



General Assembly

January Session, 2023

Raised Bill No. 6767

LCO No. 4601



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING LICENSING AND ENFORCEMENT.

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

1 Section 1. Subsections (a) to (f), inclusive, of section 16a-15 of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) Each person shall publicly display and maintain on each pump or
5 other dispensing device from which any gasoline or other product
6 intended as a fuel for aircraft, motor boats or motor vehicles is sold by
7 such person, such signs as the Commissioner of Consumer Protection,
8 by regulation adopted pursuant to chapter 54, may require to inform the
9 public of the octane rating and price of such gasoline or other product.
10 Each person selling such gasoline or other product on both a full-serve
11 and self-serve basis and displaying the price of such gasoline or other
12 product at a location on the premises other than at a pump or other
13 dispensing device shall include in such display both the full-serve and
14 self-serve prices of such gasoline or other product, in such manner as

15 the commissioner, by regulation, may require. All signs as to price shall
16 [be] display the per-gallon price and [shall not be] not display the price
17 of less or more than one gallon, except that a sign as to the price of a
18 specialty engine fuel, including, but not limited to, a racing fuel or a fuel
19 intended for an agricultural or other off-road application, that is not
20 subject to a quality or usability standard established by the American
21 Society for Testing and Materials, or another national consensus quality
22 or usability standard, may display the price per gallon or per liter.

23 (b) Each person shall publicly display and maintain on each pump or
24 other dispensing device from which any gasoline or other product
25 containing more than one per cent by volume of ethanol, methanol or
26 any other cosolvent, and intended as a fuel for aircraft, motor boats or
27 motor vehicles is sold by such person, such signs as the Commissioner
28 of Consumer Protection, by regulation adopted pursuant to chapter 54,
29 may require to inform the public of the amount of methanol, ethanol or
30 any other cosolvent contained in such gasoline or other product.

31 (c) Each person shall publicly display and maintain, in a like manner,
32 size and print, on each sign on display to the general public intended to
33 inform the public of the price of gasoline and each pump or other
34 dispensing device from which any gasoline intended as a fuel for motor
35 vehicles is sold by such person, such signs as the Commissioner of
36 Consumer Protection, by regulation adopted pursuant to chapter 54,
37 may require to inform the public of the price for such gasoline for such
38 members of the public as any such sign that informs of the price of such
39 gasoline for members of any club, members of any retail membership
40 organization or persons who qualify for any special discount offer.

41 (d) Any manufacturer, hauler, blender, agent, jobber, consignment
42 agent, or distributor who distributes gasoline, or other products
43 intended as fuel for aircraft, motor boats, or motor vehicles, which
44 contain one per cent or more alcohol by volume, shall state the
45 percentage of alcohol and the type of alcohol on any invoice, bill of
46 lading, shipping paper, or other documentation used in normal and
47 customary business practices.

48 (e) Each person shall publicly display and maintain on each pump or
49 other dispensing device from which any diesel fuel intended as a fuel
50 for motor boats or motor vehicles is sold by such person, the minimum
51 cetane number for such diesel fuel.

52 (f) Each person shall publicly display and maintain on each pump or
53 other dispensing device from which any gasoline intended as a fuel for
54 motor boats or motor vehicles is sold by such person, such signs as the
55 Commissioner of Consumer Protection, by regulation adopted pursuant
56 to chapter 54, may require to inform the public of whether, if a discount
57 is offered for payment by cash, payment for such gasoline by debit card
58 is processed at the credit card price per gallon or the cash price per
59 gallon or, for a specialty engine fuel described in subsection (a) of this
60 section, the credit card price per gallon or per liter or the cash price per
61 gallon or per liter.

