



General Assembly

January Session, 2019

Raised Bill No. 7299

LCO No. 5391



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT MAKING CHANGES TO DEPARTMENT OF CONSUMER PROTECTION ENFORCEMENT STATUTES.

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

1 Section 1. Subsection (b) of section 51-164n of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2019*):

4 (b) Notwithstanding any provision of the general statutes, any
5 person who is alleged to have committed (1) a violation under the
6 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
7 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
8 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,
9 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
10 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
11 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
12 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
13 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
14 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
15 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)

16 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
17 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a or 14-
18 67a, subsection (g) of section 14-80, subsection (f) of section 14-80h,
19 section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-
20 153 or 14-163b, a first violation as specified in subsection (f) of section
21 14-164i, section 14-219 as specified in subsection (e) of said section,
22 subdivision (1) of section 14-223a, section 14-240, 14-250 or 14-253a,
23 subsection (a) of section 14-261a, section 14-262, 14-264, 14-267a, 14-
24 269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h) of section
25 14-283, section 14-291, 14-293b, 14-296aa, 14-300, 14-300d, 14-319, as
26 amended by this act, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a,
27 subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-33,
28 subdivision (1) of section 15-97, subsection (a) of section 15-115, section
29 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h,
30 section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-131,
31 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-
32 87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-222,
33 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336,
34 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231,
35 20-249, 20-257, 20-265, 20-324e, 20-341l, subsection (b) of section 20-334,
36 as amended by this act, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-
37 39, 21-43, 21-47, 21-48, 21-63 or 21-76a, subsection (c) of section 21a-2,
38 subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of
39 subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a)
40 of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection
41 (b) of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of
42 subsection (a) of section 21a-159, as amended by this act, subsection (a)
43 of section 21a-279a, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g,
44 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d,
45 22-39e, 22-49 or 22-54, subsection (d) of section 22-84, section 22-89, 22-
46 90, 22-98, 22-99, 22-100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-
47 320h, 22-324a, 22-326 or 22-342, subsection (b), (e) or (f) of section 22-
48 344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or
49 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-
50 256h, section 22a-363 or 22a-381d, subsections (c) and (d) of section

51 22a-381e, section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b,
52 subsection (a) or subdivision (1) of subsection (c) of section 23-65,
53 section 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d,
54 25-135, 26-18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-
55 55, 26-56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-
56 61, section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87,
57 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128,
58 26-131, 26-132, 26-138 or 26-141, subdivision (1) of section 26-186,
59 section 26-207, 26-215, 26-217 or 26-224a, subdivision (1) of section 26-
60 226, section 26-227, 26-230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-
61 284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-6a, 29-25, 29-143o, 29-143z
62 or 29-156a, subsection (b), (d), (e) or (g) of section 29-161q, section 29-
63 161y or 29-161z, subdivision (1) of section 29-198, section 29-210, 29-243
64 or 29-277, subsection (c) of section 29-291c, section 29-316, 29-318, 29-
65 381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16,
66 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48,
67 31-51, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-69,
68 section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection
69 (i) of section 31-273, section 31-288, subdivision (1) of section 35-20,
70 section 36a-787, 42-230, 45a-283, 45a-450, 45a-634 or 45a-658,
71 subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24,
72 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-
73 252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-
74 331 or 53-344, subsection (c) of section 53-344b, or section 53-450, or (2)
75 a violation under the provisions of chapter 268, or (3) a violation of any
76 regulation adopted in accordance with the provisions of section 12-484,
77 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or
78 bylaw of any town, city or borough, except violations of building codes
79 and the health code, for which the penalty exceeds ninety dollars but
80 does not exceed two hundred fifty dollars, unless such town, city or
81 borough has established a payment and hearing procedure for such
82 violation pursuant to section 7-152c, shall follow the procedures set
83 forth in this section.

