OLR Bill Analysis
sHB 7299 (as amended by House "A" and “C”)*

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

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BACKGROUND

SUMMARY

This bill makes various changes to consumer protection statutes, such as expanding the Department of Consumer Protection’s (DCP) authority to regulate the activities of certain DCP-licensed, permitted, or registered individuals and entities, including tradespeople, food warehouses, and liquor permittees. Among other things, the bill:

1. requires food warehouses to be licensed, rather than registered,
with DCP and generally subjects them to the laws on bakeries and food manufacturing establishments (§§ 3-8);

2. expands DCP’s authority over architecture licensure such as by requiring DCP to establish continuing education requirements, and establishes an “Architect Emeritus” registration for certain retired architects (§§ 13-18);

3. establishes a registration for community association manager trainees, allows community association managers to use unregistered administrative staff, adds continuing education requirements, and creates a new penalty for falsely holding oneself out as a community association manager (§§ 12, 19-27); and

4. requires compounding pharmacies to designate a pharmacist responsible for overseeing compounding activities.

The bill also makes numerous minor, conforming, and technical changes.

*House Amendment “A” makes the following principal changes:

1. eliminates provisions in the underlying bill making on-demand mobile fueling operators eligible for a gasoline retailer license;

2. adds the provisions concerning architect licensing, community association managers other than the penalty for an unregistered person holding himself or herself out as a manager, compound pharmacies, pharmacy reporting, controlled substance classification, medical marijuana products, appraisal management companies, real estate licenses, charity registration, electronics fund transfers, potentially hazardous food, and surveying corporations; and

3. exempts food warehouses registered and in good standing before October 1, 2019, from needing to meet certain requirements to obtain a DCP license.
“House Amendment “C” removes the penalty in the previous amendment for a contractor’s first violation of the requirement to appropriately display his or her license number.

EFFECTIVE DATE: Upon passage, unless otherwise noted below.

§§ 1 & 2 — DISPLAYING TRADESPERSON LICENSE NUMBERS

Subjects DCP-licensed tradesperson contractors to a fine of up to $500 for failing to comply with license number display requirements

Under existing law, DCP-licensed tradesperson contractors must display their state license number on commercial vehicles and printed advertisements, bid proposals, contracts, invoices, and stationery they use in their business. The bill instead requires the license number to be included on any such written materials, whether printed or not.

The bill subjects contractors that do not comply with license number display requirements to a fine of up to $500, except for a first violation. The fine may be paid under the state’s infraction procedures (i.e., one may pay the fine by mail to the Centralized Infractions Bureau without making a court appearance).

EFFECTIVE DATE: October 1, 2019

§ 3 — FOOD MANUFACTURING ESTABLISHMENT STANDARDS

Removes a provision specifying that the food manufacturing establishment enforcement laws do not prevent enforcement by local health authorities for sanitary conditions

The bill eliminates a provision specifying that the food manufacturing establishment enforcement statutes do not prevent local health authorities from enforcing orders or regulations concerning sanitary conditions.

EFFECTIVE DATE: October 1, 2019

§§ 3-8 — FOOD WAREHOUSES

Generally subjects food warehouses to the laws applicable to bakeries and food manufacturing establishments

General Requirements

The bill generally subjects food warehouses to the laws applicable to bakeries and food manufacturing establishments.
Generally, food warehouses are buildings or a part thereof where food is stored for wholesale distribution, providing it is used primarily for importing, storing, or distributing packaged food and not for operating a bakery or food manufacturing establishment. Packaged foods are those enclosed in a container or wrapping that do not allow food to be removed without breaking or tearing the wrapping, container, or seals (CGS § 21a-151).

Under the bill, food warehouses must be designed, constructed, and operated under the same laws that apply to bakeries and food manufacturing facilities, including requirements that prohibit employees from working in such an establishment if they have certain communicable diseases and smoking in such an establishment. However, the bill provides that food warehouses registered in good standing before October 1, 2019, and that are in good repair so that the food is properly protected and the premises is free of pests, are not subject to the design and construction requirements (§§ 3 & 5).

The bill requires vehicles used to transport food warehouse products to comply with the requirements applicable to those transporting bakery products, including displaying legibly on both sides of the vehicle, the name and address of the warehouse owner, operator, or distributor. It also reiterates that bakeries, food manufacturing establishments, and food warehouses are subject to the state’s Uniform Food, Drug and Cosmetic Act which gives DCP enforcement authority over such things as adulterated or misbranded food products (§ 3).

