

**Proposed Substitute
Bill No. 5433**

LCO No. 2986

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 Section 20-324a of the general statutes is repealed and the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

3 The commission shall establish and maintain a Real Estate Guaranty
4 Fund from which, subject to the provisions of sections 20-324a to 20-
5 324j, inclusive, any person aggrieved by any action of a real estate
6 broker or real estate salesperson, duly licensed in this state under
7 section 20-312, by reason of the embezzlement of money or property,
8 or money or property unlawfully obtained from any person by false
9 pretenses, artifice [, trickery] or forgery or by reason of any fraud,
10 misrepresentation or deceit by or on the part of any such real estate
11 broker or real estate salesperson or the unlicensed employee of any
12 such real estate broker, may recover, upon approval by the
13 commission of an application brought pursuant to the provisions of
14 section 20-324e, as amended by this act, compensation in an amount
15 not exceeding in the aggregate the sum of twenty-five thousand
16 dollars in connection with any one real estate transaction or claim,
17 regardless of the number of persons aggrieved or parcels of real estate
18 involved in such real estate transaction or claim.

19 Sec. 2. Subsection (b) of section 20-324e of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective July*
21 *1, 2016*):

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

38 Sec. 3. Subsection (b) of section 30-33a of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective July*
40 *1, 2016*):

41 (b) A coliseum concession permit shall allow the retail sale and
42 consumption of beer, in paper, plastic or aluminum containers only, at
43 sporting events within the arena and at concession stands within the
44 arena or outside the arena but directly connected to the arena or in
45 areas adjacent to the hallways for public passage around the arena.
46 The coliseum concession permit shall allow the retail sale and
47 consumption of beer, in paper, plastic or aluminum containers only, at
48 such concession stands only during (1) a trade show for which a ticket
49 is required for admission; (2) an exhibition for which a ticket is
50 required for admission; or (3) a convention. No sales of beer shall occur
51 at a coliseum concession stand within one hour of the scheduled end of

52 a function at such coliseum. The annual fee for a coliseum concession
53 permit shall be one thousand two hundred fifty dollars.

54 Sec. 4. Subsection (b) of section 20-600 of the general statutes is
55 repealed and the following is substituted in lieu thereof (*Effective July*
56 *1, 2016*):

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

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

62 (a) Notwithstanding the provisions of section 21a-79 and any
63 regulations adopted under said section, the Commissioner of
64 Consumer Protection may, within available appropriations, establish a
65 [pilot] program for the test audit of alternative electronic retail pricing
66 systems that maintain and display the item and unit price of consumer
67 commodities, as defined in subsection (a) of section 21a-79. The
68 commissioner shall select one or more retailers to participate in any
69 such [pilot] program. [in accordance with the following requirements:]
70 A retailer participating in the [pilot] program shall conduct business
71 from one or more stores in this state. [on October 1, 2001.] The retailer
72 shall submit to the commissioner a written request to participate in the
73 [pilot] program and pay all costs associated with a test audit under
74 such [pilot] program. The retailer [or retailers] shall implement a
75 system to be test audited that, at a minimum, (1) maintains the
76 retailer's current item prices and unit prices for each product in an
77 electronic database, (2) prints shelf tags that meet all applicable
78 requirements for item pricing and unit pricing, [in effect on October 1,
79 2001,] and (3) operates in such a way that (A) price decreases are
80 immediately transmitted directly to the point of sale, and (B) price
81 increases are transmitted to the point of sale only after such shelf tags
82 are posted and such posting has been verified in the electronic
83 database.

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

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

98 Sec. 6. Sections 21a-13 and 53-317 of the general statutes are
99 repealed. (*Effective July 1, 2016*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2016</i>	20-324a
Sec. 2	<i>July 1, 2016</i>	20-324e(b)
Sec. 3	<i>July 1, 2016</i>	30-33a(b)
Sec. 4	<i>July 1, 2016</i>	20-600(b)
Sec. 5	<i>July 1, 2016</i>	21a-79a
Sec. 6	<i>July 1, 2016</i>	Repealer section