



General Assembly

Amendment

February Session, 2018

LCO No. 5594



Offered by:

SEN. LEONE, 27th Dist.

SEN. WITKOS, 8th Dist.

To: Subst. Senate Bill No. 193

File No. 93

Cal. No. 77

**"AN ACT CONCERNING REVISIONS TO DEPARTMENT OF
CONSUMER PROTECTION STATUTES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 21a-118 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) For the purpose of enforcing the provisions of chapter 417,
6 chapter 419b, except with regard to permittees holding both a
7 restaurant and a bakery permit and this chapter, the commissioner, or
8 his authorized representative, is authorized (1) to enter, at reasonable
9 times, any factory, warehouse or establishment subject to this chapter,
10 or to enter any vehicle being used to transport or hold food, drugs,
11 devices or cosmetics in intrastate commerce, and (2) to inspect, at
12 reasonable times, such factory, warehouse, establishment or vehicle
13 and all pertinent equipment, finished and unfinished materials,
14 containers, labeling and advertisements, records, files and papers
15 therein.

16 (b) If an inspection reveals a violation of any provision of this
17 chapter concerning a food factory, food warehouse or food
18 establishment, the commissioner shall notify the owner of such factory,
19 warehouse or establishment of any such violation and his right to a
20 hearing under this section by certified mail within fifteen days of the
21 date of such original inspection. Such owner may contest the violations
22 cited in such notice by requesting a hearing in writing by certified mail
23 within fifteen days of the date of receipt of such notice. The
24 commissioner shall grant such a request and conduct a hearing in
25 accordance with the provisions of chapter 54. The cost of all
26 reinspections necessary to determine compliance with any such
27 provision shall be forty dollars an hour and shall be charged to such
28 owner, except that if the first reinspection following the original
29 inspection indicates compliance with such provision no charge shall be
30 made.

31 (c) If an inspection reveals a violation of any provision of chapter
32 ~~417, chapter 419b~~ or this chapter concerning any food, drug, cosmetic
33 or device by any establishment licensed or registered in accordance
34 with the provisions of [chapter 417] said chapters, the commissioner
35 may impose a civil penalty of not more than five hundred dollars per
36 separate violation, and suspend or revoke the license or registration of
37 such establishment after notice and a hearing conducted in accordance
38 with the provisions of chapter 54.

39 Sec. 2. Subsection (b) of section 30-39 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective from*
41 *passage*):

42 (b) (1) Any person desiring a liquor permit or a renewal of such a
43 permit shall make a sworn application therefor to the Department of
44 Consumer Protection upon forms to be furnished by the department,
45 showing the name and address of the applicant and of the applicant's
46 backer, if any, the location of the club or place of business which is to
47 be operated under such permit and a financial statement setting forth
48 all elements and details of any business transactions connected with

49 the application. Such application shall include a detailed description of
50 the type of live entertainment that is to be provided. A club or place of
51 business shall be exempt from providing such detailed description if
52 the club or place of business (A) was issued a liquor permit prior to
53 October 1, 1993, and (B) has not altered the type of entertainment
54 provided. The application shall also indicate any crimes of which the
55 applicant or the applicant's backer may have been convicted.
56 Applicants shall submit documents sufficient to establish that state and
57 local building, fire and zoning requirements and local ordinances
58 concerning hours and days of sale will be met, except that local
59 building and zoning requirements and local ordinances concerning
60 hours and days of sale shall not apply to any class of airport permit.
61 The State Fire Marshal or the marshal's certified designee shall be
62 responsible for approving compliance with the State Fire Code at
63 Bradley International Airport. Any person desiring a permit provided
64 for in section 30-33b shall file a copy of such person's license with such
65 application if such license was issued by the Department of Consumer
66 Protection. The department may, at its discretion, conduct an
67 investigation to determine whether a permit shall be issued to an
68 applicant.

69 (2) The applicant shall pay to the department a nonrefundable
70 application fee, which fee shall be in addition to the fees prescribed in
71 this chapter for the permit sought. An application fee shall not be
72 charged for an application to renew a permit. The application fee shall
73 be in the amount of ten dollars for the filing of each application for a
74 permit by a charitable organization, including a nonprofit public
75 television corporation, a nonprofit golf tournament permit, a
76 temporary permit or a special club permit; and for all other permits in
77 the amount of one hundred dollars for the filing of an initial
78 application. Any permit issued shall be valid only for the purposes and
79 activities described in the application.

