JOURNAL OF THE SENATE

Wednesday, June 2, 2021

The Senate was called to order at 3:51 p.m., President in the Chair.

The prayer was offered by Acting Chaplain, Kathy Zabel of Burlington, Connecticut

The following is the prayer:

Help us to learn that to honor is to show respect, to meet another's need, to give someone encouragement, to love in word and deed.

PLEDGE

Senator Formica of the 20th led the Senate in the Pledge of Allegiance.

REPORT

The following report was received, read by the Clerk and referred to the Committee indicated:

BUSINESS FROM THE HOUSE
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
HOUSE BILLS

The following favorable reports of the Joint Standing Committees were received from the House, read the second time and tabled for the calendar.

ENERGY AND TECHNOLOGY. H.B. No. **6413** (RAISED) (File No. 55) "AN ACT REQUIRING A STUDY OF A MUNICIPAL ENERGY SECURITY AUTHORITY."

GOVERNMENT ADMINISTRATION AND ELECTIONS. H.B. No. **6576** (RAISED) (File No. 504) "AN ACT CONCERNING THE NONDISCLOSURE OF RESIDENTIAL ADDRESSES OF CERTAIN EMPLOYEES UNDER THE FREEDOM OF INFORMATION ACT."

GOVERNMENT ADMINISTRATION AND ELECTIONS. Substitute for H.B. No. **6574** (RAISED) (File No. 438) "AN ACT CONCERNING REVISIONS TO THE STATE CODES OF ETHICS."

HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT. H.B. No. **6402** (RAISED) (File Nos. 302 and 777) "AN ACT CONCERNING HIGHER EDUCATION." (As amended by House Amendment Schedule "A").

JUDICIARY. H.B. No. **6656** (RAISED) (File No. 416) "AN ACT CONFIRMING AND ADOPTING VOLUMES 1 TO 13, INCLUSIVE, OF THE GENERAL STATUTES, REVISED TO JANUARY 1, 2021."

PLANNING AND DEVELOPMENT. H.B. No. **6547** (RAISED) (File No. 306) "AN ACT CONCERNING A WORKING GROUP REGARDING THE PROTECTION AND PRESERVATION OF HISTORIC PROPERTIES."

PLANNING AND DEVELOPMENT. Substitute for H.B. No. **6603** (RAISED) (File Nos. 212 and 778) "AN ACT CONCERNING TOURISM." (As amended by House Amendment Schedule "A").

VETERANS' AFFAIRS. Substitute for H.B. No. **6429** (RAISED) (File No. 261) "AN ACT ESTABLISHING A WORKING GROUP TO STUDY THE EXPANSION OF PROPERTY TAX RELIEF FOR CERTAIN VETERANS."

BUSINESS FROM THE HOUSE
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
DISAGREEING ACTION

The following favorable report was received from the House, read the second time and tabled for the calendar.

LABOR AND PUBLIC EMPLOYEES. Substitute for S.B. No. **999** (RAISED) (File Nos. 404 and 779) "AN ACT CONCERNING A JUST TRANSITION TO CLIMATE-PROTECTIVE ENERGY PRODUCTION AND COMMUNITY INVESTMENT." (As amended by Senate Amendment Schedule "A" and House Amendment Schedule "A").

BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILL PASSED

The following favorable reports was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

AGING. Substitute for S.B. No. **973** (RAISED) (File No. 192) "AN ACT STRENGTHENING THE VOICE OF RESIDENTS AND FAMILY COUNCILS."

Senator Miller of the 27th offered Senate Amendment Schedule "A" (LCO 8483), moved adoption and requested that the vote be taken by roll call.

On a voice vote the amendment was adopted.

The following is the Amendment.

Strike lines 13 to 39, inclusive, in their entirety and insert the following in lieu thereof:

"(b) Not later than three days after a state agency submits a legislative proposal to the General Assembly or posts a notice of intent on the eRegulations System proposing a new or revised regulation concerning living and care conditions at long-term care facilities, such agency shall inform the State Ombudsman, appointed pursuant to section 17a-405 of the general statutes, and the executive director of the Commission on Women, Children, Seniors, Equity and Opportunity, established pursuant to section 2-127 of the general statutes. The State Ombudsman and the executive director shall seek testimony from the Statewide Coalition of Presidents of Residents Councils and from family councils concerning such legislative proposal or proposed regulation. For regulations other than those proposed pursuant to subsections (g) and (h) of section 4-168 of the general statutes, the State Ombudsman and the executive director shall immediately inform the members of the coalition and family councils that the agency will be required to hold a public hearing upon the request of fifteen or more persons not later than fourteen days after the date such notice of intent is posted on the eRegulations System. Such agency or legislative committee of cognizance shall accept testimony in a manner and format that provides for the greatest input from members of residents councils and family councils including, but not limited to, when permissible under the rules of such agency or committee and when practicable, remote testimony by such members via technology with audio or audio and video capabilities.

(c) Any state task force appointed by the General Assembly or by a state agency that is studying issues concerning living or care conditions at long-term care facilities shall include among members (1) representatives of residents councils, (2) representatives of family councils, and (3) the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to aging, or their designees. The chairpersons of such task force shall schedule meetings in a manner and format that provides for the greatest input from members of residents councils and family councils, including, but not limited to, when practicable, remote testimony by such members via technology with audio or video capabilities."

Remarking was Senator Kelly of the 21st.

On motion of Senator Miller of the 27th, the bill was placed on the Consent Calendar.

BUSINESS ON THE CALENDAR
MATTERS RETURNED FROM COMMITTEE
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
BILL PASSED

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

APPROPRIATIONS. Substitute for S.B. No. **683** (COMM) (File No. 447) "AN ACT CONCERNING HOSPITAL BILLING AND COLLECTION EFFORTS BY HOSPITALS AND COLLECTION AGENCIES."

Senator Abrams of the 13th offered Senate Amendment Schedule "A" (LCO 9102), moved adoption.

Remarking was Senator Somers of the 18th.

On a voice vote the amendment was adopted.

The following is the Amendment.

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

"Section 1. Section 19a-673 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) As used in this section:

(1) "Affiliated with" means (A) employed by a hospital or health system, (B) under a professional services agreement with a hospital or health system that permits such hospital or health system to bill on behalf of such entity, or (C) a clinical faculty member of a medical school, as defined in section 33-182aa, who is affiliated with a hospital or health system in a manner that permits such hospital or health system to bill on behalf of such clinical faculty member.

(2) "Collection agent" has the same meaning as provided in section 19a-509b.

[(1)**]** (3) "Cost of providing services" means a hospital's published charges at the time of billing, multiplied by the hospital's most recent relationship of costs to charges as taken from the hospital's most recently available annual financial filing with the unit.

[(2)**]** (4) "Hospital" **[**means an institution licensed by the Department of Public Health as a short-term general hospital**]** has the same meaning as provided in section 19a-490.

(5) "Owned by" means owned by a hospital or health system when billed under the hospital's tax identification number.

[(3)**]** (6) "Poverty income guidelines" means the poverty income guidelines issued from time to time by the United States Department of Health and Human Services.

[(4)**]** (7) "Uninsured patient" means any person who is liable for one or more hospital charges whose income is at or below two hundred fifty per cent of the poverty income guidelines who (A) has applied and been denied eligibility for any medical or health care coverage provided under the Medicaid program due to failure to satisfy income or other eligibility requirements, and (B) is not eligible for coverage for hospital services under the Medicare or CHAMPUS programs, or under any Medicaid or health insurance program of any other nation, state, territory or commonwealth, or under any other governmental or privately sponsored health or accident insurance or benefit program including, but not limited to, workers' compensation and awards, settlements or judgments arising from claims, suits or proceedings involving motor vehicle accidents or alleged negligence.

(b) No hospital or entity that is owned by or affiliated with such hospital that has provided health care **[**services**]** to an uninsured patient may collect from the uninsured patient more than the cost of providing **[**services**]** such health care.

(c) Each collection agent **[**, as defined in section 19a-509b,**]** engaged in collecting a debt from a patient arising from **[**services**]** health care provided at a hospital shall provide written notice to such patient as to whether the hospital deems the patient an insured patient or **[**an**]** uninsured patient and the reasons for such determination.

Sec. 2. Section 19a-673b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) As used in this section:

(1) "Affiliated with" means (A) employed by a hospital or health system, (B) under a professional services agreement with a hospital or health system that permits such hospital or health system to bill on behalf of such entity, or (C) a clinical faculty member of a medical school, as defined in section 33-182aa, who is affiliated with a hospital or health system in a manner that permits such hospital or health system to bill on behalf of such clinical faculty member.

(2) "Owned by" means owned by a hospital or health system when billed under the hospital's tax identification number.

[(a)**]** (b) No hospital, as defined in section 19a-490, or entity that is owned by or affiliated with such hospital shall refer to a collection agent, as defined in section 19a-509b, or initiate an action against an individual patient or such patient's estate to collect fees arising from health care provided at a hospital or entity that is owned by or affiliated with such hospital on or after October 1, 2003, unless the hospital **[**has made a determination whether**]** or entity that is owned by or affiliated with such hospital has determined that such individual patient is **[**(1)**]** an uninsured patient, as defined in section 19a-673, as amended by this act, **[**and (2) not eligible**]** who is ineligible for the hospital bed fund.

(c) On or after October 1, 2022, no hospital or entity that is owned by or affiliated with such hospital, as defined in section 19a-490, and no collection agent, as defined in section 19a-509b, that receives a referral from a hospital or entity that is owned by or affiliated with such hospital, shall:

(1) Report an individual patient to a credit rating agency, as defined in section 36a-695, for a period of one year beginning on the date that such patient first receives a bill for health care provided by the hospital or entity that is owned by or affiliated with such hospital to such patient on or after October 1, 2022;

(2) Initiate an action to foreclose a lien on an individual patient's primary residence if the lien was filed to secure payment for health care provided by the hospital or entity that is owned by or affiliated with such hospital to such patient on or after October 1, 2022; or

(3) Apply to a court for an execution against an individual patient's wages pursuant to section 52-361a, or otherwise seek to garnish such patient's wages, to collect payment for health care provided by the hospital or entity that is owned by or affiliated with such hospital to such patient on or after October 1, 2022, if such patient is eligible for the hospital bed fund.

[(b)**]** (d) Nothing in **[**this**]** subsection (b) or (c) of this section shall affect **[**a hospital's**]** the ability of a hospital or entity that is owned by or affiliated with such hospital to initiate an action against an individual patient or such patient's estate to collect coinsurance, deductibles or fees arising from health care provided at a hospital or entity that is owned by or affiliated with such hospital where such coinsurance, deductibles or fees may be eligible for reimbursement through awards, settlements or judgments arising from claims, suits or proceedings. In addition, nothing in **[**this section**]** said subsections shall affect **[**a hospital's**]** the ability of a hospital or entity that is owned by or affiliated with such hospital to initiate an action against an individual patient or such patient's estate where payment or reimbursement has been made, or likely is to be made, directly to the patient.

Sec. 3. Section 19a-673d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) As used in this section:

(1) "Affiliated with" means (A) employed by a hospital or health system, (B) under a professional services agreement with a hospital or health system that permits such hospital or health system to bill on behalf of such entity, or (C) a clinical faculty member of a medical school, as defined in section 33-182aa, who is affiliated with a hospital or health system in a manner that permits such hospital or health system to bill on behalf of such clinical faculty member.

(2) "Owned by" means owned by a hospital or health system when billed under the hospital's tax identification number.

(b) If, at any point in the debt collection process, whether before or after the entry of judgment, a hospital **[**, a consumer collection agency acting on behalf of the hospital, an attorney representing the hospital or any employee or agent of the hospital**]** or entity that is owned by or affiliated with such hospital, as defined in section 19a-490, or a collection agent, as defined in section 19a-509b, becomes aware that a debtor from whom the hospital or entity that is owned by or affiliated with such hospital is seeking payment for **[**services**]** health care rendered receives information that the debtor is eligible for hospital bed funds, free or reduced price hospital services **[**,**]** or any other program which would result in the elimination of liability for the debt or reduction in the amount of such liability, **[**the**]** such hospital **[**, collection agency, attorney, employee or agent**]** or entity that is owned by or affiliated with such hospital or collection agent shall promptly discontinue all collection efforts against such debtor for such health care and refer the collection file for such health care to **[**the**]** such hospital **[**for determination of such eligibility. The**]** or entity that is owned by or affiliated with such hospital until such hospital or entity determines whether such debtor is eligible for such elimination or reduction. Such collection **[**effort**]** efforts shall not resume until such hospital or entity makes such determination. **[**is made.**]**

Sec. 4. Section 19a-508c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) As used in this section:

(1) "Affiliated provider" means a provider that is: (A) Employed by a hospital or health system, (B) under a professional services agreement with a hospital or health system that permits such hospital or health system to bill on behalf of such provider, or (C) a clinical faculty member of a medical school, as defined in section 33-182aa, that is affiliated with a hospital or health system in a manner that permits such hospital or health system to bill on behalf of such clinical faculty member;

(2) "Campus" means: (A) The physical area immediately adjacent to a hospital's main buildings and other areas and structures that are not strictly contiguous to the main buildings but are located within two hundred fifty yards of the main buildings, or (B) any other area that has been determined on an individual case basis by the Centers for Medicare and Medicaid Services to be part of a hospital's campus;

(3) "Facility fee" means any fee charged or billed by a hospital or health system for outpatient services provided in a hospital-based facility that is: (A) Intended to compensate the hospital or health system for the operational expenses of the hospital or health system, and (B) separate and distinct from a professional fee;

(4) "Health system" means: (A) A parent corporation of one or more hospitals and any entity affiliated with such parent corporation through ownership, governance, membership or other means, or (B) a hospital and any entity affiliated with such hospital through ownership, governance, membership or other means;

(5) "Hospital" has the same meaning as provided in section 19a-490;

(6) "Hospital-based facility" means a facility that is owned or operated, in whole or in part, by a hospital or health system where hospital or professional medical services are provided;

(7) "Payer mix" means the proportion of different sources of payment received by a hospital or health system, including, but not limited to, Medicare, Medicaid, other government-provided insurance, private insurance and self-pay patients;

[(7)**]** (8) "Professional fee" means any fee charged or billed by a provider for professional medical services provided in a hospital-based facility; **[**and**]**

[(8)**]** (9) "Provider" means an individual, entity, corporation or health care provider, whether for profit or nonprofit, whose primary purpose is to provide professional medical services; and

(10) "Tagline" means a short statement written in a non-English language that indicates the availability of language assistance services free of charge.

(b) If a hospital or health system charges a facility fee utilizing a current procedural terminology evaluation and management (CPT E/M) code or assessment and management (CPT A/M) code for outpatient services provided at a hospital-based facility where a professional fee is also expected to be charged, the hospital or health system shall provide the patient with a written notice that includes the following information:

(1) That the hospital-based facility is part of a hospital or health system and that the hospital or health system charges a facility fee that is in addition to and separate from the professional fee charged by the provider;

(2) (A) The amount of the patient's potential financial liability, including any facility fee likely to be charged, and, where professional medical services are provided by an affiliated provider, any professional fee likely to be charged, or, if the exact type and extent of the professional medical services needed are not known or the terms of a patient's health insurance coverage are not known with reasonable certainty, an estimate of the patient's financial liability based on typical or average charges for visits to the hospital-based facility, including the facility fee, (B) a statement that the patient's actual financial liability will depend on the professional medical services actually provided to the patient, (C) an explanation that the patient may incur financial liability that is greater than the patient would incur if the professional medical services were not provided by a hospital-based facility, and (D) a telephone number the patient may call for additional information regarding such patient's potential financial liability, including an estimate of the facility fee likely to be charged based on the scheduled professional medical services; and

(3) That a patient covered by a health insurance policy should contact the health insurer for additional information regarding the hospital's or health system's charges and fees, including the patient's potential financial liability, if any, for such charges and fees.

(c) If a hospital or health system charges a facility fee without utilizing a current procedural terminology evaluation and management (CPT E/M) code for outpatient services provided at a hospital-based facility, located outside the hospital campus, the hospital or health system shall provide the patient with a written notice that includes the following information:

(1) That the hospital-based facility is part of a hospital or health system and that the hospital or health system charges a facility fee that may be in addition to and separate from the professional fee charged by a provider;

(2) (A) A statement that the patient's actual financial liability will depend on the professional medical services actually provided to the patient, (B) an explanation that the patient may incur financial liability that is greater than the patient would incur if the hospital-based facility was not hospital-based, and (C) a telephone number the patient may call for additional information regarding such patient's potential financial liability, including an estimate of the facility fee likely to be charged based on the scheduled professional medical services; and

(3) That a patient covered by a health insurance policy should contact the health insurer for additional information regarding the hospital's or health system's charges and fees, including the patient's potential financial liability, if any, for such charges and fees.

(d) **[**On and after January 1, 2016, each**]** Each initial billing statement that includes a facility fee shall: (1) Clearly identify the fee as a facility fee that is billed in addition to, or separately from, any professional fee billed by the provider; (2) provide the corresponding Medicare facility fee reimbursement rate for the same service as a comparison or, if there is no corresponding Medicare facility fee for such service, (A) the approximate amount Medicare would have paid the hospital for the facility fee on the billing statement, or (B) the percentage of the hospital's charges that Medicare would have paid the hospital for the facility fee; (3) include a statement that the facility fee is intended to cover the hospital's or health system's operational expenses; (4) inform the patient that the patient's financial liability may have been less if the services had been provided at a facility not owned or operated by the hospital or health system; and (5) include written notice of the patient's right to request a reduction in the facility fee or any other portion of the bill and a telephone number that the patient may use to request such a reduction without regard to whether such patient qualifies for, or is likely to be granted, any reduction. Not later than October 15, 2022, and annually thereafter, each hospital, health system and hospital-based facility shall submit to the Health Planning Unit of the Office of Health Strategy a sample of a billing statement issued by such hospital, health system or hospital-based facility that complies with the provisions of this subsection and which represents the format of billing statements received by patients. Such billing statement shall not contain patient identifying information.

