



General Assembly

February Session, 2020

Raised Bill No. 125

LCO No. 1315



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

***AN ACT CONCERNING DEPARTMENT OF CONSUMER PROTECTION
LICENSING AND ENFORCEMENT.***

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

1 Section 1. Subsection (c) of section 20-281k of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2020*):

4 (c) [Nothing in this section shall require a licensee to keep any
5 workpaper beyond the period prescribed in any other applicable
6 statute, except that any] A licensee shall ensure that any work product
7 and workpaper created in the performance of an engagement for a client
8 are retained for not less than seven years after creation of such work
9 product and workpaper, unless the licensee is required by law to retain
10 such records for a longer period. Any work product or workpaper
11 prepared by a licensee in the course of an audit of a corporation the
12 securities of which are registered under Section 12 of the Securities
13 Exchange Act of 1934, as from time to time amended, or that is required
14 to file reports under Section 15(d) of the Securities Exchange Act of 1934,
15 as from time to time amended, shall be retained for the period described

16 in section 33-1332.

17 Sec. 2. Section 20-500 of the 2020 supplement to the general statutes
18 is repealed and the following is substituted in lieu thereof (*Effective July*
19 *1, 2020*):

20 As used in sections 20-500 to 20-529e, inclusive, unless the context
21 otherwise requires:

22 (1) "Appraisal" means the practice of developing an opinion of the
23 value of real property, in conformance with the USPAP.

24 (2) "Appraisal Foundation" means the not-for-profit corporation
25 referred to in Section 1121 of Title XI of FIRREA.

26 (3) "Appraisal management company" means any person,
27 partnership, association, limited liability company or corporation that
28 performs appraisal management services. "Appraisal management
29 company" does not include:

30 (A) An appraiser that enters into a written or oral agreement with
31 another appraiser for the performance of an appraisal, which is signed
32 by both appraisers upon completion;

33 (B) An appraisal management company that [(i) is wholly owned by
34 a financial institution subject to regulation by an agency or department
35 of the United States government or an agency of this state, and (ii) only
36 receives appraisal requests from an employee of such financial
37 institution] is a subsidiary owned and controlled by a financial
38 institution regulated by a federal financial institution regulatory agency
39 shall not be required to register with this state. For the purposes of this
40 subdivision, "financial institution" means a bank, as defined in section
41 36a-2, an out-of-state bank, as defined in section 36a-2, an institutional
42 lender, any subsidiary or affiliate of such bank, out-of-state bank or
43 institutional lender, or other lender licensed by the Department of
44 Banking;

45 (C) A department or unit of a financial institution subject to

46 regulation by an agency or department of the United States government
47 or an agency of this state that only receives appraisal requests from an
48 employee of such financial institution; or

49 (D) Any local, state or federal agency or department thereof.

50 (4) "Appraisal management services" means any of the following:

51 (A) The administration of an appraiser panel;

52 (B) The recruitment of certified appraisers to be part of an appraiser
53 panel, including, but not limited to, the negotiation of fees to be paid to,
54 and services to be provided by, such appraisers for their participation
55 on such panel; or

56 (C) The receipt of an appraisal request or order or an appraisal review
57 request or order and the delivery of such request or order to an
58 appraiser panel.

59 (5) "Appraiser panel" means a network of appraisers who are certified
60 in accordance with the requirements established by the commission by
61 regulation, who are independent contractors of an appraisal
62 management company and who have:

63 (A) Responded to an invitation, request or solicitation from an
64 appraisal management company to perform appraisals (i) requested or
65 ordered through such company, or (ii) directly for such company on a
66 periodic basis as assigned by the company; and

67 (B) Been selected and approved by such company.

68 (6) "Certified appraiser" means a person who has satisfied the
69 minimum requirements for a category of certification established by the
70 commission by regulation. Such minimum requirements shall be
71 consistent with guidelines established by the Appraisal Qualification
72 Board of the Appraisal Foundation. The categories of certification shall
73 include, but may be modified by the commission thereafter, one
74 category denoted as "certified residential appraiser" and another

75 denoted as "certified general appraiser".

76 (7) "Commission" means the Connecticut Real Estate Appraisal
77 Commission appointed under the provisions of section 20-502.

78 (8) "Commissioner" means the Commissioner of Consumer
79 Protection.

80 (9) "Compliance manager" means a person who holds an appraiser
81 certification in at least one state and who is responsible for overseeing
82 the implementation of, and compliance with, procedures for an
83 appraisal management company to:

84 (A) Verify that a person being added to the appraiser panel of the
85 company holds a license in good standing in accordance with section
86 20-509;

87 (B) Maintain detailed records of each appraisal request or order the
88 company receives and of the appraiser who performs such appraisal;
89 and

90 (C) Review on a periodic basis the work of all appraisers performing
91 appraisals for the company to ensure that such appraisals are being
92 conducted in accordance with the USPAP.

93 (10) "Controlling person" means a person who has not had an
94 appraiser license or a similar license or appraiser certificate denied,
95 refused to be renewed, suspended or revoked in any state and who:

96 (A) Is an owner, officer or director of a partnership, association,
97 limited liability company or corporation offering or seeking to offer
98 appraisal management services in this state;

99 (B) Is employed by an appraisal management company and has the
100 authority to enter into contracts or agreements for the performance of
101 appraisal management services or appraisals, or is appointed or
102 authorized by such company to enter into such contracts or agreements;
103 or

104 (C) May exercise authority over or direct the management or policies
105 of an appraisal management company.

106 (11) "Engaging in the real estate appraisal business" means the act or
107 process of estimating the value of real estate for a fee or other valuable
108 consideration.

109 (12) "FIRREA" means the Financial Institutions, Reform, Recovery
110 and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183.

111 (13) "Person" means an individual.

112 (14) "Provisional appraiser" means a person engaged in the business
113 of estimating the value of real estate for a fee or other valuable
114 consideration under the supervision of a certified real estate appraiser
115 and who meets the minimum requirements, if any, established by the
116 commission by regulation for provisional appraiser status.

117 (15) "Provisional license" means a license issued to a provisional
118 appraiser.

119 (16) "Real estate appraiser" or "appraiser" means a person engaged in
120 the business of estimating the value of real estate for a fee or other
121 valuable consideration.

122 (17) "USPAP" means the Uniform Standards of Professional
123 Appraisal Practice issued by the Appraisal Standards Board of the
124 Appraisal Foundation pursuant to Title XI of FIRREA.

125 Sec. 3. Subsection (c) of section 20-529 of the 2020 supplement to the
126 general statutes is repealed and the following is substituted in lieu
127 thereof (*Effective July 1, 2020*):

128 (c) Before issuing or renewing a certificate of registration, the
129 commissioner may:

130 (1) Certify that each appraisal management company applying for a
131 certificate of registration has procedures in place to (A) verify that a

132 person being added to the appraiser panel of the company holds a
133 certificate in good standing in accordance with section 20-509, (B)
134 maintain detailed records of each appraisal request or order it receives
135 and of the appraiser who performs such appraisal, and (C) review on a
136 periodic basis the work of all appraisers performing appraisals for the
137 company, to ensure that such appraisals are being conducted in
138 accordance with the USPAP;

139 (2) Determine to the commissioner's satisfaction that each person
140 owning [more than ten per cent of] an interest in an appraisal
141 management company is of good moral character and such person has
142 submitted to a background investigation, as deemed necessary by the
143 commissioner;

144 (3) Determine to the commissioner's satisfaction that the controlling
145 person (A) has never had an appraiser license or certificate denied,
146 refused to be renewed, suspended or revoked in any state, (B) is of good
147 moral character, and (C) has submitted to a background investigation,
148 as deemed necessary by the commissioner; and

149 (4) Determine to the commissioner's satisfaction that each appraisal
150 management company compensates appraisers in compliance with the
151 federal Truth-in-Lending Act, 15 USC Section 1639e(i), as amended from
152 time to time.

153 Sec. 4. Section 20-529b of the 2020 supplement to the general statutes
154 is repealed and the following is substituted in lieu thereof (*Effective July*
155 *1, 2020*):

156 (a) No appraisal management company applying for a certificate of
157 registration shall:

158 (1) Be owned by any person who has had an appraiser license or
159 certificate denied, refused to be renewed, suspended or revoked in any
160 state;

161 (2) Be owned by any partnership, association, limited liability

162 company or corporation [that is more than ten per cent owned by] in
163 which there is an ownership interest held by any person who has had
164 an appraiser license or certificate denied, refused to be renewed,
165 suspended or revoked in any state;

166 (3) Employ any person to perform job functions related to the
167 ordering, preparation, performance or review of appraisals who has had
168 an appraiser license or certificate denied, refused to be renewed,
169 suspended or revoked; or

170 (4) Enter into any contract, agreement or other business arrangement,
171 written or oral, for the procurement of appraisal services in this state,
172 with (A) any person who has had an appraiser license or certificate
173 denied, refused to be renewed, suspended or revoked, or (B) any
174 partnership, association, limited liability company or corporation that
175 employs or has entered into any contract, agreement or other business
176 arrangement, whether oral, written or any other form, with any person
177 who has had an appraiser license or certificate denied, refused to be
178 renewed, suspended or revoked.

179 (b) Any employee of an appraisal management company or any
180 contractor working on behalf of such company who has any
181 involvement in the performance of appraisals in this state or review and
182 analysis of completed appraisals in this state shall be certified and in
183 good standing pursuant to the provisions of sections 20-500 to 20-528,
184 inclusive, as amended by this act. This subsection shall not prohibit an
185 individual who is not so certified from performing job functions that (1)
186 are confined to an examination of an appraisal or an appraisal report for
187 grammatical, typographical or clerical errors, and (2) do not involve the
188 formulation of opinions or comments about (A) the appraiser's data
189 collection, analyses, opinions, conclusions or valuation, or (B)
190 compliance of such appraisal or appraisal report with the USPAP.

191 (c) Except in cases of breach of contract or substandard performance
192 of services or where the parties have mutually agreed upon an alternate
193 payment schedule in writing, each appraisal management company

194 operating in this state shall make payment to an appraiser for the
195 completion of an appraisal or valuation assignment not later than forty-
196 five days after the date on which such appraiser transmits or otherwise
197 provides the completed appraisal or valuation study to the appraisal
198 management company or its assignee.

