



General Assembly

February Session, 2014

Raised Bill No. 206

LCO No. 1324



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

***AN ACT CONCERNING THE POWERS AND DUTIES OF THE
COMMISSIONER OF CONSUMER PROTECTION.***

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

1 Section 1. Section 21a-11 of the 2014 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) The Commissioner of Consumer Protection may, subject to the
5 provisions of chapter 67, employ such agents and assistants as are
6 necessary to investigate and enforce the provisions of the general
7 statutes wherein [said] the commissioner is empowered to carry out
8 the duties and responsibilities assigned to [him or his department. For
9 the purpose of inquiring into any suspected violation of] the
10 commissioner or the Department of Consumer Protection. In
11 connection with any investigation or enforcement of a suspected
12 violation of such provisions of the general statutes, the commissioner
13 or the commissioner's authorized agent may administer oaths, issue
14 subpoenas, compel testimony and order the production of books,
15 records and documents. If any person refuses to appear, to testify or to
16 produce any book, record or document when so ordered, a judge of

17 the Superior Court may make such order as may be appropriate to aid
18 in the enforcement of this section. For the purposes of investigating or
19 enforcing such provisions, the commissioner and [his] the
20 commissioner's deputy and assistants shall have free access, at all
21 reasonable hours, to all places and premises, homes and apartments of
22 private families keeping no boarders excepted.

23 (b) On the tender of the market price, the commissioner or [his] the
24 commissioner's deputy may take from any person, firm or corporation
25 samples of any article which [he] the commissioner suspects is sold,
26 offered for sale, kept with intent to sell, made or manufactured
27 contrary to any provision of this chapter or related chapters under the
28 jurisdiction of [said] the commissioner. [He] The commissioner may
29 analyze such samples or have them analyzed by a state chemist or by
30 an experiment station or by the laboratories of the Department of
31 Public Health, and a sworn or affirmed certificate by such analyst shall
32 be prima facie evidence of the ingredients and constituents of the
33 samples analyzed. If such analysis shows that any such sample does
34 not conform to the requirements of law, and gives the commissioner or
35 [his] the commissioner's deputy reasonable grounds for believing that
36 any provision of this chapter or related chapters under [his] the
37 commissioner's jurisdiction has been violated, [he] the commissioner
38 shall cause such violator to be prosecuted. Any person who refuses the
39 access provided for [herein] in this section to the commissioner, [his]
40 the commissioner's deputy or assistants, or who refuses to sell the
41 samples provided for [herein] in this section, shall be guilty of a class
42 D misdemeanor. Evidence of violation of any provision of this section
43 shall be prima facie evidence of wilful violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	21a-11

GL *Joint Favorable*

