the total receipts of such club in any year, including receipts
9355 from the sale of alcoholic liquor, derived from making its facilities and
9356 services available to such persons in furtherance of such club's
9357 recreational or other nonprofit purpose shall not exceed fifteen per
9358 cent of such club's gross receipts for such year. "Nonprofit club" means
9359 a club that is exempt from federal income tax under Section 501(a) of
9360 the Internal Revenue Code and is described in Section 501(c) of the
9361 code. The annual fee for a nonprofit club permit shall be **[**six hundred
9362 fifty**]** eight hundred fifteen dollars.

9363 Sec. 206. Section 30-24a of the general statutes is repealed and the
9364 following is substituted in lieu thereof (*Effective July 1, 2009*):

9365 (a) A golf country club permit shall allow the retail sale of alcoholic
9366 liquor to be consumed on the premises of a golf country club but only
9367 by members and their guests. Notwithstanding section 30-23, in a no-
9368 permit town a golf country club permit shall allow the retail sale of
9369 alcoholic liquor to be consumed on the premises by members of a
9370 nonprofit service club located in such town at a function of such club
9371 held at such golf country club. The annual fee for a golf country club
9372 permit shall be **[**eight hundred**]** one thousand dollars.

9373 (b) A nonprofit service club as used in subsection (a) of this section
9374 shall include the Kiwanis Club, Rotary Club, Exchange Club, Lions
9375 Club, volunteer fire department association, police benevolent
9376 association and religious clubs located in the same no-permit town as
9377 the golf country club.

9378 (c) "Golf country club" means (1) an association of persons, whether
9379 incorporated or unincorporated, that has been in existence as a bona
9380 fide organization for at least one year prior to applying for a permit
9381 issued as provided by this chapter, or that at the time of applying for
9382 the permit is in existence as a bona fide organization and has not less
9383 than twenty members who have paid annual membership fees or dues

9384 and have signed affidavits of their intention to remain members of the
9385 association for not less than one year after that time, not including
9386 associations organized for any commercial or business purpose the
9387 object of which is money profit, which maintains a golf course of not
9388 less than eighteen holes and a course length of at least fifty-five
9389 hundred yards and a club house with facilities that include locker
9390 rooms, a dining room and a lounge; provided the club shall file with
9391 the department, upon request, within ten days of February first in each
9392 year, a list of the names and residences of its members, and shall
9393 similarly file, within ten days of the election of any additional member,
9394 his name and address, and provided its aggregate annual membership
9395 fees or dues and other income, exclusive of any proceeds of the sale of
9396 alcoholic liquor, shall be sufficient to defray the annual rental of its
9397 leased or rented premises, or, if the premises are owned by the club,
9398 shall be sufficient to meet the taxes, insurance and repairs and the
9399 interest on any mortgage thereof; and provided, further, its affairs and
9400 management shall be conducted by a board of directors, executive
9401 committee or similar body chosen by the members at their annual
9402 meeting, and no member or any officer, agent or employee of the club
9403 shall be paid or, directly or indirectly, shall receive in the form of
9404 salary or other compensation any profits from the disposition or sale of
9405 alcoholic liquor to the club or to the members of the club or its guests
9406 introduced by members, beyond the amount of such salary as may be
9407 fixed and voted at annual meetings by the members or by its directors
9408 or other governing body and as reported by the club to the
9409 department, within three months after the annual meeting, and as is, in
9410 the judgment of the department, reasonable and proper compensation
9411 for the services of such member, officer, agent or employee; or (2) an
9412 association of persons, whether incorporated or unincorporated, which
9413 has been in existence as a bona fide organization for at least one year
9414 prior to applying for a permit issued as provided by this chapter, or
9415 which at the time of applying for the permit is in existence as a bona
9416 fide organization and has not less than twenty members who have
9417 paid annual membership fees or dues and is directly or indirectly

9418 wholly owned by a corporation which is and continues to be nonprofit
9419 and to which the Internal Revenue Service has issued a ruling
9420 classifying it as an exempt organization under Section 501(c) of the
9421 Internal Revenue Code of 1986, or any subsequent corresponding
9422 internal revenue code of the United States as from time to time
9423 amended, which maintains a golf course of not less than eighteen holes
9424 and a course length of at least fifty-five hundred yards and a club
9425 house with facilities which include locker rooms, a dining room and a
9426 lounge; provided the club shall file with the department, upon request,
9427 within ten days of February first in each year, a list of the names and
9428 residences of its members, and shall similarly file, within ten days of
9429 the admission of any additional member, his name and address. The
9430 nonprofit corporation shall demonstrate to the commission an ability
9431 to pay any operating deficit of the golf country club, exclusive of any
9432 proceeds of the sale of alcoholic liquor; and provided, further, the
9433 affairs and the management of the nonprofit corporation are
9434 conducted by a board of directors, executive committee or similar
9435 body at least forty per cent of the members of which are chosen by the
9436 members of the nonprofit corporation at their annual meeting and the
9437 balance of the members of the board of directors are professionals
9438 chosen for their knowledge of the business of the nonprofit
9439 corporation, and all moneys earned by the golf country club shall be
9440 used to defray its expenses of operation or for charitable purposes, and
9441 any balance shall be directly or indirectly remitted to the nonprofit
9442 corporation.

9443 Sec. 207. Section 30-25 of the general statutes is repealed and the
9444 following is substituted in lieu thereof (*Effective July 1, 2009*):

9445 (a) A special club permit shall allow the sale of alcoholic liquor by
9446 the drink at retail to be consumed at the grounds of an outdoor picnic
9447 conducted by a club or golf country club. Such permits shall be issued
9448 only to holders of club or golf country club permits and shall be issued
9449 on a daily basis subject to the hours of sale in section 30-91, and shall
9450 be the same as provided therein for clubs and golf country clubs. The

9451 exception that applies to railroad and boat permits in section 30-48
9452 shall apply to such a special club permit. No such club or golf country
9453 club shall be granted more than four such special club permits during
9454 any one calendar year.

9455 (b) The Department of Consumer Protection shall have full
9456 discretion in the issuance of such special club permits as to suitability
9457 of place and may make any regulations with respect thereto.

9458 (c) The fee for such a special club permit shall be **[**twenty-five**]** fifty
9459 dollars per day.

9460 Sec. 208. Section 30-26 of the general statutes is repealed and the
9461 following is substituted in lieu thereof (*Effective July 1, 2009*):

9462 A tavern permit shall allow the retail sale of beer and of cider not
9463 exceeding six per cent of alcohol by volume and wine to be consumed
9464 on the premises of a tavern with or without the sale of food. "Tavern"
9465 means a place where beer and wine are sold under a tavern permit.
9466 The annual fee for a tavern permit shall be **[**two hundred forty**]** three
9467 hundred dollars.

9468 Sec. 209. Section 30-28 of the general statutes is repealed and the
9469 following is substituted in lieu thereof (*Effective July 1, 2009*):

9470 A railroad permit may be granted to any corporation that operates a
9471 railway in this state or that operates club, parlor, dining, buffet or
9472 lounge cars upon the lines of any such railway in this state. Such
9473 permit shall allow the sale and public consumption of alcoholic liquor
9474 in any club, parlor, dining, buffet or lounge car of a passenger train
9475 operated in this state. A railroad permit shall be subject to all the
9476 privileges, obligations and penalties provided for in this chapter except
9477 that it shall be issued to a corporation instead of to a person and if it is
9478 revoked, another application may be made by the corporation for the
9479 issuance of another railroad permit at any time after the expiration of
9480 one year after such revocation. The annual fee for a railroad permit

9481 shall be [four] five hundred dollars.

9482 Sec. 210. Section 30-28a of the general statutes is repealed and the
9483 following is substituted in lieu thereof (*Effective July 1, 2009*):

9484 (a) An airline permit shall allow such permittee to purchase from a
9485 holder of a wholesaler permit alcoholic liquor as is permitted to be
9486 sold by a holder of a package store permit and in addition alcoholic
9487 liquor in miniatures of one and six-tenths and two and zero-tenths
9488 ounces or of forty-six and eight-tenths and ninety-three and seven-
9489 tenths milliliters.

9490 (b) An airline permit, being granted to any airline, shall permit the
9491 sale or dispensing or consumption of alcoholic liquor to passengers
9492 only and while in actual transit on any aircraft being operated on
9493 regularly scheduled flights by such airline.

9494 (c) The annual fee for an airline permit shall be [four] five hundred
9495 dollars.

9496 Sec. 211. Section 30-29 of the general statutes is repealed and the
9497 following is substituted in lieu thereof (*Effective July 1, 2009*):

9498 A boat permit shall allow the sale and public consumption of
9499 alcoholic liquor by passengers with or without meals upon any one
9500 designated boat engaged in the transportation of passengers for hire to
9501 or from any port in this state. The annual fee for a boat permit shall be
9502 [four] five hundred dollars.

9503 Sec. 212. Section 30-30 of the general statutes is repealed and the
9504 following is substituted in lieu thereof (*Effective July 1, 2009*):

9505 A broker's permit shall allow the holder thereof to sell warehouse
9506 receipts, certificates or other documents pertaining to alcoholic liquor
9507 to permittees within this state upon approval of the Department of
9508 Consumer Protection of such transactions. The annual fee for a
9509 broker's permit shall be [one hundred sixty] two hundred dollars.

9510 Sec. 213. Section 30-33 of the general statutes is repealed and the
9511 following is substituted in lieu thereof (*Effective July 1, 2009*):

9512 A concession permit shall allow the sale and consumption of beer or
9513 wine on the premises of any fair grounds, ball park, amusement park,
9514 indoor-outdoor amphitheater, outdoor amphitheater contiguous to
9515 and under the same ownership as an amusement park, public golf
9516 course or sports arena provided no sales of alcoholic liquor shall occur
9517 within one hour of the scheduled end of a performance at an indoor-
9518 outdoor amphitheater constructed to seat not less than fifteen
9519 thousand people. A concession permit shall also allow the sale and
9520 consumption of alcohol or spirits in all enclosed nonseating areas
9521 within an indoor-outdoor amphitheater. Such areas shall be enclosed
9522 by a fence or wall not less than thirty inches high and separate from
9523 each other. Such permit shall be issued in the discretion of the
9524 Department of Consumer Protection and shall be effective only in
9525 accordance with a schedule of hours and days determined by the
9526 department for each such permit within the limitation of hours and
9527 days fixed by law. As used in this section, "public golf course" means a
9528 golf course of not less than nine holes and a course length of not less
9529 than twenty-seven hundred fifty yards. The fee for a concession permit
9530 shall be as follows: For a period of one year, **[**two hundred forty**]** <u>three</u>
9531 <u>hundred</u> dollars; for a period of six months, **[**one hundred sixty**]** <u>two</u>
9532 <u>hundred</u> dollars; and for a period of one day, **[**twenty-five**]** <u>fifty</u>
9533 dollars.

9534 Sec. 214. Section 30-33a of the general statutes is repealed and the
9535 following is substituted in lieu thereof (*Effective July 1, 2009*):

9536 (a) A coliseum permit shall allow the retail sale of alcoholic liquor in
9537 any portion of the coliseum, including the coliseum club, to be
9538 consumed on the premises of the coliseum except that the retail sale of
9539 alcoholic liquor shall not be permitted under this permit in the arena of
9540 the coliseum during a sporting event, concert, exhibition, trade show,
9541 entertainment presentation or similar function and in any public

9542 restaurant located on the premises. A coliseum permit shall allow the
9543 retail sale of alcoholic liquor in the arena of the coliseum during a
9544 convention, banquet, meeting, dance, fund-raising function or similar
9545 function provided sales of alcoholic liquor shall occur at a coliseum
9546 within one hour of the scheduled end of a function at such coliseum.
9547 The annual fee for a coliseum permit shall be two thousand two
9548 hundred fifty dollars.

9549 (b) A coliseum concession permit shall allow the retail sale and
9550 consumption of beer, in paper containers only, at sporting events
9551 within the arena and at concession stands within the arena or outside
9552 the arena but directly connected to the arena or in areas adjacent to the
9553 hallways for public passage around the arena. The coliseum concession
9554 permit shall allow the retail sale and consumption of beer, in paper
9555 containers only, at such concession stands only during (1) a trade show
9556 for which a ticket is required for admission; (2) an exhibition for which
9557 a ticket is required for admission; or (3) a convention. No sales of beer
9558 shall occur at a coliseum concession stand within one hour of the
9559 scheduled end of a function at such coliseum. The annual fee for a
9560 coliseum concession permit shall be one thousand two hundred fifty
9561 dollars.

9562 (c) Notwithstanding any provision of this chapter to the contrary,
9563 neither the permittee nor the backer of a coliseum permit or a coliseum
9564 concession permit need be a proprietor if the coliseum for which such
9565 permit is being applied for is owned by a municipality or a municipal
9566 authority. The Department of Consumer Protection shall have
9567 discretionary powers to waive requirements where physical conditions
9568 make compliance an impossibility.

