



General Assembly

Substitute Bill No. 6265

January Session, 2011

* _____HB06265JUD__040611_____*

AN ACT CONCERNING ADVERTISING BY NONLICENSED TRADESPERSONS.

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

1 Section 1. Subsection (a) of section 20-341 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

4 (a) Any person who wilfully engages in or practices the work or
5 occupation for which a license is required by this chapter without
6 having first obtained an apprentice permit or a certificate and license
7 for such work, or who wilfully employs or supplies for employment a
8 person who does not have a certificate and license for such work, or
9 who wilfully and falsely pretends to qualify to engage in or practice
10 such work or occupation, including, but not limited to, offering to
11 perform such work in any print, electronic, television or radio
12 advertising or listing when such person does not hold a license for
13 such work as required by this chapter, or who wilfully engages in or
14 practices any of the work or occupations for which a license is required
15 by this chapter after the expiration of such person's license, shall be
16 guilty of a class B misdemeanor, provided no criminal charges shall be
17 instituted against such person pursuant to this subsection unless the
18 work activity in question is reviewed by the Commissioner of
19 Consumer Protection, or the commissioner's authorized agent, and the

20 commissioner or such agent specifically determines, in writing, that
21 such work activity requires a license and is not the subject of a bona
22 fide dispute between persons engaged in any trade or craft, whether
23 licensed or unlicensed. Notwithstanding the provisions of subsection
24 (d) or (e) of section 53a-29 and subsection (d) of section 54-56e, if the
25 court determines that such person cannot fully repay any victims of
26 such person within the period of probation established in subsection
27 (d) or (e) of section 53a-29 or subsection (d) of section 54-56e, the court
28 may impose probation for a period of not more than five years. The
29 penalty provided in this subsection shall be in addition to any other
30 penalties and remedies available under this chapter or chapter 416.

31 Sec. 2. Subsection (a) of section 20-334 of the general statutes is
32 repealed and the following is substituted in lieu thereof (*Effective*
33 *October 1, 2011*):

34 (a) No person shall engage in, practice or offer to perform the work
35 of any occupation subject to this chapter in this state, including
36 offering to perform such work in any print, electronic, television or
37 radio advertising or listing, unless such person has first obtained a
38 license as provided in section 20-333, or possesses a card of registration
39 from the Labor Department or the board and is subject to all of the
40 regulations adopted under this chapter for the purpose of governing
41 apprenticeship training, or has been issued a license for such particular
42 work under this chapter prior to July 6, 1967.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	20-341(a)
Sec. 2	<i>October 1, 2011</i>	20-334(a)

JUD *Joint Favorable Subst.*