62 Sec. 2. Section 16a-21 of the general statutes is repealed and the
63 following is substituted in lieu thereof (*Effective from passage*):

64 (a) (1) (A) No heating fuel dealer shall sell heating fuel or rent or lease
65 a heating fuel tank without a written contract that contains all [the]
66 terms and conditions for delivery of such heating fuel and the amount
67 of fees, charges, surcharges or penalties allowed under this section and
68 assessed to the consumer under such contract. No such contract shall
69 contain any fees, charges, surcharges or penalties, except for those
70 allowed pursuant to subsections (e), (f) and (g) of this section and for
71 tank rental fees or liquidated damages for violation of the contract
72 terms. No contract for the delivery of heating fuel under this subsection
73 shall include a provision for liquidated damages for a consumer breach
74 of such contract where the liquidated damages exceed the actual
75 damages to the heating fuel dealer caused by such breach. No written
76 contract period for heating fuel shall be for a term [greater] longer than
77 thirty-six months. Each heating fuel dealer shall offer consumers the
78 option to enter into a bona fide commercially reasonable contract for a
79 term of eighteen months. A consumer and a heating fuel dealer may
80 agree to enter into a bona fide commercially reasonable contract for a

81 term of less than eighteen months. Longer fuel contract term lengths
82 may be permitted for underground tank consumers, provided the fuel
83 term agreements are concurrent with tank lease agreements as specified
84 in subdivision (2) of this subsection. No provision in a contract that
85 restricts a consumer's ability to utilize another propane fuel provider
86 shall be valid or enforceable unless the consumer has initialed a clear
87 and conspicuous statement in all capital letters [of no less than] in at
88 least twelve-point boldface type indicating that the consumer is aware
89 of such restriction.

90 (B) A heating fuel dealer who leases or lends, or who leased or lent, a
91 heating fuel tank and associated equipment to a consumer shall remove
92 such tank and associated equipment from the consumer's residential
93 premises not later than fifteen days after the heating fuel dealer
94 disconnects such tank and associated equipment.

95 (2) If a tank is being leased or lent to a consumer, a contract for the
96 tank rental or loan shall indicate in writing a description of the tank,
97 initial installation charges, if any, the amount and timing of rental or
98 loan payments, the manner in which the lessor will credit the lessee for
99 any unused heating fuel and terms by which a lessee may terminate the
100 contract. A lessor may enter into a separate contract with the lessee for
101 additional services including, but not limited to, maintenance, repair
102 and warranty of equipment, provided such contract complies with the
103 provisions of this section. No contract for tanks installed above ground
104 shall be for a term [greater] longer than thirty-six months. Each
105 consumer shall be given the option to enter into a bona fide
106 commercially reasonable contract for a term of eighteen months. A
107 lessee and a lessor may agree to enter into a bona fide commercially
108 reasonable contract for a term of less than eighteen months. No contract
109 for a tank installed underground shall exceed five years.

110 (3) (A) If a tank installed underground is provided to a consumer, a
111 contract for such tank shall contain a clause providing the consumer
112 with the option to purchase the tank and associated equipment at a price
113 not exceeding a commercially reasonable price at any time during the

114 length of the contract. The purchase price for the tank shall be disclosed
115 in the contract and shall not increase before the contract expires. Any
116 waiver of liability or transfer of warranty shall be stated in the contract.
117 No contract for such tank shall be valid or enforceable unless the
118 consumer has initialed a clear and conspicuous statement in all capital
119 letters [of no less than] in at least twelve-point boldface type, indicating
120 the consumer is aware of such option to purchase the tank and
121 associated equipment. For existing contracts, whether oral or written,
122 where the purchase option or purchase price is silent or unspecified, a
123 contract addendum including the purchase option and a commercially
124 reasonable price shall be mailed or delivered to the consumer not later
125 than September 1, 2013. Such contract addendum shall contain a clause
126 providing the lessee with the option of purchasing the tank and
127 associated equipment at any time prior to September 1, 2018. Upon
128 purchase of the tank and any associated equipment, any existing
129 contract obligations pursuant to subdivisions (1) and (2) of this
130 subsection shall terminate immediately, except for guaranteed price
131 plans pursuant to chapter 296a.