9569 (d) "Coliseum" means a structure which contains an enclosed roofed
9570 arena constructed to seat not less than two thousand people, and any
9571 related facility which is a part of, adjacent to or connected therewith by
9572 enclosed passageways, which structure is used for sporting events,
9573 exhibitions, trade shows, entertainment presentations, conventions,

9574 banquets, meetings, dances or fund-raising functions or similar
9575 functions or a structure such as a minor league baseball stadium built
9576 around an athletic field without an enclosed roof arena constructed to
9577 seat not less than five thousand people and containing at least ten
9578 thousand square feet of enclosed buildings, and any related facility
9579 which is part of, adjacent to or connected therewith by enclosed
9580 passageways, which structure is used for sporting events, exhibitions,
9581 trade shows, entertainment presentations, conventions, banquets,
9582 meetings, dances or fund-raising functions or similar functions.
9583 "Arena" means all that portion of a coliseum containing a floor area
9584 enclosed by fixed seats. "Coliseum club" means an enclosed facility
9585 within a coliseum kept, used and maintained as a place where
9586 alcoholic liquor or food is served for sale at retail for consumption on
9587 the coliseum premises but which does not necessarily serve hot meals
9588 and need not have a kitchen or dining room but shall have employed
9589 therein at all times an adequate number of employees who shall serve
9590 only the following categories of people: (1) Persons who are in the
9591 coliseum to attend an event or function; and (2) persons who are in the
9592 coliseum club to attend a private party or banquet.

9593 Sec. 215. Section 30-33b of the general statutes is repealed and the
9594 following is substituted in lieu thereof (*Effective July 1, 2009*):

9595 (a) A special sporting facility restaurant permit shall allow the retail
9596 sale of alcoholic liquor at any location in a special sporting facility
9597 kept, used, maintained, advertised and held out to the public to be a
9598 place where hot meals are regularly served and which has an adequate
9599 and sanitary kitchen and dining room and has employed therein at all
9600 times an adequate number of employees, provided such alcoholic
9601 liquor is to be consumed within the special sporting facility. The
9602 annual fee for a special sporting facility restaurant permit shall be one
9603 thousand **[**two hundred**]** four hundred fifty dollars.

9604 (b) A special sporting facility employee recreational permit shall
9605 allow the retail sale of beer in an establishment located within a special

9606 sporting facility and created to provide eating, sleeping and
9607 recreational accommodations to any person employed within such
9608 special sporting facility, provided such beer is to be consumed within
9609 such special sporting facility. The annual fee for a special sporting
9610 facility employee recreational permit shall be **[**two hundred forty**]**
9611 three hundred dollars.

9612 (c) A special sporting facility guest permit shall allow the retail sale
9613 of alcoholic liquor at any location in a special sporting facility reserved
9614 for guests approved by the holder of such permit and by the operator
9615 of such special sporting facility, provided such alcoholic liquor is to be
9616 consumed within such special sporting facility. The annual fee for a
9617 special sporting facility guest permit shall be **[**two hundred forty**]** three
9618 hundred dollars.

9619 (d) A special sporting facility concession permit shall allow the retail
9620 sale of beer and wine at locations within a special sporting facility,
9621 provided such beer and wine is to be consumed within such special
9622 sporting facility. The annual fee for a special sporting facility
9623 concession permit shall be **[**two hundred forty**]** three hundred dollars.

9624 (e) A special sporting facility bar permit shall allow the retail sale of
9625 alcoholic liquor at any location within a special sporting facility,
9626 provided such alcoholic liquor is to be consumed within such special
9627 sporting facility. The annual fee for a special sporting facility bar
9628 permit shall be three hundred seventy-five dollars.

9629 (f) Notwithstanding the provisions of section 30-52, a coliseum
9630 concession permit that is issued to a municipality or a municipal
9631 authority shall allow the sale and consumption of beer and wine at jai
9632 alai frontons located within the boundaries of the municipality at such
9633 times when the municipality is a lessee or has physical control of the
9634 fronton; provided no such coliseum concession permit shall be issued
9635 or valid after December 31, 1982. The existence of another permit for
9636 the same fronton shall not bar sales under the coliseum concession
9637 permit and sales under a coliseum concession permit shall not bar the

9638 issuance or operation of any other permit on the fronton premises.

9639 (g) Any of the special sporting facility permits established under
9640 subsections (a) to (e), inclusive, of this section shall allow the retail sale
9641 of alcoholic liquor by such special sporting facility to any bona fide,
9642 nonprofit organization that rents, leases or otherwise uses such facility
9643 for social gatherings and events sponsored by such organization.

9644 (h) "Special sporting facility" means all of the land and buildings in
9645 which the principal business conducted is racing or jai alai exhibitions
9646 with pari-mutuel betting licensed by the gaming policy board.

9647 Sec. 216. Section 30-33c of the general statutes is repealed and the
9648 following is substituted in lieu thereof (*Effective July 1, 2009*):

9649 (a) A special outing facility beer permit shall allow the retail sale of
9650 beer by a special outing facility to be consumed on its premises by
9651 patrons.

9652 (b) A special outing facility liquor permit shall allow the retail sale
9653 of alcoholic liquor by a special outing facility to be consumed on its
9654 premises by patrons.

9655 (c) The annual fee for a special outing facility beer permit shall be
9656 **[**two hundred forty**]** <u>three hundred</u> dollars and for a special outing
9657 facility liquor permit shall be one thousand **[**two hundred**]** <u>four</u>
9658 <u>hundred fifty</u> dollars.

9659 (d) "Special outing facility" means a facility designed, constructed
9660 and used for corporate and private parties, sporting events, concerts,
9661 exhibitions, trade shows, entertainment presentations, conventions,
9662 banquets, meetings, dances, fund raising events and similar functions,
9663 located on a tract of land of not less than twenty acres containing an
9664 enclosed roofed pavilion constructed to seat not less than two hundred
9665 fifty people, where hot meals are regularly served in an adequate and
9666 sanitary dining area, such meals having been prepared in an adequate
9667 and sanitary kitchen on the premises, and employing an adequate

9668 number of employees who shall serve only persons who are at such
9669 outing facility to attend an event, function, private party or banquet.

9670 Sec. 217. Section 30-34 of the general statutes is repealed and the
9671 following is substituted in lieu thereof (*Effective July 1, 2009*):

9672 A military permit shall allow the retail sale of beer at any camp or
9673 military installation used and controlled by the Connecticut National
9674 Guard or the state guard. The annual fee for a military permit shall be
9675 **[**fifteen**]** thirty dollars.

9676 Sec. 218. Section 30-35 of the general statutes is repealed and the
9677 following is substituted in lieu thereof (*Effective July 1, 2009*):

9678 A temporary beer permit shall allow the sale of beer and a
9679 temporary liquor permit shall allow the sale of alcoholic liquor at any
9680 outing, picnic or social gathering conducted by a bona fide
9681 noncommercial organization, which organization shall be the backer of
9682 the permittee under such permit. The profits from the sale of such beer
9683 or alcoholic liquor shall be retained by the organization conducting
9684 such outing, picnic or social gathering and no portion thereof shall be
9685 paid, directly or indirectly, to any individual or other corporation.
9686 Such permit shall be issued subject to the approval of the Department
9687 of Consumer Protection and shall be effective only for the time limited
9688 by the department. The combined total of temporary beer permits and
9689 temporary liquor permits issued to an organization shall not exceed six
9690 during any one calendar year. The fee for a temporary beer permit
9691 shall be **[**fifteen**]** thirty dollars per day and for a temporary liquor
9692 permit shall be **[**twenty-five**]** fifty dollars per day.

9693 Sec. 219. Section 30-35a of the general statutes is repealed and the
9694 following is substituted in lieu thereof (*Effective July 1, 2009*):

9695 (a) A nonprofit theater permit shall allow the retail sale of alcoholic
9696 liquor by a nonprofit theater to be consumed on its premises by
9697 patrons on any day on which a performance is given and twelve other

9698 days per year; provided the proceeds derived from such sales, except
9699 for reasonable operating costs, shall be used in furtherance of the
9700 charitable, literary and educational activities of such theater. The
9701 annual fee for a nonprofit theater permit shall be two hundred fifty
9702 dollars.

9703 (b) "Nonprofit theater" means an organization organized for
9704 nonprofit, charitable, literary and educational purposes to which has
9705 been issued a ruling by the Internal Revenue Service classifying it as an
9706 exempt organization under Section 501(c)(3) of the Internal Revenue
9707 Code, and which carries on a program of performing arts for the
9708 general public at a theater located on its premises.

9709 Sec. 220. Section 30-36 of the general statutes is repealed and the
9710 following is substituted in lieu thereof (*Effective July 1, 2009*):

9711 A druggist permit may be issued by the Department of Consumer
9712 Protection to a drug store proprietor. No druggist permit shall be
9713 issued covering a new drug store or a new location for an old drug
9714 store until the Commission of Pharmacy is satisfied that a drug store at
9715 such location is necessary to the convenience and best interest of the
9716 public. A druggist permit (1) shall allow the use of alcoholic liquors for
9717 the compounding of prescriptions of physicians, advanced practice
9718 registered nurses, physician assistants and dentists and for the
9719 manufacturing of all United States Pharmacopoeia and National
9720 Formulary preparations and all other medicinal preparations, (2) shall
9721 allow the retail sale of alcoholic liquor in containers of not less than
9722 eight ounces or one hundred eighty-seven and one-half milliliters and
9723 not more than one quart or one liter capacity except that beer may be
9724 sold in containers of not more than forty ounces or twelve hundred
9725 milliliters capacity, to any person, and (3) shall forbid the drinking of
9726 such alcoholic liquor on the premises of any drug store. Such permittee
9727 shall keep all alcoholic liquors in compartments, which compartments
9728 shall be securely locked except during those hours when the sale of
9729 alcoholic liquor is permitted by law. The holder of a druggist permit

9730 shall not display any alcoholic liquors or containers, marked or labeled
9731 or in any other way suggesting the contents of intoxicating liquors, in
9732 the windows of the permit premises. The Commission of Pharmacy
9733 shall revoke or suspend the pharmacy license of any pharmacist upon
9734 whose premises any violation of any provision of this section occurs.
9735 The annual fee for a druggist permit shall be **[**four**]** five hundred
9736 dollars plus the sum required by section 30-66.

9737 Sec. 221. Section 30-37a of the general statutes is repealed and the
9738 following is substituted in lieu thereof (*Effective July 1, 2009*):

9739 (a) A nonprofit public museum permit shall allow the retail sale of
9740 alcoholic liquor by a nonprofit public museum only on land and in
9741 buildings that are subject to the care, custody and control of its board
9742 of trustees to be consumed on its premises by its patrons on any day
9743 on which such nonprofit public museum is open to visitors from the
9744 general public. Proceeds derived from such sales, except for reasonable
9745 operating costs, shall be used in furtherance of the charitable, literary
9746 and educational activities of such nonprofit public museum. Sections
9747 30-9 to 30-13, inclusive, and 30-91, insofar as said sections refer to local
9748 regulations of sales, shall not apply to such permit. The annual fee for
9749 a nonprofit public museum permit shall be two hundred fifty dollars.

9750 (b) "Nonprofit public museum" means any public museum
9751 organized for nonprofit, charitable, literary and educational purposes.

9752 Sec. 222. Section 30-37b of the general statutes is repealed and the
9753 following is substituted in lieu thereof (*Effective July 1, 2009*):

9754 A charitable organization permit shall allow the retail sale of
9755 alcoholic liquor by the drink to be consumed on the premises owned
9756 or leased by the organization. Such permit shall be issued on a daily
9757 basis subject to the hours of sale in section 30-91 and only eight such
9758 permits shall be issued to the same charitable organization in any
9759 calendar year. The fee for a charitable organization permit shall be
9760 **[**twenty-five**]** fifty dollars.

9761 Sec. 223. Section 30-37c of the general statutes is repealed and the
9762 following is substituted in lieu thereof (*Effective July 1, 2009*):

9763 (a) A bowling establishment permit shall allow the retail sale of
9764 alcoholic liquor to be consumed on the premises of a commercial
9765 bowling establishment containing ten or more lanes. A bowling
9766 establishment permit for beer and wine shall allow the retail sale of
9767 beer and wine to be consumed on the premises of a commercial
9768 bowling establishment containing ten or more lanes. The annual fee for
9769 a bowling establishment permit shall be two thousand two hundred
9770 fifty dollars and for a bowling establishment permit for beer and wine
9771 shall be **[**three hundred fifty**]** four hundred forty dollars.

9772 (b) A racquetball facility permit shall allow the retail sale of
9773 alcoholic liquor to be consumed on the premises of a commercial
9774 racquetball facility containing five or more courts. The annual fee for a
9775 racquetball facility permit shall be two thousand two hundred fifty
9776 dollars.

9777 Sec. 224. Section 30-37d of the general statutes is repealed and the
9778 following is substituted in lieu thereof (*Effective July 1, 2009*):

9779 (a) A nonprofit public television corporation permit shall allow the
9780 retail sale of beer and wine at auction, provided the auction is held as
9781 part of a fund-raising event to benefit the tax-exempt activities of the
9782 nonprofit public television corporation. Each permit shall allow the
9783 sale of wine at a single auction only. A maximum of three such permits
9784 may be issued to one nonprofit public television corporation in any
9785 calendar year. The fee for a nonprofit public television corporation
9786 permit shall be **[**twenty-five**]** fifty dollars for each permit.