199 (d) No employee, owner, controlling person, director, officer or agent
200 of an appraisal management company shall intentionally influence,
201 coerce or encourage or attempt to influence, coerce or encourage, an
202 appraiser to misstate or misrepresent the value of a subject property, by
203 any means, including:

204 (1) Withholding or threatening to withhold timely payment for an
205 appraisal;

206 (2) Withholding or threatening to withhold business from, or
207 demoting, terminating or threatening to demote or terminate, an
208 appraiser;

209 (3) Expressly or impliedly promising future business, promotion or
210 increased compensation to an appraiser;

211 (4) Conditioning an appraisal request or payment of a fee, salary or
212 bonus on the opinion, preliminary estimate, conclusion or valuation to
213 be reached by the appraiser;

214 (5) Requesting that an appraiser provide a predetermined or desired
215 valuation in an appraisal report or estimated values or comparable sales
216 at any time prior to the completion of an appraisal;

217 (6) Providing to an appraiser an anticipated, estimated, encouraged
218 or desired value for a subject property or a proposed or target amount
219 to be loaned to the borrower, except that a copy of the contract to
220 purchase may be provided;

221 (7) Providing or offering to provide to an appraiser or to any person
222 or entity related to the appraiser stock or other financial or nonfinancial
223 benefits;

224 (8) Removing an appraiser from an appraiser panel without prior
225 written notice to such appraiser as set forth in section 20-529c;

226 (9) Obtaining, using or paying for a subsequent appraisal or ordering
227 an automated valuation model in connection with a mortgage financing
228 transaction unless (A) there is a reasonable basis to believe that the
229 initial appraisal was flawed or tainted and such basis is clearly noted in
230 such transaction file, or (B) such subsequent appraisal or automated
231 valuation model is performed pursuant to a bona fide prefunding or
232 postfunding appraisal review, loan underwriting or quality control
233 process; or

234 (10) Using any other act or practice that impairs or attempts to impair
235 an appraiser's independence, objectivity or impartiality.

236 (e) Nothing in subsection (d) of this section shall be construed to
237 prohibit an appraisal management company from requesting that an
238 appraiser provide additional information about the basis for a valuation
239 or correct objective factual errors in an appraisal report.

240 Sec. 5. Subsection (c) of section 20-517 of the general statutes is
241 repealed and the following is substituted in lieu thereof (*Effective July 1,*
242 *2020*):

243 (c) Persons certified or provisionally licensed in accordance with the
244 provisions of sections 20-500 to 20-528, inclusive, as amended by this
245 act, shall fulfill a continuing education requirement. Applicants for an
246 annual renewal certification or provisional license shall, in addition to
247 the other requirements imposed by the provisions of said sections,
248 biennially within any even-numbered year submit proof of compliance
249 with the continuing education requirements of this subsection, if any, to
250 the commission. [, accompanied by a sixteen-dollar processing fee] Each
251 licensee shall pay an eight-dollar continuing education processing fee
252 annually to cover the costs associated with the review and auditing of
253 continuing education submissions.

254 Sec. 6. Section 20-295b of the general statutes is repealed and the

255 following is substituted in lieu thereof (*Effective July 1, 2020*):

256 (a) Any person who, on October 1, 1969, holds a certificate of
257 authority or renewal issued pursuant to sections 20-295 and 20-295a of
258 the general statutes, revised to 1968, shall be entered on the roster of
259 licensed architects and shall thereafter be authorized and entitled to
260 practice architecture in accordance with the provisions of this chapter.

261 (b) An architect licensed in this state may perform the work of an
262 interior designer, as prescribed in chapter 396a.

263 Sec. 7. Section 20-292 of the 2020 supplement to the general statutes
264 is repealed and the following is substituted in lieu thereof (*Effective July*
265 *1, 2020*):

266 (a) Each licensed architect shall renew his or her license annually.
267 Pursuant to section 20-289, a licensee shall pay to the department the
268 professional services fee for class F, as defined in section 33-182l and
269 shall submit proof of, or attest to, completion of continuing education
270 requirements.

271 (b) Each corporation holding a certificate of authorization for the
272 practice of architecture shall renew its certificate of authorization for the
273 practice of architecture each year and pay to the department a renewal
274 fee of two hundred twenty dollars.

275 (c) An applicant for examination or reexamination under this chapter
276 shall pay a nonrefundable fee of seventy-two dollars and an amount
277 sufficient to meet the cost of conducting each portion of the examination
278 taken by such applicant. The fee for an applicant who qualifies for a
279 license, other than by examination, in accordance with the provisions of
280 section 20-291, shall be one hundred dollars.

281 (d) Pursuant to section 20-289, an architect who is retired and not
282 practicing any aspect of architecture and who is (1) sixty-five years of
283 age or older, or (2) has been licensed for a minimum of ten years in this
284 state, may apply for registration as an Architect Emeritus. The fee for

285 such registration shall be ten dollars. An Architect Emeritus may not
286 engage in the practice of architecture without applying for and receiving
287 an architect license.

288 (e) For renewal of a license under this section, an applicant shall attest
289 that he or she has completed twelve hours of continuing professional
290 education during the continuing professional education period. The
291 continuing professional education period shall commence three
292 calendar months prior to the credential expiration date and shall run for
293 a period of one calendar year from the date of commencement.

294 (f) (1) For renewal of a license under this section, the department shall
295 charge the following fees for failure to earn continuing professional
296 education credits by the end of the continuing professional education
297 period:

298 (A) Three hundred fifteen dollars for reporting on a renewal
299 application a minimum of twelve hours of continuing professional
300 education, any of which was earned up to thirteen weeks following the
301 end of the continuing professional education period;

302 (B) Six hundred twenty-five dollars for reporting on a renewal
303 application a minimum of twelve hours of continuing professional
304 education, any of which was earned up to twenty-six weeks following
305 the end of the continuing professional education period;

306 (2) Failure, on the part of a licensee under section 20-292, as amended
307 by this act, to comply with the continuing professional education
308 requirements for more than twenty-six weeks beyond the continuing
309 professional education period may result in the suspension, revocation
310 or refusal to renew the license by the board or department after an
311 administrative hearing held pursuant to chapter 54.

312 Sec. 8. Subsection (a) of section 20-452 of the 2020 supplement to the
313 general statutes is repealed and the following is substituted in lieu
314 thereof (*Effective from passage*):

315 (a) Any person seeking a certificate of registration as a community
316 association manager or as a community association manager trainee
317 shall apply to the department in writing, on a form provided by the
318 department. Such application shall include the applicant's name,
319 residence address, business address, business telephone number, a
320 question as to whether the applicant has been convicted of a felony in
321 any state or jurisdiction and such other information as the department
322 may require. Except for a community association manager trainee, any
323 person seeking an initial certificate of registration shall submit to a
324 request by the commissioner for a state and national criminal history
325 records check, to be conducted in accordance with section 29-17a. No
326 registration as a community association manager shall be issued unless
327 the commissioner has received the results of such records check.

328 Sec. 9. Section 20-453 of the 2020 supplement to the general statutes
329 is repealed and the following is substituted in lieu thereof (*Effective from*
330 *passage*):

331 (a) Upon receipt of a completed application and the appropriate fees,
332 the department, upon authorization of the commission, shall: (1) Issue
333 and deliver to the applicant a certificate of registration; or (2) refuse to
334 issue the certificate. The commission may suspend, revoke or refuse to
335 issue or renew any certificate issued under sections 20-450 to 20-462,
336 inclusive, or may place a registrant on probation or issue a letter of
337 reprimand for any of the reasons stated in section 20-456. No application
338 for the reinstatement of a certificate which has been revoked shall be
339 accepted by the department within one year after the date of such
340 revocation.

341 (b) Any person issued an initial certificate of registration as a
342 community association manager prior to October 1, 2019, shall, not later
343 than one year following the date of issuance of such certificate,
344 successfully complete a nationally recognized course on community
345 association management and pass the National Board of Certification
346 for Community Association Managers' Certified Manager of
347 Community Associations examination, or a similar examination as may

348 be prescribed by the Commissioner of Consumer Protection in
349 regulations adopted pursuant to subsection [(c)] (d) of this section.

350 (c) Any person issued an initial certificate of registration as a
351 community association manager on or after October 1, 2019, shall
352 successfully complete a nationally recognized course on community
353 association management and pass the National Board of Certification
354 for Community Association Managers' Certified Manager of
355 Community Associations examination, or a similar examination as may
356 be prescribed by the Commissioner of Consumer Protection in
357 regulations adopted pursuant to subsection (d) of this section.

358 [(c)] (d) The department, with the advice and assistance of the
359 commission, shall adopt regulations, in accordance with chapter 54,
360 concerning any examination required for certification under this chapter
361 and the approval of schools, institutions or organizations offering
362 courses in current practices and laws concerning community association
363 management and the content of such courses. Such regulations shall
364 include, but not be limited to: (1) Specifications for meeting the
365 educational requirements prescribed in this section; and (2) exemptions
366 from the educational requirements for reasons of health or instances of
367 individual hardship. In adopting such regulations, the department may
368 not disapprove a school, institution or organization that offers an
369 examination or courses in current practices and laws concerning
370 community association management solely because its examination or
371 courses are offered or taught by electronic means, nor may the
372 department disapprove an examination or course solely because it is
373 offered or taught by electronic means.

374 [(d)] (e) An applicant for renewal of registration as a community
375 association manager shall, in addition to the other requirements
376 imposed by the provisions of this chapter, complete sixteen hours of
377 continuing education over the course of the two-year period, retain
378 proof of completion, and, upon request, provide such proof to the
379 department. Continuing education shall consist of a course or courses,
380 offered by the Connecticut Chapter of the Community Associations

381 Institute, in community association management techniques and
382 common interest community law, or similar courses as may be
383 prescribed by the Commissioner of Consumer Protection in regulations
384 adopted pursuant to this chapter.

385 Sec. 10. Section 20-457 of the 2020 supplement to the general statutes
386 is repealed and the following is substituted in lieu thereof (*Effective from*
387 *passage*):

388 (a) Each community association manager shall (1) exhibit his or her
389 certificate of registration upon request by any interested party, (2) state
390 in any advertisement the fact that he or she is registered, and (3) include
391 his or her registration number in any advertisement. In the case of a
392 business entity, the advertisement shall identify at least one principal,
393 officer or director of the entity that is a community association manager
394 and shall include the registration number of such principal, officer or
395 director.

396 (b) No person shall: (1) Present or attempt to present, as his or her
397 own, the certificate of another, (2) knowingly give false evidence of a
398 material nature to the commission or department for the purpose of
399 procuring a certificate, (3) represent himself or herself falsely as, or
400 impersonate, a registered community association manager, (4) use or
401 attempt to use a certificate which has expired or which has been
402 suspended or revoked, (5) offer to provide association management
403 services without having a current certificate of registration under
404 sections 20-450 to 20-462, inclusive, (6) represent in any manner that his
405 or her registration constitutes an endorsement of the quality of his or
406 her services or of his or her competency by the commission or
407 department. In addition to any other remedy provided for in sections
408 20-450 to 20-462, inclusive, any person who violates any provision of
409 this subsection shall, after an administrative hearing, be fined not more
410 than one thousand dollars, or shall be imprisoned for not more than one
411 year or be both fined and imprisoned. A violation of any of the
412 provisions of sections 20-450 to 20-462, inclusive, shall be deemed an
413 unfair or deceptive trade practice under subsection (a) of section 42-

414 110b.