80 (3) The applicant, immediately after filing an application, shall give
81 notice thereof, with the name and residence of the permittee, the type
82 of permit applied for and the location of the place of business for

83 which such permit is to be issued and the type of live entertainment to
84 be provided, all in a form prescribed by the department, by publishing
85 the same in a newspaper having a circulation in the town in which the
86 place of business to be operated under such permit is to be located, at
87 least once a week for two successive weeks, the first publication to be
88 not more than seven days after the filing date of the application and
89 the last publication not more than fourteen days after the filing date of
90 the application. The applicant shall affix, and maintain in a legible
91 condition upon the outer door of the building wherein such place of
92 business is to be located and clearly visible from the public highway,
93 the placard provided by the department, not later than the day
94 following the receipt of the placard by the applicant. If such outer door
95 of such premises is so far from the public highway that such placard is
96 not clearly visible as provided, the department shall direct a suitable
97 method to notify the public of such application. When an application is
98 filed for any type of permit for a building that has not been
99 constructed, such applicant shall erect and maintain in a legible
100 condition a sign not less than six feet by four feet upon the site where
101 such place of business is to be located, instead of such placard upon
102 the outer door of the building. The sign shall set forth the type of
103 permit applied for and the name of the proposed permittee, shall be
104 clearly visible from the public highway and shall be so erected not
105 later than the day following the receipt of the placard. Such applicant
106 shall make a return to the department, under oath, of compliance with
107 the foregoing requirements, in such form as the department may
108 determine, but the department may require any additional proof of
109 such compliance. Upon receipt of evidence of such compliance, the
110 department may hold a hearing as to the suitability of the proposed
111 location. The provisions of this subdivision shall not apply to
112 applications for airline permits, charitable organization permits,
113 temporary permits, special club permits, concession permits, military
114 permits, railroad permits, boat permits, warehouse permits, brokers'
115 permits, out-of-state shippers' permits for alcoholic liquor and out-of-
116 state shippers' permits for beer, coliseum permits, coliseum concession
117 permits, special sporting facility restaurant permits, special sporting

118 facility employee recreational permits, special sporting facility guest
119 permits, special sporting facility concession permits, special sporting
120 facility bar permits, nonprofit golf tournament permits, nonprofit
121 public television permits and renewals. The provisions of this
122 subdivision regarding publication and placard display shall also be
123 required of any applicant who seeks to amend the type of
124 entertainment either upon filing of a renewal application or upon
125 requesting permission of the department in a form that requires the
126 approval of the municipal zoning official.

127 (4) In any case in which a permit has been issued to a partnership, if
128 one or more of the partners dies or retires, the remaining partner or
129 partners need not file a new application for the unexpired portion of
130 the current permit, and no additional fee for such unexpired portion
131 shall be required. Notice of any such change shall be given to the
132 department and the permit shall be endorsed to show correct
133 ownership. When any partnership changes by reason of the addition of
134 one or more persons, a new application with new fees shall be
135 required.

136 Sec. 3. Section 21a-2 of the general statutes is repealed and the
137 following is substituted in lieu thereof (*Effective from passage*):

138 (a) A toll-free telephone line, available to consumers throughout the
139 state, shall be established in the Department of Consumer Protection
140 for the handling of consumer inquiries and complaints concerning
141 consumer goods or services in the state or any other matter within the
142 jurisdiction of the department and its licensing and regulatory boards.
143 The line shall be in operation from 8:30 a.m. to 4:30 p.m. Monday
144 through Friday each week, exclusive of those legal holidays on which
145 state offices are closed, and shall be restricted to incoming calls.

146 (b) The Department of Consumer Protection shall process the intake
147 of consumer complaints concerning consumer goods or services in the
148 state and any other matter within the jurisdiction of the department. In
149 order to assist in the resolution of consumer complaints, the

150 department may notify, in writing, the respondent against whom a
151 complaint was received of the allegations against them and require a
152 written response be provided to the department not later than thirty
153 days of receipt of such notice.