9787 (b) "Nonprofit public television corporation" means a television
9788 broadcasting corporation organized for nonprofit, literary and
9789 educational purposes to which has been issued a ruling by the Internal
9790 Revenue Service classifying it as an exempt organization under Section
9791 501(c)(3) of the Internal Revenue Code.

9792 Sec. 225. Section 30-37e of the general statutes is repealed and the
9793 following is substituted in lieu thereof (*Effective July 1, 2009*):

9794 (a) An airport restaurant permit shall allow the retail sale of
9795 alcoholic liquor at any location in the Bradley International Airport
9796 passenger terminal complex or any location adjacent to and attached
9797 by common partition to said complex kept, used, maintained,
9798 advertised and held out to the public to be a place where hot meals are
9799 regularly served and which has an adequate and sanitary kitchen and
9800 dining room and has employed therein at all times an adequate
9801 number of employees, provided such alcoholic liquor is to be
9802 consumed on the premises. The annual fee for an airport restaurant
9803 permit shall be one thousand **[**two hundred**]** <u>four hundred fifty</u> dollars.

9804 (b) An airport bar permit shall allow the retail sale of alcoholic
9805 liquor at any location in the Bradley International Airport passenger
9806 terminal complex or any location adjacent to and attached by common
9807 partition to said complex, with or without the sale of food, for
9808 consumption on the premises. The annual fee for an airport bar permit
9809 shall be three hundred <u>seventy-five</u> dollars.

9810 (c) An airport airline club permit shall allow the retail sale of
9811 alcoholic liquor at any location in the Bradley International Airport
9812 passenger terminal complex or any location adjacent to and attached
9813 by common partition to said complex, with or without the sale of food,
9814 for consumption on the premises by airline club members or their
9815 guests. Any airline or other concessionaire under lease or other
9816 agreement with the state of Connecticut may receive an airport airline
9817 club permit. The annual fee for an airport airline club permit shall be
9818 **[**six hundred fifty**]** <u>eight hundred fifteen</u> dollars.

9819 Sec. 226. Section 30-37g of the general statutes is repealed and the
9820 following is substituted in lieu thereof (*Effective July 1, 2009*):

9821 A nonprofit golf tournament permit shall allow the retail sale of
9822 alcoholic liquor to be consumed on the premises of a golf country club

9823 at which a golf tournament, sponsored by an organization that is
9824 exempt from taxation under Section 501(c)(4) of the Internal Revenue
9825 Code of 1986 or any subsequent corresponding internal revenue code
9826 of the United States, as from time to time amended, is being
9827 conducted. Such permit shall be issued to any such organization for a
9828 period not to exceed eight days. Only one such permit shall be issued
9829 in any calendar year. Such permit shall allow the operation of not more
9830 than twenty-five consumer bars on the grounds of a golf country club.
9831 The fee for a nonprofit golf tournament permit shall be two hundred
9832 fifty dollars.

9833 Sec. 227. Section 30-37i of the general statutes is repealed and the
9834 following is substituted in lieu thereof (*Effective July 1, 2009*):

9835 (a) A hotel guest bar permit, available to a hotel permittee, shall
9836 allow the retail sale of alcoholic liquor located in registered hotel guest
9837 rooms. The annual fee for a hotel guest bar permit shall be **[**fifty**]** one
9838 hundred dollars for each hotel room equipped for the retail sale of
9839 alcoholic liquor.

9840 (b) A hotel guest bar shall: (1) Be accessible only by key, magnetic
9841 card or similar device provided by the hotel to a registered guest
9842 twenty-one years of age or older; and (2) restocked no earlier than nine
9843 o'clock a.m. and no later than one o'clock a.m.

9844 (c) The Department of Consumer Protection shall adopt regulations,
9845 in accordance with the provisions of chapter 54, for the operation of
9846 hotel guest bars.

9847 Sec. 228. Section 30-37j of the general statutes is repealed and the
9848 following is substituted in lieu thereof (*Effective July 1, 2009*):

9849 (a) A caterer liquor permit shall allow a person regularly engaged in
9850 the business of providing food and beverages to others for service at
9851 private gatherings or at special events to sell and serve alcoholic liquor
9852 for on-premises consumption at any activity, event or function for

9853 which such person has been hired. The annual fee for a caterer liquor
9854 permit shall be **[**three hundred fifty**]** <u>four hundred forty</u> dollars.

9855 (b) The holder of a caterer liquor permit shall, on a form prescribed
9856 by the Department of Consumer Protection or electronically, notify the
9857 department, in writing, of the date, location and hours of each event at
9858 which alcohol is served under such permit at least one business day in
9859 advance of such event. If the holder of a caterer liquor permit is unable
9860 to provide the written notice required under this section due to exigent
9861 circumstances, such holder may provide notice to the department by
9862 telephone of the date, location and hours of each event at which
9863 alcohol is served under such permit.

9864 (c) Notwithstanding the provisions of subsection (a) of section 30-48,
9865 a backer or holder of a caterer liquor permit may be a backer or holder
9866 of any other permit issued under the provisions of this chapter except
9867 a manufacturer permit issued under section 30-16 or a wholesaler
9868 permit issued under section 30-17.

9869 (d) The holder of a caterer liquor permit and any other permit
9870 issued under the provisions of this chapter that prohibits the off-
9871 premises consumption of alcoholic liquor shall be exempt from such
9872 prohibition for the purposes of conducting such holder's catering
9873 business only.

9874 (e) The holder of a caterer liquor permit shall be exempt from the
9875 provisions of sections 30-38, 30-52 and 30-54 and from the
9876 requirements to affix and maintain a placard, as provided in
9877 subdivision (3) of subsection (b) of section 30-39.

9878 Sec. 229. Section 30-37k of the general statutes is repealed and the
9879 following is substituted in lieu thereof (*Effective July 1, 2009*):

9880 (a) As used in this section and subsection (a) of section 30-91: (1)
9881 "Casino" means the premises within which a gaming facility is
9882 operated with other facilities, including, but not limited to, restaurants,

9883 hotels, nightclubs, bingo halls or convention centers; and (2) "gaming
9884 facility" means a room or rooms within which class III gaming, as
9885 defined in the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC
9886 2701, et seq., is legally conducted.

9887 (b) A casino permit shall allow the retail sale of alcoholic liquor to
9888 be consumed on the premises of a casino.

9889 (c) A casino permit shall allow the manufacture, storage and
9890 bottling of beer to be consumed on the premises with or without the
9891 sale of food, provided the holder of a casino permit produces at least
9892 five thousand gallons of beer on the premises annually.

9893 (d) A casino permit shall allow the retail sale of alcoholic liquor by
9894 means of a guest bar located in hotel guest rooms provided such guest
9895 bar is: (1) Accessible only by key, magnetic card or similar device
9896 provided by the hotel to a registered guest twenty-one years of age or
9897 older; and (2) restocked no earlier than nine o'clock a.m. and no later
9898 than one o'clock a.m.

9899 (e) The annual fee for a casino permit shall be **[**two thousand four
9900 hundred**]** <u>two thousand six hundred fifty</u> dollars plus an additional
9901 **[**fifty**]** <u>one hundred</u> dollars for each guest room containing a guest bar.

9902 Sec. 230. Section 30-62a of the general statutes is repealed and the
9903 following is substituted in lieu thereof (*Effective July 1, 2009*):

9904 The Department of Consumer Protection, subject to such regulations
9905 as said department shall adopt, may permit more than one consumer
9906 bar in any premises for which a permit has been issued under this part
9907 for the retail sale of alcoholic liquor to be consumed on the premises. A
9908 consumer bar is a counter, with or without seats, at which a patron
9909 may purchase and consume or purchase alcoholic liquor. The fee for
9910 each additional consumer bar shall be one hundred **[**fifty**]** <u>ninety</u>
9911 dollars per annum.

9912 Sec. 231. Section 30-63 of the general statutes is repealed and the

9913 following is substituted in lieu thereof (*Effective July 1, 2009*):

9914 (a) No holder of any manufacturer, wholesaler or out-of-state
9915 shipper's permit shall ship, transport or deliver within this state, or sell
9916 or offer for sale, any alcoholic liquors unless the name of the brand,
9917 trade name or other distinctive characteristic by which such alcoholic
9918 liquors are bought and sold, the name and address of the manufacturer
9919 thereof and the name and address of each wholesaler permittee who is
9920 authorized by the manufacturer or his authorized representative to sell
9921 such alcoholic liquors are registered with the Department of Consumer
9922 Protection and until such brand, trade name or other distinctive
9923 characteristic has been approved by the department. Such registration
9924 shall be valid for a period of three years. The fee for such registration,
9925 or renewal thereof, shall be **[**one**]** two hundred dollars for out-of-state
9926 shippers and **[**three**]** fifteen dollars for Connecticut manufacturers for
9927 each brand so registered, payable by the manufacturer or such
9928 manufacturer's authorized representative when such liquors are
9929 manufactured in the United States and by the importer or such
9930 importer's authorized representative when such liquors are imported
9931 into the United States. The department shall not approve the brand
9932 registration of any fortified wine, as defined in section 12-433, which is
9933 labeled, packaged or canned so as to appear to be a wine or liquor
9934 cooler, as defined in section 12-433.

9935 (b) No manufacturer, wholesaler or out-of-state shipper permittee
9936 shall discriminate in any manner in price discounts between one
9937 permittee and another on sales or purchases of alcoholic liquors
9938 bearing the same brand or trade name and of like age, size and quality,
9939 nor shall such manufacturer, wholesaler or out-of-state shipper
9940 permittee allow in any form any discount, rebate, free goods,
9941 allowance or other inducement for the purpose of making sales or
9942 purchases. Nothing in this subsection shall be construed to prohibit
9943 beer manufacturers, beer wholesalers or beer out-of-state shipper
9944 permittees from differentiating in the manner in which their products
9945 are packaged on the basis of on-site or off-site consumption.

9946 (c) For alcoholic liquor other than beer, each manufacturer,
9947 wholesaler and out-of-state shipper permittee shall post with the
9948 department, on a monthly basis, the bottle, can and case price of any
9949 brand of goods offered for sale in Connecticut, which price when so
9950 posted shall be the controlling price for such manufacturer, wholesaler
9951 or out-of-state permittee for the month following such posting. On and
9952 after July 1, 2005, for beer, each manufacturer, wholesaler and out-of-
9953 state shipper permittee shall post with the department, on a monthly
9954 basis, the bottle, can and case price, and the price per keg or barrel or
9955 fractional unit thereof for any brand of goods offered for sale in
9956 Connecticut which price when so posted shall be the controlling price
9957 for such brand of goods offered for sale in this state for the month
9958 following such posting. Such manufacturer, wholesaler and out-of-
9959 state shipper permittee may also post additional prices for such bottle,
9960 can, case, keg or barrel or fractional unit thereof for a specified portion
9961 of the following month which prices when so posted shall be the
9962 controlling prices for such bottle, can, case, keg or barrel or fractional
9963 unit thereof for such specified portion of the following month. Notice
9964 of all manufacturer, wholesaler and out-of-state shipper permittee
9965 prices shall be given to permittee purchasers by direct mail, Internet
9966 web site or advertising in a trade publication having circulation among
9967 the retail permittees except a wholesaler permittee may give such
9968 notice by hand delivery. Price postings with the department setting
9969 forth wholesale prices to retailers shall be available for inspection
9970 during regular business hours at the offices of the department by
9971 manufacturers and wholesalers until three o'clock p.m. of the first
9972 business day after the last day for posting prices. A manufacturer or
9973 wholesaler may amend such manufacturer's or wholesaler's posted
9974 price for any month to meet a lower price posted by another
9975 manufacturer or wholesaler with respect to alcoholic liquor bearing the
9976 same brand or trade name and of like age, vintage, quality and unit
9977 container size; provided that any such amended price posting shall be
9978 filed before three o'clock p.m. of the fourth business day after the last
9979 day for posting prices; and provided further such amended posting

9980 shall not set forth prices lower than those being met. Any
9981 manufacturer or wholesaler posting an amended price shall, at the
9982 time of posting, identify in writing the specific posting being met. On
9983 and after July 1, 2005, all wholesaler postings, other than for beer, for
9984 the following month shall be provided to retail permittees not later
9985 than the twenty-seventh day of the month prior to such posting. All
9986 wholesaler postings for beer shall be provided to retail permittees not
9987 later than the twentieth day of the month prior to such posting.

9988 Sec. 232. Section 31-22r of the general statutes is repealed and the
9989 following is substituted in lieu thereof (*Effective July 1, 2009*):

9990 (a) (1) Each person who registered as an apprentice with the Labor
9991 Department before July 1, 2003, and has not completed an
9992 apprenticeship as of July 9, 2003, shall pay to the Labor Department a
9993 registration fee of twenty-five dollars on or before July 1, 2003, and a
9994 renewal registration fee of twenty-five dollars on or before July first of
9995 each subsequent year until (A) such registration is withdrawn, or (B)
9996 such person has completed an apprenticeship and possesses a valid
9997 journeyperson card of occupational license, if required.

