



Substitute House Bill No. 5433

Public Act No. 16-117

**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:

Section 1. Section 20-324a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The commission shall establish and maintain a Real Estate Guaranty Fund from which, subject to the provisions of sections 20-324a to 20-324j, inclusive, any person aggrieved by any action of a real estate broker or real estate salesperson, duly licensed in this state under section 20-312, by reason of the embezzlement of money or property, or money or property unlawfully obtained from any person by false pretenses, artifice [, trickery] or forgery or by reason of any fraud, misrepresentation or deceit by or on the part of any such real estate broker or real estate salesperson or the unlicensed employee of any such real estate broker, may recover, upon approval by the commission of an application brought pursuant to the provisions of section 20-324e, as amended by this act, compensation in an amount not exceeding in the aggregate the sum of twenty-five thousand dollars in connection with any one real estate transaction or claim, regardless of the number of persons aggrieved or parcels of real estate involved in such real estate transaction or claim.

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Sec. 2. Subsection (b) of section 20-324e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) When any aggrieved person recovers a valid judgment in the Superior Court against any real estate broker or real estate salesperson or the unlicensed employee of any such real estate broker for loss or damages sustained by reason of the embezzlement of money or property, or money or property unlawfully obtained from any person by false pretenses, artifice [, trickery] or forgery or by reason of any fraud, misrepresentation or deceit by or on the part of such real estate broker or salesperson or the unlicensed employee of any such real estate broker, such aggrieved person may upon the final determination of, or expiration of time for appeal in connection with, any judgment, apply to the commission for an order directing payment out of the Real Estate Guaranty Fund of the amount unpaid upon the judgment, subject to the limitations stated in section 20-324a, as amended by this act, and the limitations specified in this section. [The license of any such broker or salesperson shall be automatically revoked upon the entry of such judgment.]

Sec. 3. Subsection (b) of section 30-33a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) A coliseum concession permit shall allow the retail sale and consumption of beer, in paper, plastic or aluminum containers only, at sporting events within the arena and at concession stands within the arena or outside the arena but directly connected to the arena or in areas adjacent to the hallways for public passage around the arena. The coliseum concession permit shall allow the retail sale and consumption of beer, in paper, plastic or aluminum containers only, at such concession stands only during (1) a trade show for which a ticket is required for admission; (2) an exhibition for which a ticket is

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required for admission; or (3) a convention. No sales of beer shall occur at a coliseum concession stand within one hour of the scheduled end of a function at such coliseum. The annual fee for a coliseum concession permit shall be one thousand two hundred fifty dollars.

Sec. 4. Subsection (b) of section 20-600 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) The provisions of this section shall not apply to a pharmacist who applies for the first [renewal] year of a license to practice pharmacy.

Sec. 5. Section 21a-79a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) Notwithstanding the provisions of section 21a-79 and any regulations adopted under said section, the Commissioner of Consumer Protection may, within available appropriations, establish a [pilot] program for the test audit of alternative electronic retail pricing systems that maintain and display the item and unit price of consumer commodities, as defined in subsection (a) of section 21a-79. The commissioner shall select one or more retailers to participate in any such [pilot] program. [in accordance with the following requirements:] A retailer participating in the [pilot] program shall conduct business from one or more stores in this state. [on October 1, 2001.] The retailer shall submit to the commissioner a written request to participate in the [pilot] program and pay all costs associated with a test audit under such [pilot] program. The retailer [or retailers] shall implement a system to be test audited that, at a minimum, (1) maintains the retailer's current item prices and unit prices for each product in an electronic database, (2) prints shelf tags that meet all applicable requirements for item pricing and unit pricing, [in effect on October 1, 2001,] and (3) operates in such a way that (A) price decreases are

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immediately transmitted directly to the point of sale, and (B) price increases are transmitted to the point of sale only after such shelf tags are posted and such posting has been verified in the electronic database.

(b) The commissioner may designate a private auditing organization to conduct any such test audit and shall charge the cost of such test audit to the selected retailer or retailers. No such test audit shall be conducted for a period exceeding twelve months. During the test audit, such store shall be exempt from the provisions of subdivision (1) of subsection (b) of section 21a-79 and any applicable regulations adopted under said section.

[(c) The commissioner shall report the results of each test audit conducted under any such pilot program and any recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection not later than three months after the completion of such test audit. Such report shall include a copy of any audit report prepared by the commissioner or any such private auditing organization.]

Sec. 6. Subsection (f) of section 30-91 of the 2016 supplement to the general statutes, as amended by section 4 of public act 16-103, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) The retail sale of wine and the tasting of free samples of wine by visitors and prospective retail customers of a permittee holding a manufacturer permit for a farm winery on the premises of such permittee shall be unlawful on Sunday before [eleven] ten o'clock a.m. and after ten o'clock p.m. and on any other day before eight o'clock a.m. and after ten o'clock p.m. Any town may, by vote of a town meeting or by ordinance, reduce the number of hours during which sales and the tasting of free samples of wine under this subsection shall

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be permissible.

Sec. 7. Sections 21a-13 and 53-317 of the general statutes are repealed. (*Effective July 1, 2016*)

Approved June 3, 2016