415 (c) Certificates issued to community association managers shall not
416 be transferable or assignable.

417 (d) All certificates issued to community association managers under
418 the provisions of sections 20-450 to 20-462, inclusive, shall expire
419 annually on the thirty-first day of January. A holder of a certificate of
420 registration who seeks to renew his or her certificate shall, when filing
421 an application for renewal of the certificate, submit documentation to
422 the department which establishes that he or she has passed any
423 examination and completed any educational coursework, as the case
424 may be, required for certification under this chapter. The fee for renewal
425 of a certificate shall be two hundred dollars.

426 [(e) A community association manager whose certificate has expired
427 more than one month before his or her application for renewal is made
428 shall have his or her registration restored upon payment of a fee of fifty
429 dollars in addition to his or her renewal fee. Restoration of a registration
430 shall be effective upon approval of the application for renewal by the
431 commission or department.

432 (f) A certificate shall not be restored unless it is renewed not later than
433 one year after its expiration.]

434 [(g)] (e) Failure to receive a notice of expiration or a renewal
435 application shall not exempt a community association manager from the
436 obligation to renew.

437 [(h)] (f) All certificates issued to community association manager
438 trainees under the provisions of sections 20-450 to 20-462, inclusive,
439 shall expire six months from the date of issuance and shall not be
440 renewable.

441 Sec. 11. Subsection (b) of section 20-458 of the 2020 supplement to the
442 general statutes is repealed and the following is substituted in lieu
443 thereof (*Effective from passage*):

444 (b) No contract to provide association management services shall:

445 (1) Be sold or assigned to another person without the approval of a
446 majority of the executive board of the association; or

447 (2) Include any clause, covenant or agreement that indemnifies or
448 holds harmless the person contracting to provide association
449 management services from or against any liability for loss or damage
450 resulting from such person's negligence or [~~wilful~~] willful misconduct.

451 Sec. 12. Subsection (b) of section 20-460 of the 2020 supplement to the
452 general statutes is repealed and the following is substituted in lieu
453 thereof (*Effective from passage*):

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

474 Sec. 13. Subsection (b) of section 21a-190e of the general statutes is
475 repealed and the following is substituted in lieu thereof (*Effective from*

476 *passage*):

477 (b) A fund-raising counsel who at any time has custody or control of
478 contributions from a solicitation shall register with the department.
479 Applications for registration or renewal of a registration as a fund-
480 raising counsel shall be in a form prescribed by the commissioner and
481 shall be accompanied by a fee in the amount of one hundred twenty
482 dollars. Each fund-raising counsel shall certify that such application or
483 report is true and correct to the best of the fund-raising counsel's
484 knowledge. Each application shall contain such information as the
485 department shall require. Each registration shall be valid for one year
486 and may be renewed for additional one-year periods. An applicant for
487 registration or for a renewal of registration as a fund-raising counsel
488 shall, at the time of making such application, file with and have
489 approved by the department a bond in a form prescribed by the
490 commissioner, in which the applicant shall be the principal obligor in
491 the sum of [twenty] fifty thousand dollars, with one or more responsible
492 sureties whose liability in the aggregate as such sureties shall be no less
493 than such sum. The fund-raising counsel shall maintain the bond in
494 effect as long as the registration is in effect. The bond shall run to the
495 state and to any person who may have a cause of action against the
496 principal obligor of the bond for any liabilities resulting from the
497 obligor's conduct of any activities subject to sections 21a-190a to 21a-
498 190l, inclusive, as amended by this act, or arising out of a violation of
499 said sections or any regulation adopted pursuant to said sections. Any
500 such fund-raising counsel shall account to the charitable organization
501 with which he has contracted for all income received and expenses paid
502 no later than ninety days after a solicitation campaign has been
503 completed, and in the case of a solicitation campaign lasting more than
504 one year, on the anniversary of the commencement of such campaign.
505 Such accounting shall be in writing, shall be retained by the charitable
506 organization for three years and shall be available to the department
507 upon request.

508 Sec. 14. Section 21a-190f of the general statutes is repealed and the
509 following is substituted in lieu thereof (*Effective from passage*):

510 (a) No person shall act as a paid solicitor unless such person has first
511 registered with the department. Registration shall be in a form
512 prescribed by the commissioner, shall be certified by the paid solicitor
513 as true and correct to the best of the solicitor's knowledge and shall be
514 accompanied by a fee in the amount of five hundred dollars. The
515 application shall contain such information as the department shall
516 require. Each registration shall be valid for one year and may be
517 renewed for additional one-year periods.

518 (b) An applicant for registration or for a renewal of registration as a
519 paid solicitor shall, at the time of making such application, file with and
520 have approved by the department a bond in a form prescribed by the
521 commissioner, in which the applicant shall be the principal obligor in
522 the sum of [twenty] fifty thousand dollars, with one or more responsible
523 sureties whose liability in the aggregate as such sureties shall be no less
524 than such sum. The paid solicitor shall maintain the bond in effect as
525 long as the registration is in effect. The bond shall run to the state and
526 to any person who may have a cause of action against the principal
527 obligor of the bond for any liabilities resulting from the obligor's
528 conduct of any activities subject to sections 21a-190a to 21a-190l,
529 inclusive, as amended by this act, or arising out of a violation of said
530 sections or any regulation adopted pursuant to said sections.

531 (c) No less than twenty days prior to the commencement of each
532 solicitation campaign, a paid solicitor shall file with the department a
533 copy of the contract described in subsection (d) of this section and shall
534 complete a solicitation notice in a form prescribed by the commissioner.
535 A solicitation notice shall be certified by the paid solicitor as true and
536 correct to the best of the solicitor's knowledge and shall include a
537 description of the solicitation event or campaign, the location and
538 telephone number from which the solicitation is to be conducted, the
539 names and residence addresses of all employees, agents or other
540 persons however styled who are to solicit during such campaign and
541 the account number and location of all bank accounts where receipts
542 from such campaign are to be deposited. Copies of campaign solicitation
543 literature, including the text of any solicitation to be made orally, shall

544 be submitted to the department. The charitable organization on whose
545 behalf the paid solicitor is acting shall certify that the solicitation notice
546 and accompanying material are true and complete. Prior to the
547 commencement of such solicitation campaign, the commissioner shall
548 publicize such solicitation by posting on the department's web site
549 information describing the terms of the contract between the paid
550 solicitor and the charitable organization, the dates of such solicitation
551 campaign and the percentage of the raised funds to be retained by the
552 paid solicitor. The commissioner may publicize such solicitation
553 through any additional means the commissioner deems appropriate. If
554 a solicitation campaign continues for a period longer than five years, the
555 paid solicitor shall, every five years and by not later than the last day of
556 the month of the submission of the first solicitation notice, complete a
557 new solicitation notice in a form prescribed by the commissioner and
558 shall refile a copy of the contract described in subsection (d) of this
559 section.

560 (d) A contract between a paid solicitor and a charitable organization
561 shall be in writing, shall clearly state the respective obligations of the
562 paid solicitor and the charitable organization and shall state the
563 minimum amount that the charitable organization shall receive as a
564 result of the solicitation campaign, which minimum amount shall be
565 stated as a percentage of the gross revenue. Such minimum amount
566 shall not include any amount that the charitable organization is to pay
567 as expenses of the solicitation campaign.

568 (e) A paid solicitor shall, prior to orally requesting a contribution, and
569 at the same time at which a written request for a contribution is made,
570 clearly and conspicuously disclose at the point of solicitation such
571 solicitor's name as on file with the department, the fact that such
572 solicitor is a paid solicitor and the percentage of the gross revenue which
573 the charitable organization shall receive as identified in subsection (d)
574 of this section.

575 (f) A paid solicitor shall, in the case of a solicitation campaign
576 conducted orally, whether by telephone or otherwise, send a written

577 confirmation to each person who has pledged to contribute, no more
578 than five days after such person has been solicited, which confirmation
579 shall include a clear and conspicuous disclosure of the information
580 required by subsection (e) of this section.

581 (g) A paid solicitor shall not represent that any part of the
582 contributions received will be given or donated to any charitable
583 organization unless such organization has consented in writing to the
584 use of its name, prior to the solicitation. Such written consent, if given,
585 shall be signed by two authorized officers, directors or trustees of the
586 charitable organization.

587 (h) No paid solicitor may represent that tickets to an event are to be
588 donated for use by another, unless the paid solicitor has first obtained a
589 commitment, in writing, from a charitable organization stating that it
590 will accept donated tickets and specifying the number of tickets which
591 it is willing to accept and provided no more contributions for donated
592 tickets shall be solicited than the number of ticket commitments
593 received from the charitable organization.

594 (i) A paid solicitor shall require any person such solicitor directly or
595 indirectly employs, procures or engages to solicit to comply with the
596 provisions of subsections (e) to (h), inclusive, of this section.

597 (j) A paid solicitor shall file a financial report for the campaign with
598 the department no more than ninety days after a solicitation campaign
599 has been completed, and on the anniversary of the commencement of
600 any solicitation campaign which lasts more than one year, in a form
601 prescribed by the commissioner. The financial report shall include gross
602 revenue and an itemization of all expenditures incurred. The report
603 shall be completed on a form prescribed by the department. An
604 authorized official of the paid solicitor and two authorized officials of
605 the charitable organization shall certify that such report is true and
606 complete to the best of their knowledge. The information contained in
607 such report shall be available to the public.

608 (k) A paid solicitor shall maintain during each solicitation campaign

609 and for not less than three years after the completion of each such
610 campaign the following records, which shall be available to the
611 department for inspection upon request: (1) The name and address of
612 each contributor and the date and amount of the contribution, provided
613 the department shall not disclose this information except to the extent
614 necessary for investigative or law enforcement purposes; (2) the name
615 and residence of each employee, agent or other person involved in the
616 solicitation; and (3) records of all income received and expenses
617 incurred in the course of the solicitation campaign.

618 (l) If a paid solicitor sells tickets to an event and represents that tickets
619 will be donated for use by another, the paid solicitor shall maintain, for
620 not less than three years after the completion of such event, the
621 following records, which shall be available to the department for
622 inspection upon request: (1) The name and address of contributors
623 donating tickets and the number of tickets donated by each contributor;
624 and (2) the name and address of all organizations receiving donated
625 tickets for use by others, including the number of tickets received by
626 each organization.

627 (m) All funds collected by the paid solicitor shall be deposited in a
628 bank account. The bank account shall be in the name of the charitable
629 organization with whom the paid solicitor has contracted and the
630 charitable organization shall have sole or joint control of the account.

631 (n) Any material change in any information filed with the department
632 pursuant to this section shall be reported in writing or electronically by
633 the paid solicitor to the department not more than seven days after such
634 change occurs.

