



Senate

General Assembly

File No. 197

January Session, 2017

Substitute Senate Bill No. 191

Senate, March 23, 2017

The Committee on General Law reported through SEN. LEONE of the 27th Dist. and SEN. WITKOS of the 8th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CHARITABLE BINGO GAMES, BAZAARS, RAFFLES, THE DEPARTMENT OF CONSUMER PROTECTION AND OCCUPATIONAL LICENSING.

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

1 Section 1. Section 7-169 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2018*):

3 (a) [The term "bingo" is defined as the name of] For the purposes of
4 this section and section 7-169a, as amended by this act, "bingo game"
5 means a game in which each player receives a card containing several
6 rows of numbers and, as numbers are drawn or otherwise obtained by
7 chance and publicly announced, the player first having a specified
8 number of announced numbers appearing on [his] the player's card in
9 a continuous straight line or covering a previously designated
10 arrangement of numbers on such card is declared the winner; [. The
11 word] "person" or "applicant" [, as used in this section,] means the
12 officer or representative of the sponsoring organization or the

13 organization itself; [. The term] "session" means a series of games
14 played in one day; [. "Commissioner" means the Commissioner of
15 Consumer Protection, who shall be responsible for the administration
16 and regulation of bingo in the state] and "municipal official" means the
17 chief of police of the municipality, or if there is no police department,
18 the chief executive officer of the municipality, where the bingo game is
19 to be conducted or is conducted.

20 (b) Upon a written petition of five per cent or more of the electors of
21 any municipality requesting the selectmen, common council or other
22 governing body of such municipality to vote upon the question of
23 permitting the playing of bingo within such municipality, such
24 governing body shall vote upon such question and, if the vote is in the
25 affirmative, [it] bingo games shall be permitted, subject to the
26 restrictions herein set forth, and if the vote is in the negative, bingo
27 games shall not be permitted to be played in such municipality. When
28 the selectmen, common council or other governing body of any
29 municipality have voted favorably upon the question of permitting the
30 playing of bingo games within such municipality, the playing of [such
31 game] bingo games shall be permitted in such municipality
32 indefinitely thereafter, without further petition or action by such
33 governing body, unless such governing body has forbidden the
34 playing of [said game] bingo games upon a similar written petition of
35 five per cent or more of the electors of such municipality, whereupon
36 bingo games shall not be permitted to be played after such negative
37 vote.

38 [(c) The Commissioner of Consumer Protection shall adopt, in
39 accordance with the provisions of chapter 54, such regulations as are
40 necessary to effectively carry out the provisions of this section and
41 section 7-169a in order to prevent fraud and protect the public, which
42 regulations shall have the effect of law.]

43 [(d)] (c) No bingo game or series of bingo games shall be promoted,
44 operated or played unless the same is sponsored and conducted
45 exclusively by a charitable, civic, educational, fraternal, veterans' or

46 religious organization, volunteer fire department or grange. Any such
47 organization or group shall have been organized for not less than two
48 years prior to its application for a bingo permit under the terms of this
49 section. The promotion and operation of [said] a bingo game or bingo
50 games shall be confined solely to the qualified members of the
51 sponsoring organization, except that the [Commissioner of Consumer
52 Protection] municipal official may permit any qualified member of a
53 sponsoring organization who has registered with [said commissioner]
54 the municipal official, on a form prepared by [him or her] the
55 municipal official for such purpose, to assist in the operation of a bingo
56 game sponsored by another organization. The [commissioner]
57 municipal official may revoke such registration for cause.

58 [(e)] (d) Any eligible organization desiring to operate bingo games
59 in any municipality in which the governing body has voted to permit
60 the playing thereof shall apply to the [Commissioner of Consumer
61 Protection] municipal official, which application shall contain a
62 statement of the name and address of the applicant, the location of the
63 place at which the bingo games are to be played and the seating
64 capacity of such place, the date or dates for which a permit is sought,
65 the class of permit sought and any other information which the
66 [commissioner] municipal official reasonably requires for the
67 protection of the public, and, upon payment of the fee provided for in
68 this section, the [commissioner] municipal official is authorized to
69 issue such permit, provided such eligible organization has been
70 registered as provided in section 7-169a, as amended by this act.

71 [(f)] (e) Permits shall be known as "Class A" which shall be annual
72 one-day-per-week permits and shall permit the conduct of not more
73 than forty and not less than fifteen bingo games on such day, [and]
74 "Class B" which shall permit not more than forty and not less than
75 fifteen bingo games per day for a maximum of ten successive days,
76 and "Class C" which shall be annual one-day-per-month permits and
77 shall permit the conduct of not more than forty and not less than
78 fifteen bingo games on such day. "Class A" permits shall allow the
79 playing of bingo games no more than one day [weekly] per week. Not

80 more than two "Class B" permits shall be issued to any one
81 organization within any twelve-month period. "Class C" permits shall
82 allow the playing of bingo games no more than one day per month.

83 [(g)] (f) Permit fees shall be [remitted to the state] as follows: "Class
84 A", seventy-five dollars; "Class B", five dollars per day; and "Class C",
85 fifty dollars.

86 [(h)] (g) Each person who operates bingo games shall keep accurate
87 records of receipts and disbursements, which shall be available for
88 inspection by the [commissioner and the chief law enforcement official
89 in the municipality in which such bingo games are operated. Any
90 information acquired by the commissioner pursuant to this subsection
91 shall be available to the Commissioner of Emergency Services and
92 Public Protection upon request] municipal official.

93 [(i)] (h) Prizes offered for the winning of bingo games may consist of
94 cash, merchandise, tickets for any lottery conducted under chapter 226,
95 the value of which shall be the purchase price printed on such tickets,
96 or other personal property. No permittee may offer a prize which
97 exceeds two hundred fifty dollars in value, except that (1) a permittee
98 may offer a prize or prizes on any one day of not less than two
99 hundred fifty-one dollars or more than seven hundred fifty dollars in
100 value, provided the total value of such prizes on any one day does not
101 exceed twenty-five hundred dollars, (2) a permittee may offer one or
102 two winner-take-all bingo games or series of bingo games played on
103 any day on which the permittee is allowed to conduct bingo games,
104 provided ninety per cent of all receipts from the sale of bingo cards for
105 such winner-take-all bingo game or series of bingo games shall be
106 awarded as prizes for such bingo games or series of bingo games and
107 provided each prize awarded does not exceed one thousand dollars in
108 value, (3) the holder of a Class A permit may offer two additional
109 prizes on a weekly basis not to exceed five hundred dollars each as a
110 special grand prize and in the event such a special grand prize is not
111 won, the money reserved for such prize shall be added to the money
112 reserved for the next week's special grand prize, provided no such

113 special grand prize may accumulate for more than sixteen weeks or
114 exceed a total of five thousand dollars, and (4) a permittee may award
115 door prizes the aggregate value of which shall not exceed five hundred
116 dollars in value. When more than one player wins on the call of the
117 same number, the designated prize shall be divided equally to the next
118 nearest dollar. If a permittee elects, no winner may receive a prize
119 which amounts to less than ten per cent of the announced prize and in
120 such case the total of such multiple prizes may exceed the statutory
121 limit of such bingo game.

122 [(j)] (i) Any organization operating or conducting a bingo game shall
123 file a return with the [commissioner] municipal official, on a form
124 prepared by [him or her] the municipal official, within ten days after
125 such bingo game is held or within such further time as the
126 [commissioner] municipal official may allow, and pay to the [state]
127 municipality in which the bingo game was conducted a fee of five per
128 cent of the gross receipts, less the prizes awarded including prizes
129 reserved for special grand prize games, derived from such bingo
130 games at each bingo session. All such returns shall be public records.
131 [The commissioner shall pay each municipality in which bingo games
132 are conducted, one-quarter of one per cent of the total money wagered
133 less prizes awarded on such games conducted. He or she shall make
134 such payment at least once a year and not more than four times a year
135 from the fee imposed pursuant to this subsection.]