84 Sec. 2. Subsection (b) of section 20-334 of the general statutes is

85 repealed and the following is substituted in lieu thereof (*Effective*
86 *October 1, 2019*):

87 (b) The Department of Consumer Protection shall furnish to each
88 qualified applicant a license certifying that the holder thereof is
89 entitled to engage in the work or occupation for which the person has
90 been issued a license under this chapter, and the holder of such license
91 shall carry it on his person while engaging in such work or occupation.
92 Such license shall be shown to any properly interested person on
93 request. No such license shall be transferred to or used by any person
94 other than the person to whom the license was issued. Contractors
95 [shall] that fail to display their state license number on all commercial
96 vehicles used in their business and [shall display such number] in a
97 conspicuous manner on all printed advertisements, bid proposals,
98 contracts, invoices and on all stationery used in their business may be
99 fined not more than five hundred dollars per violation. The
100 department shall keep a register in which shall be entered the names of
101 all persons to whom such licenses are issued. The register shall be at all
102 times open to public inspection.

103 Sec. 3. Section 14-318 of the general statutes is repealed and the
104 following is substituted in lieu thereof (*Effective January 1, 2020*):

105 Terms used in this chapter shall be construed as follows, unless
106 another construction is clearly apparent from the language or context
107 in which the term is used or unless the construction is inconsistent
108 with the manifest intention of the General Assembly:

109 (1) The following terms shall be construed as they are defined in
110 section 14-1: "Fuels", "motor vehicle" and "person";

111 (2) "Commissioner" means the Commissioner of Consumer
112 Protection or any assistant to the Commissioner of Consumer
113 Protection who is designated and authorized by, and who is acting for,
114 the Commissioner of Consumer Protection;

115 (3) "Distributor" means any person, wherever resident or located,

116 who imports fuels or causes fuels to be imported into this state, for sale
117 or use; a person who produces, refines, manufactures or compounds
118 fuels within this state; and a person who distributes gasoline by tank
119 wagon in this state;

120 (4) "Local authority" means the selectmen or town manager of a
121 town, the mayor of a city or the warden of a borough or other board or
122 authority designated by local charter, regulation or ordinance, except
123 in any town or city having a zoning commission and a board of
124 appeals, "local authority" means the board of appeals;

125 (5) "United States Government Motor Gasoline" means gasoline
126 which is or may be prescribed by the federal specification board of the
127 United States government for use as fuel for motor vehicle, motor boat
128 and similar engines;

129 (6) "United States Aviation Gasoline, Domestic Grade" means that
130 gasoline which is or may be prescribed by the federal specification
131 board of the United States government for use as aviation fuel; [and]

132 (7) "Retail dealer" means any person operating a service station,
133 filling station, store, garage or other place of business for the sale of
134 motor fuel for delivery into the service tank or tanks of any vehicle
135 propelled by an internal combustion engine; and [.]

136 (8) "On-demand mobile fueling" means the delivery of gasoline
137 directly from a mobile tank truck to the fuel tank of a motor vehicle.

138 Sec. 4. Subsection (a) of section 14-319 of the general statutes is
139 repealed and the following is substituted in lieu thereof (*Effective*
140 *January 1, 2020*):

141 (a) No person shall sell or offer for sale any gasoline or other
142 product intended for use in the propelling of motor vehicles using
143 combustion type engines over the highways of this state without
144 having applied for and received from the commissioner a license to sell
145 such gasoline or other product. Each person applying for any such

146 license shall, in such application, state the location of each place or
147 station where such person intends to sell or offer for sale any such
148 gasoline or other product, or, if an on-demand mobile fueling
149 operation is seeking licensure, state the business location and service
150 area of such operation. Each such license shall be renewed annually. A
151 license fee for each such place or station shall be charged as follows:
152 For each station at a fixed location containing one pump, one hundred
153 dollars; and, for each station containing more than one pump, one
154 hundred dollars, plus twenty-eight dollars for each pump in excess of
155 one, and for each on-demand mobile fueling operation, five hundred
156 dollars for the first mobile tank truck and one hundred dollars for each
157 additional mobile tank truck. The fees shall be paid to the
158 commissioner.

