



General Assembly

February Session, 2022

Raised Bill No. 5151

LCO No. 1273



Referred to Committee on GENERAL LAW

Introduced by:

(GL)

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING HOMEMAKER-COMPANION AGENCIES, CONTRACTORS, HEATING FUEL, FOOD ESTABLISHMENTS, CONTINUING EDUCATION AND APPRAISALS.

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

1 Section 1. (NEW) (*Effective July 1, 2022*) Any contractor who is
2 licensed under chapter 393 of the general statutes and engaged to
3 perform work on a private residence, and any person who owns or
4 controls a business that is engaged to perform work on, or render
5 services concerning, a private residence through persons licensed under
6 chapter 393 of the general statutes to perform such work or render such
7 services, shall include in the invoice for such work or services, when
8 complete: (1) Such licensed contractor's signature or the signature of the
9 licensed contractor of record for such business for such work or services;
10 (2) such licensed contractor's name, address and license number or, in
11 the case of a business, the name of the business's owner, partner or
12 limited liability member and such business's address and phone
13 number; (3) a description of such work or services; (4) the labor and
14 material costs of such work or services; (5) the date or dates on which

15 such work was performed or services were rendered; and (6) the
16 complete name and license number of each licensee who performed
17 such work or rendered such services. For the purposes of this section,
18 "private residence" has the same meaning as provided in section 20-419
19 of the general statutes.

20 Sec. 2. Section 16a-17 of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective July 1, 2022*):

22 (a) As used in this section and sections [16a-17] 16a-18 to 16a-20,
23 inclusive:

24 [(1) "Fuel" includes electricity, natural gas, petroleum products, coal
25 and coal products, wood fuels, radioactive materials and any other
26 resource yielding energy;]

27 [(2)] (1) "Creating a fuel shortage" means the diminution by
28 contrivance or artificial means of the supply of fuel to a point below that
29 needed to meet consumer demands adequately; [.] and

30 (2) "Fuel" includes coal and coal products, electricity, natural gas,
31 petroleum products, radioactive materials, wood fuels and any other
32 resource yielding energy.

33 (b) As used in sections 16a-21, 16a-22a and 16a-22k:

34 (1) "Associated equipment" means a gas line, gas regulator, [gas line,]
35 sacrificial anode, interconnecting hardware and [such] any other
36 equipment that is necessary [for the installation and operation of] to
37 install and operate a propane tank;

38 (2) "Automatic delivery" means the delivery of heating fuel to a
39 consumer by a dealer [pursuant to] under a system determined by the
40 dealer of calculating the consumer's heating fuel needs [of the
41 consumer,] based on the consumer's [consumption of] heating fuel
42 consumption;

43 (3) "Cash" (A) means [legal tender,] a certified or cashier's check,

44 commercial money order, legal tender or equivalent of such [legal
45 tender,] check, [or] money order [Cash also] or legal tender, and (B)
46 includes a guaranteed payment on behalf of a consumer by a
47 government or community action agency, provided no discount is taken
48 for the charge as billed;

49 (4) "Commissioner" means the Commissioner of Consumer
50 Protection;

51 (5) "Consumer" means a direct purchaser of heating fuel from a
52 heating fuel dealer [, when such fuel is the primary source of heat for
53 residential heating or domestic hot water to] for one or more dwelling
54 units within a structure having not more than four dwelling units;

55 (6) "Gallon" means an accepted unit of measure consisting of two
56 hundred thirty-one cubic inches, for all liquid or gaseous heating fuel,
57 subject to modifications allowed under regulations adopted pursuant to
58 section 43-42;

59 (7) "Heating fuel" means any petroleum-based fuel, including any
60 petroleum product regulated pursuant to chapter 250, used (A) as the
61 primary source of residential heating or domestic hot water, [including
62 petroleum products regulated pursuant to chapter 250] or (B) for
63 cooking or power generation;

64 (8) "Heating fuel dealer" or "dealer" means any individual or group
65 of individuals, or a cooperative, corporation, firm, limited liability
66 company or partnership, [corporation, cooperative or limited liability
67 company] that offers [the retail sale of] to sell, at retail, heating fuel to a
68 consumer;

69 (9) "Lessee" means a natural person who rents or leases personal
70 property under a consumer rental or lease agreement;

71 (10) "Lessor" means a heating fuel dealer who regularly provides the
72 use of personal property through consumer rental or lease agreements
73 and to whom rent is paid at a fixed interval for the use of such property;

74 (11) "Notice of termination of automatic delivery" means a notice by
75 a consumer to a dealer providing automatic delivery in which the
76 consumer requests that the dealer [to] terminate such automatic
77 delivery; and

78 (12) "Purchase price" or "commercially reasonable price" means a
79 price that does not exceed the fair market value of [the] a propane tank
80 and associated equipment, as applicable.

81 Sec. 3. Subsection (a) of section 16a-23m of the general statutes is
82 repealed and the following is substituted in lieu thereof (*Effective July 1,*
83 *2022*):

84 (a) As used in this section, sections 16a-23n to 16a-23s, inclusive, and
85 section 16a-23v:

86 (1) "Budget plan" means a type of contract offering heating fuel []
87 that may be paid for in advance of, on or after delivery and is paid for
88 in not less than three installment payments over a period of at least one
89 hundred twenty days, [or more,] provided the amount required to be
90 paid as the first payment under such contract is not greater than fifty
91 per cent of the remaining amount due under [the plan] such contract;

92 (2) "Capped price plan" means [an agreement where] a contract
93 which provides that the cost to the consumer [of] for heating fuel shall
94 not increase above a specified price per gallon and the consumer shall
95 pay less than [the] such specified price under circumstances specified in
96 such contract;

97 (3) "Commissioner" means the Commissioner of Consumer
98 Protection;

