



House of Representatives

General Assembly

File No. 252

January Session, 2013

Substitute House Bill No. 6403

House of Representatives, March 28, 2013

The Committee on General Law reported through REP. BARAM of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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 Section 30-7 of the general statutes is repealed and the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, either (1) publish in convenient pamphlet
7 form all regulations then in force and shall furnish upon request copies
8 of such pamphlets to every permittee authorized under the provisions
9 of this chapter to manufacture or sell alcoholic liquor and to such other
10 persons as desire such pamphlets, or (2) post such regulations on the
11 department's Internet web site.

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 Section 12-563 of the general statutes is repealed and the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

14 All regulations of the department shall be adopted in the manner
15 provided in chapter 54. The commissioner shall, at least annually, on
16 or before December thirty-first of each year, either (1) publish in
17 convenient pamphlet form all regulations then in force and shall
18 furnish copies of such pamphlets to such persons who desire such
19 pamphlets, or (2) post such regulations on the department's Internet
20 web site.

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22 repealed and the following is substituted in lieu thereof (*Effective from*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

24 (a) Each examining board established under section 20-331 shall
25 have a seal and its members may administer oaths in the performance
26 of their duties. Each board shall keep a record of its proceedings and a
27 complete roster of all persons licensed or registered by it and entitled
28 to practice the occupation within the board's jurisdiction in this state.
29 Each board shall biennially either (1) furnish a copy of such roster to
30 each town clerk and shall notify such clerk of any deletions from such
31 roster within five days of such deletion, or (2) post such roster and
32 deletions on the department's Internet web site.

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 Section 20-377p of the general statutes is repealed and the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

35 A certificate of registration as an interior designer shall be evidence
36 that the person named in the certificate is entitled to the rights and
37 privileges of a registered interior designer while such certificate
38 remains in effect. The commissioner shall keep a roster of the names
39 and addresses of all registered interior designers, all architects licensed
40 in accordance with the provisions of chapter 390 and of such other
41 information as the commissioner may by regulation require. Annually,
42 during the month of September, the commissioner shall place such
43 roster on file with the Secretary of the State and with the building
44 department and library of each town. The commissioner shall maintain
45 an index and record of each certificate of registration. A certificate shall
46 remain in effect until revoked or suspended as provided in section 20-

47 377s. The posting of such roster on the Department of Consumer
48 Protection's Internet web site shall constitute compliance with the
49 requirements of this section.

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

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

59 Sec. 6. Section 43-3 of the general statutes is repealed and the
60 following is substituted in lieu thereof (*Effective from passage*):

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

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

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

139 (b) Notwithstanding any regulations to the contrary, the following
140 weighing and measuring devices shall be registered annually with the
141 commissioner and the commissioner shall charge the following annual
142 registration fees: (1) Each motor fuel dispenser, fifty dollars; (2) each
143 large weighing or measuring device, two hundred fifty dollars; (3)
144 each medium weighing or measuring device, one hundred dollars; and
145 (4) each small weighing or measuring device, thirty dollars.

146 Sec. 7. Section 12-575 of the general statutes is repealed and the
147 following is substituted in lieu thereof (*Effective from passage*):

148 (a) The board may permit at racing events, exhibitions of the game
149 of jai alai licensed under the provisions of this chapter or at off-track
150 betting facilities, betting under a pari-mutuel system, so called,
151 including standard pari-mutuel, daily double, exacta, quinella, trifecta,
152 superfecta, twin trifecta, pick four and pick six betting, and such other
153 forms of multiple betting as the board may determine.

154 (b) The pari-mutuel system, so called, shall not be used or permitted
155 at any location other than the race track at which the racing event is
156 licensed to be conducted or the fronton at which the game of jai alai is
157 licensed to be played or at an off-track betting facility operated by the
158 department or by a licensee authorized to operate the off-track betting
159 system. A computerized electronic totalizator system, approved by the
160 commissioner, shall be used to conduct pari-mutuel wagering at each
161 racing or jai alai event. A computerized electronic totalizator system
162 approved by the commissioner and, where authorized by subsection
163 (b) of section 12-571a, and approved by the commissioner, a simulcast
164 system shall be used to conduct pari-mutuel wagering and
165 simulcasting of off-track betting race programs at off-track betting
166 facilities. The commissioner may require any licensee to submit
167 information concerning the daily operation of such totalizator or
168 simulcast system which he deems necessary for the effective
169 administration of this chapter, including records of all wagering
170 transactions, in such form and manner as he shall prescribe.

171 (c) (1) Except as provided in subdivision (2) of this subsection, each
172 licensee conducting horse racing events under the pari-mutuel system
173 shall distribute all sums deposited in any pari-mutuel program to the
174 holders of winning tickets therein, less seventeen per cent of the total
175 deposits plus the breakage to the dime of the amount so retained; each
176 licensee conducting jai alai events shall distribute all sums deposited in
177 any pari-mutuel program to the holders of winning tickets therein, less
178 a maximum of eighteen per cent of the deposits in the win, place or
179 show pools and less a maximum of twenty-three per cent of the
180 deposits in all other pools plus the breakage to the dime of the amount
181 so retained; each licensee conducting dog racing events shall distribute

182 all sums deposited in any pari-mutuel program to the holders of
 183 winning tickets therein, less a maximum of nineteen per cent of the
 184 deposits in the win, place or show pools and less a maximum of
 185 twenty-seven per cent of the deposits in all other pools plus the
 186 breakage to the dime of the amount so retained, or, shall distribute all
 187 sums deposited in all of its pari-mutuel programs conducted on any
 188 day to the holders of winning tickets therein less twenty per cent of the
 189 total deposits plus the breakage to the dime of the amount so retained,
 190 provided on and after July 1, 1992, each licensee conducting dog racing
 191 events on July 5, 1991, shall allocate four per cent of all sums deposited
 192 in any pari-mutuel program to purses, one-quarter of one per cent to
 193 capital expenditures for alterations, additions, replacement changes,
 194 improvements or major repairs to or upon the property owned or
 195 leased by any such licensee and used for such racing events, and one-
 196 quarter of one per cent to promotional marketing, to reduce the costs
 197 of admission, programs, parking and concessions and to offer
 198 entertainment and giveaways. Each licensee conducting dog racing
 199 events shall, on an annual basis, submit to the department certified
 200 financial statements verifying the use of such allocations for purses,
 201 capital improvements and promotional marketing. (2) Each licensee
 202 conducting racing or jai alai events may carry over all or a portion of
 203 the sums deposited in any pari-mutuel program, less the amount
 204 retained as herein provided, in the twin trifecta, pick four or pick six
 205 pari-mutuel pool to another pool, including a pool in a succeeding
 206 performance.

207 (d) Each licensee conducting horse racing events under the pari-
 208 mutuel system shall pay to the state, and there is hereby imposed: (1)
 209 A tax on the total money wagered in the pari-mutuel pool on each and
 210 every day the licensee conducts racing events, pursuant to the
 211 following schedule:

T1	Total Wagered	Tax
T2	0 to \$100,001	3.25% on the entire pool

T3	\$100,001 to \$200,001	3.75% on the entire pool
T4	\$200,001 to \$300,001	4.25% on the entire pool
T5	\$300,001 to \$400,001	4.75% on the entire pool
T6	\$400,001 to \$500,001	5.25% on the entire pool
T7	\$500,001 to \$600,001	5.75% on the entire pool
T8	\$600,001 to \$700,001	6.25% on the entire pool
T9	\$700,001 to \$800,001	6.75% on the entire pool
T10	\$800,001 to \$900,001	7.25% on the entire pool
T11	\$900,001 to \$1,000,001	7.75% on the entire pool
T12	\$1,000,001 and over	8.75% on the entire pool

212 and (2) a tax equal to one-half of the breakage to the dime resulting
213 from such wagering. The commissioner, with the advice and consent
214 of the board, shall by regulation designate the percentage of the
215 difference between the seventeen per cent specified in subsection (c) of
216 this section and the tax specified in this subsection, which shall be
217 allocated as prize or purse money for the horses racing at each facility.

218 (e) Each licensee conducting dog racing events under the pari-
219 mutuel system shall pay to the state, and there is hereby imposed: (1)
220 (A) A tax at the rate of two per cent on the total money wagered in the
221 pari-mutuel pool on each and every day the licensee conducts racing
222 events or (B) on or after July 1, 1993, in the case of any licensee licensed
223 prior to July 5, 1991, (i) a tax at the rate of two per cent on any amount
224 up to and including fifty million dollars of the total money wagered in
225 the pari-mutuel pool in any state fiscal year during which a licensee
226 licensed prior to July 5, 1991, conducts racing events, (ii) a tax at the
227 rate of three per cent on any amount in excess of fifty million dollars
228 and up to and including eighty million dollars of the total money
229 wagered in the pari-mutuel pool in any state fiscal year during which a
230 licensee licensed prior to July 5, 1991, conducts racing events, and (iii)
231 a tax at the rate of four per cent on any amount in excess of eighty
232 million dollars of the total money wagered in the pari-mutuel pool in
233 any state fiscal year during which a licensee licensed prior to July 5,
234 1991, conducts racing events, and (2) a tax equal to one-half of the

235 breakage to the dime resulting from such wagering.

236 (f) Each licensee operating a fronton at which the game of jai alai is
237 licensed to be played under the pari-mutuel system shall pay to the
238 state and there is hereby imposed: (1) (A) A tax at the rate of two per
239 cent on any amount up to and including fifty million dollars of the
240 total money wagered on such games, (B) a tax at the rate of three per
241 cent of any amount in excess of fifty million dollars and up to and
242 including eighty million dollars of the total money wagered on such
243 games, and (C) a tax at the rate of four per cent on any amount in
244 excess of eighty million dollars of the total money wagered on such
245 games, and (2) a tax equal to one-half of the breakage to the dime
246 resulting from such wagering.