159 Sec. 5. Section 21a-152 of the general statutes is repealed and the
160 following is substituted in lieu thereof (*Effective October 1, 2019*):

161 (a) Each bakery, food warehouse and food manufacturing
162 establishment shall be designed, constructed and operated as the
163 Commissioner of Consumer Protection directs pursuant to sections
164 21a-151 to [21a-159] 21a-160, inclusive, as amended by this act, and
165 chapter 418.

166 (b) No person, firm or corporation shall operate a bakery, food
167 warehouse or food manufacturing establishment with the intent of
168 producing or storing products for human consumption without having
169 obtained from said commissioner a license. Application for such
170 license shall be made on forms, furnished by the commissioner,
171 showing the name and address of such bakery, food warehouse or
172 food manufacturing establishment. Bakeries shall show the number of
173 persons engaged in the production of bread and pastry products,
174 excluding porters, dishwashers, drivers, sales personnel and other
175 employees not directly engaged in such production. The commissioner
176 shall cause an inspection to be made of the premises described in the
177 application and, if conditions are found satisfactory, such license shall
178 be issued. No person, firm or corporation operating a bakery, food

179 warehouse or any agent, servant or employee thereof, shall refuse,
180 hinder or otherwise interfere with access by the commissioner or his
181 authorized representative for the purpose of conducting an inspection.
182 No person, firm or corporation shall (1) sell or distribute bread, cakes,
183 doughnuts, crullers, pies, cookies, crackers, spaghetti, macaroni or
184 other food products, including frozen or canned baked goods made in
185 whole or in part of flour or meal produced in any bakery located
186 within or beyond the boundaries of this state, [or shall] (2) sell or
187 distribute food produced in a food manufacturing establishment
188 located within the boundaries of this state, or (3) store any food for
189 wholesale distribution in a food warehouse, unless such bakery or
190 food manufacturing establishment has obtained a license from said
191 commissioner. Facilities licensed pursuant to chapter 417 as food
192 vendors and frozen dessert vendors, and all facilities licensed pursuant
193 to chapters 419a and 430 shall be exempt from such licensing
194 requirement. The commissioner may promulgate regulations excepting
195 out-of-state manufacturers of products, commonly known as cookies,
196 crackers, brown bread or plum puddings in hermetically sealed
197 containers and other similar products, from the license provisions of
198 this section. Such license shall be valid for one year and a fee therefor
199 shall be collected as follows: From a person, firm or corporation
200 owning or conducting a bakery in which there are four persons or
201 fewer engaged in the production of bread and pastry products, twenty
202 dollars; in which there are not fewer than five nor more than nine
203 persons so engaged, forty dollars; in which there are not fewer than ten
204 nor more than twenty-four persons so engaged, one hundred dollars;
205 in which there are not fewer than twenty-five nor more than ninety-
206 nine persons so engaged, two hundred dollars; in which there are
207 more than one hundred persons so engaged, two hundred fifty dollars.
208 The fee for a food manufacturer license shall be twenty dollars
209 annually.

210 (c) A bakery, food warehouse or food manufacturer license may be
211 revoked by said commissioner for violation of sections 21a-151 to [21a-
212 159] 21a-160, inclusive, as amended by this act, after a hearing

213 conducted in accordance with chapter 54. In addition, a bakery or food
214 manufacturer license may be summarily suspended pending a hearing
215 if said commissioner has reason to believe that the public health, safety
216 or welfare imperatively requires emergency action. Within ten days
217 following the suspension order said commissioner shall cause to be
218 held a hearing which shall be conducted in accordance with the
219 provisions of said chapter 54. Following said hearing said
220 commissioner shall dissolve such suspension or order revocation of the
221 bakery, food warehouse or food manufacturer license. Any person,
222 firm or corporation whose license has been revoked may make
223 application for a new license and said commissioner shall act on such
224 application within thirty days of receipt. The costs of any inspections
225 necessary to determine whether or not an applicant, whose license has
226 been revoked, is entitled to have a new license granted shall be borne
227 by the applicant at such rates as the commissioner may determine.
228 Said commissioner may refuse to grant any bakery, food warehouse or
229 food manufacturer license if he or she finds that the applicant has
230 evidenced a pattern of noncompliance with the provisions of sections
231 21a-151 to [21a-159] 21a-160, inclusive, as amended by this act. Prima
232 facie evidence of a pattern of noncompliance shall be established if said
233 commissioner shows that the applicant has had two or more bakery,
234 food warehouse or food manufacturer licenses revoked.