(e) The written notice described in subsections (b) to (d), inclusive, and (h) to (j), inclusive, of this section shall be in plain language and in a form that may be reasonably understood by a patient who does not possess special knowledge regarding hospital or health system facility fee charges. On and after October 1, 2022, such notices shall include tag lines in at least the top fifteen languages spoken in the state indicating that the notice is available in each of those top fifteen languages. The fifteen languages shall be either the languages in the list published by the Department of Health and Human Services in connection with section 1557 of the Patient Protection and Affordable Care Act, P.L. 111-148, or, as determined by the hospital or health system, the top fifteen languages in the geographic area of the hospital-based facility.

(f) (1) For nonemergency care, if a patient's appointment is scheduled to occur ten or more days after the appointment is made, such written notice shall be sent to the patient by first class mail, encrypted electronic mail or a secure patient Internet portal not less than three days after the appointment is made. If an appointment is scheduled to occur less than ten days after the appointment is made or if the patient arrives without an appointment, such notice shall be hand-delivered to the patient when the patient arrives at the hospital-based facility.

(2) For emergency care, such written notice shall be provided to the patient as soon as practicable after the patient is stabilized in accordance with the federal Emergency Medical Treatment and Active Labor Act, 42 USC 1395dd, as amended from time to time, or is determined not to have an emergency medical condition and before the patient leaves the hospital-based facility. If the patient is unconscious, under great duress or for any other reason unable to read the notice and understand and act on his or her rights, the notice shall be provided to the patient's representative as soon as practicable.

(g) Subsections (b) to (f), inclusive, and (l) of this section shall not apply if a patient is insured by Medicare or Medicaid or is receiving services under a workers' compensation plan established to provide medical services pursuant to chapter 568.

(h) A hospital-based facility shall prominently display written notice in locations that are readily accessible to and visible by patients, including patient waiting or appointment check-in areas, stating: (1) That the hospital-based facility is part of a hospital or health system, (2) the name of the hospital or health system, and (3) that if the hospital-based facility charges a facility

fee, the patient may incur a financial liability greater than the patient would incur if the hospital-based facility was not hospital-based. On and after October 1, 2022, such notices shall include tag lines in at least the top fifteen languages spoken in the state indicating that the notice is available in each of those top fifteen languages. The fifteen languages shall be either the languages in the list published by the Department of Health and Human Services in connection with section 1557 of the Patient Protection and Affordable Care Act, P.L. 111-148, or, as determined by the hospital or health system, the top fifteen languages in the geographic area of the hospital-based facility. Not later than October 1, 2022, and annually thereafter, each hospital-based facility shall submit a copy of the written notice required by this subsection to the Health Systems Planning Unit of the Office of Health Strategy.

(i) A hospital-based facility shall clearly hold itself out to the public and payers as being hospital-based, including, at a minimum, by stating the name of the hospital or health system in its signage, marketing materials, Internet web sites and stationery.

(j) A hospital-based facility shall, when scheduling services for which a facility fee may be charged, inform the patient (1) that the hospital-based facility is part of a hospital or health system, (2) of the name of the hospital or health system, (3) that the hospital or health system may charge a facility fee in addition to and separate from the professional fee charged by the provider, and (4) of the telephone number the patient may call for additional information regarding such patient's potential financial liability.

(k) (1) **[**On and after January 1, 2016, if any transaction, as**]** If any transaction described in subsection (c) of section 19a-486i, results in the establishment of a hospital-based facility at which facility fees **[**will likely**]** may be billed, the hospital or health system, that is the purchaser in such transaction shall, not later than thirty days after such transaction, provide written notice, by first class mail, of the transaction to each patient served within the **[**previous**]** three years preceding the date of the transaction by the health care facility that has been purchased as part of such transaction.

(2) Such notice shall include the following information:

(A) A statement that the health care facility is now a hospital-based facility and is part of a hospital or health system, the health care facility's full legal and business name and the date of such facility's acquisition by a hospital or health system;

(B) The name, business address and phone number of the hospital or health system that is the purchaser of the health care facility;

(C) A statement that the hospital-based facility bills, or is likely to bill, patients a facility fee that may be in addition to, and separate from, any professional fee billed by a health care provider at the hospital-based facility;

(D) (i) A statement that the patient's actual financial liability will depend on the professional medical services actually provided to the patient, and (ii) an explanation that the patient may incur financial liability that is greater than the patient would incur if the hospital-based facility were not a hospital-based facility;

(E) The estimated amount or range of amounts the hospital-based facility may bill for a facility fee or an example of the average facility fee billed at such hospital-based facility for the most common services provided at such hospital-based facility; and

(F) A statement that, prior to seeking services at such hospital-based facility, a patient covered by a health insurance policy should contact the patient's health insurer for additional information regarding the hospital-based facility fees, including the patient's potential financial liability, if any, for such fees.

(3) A copy of the written notice provided to patients in accordance with this subsection shall be filed with the Health Systems Planning Unit of the Office of Health Strategy, established under section 19a-612. Said unit shall post a link to such notice on its Internet web site.

(4) A hospital, health system or hospital-based facility shall not collect a facility fee for services provided at a hospital-based facility that is subject to the provisions of this subsection from the date of the transaction until at least thirty days after the written notice required pursuant to this subsection is mailed to the patient or a copy of such notice is filed with the Health Systems Planning Unit, whichever is later. A violation of this subsection shall be considered an unfair trade practice pursuant to section 42-110b.

(5) Not later than July 1, 2023, and annually thereafter, each hospital-based facility that was the subject of a transaction, as described in subsection (c) of section 19a-486i, during the preceding calendar year shall report to the Health Systems Planning Unit the number of patients served by such hospital-based facility in the preceding three years.

(l) Notwithstanding the provisions of this section, no hospital, health system or hospital-based facility shall collect a facility fee for (1) outpatient health care services that use a current procedural terminology evaluation and management (CPT E/M) code or assessment and management (CPT A/M) code and are provided at a hospital-based facility located off-site from a hospital campus, or (2) outpatient health care services provided at a hospital-based facility located off-site from a hospital campus, received by a patient who is uninsured of more than the Medicare rate. Notwithstanding the provisions of this subsection, in circumstances when an insurance contract that is in effect on July 1, 2016, provides reimbursement for facility fees prohibited under the provisions of this section, a hospital or health system may continue to collect reimbursement from the health insurer for such facility fees until the date of expiration, renewal or amendment of such contract, whichever such date is the earliest. A violation of this subsection shall be considered an unfair trade practice pursuant to chapter 735a. The provisions of this subsection shall not apply to a freestanding emergency department. As used in this subsection, "freestanding emergency department" means a freestanding facility that (A) is structurally separate and distinct from a hospital, (B) provides emergency care, (C) is a department of a hospital licensed under chapter 368v, and (D) has been issued a certificate of need to operate as a freestanding emergency department pursuant to chapter 368z.

(m) (1) Each hospital and health system shall report not later than July 1, **[**2016**]** 2023, and annually thereafter to the executive director of the Office of Health Strategy, on a form prescribed by the executive director, concerning facility fees charged or billed during the preceding calendar year. Such report shall include (A) the name and **[**location**]** address of each facility owned or operated by the hospital or health system that provides services for which a facility fee is charged or billed, (B) the number of patient visits at each such facility for which a facility fee was charged or billed, (C) the number, total amount and range of allowable facility fees paid at each such facility **[**by Medicare, Medicaid or under private insurance policies**]** disaggregated by payer mix, (D) for each facility, the total amount of facility fees charged and the total amount of revenue received by the hospital or health system derived from facility fees, (E) the total amount of facility fees charged and the total amount of revenue received by the hospital or health system from all facilities derived from facility fees, (F) a description of the ten procedures or services that generated the greatest amount of facility fee gross revenue, disaggregated by current procedural terminology category (CPT) code for each such procedure or service and, for each such procedure or service, patient volume and the total amount of gross and net revenue received by the hospital or health system derived from facility fees, and (G) the top ten procedures or services for which facility fees are charged based on patient volume and the gross and net revenue received by the hospital or health system for each such procedure or service. For purposes of this subsection, "facility" means a hospital-based facility that is located outside a hospital campus.

(2) The executive director shall publish the information reported pursuant to subdivision (1) of this subsection, or post a link to such information, on the Internet web site of the Office of Health Strategy.

Sec. 5. (*Effective from passage*) (a) The Office of Health Strategy shall, within available appropriations:

(1) Study methods to improve oversight and regulation of mergers and acquisitions of physician practices to improve health care quality and choice in Connecticut, including, but not limited to, a review of sections 19a-486i, 19a-639 and 19a-630 of the general statutes;

(2) Study methods to ensure the viability of physician practices; and

(3) Develop legislative recommendations to improve reporting and oversight of physician practice mergers and acquisitions, including, but not limited to, the necessity for any amendments to section 19a-486i, 19a-639 or 19a-630 of the general statutes.

(b) Not later than February 1, 2023, the executive director of the Office of Health Strategy shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to public

health regarding the outcome of the study and any recommendations for legislative action as a result of such study."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*October 1, 2022*	19a-673
Sec. 2	*October 1, 2022*	19a-673b
Sec. 3	*October 1, 2022*	19a-673d
Sec. 4	*October 1, 2022*	19a-508c
Sec. 5	*from passage*	New section

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 4:13 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	1
Those absent and not voting	1

On the roll call vote Senate Bill No. 683 as amended by Senate Amendment Schedule "A" (LCO 9102) was Passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA		Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY		Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR		Y	21	KEVIN C. KELLY
Y	4	STEVE CASSANO		Y	22	MARILYN MOORE
Y	5	DEREK SLAP	A		23	DENNIS BRADLEY
Y	6	RICK LOPES		Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL		Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS		Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER		Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD		Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY		Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN		Y	30	CRAIG MINER
Y	13	MARY ABRAMS		Y	31	HENRI MARTIN
Y	14	JAMES MARONEY		Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY		Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON		Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA		Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS		Y	36	ALEX KASSER

BUSINESS ON THE CALENDAR
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
BILL PASSED

The following favorable report was taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

HUMAN SERVICES. Substitute for S.B. No. **1055** (RAISED) (File No. 492) "AN ACT CONCERNING THE DEPARTMENT OF AGING AND DISABILITY SERVICES."

Senator Moore of the 22nd offered Senate Amendment Schedule "A" (LCO 7981) and moved adoption.

Remarking was Senator Berthel of the 32nd.

On a voice vote the amendment was adopted.

The following is the Amendment.

Strike section 5 in its entirety and substitute the following in lieu thereof:

"Sec. 5. Subsection (a) of section 46a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) The Advisory Board for Persons Who are Deaf**,** **[**or**]** Hard of Hearing or Deafblind shall consist of the following **[**sixteen members appointed by the Governor**]** members: (1) The consultant appointed by the State Board of Education in accordance with section 10-316a, or the consultant's designee; (2) the president of the Connecticut Council of Organizations Serving the Deaf, or the president's designee; (3) the president of the Connecticut Association of the Deaf, or the president's designee; (4) the president of the Connecticut Registry of Interpreters for the Deaf, or the president's designee; (5) the Commissioner of Aging and Disability Services, or the commissioner's designee; (6) the executive director of the American School for the Deaf, or the executive director's designee; (7) **[**a parent of a student in a predominantly oral education program**]** the Governor's liaison to the disability community; (8) **[**a parent of a student at the American School for the Deaf; (9) a**]** the director of the Connecticut Chapter of We the Deaf People; and (9) eight members appointed by the Governor as follows: (A) A person who is deaf; **[**(10)**]** (B) a person who is hard of hearing; **[**(11)**]** (C) a person who is **[**deaf and blind**]** deafblind; **[**(12)**]** (D) an interpreting professional who serves deaf**,** **[**or**]** hard of hearing or deafblind persons; **[**(13)**]** (E) a healthcare professional who works with persons who are deaf**,** **[**or**]** hard of hearing or deafblind; **[**(14) the Governor's liaison to the disability community; (15)**]** (F) a parent of a student in a predominantly oral education program; (G) an educator who works with children who are deaf**,** **[**or**]** hard of hearing or deafblind; and **[**(16) the director of the Connecticut Chapter of We the Deaf People**]** (H) a parent of a student at the American School for the Deaf. The Commissioner of Aging and Disability Services, the Governor's liaison to the disability community and a member chosen by the majority of the board shall be the chairpersons of the advisory board."

This act shall take effect as follows and shall amend the following sections:		
Sec. 5	*July 1, 2021*	46a-28(a)

Remarking were Senators Moore of the 22nd and Berthel of the 32nd.

Senator Moore of the 22nd requested that the vote be taken by roll call.
The chair ordered the vote be taken by roll call.

The following is the result of the vote at 4:25 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

On the roll call vote Senate Bill No. 1055 as amended by Senate Amendment Schedule "A" (LCO 7981) was passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	Y	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	A	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
Y	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

BUSINESS ON THE CALENDAR
MATTER RETURNED FROM COMMITTEE
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
BILL PASSED

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

FINANCE, REVENUE AND BONDING. S.B. No. **711** (COMM) (File No. 183) "AN ACT CONCERNING COVID-19 RELIEF FOR SMALL BUSINESSES AND REQUIRING FEDERAL REGULATORY ANALYSIS FOR PROPOSED STATE REGULATIONS." (As amended by Senate Amendment Schedule "A").

Senator Hartley of the 15th explained the bill and moved passage.

Remarking was Senator Martin of the 31st.

On motion of Senator Martin of the 31st, the bill was placed on the Consent Calendar.

BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILLS PASSED

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

ENERGY AND TECHNOLOGY. S.B. No. **856** (RAISED) (File No. 79) "AN ACT INCREASING REPRESENTATION ON THE ENERGY CONSERVATION MANAGEMENT BOARD."

Senator Needleman of the 33rd explained the bill and moved passage.

Remarking was Senator Formica of the 20th.

On motion of Senator Needleman of the 33rd, the bill was placed on the Consent Calendar.

ENERGY AND TECHNOLOGY. Substitute for S.B. No. **858** (RAISED) (File No. 282) "AN ACT CONCERNING CALL BEFORE YOU DIG PROGRAM VIOLATIONS AND CERTAIN MODIFICATIONS TO GAS PIPELINES PROCESSES."

Senator Needleman of the 33rd explained the bill and moved passage.

Remarking was Senator Formica of the 20th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 4:48 p.m.:

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

On the roll call vote Senate Bill No. 858 was passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	A	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
Y	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

PUBLIC HEALTH. Substitute for H.B. No. **5677** (COMM) (File Nos. 427 and 747) "AN ACT CONCERNING THE AVAILABILITY OF COMMUNITY VIOLENCE PREVENTION SERVICES UNDER MEDICAID." (As amended by House Amendment Schedule "A").

Senator Abrams of the 13th explained the bill and moved passage.

Remarking was Senator Somers of the 18th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 4:58 p.m.:

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

On the roll call vote House Bill No. 5677 as amended by House Amendment Schedule "A" (LCO 8780) was passed in concurrence with the House.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	A	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
Y	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

APPROPRIATIONS. Substitute for S.B. No. **241** (COMM) (File No. 658) "AN ACT CONCERNING OVERSIGHT AND TRANSPARENCY AT THE CONNECTICUT PORT AUTHORITY."

Senator Haskell of the 26th offered Senate Amendment Schedule "A" (LCO 9467) and moved adoption.

Remarking were Senators Somers of the 18th, Osten of the 19th, Martin of the 31st, and Formica of the 20th.

On a voice vote the amendment was adopted.

The following is the Amendment.

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

"Section 1. (NEW) (*Effective from passage*) (a) On or before October 1, 2021, and quarterly thereafter, the executive director of the Connecticut Port Authority shall submit a report regarding the status of pending and current contracts, small harbor projects and the construction project at the State Pier in the town of New London to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a of the general statutes. The Commissioner of Administrative Services and the Secretary of the Office of Policy and Management shall jointly verify each such report before such report is submitted to the committee.