247 (g) The licensee authorized to operate the system of off-track betting
248 under the pari-mutuel system shall pay to the state and there is hereby
249 imposed: (1) A tax at the rate of three and one-half per cent on the total
250 money wagered in the pari-mutuel pool on each and every day the
251 licensee broadcasts racing events, and (2) a tax equal to one-half of the
252 breakage to the dime resulting from such wagering.

253 (h) The commissioner shall assess and collect the taxes imposed by
254 this chapter under such regulations as, with the advice and consent of
255 the board, he may prescribe. All taxes hereby imposed shall be due
256 and payable by the close of the next banking day after each day's
257 racing or jai alai exhibition. If any such tax is not paid when due, the
258 commissioner shall impose a delinquency assessment upon the
259 licensee in the amount of ten per cent of such tax or ten dollars,
260 whichever amount is greater, plus interest at the rate of one and one-
261 half per cent of the unpaid principal of such tax for each month or
262 fraction of a month from the date such tax is due to the date of
263 payment. Subject to the provisions of section 12-3a, the commissioner
264 may waive all or part of the penalties provided under this subsection
265 when it is proven to his satisfaction that the failure to pay such tax
266 within the time required was due to reasonable cause and was not
267 intentional or due to neglect. Failure to pay any such delinquent tax

268 upon demand may be considered by the commissioner as cause for
269 revocation of license.

270 (i) The commissioner shall devise a system of accounting and shall
271 supervise betting at such track, fronton or off-track betting facility in
272 such manner that the rights of the state are protected and shall collect
273 all fees and licenses under such regulations as, with the advice and
274 consent of the board, he shall prescribe.

275 (j) The amount of unclaimed moneys, as determined by the
276 commissioner, held by any licensee other than by licensees authorized
277 to operate a jai alai fronton, dog race track or the off-track betting
278 system on account of outstanding and uncashed winning tickets, shall
279 be due and payable to the commissioner, for deposit in the General
280 Fund of the state, at the expiration of one year after the close of the
281 meeting during which such tickets were issued. If any such unclaimed
282 moneys are not paid when due, the commissioner shall impose a
283 delinquency assessment upon the licensee in the amount of ten per
284 cent of such moneys or ten dollars, whichever amount is greater, plus
285 interest at the rate of one and one-half per cent of the unpaid principal
286 of such moneys for each month or fraction of a month from the date
287 such moneys are due to the date of payment. Subject to the provisions
288 of section 12-3a, the commissioner may waive all or part of the
289 penalties provided under this subsection when it is proven to his
290 satisfaction that the failure to pay such moneys to the state within the
291 time required was due to reasonable cause and was not intentional or
292 due to neglect.

293 (k) The commissioner may authorize deputies and the
294 Commissioner of Revenue Services or his agents are authorized to
295 enter upon the premises at any racing event, jai alai exhibition or off-
296 track betting race event for the purpose of inspecting books and
297 records, supervising and examining cashiers, ticket sellers, pool sellers
298 and other persons handling money at said event and such other
299 supervision as may be necessary for the maintenance of order at such
300 event.

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

305 [(m)] (l) (1) The commissioner shall pay each municipality in which
306 a horse race track is located, one-quarter of one per cent of the total
307 money wagered on horse racing events at such race track, except the
308 commissioner shall pay each such municipality having a population in
309 excess of fifty thousand one per cent of the total money wagered at
310 such horse racing events in such municipality. The commissioner shall
311 pay each municipality in which a jai alai fronton or dog race track is
312 located one-half of one per cent of the total money wagered on jai alai
313 games or dog racing events at such fronton or dog race track, except
314 the commissioner shall pay each such municipality having a
315 population in excess of fifty thousand one per cent of the total money
316 wagered on jai alai games or dog racing events at such fronton or dog
317 race track located in such municipality. The commissioner shall pay
318 each municipality in which an off-track betting facility is located one
319 and three-fifths per cent of the total money wagered in such facility
320 less amounts paid as refunds or for cancellations. The commissioner
321 shall pay to both the city of New Haven and the town of Windsor
322 Locks an additional one-half of one per cent of the total money
323 wagered less any amount paid as a refund or a cancellation in any
324 facility equipped with screens for simulcasting after October 1, 1997,
325 located within a fifteen-mile radius of facilities in New Haven and
326 Windsor Locks. Payment shall be made not less than four times a year
327 and not more than twelve times a year as determined by the
328 commissioner, and shall be made from the tax imposed pursuant to
329 subsection (d) of this section for horse racing, subsection (e) of this
330 section for dog racing, subsection (f) of this section for jai alai games
331 and subsection (g) of this section for off-track betting. (2) If, for any
332 calendar year after the surrender of a license to conduct jai alai events
333 by any person or business organization pursuant to subsection (c) of
334 section 12-574c and prior to the opening of any dog race track by such
335 person or business organization, any other person or business

336 organization licensed to conduct jai alai events is authorized to
337 conduct a number of performances greater than the number
338 authorized for such licensee in the previous calendar year, the
339 commissioner shall pay the municipality in which the jai alai fronton
340 for which such license was surrendered was located, rather than the
341 municipality in which the jai alai fronton conducting the increased
342 performances is located, one-half of one per cent of the total money
343 wagered on jai alai games for such increased performances at the
344 fronton which conducted the additional performances, except the
345 commissioner shall pay each such municipality having a population in
346 excess of fifty thousand one per cent of the total money wagered on jai
347 alai games for such increased performances at such fronton. (3) During
348 any state fiscal year ending on or after June 30, 1993, the commissioner
349 shall pay each municipality in which a dog race track was operating
350 prior to July 5, 1991, one per cent of the total money wagered on dog
351 racing events at such dog race track. (4) During the state fiscal year
352 ending June 30, 2001, each municipality in which a dog race track was
353 operating prior to July 5, 1991, shall pay the Northeast Connecticut
354 Economic Alliance, Inc. two-tenths of one per cent of the total money
355 wagered on dog racing events at any dog race track operating prior to
356 July 5, 1991. (5) In the event a licensee incurs a loss from the operation
357 of a pari-mutuel facility, as determined by the commissioner, the
358 legislative body of the city or town in which such facility is located
359 may direct the commissioner to credit or rebate all or a part of the
360 revenue otherwise due to the municipality back to the facility. In no
361 case shall such credit and such reimbursement exceed the amount of
362 the licensee's loss, and in no fiscal year shall these provisions affect the
363 total fees paid to the state by the authorized operator of the off-track
364 betting system on its off-track betting activities.

365 Sec. 8. Section 7-173 of the general statutes is repealed and the
366 following is substituted in lieu thereof (*Effective from passage*):

367 Any organization desiring to operate a bazaar or raffle in a
368 municipality which has adopted the provisions of sections 7-170 to 7-
369 186, inclusive, shall make application in duplicate, duly executed and

370 verified, to the chief of police of any municipality having a police
371 department or to the chief executive officer of any town in which there
372 is no police department, on a form to be prescribed by the
373 Commissioner of Consumer Protection, in which shall be stated [(a)]
374 (1) the name and address of the applicant; [(b)] (2) facts relating to its
375 incorporation or organization; [(c)] (3) the names, titles and addresses
376 of its officers; [(d)] (4) the kind of bazaar or raffle intended to be held,
377 operated and conducted by the applicant; [(e)] (5) the place where such
378 bazaar or raffle is intended to be conducted by the applicant under the
379 permit applied for; [(f)] (6) the date or dates and the time or times
380 when such bazaar or raffle is intended to be conducted by the
381 applicant under the permit applied for; [(g)] (7) in the case of a raffle,
382 the number and price of tickets intended to be sold; [(h)] (8) the items
383 of expense intended to be incurred or paid in connection with the
384 holding, operating and conducting of such bazaar or raffle and the
385 names and addresses of the persons to whom, and the purposes for
386 which, they are to be paid; [(i)] (9) the items of merchandise offered,
387 the price to be paid by the organization therefor or the retail value of
388 any prize donated, and the names and addresses of the persons from
389 whom purchased or by whom donated; [(j)] (10) the specific purposes
390 to which the entire net proceeds of such bazaar or raffle are to be
391 devoted and in what manner; and [(k)] (11) any other information
392 which the commissioner reasonably requires for the protection of the
393 public. In each application there shall be designated three active
394 members of the applicant under whom the bazaar or raffle described
395 in the application is to be held, operated and conducted and to the
396 application shall be appended a statement signed, under penalty of
397 false statement, by such members so designated that they are [electors
398 of the municipality in which the permit is sought] residents of this
399 state and will be responsible for the holding, operation and conduct of
400 such bazaar or raffle in accordance with the terms of the permit and
401 the provisions of said sections, and that the statements contained in the
402 application are, to the best of their knowledge and belief, true. Such
403 chief of police or chief executive officer, as the case may be, shall, at
404 least five business days prior to the date of such bazaar or raffle,

405 forward the original copy of such application to said commissioner
406 who shall review such application to determine whether the applicant
407 is qualified to hold, operate and conduct a bazaar or raffle under the
408 provisions of sections 7-170 to 7-186, inclusive, or any regulations
409 adopted pursuant thereto, and whether other requirements in said
410 statutes and regulations have been satisfied. For the purposes of
411 applying for a "Class No. 7" permit, authorized pursuant to section 7-
412 175, the application required pursuant to this section shall be made to
413 the Commissioner of Consumer Protection.