154 (c) For purposes of this section, "credential holder" means a person
155 certified, licensed, permitted or registered with the Department of
156 Consumer Protection. In the event the department provides written
157 notice to a respondent who is not a credential holder that a complaint
158 has been filed against him or her, and said respondent fails to respond
159 after receipt of such notice, the respondent may be fined not more than
160 two hundred fifty dollars for failure to respond to the department.
161 Written notice for purposes of this section shall include notice sent by
162 registered or certified mail or hand-delivered to a respondent.

163 Sec. 4. Subsection (b) of section 51-164n of the 2018 supplement to
164 the general statutes is repealed and the following is substituted in lieu
165 thereof (*Effective from passage*):

166 (b) Notwithstanding any provision of the general statutes, any
167 person who is alleged to have committed (1) a violation under the
168 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
169 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
170 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,
171 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
172 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
173 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
174 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
175 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
176 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
177 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
178 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
179 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
180 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
181 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
182 14-153 or 14-163b, a first violation as specified in subsection (f) of

183 section 14-164i, section 14-219 as specified in subsection (e) of said
184 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
185 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
186 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)
187 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-300, 14-300d, 14-
188 319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1),
189 (2) or (3) of section 14-386a, section 15-25 or 15-33, subdivision (1) of
190 section 15-97, subsection (a) of section 15-115, section 16-44, 16-256e,
191 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24,
192 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137,
193 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a,
194 section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-222,
195 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336,
196 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231,
197 20-249, 20-257, 20-265, 20-324e, 20-341l, 20-366, 20-597, 20-608, 20-610,
198 21-1, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63 or 21-76a, subsection (c) of
199 section 21a-2, as amended by this act, subdivision (1) of section 21a-19,
200 section 21a-21, subdivision (1) of subsection (b) of section 21a-25,
201 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-
202 46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section
203 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,
204 subsection (a) of section 21a-279a, section 22-12b, 22-13, 22-14, 22-15,
205 22-16, 22-26g, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-
206 39c, 22-39d, 22-39e, 22-49 or 22-54, subsection (d) of section 22-84,
207 section 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-167, 22-279, 22-
208 280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b), (e) or
209 (f) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-
210 415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e)
211 of section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d)
212 of section 22a-381e, section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-
213 61b, subsection (a) or subdivision (1) of subsection (c) of section 23-65,
214 section 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d,
215 25-135, 26-16, 26-18, 26-19, 26-21, 26-31, 26-31c, 26-40, 26-40a, 26-42, 26-
216 49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of subsection (d)
217 of section 26-61, section 26-64, subdivision (1) of section 26-76, section

218 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-
219 117, 26-128, 26-131, 26-132, 26-138 or 26-141, subdivision (2) of
220 subsection (j) of section 26-142a, subdivision (1) of subsection (b) of
221 section 26-157b, subdivision (1) of section 26-186, section 26-207, 26-
222 215, 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227,
223 26-230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286,
224 26-288, 26-294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a,
225 subsection (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-
226 161z, subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277,
227 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,
228 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,
229 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52,
230 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-
231 74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-
232 273, section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-
233 230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of
234 section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-
235 8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-
236 302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344,
237 subsection (c) of section 53-344b, or section 53-450, or (2) a violation
238 under the provisions of chapter 268, or (3) a violation of any regulation
239 adopted in accordance with the provisions of section 12-484, 12-487 or
240 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any
241 town, city or borough, except violations of building codes and the
242 health code, for which the penalty exceeds ninety dollars but does not
243 exceed two hundred fifty dollars, unless such town, city or borough
244 has established a payment and hearing procedure for such violation
245 pursuant to section 7-152c, shall follow the procedures set forth in this
246 section.