(b) On or before January 1, 2022, and annually thereafter, the Commissioner of Administrative Services and the Secretary of the Office of Policy and Management shall submit a report regarding the projects undertaken by the Connecticut Port Authority in the preceding year and the authority's finances to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 2. Subsections (b) and (c) of section 15-31a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to appointments made on and after said date*):

(b) The powers of the authority shall be vested in and exercised by a board of directors, which shall consist of **[**fifteen**]** twenty-one voting members as follows: (1) The State Treasurer, or the Treasurer's designee, the Commissioner of Energy and Environmental Protection, or the commissioner's designee, the Commissioner of Transportation, or the commissioner's designee, the Commissioner of Economic and Community Development, or the commissioner's designee, **[**and**]** the Secretary of the Office of Policy and Management, or the secretary's designee, the chief elected official of the town of New London, or such official's designee, the chief elected official of the city of New Haven, or such official's designee, and the chief elected official of the city of Bridgeport, or such official's designee, all of whom shall serve ex officio; (2) one appointed by the speaker of the House of Representatives; **[**for a term of four years;**]** (3) one appointed by the majority leader of the House of Representatives, **[**for a term of two years**]** who is the chief elected official of a town with a small harbor, or such official's designee; (4) one appointed by the minority leader of the House of Representatives; **[**for a term of two years;**]** (5) one appointed by the president pro tempore of the Senate, **[**for a term of four years**]** who is a member or employee of a local port authority; (6) one appointed by the majority leader of the Senate; **[**for a term of two years;**]** (7) one appointed by the minority leader of the Senate; **[**for a term of four years;**]** and (8) **[**four**]** seven appointed by the Governor, **[**two for a term of four years and two for a term of two years. Thereafter, said**]** one of whom is the chief elected official of a town with a small harbor, or such official's designee. Said members of the General Assembly and the Governor shall appoint members of the board to succeed **[**such**]** appointees whose terms expire and each member so appointed shall hold office for a period of four years from the first day of July in the year of his or her appointment. Appointed members shall include **[**: (A) Individuals**]** individuals who have experience and expertise in **[**one or more of the following areas: (i) International**]** international trade, **[**; (ii)**]** marine transportation, **[**; (iii)**]** finance **[**;**]** or **[**(iv)**]** economic development. **[**; (B) one member or employee of a local port authority; (C) one elected or appointed municipal official from a coastal municipality with a population not greater than one hundred thousand; and (D) one elected or appointed municipal official from a coastal community with a population not greater than fifty thousand.**]** The board of directors shall select the chairperson from among the members of the board, who shall serve for a term of two years. The board of directors shall select a vice-chairperson from among its members and such other officers as it deems necessary.

(c) **[**No**]** Except as provided in subsection (b) of this section, no appointed member of the board of directors may designate a representative to perform his or her respective duties under this section in such member's absence. Any appointed member who fails to attend three consecutive

meetings of the board or who fails to attend fifty per cent of all meetings of the board held during any calendar year shall be deemed to have resigned from the board. Any vacancy occurring other than by expiration of term shall be filled not later than thirty days following the occurrence of such vacancy in the same manner as the original appointment for the balance of the unexpired term. The appointing authority for any member may remove such member for inefficiency, neglect of duty or misconduct in office after giving the member a copy of the charges against the member and an opportunity to be heard, in person or by counsel, in the member's defense, upon not less than ten days' notice. If any member shall be so removed, the appointing authority for such member shall file in the office of the Secretary of the State a complete statement of charges made against such member and the appointing authority's findings on such statement of charges, together with a complete record of the proceedings.

Sec. 3. (*Effective from passage*) On or before January 1, 2022, the executive director of the Connecticut Port Authority shall submit a plan to ensure a transparent and equitable process for selecting and disbursing grants through the program known as the Small Harbor Improvement Projects Program to the joint standing committee of the General Assembly having cognizance of matters relating to transportation in accordance with the provisions of section 11-4a of the general statutes.

Sec. 4. Subsection (o) of section 15-31a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(o) On or before January 1, **[**2017**]** 2022, and annually thereafter, the board of directors shall submit **[**, in writing**]** a report, in accordance with the provisions of section 11-4a, to the Governor **[**(1)**]** and the joint standing committee of the General Assembly having cognizance of matters relating to transportation. Such report shall include, but need not be limited to: (1) A summary of the authority's activities; (2) a list of projects which, if undertaken by the state, would support the state's maritime policies and encourage maritime commerce and industry; **[**(2)**]** (3) recommendations for improvements to existing maritime policies, programs and facilities; and **[**(3) such other recommendations as the board considers appropriate. Copies of such report shall be submitted to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a**]** (4) recommendations for legislation to promote the authority's purpose.

Sec. 5. Section 3-125 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Attorney General shall appoint a deputy, who shall be sworn to the faithful discharge of his duties and shall perform all the duties of the Attorney General in case of his sickness or absence. He shall appoint such other assistants as he deems necessary, subject to the approval of the Governor. The Attorney General may also appoint not more than four associate attorneys general who will serve at the pleasure of the Attorney General and will be exempt from the classified service. The Attorney General shall have general supervision over all legal matters in which the state is an interested party, except those legal matters over which prosecuting officers have direction. He shall appear for the state, the Governor, the Lieutenant Governor, the Secretary, the Treasurer and the Comptroller, and for all heads of departments and state boards, commissioners, agents, inspectors, committees, auditors, chemists, directors, harbor masters, and institutions and for the State Librarian and the Connecticut Pilot Commission in all suits and other civil proceedings, except upon criminal recognizances and bail bonds, in which the state is a party or is interested, or in which the official acts and doings of said officers are called in question, and for all members of the state House of Representatives and the state Senate in all suits and other civil proceedings brought against them involving their official acts and doings in the discharge of their duties as legislators, in any court or other tribunal, as the duties of his office require; and all such suits shall be conducted by him or under his direction. When any measure affecting the State Treasury is pending before any committee of the General Assembly, such committee shall give him reasonable notice of the pendency of such measure, and he shall appear and take such action as he deems to be for the best interests of the state, and he shall represent the public interest in the protection of any gifts, legacies or devises intended for public or charitable purposes. All legal services required by such officers and boards in matters relating to their official duties shall be performed by the Attorney General or under his direction. All writs, summonses or other processes served upon such officers and legislators shall, forthwith, be transmitted by them to the

Attorney General. All suits or other proceedings by such officers shall be brought by the Attorney General or under his direction. He shall, when required by either house of the General Assembly or when requested by the president pro tempore of the Senate, the speaker of the House of Representatives, or the majority leader or the minority leader of the Senate or House of Representatives, give his opinion upon questions of law submitted to him by either of said houses or any of said leaders. He shall advise or give his opinion to the head of any executive department or any state board or commission upon any question of law submitted to him. He may procure such assistance as he may require. Whenever a trustee, under the provisions of any charitable trust described in section 45a-514, is required by statute to give a bond for the performance of his duties as trustee, the Attorney General may cause a petition to be lodged with the probate court of the district in which such trust property is situated, or where any of the trustees reside, for the fixing, accepting and approving of a bond to the state, conditioned for the proper discharge of the duties of such trust, which bond shall be filed in the office of such probate court. The Attorney General shall prepare a topical and chronological cross-index of all legal opinions issued by the office of the Attorney General and shall, from time to time, update the same.

Sec. 6. Section 1-125 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The directors, officers and employees of Connecticut Innovations, Incorporated, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Student Loan Foundation, the Connecticut Housing Finance Authority, the Connecticut Housing Authority, the Materials Innovation and Recycling Authority, including ad hoc members of the Materials Innovation and Recycling Authority, the Connecticut Health and Educational Facilities Authority, the Capital Region Development Authority, the Connecticut Airport Authority, the Connecticut Lottery Corporation, the Connecticut Health Insurance Exchange, the Connecticut Green Bank, the Connecticut Retirement Security Authority, the Connecticut Port Authority, the Connecticut Municipal Redevelopment Authority, the State Education Resource Center**,** **[**and**]** the Paid Family and Medical Leave Insurance Authority and the Connecticut Pilot Commission and any person executing the bonds or notes of the agency shall not be liable personally on such bonds or notes or be subject to any personal liability or accountability by reason of the issuance thereof, nor shall any director or employee of the agency, including ad hoc members of the Materials Innovation and Recycling Authority, be personally liable for damage or injury, not wanton, reckless, wilful or malicious, caused in the performance of his or her duties and within the scope of his or her employment or appointment as such director, officer or employee, including ad hoc members of the Materials Innovation and Recycling Authority. The agency shall protect, save harmless and indemnify its directors, officers or employees, including ad hoc members of the Materials Innovation and Recycling Authority, from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence or alleged deprivation of any person's civil rights or any other act or omission resulting in damage or injury, if the director, officer or employee, including ad hoc members of the Materials Innovation and Recycling Authority, is found to have been acting in the discharge of his or her duties or within the scope of his or her employment and such act or omission is found not to have been wanton, reckless, wilful or malicious."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	New section
Sec. 2	*from passage and applicable to appointments made on and after said date*	15-31a(b) and (c)
Sec. 3	*from passage*	New section
Sec. 4	*from passage*	15-31a(o)
Sec. 5	*from passage*	3-125
Sec. 6	*from passage*	1-125

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 5:23 p.m.:

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

On the roll call vote Senate Bill No. 241 as amended by Senate Amendment Schedule "A" (LCO 9467) was passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	A	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
Y	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILL PASSED

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed temporarily.

HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT. Substitute for S.B. No. **997** (RAISED) (File No. 196) "AN ACT CONCERNING STUDENTS AND FACULTY MEMBERS OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF CONNECTICUT AND THE BOARD OF REGENTS FOR HIGHER EDUCATION."

Senator Slap of the 5th explained the bill and moved passage.

Remarking was Senator Witkos of the 8th.

Senator Slap of the 5th requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 6:13 p.m.:

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	33
Those voting Nay	1
Those absent and not voting	2

On the roll call vote Senate Bill No. 997 was Passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA		Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY		Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A		21	KEVIN C. KELLY
Y	4	STEVE CASSANO		Y	22	MARILYN MOORE
Y	5	DEREK SLAP	A		23	DENNIS BRADLEY
Y	6	RICK LOPES		Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL		Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS		Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER		Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD		Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY		Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN		Y	30	CRAIG MINER
Y	13	MARY ABRAMS		Y	31	HENRI MARTIN
Y	14	JAMES MARONEY		Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY		Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON		Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA		Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS		Y	36	ALEX KASSER

SENATOR WINFIELD OF THE 10TH IN THE CHAIR.

BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILLS PASSED

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

ENVIRONMENT. Substitute for S.B. No. **1037** (RAISED) (File No. 562) "AN ACT CONCERNING SOLID WASTE MANAGEMENT."

Senator Cohen of the 12th offered Senate Amendment Schedule "A" (LCO 9755) and moved adoption.

Remarking were Senators Miner of the 30th, Kissel of the 7th, Somers of the 18th, and Cassano of the 4th.

PRESIDENT IN THE CHAIR.

Remarking was Senator Cohen of the 12th.

On a voice vote the amendment was adopted.

The following is the Amendment.

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

"Section 1. (*Effective from passage*) (a) As used in this section, (1) "COVID-19" means the respiratory disease designated by the World Health Organization on February 11, 2020 as coronavirus 2019, and any related mutation thereof recognized by the World Health Organization as a communicable respiratory disease; (2) "equity" and "equitable" means efforts, regulations, policies, programs, standards, processes and any other functions of government or principles of law and governance intended to: (A) Identify and remedy past and present patterns of discrimination or inequality against and disparities in outcome for any class protected in chapter 814c of the general statutes; (B) ensure that such patterns of discrimination, inequality and disparities in outcome, whether intentional or unintentional, are neither reinforced nor perpetuated; and (C) prevent the emergence and persistence of foreseeable future patterns of discrimination against or disparities in outcome for any class protected in chapter 814c of the general statutes; (3) "underserved communities" means populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social and civic life, such as Black, Latino, and Indigenous and Native American persons; Asian Americans and Pacific Islander and other persons of color; members of religious minorities; lesbian, gay bisexual, transgender and queer persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality, and (4) "department head" has the same meaning as provided in section 4-5 of the general statutes.

(b) Not later than October 1, 2021, the Department of Administrative Services, in consultation with the Office of Policy and Management and the Commission on Human Rights and Opportunities, shall issue a request for proposals to hire a national consultant with expertise in qualitative and quantitative research to conduct a study and make recommendations as outlined in subsections (e) and (f) of this section. The deadline for responding to the request for proposals shall be not more than seventy-five days from the date of issuance of the request for proposals.

(c) The department, in consultation with the commission and the office, shall develop criteria for evaluating proposals relating to conducting such study, including, but not limited to, (1) the anticipated cost of completing such a study; (2) the anticipated timeline for completing such a study; and (3) the proposers' experience in conducting and completing such a study.

(d) Not later than February 1, 2022, the department, the commission and the office shall evaluate the proposals submitted under subsection (a) of this section and select the proposer which shall conduct the study.

(e) The selected proposer conducting the study shall, in consultation with the department, commission and office:

(1) (A) Examine the best methods, consistent with applicable law, to assist state agencies in assessing equity with respect to race, national origin**,** ethnicity, religion, income, geography, sex**,** gender identity, sexual orientation and disability that are identified in the federal Office of Management and Budget report required by President Biden's January 20, 2021, Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, (B) whether those methods would be appropriate for use in assessing state agency policies and actions, and (C) if such methods are not appropriate, what alternative methods would be more appropriate for use at the state level to assist state agencies in assessing equity with respect to race, ethnicity, religion, income, geography, gender identity, sexual orientation and disability;

(2) Identify the best methods, consistent with applicable law, to assist state agencies in assessing the existing barriers to equity for underserved communities experiencing negative health and economic impacts of COVID-19; and

(3) Consider whether to recommend legislation to create pilot programs to test model assessment tools and assist state agencies in doing so.

(f) The selected proposer shall also, in consultation with the department, commission and office, and each department head:

(1) Evaluate certain key programs and policies of each state agency as identified by each department head, to assess whether underserved communities and their members face systemic barriers in accessing benefits and opportunities available pursuant to those policies and programs;

(2) Analyze potential barriers that underserved communities and individuals may face to enrollment in and access to benefits and services in state programs;

(3) Evaluate existing inequities or barriers in department programs or policies that were revealed or worsened by the COVID-19 pandemic; and

(4) Evaluate whether new policies, regulations or guidance documents may be necessary to advance equity in state agency actions and programs.

(g) In complying with the provisions of this section, the selected proposer and department heads shall work with the commission to consult with members of communities that have been historically underrepresented in state government and underserved by, or subject to discrimination in, state policies and programs. Each department head shall evaluate opportunities, consistent with applicable law, to increase coordination, communication and engagement with community-based organizations and civil rights organizations.

(h) Not later than February 15, 2023, the department, in consultation with the commission and the office, shall submit the findings of such study and any recommendations for legislative action concerning such study, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to government administration."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	New section

Remarking were Senators Formica of the 20th, Duff of the 25th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 7:35 p.m.:

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	33
Those voting Nay	1
Those absent and not voting	2

On the roll call vote Senate Bill No. 1037 as amended by Senate Amendment Schedule "A" (LCO 9755) was passed.

The following is the roll call vote:

A	1	JOHN W. FONFARA		Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY		Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR		A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO		Y	22	MARILYN MOORE
Y	5	DEREK SLAP		Y	23	DENNIS BRADLEY
Y	6	RICK LOPES		Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL		Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS		Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER		Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD		Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY		Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN		Y	30	CRAIG MINER
Y	13	MARY ABRAMS		Y	31	HENRI MARTIN
Y	14	JAMES MARONEY		Y	32	ERIC C. BERTHEL

Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

BUSINESS ON THE CALENDAR
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
PREVIOUSLY MARKED PASSED TEMPORARILY
BILL PASSED

The following favorable report was taken from the table, read the third time, the report of the Committees accepted and the bill passed.

JUDICIARY. Substitute for S.B. No. **266** (RAISED) (File No. 14) "AN ACT CONCERNING NEW HOME CONSTRUCTION CONTRACTORS, HOME IMPROVEMENT CONTRACTORS, TRADE APPRENTICESHIPS AND LOCKSMITHS."

Senator Maroney of the 14th offered Senate Amendment Schedule "A" (LCO 9795) and moved adoption.

Remarking were Senators Witkos of the 8th, and Miner of the 30th.

On a voice vote the amendment was adopted.

The following is the Amendment.

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

"Section 1. Section 20-417b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) No person shall engage in the business of new home construction or hold himself or herself out as a new home construction contractor unless such person has been issued a certificate of registration by the commissioner in accordance with the provisions of sections 20-417a to 20-417j, inclusive. No new home construction contractor shall be relieved of responsibility for the conduct and acts of its agents, employees or officers by reason of such new home construction contractor's compliance with the provisions of sections 20-417a to 20-417j, inclusive.

(b) Any person seeking a certificate of registration shall apply to the commissioner, **[**in writing**]** online, on a form provided by the commissioner. The application shall include (1) the applicant's name, business street address and business telephone number, (2) the identity of the insurer that provides the applicant with insurance coverage for liability, (3) if such applicant is required by any provision of the general statutes to have workers' compensation coverage, the identity of the insurer that provides the applicant with such workers' compensation coverage, **[**and**]** (4) if such applicant is required by any provision of the general statutes to have an agent for service of process, the name and address of such agent, and (5) proof of general liability insurance coverage in an amount not less than twenty thousand dollars, demonstrated by providing the policy number and business name of the insurance provider. Each such application shall be accompanied by a fee of **[**two**]** one hundred **[**forty**]** twenty dollars, except that no such application fee shall be required if such person has paid the registration fee required under section 20-421, as amended by this act, during any year in which such person's registration as a new home construction contractor would be valid.

(c) Certificates issued to new home construction contractors shall not be transferable or assignable, except when the holder of a certificate, who is engaged in the business, changes the name or form of such business.

(d) All certificates issued under the provisions of sections 20-417a to 20-417j, inclusive, shall expire **[**biennially**]** annually. The fee for renewal of a certificate shall be the same as the fee charged for an original application, except that no renewal fee is due if a person seeking renewal of a certificate has paid the registration fee under section 20-427, as amended by this act, during any year in which such person's registration as a new home construction contractor would be valid.

(e) All certificates issued under the provisions of this chapter shall expire **[**biennially and may be renewed by the applicant not later than six months after the expiration date of such certificate**]** annually on the thirty-first day of March. The fee for renewal of a certificate shall be the same as charged for the original application. **[**but shall be charged on a pro rata basis, based upon the application date for such renewal.**]**

(f) Failure to receive a notice of expiration or a renewal application shall not exempt a new home construction contractor from the obligation to renew.