136 [(k)] (j) (1) Whenever it appears to the [commissioner] municipal
137 official after an investigation that any person is violating or is about to
138 violate any provision of this section or section 7-169a, as amended by
139 this act, [or administrative regulations issued pursuant thereto, the
140 commissioner] or made any false statement in any application for a
141 permit or in any report required by this section, the municipal official
142 may, in his or her discretion, to protect the public welfare, order that
143 any permit issued pursuant to this section be immediately suspended
144 or revoked and that the person cease and desist from the actions
145 constituting such violation or which would constitute such violation.
146 [After such an order is issued, the person named therein may, not later

147 than fourteen days after receipt of the order, file a written request for a
148 hearing. Such hearing shall be held in accordance with the provisions
149 of chapter 54.] Any person aggrieved by any order of the municipal
150 official may appeal to the superior court for the judicial district in
151 which the municipality is located.

152 [(2) Whenever the commissioner finds as the result of an
153 investigation that any person has violated any provision of this section
154 or section 7-169a or administrative regulations issued pursuant thereto
155 or made any false statement in any application for a permit or in any
156 report required by this section or section 7-169a or by the
157 commissioner, the commissioner may send a notice to such person by
158 certified mail, return receipt requested. Any such notice shall include
159 (A) a reference to the section or regulation alleged to have been
160 violated or the application or report in which an alleged false
161 statement was made, (B) a short and plain statement of the matter
162 asserted or charged, (C) the fact that any permit issued pursuant to this
163 section may be suspended or revoked for such violation or false
164 statement and the maximum penalty that may be imposed for such
165 violation or false statement, and (D) the time and place for the hearing.
166 Such hearing shall be fixed for a date not earlier than thirty days after
167 the notice is mailed.

168 (3) The commissioner shall hold a hearing upon the charges made
169 unless such person fails to appear at the hearing. Such hearing shall be
170 held in accordance with the provisions of chapter 54. If such person
171 fails to appear at the hearing or if, after the hearing, the commissioner
172 finds that such person committed such a violation or made such a false
173 statement, the commissioner may, in his or her discretion, suspend or
174 revoke such permit and order that a civil penalty of not more than two
175 hundred dollars be imposed upon such person for such violation or
176 false statement. The commissioner shall send a copy of any order
177 issued pursuant to this subdivision by certified mail, return receipt
178 requested, to any person named in such order. Any person aggrieved
179 by a decision of the commissioner under this subdivision shall have a
180 right of appeal pursuant to section 4-183.]

181 [(4)] (2) Whenever the [commissioner] municipal official revokes a
182 permit issued pursuant to this section, [he or she] the municipal official
183 shall not issue any permit to such permittee for one year after the date
184 of such revocation.

185 [(5)] (3) Any person who promotes or operates any bingo game
186 without a permit therefor, or who violates any provision of this section
187 or section 7-169a, as amended by this act, [or administrative
188 regulations issued pursuant thereto,] or who makes any false
189 statement in any application for a permit or in any report required by
190 this section or section 7-169a, as amended by this act, or by the
191 [commissioner] municipal official shall be guilty of a class D
192 misdemeanor.

193 Sec. 2. Section 7-169a of the general statutes is repealed and the
194 following is substituted in lieu thereof (*Effective January 1, 2018*):

195 Every organization desiring to apply for a permit under subsection
196 [(e)] (d) of section 7-169, as amended by this act, to operate bingo
197 games shall, before making any such application, register with the
198 [Commissioner of Consumer Protection] municipal official on forms
199 furnished by the [commissioner] municipal official and secure an
200 identification number. All applications for permits, amendment of
201 permits, reports and any other papers relating to games of bingo shall
202 bear the identification number of the organization involved. Neither
203 registration nor the assignment of an identification number, which
204 may be revoked for cause, shall constitute, or be any evidence of, the
205 eligibility of any organization to receive a permit for or to conduct any
206 [game of] bingo game.

207 Sec. 3. Section 7-169c of the general statutes is repealed and the
208 following is substituted in lieu thereof (*Effective January 1, 2018*):

209 (a) For the purposes of this section, "bingo game" and "municipal
210 official" have the same meaning as provided in subsection (a) of
211 section 7-169, as amended by this act.

212 [(a)] (b) Any organization whose membership consists of persons
213 sixty years of age or over may operate and conduct bingo games on
214 and after January 1, 1989, for the amusement and recreation of its
215 members without a permit as required by section 7-169, as amended
216 by this act, provided (1) such organization has registered with and
217 applied for and received an identification number from the
218 [Commissioner of Consumer Protection] municipal official, (2) such
219 organization does not charge an admission fee in excess of one dollar,
220 (3) the prize or prizes awarded do not exceed fifty dollars in value,
221 either in cash or merchandise, and (4) only active members of such
222 organization assist in the operation of the bingo games without
223 compensation. The [commissioner] municipal official may revoke any
224 such registration for cause.

225 [(b)] (c) Each such organization which operates bingo games shall
226 keep accurate records of receipts and disbursements, which shall be
227 available for inspection by the [commissioner] municipal official.

228 [(c)] (d) Each such organization shall be exempt from the provisions
229 of sections 7-169, as amended by this act, and 7-169a, as amended by
230 this act.

231 [(d) The Commissioner of Consumer Protection shall adopt such
232 regulations, in accordance with chapter 54, as are necessary to carry
233 out effectively the provisions of this section in order to prevent fraud
234 and protect the public, which regulations shall have the effect of law.]

235 Sec. 4. Section 7-169d of the general statutes is repealed and the
236 following is substituted in lieu thereof (*Effective January 1, 2018*):

237 (a) [As used in] For the purposes of this section, (1) ["bingo"] "bingo
238 game" has the same meaning as provided in section 7-169, as amended
239 by this act, and (2) "bingo products" means bingo ball equipment,
240 bingo cards or bingo paper.

241 (b) Each group or organization authorized to operate or conduct a
242 bingo game or series of bingo games pursuant to sections 7-169 [, 7-

243 169a and] to 7-169c, inclusive, as amended by this act, shall use bingo
244 products that are (1) owned in full by such group or organization, (2)
245 used without compensation by such group or organization, or (3)
246 rented or purchased from a bingo product manufacturer or equipment
247 dealer who is registered with the Commissioner of Consumer
248 Protection in accordance with subsection (c) of this section.

249 (c) Each applicant for registration as a bingo product manufacturer
250 or equipment dealer shall apply to the Commissioner of Consumer
251 Protection on such forms as the commissioner prescribes. The
252 application shall be accompanied by an annual fee of two thousand
253 five hundred dollars payable to the State Treasurer. Each applicant for
254 an initial registration shall submit to state and national criminal history
255 records checks conducted in accordance with section 29-17a before
256 such registration is issued.

257 (d) No registered bingo product manufacturer or equipment dealer
258 shall rent or sell any type of bingo product that has not been approved
259 by the Commissioner of Consumer Protection.

260 (e) The Commissioner of Consumer Protection may revoke for cause
261 any registration issued [in accordance with] pursuant to subsection (c)
262 of this section.

263 (f) The Commissioner of Consumer Protection may adopt
264 regulations, in accordance with chapter 54, to implement the
265 provisions of this section.

266 Sec. 5. Section 7-169e of the general statutes is repealed and the
267 following is substituted in lieu thereof (*Effective January 1, 2018*):

268 (a) For the purposes of this section, "bingo game" and "municipal
269 official" have the same meaning as provided in subsection (a) of
270 section 7-169, as amended by this act.

271 [(a)] (b) Any parent teacher association or organization may operate
272 and conduct [games of bingo, as defined in section 7-169,] bingo games
273 for the amusement and recreation of such association's or

274 organization's members and guests without a permit, as required by
275 [said] section 7-169, as amended by this act, provided (1) such
276 association or organization registers annually with the [Department of
277 Consumer Protection] municipal official and pays an annual
278 registration fee of eighty dollars, (2) such association or organization
279 obtains an identification number from the [department] municipal
280 official, (3) such association or organization charges an admission fee
281 of not more than one dollar, (4) each individual prize of cash or
282 merchandise offered does not exceed fifty dollars in value, and (5) only
283 active members of such association or organization assist in the
284 operation of the games of bingo and assist without compensation. The
285 [Commissioner of Consumer Protection] municipal official may revoke
286 any such registration for cause. [Any registration fees collected in
287 accordance with this subsection shall be remitted to the state.]