247 Sec. 5. Section 21a-430 of the general statutes is repealed and the
248 following is substituted in lieu thereof (*Effective from passage*):

249 (a) No person shall place or cause to be placed in a public place a
250 donation bin for the donation of clothing or other articles unless such
251 person has been granted permission to place such donation bin in such

252 public place by the owner of such public place or by such owner's duly
253 authorized agent and unless such bin contains a notice in block letters
254 at least two inches high stating: (1) If the donation is for a charitable
255 purpose, (A) the name of the nonprofit organization that will benefit
256 from the donation and the percentage of the donated articles or of the
257 proceeds from the sale of the donated articles that the nonprofit
258 organization will receive from the owner of such bin, (B) the name and
259 contact information of the owner of such bin, and (C) that the public
260 may contact the Department of Consumer Protection for further
261 information, or (2) if not intended for a charitable purpose, that such
262 donation is not for a charitable purpose. Such notice shall be on the
263 same side of the bin where the donation is likely to be made. As used
264 in this section, "public place" means any area that is used or held out
265 for use by the public, whether owned or operated by public or private
266 interests, and "donation bin" means a large container commonly placed
267 in a parking lot for the purpose of encouraging individuals to donate
268 clothing or other items.

269 (b) Any person who violates any provision of subsection (a) of this
270 section shall be fined not more than five hundred dollars.

271 Sec. 6. Section 42-150u of the general statutes is repealed and the
272 following is substituted in lieu thereof (*Effective from passage*):

273 (a) No provision in a written contract for the purchase or lease of
274 goods or services primarily for personal, family or household purposes
275 that provides for the payment of liquidated damages in the event of a
276 breach of the contract shall be enforceable unless (1) the contract
277 contains a statement in boldface type at least twelve points in size
278 immediately following such liquidated damages provision stating "I
279 ACKNOWLEDGE THAT THIS CONTRACT CONTAINS A
280 LIQUIDATED DAMAGES PROVISION", and (2) the person against
281 whom such provision is to be enforced signs such person's name or
282 writes such person's initials next to such statement. Nothing in this
283 section shall validate a clause that is a penalty clause or is otherwise
284 invalid under the law of this state.

285 (b) For purposes of this subsection, "personal emergency response
286 system" means a twenty-four-hour-per-day electronic alarm system
287 placed in an adult's home that enables him or her to obtain immediate
288 help in case of an emergency. In the event a consumer dies during the
289 term of a consumer contract or consumer lease for a personal
290 emergency response system, the consumer contract or consumer lease
291 for such system shall be deemed terminated upon such consumer's
292 death and any penalty provision contained in the contract or lease
293 regarding early termination shall be unreasonable pursuant to section
294 42-421.

295 [(b)] (c) The provisions of subsection (a) of this section shall not
296 apply to (1) contracts between a consumer and an agency of the state
297 or any political subdivision of the state or of the federal government,
298 (2) negotiable instruments, (3) contract provisions for late fees,
299 prepayment penalties or default interest rates, (4) contracts originated
300 or held by an institution, or any subsidiary or affiliate of such
301 institution, that is regulated by the Department of Banking or by a
302 federal bank regulatory agency, provided, in the case of a contract
303 originated or held by a subsidiary or affiliate of such institution, the
304 subject matter of the contract is an activity that is financial in nature or
305 incidental to such an activity as described in the Bank Holding
306 Company Act, 12 USC 1843(k)(4), and (5) contracts originated or held
307 by a person, firm or corporation licensed by the Department of Motor
308 Vehicles in accordance with the provisions of section 14-52 or 14-67a.

309 Sec. 7. Section 20-306a of the general statutes is repealed and the
310 following is substituted in lieu thereof (*Effective from passage*):

311 (a) The practice of or the offer to practice professional engineering in
312 this state by individual licensed professional engineers or the practice
313 of or the offer to practice land surveying in this state by individual
314 licensed land surveyors under the corporate form or by a corporation
315 or limited liability company, a material part of the business of which
316 includes engineering or land surveying, is permitted, provided (1)
317 such personnel of such corporation or limited liability company as act

318 in its behalf as engineers or land surveyors are licensed or exempt
319 from licensure under the provisions of this chapter, and (2) such
320 corporation or limited liability company has been issued a certificate of
321 registration by the board as provided in this section. No such
322 corporation or limited liability company shall be relieved of
323 responsibility for the conduct or acts of its agents, employees or
324 officers by reason of its compliance with the provisions of this section,
325 nor shall any individual practicing engineering or land surveying be
326 relieved of responsibility for engineering or land surveying services
327 performed by reason of his employment or relationship with such
328 corporation or limited liability company. All final drawings,
329 specifications, plots, reports or other engineering or land surveying
330 papers or documents involving the practice of engineering or land
331 surveying which are prepared or approved by any such corporation or
332 limited liability company or engineer or land surveyor for use of or for
333 delivery to any person or for public record within this state shall be
334 dated and bear the signature and seal of the engineer or land surveyor
335 who prepared them or under whose supervision they were prepared.