635 (o) No person may act as a paid solicitor if such person, any officer or
636 director thereof, any person with a controlling interest therein, or any
637 person the paid solicitor employs, engages or procures to solicit for
638 compensation, has been convicted by a court of any state or the United
639 States of any felony, or of any misdemeanor involving dishonesty or
640 arising from the conduct of a solicitation for a charitable organization or

641 purpose. Any denial, suspension or revocation of the registration of a
642 paid solicitor based on a violation of this subsection shall be made in
643 accordance with the provisions of section 46a-80.

644 Sec. 15. Section 21a-190l of the general statutes is repealed and the
645 following is substituted in lieu thereof (*Effective from passage*):

646 (a) The commissioner may deny, suspend or revoke the registration
647 of any charitable organization, fund-raising counsel or paid solicitor
648 which has violated any provision of sections 21a-190a to 21a-190l,
649 inclusive, as amended by this act. [The commissioner may accept a
650 written assurance of compliance when said commissioner determines
651 that a violation of said sections is such that the public interest would not
652 be served by a denial, suspension or revocation of such registration.]

653 (b) The Attorney General, at the request of the commissioner, may
654 apply to the Superior Court for, and the court may grant, a temporary
655 injunction or a permanent injunction to restrain violations of sections
656 21a-190a to 21a-190l, inclusive, as amended by this act, the appointment
657 of a receiver, an order of restitution, an accounting and such other relief
658 as may be appropriate to ensure the due application of charitable funds.
659 Proceedings thereon shall be brought in the name of the state.

660 (c) Any person who knowingly violates any provision of sections 21a-
661 190a to 21a-190l, inclusive, as amended by this act, shall be fined not
662 more than five thousand dollars or imprisoned not more than one year,
663 or both.

664 (d) In any action brought under subsection (b) of this section, if the
665 court finds that a person has [wilfully] willfully engaged in conduct
666 prohibited by section 21a-190h, the Attorney General, upon petition to
667 the court, may recover, on behalf of the state, a civil penalty of not more
668 than two thousand five hundred dollars for each violation. For purposes
669 of this subsection, a [wilful] willful violation occurs when the party
670 committing the violation knew or should have known that such conduct
671 was prohibited by section 21a-190h.

672 Sec. 16. Section 43-8a of the general statutes is repealed and the
673 following is substituted in lieu thereof (*Effective from passage*):

674 The Commissioner of Weights and Measures shall adopt regulations,
675 in accordance with chapter 54, [incorporating, by reference, the
676 voluntary version of the Uniform Open Dating Regulation, as adopted
677 and as amended from time to time, by the National Conference on
678 Weights and Measures and published in the National Institute of
679 Standards and Technology Handbook 130, or subsequent
680 corresponding handbook of the United States Department of
681 Commerce] to prescribe uniform date labeling for foods. Dairy foods
682 required to be marked with a last sale date pursuant to section 22-197b
683 shall be exempt from the provisions of this section.

684 Sec. 17. Section 21a-2 of the general statutes is repealed and the
685 following is substituted in lieu thereof (*Effective from passage*):

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

694 (b) The Department of Consumer Protection shall process the intake
695 of consumer complaints concerning consumer goods or services in the
696 state and any other matter within the jurisdiction of the department. In
697 order to assist in the resolution of consumer complaints, the department
698 may notify, in writing, the respondent against whom a complaint was
699 received of the allegations against them and require a written response
700 be provided to the department not later than thirty days of receipt of
701 such notice.

702 (c) For purposes of this section, "credential holder" means a person
703 certified, licensed, permitted or registered with the Department of

704 Consumer Protection. In the event the department provides written
705 notice to a respondent who is not a credential holder that a complaint
706 has been filed against him or her, and said respondent fails to respond
707 after receipt of such notice, the respondent may be fined not more than
708 two hundred fifty dollars for failure to respond to the department.
709 Written notice for purposes of this section shall include notice sent by
710 registered or certified mail or hand-delivered to a respondent.

711 (d) All notices of administrative enforcement actions, including
712 compliance meetings and hearings, shall be in writing and shall comply
713 with the provisions of subsections (a) and (b) of section 4-177 and
714 subsection (c) of section 4-182, if applicable. A notice of administrative
715 enforcement action shall be delivered to all designated parties and
716 intervenors who are not credential holders, or their authorized
717 representative: (1) Personally, (2) by United States mail, with delivery
718 tracking or via certified mail, or (3) via electronic mail with tracking and
719 delivery confirmation. Delivery of administrative enforcement action
720 notices shall be deemed effective notice if delivered or sent to a
721 credential holder's last known address or electronic mail address of
722 record on file with the department. If the party is not a credential holder,
723 service shall be deemed sufficient, provided the department has made
724 reasonable efforts to effectuate notice, including, but not limited to,
725 verifying the mailing address with the Secretary of the State or the
726 Department of Motor Vehicles.

727 Sec. 18. Subsection (a) of section 21a-7 of the general statutes is
728 repealed and the following is substituted in lieu thereof (*Effective from*
729 *passage*):

730 (a) Each board or commission within the Department of Consumer
731 Protection under section 21a-6 shall have the following powers and
732 duties:

733 (1) Each board or commission shall exercise its statutory functions,
734 including licensing, certification, registration, accreditation of schools
735 and the rendering of findings, orders and adjudications. With the

736 exception of the Liquor Control Commission, any exercise of such
737 functions by such a board or commission that is adverse to a party shall
738 be a proposed decision and subject to approval, modification or
739 rejection by the commissioner.

740 (2) Each board or commission may, in its discretion, issue (A) an
741 appropriate order to any person found to be violating an applicable
742 statute or regulation providing for the immediate discontinuance of the
743 violation, (B) an order requiring the violator to make restitution for any
744 damage caused by the violation, or (C) both. Each board or commission
745 may, through the Attorney General, petition the superior court for the
746 judicial district wherein the violation occurred, or wherein the person
747 committing the violation resides or transacts business, for the
748 enforcement of any order issued by it and for appropriate temporary
749 relief or a restraining order and shall certify and file in the court a
750 transcript of the entire record of the hearing or hearings, including all
751 testimony upon which such order was made and the findings and
752 orders made by the board or commission. The court may grant such
753 relief by injunction or otherwise, including temporary relief, as it deems
754 equitable and may make and enter a decree enforcing, modifying and
755 enforcing as so modified, or setting aside, in whole or in part, any order
756 of a board or commission.

757 (3) Each board or commission may conduct hearings on any matter
758 within its statutory jurisdiction. Such hearings shall be conducted in
759 accordance with chapter 54 and the regulations established pursuant to
760 subsection (a) of section 21a-9. In connection with any such hearing, the
761 board or commission may administer oaths, issue subpoenas, compel
762 testimony and order the production of books, records and documents.
763 If any person refuses to appear, testify or produce any book, record or
764 document when so ordered, a judge of the Superior Court may make
765 such order as may be appropriate to aid in the enforcement of this
766 section.

767 (4) Each board or commission may request the Commissioner of
768 Consumer Protection to conduct an investigation and to make findings

769 and recommendations regarding any matter within the statutory
770 jurisdiction of the board or commission.

771 (5) Each board or commission may recommend rules and regulations
772 for adoption by the Commissioner of Consumer Protection and may
773 review and comment upon proposed rules and regulations prior to their
774 adoption by said commissioner.

775 (6) Each board or commission shall meet at least once in each quarter
776 of a calendar year and at such other times as the chairperson or the
777 Commissioner of Consumer Protection deems necessary. A majority of
778 the members shall constitute a quorum, except that for any examining
779 board, forty per cent of the members shall constitute a quorum. Any
780 member who fails to attend three consecutive meetings or who fails to
781 attend fifty per cent of all meetings during any calendar year shall be
782 deemed to have resigned from office. Members of boards or
783 commissions shall not serve for more than two consecutive full terms
784 which commence on or after July 1, 1982, except that if no successor has
785 been appointed or approved, such member shall continue to serve until
786 a successor is appointed or approved. Members shall not be
787 compensated for their services but shall be reimbursed for necessary
788 expenses incurred in the performance of their duties.

789 (7) In addition to any other action permitted under the general
790 statutes, each board or commission may, upon a finding of any cause
791 specified in subsection (c) of section 21a-9: (A) Revoke, place conditions
792 upon or suspend a license, registration or certificate; (B) issue a letter of
793 reprimand to a practitioner and send a copy of such letter to a
794 complainant or to a state or local official; (C) place a practitioner on
795 probationary status and require the practitioner to (i) report regularly to
796 the department, board or commission on the matter which is the basis
797 for probation, (ii) limit the practitioner's practice to areas prescribed by
798 the board or commission, or (iii) continue or renew the practitioner's
799 education until the practitioner has attained a satisfactory level of
800 competence in any area which is the basis for probation; or (D) impose
801 a fine not to exceed one thousand dollars per violation. Each board or

802 commission may discontinue, suspend or rescind any action taken
803 under this subsection.

804 (8) Each examining board within the Department of Consumer
805 Protection or the Commissioner of Consumer Protection shall conduct
806 any hearing or other action required for an application submitted
807 pursuant to section 20-333 and any completed renewal application
808 submitted pursuant to section 20-335 not later than (A) thirty days after
809 the date of submission for such application or completed renewal
810 application, as applicable, or (B) a period of time deemed appropriate
811 by the Commissioner of Consumer Protection, but not to exceed sixty
812 days after such date of submission.

813 Sec. 19. Subsection (c) of section 21a-8 of the 2020 supplement to the
814 general statutes is repealed and the following is substituted in lieu
815 thereof (*Effective from passage*):

816 (c) The Commissioner of Consumer Protection shall have the
817 following powers and duties with regard to each board or commission
818 within the Department of Consumer Protection under section 21a-6:

819 (1) The commissioner shall, in consultation with each board or
820 commission, exercise the functions of licensing, certification,
821 registration, accreditation of schools and the rendering of findings,
822 orders and adjudications.

823 (2) The commissioner may, in the commissioner's discretion, issue an
824 appropriate order to any person found to be violating any statute or
825 regulation within the jurisdiction of such board or commission
826 providing for the immediate discontinuance of the violation or
827 requiring the violator to make restitution for any damage caused by the
828 violation, or both. The commissioner may, through the Attorney
829 General, petition the superior court for the judicial district in which the
830 violation occurred, or in which the person committing the violation
831 resides or transacts business, for the enforcement of any order issued by
832 the commissioner under this subdivision and for appropriate temporary
833 relief or a restraining order. The commissioner shall certify and file in

834 the court a transcript of the entire record of the hearing or hearings,
835 including all testimony upon which such order was made and the
836 findings and orders made by the commissioner. The court may grant
837 such relief by injunction or otherwise, including temporary relief, as the
838 court deems equitable and may make and enter a decree enforcing,
839 modifying and enforcing as so modified, or setting aside, in whole or in
840 part, any order of the commissioner issued under this subdivision.