414 Sec. 9. Section 21a-190b of the general statutes is repealed and the
415 following is substituted in lieu thereof (*Effective from passage*):

416 (a) Every charitable organization not exempted by section 21a-190d
417 shall annually register with the department prior to conducting any
418 solicitation or prior to having any solicitation conducted on its behalf
419 by others. Application for registration shall be in a form prescribed by
420 the commissioner and shall include payment of a fee of fifty dollars.
421 Such application shall include: (1) A registration statement, (2) an
422 annual financial report for such organization for the preceding fiscal
423 year that is prepared in accordance with the provisions of subsection
424 (a) of section 21a-190c, and (3) an audited financial statement as
425 required by subsection (b) of [said] section 21a-190c. Two authorized
426 officers of the organization shall sign the registration statement and
427 shall certify that the statements therein are true and correct to the best
428 of their knowledge. A chapter, branch or affiliate in this state of a
429 registered parent organization shall not be required to register
430 provided the parent organization files a consolidated annual
431 registration for itself and its chapter, branch or affiliate. Each charitable
432 organization shall annually renew its registration not later than [five]
433 eleven months after the end of such organization's fiscal year.

434 (b) In the event the department determines that the application for
435 registration does not contain the documents required in subsection (a)
436 of this section or is not in accordance with the regulations adopted by
437 the commissioner pursuant to this chapter, the department shall notify

438 the charitable organization of such noncompliance not later than ten
439 days after the department's receipt of such application for registration.
440 An application for registration shall be deemed to be approved if the
441 charitable organization is not notified of noncompliance by the
442 department not later than ten days after the department's receipt of the
443 application for registration. Any such charitable organization may
444 request a hearing on its noncompliant status not later than seven days
445 after receipt of such noncompliance notice. Such hearing shall be held
446 not later than seven days after the department's receipt of such request
447 and a determination as to the organization's compliance status shall be
448 rendered no later than three days after such hearing.

449 (c) In addition to the application fee required pursuant to subsection
450 (a) of this section, a charitable organization shall pay a late fee of
451 twenty-five dollars for each month, or part thereof, that such
452 application for registration is late. [except that such late fee shall not
453 include any month during which an extension of time was granted
454 pursuant to subsection (d) of this section.] The commissioner may,
455 upon written request and for good cause shown, waive or reduce any
456 late fee under this section.

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

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

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

471 Sec. 10. Subsection (f) of section 20-314 of the general statutes is
472 repealed and the following is substituted in lieu thereof (*Effective from*
473 *passage*):

474 (f) All licenses issued under the provisions of this chapter shall
475 expire annually. At the time of application for a real estate broker's
476 license, there shall be paid to the commission, for each individual
477 applicant and for each proposed active member or officer of a firm,
478 partnership, association or corporation, the sum of five hundred sixty-
479 five dollars, and for the annual renewal thereof, the sum of three
480 hundred seventy-five dollars and for a real estate salesperson's license
481 two hundred eighty-five dollars and for the annual renewal thereof the
482 sum of two hundred eighty-five dollars. Three dollars of each such
483 annual renewal fee shall be payable to the Real Estate Guaranty Fund
484 established pursuant to section 20-324a. If a license is not issued, the
485 fee shall be returned. A real estate broker's license issued to any
486 partnership, association or corporation shall entitle the individual
487 designated in the application, as provided in section 20-312, upon
488 compliance with the terms of this chapter, but without the payment of
489 any further fee, to perform all of the acts of a real estate broker under
490 this chapter on behalf of such partnership, association or corporation.
491 Any license which expires and is not renewed pursuant to this
492 subsection may be reinstated by the commission, if, not later than two
493 years after the date of expiration, the former licensee pays to the
494 commission for each real estate broker's license the sum of three
495 hundred seventy-five dollars and for each real estate salesperson's
496 license the sum of two hundred eighty-five dollars for each year or
497 fraction thereof from the date of expiration of the previous license to
498 the date of payment for reinstatement, except that any licensee whose
499 license expired after such licensee entered military service shall be
500 reinstated without payment of any fee if an application for
501 reinstatement is filed with the commission within two years after the
502 date of expiration. Any such reinstated license shall expire on the next
503 succeeding [April thirtieth] ~~March thirty-first~~ for real estate brokers or
504 the next succeeding May thirty-first for real estate salespersons.

505 Sec. 11. Subsection (e) of section 20-417b of the general statutes is
506 repealed and the following is substituted in lieu thereof (*Effective from*
507 *passage*):

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

512 Sec. 12. Subsection (g) of section 20-432 of the general statutes is
513 repealed and the following is substituted in lieu thereof (*Effective from*
514 *passage*):

515 (g) Before the commissioner shall issue any order directing payment
516 out of the guaranty fund to an owner pursuant to subsections (e) or (f)
517 of this section, the commissioner shall first notify the contractor of the
518 owner's application for an order directing payment out of the guaranty
519 fund and of the contractor's right to a hearing to contest the
520 disbursement in the event that the contractor has already paid the
521 owner or is complying with a payment schedule in accordance with a
522 court judgment. Such notice shall be given to the contractor within
523 fifteen days of the receipt by the commissioner of the owner's
524 application for an order directing payment out of the guaranty fund. If
525 the contractor requests a hearing in writing by certified mail within
526 fifteen days of receipt of the notice from the commissioner, the
527 commissioner shall grant such request and shall conduct a hearing in
528 accordance with the provisions of chapter 54. If the commissioner
529 receives no written request by certified mail from the contractor for a
530 hearing within fifteen days of the contractor's receipt of such notice,
531 the commissioner shall determine that the owner has not been paid,
532 and the commissioner shall issue an order directing payment out of the
533 guaranty fund for the amount unpaid upon the judgment for actual
534 damages and costs taxed by the court against the contractor, exclusive
535 of punitive damages, or for the amount unpaid upon the order of
536 restitution.

537 Sec. 13. Subsection (a) of section 42-310 of the general statutes is

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

540 (a) As used in this section:

541 (1) "Buying club" means any partnership, corporation, limited
542 liability company, association, trust, or any other legal entity that
543 offers memberships to consumers for a fee whereby such consumers
544 may purchase consumer goods or services from such entity either
545 exclusively from a catalog or whose membership fee is two hundred
546 dollars or greater;

547 (2) "Consumer" means any person who purchases a consumer good
548 or service other than for resale;

549 (3) ["Consumer goods"] "Consumer goods or services" means goods
550 or services purchased or leased primarily for personal, family, leisure,
551 entertainment or household purposes.

552 Sec. 14. Section 20-419 of the general statutes is repealed and the
553 following is substituted in lieu thereof (*Effective from passage*):

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

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

557 (2) "Commissioner" means the Commissioner of Consumer
558 Protection or any person designated by the commissioner to
559 administer and enforce this chapter.

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

566 (4) "Home improvement" includes, but is not limited to, the repair,

567 replacement, remodeling, alteration, conversion, modernization,
568 improvement, rehabilitation or sandblasting of, or addition to any land
569 or building or that portion thereof which is used or designed to be
570 used as a private residence, dwelling place or residential rental
571 property, or the construction, replacement, installation or
572 improvement of driveways, swimming pools, porches, garages, roofs,
573 siding, insulation, sunrooms, flooring, patios, landscaping, fences,
574 doors and windows and waterproofing in connection with such land
575 or building or that portion thereof which is used or designed to be
576 used as a private residence, dwelling place or residential rental
577 property or the removal or replacement of a residential underground
578 heating oil storage tank system, in which the total [cash] price for all
579 work agreed upon between the contractor and owner or proposed or
580 offered by the contractor exceeds two hundred dollars. "Home
581 improvement" does not include: (A) The construction of a new home;
582 (B) the sale of goods by a seller who neither arranges to perform nor
583 performs, directly or indirectly, any work or labor in connection with
584 the installation or application of the goods or materials; (C) the sale of
585 goods or services furnished for commercial or business use or for
586 resale, provided commercial or business use does not include use as
587 residential rental property; (D) the sale of appliances, such as stoves,
588 refrigerators, freezers, room air conditioners and others which are
589 designed for and are easily removable from the premises without
590 material alteration thereof; and (E) any work performed without
591 compensation by the owner on his own private residence or residential
592 rental property.

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

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

599 (7) "Person" means an individual, partnership, limited liability

600 company or corporation.

601 (8) "Private residence" means a single family dwelling, a multifamily
602 dwelling consisting of not more than six units, or a unit, common
603 element or limited common element in a condominium, as defined in
604 section 47-68a, or in a common interest community, as defined in
605 section 47-202.

606 (9) "Salesman" means any individual who (A) negotiates or offers to
607 negotiate a home improvement contract with an owner or (B) solicits
608 or otherwise endeavors to procure by any means whatsoever, directly
609 or indirectly, a home improvement contract from an owner on behalf
610 of a contractor.

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

616 (11) "Residential underground heating oil storage tank system"
617 means an underground storage tank system used with or without
618 ancillary components in connection with real property composed of
619 four or less residential units.

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

625 Sec. 15. Section 20-512 of the general statutes is repealed and the
626 following is substituted in lieu thereof (*Effective from passage*):

627 The Commissioner of Consumer Protection, with the advice and
628 assistance of the commission, may adopt such reasonable regulations,
629 in accordance with chapter 54, as the commissioner may deem
630 necessary relating to the approval of schools offering courses in real

631 estate appraisal principles and practice and related subjects, the
632 content of such courses or programs and the advertising to the public
633 of the services of such schools. Such regulations [shall not] may require
634 approval of instructors at such schools.

635 Sec. 16. Subsection (a) of section 20-334a of the general statutes is
636 repealed and the following is substituted in lieu thereof (*Effective from*
637 *passage*):

638 (a) Except as otherwise provided in this section, the following
639 licenses may be issued by the Department of Consumer Protection,
640 upon authorization of the boards, under the provisions of section 20-
641 333:

642 (1) (A) An unlimited contractor's license may be issued to a person
643 who has served as a journeyman in the trade for which such person
644 seeks a license for not less than two years and, if such service as a
645 journeyman was outside this state, has furnished evidence satisfactory
646 to the appropriate state board that such service is comparable to
647 similar service in this state, or has furnished satisfactory evidence of
648 education and experience and has passed an examination which has
649 demonstrated that such person is competent in all aspects of such
650 trade to be an unlimited contractor. (B) A limited contractor's license
651 may be issued to a person who fulfills the requirements of
652 subparagraph (A) of this subdivision as to a specific area or areas
653 within the trade for which such person seeks a license. (C) The holder
654 of an unlimited or a limited contractor's license may, within the trade,
655 or the area or areas of the trade, for which such holder has been
656 licensed, furnish supplies and do layout, installation, repair and
657 maintenance work and distribute and handle materials, provided
658 nothing in this subdivision shall be construed to authorize the
659 performance of any action for which licensure is required under the
660 provisions of chapter 390 or 391. Such licensee shall furnish the board
661 with evidence that such licensee will comply with all state
662 requirements pertaining to workers' compensation and unemployment
663 insurance and that such evidence shall be available to any properly

664 interested person prior to the issuance of a license under this
665 subdivision.