235 (d) All vehicles used in the transportation of bakery or food
236 warehouse products shall be kept in a sanitary condition and shall
237 have the name and address of the bakery, or food warehouse owner,
238 operator or distributor legibly printed on both sides. Each
239 compartment in which unwrapped bakery or food warehouse
240 products are transported shall be enclosed in a manner approved by
241 the commissioner.

242 (e) The provisions of this section shall not prevent local health
243 authorities from enforcing orders or regulations concerning the
244 sanitary condition of bakeries. [or food manufacturing establishments.]

245 (f) Any person who desires to obtain a license under the provisions

246 of sections 21a-151 to [21a-159] 21a-160, inclusive, as amended by this
247 act, shall first obtain and present to the commissioner a certificate of
248 approval of the location for which such license is desired. The
249 certificate of approval shall be obtained from the zoning commission,
250 planning and zoning commission or local authority of the town, city or
251 borough in which the facility is located or is proposed to be located. A
252 certificate of approval shall not be required in the case of the transfer
253 of the last issued license from one person to another or in the case of a
254 renewal of a license by the holder of the license. The commissioner
255 shall not issue any license under the provisions of sections 21a-151 to
256 [21a-159] 21a-160, inclusive, as amended by this act, for which a
257 certificate of approval is required until such certificate of approval is
258 obtained by the license applicant.

259 Sec. 6. Section 21a-156 of the general statutes is repealed and the
260 following is substituted in lieu thereof (*Effective October 1, 2019*):

261 The commissioner shall, from time to time, after inquiry and public
262 hearing, adopt and promulgate regulations to supplement and give
263 full effect to the provisions of sections 21a-151 to [21a-159] 21a-160,
264 inclusive, as amended by this act. Such regulations, among other
265 things, may establish sanitary requirements pertaining to the
266 manufacture and distribution of bread and pastry products. Such
267 regulations may also cover provisions restricting the sale of dangerous,
268 harmful and unwholesome bread and pastry products, the labeling of
269 bread and pastry products, the inspection of bakeries and the
270 establishment of costs for special inspections. The commissioner shall
271 annually review the amounts of bakery and food warehouse license
272 fees referred to in subsection (b) of section 21a-152 and shall increase
273 such fees in order to reflect the costs to the department of carrying out
274 the provisions of sections 21a-151 to [21a-159] 21a-160, inclusive, as
275 amended by this act.

276 Sec. 7. Section 21a-157 of the general statutes is repealed and the
277 following is substituted in lieu thereof (*Effective October 1, 2019*):

278 No employer shall knowingly permit to work in his or her bakery,
279 food warehouse or food manufacturing establishment any person who
280 is affected with any pathogen that is contained in the Centers for
281 Disease Control and Prevention's "List of Infectious and
282 Communicable Diseases which are Transmitted Through the Food
283 Supply", as amended from time to time, except in those cases in which
284 the director of health has given written authorization stating that the
285 public health is not endangered, and each employer shall maintain
286 himself or herself and his or her employees in a clean and sanitary
287 condition, with clean, washable outer clothing, while engaged in the
288 manufacture, handling or sale of food products. The commissioner or
289 his or her authorized agents may order any person employed in a
290 bakery, food warehouse or food manufacturing establishment to be
291 examined by a licensed physician if he or she has reason to believe that
292 such employee has a condition that may transmit a food-borne illness.
293 No person shall be allowed to smoke in a bakery, food warehouse or
294 food manufacturing establishment while in the performance of his or
295 her duty.

