



PA 18-40—sSB 194
General Law Committee

AN ACT CONCERNING DEPARTMENT OF CONSUMER PROTECTION LICENSE STREAMLINING

SUMMARY: This act makes various changes to Department of Consumer Protection (DCP) licenses, permits, certifications, and registrations. It makes any application fee for DCP credentials nonrefundable unless the law expressly makes it refundable.

The act 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 Internal Revenue Service (IRS) or another state, rather than submit them to DCP;
3. modifies the late fee amount and lapsed certificate reinstatement timeframe for community association manager certificates, making them uniform with other DCP credentials without specific fees 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 application fees for DCP credentials nonrefundable is effective July 1, 2018.

CHARITABLE ORGANIZATIONS

Authorized Officers

The act (1) reduces, from two to one, the number of authorized officers a charitable organization needs to certify the information in the initial and annual renewal registration applications and annual financial report and (2) eliminates the requirement for one of the officers certifying the financial report to be the organization's chief fiscal officer. The act also eliminates the specific requirement that the registration statement be signed. As under existing 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

OLR PUBLIC ACT SUMMARY

application. The act eliminates a provision that deems an organization's registration approved if DCP does not provide notice within this timeframe.

The act also changes the procedure for an organization to request a hearing on noncompliance by requiring hearings to be conducted in accordance with the Uniform Administrative Procedure Act. Prior law required (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 Report

The act allows the commissioner to (1) accept a statement attesting that the organization's financial statements, reports, or returns have been filed with the IRS 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 act lowers the late fee from \$50 to \$20, by eliminating prior law's \$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 act 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 act 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 act 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 act 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 to sell sealed tickets, an organization or group must:

1. hold a bingo permit,
2. hold an alcoholic liquor club or nonprofit club permit, or
3. sponsor or conduct a social function.

Under the act, DCP may issue a permit to sell sealed tickets to the following organizations or groups, which qualify for a bazaar or raffle permit under existing law: veterans'; religious; civic; fraternal; educational and charitable

OLR PUBLIC ACT SUMMARY

organizations; volunteer fire companies; political parties and their town committees; and sponsoring municipalities acting through a designated centennial, bicentennial, or other centennial celebration committee.