9998 (2) Each person who initially registers as an apprentice with the
9999 Labor Department on or after July 1, 2003, shall pay to the Labor
10000 Department a registration fee of **[**twenty-five**]** <u>fifty</u> dollars at the time
10001 of registration and an annual renewal registration fee of **[**twenty-five**]**
10002 <u>fifty</u> dollars until (A) such registration is withdrawn, or (B) such
10003 person has completed an apprenticeship and possesses a valid
10004 journeyperson card of occupational license, if required.

10005 (b) Each person sponsoring an apprenticeship program registered
10006 with the Labor Department as of July 1, 2003, shall pay to the Labor
10007 Department an annual registration fee of **[**thirty**]** <u>sixty</u> dollars for each
10008 apprentice participating in such program until the apprentice has
10009 completed the apprenticeship and possesses a valid journeyperson
10010 card of occupational license, if required, or such program is cancelled
10011 by the sponsor or deregistered for cause by the Labor Department in

10012 accordance with regulations adopted pursuant to this chapter,
10013 whichever is earlier.

10014 (c) Any amount collected by the Labor Department pursuant to this
10015 section shall be deposited in the General Fund. [and credited to a
10016 separate nonlapsing appropriation to the Labor Department, for the
10017 purpose of administering the department's apprentice training
10018 program and sections 31-22m to 31-22p, inclusive.]

10019 Sec. 233. Section 33-182*l* of the general statutes is repealed and the
10020 following is substituted in lieu thereof (*Effective July 1, 2009*):

10021 The annual fee for the provision of professional services, as defined
10022 in section 33-182a, for: Class A is [thirty] sixty dollars; Class B is [fifty]
10023 one hundred dollars; Class C is [sixty] one hundred twenty dollars;
10024 Class D is [seventy-five] one hundred fifty dollars; Class E is [eighty]
10025 one hundred sixty dollars; Class F is one hundred [fifty] ninety dollars;
10026 Class G is two hundred [twenty-five] eighty-five dollars; Class H is
10027 three hundred seventy-five dollars; and Class I is [four hundred fifty]
10028 five hundred sixty-five dollars. The annual fee shall be payable to the
10029 State Treasurer.

10030 Sec. 234. Section 33-617 of the general statutes is repealed and the
10031 following is substituted in lieu thereof (*Effective July 1, 2009*):

10032 (a) The Secretary of the State shall charge and collect the following
10033 fees for filing documents and issuing certificates and remit them to the
10034 Treasurer for the use of the state: (1) Filing application to reserve,
10035 register, renew or cancel registration of corporate name, [thirty] sixty
10036 dollars; (2) filing transfer of reserved corporate name, [thirty] sixty
10037 dollars; (3) filing certificate of incorporation, including appointment of
10038 registered agent, [fifty] one hundred dollars; (4) filing change of
10039 address of registered agent or change of registered agent, [twenty-five]
10040 fifty dollars; (5) filing notice of resignation of registered agent, [twenty-
10041 five] fifty dollars; (6) filing amendment to certificate of incorporation,
10042 [fifty] one hundred dollars; (7) filing restated certificate of

10043 incorporation, [fifty] one hundred dollars; (8) filing certificate of
10044 merger or share exchange, [thirty] sixty dollars; (9) filing certificate of
10045 correction, [fifty] one hundred dollars; (10) filing certificate of
10046 surrender of special charter and adoption of general certificate of
10047 incorporation, [fifty] one hundred dollars; (11) filing certificate of
10048 dissolution, [twenty-five] fifty dollars; (12) filing certificate of
10049 revocation of dissolution, [twenty-five] fifty dollars; (13) filing annual
10050 report, [seventy-five] one hundred fifty dollars except as otherwise
10051 provided in sections 33-953 and 33-954; (14) filing application of
10052 foreign corporation for certificate of authority to transact business in
10053 this state and issuing certificate of authority, [fifty] one hundred
10054 dollars; (15) filing application of foreign corporation for amended
10055 certificate of authority to transact business in this state and issuing
10056 amended certificate of authority, [fifty] one hundred dollars; (16) filing
10057 application for withdrawal of foreign corporation and issuing
10058 certificate of withdrawal, [fifty] one hundred dollars; (17) filing
10059 application for reinstatement, [seventy-five] one hundred fifty dollars;
10060 (18) filing a corrected annual report, [fifty] one hundred dollars; and
10061 (19) filing an interim notice of change of director or officer, [ten]
10062 twenty dollars.

10063 (b) The Secretary of the State shall charge and collect the following
10064 miscellaneous charges and remit them to the Treasurer for the use of
10065 the state: (1) At the time of any service of process on the Secretary of
10066 the State as registered agent of a corporation, which amount may be
10067 recovered as taxable costs by the party to the suit or action causing
10068 such service to be made if such party prevails in the suit or action, the
10069 plaintiff in the process so served shall pay [twenty-five] fifty dollars;
10070 (2) for preparing and furnishing a copy of any document, instrument
10071 or paper filed or recorded relating to a corporation: For each copy of
10072 each such document thereof regardless of the number of pages,
10073 [twenty] forty dollars; for affixing his certification and official seal
10074 thereto, [five] fifteen dollars; (3) for preparing and furnishing his
10075 certificate of existence or authorization, which certificate may reflect
10076 any and all changes of corporate names and the date or dates of filing

10077 thereof, [forty] eighty dollars; (4) for preparing and furnishing his
10078 certificate of existence or authorization reflecting certificates effecting
10079 fundamental changes to a certificate of incorporation and the date or
10080 dates of filing thereof, [sixty] one-hundred twenty dollars; and (5) for
10081 other services for which fees are not provided by the general statutes,
10082 the Secretary of the State may charge such fees as will in his judgment
10083 cover the cost of the services provided.

10084 (c) The tax imposed under chapter 219 shall not be imposed upon
10085 any transaction for which a fee is charged under the provisions of this
10086 section.

10087 (d) Each foreign corporation shall pay to the Secretary of the State a
10088 license fee of two hundred [twenty-five] eighty dollars at the time of
10089 filing its application for a certificate of authority to transact business in
10090 this state, and annually thereafter on or before the last day of the
10091 calendar month in which falls the anniversary of the day of issuance of
10092 its certificate of authority, until such time as it has filed a certificate of
10093 withdrawal from the state or its certificate of authority to transact
10094 business in this state has been revoked.

10095 (e) The Secretary of the State shall proceed as provided in section
10096 33-935 whenever a foreign corporation is in default in payment of its
10097 license fees as therein provided.

10098 Sec. 235. Section 33-1013 of the general statutes is repealed and the
10099 following is substituted in lieu thereof (*Effective July 1, 2009*):

10100 (a) The Secretary of the State shall charge and collect the following
10101 fees for filing documents and issuing certificates and remit them to the
10102 Treasurer for the use of the state: (1) Filing application to reserve,
10103 register, renew or cancel registration of corporate name, [thirty] sixty
10104 dollars; (2) filing transfer of reserved corporate name, [thirty] sixty
10105 dollars; (3) filing a certificate of incorporation, including appointment
10106 of registered agent, [ten] twenty dollars; (4) filing change of address of
10107 registered agent or change of registered agent, [ten] twenty dollars; (5)

10108 filing notice of resignation of registered agent in duplicate, [ten]
10109 twenty dollars; (6) filing certificate of amendment to certificate of
10110 incorporation, [ten] twenty dollars; (7) filing restated certificate of
10111 incorporation, [ten] twenty dollars; (8) filing certificate of merger, [ten]
10112 twenty dollars; (9) filing certificate of correction, [ten] twenty dollars;
10113 (10) filing certificate of surrender of special charter and adoption of
10114 certificate of incorporation, [ten] twenty dollars; (11) filing certificate of
10115 dissolution, [ten] twenty dollars; (12) filing certificate of revocation of
10116 dissolution, [ten] twenty dollars; (13) filing annual report, [twenty-five]
10117 fifty dollars; (14) filing application of foreign corporation for certificate
10118 of authority to conduct affairs in this state and issuing certificate of
10119 authority, [twenty] forty dollars; (15) filing application of foreign
10120 corporation for amended certificate of authority to conduct affairs in
10121 this state and issuing amended certificate of authority, [twenty] forty
10122 dollars; (16) filing application for withdrawal of foreign corporation
10123 and issuing certificate of withdrawal, [twenty] forty dollars; (17) filing
10124 certificate of reinstatement, including appointment of registered agent,
10125 [fifty-five] one hundred ten dollars; (18) filing a corrected annual
10126 report, [twenty-five] fifty dollars; and (19) filing an interim notice of
10127 change of director or officer, [ten] twenty dollars.

10128 (b) The Secretary of the State shall charge and collect the following
10129 miscellaneous charges and remit them to the Treasurer for the use of
10130 the state: (1) At the time of any service of process on the Secretary of
10131 the State as registered agent of a corporation, which amount may be
10132 recovered as taxable costs by the party to the suit or action causing
10133 such service to be made if such party prevails in the suit or action, the
10134 plaintiff in the process so served shall pay [twenty-five] fifty dollars;
10135 (2) for preparing and furnishing a copy of any document, instrument
10136 or paper filed or recorded relating to a corporation: (A) For each copy
10137 of each such document thereof regardless of the number of pages,
10138 [twenty] forty dollars; (B) for affixing the official seal thereto, [five]
10139 fifteen dollars; (3) for preparing and furnishing his certificate of
10140 existence or authorization, which certificate may reflect any and all
10141 changes of corporate name and the date or dates of filing thereof,

10142 [forty] eighty dollars; (4) for preparing and furnishing his certificate of
10143 existence or authorization reflecting certificates affecting fundamental
10144 changes to a certificate of incorporation and the date or dates of filing
10145 thereof, [sixty] one hundred twenty dollars; and (5) for other services
10146 for which fees are not provided by the general statutes, the Secretary of
10147 the State may charge such fees as will, in his judgment, cover the cost
10148 of the services provided.

10149 (c) The tax imposed under chapter 219 shall not be imposed upon
10150 any transaction for which a fee is charged under the provisions of this
10151 section.

10152 Sec. 236. Section 34-38n of the general statutes is repealed and the
10153 following is substituted in lieu thereof (*Effective July 1, 2009*):

10154 (a) The Secretary of the State shall receive, for filing any document
10155 or certificate required to be filed under sections 34-10, 34-13a, 34-13e,
10156 34-32, 34-32a, 34-32c, 34-38g and 34-38s, the following fees: (1) For
10157 reservation or cancellation of reservation of name, [thirty] sixty dollars;
10158 (2) for a certificate of limited partnership and appointment of statutory
10159 agent, [sixty] one hundred twenty dollars; (3) for a certificate of
10160 amendment, [sixty] one hundred twenty dollars; (4) for a certificate of
10161 merger or consolidation, [thirty] sixty dollars; (5) for a certificate of
10162 cancellation, [thirty] sixty dollars; (6) for a certificate of registration,
10163 [sixty] one hundred twenty dollars; (7) for a change of agent or change
10164 of address of agent, [ten] twenty dollars; (8) for a certificate of
10165 reinstatement, [sixty] one hundred twenty dollars; and (9) for an
10166 annual report, [ten] twenty dollars.

10167 (b) Miscellaneous charges: (1) At the time of any service of process
10168 on the Secretary of the State as statutory agent of a limited partnership,
10169 the plaintiff in the process so served shall pay [twenty-five] fifty
10170 dollars; (2) for preparing and furnishing a copy of any document or
10171 instrument or paper filed or recorded relating to a limited partnership:
10172 For each copy of each such document thereof regardless of the number
10173 of pages, [twenty] forty dollars; for affixing his certification and official

10174 seal thereto, [five] fifteen dollars; (3) for preparing and furnishing a
10175 certificate that may reflect any and all changes of limited partnership
10176 names and the dates of filing thereof, [twenty-five] fifty dollars; and (4)
10177 for other services for which fees are not provided by the general
10178 statutes, the Secretary of the State may charge such fees which shall, in
10179 his judgment, cover the cost of the services provided.

10180 Sec. 237. Section 34-112 of the general statutes is repealed and the
10181 following is substituted in lieu thereof (*Effective July 1, 2009*):

10182 The Secretary of the State shall charge and collect the following fees
10183 and remit them to the Treasurer for the use of the state:

10184 (a) Fees for filing documents and issuing certificates: (1) Filing
10185 application to reserve a limited liability company name or to cancel a
10186 reserved limited liability company name, [thirty] sixty dollars; (2)
10187 filing transfer of reserved limited liability company name, [thirty] sixty
10188 dollars; (3) filing articles of organization, including appointment of
10189 statutory agent, [sixty] one hundred twenty dollars; (4) filing change of
10190 address of statutory agent or change of statutory agent, [twenty-five]
10191 fifty dollars; (5) filing notice of resignation of statutory agent in
10192 duplicate, [twenty-five] fifty dollars; (6) filing amendment to articles of
10193 organization, [sixty] one hundred twenty dollars; (7) filing restated
10194 articles of organization, [sixty] one hundred twenty dollars; (8) filing
10195 articles of merger or consolidation, [thirty] sixty dollars; (9) filing
10196 articles of dissolution by resolution, [twenty-five] fifty dollars; (10)
10197 filing articles of dissolution by expiration, [twenty-five] fifty dollars;
10198 (11) filing judicial decree of dissolution, [twenty-five] fifty dollars; (12)
10199 filing certificate of reinstatement, [sixty] one hundred twenty dollars;
10200 (13) filing application by a foreign limited liability company for
10201 certificate of registration to transact business in this state and issuing
10202 certificate of registration, [sixty] one hundred twenty dollars; (14) filing
10203 application of foreign limited liability company for amended certificate
10204 of registration to transact business in this state and issuing amended
10205 certificate of registration, [sixty] one hundred twenty dollars; (15) filing

10206 application for withdrawal of foreign limited liability company and
10207 issuing certificate of withdrawal, [sixty] one hundred twenty dollars;
10208 (16) filing an annual report, [ten] twenty dollars; and (17) filing an
10209 interim notice of change of manager or member, [ten] twenty dollars.