**Licensing and Enforcement Actions**

Under current law, food warehouses must obtain a DCP certificate of registration annually; under the bill, they must obtain a DCP license annually, generally following an inspection. The bill exempts from the inspection requirement food warehouses registered with DCP before October 1, 2019.

The bill requires food warehouse applicants, like bakery and food manufacturing establishment applicants, to show that their facility is
operating in a location that complies with local land use regulations (i.e., obtains a certificate of approval from the local zoning commission, planning or zoning commission, or other local authority). The bill exempts from this requirement food warehouses registered and in good standing before October 1, 2019.

Under the bill, a warehouse’s license may be revoked, after a hearing under the Uniform Administrative Procedure Act, for violations of applicable laws. But unlike bakery and food manufacturing establishments, food warehouse licenses are not subject to summary suspensions pending a hearing. Warehouses are subject to DCP enforcement orders and associated fines and penalties, just as bakeries and food manufacturing establishments are under existing law (certain offenses are a class D misdemeanor, punishable by a fine of up to $250, up to 30 days imprisonment, or both)(§§ 3, 6, 7 & 8).

EFFECTIVE DATE: October 1, 2019

§ 9 — INSPECTION AND TESTING ACTIVITIES

Specifies that for purposes of DCP’s tradesperson licensing statutes, regulated work includes inspecting and testing the relevant systems

The bill specifies that for purposes of DCP’s tradesperson licensing statutes, work in the following fields includes inspecting and testing the relevant systems:

1. electrical;
2. plumbing and piping work;
3. solar thermal;
4. heating, piping, and cooling;
5. elevator installation, repair, and maintenance;
6. fire protection sprinkler systems;
7. lawn irrigation;
8. medical gas and vacuum systems;
9. solar electricity;

10. gas hearth products; and

11. millwright work.

Under the bill, “testing” means determining a system’s status given its intended use, with or without disassembling its component parts, using testing and measurement instruments. The bill’s definition of testing also applies to existing law’s definition of sheet metal work.

The bill provides that “inspection” includes the examination of a system or portion thereof, involving disassembling or removing its component parts. But the bill specifically defines “elevator inspection” for purposes of the elevator installation, repair, and maintenance field as the visual examination of an elevator system or portion thereof, with or without the disassembly or removal of component parts.

The bill also expands the scope of the:

1. elevator maintenance field (which in statute is distinct from elevator installation, repair, and maintenance) to include testing controls, hoistway, and car parts (inspection of such parts is already deemed part of the field), and

2. heating, piping, and cooling field to include onsite testing and balancing of hydronic, steam, and combustion air systems.

EFFECTIVE DATE: October 1, 2019

§ 10 — LIQUOR CONTROL ACT PERMITTEES

Allows DCP, rather than only suspending or revoking a liquor permit or provisional permit, to (1) place conditions on such a permit or (2) impose a fine of up to $1,000.

The bill expands DCP’s enforcement options for violations of the Liquor Control Act by subject permittees and provisional permittees. Under current law, after a hearing, DCP may either revoke or suspend a permit for violations of the act. Under the bill, DCP may alternatively, after a hearing, place conditions on a permit or impose a fine of up to $1,000.
If DCP imposes a fine, notice of the hearing must include the charges on which the fine is based. Fines may be appealed in the same manner as revocations and suspensions (i.e., appealed to Superior Court). (The bill does not require the hearing notice to include a basis for imposing conditions; nor does it establish an appeals procedure for permittees subject to such conditions.)

EFFECTIVE DATE: October 1, 2019

§ 11 — SURRENDERED OR EXPIRED CREDENTIALS

Specifically allows DCP to suspend, revoke, or impose other penalties permitted by law on certain licenses or certificates that are voluntarily surrendered and not renewed

The bill specifically allows DCP to suspend, revoke, or impose penalties permitted by law on certain licenses or certificates that are voluntarily surrendered or not renewed. DCP’s authority extends to licenses and certificates held by individuals subject to the oversight of the following boards and commissions:

1. Architectural Licensing Board;

2. examining boards for electrical work; plumbing and piping work; heating, piping, cooling and sheet metal work; elevator installation, repair, and maintenance work; fire protection sprinkler systems work; and automotive glass work and flat glass work;

3. Commission of Pharmacy;

4. State Board of Landscape Architects;

5. State Board of Examiners for Professional Engineers and Land Surveyors;

6. Connecticut Real Estate Commission;

7. Connecticut Real Estate Appraisal Commission;

8. State Board of Examiners of Shorthand Reporters;

9. Liquor Control Commission;
10. Home Inspection Licensing Board; and

11. State Board of Accountancy.

§§ 12 & 19-27 — COMMUNITY ASSOCIATION MANAGERS

Establishes a community association manager trainee registration, allows community association managers to have unregistered administrative staff, adds a continuing education requirement, creates a new penalty for someone who holds himself or herself out as a community association manager without a registration, and requires insurance policies to cover theft by trainees or staff.