288 [(b)] (c) Each such association or organization shall keep accurate
289 records of receipts and disbursements related to such [games of] bingo
290 games, and such records shall be available for inspection by the
291 [Commissioner of Consumer Protection] municipal official.

292 [(c)] (d) Each such association or organization shall be exempt from
293 the requirements of sections 7-169, as amended by this act, and 7-169a,
294 as amended by this act.

295 [(d) The Commissioner of Consumer Protection shall adopt
296 regulations, in accordance with chapter 54, to implement the
297 provisions of this section in order to prevent fraud and protect the
298 public.]

299 Sec. 6. Subsection (h) of section 7-169h of the general statutes is
300 repealed and the following is substituted in lieu thereof (*Effective*
301 *January 1, 2018*):

302 (h) (1) The department may issue a permit to sell sealed tickets to
303 any organization or group specified in subsection [(d)] (c) of section 7-
304 169, as amended by this act, which holds a bingo permit issued in
305 accordance with the provisions of section 7-169, as amended by this

306 act. Such permit shall be renewed annually.

307 (2) The department may issue a permit to sell sealed tickets to any
308 organization or group specified in subsection [(d)] (c) of section 7-169,
309 as amended by this act, which holds a club permit or nonprofit club
310 permit under the provisions of chapter 545. Such permit shall be
311 renewed annually.

312 (3) The department may issue a permit to sell sealed tickets to any
313 organization or group specified in section 7-172 which holds a permit
314 to operate a bazaar, issued in accordance with the provisions of
315 sections 7-170 to 7-186, inclusive, as amended by this act.

316 (4) The department may issue a permit to sell sealed tickets to any
317 charitable, civic, educational, fraternal, veterans' or religious
318 organization, volunteer fire department or grange authorizing such
319 organization to sell sealed tickets in conjunction with any social
320 function or event sponsored or conducted by such organization. Any
321 such organization shall have been organized for not less than two
322 years prior to the date of its application for such permit. Such permit
323 shall be renewed annually.

324 Sec. 7. Section 7-173 of the general statutes is repealed and the
325 following is substituted in lieu thereof (*Effective January 1, 2018*):

326 (a) For the purposes of this section, "municipal official" means the
327 chief of police of the municipality, or if there is no police department,
328 the chief executive officer of the municipality, where the bazaar or
329 raffle is to be conducted.

330 (b) Any organization desiring to operate a bazaar or raffle in a
331 municipality which has adopted the provisions of sections 7-170 to 7-
332 186, inclusive, as amended by this act, shall make application, duly
333 executed and verified, to the [Commissioner of Consumer Protection]
334 municipal official on a form to be prescribed by the [commissioner, in
335 which shall be stated (1) the name and address of the applicant; (2)
336 facts relating to its incorporation or organization; (3) the names, titles

337 and addresses of its officers; (4) the kind of bazaar or raffle intended to
338 be held, operated and conducted by the applicant; (5) the place where
339 such bazaar or raffle is intended to be conducted by the applicant
340 under the permit applied for; (6) the date or dates and the time or
341 times when such bazaar or raffle is intended to be conducted by the
342 applicant under the permit applied for; (7) in the case of a raffle, the
343 number and price of tickets intended to be sold; (8) the items of
344 expense intended to be incurred or paid in connection with the
345 holding, operating and conducting of such bazaar or raffle and the
346 names and addresses of the persons to whom, and the purposes for
347 which, they are to be paid; (9) the items of merchandise offered, the
348 price to be paid by the organization therefor or the retail value of any
349 prize donated, and the names and addresses of the persons from
350 whom purchased or by whom donated; (10) the specific purposes to
351 which the entire net proceeds of such bazaar or raffle are to be devoted
352 and in what manner; and (11)] municipal official. The form shall
353 include, but not be limited to, a description of the bazaar or raffle to be
354 conducted and any other information which the [commissioner]
355 municipal official reasonably requires for the protection of the public.
356 In each application there shall be designated three active members of
357 the applicant under whom the bazaar or raffle described in the
358 application is to be held, operated and conducted and to the
359 application shall be appended a statement signed, under penalty of
360 false statement, by such members so designated that they are residents
361 of this state and will be responsible for the holding, operation and
362 conduct of such bazaar or raffle in accordance with the terms of the
363 permit and the provisions of said sections, and that the statements
364 contained in the application are, to the best of their knowledge and
365 belief, true. [The commissioner shall forward such application to the
366 chief of police of the municipality or, if there is no police department,
367 to the chief executive officer of the municipality.]

368 Sec. 8. Section 7-174 of the general statutes is repealed and the
369 following is substituted in lieu thereof (*Effective January 1, 2018*):

370 After receipt of an application [from the Commissioner of

371 Consumer Protection, the chief of police or chief executive officer, as
372 the case may be, shall, on behalf of the commissioner,] pursuant to
373 section 7-173, as amended by this act, the municipal official, as defined
374 in said section, shall make or cause to be made an investigation of the
375 qualifications of the applicant and the facts stated in the application
376 and, if [such chief of police or chief executive officer] the municipal
377 official determines that the applicant is qualified to hold, operate and
378 conduct a bazaar or raffle under the provisions of sections 7-170 to 7-
379 186, inclusive, as amended by this act, that the members of the
380 applicant designated in the application to hold, operate or conduct
381 such bazaar or raffle are residents of this state, bona fide active
382 members of the applicant and persons of good moral character and
383 have never been convicted of a felony and that such bazaar or raffle is
384 to be held, operated and conducted in accordance with the provisions
385 of said sections, [and administrative regulations issued pursuant
386 thereto, such chief of police or chief executive officer shall, with the
387 approval of the commissioner,] the municipal official shall issue a
388 permit to such applicant. [Any investigation required pursuant to this
389 section of the qualifications of an applicant for a "Class No. 7" permit,
390 authorized pursuant to section 7-175, and any issuance of a "Class No.
391 7" permit shall be made by the commissioner.]

392 Sec. 9. Section 7-176 of the general statutes is repealed and the
393 following is substituted in lieu thereof (*Effective January 1, 2018*):

394 The fees to be charged for permits issued pursuant to section 7-175,
395 as amended by this act, shall be as follows: A "Class No. 1" permit,
396 [fifty dollars,] twenty-five dollars; [to be retained by the state at the
397 time application for the permit is made and twenty-five dollars
398 remitted to the municipality upon issuance of the permit;] a "Class No.
399 2" permit, [twenty dollars,] ten dollars; [to be retained by the state at
400 the time application for the permit is made and ten dollars to be
401 remitted to the municipality upon issuance of the permit;] a "Class No.
402 3" permit, [twenty] ten dollars for each day of the bazaar; [, ten dollars
403 to be retained by the state at the time application for the permit is
404 made and ten dollars to be remitted to the municipality upon issuance

405 of the permit;] a "Class No. 4" permit, five dollars; [, to be remitted to
406 the municipality;] a "Class No. 5" permit, [eighty dollars,] forty dollars;
407 [to be retained by the state at the time application for the permit is
408 made and forty dollars remitted to the municipality upon issuance of
409 the permit;] a "Class No. 6" permit, [one hundred dollars,] fifty dollars;
410 [to be retained by the state at the time application for the permit is
411 made and fifty dollars remitted to the municipality upon issuance of
412 the permit;] and a "Class No. 7" permit, one hundred dollars. [to be
413 retained by the state.]

414 Sec. 10. Subsection (c) of section 7-177a of the general statutes is
415 repealed and the following is substituted in lieu thereof (*Effective*
416 *January 1, 2018*):

417 (c) Any raffle described in subsection (a) or (b) of this section shall
418 conform to the requirements of sections 7-170 to 7-186, inclusive, as
419 amended by this act. Each organization conducting a raffle described
420 in this section shall deposit all proceeds from such raffle in a special
421 checking account established and maintained by the organization
422 which shall be subject to audit by the [Department of Consumer
423 Protection] municipal official, as defined in section 7-173, as amended
424 by this act. Any expense incidental to the conduct of such raffle shall
425 be paid from the gross receipts of raffle tickets and only by checks
426 drawn from such checking account. All cash prizes awarded shall be
427 paid from such checking account.