132 (B) If a tank installed above ground is provided to a consumer, a
133 contract for such tank shall contain a clause providing the consumer
134 with the option to purchase a new tank and associated equipment at a
135 price not exceeding a commercially reasonable price at any time during
136 the length of the contract. The purchase price for the tank, associated
137 equipment and associated installation charges shall be disclosed in the
138 contract and not increase before the contract expires. Any waiver of
139 liability or transfer of warranty shall be stated in the contract. No
140 contract for such tank shall be valid or enforceable unless the consumer
141 has initialed a clear and conspicuous statement in all capital letters [of
142 no less than] in at least twelve-point boldface type, indicating that the
143 consumer is aware of such option to purchase a new tank and associated
144 equipment. Upon purchase of the tank and any associated equipment,
145 any existing contract obligations pursuant to subdivisions (1) and (2) of
146 this subsection shall terminate immediately, except for guaranteed price
147 plans pursuant to chapter 296a.

148 (4) A contract required by this section shall be in writing and shall
149 comply with the plain language requirements of section 42-152,
150 provided any fee, charge, surcharge or penalty disclosed in such
151 contract shall be in twelve-point, boldface type of uniform font. Any fee,
152 charge, surcharge or penalty shall not increase prior to the expiration of
153 the contract.

154 (5) A written contract for the sale of heating fuel or lease of equipment
155 that calls for an automatic renewal of the contract is not valid unless
156 such contract complies with the provisions of this section, section 42-
157 126b and chapter 296a.

158 (6) The requirement that contracts be in writing pursuant to this
159 section shall not apply to any heating fuel delivery initiated by a
160 consumer, payable on delivery or billed to the consumer with no future
161 delivery commitment, where no fee, charge, surcharge or penalty is
162 assessed, except for any fee, charge or surcharge authorized under
163 subsection (g) of this section.

164 (7) The requirement that contracts be in writing pursuant to this
165 section shall not apply to agreements that are solely automatic delivery
166 where: (A) The consumer may terminate automatic delivery at any time
167 and where no fee, charge, surcharge or penalty is assessed for
168 termination; [] and (B) the dealer providing automatic delivery
169 provides written notice to the consumer the dealer serves under
170 automatic delivery of the method for the termination of automatic
171 delivery, as specified in this subdivision. Such written notice shall be
172 included with each invoice for products subject to automatic delivery.
173 Notice from a consumer to a dealer requesting termination of automatic
174 delivery may be delivered to the dealer by (i) a written request by the
175 consumer delivered by certified mail to the dealer, (ii) electronic mail
176 sent from the consumer to a valid electronic mail address of the dealer,
177 or (iii) electronic facsimile by the consumer to be sent to a valid facsimile
178 number at the dealer's place of business. The consumer shall give notice
179 at least one day prior to the day upon which the consumer desires to
180 terminate automatic delivery. The consumer shall not be responsible for

181 payment of deliveries made by the dealer after such notice has been
182 given, except for deliveries made within one business day after such
183 notice has been given and which were scheduled for delivery by the
184 dealer prior to such notice being given, provided consideration shall be
185 given for weekend and holiday closings or extenuating circumstances
186 not under the control of the dealer.

187 (b) If a consumer complaint is being mediated or investigated by the
188 commissioner, the heating fuel dealer, if it owns the tank and has
189 exclusive fill requirements, may not deny the consumer deliveries of
190 heating fuel, or fuel for cooking or power generation, because of the
191 existence of the mediation or investigation, provided the heating fuel
192 dealer remains the exclusive supplier of such fuel and the consumer
193 pays cash for such fuel upon delivery.

194 (c) The requirement that contracts be in writing as set forth in this
195 section may be satisfied pursuant to the provisions of: (1) The
196 Connecticut Uniform Electronic Transactions Act, sections 1-266 to 1-
197 286, inclusive; [] (2) sections 42a-7-101 to 42a-7-106, inclusive; [] or (3)
198 the Electronic Signatures in Global and National Commerce Act, 15 USC
199 7001 et seq. Except as provided in subsection (d) of this section, verbal
200 telephonic communications shall not satisfy the writing requirement of
201 this section.