841 (3) The commissioner may conduct hearings on any matter within the
842 statutory jurisdiction of such board or commission. Such hearings shall
843 be conducted in accordance with chapter 54 and the regulations adopted
844 pursuant to subsection (a) of section 21a-9. In connection with any such
845 hearing, the commissioner may administer oaths, issue subpoenas,
846 compel testimony and order the production of books, records and
847 documents. If any person refuses to appear, testify or produce any book,
848 record or document when so ordered, a judge of the Superior Court may
849 make such order as may be appropriate to aid in the enforcement of this
850 subdivision.

851 (4) In addition to any other action permitted under the general
852 statutes, the commissioner may, upon a finding of any cause specified
853 in subsection (c) of section 21a-9: (A) Revoke, place conditions upon or
854 suspend a license, registration or certificate; (B) issue a letter of
855 reprimand to a practitioner and send a copy of such letter to a
856 complainant or to a state or local official; (C) place a practitioner on
857 probationary status and require the practitioner to (i) report regularly to
858 the commissioner on the matter which is the basis for probation, (ii) limit
859 the practitioner's practice to areas prescribed by the commissioner, or
860 (iii) continue or renew the practitioner's education until the practitioner
861 has attained a satisfactory level of competence in any area which is the
862 basis for probation; or (D) impose a fine of not greater than one
863 thousand dollars per violation. The commissioner may discontinue,
864 suspend or rescind any action taken under this subdivision. If a license,
865 registration or certificate is voluntarily surrendered or is not renewed,
866 the commissioner shall not be prohibited from suspending, revoking or
867 imposing other penalties permitted by law on any such license,

868 registration or certificate.

869 Sec. 20. Section 21a-10 of the general statutes is repealed and the
870 following is substituted in lieu thereof (*Effective October 1, 2020*):

871 (a) The Commissioner of Consumer Protection may establish,
872 combine or abolish divisions, sections or other units within the
873 Department of Consumer Protection and allocate powers, duties and
874 functions among such units, but no function vested by statute in any
875 officer, division, board, agency or other unit within the department shall
876 be removed from the jurisdiction of such officer, division, board, agency
877 or other unit under the provisions of this section.

878 (b) The Commissioner of Consumer Protection shall adopt
879 regulations, in accordance with chapter 54, to designate a staggered
880 schedule for the renewal of all licenses, certificates, registrations and
881 permits issued by said department. If such designation of a staggered
882 schedule results in the expiration of any license, certificate, registration
883 or permit for a period of less than or more than one year, said
884 commissioner may charge a prorated amount for such license,
885 certificate, registration or permit. For any new license, certificate,
886 registration or permit that is issued and for any guaranty fund fee that
887 is imposed on or after January 1, 1995, the commissioner may charge a
888 one-time prorated amount for such newly issued license, certificate,
889 registration, permit or guaranty fund fee.

890 (c) For any Department of Consumer Protection license, certificate,
891 registration or permit that requires the credential holder to complete
892 continuing education requirements, the continuing education
893 requirements shall be completed within the annual or biannual period
894 that begins and ends three months prior to the renewal date for the
895 applicable credential.

896 Sec. 21. Subsection (c) of section 21a-11 of the general statutes is
897 repealed and the following is substituted in lieu thereof (*Effective from*
898 *passage*):

899 (c) The commissioner may, subject to the provisions of chapter 54,
900 revoke, suspend, [or] place conditions upon, deny or impose a fine of
901 not greater than one thousand dollars per violation with regard to any
902 license or registration issued by the department in the event that such
903 licensee or registrant, including, but not limited to, an owner of any
904 business entity holding such license or registration, owes moneys to any
905 guaranty fund or account maintained or used by the department,
906 including, but not limited to, the Home Improvement Guaranty Fund
907 established pursuant to section 20-432, the New Home Construction
908 Guaranty Fund established pursuant to section 20-417i, the Connecticut
909 Health Club Guaranty Fund established pursuant to section 21a-226, the
910 Real Estate Guaranty Fund established pursuant to section 20-324a and
911 the privacy protection guaranty and enforcement account established
912 pursuant to section 42-472a.

913 Sec. 22. Subsection (b) of section 51-164n of the 2020 supplement to
914 the general statutes is repealed and the following is substituted in lieu
915 thereof (*Effective from passage*):

916 (b) Notwithstanding any provision of the general statutes, any person
917 who is alleged to have committed (1) a violation under the provisions of
918 section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-
919 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-
920 251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4)
921 of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-
922 435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115,
923 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-
924 253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292,
925 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection
926 (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section
927 14-12, section 14-20a or 14-27a, subsection (f) of section 14-34a,
928 subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,
929 subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g)
930 of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b,
931 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first
932 violation as specified in subsection (f) of section 14-164i, section 14-219

933 as specified in subsection (e) of said section, subdivision (1) of section
 934 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-
 935 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or
 936 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-
 937 296aa, 14-300, 14-300d, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or
 938 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-
 939 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,
 940 section 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section
 941 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-
 942 131, 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section
 943 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-
 944 222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-
 945 336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-
 946 231, 20-249, 20-257, 20-265, 20-324e, subsection (b) of section 20-334, 20-
 947 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48,
 948 21-63 or 21-76a, subsection (c) of section 21a-2, as amended by this act,
 949 subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of
 950 subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a)
 951 of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection (b)
 952 of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of subsection
 953 (a) of section 21a-159, subsection (a) of section 21a-279a, section 22-12b,
 954 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39,
 955 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54, subsection (f) of
 956 section 22-61m, subsection (d) of section 22-84, section 22-89, 22-90, 22-
 957 98, 22-99, 22-100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-
 958 324a, 22-326 or 22-342, subsection (b), (e) or (f) of section 22-344, section
 959 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246,
 960 subsection (a) of section 22a-250, subsection (e) of section 22a-256h,
 961 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,
 962 section 22a-449, 22a-461, 23-38, 23-46 or 23-61b, subsection (a) or
 963 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
 964 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-
 965 21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59,
 966 subdivision (1) of subsection (d) of section 26-61, section 26-64,
 967 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,

968 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138
 969 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215, 26-
 970 217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-230,
 971 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-
 972 294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d),
 973 (e) or (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1)
 974 of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of
 975 section 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-
 976 10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-
 977 32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54,
 978 subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76,
 979 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288,
 980 subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-
 981 450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section
 982 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199,
 983 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-
 984 321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of section 53-344b, or
 985 section 53-450, or (2) a violation under the provisions of chapter 268, or
 986 (3) a violation of any regulation adopted in accordance with the
 987 provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any
 988 ordinance, regulation or bylaw of any town, city or borough, except
 989 violations of building codes and the health code, for which the penalty
 990 exceeds ninety dollars but does not exceed two hundred fifty dollars,
 991 unless such town, city or borough has established a payment and
 992 hearing procedure for such violation pursuant to section 7-152c, shall
 993 follow the procedures set forth in this section.

994 Sec. 23. Section 20-672 of the general statutes is repealed and the
 995 following is substituted in lieu thereof (*Effective from passage*):

996 (a) Any person seeking a certificate of registration as a homemaker-
 997 companion agency shall apply to the Commissioner of Consumer
 998 Protection, in writing, on a form provided by the commissioner. The
 999 application shall include the applicant's name, residence address,
 1000 business address, business telephone number and such other
 1001 information as the commissioner may require. An applicant shall also

1002 be required to submit to state and national criminal history records
1003 checks in accordance with section 29-17a and to certify under oath to the
1004 commissioner that: (1) Such agency complies with the requirements of
1005 section 20-678, as amended by this act, concerning employee
1006 comprehensive background checks, (2) such agency provides all
1007 persons receiving homemaker or companion services with a written
1008 individualized contract or service plan that specifically identifies the
1009 anticipated scope, type, frequency and duration of homemaker or
1010 companion services provided by the agency to the person, (3) such
1011 agency maintains a surety bond or an insurance policy in an amount of
1012 not less than ten thousand dollars coverage, which coverage shall
1013 include theft by an employee of such agency from a person for whom
1014 homemaker or companion services are provided by the agency, and (4)
1015 all records maintained by such agency shall be open, at all reasonable
1016 hours, for inspection, copying or audit by the commissioner.

1017 (b) Each application for a certificate of registration as a homemaker-
1018 companion agency shall be accompanied by a fee of three [seventy-five]
1019 hundred seventy-five dollars.

1020 (c) Upon the failure by a homemaker-companion agency to comply
1021 with the registration provisions of this section, the Attorney General, at
1022 the request of the Commissioner of Consumer Protection, is authorized
1023 to apply in the name of the state of Connecticut to the Superior Court
1024 for an order temporarily or permanently restraining and enjoining a
1025 homemaker-companion agency from continuing to do business in the
1026 state.

1027 Sec. 24. Section 20-677 of the general statutes is repealed and the
1028 following is substituted in lieu thereof (*Effective from passage*):

1029 (a) Each person obtaining a homemaker-companion agency
1030 certificate of registration shall: (1) Exhibit the agency's certificate of
1031 registration upon request by any interested party, (2) state in any
1032 advertisement the fact that the agency is registered, and (3) include the
1033 agency's registration number in any advertisement.

1034 (b) No person shall: (1) Present or attempt to present, as such person's
1035 own, the certificate of another, (2) knowingly give false evidence of a
1036 material nature to the Commissioner of Consumer Protection for the
1037 purpose of procuring a certificate, (3) represent himself or herself falsely
1038 as, or impersonate, a registered homemaker-companion agency, (4) use
1039 or attempt to use a certificate which has expired or which has been
1040 suspended or revoked, (5) offer or provide homemaker or companion
1041 services without having a current certificate of registration under the
1042 provisions of sections 20-670 to 20-680, inclusive, or (6) represent in any
1043 manner that such person's registration constitutes an endorsement by
1044 the commissioner of the quality of services provided by such person.

1045 (c) In addition to any other remedy provided for in sections 20-670 to
1046 20-676, inclusive, any person who violates any provision of subsection
1047 (b) of this section shall be fined not more than one thousand dollars or
1048 imprisoned not more than six months, or both.

1049 (d) Certificates issued to a homemaker-companion agency shall not
1050 be transferable or assignable.

1051 (e) All certificates issued under the provisions of sections 20-670 to
1052 20-680, inclusive, shall expire annually. The fee for renewal of a
1053 certificate shall be the same as the fee charged for an original application
1054 pursuant to section 20-672, as amended by this act. Fees collected
1055 pursuant to the issuance of a certificate or renewal of a certificate shall
1056 be deposited in the General Fund.

1057 (f) Failure to receive a notice of expiration of registration or a renewal
1058 application shall not exempt a homemaker-companion agency from the
1059 obligation to renew.

