



# House of Representatives

General Assembly

**File No. 642**

February Session, 2018

Substitute House Bill No. 5586

*House of Representatives, April 23, 2018*

The Committee on Finance, Revenue and Bonding reported through REP. ROJAS of the 9th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT WAIVING CERTAIN INITIAL OCCUPATIONAL LICENSING FEES FOR CERTAIN INDIVIDUALS AND REQUIRING A STUDY OF OCCUPATIONAL LICENSING FEES CHARGED BY SURROUNDING STATES.***

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

1 Section 1. Section 20-236 of the 2018 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective July 1, 2018*):

4 (a) (1) Any person desiring to obtain a license as a barber shall apply  
5 in writing on forms furnished by the Department of Public Health and  
6 shall pay to the department a fee of one hundred dollars. The  
7 department shall not issue a license until the applicant has made  
8 written application to the department, setting forth by affidavit that  
9 the applicant has (A) (i) successfully completed the eighth grade, (ii)  
10 completed a course of not less than one thousand hours of study in a  
11 school approved in accordance with the provisions of this chapter, or,

12 if trained outside of Connecticut, in a barber school or college whose  
13 requirements are equivalent to those of a Connecticut barber school or  
14 college, and (iii) passed a written examination satisfactory to the  
15 department, or (B) if the applicant is an apprentice, (i) successfully  
16 completed the eighth grade, (ii) completed an apprenticeship  
17 approved by the Labor Department and conducted in accordance with  
18 sections 31-22m to 31-22u, inclusive, and (iii) passed a written  
19 examination satisfactory to the Department of Public Health.  
20 Examinations required for licensure under this chapter shall be  
21 prescribed by the department with the advice and assistance of the  
22 board. The department shall establish a passing score for examinations  
23 required under this chapter with the advice and assistance of the  
24 board. No license issued in accordance with the provisions of this  
25 chapter may be assigned or transferred to another person.

26 (2) Any person who holds a license at the time of application to  
27 practice the occupation of barbering in any other state, the District of  
28 Columbia or in a commonwealth or territory of the United States, and  
29 was issued such license on the basis of successful completion of a  
30 program of education and training in barbering and an examination,  
31 shall be eligible for licensing in this state and entitled to a license  
32 without examination upon payment of a fee of one hundred dollars.

33 (3) The department shall waive the fee required under subdivision  
34 (1) or (2) of this subsection, as applicable, for an initial license as a  
35 barber issued on or after July 1, 2018, in this state for any applicant  
36 who is a low-income individual, military family member or young  
37 worker, provided such applicant provides to the department any  
38 documentation or information the department may require for such  
39 waiver. As used in this subdivision, (A) "low-income individual"  
40 means an individual enrolled in a state or public assistance program or  
41 whose household gross income is less than one hundred thirty per cent  
42 of federal poverty guidelines, (B) "military family member" means (i) a  
43 veteran, as defined in subsection (a) of section 27-103, (ii) a member of  
44 the armed forces, as defined in said subsection, (iii) a spouse of such  
45 veteran or member, or (iv) the surviving spouse of a deceased veteran

46 or member, who has not remarried, and (C) "young worker" means an  
47 individual who is eighteen years of age or older but under twenty-five  
48 years of age.

49 [(3)] (4) Any person who holds a license to practice the occupation  
50 of barbering in any other state, the District of Columbia, or in a  
51 commonwealth or territory of the United States, and has held such  
52 license for a period of not less than forty years, shall be eligible for  
53 licensure without examination. No license shall be issued under this  
54 section to any applicant against whom professional disciplinary action  
55 is pending or who is the subject of an unresolved complaint.

56 (b) (1) Barber schools shall obtain approval pursuant to this section  
57 prior to commencing operation. In the event that an approved school  
58 undergoes a change of ownership or location, such approval shall  
59 become void and the school shall apply for a new approval pursuant  
60 to this section. Applications for such approval shall be on forms  
61 prescribed by the Commissioner of Public Health. In the event that a  
62 school fails to comply with the provisions of this subsection, no credit  
63 toward the one thousand hours of study required pursuant to  
64 subsection (a) of this section shall be granted to any student for  
65 instruction received prior to the effective date of school approval.