296 Sec. 8. Section 21a-158 of the general statutes is repealed and the
297 following is substituted in lieu thereof (*Effective October 1, 2019*):

298 The owner, agent or lessee of any property used as a bakery, food
299 warehouse or food manufacturing establishment shall, within thirty
300 days after the service of notice upon him or her of an order issued by
301 the Commissioner of Consumer Protection, comply therewith or cease
302 to use or allow the use of such premises as a bakery, food warehouse
303 or food manufacturing establishment. Such notice shall be in writing
304 and may be served upon such owner, agent or lessee, either personally
305 or by mail, and a notice by registered or certified letter, mailed to the
306 last-known address of such owner, agent or lessee, shall be sufficient
307 service.

308 Sec. 9. Section 21a-159 of the general statutes is repealed and the
309 following is substituted in lieu thereof (*Effective October 1, 2019*):

310 (a) Any person who violates any provision of sections 21a-151 to
311 [21a-159] 21a-160, inclusive, as amended by this act, or any regulation
312 made thereunder, or fails to comply with an order of the
313 Commissioner of Consumer Protection, shall (1) for a first offense, be
314 fined not more than two hundred fifty dollars, and (2) for any
315 subsequent offense, be guilty of a class D misdemeanor.

316 (b) The commissioner may apply to the Superior Court for and such
317 court may, upon hearing and for cause shown, grant a temporary or
318 permanent injunction enjoining any person from operating a bakery,
319 food warehouse or food manufacturing establishment without a
320 license issued in accordance with sections 21a-151 to [21a-159] 21a-160,
321 inclusive, as amended by this act, irrespective of whether or not there
322 exists an adequate remedy at law. The commissioner also may apply to
323 the Superior Court for, and such court shall have jurisdiction to grant,
324 a temporary restraining order pending a hearing. Such application for
325 injunctive or other appropriate relief shall be brought by the Attorney
326 General.

327 (c) The Commissioner of Consumer Protection, after providing
328 notice and conducting a hearing in accordance with the provisions of
329 chapter 54, may issue a warning citation or impose a civil penalty of
330 not more than one hundred dollars for the first offense and not more
331 than five hundred dollars for each subsequent offense on any person
332 who violates any provision of sections 21a-151 to [21a-159] 21a-160,
333 inclusive, as amended by this act, or any regulation adopted pursuant
334 to section 21a-156, as amended by this act.

335 Sec. 10. Section 21a-160 of the general statutes is repealed and the
336 following is substituted in lieu thereof (*Effective October 1, 2019*):

337 No person, firm or corporation shall operate a food warehouse
338 without having obtained a [certificate of registration] license from the
339 Commissioner of Consumer Protection. Application for a [certificate of
340 registration] license shall be on forms prescribed by the commissioner.
341 The commissioner shall issue a [certificate of registration] license to an

342 applicant who has completed such forms to the satisfaction of the
343 commissioner and has paid the [registration] license fee. A [certificate
344 of registration] license shall be valid for one year and the fee for such
345 [certificate of registration] license shall be twenty dollars.

346 Sec. 11. Section 20-330 of the general statutes is repealed and the
347 following is substituted in lieu thereof (*Effective October 1, 2019*):

348 As used in this chapter:

349 (1) "Contractor" means any person regularly offering to the general
350 public services of such person or such person's employees in the field
351 of electrical work, plumbing and piping work, solar work, heating,
352 piping, cooling and sheet metal work, fire protection sprinkler systems
353 work, elevator installation, repair and maintenance work, irrigation
354 work, automotive glass work or flat glass work, as defined in this
355 section;

356 (2) "Electrical work" means the installation, erection, maintenance,
357 inspection, testing, alteration or repair of any wire, cable, conduit,
358 busway, raceway, support, insulator, conductor, appliance, apparatus,
359 fixture or equipment that generates, transforms, transmits or uses
360 electrical energy for light, heat, power or other purposes, but does not
361 include low voltage wiring, not exceeding twenty-four volts, used
362 within a lawn sprinkler system;