Community Association Manager Trainee Registration

The bill establishes a nonrenewable registration for someone working under a community association manager’s direct supervision to be trained in providing association management services.

Application Process. Under the bill, an applicant for the training registration certificate must apply to DCP in writing on a DCP-provided form, which includes the following information: the applicant’s name, home and business addresses, business telephone number, whether the applicant was convicted of a felony, and any other information DCP requires. The bill limits the duration of the registration to six months. The application and registration have no associated fee.

Under the bill, the Connecticut Real Estate Commission is responsible for reviewing and authorizing the trainee registrations, but DCP issues the registration. DCP or the commission may suspend, revoke, or refuse to issue a registration (see Enforcement and Penalties, below).

Scope of Registration. Under the bill, a community association manager trainee must be directly supervised by and act under the direction of a registered community association manager. The services a trainee may provide include preparing financial documents, helping conduct association meetings, helping the association obtain insurance, coordinating the association’s operations, and advising the association on its operations. The bill (1) specifically prohibits a trainee from collecting, controlling, or disbursing association funds and (2) makes the supervising manager liable for the trainee’s actions or failures to
Community Association Managers

Administrative Staff. The bill specifically allows community association managers to employ or contract with support or administrative staff who are unregistered as community association managers to conduct the following tasks:

1. answer telephone calls, forward calls to the community association manager, and take messages;

2. update files and forms;

3. schedule and coordinate meetings, teleconferences, service calls, and responses to maintenance and repair requests;

4. copy documents and prepare mailings to unit owners, vendors, and other third parties;

5. attend meetings and provide services such as taking notes to maintain accurate association records;

6. help maintain the association’s financial information and records, including such things as responding to unit owners’ account inquiries, and drafting checks for approved payments; and

7. implement the community association manager’s decisions and directions.

The bill specifically prohibits support or administrative staff from having direct access to or control over association funds. It requires the community association manager to directly supervise and be liable for the work performed by his or her support or administrative staff, including making sure that the staff is trained in the scope of their work and operating in compliance with the law.

Advertisements. By law, community association managers must include their registration numbers in advertisements. The bill requires,
for a business entity, that the advertisement identify at least one of the entity’s principals, officers, or directors who is a community association manager and his or her registration number.

**Continuing Education.** The bill eliminates, beginning October 1, 2019, a requirement that anyone issued a certificate of registration as a community association manager must, within one year after issuance (1) successfully complete a nationally recognized course on community association management and (2) pass an examination.

The bill instead establishes continuing education requirements for community association managers. Specifically, in order to renew a registration, a community association manager must complete 16 hours of continuing education over two years, keep proof of completing the education and, upon request, provide it to DCP. The bill specifies that the continuing education must consist of (1) a course or courses offered by the Connecticut Chapter of the Community Associations Institute on community association management techniques and common interest community law or (2) similar courses as may be prescribed by the DCP commissioner in regulations.

**Insurance.** Current law requires those who provide community association management services, including controlling, collecting, having access to, or disbursing association funds, to be insured by a commercially available insurance policy that protects association funds from theft by a community association manager, management company, or such company’s employees. The bill broadens this requirement by mandating that the insurance policy also cover theft by a community management association trainee.

The bill provides that an insurance policy maintained by a common interest community unit owners’ association that provides the same coverage complies with the requirement.

**Registration Renewal.** By law, community association manager registrations are valid for one year. The bill allows a manager whose certificate has expired for more than one month, but not more than one year, to have his or her registration restored upon paying a $50 fee in
addition to the renewal fee. The restored registration is effective once the applicant’s application is approved by DCP or the commission.

**Enforcement and Penalties**

*Registration Denial.* Existing law prescribes that DCP must notify an applicant of a denial to issue a community association manager registration and that the applicant has a right to request a hearing within 10 days after receiving the denial notice. The bill also applies this notice requirement for manager trainee applicants.

The bill shifts, from the commission to the department, the responsibility for (1) notifying an applicant of the reasons for denying the registration if a hearing is requested and (2) conducting the hearing.