428 Sec. 11. Section 7-180 of the general statutes is repealed and the
429 following is substituted in lieu thereof (*Effective January 1, 2018*):

430 If there is any change in the facts set forth in the application for a
431 permit to conduct a bazaar or raffle subsequent to the making of such
432 application, the applicant shall immediately notify the [Commissioner
433 of Consumer Protection] municipal official of such change. [, and the
434 commissioner may, if he] The municipal official may, if he or she
435 deems such action advisable in the public interest, revoke such permit.

436 Sec. 12. Section 7-181 of the general statutes is repealed and the

437 following is substituted in lieu thereof (*Effective January 1, 2018*):

438 (a) For the purposes of this section, "municipal official" means the
439 chief of police of the municipality, or if there is no police department,
440 the chief executive officer of the municipality, where the bazaar or
441 raffle is to be conducted or is conducted.

442 [(a)] (b) Whenever it appears to the [Commissioner of Consumer
443 Protection] municipal official, after an investigation that any person is
444 violating or is about to violate any provision of sections 7-170 to [7-185,
445 inclusive, or administrative regulations issued pursuant thereto, the
446 commissioner may in his] 7-182, inclusive, as amended by this act, or
447 made any false statement in any application for a permit or in any
448 report required by the provisions of said sections, the municipal
449 official may in his or her discretion, to protect the public welfare, order
450 that any registration or permit issued pursuant to said sections be
451 immediately suspended or revoked and that the person cease and
452 desist from the actions constituting such violation or which would
453 constitute such violation. [After such an order is issued, the person
454 named therein may, within fourteen days after receipt of the order, file
455 a written request for a hearing. Such hearing shall be held in
456 accordance with the provisions of chapter 54.] Any person aggrieved
457 by any order of the municipal official may appeal to the superior court
458 for the judicial district in which the municipality is located.

459 [(b) Whenever the Commissioner of Consumer Protection finds as
460 the result of an investigation that any person has violated any
461 provision of sections 7-170 to 7-185, inclusive, or administrative
462 regulations issued pursuant thereto or made any false statement in any
463 application for a permit or in any report required by the provisions of
464 said sections, the commissioner may send a notice to such person by
465 certified mail, return receipt requested. Any such notice shall include
466 (1) a reference to the section or regulation alleged to have been violated
467 or the application or report in which an alleged false statement was
468 made, (2) a short and plain statement of the matter asserted or
469 charged, (3) the fact that any registration or permit issued pursuant to

470 sections 7-170 to 7-185, inclusive, may be suspended or revoked for
471 such violation or false statement and the maximum penalty that may
472 be imposed for such violation or false statement, and (4) the time and
473 place for the hearing. Such hearing shall be fixed for a date not earlier
474 than fourteen days after the notice is mailed.

475 (c) The commissioner shall hold a hearing upon the charges made
476 unless such person fails to appear at the hearing. Such hearing shall be
477 held in accordance with the provisions of chapter 54. If such person
478 fails to appear at the hearing or if, after the hearing, the commissioner
479 finds that such person committed such a violation or made such a false
480 statement, the commissioner may, in his discretion, suspend or revoke
481 such registration or permit and order that a civil penalty of not more
482 than two hundred dollars be imposed upon such person for such
483 violation or false statement. The commissioner shall send a copy of any
484 order issued pursuant to this subsection by certified mail, return
485 receipt requested, to any person named in such order. Any person
486 aggrieved by a decision of the commissioner under this subsection
487 shall have a right of appeal pursuant to section 4-183.]

488 [(d)] (c) Whenever the [commissioner] municipal official revokes a
489 permit issued pursuant to sections 7-170 to 7-186, inclusive, as
490 amended by this act, [the issuing authority] the municipal official shall
491 not issue any permit to such permittee for three years after the date of
492 such violation.

493 Sec. 13. Section 7-182 of the general statutes is repealed and the
494 following is substituted in lieu thereof (*Effective January 1, 2018*):

495 Any sponsoring organization that holds, operates or conducts any
496 bazaar or raffle, and its members who were in charge thereof, shall
497 furnish to the [Commissioner of Consumer Protection a verified
498 statement] municipal official, as defined in subsection (a) of section 7-
499 181, as amended by this act, a report showing (1) the amount of the
500 gross receipts derived from each bazaar or raffle, (2) in the case of a
501 raffle, the number and price of tickets sold, (3) each item of expense
502 incurred or paid, and each item of expenditure made or to be made

503 and the name and address of each person to whom each such item has
504 been or is to be paid, (4) the net profit derived from each bazaar or
505 raffle and the uses to which the net profit has been or is to be applied,
506 and (5) a list of prizes of a retail value of fifty dollars or more offered or
507 given with the amount paid for each prize purchased or the retail
508 value for each prize donated and the names and addresses of the
509 persons to whom the prizes were given. Such report shall be furnished
510 during the next succeeding month. The [commissioner] municipal
511 official shall keep such report on file and available for public
512 inspection for a period of one year thereafter. The sponsoring
513 organization shall maintain and keep any books and records that may
514 be necessary to substantiate the particulars of such report, which books
515 and records shall be preserved for at least one year from the date of
516 such report and shall be available for inspection. Such report shall be
517 certified to under penalty of false statement by the three persons
518 designated in the permit application as being responsible for the
519 bazaar or raffle.

520 Sec. 14. Section 7-183 of the general statutes is repealed and the
521 following is substituted in lieu thereof (*Effective January 1, 2018*):

522 Each such report may be examined by the [Commissioner of
523 Consumer Protection] municipal official, as defined in subsection (a) of
524 section 7-181, as amended by this act, and compared with the original
525 application. The [commissioner] municipal official may refer any
526 violation of sections 7-170 to [7-185] 7-182, inclusive, as amended by
527 this act, [or administrative regulations issued pursuant thereto found
528 therein] to the office of the state's attorney having jurisdiction over the
529 municipality in which the sponsoring organization is located and, if
530 the bazaar or raffle was located in a different municipality than the
531 municipality in which the sponsoring organization is located, to the
532 office of the state's attorney having jurisdiction over the municipality
533 in which the bazaar or raffle was located. Such state's attorney office
534 shall investigate and take such action as the facts require.

535 Sec. 15. Section 7-185a of the general statutes is repealed and the

536 following is substituted in lieu thereof (*Effective January 1, 2018*):

537 (a) Notwithstanding the provisions of sections 7-170 to 7-186,
538 inclusive, as amended by this act, [and the regulations adopted
539 thereunder,] any organized church, volunteer fire company or veterans
540 organization or association conducting a bazaar or raffle, (1) may be
541 permitted to redeem prizes in cash; (2) shall be exempt from the
542 requirement of preserving unsold raffle tickets beyond ninety days
543 after the conclusion of the holding, operating and conducting of such
544 bazaar or raffle and shall be permitted to dispose of unclaimed prizes
545 after such ninety days; and (3) may file a reconciliation of expenditures
546 and receipts signed by an officer in lieu of an accountant.

547 (b) Notwithstanding the provisions of sections 7-170 to 7-186,
548 inclusive, as amended by this act, [and the regulations adopted
549 thereunder,] any sponsoring organization qualified to conduct a
550 bazaar or raffle under the provisions of section 7-172 may conduct
551 such bazaar or have the actual drawing of such raffle in a municipality
552 other than the municipality which grants the permit, provided the
553 chief of police or if there is no police department, the chief executive
554 officer of the other municipality has in writing approved such bazaar
555 or drawing.