336 (b) A qualifying corporation or limited liability company desiring a
337 certificate of registration shall file with the board an application upon a
338 form prescribed by the Department of Consumer Protection
339 accompanied by [an] a nonrefundable application fee of five hundred
340 sixty-five dollars. Each such certificate shall expire annually and shall
341 be renewable upon payment of a fee of three hundred seventy-five
342 dollars. If all requirements of this chapter are met, [the board shall
343 authorize] the department [to] shall issue to such corporation or
344 limited liability company a certificate of registration within thirty days
345 of such application, provided the department or board may refuse to
346 authorize the issuance of a certificate if any facts exist which would
347 entitle the commissioner or board to suspend or revoke an existing
348 certificate.

349 (c) Each such corporation or limited liability company shall file with
350 the [board] department a designation of an individual or individuals
351 licensed to practice engineering or land surveying in this state who

352 shall be in charge of engineering or land surveying by such
353 corporation or limited liability company in this state. Such corporation
354 or limited liability company shall notify the [board] department of any
355 change in such designation within thirty days after such change
356 becomes effective.

357 (d) Not less than two-thirds of the individual members of a limited
358 liability company or owners of a corporation that practices or offers to
359 practice professional engineering or land surveying services in this
360 state shall be individually licensed under the provisions of this chapter
361 and shall own not less than two-thirds of the voting interests of the
362 limited liability company or not less than two-thirds of the voting
363 stock of the corporation.

364 Sec. 8. Section 20-306b of the general statutes is repealed and the
365 following is substituted in lieu thereof (*Effective from passage*):

366 (a) One or more architects, each of whom is licensed under the
367 provisions of chapter 390, one or more landscape architects, each of
368 whom is licensed under the provisions of chapter 396, one or more
369 professional engineers or one or more land surveyors each of whom is
370 licensed under the provisions of this chapter, may form a corporation
371 or limited liability company for the joint practice of architecture,
372 landscape architecture, professional engineering, land surveying
373 services or any combination of such practices or services, provided (1)
374 one or more persons licensed as architects, landscape architects,
375 engineers or land surveyors under chapter 390, chapter 396 or this
376 chapter own not less than two-thirds of the voting stock of the
377 corporation or not less than two-thirds of the voting interests of the
378 limited liability company, and the members of each profession forming
379 the corporation or limited liability company together own at least
380 twenty per cent of the voting stock of the corporation or at least twenty
381 per cent of the voting interests of the limited liability company, (2) the
382 personnel in responsible charge of the practice of architecture for such
383 corporation or limited liability company shall be licensed under
384 chapter 390, the personnel in responsible charge of the practice of

385 engineering or land surveying for such corporation or limited liability
386 company shall be licensed under this chapter, and the personnel in
387 responsible charge of the practice of landscape architecture for such
388 corporation or limited liability company shall be licensed under
389 chapter 396, and (3) such corporation or limited liability company has
390 been issued a joint certificate of registration by the Department of
391 Consumer Protection, [at the direction of] the Architectural Licensing
392 Board, the State Board of Landscape Architects or the appropriate
393 members of the State Board of Examiners for Professional Engineers
394 and Land Surveyors designated to administer the provisions of this
395 chapter with respect to professional engineers or land surveyors. Such
396 corporation or limited liability company shall, upon request by the
397 Department of Consumer Protection, Architectural Licensing Board,
398 State Board of Landscape Architects or the State Board of Examiners
399 for Professional Engineers and Land Surveyors, provide the requesting
400 [board] agency with information concerning its officers, directors,
401 members, beneficial owners and all other aspects of its business
402 organization. Corporations for such joint practice in existence as of July
403 1, 1992, may continue to be governed by the provisions of this
404 subsection as revised to 1989, provided the certificate issued under this
405 section did not expire more than two years before that date.

