



General Assembly

February Session, 2012

Raised Bill No. 5054

LCO No. 677

00677 _____ GL_

Referred to Committee on General Law

Introduced by:
(GL)

**AN ACT MAKING MINOR AND TECHNICAL CHANGES TO
DEPARTMENT OF CONSUMER PROTECTION STATUTES.**

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

1 Section 1. Section 30-7 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 Every regulation made by the Department of Consumer Protection
4 under the authority of this chapter shall be furnished to each permittee
5 upon request. The department shall biennially, on or before July first in
6 the odd-numbered years, publish in convenient pamphlet form all
7 regulations then in force and shall furnish upon request copies of such
8 pamphlets to every permittee authorized under the provisions of this
9 chapter to manufacture or sell alcoholic liquor and to such other
10 persons as desire such pamphlets. The posting of such regulations on
11 the department's Internet web site shall constitute compliance with the
12 requirements of this section.

13 Sec. 2. Section 12-563 of the 2012 supplement to the general statutes
14 is repealed and the following is substituted in lieu thereof (*Effective*
15 *from passage*):

16 All regulations of the department shall be adopted in the manner
17 provided in chapter 54. The commissioner shall, at least annually, on
18 or before December thirty-first of each year, publish in convenient
19 pamphlet form all regulations then in force and shall furnish copies of
20 such pamphlets to such persons who desire such pamphlets. The
21 posting of such regulations on the department's Internet web site shall
22 constitute compliance with the requirements of this section.

23 Sec. 3. Subsection (a) of section 20-332 of the 2012 supplement to the
24 general statutes is repealed and the following is substituted in lieu
25 thereof (*Effective from passage*):

26 (a) Each examining board established under section 20-331 shall
27 have a seal and its members may administer oaths in the performance
28 of their duties. Each board shall keep a record of its proceedings and a
29 complete roster of all persons licensed or registered by it and entitled
30 to practice the occupation within the board's jurisdiction in this state.
31 Each board shall biennially furnish a copy of such roster to each town
32 clerk and shall notify such clerk of any deletions from such roster
33 within five days of such deletion. The posting of such roster and
34 deletions on the Department of Consumer Protection's Internet web
35 site shall constitute compliance with the requirements of this section.

36 Sec. 4. Section 20-377p of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective from passage*):

38 A certificate of registration as an interior designer shall be evidence
39 that the person named in the certificate is entitled to the rights and
40 privileges of a registered interior designer while such certificate
41 remains in effect. The commissioner shall keep a roster of the names
42 and addresses of all registered interior designers, all architects licensed
43 in accordance with the provisions of chapter 390 and of such other
44 information as the commissioner may by regulation require. Annually,
45 during the month of September, the commissioner shall place such
46 roster on file with the Secretary of the State and with the building
47 department and library of each town. The commissioner shall maintain

48 an index and record of each certificate of registration. A certificate shall
49 remain in effect until revoked or suspended as provided in section 20-
50 377s. The posting of such roster on the Department of Consumer
51 Protection's Internet web site shall constitute compliance with the
52 requirements of this section.

53 Sec. 5. Subsection (f) of section 25-129 of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective from*
55 *passage*):

56 (f) The department shall prepare a roster of all registered well
57 drillers and distribute it annually to the local director of health or his
58 agent and the building inspector, if there is one, of each town. The
59 posting of such roster on the Department of Consumer Protection's
60 Internet web site shall constitute compliance with the requirements of
61 this section.

62 Sec. 6. Subsection (a) of section 43-3 of the general statutes is
63 repealed and the following is substituted in lieu thereof (*Effective from*
64 *passage*):

65 (a) The Commissioner of Consumer Protection shall be state
66 Commissioner of Weights and Measures. The commissioner may
67 appoint inspectors of weights and measures, with all the powers
68 incident to that office, when directed so to act by the commissioner.
69 Said commissioner shall take charge of the standards adopted, under
70 the provisions of section 43-2, as the standards of the state, and cause
71 them to be kept in a fire-proof building belonging to the state, or in a
72 suitable place in his office, from which they shall not be removed
73 except for repairs or for certification, and he shall take all other
74 necessary precautions for their safekeeping. He shall maintain the state
75 standards in good order and shall provide for their certification as
76 prescribed by the National Institute of Standards and Technology at
77 least once in ten years. He shall, at least once in two years, test by the
78 state standards all standard weights, measures and other apparatus
79 which belong to any municipality and shall seal such apparatus as is