*Penalties.* Under current law, the Connecticut Real Estate Commission may place a registrant on probation or issue a letter of reprimand for certain prohibited acts, such as making a material misrepresentation, conviction of certain crimes, failing to account for or remit funds within a reasonable time, comingling funds in an escrow or trustee account, or failing to comply with education requirements. The commission may also revoke, suspend, or refuse to issue or renew a community association manager’s registration upon these same grounds.

The bill provides that either the commission or DCP may take action against the registrants to (1) revoke, suspend, or refuse to issue or renew a registration; (2) place conditions on a registration, rather than put someone on probation, or (3) issue a civil penalty of up to $1,000 per violation, rather than issuing a letter of reprimand. (The bill omits conforming changes to another statute that refers to the penalties of probation and a letter of reprimand.)

*Unregistered Managers and Trainees.* The bill prohibits anyone from holding himself or herself out as a community association manager trainee without being appropriately registered. The same ban applies under current law to those holding themselves out as
community association managers. The bill also prohibits anyone from providing association management services without a registration, unless doing so as support or administrative staff.

Under the bill, if following a hearing, DCP or the Connecticut Real Estate Commission finds that an individual held themselves out as a community association manager without the required registration, DCP or the commission may issue a cease and desist order and fine the individual up to $500. The bill subjects someone who falsely holds himself or herself out as a trainee to the existing general penalties for violating a provision of the community association manager laws.

Existing law, unchanged by the bill, already subjects an individual who, among other things, falsely represents himself or herself as or impersonates a registered community association manager, to a fine of up to $1,000, up to one year in prison, or both. The law also makes any violation of the community association manager registration laws an unfair or deceptive trade practice.

Under the bill, for someone who commits certain violations including, among other things, falsely representing or impersonating, falsely presenting the registration certificate of someone else, knowingly giving false evidence to obtain a registration certificate, or providing association services without being registered, the fine may only be imposed after an administrative hearing.

EFFECTIVE DATE: October 1, 2019, except the provision establishing a new penalty for holding oneself out as a community association manager without the proper registration is effective upon passage.

§§ 13-18 — ARCHITECTS

Expands DCP’s role in licensing architects, requires continuing education for architects, establishes a registration credential for certain retired architects, and provides requirements for professional corporations with employee stock ownership plans.

Application Procedure

The bill expands DCP’s role in licensing architects. Under the bill, applicants for an architect license must apply to DCP, rather than the
Architectural Licensing Board as under current law. (By law, the board is in DCP.)

The bill provides that the DCP commissioner, instead of only a majority of the board, may determine whether an applicant has passed the architect examination. The bill also allows the DCP commissioner, instead of only the board as under current law, to accept application materials from architects credentialed in other states, who may be licensed in Connecticut without examination if they meet certain qualifications. And it requires DCP, rather than the board’s secretary, to receive the initial licensure fee.

**Architect Emeritus Registration**

The bill establishes a registration credential for previously licensed architects who have retired from active architecture practice (i.e., an “Architect Emeritus”). To qualify for the registration, a retired architect must (1) be at least 65 years of age and (2) have been licensed for at least 10 years in Connecticut. The registration fee is $10.

The bill specifies that “Architect Emeritus” is an honorific title and it prohibits someone with the title from engaging in the practice of architecture without applying for and obtaining an architecture license.

**Continuing Education**

The bill requires DCP to establish continuing education requirements for licensed architects in regulations (see Required Regulations, below). For an architect to renew his or her license, he or she must submit evidence of completing the education requirements.

**Enforcement Authority**

Current law provides the board with the authority to (1) after notice and a hearing, suspend or revoke an architect license or (2) censure an architect and impose a civil fine of up to $1,000 for certain actions such as fraudulently obtaining a license, committing a felony, or being grossly incompetent or negligent in planning or constructing buildings.
The bill provides this authority also to the DCP commissioner and specifies that the imposed fine is per violation. It similarly gives the commissioner, as already held by the board, authority to reissue a revoked license and modify a suspension.

The bill also provides that the board may suspend, for up to a year, or revoke the certification of authorization it issued to a corporation if the trustee of the corporation’s employee stock ownership plan was censured or had his or her registration suspended or revoked (see below). Existing law allows for suspension or revocation if the certificate was obtained by fraud or misrepresentation, the certificate holder does not follow the law’s requirements, or the corporation’s CEO or stock holders were censured or had their registrations suspended or revoked.