(g) The holder of a certificate of registration issued by the commissioner in accordance with the provisions of sections 20-417a to 20-417j, inclusive, may opt to engage in home improvement, as defined in section 20-419, as amended by this act. If a new home construction contractor does opt to engage in such home improvement, such new home construction contractor shall first notify the commissioner in writing and shall pay to the Department of Consumer Protection any fee due to the Home Improvement Guaranty Fund pursuant to section 20-432, as amended by this act.

Sec. 2. (NEW) (*Effective July 1, 2022*) (a) (1) As used in this section, "contract" has the same meaning as provided in section 20-417a of the general statutes. A contract shall not be valid or enforceable against a consumer unless it: (A) Is in writing, (B) is signed by the new home construction contractor and the consumer, (C) contains the entire agreement between the new home construction contractor and the consumer, (D) contains the date of the transaction, (E) contains the name and address of the new home construction contractor and the contractor's registration number, (F) contains a starting date and completion date, (G) is entered into by a registered new home construction contractor, and (H) includes a provision disclosing each corporation, limited liability company, partnership, sole proprietorship or other legal entity, which is or has been a new home construction contractor pursuant to the provisions of chapter 399a of the general statutes, in which the owner or owners of the new home construction contractor are or have been a shareholder, member, partner or owner during the previous five years.

(2) Each change in the terms and conditions of a contract shall be in writing and shall be signed by the new home construction contractor and the consumer, except that the commissioner may, by regulation adopted in accordance with the provisions of chapter 54 of the general statutes, dispense with the necessity for complying with the provisions of this subdivision.

(b) The new home construction contractor shall provide and deliver to the consumer, without charge, a completed copy of the new home construction contract at the time such contract is executed.

(c) The commissioner may, by regulation adopted in accordance with the provisions of chapter 54 of the general statutes, require the inclusion of additional contractual provisions for contracts.

(d) Nothing in this section shall preclude a new home construction contractor who has complied with subparagraphs (A), (B), (F) and (G) of subdivision (1) of subsection (a) of this section from the recovery of payment for work performed based on the reasonable value of services which were requested by the consumer, provided the court determines that it would be inequitable to deny such recovery.

Sec. 3. Section 20-417i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) The commissioner shall establish and maintain the New Home Construction Guaranty Fund.

(b) Each person who receives a certificate pursuant to sections 20-417a to 20-417j, inclusive, shall pay a fee of **[**four**]** two hundred **[**eighty**]** forty dollars **[**biennially**]** annually to the **[**fund**]** New Home Construction Guaranty Fund. Such **[**fee**]** fees shall be payable with the fee for an application for a certificate or renewal of a certificate.

(c) (1) For fiscal years commencing on or after July 1, 2003, payments received under subsection (b) of this section shall be credited to the New Home Construction Guaranty Fund until

the balance in the fund equals seven hundred fifty thousand dollars. Annually, if the balance in the fund exceeds seven hundred fifty thousand dollars, the first three hundred thousand dollars of the excess shall be deposited in the consumer protection enforcement account established in section 21a-8a. On June 1, 2004, and each June first thereafter, if the balance in the fund exceeds seven hundred fifty thousand dollars, the excess shall be deposited in the General Fund.

(2) Any money in the New Home Construction Guaranty Fund may be invested or reinvested in the same manner as funds of the state employees retirement system and the interest arising from such investments shall be credited to the fund.

(d) **[**Beginning October 1, 2000, whenever**]** Whenever a consumer obtains a binding arbitration decision, a court judgment, order or decree against or regarding any new home construction contractor holding a certificate or who has held a certificate under sections 20-417a to 20-417j, inclusive, within **[**the past**]** two years of the date of entering into the contract with the consumer, for loss or damages sustained by reason of any violation of the provisions of sections 20-417a to 20-417j, inclusive, by a person holding a certificate under said sections, such consumer may, upon the final determination of, or expiration of time for taking, an appeal in connection with any such decision, judgment, order or decree, apply to the commissioner for an order directing payment out of the New Home Construction Guaranty Fund of the amount, not exceeding thirty thousand dollars, unpaid upon the decision, judgment, order or decree for actual damages and costs taxed by the court against such contractor, exclusive of punitive damages. The application shall be made on forms provided by the commissioner and shall be accompanied by a copy of the decision, court judgment, order or decree obtained against the new home construction contractor together with a **[**notarized affidavit,**]** statement signed and sworn to by the consumer, affirming that the consumer has: (1) Complied with all the requirements of this subsection; (2) obtained a decision, judgment, order or decree stating the amount of the decision, judgment, order or decree and the amount owing on the decision, judgment, order or decree at the date of application; and (3) made a good faith effort to satisfy any such decision, judgment, order or decree in accordance with the provisions of chapter 906 which effort may include causing to be issued a writ of execution upon such decision, judgment, order or decree but the officer executing the same has made a return showing that no bank accounts or personal property of such contractor liable to be levied upon in satisfaction of the decision, judgment, order or decree could be found, or that the amount realized on the sale of them or of such of them as were found, under the execution, was insufficient to satisfy the actual damage portion of the decision, judgment, order or decree or stating the amount realized and the balance remaining due on the decision, judgment, order or decree after application on the decision, judgment, order or decree of the amount realized, except that the requirements of this subdivision shall not apply to a judgment, order or decree obtained by the consumer in small claims court. A true and attested copy of such executing officer's return, when required, shall be attached to such application. **[**and affidavit.**]** Whenever the consumer satisfies the commissioner or the commissioner's designee that it is not practicable to comply with the requirements of subdivision (3) of this subsection and that the consumer has taken all reasonable steps to collect the amount of the decision, judgment, order or decree or the unsatisfied part of the decision, judgment, order or decree and has been unable to collect the same, the commissioner or the commissioner's designee may, in the commissioner's or the commissioner's designee's discretion, dispense with the necessity for complying with such requirement. No application for an order directing payment out of the fund shall be made later than two years from the final determination of, or expiration of time for taking, an appeal of such decision, court judgment, order or decree and no such application shall be for an amount in excess of thirty thousand dollars.

(e) Upon receipt of such application together with such copy of the decision, court judgment, order or decree, **[**notarized affidavit**]** statement and, except as otherwise provided in subsection (d) of this section, true and attested copy of the executing officer's return, the commissioner or the commissioner's designee shall inspect such documents for their veracity and upon a determination that such documents are complete and authentic and that the consumer has not been paid, the commissioner shall order payment out of the New Home Construction Guaranty Fund of the amount not exceeding thirty thousand dollars unpaid upon the decision, judgment, order or decree for actual damages and costs taxed by the court against the contractor, exclusive of punitive damages.

(f) Beginning October 1, 2000, whenever a consumer is awarded an order of restitution against any new home construction contractor for loss or damages sustained as a result of any violation of the provisions of sections 20-417a to 20-417j, inclusive, by a person holding a certificate or who has held a certificate under said sections within **[**the past**]** two years of the date of entering into the contract with the consumer, in (1) a proceeding brought by the commissioner pursuant to subsection (h) of this section or subsection (d) of section 42-110d, (2) a proceeding brought by the Attorney General pursuant to subsection (a) of section 42-110m or subsection (d) of section 42-110d, or (3) a criminal proceeding pursuant to section 20-417e, such consumer may, upon the final determination of, or expiration of time for taking, an appeal in connection with any such order of restitution, apply to the commissioner for an order directing payment out of the New Home Construction Guaranty Fund of the amount not exceeding thirty thousand dollars unpaid upon the order of restitution. The commissioner may issue such order upon a determination that the consumer has not been paid.

(g) Before the commissioner may issue any order directing payment out of the New Home Construction Guaranty Fund to a consumer pursuant to subsection (e) or (f) of this section, the commissioner shall first notify the new home construction contractor of the consumer's application for an order directing payment out of the fund and of the new home construction contractor's right to a hearing to contest the disbursement in the event that such contractor has already paid the consumer. Such notice shall be given to the new home construction contractor not later than fifteen days after receipt by the commissioner of the consumer's application for an order directing payment out of the fund. If the new home construction contractor requests a hearing, in writing, by certified mail not later than fifteen days after receiving the notice from the commissioner, the commissioner shall grant such request and shall conduct a hearing in accordance with the provisions of chapter 54. If the commissioner does not receive a written request for a hearing by certified mail from the new home construction contractor on or before the fifteenth day from the contractor's receipt of such notice, the commissioner shall conclude that the consumer has not been paid, and the commissioner shall issue an order directing payment out of the fund for the amount not exceeding thirty thousand dollars unpaid upon the judgment, order or decree for actual damages and costs taxed by the court against the new home construction contractor, exclusive of punitive damages, or for the amount not exceeding thirty thousand dollars unpaid upon the order of restitution.

(h) The commissioner or the commissioner's designee may proceed against any new home construction contractor holding a certificate or who has held a certificate under sections 20-417a to 20-417j, inclusive, within **[**the past**]** two years of the effective date of entering into the contract with the consumer, for an order of restitution arising from loss or damages sustained by any consumer as a result of any violation of the provisions of said sections 20-417a to 20-417j, inclusive. Any such proceeding shall be held in accordance with the provisions of chapter 54. In the course of such proceeding, the commissioner or the commissioner's designee shall decide whether to (1) exercise the powers specified in section 20-417c, as amended by this act, (2) order restitution arising from loss or damages sustained by any consumer as a result of any violation of the provisions of sections 20-417a to 20-417j, inclusive, and (3) order payment out of the New Home Construction Guaranty Fund. Notwithstanding the provisions of chapter 54, the decision of the commissioner or the commissioner's designee shall be final with respect to any proceeding to order payment out of the fund and the commissioner and the commissioner's designee shall not be subject to the requirements of chapter 54 as such requirements relate to an appeal from any such decision. The commissioner or the commissioner's designee may hear complaints of all consumers submitting claims against a single new home construction contractor in one proceeding.

(i) No application for an order directing payment out of the New Home Construction Guaranty Fund shall be made later than two years from the final determination of, or expiration of time for, an appeal in connection with any judgment, order or decree of restitution, and no such application shall be for an amount in excess of thirty thousand dollars.

(j) In order to preserve the integrity of the New Home Construction Guaranty Fund, the commissioner, in the commissioner's sole discretion, may order payment out of the fund of an amount less than the actual loss or damages incurred by the consumer or less than the order of restitution awarded by the commissioner or the Superior Court. In no event shall any payment out of the fund be in excess of thirty thousand dollars for any single claim by a consumer.

(k) If the money deposited in the New Home Construction Guaranty Fund is insufficient to satisfy any duly authorized claim or portion of a claim, the commissioner shall, when sufficient money has been deposited in the fund, satisfy such unpaid claims or portions of claims not exceeding thirty thousand dollars, in the order that such claims or portions of claims were originally determined.

(l) Whenever the commissioner has caused any sum to be paid from the New Home Construction Guaranty Fund to a consumer, the commissioner shall be subrogated to all of the rights of the consumer up to the amount paid plus reasonable interest, and prior to receipt of any payment from the fund, the consumer shall assign all of the consumer's right, title and interest in the claim up to such amount to the commissioner, and any amount and interest recovered by the commissioner on the claim shall be deposited in the fund.

(m) If the commissioner orders the payment of any amount as a result of a claim against a new home construction contractor, the commissioner shall determine if such contractor is possessed of assets liable to be sold or applied in satisfaction of the claim on the New Home Construction Guaranty Fund. If the commissioner discovers any such assets, the commissioner may request that the Attorney General take any action necessary for the reimbursement of the fund.

(n) If the commissioner orders the payment of an amount as a result of a claim against a new home construction contractor, the commissioner may, after notice and hearing in accordance with the provisions of chapter 54, revoke the certificate of such contractor and such contractor shall not be eligible to receive a new or renewed certificate until such contractor has repaid such amount in full, plus interest from the time such payment is made from the New Home Construction Guaranty Fund, at a rate to be in accordance with section 37-3b, except that the commissioner may, in the commissioner's sole discretion, permit a new home construction contractor to receive a new or renewed certificate after such contractor has entered into an agreement with the commissioner whereby such contractor agrees to repay the fund in full in the form of periodic payments over a set period of time. Any such agreement shall include a provision providing for the summary suspension of any and all certificates held by the new home construction contractor if payment is not made in accordance with the terms of the agreement.

Sec. 4. Section 20-419 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

As used in this chapter, unless the context otherwise requires:

(1) "Certificate" means a certificate of registration issued under section 20-422.

(2) "Commissioner" means the Commissioner of Consumer Protection or any person designated by the commissioner to administer and enforce this chapter.

(3) "Contractor" means any person who owns and operates a home improvement business or who undertakes, offers to undertake or agrees to perform any home improvement. "Contractor" does not include a person for whom the total price of all of his home improvement contracts with all of his customers does not exceed one thousand dollars during any period of twelve consecutive months.

(4) "Home improvement" includes, but is not limited to, the repair, replacement, remodeling, alteration, conversion, modernization, improvement, rehabilitation or sandblasting of, or addition to any land or building or that portion thereof which is used or designed to be used as a private residence, dwelling place or residential rental property, or the construction, replacement, installation or improvement of <u>alarm systems not requiring electrical work, as defined in section 20-330,</u> driveways, swimming pools, porches, garages, roofs, siding, insulation, sunrooms, flooring, patios, landscaping, fences, doors and windows, waterproofing, water, fire or storm restoration or mold remediation in connection with such land or building or that portion thereof which is used or designed to be used as a private residence, dwelling place or residential rental property or the removal or replacement of a residential underground heating oil storage tank system, in which the total price for all work agreed upon between the contractor and owner or proposed or offered by the contractor exceeds two hundred dollars. "Home improvement" does not include: (A) The construction of a new home; (B) the sale of goods by a seller who neither arranges to perform nor performs, directly or indirectly, any work or labor in connection with the installation or application of the goods or materials; (C) the sale of goods or services furnished for commercial or business use or for resale, provided commercial or business use does not include

use as residential rental property; (D) the sale of appliances, such as stoves, refrigerators, freezers, room air conditioners and others which are designed for and are easily removable from the premises without material alteration thereof; **[**and**]** (E) tree or shrub cutting or the grinding of tree stumps; and (F) any work performed without compensation by the owner on his own private residence or residential rental property.

(5) "Home improvement contract" means an agreement between a contractor and an owner for the performance of a home improvement.

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

(7) "Person" means an individual, partnership, limited liability company or corporation.

(8) "Private residence" means a single family dwelling, a multifamily dwelling consisting of not more than six units, or a unit, common element or limited common element in a condominium, as defined in section 47-68a, or in a common interest community, as defined in section 47-202, or any number of condominium units for which a condominium association acts as an agent for such unit owners.

(9) "Salesman" means any individual who (A) negotiates or offers to negotiate a home improvement contract with an owner, or (B) solicits or otherwise endeavors to procure by any means whatsoever, directly or indirectly, a home improvement contract from an owner on behalf of a contractor.

(10) "Residential rental property" means a single family dwelling, a multifamily dwelling consisting of not more than six units, or a unit, common element or limited common element in a condominium, as defined in section 47-68a, or in a common interest community, as defined in section 47-202, which is not owner-occupied.

(11) "Residential underground heating oil storage tank system" means an underground storage tank system used with or without ancillary components in connection with real property composed of four or less residential units.

(12) "Underground storage tank system" means an underground tank or combination of tanks, with any underground pipes or ancillary equipment or containment systems connected to such tank or tanks, used to contain an accumulation of petroleum, which volume is ten per cent or more beneath the surface of the ground.

Sec. 5. Section 20-420a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) No corporation shall perform or offer to perform home improvements in this state unless such corporation has been issued a certificate of registration by the commissioner. No such corporation shall be relieved of responsibility for the conduct and acts of its agents, employees or officers by reason of its compliance with the provisions of this section, nor shall any individual contractor be relieved of responsibility for home improvements performed by reason of his employment or relationship with such corporation.

(b) A qualifying corporation desiring a certificate of registration shall apply to the commissioner, **[**in writing**]** online, on a form provided by the commissioner. The application shall (1) state the name and address of such corporation, the city or town and the street and number where such corporation is to maintain its principal place of business in this state **[**,**]** and the names and addresses of officers**[**,**]** and (2) contain a statement that one or more individuals who shall direct, supervise or perform home improvements for such corporation are registered home improvement contractors and such other information as the commissioner may require.

(c) Any certificate issued by the commissioner pursuant to this section may be revoked**[**or**]** suspended, or have conditions placed upon the holder of the certificate by the commissioner after notice and hearing in accordance with the provisions of chapter 54 concerning contested cases, if it is shown that the holder of such certificate has not conformed to the requirements of this chapter, that the certificate was obtained through fraud or misrepresentation or that the contractor of record employed by or acting on behalf of such corporation has had his certificate of registration suspended or revoked by the commissioner. The commissioner may refuse to issue or renew a certificate if any facts exist which would entitle the commissioner to suspend or revoke an existing certificate.

(d) Each such corporation shall file with the commissioner upon application or renewal thereof a designation of an individual or individuals registered to perform home improvements in this state who shall direct or supervise the performance of home improvements by such corporation in this state. Such corporation shall notify the commissioner of any change in such designation within thirty days after such change becomes effective.

(e) Each such corporation shall file with the commissioner upon application or renewal thereof a certificate of good standing issued by the office of the Secretary of the State. Such corporation shall notify the commissioner of any change in corporate good standing within thirty days after such change becomes effective.

Sec. 6. Subsection (a) of section 20-421 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Any person seeking a certificate of registration shall apply to the commissioner **[**in writing**]** online, on a form provided by the commissioner. The application shall include the applicant's name, residence address, business address, business telephone number, proof that the applicant has obtained general liability insurance coverage in an amount not less than twenty thousand dollars, demonstrated by providing the policy number and business name of the insurance provider, and such other information as the commissioner may require.

