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## **OLR Bill Analysis**

### **sSB 194**

#### ***AN ACT CONCERNING DEPARTMENT OF CONSUMER PROTECTION LICENSE STREAMLINING.***

#### **SUMMARY**

This bill makes various changes in Department of Consumer Protection (DCP) licenses, permits, certifications, and registrations. It makes all application fees for DCP credentials nonrefundable unless the law expressly makes it refundable.

The bill also:

1. makes various changes to how a charitable organization must apply for a registration and appeal decisions on noncompliance;
2. allows these organizations to attest that certain financial documents have been filed with the IRS or another state, rather than submit them to DCP;
3. modifies the late fee and lapsed certificate reinstatement timeframe for community association manager certificates, making them uniform with other DCP credentials without specific amounts or timeframes; and
4. allows qualified organizations to sell sealed tickets without holding other charitable gaming permits, certain alcohol permits, or certain social events.

**EFFECTIVE DATE:** Upon passage, except the provision making all applications fees for DCP credentials nonrefundable is effective July 1, 2018.

#### **CHARITABLE ORGANIZATIONS**

##### ***Authorized Officers***

The bill (1) reduces, from two to one, the number of authorized officers a charitable organization needs to certify the information in the initial and renewal applications and (2) eliminates the requirement that one of the officers be the organization's chief financial officer. The bill also eliminates the specific requirement that the registration statement be signed. As under current law, the officer must still certify the statement is true.

### ***Application Approval and Appeal***

By law, if DCP determines that an organization's application does not contain the required documents or comply with the implementing regulations, it must notify the organization of its noncompliance within 10 days of receiving the application. The bill eliminates a provision that deems an organization's registration approved if DCP does not provide notice within this timeframe.

The bill also changes the procedures for an organization to request a hearing on noncompliance by requiring hearings to be conducted in accordance with the Uniform Administrative Procedure Act. Current law requires (1) the organization to request a hearing within seven days after receiving the noncompliance notice and (2) DCP to hold a hearing within seven days after receiving the organization's request and provide a determination within three days after the hearing.

### ***Annual Financial Reports***

The bill allows the commissioner to (1) accept a statement attesting that the organization's financial statements, reports, or returns have been filed with the Internal Revenue Service or another state, instead of providing the actual documents and (2) require an organization to submit an updated financial report for the most recently completed fiscal year, including a financial statement.

## **COMMUNITY ASSOCIATION MANAGER CERTIFICATE OF REGISTRATION**

### ***Late Fees***

The bill lowers the late fee from \$50 to \$20, by eliminating the current \$50 late fee and instead requiring association managers to pay

10% of the renewal fee, as is the case for other DCP credentials without a specific late fee (CGS § 21a-4(c)). By law, the renewal fee for association managers is \$200.

The bill also eliminates the one month grace period that allowed an association manager to renew his or her registration without paying the late fee.

### ***Lapsed Certificate Reinstatement***

The bill extends, from one to three years after expiration, the deadline by which an association manager must apply to DCP to reinstate his or her certificate. The bill does this by eliminating the one year limit specific to association managers and instead imposes the general limit of three years for credentials without specific limits (CGS § 21a-4(e)).

### **SEALED TICKETS**

The bill allows DCP to issue a permit to sell sealed tickets to any organization or group that qualifies for a bazaar or raffle permit. It does so by eliminating requirements that, in order to be issued a permit, an organization or group must:

1. hold a bingo permit;
2. hold an alcoholic liquor club or nonprofit club permit; and
3. sponsor or conduct a social function and be organized.

Under the bill, DCP may issue a permit to sell sealed tickets to the following organizations or groups, which qualify for a bazaar or raffle permits under current law: veterans'; religious; civic; fraternal; educational and charitable organizations; volunteer fire companies; political parties and their town committees; and sponsoring municipalities acting through a designated centennial, bicentennial, or other centennial celebration committee.

### **COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/15/2018)