556 (c) Notwithstanding the provisions of section 7-177, any sponsoring
557 organization conducting a bazaar may operate "fifty-fifty" coupon
558 games each day of a permitted bazaar event and may award cash
559 prizes of fifty per cent of "fifty-fifty" coupon game sales for each
560 coupon drawing conducted. Not more than three scheduled drawings
561 may be held on any day on which a bazaar is permitted. A "fifty-fifty"
562 coupon game shall be operated from an authorized bazaar booth [,
563 subject to the regulation of the Commissioner of Consumer Protection]
564 and shall allow for the sale of "fifty-fifty" coupons at a predetermined
565 uniform price. Each "fifty-fifty" coupon shall be consecutively
566 numbered and shall have a correspondingly numbered stub. Each
567 sponsoring organization shall provide different colored coupons for
568 each drawing and shall award one prize for each drawing held. Each

569 sponsoring organization conducting such games shall conspicuously
570 post, at each bazaar booth at which such games are conducted, a notice
571 or notices which shall include the dates, times and places of any "fifty-
572 fifty" coupon drawings, as well as the prices and colors of coupons to
573 be sold for each drawing. The [commissioner] municipal officer shall
574 prescribe the form of such notice which shall contain the following
575 statement: "Holders of coupons must be present to claim a prize." Each
576 such organization shall account for each coupon printed and sold for
577 each drawing and shall announce the amount of sales and the prize to
578 be awarded immediately prior to each drawing. The sponsoring
579 organization shall preserve all sold and unsold coupons or stubs for a
580 period of at least one year from the date of the verified statement
581 required pursuant to section 7-182, as amended by this act.

582 (d) Notwithstanding the provisions of section 7-177, any sponsoring
583 organization qualified to conduct a bazaar or raffle under the
584 provisions of section 7-172 may operate a cow-chip raffle once a
585 calendar year and may award cash prizes in connection with
586 participation in such a raffle, in addition to those prizes authorized
587 pursuant to section 7-177. Such raffles shall conform to the provisions
588 of sections 7-170 to 7-186, inclusive, as amended by this act. [and shall
589 be subject to regulation by the Commissioner of Consumer Protection.]
590 A cow-chip raffle shall allow for the sale of consecutively numbered
591 tickets with correspondingly numbered stubs, entitling the holders of
592 such tickets to the temporary possession of a plot of land for purposes
593 of the conduct of the cow-chip raffle. Each sponsoring organization
594 conducting a cow-chip raffle shall provide for a suitable land area on
595 which the cow-chip raffle activity is to be conducted. The area shall be
596 sufficiently enclosed so as to confine any animal utilized in the conduct
597 of a cow-chip raffle during the period in which the animal is so
598 utilized. The area shall be adequately marked so as to display the
599 number of plots to be utilized, which shall correspond to the number
600 of cow-chip raffle tickets to be sold. The manner in which winners in a
601 cow-chip raffle are determined shall be clearly stated prior to the
602 commencement of a cow-chip raffle drawing and each sponsoring
603 organization shall conspicuously post an information board which

604 shall display the consecutively numbered plots of the cow-chip raffle
605 event. A cow-chip raffle drawing shall commence at a designated time
606 and shall continue until all winners of authorized prizes have been
607 determined. No person may feed, lead or handle any animal utilized in
608 a cow-chip raffle once the animal has entered into the enclosed area
609 from which winners will be determined. Each sponsoring organization
610 conducting a cow-chip raffle shall deposit all proceeds from the
611 conduct of such raffle in a special checking account established and
612 maintained by such organization, which shall be subject to audit by the
613 [commissioner] municipal official. Any expense incidental to the
614 conduct of such raffle shall be paid from the gross receipts of cow-chip
615 raffle tickets and only by checks drawn from such checking account.
616 All cash prizes awarded shall be paid from such checking account.

617 (e) Notwithstanding the provisions of sections 7-170 to 7-186,
618 inclusive, as amended by this act, [and the regulations adopted
619 pursuant to said sections,] any sponsoring organization conducting a
620 bazaar may operate a "teacup raffle" and may, through the sale of
621 chances, award prizes consisting of gift certificates or merchandise. No
622 such organization may conduct more than one scheduled "teacup
623 raffle" drawing for all prizes offered on any day on which a bazaar is
624 permitted. A "teacup raffle" shall be operated from an authorized
625 bazaar booth, [, and shall be subject to regulation by the Commissioner
626 of Consumer Protection.] Each "teacup raffle" ticket shall (1) be
627 consecutively numbered and have a correspondingly numbered stub
628 that shall include the name, address and telephone number of the
629 purchaser, or (2) be a sheet containing up to twenty-five coupons, each
630 bearing the same number, and including a "hold" stub for the
631 purchaser and a correspondingly numbered stub including the name,
632 address and telephone number of the purchaser. Sheet tickets shall be
633 made available for purchase by permittees as fund raising items at a
634 price not to exceed ten per cent above the purchase price. Each
635 sponsoring organization conducting such raffle shall conspicuously
636 post, at each bazaar booth at which such raffle is conducted, a notice or
637 notices that include the date and time of any "teacup raffle" drawing.
638 The sponsoring organization shall preserve all sold and unsold tickets

639 or stubs for a period of at least one year from the date of the verified
640 statement required pursuant to section 7-182, as amended by this act.

641 (f) [(1)] Any sponsoring organization qualified to conduct a bazaar
642 or raffle under the provisions of section 7-172 may operate a duck-race
643 raffle once each calendar year. Such raffles shall conform to the
644 provisions of sections 7-170 to 7-186, inclusive, as amended by this act.
645 [and shall be subject to regulation by the Commissioner of Consumer
646 Protection.] For the purpose of this subsection, "duck-race raffle"
647 means a raffle in which artificial ducks, numbered consecutively to
648 correspond with the number of tickets sold for such raffle, are placed
649 in a naturally moving stream of water at a designated starting point
650 and in which the ticket corresponding to the number of the first duck
651 to pass a designated finishing point is the winning ticket. [(2) The
652 commissioner shall adopt regulations, in accordance with chapter 54,
653 that establish procedures for the operation of duck-race raffles.]

654 (g) [(1)] Any sponsoring organization qualified to conduct a bazaar
655 or raffle under the provisions of section 7-172 may operate a frog-race
656 raffle once each calendar year. Such raffles shall conform to the
657 provisions of sections 7-170 to 7-186, inclusive, as amended by this act.
658 [and shall be subject to regulation by the Commissioner of Consumer
659 Protection.] For the purpose of this subsection, "frog-race raffle" means
660 a raffle in which artificial frogs [conforming to specifications approved
661 by the commissioner and] numbered consecutively to correspond with
662 the number of tickets sold for such raffle, are placed in a naturally
663 moving stream of water at a designated starting point and in which the
664 ticket corresponding to the number of the first frog to pass a
665 designated finishing point is the winning ticket. [(2) The commissioner
666 shall adopt regulations, in accordance with chapter 54, that establish
667 procedures for the operation of frog-race raffles.]

668 (h) [(1)] Any sponsoring organization qualified to conduct a bazaar
669 or raffle under the provisions of section 7-172 may operate a golf ball-
670 drop raffle once each calendar year. Any such raffle shall conform to
671 the provisions of sections 7-170 to 7-186, inclusive, as amended by this

672 act. [and shall be subject to regulation by the Commissioner of
673 Consumer Protection.] For the purposes of this subsection, "golf ball-
674 drop raffle" means a raffle in which golf balls, numbered consecutively
675 to correspond with the number of tickets sold for such raffle, are
676 dropped from a pay loader, bucket truck, crane or similar vehicle,
677 platform, helicopter, hot air balloon or other aircraft hovering above a
678 designated target, and in which the ticket corresponding to the
679 number of the first golf ball to be closest to the center of the designated
680 target is the winning ticket. [(2) The commissioner shall adopt
681 regulations, in accordance with chapter 54, establishing procedures for
682 the operation of golf ball-drop raffles.]

683 Sec. 16. Section 7-185b of the general statutes is repealed and the
684 following is substituted in lieu thereof (*Effective January 1, 2018*):

685 (a) [As used in] For the purposes of this section, "tuition raffle"
686 means a raffle in which the prize is payment of the tuition or part of
687 the tuition at an educational institution or payment of a student loan or
688 part of a student loan for a student recipient designated by the raffle
689 winner, and "municipal official" means the chief of police of the
690 municipality, or if there is no police department, the chief executive
691 officer of the municipality, where the tuition raffle is to be conducted
692 or is conducted.