80 found to be accurate, by stamping thereon, with seals kept for that
81 purpose, the letter "C" and the last two figures of the year of
82 certification. He shall have general supervision of the weights,
83 measures and weighing and measuring devices sold, offered for sale or
84 used in the state. He, or the inspectors by his direction, shall, at least
85 once in each year, test all scales, weights and measures used in
86 checking the receipt or disbursement of supplies in each institution for
87 the maintenance of which moneys are appropriated by the General
88 Assembly, and he shall [report, in writing,] maintain a record of his
89 findings and make such record available to the supervisory board and
90 to the executive officer of the institution concerned, and, at the request
91 of such board or executive officer, he shall appoint, in writing, one or
92 more employees, in the service of each institution, who shall act as
93 special deputies for the purpose of checking the receipt or
94 disbursement of supplies. He shall keep a complete record of the
95 standards, balances and other apparatus belonging to the state, and
96 take a receipt for the same from his successor in office. He, or the
97 inspectors at his direction, shall, at least once in two years, inspect the
98 work of the local sealers throughout the state and shall have power to
99 inspect and ascertain the correctness of all weights, scales, beams,
100 measures, instruments or mechanical devices for measuring, and tools,
101 appliances or accessories connected with any such instruments or
102 measures kept, offered or exposed for sale, sold, used or employed by
103 any proprietor, agent, lessee or employee in proving the size, quantity,
104 extent, area or measurement of quantities, things, produce or articles
105 for distribution or consumption, offered or submitted by such person
106 or persons for sale, hire or reward; and shall, from time to time, weigh
107 or measure packages or amounts of commodities of any kind kept for
108 the purpose of sale, offered for sale or sold, or in the process of
109 delivery, in order to determine whether the same contain the amounts
110 represented, and whether they are offered for sale or sold in
111 accordance with law. They may, in the performance of their official
112 duties, enter, without warrant, into or upon any stand, place, building
113 or other premises, or stop any vendor, peddler, junk dealer or driver of

114 any vehicle transporting or containing coal, coke, ice or other
115 commodity, or any dealer, and require him to proceed to some place
116 which they may specify, for the purpose of making tests. Said
117 commissioner or the inspectors may seal any such weighing or
118 measuring instrument or apparatus which is found to be correct and
119 may seize and destroy any incorrect weight, measure or weighing or
120 measuring instrument. The commissioner shall issue, from time to
121 time, regulations prescribing specifications and tolerances for
122 commercial weights and measures and weighing and measuring
123 devices and regulations for the guidance of municipal sealers, which
124 regulations shall govern the procedure to be followed by such officers
125 in the discharge of their duties. The commissioner may by regulation
126 exempt specific duties and restrict specific powers of the municipal
127 sealers appointed under the provisions of section 43-6 thereby
128 reserving exclusively to the commissioner within the municipality the
129 duties exempted and powers restricted. The commissioner may adopt
130 regulations, in accordance with the provisions of chapter 54,
131 prescribing fees to be charged for any calibration services performed
132 by the Department of Consumer Protection, provided no fee shall be
133 charged for services provided in accordance with the provisions of
134 section 43-50 for those registrants residing in and having a business
135 location in this state. Whenever any municipality required by section
136 43-6 to appoint a sealer of weights and measures fails to do so or when
137 a municipal sealer appointed under the provisions of said section fails
138 or neglects to perform his duties, the Commissioner of Weights and
139 Measures may direct his inspectors to perform such duties and the
140 clerk or comptroller of such municipality shall, upon notification and
141 request by the Commissioner of Weights and Measures, reimburse the
142 state for the cost of such services rendered.

143 Sec. 7. Section 12-559 of the 2012 supplement to the general statutes
144 is repealed and the following is substituted in lieu thereof (*Effective*
145 *from passage*):

146 The commissioner may employ stewards for thoroughbred racing,

147 judges for harness racing, greyhound racing and jai alai, and
148 veterinarians who shall be exempt from classified service, and may
149 employ, subject to the provisions of chapter 67, such other employees
150 as may be necessary to carry out the provisions of this chapter. The
151 commissioner shall require such persons to submit to state and
152 national criminal history records checks before being employed. The
153 criminal history records checks required pursuant to this section shall
154 be conducted in accordance with section 29-17a. [All persons
155 employed pursuant to this section, with the exception of any steward,
156 judge or veterinarian, shall be residents of the state at the time of and
157 during the full term of their employment.]

158 Sec. 8. Subsections (l) and (m) of section 12-575 of the general
159 statutes are repealed and the following is substituted in lieu thereof
160 (*Effective from passage*):

161 [(l) The commissioner shall, on or before the tenth day of each
162 month, prepare and file with the Treasurer a full and complete
163 statement of the department's receipts from all sources and shall turn
164 over to the Treasurer all moneys in the department's possession.]