406 (b) Application by such corporation or limited liability company for
407 a certificate of registration under this section shall be made to [all
408 applicable boards jointly] the Department of Consumer Protection on a
409 form prescribed by the department and accompanied by [an] a
410 nonrefundable application fee of five hundred sixty-five dollars. Each
411 such certificate shall expire annually and shall be renewable upon
412 payment of a fee of three hundred seventy-five dollars, if all
413 requirements of chapter 390 or 396 and this chapter with respect to
414 corporate or limited liability company practice are met. The
415 department or boards by joint action may refuse to authorize the
416 issuance or renewal of a certificate if any facts exist which would
417 entitle the commissioner or boards to suspend or revoke an existing
418 certificate.

419 (c) Any corporation or limited liability company issued a certificate
420 under this section shall be required to comply with all provisions of
421 chapter 390 or 396 and this chapter with respect to corporate or limited
422 liability company practice.

423 (d) No such corporation or limited liability company shall be
424 relieved of responsibility for the conduct or acts of its agents,
425 employees, members or officers by reason of its compliance with the
426 provisions of this section, nor shall any individual practicing
427 architecture, landscape architecture, engineering or land surveying be
428 relieved of responsibility for services performed by reason of his or her
429 employment or relationship with such corporation or limited liability
430 company.

431 (e) All fees collected under this section shall be paid to the State
432 Treasurer for deposit in the General Fund.

433 (f) The Commissioner of Consumer Protection, with the advice and
434 assistance of the Architectural Licensing Board, the State Board of
435 Landscape Architects and the appropriate members of the State Board
436 of Examiners for Professional Engineers and Land Surveyors
437 designated to administer the provisions of this chapter with respect to
438 professional engineers or land surveyors, shall adopt regulations, in
439 accordance with chapter 54, to carry out the provisions of this section.

440 Sec. 9. Section 20-298b of the general statutes is amended by adding
441 subsection (f) as follows (*Effective from passage*):

442 (NEW) (f) Not less than two-thirds of the individual members of a
443 limited liability company or owners of a corporation that practices or
444 offers to practice architectural services in this state shall be
445 individually licensed under the provisions of this chapter and shall
446 own not less than two-thirds of the voting interests of the limited
447 liability company or not less than two-thirds of the voting stock of the
448 corporation.

449 Sec. 10. Section 20-460 of the general statutes is repealed and the

450 following is substituted in lieu thereof (*Effective January 1, 2019*):

451 (a) No person who provides association management services under
452 the provisions of sections 20-450 to 20-462, inclusive, shall control,
453 collect, have access to or disburse funds of an association unless, at all
454 times during which the person controls, collects, has access to or
455 disburses such funds, there is in effect, a [fidelity bond] commercially
456 available insurance policy complying with the provisions of this
457 section that provides protection of such funds belonging to an
458 association from the theft by a community association manager, a
459 community association management company or its employees.

460 (b) The [fidelity bond] commercially available insurance policy
461 referred to in subsection (a) of this section shall: (1) Be written by an
462 insurance company authorized to write such [bonds] policies in this
463 state; (2) except as provided in subsection (c) of this section, cover the
464 maximum funds that will be in the custody of the community
465 association manager at any time while the bond is in force, and in no
466 event be less than the sum of three months' assessments plus reserve
467 funds; (3) name the association as obligee; (4) cover the community
468 association manager and all partners, officers, employees of the
469 manager and may cover other persons controlling, collecting, having
470 access to or disbursing association funds as well; (5) be conditioned
471 upon the persons covered by the [bond] policy truly and faithfully
472 accounting for all funds received by them, under their care, custody or
473 control, or to which they have access; (6) provide that the insurance
474 company issuing the [bond] policy may not cancel, substantially
475 modify or refuse to renew the [bond] policy without giving thirty days'
476 prior written notice to the association and the department, except in
477 the case of a nonpayment of premiums, in which case ten days' prior
478 written notice shall be given; (7) contain such other provisions as the
479 department may, by regulation, require.

480 (c) The [fidelity bond] policy of a person who is employed full-time
481 by and provides association management services to an association of
482 a common interest community, or to a master association as defined in

483 section 47-239 exercising the powers on behalf of one or more common
484 interest communities or for the benefit of the unit owners of one or
485 more common interest communities, which community or
486 communities were established prior to July 3, 1991, and have more
487 than two thousand four hundred residential units, shall be in an
488 amount which is not less than one-half the amount specified in
489 subdivision (2) of subsection (b) of this section.