693 (b) Notwithstanding the provisions of sections 7-170 to 7-186,
694 inclusive, as amended by this act, any organization qualified to
695 conduct a bazaar or raffle under section 7-172 may conduct a [special]
696 tuition raffle once each calendar year. The [Commissioner of
697 Consumer Protection shall adopt such regulations, in accordance with
698 chapter 54, as are necessary to carry out the provisions of this section.
699 Said regulations shall] municipality where the tuition raffle is to be
700 conducted shall, by ordinance, (1) allow any organization permitted to
701 conduct a [special] tuition raffle to fund all or a part of a student
702 recipient's education or to pay all or part of a student recipient's
703 student loan each year for a period not to exceed four years, (2) permit
704 the student recipient to be the actual tuition raffle winner, a relative of

705 the raffle winner or a student chosen by the raffle winner, (3) give
706 authority to the sponsoring organization to permit the tuition prize to
707 be divided among student recipients designated by the raffle winner,
708 (4) provide that the tuition prize be paid each consecutive year,
709 commencing with the first year of the student recipient's education at
710 an accredited private or parochial school, or public or independent
711 institution of higher education selected by the student recipient, (5)
712 provide that the tuition prize be paid directly to the educational
713 institution or financial institution that made the student loan
714 designated by the student recipient, and no tuition prize shall be
715 redeemed or redeemable for cash, and (6) provide that the tuition raffle
716 winner have a period not to exceed four years to designate a student
717 recipient. For the purposes of this section, "financial institution" means
718 a bank, as defined in section 36a-2, an out-of-state bank, as defined in
719 section 36a-2, a Connecticut credit union, as defined in section 36a-2,
720 an out-of-state credit union, as defined in section 36a-2, an institutional
721 lender, any subsidiary or affiliate of such bank, out-of-state bank,
722 Connecticut credit union, out-of-state credit union or institutional
723 lender, or other lender licensed by the Department of Banking.

724 (c) All proceeds of the [special] tuition raffle shall be deposited in a
725 special dedicated bank account approved by the [Commissioner of
726 Consumer Protection] municipal official, and all [special] tuition raffle
727 expenses shall be paid from such account. The [commissioner]
728 municipal official shall prescribe the maintenance of tuition raffle
729 accounts by any sponsoring organization and such accounts shall be
730 subject to audit by the [commissioner or a designee. The
731 commissioner] municipal official. The municipal official may require
732 any organization conducting a tuition raffle to post a performance
733 bond in an amount sufficient to fully fund the [special] tuition raffle
734 prize to be awarded.

735 (d) Any organization permitted to conduct a [special] tuition raffle
736 shall file a tuition raffle financial report in a manner prescribed by the
737 [commissioner] municipal official. Such report shall detail the status of
738 the tuition prize money or the raffle and any other information that the

739 [commissioner] municipal official may require, on a quarterly basis,
740 during the months of January, April, July and October, until all tuition
741 or student loan payments for each [special] tuition raffle have been
742 paid.

743 Sec. 17. Section 7-186 of the general statutes is repealed and the
744 following is substituted in lieu thereof (*Effective January 1, 2018*):

745 Any person who violates any provision of sections 7-170 to [7-185,
746 inclusive, or administrative regulations issued pursuant thereto] 7-182,
747 inclusive, as amended by this act, or who makes any false statement in
748 any application for a permit or in any report required by the
749 provisions of said sections shall be fined not more than one thousand
750 dollars or imprisoned not more than one year or be both fined and
751 imprisoned.

752 Sec. 18. Section 20-340 of the general statutes is repealed and the
753 following is substituted in lieu thereof (*Effective January 1, 2018*):

754 The provisions of this chapter shall not apply to: (1) Persons
755 employed by any federal, state or municipal agency; (2) employees of
756 any public service company regulated by the Public Utilities
757 Regulatory Authority or of any corporate affiliate of any such
758 company when the work performed by such affiliate is on behalf of a
759 public service company, but in either case only if the work performed
760 is in connection with the rendition of public utility service, including
761 the installation or maintenance of wire for community antenna
762 television service, or is in connection with the installation or
763 maintenance of wire or telephone sets for single-line telephone service
764 located inside the premises of a consumer; (3) employees of any
765 municipal corporation specially chartered by this state; (4) employees
766 of any contractor while such contractor is performing electrical-line or
767 emergency work for any public service company; (5) persons engaged
768 in the installation, maintenance, repair and service of electrical or other
769 appliances of a size customarily used for domestic use where such
770 installation commences at an outlet receptacle or connection
771 previously installed by persons licensed to do the same and

772 maintenance, repair and service is confined to the appliance itself and
773 its internal operation; (6) employees of industrial firms whose main
774 duties concern the maintenance of the electrical work, plumbing and
775 piping work, solar thermal work, heating, piping, cooling work, sheet
776 metal work, elevator installation, repair and maintenance work,
777 automotive glass work or flat glass work of such firm on its own
778 premises or on premises leased by it for its own use; (7) employees of
779 industrial firms when such employees' main duties concern the
780 fabrication of glass products or electrical, plumbing and piping, fire
781 protection sprinkler systems, solar, heating, piping, cooling, chemical
782 piping, sheet metal or elevator installation, repair and maintenance
783 equipment used in the production of goods sold by industrial firms,
784 except for products, electrical, plumbing and piping systems and
785 repair and maintenance equipment used directly in the production of a
786 product for human consumption; (8) persons performing work
787 necessary to the manufacture or repair of any apparatus, appliances,
788 fixtures, equipment or devices produced by it for sale or lease; (9)
789 employees of stage and theatrical companies performing the operation,
790 installation and maintenance of electrical equipment if such
791 installation commences at an outlet receptacle or connection
792 previously installed by persons licensed to make such installation; (10)
793 employees of carnivals, circuses or similar transient amusement shows
794 who install electrical work, provided such installation shall be subject
795 to the approval of the State Fire Marshal prior to use as otherwise
796 provided by law and shall comply with applicable municipal
797 ordinances and regulations; (11) persons engaged in the installation,
798 maintenance, repair and service of glass or electrical, plumbing, fire
799 protection sprinkler systems, solar, heating, piping, cooling and sheet
800 metal equipment in and about single-family residences owned and
801 occupied or to be occupied by such persons; provided any such
802 installation, maintenance and repair shall be subject to inspection and
803 approval by the building official of the municipality in which such
804 residence is located and shall conform to the requirements of the State
805 Building Code; (12) persons who install, maintain or repair glass in a
806 motor vehicle owned or leased by such persons; (13) persons or entities

807 holding themselves out to be retail sellers of glass products, but not
808 such persons or entities that also engage in automotive glass work or
809 flat glass work; (14) persons who install preglazed or preassembled
810 windows or doors in residential or commercial buildings; (15) persons
811 registered under chapter 400 who install safety-backed mirror
812 products or repair or replace flat glass in sizes not greater than thirty
813 square feet in residential buildings; (16) sheet metal work performed in
814 residential buildings consisting of six units or less by new home
815 construction contractors registered pursuant to chapter 399a, by home
816 improvement contractors registered pursuant to chapter 400 or by
817 persons licensed pursuant to this chapter, when such work is limited
818 to exhaust systems installed for hoods and fans in kitchens and baths,
819 clothes dryer exhaust systems, radon vent systems, fireplaces, fireplace
820 flues, masonry chimneys or prefabricated metal chimneys rated by
821 Underwriters Laboratories or installation of stand-alone appliances
822 including wood, pellet or other stand-alone stoves that are installed in
823 residential buildings by such contractors or persons; (17) employees of
824 or any contractor employed by and under the direction of a properly
825 licensed solar contractor, performing work limited to the hoisting,
826 placement and anchoring of solar collectors, photovoltaic panels,
827 towers or turbines; [(18) persons performing swimming pool
828 maintenance and repair work authorized pursuant to section 20-
829 417aa;] and [(19)] (18) any employee of the Connecticut Airport
830 Authority covered by a state collective bargaining agreement.