Sec. 7. Subsection (e) of section 20-427 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(e) Certificates issued to home improvement contractors or salesmen shall not be transferable or assignable, except when the holder of the certificate changes only the name or type of business entity of such business.

Sec. 8. Section 20-432 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) The commissioner shall establish and maintain the Home Improvement Guaranty Fund.

(b) Each salesman who receives a certificate pursuant to this chapter shall pay a fee of forty dollars annually. Each contractor (1) who receives a certificate pursuant to this chapter, or (2) receives a certificate pursuant to chapter 399a and has opted to engage in home improvement pursuant to subsection (g) of section 20-417b, as amended by this act, shall pay a fee of one hundred dollars annually to the guaranty fund. Such fee shall be payable with the fee for an application for a certificate or renewal thereof. The annual fee for a contractor who receives a certificate of registration as a home improvement contractor acting solely as the contractor of record for a corporation shall be waived, provided the contractor of record shall use such registration for the sole purpose of directing, supervising or performing home improvements for such corporation.

(c) Payments received under subsection (b) of this section shall be credited to the guaranty fund until the balance in such fund equals seven hundred fifty thousand dollars. Annually, if the balance in the fund exceeds seven hundred fifty thousand dollars, the first four hundred thousand dollars of the excess shall be deposited into the consumer protection enforcement account established in section 21a-8a. Any excess thereafter shall be deposited in the General Fund. Any money in the guaranty fund may be invested or reinvested in the same manner as funds of the state employees retirement system, and the interest arising from such investments shall be credited to the guaranty fund.

(d) Whenever an owner obtains a binding arbitration decision, a court judgment, order or decree against any contractor holding a certificate or who has held a certificate under this chapter within **[**the past**]** two years of the effective date of entering into the contract with the owner, for loss or damages sustained by reason of performance of or offering to perform a home improvement within this state by a contractor holding a certificate under this chapter, such owner may, upon the final determination of, or expiration of time for, taking an appeal in connection with any such decision, judgment, order or decree, apply to the commissioner for an order directing payment out of said guaranty fund of the amount unpaid upon the decision, judgment, order or decree, for actual damages and costs taxed by the court against the contractor, exclusive of punitive damages. The application shall be made on forms provided by the commissioner and shall be accompanied by a copy of the decision, court judgment, order or decree obtained against the contractor. **[**together with a notarized affidavit, signed and sworn to by the owner, affirming that: (1) He or she has complied with all the requirements of this subsection; (2) he or she has obtained

a judgment, order or decree, stating the amount thereof and the amount owing thereon at the date of application; and (3) he or she has caused to be issued a writ of execution upon said judgment, order or decree and the officer executing the same has made a return showing that no bank accounts or personal property of the contractor liable to be levied upon in satisfaction of the judgment, order or decree could be found, or that the amount realized on the sale of them or of such of them as were found, under the execution, was insufficient to satisfy the actual damage portion of the judgment, order or decree or stating the amount realized and the balance remaining due on the judgment, order or decree after application thereon of the amount realized, except that the requirements of this subdivision shall not apply to a judgment, order or decree obtained by the owner in small claims court. A true and attested copy of said executing officer's return, when required, shall be attached to such application and affidavit.**]** No application for an order directing payment out of the guaranty fund shall be made later than two years after the final determination of, or expiration of time for, taking an appeal of said decision, court judgment, order or decree.

(e) Upon receipt of said application together with said copy of the decision, court judgment, order or decree, **[**notarized affidavit**]** and true and attested copy of the executing officer's return, the commissioner or his designee shall inspect such documents for their veracity and upon a determination that such documents are complete and authentic, and a determination that the owner has not been paid, the commissioner shall order payment out of the guaranty fund of the amount unpaid upon the decision, judgment, order or decree for actual damages and costs taxed by the court against the contractor, exclusive of punitive damages.

(f) Whenever an owner is awarded an order of restitution against any contractor for loss or damages sustained by reason of performance of or offering to perform a home improvement in this state by a contractor holding a certificate or who has held a certificate under this chapter within **[**the past**]** two years of the date of entering into the contract with the owner, in a proceeding brought by the commissioner pursuant to this section or subsection (d) of section 42-110d, or in a proceeding brought by the Attorney General pursuant to subsection (a) of section 42-110m or subsection (d) of section 42-110d, or a criminal proceeding pursuant to section 20-427, as amended by this act, such owner may, upon the final determination of, or expiration of time for, taking an appeal in connection with any such order of restitution, apply to the commissioner for an order directing payment out of said guaranty fund of the amount unpaid upon the order of restitution. The commissioner may issue said order upon a determination that the owner has not been paid.

(g) Before the commissioner may issue any order directing payment out of the guaranty fund to an owner pursuant to subsections (e) or (f) of this section, the commissioner shall first notify the contractor of the owner's application for an order directing payment out of the guaranty fund and of the contractor's right to a hearing to contest the disbursement in the event that the contractor has already paid the owner or is complying with a payment schedule in accordance with a court judgment, order or decree. Such notice shall be given to the contractor not later than fifteen days after receipt by the commissioner of the owner's application for an order directing payment out of the guaranty fund. If the contractor requests a hearing, in writing, by certified mail not later than fifteen days after receiving the notice from the commissioner, the commissioner shall grant such request and shall conduct a hearing in accordance with the provisions of chapter 54. If the commissioner does not receive a request by certified mail from the contractor for a hearing not later than fifteen days after the contractor's receipt of such notice, the commissioner shall determine that the owner has not been paid, and the commissioner shall issue an order directing payment out of the guaranty fund for the amount unpaid upon the judgment, order or decree for actual damages and costs taxed by the court against the contractor, exclusive of punitive damages, or for the amount unpaid upon the order of restitution.

(h) The commissioner or his designee may proceed against any contractor holding a certificate or who has held a certificate under this chapter within the past two years of the effective date of entering into the contract with the owner, for an order of restitution arising from loss or damages sustained by any person by reason of such contractor's performance of or offering to perform a home improvement in this state. Any such proceeding shall be held in accordance with the provisions of chapter 54. In the course of such proceeding, the commissioner or his designee shall decide whether to exercise his powers pursuant to section 20-426; whether to order restitution arising from loss or damages sustained by any person by reason of such contractor's performance

or offering to perform a home improvement in this state; and whether to order payment out of the guaranty fund. Notwithstanding the provisions of chapter 54, the decision of the commissioner or his designee shall be final with respect to any proceeding to order payment out of the guaranty fund and the commissioner and his designee shall not be subject to the requirements of chapter 54 as they relate to appeal from any such decision. The commissioner or his designee may hear complaints of all owners submitting claims against a single contractor in one proceeding.

(i) No application for an order directing payment out of the guaranty fund shall be made later than two years from the final determination of, or expiration of time for, appeal in connection with any decision, judgment, order or decree of restitution.

(j) Whenever the owner satisfies the commissioner or his designee that it is not practicable to comply with the requirements of **[**subdivision (3) of**]** subsection (d) of this section and that the owner has taken all reasonable steps to collect the amount of the decision, judgment, order or decree or the unsatisfied part thereof and has been unable to collect the same, the commissioner or his designee may in his discretion dispense with the necessity for complying with such requirement.

(k) In order to preserve the integrity of the guaranty fund, the commissioner, in the commissioner's sole discretion, may order payment out of said fund of an amount less than the actual loss or damages incurred by the owner or less than the order of restitution awarded by the commissioner or the Superior Court. In no event shall any payment out of said guaranty fund be in excess of **[**fifteen**]** twenty-five thousand dollars for any single claim by an owner.

(l) If the money deposited in the guaranty fund is insufficient to satisfy any duly authorized claim or portion thereof, the commissioner shall, when sufficient money has been deposited in the fund, satisfy such unpaid claims or portions thereof, in the order that such claims or portions thereof were originally determined.

(m) Whenever the commissioner has caused any sum to be paid from the guaranty fund to an owner, the commissioner shall be subrogated to all of the rights of the owner up to the amount paid plus reasonable interest, and prior to receipt of any payment from the guaranty fund, the owner shall assign all of this right, title and interest in the claim up to such amount to the commissioner, and any amount and interest recovered by the commissioner on the claim shall be deposited to the guaranty fund.

(n) If the commissioner orders the payment of any amount as a result of a claim against a contractor, the commissioner shall determine if the contractor is possessed of assets liable to be sold or applied in satisfaction of the claim on the guaranty fund. If the commissioner discovers any such assets, he may request that the Attorney General take any action necessary for the reimbursement of the guaranty fund.

(o) If the commissioner orders the payment of an amount as a result of a claim against a contractor, the commissioner may, after notice and hearing in accordance with the provisions of chapter 54, revoke the certificate of the contractor and the contractor shall not be eligible to receive a new or renewed certificate until he has repaid such amount in full, plus interest from the time said payment is made from the guaranty fund, at a rate to be in accordance with section 37-3b, except that the commissioner may, in his sole discretion, permit a contractor to receive a new or renewed certificate after that contractor has entered into an agreement with the commissioner whereby the contractor agrees to repay the guaranty fund in full in the form of periodic payments over a set period of time. Any such agreement shall include a provision providing for the summary suspension of any and all certificates held by the contractor if payment is not made in accordance with the terms of the agreement.

Sec. 9. Section 20-417c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

The commissioner may revoke, suspend, **[**or**]** refuse to issue or renew, or place conditions upon the renewal of any certificate issued pursuant to sections 20-417a to 20-417j, inclusive, or place a registrant on probation or issue a letter of reprimand after notice and hearing in accordance with the provisions of chapter 54 concerning contested cases if it is shown that the holder of such certificate has: (1) Failed to comply with any provision of sections 20-417a to 20-417j, inclusive, or any regulation adopted pursuant to said sections; (2) obtained the certificate through fraud or misrepresentation; (3) engaged in conduct of a character likely to mislead, deceive or defraud the public or the commissioner; (4) engaged in any untruthful or misleading advertising; (5) failed to

reimburse the New Home Construction Guaranty Fund established pursuant to section 20-417i, as amended by this act, for any moneys paid to a consumer pursuant to said section; (6) engaged in an unfair or deceptive business practice under subsection (a) of section 42-110b; (7) failed to timely complete any task, as specified in a written contract of sale; (8) failed to remedy any violation of any provision of sections 47-116 to 47-121, inclusive, or any regulation adopted pursuant to said sections; (9) failed to remedy any violation of any provision of the State Building Code; or (10) if applicable, failed to maintain its certificate of good standing issued by the office of the Secretary of the State.

Sec. 10. Section 20-420 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) No person shall hold himself or herself out to be a contractor or salesperson without first obtaining a certificate of registration from the commissioner as provided in this chapter, except (1) that an individual or partner, or officer or director of a corporation registered as a contractor shall not be required to obtain a salesperson's certificate, and (2) as provided in subsections (e) and (f) of this section. No certificate shall be given to any person who holds himself or herself out to be a contractor that performs radon mitigation unless such contractor provides evidence, satisfactory to the commissioner, that the contractor is certified as a radon mitigator by the National Radon Safety Board or the National Environmental Health Association. No certificate shall be given to any person who holds himself or herself out to be a contractor that performs removal or replacement of any residential underground heating oil storage tank system unless such contractor provides evidence, satisfactory to the commissioner, that the contractor **[**(1)**]** (A) has completed a hazardous material training program approved by the Department of Energy and Environmental Protection, and **[**(2)**]** (B) has presented evidence of liability insurance coverage of one million dollars.

(b) No contractor shall employ any salesman to procure business from an owner unless the salesman is registered under this chapter.

(c) No individual shall act as a home improvement salesman for an unregistered contractor.

(d) On and after July 1, 2008, a home improvement contractor shall not perform gas hearth product work, as defined in subdivision (22) of section 20-330, unless such home improvement contractor holds a limited contractor or journeyman gas hearth installer license pursuant to section 20-334f.

(e) A retail establishment, which is a business that operates from a fixed location where goods or services are offered for sale, may apply annually for a certificate of registration as a salesperson on behalf of its employees if it employs or otherwise compensates one or more salespersons whose solicitation, negotiation and completion of sales are conducted entirely at the retail establishment or virtually or by phone. The retail establishment shall: (1) Apply for such registration on a form prescribed by the commissioner, (2) maintain a list of all salespersons intended to be covered by the retailer's certificate of registration, and (3) pay a fee equal to the amount that would be due if each person were to apply individually for a certificate of registration, including the amount that would be due under the guaranty fund. The list of salespersons covered by the retailer's certificate of registration shall be made available to the department upon request. If any person covered by the retail establishment's salesperson certificate of registration conducts activity covered by the salesperson credential at a place other than the retail establishment or virtually or by phone, such person shall apply for an individual salesperson certificate of registration using the form prescribed by the commissioner for such registrations and shall pay the corresponding application fee.

(f) Certificates of registration for salespersons issued to retail establishments shall not be transferable or assignable, except a retail establishment that is a holder of a salesperson certificate may remove an existing or former employee currently listed on the certification of registration and replace such person with a new or existing employee employed as a salesperson. If the retail establishment adds or removes salespeople, there shall be no refund or supplemental payment. The fee shall be based on the number of salespeople at the time of each renewal.

Sec. 11. (NEW) (*Effective from passage*) While the holder of a limited license issued pursuant to chapter 393 of the general statutes is enrolled in an unlimited license apprenticeship program, such limited license holder shall continue to be considered a journeyman or contractor for limited work performance in such area for purposes of section 20-332b of the general statutes and any

regulation of Connecticut state agencies adopted pursuant to said section. The limited license of the registered apprentice in an unlimited category shall not be used to calculate the number of apprentices that may be hired by a contractor in accordance with section 20-332b of the general statutes.

Sec. 12. Subsection (b) of section 20-691 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

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

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

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

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

(5) The following persons shall be exempt from registration as a locksmith, but only if the person performing the service does not hold himself or herself out to the public as a locksmith: (A) Persons employed by a state, municipality or other political subdivision, or by any agency or department of the government of the United States, acting in their official capacity; (B) automobile service dealers who service, install, repair or rebuild automobile locks; (C) retail merchants selling locks or similar security accessories or installing, programming, repairing, maintaining, reprogramming, rebuilding or servicing electronic garage door devices; (D) members of the building trades who install or remove complete locks or locking devices in the course of residential or commercial new construction or remodeling; (E) employees of towing services, repossessors, or an automobile club representative or employee opening automotive locks in the normal course of his or her business. The provisions of this section shall not prohibit an employee of a towing service from opening motor vehicles to enable a vehicle to be moved without towing, provided the towing service does not hold itself out to the public, by directory advertisement, through a sign at the facilities of the towing service or by any other form of advertisement, as a locksmith; (F) students in a course of study in locksmith programs approved by the department; (G) warranty services by a lock manufacturer or its employees on the manufacturer's own products; (H) maintenance employees of a property owner or property management companies at multifamily residential buildings, who service, install, repair or open locks for tenants; **[**and**]** (I) persons employed as security personnel at schools or institutions of higher education who open locks while acting in the course of their employment; and (J) persons who service, install or repair electronic locks, access control devices or other similar locking devices that connect to an electronic security system, provided such persons maintain an electrical contractor or journeyperson licensed to perform such work as required pursuant to chapter 393.

Sec. 13. Subsection (d) of section 51-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(d) The procedure for the hearing and determination of small claims as the same may be prescribed, from time to time, by the judges of the Superior Court shall be used in all small claims sessions of the court. The small claims procedure shall only be applicable to (1) all actions **[**, except actions of libel and slander,**]** claiming money damages not in excess of five thousand dollars, **[**and to no other actions**]** except such procedure shall not be applicable to actions of libel

and slander, and (2) actions claiming loss or damages not in excess of fifteen thousand dollars sustained by reason of (A) performance of, or offer to perform, home improvement, as defined in section 20-419, as amended by this act, by a contractor holding a certificate under chapter 400, or (B) a contract for new home construction with a new home construction contractor holding a certificate under chapter 399a. If an action is brought in the small claims session by a tenant pursuant to subsection (g) of section 47a-21 to reclaim any part of a security deposit which may be due, the judicial authority hearing the action may award to the tenant the damages authorized by subsection (d) of said section and, if authorized by the rental agreement or any provision of the general statutes, costs, notwithstanding that the amount of such damages and costs, in the aggregate, exceeds the jurisdictional monetary limit established by subdivision (1) of this subsection. If a motion is filed to transfer a small claims matter to the regular docket in the court, the moving party shall pay the fee prescribed by section 52-259. The Attorney General or an assistant attorney general, or the head of any state agency or his or her authorized representative, while acting in his or her official capacity shall not be required to pay any small claims court fee. There shall be no charge for copies of service on defendants in small claims matters.