165 [(m)] (l) (1) The commissioner shall pay each municipality in which
166 a horse race track is located, one-quarter of one per cent of the total
167 money wagered on horse racing events at such race track, except the
168 commissioner shall pay each such municipality having a population in
169 excess of fifty thousand one per cent of the total money wagered at
170 such horse racing events in such municipality. The commissioner shall
171 pay each municipality in which a jai alai fronton or dog race track is
172 located one-half of one per cent of the total money wagered on jai alai
173 games or dog racing events at such fronton or dog race track, except
174 the commissioner shall pay each such municipality having a
175 population in excess of fifty thousand one per cent of the total money
176 wagered on jai alai games or dog racing events at such fronton or dog
177 race track located in such municipality. The commissioner shall pay
178 each municipality in which an off-track betting facility is located one

179 and three-fifths per cent of the total money wagered in such facility
180 less amounts paid as refunds or for cancellations. The commissioner
181 shall pay to both the city of New Haven and the town of Windsor
182 Locks an additional one-half of one per cent of the total money
183 wagered less any amount paid as a refund or a cancellation in any
184 facility equipped with screens for simulcasting after October 1, 1997,
185 located within a fifteen-mile radius of facilities in New Haven and
186 Windsor Locks. Payment shall be made not less than four times a year
187 and not more than twelve times a year as determined by the
188 commissioner, and shall be made from the tax imposed pursuant to
189 subsection (d) of this section for horse racing, subsection (e) of this
190 section for dog racing, subsection (f) of this section for jai alai games
191 and subsection (g) of this section for off-track betting. (2) If, for any
192 calendar year after the surrender of a license to conduct jai alai events
193 by any person or business organization pursuant to subsection (c) of
194 section 12-574c and prior to the opening of any dog race track by such
195 person or business organization, any other person or business
196 organization licensed to conduct jai alai events is authorized to
197 conduct a number of performances greater than the number
198 authorized for such licensee in the previous calendar year, the
199 commissioner shall pay the municipality in which the jai alai fronton
200 for which such license was surrendered was located, rather than the
201 municipality in which the jai alai fronton conducting the increased
202 performances is located, one-half of one per cent of the total money
203 wagered on jai alai games for such increased performances at the
204 fronton which conducted the additional performances, except the
205 commissioner shall pay each such municipality having a population in
206 excess of fifty thousand one per cent of the total money wagered on jai
207 alai games for such increased performances at such fronton. (3) During
208 any state fiscal year ending on or after June 30, 1993, the commissioner
209 shall pay each municipality in which a dog race track was operating
210 prior to July 5, 1991, one per cent of the total money wagered on dog
211 racing events at such dog race track. (4) During the state fiscal year
212 ending June 30, 2001, each municipality in which a dog race track was

213 operating prior to July 5, 1991, shall pay the Northeast Connecticut
214 Economic Alliance, Inc. two-tenths of one per cent of the total money
215 wagered on dog racing events at any dog race track operating prior to
216 July 5, 1991. (5) In the event a licensee incurs a loss from the operation
217 of a pari-mutuel facility, as determined by the commissioner, the
218 legislative body of the city or town in which such facility is located
219 may direct the commissioner to credit or rebate all or a part of the
220 revenue otherwise due to the municipality back to the facility. In no
221 case shall such credit and such reimbursement exceed the amount of
222 the licensee's loss, and in no fiscal year shall these provisions affect the
223 total fees paid to the state by the authorized operator of the off-track
224 betting system on its off-track betting activities.

225 Sec. 9. Section 7-173 of the 2012 supplement to the general statutes is
226 repealed and the following is substituted in lieu thereof (*Effective from*
227 *passage*):

228 Any organization desiring to operate a bazaar or raffle in a
229 municipality which has adopted the provisions of sections 7-170 to 7-
230 186, inclusive, shall make application in duplicate, duly executed and
231 verified, to the chief of police of any municipality having a police
232 department or to the chief executive officer of any town in which there
233 is no police department, on a form to be prescribed by the
234 Commissioner of Consumer Protection, in which shall be stated (a) the
235 name and address of the applicant; (b) facts relating to its
236 incorporation or organization; (c) the names, titles and addresses of its
237 officers; (d) the kind of bazaar or raffle intended to be held, operated
238 and conducted by the applicant; (e) the place where such bazaar or
239 raffle is intended to be conducted by the applicant under the permit
240 applied for; (f) the date or dates and the time or times when such
241 bazaar or raffle is intended to be conducted by the applicant under the
242 permit applied for; (g) in the case of a raffle, the number and price of
243 tickets intended to be sold; (h) the items of expense intended to be
244 incurred or paid in connection with the holding, operating and
245 conducting of such bazaar or raffle and the names and addresses of the