666 (2) (A) An unlimited journeyman's license may be issued to any
667 person who has completed a bona fide apprenticeship program,
668 including not less than four years' experience in the trade for which
669 such person seeks a license, and has demonstrated such person's
670 competency to perform all services included in the trade for which a
671 license is sought by successfully completing the applicable state
672 licensure examination. (B) A limited journeyman's license may be
673 issued to a person who fulfills the requirements of subparagraph (A) of
674 this subdivision in a specific area or areas of the trade for which such
675 person seeks a license, provided the length of experience required may
676 be less than four years for such area or areas of the trade.

677 [(3) (A) An elevator craftsman's license may be issued to any person
678 who has completed an apprenticeship program, has at least two years'
679 experience in elevator installation, repair and maintenance work and
680 has demonstrated such person's competency to perform such work. (B)
681 An elevator helper's license may be issued for the performance of
682 elevator maintenance under the supervision of an elevator craftsman.]

683 [(4)] (3) An apprentice's permit may be issued for the performance
684 of work in a trade licensed under the provisions of this chapter, for the
685 purpose of training, which work may be performed only under the
686 supervision of a licensed contractor [,] or journeyman. [or elevator
687 craftsman.]

688 [(5)] (4) An apprentice permit shall expire upon the failure of the
689 apprentice holding such permit to apply for the first licensure
690 examination given by the department following completion of an
691 apprentice training program as provided in subdivision (2) of this
692 subsection.

693 Sec. 17. Section 20-335 of the general statutes is repealed and the
694 following is substituted in lieu thereof (*Effective from passage*):

695 Any person who has successfully completed an examination for
696 such person's initial license under this chapter shall pay to the
697 Department of Consumer Protection a fee of one hundred fifty dollars
698 for a contractor's license or a fee of one hundred twenty dollars for any
699 other such license. All such licenses shall expire annually. No person
700 shall carry on or engage in the work or occupations subject to this
701 chapter after the expiration of such person's license until such person
702 has filed an application bearing the date of such person's registration
703 card with the appropriate board. Such application shall be in writing,
704 addressed to the secretary of the board from which such renewal is
705 sought and signed by the person applying for such renewal. A licensee
706 applying for renewal shall, at such times as the commissioner shall by
707 regulation prescribe, furnish evidence satisfactory to the board that the
708 licensee has completed any continuing professional education required
709 under sections 20-330 to 20-341, inclusive, or any regulations adopted
710 thereunder. The board may renew such license if the application for
711 such renewal is received by the board no later than one month after the
712 date of expiration of such license, upon payment to the department of
713 a renewal fee of one hundred fifty dollars in the case of a contractor
714 and of one hundred twenty dollars for any other such license. For any
715 completed renewal application submitted pursuant to this section that
716 requires a hearing or other action by the applicable examining board,
717 such hearing or other action by the applicable examining board shall
718 occur not later than thirty days after the date of submission for such
719 completed renewal application. The department shall issue a receipt
720 stating the fact of such payment, which receipt shall be a license to
721 engage in such work or occupation. A licensee who has failed to renew
722 such licensee's license for a period of over [one year] two years from
723 the date of expiration of such license shall have it reinstated only upon
724 complying with the requirements of section 20-333. All license fees and
725 renewal fees paid to the department pursuant to this section shall be
726 deposited in the General Fund.

727 Sec. 18. Subsection (d) of section 20-355 of the general statutes is
728 repealed and the following is substituted in lieu thereof (*Effective from*
729 *passage*):

730 (d) All licenses issued under this chapter shall expire annually. If a
731 licensee has failed to renew his license within [one year] two years
732 after its expiration, his application for renewal shall be considered as a
733 new application under section 20-350.

734 Sec. 19. Section 20-654 of the general statutes is repealed and the
735 following is substituted in lieu thereof (*Effective from passage*):

736 (a) No person shall receive a license under the provisions of sections
737 20-650 to 20-656, inclusive, until such person has passed an
738 examination which shall be substantially similar to the examination of
739 the National Court Reporters Association, or has submitted evidence
740 satisfactory to the board that such person is a Registered Professional
741 Reporter of the National Court Reporters Association or its equivalent.

742 (b) If the applicant satisfies the requirements of this section, upon
743 payment of the fee required by section 20-653, the board shall
744 authorize the Department of Consumer Protection to issue a license to
745 the applicant, showing that the person named in such license is
746 entitled to engage in the practice of shorthand reporting in this state in
747 accordance with the provisions of sections 20-650 to 20-656, inclusive.
748 Notwithstanding the provisions of subsection (b) of section 21a-10, any
749 such license shall be valid for a period of three years.

750 (c) Any license issued under the provisions of sections 20-650 to 20-
751 656, inclusive, upon payment of the fee required by section 20-653,
752 may be renewed for a period of three years. As a condition of any such
753 renewal, the licensee shall furnish evidence satisfactory to the board
754 that the licensee has completed not less than thirty continuing
755 education credits since receipt of the initial license or the previous
756 license renewal. The Commissioner of Consumer Protection shall, by
757 regulation adopted in accordance with chapter 54 and upon the
758 recommendation of the board, establish requirements for (1) the
759 continuing education of licensed shorthand reporters; (2) the form and
760 content of the examination shorthand reporters are required to pass to
761 satisfy the licensure requirements set forth in subsection (a) of this
762 section; [20-654;] and (3) such other matters as the commissioner

763 deems necessary to carry out the purposes of this chapter.

764 (d) A licensee who has failed to renew such license for a period of
765 over two years from the date of expiration of such license shall have it
766 reinstated only upon complying with the examination requirements of
767 this section.

768 (e) Notwithstanding the provision of subsection (d) of this section,
769 upon application and fee, the board may, at its discretion, reinstate a
770 lapsed license without examination, provided such application for
771 reinstatement is accompanied by a notarized letter and supporting
772 documentation attesting to the applicant's related experience in the
773 field of shorthand reporting or similar work practice satisfactory to the
774 board from the time he or she had let such license lapse. Such
775 applicant, upon approval by the board, shall pay all back license and
776 late fees.

777 Sec. 20. Section 21a-4 of the general statutes is repealed and the
778 following is substituted in lieu thereof (*Effective from passage*):

779 (a) The Commissioner of Consumer Protection may refund to any
780 permittee the fee paid by him for any permit issued by said
781 commissioner and returned to him prior to its use, provided
782 application for such refund shall be made not later than sixty days
783 after the effective date of such permit.

784 (b) The Commissioner of Consumer Protection may impose a fine of
785 twenty dollars on any applicant for a permit or license issued by the
786 Commissioner of Consumer Protection who issues to the
787 commissioner a check drawn on the account of such applicant in
788 payment of a permit or license fee and whose check is returned to the
789 Department of Consumer Protection as uncollectible.

790 (c) The Commissioner of Consumer Protection may impose a fine on
791 any applicant who fails to renew a license, permit, certificate or
792 registration not later than the expiration date of such license, permit,
793 certificate or registration. The amount of the fine shall be equal to ten

794 per cent of the renewal fee but shall not be less than ten dollars or
795 more than one hundred dollars.

796 (d) Notwithstanding any other provision of the general statutes,
797 each applicant whose license has lapsed for a period longer than the
798 length of time allowing automatic reinstatement may apply for
799 reinstatement to the appropriate board. Upon receipt of such
800 application and payment of the fee, the board may, at its discretion,
801 reinstate a lapsed license without examination, provided such
802 application for reinstatement is accompanied by a notarized letter and
803 supporting documentation attesting to the applicant's related work
804 experience in their occupation or profession from the time he or she
805 had let such license lapse. Such applicant, upon approval by the board,
806 shall pay all back license and late fees in order for such license to be
807 reinstated.

808 Sec. 21. Subsection (c) of section 20-349 of the general statutes is
809 repealed and the following is substituted in lieu thereof (*Effective from*
810 *passage*):

811 (c) Any person desiring to be licensed under this chapter shall apply
812 to the board in writing, on forms which the Department of Consumer
813 Protection shall provide, stating: (1) Such person's name, residence
814 address and business address; (2) a brief description of his
815 qualifications, including the length and nature of his experience; (3) in
816 the case of an apprentice, the name of his employer or supervisor; and
817 (4) such other information as the department may require. Each
818 application for a license as a service dealer shall be accompanied by a
819 fee of two hundred dollars. Each application for a license as a licensed
820 electronics technician, licensed antenna technician or licensed radio
821 electronics technician shall be accompanied by a fee of eighty dollars.
822 Each application for a permit as an apprentice shall be accompanied by
823 a fee of forty dollars. If a service dealer as an individual is a licensed
824 electronics technician or licensed radio electronics technician, only one
825 license fee shall be charged in the amount of two hundred dollars. [On
826 receipt of an application under the provisions of this section, the board

827 may, for an additional fee of forty dollars, authorize the department to
828 issue a temporary permit which will allow the applicant to serve in the
829 capacity for which he seeks licensure until the next examination for
830 such license, provided only one such temporary permit shall be issued
831 to such applicant.] All such fees shall be paid to the department.

