
OLR Bill Analysis

SB 867

AN ACT CONCERNING PENALTIES FOR THE VIOLATION OF MECHANICAL CONTRACTOR REGISTRATION REQUIREMENTS.

SUMMARY:

This bill expands the penalty for a mechanical contractor that does not obtain a certificate of registration and willfully (1) engages its employees in plumbing and piping work or in heating, piping, and cooling work or (2) supplies for employment someone who does not hold a valid license to perform such work (presumably this refers to someone supplied to work for, but not be hired by, another). Currently, a violation is subject to the penalties for an unfair or deceptive trade practice. The bill imposes an additional penalty of a \$1,000 fine for the first offense and \$2,500 for each subsequent offense.

EFFECTIVE DATE: October 1, 2011

BACKGROUND

Mechanical Contractor

A mechanical contractor is any corporation, association, firm, partnership, or business organization that regularly offers to the public its employees' services in plumbing and piping work or heating, piping, and cooling work. A mechanical contractor has 10 or more employees and works on buildings that (1) consist of four or more units or (2) are not residential. By law, the mechanical contractor is required to obtain a certificate of registration from the consumer protection commissioner before doing or offering to do work (CGS § 20-341t).

Connecticut Unfair Trade Practices Act

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the DCP 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)