**Professional Corporations**

Existing law allows for architects to be engaged in business under a corporate form or by a corporation that includes architecture in its business, under certain conditions. One of those conditions is that the holder or holders of at least two-thirds of the corporation’s voting stock be licensed architects. The bill specifies that this requirement applies to professional corporations.

Under the bill, if a professional corporation has an employee stock ownership plan, the voting stock held by the plan may be used in lieu of, or in addition to, the corporation’s licensees’ voting stock to meet the two-thirds ownership requirement as long as at least two-thirds of the plan’s trustees are licensed.

The bill requires, when a corporation with an employee stock ownership plan seeks a certificate of authorization from DCP, the corporation to provide the name and addresses of the plan’s trustees in addition to the other information required by law. And it requires the corporation to report any change in the plan’s trustee to be reported to the board within 30 days after the change.

**Required Regulations**
The bill transfers, from the Architectural Licensing Board to DCP, the responsibility for adopting certain regulations related to architectural licensing. Consequently, it makes DCP responsible for adopting all architecture regulations.

Under current law, the board must adopt regulations on architectural licensing education and training requirements, examination eligibility requirements, appealing examination grades, reciprocal licensing, and other necessary matters. The bill instead requires that DCP adopt the regulations in consultation with the board. The bill also expands the scope of the required regulations to specifically include continuing education requirements and Architect Emeritus registration qualifications.

Existing law, unchanged by the bill, requires DCP, with the board’s advice and help, to adopt regulations on (1) professional ethics and conduct, (2) the board’s activities, and (3) licensure examinations.

EFFECTIVE DATE: October 1, 2019

§ 28 — COMPOUNDING PHARMACIES

Generally requires compounding pharmacies to additionally comply with United States Pharmacopeia chapters 800 and 825, rather than only chapter 797, and requires state-licensed and institutional compounding pharmacies to designate a pharmacist responsible for overseeing compounding activities.

Compliance with Additional USP Chapters

Currently, throughout the law regulating nonresident, state-licensed, and institutional compounding pharmacies, the pharmacies are required to comply with the most recent version of United States Pharmacopeia (USP) chapter 797 ("pharmaceutical compounding - sterile preparations"). The bill additionally requires covered pharmacies to comply with the most recent version of USP chapters 800 ("hazardous drugs - handling in healthcare settings") and 825 ("radiopharmaceuticals - preparation, compounding, dispensing, and repackaging").

Under the bill, compounding pharmacies must also comply with any companion documents referenced in the three chapters.
Clean Room Remodels, Relocations, Upgrades, and Repairs

Under current law, if a compounding pharmacy plans to remodel or relocate a pharmacy clean room, or conduct nonemergency repair work to such room, notice of such plans must be provided to DCP. The bill specifies that this notice must be in writing.

Designated Pharmacist

The bill requires state-licensed and institutional pharmacies that provide sterile pharmaceuticals to designate a pharmacist responsible for overseeing sterile pharmaceutical compounding and the application of USP chapters as they relate to sterile compounding (i.e., chapters 797, 800, and 825). Designated pharmacists must provide DCP proof that they have completed a DCP-approved program that demonstrates the competence necessary for the compounding of sterile pharmaceuticals in compliance with all applicable federal and state laws.

Each pharmacy that provides sterile pharmaceuticals must notify DCP of its designated pharmacist; if such pharmacist loses the designation, he or she must notify DCP immediately. The bill specifies that designated pharmacists are allowed to serve as pharmacy managers.

EFFECTIVE DATE: January 1, 2020

§ 29 — NOTICE OF CERTAIN ACTIONS AGAINST PHARMACIES

Requires state-licensed pharmacies to report to DCP any administrative or legal action commenced against them by a state or federal regulatory agency or accreditation entity

The bill requires state-licensed pharmacies to report to DCP any administrative or legal action commenced against them by a state or federal regulatory agency or accreditation entity within 10 business days after receiving notice of the action. Existing law, unchanged by the bill, requires (1) state-licensed compounding pharmacies to report such information to DCP within five business days and (2) nonresident pharmacies to report similar information within 10 business days (CGS §§ 20-627(b)(8) & 20-633b(j)).

§ 30 — CLASSIFICATION OF CONTROLLED SUBSTANCES
Terminates the temporary designation of controlled substances by virtue of federal action and instead makes such classifications permanent, unless DCP opts to change them.