202 (d) The requirement that contracts be in writing pursuant to this
203 section and section 16a-23n may be satisfied telephonically, only if a
204 heating fuel dealer:

205 (1) Has provided to the consumer prior to any telephonic
206 communication all terms and conditions of the contract, in writing,
207 except for the contract duration, the unit price and the maximum
208 number of units covered by the contract;

209 (2) Employs an interactive voice response system or similar
210 technology that provides the consumer with the contract duration, the
211 unit price and the maximum number of units covered by the contract;

212 (3) Retains for a period of not less than one year from the date of the
213 expiration of the contract, in a readily retrievable format, a recording of
214 the consumer affirmation to each such term and condition;

215 (4) Sends the consumer a letter confirming the consumer's agreement
216 to such terms and conditions, with a written copy of the terms and
217 conditions agreed to; and

218 (5) Retains a copy of each such letter.

219 (e) No heating fuel dealer shall deliver heating fuel without placing
220 the unit price, clearly indicated as such, the total number of gallons or
221 units sold and the amount of any fee, charge or surcharge allowed
222 pursuant to this section in a conspicuous place on the delivery ticket
223 given to the consumer or an agent of the consumer at the time of
224 delivery. No heating fuel dealer shall bill or otherwise attempt to collect
225 from any consumer of heating fuel an amount that exceeds the unit price
226 multiplied by the total number of gallons or units stated on the delivery
227 ticket, plus the amount of any fee, charge or surcharge allowed pursuant
228 to this section and stated on the delivery ticket.

229 (f) No heating fuel dealer shall assess a fee, charge or surcharge on
230 any delivery, including, but not limited to, any delivery under an
231 automatic delivery agreement, initiated by the dealer to a consumer.

232 (g) No heating fuel dealer shall assess a fee, charge or surcharge on
233 the price per gallon or total delivery charge for any heating fuel delivery
234 initiated by a consumer, except when:

235 (1) The heating fuel delivery is less than one hundred gallons;

236 (2) The heating fuel delivery is made outside the normal service area
237 of the dealer;

238 (3) The heating fuel delivery is made outside the normal business
239 hours of the dealer; or

240 (4) The dealer incurs extraordinary labor costs for the heating fuel

241 delivery.

242 (h) Except for the underground tank addendum required pursuant to
243 subdivision (3) of subsection (a) of this section, the provisions of this
244 section shall not apply to existing customers of a heating fuel dealer on
245 July 1, 2013, who have valid written contracts on said date. The
246 provisions of this section shall apply as of the renewal or expiration
247 dates of such contracts.

248 (i) A consumer shall have the right to cancel [his or her] the
249 consumer's relationship with a heating fuel dealer without penalty for
250 an above-ground tank that is lent or leased if such relationship is based
251 upon either an oral agreement or a course of dealing. No tank removal
252 charge or forfeiture of unused heating fuel shall be permitted if a
253 consumer cancels such relationship. The consumer shall be entitled to a
254 refund of all unused heating fuel at the same price at which the
255 consumer purchased such heating fuel.

256 (j) The Commissioner of Consumer Protection may adopt regulations
257 pursuant to chapter 54 to: (1) Establish a consumer bill of rights
258 regarding home heating dealers; [] (2) require heating fuel dealers to
259 provide consumers with such consumer bill of rights prior to entering
260 into a contract; [] and (3) permit home heating dealers to post such
261 consumer bill of rights on their Internet web sites or record and play
262 back such consumer bill of rights when consumers call the offices of
263 such heating fuel dealers.

264 (k) A violation of the provisions of this section shall be an unfair trade
265 practice under subsection (a) of section 42-110b.

266 (l) [Any] (1) Except as provided in subdivision (2) of this subsection,
267 any heating fuel dealer who violates any provision of this section shall
268 be fined not more than five hundred dollars for the first offense, not
269 more than seven hundred fifty dollars for a second offense occurring not
270 more than three years after a prior offense and not more than one
271 thousand five hundred dollars for a third or subsequent offense
272 occurring not more than three years after a prior offense.

