

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 14-50—SB 267**  
*General Law Committee*

**AN ACT CONCERNING SWIMMING POOL MAINTENANCE AND REPAIR WORK**

**SUMMARY:** This act expands the activities that constitute “swimming pool maintenance and repair work” and must, therefore, be performed by a licensed pool and spa contractor.

Under prior law, the term included the plumbing, heating, and electrical work needed to service, modify, or repair a swimming pool, hot tub, spa, or similar recreational or therapeutic equipment, when the work begins at an outlet, receptacle, connection, back-flow preventor, or fuel supply pipe previously installed by a licensed person. The act adds replacement, alteration, and maintenance services.

The act also expands the scope of maintenance and repair work to include renovating or repairing the nonpotable water structures of pools, hot tubs, or spas, not just their components. Existing law also includes pool draining, acid washing, or backwash filtration.

By law, the consumer protection commissioner must adopt regulations on licensing swimming pool maintenance and repair contractors, with help from the Plumbing and Piping Work Board. Under prior law, the regulations had to address the experience and training needed to qualify to take the licensing exam. The act allows, rather than requires, the regulations to include this information. It also allows the regulations to set the specific trade areas needing a license and trainee and continuing professional education requirements.

The law allows the commissioner or the occupational examining board to impose civil penalties for occupational licensure violations, such as willfully performing swimming pool maintenance repair work without the required license (see BACKGROUND). In addition, violators are guilty of a class B misdemeanor (see Table on Penalties) and an unfair or deceptive trade practice and must pay restitution. If they cannot fully pay restitution, a court may sentence them to probation for up to five years.

EFFECTIVE DATE: Upon passage

**REGULATIONS**

- Under the act, the commissioner must adopt regulations, which may establish:
1. the experience and training needed to qualify for the swimming pool maintenance and repair work licensing exam;
  2. specific trade areas requiring a limited license and those that do not;
  3. trainee requirements and training specifications;

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4. continuing professional education requirements for licensees that include at least three hours of education every two years;
5. qualifying criteria for accredited continuing education programs; and
6. criteria to waive, for good cause, continuing education requirements.

### BACKGROUND

#### *Prohibited Actions*

The law prohibits unlicensed persons from willfully engaging in swimming pool maintenance and repair work that requires an occupational license. It also prohibits willfully employing or supplying someone without a license, willfully and falsely pretending to qualify to practice in the work, or willfully doing the work after license expiration (CGS § 20-341(a)).

#### *Civil Penalties*

Civil penalties for working without a license consist of a fine of up to (1) \$1,000 for a first violation, (2) \$1,500 for a second violation, and (3) \$3,000 for subsequent violations occurring within three years after a previous violation (CGS § 20-341(b)).

#### *Connecticut Unfair Trade Practices Act (CUTPA)*

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

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