10210 (b) Miscellaneous charges: (1) At the time of any service of process
10211 on the Secretary of the State as statutory agent of a limited liability
10212 company, which amount may be recovered as taxable costs by the
10213 party to the suit or action causing such service to be made if such party
10214 prevails in the suit or action, the plaintiff in the process so served shall
10215 pay [twenty-five] fifty dollars; (2) for preparing and furnishing a copy
10216 of any document, instrument or paper filed or recorded relating to a
10217 limited liability company: For each copy of each such document
10218 thereof regardless of the number of pages, [twenty] forty dollars; for
10219 affixing his certification thereto, [five] fifteen dollars; (3) for the
10220 issuance of a certification of legal existence of a domestic limited
10221 liability company, [twenty-five] fifty dollars; (4) for the issuance of a
10222 certificate of legal existence which certificate may reflect any and all
10223 changes of limited liability company names and the dates of filing
10224 thereof, [twenty-five] fifty dollars; (5) for the issuance of a certificate of
10225 legal existence reflecting articles effecting fundamental changes to
10226 articles of organization and the date or dates of filing thereof, [fifty]
10227 one hundred dollars; and (6) for other services for which fees are not
10228 provided by the general statutes, the Secretary of the State may charge
10229 such fees as will in his judgment cover the cost of the services
10230 provided.

10231 (c) The tax imposed under chapter 219 shall not be imposed upon
10232 any transaction for which a fee is charged under the provisions of this
10233 section.

10234 Sec. 238. Section 34-413 of the general statutes is repealed and the
10235 following is substituted in lieu thereof (*Effective July 1, 2009*):

10236 The Secretary of the State shall charge and collect the following fees
10237 and remit them to the Treasurer for the use of the state:

10238 (a) Fees for filing documents and processing certificates: (1) Filing
10239 application to reserve a registered limited liability partnership name or
10240 to cancel a reserved limited liability partnership name, [thirty] sixty
10241 dollars; (2) filing transfer of reserved registered limited liability
10242 partnership name, [thirty] sixty dollars; (3) filing change of address of
10243 statutory agent or change of statutory agent, [twenty-five] fifty dollars;
10244 (4) filing certificate of limited liability partnership, [sixty] one hundred
10245 twenty dollars; (5) filing amendment to certificate of limited liability
10246 partnership, [sixty] one hundred twenty dollars; (6) filing renunciation
10247 of status report, [twenty-five] fifty dollars; (7) filing certificate of
10248 authority to transact business in this state, including appointment of
10249 statutory agent, [sixty] one hundred twenty dollars; (8) filing
10250 amendment to certificate of authority to transact business in this state,
10251 [sixty] one hundred twenty dollars; (9) filing withdrawal of certificate
10252 of authority, [sixty] one hundred twenty dollars; (10) filing an annual
10253 report, [ten] twenty dollars; and (11) filing statement of merger, [thirty]
10254 sixty dollars.

10255 (b) Miscellaneous charges: (1) For preparing and furnishing a copy
10256 of any document, instrument or paper filed or recorded relating to a
10257 registered limited liability partnership or foreign registered limited
10258 liability partnership: For each copy of each such document thereof
10259 regardless of the number of pages, [twenty] forty dollars; for affixing
10260 his certification thereto, [five] fifteen dollars; (2) for the issuance of a
10261 certification of legal existence of a registered limited liability
10262 partnership, [twenty] forty dollars; (3) for the issuance of a certificate
10263 of legal existence which certificate may reflect any and all changes of
10264 registered limited liability partnership names and the dates of filing
10265 thereof, [forty] eighty dollars; (4) for the issuance of a certificate of
10266 legal existence reflecting amendments and the date or dates of filing
10267 thereof, [sixty] one hundred twenty dollars; and (5) for other services
10268 for which fees are not provided by the general statutes, the Secretary of
10269 the State may charge such fees as will in his judgment cover the cost of
10270 the services provided.

10271 Sec. 239. Section 34-509 of the general statutes is repealed and the
10272 following is substituted in lieu thereof (*Effective July 1, 2009*):

10273 (a) The Secretary of the State shall charge and collect the following
10274 fees and remit them to the Treasurer for the use of the state: (1) For
10275 filing of an application for reservation of name, and application for
10276 renewal of reservation, or notice of transfer or cancellation of
10277 reservation pursuant to section 34-506, **[**thirty**]** sixty dollars; (2) for
10278 filing of a certificate of trust, a certificate of amendment, a restated
10279 certificate of trust or a certificate of cancellation, **[**sixty**]** one hundred
10280 twenty dollars; (3) for preparing and furnishing a copy of any
10281 certificate filed relating to a statutory trust: For each copy of each such
10282 document thereof regardless of the number of pages, **[**twenty**]** forty
10283 dollars; for affixing his certification thereto, **[**five**]** fifteen dollars; (4) for
10284 preparing and furnishing a certificate of existence or authorization,
10285 **[**twenty**]** forty dollars; (5) for preparing and furnishing a certificate of
10286 existence or authorization reflecting any and all changes of name and
10287 the date or dates of filing thereof, **[**forty**]** eighty dollars; (6) for filing of
10288 a certificate of merger or consolidation, **[**thirty**]** sixty dollars; and (7) for
10289 other services for which fees are not provided by the general statutes,
10290 the Secretary of the State may charge such fees as will in his judgment
10291 cover the cost of the services provided.

10292 (b) The tax imposed under chapter 219 shall not be imposed upon
10293 any transaction for which a fee is charged under sections 34-500 to 34-
10294 547, inclusive.

10295 Sec. 240. Section 35-11e of the general statutes is repealed and the
10296 following is substituted in lieu thereof (*Effective July 1, 2009*):

10297 (a) Upon compliance by the applicant with the requirements of this
10298 chapter, the Secretary of the State shall cause a certificate of
10299 registration to be issued and delivered to the applicant. The certificate
10300 of registration shall be issued under the signature of the Secretary of
10301 the State and the seal of the state, and it shall show the name and
10302 business address and, if a corporation, the state of incorporation, or if a

10303 partnership, the state in which the partnership is organized and the
10304 names of the general partners, as specified by the Secretary of the
10305 State, of the person claiming ownership of the mark, the date claimed
10306 for the first use of the mark anywhere and the date claimed for the first
10307 use of the mark in this state, the class of goods or services and a
10308 description of the goods or services on or in connection with which the
10309 mark is used, a reproduction of the mark, the registration date and the
10310 term of the registration. Any certificate of registration issued by the
10311 Secretary of the State or a copy thereof certified by the Secretary of the
10312 State shall be admissible in evidence as competent and sufficient proof
10313 of the registration of such mark in any action or judicial proceedings in
10314 any court of this state.

10315 (b) (1) Registration of a mark under this chapter shall be effective for
10316 a term of five years from the date of registration and, upon application
10317 filed within six months prior to the expiration of such term, in a
10318 manner complying with the requirements of the Secretary of the State,
10319 the registration may be renewed for a like term from the end of the
10320 expiring term. A fee for the application for renewal of **[**fifty**]** one
10321 hundred dollars, payable to the Secretary of the State, shall accompany
10322 the application for renewal of the registration. A registration of a mark
10323 may be renewed for successive periods of five years in like manner. (2)
10324 Any registration in force on October 1, 1993, shall expire ten years
10325 from the date of the registration or of the last renewal thereof and may
10326 be renewed for periods of five years each by filing a renewal
10327 application with the Secretary of the State as provided in subdivision
10328 (1) of this subsection.

10329 (c) All applications for renewal under this section shall include a
10330 verified statement that the mark has been in use and is still in use in
10331 this state, and include three specimens showing actual use of the mark
10332 in commerce in the state upon or in connection with the goods or
10333 services.

10334 (d) The Secretary of the State shall keep for public examination a

10335 record of all marks registered or renewed under this chapter.

10336 Sec. 241. Section 35-11f of the general statutes is repealed and the
10337 following is substituted in lieu thereof (*Effective July 1, 2009*):

10338 (a) Any mark and its registration under this chapter shall be
10339 assignable with the good will of the business in which the mark is
10340 used, or with that part of the good will of the business connected with
10341 the use of and symbolized by the mark. Assignment shall be by
10342 instruments in writing duly executed and may be recorded with the
10343 Secretary of the State upon the payment of a recording fee of **[**twenty-
10344 five**]** fifty dollars, for each registration in the assignment document,
10345 payable to the Secretary of the State, who, upon recording of the
10346 assignment, shall issue in the name of the assignee a new certificate for
10347 the remainder of the term of the registration or of the last renewal
10348 thereof. An assignment of any registration under this chapter shall be
10349 void as against any subsequent purchaser for valuable consideration
10350 without notice, unless it is recorded with the Secretary of the State
10351 within three months after the date thereof or prior to such subsequent
10352 purchase.

10353 (b) Any registrant or applicant effecting a change of the name of the
10354 person to whom the registration was issued or by whom an
10355 application was filed may record a certificate of change of name of
10356 registrant or applicant with the Secretary of the State upon the
10357 payment of the recording fee of **[**twenty-five**]** fifty dollars for each
10358 registration identified by the registrant or applicant.

10359 (c) The Secretary of the State shall issue in the new name of the
10360 registrant or applicant, or the assignee, a new certificate for the
10361 remainder of the term of the registration or last renewal thereof.

10362 (d) Other instruments which relate to a mark registered or
10363 application pending pursuant to this chapter including, but not limited
10364 to, licenses, security interests or mortgages, may be recorded in the
10365 discretion of the Secretary of the State, provided such instrument is in

10366 writing and duly executed. A grant of a security interest shall be by
10367 instrument in writing duly executed. Such other instruments shall be
10368 recorded by the Secretary of the State upon the payment of the
10369 recording fee of **[**twenty-five**]** fifty dollars for each registration
10370 identified in the instrument.

10371 (e) Acknowledgment shall be prima facie evidence of the execution
10372 of an assignment or other instrument and, when recorded by the
10373 Secretary of the State, the record shall be prima facie evidence of
10374 execution.

10375 (f) A photocopy of any instrument referred to in subsection (a), (b),
10376 (c) or (d) of this section shall be accepted for recording if it is certified
10377 by any of the parties thereto, or their successors, to be a true and
10378 correct copy of the original.

10379 (g) The Secretary of the State shall keep for public examination a
10380 record of all documents recorded pursuant to this section.

10381 Sec. 242. Section 35-11g of the general statutes is repealed and the
10382 following is substituted in lieu thereof (*Effective July 1, 2009*):

10383 The Secretary of the State shall cancel from the register, in whole or
10384 in part, (1) any registration concerning which the Secretary of the State
10385 receives a voluntary request for cancellation thereof from the registrant
10386 or the assignee of record, accompanied by a recording fee of **[**twenty-
10387 five**]** fifty dollars; (2) all registrations granted under this chapter and
10388 not renewed in accordance with the provisions hereof; (3) any
10389 registration concerning which a court of competent jurisdiction orders
10390 cancellation after finding: (A) That the registered mark has been
10391 abandoned; (B) that the registrant is not the owner of the mark; (C) that
10392 the registration was granted contrary to the provisions of section 35-
10393 11b; (D) that the registration was obtained fraudulently or in bad faith;
10394 (E) that the registered mark is so similar, as to be likely to cause
10395 confusion or mistake or to deceive, to a mark registered by another
10396 person in the United States Patent and Trademark Office prior to the

10397 date of first use in Connecticut by the registrant under this chapter,
10398 and used in Connecticut and not abandoned, provided, if the
10399 registrant proves that the registrant is the owner of concurrent
10400 registration of a mark in the United States Patent and Trademark
10401 Office covering an area including this state, the registration under this
10402 chapter shall not be cancelled for such area of the state; (F) that the
10403 registered mark has become the generic name for the goods or
10404 services, or a portion thereof, for which it has been registered; or (G)
10405 that another person has rights in the state of Connecticut superior to
10406 those of the registrant; or (4) any registration concerning which a court
10407 of competent jurisdiction orders cancellation on any other ground.

10408 Sec. 243. Section 35-11*l* of the general statutes is repealed and the
10409 following is substituted in lieu thereof (*Effective July 1, 2009*):

10410 Upon request of any person, the Secretary of the State shall issue a
10411 certificate showing whether any trade or service mark or marks using
10412 a particular name or design referred to in such certificate, or using a
10413 similar name or design, in a particular class has been registered and, if
10414 so, the date and hour of such registration. The fee for such certificate
10415 shall be **[**twenty-five**]** <u>fifty</u> dollars. Upon request, the secretary shall
10416 furnish a copy of any trade or service mark for a fee of **[**twenty**]** <u>forty</u>
10417 dollars or a certified copy of any trade or service mark for a fee of
10418 **[**twenty-five**]** <u>fifty</u> dollars.