363 (3) "Plumbing and piping work" means the installation, repair,
364 replacement, alteration, [or] maintenance, inspection or testing of gas,
365 water and associated fixtures, tubing and piping mains and branch
366 lines up to and including the closest valve to a machine or equipment
367 used in the manufacturing process, laboratory equipment, sanitary
368 equipment, other than subsurface sewage disposal systems, fire
369 prevention apparatus, all water systems for human usage, sewage
370 treatment facilities and all associated fittings within a building and
371 includes lateral storm and sanitary lines from buildings to the mains,
372 process piping, swimming pools and pumping equipment, and
373 includes making connections to back flow prevention devices, and

374 includes low voltage wiring, not exceeding twenty-four volts, used
375 within a lawn sprinkler system, but does not include (A) solar thermal
376 work performed pursuant to a certificate held as provided in section
377 20-334g, except for the repair of those portions of a solar hot water
378 heating system that include the basic domestic hot water tank and the
379 tie-in to the potable water system, (B) the installation, repair,
380 replacement, alteration, [or] maintenance, inspection or testing of fire
381 prevention apparatus within a structure, except for standpipes that are
382 not connected to sprinkler systems, (C) medical gas and vacuum
383 systems work, and (D) millwright work. For the purposes of this
384 subdivision, "process piping" means piping or tubing that conveys
385 liquid or gas that is used directly in the production of a chemical or a
386 product for human consumption;

387 (4) "Solar thermal work" means the installation, erection, repair,
388 replacement, alteration, [or] maintenance, inspection or testing of
389 active, passive and hybrid solar systems that directly convert ambient
390 energy into heat or convey, store or distribute such ambient energy;

391 (5) "Heating, piping and cooling work" means (A) the installation,
392 repair, replacement, maintenance, inspection, testing or alteration of
393 any apparatus for piping, appliances, devices or accessories for heating
394 systems, including sheet metal work, (B) the installation, repair,
395 replacement, maintenance, inspection, testing or alteration of air
396 conditioning and refrigeration systems, boilers, including apparatus
397 and piping for the generation or conveyance of steam and associated
398 pumping equipment and process piping and the installation of tubing
399 and piping mains and branch lines up to and including the closest
400 valve to a machine or equipment used in the manufacturing process []
401 and onsite testing and balancing of hydronic, steam and combustion
402 air, but excluding millwright work, and (C) on-site operation, by
403 manipulating, adjusting or controlling, with sufficient technical
404 knowledge, as determined by the commissioner, (i) heating systems
405 with a steam or water boiler maximum operating pressure of fifteen
406 pounds per square inch gauge or greater, or (ii) air conditioning or
407 refrigeration systems with an aggregate of more than fifty horsepower

408 or kilowatt equivalency of fifty horsepower or of two hundred pounds
409 of refrigerant. Heating, piping and cooling work does not include solar
410 thermal work performed pursuant to a certificate held as provided in
411 section 20-334g, or medical gas and vacuum systems work or the
412 passive monitoring of heating, air conditioning or refrigeration
413 systems. For the purposes of this subdivision, "process piping" means
414 piping or tubing that conveys liquid or gas that is used directly in the
415 production of a chemical or a product for human consumption;

416 (6) "Apprentice" means any person registered with the Labor
417 Department for the purpose of learning a skilled trade;

418 (7) "Elevator installation, repair and maintenance work" means the
419 installation, erection, maintenance, inspection, testing and repair of all
420 types of elevators, dumb waiters, escalators, and moving walks and all
421 mechanical equipment, fittings, associated piping and wiring from a
422 source of supply brought to the equipment room by an unlimited
423 electrical contractor for all types of machines used to hoist or convey
424 persons or materials, but does not include temporary hoisting
425 machines used for hoisting materials in connection with any
426 construction job or project;

427 (8) "Elevator maintenance" means the lubrication, inspection, testing
428 and replacement of controls, hoistway and car parts;

429 (9) "Fire protection sprinkler systems work" means the layout, on-
430 site fabrication, installation, alteration, maintenance, inspection, testing
431 or repair of any automatic or manual sprinkler system designed for the
432 protection of the interior or exterior of a building or structure from fire,
433 or any piping or tubing and appurtenances and equipment pertaining
434 to such system including overhead and underground water mains, fire
435 hydrants and hydrant mains, standpipes and hose connections to
436 sprinkler systems, sprinkler tank heaters excluding electrical wiring,
437 air lines and thermal systems used in connection with sprinkler and
438 alarm systems connected thereto, foam extinguishing systems or
439 special hazard systems including water spray, foam, carbon dioxide or

