



Senate

General Assembly

File No. 117

January Session, 2011

Senate Bill No. 144

Senate, March 21, 2011

The Committee on General Law reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING DIGITAL COPIERS AND PRIVACY.

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

- 1 Section 1. (NEW) (*Effective October 1, 2011*) (a) A lessor of a digital
2 copier shall ensure that all copied data is erased from the memory of
3 the copier at the end of the lease term for the copier.
- 4 (b) A violation of subsection (a) of this section shall be an unfair or
5 deceptive act or practice pursuant to subsection (a) of section 42-110b,
6 of the general statutes.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2011</i>	New section
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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:*** None***Municipal Impact:*** None***Explanation***

The bill results in no cost to the Department of Consumer Protection (DCP) as it does not require the DCP to actively monitor the erasure of data on leased digital copiers. It is anticipated that the DCP will act upon a complaint. Few such complaints are expected, and there is no anticipated cost to the department.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 144*****AN ACT CONCERNING DIGITAL COPIERS AND PRIVACY.*****SUMMARY:**

This bill requires a digital copier lessor to ensure all copied data is erased from the copier's memory at the end of the lease term. A violation is an unfair or deceptive trade practice.

EFFECTIVE DATE: October 1, 2011

BACKGROUND***Connecticut Unfair Trade Practices Act (CUTPA)***

CUTPA prohibits unfair and deceptive acts or practices. It allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorneys fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 15 Nay 0 (03/03/2011)