490 (d) The community association manager shall furnish to the
491 department, upon request, a certificate of each [bond] policy required
492 under this section, [and every renewal or replacement thereof, on or
493 before the date on which he commences providing association
494 management services requiring a bond to any association or prior to
495 the expiration of any prior bond furnished under this section.]

496 (e) Unless otherwise provided for in a written agreement between
497 the community association manager and the association pursuant to
498 subsection (f) of this section, the cost of the [bond] policy shall be paid
499 for by the community association manager.

500 (f) If, as of October 1, 1990, any community association manager is
501 providing association management services, including the handling of
502 funds, or has entered into an agreement to provide association
503 management services including the handling of funds, and has no
504 written agreement, concerning which party shall pay the cost of
505 [fidelity bonds] policy, the cost of the [bond] policy shall be paid for in
506 accordance with the declaration and bylaws of the association, and if
507 the declaration and bylaws contain no such provision, the cost of the
508 [bond] policy shall be paid one-half by the community association
509 manager and one-half by the association unless the parties otherwise
510 agree in writing.

511 (g) A separate [bond] policy shall be furnished for each association
512 for which a community association manager provides association
513 management services, including the handling of funds.

514 Sec. 11. Section 20-627 of the general statutes is repealed and the

515 following is substituted in lieu thereof (*Effective from passage*):

516 (a) As used in sections 20-627 to 20-630, inclusive, "nonresident
517 pharmacy" means any pharmacy located outside this state that ships,
518 mails or delivers, in any manner, legend devices or legend drugs into
519 this state pursuant to a prescription order.

520 (b) A nonresident pharmacy shall be registered with the
521 department, upon approval of the commission, and shall:

522 (1) Disclose annually in a report to the commission the location,
523 names and titles of all principal corporate officers, if applicable, and all
524 pharmacists who are dispensing drugs or devices to residents of this
525 state.

526 (2) A nonresident pharmacy shall file [an additional] a report within
527 [thirty] ten days after any change of [office, corporate officer or
528 pharmacist] name, ownership, management, officers or directors. Such
529 report shall be accompanied by the filing fee set forth in section 20-601.
530 Any nonresident pharmacy that fails to give notice as required
531 pursuant to this subdivision within ten days after the change shall pay
532 the late fee set forth in section 20-601;

533 [(2)] (3) Comply with all lawful directions and requests for
534 information from the regulatory or licensing agency of the state in
535 which it is licensed as well as comply with all requests for information
536 made by the commission or department pursuant to this section;

537 [(3)] (4) Disclose to the department whether the nonresident
538 pharmacy is dispensing sterile pharmaceuticals, as defined in section
539 20-633b, within this state. If any such dispensed sterile pharmaceutical
540 is not patient-specific, the nonresident pharmacy shall submit a copy
541 of the manufacturing license or registration issued by the regulatory or
542 licensing agency of the state in which it is licensed, and a copy of any
543 registration issued by the federal Food and Drug Administration to the
544 department;

545 ~~[(4)]~~ (5) Maintain at all times, a valid unexpired license, permit or
546 registration to conduct such pharmacy in compliance with the laws of
547 the state in which the nonresident pharmacy is located;

548 ~~[(5)]~~ (6) Before receiving a certificate of registration from the
549 department, submit a copy of the most recent inspection report
550 resulting from an inspection conducted by the regulatory or licensing
551 agency of the state in which the nonresident pharmacy is located. If the
552 nonresident pharmacy is delivering sterile compounded products
553 within this state, such inspection report shall include a section based
554 on standards required in the most recent United States Pharmacopeia,
555 Chapter 797, as amended from time to time. If the state in which the
556 nonresident pharmacy is located does not conduct inspections based
557 on standards required in the most recent United States Pharmacopeia,
558 Chapter 797, as amended from time to time, such nonresident
559 pharmacy shall provide proof to the department that it is in
560 compliance with such standards;

561 ~~[(6)]~~ (7) A nonresident pharmacy shall provide a toll-free telephone
562 number to facilitate communication between patients in this state and
563 a pharmacist at such nonresident pharmacy who has access to the
564 patient's records at all times. Such toll-free telephone number shall be
565 disclosed on a label affixed to each container of drugs dispensed to
566 patients in this state;