273 (2) Any heating fuel dealer who violates any provision of subdivision
274 (1) of subsection (a) of this section shall be fined not more than five
275 hundred dollars per violation in accordance with the provisions of
276 section 51-164n.

277 Sec. 3. Subsection (b) of section 20-280e of the general statutes is
278 repealed and the following is substituted in lieu thereof (*Effective from*
279 *passage*):

280 (b) (1) Any individual who has been convicted of any criminal offense
281 may request, at any time, that the [board] Department of Consumer
282 Protection determine whether such individual's criminal conviction
283 disqualifies [the] such individual from obtaining a certificate or license
284 issued or conferred [by the board] pursuant to this chapter based on (A)
285 the nature of the conviction and its relationship to [the] such
286 individual's ability to safely or competently perform the duties or
287 responsibilities associated with such certificate or license, (B)
288 information pertaining to the degree of rehabilitation of [the] such
289 individual, and (C) the time elapsed since the conviction or release of
290 [the] such individual.

291 (2) An individual making [such] a request under subdivision (1) of
292 this subsection shall [include (A)] make such request on a form, and in
293 a manner, prescribed by the Commissioner of Consumer Protection,
294 which form shall require the individual to (A) submit to state and
295 national criminal history records checks conducted in accordance with
296 section 29-17a, and (B) provide details of the individual's criminal
297 conviction. [, and (B)] Such individual shall make any payment required
298 by the [board. The board] department to cover the cost of conducting
299 such criminal history records checks concerning such individual, and
300 the department may charge [a] an administrative processing fee of not
301 more than fifteen dollars for each request made under this subsection.
302 [The board may waive such fee.]

303 (3) Not later than thirty days after receiving a complete request under
304 subdivisions (1) and (2) of this subsection, the [board] department shall

305 inform the individual making such request whether, based on the
306 criminal record information submitted, such individual is disqualified
307 from receiving or holding a certificate or license issued pursuant to this
308 chapter.

309 (4) The [board] department is not bound by a determination made
310 under this section [] if, upon further investigation, the [board]
311 department determines that the individual's criminal conviction differs
312 from the information presented in [the] such individual's determination
313 request made under this subsection.

314 Sec. 4. Subsection (b) of section 20-291 of the general statutes is
315 repealed and the following is substituted in lieu thereof (*Effective from*
316 *passage*):

317 (b) (1) Any individual who has been convicted of any criminal offense
318 may request, at any time, that the [commissioner] Department of
319 Consumer Protection determine whether such individual's criminal
320 conviction disqualifies [the] such individual from obtaining a certificate
321 or license issued or conferred [by the commissioner] pursuant to this
322 chapter based on (A) the nature of the conviction and its relationship to
323 [the] such individual's ability to safely or competently perform the
324 duties or responsibilities associated with such certificate or license, (B)
325 information pertaining to the degree of rehabilitation of [the] such
326 individual, and (C) the time elapsed since the conviction or release of
327 [the] such individual.

328 (2) An individual making [such] a request under subdivision (1) of
329 this subsection shall [include (A)] make such request on a form, and in
330 a manner, prescribed by the Commissioner of Consumer Protection,
331 which form shall require the individual to (A) submit to state and
332 national criminal history records checks conducted in accordance with
333 section 29-17a, and (B) provide details of the individual's criminal
334 conviction. [, and (B)] Such individual shall make any payment required
335 by the [commissioner. The commissioner] department to cover the cost
336 of conducting such criminal history records checks concerning such

337 individual, and the department may charge [a] an administrative
338 processing fee of not more than fifteen dollars for each request made
339 under this subsection. [The commissioner may waive such fee.]

340 (3) Not later than thirty days after receiving a complete request under
341 subdivisions (1) and (2) of this subsection, the [commissioner]
342 department shall inform the individual making such request whether,
343 based on the criminal record information submitted, such individual is
344 disqualified from receiving or holding a certificate or license issued
345 pursuant to this chapter.

