



Senate

General Assembly

File No. 193

February Session, 2010

Substitute Senate Bill No. 188

Senate, March 30, 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 substitute bill ought to pass.

***AN ACT ESTABLISHING UNIFORM PROCEDURES REGARDING
NEW HOME CONSTRUCTION CONTRACTOR AND HOME
IMPROVEMENT CONTRACTOR AND SALESMAN-RELATED
COMPLAINTS.***

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

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this
2 section: (1) "Commissioner" means the Commissioner of Consumer
3 Protection or the commissioner's duly authorized representative, and
4 (2) "department" means the Department of Consumer Protection.

5 (b) Any person may file a written complaint with the department
6 concerning the work or practices of a person: (1) Registered as a new
7 home construction contractor pursuant to chapter 399a of the general
8 statutes, (2) registered as a home improvement contractor or salesman
9 pursuant to chapter 400 of the general statutes, or (3) who is not
10 registered pursuant to said chapters but has performed work or acted
11 in a manner that requires registration with the department pursuant to
12 said chapters.

13 (c) The commissioner shall study measures to improve the process
 14 the department utilizes for accepting, processing and reporting to the
 15 public complaints the department receives under subsection (b) of this
 16 section. Such measures may include (1) creating subsets of closed
 17 complaints related to serious violations of law or regulations or
 18 patterns of other complaints against a contractor or individual, (2)
 19 determining which subsets of closed complaints are made available to
 20 the public via the department's Internet web site, (3) determining how
 21 long complaints remain posted and available to the public via the
 22 department's Internet web site, (4) creating improved notices or
 23 disclosures to the public on how to search for contractors and interpret
 24 complaints posted on the department's Internet web site, (5) adding
 25 information to the department's complaint database to better explain
 26 to the public complaints received by the department, responses from
 27 contractors to such complaints and resolutions of such complaints, and
 28 (6) any other changes to the department's complaint handling and
 29 disclosure procedures deemed appropriate by the commissioner.

30 (d) Not later than December 31, 2010, the commissioner shall submit
 31 a report on the department's findings and progress regarding
 32 measures described in subsection (c) of this section to the joint
 33 standing committee of the General Assembly having cognizance of
 34 matters relating to consumer protection, in accordance with the
 35 provisions of section 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

GL *Joint Favorable Subst.*

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

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact associated with requiring the Department of Consumer Protection to study measures to improve the department's complaint process with regard to home construction contractors.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 188*****AN ACT ESTABLISHING UNIFORM PROCEDURES REGARDING NEW HOME CONSTRUCTION CONTRACTOR AND HOME IMPROVEMENT CONTRACTOR AND SALESMAN-RELATED COMPLAINTS.*****SUMMARY:**

This bill allows any person to file a written complaint with the Department of Consumer Protection (DCP) concerning the work or practices of a person: (1) registered as a new home construction contractor or a home improvement contractor or salesman or (2) who is not registered, but has performed work or acted in a manner that requires registration with DCP.

This bill requires the DCP commissioner to study measures to improve the department's complaint process. The commissioner must submit a report, by December 31, 2010, on the findings to the General Law Committee.

EFFECTIVE DATE: Upon passage

COMPLAINT PROCESS STUDY

The bill requires the commissioner to study measures to improve DCP's process for accepting, processing, and reporting to the public complaints it receives about home construction. The study can look at measures like:

1. creating a closed complaint subset for contractors or individuals with serious violations of law or regulations, or patterns of other complaints;
2. determining which closed complaints subsets are available for the public through DCP's website;

3. determining how long complaints remain posted on the website;
4. creating improved notices to the public on how to search for contractors and interpret complaints on the website;
5. adding information to the complaint database to better explain to the public complaints received, responses from contractors to such complaints, and resolutions of the complaints; and
6. any other changes the commissioner thinks are appropriate to the complaint handling procedure.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/16/2010)