567 ~~[(7)]~~ (8) Notify the department if the nonresident pharmacy has had
568 any disciplinary action or written advisement or warning by any
569 federal or state regulatory agency or any accreditation body not later
570 than ten business days after being notified of such action, advisement
571 or warning; and

572 ~~[(8)]~~ (9) Provide to the department the names and addresses of all
573 residents of this state to whom legend devices or legend drugs have
574 been delivered, not later than twenty-four hours after the nonresident
575 pharmacy initiates a recall of any legend devices or legend drugs.

576 Sec. 12. Section 21a-11 of the 2018 supplement to the general statutes

577 is repealed and the following is substituted in lieu thereof (*Effective*
578 *from passage*):

579 (a) The Commissioner of Consumer Protection may, subject to the
580 provisions of chapter 67, employ such agents and assistants as are
581 necessary to enforce the provisions of the general statutes wherein said
582 commissioner is empowered to carry out the duties and
583 responsibilities assigned to him or his department. For the purpose of
584 inquiring into any suspected violation of such provisions, the
585 commissioner and his deputy and assistants shall have free access, at
586 all reasonable hours, to all places and premises, homes and apartments
587 of private families keeping no boarders excepted. The commissioner
588 and his or her deputy or assistants shall have the authority to issue
589 citations pursuant to section 51-164n, as amended by this act, for
590 violations for the purpose of enforcing such provisions.

591 (b) On the tender of the market price, the commissioner or his
592 deputy may take from any person, firm or corporation samples of any
593 article which he suspects is sold, offered for sale, kept with intent to
594 sell, made or manufactured contrary to any provision of this chapter or
595 related chapters under the jurisdiction of said commissioner. He may
596 analyze such samples or have them analyzed by a state chemist or by
597 an experiment station or by the laboratories of the Department of
598 Public Health, and a sworn or affirmed certificate by such analyst shall
599 be prima facie evidence of the ingredients and constituents of the
600 samples analyzed. If such analysis shows that any such sample does
601 not conform to the requirements of law, and gives the commissioner or
602 his deputy reasonable grounds for believing that any provision of this
603 chapter or related chapters under his jurisdiction has been violated, he
604 shall cause such violator to be prosecuted. Any person who refuses the
605 access provided for herein to the commissioner, his deputy or
606 assistants, or who refuses to sell the samples provided for herein, shall
607 be guilty of a class D misdemeanor. Evidence of violation of any
608 provision of this section shall be prima facie evidence of wilful
609 violation.

610 (c) The commissioner may, subject to the provisions of chapter 54,
 611 revoke, suspend or deny any license or registration issued by the
 612 department in the event that such licensee or registrant, including, but
 613 not limited to, an owner of any business entity holding such license or
 614 registration, owes moneys to any guaranty fund or account maintained
 615 or used by the department, including, but not limited to, the Home
 616 Improvement Guaranty Fund established pursuant to section 20-432,
 617 the New Home Construction Guaranty Fund established pursuant to
 618 section 20-417i, the Connecticut Health Club Guaranty Fund
 619 established pursuant to section 21a-226, the Real Estate Guaranty Fund
 620 established pursuant to section 20-324a and the privacy protection
 621 guaranty and enforcement account established pursuant to section 42-
 622 472a."

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|---|------------------------|------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 21a-118 |
| Sec. 2 | <i>from passage</i> | 30-39(b) |
| Sec. 3 | <i>from passage</i> | 21a-2 |
| Sec. 4 | <i>from passage</i> | 51-164n(b) |
| Sec. 5 | <i>from passage</i> | 21a-430 |
| Sec. 6 | <i>from passage</i> | 42-150u |
| Sec. 7 | <i>from passage</i> | 20-306a |
| Sec. 8 | <i>from passage</i> | 20-306b |
| Sec. 9 | <i>from passage</i> | 20-298b |
| Sec. 10 | <i>January 1, 2019</i> | 20-460 |
| Sec. 11 | <i>from passage</i> | 20-627 |
| Sec. 12 | <i>from passage</i> | 21a-11 |