440 dry chemical systems, halon and other liquid or gas fire suppression
441 systems, but does not include (A) any engineering design work
442 connected with the layout of fire protection sprinkler systems, or (B)
443 any work performed by employees of or contractors hired by a public
444 water system, as defined in subsection (a) of section 25-33d;

445 (10) "State Fire Marshal" means the State Fire Marshal appointed by
446 the Commissioner of Administrative Services;

447 (11) "Journeyman sprinkler fitter" means a specialized pipe fitter
448 craftsman, experienced and skilled in the installation, alteration,
449 maintenance and repair of fire protection sprinkler systems;

450 (12) "Irrigation work" means making the connections to and the
451 inspection and testing of back flow prevention devices, and low
452 voltage wiring, not exceeding twenty-four volts, used within a lawn
453 sprinkler system;

454 (13) "Sheet metal work" means the onsite layout, installation,
455 erection, replacement, repair or alteration, including, but not limited
456 to, onsite testing and balancing of related life safety components,
457 environmental air, heating, ventilating and air conditioning systems by
458 manipulating, adjusting or controlling such systems for optimum
459 balance performance of any duct work system, ferrous, nonferrous or
460 other material for ductwork systems, components, devices, air louvers
461 or accessories, in accordance with the State Building Code;

462 (14) "Journeyman sheet metal worker" means an experienced
463 craftsman skilled in the installation, erection, replacement, repair or
464 alteration of duct work systems, both ferrous and nonferrous;

465 (15) "Automotive glass work" means installing, maintaining or
466 repairing fixed glass in motor vehicles;

467 (16) "Flat glass work" means installing, maintaining or repairing
468 glass in residential or commercial structures;

469 (17) "Medical gas and vacuum systems work" means the work and

470 practice, materials, instrumentation and fixtures used in the
471 construction, installation, alteration, extension, removal, repair,
472 maintenance, inspection, testing or renovation of gas and vacuum
473 systems and equipment used solely to transport gases for medical
474 purposes and to remove liquids, air-gases or solids from such systems;

475 (18) "Solar electricity work" means the installation, erection, repair,
476 replacement, alteration, [or] maintenance, inspection and testing of
477 photovoltaic or wind generation equipment used to distribute or store
478 ambient energy for heat, light, power or other purposes to a point
479 immediately inside any structure or adjacent to an end use;

480 (19) "Active solar system" means a system that uses an external
481 source of energy to power a motor-driven fan or pump to force the
482 circulation of a fluid through solar heat collectors and which removes
483 the sun's heat from the collectors and transports such heat to a location
484 where it may be used or stored;

485 (20) "Passive solar system" means a system that is capable of
486 collecting or storing the sun's energy as heat without the use of a
487 motor-driven fan or pump;

488 (21) "Hybrid solar system" means a system that contains
489 components of both an active solar system and a passive solar system;

490 (22) "Gas hearth product work" means the installation, service,
491 inspection, testing or repair of a propane or natural gas fired fireplace,
492 fireplace insert, stove or log set and associated venting and piping that
493 simulates a flame of a solid fuel fire. "Gas hearth product work" does
494 not include (A) fuel piping work, (B) the servicing of fuel piping, or (C)
495 work associated with pressure regulating devices, except for
496 appliances gas valves; [and]

497 (23) "Millwright work" means the installation, repair, replacement,
498 maintenance or alteration of (A) power generation machinery, or (B)
499 industrial machinery, including the related interconnection of piping
500 and tubing used in the manufacturing process, but does not include

501 the performance of any action for which licensure is required under
502 this chapter; [.]