246 persons to whom, and the purposes for which, they are to be paid; (i)
247 the items of merchandise offered, the price to be paid by the
248 organization therefor or the retail value of any prize donated, and the
249 names and addresses of the persons from whom purchased or by
250 whom donated; (j) the specific purposes to which the entire net
251 proceeds of such bazaar or raffle are to be devoted and in what
252 manner; and (k) any other information which the commissioner
253 reasonably requires for the protection of the public. In each application
254 there shall be designated three active members of the applicant under
255 whom the bazaar or raffle described in the application is to be held,
256 operated and conducted and to the application shall be appended a
257 statement signed, under penalty of false statement, by such members
258 so designated that they are [electors of the municipality in which the
259 permit is sought] residents of the state and will be responsible for the
260 holding, operation and conduct of such bazaar or raffle in accordance
261 with the terms of the permit and the provisions of said sections, and
262 that the statements contained in the application are, to the best of their
263 knowledge and belief, true. Such chief of police or chief executive
264 officer, as the case may be, shall, at least five business days prior to the
265 date of such bazaar or raffle, forward the original copy of such
266 application to said commissioner who shall review such application to
267 determine whether the applicant is qualified to hold, operate and
268 conduct a bazaar or raffle under the provisions of sections 7-170 to 7-
269 186, inclusive, or any regulations adopted pursuant thereto, and
270 whether other requirements in said statutes and regulations have been
271 satisfied. For the purposes of applying for a "Class No. 7" permit,
272 authorized pursuant to section 7-175, the application required
273 pursuant to this section shall be made to the Commissioner of
274 Consumer Protection.

275 Sec. 10. Section 21a-190b of the general statutes is repealed and the
276 following is substituted in lieu thereof (*Effective from passage*):

277 (a) Every charitable organization not exempted by section 21a-190d
278 shall annually register with the department prior to conducting any

279 solicitation or prior to having any solicitation conducted on its behalf
280 by others. Application for registration shall be in a form prescribed by
281 the commissioner and shall include payment of a fee of fifty dollars.
282 Such application shall include: (1) A registration statement, (2) an
283 annual financial report for such organization for the preceding fiscal
284 year that is prepared in accordance with the provisions of subsection
285 (a) of section 21a-190c, and (3) an audited financial statement as
286 required by subsection (b) of said section 21a-190c. Two authorized
287 officers of the organization shall sign the registration statement and
288 shall certify that the statements therein are true and correct to the best
289 of their knowledge. A chapter, branch or affiliate in this state of a
290 registered parent organization shall not be required to register
291 provided the parent organization files a consolidated annual
292 registration for itself and its chapter, branch or affiliate. Each charitable
293 organization shall annually renew its registration not later than [five]
294 eleven months after the end of such organization's fiscal year.

295 (b) In the event the department determines that the application for
296 registration does not contain the documents required in subsection (a)
297 of this section or is not in accordance with the regulations adopted by
298 the commissioner pursuant to this chapter, the department shall notify
299 the charitable organization of such noncompliance not later than ten
300 days after the department's receipt of such application for registration.
301 An application for registration shall be deemed to be approved if the
302 charitable organization is not notified of noncompliance by the
303 department not later than ten days after the department's receipt of the
304 application for registration. Any such charitable organization may
305 request a hearing on its noncompliant status not later than seven days
306 after receipt of such noncompliance notice. Such hearing shall be held
307 not later than seven days after the department's receipt of such request
308 and a determination as to the organization's compliance status shall be
309 rendered no later than three days after such hearing.

310 (c) In addition to the application fee required pursuant to subsection
311 (a) of this section, a charitable organization shall pay a late fee of

312 twenty-five dollars for each month, or part thereof, that such
313 application for registration is late. [, except that such late fee shall not
314 include any month during which an extension of time was granted
315 pursuant to subsection (d) of this section.] The commissioner may,
316 upon written request and for good cause shown, waive or reduce any
317 late fee under this section.

318 [(d) The commissioner may, for good cause shown, grant an
319 extension of time, not to exceed six months from the date the report
320 was due, for the filing of a charitable organization's annual financial
321 report. Any previous registration shall remain in effect during any
322 such extension period.]

323 [(e)] (d) In the event that a charitable organization fails to register in
324 accordance with the provisions of this section, such organization shall
325 include in its application for registration an annual financial report for
326 each of the previous years in which such organization was required to
327 file an application for registration or an annual financial report.

328 [(f)] (e) Any charitable organization registered in accordance with
329 this section on September 30, 2005, shall be deemed to be registered
330 pursuant to this section until the last day of the fifth month after the
331 close of the fiscal year in effect on September 30, 2005.