346 (4) The [commissioner] department is not bound by a determination
347 made under this section [,] if, upon further investigation, the
348 [commissioner] department determines that the individual's criminal
349 conviction differs from the information presented in [the] such
350 individual's determination request made under this subsection.

351 Sec. 5. Section 20-295b of the general statutes is repealed and the
352 following is substituted in lieu thereof (*Effective from passage*):

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

358 (b) An architect licensed in this state may perform the work of an
359 interior designer [,] as prescribed in chapter 396a without obtaining a
360 certificate of registration as an interior designer under said chapter.
361 Except as provided in subsection (c) of this section, an architect licensed
362 in this state shall not be required to satisfy the continuing education
363 requirements for registered interior designers established in subsections
364 (f) and (g) of section 20-377s if such architect satisfies all continuing
365 education requirements set forth in this chapter for such architect to
366 maintain such license.

367 (c) An architect licensed in this state who holds a certificate of

368 registration as an interior designer issued under chapter 396a shall be
369 subject to (1) the continuing education requirements for registered
370 interior designers established in subsections (f) and (g) of section 20-
371 377s, and (2) the fee for renewal of such certificate of registration
372 established in subsection (e) of section 20-377s.

373 Sec. 6. Subsection (d) of section 20-334 of the general statutes is
374 repealed and the following is substituted in lieu thereof (*Effective from*
375 *passage*):

376 (d) (1) Any individual who has been convicted of any criminal offense
377 may request, at any time, that the [commissioner] Department of
378 Consumer Protection determine whether such individual's criminal
379 conviction disqualifies [the] such individual from obtaining a [license
380 or] certificate or license issued or conferred [by the commissioner]
381 pursuant to this chapter based on (A) the nature of the conviction and
382 its relationship to [the] such individual's ability to safely or competently
383 perform the duties or responsibilities associated with such certificate or
384 license, (B) information pertaining to the degree of rehabilitation of [the]
385 such individual, and (C) the time elapsed since the conviction or release
386 of [the] such individual.

387 (2) An individual making [such] a request under subdivision (1) of
388 this subsection shall [include (A)] make such request on a form, and in
389 a manner, prescribed by the Commissioner of Consumer Protection,
390 which form shall require the individual to (A) submit to state and
391 national criminal history records checks conducted in accordance with
392 section 29-17a, and (B) provide details of the individual's criminal
393 conviction. [, and (B)] Such individual shall make any payment required
394 by the [commissioner. The commissioner] department to cover the cost
395 of conducting such criminal history records checks concerning such
396 individual, and the department may charge [a] an administrative
397 processing fee of not more than fifteen dollars for each request made
398 under this subsection. [The commissioner may waive such fee.]

399 (3) Not later than thirty days after receiving a complete request under

400 subdivisions (1) and (2) of this subsection, the [commissioner]
401 department shall inform the individual making such request whether,
402 based on the criminal record information submitted, such individual is
403 disqualified from receiving or holding a [license or] certificate or license
404 issued pursuant to this chapter.

405 (4) The [commissioner] department is not bound by a determination
406 made under this section [.] if, upon further investigation, the
407 [commissioner] department determines that the individual's criminal
408 conviction differs from the information presented in [the] such
409 individual's determination request made under this subsection.

410 Sec. 7. Section 20-341 of the general statutes is repealed and the
411 following is substituted in lieu thereof (*Effective from passage*):