1060 (g) (1) On or after July 1, 2020, no homemaker-companion agency
1061 applying for a new registration shall include in its business name any
1062 words that indicate or suggest that such agency provides any services
1063 beyond the scope of what is allowed pursuant to this chapter, including,
1064 but not limited to, words relating to medical or health care licensure or
1065 services, and (2) no homemaker-companion agency shall include in its

1066 advertising any words that indicate or suggest that such agency
1067 provides any services beyond the scope of what is allowed in this
1068 chapter including, but not limited to, words relating to medical or health
1069 care licensure or services.

1070 Sec. 25. (NEW) (*Effective from passage*) (a) No person, other than an
1071 immediate family member, who has an ownership interest in or who is
1072 a corporate officer of a homemaker-companion agency, or any employee
1073 or agent thereof, shall act as an agent under a power of attorney for any
1074 person contracted with such agency to receive homemaker or
1075 companion services. For purposes of this subsection, "immediate family
1076 member" means a parent, sibling, child by blood, adoption or marriage,
1077 spouse, grandparent or grandchild.

1078 (b) A person receiving homemaker or companion services may
1079 petition the Commissioner of Consumer Protection for an exception to
1080 the prohibition provided in subsection (a) of this section, which petition
1081 may be granted by the commissioner for good cause.

1082 Sec. 26. Section 20-330 of the 2020 supplement to the general statutes
1083 is repealed and the following is substituted in lieu thereof (*Effective from*
1084 *passage*):

1085 As used in this chapter:

1086 (1) "Contractor" means any person regularly offering to the general
1087 public services of such person or such person's employees in the field of
1088 electrical work, plumbing and piping work, solar work, heating, piping,
1089 cooling and sheet metal work, fire protection sprinkler systems work,
1090 elevator installation, repair and maintenance work, irrigation work,
1091 automotive glass work or flat glass work, as defined in this section;

1092 (2) "Electrical work" means the installation, erection, maintenance,
1093 inspection, testing, alteration or repair of any wire, cable, conduit,
1094 busway, raceway, support, insulator, conductor, appliance, apparatus,
1095 fixture or equipment that generates, transforms, transmits or uses
1096 electrical energy for light, heat, power or other purposes, but does not

1097 include low voltage wiring, not exceeding twenty-four volts, used
1098 within a lawn sprinkler system;

1099 (3) "Plumbing and piping work" means the installation, repair,
1100 replacement, alteration, maintenance, inspection or testing of gas, water
1101 and associated fixtures, tubing and piping mains and branch lines up to
1102 and including the closest valve to a machine or equipment used in the
1103 manufacturing process, laboratory equipment, sanitary equipment,
1104 other than subsurface sewage disposal systems, fire prevention
1105 apparatus, all water systems for human usage, sewage treatment
1106 facilities and all associated fittings within a building and includes lateral
1107 storm and sanitary lines from buildings to the mains, process piping,
1108 swimming pools and pumping equipment, and includes making
1109 connections to back flow prevention devices, and includes low voltage
1110 wiring, not exceeding twenty-four volts, used within a lawn sprinkler
1111 system, but does not include (A) solar thermal work performed
1112 pursuant to a certificate held as provided in section 20-334g, except for
1113 the repair of those portions of a solar hot water heating system that
1114 include the basic domestic hot water tank and the tie-in to the potable
1115 water system, (B) the installation, repair, replacement, alteration,
1116 maintenance, inspection or testing of fire prevention apparatus within a
1117 structure, except for standpipes that are not connected to sprinkler
1118 systems, (C) medical gas and vacuum systems work, and (D) millwright
1119 work. For the purposes of this subdivision, "process piping" means
1120 piping or tubing that conveys liquid or gas that is used directly in the
1121 production of a chemical or a product for human consumption;

1122 (4) "Solar thermal work" means the installation, erection, repair,
1123 replacement, alteration, maintenance, inspection or testing of active,
1124 passive and hybrid solar systems that directly convert ambient energy
1125 into heat or convey, store or distribute such ambient energy;

1126 (5) "Heating, piping and cooling work" means (A) the installation,
1127 repair, replacement, maintenance, inspection, testing or alteration of
1128 any apparatus for piping, appliances, devices or accessories for heating
1129 systems, including sheet metal work, (B) the installation, repair,

1130 replacement, maintenance, inspection, testing or alteration of air
1131 conditioning and refrigeration systems, boilers, including apparatus
1132 and piping for the generation or conveyance of steam and associated
1133 pumping equipment and process piping and the installation of tubing
1134 and piping mains and branch lines up to and including the closest valve
1135 to a machine or equipment used in the manufacturing process and
1136 onsite testing and balancing of hydronic, steam and combustion air, but
1137 excluding millwright work, and (C) on-site operation, by manipulating,
1138 adjusting or controlling, with sufficient technical knowledge, as
1139 determined by the commissioner, (i) heating systems with a steam or
1140 water boiler maximum operating pressure of fifteen pounds per square
1141 inch gauge or greater, or (ii) air conditioning or refrigeration systems
1142 with an aggregate of more than fifty horsepower or kilowatt
1143 equivalency of fifty horsepower or of two hundred pounds of
1144 refrigerant. Heating, piping and cooling work does not include solar
1145 thermal work performed pursuant to a certificate held as provided in
1146 section 20-334g, or medical gas and vacuum systems work or the passive
1147 monitoring of heating, air conditioning or refrigeration systems. For the
1148 purposes of this subdivision, "process piping" means piping or tubing
1149 that conveys liquid or gas that is used directly in the production of a
1150 chemical or a product for human consumption;

1151 (6) "Apprentice" means any person registered with the Labor
1152 Department for the purpose of learning a skilled trade;

1153 (7) "Elevator installation, repair and maintenance work" means the
1154 installation, erection, maintenance, inspection, testing and repair of all
1155 types of elevators, dumb waiters, escalators, and moving walks and all
1156 mechanical equipment, fittings, associated piping and wiring from a
1157 source of supply brought to the equipment room by an unlimited
1158 electrical contractor for all types of machines used to hoist or convey
1159 persons or materials, but does not include temporary hoisting machines
1160 used for hoisting materials in connection with any construction job or
1161 project, provided "elevator inspection" includes the visual examination
1162 of an elevator system or portion of a system, with or without the
1163 disassembly or removal of component parts;

1164 (8) "Elevator maintenance" means the lubrication, inspection, testing
1165 and replacement of controls, hoistway and car parts;

1166 (9) "Fire protection sprinkler systems work" means the layout, on-site
1167 fabrication, installation, alteration, maintenance, inspection, testing or
1168 repair of any automatic or manual sprinkler system designed for the
1169 protection of the interior or exterior of a building or structure from fire,
1170 or any piping or tubing and appurtenances and equipment pertaining
1171 to such system including overhead and underground water mains, fire
1172 hydrants and hydrant mains, standpipes and hose connections to
1173 sprinkler systems, sprinkler tank heaters excluding electrical wiring, air
1174 lines and thermal systems used in connection with sprinkler and alarm
1175 systems connected thereto, foam extinguishing systems or special
1176 hazard systems including water spray, foam, carbon dioxide or dry
1177 chemical systems, halon and other liquid or gas fire suppression
1178 systems, but does not include (A) any engineering design work
1179 connected with the layout of fire protection sprinkler systems, or (B) any
1180 work performed by employees of or contractors hired by a public water
1181 system, as defined in subsection (a) of section 25-33d;

1182 (10) "State Fire Marshal" means the State Fire Marshal appointed by
1183 the Commissioner of Administrative Services;

1184 (11) "Journeyman sprinkler fitter" means a specialized pipe fitter
1185 craftsman, experienced and skilled in the installation, alteration,
1186 maintenance and repair of fire protection sprinkler systems;

1187 (12) "Irrigation work" means making the connections to and the
1188 inspection and testing of back flow prevention devices, and low voltage
1189 wiring, not exceeding twenty-four volts, used within a lawn sprinkler
1190 system;

1191 (13) "Sheet metal work" means the onsite layout, installation, erection,
1192 replacement, repair or alteration, including, but not limited to, onsite
1193 testing and balancing of related life safety components, environmental
1194 air, heating, ventilating and air conditioning systems by manipulating,
1195 adjusting or controlling such systems for optimum balance performance

1196 of any duct work system, ferrous, nonferrous or other material for
1197 ductwork systems, components, devices, air louvers or accessories, in
1198 accordance with the State Building Code;

1199 (14) "Journeyman sheet metal worker" means an experienced
1200 craftsman skilled in the installation, erection, replacement, repair or
1201 alteration of duct work systems, both ferrous and nonferrous;

1202 (15) "Automotive glass work" means installing, maintaining or
1203 repairing fixed glass in motor vehicles;

1204 (16) "Flat glass work" means installing, maintaining or repairing glass
1205 in residential or commercial structures;

1206 (17) "Medical gas and vacuum systems work" means the work and
1207 practice, materials, instrumentation and fixtures used in the
1208 construction, installation, alteration, extension, removal, repair,
1209 maintenance, inspection, testing or renovation of gas and vacuum
1210 systems and equipment used solely to transport gases for medical
1211 purposes and to remove liquids, air-gases or solids from such systems;

1212 (18) "Solar electricity work" means the installation, erection, repair,
1213 replacement, alteration, maintenance, inspection and testing of
1214 photovoltaic or wind generation equipment used to distribute or store
1215 ambient energy for heat, light, power or other purposes to a point
1216 immediately inside any structure or adjacent to an end use;

1217 (19) "Active solar system" means a system that uses an external source
1218 of energy to power a motor-driven fan or pump to force the circulation
1219 of a fluid through solar heat collectors and which removes the sun's heat
1220 from the collectors and transports such heat to a location where it may
1221 be used or stored;

1222 (20) "Passive solar system" means a system that is capable of
1223 collecting or storing the sun's energy as heat without the use of a motor-
1224 driven fan or pump;

1225 (21) "Hybrid solar system" means a system that contains components

1226 of both an active solar system and a passive solar system;

1227 (22) "Gas hearth product work" means the installation, service,
1228 inspection, testing or repair of a propane or natural gas fired fireplace,
1229 fireplace insert, stove or log set and associated venting and piping that
1230 simulates a flame of a solid fuel fire. "Gas hearth product work" does
1231 not include (A) fuel piping work, (B) the servicing of fuel piping, or (C)
1232 work associated with pressure regulating devices, except for appliances
1233 gas valves;

1234 (23) "Millwright work" means the installation, repair, replacement,
1235 maintenance or alteration, including the inspection and testing, of (A)
1236 power generation machinery, or (B) industrial machinery, including the
1237 related interconnection of piping and tubing used in the manufacturing
1238 process, but does not include the performance of any action for which
1239 licensure is required under this chapter;

1240 (24) "Inspection" means the examination of a system or portion of a
1241 system, involving the disassembly or removal of component parts of the
1242 system; [and]

1243 (25) "Testing" means to determine the status of a system as intended
1244 for its use, with or without the disassembly of component parts of the
1245 system, by the use of testing and measurement instruments; [.]