332 Sec. 11. Subsection (f) of section 20-314 of the general statutes is
333 repealed and the following is substituted in lieu thereof (*Effective from*
334 *passage*):

335 (f) All licenses issued under the provisions of this chapter shall
336 expire annually. At the time of application for a real estate broker's
337 license, there shall be paid to the commission, for each individual
338 applicant and for each proposed active member or officer of a firm,
339 partnership, association or corporation, the sum of five hundred sixty-
340 five dollars, and for the annual renewal thereof, the sum of three
341 hundred seventy-five dollars and for a real estate salesperson's license
342 two hundred eighty-five dollars and for the annual renewal thereof the

343 sum of two hundred eighty-five dollars. Three dollars of each such
344 annual renewal fee shall be payable to the Real Estate Guaranty Fund
345 established pursuant to section 20-324a. If a license is not issued, the
346 fee shall be returned. A real estate broker's license issued to any
347 partnership, association or corporation shall entitle the individual
348 designated in the application, as provided in section 20-312, upon
349 compliance with the terms of this chapter, but without the payment of
350 any further fee, to perform all of the acts of a real estate broker under
351 this chapter on behalf of such partnership, association or corporation.
352 Any license which expires and is not renewed pursuant to this
353 subsection may be reinstated by the commission, if, not later than two
354 years after the date of expiration, the former licensee pays to the
355 commission for each real estate broker's license the sum of three
356 hundred seventy-five dollars and for each real estate salesperson's
357 license the sum of two hundred eighty-five dollars for each year or
358 fraction thereof from the date of expiration of the previous license to
359 the date of payment for reinstatement, except that any licensee whose
360 license expired after such licensee entered military service shall be
361 reinstated without payment of any fee if an application for
362 reinstatement is filed with the commission within two years after the
363 date of expiration. Any such reinstated license shall expire on the next
364 succeeding [April thirtieth] March thirty-first for real estate brokers or
365 the next succeeding May thirty-first for real estate salespersons.

366 Sec. 12. Subsection (e) of section 20-417b of the general statutes is
367 repealed and the following is substituted in lieu thereof (*Effective from*
368 *passage*):

369 (e) [A certificate shall not be restored unless it is renewed not later
370 than one year after its expiration.] All certificates issued under the
371 provisions of this chapter shall expire biennially. The fee for renewal of
372 a certificate shall be the same as the fee charged for the original
373 application.

374 Sec. 13. Subsection (g) of section 20-432 of the general statutes is

375 repealed and the following is substituted in lieu thereof (*Effective from*
376 *passage*):

377 (g) Before the commissioner shall issue any order directing payment
378 out of the guaranty fund to an owner pursuant to subsections (e) or (f)
379 of this section, the commissioner shall first notify the contractor of the
380 owner's application for an order directing payment out of the guaranty
381 fund and of the contractor's right to a hearing to contest the
382 disbursement in the event that the contractor has already paid the
383 owner or is complying with a payment schedule in accordance with a
384 court judgment. Such notice shall be given to the contractor within
385 fifteen days of the receipt by the commissioner of the owner's
386 application for an order directing payment out of the guaranty fund. If
387 the contractor requests a hearing in writing by certified mail within
388 fifteen days of receipt of the notice from the commissioner, the
389 commissioner shall grant such request and shall conduct a hearing in
390 accordance with the provisions of chapter 54. If the commissioner
391 receives no written request by certified mail from the contractor for a
392 hearing within fifteen days of the contractor's receipt of such notice,
393 the commissioner shall determine that the owner has not been paid,
394 and the commissioner shall issue an order directing payment out of the
395 guaranty fund for the amount unpaid upon the judgment for actual
396 damages and costs taxed by the court against the contractor, exclusive
397 of punitive damages, or for the amount unpaid upon the order of
398 restitution.

399 Sec. 14. Subsection (a) of section 42-310 of the general statutes is
400 repealed and the following is substituted in lieu thereof (*Effective from*
401 *passage*):

402 (a) As used in this section:

403 (1) "Buying club" means any partnership, corporation, limited
404 liability company, association, trust, or any other legal entity that
405 offers memberships to consumers for a fee whereby such consumers
406 may purchase consumer goods or services from such entity either

407 exclusively from a catalog or whose membership fee is two hundred
408 dollars or greater;

409 (2) "Consumer" means any person who purchases a consumer good
410 other than for resale;

411 (3) "Consumer goods or services" means goods or services
412 purchased or leased primarily for personal, family, leisure,
413 entertainment or household purposes.