66 (2) The Commissioner of Public Health, in consultation with the  
67 Connecticut Examining Board for Barbers, Hairdressers and  
68 Cosmeticians, shall adopt regulations, in accordance with the  
69 provisions of chapter 54, to prescribe minimum curriculum  
70 requirements for barber schools. The commissioner, in consultation  
71 with said board, may adopt a curriculum and procedures for the  
72 approval of barber schools, provided the commissioner prints notice of  
73 intent to adopt regulations concerning the adoption of a curriculum  
74 and procedures for the approval of barber schools in the Connecticut  
75 Law Journal not later than thirty days after the date of implementation  
76 of such curriculum and such procedures. The curriculum and  
77 procedures implemented pursuant to this section shall be valid until  
78 such time final regulations are adopted.

79 (c) No person applying for licensure as a barber under this chapter  
80 shall be required to submit to a state or national criminal history  
81 records check as a prerequisite to licensure.

82 Sec. 2. Section 20-253 of the general statutes is repealed and the  
83 following is substituted in lieu thereof (*Effective July 1, 2018*):

84 (a) License or examination fees shall be paid, except as provided in  
85 subsection (b) of this section, to the department at the time of  
86 application as follows: (1) For examination as a registered hairdresser  
87 and cosmetician, the sum of one hundred dollars; and (2) for renewal  
88 of any hairdresser and cosmetician license, the sum of one hundred  
89 dollars. Each person engaged in the occupation of registered  
90 hairdresser and cosmetician shall, at all times, conspicuously display  
91 such person's license within the place where such occupation is being  
92 conducted. All hairdresser and cosmetician licenses, except as  
93 otherwise provided in this chapter, shall be renewed once every two  
94 years and shall expire in accordance with the provisions of section 19a-  
95 88. No person shall carry on the occupation of hairdressing and  
96 cosmetology after the expiration of such person's license until such  
97 person has made application to the department for the renewal of such  
98 license. Such application shall be in writing, addressed to the  
99 department and signed by the person applying for such renewal. The  
100 department may renew any hairdresser and cosmetician license if  
101 application for such renewal is received by the department within  
102 ninety days after the expiration of such license.

103 (b) The department shall waive the fee required under subdivision  
104 (1) of subsection (a) of this section for examination as a registered  
105 hairdresser and cosmetician on or after July 1, 2018, for any individual  
106 who is a low-income individual, military family member or young  
107 worker, provided such individual provides to the department any  
108 documentation or information the department may require for such  
109 waiver. As used in this subsection, (1) "low-income individual" means  
110 an individual enrolled in a state or public assistance program or whose  
111 household gross income is less than one hundred thirty per cent of

112 federal poverty guidelines, (2) "military family member" means (A) a  
113 veteran, as defined in subsection (a) of section 27-103, (B) a member of  
114 the armed forces, as defined in said subsection, (C) a spouse of such  
115 veteran or member, or (D) the surviving spouse of a deceased veteran  
116 or member, who has not remarried, and (3) "young worker" means an  
117 individual who is eighteen years of age or older but under twenty-five  
118 years of age.

119 Sec. 3. Section 20-254 of the general statutes is repealed and the  
120 following is substituted in lieu thereof (*Effective July 1, 2018*):

121 (a) Any person who holds a license at the time of application as a  
122 registered hairdresser and cosmetician, or as a person entitled to  
123 perform similar services under different designations in any other  
124 state, in the District of Columbia, or in a commonwealth or territory of  
125 the United States, and who was issued such license on the basis of  
126 successful completion of a program of education and training in  
127 hairdressing and cosmetology and an examination shall be eligible for  
128 licensing in this state and entitled to a license without examination  
129 upon payment, except as provided in subsection (c) of this section, of a  
130 fee of one hundred dollars. No license shall be issued under this  
131 section to any applicant against whom professional disciplinary action  
132 is pending or who is the subject of an unresolved complaint.