99 (4) "Consumer" means a direct purchaser of heating fuel from a
100 heating fuel dealer [, when such fuel is the primary source of heating
101 fuel for residential heating or domestic hot water to] for one or more
102 dwelling units within a structure having not more than four dwelling
103 units;

104 (5) "Forwards contract" means an agreement between two parties to
105 buy or sell an asset at a certain future time for a certain price;

106 (6) "Futures contract" means a standardized, transferable, exchange-
107 traded agreement that requires delivery of heating fuel at a specified
108 price on a specified future date;

109 (7) "Gallon" means an accepted unit of measure consisting of two
110 hundred thirty-one cubic inches, for all liquid or gaseous heating fuel,
111 subject to modifications allowed under regulations adopted pursuant to
112 section 43-42;

113 (8) "Guaranteed price plan", also known as "guaranteed plan", "fixed
114 price", "full price", "lock in", "capped", "price cap", or other similar
115 terminology, when used to describe a contract, means a type of contract
116 that is not paid in advance of delivery, offering heating fuel at a
117 guaranteed future price or at a maximum future price;

118 (9) "Heating fuel" means any petroleum-based fuel, including any
119 petroleum product regulated pursuant to chapter 250, used (A) as a
120 primary source of residential heating or domestic hot water, [including
121 petroleum products regulated pursuant to chapter 250] or (B) for
122 cooking or power generation;

123 (10) "Heating fuel dealer" or "dealer" means any individual or group
124 of individuals, or a [firm, partnership, corporation, or] cooperative,
125 corporation, firm, limited liability company or partnership, that offers
126 [the retail sale of] to sell, at retail, heating fuel to consumers;

127 (11) "Heating oil" means a [predominantly liquefied] petroleum
128 product, including a petroleum product known as #1 oil (kerosene), #2
129 oil (heating oil), #4 oil, bio fuel or any bio fuel blended with
130 conventionally refined fossil fuel commodities, that (A) is
131 predominantly liquid at ambient temperatures, [that is] (B) is sold as a
132 commodity, [and] (C) is a primary source of residential heating or
133 domestic hot water, [including products known as #2 oil (heating oil),
134 #1 oil (kerosene), #4 oil, bio fuels, or any bio fuel blended with

135 conventionally refined fossil fuel commodities] and [that] (D) meets the
136 requirements of the American Society for Testing and Materials
137 Standard D396, as amended from time to time;

138 (12) "Maintain" means retention of the balance, measured in gallons
139 or other accepted units of measure, of heating fuel that remains to be
140 delivered to consumers who are party to a guaranteed price plan
141 contract;

142 (13) "Physical supply contract" means an agreement for wet barrels
143 or gallons of heating fuel that [has been] is secured by a heating fuel
144 dealer;

145 (14) "Prepaid guaranteed price plan", also known as "buy ahead",
146 "prebuy", "prebought" or other similar terminology, when used to
147 describe a contract, means a type of contract offering heating fuel at a
148 guaranteed price, paid for in advance of delivery, but does not include
149 a budget plan;

150 (15) "Propane" or "liquefied petroleum gas (LPG)" means a petroleum
151 product that (A) meets [ASTM] American Society for Testing and
152 Materials specification D1835, as amended from time to time, [and] (B)
153 is composed predominantly of [any of the following hydrocarbons or
154 mixtures thereof: Propane, propylene,] butanes (normal butane or
155 isobutane), [and] butylenes, propane, propylene or any mixture thereof,
156 and (C) is intended for use, among other things, as a fuel for residential
157 heating; and

158 (16) "Surety bond" means a bond, issued by a licensed insurance
159 company or banking institution, as surety for a dealer and obligating
160 [the] surety to the commissioner, in a sum certain, in guaranty of the
161 dealer's full and faithful performance [by the dealer] of prepaid
162 guaranteed price plan contracts entered into pursuant to this chapter.

163 Sec. 4. Section 16a-23o of the general statutes is repealed and the
164 following is substituted in lieu thereof (*Effective July 1, 2022*):

165 Any person, firm or corporation required to register as a [home
166 heating oil or propane gas] heating fuel dealer pursuant to section 16a-
167 23m, as amended by this act, that offers plumbing or heating work
168 service shall submit evidence, deemed satisfactory by the Commissioner
169 of Consumer Protection, when registering, that such person, firm or
170 corporation subcontracts with or employs only persons licensed or
171 registered pursuant to chapter 393 to perform such work. Such person,
172 firm or corporation shall attest, when applying for registration as a
173 heating fuel dealer pursuant to section 16a-23m, as amended by this act,
174 that all plumbing or heating work service shall be performed in
175 accordance with the provisions of chapter 393. Anyone registered under
176 this section who offers such plumbing or heating services shall display
177 the state license number of the subcontractor or employee performing
178 such work for the registrant on all commercial vehicles used in their
179 business and shall display such number in a conspicuous manner on all
180 printed advertisements, bid proposals, contracts, invoices and
181 stationery used in the business.

182 Sec. 5. Section 20-334d of the general statutes is repealed and the
183 following is substituted in lieu thereof (*Effective July 1, 2022*):

184 (a) As used in this section:

185 (1) "Accredited continuing professional education" means any
186 education of an electrician or plumber that is (A) designed to maintain
187 professional competence in the [pursuit,] practice, pursuit and
188 standards of electrical work or plumbing and piping work, [and that is]
189 (B) approved by the commissioner, and [is] (C) provided (i) by an
190 agency, institution or organization [, institution or agency] that [is] has
191 been approved by the commissioner, and (ii) in-person or through an
192 online technology platform that includes real-time video and enables
193 participants to interact with instructors in real time;

194 (2) "Certificate of continuing education" means a document [issued to
195 an electrician or plumber by an organization, institution or agency] that
196 (A) an agency, institution or organization that has been approved by the

197 commissioner [that] and offers accredited continuing professional
198 education [, which (A)] issues to an electrician or plumber, (B) certifies
199 that an electrician or plumber has satisfactorily completed a specified
200 number of continuing education hours, and [(B)] (C) bears the (i) name
201 of such agency, institution or organization, [institution or agency, the]
202 (ii) title of the program, [the] (iii) dates during which the program was
203 conducted, [the] (iv) number of continuing education hours
204 satisfactorily completed, and [the] (v) signature of the director of such
205 [organization, institution or agency or the signature of the] agency,
206 institution or organization or of such director's authorized agent; and

207 (3) "Commissioner" means the Commissioner of Consumer
208 Protection.