414 Sec. 15. Section 20-419 of the general statutes is repealed and the
415 following is substituted in lieu thereof (*Effective from passage*):

416 As used in this chapter, unless the context otherwise requires:

417 (1) "Certificate" means a certificate of registration issued under
418 section 20-422.

419 (2) "Commissioner" means the Commissioner of Consumer
420 Protection or any person designated by the commissioner to
421 administer and enforce this chapter.

422 (3) "Contractor" means any person who owns and operates a home
423 improvement business or who undertakes, offers to undertake or
424 agrees to perform any home improvement. "Contractor" does not
425 include a person for whom the total [cash] price of all of his home
426 improvement contracts with all of his customers does not exceed one
427 thousand dollars during any period of twelve consecutive months.

428 (4) "Home improvement" includes, but is not limited to, the repair,
429 replacement, remodeling, alteration, conversion, modernization,
430 improvement, rehabilitation or sandblasting of, or addition to any land
431 or building or that portion thereof which is used or designed to be
432 used as a private residence, dwelling place or residential rental
433 property, or the construction, replacement, installation or
434 improvement of driveways, swimming pools, porches, garages, roofs,
435 siding, insulation, sunrooms, flooring, patios, landscaping, fences,

436 doors and windows and waterproofing in connection with such land
437 or building or that portion thereof which is used or designed to be
438 used as a private residence, dwelling place or residential rental
439 property or the removal or replacement of a residential underground
440 heating oil storage tank system, in which the total [cash] price for all
441 work agreed upon between the contractor and owner or proposed or
442 offered by the contractor exceeds two hundred dollars. "Home
443 improvement" does not include: (A) The construction of a new home;
444 (B) the sale of goods by a seller who neither arranges to perform nor
445 performs, directly or indirectly, any work or labor in connection with
446 the installation or application of the goods or materials; (C) the sale of
447 goods or services furnished for commercial or business use or for
448 resale, provided commercial or business use does not include use as
449 residential rental property; (D) the sale of appliances, such as stoves,
450 refrigerators, freezers, room air conditioners and others which are
451 designed for and are easily removable from the premises without
452 material alteration thereof; and (E) any work performed without
453 compensation by the owner on his own private residence or residential
454 rental property.

455 (5) "Home improvement contract" means an agreement between a
456 contractor and an owner for the performance of a home improvement.

457 (6) "Owner" means a person who owns or resides in a private
458 residence and includes any agent thereof. An owner of a private
459 residence shall not be required to reside in such residence to be
460 deemed an owner under this subdivision.

461 (7) "Person" means an individual, partnership, limited liability
462 company or corporation.

463 (8) "Private residence" means a single family dwelling, a multifamily
464 dwelling consisting of not more than six units, or a unit, common
465 element or limited common element in a condominium, as defined in
466 section 47-68a, or in a common interest community, as defined in
467 section 47-202.

468 (9) "Salesman" means any individual who (A) negotiates or offers to
469 negotiate a home improvement contract with an owner or (B) solicits
470 or otherwise endeavors to procure by any means whatsoever, directly
471 or indirectly, a home improvement contract from an owner on behalf
472 of a contractor.

473 (10) "Residential rental property" means a single family dwelling, a
474 multifamily dwelling consisting of not more than six units, or a unit,
475 common element or limited common element in a condominium, as
476 defined in section 47-68a, or in a common interest community, as
477 defined in section 47-202, which is not owner-occupied.

478 (11) "Residential underground heating oil storage tank system"
479 means an underground storage tank system used with or without
480 ancillary components in connection with real property composed of
481 four or less residential units.

482 (12) "Underground storage tank system" means an underground
483 tank or combination of tanks, with any underground pipes or ancillary
484 equipment or containment systems connected to such tank or tanks,
485 used to contain an accumulation of petroleum, which volume is ten
486 per cent or more beneath the surface of the ground.

487 Sec. 16. Section 20-512 of the general statutes is repealed and the
488 following is substituted in lieu thereof (*Effective from passage*):

489 The Commissioner of Consumer Protection, with the advice and
490 assistance of the commission, may adopt such reasonable regulations,
491 in accordance with chapter 54, as the commissioner may deem
492 necessary relating to the approval of schools offering courses in real
493 estate appraisal principles and practice and related subjects, the
494 content of such courses or programs and the advertising to the public
495 of the services of such schools. Such regulations [shall not] may require
496 approval of instructors at such schools.