1246 (26) "Owner" means a person who owns or resides in a private
1247 residence and includes any agent thereof, including, but not limited to,
1248 a condominium association. An owner of a private residence shall not
1249 be required to reside in such residence to be deemed an owner under
1250 this subdivision;

1251 (27) "Person" means an individual, partnership, limited liability
1252 company or corporation; and

1253 (28) "Residential property" means a single family dwelling, a
1254 multifamily dwelling consisting of not more than six units, or a unit,
1255 common element or limited common element in a condominium, as

1256 defined in section 47-68a, or in a common interest community, as
1257 defined in section 47-202, or any number of condominium units for
1258 which a condominium association acts as an agent for such unit owners.

1259 Sec. 27. (NEW) (*Effective January 1, 2021*) (a) No contract to perform
1260 work by a contractor licensed pursuant to chapter 393 of the general
1261 statutes and any person who owns or controls a business engaged to
1262 provide the work or services licensed under the provisions of said
1263 chapter by persons licensed for such work shall be valid or enforceable
1264 against an owner unless it: (1) Is in writing; (2) is signed by the owner
1265 and the contractor or business; (3) contains the entire agreement
1266 between the owner and the contractor or business; (4) contains the date
1267 of the transaction; (5) contains the name and address of the contractor
1268 and the contractor's license number or, in the case of a business, the
1269 name of the business owner, partner or limited liability member, and
1270 the phone number, and address of the business, partnership or limited
1271 liability company; (6) contains the name and license number of the
1272 licensees performing the work; (7) contains a notice of the owner's
1273 cancellation rights in accordance with the provisions of chapter 740 of
1274 the general statutes; and (8) contains a starting date and completion
1275 date.

1276 (b) Each change in the terms and conditions of a contract specified in
1277 subsection (a) of this section shall be in writing and shall be signed by
1278 the owner and contractor or business, except that the commissioner
1279 may, by regulations adopted pursuant to chapter 54 of the general
1280 statutes, dispense with the necessity for complying with such
1281 requirement.

1282 Sec. 28. Subsection (a) of section 20-306 of the general statutes is
1283 repealed and the following is substituted in lieu thereof (*Effective from*
1284 *passage*):

1285 (a) (1) The Department of Consumer Protection shall notify each
1286 person licensed under this chapter of the date of the expiration of such
1287 license and the amount of the fee required for its renewal for one year.

1288 Such license renewals shall be accompanied by the payment of the
1289 professional services fee for class G, as defined in section 33-182l, in the
1290 case of a professional engineer license, a professional engineer and land
1291 surveyor combined license, or a land surveyor license. The license shall
1292 be considered lapsed if not renewed [within thirty days following the
1293 normal] on or before the expiration date.

1294 (2) Annual renewal of an engineer-in-training license or a surveyor-
1295 in-training license shall not be required. Any such license shall remain
1296 valid for a period of ten years from the date of its original issuance and,
1297 during this time, it shall meet in part the requirements for licensure as a
1298 professional engineer or land surveyor. It shall not be the duty of the
1299 department to notify the holder of an engineer-in-training license or a
1300 surveyor-in-training license of the date of expiration of such license
1301 other than to publish it annually in the roster.

1302 (3) Renewal of any license under this chapter or payment of renewal
1303 fees shall not be required of any licensee serving in the armed forces of
1304 the United States until the next renewal period immediately following
1305 the termination of such service or the renewal period following the fifth
1306 year after such licensee's entry into such service, whichever occurs first.
1307 The status of such licensees shall be indicated in the annual roster of
1308 professional engineers and land surveyors.

1309 Sec. 29. Subsection (f) of section 20-314 of the general statutes is
1310 repealed and the following is substituted in lieu thereof (*Effective from*
1311 *passage*):

1312 (f) All licenses issued under the provisions of this chapter shall expire
1313 annually. At the time of application for a real estate broker's license,
1314 there shall be paid to the commission, for each individual applicant and
1315 for each proposed active member or officer of a firm, partnership,
1316 association or corporation, the sum of five hundred sixty-five dollars,
1317 and for the annual renewal thereof, the sum of three hundred seventy-
1318 five dollars, [and] except that for licenses expiring on March 31, 2021, a
1319 prorated renewal fee shall be charged to reflect the fact that the March

1320 2021 renewal will expire on November 30, 2021. At the time of
1321 application for a real estate salesperson's license, there shall be paid to
1322 the commission two hundred eighty-five dollars and for the annual
1323 renewal thereof the sum of two hundred eighty-five dollars. Three
1324 dollars of each such annual renewal fee shall be payable to the Real
1325 Estate Guaranty Fund established pursuant to section 20-324a. [If a
1326 license is not issued, the fee shall be returned.] A real estate broker's
1327 license issued to any partnership, association or corporation shall entitle
1328 the individual designated in the application, as provided in section 20-
1329 312, upon compliance with the terms of this chapter, but without the
1330 payment of any further fee, to perform all of the acts of a real estate
1331 broker under this chapter on behalf of such partnership, association or
1332 corporation. Any license which expires and is not renewed pursuant to
1333 this subsection may be reinstated by the commission, if, not later than
1334 two years after the date of expiration, the former licensee pays to the
1335 commission for each real estate broker's license the sum of three
1336 hundred seventy-five dollars and for each real estate salesperson's
1337 license the sum of two hundred eighty-five dollars for each year or
1338 fraction thereof from the date of expiration of the previous license to the
1339 date of payment for reinstatement, except that any licensee whose
1340 license expired after such licensee entered military service shall be
1341 reinstated without payment of any fee if an application for
1342 reinstatement is filed with the commission within two years after the
1343 date of expiration. Any such reinstated broker license shall expire on the
1344 next succeeding [March thirty-first for real estate brokers] November
1345 thirtieth, except that any broker license that is reinstated before March
1346 31, 2021, shall expire on March 31, 2021, or the next succeeding May
1347 thirty-first. [for real estate salespersons.]

1348 Sec. 30. Subsection (b) of section 20-317 of the general statutes is
1349 repealed and the following is substituted in lieu thereof (*Effective from*
1350 *passage*):

1351 (b) Every applicant licensed in another state shall file an irrevocable
1352 consent that suits and actions may be commenced against such
1353 applicant in the proper court in any judicial district of the state in which

1354 a cause of action may arise or in which the plaintiff may reside, by the
1355 service of any process or pleading, authorized by the laws of this state,
1356 on the chairperson of the commission, such consent stipulating and
1357 agreeing that such service of such process or pleading shall be taken and
1358 held in all courts to be as valid and binding as if service had been made
1359 upon such applicant in the state of Connecticut. If any process or
1360 pleadings under this chapter are served upon the chairperson, it shall
1361 be by duplicate copies, one of which shall be filed in the office of the
1362 commission, and the other immediately forwarded by registered or
1363 certified mail, to the applicant against whom such process or pleadings
1364 are directed, at the last-known address of such applicant as shown by
1365 the records of the [commission] department. No default in any such
1366 proceedings or action shall be taken unless it appears by affidavit of the
1367 chairperson of the commission that a copy of the process or pleading
1368 was mailed to the defendant as required by this subsection, and no
1369 judgment by default shall be taken in any such action or proceeding
1370 within twenty days after the date of mailing of such process or pleading
1371 to the out-of-state defendant.

1372 Sec. 31. Subsection (b) of section 20-319 of the general statutes is
1373 repealed and the following is substituted in lieu thereof (*Effective from*
1374 *passage*):

1375 (b) There is hereby established an annual renewal license to be issued
1376 by the Department of Consumer Protection. Persons licensed in
1377 accordance with the provisions of this chapter shall fulfill a continuing
1378 education requirement. Applicants for an annual renewal license for
1379 real estate brokers or real estate salespersons shall, in addition to the
1380 other requirements imposed by the provisions of this chapter, in any
1381 even-numbered year, submit proof of compliance with the continuing
1382 education requirements of this subsection to the commission, [,
1383 accompanied by an eight-dollar] Each licensee shall pay an annual four-
1384 dollar continuing education processing fee to cover costs associated
1385 with the review and auditing of continuing education submissions. The
1386 continuing education requirement may be satisfied by successful
1387 completion of any of the following during the two-year period

1388 preceding such renewal: (1) A course or courses, approved by the
1389 commission, of continuing education in current real estate practices and
1390 licensing laws, including, but not limited to, practices and laws
1391 concerning common interest communities, consisting of not less than
1392 twelve hours of classroom study; or (2) a written examination prepared
1393 and administered by either the Department of Consumer Protection, or
1394 by a national testing service approved by the department, which
1395 demonstrates a knowledge of current real estate practices and licensing
1396 laws; or (3) equivalent continuing educational experience or study as
1397 determined by regulations adopted pursuant to subsection (d) of this
1398 section. An applicant for examination under subdivision (2) of this
1399 subsection shall pay the required examination fee to the national testing
1400 service, if administered by such testing service, or to the Department of
1401 Consumer Protection, if administered by the department.

1402 Sec. 32. Subsection (d) of section 20-427 of the general statutes is
1403 repealed and the following is substituted in lieu thereof (*Effective from*
1404 *passage*):

1405 (d) The commissioner may, after notice and hearing in accordance
1406 with the provisions of chapter 54, impose a civil penalty on any person
1407 who engages in or practices the work or occupation for which a
1408 certificate of registration is required by this chapter without having first
1409 obtained such a certificate of registration or who [wilfully] willfully
1410 employs or supplies for employment a person who does not have such
1411 a certificate of registration or who [wilfully] willfully and falsely
1412 pretends to qualify to engage in or practice such work or occupation, or
1413 who engages in or practices any of the work or occupations for which a
1414 certificate of registration is required by this chapter after the expiration
1415 of such person's certificate of registration or who violates any of the
1416 provisions of this chapter or the regulations adopted pursuant thereto.
1417 Such penalty shall be in an amount not more than five hundred dollars
1418 for a first violation of this subsection, not more than seven hundred fifty
1419 dollars for a second violation of this subsection occurring not more than
1420 three years after a prior violation, not more than one thousand five
1421 hundred dollars for a third or subsequent violation of this subsection

1422 occurring not more than three years after a prior violation and, in the
1423 case of radon mitigation work, such penalty shall be not less than two
1424 hundred fifty dollars. Any civil penalty collected pursuant to this
1425 subsection shall be deposited in the consumer protection enforcement
1426 account established in section 21a-8a.