209 (b) The commissioner, with the advice and assistance of the Electrical
210 Work Board established pursuant to subsection (b) of section 20-331,
211 shall adopt regulations, in accordance with chapter 54, to: (1) [establish]
212 Establish requirements for accredited continuing professional education
213 for electricians licensed pursuant to sections 20-330 to 20-341, inclusive;
214 (2) establish qualifying criteria for accredited continuing professional
215 education programs and establish qualifying criteria for acceptable
216 certificates of continuing education; and (3) provide for the waiver of
217 required accredited continuing professional education for electricians
218 for good cause. Such regulations shall require not less than four hours
219 per year of accredited continuing professional education for such
220 electricians, except upon request of the Electrical Work Board, the
221 commissioner may increase such hours to a maximum of seven hours.

222 (c) The commissioner, with the advice and assistance of the Plumbing
223 and Piping Work Board established pursuant to subsection (d) of section
224 20-331, shall adopt regulations, in accordance with chapter 54, to: (1)
225 [establish] Establish requirements for accredited continuing
226 professional education for plumbers licensed pursuant to sections 20-
227 330 to 20-341, inclusive, which regulations shall require not more than a
228 total of seven hours of accredited continuing professional education
229 every two years, except in the event of significant changes to the

230 building code, as approved by the International Code Council, that
231 relate to plumbing, the commissioner, at such commissioner's
232 discretion, may require more than a total of seven hours of accredited
233 continuing professional education every two years; (2) establish
234 qualifying criteria for accredited continuing professional education
235 programs and establish qualifying criteria for acceptable certificates of
236 continuing education; and (3) provide for the waiver of required
237 accredited continuing professional education for plumbers for good
238 cause.

239 (d) Notwithstanding the provisions of subsection (c) of this section,
240 any person who has been issued a P-6, P-7, W-8 or W-9 license pursuant
241 to section 20-334a and the regulations of Connecticut state agencies shall
242 not be required to meet the continuing education requirements
243 established pursuant to subsection (c) of this section.

244 Sec. 6. Section 20-500 of the 2022 supplement to the general statutes
245 is repealed and the following is substituted in lieu thereof (*Effective from*
246 *passage*):

247 As used in this section and sections [20-500] 20-501 to 20-529e,
248 inclusive, unless the context otherwise requires:

249 (1) "Appraisal" means the practice of developing, in conformance
250 with the USPAP, an opinion of the value of real property. [, in
251 conformance with the USPAP.]

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

254 (3) "Appraisal management company" means any person,
255 [partnership,] association, corporation, limited liability company or
256 [corporation] partnership that performs appraisal management
257 services, [, "Appraisal management company"] but does not include:

258 (A) An appraiser that enters into [a] an oral or written [or oral]
259 agreement with another appraiser for the performance of an appraisal,

260 which is signed by both appraisers upon completion;

261 (B) An appraisal management company that is a subsidiary owned
262 and controlled by a financial institution regulated by a federal financial
263 institution regulatory agency; [. For the purposes of this subdivision,
264 "financial institution" means a bank, as defined in section 36a-2, an out-
265 of-state bank, as defined in section 36a-2, an institutional lender, any
266 subsidiary or affiliate of such bank, out-of-state bank or institutional
267 lender, or other lender licensed by the Department of Banking;]

268 (C) A department or [unit of a financial institution subject to
269 regulation by an agency or department of the United States government
270 or an agency of this state that only receives appraisal requests from an
271 employee of such financial institution] division of an entity that
272 provides appraisal management services exclusively to that entity; or

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

274 (4) "Appraisal management services" means: [any of the following:]

275 (A) The administration of an appraiser panel;

276 (B) The recruitment of certified appraisers to be part of an appraiser
277 panel, including, but not limited to, the negotiation of fees to be paid to,
278 and services to be provided by, [such] the certified appraisers for their
279 participation on [such] the appraiser panel; or

280 (C) The receipt of an appraisal request or order, or an appraisal
281 review request or order, and the delivery of such request or order to an
282 appraiser panel.

283 (5) "Appraiser panel" means a network of appraisers who are certified
284 in accordance with the requirements established by the commission by
285 regulation, [who] are independent contractors of an appraisal
286 management company and [who] have:

287 (A) Responded to an invitation, request or solicitation from an
288 appraisal management company to perform appraisals (i) requested or

289 ordered through [such] the appraisal management company, or (ii)
290 directly for [such] the appraisal management company on a periodic
291 basis as assigned by [the] such appraisal management company; and

292 (B) Been selected and approved by [such] the appraisal management
293 company.

294 (6) "Bank" has the same meaning as provided in section 36a-2.

295 [(6)] (7) "Certified appraiser" means a person who has satisfied the
296 minimum requirements for a category of certification established by the
297 commission by regulation. Such minimum requirements shall be
298 consistent with guidelines established by the Appraisal Qualification
299 Board of the Appraisal Foundation. The categories of certification shall
300 include [, but may be modified by the commission thereafter,] one
301 category denoted as "certified residential appraiser" and another
302 denoted as "certified general appraiser". The commission may modify
303 such categories of certification.