497 Sec. 17. Subsection (a) of section 20-334a of the general statutes is

498 repealed and the following is substituted in lieu thereof (*Effective from*
499 *passage*):

500 (a) Except as otherwise provided in this section, the following
501 licenses may be issued by the Department of Consumer Protection,
502 upon authorization of the boards, under the provisions of section 20-
503 333:

504 (1) (A) An unlimited contractor's license may be issued to a person
505 who has served as a journeyman in the trade for which such person
506 seeks a license for not less than two years and, if such service as a
507 journeyman was outside this state, has furnished evidence satisfactory
508 to the appropriate state board that such service is comparable to
509 similar service in this state, or has furnished satisfactory evidence of
510 education and experience and has passed an examination which has
511 demonstrated that such person is competent in all aspects of such
512 trade to be an unlimited contractor. (B) A limited contractor's license
513 may be issued to a person who fulfills the requirements of
514 subparagraph (A) of this subdivision as to a specific area or areas
515 within the trade for which such person seeks a license. (C) The holder
516 of an unlimited or a limited contractor's license may, within the trade,
517 or the area or areas of the trade, for which such holder has been
518 licensed, furnish supplies and do layout, installation, repair and
519 maintenance work and distribute and handle materials, provided
520 nothing in this subdivision shall be construed to authorize the
521 performance of any action for which licensure is required under the
522 provisions of chapter 390 or 391. Such licensee shall furnish the board
523 with evidence that such licensee will comply with all state
524 requirements pertaining to workers' compensation and unemployment
525 insurance and that such evidence shall be available to any properly
526 interested person prior to the issuance of a license under this
527 subdivision.

528 (2) (A) An unlimited journeyman's license may be issued to any
529 person who has completed a bona fide apprenticeship program,

530 including not less than four years' experience in the trade for which
531 such person seeks a license, and has demonstrated such person's
532 competency to perform all services included in the trade for which a
533 license is sought by successfully completing the applicable state
534 licensure examination. (B) A limited journeyman's license may be
535 issued to a person who fulfills the requirements of subparagraph (A) of
536 this subdivision in a specific area or areas of the trade for which such
537 person seeks a license, provided the length of experience required may
538 be less than four years for such area or areas of the trade.

539 (3) (A) An elevator craftsman's license may be issued to any person
540 who has completed an apprenticeship program [,] or has [at least two
541 years'] equivalent experience in elevator installation, repair and
542 maintenance work and has demonstrated such person's competency to
543 perform such work. (B) An elevator helper's license may be issued for
544 the performance of elevator maintenance under the supervision of an
545 elevator craftsman.

546 (4) An apprentice's permit may be issued for the performance of
547 work in a trade licensed under the provisions of this chapter, for the
548 purpose of training, which work may be performed only under the
549 supervision of a licensed contractor, journeyman or elevator craftsman.

550 (5) An apprentice permit shall expire upon the failure of the
551 apprentice holding such permit to apply for the first licensure
552 examination given by the department following completion of an
553 apprentice training program as provided in subdivision (2) of this
554 subsection.

555 Sec. 18. Section 20-335 of the 2012 supplement to the general statutes
556 is repealed and the following is substituted in lieu thereof (*Effective*
557 *from passage*):

558 Any person who has successfully completed an examination for
559 such person's initial license under this chapter shall pay to the
560 Department of Consumer Protection a fee of one hundred fifty dollars

561 for a contractor's license or a fee of one hundred twenty dollars for any
562 other such license. All such licenses shall expire annually. No person
563 shall carry on or engage in the work or occupations subject to this
564 chapter after the expiration of such person's license until such person
565 has filed an application bearing the date of such person's registration
566 card with the appropriate board. Such application shall be in writing,
567 addressed to the secretary of the board from which such renewal is
568 sought and signed by the person applying for such renewal. A licensee
569 applying for renewal shall, at such times as the commissioner shall by
570 regulation prescribe, furnish evidence satisfactory to the board that the
571 licensee has completed any continuing professional education required
572 under sections 20-330 to 20-341, inclusive, or any regulations adopted
573 thereunder. The board may renew such license if the application for
574 such renewal is received by the board no later than one month after the
575 date of expiration of such license, upon payment to the department of
576 a renewal fee of one hundred fifty dollars in the case of a contractor
577 and of one hundred twenty dollars for any other such license. For any
578 completed renewal application submitted pursuant to this section that
579 requires a hearing or other action by the applicable examining board,
580 such hearing or other action by the applicable examining board shall
581 occur not later than thirty days after the date of submission for such
582 completed renewal application. The department shall issue a receipt
583 stating the fact of such payment, which receipt shall be a license to
584 engage in such work or occupation. A licensee who has failed to renew
585 such licensee's license for a period of over [one year] two years from
586 the date of expiration of such license shall have it reinstated only upon
587 complying with the requirements of section 20-333. All license fees and
588 renewal fees paid to the department pursuant to this section shall be
589 deposited in the General Fund.