832 Sec. 22. Subsection (b) of section 21a-4 of the general statutes is
833 repealed and the following is substituted in lieu thereof (*Effective from*
834 *passage*):

835 (b) The Commissioner of Consumer Protection may impose a fine of
836 twenty dollars on any applicant for a permit or license issued by the
837 Commissioner of Consumer Protection who issues to the
838 commissioner a check drawn on the account of such applicant in
839 payment of a permit or license fee and whose check is returned to the
840 Department of Consumer Protection as uncollectible. In addition, the
841 commissioner may require the applicant to pay to the department any
842 fees charged by a financial institution to the department as a result of
843 such returned check.

844 Sec. 23. Subsection (b) of section 21-33b of the general statutes is
845 repealed and the following is substituted in lieu thereof (*Effective from*
846 *passage*):

847 (b) Any itinerant vendor or managing itinerant vendor who receives
848 a license pursuant to section 21-28, shall pay a fee of [one] two
849 hundred dollars annually to the guaranty fund. Such fund shall be
850 used to satisfy consumer claims against a licensed itinerant vendor or
851 licensed managing itinerant vendor. In no event shall any payment out
852 of said guaranty fund be in excess of five hundred dollars for any
853 single consumer claim. No claim for payment from the guaranty fund
854 shall be accepted by the commissioner more than six months after the
855 date of the transaction giving rise to such claim.

856 Sec. 24. Section 42-321 of the general statutes is repealed and the
857 following is substituted in lieu thereof (*Effective from passage*):

858 (a) Each contract for social referral services shall provide that such
859 contract may be cancelled within three business days after the date of
860 receipt by the buyer of a copy of the written contract or three business
861 days after the social referral service is made available to the buyer,
862 whichever is later, by written notice, delivered by certified or
863 registered United States mail to the seller at an address which shall be
864 specified in the contract.

865 (b) (1) In every contract for social referral services, the seller shall
866 furnish to the buyer a fully completed copy of such contract at the time
867 of its execution, which shows the date of the transaction and contains
868 the name and address of the seller, and in the immediate proximity to
869 the space reserved in the contract for the signature of the buyer and in
870 not less than ten-point bold face type, a statement in substantially the
871 following form:

872 "YOU, THE BUYER, MAY CANCEL THIS CONTRACT AT ANY
873 TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER
874 YOUR RECEIPT OF THIS CONTRACT OR AFTER THE SOCIAL
875 REFERRAL SERVICE HAS BEEN MADE AVAILABLE FOR YOUR
876 USE, WHICHEVER IS LATER. SEE THE ATTACHED NOTICE OF
877 CANCELLATION FOR AN EXPLANATION OF THIS RIGHT."

878 (2) At the time the buyer signs the social referral service contract, a
879 statement captioned "NOTICE OF CANCELLATION" shall be
880 contained in the contract and shall contain, in not less than ten-point
881 bold face type, the following information and statements:

882 "NOTICE OF CANCELLATION

883 (Date of Transaction)

884 YOU MAY CANCEL THIS CONTRACT, WITHOUT ANY
885 PENALTY OR OBLIGATION, WITHIN THREE BUSINESS DAYS
886 AFTER YOUR RECEIPT OF THIS CONTRACT OR AFTER THE

887 SOCIAL REFERRAL SERVICE HAS BEEN MADE AVAILABLE FOR
888 YOUR USE, WHICHEVER IS LATER BY MAILING THIS SIGNED
889 AND DATED NOTICE OF CANCELLATION BY CERTIFIED OR
890 REGISTERED UNITED STATES MAIL TO THE SELLER AT THE
891 FOLLOWING ADDRESS: IF YOU CANCEL, ANY PAYMENTS
892 MADE BY YOU UNDER THE CONTRACT WILL BE RETURNED
893 WITHIN TEN BUSINESS DAYS FOLLOWING RECEIPT BY THE
894 SELLER OF YOUR CANCELLATION NOTICE."

895 (3) All moneys paid pursuant to any contract for social referral
896 services shall be refunded within ten business days of receipt of the
897 notice of cancellation.

898 Sec. 25. Subsection (d) of section 20-432 of the general statutes is
899 repealed and the following is substituted in lieu thereof (*Effective from*
900 *passage*):

901 (d) Whenever an owner obtains a court judgment against any
902 contractor holding a certificate or who has held a certificate under this
903 chapter within the past two years of the effective date of entering into
904 the contract with the owner, for loss or damages sustained by reason of
905 performance of or offering to perform a home improvement within
906 this state by a contractor holding a certificate under this chapter, such
907 owner may, upon the final determination of, or expiration of time for,
908 appeal in connection with any such judgment, apply to the
909 commissioner for an order directing payment out of said guaranty
910 fund of the amount unpaid upon the judgment for actual damages and
911 costs taxed by the court against the contractor, exclusive of punitive
912 damages. The application shall be made on forms provided by the
913 commissioner and shall be accompanied by a copy of the court
914 judgment obtained against the contractor together with a notarized
915 affidavit, signed and sworn to by the owner, affirming that: (1) He has
916 complied with all the requirements of this subsection; (2) he has
917 obtained a judgment stating the amount thereof and the amount owing
918 thereon at the date of application; and (3) he has caused to be issued a
919 writ of execution upon said judgment, and the officer executing the

920 same has made a return showing that no bank accounts or [real]
921 personal property of the contractor liable to be levied upon in
922 satisfaction of the judgment could be found, or that the amount
923 realized on the sale of them or of such of them as were found, under
924 the execution, was insufficient to satisfy the actual damage portion of
925 the judgment or stating the amount realized and the balance remaining
926 due on the judgment after application thereon of the amount realized,
927 except that the requirements of this subdivision shall not apply to a
928 judgment obtained by the owner in small claims court. A true and
929 attested copy of said executing officer's return, when required, shall be
930 attached to such application and affidavit. No application for an order
931 directing payment out of the guaranty fund shall be made later than
932 two years from the final determination of, or expiration time for,
933 appeal of said court judgment.

934 Sec. 26. Section 20-419 of the general statutes is repealed and the
935 following is substituted in lieu thereof (*Effective from passage*):

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

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

939 (2) "Commissioner" means the Commissioner of Consumer
940 Protection or any person designated by the commissioner to
941 administer and enforce this chapter.

942 (3) "Contractor" means any person who owns and operates a home
943 improvement business or who undertakes, offers to undertake or
944 agrees to perform any home improvement. "Contractor" does not
945 include a person for whom the total cash price of all of his home
946 improvement contracts with all of his customers does not exceed one
947 thousand dollars during any period of twelve consecutive months.

948 (4) "Home improvement" includes, but is not limited to, the repair,
949 replacement, remodeling, alteration, conversion, modernization,
950 improvement, rehabilitation or sandblasting of, or addition to any land

951 or building or that portion thereof which is used or designed to be
952 used as a private residence, dwelling place or residential rental
953 property, or the construction, replacement, installation or
954 improvement of driveways, swimming pools, porches, garages, roofs,
955 siding, insulation, sunrooms, flooring, patios, landscaping, fences,
956 doors and windows and waterproofing in connection with such land
957 or building or that portion thereof which is used or designed to be
958 used as a private residence, dwelling place or residential rental
959 property or the removal or replacement of a residential underground
960 heating oil storage tank system, in which the total cash price for all
961 work agreed upon between the contractor and owner exceeds two
962 hundred dollars. "Home improvement" does not include: (A) The
963 construction of a new home; (B) the sale of goods by a seller who
964 neither arranges to perform nor performs, directly or indirectly, any
965 work or labor in connection with the installation or application of the
966 goods or materials; (C) the sale of goods or services furnished for
967 commercial or business use or for resale, provided commercial or
968 business use does not include use as residential rental property; (D) the
969 sale of appliances, such as stoves, refrigerators, freezers, room air
970 conditioners and others which are designed for and are easily
971 removable from the premises without material alteration thereof; and
972 (E) any work performed without compensation by the owner on his
973 own private residence or residential rental property.

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

976 (6) "Owner" means a person who owns or resides in a private
977 residence and includes any agent thereof, including, but not limited to,
978 a condominium association. An owner of a private residence shall not
979 be required to reside in such residence to be deemed an owner under
980 this subdivision.

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

983 (8) "Private residence" means a single family dwelling, a multifamily

984 dwelling consisting of not more than six units, or a unit, common
985 element or limited common element in a condominium, as defined in
986 section 47-68a, or in a common interest community, as defined in
987 section 47-202, or any number of condominium units for which a
988 condominium association acts as an agent for such unit owners.

989 (9) "Salesman" means any individual who (A) negotiates or offers to
990 negotiate a home improvement contract with an owner or (B) solicits
991 or otherwise endeavors to procure by any means whatsoever, directly
992 or indirectly, a home improvement contract from an owner on behalf
993 of a contractor.

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

999 (11) "Residential underground heating oil storage tank system"
1000 means an underground storage tank system used with or without
1001 ancillary components in connection with real property composed of
1002 four or less residential units.

1003 (12) "Underground storage tank system" means an underground
1004 tank or combination of tanks, with any underground pipes or ancillary
1005 equipment or containment systems connected to such tank or tanks,
1006 used to contain an accumulation of petroleum, which volume is ten
1007 per cent or more beneath the surface of the ground.