Sec. 14. Subsection (c) of section 22-351a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(c) In addition to any economic damages awarded pursuant to subsection (b) of this section, and except as provided in subsection (d) of this section, the court may award punitive damages in an amount not to exceed the jurisdictional monetary limit established by subdivision (1) of subsection (d) of section 51-15, as amended by this act, together with a reasonable attorney's fee."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2022*	20-417b
Sec. 2	*July 1, 2022*	New section
Sec. 3	*July 1, 2022*	20-417i
Sec. 4	*July 1, 2022*	20-419
Sec. 5	*July 1, 2022*	20-420a
Sec. 6	*July 1, 2022*	20-421(a)
Sec. 7	*July 1, 2022*	20-427(e)
Sec. 8	*July 1, 2022*	20-432
Sec. 9	*July 1, 2022*	20-417c
Sec. 10	*July 1, 2022*	20-420
Sec. 11	*from passage*	New section
Sec. 12	*July 1, 2021*	20-691(b)
Sec. 13	*July 1, 2022*	51-15(d)
Sec. 14	*July 1, 2022*	22-351a(c)

Remarking were Senators Witkos of the 8th, and Maroney of the 14th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 7:58 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	1
Those absent and not voting	1

On the roll call vote Senate Bill No. 266 as amended by Senate Amendment Schedule “A” (LCO 9795) was passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA		Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY		Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A		21	KEVIN C. KELLY
Y	4	STEVE CASSANO		Y	22	MARILYN MOORE
Y	5	DEREK SLAP		Y	23	DENNIS BRADLEY
Y	6	RICK LOPES		Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL		Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS		Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER		Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD		Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY		Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN		Y	30	CRAIG MINER
Y	13	MARY ABRAMS		Y	31	HENRI MARTIN
Y	14	JAMES MARONEY		Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY		Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON		Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA		Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS		Y	36	ALEX KASSER

BUSINESS ON THE CALENDAR
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
BILL PASSED

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

GENERAL LAW. Substitute for S.B. No. **694** (RAISED) (File No. 108) "AN ACT CONCERNING REVISIONS TO PHARMACY AND DRUG CONTROL STATUTES."

Senator Maroney of the 14th offered Senate Amendment Schedule "A" (LCO 9798) and moved adoption.

Remarking was Senator Witkos of the 8th.

On a voice vote the amendment was adopted.

The following is the Amendment.

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

"Section 1. Subdivision (16) of subsection (j) of section 21a-254 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(16) Each pharmacy, nonresident pharmacy, as defined in section 20-627, outpatient pharmacy in a hospital or institution, and dispenser shall report to the commissioner, at least daily, by electronic means or, if a pharmacy or outpatient pharmacy does not maintain records electronically, in a format approved by the commissioner information for all insulin drugs, glucagon drugs, diabetes devices and diabetic ketoacidosis devices prescribed and dispensed by such pharmacy or outpatient pharmacy, except such reporting requirement shall not apply to any veterinarian, licensed under chapter 384, who dispenses insulin drugs, glucagon drugs, diabetes devices and diabetic ketoacidosis devices for animal patients. Such pharmacy or outpatient pharmacy shall report such information to the commissioner in a manner that is consistent with the manner in which such pharmacy or outpatient pharmacy reports information for controlled substance prescriptions pursuant to subdivision (4) of this subsection. For the purposes of this

subdivision, "insulin drug", "glucagon drug", "diabetes devices" and "diabetic ketoacidosis device" have the same meanings as provided in section 20-616."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	21a-254(j)(16)

On motion of Senators Witkos of the 8th and Maroney of the 14th, the bill was placed on the Consent Calendar.

BUSINESS ON THE CALENDAR
MATTERS RETURNED FROM COMMITTEE
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
BILL PASSED

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

APPROPRIATIONS. Substitute for S.B. No. **881** (COMM) (File Nos. 327 and 679) "AN ACT CONCERNING WORKFORCE DEVELOPMENT." (As amended by Senate Amendment Schedule "A").

Senator Slap of the 5th offered Senate Amendment Schedule "B" (LCO 9807) and moved adoption.

Remarking was Senator Witkos of the 8th.

On a voice vote the amendment was adopted.

The following is the Amendment.

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

"Section 1. (NEW) (*Effective July 1, 2021*) (a) As used in this section and section 2 of this act:

(1) "Participating institution" means (A) an institution of higher education within the Connecticut State University System, or (B) any other institution of higher education in the state that enters into a memorandum of agreement with the Board of Regents for Higher Education in accordance with subsection (d) of this section.

(2) "Other institution of higher education" means an institution of higher education in the state that (A) is not within the Connecticut State University System, (B) is a nonprofit institution of higher education, (C) has graduated one hundred or more students with a bachelor's degree each year for the preceding four years, (D) maintains eligibility to participate in financial aid programs governed by Title IV, Part B of the Higher Education Act of 1965, as amended from time to time, (E) has not been determined by the United States Department of Education to have a financial responsibility score that is less than 1.5 for the most recent fiscal year for which the data necessary for determining the score is available, and (F) is accredited as a degree-granting institution in good standing for ten years or more by a regional accrediting association recognized by the Secretary of the United States Department of Education, and maintains such accreditation status.

(b) Not later than April 1, 2022, the Board of Regents for Higher Education, in consultation with institutions of higher education that are eligible to be participating institutions, shall (1) establish the Connecticut Automatic Admissions Program, and (2) adopt rules, procedures and forms necessary to implement such program. Under the Connecticut Automatic Admissions Program, a participating institution shall admit an applicant as a full-time, first-year student to an in-person bachelor's degree program if such applicant (A) meets or exceeds the academic threshold established pursuant to subsection (e) of this section, (B) qualifies as an in-state student pursuant to section 10a-29 of the general statutes, (C) is in his or her last school year before

graduation and enrolled at a public high school in the state or a nonpublic high school in the state, approved pursuant to subsection (g) of this section, and (D) if required by a participating institution, earns a high school diploma, an adult education diploma, or other equivalent credential. A participating institution may conduct a comprehensive review of any application submitted by an applicant who applies through the Connecticut Automatic Admissions Program, which may entail requesting additional application materials from such applicant or result in denying admission to such applicant. Each participating institution shall make an effort to minimize the number of students subjected to a comprehensive review if such student meets the requirements of subparagraphs (A) to (D), inclusive, of this subsection. Applicants admitted to a participating institution under the Connecticut Automatic Admissions Program are not guaranteed admission into any specific bachelor's degree program at such institution.

(c) The Board of Regents for Higher Education shall create a simple online application form for students to apply to participating institutions under the Connecticut Automatic Admissions Program. Such application form (1) shall require a student to verify that such student meets the qualifications specified in subsection (b) of this section, and (2) may require a student to provide such student's state-assigned student identifier, if such student has a state-assigned student identifier pursuant to section 10-10a of the general statutes. Such application form shall not require an application fee or the submission of an essay or recommendation letters. Such application shall embed or link to information and resources regarding (A) college admissions and financial aid, and (B) the net cost of completing a bachelor's degree program, graduation rates, average earnings for graduates of participating institutions and, if possible, common majors at each participating institution.

(d) Any other institution of higher education may enter into a memorandum of agreement with the Board of Regents for Higher Education to participate in the Connecticut Automatic Admissions Program. Each such other institution of higher education shall use the online application form created pursuant to subsection (c) of this section and comply with the provisions of subsection (e) of this section. The Board of Regents for Higher Education may charge a reasonable fee to such other institution of higher education that is not a constituent unit of the state system of higher education for participation in the program. Such fee shall not exceed the board's cost for including such other institution of higher education in the program or twenty-five thousand dollars, whichever is less.

(e) (1) The Board of Regents for Higher Education shall establish (A) a minimum class rank percentile for applicants to qualify for admission through the Connecticut Automatic Admissions Program to each participating institution, and (B) a standardized method for calculating grade point average that shall be used to determine class rank percentile.

(2) Each participating institution shall establish an academic threshold for admission to such institution through the Connecticut Automatic Admissions Program. Any other institution of higher education shall establish one or more of the following academic thresholds: (A) The minimum class rank percentile established by the Board of Regents for Higher Education pursuant to subparagraph (A) of subdivision (1) of this subsection, (B) a minimum grade point average calculated in accordance with the standardized method established by the board pursuant to subparagraph (B) of subdivision (1) of this subsection, or (C) a combination of a minimum grade point average calculated in accordance with the standardized method established by the board pursuant to subparagraph (B) of subdivision (1) of this subsection and performance on a nationally recognized college readiness assessment administered to students enrolled in grade eleven pursuant to subdivision (3) of subsection (c) of section 10-14n of the general statutes. Each state university within the Connecticut State University System shall establish the academic threshold set forth in subparagraph (A) of this subdivision and may establish the additional academic thresholds set forth in subparagraphs (B) and (C) of this subdivision. An applicant shall be deemed to have satisfied the academic threshold for admission to a participating institution through the Connecticut Automatic Admissions Program if such applicant satisfies any one of the academic thresholds established by such institution.

(3) No governing board of a participating institution shall establish policies or procedures that require any academic qualifications in addition to the qualifications specified in subsection (b) of this section and the academic threshold established pursuant to this subsection for the purposes of the Connecticut Automatic Admissions Program.

(f) No participating institution shall consider the admission of a student through the Connecticut Automatic Admissions Program in determining such student's eligibility for need-based or merit-based financial aid.

(g) The supervisory agent of a nonpublic high school in the state may submit an application to the Board of Regents for Higher Education, in the form and manner prescribed by the board, to participate in the Connecticut Automatic Admissions Program. The board shall approve any such application provided such nonpublic high school (1) is accredited by a generally recognized accrediting organization or is operated by the United States Department of Defense, and (2) complies with the provisions of section 2 of this act.

Sec. 2. (NEW) (*Effective July 1, 2021*) (a) For the school year commencing July 1, 2022, and each school year thereafter, for the purpose of qualifying a student for the Connecticut Automatic Admissions Program, established pursuant to section 1 of this act, each local and regional board of education shall (1) calculate a grade point average using the standardized method established by the Board of Regents for Higher Education pursuant to subsection (e) of section 1 of this act, for each student who completes eleventh grade, and (2) determine whether such student's class rank percentile is above or below the minimum established by the Board of Regents for Higher Education pursuant to subsection (e) of section 1 of this act. Each local and regional board of education shall share a student's grade point average and whether such student is above or below the minimum class rank percentile with (A) the student, (B) the student's parent or guardian, (C) the Department of Education, in the form and manner prescribed by the department, and (D) upon the student's request, a participating institution for the purposes of applying to such participating institution under the Connecticut Automatic Admissions Program.

(b) Nothing in this section shall be construed to require a local or regional board of education to publish or provide a class ranking for any student or to publish on a student's transcript the grade point average calculated pursuant to subsection (a) of this section or whether such student is above or below the minimum class rank percentile established by the Board of Regents for Higher Education pursuant to subsection (e) of section 1 of this act.

(c) For the school year commencing July 1, 2022, and each school year thereafter, each local and regional board education shall notify each student enrolled in his or her final year of high school, and the parent or guardian of such student, whether such student may be admitted to at least one participating institution under the Connecticut Automatic Admissions Program based on the academic threshold established by such institution pursuant to subsection (e) of section 1 of this act.

Sec. 3. (NEW) (*Effective July 1, 2021*) (a) As used in this section:

(1) "Eligible organization" means any provider of a training program including, but not limited to, a provider of a training program listed on the Labor Department's Eligible Training Provider List, an apprenticeship or preapprenticeship program sponsor, a provider of an alternate route to certification program approved by the State Board of Education, an institution of higher education, a private occupational school, an employer, a state or municipal agency and a public or nonprofit social service provider in the state; and

(2) "Approved class" means a set of employees, clients, students or customers of an eligible organization.

(b) Not later than January 1, 2022, the Commissioner of Transportation shall establish the CTpass program to allow individuals in an approved class for an eligible organization to use certain public transit services without cost or at a reduced cost. The commissioner shall post information regarding the CTpass program and application process for such program on the Department of Transportation's Internet web site in a manner that, in the commissioner's discretion, will maximize awareness and participation by the greatest number of eligible organizations.

(c) Upon receipt of an application from an eligible organization to participate in the CTpass program, the commissioner may negotiate the terms and conditions and enter into a contract with such eligible organization. The commissioner may treat several eligible organizations as a single eligible organization for the purposes of a contract under the CTpass program. Such terms and conditions shall include, but need not be limited to, (1) the amount of compensation or reimbursement required from the eligible organization, (2) the definition of approved class specific to the eligible organization, and (3) any limitations on times of use or types of public

transit services available to the approved class. The compensation or reimbursement negotiated in the contract shall be in an amount as the commissioner deems necessary or advisable, provided the amount is sufficient to ensure that transit service expenditures incurred by the department do not increase as a result of the CTpass program and to cover any administrative costs incurred by the department in the operation of the CTpass program. A contract under the CTpass program shall be valid upon the approval of the Office of Policy and Management for a term of not more than two years, except the first contract with an eligible organization shall not exceed twelve months. Prior to any renewal of a contract with an eligible organization under the CTpass program, the commissioner shall consider prior pass utilization information and any transit service expenditure increases incurred by the department for the purpose of re-evaluating the amount of compensation or reimbursement required from such eligible organization.

(d) Not later than January 1, 2023, and annually thereafter, the Commissioner of Transportation shall submit a report to the Secretary of the Office of Policy and Management on the financial data and pass utilization information for each contract under the CTpass program.

Sec. 4. (NEW) (*Effective July 1, 2021*) (a) Not later than December 1, 2021, and annually thereafter until December 1, 2024, each employer in the state with one hundred or more employees shall notify the employees of such employer who are residents of the state about (1) whether such employer offers to employees an education assistance program under 26 USC 127, and (2) if an education assistance program is offered to employees, the benefits included in such program and the manner in which an employee may enroll in such program.

(b) An employee shall have no cause of action against an employer for not offering an education assistance program under 26 USC 127 to employees or for failure to notify employees about such program pursuant to subsection (a) of this section.

(c) The Commissioner of Economic and Community Development shall make information and resources regarding education assistance programs under 26 USC 127 available to employers in the state.

Sec. 5. (*Effective July 1, 2021*) (a) The University of Connecticut shall (1) to the extent possible, remove prerequisites from each University of Connecticut Early College Experience course offered in the state, and (2) work with local and regional boards of education to increase access to such Early College Experience courses.

(b) Not later than October 1, 2022, The University of Connecticut shall submit to the Commissioner of Education and, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and education a report on (1) the prerequisites required for University of Connecticut Early College Experience courses, (2) how these prerequisites compare to prerequisites required for similar courses offered by other institutions of higher education and for advanced placement, International Baccalaureate and Cambridge International programs, (3) the demographics of enrolled students, and (4) the actions taken by the university to increase access to its Early College Experience courses.

Sec. 6. (*Effective July 1, 2021*) Not later than February 1, 2022, the Board of Trustees of The University of Connecticut and the Board of Regents for Higher Education shall each submit to the Commissioner of Education and, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to education and higher education a report on its policies for each institution of higher education governed by such board concerning when course credit is awarded to an undergraduate student attending such institution of higher education for such student's score on an advanced placement, an International Baccalaureate, a Cambridge International or a University of Connecticut Early College Experience exam taken while enrolled in high school.

Sec. 7. (NEW) (*Effective July 1, 2021*) (a) Any information contained in a Free Application for Federal Student Aid or a state application for student financial aid and personally identifiable information contained in applications for admission to institutions of higher education, including applications under the Connecticut Automatic Admissions Program established pursuant to section 1 of this act, held by any department, board, commission, public institution of higher education or any other agency of the state, or any local or regional board of education or state-administered school system shall not be deemed to be a public record for purposes of the Freedom of

Information Act, as defined in section 1-200 of the general statutes, and shall not be subject to disclosure under the provisions of section 1-210 of the general statutes.

(b) Any confidential information about an individual, including, but not limited to, information from an individual's application for admission, application for financial aid or immigration status, that becomes known to an officer, employee or agent of a local or regional board of education or an institution of higher education in the state may be disclosed to a federal immigration authority, as defined in section 54-192h of the general statutes, only if such disclosure is:

(1) Authorized in writing by the individual to whom the information pertains, or by the parent or guardian of such individual if the individual is a minor or not legally competent to consent to such disclosure;

(2) Necessary in furtherance of a criminal investigation of terrorism; or

(3) Otherwise required by state or federal law or in compliance with a judicial warrant or court order issued by a judge or magistrate of the state or federal judicial branches.

Sec. 8. (NEW) (*Effective July 1, 2021*) (a) As used in this section:

(1) "Credential" means a documented award issued by an authorized body, including, but not limited to, a (A) degree or certificate awarded by an institution of higher education, private occupational school or provider of an alternate route to certification program approved by the State Board of Education for teachers, (B) certification awarded through an examination process designed to demonstrate acquisition of designated knowledge, skill and ability to perform a specific job, (C) license issued by a governmental agency which permits an individual to practice a specific occupation upon verification that such individual meets a predetermined list of qualifications, and (D) documented completion of an apprenticeship or job training program; and

(2) "Credential status type" means the official status of a credential which is either active, deprecated, probationary or superseded.

(b) Not later than January 1, 2023, the executive director of the Office of Higher Education, in consultation with the advisory council established pursuant to subsection (c) of this section, shall create a database of credentials offered in the state for the purpose of explaining the skills and competencies earned through a credential in uniform terms and plain language. In creating the database, the executive director shall utilize the minimum data policy of the New England Board of Higher Education's High Value Credentials for New England initiative, the uniform terms and descriptions of Credentials Engine's Credential Transparency Description Language and the uniform standards for comparing and linking credentials in Credential Engine's Credential Transparency Description Language-Achievement Standards Network. At a minimum, the database shall include the following information for each credential: (1) Credential status type, (2) the entity that owns or offers the credential, (3) the type of credential being offered, (4) a short description of the credential, (5) the name of the credential, (6) the Internet web site that provides information relating to the credential, (7) the language in which the credential is offered, (8) the estimated duration for completion, (9) the industry related to the credential which may include its code under the North American Industry Classification System, (10) the occupation related to the credential which may include its code under the standard occupational classification system of the Bureau of Labor Statistics of the United States Department of Labor or under The Occupational Information Network, (11) the estimated cost for earning the credential, and (12) a listing of online or physical locations where the credential is offered.