10419 Sec. 244. Section 36a-491 of the general statutes is repealed and the
10420 following is substituted in lieu thereof (*Effective July 1, 2009*):

10421 (a) (1) The expiration date of any mortgage lender, mortgage
10422 correspondent lender and mortgage broker license that expires on
10423 September 30, 2008, shall be extended to the close of business on
10424 December 31, 2008. On and after July 1, 2008, each mortgage lender,
10425 mortgage correspondent lender or mortgage broker license shall expire
10426 at the close of business on December thirty-first of the year in which it
10427 is approved, unless such license is renewed, and provided any such
10428 license that is approved on or after November first shall expire at the

10429 close of business on December thirty-first of the year following the
10430 year in which it is approved. An application for renewal of a license
10431 shall be filed between November first and December thirty-first of the
10432 year in which the license expires, provided a licensee may file a
10433 renewal application not later than March first of the following year
10434 together with a late fee of **[**one**]** two hundred dollars. Any such filing
10435 after December thirty-first shall be deemed timely and sufficient for
10436 purposes of subsection (b) of section 4-182. Each applicant for a license
10437 or renewal of a license as a mortgage lender or mortgage
10438 correspondent lender shall pay to the Nationwide Mortgage Licensing
10439 System any required fees or charges and a license fee of **[**eight
10440 hundred**]** one thousand dollars, and each applicant for an initial or
10441 renewal license as a mortgage broker shall pay to the Nationwide
10442 Mortgage Licensing System any required fees or charges and a license
10443 fee of **[**four**]** five hundred dollars, provided each mortgage lender or
10444 mortgage correspondent lender licensee who is a licensee on
10445 September 30, 2008, who submits a renewal application shall, at the
10446 time of making such application, pay to the Nationwide Mortgage
10447 Licensing System any required fees or charges and a license fee of
10448 **[**nine hundred**]** one thousand one hundred twenty-five dollars and
10449 each mortgage broker who was a licensee on June 30, 2008, who
10450 submits a renewal application shall, at the time of making such
10451 application, pay to the Nationwide Mortgage Licensing System any
10452 required fees or charges and a license fee of **[**four hundred fifty**]** five
10453 hundred sixty-five dollars.

10454 (2) Each mortgage loan originator license shall expire at such time as
10455 the license of the mortgage lender, mortgage correspondent lender or
10456 mortgage broker that employs or retains the mortgage loan originator
10457 expires, unless such mortgage loan originator license is renewed. Each
10458 mortgage lender, mortgage correspondent lender or mortgage broker
10459 applicant and each mortgage lender licensee, mortgage correspondent
10460 lender licensee or mortgage broker licensee that files an application for
10461 a mortgage loan originator license shall pay to the Nationwide
10462 Mortgage Licensing System any required fees or charges and a license

10463 fee of [one] two hundred dollars for each mortgage loan originator,
10464 provided each mortgage lender, mortgage correspondent lender or
10465 mortgage broker who is a licensee on September 30, 2008, who submits
10466 a renewal application for a mortgage loan originator shall, at the time
10467 of making such application, pay to the Nationwide Mortgage
10468 Licensing System any required fees or charges and a license fee of [one
10469 hundred twenty-five] two hundred fifty dollars. On and after January
10470 1, 2010, each mortgage lender, mortgage correspondent lender or
10471 mortgage broker filing an application for a mortgage loan originator
10472 license shall pay a license fee of [one] two hundred dollars for each
10473 mortgage loan originator and any required fees or charges to the
10474 Nationwide Mortgage Licensing System.

10475 (b) All fees paid pursuant to this section, including fees paid in
10476 connection with an application that is denied or withdrawn prior to
10477 the issuance of the license, shall be nonrefundable, provided such fees
10478 paid by an originator for a license that is not sponsored by a mortgage
10479 lender, mortgage correspondent lender or mortgage broker may be
10480 refundable. No fee paid pursuant to this section shall be prorated if the
10481 license is surrendered, revoked or suspended prior to the expiration of
10482 the period for which it was approved.

10483 Sec. 245. Section 36a-599 of the general statutes is repealed and the
10484 following is substituted in lieu thereof (*Effective July 1, 2009*):

10485 (a) Each application for an original license shall be accompanied by
10486 a nonrefundable investigation fee of [five hundred] six hundred
10487 twenty-five dollars and a license fee of two thousand two hundred
10488 fifty dollars, except that if such application is filed not earlier than one
10489 year before the date such license will expire, the applicant shall pay a
10490 nonrefundable investigation fee of [five hundred] six hundred twenty-
10491 five dollars and a license fee of one thousand two hundred fifty
10492 dollars. Each application for a renewal license shall be accompanied by
10493 a license fee of two thousand two hundred fifty dollars, or in the case
10494 of a license that expires on June 30, 2007, a license fee of two thousand

10495 two hundred fifty dollars. The license fee shall be refunded if the
10496 application for an original license is denied, the commissioner refuses
10497 to issue a renewal license or an application for a license or renewal
10498 license is withdrawn prior to issuance of a license or renewal license by
10499 the commissioner. Each licensee shall pay to the commissioner a
10500 nonrefundable name change fee of **[**one**]** two hundred dollars for each
10501 application to change a name. No licensee shall use any name other
10502 than the name specified on the license issued by the commissioner.

10503 (b) A license issued pursuant to sections 36a-595 to 36a-610,
10504 inclusive, shall expire at the close of business on September thirtieth of
10505 the odd-numbered year following its issuance, unless renewed or
10506 earlier surrendered, suspended or revoked pursuant to said sections,
10507 provided any license that is renewed effective July 1, 2007, shall expire
10508 on September 30, 2009. Not later than fifteen days after a licensee
10509 ceases to engage in this state in the business of issuing Connecticut
10510 payment instruments or ceases to engage in the business of money
10511 transmission for any reason, including a business decision to terminate
10512 operations in this state, license revocation, bankruptcy or voluntary
10513 dissolution, such licensee shall surrender to the commissioner in
10514 person or by registered or certified mail its license for each location in
10515 which such licensee has ceased to engage in such business.

10516 Sec. 246. Section 36b-12 of the general statutes is repealed and the
10517 following is substituted in lieu thereof (*Effective July 1, 2009*):

10518 (a) Each person applying for registration as a broker-dealer or
10519 investment adviser shall pay to the commissioner or to any person
10520 designated by the commissioner in writing to collect such fee on behalf
10521 of the commissioner, a nonrefundable fee of **[**two hundred fifty**]** three
10522 hundred fifteen dollars.

10523 (b) Each person applying for registration as an agent or investment
10524 adviser agent shall pay to the commissioner or to any person
10525 designated by the commissioner to collect such fee on behalf of the
10526 commissioner, a nonrefundable fee of **[**fifty**]** one hundred dollars.

10527 (c) Each registration issued pursuant to this section shall expire at
10528 the close of business on December thirty-first of the calendar year in
10529 which the registration became effective.

10530 (d) (1) Except as provided in subdivision (2) of this subsection, each
10531 person registered as an agent or investment adviser agent, requesting
10532 transfer of the registration of such agent or investment adviser agent to
10533 another registered broker-dealer or investment adviser, shall pay to
10534 the commissioner or to any person designated by the commissioner in
10535 writing to collect such fee on behalf of the commissioner, a
10536 nonrefundable fee of **[**fifty**]** one hundred dollars for each transfer
10537 requested.

10538 (2) Each broker-dealer or investment adviser receiving a mass
10539 transfer shall pay to the commissioner or to any person designated by
10540 the commissioner in writing to collect such fee on behalf of the
10541 commissioner, a nonrefundable fee of fifty dollars for each agent or
10542 investment adviser agent whose registration is transferred. For
10543 purposes of this subsection, "mass transfer" means a transfer of
10544 multiple agents of a broker-dealer or investment adviser agents of an
10545 investment adviser from a transferring broker-dealer or investment
10546 adviser to a receiving broker-dealer or investment adviser due to a
10547 cessation of business activity, succession, acquisition, merger,
10548 consolidation or other reorganization affecting the transferring broker-
10549 dealer or investment adviser.

10550 (e) Each person applying for registration under subsection (a) or (b)
10551 of this section and any registrant applying for renewal of such
10552 registration under section 36b-13 shall pay the actual cost, as
10553 determined by the commissioner, of any reasonable investigation or
10554 examination made of such applicant or registrant by or on behalf of the
10555 commissioner.

10556 Sec. 247. Section 36b-13 of the general statutes is repealed and the
10557 following is substituted in lieu thereof (*Effective July 1, 2009*):

10558 (a) Each person registered as a broker-dealer or investment adviser
10559 may renew such registration for a one-year period not later than
10560 December thirty-first of each calendar year by making application in
10561 such manner as prescribed by the commissioner. The fee for renewal of
10562 registration for each registered broker-dealer or investment adviser
10563 shall be one hundred **[**fifty**]** ninety dollars per renewal application,
10564 nonrefundable, payable at the time of renewal, and shall be submitted,
10565 together with the renewal application, to the commissioner or any
10566 person designated in writing by the commissioner to collect such fee
10567 on his behalf.

10568 (b) Each person registered as an agent or investment adviser agent
10569 may renew such registration for a one-year period by December thirty-
10570 first of each calendar year by making application in such manner as
10571 prescribed by the commissioner. The fee for renewal of registration for
10572 each person registered as an agent or investment adviser agent shall be
10573 **[**fifty**]** one hundred dollars, nonrefundable, payable at the time of
10574 renewal, and shall be submitted, together with the renewal
10575 application, to the commissioner or any person designated in writing
10576 by the commissioner to collect such fee on his behalf.

10577 (c) Each registrant or person requesting renewal of a registration
10578 shall pay the actual cost, as determined by the commissioner, of any
10579 reasonable investigation or examination made of such person by or on
10580 behalf of the commissioner.

10581 Sec. 248. Section 38a-11 of the general statutes is repealed and the
10582 following is substituted in lieu thereof (*Effective July 1, 2009*):

10583 (a) The commissioner shall demand and receive the following fees:
10584 (1) For the annual fee for each license issued to a domestic insurance
10585 company, **[**one**]** two hundred dollars; (2) for receiving and filing
10586 annual reports of domestic insurance companies, **[**twenty-five**]** fifty
10587 dollars; (3) for filing all documents prerequisite to the issuance of a
10588 license to an insurance company, **[**one hundred seventy-five**]** two
10589 hundred twenty dollars, except that the fee for such filings by any

10590 health care center, as defined in section 38a-175, shall be one thousand
10591 [one hundred] three hundred fifty dollars; (4) for filing any additional
10592 paper required by law, [fifteen] thirty dollars; (5) for each certificate of
10593 valuation, organization, reciprocity or compliance, [twenty] forty
10594 dollars; (6) for each certified copy of a license to a company, [twenty]
10595 forty dollars; (7) for each certified copy of a report or certificate of
10596 condition of a company to be filed in any other state, [twenty] forty
10597 dollars; (8) for amending a certificate of authority, [one] two hundred
10598 dollars; (9) for each license issued to a rating organization, [one] two
10599 hundred dollars. In addition, insurance companies shall pay any fees
10600 imposed under section 12-211; (10) a filing fee of [twenty-five] fifty
10601 dollars for each initial application for a license made pursuant to
10602 section 38a-769; (11) with respect to insurance agents' appointments:
10603 (A) A filing fee of [twenty-five] fifty dollars for each request for any
10604 agent appointment, except that no filing fee shall be payable for a
10605 request for agent appointment by an insurance company domiciled in
10606 a state or foreign country which does not require any filing fee for a
10607 request for agent appointment for a Connecticut insurance company;
10608 (B) a fee of [forty] eighty dollars for each appointment issued to an
10609 agent of a domestic insurance company or for each appointment
10610 continued; and (C) a fee of [twenty] eighty dollars for each
10611 appointment issued to an agent of any other insurance company or for
10612 each appointment continued, except that no fee shall be payable for an
10613 appointment issued to an agent of an insurance company domiciled in
10614 a state or foreign country which does not require any fee for an
10615 appointment issued to an agent of a Connecticut insurance company;
10616 (12) with respect to insurance producers: (A) An examination fee of
10617 [seven] fifteen dollars for each examination taken, except when a
10618 testing service is used, the testing service shall pay a fee of [seven]
10619 fifteen dollars to the commissioner for each examination taken by an
10620 applicant; (B) a fee of [forty] eighty dollars for each license issued; (C) a
10621 fee of [forty] eighty dollars per year, or any portion thereof, for each
10622 license renewed; and (D) a fee of [forty] eighty dollars for any license
10623 renewed under the transitional process established in section 38a-784;