1008 Sec. 27. Section 20-329a of the general statutes is repealed and the
1009 following is substituted in lieu thereof (*Effective from passage*):

1010 As used in sections 20-329a to 20-329n, inclusive:

1011 (1) "Disposition" or "dispose of" means any sale, exchange, lease,
1012 assignment, award by lottery or other transaction designed to convey
1013 an interest in a subdivision or parcel, lot, or unit in a subdivision when
1014 undertaken for gain or profit;

1015 (2) "Offer" means every inducement, solicitation or attempt to bring
1016 about a disposition;

1017 (3) "Person" means an individual, firm, company, association,
1018 corporation, limited liability company, government or governmental
1019 subdivision or agency, business trust, estate, trust, partnership,
1020 unincorporated association or organization, two or more of any of the
1021 foregoing having a joint or common interest, or any other legal or
1022 commercial entity;

1023 (4) "Broker" means a resident real estate broker duly licensed under
1024 this chapter;

1025 (5) "Salesperson" means any person duly licensed as a real estate
1026 salesperson under this chapter;

1027 (6) "Purchaser" means a person who acquires an interest in any lot,
1028 parcel or unit in a subdivision;

1029 (7) "Subdivision" means any improved or unimproved land or tract
1030 of land located outside this state which is divided or proposed to be
1031 divided into five or more lots, parcels, units, [including time-share
1032 units,] or interests for the purpose of disposition, at any time as part of
1033 a common promotional plan. Any land which is under common
1034 ownership or which is controlled by a single developer or a group of
1035 developers acting in concert, is contiguous in area, and is designated or
1036 advertised as a common unit or known by a common name, shall be
1037 presumed, without regard to the number of lots, parcels, units or
1038 interests covered by each individual offering, to be part of a common
1039 promotional plan; and

1040 (8) "Advertising" means publishing or causing to be published: (A)
1041 By means of any newspaper or periodical; (B) by means of any radio or
1042 television broadcast; (C) by means of any written or printed or
1043 photographic matter produced by any duplicating process producing
1044 ten copies or more, any information offering for sale or for the purpose
1045 of causing or inducing any other person to purchase or to acquire an

1046 interest in the title to subdivided lands, including the land sales
1047 contract to be used and any photographs or drawings or artist's
1048 representations of physical conditions or facilities on the property
1049 existing or to exist; or (D) by means of any material used in connection
1050 with the disposition or offer of subdivided lands by radio, television,
1051 telephone or any other electronic means. "Advertising" does not
1052 include: Stockholder communications such as annual reports and
1053 interim financial reports, proxy materials, registration statements,
1054 securities prospectuses, applications for listing securities on stock
1055 exchanges, and the like; prospectuses, property reports, offering
1056 statements or other documents required to be delivered to prospective
1057 purchasers by an agency of any other state or the federal government;
1058 all communications addressed to and relating to the account of any
1059 persons who have previously executed a contract for the purchase of
1060 the subdivider's lands except where directed to the sale of additional
1061 lands; or press releases or other communications delivered to
1062 newspapers or other periodicals for general information or public
1063 relations purposes, provided no charge is made by such newspapers or
1064 other periodicals for the publication or use of any part of such
1065 communications.

1066 Sec. 28. Section 20-329b of the general statutes is repealed and the
1067 following is substituted in lieu thereof (*Effective from passage*):

1068 (a) Unless the method of disposition is adopted for the purpose of
1069 the evasion of the provisions of sections 20-329a to 20-329m, inclusive,
1070 as amended by this act, or the provisions of the federal Interstate Land
1071 Sales Full Disclosure Act, said sections shall not apply to: (1) The
1072 making of any offer or disposition of any subdivision or lot, parcel,
1073 unit or interest in any subdivision (A) by a purchaser of any
1074 subdivision lot, parcel or unit for the purchaser's own account in a
1075 single or isolated transaction, (B) to any person who is engaged in the
1076 business of the construction of residential, commercial or industrial
1077 buildings, other than any lot, parcel, unit or interest in any
1078 subdivision, for disposition, (C) pursuant to the order of any court in
1079 this state, or (D) by any government or government agency; (2) any

1080 offer or disposition of any evidence of indebtedness secured by way of
1081 any mortgage or deed of trust of real estate; (3) securities or units of
1082 interest issued by an investment trust regulated under the laws of this
1083 state; (4) cemetery lots; or (5) the leasing of apartments, offices or
1084 stores, or the leasing of similar space within any apartment building,
1085 commercial building or industrial building.

1086 (b) The [commission] Department of Consumer Protection may
1087 from time to time, pursuant to regulations adopted by the
1088 Commissioner of Consumer Protection pursuant to chapter 54, with
1089 the advice and assistance of the commission, exempt any subdivision
1090 from any of the provisions of sections 20-329a to 20-329m, inclusive, as
1091 amended by this act, if the [commission] department finds that the
1092 enforcement of said sections, with respect to such subdivision or lots,
1093 parcels, units or interests in such subdivision, is not necessary in the
1094 public interest and for the protection of purchasers by reason of the
1095 small amount involved or the limited character of the offering, or
1096 because such property has been registered and approved pursuant to
1097 the laws of any other state.

1098 (c) Any subdivision which has been registered under the federal
1099 Interstate Land Sales Full Disclosure Act shall be exempt from the
1100 provisions of section 20-329d, as amended by this act, except for the
1101 narrative description of the promotional plan for the disposition of the
1102 subdivided lands and copies of all advertising material which has been
1103 prepared for public distribution by any means of communications,
1104 required under subdivision (2) of said section, upon the filing with the
1105 [commission] department of a copy of an effective statement of record
1106 filed with the Secretary of Housing and Urban Development or any
1107 successor agency, together with a filing fee of three hundred dollars for
1108 each subdivision covered by such effective statement of record. The fee
1109 for filing a consolidation or an additional number of lots not included
1110 in the initial filing shall be three hundred dollars.

1111 Sec. 29. Section 20-329c of the general statutes is repealed and the
1112 following is substituted in lieu thereof (*Effective from passage*):

1113 Except as provided in section 20-329b, as amended by this act, no
1114 subdivision or lot, parcel, unit or interest in any subdivision shall in
1115 any way be offered or disposed of in this state by any person or broker
1116 until: (1) Such person or broker has appointed in writing the Secretary
1117 of the State and his or her successors in office to be such person's or
1118 broker's attorney, upon whom all process, in any action or proceeding
1119 against such person or broker, may be served. Such person or broker
1120 shall agree in such written appointment that any process against such
1121 person or broker which is served on the Secretary of the State shall be
1122 of the same legal force and validity as if served on such person or
1123 broker and that such appointment shall continue in force as long as
1124 any liability remains outstanding against such person or broker in this
1125 state. Such written appointment shall be acknowledged before an
1126 officer authorized to take acknowledgments of deeds and shall be filed
1127 in the office of the Secretary of the State, and copies certified by the
1128 Secretary of the State shall be sufficient evidence of such appointment
1129 and agreement; (2) such person or broker has posted with the
1130 [commission] Department of Consumer Protection such bond, in favor
1131 of the state, as the [commission] department may require with surety
1132 in such amount as the [commission] department may in its discretion
1133 determine. No bond which may be required under sections 20-329a to
1134 20-329m, inclusive, as amended by this act, shall be accepted for filing
1135 unless it is with a surety company authorized to do business in this
1136 state. Any person aggrieved by an act of the principal named in such
1137 bond in violation of the provisions of this chapter may proceed on
1138 such bond against the principal or surety therein, or both, to recover
1139 damages; and (3) such person or broker has received a license under
1140 section 20-329f, as amended by this act. Any person or broker violating
1141 the provisions of this section shall be fined not less than one thousand
1142 dollars and not more than five thousand dollars for each offense.

1143 Sec. 30. Section 20-329d of the general statutes is repealed and the
1144 following is substituted in lieu thereof (*Effective from passage*):

1145 Any person or broker proposing to offer or dispose of any
1146 subdivision or lot, parcel, unit or interest therein in this state shall first

1147 submit to the [commission] department (1) such particulars and details
1148 of the subdivision or lots, parcels, units or other interest in any
1149 subdivision to be offered or to be disposed of as the [commission]
1150 department may by regulation require, including but not limited to a
1151 prospectus, property report or offering statement embodying all the
1152 terms relative to the offering and disposition, (2) a narrative
1153 description of the promotional plan for the disposition of the
1154 subdivided lands together with copies of all advertising material
1155 which has been prepared for public distribution by any means of
1156 communications, (3) a completed license application in such form as
1157 the [commission] department may require, and (4) a filing fee of three
1158 hundred dollars for each subdivision to be offered or disposed of. The
1159 fee for filing a consolidation or an additional number of lots not
1160 included in the initial filing shall be three hundred dollars.

1161 Sec. 31. Section 20-329e of the general statutes is repealed and the
1162 following is substituted in lieu thereof (*Effective from passage*):

1163 Before the [commission] Department of Consumer Protection issues
1164 any license under section 20-329f, as amended by this act, to any
1165 person or broker, the [Department of Consumer Protection]
1166 department shall fully investigate all information placed before the
1167 department as may be required pursuant to sections 20-329a to 20-
1168 329m, inclusive, as amended by this act, and may carry out a physical
1169 examination, investigation or inspection of any subdivision which is
1170 the subject of the application. All reasonable expenses incurred in
1171 carrying out such examination, investigation or inspection shall be
1172 paid by the applicant and no such license shall be issued until such
1173 expenses have been fully paid.

1174 Sec. 32. Subsection (a) of section 20-329f of the general statutes is
1175 repealed and the following is substituted in lieu thereof (*Effective from*
1176 *passage*):

1177 (a) The [commission] Department of Consumer Protection shall,
1178 upon completion of the investigation and inspection as provided in
1179 section 20-329e, as amended by this act, but, in the absence of any

1180 agreement to the contrary between the applicant and the [commission]
1181 department, not later than three months from the receipt of the
1182 completed license application, or receipt of an effective statement of
1183 record filed with the Secretary of Housing and Urban Development or
1184 successor agency and filed with the [commission] department
1185 pursuant to subsection (c) of section 20-329b, as amended by this act,
1186 (1) approve or disapprove the prospectus, property report or offering
1187 statement submitted under subsection (c) of section 20-329b, as
1188 amended by this act, or section 20-329d, as amended by this act, as the
1189 case may be, and (2) if satisfied, issue to the applicant, upon payment
1190 to the [commission] department of a fee computed as provided in
1191 subsection (b) of this section, a license to offer and dispose of in this
1192 state the subdivision or parcels, units or other interests in any
1193 subdivision that is the subject of the application or such effective
1194 statement of record. Such license shall be valid for one year and may
1195 be renewed annually upon payment to the [commission] department
1196 of a fee, computed as provided in subsection (b) of this section, unless
1197 there is a material change affecting such subdivision or lot, parcels,
1198 units or other interest in any subdivision or the offer or disposition
1199 thereof, in which case all new facts shall be reported to the
1200 [commission] department immediately. Upon receipt of such report or
1201 in the event that any such material change is discovered by or comes to
1202 the attention of the [commission] department through other sources,
1203 the [commission] department may, after a hearing pursuant to section
1204 20-321, take such action as the [commission] department considers
1205 necessary, including the suspension or revocation of such license if
1206 justified.