503 (24) "Inspection" means the examination of a system or portion of a
504 system, involving the disassembly or removal of component parts of
505 the system;

506 (25) "Elevator inspection" means the visual examination of an
507 elevator system or portion of a system, with or without the
508 disassembly or removal of component parts; and

509 (25) "Testing" means to determine the status of a system as intended
510 for its use, with or without the disassembly of component parts of the
511 system, by the use of testing and measurement instruments.

512 Sec. 12. Section 30-55 of the general statutes is repealed and the
513 following is substituted in lieu thereof (*Effective October 1, 2019*):

514 (a) The Department of Consumer Protection may, in its discretion,
515 revoke, [or] suspend or place conditions on any permit or provisional
516 permit or impose a fine of not greater than one thousand dollars, upon
517 cause found after hearing, provided ten days' written notice of such
518 hearing has been given to the permittee setting forth, with the
519 particulars required in civil pleadings, the charges upon which such
520 proposed revocation, [or] suspension or fine is predicated. Any appeal
521 from such order of revocation, [or] suspension or fine shall be taken in
522 accordance with the provisions of section 4-183.

523 (b) The surrender of a permit or provisional permit for cancellation
524 or the expiration of a permit shall not prevent the department from
525 suspending or revoking any such permit pursuant to the provisions of
526 this section.

527 Sec. 13. Subdivision (4) of subsection (c) of section 21a-8 of the
528 general statutes is repealed and the following is substituted in lieu
529 thereof (*Effective from passage*):

530 (4) In addition to any other action permitted under the general

531 statutes, the commissioner may, upon a finding of any cause specified
532 in subsection (c) of section 21a-9: (A) Revoke or suspend a license,
533 registration or certificate; (B) issue a letter of reprimand to a
534 practitioner and send a copy of such letter to a complainant or to a
535 state or local official; (C) place a practitioner on probationary status
536 and require the practitioner to (i) report regularly to the commissioner
537 on the matter which is the basis for probation, (ii) limit the
538 practitioner's practice to areas prescribed by the commissioner, or (iii)
539 continue or renew the practitioner's education until the practitioner
540 has attained a satisfactory level of competence in any area which is the
541 basis for probation. The commissioner may discontinue, suspend or
542 rescind any action taken under this subdivision. If a license,
543 registration or certificate is voluntarily surrendered or is not renewed,
544 the commissioner shall not be prohibited from suspending, revoking
545 or imposing other penalties permitted by law on any such license,
546 registration or certificate.

547 Sec. 14. Subsection (a) of section 20-455 of the general statutes is
548 repealed and the following is substituted in lieu thereof (*Effective from*
549 *passage*):

550 (a) The commission may hold hearings on any matter under the
551 provisions of sections 20-450 to 20-462, inclusive. The commission or
552 department may issue subpoenas, administer oaths, compel testimony
553 and order the production of books, records and documents. If any
554 person refuses to appear, to testify or to produce any book, record,
555 paper or document when so ordered, upon application of the
556 commission or department, a judge of the Superior Court may make
557 such order as may be appropriate to aid in the enforcement of this
558 section. Upon a finding of the commission or department, following a
559 hearing, that an individual has held themselves out as a community
560 association manager without the proper registration, the commission
561 or department may issue a cease and desist order and fine the
562 respondent not more than five hundred dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	51-164n(b)
Sec. 2	<i>October 1, 2019</i>	20-334(b)
Sec. 3	<i>January 1, 2020</i>	14-318
Sec. 4	<i>January 1, 2020</i>	14-319(a)
Sec. 5	<i>October 1, 2019</i>	21a-152
Sec. 6	<i>October 1, 2019</i>	21a-156
Sec. 7	<i>October 1, 2019</i>	21a-157
Sec. 8	<i>October 1, 2019</i>	21a-158
Sec. 9	<i>October 1, 2019</i>	21a-159
Sec. 10	<i>October 1, 2019</i>	21a-160
Sec. 11	<i>October 1, 2019</i>	20-330
Sec. 12	<i>October 1, 2019</i>	30-55
Sec. 13	<i>from passage</i>	21a-8(c)(4)
Sec. 14	<i>from passage</i>	20-455(a)

Statement of Purpose:

To modify existing Department of Consumer Protection enforcement statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]