304 [(7)] (8) "Commission" means the Connecticut Real Estate Appraisal
305 Commission appointed under the provisions of section 20-502.

306 [(8)] (9) "Commissioner" means the Commissioner of Consumer
307 Protection.

308 [(9)] (10) "Compliance manager" means a person who holds an
309 appraiser certification in at least one state and [who] is responsible for
310 overseeing the implementation of, and compliance with, procedures for
311 an appraisal management company to:

312 (A) Verify that a person being added to the appraiser panel of the
313 appraisal management company holds a license in good standing in
314 accordance with section 20-509;

315 (B) Maintain detailed records of each appraisal request or order the
316 appraisal management company receives and of the appraiser who
317 performs such appraisal; and

318 (C) Review on a periodic basis the work of all appraisers performing
319 appraisals for the appraisal management company to ensure that such
320 appraisals are being conducted in accordance with the USPAP.

321 [(10)] (11) "Controlling person" means a person who has not had an
322 appraiser license, [or a] similar license or appraiser certificate denied,
323 refused [to be renewed] renewal, suspended or revoked in any state
324 and; [who:]

325 (A) Is [an owner, officer or director of a partnership,] a director,
326 officer or owner of an association, corporation, limited liability company
327 or [corporation] partnership offering or seeking to offer appraisal
328 management services in this state;

329 (B) Is employed by an appraisal management company and has the
330 authority to enter into agreements or contracts [or agreements] for the
331 performance of appraisal management services or appraisals, or is
332 appointed or authorized by such appraisal management company to
333 enter into such agreements or contracts; [or agreements;] or

334 (C) May exercise authority over, or direct the management or policies
335 of, an appraisal management company.

336 [(11)] (12) "Engaging in the real estate appraisal business" means the
337 act or process of estimating the value of real estate for a fee or other
338 valuable consideration.

339 (13) "Financial institution" means a bank, out-of-state bank or
340 institutional lender, an affiliate or subsidiary of a bank, out-of-state bank
341 or institutional lender or another lender licensed by the Department of
342 Banking.

343 [(12)] (14) "FIRREA" means the Financial Institutions, Reform,
344 Recovery and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183.

345 (15) "Out-of-state bank" has the same meaning as provided in section
346 36a-2.

347 [(13)] (16) "Person" means an individual.

348 [(14)] (17) "Provisional appraiser" means a person engaged in the
349 business of estimating the value of real estate for a fee or other valuable
350 consideration under the supervision of a certified real estate appraiser
351 and who meets the minimum requirements, if any, established by the
352 commission by regulation for provisional appraiser status.

353 [(15)] (18) "Provisional license" means a license issued to a provisional
354 appraiser.

355 [(16)] (19) "Real estate appraiser" or "appraiser" means a person
356 engaged in the business of estimating the value of real estate for a fee or
357 other valuable consideration.

358 [(17)] (20) "USPAP" means the Uniform Standards of Professional
359 Appraisal Practice issued by the Appraisal Standards Board of the
360 Appraisal Foundation pursuant to Title XI of FIRREA.

361 Sec. 7. Section 20-670 of the 2022 supplement to the general statutes
362 is repealed and the following is substituted in lieu thereof (*Effective from*
363 *passage*):

364 As used in sections 20-670 to [20-680] 20-681, inclusive, as amended
365 by this act, and section 8 of this act:

366 (1) "Certificate" means a certificate of registration issued under
367 section 20-672.

368 (2) "Commissioner" means the Commissioner of Consumer
369 Protection or any person designated by the commissioner to administer
370 and enforce the provisions of sections 20-670 to [20-680] 20-681,
371 inclusive, as amended by this act, and section 8 of this act.

372 (3) "Companion services" means nonmedical, basic supervision
373 services to ensure the safety and well-being [and safety] of a person in
374 [such] the person's home.

375 [(4) "Employee" means any person employed by, or who enters into
376 a contract to perform services for, a homemaker-companion agency,
377 including, but not limited to, temporary employees, pool employees
378 and persons treated by such agency as independent contractors.]

379 (4) "Covenant not to compete" means any agreement or contract that
380 restricts the right of an individual to provide companion services, home
381 health services or homemaker services (A) in any geographic area of the
382 state for any period of time, or (B) to a specific individual.

383 (5) "Comprehensive background check" means a background
384 investigation of a prospective employee performed by a homemaker-
385 companion agency, that includes [:] (A) [A] a review of any application
386 materials prepared or requested by the homemaker-companion agency
387 and completed by the prospective employee, [:] (B) an in-person or
388 video-conference interview of the prospective employee, [:] (C)
389 verification of the prospective employee's Social Security number, [:] (D)
390 if the [position] prospective employee has applied for a position within
391 the homemaker-companion agency that requires licensure on the part
392 of [the] such prospective employee, verification that the required license
393 is in good standing, [:] (E) a check of the registry established and
394 maintained pursuant to section 54-257, [:] (F) a local and national
395 criminal background check of criminal matters of public record based
396 on the prospective employee's name and date of birth that includes a
397 search of a multistate and multijurisdiction criminal record locator or
398 other similar commercial nationwide database with validation, and a
399 search of the United States Department of Justice National Sex Offender
400 Public Website, conducted by a third-party consumer reporting agency
401 or background screening company that is accredited by the Professional
402 Background Screening Association and in compliance with the federal
403 Fair Credit Reporting Act, [:] (G) if the prospective employee has resided
404 in this state for less than three years prior to the date of [the] such
405 prospective employee's application with the homemaker-companion
406 agency, a review of criminal conviction information from the state or
407 states where such prospective employee resided during such three-year
408 period, [:] and (H) a review of any other information that the

409 homemaker-companion agency deems necessary in order to evaluate
410 the suitability of the prospective employee for the position.