133 (b) If the issuance of such license in any other state, in the District of  
134 Columbia, or in a commonwealth or territory of the United States did  
135 not require an examination, an applicant who has legally practiced  
136 cosmetology for at least five years in a state outside of Connecticut  
137 shall be eligible for licensure under this section if the applicant submits  
138 to the commissioner evidence of education and experience that is  
139 satisfactory to the commissioner and upon payment, except as  
140 provided in subsection (c) of this section, of a fee of one hundred  
141 dollars. Evidence of experience shall include, but not be limited to, (1)  
142 an original certification from the out-of-state licensing agency  
143 demonstrating at least five years of licensure, (2) correspondence from  
144 the applicant's former employers, coworkers or clients that describes

145 the applicant's experience in the state for at least five years, and (3) a  
146 copy of tax returns that indicate cosmetology as the applicant's  
147 occupation. No license shall be issued under this section to any  
148 applicant against whom professional disciplinary action is pending or  
149 who is the subject of an unresolved complaint in the context of  
150 providing services as a cosmetician.

151 (c) The department shall waive the fee required under subsection (a)  
152 or (b) of this section, as applicable, for any applicant on or after July 1,  
153 2018, who is a low-income individual, military family member or  
154 young worker, provided such applicant provides to the department  
155 any documentation or information the department may require for  
156 such waiver. As used in this subsection, (1) "low-income individual"  
157 means an individual enrolled in a state or public assistance program or  
158 whose household gross income is less than one hundred thirty per cent  
159 of federal poverty guidelines, (2) "military family member" means (A)  
160 a veteran, as defined in subsection (a) of section 27-103, (B) a member  
161 of the armed forces, as defined in said subsection, (C) a spouse of such  
162 veteran or member, or (D) the surviving spouse of a deceased veteran  
163 or member, who has not remarried, and (3) "young worker" means an  
164 individual who is eighteen years of age or older but under twenty-five  
165 years of age.

166 Sec. 4. Section 20-377m of the general statutes is repealed and the  
167 following is substituted in lieu thereof (*Effective July 1, 2018*):

168 (a) A person seeking a certificate of registration as an interior  
169 designer shall apply to the commissioner in writing, on a form  
170 provided by the commissioner. Such application shall include the  
171 applicant's name, residence address, business address and such other  
172 information as the commissioner may by regulation require.

173 (b) Each application for a certificate of registration shall be  
174 accompanied by a fee of one hundred ninety dollars, provided any  
175 architect licensed in this state or any applicant described in subsection  
176 (c) of this section shall not be required to pay such fee.

177       (c) The department shall waive the fee required under subsection (b)  
178 of this section for any applicant on or after July 1, 2018, who is a low-  
179 income individual, military family member or young worker,  
180 provided such applicant provides to the department any  
181 documentation or information the department may require for such  
182 waiver. As used in this subsection, (1) "low-income individual" means  
183 an individual enrolled in a state or public assistance program or whose  
184 household gross income is less than one hundred thirty per cent of  
185 federal poverty guidelines, (2) "military family member" means (A) a  
186 veteran, as defined in subsection (a) of section 27-103, (B) a member of  
187 the armed forces, as defined in said subsection, (C) a spouse of such  
188 veteran or member, or (D) the surviving spouse of a deceased veteran  
189 or member, who has not remarried, and (3) "young worker" means an  
190 individual who is eighteen years of age or older but under twenty-five  
191 years of age.

192       Sec. 5. Section 20-377o of the general statutes is repealed and the  
193 following is substituted in lieu thereof (*Effective July 1, 2018*):

194       (a) Upon receipt of a completed application and fee, except as  
195 provided in subsection (c) of section 20-377m, as amended by this act,  
196 the commissioner shall: (1) Issue and deliver to the applicant a  
197 certificate of registration as an interior designer; or (2) refuse to issue  
198 such certificate. The commissioner may suspend, revoke or refuse to  
199 issue or renew any certificate issued under sections 20-377k to 20-377v,  
200 inclusive, for any of the reasons stated in section 20-377s.

201       (b) Upon refusal to issue a certificate, the commissioner shall notify  
202 the applicant of the denial and of the applicant's right to request a  
203 hearing within ten days from the date of receipt of the notice of denial.

204       (c) If the applicant requests a hearing within such ten days, the  
205 commissioner shall give notice of the grounds for the commissioner's  
206 refusal and shall conduct a hearing concerning such refusal in  
207 accordance with the provisions of chapter 54 concerning contested  
208 cases.