590 Sec. 19. Subsection (d) of section 20-355 of the general statutes is
591 repealed and the following is substituted in lieu thereof (*Effective from*
592 *passage*):

593 (d) All licenses issued under this chapter shall expire annually. If a

594 licensee has failed to renew his license within [one year] two years
595 after its expiration, his application for renewal shall be considered as a
596 new application under section 20-350.

597 Sec. 20. Subsection (c) of section 20-349 of the general statutes is
598 repealed and the following is substituted in lieu thereof (*Effective from*
599 *passage*):

600 (c) Any person desiring to be licensed under this chapter shall apply
601 to the board in writing, on forms which the Department of Consumer
602 Protection shall provide, stating: (1) Such person's name, residence
603 address and business address; (2) a brief description of his
604 qualifications, including the length and nature of his experience; (3) in
605 the case of an apprentice, the name of his employer or supervisor; and
606 (4) such other information as the department may require. Each
607 application for a license as a service dealer shall be accompanied by a
608 fee of two hundred dollars. Each application for a license as a licensed
609 electronics technician, licensed antenna technician or licensed radio
610 electronics technician shall be accompanied by a fee of eighty dollars.
611 Each application for a permit as an apprentice shall be accompanied by
612 a fee of forty dollars. If a service dealer as an individual is a licensed
613 electronics technician or licensed radio electronics technician, only one
614 license fee shall be charged in the amount of two hundred dollars. [On
615 receipt of an application under the provisions of this section, the board
616 may, for an additional fee of forty dollars, authorize the department to
617 issue a temporary permit which will allow the applicant to serve in the
618 capacity for which he seeks licensure until the next examination for
619 such license, provided only one such temporary permit shall be issued
620 to such applicant.] All such fees shall be paid to the department.

621 Sec. 21. Subsection (b) of section 21a-4 of the general statutes is
622 repealed and the following is substituted in lieu thereof (*Effective from*
623 *passage*):

624 (b) The Commissioner of Consumer Protection may impose a fine of
625 twenty dollars on any applicant for a permit or license issued by the

626 Commissioner of Consumer Protection who issues to the
 627 commissioner a check drawn on the account of such applicant in
 628 payment of a permit or license fee and whose check is returned to the
 629 Department of Consumer Protection as uncollectible. In addition, the
 630 commissioner may require the applicant to pay to the department any
 631 fees charged by a financial institution to the department as a result of
 632 such returned check.

633 Sec. 22. Subsection (b) of section 21-33b of the general statutes is
 634 repealed and the following is substituted in lieu thereof (*Effective from*
 635 *passage*):

636 (b) Any itinerant vendor or managing itinerant vendor who receives
 637 a license pursuant to section 21-28, shall pay a fee of [one] two
 638 hundred dollars annually to the guaranty fund. Such fund shall be
 639 used to satisfy consumer claims against a licensed itinerant vendor or
 640 licensed managing itinerant vendor. In no event shall any payment out
 641 of said guaranty fund be in excess of five hundred dollars for any
 642 single consumer claim. No claim for payment from the guaranty fund
 643 shall be accepted by the commissioner more than six months after the
 644 date of the transaction giving rise to such claim.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-7
Sec. 2	<i>from passage</i>	12-563
Sec. 3	<i>from passage</i>	20-332(a)
Sec. 4	<i>from passage</i>	20-377p
Sec. 5	<i>from passage</i>	25-129(f)
Sec. 6	<i>from passage</i>	43-3(a)
Sec. 7	<i>from passage</i>	12-559
Sec. 8	<i>from passage</i>	12-575(l) and (m)
Sec. 9	<i>from passage</i>	7-173
Sec. 10	<i>from passage</i>	21a-190b
Sec. 11	<i>from passage</i>	20-314(f)
Sec. 12	<i>from passage</i>	20-417b(e)

Sec. 13	<i>from passage</i>	20-432(g)
Sec. 14	<i>from passage</i>	42-310(a)
Sec. 15	<i>from passage</i>	20-419
Sec. 16	<i>from passage</i>	20-512
Sec. 17	<i>from passage</i>	20-334a(a)
Sec. 18	<i>from passage</i>	20-335
Sec. 19	<i>from passage</i>	20-355(d)
Sec. 20	<i>from passage</i>	20-349(c)
Sec. 21	<i>from passage</i>	21a-4(b)
Sec. 22	<i>from passage</i>	21-33b(b)

Statement of Purpose:

To make minor and technical changes to Department of Consumer Protection statutes to reduce unnecessary paperwork, increase the efficiency of agency processes, comply with federal law, conform to customary practices and remove or update antiquated provisions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]