412 (a) Any person who wilfully engages in or practices the work or
413 occupation for which a license is required by this chapter or chapter
414 399b without having first obtained an apprentice permit or a certificate
415 and license for such work, as applicable, or who wilfully employs or
416 supplies for employment a person who does not have a certificate and
417 license for such work, or who wilfully and falsely pretends to qualify to
418 engage in or practice such work or occupation, including, but not
419 limited to, offering to perform such work in any print, electronic,
420 television or radio advertising or listing when such person does not hold
421 a license for such work as required by this chapter, or who wilfully
422 engages in or practices any of the work or occupations for which a
423 license is required by this chapter after the expiration of such person's
424 license, shall be guilty of a class B misdemeanor, except that no criminal
425 charges shall be instituted against such person pursuant to this
426 subsection unless the work activity in question is reviewed by the
427 Commissioner of Consumer Protection, or the commissioner's
428 authorized agent, and the commissioner or such agent specifically
429 determines, in writing, that such work activity requires a license and is
430 not the subject of a bona fide dispute between persons engaged in any
431 trade or craft, whether licensed or unlicensed. Notwithstanding the
432 provisions of subsection (d) or (e) of section 53a-29 and subsection (d)

433 of section 54-56e, if the court determines that such person cannot fully
434 repay any victims of such person within the period of probation
435 established in subsection (d) or (e) of section 53a-29 or subsection (d) of
436 section 54-56e, the court may impose probation for a period of not more
437 than five years. The penalty provided in this subsection shall be in
438 addition to any other penalties and remedies available under this
439 chapter or chapter 416.

440 (b) The Commissioner of Consumer Protection may order any person
441 who advertises, offers, engages in or practices the work of a program of
442 apprenticeship training for the purpose of providing the experience
443 necessary to obtain a journeyperson's license under this chapter without
444 first registering such program with the Labor Department pursuant to
445 sections 31-22m to 31-22v, inclusive, to immediately cease and desist
446 such advertising, offer, engagement or practice until such person and
447 program are properly registered with the Labor Department pursuant
448 to sections 31-22m to 31-22v, inclusive. The Commissioner of Consumer
449 Protection may, after a hearing held in accordance with chapter 54,
450 impose a fine in an amount not to exceed five thousand dollars for each
451 violation of this subsection.

452 (c) The Commissioner of Consumer Protection may order any person
453 registered to provide a program of apprenticeship training pursuant to
454 sections 31-22m to 31-22v, inclusive, for the purpose of providing the
455 experience necessary to obtain a journeyperson's license under this
456 chapter and employs a person as an apprentice without first verifying
457 that such person is registered as an apprentice under this chapter to
458 immediately cease and desist any conduct for which an apprenticeship
459 registration is required under this chapter. The commissioner may, after
460 a hearing held in accordance with chapter 54, impose a fine in an
461 amount not to exceed five thousand dollars for each violation of this
462 subsection.

463 [(b)] (d) The appropriate examining board or the Commissioner of
464 Consumer Protection may, after notice and a hearing conducted in
465 accordance with chapter 54, impose a civil penalty for each violation on

466 any person who (1) engages in or practices the work or occupation for
467 which a license or apprentice registration certificate is required by this
468 chapter, chapter 394, chapter 399b or chapter 482 without having first
469 obtained such a license or certificate, or (2) wilfully employs or supplies
470 for employment a person who does not have such a license or certificate
471 or who wilfully and falsely pretends to qualify to engage in or practice
472 such work or occupation, or (3) engages in or practices any of the work
473 or occupations for which a license or certificate is required by this
474 chapter, chapter 394, chapter 399b or chapter 482 after the expiration of
475 the license or certificate, or (4) violates any of the provisions of this
476 chapter, chapter 394, chapter 399b or chapter 482 or the regulations
477 adopted pursuant thereto. Such penalty shall be in an amount not [more
478 than one thousand dollars for a first violation of this subsection, not
479 more than one thousand five hundred dollars for a second violation of
480 this subsection and not more than] to exceed three thousand dollars for
481 each violation of this subsection, [occurring less than three years after a
482 second or subsequent violation of this subsection,] except that any
483 individual employed as an apprentice but improperly registered shall
484 not be penalized for a first offense.

485 [(c)] (e) If an examining board or the Commissioner of Consumer
486 Protection imposes a civil penalty under the provisions of subsection
487 [(b)] (d) of this section as a result of a violation initially reported by, a
488 municipal building official in accordance with subsection (c) of section
489 29-261, the commissioner shall, not less than sixty days after collecting
490 such civil penalty, remit one-half of the amount collected to such
491 municipality.

