



Senate

General Assembly

File No. 84

February Session, 2010

Senate Bill No. 184

Senate, March 23, 2010

The Committee on General Law reported through SEN. COLAPIETRO of the 31st Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING SURCHARGES ON RETAIL FUEL OIL AND PROPANE DELIVERIES.

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

1 Section 1. Section 16a-22b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) No retail dealer of fuel oil or propane shall assess a surcharge on
4 the price of fuel oil or propane delivered to a customer if the delivery
5 of the fuel oil or propane is in an amount in excess of [one hundred]
6 ninety-nine gallons, except that a surcharge may be assessed if a
7 delivery is made outside the normal service area or the normal
8 business hours of the dealer or extraordinary labor costs are involved
9 in making a delivery.

10 (b) No retail dealer of fuel oil or propane shall assess a residential
11 customer a minimum delivery surcharge on any delivery initiated by
12 the seller, including any delivery under an automatic delivery
13 agreement.

14 (c) Any person who violates a provision of this section shall be fined
15 not more than five hundred dollars for a first offense, not more than
16 seven hundred fifty dollars for a second offense occurring not more
17 than three years after a prior offense and one thousand five hundred
18 dollars for a third or subsequent offense occurring not more than three
19 years after a prior violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2010	16a-22b

GL *Joint Favorable*

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

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Consumer Protection, Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

It is anticipated that few, if any, violations for charging a surcharge on retail fuel oil and propane deliveries for deliveries in excess of 99 gallons will occur as previous law had already provided that no surcharge could be charged for deliveries under 100 gallons.

The Out Years

The potential minimal revenue gain identified above would continue into the future subject to the number of violations.

OLR Bill Analysis**SB 184*****AN ACT CONCERNING SURCHARGES ON RETAIL FUEL OIL AND PROPANE DELIVERIES.*****SUMMARY:**

Current law prohibits retail dealers of fuel oil or propane from imposing delivery surcharges on deliveries of more than 100 gallons. This bill decreases the threshold to 99 gallons.

A dealer who violates the bill is subject to a fine of up to (1) \$500 for a first offense, (2) \$750 for a second offense and (3) \$1,500 for a third or subsequent if the second and subsequent offenses occur within three years after a prior violation.

EFFECTIVE DATE: July 1, 2010

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 18 Nay 0 (03/09/2010)