1427 Sec. 33. Subsection (f) of section 20-427 of the general statutes is
1428 repealed and the following is substituted in lieu thereof (*Effective from*
1429 *passage*):

1430 (f) All certificates issued under the provisions of this chapter shall
1431 expire annually on March thirty-first, except that certificates which
1432 expire on November 30, 2020, shall be renewed on November 30, 2020,
1433 and will expire on March 31, 2021. The fee for renewal of a certificate
1434 shall be the same as the fee charged for an original application, except
1435 that for certificates which expire on March 31, 2021, a prorated renewal
1436 fee shall be charged to reflect the portion of the year for which the
1437 certificate will be active.

1438 Sec. 34. Subsection (d) of section 21-67 of the general statutes is
1439 repealed and the following is substituted in lieu thereof (*Effective from*
1440 *passage*):

1441 (d) The department shall, upon receipt of a renewal application,
1442 accompanied by the annual license fee, [and after inspection of the
1443 mobile manufactured home park and determination that the park
1444 continues to conform with the requirements of this chapter,] issue a
1445 renewal license, unless the park fails to conform with the requirements
1446 of this chapter based on an inspection, which shall have been performed
1447 in the prior year.

1448 Sec. 35. Section 20-678 of the general statutes is repealed and the
1449 following is substituted in lieu thereof (*Effective from passage*):

1450 On or after January 1, 2012, each homemaker-companion agency,
1451 prior to extending an offer of employment or entering into a contract
1452 with a prospective employee, shall require such prospective employee

1453 to submit to a [comprehensive] state and national criminal background
1454 check conducted in accordance with section 29-17a. On or after October
1455 1, 2020, no homemaker-companion agency shall extend an offer of
1456 employment or enter into a contract with a prospective employee who,
1457 in the last five years, has been released from incarceration after being:
1458 (1) Convicted of a criminal offense related to the delivery of an item or
1459 service under any state health care program, as defined in 42 USC 1320a-
1460 7(h); (2) convicted, under federal or state law, of a criminal offense
1461 relating to neglect or abuse of patients in connection with the delivery
1462 of a health care item or service; (3) convicted of a felony relating to fraud,
1463 theft, embezzlement, breach of fiduciary responsibility or other financial
1464 misconduct, in connection with the delivery of a health care item or
1465 service or with respect to any act or omission in a health care program
1466 operated by or financed, in whole or in part, by any federal, state or local
1467 government agency; (4) convicted of a felony, under federal or state law,
1468 relating to the unlawful manufacture, distribution, prescription or
1469 dispensing of a controlled substance; or (5) the subject of a substantiated
1470 finding of neglect, abuse, physical harm or misappropriation of
1471 property, the value of which exceeds two thousand dollars, by a state or
1472 federal agency. Notwithstanding the five-year look-back limitation,
1473 each homemaker-companion agency shall notify, in writing, all
1474 individuals receiving services of the agency's comprehensive
1475 background check policy and supporting state statute, as well as the
1476 individual's right to request and receive a copy of any materials
1477 obtained during the criminal background check. If, within the last five
1478 years, an applicant has been released from incarceration after being
1479 convicted of an offense enumerated in this section, the homemaker-
1480 companion agency or the prospective employee may submit a written
1481 petition to the commissioner requesting a waiver based on the
1482 circumstances of such offense, which may be granted in the sole
1483 discretion of the commissioner. In the event such a waiver is granted,
1484 the homemaker-companion agency shall provide the waiver approval
1485 letter to the individual receiving services, prior to commencing such
1486 services. Individuals receiving services shall have the right to request an
1487 alternative employee. In addition, each homemaker-companion agency

1488 shall require that such prospective employee complete and sign a form
1489 which contains questions as to whether the prospective employee was
1490 convicted of a crime involving violence or dishonesty in a state court or
1491 federal court in any state; or was subject to any decision imposing
1492 disciplinary action by a licensing agency in any state, the District of
1493 Columbia, a United States possession or territory or a foreign
1494 jurisdiction. Any prospective employee who makes a false written
1495 statement regarding such prior criminal convictions or disciplinary
1496 action shall be guilty of a class A misdemeanor. Each homemaker-
1497 companion agency shall maintain a paper or electronic copy of any
1498 materials obtained during the comprehensive background check and
1499 shall make such records available for inspection upon request of the
1500 Department of Consumer Protection.

1501 Sec. 36. Subsection (c) of section 20-281c of the general statutes is
1502 repealed and the following is substituted in lieu thereof (*Effective from*
1503 *passage*):

1504 (c) An applicant may apply to take the examination if such person,
1505 [holds a baccalaureate degree, or its equivalent, conferred by a college
1506 or university acceptable to the board, with an accounting concentration
1507 or equivalent] at the time of the examination, completed not less than
1508 one hundred twenty semester hours of education, as determined by the
1509 board by regulation to be appropriate. The educational requirements for
1510 a certificate shall be prescribed in regulations to be adopted by the board
1511 as follows:

1512 (1) Until December 31, 1999, a baccalaureate degree or its equivalent
1513 conferred by a college or university acceptable to the board, with an
1514 accounting concentration or equivalent as determined by the board by
1515 regulation to be appropriate;

1516 (2) After January 1, 2000, at least one hundred fifty semester hours of
1517 college education including a baccalaureate or higher degree conferred
1518 by a college or university acceptable to the board. The total educational
1519 program shall include an accounting concentration or equivalent, as

1520 determined by the board by regulation to be appropriate.

1521 Sec. 37. Subsection (b) of section 20-691 of the general statutes is
1522 repealed and the following is substituted in lieu thereof (*Effective from*
1523 *passage*):

1524 (b) (1) A person seeking registration as a locksmith shall apply to the
1525 commissioner on a form provided by the commissioner. The application
1526 shall include the applicant's name, residence address, business address,
1527 business telephone number, a question as to whether the applicant has
1528 been convicted of a felony in any state or jurisdiction, and such other
1529 information as the commissioner may require. The applicant shall
1530 submit to a request by the commissioner for a [recent] state and national
1531 criminal history records check conducted pursuant to section 29-17a. No
1532 registration shall be issued unless the commissioner has received the
1533 results of a such records check. In accordance with the provisions of
1534 section 46a-80 and after a hearing held pursuant to chapter 54, the
1535 commissioner may revoke, refuse to issue or refuse to renew a
1536 registration when an applicant's criminal history records check reveals
1537 the applicant has been convicted of a crime of dishonesty, fraud, theft,
1538 assault, other violent offense or a crime related to the performance of
1539 locksmithing.

1540 (2) The application fee for registration as a locksmith and the biennial
1541 renewal fee for such registration shall be two hundred dollars.

1542 (3) The department shall establish and maintain a registry of
1543 locksmiths. The registry shall contain the names and addresses of
1544 registered locksmiths and such other information as the commissioner
1545 may require. Such registry shall be updated at least annually by the
1546 department, be made available to the public upon request and be
1547 published on the department's Internet web site.

1548 (4) No person shall engage in locksmithing, use the title locksmith or
1549 display or use any words, letters, figures, title, advertisement or other
1550 method to indicate said person is a locksmith unless such person has
1551 obtained a registration as provided in this section.

1552 (5) The following persons shall be exempt from registration as a
 1553 locksmith, but only if the person performing the service does not hold
 1554 himself or herself out to the public as a locksmith: (A) Persons employed
 1555 by a state, municipality or other political subdivision, or by any agency
 1556 or department of the government of the United States, acting in their
 1557 official capacity; (B) automobile service dealers who service, install,
 1558 repair or rebuild automobile locks; (C) retail merchants selling locks or
 1559 similar security accessories or installing, programming, repairing,
 1560 maintaining, reprogramming, rebuilding or servicing electronic garage
 1561 door devices; (D) members of the building trades who install or remove
 1562 complete locks or locking devices in the course of residential or
 1563 commercial new construction or remodeling; (E) employees of towing
 1564 services, repossessioners, or an automobile club representative or
 1565 employee opening automotive locks in the normal course of his or her
 1566 business. The provisions of this section shall not prohibit an employee
 1567 of a towing service from opening motor vehicles to enable a vehicle to
 1568 be moved without towing, provided the towing service does not hold
 1569 itself out to the public, by directory advertisement, through a sign at the
 1570 facilities of the towing service or by any other form of advertisement, as
 1571 a locksmith; (F) students in a course of study in locksmith programs
 1572 approved by the department; (G) warranty services by a lock
 1573 manufacturer or its employees on the manufacturer's own products; (H)
 1574 maintenance employees of a property owner or property management
 1575 companies at multifamily residential buildings, who service, install,
 1576 repair or open locks for tenants; and (I) persons employed as security
 1577 personnel at schools or institutions of higher education who open locks
 1578 while acting in the course of their employment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	20-281k(c)
Sec. 2	<i>July 1, 2020</i>	20-500
Sec. 3	<i>July 1, 2020</i>	20-529(c)
Sec. 4	<i>July 1, 2020</i>	20-529b
Sec. 5	<i>July 1, 2020</i>	20-517(c)
Sec. 6	<i>July 1, 2020</i>	20-295b

Sec. 7	<i>July 1, 2020</i>	20-292
Sec. 8	<i>from passage</i>	20-452(a)
Sec. 9	<i>from passage</i>	20-453
Sec. 10	<i>from passage</i>	20-457
Sec. 11	<i>from passage</i>	20-458(b)
Sec. 12	<i>from passage</i>	20-460(b)
Sec. 13	<i>from passage</i>	21a-190e(b)
Sec. 14	<i>from passage</i>	21a-190f
Sec. 15	<i>from passage</i>	21a-190l
Sec. 16	<i>from passage</i>	43-8a
Sec. 17	<i>from passage</i>	21a-2
Sec. 18	<i>from passage</i>	21a-7(a)
Sec. 19	<i>from passage</i>	21a-8(c)
Sec. 20	<i>October 1, 2020</i>	21a-10
Sec. 21	<i>from passage</i>	21a-11(c)
Sec. 22	<i>from passage</i>	51-164n(b)
Sec. 23	<i>from passage</i>	20-672
Sec. 24	<i>from passage</i>	20-677
Sec. 25	<i>from passage</i>	New section
Sec. 26	<i>from passage</i>	20-330
Sec. 27	<i>January 1, 2021</i>	New section
Sec. 28	<i>from passage</i>	20-306(a)
Sec. 29	<i>from passage</i>	20-314(f)
Sec. 30	<i>from passage</i>	20-317(b)
Sec. 31	<i>from passage</i>	20-319(b)
Sec. 32	<i>from passage</i>	20-427(d)
Sec. 33	<i>from passage</i>	20-427(f)
Sec. 34	<i>from passage</i>	21-67(d)
Sec. 35	<i>from passage</i>	20-678
Sec. 36	<i>from passage</i>	20-281c(c)
Sec. 37	<i>from passage</i>	20-691(b)

Statement of Purpose:

To make minor and technical changes to streamline the Department of Consumer Protection's licensing and 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.]