1207 Sec. 33. Section 20-329g of the general statutes is repealed and the
1208 following is substituted in lieu thereof (*Effective from passage*):

1209 No person or broker shall in any manner refer to the commission or
1210 department or to any member or employee thereof in offering or
1211 disposing of in this state any subdivision lot, parcel or unit in a
1212 subdivision nor make any representation whatsoever that such
1213 property has been inspected or approved or otherwise passed upon by

1214 the commission or department or any official, department or employee
1215 of this state. Any person violating the provisions of this section shall be
1216 fined not less than one thousand dollars nor more than five thousand
1217 dollars.

1218 Sec. 34. Section 20-329h of the general statutes is repealed and the
1219 following is substituted in lieu thereof (*Effective from passage*):

1220 (a) No subdivision or lot, parcel, unit or interest in any subdivision
1221 shall be disposed of except through a broker, provided nothing in this
1222 subsection shall be deemed to prohibit any such broker from
1223 employing any salesperson, for the specific purpose of offering or
1224 disposing of, on behalf of such broker and under contract to such
1225 broker, any lot, parcel, unit or interest in any subdivision. Prior to any
1226 offering or disposition, pursuant to any license granted under sections
1227 20-329a to 20-329m, inclusive, as amended by this act, the name of such
1228 broker shall be placed on file with the [commission] Department of
1229 Consumer Protection.

1230 (b) A clearly identified copy of the prospectus, property report or
1231 offering statement shall be given to each purchaser by the broker or
1232 salesperson prior to the execution of any contract for the disposition of
1233 any such property. The broker or salesperson shall obtain from the
1234 purchaser a signed receipt for a copy of such prospectus, property
1235 report or offering statement and, if a contract for disposition shall be
1236 entered into, the receipt shall be kept in the broker's files for a period
1237 of seven years and shall be subject to inspection by the [commission]
1238 department. Upon termination of such broker or salesperson's
1239 employment with the developer, all such records shall be turned over
1240 to the developer within thirty days and shall be retained by such
1241 developer for the duration of the seven-year period.

1242 (c) Any contract or agreement for the disposition of any subdivision
1243 or any lot, parcel, unit or interest in any subdivision, not exempted
1244 under the provisions of section 20-329b, as amended by this act, where
1245 the prospectus, property report or offering statement has not been
1246 given to the purchaser more than seventy-two hours in advance of his

1247 signing such contract or agreement, may be revoked by the purchaser
1248 within seventy-two hours after the purchaser signed the contract or
1249 agreement or after receipt by the purchaser of such prospectus,
1250 property report or offering statement, whichever is the later, and the
1251 contract or agreement shall so provide, except that the contract or
1252 agreement may stipulate that such revocation authority shall not apply
1253 in the case of a purchaser who (1) has received the prospectus,
1254 property report or offering statement and inspected the subdivision in
1255 advance of signing the contract or agreement, and (2) acknowledges by
1256 his signature that the purchaser has made such inspection and has
1257 read and understood the prospectus, property report or offering
1258 statement. Any such revocation shall be in writing in a form prescribed
1259 by the [commission] department and shall be communicated to the
1260 broker within the time period specified in this subsection. All moneys
1261 paid by the purchaser under such revoked contract or agreement shall
1262 be returned immediately to the purchaser by the broker without any
1263 deductions.

1264 Sec. 35. Section 20-329i of the general statutes is repealed and the
1265 following is substituted in lieu thereof (*Effective from passage*):

1266 Any broker or salesperson who violates any provision of section 20-
1267 329a to 20-329m, inclusive, as amended by this act, shall, in addition to
1268 any other penalty imposed by said sections, and subject to the
1269 provisions of section 20-321, have his real estate broker's or real estate
1270 salesperson's license suspended or revoked by the [commission]
1271 department for such time as in the circumstances the [commission]
1272 department considers justified.

1273 Sec. 36. Subsection (b) of section 21a-70 of the general statutes is
1274 repealed and the following is substituted in lieu thereof (*Effective from*
1275 *passage*):

1276 (b) No wholesaler or manufacturer shall operate as such until he has
1277 received a certificate of registration issued by the commissioner, which
1278 certificate shall be renewed annually, provided no such certificate shall
1279 be required of a manufacturer whose principal place of business is

1280 located outside the state, who is registered with the federal Food and
1281 Drug Administration or any successor agency and who files a copy of
1282 such registration with the commissioner. A fee of one hundred ninety
1283 dollars shall be charged for each wholesaler's certificate and renewal
1284 thereof. [and the] A separate certificate and corresponding fee is
1285 required for each location existing in this state and for each location
1286 existing outside of this state that distributes products into this state.
1287 The fee for a manufacturer's certificate and renewal thereof shall be
1288 two hundred eighty-five dollars for manufacturers employing not
1289 more than five licensed pharmacists or qualified chemists or both;
1290 three hundred seventy-five dollars for manufacturers employing not
1291 more than ten licensed pharmacists or qualified chemists or both; and
1292 nine hundred forty dollars for manufacturers employing more than ten
1293 licensed pharmacists or qualified chemists or both. No such certificate
1294 shall be issued to a manufacturer unless such drugs, medical devices
1295 or cosmetics are manufactured or compounded under the direct
1296 supervision of a licensed pharmacist or a qualified chemist. No
1297 certificate of registration shall be issued under this section until the
1298 applicant has furnished proof satisfactory to the commissioner that the
1299 applicant is equipped as to facilities and apparatus to properly carry
1300 on the business described in his application and that the applicant
1301 conforms to chapter 418 and regulations adopted thereunder.

1302 Sec. 37. Subsection (c) of section 21a-246 of the general statutes is
1303 repealed and the following is substituted in lieu thereof (*Effective from*
1304 *passage*):

1305 (c) The fee for licenses provided pursuant to this section shall be
1306 according to the following schedule: For any wholesaler, one hundred
1307 ninety dollars per annum for each location existing in this state and for
1308 each location existing outside of this state that distributes products into
1309 this state; for manufacturers employing not more than five licensed
1310 pharmacists or qualified chemists or both, two hundred eighty-five
1311 dollars per annum; for manufacturers employing six to ten licensed
1312 pharmacists or qualified chemists or both, three hundred seventy-five
1313 dollars per annum; for manufacturers employing more than ten

1314 licensed pharmacists or qualified chemists or both, nine hundred forty
 1315 dollars per annum; for laboratories, eighty dollars per annum. A
 1316 separate fee is required for each place of business or professional
 1317 practice where the licensee uses, manufactures, stores, distributes,
 1318 analyzes or dispenses [controlled] drugs, medical devices or cosmetics.

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
Sec. 7	<i>from Passage</i>	12-575
Sec. 8	<i>from passage</i>	7-173
Sec. 9	<i>from passage</i>	21a-190b
Sec. 10	<i>from passage</i>	20-314(f)
Sec. 11	<i>from passage</i>	20-417b(e)
Sec. 12	<i>from passage</i>	20-432(g)
Sec. 13	<i>from passage</i>	42-310(a)
Sec. 14	<i>from passage</i>	20-419
Sec. 15	<i>from passage</i>	20-512
Sec. 16	<i>from passage</i>	20-334a(a)
Sec. 17	<i>from passage</i>	20-335
Sec. 18	<i>from passage</i>	20-355(d)
Sec. 19	<i>from passage</i>	20-654
Sec. 20	<i>from passage</i>	21a-4
Sec. 21	<i>from passage</i>	20-349(c)
Sec. 22	<i>from passage</i>	21a-4(b)
Sec. 23	<i>from passage</i>	21-33b(b)
Sec. 24	<i>from passage</i>	42-321
Sec. 25	<i>from passage</i>	20-432(d)
Sec. 26	<i>from passage</i>	20-419
Sec. 27	<i>from passage</i>	20-329a
Sec. 28	<i>from passage</i>	20-329b
Sec. 29	<i>from passage</i>	20-329c
Sec. 30	<i>from passage</i>	20-329d
Sec. 31	<i>from passage</i>	20-329e

Sec. 32	<i>from passage</i>	20-329f(a)
Sec. 33	<i>from passage</i>	20-329g
Sec. 34	<i>from passage</i>	20-329h
Sec. 35	<i>from passage</i>	20-329i
Sec. 36	<i>from passage</i>	21a-70(b)
Sec. 37	<i>from passage</i>	21a-246(c)

GL *Joint Favorable Subst.*

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 14 \$	FY 15 \$
Consumer Protection, Dept.	GF - Revenue Gain	Less than 1,900	Less than 1,900

Municipal Impact: None

Explanation

The bill results in a revenue gain of less than \$1,900 by requiring that manufacturers of certain medically related products pay the required fee of \$190 for each separate location rather than as a single entity. It is anticipated that this will apply to ten or fewer locations. All other changes in the bill conform to current practice or are technical in nature and result in no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of locations required to pay the fee.

OLR Bill Analysis

sHB 6403

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

SUMMARY:

This bill makes various unrelated changes in the Department of Consumer Protection (DCP) statutes.