831 Sec. 19. Section 20-340e of the general statutes is repealed and the
832 following is substituted in lieu thereof (*Effective January 1, 2018*):

833 (a) As used in this section, (1) "above-ground swimming pool"
834 means any structure intended for swimming that is assembled above
835 ground and is greater than twenty-four inches in depth, and (2)
836 "swimming pool assembler" means a person, who for financial
837 compensation, assembles an above-ground swimming pool.

838 (b) On and after the adoption of regulations required pursuant to
839 subsection (c) of this section, no person shall assemble an above-

840 ground swimming pool unless such person holds a swimming pool
841 assembler's license issued by the Commissioner of Consumer
842 Protection.

843 (c) Not later than April 1, 2016, the commissioner shall adopt
844 regulations, in accordance with the provisions of chapter 54, to
845 implement the provisions of this section, including establishing the
846 amount and type of experience and training, and continuing education
847 and examination requirements for a person to obtain and renew a
848 swimming pool assembler's license.

849 (d) The holder of a swimming pool assembler's license issued
850 pursuant to this section shall comply with the provisions of chapter
851 400 regarding registration as a home improvement contractor.

852 (e) A person licensed as a swimming pool assembler pursuant to
853 this section shall not perform electrical work, plumbing and piping
854 work or heating, piping and cooling work, as defined in section 20-330,
855 unless such person is licensed to perform such work pursuant to this
856 chapter.

857 (f) On and after the adoption of regulations required pursuant to
858 subsection (c) of this section, any person applying to the Department
859 of Consumer Protection for a swimming pool assembler's license shall
860 be issued such license without examination upon demonstration by the
861 applicant of experience and training equivalent to the experience and
862 training required to qualify for examination for such license, if such
863 applicant makes such application to the department not later than
864 January 1, 2017.

865 (g) The initial fee for a swimming pool assembler's license shall be
866 one hundred fifty dollars and the renewal fee for such license shall be
867 one hundred dollars. Licenses shall be valid for a period of one year
868 from the date of issuance.

869 [(h) Any holder of a swimming pool builder's license issued
870 pursuant to section 20-340d or holder of a limited swimming pool

871 maintenance and repair contractor's license issued pursuant to section
872 20-417aa applying to the department for a swimming pool assembler's
873 license shall be issued such license without examination and shall not
874 be required to complete any continuing education requirements
875 established by the commissioner for a swimming pool assembler's
876 license.]

877 [(i)] (h) Any person who assembles an above-ground swimming
878 pool on residential property owned by such person shall be exempt
879 from the provisions of this section.

880 Sec. 20. Section 21a-234 of the general statutes is repealed and the
881 following is substituted in lieu thereof (*Effective January 1, 2018*):

882 (a) No person shall act as a manufacturer, supply dealer, importer,
883 renovator or secondhand dealer without first completing an
884 application and obtaining a numbered license from the commissioner.
885 [Based on the information furnished in the application, the
886 commissioner shall determine and issue the appropriate license.] The
887 license shall be conspicuously posted in the establishment of the
888 person to whom the license is issued. A license shall be valid for one
889 year.

890 (b) Any method of sterilization or sanitation used in connection
891 with this chapter shall require the prior approval of the commissioner.
892 Each person who wishes to sterilize or sanitize bedding or filling
893 material shall complete an application and obtain a numbered permit
894 from the commissioner. The permit must be conspicuously posted in
895 the establishment of the person to whom the permit is issued. Each
896 permit shall cost twenty-five dollars and shall be valid for one year.

897 (c) Manufacturers shall pay, prior to the issuance or reissuance of a
898 [manufacturers'] license, a fee of one hundred dollars. The licensee
899 may then operate as a manufacturer, supply dealer, renovator or
900 secondhand dealer. Supply dealers shall pay, prior to the issuance or
901 reissuance of a [supply dealers'] license, a fee of one hundred dollars.
902 The licensee may then operate as a supply dealer, renovator or

903 secondhand dealer. Renovators shall pay, prior to the issuance or
904 reissuance of a [renovators'] license, a fee of fifty dollars. The licensee
905 may then operate as a renovator and secondhand dealer. Secondhand
906 dealers shall pay, prior to the issuance or reissuance of a [secondhand
907 dealers'] license, a fee of fifty dollars. The licensee may then operate as
908 a secondhand dealer. Importers shall pay, prior to the issuance or
909 reissuance of [an importer's] a license, a fee of one hundred dollars.

910 (d) A person shall be entitled to a refund of a license or permit fee
911 only in the case of error on the part of the department.

912 Sec. 21. Subsection (b) of section 51-164n of the general statutes is
913 repealed and the following is substituted in lieu thereof (*Effective*
914 *January 1, 2018*):

915 (b) Notwithstanding any provision of the general statutes, any
916 person who is alleged to have committed (1) a violation under the
917 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
918 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
919 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,
920 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
921 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
922 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
923 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
924 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
925 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
926 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
927 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
928 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
929 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
930 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
931 14-153 or 14-163b, a first violation as specified in subsection (f) of
932 section 14-164i, section 14-219 as specified in subsection (e) of said
933 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
934 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
935 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)

936 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-300, 14-300d, 14-
937 319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1),
938 (2) or (3) of section 14-386a, section 15-25 or 15-33, subdivision (1) of
939 section 15-97, subsection (a) of section 15-115, section 16-44, 16-256e,
940 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24,
941 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137,
942 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a,
943 section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-222,
944 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336,
945 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231,
946 20-249, 20-257, 20-265, 20-324e, 20-341l, 20-366, 20-597, 20-608, 20-610,
947 21-1, [21-30,] 21-38, 21-39, 21-43, 21-47, 21-48, 21-63 or 21-76a,
948 subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of
949 subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a)
950 of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection
951 (b) of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of
952 subsection (a) of section 21a-159, subsection (a) of section 21a-279a,
953 section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-
954 36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54,
955 subsection (d) of section 22-84, section 22-89, 22-90, 22-98, 22-99, 22-
956 100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326
957 or 22-342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-
958 366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of
959 section 22a-250, subsection (e) of section 22a-256h, section 22a-363 or
960 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449,
961 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or subdivision (1)
962 of subsection (c) of section 23-65, section 25-37 or 25-40, subsection (a)
963 of section 25-43, section 25-43d, 25-135, 26-16, 26-18, 26-19, 26-21, 26-31,
964 26-31c, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59,
965 subdivision (1) of subsection (d) of section 26-61, section 26-64,
966 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,
967 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-
968 138 or 26-141, subdivision (2) of subsection (j) of section 26-142a,
969 subdivision (1) of subsection (b) of section 26-157b, subdivision (1) of
970 section 26-186, section 26-207, 26-215, 26-217 or 26-224a, subdivision (1)

971 of section 26-226, section 26-227, 26-230, 26-232, 26-244, 26-257a, 26-260,
 972 26-276, 26-284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-6a, 29-25, 29-
 973 143o, 29-143z or 29-156a, subsection (b), (d), (e) or (g) of section 29-
 974 161q, section 29-161y or 29-161z, subdivision (1) of section 29-198,
 975 section 29-210, 29-243 or 29-277, subsection (c) of section 29-291c,
 976 section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12,
 977 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-38,
 978 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54, subsection (a) or
 979 (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or
 980 31-134, subsection (i) of section 31-273, section 31-288, subdivision (1)
 981 of section 35-20, section 36a-787, 42-230, 45a-283, 45a-450, 45a-634 or
 982 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-
 983 22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199, 53-212a,
 984 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-321, 53-
 985 322, 53-323, 53-331 or 53-344, subsection (c) of section 53-344b, or
 986 section 53-450, or (2) a violation under the provisions of chapter 268, or
 987 (3) a violation of any regulation adopted in accordance with the
 988 provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any
 989 ordinance, regulation or bylaw of any town, city or borough, except
 990 violations of building codes and the health code, for which the penalty
 991 exceeds ninety dollars but does not exceed two hundred fifty dollars,
 992 unless such town, city or borough has established a payment and
 993 hearing procedure for such violation pursuant to section 7-152c, shall
 994 follow the procedures set forth in this section.