411 [(6) "Homemaker services" means nonmedical, supportive services
412 that ensure a safe and healthy environment for a person in such person's
413 home, such services to include assistance with personal hygiene,
414 cooking, household cleaning, laundry and other household chores.]

415 (6) "Employee" means any person employed by, or who enters into a
416 contract to perform services for, a homemaker-companion agency,
417 including, but not limited to, pool employees, temporary employees
418 and persons the homemaker-companion agency treats as independent
419 contractors.

420 (7) (A) "Homemaker-companion agency" means [(A)] any (i) public
421 or private organization that employs one or more persons and is
422 engaged in the business of providing companion services or
423 homemaker services, or [(B) any] (ii) registry.

424 (B) "Homemaker-companion agency" [shall] does not include (i) a
425 home health care agency, as defined in subsection (d) of section 19a-490,
426 or (ii) a home health aide agency, as defined in subsection (e) of section
427 19a-490.

428 (8) "Homemaker services" means nonmedical and supportive
429 services, including assistance with cooking, household cleaning,
430 laundry, personal hygiene and other household chores, that ensure a
431 healthy and safe environment for a person in the person's home.

432 (9) "Immediate family member" means a child by adoption, blood or
433 marriage or a grandchild, grandparent, parent, sibling or spouse.

434 [(8)] (10) "Registry" means any person or entity engaged in the
435 business of supplying or referring an individual to, or placing an
436 individual with, a consumer for the purpose of enabling the individual
437 to provide to the consumer companion services or homemaker [or
438 companion services provided by such individual, when the] services,

439 provided such individual [providing such services is either] is (A)
440 directly compensated, in whole or in part, by the consumer, or (B)
441 [treated, referred to or considered] considered, referred to or treated by
442 such person or entity as an independent contractor.

443 [(9)] (11) "Service plan" means a written document, provided by a
444 homemaker-companion agency to a person utilizing companion
445 services or homemaker services provided by such agency, that specifies
446 the anticipated [scope, type, frequency and duration of homemaker or]
447 duration, frequency, scope and type of the companion services or
448 homemaker services that are to be provided by such agency for the
449 benefit of [the] such person.

450 Sec. 8. (NEW) (*Effective from passage*) (a) No person, other than an
451 immediate family member, who is an agent, corporate officer or
452 employee of a homemaker-companion agency, or has an ownership
453 interest in a homemaker-companion agency, shall act as an agent under
454 a power of attorney for any person who has contracted with the
455 homemaker-companion agency to receive companion services or
456 homemaker services.

457 (b) A person receiving companion services or homemaker services
458 may petition the Commissioner of Consumer Protection for an
459 exemption from subsection (a) of this section and the commissioner may
460 grant such exemption for good cause shown.

461 Sec. 9. Section 20-338d of the 2022 supplement to the general statutes
462 is repealed and the following is substituted in lieu thereof (*Effective July*
463 *1, 2022*):

464 (a) For the purposes of this section, "owner" and "private residence"
465 have the same meanings as provided in section 20-419.

466 [(a)] (b) No written contract to perform work on a private residence
467 [as defined in section 20-419,] by a contractor licensed pursuant to this
468 chapter or any person who owns or controls a business engaged to
469 provide the work or services licensed under the provisions of this

470 chapter by persons licensed for such work, shall be valid or enforceable
471 against an owner [, as defined in section 20-419,] unless [it: (1) Is in
472 writing; (2) is] such contract: (1) Is signed by the owner and the
473 contractor or business; [(3)] (2) contains the entire agreement between
474 the owner and the contractor or business; [(4)] (3) contains the date of
475 the transaction; [(5)] (4) contains the name and address of the contractor
476 and the contractor's license number or, in the case of a business, the
477 name of the business owner, partner or limited liability member and the
478 phone number and address of the business, partnership or limited
479 liability company; [(6)] (5) contains the name and license number of any
480 licensees performing the work, provided the name and the license
481 number of a licensee may be amended in writing during the term of the
482 contract; [(7)] (6) contains a notice [of] disclosing the owner's
483 cancellation rights in accordance with the provisions of chapter 740 and
484 subject to the exception set forth in subsection (c) of this section; and
485 [(8)] (7) contains a starting date and completion date.

486 (c) Notwithstanding the provisions of chapter 740, no owner shall
487 cancel a written contract that is subject to the provisions of subsection
488 (b) of this section if: (1) Such contract was executed for the purpose of
489 making emergency or immediate repairs that were necessary to protect
490 persons, personal property or real property; and (2) prior to executing
491 such contract, the owner provided to the contractor or business owner a
492 written statement, dated and signed by the owner, describing the
493 situation requiring such emergency or immediate repairs and expressly
494 acknowledging that the owner waives the right to cancel such contract
495 in accordance with the provisions of chapter 740.

496 (d) Each contractor or business owner that enters into a written
497 contract that is subject to the provisions of subsection (b) of this section
498 shall deliver and provide to each owner who is a party to such contract,
499 free of charge, a copy of such contract at the time such contract is
500 executed. If such contract is amended, such contractor or business
501 owner shall provide to each owner who is a party to such contract, free
502 of charge, a copy of such amendment at the time such contract is
503 amended.

504 [(b)] (e) Each change in the terms and conditions of a written contract
505 [specified in] that is subject to the provisions of subsection [(a)] (b) of
506 this section shall be in writing and shall be signed by the owner and
507 contractor or business, except that the commissioner may, by
508 regulations adopted pursuant to chapter 54, dispense with the necessity
509 for complying with such requirement.