10624 (13) with respect to public adjusters: (A) An examination fee of [seven]
10625 fifteen dollars for each examination taken, except when a testing
10626 service is used, the testing service shall pay a fee of [seven] fifteen
10627 dollars to the commissioner for each examination taken by an
10628 applicant; and (B) a fee of [one hundred twenty-five] two hundred fifty
10629 dollars for each license issued or renewed; (14) with respect to casualty
10630 adjusters: (A) An examination fee of [ten] twenty dollars for each
10631 examination taken, except when a testing service is used, the testing
10632 service shall pay a fee of [ten] twenty dollars to the commissioner for
10633 each examination taken by an applicant; (B) a fee of [forty] eighty
10634 dollars for each license issued or renewed; and (C) the expense of any
10635 examination administered outside the state shall be the responsibility
10636 of the entity making the request and such entity shall pay to the
10637 commissioner [one] two hundred dollars for such examination and the
10638 actual traveling expenses of the examination administrator to
10639 administer such examination; (15) with respect to motor vehicle
10640 physical damage appraisers: (A) An examination fee of [forty] eighty
10641 dollars for each examination taken, except when a testing service is
10642 used, the testing service shall pay a fee of [forty] eighty dollars to the
10643 commissioner for each examination taken by an applicant; (B) a fee of
10644 [forty] eighty dollars for each license issued or renewed; and (C) the
10645 expense of any examination administered outside the state shall be the
10646 responsibility of the entity making the request and such entity shall
10647 pay to the commissioner [one] two hundred dollars for such
10648 examination and the actual traveling expenses of the examination
10649 administrator to administer such examination; (16) with respect to
10650 certified insurance consultants: (A) An examination fee of [thirteen]
10651 twenty-six dollars for each examination taken, except when a testing
10652 service is used, the testing service shall pay a fee of [thirteen] twenty-
10653 six dollars to the commissioner for each examination taken by an
10654 applicant; (B) a fee of two hundred fifty dollars for each license issued;
10655 and (C) a fee of [one hundred twenty-five] two hundred fifty dollars
10656 for each license renewed; (17) with respect to surplus lines brokers: (A)
10657 An examination fee of [ten] twenty dollars for each examination taken,

10658 except when a testing service is used, the testing service shall pay a fee
10659 of [ten] twenty dollars to the commissioner for each examination taken
10660 by an applicant; and (B) a fee of [five hundred] six hundred twenty-
10661 five dollars for each license issued or renewed; (18) with respect to
10662 fraternal agents, a fee of [forty] eighty dollars for each license issued or
10663 renewed; (19) a fee of [thirteen] twenty-six dollars for each license
10664 certificate requested, whether or not a license has been issued; (20)
10665 with respect to domestic and foreign benefit societies shall pay: (A) For
10666 service of process, [twenty-five] fifty dollars for each person or insurer
10667 to be served; (B) for filing a certified copy of its charter or articles of
10668 association, [five] fifteen dollars; (C) for filing the annual report, [ten]
10669 twenty dollars; and (D) for filing any additional paper required by law,
10670 [three] fifteen dollars; (21) with respect to foreign benefit societies: (A)
10671 For each certificate of organization or compliance, [four] fifteen dollars;
10672 (B) for each certified copy of permit, [two] fifteen dollars; and (C) for
10673 each copy of a report or certificate of condition of a society to be filed
10674 in any other state, [four] fifteen dollars; (22) with respect to reinsurance
10675 intermediaries: A fee of [five hundred] six hundred twenty-five dollars
10676 for each license issued or renewed; (23) with respect to life settlement
10677 providers: (A) A filing fee of [thirteen] twenty-six dollars for each
10678 initial application for a license made pursuant to section 38a-465a; and
10679 (B) a fee of [twenty] forty dollars for each license issued or renewed;
10680 (24) with respect to life settlement brokers: (A) A filing fee of [thirteen]
10681 twenty-six dollars for each initial application for a license made
10682 pursuant to section 38a-465a; and (B) a fee of [twenty] forty dollars for
10683 each license issued or renewed; (25) with respect to preferred provider
10684 networks, a fee of two thousand [five hundred] seven hundred fifty
10685 dollars for each license issued or renewed; (26) with respect to rental
10686 companies, as defined in section 38a-799, a fee of [forty] eighty dollars
10687 for each permit issued or renewed; (27) with respect to medical
10688 discount plan organizations licensed under section 38a-479rr, a fee of
10689 [five hundred] six hundred twenty-five dollars for each license issued
10690 or renewed; (28) with respect to pharmacy benefits managers, an
10691 application fee of [fifty] one hundred dollars for each registration

10692 issued or renewed; (29) with respect to captive insurance companies,
10693 as defined in section 38a-91aa, a fee of three hundred seventy-five
10694 dollars for each license issued or renewed; and (30) with respect to
10695 each duplicate license issued a fee of [twenty-five] fifty dollars for each
10696 license issued.

10697 (b) If any state imposes fees upon domestic fraternal benefit
10698 societies greater than are fixed by this section or sections 38a-595 to
10699 38a-626, inclusive, 38a-631 to 38a-640, inclusive, or 38a-800, the
10700 commissioner shall collect from each fraternal benefit society
10701 incorporated by or organized under the laws of such other state and
10702 admitted to transact business in this state, the same fees as are imposed
10703 upon similar domestic societies and organizations by such other state.
10704 The expense of any examination or inquiry made outside the state shall
10705 be borne by the society so examined.

10706 (c) Each unauthorized insurer declared to be an eligible surplus
10707 lines insurer shall pay to the Insurance Commissioner, on or before
10708 May first of each year, an annual fee of [sixty-three] one hundred
10709 twenty-five dollars in order to remain on the list of eligible surplus
10710 lines insurers.

10711 (d) For service of process on the commissioner, the commissioner
10712 shall demand and receive a fee of [twenty-five] fifty dollars for each
10713 person or insurer to be served. The commissioner shall also collect, for
10714 each hospital or ambulance lien filed, [twenty-five] fifty dollars, and
10715 for each small claims notice filed, [five] fifteen dollars, each of which
10716 shall be paid by the plaintiff at the time of service, the same to be
10717 recovered by him as part of the taxable costs if he prevails in the suit.

10718 (e) Each insurance company depositing any security with the
10719 Treasurer pursuant to section 38a-83 shall pay to the commissioner
10720 [two hundred fifty] three hundred fifteen dollars, annually. In case of
10721 an examination or appraisal made outside the office of the Treasurer,
10722 and in such case the company in whose behalf such examination or
10723 appraisal has been made shall pay to the commissioner [one] two

10724 hundred dollars for such examination and the actual traveling
10725 expenses of the officer making such examination or appraisal.

10726 Sec. 249. Section 42a-9-525 of the general statutes is repealed and the
10727 following is substituted in lieu thereof (*Effective July 1, 2009*):

10728 (a) The filing office described in subdivision (2) of subsection (a) of
10729 section 42a-9-501 shall charge and collect the following uniform fee:
10730 For filing and indexing an initial financing statement, a correction
10731 statement or an amendment, **[**twenty-five**]** fifty dollars. No fee shall be
10732 charged (1) to the state when the initial financing statement, correction
10733 statement or amendment is filed by or at the request of the Attorney
10734 General or an assistant attorney general or by a duly authorized
10735 official of the state or any of its agencies, boards or commissions acting
10736 in an official capacity, or (2) to a municipality when the initial
10737 financing statement, correction statement or amendment is filed by a
10738 tax collector or other municipal officer of such municipality pursuant
10739 to the provisions of sections 12-195a to 12-195g, inclusive, or (3) for any
10740 filing accomplished solely by electronic means and without the
10741 physical submission of any document, instrument or paper, in
10742 accordance with a plan approved by the Secretary of the State.

10743 (b) The uniform fee for responding to a request for information from
10744 the filing office described in subdivision (2) of subsection (a) of section
10745 42a-9-501, including issuing a certificate showing whether there is on
10746 file, on the date and time stated therein, any financing statement
10747 naming a particular debtor and any amendment thereof and, if there is,
10748 giving the date and hour of filing such amendment and the name and
10749 address of each secured party named therein, is **[**twenty-five**]** fifty
10750 dollars. Upon request, the filing officer shall furnish a photographic or
10751 electronic copy of any filed financing statement or amendment for a
10752 uniform fee of **[**twenty**]** forty dollars regardless of the number of pages
10753 and affix such filing officer's certification and official seal thereto for a
10754 fee of **[**five**]** ten dollars. No fee shall be charged to the state when a
10755 certificate showing whether there is on file, on the date and hour stated

10756 therein, any presently effective financing statement naming a
10757 particular debtor and any amendment thereof, is requested by the
10758 Attorney General or an assistant attorney general or by a duly
10759 authorized official of the state or any of its agencies, boards or
10760 commissions acting in an official capacity, and no fee shall be charged
10761 to a municipality when such certificate is requested by the tax collector
10762 or other municipal officer of such municipality pursuant to the
10763 provisions of sections 12-195a to 12-195g, inclusive.

10764 (c) This section does not require a fee with respect to a record of a
10765 mortgage which is effective as a financing statement filed as a fixture
10766 filing or as a financing statement covering as-extracted collateral or
10767 timber to be cut under subsection (c) of section 42a-9-502. However,
10768 the recording and satisfaction fees that otherwise would be applicable
10769 to the record of the mortgage apply.

10770 Sec. 250. Section 43-3 of the general statutes is repealed and the
10771 following is substituted in lieu thereof (*Effective July 1, 2009*):

10772 (a) The Commissioner of Consumer Protection shall be state
10773 Commissioner of Weights and Measures. The commissioner may
10774 appoint inspectors of weights and measures, with all the powers
10775 incident to that office, when directed so to act by the commissioner.
10776 Said commissioner shall take charge of the standards adopted, under
10777 the provisions of section 43-2, as the standards of the state, and cause
10778 them to be kept in a fire-proof building belonging to the state, or in a
10779 suitable place in his office, from which they shall not be removed
10780 except for repairs or for certification, and he shall take all other
10781 necessary precautions for their safekeeping. He shall maintain the state
10782 standards in good order and shall provide for their certification as
10783 prescribed by the National Institute of Standards and Technology at
10784 least once in ten years. He shall, at least once in two years, test by the
10785 state standards all standard weights, measures and other apparatus
10786 which belong to any municipality and shall seal such apparatus as is
10787 found to be accurate, by stamping thereon, with seals kept for that

10788 purpose, the letter "C" and the last two figures of the year of
10789 certification. He shall have general supervision of the weights,
10790 measures and weighing and measuring devices sold, offered for sale or
10791 used in the state. He, or the inspectors by his direction, shall, at least
10792 once in each year, test all scales, weights and measures used in
10793 checking the receipt or disbursement of supplies in each institution for
10794 the maintenance of which moneys are appropriated by the General
10795 Assembly, and he shall report, in writing, his findings to the
10796 supervisory board and to the executive officer of the institution
10797 concerned, and, at the request of such board or executive officer, he
10798 shall appoint, in writing, one or more employees, in the service of each
10799 institution, who shall act as special deputies for the purpose of
10800 checking the receipt or disbursement of supplies. He shall keep a
10801 complete record of the standards, balances and other apparatus
10802 belonging to the state, and take a receipt for the same from his
10803 successor in office. He, or the inspectors at his direction, shall, at least
10804 once in two years, inspect the work of the local sealers throughout the
10805 state and shall have power to inspect and ascertain the correctness of
10806 all weights, scales, beams, measures, instruments or mechanical
10807 devices for measuring, and tools, appliances or accessories connected
10808 with any such instruments or measures kept, offered or exposed for
10809 sale, sold, used or employed by any proprietor, agent, lessee or
10810 employee in proving the size, quantity, extent, area or measurement of
10811 quantities, things, produce or articles for distribution or consumption,
10812 offered or submitted by such person or persons for sale, hire or
10813 reward; and shall, from time to time, weigh or measure packages or
10814 amounts of commodities of any kind kept for the purpose of sale,
10815 offered for sale or sold, or in the process of delivery, in order to
10816 determine whether the same contain the amounts represented, and
10817 whether they are offered for sale or sold in accordance with law. They
10818 may, in the performance of their official duties, enter, without warrant,
10819 into or upon any stand, place, building or other premises, or stop any
10820 vendor, peddler, junk dealer or driver of any vehicle transporting or
10821 containing coal, coke, ice or other commodity, or any dealer, and

10822 require him to proceed to some place which they may specify, for the
10823 purpose of making tests. Said commissioner or the inspectors may seal
10824 any such weighing or measuring instrument or apparatus which is
10825 found to be correct and may seize and destroy any incorrect weight,
10826 measure or weighing or measuring instrument. The commissioner
10827 shall issue, from time to time, regulations prescribing specifications
10828 and tolerances for commercial weights and measures and weighing
10829 and measuring devices and regulations for the guidance of municipal
10830 sealers, which regulations shall govern the procedure to be followed
10831 by such officers in the discharge of their duties. The commissioner may
10832 by regulation exempt specific duties and restrict specific powers of the
10833 municipal sealers appointed under the provisions of section 43-6
10834 thereby reserving exclusively to the commissioner within the
10835 municipality the duties exempted and powers restricted. The
10836 commissioner may adopt regulations, in accordance with the
10837 provisions of chapter 54, prescribing fees to be charged for any
10838 calibration services performed by the Department of Consumer
10839 Protection, provided no fee shall be charged for services provided in
10840 accordance with the provisions of section 43-50. Whenever any
10841 municipality required by section 43-6 to appoint a sealer of weights
10842 and measures fails to do so or when a municipal sealer appointed
10843 under the provisions of said section fails or neglects to perform his
10844 duties, the Commissioner of Weights and Measures may direct his
10845 inspectors to perform such duties and the clerk or comptroller of such
10846 municipality shall, upon notification and request by the Commissioner
10847 of Weights and Measures, reimburse the state for the cost of such
10848 services rendered.