209 Sec. 6. Section 20-598a of the general statutes is repealed and the  
210 following is substituted in lieu thereof (*Effective July 1, 2018*):

211 (a) No person shall act as a pharmacy technician unless registered  
212 with, or certified with, the department.

213 (b) The department shall, upon authorization of the commission,  
214 register as a pharmacy technician any person who presents evidence  
215 satisfactory to the department that such person is qualified to perform,  
216 under the direct supervision of a pharmacist, routine functions in the  
217 dispensing of drugs that do not require the use of professional  
218 judgment. The qualifications for registration as a pharmacy technician  
219 under this section shall be in accordance with (1) the standards of an  
220 institutional pharmacy, a care-giving institution or a correctional or  
221 juvenile training institution, in the case of employment in any such  
222 pharmacy or institution, or (2) the standards established by regulation  
223 adopted by the commissioner in accordance with chapter 54, in the  
224 case of employment in a pharmacy. As used in this subsection, "direct  
225 supervision" means a supervising pharmacist (A) is physically present  
226 in the area or location where the pharmacy technician is performing  
227 routine drug dispensing functions, and (B) conducts in-process and  
228 final checks on the pharmacy technician's performance.

229 (c) The department shall, upon authorization of the commission,  
230 certify as a pharmacy technician any person who meets the  
231 requirements for registration as a pharmacy technician, pursuant to  
232 subsection (b) of this section, and who holds a certification from the  
233 Pharmacy Technician Certification Board or any other equivalent  
234 pharmacy technician certification program approved by the  
235 department.

236 (d) [The] (1) Except as provided in subdivision (2) of this subsection,  
237 the fee required by section 20-601 shall accompany an application for  
238 registration under this section. A registration as a pharmacy technician  
239 shall be valid for one year and may be renewed upon application and  
240 payment of the fee required by section 20-601.



241       (2) The department shall waive the fee required under section 20-  
 242 601 for any applicant for initial registration as a pharmacy technician  
 243 under this section on or after July 1, 2018, who is a low-income  
 244 individual, military family member or young worker, provided such  
 245 applicant provides to the department any documentation or  
 246 information the department may require for such waiver. As used in  
 247 this subdivision, (A) "low-income individual" means an individual  
 248 enrolled in a state or public assistance program or whose household  
 249 gross income is less than one hundred thirty per cent of federal  
 250 poverty guidelines, (B) "military family member" means (i) a veteran,  
 251 as defined in subsection (a) of section 27-103, (ii) a member of the  
 252 armed forces, as defined in said subsection, (iii) a spouse of such  
 253 veteran or member, or (iv) the surviving spouse of a deceased veteran  
 254 or member, who has not remarried, and (C) "young worker" means an  
 255 individual who is eighteen years of age or older but under twenty-five  
 256 years of age.

257       Sec. 7. (*Effective from passage*) The Commissioner of Economic and  
 258 Community Development, in consultation with the Commissioners of  
 259 Public Health, Consumer Protection and any other applicable state  
 260 agency, shall conduct a comprehensive study of the occupational  
 261 licensing fees charged by surrounding states and compare such fees to  
 262 those imposed by the state for comparable licenses. Not later than  
 263 January 1, 2019, the commissioner shall submit a report, in accordance  
 264 with the provisions of section 11-4a of the general statutes, to the joint  
 265 standing committees of the General Assembly having cognizance of  
 266 matters relating to commerce and finance, revenue and bonding of the  
 267 commissioner's findings. Such report shall include recommendations  
 268 for specific occupational licensing fee changes that the commissioner  
 269 deems would enhance the economic competitiveness of the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2018</i>	20-236
Sec. 2	<i>July 1, 2018</i>	20-253
Sec. 3	<i>July 1, 2018</i>	20-254

Sec. 4	<i>July 1, 2018</i>	20-377m
Sec. 5	<i>July 1, 2018</i>	20-377o
Sec. 6	<i>July 1, 2018</i>	20-598a
Sec. 7	<i>from passage</i>	New section

**FIN**      *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 19 \$	FY 20 \$
Resources of the General Fund	GF - Potential Revenue Loss	less than 285,000	less than 285,000
Consumer Protection, Dept.	GF - Cost	58,640	58,640
Public Health, Dept.	GF - Cost	58,640	58,640
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	42,608	42,608

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This bill, which requires that the Department of Consumer Protection (DCP) waive interior designer<sup>2</sup> and pharmacy technician<sup>3</sup> initial certificate registration fees, and the Department of Public Health (DPH) waive barber<sup>4</sup> and hairdresser/cosmetician<sup>5</sup> initial licensure fees, for certain individuals, results in a potential General Fund revenue loss of less than to \$285,000 annually, and a state cost of approximately \$160,000 annually.