(c) There is established an advisory council for the purpose of advising the executive director of the Office of Higher Education on the implementation of the database created pursuant to subsection (b) of this section. The advisory council shall consist of (1) representatives from the Department of Economic and Community Development, Office of Higher Education, Office of Policy and Management, Labor Department, Department of Education, Connecticut State Colleges and Universities, The University of Connecticut and independent institutions of higher education, and (2) the Chief Data Officer, or such officer's designee. The Commissioner of Economic and Community Development, the Chief Data Officer and the executive director of the Office of Higher Education, or their designees, shall be cochairpersons of the advisory council and shall schedule the meetings of the advisory council.

(d) Not later than July 1, 2024, and annually thereafter, each regional workforce development board, community action agency, as defined in section 17b-885 of the general statutes, institution

of higher education, private occupational school, provider of an alternate route to certification program approved by the State Board of Education, and provider of a training program listed on the Labor Department's Eligible Training Provider List shall submit information, in the form and manner prescribed by the executive director of the Office of Higher Education, about any credential offered by such institution, school or provider for inclusion in the database created pursuant to subsection (b) of this section. Such information shall include, but need not be limited to, the data described in subdivisions (1) to (12), inclusive, of subsection (b) of this section, except an institution of higher education may omit the data required pursuant to subdivisions (6), (9) and (10) of subsection (b) of this section if such data is not applicable to a credential offered by such institution.

(e) Nothing in this section shall be construed to require any state agency or department to submit credential information to the database created pursuant to subsection (b) of this section.

(f) The Labor Department may, in consultation with the advisory council established pursuant to subsection (c) of this section, require any program sponsor of a preapprenticeship or apprenticeship program registered with the department to submit information about such program to the Office of Higher Education for inclusion in such database.

Sec. 9. Subsection (l) of section 10a-34 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(l) Notwithstanding the provisions of subsections (b) to (j), inclusive, of this section and subject to the authority of the State Board of Education to regulate teacher education programs, **[**up to twelve new programs of higher learning in any academic year and any program modifications proposed by**]** an independent institution of higher education, as defined in section 10a-173, shall not **[**be subject to**]** require approval by the Office of Higher Education for any new programs of higher learning or any program modifications proposed by such institution until June 30, 2023, and for up to fifteen new programs of higher learning in any academic year or any program modifications proposed by such institution on and after July 1, 2023, provided (1) the institution maintains eligibility to participate in financial aid programs governed by Title IV, Part B of the Higher Education Act of 1965, as amended from time to time, (2) the United States Department of Education has not determined that the institution has a financial responsibility score that is less than 1.5 for the most recent fiscal year for which the data necessary for determining the score is available, and (3) the institution has been located in the state and accredited as a degree-granting institution in good standing for ten years or more by a regional accrediting association recognized by the Secretary of the United States Department of Education and maintains such accreditation status. Each institution that is exempt from program approval by the Office of Higher Education under this subsection shall file with the office (A) on and after July 1, 2023, an application for approval of any new program of higher learning in excess of **[**twelve**]** fifteen new programs in any academic year, (B) a program actions form, as created by the office, prior to students enrolling in any new program of higher learning or any existing program subject to a program modification, and (C) not later than July first, and annually thereafter, (i) until June 30, 2024, a list and brief description of any new programs of higher learning introduced by the institution in the preceding academic year and any existing programs of higher learning discontinued by the institution in the preceding academic year, (ii) the institution's current program approval process and all actions of the governing board concerning approval of any new program of higher learning, and (iii) the institution's financial responsibility composite score, as determined by the United States Department of Education, for the most recent fiscal year for which the data necessary for determining the score is available.

Sec. 10. (*Effective July 1, 2021*) Not later than October 1, 2023, the executive director of the Office of Higher Education shall submit recommendations, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to higher education on program approval and modification required pursuant to the provisions of section 10a-34 of the general statutes.

Sec. 11. Section 10a-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) Notwithstanding sections 10a-34 to 10a-35, inclusive, as amended by this act, the Board of Regents for Higher Education shall have the authority, in accordance with the provisions of said sections and the standards set forth in any regulations promulgated thereunder, to (1) review and

approve recommendations for the establishment of new academic programs for the universities within the Connecticut State University System, the regional community-technical colleges and Charter Oak State College, and (2) until June 30, 2024, report all new programs and program changes to the Office of Higher Education.

(b) Notwithstanding sections 10a-34 to 10a-35, inclusive, as amended by this act, the Board of Trustees for The University of Connecticut shall (1) have the authority, in accordance with the provisions of said sections and the standards set forth in any regulations promulgated thereunder, to review and approve recommendations for the establishment of new academic programs at the university, and (2) until June 30, 2024, report all new programs and program changes to the Office of Higher Education.

Sec. 12. Subsection (a) of section 10a-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) The Board of Regents for Higher Education shall: (1) Establish policies and guidelines for the Connecticut State University System, the regional community-technical college system and Charter Oak State College; (2) develop a master plan for higher education and postsecondary education at the Connecticut State University System, the regional community-technical college system and Charter Oak State College consistent with the goals identified in section 10a-11c; (3) establish tuition and student fee policies for the Connecticut State University System, the regional community-technical college system and Charter Oak State College; (4) monitor and evaluate the effectiveness and viability of the state universities, the regional community-technical colleges and Charter Oak State College in accordance with criteria established by the board; (5) merge or close institutions within the Connecticut State University System, the regional community-technical college system and Charter Oak State College in accordance with criteria established by the board, provided (A) such recommended merger or closing shall require a two-thirds vote of the board, and (B) notice of such recommended merger or closing shall be sent to the committee having cognizance over matters relating to education and to the General Assembly; (6) review and approve mission statements for the Connecticut State University System, the regional community-technical college system and Charter Oak State College and role and scope statements for the individual institutions and campuses of such constituent units; (7) review and approve any recommendations for the establishment of new academic programs submitted to the board by the state universities within the Connecticut State University System, the regional community-technical colleges and Charter Oak State College, and, in consultation with the affected constituent units, provide for the initiation, consolidation or termination of academic programs; (8) develop criteria to ensure acceptable quality in (A) programs at the Connecticut State University System, the regional community-technical college system and Charter Oak State College, and (B) institutions within the Connecticut State University System and the regional community-technical college system and enforce standards through licensing and accreditation; (9) prepare and present to the Governor and General Assembly, in accordance with section 10a-8, consolidated operating and capital expenditure budgets for the Connecticut State University System, the regional community-technical college system and Charter Oak State College developed in accordance with the provisions of said section 10a-8; (10) review and make recommendations on plans received from the Connecticut State University System, the regional community-technical college system and Charter Oak State College to implement the goals identified in section 10a-11c; (11) appoint advisory committees with representatives from public and independent institutions of higher education to study methods and proposals for coordinating efforts of the public institutions of higher education under its jurisdiction with The University of Connecticut and the independent institutions of higher education to implement the goals identified in section 10a-11c; (12) evaluate (A) means of implementing the goals identified in section 10a-11c, and (B) any recommendations made by the Planning Commission for Higher Education in implementing the strategic master plan pursuant to section 10a-11b through alternative and nontraditional approaches such as external degrees and credit by examination; (13) coordinate programs and services among the Connecticut State University System, the regional community-technical college system and Charter Oak State College; (14) assess opportunities for collaboration with The University of Connecticut and the independent institutions of higher education to implement the goals identified in section 10a-11c; (15) make or enter into contracts, leases or other agreements in connection with its responsibilities under this part, provided all acquisitions of real estate by lease or otherwise shall be subject to the

provisions of section 4b-23; (16) be responsible for the care and maintenance of permanent records of institutions of higher education dissolved after September 1, 1969; (17) prepare and present to the Governor and General Assembly legislative proposals affecting the Connecticut State University System, the regional community-technical college system and Charter Oak State College; (18) develop and maintain a central higher education information system and establish definitions and data requirements for the Connecticut State University System, the regional community-technical college system and Charter Oak State College; (19) until June 30, 2024, report all new programs and program changes at the Connecticut State University System, the regional community-technical college system and Charter Oak State College to the Office of Higher Education; and (20) undertake such studies and other activities as will best serve the higher educational interests of the Connecticut State University System, the regional community-technical college system and Charter Oak State College.

Sec. 13. (NEW) (*Effective July 1, 2021*) (a) Not later than January 1, 2023, each private occupational school, as defined in section 10a-22a of the general statutes, regional workforce development board, community action agency, as defined in section 17b-885 of the general statutes, and each provider of an alternate route to certification program approved by the State Board of Education, shall submit, in a form and manner prescribed by the executive director of the Office of Higher Education, certain data collected by such school, board, agency or program for each student or trainee enrolled in a program that earns a credential, as defined in section 8 of this act, offered by such school, board, agency or program. Such data shall include, but need not be limited to, gender identity, age, race, ethnicity, course enrollment, course completion, credential completion, fees and tuition charged, federal student loans received, federal student loan balances, and for any student who has a state-assigned student identifier pursuant to section 10-10a of the general statutes, such student identifier. Nothing in this subsection shall be construed to require a student or trainee to provide information about gender identity, age, race or ethnicity if not otherwise required by law.

(b) Personally identifiable information provided to the Office of Higher Education pursuant to subsection (a) of this section shall not be deemed to be a public record for purposes of the Freedom of Information Act, as defined in section 1-200 of the general statutes, and shall not be subject to disclosure under the provisions of section 1-210 of the general statutes. The office may share information submitted pursuant to subsection (a) of this section with another state agency, another state or territory, the federal government or to support a data request submitted through CP20 WIN in accordance with the policies and procedures of CP20 WIN, established pursuant to section 10a-57g of the general statutes, for the purposes of program administration, audit, evaluation or research, provided the recipient of such data agrees to a data sharing agreement pursuant to section 15 of this act if such recipient is not a state agency, another state or territory or the federal government.

Sec. 14. Subsection (j) of section 31-225a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(j) (1) (A) Each employer subject to this chapter shall submit quarterly, on forms supplied by the administrator, a listing of wage information, including the name of each employee receiving wages in employment subject to this chapter, such employee's Social Security account number and the amount of wages paid to such employee during such calendar quarter.

(B) Commencing with the third calendar quarter of 2024, unless waived pursuant to subdivision (5) of this subsection, any employer subject to this chapter, with one hundred or more employees, shall include in the quarterly filing submitted pursuant to subparagraph (A) of this subdivision, the following data for each employee receiving wages in employment subject to this chapter: Such employee's gender identity, age, race, ethnicity, veteran status, disability status, highest education completed, home address, address of primary work site, occupational code under the standard occupational classification system of the Bureau of Labor Statistics of the United States Department of Labor, hours worked, days worked, salary or hourly wage, employment start date in the current job title and, if applicable, employment end date. The information required pursuant to this subparagraph shall be included in the quarterly filings of employers subject to this chapter with ninety-nine or fewer employees commencing with the third calendar quarter of 2026, except employers subject to this chapter with forty-nine or fewer employees without an electronic payroll system shall include such information commencing with

the third calendar quarter of 2028. Nothing in this subparagraph shall be construed to require an employee to provide information about gender identity, age, race, ethnicity, veteran status or disability status if not otherwise required by law. The administrator may issue guidance defining each such data field.

(2) [Commencing with the first calendar quarter of 2014, each] Each employer subject to this chapter who reports wages for employees receiving wages in employment subject to this chapter, and each person or organization that, as an agent, reports wages for employees receiving wages in employment subject to this chapter on behalf of one or more employers subject to this chapter shall submit quarterly the information required by subdivision (1) of this subsection [on magnetic tape, diskette, or other similar electronic means which the administrator may prescribe] electronically, in a format and manner prescribed by the administrator, unless such employer or agent receives a waiver pursuant to subdivision (5) of this subsection.

(3) Any employer that fails to submit the information required by subparagraph (A) of subdivision (1) of this subsection in a timely manner, as determined by the administrator, shall be liable to the administrator for a late filing fee of twenty-five dollars. Any employer that fails to submit the information required by subparagraph (A) of subdivision (1) of this subsection under a proper state unemployment compensation registration number shall be liable to the administrator for a fee of twenty-five dollars. All fees collected by the administrator under this subdivision shall be deposited in the Employment Security Administration Fund.

(4) [Commencing with the first calendar quarter of 2014, each] Each employer subject to this chapter who makes contributions or payments in lieu of contributions for employees receiving wages in employment subject to this chapter, and each person or organization that, as an agent, makes contributions or payments in lieu of contributions for employees receiving wages in employment subject to this chapter on behalf of one or more employers subject to this chapter shall make such contributions or payments in lieu of contributions electronically.

(5) Any employer or any person or organization that, as an agent, [submits] is required to submit information pursuant to subdivision (2) of this subsection, [or makes] make contributions or payments in lieu of contributions pursuant to subdivision (4) of this subsection or submit information pursuant to subparagraph (B) of subdivision (1) of this subsection may request in writing, not later than thirty days prior to the date a submission of information or a contribution or payment in lieu of contribution is due, that the administrator waive [the] such requirement. [that such submission or contribution or payment in lieu of contribution be made electronically.] The administrator shall grant such request if, on the basis of information provided by such employer or person or organization and on a form prescribed by the administrator, the administrator finds that there would be undue hardship for such employer or person or organization. The administrator shall promptly inform such employer or person or organization of the granting or rejection of the requested waiver. The decision of the administrator shall be final and not subject to further review or appeal. Such waiver shall be effective for twelve months from the date such waiver is granted.

(6) The name and identifying information of an employer and personally identifying information about an employee provided to the administrator pursuant to subparagraph (B) of subdivision (1) of this subsection shall not be deemed to be a public record for purposes of the Freedom of Information Act, as defined in section 1-200, and shall not be subject to disclosure under the provisions of section 1-210. The administrator or the department may share information provided pursuant to subparagraph (B) of subdivision (1) of this subsection with another state agency, another state or territory, the federal government or to support a data request submitted through CP20 WIN in accordance with the policies and procedures of CP20 WIN, established pursuant to section 10a-57g, for the purposes of program administration, audit, evaluation or research, provided the recipient of such data enters into a data sharing agreement pursuant to section 15 of this act if such recipient is not a state agency, another state or territory, or the federal government.

Sec. 15. (NEW) (*Effective July 1, 2021*) (a) Any office, department, board, commission, public institution of higher education or other instrumentality of the state may, when otherwise allowed by state and federal law, enter into a data sharing agreement with one or more individuals or organizations that allows for the sharing of data held by such state instrumentality. Such agreement shall include, but need not be limited to, the following provisions:

(1) The purpose for which any party that has entered into a data sharing agreement with a state instrumentality will use such data and a restriction that such data may only be used for purposes authorized in the data sharing agreement;

(2) The specific individuals, within any party that has entered into a data sharing agreement with a state instrumentality, who may access or use such data;

(3) Data provided by the state instrumentality shall not be shared with another party unless such party has entered into a data sharing agreement with such instrumentality pursuant to this section and with approval from such instrumentality;

(4) Data shall not be copied or stored in any location by any party, unless approved by the state instrumentality in the agreement;

(5) All data shall be stored and accessed in a secure manner, as prescribed in the data sharing agreement;

(6) Any party that has entered into a data sharing agreement shall immediately notify the state instrumentality of any breach of such agreement;

(7) The data shall not be considered the property of the party that has entered into a data sharing agreement with such state instrumentality;

(8) If any provision of the data sharing agreement or the application of such agreement is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of such agreement that can be given effect without the invalid provision or application;

(9) A party entering into a data sharing agreement shall not (A) use records or information obtained for such data for the purpose of enforcing federal immigration law, or (B) share, disclose or make accessible in any manner, directly or indirectly, such information or records to any federal or state agency that enforces federal immigration law, or to any officer or agent of such agency;

(10) A party entering into a data sharing agreement shall not share, disclose or make accessible in any manner, directly or indirectly, such information or records that are not subject to disclosure under the provisions of section 1-210 of the general statutes;

(11) A data sharing agreement shall have an explicit term of length, which shall not exceed a term of two years;

(12) No algorithm or learning model derived from data provided by a state instrumentality pursuant to a data sharing agreement shall be retained or used by the party who entered into such agreement after the expiration of the term of such agreement; and

(13) Any research for which data will be provided pursuant to a data sharing agreement shall first be approved by an institutional review board at an institution of higher education or by an institutional review board at a state instrumentality.

(b) No state instrumentality may enter into a data sharing agreement (1) with any party who has been found to have breached an existing or prior agreement with a state instrumentality entered into pursuant to this section for a period of five years following such breach, (2) for the purpose of selling data, sharing data for resale or for any other commercial purpose, or (3) regarding data that is not subject to disclosure under the provisions of section 1-210 of the general statutes unless the party that enters into such data agreement is able to exempt such data from any local, state or federal freedom of information or right-to-know act.

(c) Each state instrumentality shall deidentify the data shared pursuant to a data sharing agreement to the greatest extent possible.

(d) Any data sharing agreement entered into pursuant to subsection (a) of this section shall be deemed a public record. Any state instrumentality that enters into such an agreement shall not release any information that may endanger data security or safety.

(e) Not later than January 1, 2022, and annually thereafter, each state instrumentality shall submit, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having primary cognizance over such instrumentality, a summary of each data sharing agreement such instrumentality has entered into pursuant to this section and copy of such agreement.