These changes, among other things,

1. allow posting regulations and rosters online to fulfill certain publishing and distribution requirements;
2. allow permit and license applicants with lapsed licenses to apply for reinstatement to the appropriate DCP board;
3. extend certain consumer protections to buying clubs that offer services;
4. impose home improvement contractor penalties on people who propose or offer to do work without a certificate;
5. make condominium associations eligible for Home Improvement Guaranty Fund payouts;
6. provide a longer cancellation period for social referral contracts and adds contractor notification requirements; and
7. require drug wholesalers to obtain a separate certificate of registration or license for each location.

The bill also makes other minor and technical changes.

EFFECTIVE DATE: Upon passage

§§ 1-5 — ELECTRONIC POSTING

The bill gives DCP the option of posting certain regulations and rosters on its website to comply with its publishing and distribution requirements. Under current law, DCP must:

1. biennially, before July 1 of odd-numbered years, publish a pamphlet with the current liquor regulations and furnish it to anyone that requests it;
2. at least annually, before December 31, publish a pamphlet with the current gaming regulations and provide it to anyone who requests it;
3. annually, in September, place a roster with the names and addresses of all registered interior designers and architects with the secretary of the state and with each town's building department and library; and
4. annually, prepare a roster of all registered well drillers and distribute it to each town's local health director or his or her agent and the building inspector.

The bill also gives certain DCP boards the option of fulfilling their publishing and distribution requirements by posting the rosters and deletions on DCP's website. The law currently requires the boards for Electrical Work; Heating, Piping, Cooling and Sheet Metal Work; Plumbing and Piping Work; Elevator Installation, Repair and Maintenance; Fire Protection Sprinkler Systems; and Automotive Glass Work and Flat Glass Work to biennially furnish a copy of a roster with everyone licensed or registered by them to each town clerk. Each board must notify the clerk of any deletion from the roster within five days of the deletion.

§ 6 — WEIGHTS AND MEASURES ELECTRONIC RECORDING

The bill requires the DCP commissioner to maintain a record, rather than a written report, of the annual test of all scales, weights, and measures used in checking the receipt or disbursement of supplies in

each institution that performs these tests. It requires the record to be made available to the supervisory board and executive officer of the institution involved.

The bill allows DCP to charge a fee for calibrating testing equipment to registrants who do not reside in or have a Connecticut business place. Under current law, DCP is prohibited from charging anyone a fee for calibrating testing equipment.

§§ 7 AND 8 — GAMING STATUTES

The bill eliminates the requirement that DCP submit to the state treasurer before the tenth of each month (1) all gaming money in its possession and (2) a monthly report on all gaming receipts. The gaming information is available electronically through CORE-CT.

The bill allows any state resident to apply for a bazaar or raffle permit. Under current law, only voters in the municipality where the permit is sought may apply for the permit.

§ 9 — PUBLIC CHARITIES

The bill eliminates the DCP commissioner's authority to grant, for good cause, a six-month extension for charities to renew their registration. It instead extends the renewal registration deadline, by six months, from five to 11 months after the end of their fiscal year, thereby giving all charities the same amount of time to renew.

§ 10 — REAL ESTATE LICENSES

The bill changes the reinstated license expiration date from the next succeeding April 31 to (1) March 31 for real estate brokers and (2) May 31 for real estate salespersons.

§ 11 — NEW HOME CONSTRUCTION CONTRACTOR

The bill allows a new home construction certificate to be renewed after its one year expiration and clarifies that the renewal is valid for two years and costs the same \$240 as the original application. Under current law, a certificate cannot be restored unless it is renewed within a year of its expiration.

§§ 12 AND 25 — HOME IMPROVEMENT GUARANTY FUND

The bill requires the DCP commissioner to notify a contractor, before issuing a payment out of the Home Improvement Guaranty Fund, that his or her rights to a hearing are not forfeited while complying with a payment schedule in accordance with a court judgment. By law, DCP already requires this notification for contractors who have already paid the owner.

Under current law, an application for payment out of the guaranty fund must include a copy of the court judgment against the contractor. It must also include a notarized affidavit, signed and sworn to by the owner affirming, among other things, that he or she has had a writ of execution for the judgment that failed to discover any liable bank accounts or real property owned by the contractor that could satisfy the judgment. The bill conforms the law to current DCP practice by replacing real property with personal property.

§ 13 — BUYING CLUBS

The bill requires buying clubs that sell leisure and entertainment services to provide the same statutory consumer protections as clubs that sell goods. These protections include the right to cancel a contract within three days after signing and related contractual agreements. Under current law, a buying club is a business that offers memberships, for more than \$200, to consumers for a fee that allows them to exclusively purchase consumer goods.

§§ 14 AND 26 — HOME IMPROVEMENT CONTRACTOR

The bill imposes existing home improvement contractor penalties on people who offer or propose to do work without the proper certificate. Violators may be guilty of a class B misdemeanor (punishable by up to 6 months imprisonment, up to \$1,000 fine, or both) and a civil penalty of up to \$500 for the first violation, up to \$750 for a second violation within three years of the prior violation, up to \$1,500 for a third or subsequent violation within three years of the prior violation (CGS § 20-427).

This bill specifies that a condominium association working as an agent for condominium owners has the same rights as a private owner under the Home Improvement Act, including access to the Home Improvement Guaranty Fund. The bill also limits an association to one claim from the guaranty fund regardless of the number of units for which it acts as an agent.

§ 15 — REAL ESTATE APPRAISAL

Current law allows the DCP commissioner to adopt regulations relating to real estate appraisal schools but prohibit him from adopting regulations requiring DCP to approve instructors. The bill allows the regulations to require instructor approval.

§ 16 — ELEVATOR LICENSES

The bill eliminates the elevator craftsman license and elevator helper's license. There are currently no elevator craftsman or helper licensees.

§§ 17-19 — LICENSE EXPIRATION EXTENSION

The bill extends, from one to two years, the time certain licensees have to reinstate their license without retaking a licensing examination.

The affected licensees are electricians; plumbers; solar, heating, piping and cooling contractors and journeymen; elevator and fire protection sprinkler craftsmen; irrigation contractors and journeymen; gas hearth installer contractors and journeymen; television and radio service dealers; electronic technicians; and shorthand reporters.

Under the bill, the shorthand reporter board may, in its discretion, when someone applies and pays the fee, reinstate a license without examination if the application has a notarized letter stating, to the board's satisfaction, the applicant's related experience in shorthand reporting or similar work in the lapsed time. The applicant must pay all back license and late fees.

§ 20 — DCP BOARD LICENSE RENEWAL OR REINSTATEMENTS

The bill allows applicants whose licenses have lapsed beyond the

time allowed for automatic reinstatement to apply for reinstatement to the appropriate DCP board. The application must include the proper fee, along with a notarized letter stating the applicant's related work experience in his or her occupation or profession in the lapsed time. The applicant must pay all back license and late fees.

§ 21 — RADIO AND TELEVISION

The bill eliminates the \$40 temporary permit for television and radio service dealers, which is issued while the applicant seeks licensure. Currently, no one has such a permit.

§ 22 — BOUNCED CHECK

By law, DCP may impose a \$20 fine on any permit or license applicant whose check is returned as uncollectable. The bill also allows the DCP commissioner to require the applicant to pay DCP any fees a financial institution charges the department as a result of a returned check.

§ 23 — ITINERANT VENDORS

The bill makes a conforming change to the Itinerant Vender Guaranty Fund, increasing the amount vendors pay, from \$100 to \$200, to conform with the amount the fund receives (CGS § 21-28). Guaranty funds are used to offer repayment to consumers financially damaged as a result of problem transaction purchases from itinerant vendors.

§ 24 — SOCIAL REFERRAL SERVICE CONTRACT

Current law allows a consumer to cancel a social referral service (e.g., dating service) contract within three business days after the date the consumer receives it. The bill extends the cancellation period to three business days after the (1) contract receipt or (2) social referral service is made available to the consumer, whichever is later. By law, the contract must be delivered by certified or registered mail to a specified address in the contract.

The bill also requires this extended cancellation period to be printed

on the (1) contract, near the signature line and (2) cancellation notice. By law, social referral services contracts must provide the cancellation policy in at least 10-point bold face type.

Social referral services provide dating, matrimonial, or personal referral services involving (1) an exchange of names, telephone numbers, addresses, and statistics; (2) a photograph or video selection process; (3) personal introductions provided by the seller at the seller's place of business; and (4) a social environment provided by such seller intended primarily as an alternative to singles' bars or club-type environments.

§§ 27-35 — REAL ESTATE BROKERS

The bill makes technical changes to the statutes dealing with real estate brokers and salespersons (1) by deleting a reference to time-shares, which are governed under another statute (CGS § 42-103cc) and (2) specifying that certain real estate records be filed with the secretary of Housing and Urban Development or any successor federal agency (currently the Consumer Financial Protection Bureau).

The bill conforms the law to practice by transferring certain administrative functions DCP already performs from the Real Estate Commission to the department.

Current law prevents anyone from referring to the Real Estate Commission in any advertisement, including making any representations that the commission has inspected or approved any property. Violators are subject to a fine between \$1,000 and \$5,000. The bill prohibits any such advertisement from referencing DCP and subjects violators to the same fine.

§§ 36-37 — DRUG CERTIFICATE OF REGISTRATION

By law, drug wholesalers must obtain a (1) certificate of registration for non-controlled substances or (2) license for controlled substances. The bill requires drug wholesalers to obtain a separate certificate or license and pay an annual \$190 fee for each location (1) inside the state and (2) existing outside of the state that distributes products in the

state.

Current law requires a separate and additional fee for each business place or professional practice where the licensee uses, manufactures, stores, distributes, analyzes, or dispenses controlled drugs. The bill imposes this additional fee on licensees that use, manufacture, store, distribute, analyze, or dispense medical devices or cosmetics. By law, wholesalers must annually pay \$190, laboratories pay \$80, and manufacturers pay between \$285 and \$940 depending on the number of pharmacists or qualified chemists they employ.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/12/2013)