10849 (b) Notwithstanding any regulations to the contrary, the following
10850 weighing and measuring devices shall be registered annually with the
10851 commissioner and the commissioner shall charge the following annual
10852 registration fees: (1) Each motor fuel dispenser, **[**twenty-five**]** <u>fifty</u>
10853 dollars; (2) each large weighing or measuring device, **[**one hundred
10854 twenty-five**]** <u>two hundred fifty</u> dollars; (3) each medium weighing or
10855 measuring device, **[**fifty**]** <u>one hundred</u> dollars; and (4) each small

10856 weighing or measuring device, [fifteen] thirty dollars.

10857 Sec. 251. Section 43-16f of the general statutes is repealed and the
10858 following is substituted in lieu thereof (*Effective July 1, 2009*):

10859 Before the issuance of any license as a licensed public weigher, or
10860 any renewal thereof, the applicant shall pay to the commissioner a fee
10861 of [twenty] forty dollars.

10862 Sec. 252. Section 43-47 of the general statutes is repealed and the
10863 following is substituted in lieu thereof (*Effective July 1, 2009*):

10864 No person shall act as a dealer or repairman without first obtaining
10865 a certificate of registration from the Commissioner of Consumer
10866 Protection as provided in this section. Any person wishing to be
10867 registered as a dealer or repairman shall make application to the
10868 Commissioner of Consumer Protection on forms provided by him,
10869 furnishing such pertinent information as he may require. Each
10870 application shall be accompanied by a fee of [twenty-five] fifty dollars
10871 in the case of a dealer and [ten] twenty dollars in the case of a
10872 repairman. Upon approval, said commissioner shall issue to the
10873 applicant a registration certification bearing an identification number
10874 identifying such dealer or repairman. The certification shall expire
10875 annually unless suspended or revoked under the provisions of section
10876 43-51. Such registration shall be renewable annually on payment of a
10877 fee of [twenty-five] fifty dollars in the case of a dealer and [ten] twenty
10878 dollars in the case of a repairman.

10879 Sec. 253. Section 47-244a of the general statutes is repealed and the
10880 following is substituted in lieu thereof (*Effective July 1, 2009*):

10881 (a) Not later than January 1, 1992, each unit owners' association, as
10882 defined in section 47-202, that is not incorporated in this state shall
10883 have and maintain a statutory agent for service in this state as
10884 provided in this section. A statutory agent for service shall be either (1)
10885 a natural person who is a resident of this state, (2) a domestic

10886 corporation with or without capital stock, or (3) any corporation not
10887 organized under the laws of this state which has procured a certificate
10888 of authority to transact business or conduct affairs in this state.

10889 (b) A statutory agent for service of a unit owners' association shall
10890 be appointed by filing with the Secretary of the State a written
10891 appointment in such form as he prescribes setting forth: (1) The name
10892 of the common interest community and of the association; (2) the name
10893 of the statutory agent for service; and (3) if the statutory agent is a
10894 natural person, the business and residence address thereof; if the
10895 statutory agent is a domestic corporation, the address of the principal
10896 office thereof; if the statutory agent is a corporation not organized
10897 under the laws of this state, the address of the principal office thereof
10898 in this state, if any. In each case the address shall include the street and
10899 number or other particular designation.

10900 (c) The written appointment shall be signed by the president, vice
10901 president or secretary of the appointing association. Each written
10902 appointment shall also be signed by the statutory agent for service
10903 therein appointed.

10904 (d) If a statutory agent for service dies, dissolves, withdraws from
10905 the state or resigns, the unit owners' association shall forthwith
10906 appoint another statutory agent for service. If the statutory agent for
10907 service changes his or its address within the state from that appearing
10908 upon the record in the office of the Secretary of the State, the unit
10909 owners' association shall forthwith file with the Secretary of the State
10910 notice of the new address. A statutory agent for service may resign by
10911 filing with the Secretary of the State a signed statement in duplicate to
10912 that effect. The Secretary of the State shall forthwith file one copy and
10913 mail the other copy of such statement to the unit owners' association at
10914 its principal office. Upon the expiration of thirty days after such filing,
10915 the resignation shall be effective and the authority of such statutory
10916 agent for service shall terminate. A unit owners' association may
10917 revoke the appointment of a statutory agent for service by making a

10918 new appointment as provided in this section and any new
10919 appointment so made shall revoke all appointments theretofore made.

10920 (e) The Secretary of the State shall charge and collect a fee of [forty-
10921 five] ninety dollars for filing an appointment of a statutory agent, and
10922 a fee of [nine] eighteen dollars for filing a change of address of
10923 statutory agent or change of statutory agent.

10924 Sec. 254. Section 51-81b of the general statutes is repealed and the
10925 following is substituted in lieu thereof (*Effective July 1, 2009*):

10926 (a) Any person who has been admitted as an attorney by the judges
10927 of the Superior Court shall annually on or before January fifteenth file
10928 an annual return prescribed or furnished by the Commissioner of
10929 Revenue Services. If any such person was engaged in the practice of
10930 law in the year preceding the year in which an occupational tax is due
10931 hereunder, such person, unless exempted under this section, shall
10932 annually on or before January fifteenth pay to the Commissioner of
10933 Revenue Services a tax in the amount of [four hundred fifty] five
10934 hundred sixty-five dollars. Any person who has been admitted as an
10935 attorney pro hac vice by a judge of the Superior, Appellate or Supreme
10936 Court in accordance with the rules of said court shall file such return
10937 and pay such tax as provided in this subsection with respect to any
10938 year in which such person was admitted pro hac vice and engaged in
10939 the practice of law in this state.

10940 (b) Upon failure of any such person to pay the sum due hereunder
10941 within thirty days of the due date, the provisions of section 12-35 shall
10942 apply with respect to the enforcement of this section and the collection
10943 of such sum. The warrant therein provided for shall be signed by the
10944 commissioner or his authorized agent. The amount of any such tax,
10945 penalty and interest shall be a lien, from the thirty-first day of
10946 December next preceding the due date of such tax until discharged by
10947 payment, against all real estate of the taxpayer within the state, and a
10948 certificate of such lien signed by the commissioner may be filed for
10949 record in the office of the clerk of any town in which such real estate is

10950 situated, provided no such lien shall be effective as against any bona
10951 fide purchaser or qualified encumbrancer of any interest in any such
10952 property. When any tax with respect to which a lien has been recorded
10953 under the provisions of this section has been satisfied, the
10954 commissioner, upon request of any interested party, shall issue a
10955 certificate discharging such lien, which certificate shall be recorded in
10956 the same office in which the lien was recorded. Any action for the
10957 foreclosure of such lien shall be brought by the Attorney General in the
10958 name of the state in the superior court for the judicial district in which
10959 the property subject to such lien is situated, or, if such property is
10960 located in two or more judicial districts, in the superior court for any
10961 one such judicial district, and the court may limit the time for
10962 redemption or order the sale of such property or make such other or
10963 further decree as it judges equitable.

10964 (c) The Commissioner of Revenue Services shall notify the Chief
10965 Court Administrator of the failure of any person to comply with the
10966 provisions of this section and the Chief Court Administrator shall
10967 notify the judges of the Superior Court of such failure.

10968 (d) If any person fails to pay the amount of tax reported to be due
10969 on such person's return within the time specified under the provisions
10970 of this section, there shall be imposed a penalty of fifty dollars, which
10971 penalty shall be payable to, and recoverable by, the commissioner in
10972 the same manner as the tax imposed under this section. Subject to the
10973 provisions of section 12-3a, the commissioner may waive all or part of
10974 the penalties provided under this section when it is proven to his
10975 satisfaction that the failure to pay any tax was due to reasonable cause
10976 and was not intentional or due to neglect.

10977 (e) If any tax is not paid when due as provided in this section, there
10978 shall be added to the amount of the tax interest at the rate of one per
10979 cent per month or fraction thereof from the date the tax became due
10980 until it is paid.

10981 (f) If the commissioner is satisfied beyond a reasonable doubt that

10982 the failure to file a return or to pay the tax was due to reasonable cause
10983 and was not intentional or due to neglect, he may abate or remit the
10984 whole or any part of any penalty under this section.

10985 (g) This section shall not apply (1) to any attorney whose name has
10986 been removed from the roll of attorneys maintained by the clerk of the
10987 superior court for the judicial district of Hartford, or (2) to any attorney
10988 who has retired from the practice of law, provided the attorney shall
10989 file written notice of retirement with the clerk of the superior court for
10990 the judicial district of Hartford, or to any attorney who does not
10991 engage in the practice of law as an occupation and receives less than
10992 four hundred fifty dollars in legal fees or other compensation for
10993 services involving the practice of law during any calendar year, or (3)
10994 with respect to the tax due in any calendar year, to any attorney
10995 serving on active duty with the armed forces of the United States for
10996 more than six months in such year.

10997 (h) No person shall be liable for payment of the occupational tax
10998 under this section solely by virtue of such person having engaged in
10999 the practice of law while acting as an employee of the state, any
11000 political subdivision of the state or any probate court.

11001 (i) The provisions of sections 12-548 to 12-554, inclusive, and section
11002 12-555a shall apply to the provisions of this section in the same manner
11003 and with the same force and effect as if the language of said sections
11004 12-548 to 12-554, inclusive, and section 12-555a had been incorporated
11005 in full into this section and had expressly referred to the tax under this
11006 section, except to the extent that any such provision is inconsistent
11007 with a provision of this section.

11008 Sec. 255. (NEW) (*Effective July 1, 2009*) Notwithstanding any
11009 provision of the general statutes or any regulation of Connecticut state
11010 agencies to the contrary, on and after July 1, 2009, each fee in effect
11011 pursuant to regulations adopted pursuant to any section of the general
11012 statutes that is (1) one thousand dollars or more shall be increased by
11013 two hundred fifty dollars, (2) one hundred fifty dollars or more, but

11014 less than one thousand dollars, shall be increased by twenty-five per
11015 cent and rounded up to the next whole five-dollar increment, and (3)
11016 less than one hundred fifty dollars shall be doubled.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2009*	1-212
Sec. 2	*July 1, 2009*	3-90
Sec. 3	*July 1, 2009*	3-94b
Sec. 4	*July 1, 2009*	3-94n
Sec. 5	*July 1, 2009*	3-94o
Sec. 6	*July 1, 2009*	3-99a
Sec. 7	*July 1, 2009*	7-74
Sec. 8	*July 1, 2009*	7-169d
Sec. 9	*July 1, 2009*	7-169e
Sec. 10	*July 1, 2009*	7-169i
Sec. 11	*July 1, 2009*	7-178
Sec. 12	*July 1, 2009*	9-623
Sec. 13	*July 1, 2009*	10-145b
Sec. 14	*July 1, 2009*	12-285b
Sec. 15	*July 1, 2009*	12-287
Sec. 16	*July 1, 2009*	12-288
Sec. 17	*July 1, 2009*	12-330b
Sec. 18	*July 1, 2009*	12-409
Sec. 19	*July 1, 2009*	12-578
Sec. 20	*July 1, 2009*	12-815a
Sec. 21	*July 1, 2009*	14-319
Sec. 22	*July 1, 2009*	14-327b
Sec. 23	*July 1, 2009*	16a-23m
Sec. 24	*July 1, 2009*	19a-29a
Sec. 25	*July 1, 2009*	19a-30
Sec. 26	*July 1, 2009*	19a-36
Sec. 27	*July 1, 2009*	19a-42
Sec. 28	*July 1, 2009*	19a-55
Sec. 29	*July 1, 2009*	19a-80
Sec. 30	*July 1, 2009*	19a-87b
Sec. 31	*July 1, 2009*	19a-88
Sec. 32	*July 1, 2009*	19a-89b

Sec. 33	*July 1, 2009*	19a-180
Sec. 34	*July 1, 2009*	19a-310
Sec. 35	*July 1, 2009*	19a-320
Sec. 36	*July 1, 2009*	19a-332a
Sec. 37	*July 1, 2009*	19a-421
Sec. 38	*July 1, 2009*	19a-491
Sec. 39	*July 1, 2009*	19a-506
Sec. 40	*July 1, 2009*	19a-512
Sec. 41	*July 1, 2009*	19a-513
Sec. 42	*July 1, 2009*	19a-515
Sec. 43	*July 1, 2009*	20-11
Sec. 44	*July 1, 2009*	20-12
Sec. 45	*July 1, 2009*	20-12b
Sec. 46	*July 1, 2009*	20-27
Sec. 47	*July 1, 2009*	20-37
Sec. 48	*July 1, 2009*	20-55
Sec. 49	*July 1, 2009*	20-57
Sec. 50	*July 1, 2009*	20-65k
Sec. 51	*July 1, 2009*	20-70
Sec. 52	*July 1, 2009*	20-74d
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Statement of Purpose:

To implement the Governor's budget recommendations.

[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.]