As the bill may affect less than 1,650 initial certificate registrations issued by DCP, and less than 1,200 initial licenses issued by DPH, a General Fund revenue loss of less than \$285,000 per year is possible. In

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 36.33% of payroll in FY 19 and FY 20.

<sup>2</sup>There is a \$190 DCP initial certificate registration fee for interior designers.

<sup>3</sup>There is a \$100 DCP initial certificate registration fee for pharmacy technicians.

<sup>4</sup>There is a \$100 DPH initial licensure fee for barbers.

<sup>5</sup>There is a \$100 DPH initial licensure fee for hairdresser/cosmeticians.

order to process and verify eligible: (1) low-income individuals, (2) veterans, armed forces members, and their spouses, and (3) young workers ages 18 through 24, it is anticipated that both DCP and DPH will need to hire additional staff. DCP will require a License and Application Analyst and DPH will require a Processing Technician. Both positions cost approximately \$58,640 for wages and \$21,304 for associated fringe benefits, under the State Comptroller, annually.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of registration/licensure waivers issued by DCP and DPH.

**OLR Bill Analysis****sHB 5586*****AN ACT WAIVING CERTAIN INITIAL OCCUPATIONAL LICENSING FEES FOR CERTAIN INDIVIDUALS AND REQUIRING A STUDY OF OCCUPATIONAL LICENSING FEES CHARGED BY SURROUNDING STATES.*****SUMMARY**

This bill exempts eligible (1) low-income individuals; (2) veterans, armed forces members, and their spouses; and (3) young workers (ages 18 through 24) from initial occupational licensing fees for credentials as barbers, hairdressers, interior designers, and pharmacy technicians.

The bill also requires the Department of Economic and Community Development (DECD) commissioner to (1) conduct a study comparing the occupational licensing fees charged by Connecticut and surrounding states for comparable licenses and (2) by January 1, 2019, report his findings to the Commerce and Finance, Revenue and Bonding committees. In conducting the study, the DECD commissioner must consult with the public health and consumer protection commissioners, and any other applicable state agency, and include recommendations for specific fee changes that would enhance the state's economic competitiveness.

EFFECTIVE DATE: July 1, 2018, except the study provision is effective upon passage.

**LICENSE AND REGISTRATION FEE WAIVERS**

The bill requires the Department of Public Health (DPH) and Department of Consumer Protection (DCP), as applicable, to waive the fees required for the initial licenses or registrations listed in Table 1 and issued for certain qualifying applicants on or after July 1, 2018. It requires the applicants to provide the respective department with any

documentation or information the department requires for the waiver.

Under the bill, an individual qualifies for a waiver if he or she is:

1. enrolled in a state or public assistance program or has a household gross income of less than 130% of federal poverty guidelines (for 2018, 130% of the federal poverty level is \$15,782 for an individual and \$21,398 for a family of two);
2. a veteran or armed forces member or his or her spouse or surviving spouse who has not remarried; or
3. between 18 and 24 years old.

Under the bill, a veteran is anyone honorably discharged or released from active service in the U.S. Armed Forces (Army, Navy, Marine Corps, Coast Guard, and Air Force and any reserve component of these branches, including the Connecticut National Guard performing duty under Title 32 of federal law (e.g., certain Homeland Security missions)).

**Table 1: License and Registration Fee Waivers**

<i>Credential</i>	<i>Current Fee for Initial License</i>	<i>Agency</i>
Barber License	\$100	DPH
Hairdresser and Cosmetician License	\$100	DPH
Interior Designer Registration	\$190	DCP
Pharmacy Technician Registration	\$100	DCP

**COMMITTEE ACTION**

Finance, Revenue and Bonding Committee

Joint Favorable Substitute

Yea 51 Nay 0 (04/05/2018)