510 Sec. 10. Section 20-681 of the general statutes is repealed and the
511 following is substituted in lieu thereof (*Effective from passage*):

512 [For purposes of this section "covenant not to compete" means any
513 contract or agreement that restricts the right of an individual to provide
514 homemaker, companion or home health services (1) in any geographic
515 area of the state for any period of time, or (2) to a specific individual.]
516 Any covenant not to compete is against public policy and shall be void
517 and unenforceable.

518 Sec. 11. Subsection (c) of section 21a-10 of the 2022 supplement to the
519 general statutes is repealed and the following is substituted in lieu
520 thereof (*Effective from passage*):

521 (c) For any Department of Consumer Protection license, certificate,
522 registration or permit that requires the holder to complete continuing
523 education requirements, the continuing education requirements shall be
524 completed within the annual or biannual period that begins and ends
525 three months prior to the renewal date for the applicable license,
526 certificate, registration or permit, except for licenses issued pursuant to
527 [chapter] chapters 389 and 400j.

528 Sec. 12. Section 21a-151 of the general statutes is repealed and the
529 following is substituted in lieu thereof (*Effective July 1, 2022*):

530 For the purposes of this section and sections 21a-152 to [21a-160] 21a-
531 159, inclusive, as amended by this act:

532 (1) "Bakery" means a building or part of a building, including, but not
533 limited to, a hotel, private institution, restaurant, an establishment

534 operating doughnut-frying equipment or other similar place, where
535 bread, cakes, cookies, crackers, crullers, doughnuts, [crullers,] macaroni,
536 pies, [cookies, crackers,] spaghetti [, macaroni] or other food products,
537 including, but not limited to, canned or frozen baked goods, are made,
538 either wholly or in part of flour or meal, or offered for sale. [including
539 frozen or canned baked goods. "Bakery" includes, but is not limited to,
540 any restaurant, hotel, private institution, establishment operating
541 doughnut-frying equipment or other similar place that offers such food
542 products for sale.]

543 (2) "Food manufacturing establishment" means a building or part of
544 a building where food is [prepared] canned, cooked, cut, dehydrated,
545 frozen, milled or repacked for sale to other establishments for human
546 consumption. [For purposes of this subdivision, "prepared" means a
547 process of canning, cooking, freezing, dehydrating, milling, repacking
548 or cutting.] Premises that are used solely for the retail sale or storage of
549 prepackaged food, and facilities, as described in sections 21a-24a and
550 22-6r and chapters 417, 419a, 422, 423, 430, 431 and 491, shall not be
551 considered food manufacturing establishments.

552 (3) "Food warehouse" means a building or part of a building where
553 food is stored for wholesale distribution, provided such building or part
554 of such building is used primarily for the importation, storage or
555 distribution of packaged food and not for other activities for which a
556 license is required pursuant to section 21a-152, as amended by this act.
557 Premises licensed pursuant to [said] section 21a-152, as amended by this
558 act, and facilities, as described in sections 21a-24a and 22-6r and chapters
559 417, 419a, 422, 423, 430, 431 and 491, shall not be considered food
560 warehouses.

561 (4) "Packaged food" means standard or random weight or volume
562 packages of food commodities that are enclosed in a container or
563 wrapped in any manner, in advance of wholesale or retail sale, such that
564 the food commodities cannot be added to or subtracted from the
565 package or wrapping without breaking or tearing the wrapping,
566 container or seals on the wrapping or container.

567 Sec. 13. Section 21a-152 of the general statutes is repealed and the
568 following is substituted in lieu thereof (*Effective July 1, 2022*):

569 (a) Each bakery, [food warehouse and] food manufacturing
570 establishment and food warehouse shall be designed, constructed and
571 operated as the Commissioner of Consumer Protection directs pursuant
572 to sections 21a-151 to [21a-160] 21a-159, inclusive, as amended by this
573 act, and chapter 418. [The provisions of this subsection requiring the
574 commissioner to direct the design and construction of a food warehouse
575 shall not be required for a food warehouse that was registered in good
576 standing pursuant to section 21a-160 prior to October 1, 2019, provided
577 the warehouse is in good repair so that stored food is properly protected
578 and the premises is free of pests.] Each bakery, food manufacturing
579 establishment and food warehouse [and food manufacturing
580 establishment] remains subject to the provisions of chapter 418.

581 (b) No [person, firm or] corporation, firm or person shall operate a
582 bakery, food manufacturing establishment or food warehouse [or food
583 manufacturing establishment] with the intent of producing or storing
584 products for human consumption without having first obtained from
585 [said commissioner] the Commissioner of Consumer Protection a
586 license. [Application] Applications for such license shall be made on
587 forms, furnished by the commissioner, showing the name and address
588 of such bakery, food manufacturing establishment or food warehouse,
589 [or food manufacturing establishment.] Bakeries shall show the number
590 of persons engaged in the production of bread and pastry products,
591 excluding [porters,] dishwashers, drivers, porters, sales personnel and
592 other employees not directly engaged in such production. The
593 commissioner shall cause an inspection to be [made] conducted of the
594 premises described in the application and, if conditions are found
595 satisfactory, issue such license. [shall be issued.] No corporation, firm or
596 person [, firm or corporation] operating a bakery, food manufacturing
597 establishment or food warehouse, or any agent, employee or servant [or
598 employee] thereof, shall refuse, hinder or otherwise interfere with the
599 commissioner's, or the commissioner's authorized representative's,
600 access [by the commissioner or his authorized representative] to the