Under current law, if a drug that is not classified in Connecticut’s controlled substances schedule is classified under the federal Controlled Substances Act, the federal classification automatically applies in Connecticut for 240 days. The bill eliminates the temporary nature of these classifications, making them permanent. But the bill specifies that the DCP commissioner, through regulations, may opt to change the classification of any controlled substance that is automatically classified under the bill’s provisions.

§ 31 — CLASSIFICATION OF MEDICINAL MARIJUANA PRODUCTS

Reclassifies on the state’s controlled substances schedule federally approved medical marijuana products.

Under current state law, DCP’s regulations must classify marijuana and marijuana products as schedule II controlled substances. The bill creates an exception from this requirement for marijuana products that are approved by the federal Food and Drug Administration or a successor agency as having a medical use. The bill requires the commissioner to adopt the schedule designated by the federal Drug Enforcement Administration. Thus, such products must be classified in Connecticut the same as they are under federal law (and if unclassified at the federal level, they must also be unclassified in Connecticut).

§§ 32-34 — REAL ESTATE APPRAISERS

Allows appraisal management companies to do additional tasks and actions and prohibits certain people who used to have a license from owning a portion of the company.

The bill allows appraisal management companies to receive an appraisal review request or order, instead of just receiving an appraisal request or order as under current law. An appraisal review is a report that reviews, among other things, the accuracy of an appraisal.

The bill also prohibits a person from owning an appraisal management company if the person had an appraiser license or certificate denied, refused to be renewed, suspended, or revoked. Current law allows such person to own up to 10% of the company.
The bill eliminates the 30-day period during which an appraisal management company can remove appraisers from its appraiser panel or refuse to assign requests or orders without (1) notifying them of the reasons for their removal and the nature of the alleged conduct or violation, if applicable and (2) providing them with an opportunity to respond.

§ 35 — REAL ESTATE LICENSE REVOCATION HEARINGS

Eliminates the mandatory revocation of a real estate license for committing certain crimes and instead makes it discretionary

The bill eliminates the automatic license forfeiture for real estate brokers and salespersons who are convicted of certain crimes involving fraud or money and instead allows DCP to revoke the license and subjects the licensee to existing law’s revocation procedures. These crimes are forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or other similar offenses.

§ 36 — CHARITABLE SOLICITATION REGISTRATION EXEMPTION

Specifies that certain charities that do not have to register with DCP are still exempt from registration even if they make solicitations

By law, charities that solicit generally need to register with DCP, but certain charitable organizations are exempt, including religious corporations, parent-teacher associations, non-profit hospitals, and any governmental unit, among others. But exempt charities must submit any information the department requires to substantiate the exemption. The bill specifies that these organizations do not need to register even if they engage in solicitation and must provide the information substantiating the exemption before conducting any solicitation or having any solicitation done on their behalf.

§ 37 — FINES FOR UNCOLLECTIBLE ELECTRONIC PAYMENTS

Allows DCP to impose a $20 fine for certain returned electronic fund transfers

As already allowed under existing law for returned checks, the bill allows the DCP commissioner to (1) impose a $20 fine on any DCP permit or license applicant whose electronic funds transfer is returned as uncollectable and (2) require the applicant to pay DCP any fees a
financial institution charges on the department due to the returned transfer.

§ 38 — POTENTIALLY HAZARDOUS COTTAGE FOOD

Clarifies a definition in the cottage food statutes

Under current law, a cottage food producer must not produce potentially hazardous food, which means a food that requires time and temperature control for safety to limit pathogenic microorganism growth or toxin formation. The bill specifies that the time and temperature control for food safety must be consistent with the U.S. Food and Drug Administration’s Food Code definition, as amended from time to time and adopted by the public health commissioner by reference.

§ 39 — ENGINEERING AND LAND SURVEYING CORPORATIONS

Specifies that professional corporations are the corporation type that are subject to the law’s requirements for providing professional engineering or land surveying services

The bill specifies that professional corporations are the corporation type that are subject to the requirements for practicing or offering to practice professional engineering or land surveying services in the state. By law, these entities must have at least two-thirds of their owners be individually licensed and own at least two-thirds of the entities’ voting stock.

EFFECTIVE DATE: October 1, 2019

BACKGROUND

Related Bills

sSB 1006 (File 537), favorably reported by the General Law Committee, contains almost identical provisions to §§ 28-31.

sSB 1007 (File 538), favorably reported by the General Law Committee, contains almost identical provisions to §§ 32-38.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute
Yea 11  Nay 5  (03/21/2019)