



House of Representatives

General Assembly

File No. 11

February Session, 2012

House Bill No. 5057

House of Representatives, March 6, 2012

The Committee on General Law reported through REP. TABORSAK of the 109th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

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

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

1 Section 1. Section 20-341s of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 As used in sections 20-341s to 20-341bb, inclusive:

4 (1) "Commissioner" means the Commissioner of Consumer
5 Protection;

6 (2) "Mechanical contractor" means any corporation, association,
7 firm, partnership or other business organization regularly offering to
8 the public the services of its employees [in] licensed to perform
9 plumbing and piping work or [in] heating, piping and cooling work in
10 accordance with the provisions of chapter 393, but does not include (A)
11 any corporation, association, firm, partnership or other business
12 organization which performs such work exclusively on single family

13 or multifamily private residences or dwellings consisting of not more
 14 than four units or which employs less than ten persons licensed to
 15 perform plumbing and piping work or heating, piping and cooling
 16 work in accordance with the provisions of chapter 393, (B) any
 17 corporation, association, firm, partnership or other business
 18 organization which is engaged in the installation, repair, alteration, or
 19 replacement of sewer lines, storm drainage lines or water lines and
 20 services, or (C) an individual licensed pursuant to chapter 393;

21 (3) "Plumbing and piping work" has the same meaning as set forth
 22 in subdivision (3) of section 20-330;

23 (4) "Heating, piping and cooling work" has the same meaning as set
 24 forth in subdivision (5) of section 20-330; and

25 (5) "Apprentice" has the same meaning as set forth in subdivision (6)
 26 of section 20-330.

27 Sec. 2. Section 20-341y of the general statutes is amended by adding
 28 subsection (e) as follows (*Effective October 1, 2012*):

29 (NEW) (e) A mechanical contractor who does not obtain a certificate
 30 of registration as required by section 20-341t and who wilfully engages
 31 its employees in plumbing and piping work or in heating, piping and
 32 cooling work or who wilfully supplies for employment an employee
 33 who does not hold a valid license to perform such work shall be fined
 34 one thousand dollars for the first offense and two thousand five
 35 hundred dollars for each subsequent offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	20-341s
Sec. 2	<i>October 1, 2012</i>	20-341y

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:

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Consumer Protection, Dept.	GF - Revenue Gain	2,000	5,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a revenue gain of \$2,000 in FY 13 and \$5,000 in FY 14 by imposing an additional penalty of a \$1,000 fine for the first offense and \$2,500 for each subsequent offense related to the violation of mechanical contractor registration requirements. An average of 5 violations occur each year.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

OLR Bill Analysis**HB 5057*****AN ACT CONCERNING PENALTIES FOR THE VIOLATION OF MECHANICAL CONTRACTOR REGISTRATION REQUIREMENTS.*****SUMMARY:**

This bill establishes a penalty for a mechanical contractor who fails to obtain a certificate of registration and willfully (1) engages his or her employees in plumbing and piping or heating, piping, and cooling work or (2) supplies for work an employee who does not hold a valid license to perform such work. The bill imposes a \$1,000 fine for a first offense and \$2,500 for each subsequent offense.

By law, a contractor who applies for a building permit from a local building official must hire someone licensed to do plumbing and piping or heating, piping, and cooling work. Violators are guilty of a class B misdemeanor, which is punishable by up to six months imprisonment, up to a \$1,000 fine, or both.

EFFECTIVE DATE: October 1, 2012

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 or heating, piping, and cooling work. He or she must have 10 or more employees and work on commercial buildings or private dwelling of four or more residential units. 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).

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 18 Nay 0 (02/23/2012)