601 bakery, food manufacturing establishment or food warehouse for the
602 purpose of conducting an inspection. No corporation, firm or person [,
603 firm or corporation] shall: (1) [~~sell~~] Sell or distribute bread, cakes,
604 cookies, crackers, crullers, doughnuts, [~~crullers,~~] macaroni, pies,
605 [~~cookies, crackers,~~] spaghetti [, macaroni] or other food products,
606 including frozen or canned baked goods, made in whole or in part of
607 flour or meal produced in any bakery located within or beyond the
608 boundaries of this state; [,] (2) sell or distribute food produced in a food
609 manufacturing establishment located within the boundaries of this
610 state; [,] or (3) store any food for wholesale distribution in a food
611 warehouse, unless such bakery, food manufacturing establishment or
612 food warehouse [or food manufacturing establishment] has obtained a
613 license from [said] the commissioner. Facilities licensed pursuant to
614 chapter 417 as food vendors and frozen dessert vendors, and all facilities
615 licensed pursuant to chapters 419a and 430, shall be exempt from such
616 licensing requirement. The commissioner may promulgate regulations
617 excepting out-of-state manufacturers of products [,] commonly known
618 as brown bread, cookies, crackers [, brown bread] or plum puddings in
619 hermetically sealed containers and other similar products [,] from the
620 license provisions of this section. Such license shall be valid for one year
621 and a fee [therefor] for such license shall be collected as follows: From a
622 [person, firm or] corporation, firm or person owning or conducting a
623 bakery in which there are not more than four persons [or fewer] engaged
624 in the production of bread and pastry products, twenty dollars; in which
625 there are [not fewer than] at least five [nor] but not more than nine
626 persons so engaged, forty dollars; in which there are [not fewer than] at
627 least ten [nor] but not more than twenty-four persons so engaged, one
628 hundred dollars; in which there are [not fewer than] at least twenty-five
629 [nor] but not more than ninety-nine persons so engaged, two hundred
630 dollars; in which there are [more than] at least one hundred persons so
631 engaged, two hundred fifty dollars. The fee for a food [manufacturer]
632 manufacturing establishment or food warehouse license shall be twenty
633 dollars annually. [No prior inspection by the commissioner shall be
634 necessary for a food warehouse registered under section 21a-160 prior
635 to October 1, 2019, which is required to transfer its registration to a new

636 license under the provisions of this subsection.]

637 (c) [A] The Commissioner of Consumer Protection may revoke a
638 bakery, food manufacturing establishment or food warehouse [or food
639 manufacturer license may be revoked by said commissioner] license for
640 any violation of sections 21a-151 to [21a-160] 21a-159, inclusive, as
641 amended by this act, after a hearing conducted in accordance with
642 chapter 54. In addition, [a] the commissioner may summarily suspend a
643 bakery, [or food manufacturer] food manufacturing establishment or
644 food warehouse license [may be summarily suspended] pending a
645 hearing if [said] the commissioner has reason to believe that the public
646 health, safety or welfare imperatively requires emergency action.
647 [Within] Not later than ten days following the suspension order, [said]
648 the commissioner shall cause to be held a hearing which shall be
649 conducted in accordance with the provisions of [said] chapter 54.
650 Following [said] such hearing, [said] the commissioner shall dissolve
651 such suspension or order revocation of the bakery, food manufacturing
652 establishment or food warehouse [or food manufacturer] license. Any
653 [person, firm or] corporation, firm or person whose license has been
654 revoked may [make application] apply for a new license and [said] the
655 commissioner shall act on such application [within] not later than thirty
656 days [of receipt] after the commissioner receives such application. The
657 costs of any inspections necessary to determine whether or not an
658 applicant, whose license has been revoked, is entitled to have a new
659 license granted shall be borne by the applicant at such rates as the
660 commissioner may determine. [Said] The commissioner may refuse to
661 grant any bakery, food manufacturing establishment or food warehouse
662 [or food manufacturer] a license if [he or she] the commissioner finds
663 that the applicant has evidenced a pattern of noncompliance with the
664 provisions of sections 21a-151 to [21a-160] 21a-159, inclusive, as
665 amended by this act. Prima facie evidence of a pattern of noncompliance
666 shall be established if [said] the commissioner shows that the applicant
667 has had two or more bakery, food manufacturing establishment or food
668 warehouse [or food manufacturer] licenses revoked.

669 (d) All vehicles used in the transportation of bakery, food

670 manufacturing establishment or food warehouse products shall be kept
671 in a sanitary condition and shall have the name and address of the
672 bakery, food manufacturing establishment or food warehouse owner,
673 operator or distributor legibly printed on both sides. Each compartment
674 in which unwrapped bakery, food manufacturing establishment or food
675 warehouse products are transported shall be enclosed in a manner
676 approved by the commissioner.

677 (e) The provisions of this section shall not prevent local health
678 authorities from enforcing orders or regulations concerning the sanitary
679 condition of retail bakeries.

680 (f) Any person who desires to obtain a license under the provisions
681 of sections 21a-151 to [21a-160] 21a-159, inclusive, as amended by this
682 act, shall first obtain and present to the [commissioner] Commissioner
683 of Consumer Protection a certificate of approval of the location for
684 which such license is desired. The certificate of approval shall be
685 obtained from the zoning commission, planning and zoning
686 commission or local authority of the town, city or borough in which the
687 facility is located or is proposed to be located. [A] No certificate of
688 approval shall [not] be required [in the case of the transfer of the last
689 issued license from one person to another or in the case of a renewal of
690 a license by the holder of the license] for a new license if the proposed
691 use conforms to existing zoning requirements, for a license renewal by
692 the license holder or for a transfer by the license holder to another
693 person of the license most recently issued to such license holder. The
694 commissioner shall not issue any license under the provisions of
695 sections 21a-151 to [21a-160] 21a-159, inclusive, as amended by this act,
696 for which a certificate of approval is required until such certificate of
697 approval is obtained by the license applicant. [The provisions of this
698 subsection requiring a certificate of approval from the zoning
699 commission or other local authority shall not apply to any food
700 warehouse that was registered in good standing pursuant to section 21a-
701 160 prior to October 1, 2019.]