Sec. 16. Subsection (b) of section 12-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(b) The commissioner may disclose (1) returns or return information to (A) an authorized representative of another state agency or office, upon written request by the head of such agency

or office, when required in the course of duty or when there is reasonable cause to believe that any state law is being violated, or (B) an authorized representative of an agency or office of the United States, upon written request by the head of such agency or office, when required in the course of duty or when there is reasonable cause to believe that any federal law is being violated, provided no such agency or office shall disclose such returns or return information, other than in a judicial or administrative proceeding to which such agency or office is a party pertaining to the enforcement of state or federal law, as the case may be, in a form which can be associated with, or otherwise identify, directly or indirectly, a particular taxpayer except that the names and addresses of jurors or potential jurors and the fact that the names were derived from the list of taxpayers pursuant to chapter 884 may be disclosed by the Judicial Branch; (2) returns or return information to the Auditors of Public Accounts, when required in the course of duty under chapter 23; (3) returns or return information to tax officers of another state or of a Canadian province or of a political subdivision of such other state or province or of the District of Columbia or to any officer of the United States Treasury Department or the United States Department of Health and Human Services, authorized for such purpose in accordance with an agreement between this state and such other state, province, political subdivision, the District of Columbia or department, respectively, when required in the administration of taxes imposed under the laws of such other state, province, political subdivision, the District of Columbia or the United States, respectively, and when a reciprocal arrangement exists; (4) returns or return information in any action, case or proceeding in any court of competent jurisdiction, when the commissioner or any other state department or agency is a party, and when such information is directly involved in such action, case or proceeding; (5) returns or return information to a taxpayer or its authorized representative, upon written request for a return filed by or return information on such taxpayer; (6) returns or return information to a successor, receiver, trustee, executor, administrator, assignee, guardian or guarantor of a taxpayer, when such person establishes, to the satisfaction of the commissioner, that such person has a material interest which will be affected by information contained in such returns or return information; (7) information to the assessor or an authorized representative of the chief executive officer of a Connecticut municipality, when the information disclosed is limited to (A) a list of real or personal property that is or may be subject to property taxes in such municipality, or (B) a list containing the name of each person who is issued any license, permit or certificate which is required, under the provisions of this title, to be conspicuously displayed and whose address is in such municipality; (8) real estate conveyance tax return information or controlling interest transfer tax return information to the town clerk or an authorized representative of the chief executive officer of a Connecticut municipality to which the information relates; (9) estate tax returns and estate tax return information to the Probate Court Administrator or to the court of probate for the district within which a decedent resided at the date of the decedent's death, or within which the commissioner contends that a decedent resided at the date of the decedent's death or, if a decedent died a nonresident of this state, in the court of probate for the district within which real estate or tangible personal property of the decedent is situated, or within which the commissioner contends that real estate or tangible personal property of the decedent is situated; (10) returns or return information to the (A) Secretary of the Office of Policy and Management for purposes of subsection (b) of section 12-7a, and (B) Office of Fiscal Analysis for purposes of, and subject to the provisions of, subdivision (2) of subsection (f) of section 12-7b; (11) return information to the Jury Administrator, when the information disclosed is limited to the names, addresses, federal Social Security numbers and dates of birth, if available, of residents of this state, as defined in subdivision (1) of subsection (a) of section 12-701; (12) returns or return information to any person to the extent necessary in connection with the processing, storage, transmission or reproduction of such returns or return information, and the programming, maintenance, repair, testing or procurement of equipment, or the providing of other services, for purposes of tax administration; (13) without written request and unless the commissioner determines that disclosure would identify a confidential informant or seriously impair a civil or criminal tax investigation, returns and return information which may constitute evidence of a violation of any civil or criminal law of this state or the United States to the extent necessary to apprise the head of such agency or office charged with the responsibility of enforcing such law, in which event the head of such agency or office may disclose such return information to officers and employees of such agency or office to the extent necessary to enforce such law; (14) names and addresses of

operators, as defined in section 12-407, to tourism districts, as defined in section 10-397; (15) names of each licensed dealer, as defined in section 12-285, and the location of the premises covered by the dealer's license; (16) to a tobacco product manufacturer that places funds into escrow pursuant to the provisions of subsection (a) of section 4-28i, return information of a distributor licensed under the provisions of chapter 214 or chapter 214a, provided the information disclosed is limited to information relating to such manufacturer's sales to consumers within this state, whether directly or through a distributor, dealer or similar intermediary or intermediaries, of cigarettes, as defined in section 4-28h, and further provided there is reasonable cause to believe that such manufacturer is not in compliance with section 4-28i; (17) returns, which shall not include a copy of the return filed with the commissioner, or return information for purposes of section 12-217z; (18) returns or return information to the State Elections Enforcement Commission, upon written request by said commission, when necessary to investigate suspected violations of state election laws; **[**and**]** (19) returns or return information for purposes of, and subject to the conditions of, subsection (e) of section 5-240; and (20) to the extent allowable under federal law, return information to another state agency or to support a data request submitted through CP20 WIN, established in section 10a-57g, in accordance with the policies and procedures of CP20 WIN for the purposes of evaluation or research, provided the recipient of such data enters into a data sharing agreement pursuant to section 15 of this act if such recipient is not a state agency.

Sec. 17. Section 10a-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

In this chapter, the following words and terms shall have the following meanings unless the context indicates another or different meaning or intent:

(1) "Authority" means the Connecticut Higher Education Supplemental Loan Authority constituted as a subsidiary of the Connecticut Health and Educational Facilities Authority as provided in section 10a-179a;

(2) "Authorized officer" means an employee of the Connecticut Health and Educational Facilities Authority or of the authority who is authorized by the board of directors of the authority to execute and deliver documents and papers and to act in the name of and on behalf of the authority;

(3) "Authority loans" means education loans by the authority, or loans by the authority from the proceeds of bonds for the purpose of funding education loans;

(4) "Board" means the board of directors of the authority;

(5) "Bonds" or "revenue bonds" means revenue bonds or notes of the authority issued under the provisions of this chapter, including revenue refunding bonds or notes;

(6) "Bond resolution" means the resolution or resolutions of the authority and the trust agreement, if any, authorizing the issuance of and providing for the terms and conditions applicable to bonds;

(7) "Borrower" means (A) an individual who has an outstanding loan from the authority, (B) an individual who attends a Connecticut institution for higher education, enrolls in a Connecticut high-value certificate program or currently resides in the state, and has received or agreed to pay an education loan, or (C) any parent who has received or agreed to pay an education loan on behalf of an individual who attends a Connecticut institution for higher education or currently resides in the state;

(8) "Connecticut Health and Educational Facilities Authority" means the quasi-public authority established pursuant to section 10a-179;

(9) "Connecticut institution for higher education" means an institution for higher education within the state;

(10) "Default insurance" means insurance insuring education loans, authority loans or bonds against default;

(11) "Default reserve fund" means a fund established pursuant to a bond resolution for the purpose of securing education loans, authority loans or bonds;

(12) "Education loan" means a loan which is made to a student in or from the state or a parent of such student to finance attendance at an institution for higher education or enrollment in a high-value certificate program, or to a borrower to refinance one or more eligible loans;

(13) "Loan funding deposit" means moneys or other property deposited by a Connecticut institution for higher education with the authority, a guarantor or a trustee for the purpose of (A) providing security for bonds, (B) funding a default reserve fund, (C) acquiring default insurance, or (D) defraying costs of the authority, such moneys or properties to be in such amounts as deemed necessary by the authority or guarantor as a condition for such institution's participation in the authority's programs;

(14) "Institution for higher education" means a degree-granting educational institution within the United States authorized by applicable law to provide a program of education beyond the high school level and (A) described in Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, and exempt from taxation under Section 501(a) of said code with respect to a trade or business carried on by such institution which is not an unrelated trade or business, determined by applying Section 513(a) of said code to such organization or a foundation established for its benefit, or (B) exempt from taxation under said code as a governmental unit;

(15) "Participating institution for higher education" means a Connecticut institution for higher education which, pursuant to the provisions of this chapter, undertakes the financing directly or indirectly of education loans as provided in this chapter;

(16) "Parent" means any parent, legal guardian or sponsor of a student at an institution for higher education or enrolled in a high-value certificate program;

(17) "Education loan series portfolio" means all education loans made by the authority or by or on behalf of a specific participating institution for higher education which are funded from the proceeds of a related specific bond issue of the authority;

(18) "Education assistance program" means a program to assist in financing the costs of education through education loans or education grants, or both;

(19) "Education grant" means a grant, scholarship, fellowship or other nonrepayable assistance awarded by the authority to a student currently residing in the state to finance the attendance of the student at a Connecticut institution for higher education or enrollment in a Connecticut high-value certificate program, or a grant, scholarship, fellowship or other nonrepayable assistance awarded by or on behalf of a Connecticut institution for higher education from the proceeds of funds provided by the authority to a student from the state to finance the student's attendance at such institution; **[**and**]**

(20) "Eligible loan" means any loan that is in repayment that was (A) made by the authority, or (B) made to a borrower by any other private or governmental lender to finance attendance at an institution for higher education **[**.**]** or enrollment in a high-value certificate program;

(21) "High-value certificate program" means a noncredit sub-baccalaureate certificate program offered by an institution of higher education or a private occupational school that the Department of Economic and Community Development determines to meet the needs of employers in the state; and

(22) "Connecticut high-value certificate program" means a high-value certificate program offered by an institution of higher education or a private occupational school in the state.

Sec. 18. (NEW) (*Effective July 1, 2021*) The Connecticut Higher Education Supplemental Loan Authority shall establish an account to be known as the Certificate Loan Loss Reserve and Funding account, which shall be a separate, nonlapsing account. The account shall contain any moneys required by law to be deposited in the account, including, but not limited to, state appropriations or proceeds from the sale of bonds. Moneys in the account shall be expended by the authority to (1) fund authority loans issued to a borrower to finance enrollment in a Connecticut high-value certificate program, as defined in section 10a-223 of the general statutes, as amended by this act, (2) to cover any losses incurred by the authority from issuing such authority loans, (3) for reasonable and necessary expenses for the administration of such authority loans, and (4) any initial implementation expenses prior to the origination of such authority loans."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2021*	New section
Sec. 2	*July 1, 2021*	New section
Sec. 3	*July 1, 2021*	New section

Sec. 4	*July 1, 2021*	New section
Sec. 5	*July 1, 2021*	New section
Sec. 6	*July 1, 2021*	New section
Sec. 7	*July 1, 2021*	New section
Sec. 8	*July 1, 2021*	New section
Sec. 9	*July 1, 2021*	10a-34(l)
Sec. 10	*July 1, 2021*	New section
Sec. 11	*July 1, 2021*	10a-35a
Sec. 12	*July 1, 2021*	10a-6(a)
Sec. 13	*July 1, 2021*	New section
Sec. 14	*July 1, 2021*	31-225a(j)
Sec. 15	*July 1, 2021*	New section
Sec. 16	*October 1, 2021*	12-15(b)
Sec. 17	*October 1, 2022*	10a-223
Sec. 18	*July 1, 2021*	New section

Remarking were Senator Slap of the 5th, Witkos of the 8th, and Berthel of the 32nd.

Senator Berthel of the 32nd offered Senate Amendment Schedule "C" (LCO 9377), moved adoption and requested that the vote be taken by roll call.

Remarking was Senator Slap of the 5th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 8:36 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	11
Those voting Nay	24
Those absent and not voting	1

On the roll call vote Senate Amendment Schedule "C" (LCO 9377) was rejected.

The following is the roll call vote:

	N	1	JOHN W. FONFARA		N	19	CATHERINE A. OSTEN
	N	2	DOUGLAS MCCRORY		Y	20	PAUL M. FORMICA
	N	3	SAUD ANWAR	A		21	KEVIN C. KELLY
	N	4	STEVE CASSANO		N	22	MARILYN MOORE
	N	5	DEREK SLAP		N	23	DENNIS BRADLEY
	N	6	RICK LOPES		N	24	JULIE KUSHNER
Y		7	JOHN A. KISSEL		N	25	BOB DUFF
Y		8	KEVIN D. WITKOS		N	26	WILL HASKELL
	N	9	MATTHEW L. LESSER		N	27	PATRICIA BILLIE MILLER
	N	10	GARY WINFIELD		Y	28	TONY HWANG
	N	11	MARTIN M. LOONEY		N	29	MAE FLEXER
	N	12	CHRISTINE COHEN		Y	30	CRAIG MINER
	N	13	MARY ABRAMS		Y	31	HENRI MARTIN
	N	14	JAMES MARONEY		Y	32	ERIC C. BERTHEL
	N	15	JOAN V. HARTLEY		N	33	NORMAN NEEDLEMAN
Y		16	ROB SAMPSON		Y	34	PAUL CICARELLA
	N	17	JORGE CABRERA		Y	35	DAN CHAMPAGNE

Y	18	HEATHER S. SOMERS	N	36	ALEX KASSER

The following is the Amendment.

Strike section 7 in its entirety and renumber the remaining sections and internal references accordingly

Remarking were Senators Haskell of the 26th, Formica of the 20th, Hwang of the 28th, and Duff of the 25th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 9:04 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	30
Those voting Nay	5
Those absent and not voting	1

On the roll call vote Senate Bill No. 881 as amended by Senate Amendment Schedule "A" (LCO 9435) and Amendment "B" (LCO 9807) was passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	N	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	N	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	N	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	N	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

IMMEDIATE TRANSMITTAL TO THE HOUSE

Senator Duff of the 25th moved immediate transmittal to the House of Substitute for S.B. No. **1037** (RAISED) (File No. 562) "AN ACT CONCERNING SOLID WASTE MANAGEMENT." as amended by Senate Amendment Schedule "A"

BUSINESS ON THE CALENDAR
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEES
PREVIOUSLY MARKED PASSED TEMPORARILY
BILL PASSED

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

GOVERNMENT ADMINISTRATION AND ELECTIONS. Substitute for H.B. No. **6476** (RAISED) (File No. 266) "AN ACT CONCERNING A DISPARITY STUDY."

Senator Kushner of the 24th explained the bill and moved passage.

Remarking were Senator Sampson of the 16th and Kushner of the 24th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 9:15 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

On the roll call vote House Bill No. 6476 was passed in concurrence in the House.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
Y	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
MATTER RETURNED FORM COMMITTEE
PLACED ON CONSENT CALENDER

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

JUDICIARY. S.B. No. **763** (RAISED) (File No. 36) "AN ACT REQUIRING DRIVERS OF PARATRANSIT VEHICLES TO REPORT SUSPECTED ABUSE, NEGLECT, EXPLOITATION OR ABANDONMENT OF ELDERLY PERSONS."

Senator Moore of the 22nd explained the bill and moved passage.

Remarking was Senator Berthel of the 32nd.

On motion of Senator Moore of the 22nd, the bill was placed on the Consent Calendar.

BUSINESS ON THE CALENDAR
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES
BILLS PASSED

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

GENERAL LAW. Substitute for H.B. No. **6100** (RAISED) (File Nos. 299 and 721) "AN ACT CONCERNING DEPARTMENT OF CONSUMER PROTECTION LICENSING AND ENFORCEMENT, ANTITRUST ISSUES AND THE PALLIATIVE USE OF MARIJUANA AND REVISIONS TO THE LIQUOR CONTROL ACT." (As amended by House Amendment Schedule "A").

Senator Maroney of the 14th explained the bill and moved passage.

Remarking were Senators Witkos of the 8th, and Hwang of the 28th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 9:50 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	29
Those voting Nay	6
Those absent and not voting	1

On the roll call vote House Bill No. 6100 as amended by House Amendment Schedule “A” (LCO 8153) was passed in concurrence with the House.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE

Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	N	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	N	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON	N	34	PAUL CICARELLA
Y	17	JORGE CABRERA	N	35	DAN CHAMPAGNE
N	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

PLANNING AND DEVELOPMENT. Substitute for S.B. No. **971** (RAISED) (File No. 559) "AN ACT CONCERNING THE STATE TREASURER AND CLIMATE CHANGE AND COASTAL RESILIENCY RESERVE FUNDS."

Senator Cassano of the 4th explained the bill and moved passage.

Remarking were Senator Cohen of the 12th, Hwang of the 28th, Cassano of the 4th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 10:11 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

On the roll call vote Senate Bill No. 971 was passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN

Y	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

SUSPENSION OF THE RULES
IMMEDIATE TRANSMITTAL TO THE GOVERNOR

On motion of Senator Duff of the 25th, the rules were suspended for immediate transmittal to the Governor House Bill No. 6100 as amended by House Amendment Schedule "A".

CONSENT CALENDAR NO. 1
ADOPTED

The chair ordered the vote on business placed on the Consent Calendar be taken by roll call.

The following is the result of the vote at 10:14 p.m.:

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

On the roll call vote the Consent Calendar was adopted.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	A	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
Y	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

ADJOURNMENT

On motion of Senator Duff of the 25th, the Senate at 10:15 p.m. adjourned subject to the call of the chair.

BILLS SIGNED BY HIS EXCELLENCY, THE GOVERNOR

The following bills were signed by His Excellency, the Governor, on the date indicated:

June 2, 2021

INSURANCE AND REAL ESTATE. S.B. No. **1003** (RAISED) (File No. 363) "AN ACT PROHIBITING CERTAIN HEALTH CARRIERS AND PHARMACY BENEFITS MANAGERS FROM EMPLOYING COPAY ACCUMULATOR PROGRAMS." (As amended by Senate Amendment Schedule "A").
Public Act No. 14

TRANSPORTATION. Substitute for S.B. No. **608** (COMM) (File No. 125) "AN ACT CONCERNING THE SAFETY OF CHILDREN WHEN BUYING ICE CREAM FROM A FROZEN DESSERT TRUCK." (As amended by Senate Amendment Schedules "A" and "B").
Public Act No. 20