995 Sec. 22. Sections 7-185, 20-340d, 20-417aa, 20-559 to 20-559s,
 996 inclusive, 20-650 to 20-656, inclusive, 21-27 to 21-35, inclusive, and 30-
 997 17b of the general statutes are repealed. (*Effective January 1, 2018*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2018</i>	7-169
Sec. 2	<i>January 1, 2018</i>	7-169a
Sec. 3	<i>January 1, 2018</i>	7-169c
Sec. 4	<i>January 1, 2018</i>	7-169d
Sec. 5	<i>January 1, 2018</i>	7-169e

Sec. 6	<i>January 1, 2018</i>	7-169h(h)
Sec. 7	<i>January 1, 2018</i>	7-173
Sec. 8	<i>January 1, 2018</i>	7-174
Sec. 9	<i>January 1, 2018</i>	7-176
Sec. 10	<i>January 1, 2018</i>	7-177a(c)
Sec. 11	<i>January 1, 2018</i>	7-180
Sec. 12	<i>January 1, 2018</i>	7-181
Sec. 13	<i>January 1, 2018</i>	7-182
Sec. 14	<i>January 1, 2018</i>	7-183
Sec. 15	<i>January 1, 2018</i>	7-185a
Sec. 16	<i>January 1, 2018</i>	7-185b
Sec. 17	<i>January 1, 2018</i>	7-186
Sec. 18	<i>January 1, 2018</i>	20-340
Sec. 19	<i>January 1, 2018</i>	20-340e
Sec. 20	<i>January 1, 2018</i>	21a-234
Sec. 21	<i>January 1, 2018</i>	51-164n(b)
Sec. 22	<i>January 1, 2018</i>	Repealer section

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 18 \$	FY 19 \$
Consumer Protection, Dept.	GF - Revenue Gain	60,294	60,294
Consumer Protection, Dept.	GF - Revenue Loss	Less than 59,440	Less than 59,440

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 18 \$	FY 19 \$
All Municipalities	Revenue Gain	Minimal	Minimal

Explanation

State Impact

The bill results in a General Fund revenue loss of less than \$59,440 in both FY 18 and FY 19 through shifting most charitable gaming regulation to municipalities and eliminating several licenses and one certificate. In FY 16, the Department of Consumer Protection (DCP) took in \$40,220 in bingo, bazaar, and raffle revenues, including some funds it then distributed to municipalities. A small portion of the revenues formerly retained by the state, along with the share previously distributed to municipalities from the state, will now go directly to host municipalities. The occupational licenses and certification eliminated under the bill generated \$19,220 in General Fund revenues in FY 19.

The General Fund losses under the bill will be offset by a revenue gain of \$60,294 as the state shifts to a different type of swimming pool

licensure. These changes have a net impact on the General Fund of an \$854 revenue gain.

Municipal Impact

There is expected to be a minimal revenue gain to municipalities, resulting from the shift in most charitable gaming regulation from DCP to municipalities. Municipalities will now receive revenue from 1) permit fees and 2) 5% of gross receipts from organizations who administer bingo games. These fees include \$75 for Class A permits, \$5 per day for Class B permits, and \$50 for Class C permits. Parent Teacher Associations must pay \$80, but will not receive a permit.

The bill is not anticipated to result in any additional cost to municipalities. As municipalities, under current law, share the responsibility for charitable gaming regulation with DCP, it is anticipated that they have the expertise to carry out the additional responsibility under the bill's provisions.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of permits issued for various charitable games.

Sources: Dept. of Consumer Protection

OLR Bill Analysis**sSB 191*****AN ACT CONCERNING CHARITABLE BINGO GAMES, BAZAARS, RAFFLES, THE DEPARTMENT OF CONSUMER PROTECTION AND OCCUPATIONAL LICENSING.*****SUMMARY**

This bill generally transfers the Department of Consumer Protection's (DCP) charitable gaming (e.g., bingo, bazaars or raffles) investigation, oversight, and permitting functions to the municipality where the games occurs. But the department retains the permitting and sales scheme for sealed tickets.

Under current law, DCP and the municipality share certain regulatory oversight and permitting powers, including certain permit fees. As a result of the transfer, the bill generally reduces the bazaar or raffle permit fees by half because the organizations qualified to conduct these games no longer need to pay the state for its portion of the permit fee. The bill also eliminates the administrative hearing process and instead allows anyone aggrieved by an order to appeal to Superior Court.

The bill also eliminates the following DCP occupational licenses, registrations, and certificates:

1. swimming pool builders' license (CGS § 20-340d),
2. swimming pool maintenance and repair license (CGS § 20-417aa),
3. athlete agent registration (CGS §§ 20-559 to -559s),
4. shorthand reporters license (CGS §§ 20-650 to -656),
5. itinerant vendors license (CGS § 21-27 to -35), and

6. liquor wholesaler's salesman certificates (CGS § 30-17b).

Under the bill, the people performing these tasks no longer need a state credential to perform such work.

The bill also makes minor, technical, and conforming changes.

EFFECTIVE DATE: January 1, 2018

CHARITABLE GAMING

The bill generally transfers DCP's charitable gaming investigation, oversight, and permitting functions to the municipality where the games occurs, but not DCP's permitting and sales scheme for sealed tickets, which remain with the department.

In transferring DCP's functions to the municipality, the bill specifies the commissioner's responsibilities are given to the municipal official where the games occur. A municipal official is the municipality's chief of police, or if there is no police department, the chief executive officer.

Bingo Inspection

The bill eliminates the requirement that receipt and disbursement information the municipality acquires from a bingo operator's records be available to the emergency services and public protection commissioner upon her request.

Elimination of Charitable Gaming Administrative Hearings

The bill eliminates the administrative hearing process and instead allows anyone aggrieved by an order to appeal to the Superior Court where the municipality is located.

Current law requires the DCP commissioner, after an investigation, to send notice to the suspected violator. The hearing must occur at least 30 days after the notice is mailed. The commissioner must conduct the hearing and appeal in accordance with the Uniform Administrative Procedure Act.

False Statements Penalties

Current law allows the DCP commissioner to suspend or revoke a permit or impose a civil penalty of up to \$200 for anyone who makes a false statement on any permit application or on any report the commissioner requires. The bill (1) transfers to the municipal official the ability to suspend and revoke a permit but not the ability to impose civil penalties and (2) allows the municipal official to issue cease and desist orders for such false statements.

Bazaar or Raffle Application Form

Current law requires any organization applying to operate a bazaar or raffle to apply to DCP on a form that includes, among other things, the (1) applicant's name and address, (2) types of games intended to be held, (3) place where it will be held, (4) types of prizes offered, and (5) purpose of the bazaar or raffle. The bill eliminates these requirements and instead requires the municipal official to prescribe the application form, which must include a description of the bazaar or raffle to be conducted.

Raffle Fees

The bill reduces the permit fees by half, except for the Class 7 permit fee, which remains the same. By law, Class 7 permits allow for (1) the operation of raffles for 15 months, (2) up to 12 prize drawings on separate dates, and (3) the aggregate value of prizes of up to \$50,000.

Under current law, except for the Class 7 permit, applicants pay their bazaar and raffle permit fees separately to DCP and the municipality where the event is held. The bill eliminates the state fee, thus reducing the permitting cost by half.

Class 7 Permits

The bill transfers the authority and fees associated with the Class 7 permit from DCP to municipalities. Under current law, DCP solely permits and investigates the qualifications of Class 7 permits.

SWIMMING POOL ASSEMBLER'S LICENSEES

Under current law, a swimming pool builder's licensee or a limited

swimming pool maintenance and repair contractor’s licensee could be issued a swimming pool assembler’s license without an exam. Additionally, people holding a swimming pool assembler’s license and either of these licenses are not required to complete any continuing education classes.

The bill eliminates both the swimming pool builder’s license and limited swimming pool maintenance and repair contractor’s license. Therefore, it requires all swimming pool assembler’s licensees to take continuing education classes.

BACKGROUND

Related Bills

HB 7137, reported favorably by the Public Safety and Security Committee, also generally transfers DCP’s charitable gaming investigation, oversight, and permitting functions to the municipality where the games occurs.

HB 6041, reported favorably by the Public Safety and Security Committee, allows most organizations qualified for a bazaar or raffles permit to sell raffle tickets online.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/07/2017)