702 Sec. 14. Section 21a-156 of the general statutes is repealed and the

703 following is substituted in lieu thereof (*Effective July 1, 2022*):

704 The commissioner shall, from time to time, after inquiry and public
705 hearing, adopt and promulgate regulations to supplement and give full
706 effect to the provisions of sections 21a-151 to [21a-160] 21a-159,
707 inclusive, as amended by this act. Such regulations, among other things,
708 may establish sanitary requirements pertaining to the manufacture and
709 distribution of bread and pastry products. Such regulations may also
710 cover provisions restricting the sale of dangerous, harmful and
711 unwholesome bread and pastry products, the labeling of bread and
712 pastry products, the inspection of bakeries, food manufacturing
713 establishments and food warehouses and the establishment of costs for
714 special inspections. The commissioner shall annually review the
715 amounts of bakery, food manufacturing establishment and food
716 warehouse license fees referred to in subsection (b) of section 21a-152,
717 as amended by this act, and shall increase such fees in order to reflect
718 the costs to the department of carrying out the provisions of sections
719 21a-151 to [21a-160] 21a-159, inclusive, as amended by this act.

720 Sec. 15. Section 21a-159 of the general statutes is repealed and the
721 following is substituted in lieu thereof (*Effective July 1, 2022*):

722 (a) Any person who violates any provision of sections 21a-151 to [21a-
723 160] 21a-159, inclusive, as amended by this act, or any regulation made
724 thereunder, or fails to comply with an order of the Commissioner of
725 Consumer Protection, shall: (1) [for] For a first offense, be fined not more
726 than two hundred fifty dollars; [,] and (2) for [any] each subsequent
727 offense, be guilty of a class D misdemeanor.

728 (b) The [commissioner] Commissioner of Consumer Protection may
729 apply to the Superior Court for, and such court may [,] upon hearing
730 and for cause shown [,] grant, a temporary or permanent injunction
731 enjoining any person from operating a bakery, food manufacturing
732 establishment or food warehouse [or food manufacturing
733 establishment] without a license issued in accordance with sections 21a-
734 151 to [21a-160] 21a-159, inclusive, as amended by this act, irrespective

735 of whether or not there exists an adequate remedy at law. The
 736 commissioner also may apply to the Superior Court for, and such court
 737 shall have jurisdiction to grant, a temporary restraining order pending
 738 a hearing. Such application for injunctive or other appropriate relief
 739 shall be brought by the Attorney General.

740 (c) The Commissioner of Consumer Protection, after providing notice
 741 and conducting a hearing in accordance with the provisions of chapter
 742 54, may issue a warning citation to, or impose a civil penalty of not more
 743 than one hundred dollars for the first offense and not more than five
 744 hundred dollars for each subsequent offense on any person who
 745 violates any provision of sections 21a-151 to [21a-160] 21a-159, inclusive,
 746 as amended by this act, or any regulation adopted pursuant to section
 747 21a-156, as amended by this act.

748 Sec. 16. Subsection (a) of section 22-54u of the general statutes is
 749 repealed and the following is substituted in lieu thereof (*Effective July 1,*
 750 *2022*):

751 (a) The preparation, packaging, labeling and sale of honey and maple
 752 syrup produced in this state shall not be subject to the provisions of
 753 sections 21a-91 to 21a-120, inclusive, and sections 21a-151 to [21a-160]
 754 21a-159, inclusive, as amended by this act, and shall be under the
 755 licensing, inspection and enforcement authority of the Commissioner of
 756 Agriculture and the commissioner's authorized agents.

757 Sec. 17. Section 21a-160 of the general statutes is repealed. (*Effective*
 758 *July 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	New section
Sec. 2	<i>July 1, 2022</i>	16a-17
Sec. 3	<i>July 1, 2022</i>	16a-23m(a)
Sec. 4	<i>July 1, 2022</i>	16a-23o
Sec. 5	<i>July 1, 2022</i>	20-334d
Sec. 6	<i>from passage</i>	20-500

Sec. 7	<i>from passage</i>	20-670
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>July 1, 2022</i>	20-338d
Sec. 10	<i>from passage</i>	20-681
Sec. 11	<i>from passage</i>	21a-10(c)
Sec. 12	<i>July 1, 2022</i>	21a-151
Sec. 13	<i>July 1, 2022</i>	21a-152
Sec. 14	<i>July 1, 2022</i>	21a-156
Sec. 15	<i>July 1, 2022</i>	21a-159
Sec. 16	<i>July 1, 2022</i>	22-54u(a)
Sec. 17	<i>July 1, 2022</i>	Repealer section

Statement of Purpose:

To: (1) Require certain licensed contractors who, and businesses that, perform work on private residences to include certain information in invoices for completed work and services; (2) redefine "consumer" and "heating fuel" for certain statutes concerning heating fuel; (3) redefine "accredited continuing professional education" to enable electricians and plumbers to receive required continuing education through an online technology platform that includes real-time video and enables participants to interact with instructors in real-time; (4) redefine "appraisal management company" for certain statutes concerning appraisals and appraisers; (5) define "immediate family member" for certain statutes concerning homemaker-companion agencies; (6) restrict which individuals may serve as an agent under a power of attorney for an individual who is contracted with a homemaker-companion agency; (7) establish an exception to the general requirement that a contract concerning work performed on a private residence provide a consumer with a right to cancel such contract; (8) require certain licensed contractors who, and businesses that, enter into contracts to perform work on private residences provide to consumers, free of charge, copies of such contracts and amendments thereto; (9) change the deadline by which public accountants must complete their required continuing education prior to license renewals; (10) provide that a certificate of zoning approval shall not be required prior to issuing a new license to a bakery, food manufacturing establishment or food warehouse if the proposed use conforms to existing zoning requirements; (11) eliminate a licensing requirement for food warehouses; and (12) make conforming, minor and technical changes to the consumer protection and related statutes.

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