492 [(d)] (f) A violation of any of the provisions of this chapter shall be
493 deemed an unfair or deceptive trade practice under subsection (a) of
494 section 42-110b.

495 [(e)] (g) This section shall not apply to any person who (1) holds a
496 license issued under this chapter, chapter 394, chapter 399b or chapter
497 482 and performs work that is incidentally, directly and immediately
498 appropriate to the performance of such person's trade where such work

499 commences at an outlet, receptacle or connection previously installed
500 by a person holding the proper license, or (2) engages in work that does
501 not require a license under this chapter, chapter 394, chapter 399b or
502 chapter 482.

503 Sec. 8. Subsection (d) of section 20-341gg of the general statutes is
504 repealed and the following is substituted in lieu thereof (*Effective from*
505 *passage*):

506 (d) (1) Any individual who has been convicted of any criminal offense
507 may request, at any time, that the [commissioner] Department of
508 Consumer Protection determine whether such individual's criminal
509 conviction disqualifies [the] such individual from obtaining a
510 registration issued or conferred by the commissioner pursuant to this
511 section based on (A) the nature of the conviction and its relationship to
512 [the] such individual's ability to safely or competently perform the
513 duties or responsibilities associated with such [license] registration, (B)
514 information pertaining to the degree of rehabilitation of [the] such
515 individual, and (C) the time elapsed since the conviction or release of
516 [the] such individual.

517 (2) An individual making [such] a request under subdivision (1) of
518 this subsection shall [include (A)] make such request on a form, and in
519 a manner, prescribed by the Commissioner of Consumer Protection,
520 which form shall require the individual to (A) submit to state and
521 national criminal history records checks conducted in accordance with
522 section 29-17a, and (B) provide details of the individual's criminal
523 conviction. [, and (B)] Such individual shall make any payment required
524 by the [commissioner. The commissioner] department to cover the cost
525 of conducting such criminal history records checks concerning such
526 individual, and the department may charge [a] an administrative
527 processing fee of not more than fifteen dollars for each request made
528 under this subsection. [The commissioner may waive such fee.]

529 (3) Not later than thirty days after receiving a complete request under
530 subdivisions (1) and (2) of this subsection, the [commissioner]

531 department shall inform the individual making such request whether,
532 based on the criminal record information submitted, such individual is
533 disqualified from receiving or holding a registration issued pursuant to
534 this section.

535 (4) The [commissioner] department is not bound by a determination
536 made under this section [] if, upon further investigation, the
537 [commissioner] department determines that the individual's criminal
538 conviction differs from the information presented in [the] such
539 individual's determination request made under this subsection.

540 Sec. 9. Section 20-417b of the general statutes is repealed and the
541 following is substituted in lieu thereof (*Effective from passage*):

542 (a) No person shall engage in the business of new home construction
543 or hold [himself or herself] such person out as a new home construction
544 contractor unless such person has been issued a certificate of registration
545 by the commissioner in accordance with the provisions of sections 20-
546 417a to [20-417j] 20-417k, inclusive. No new home construction
547 contractor shall be relieved of responsibility for the conduct and acts of
548 [its] such new home construction contractor's agents, employees or
549 officers by reason of such new home construction contractor's
550 compliance with the provisions of sections 20-417a to [20-417j] 20-417k,
551 inclusive.

552 (b) Any person seeking a certificate of registration shall apply to the
553 commissioner, online, on a form provided by the commissioner. The
554 application shall include (1) the applicant's name, business street
555 address and business telephone number, (2) the identity of the insurer
556 that provides the applicant with insurance coverage for liability, (3) if
557 such applicant is required by any provision of the general statutes to
558 have workers' compensation coverage, the identity of the insurer that
559 provides the applicant with such workers' compensation coverage, (4)
560 if such applicant is required by any provision of the general statutes to
561 have an agent for service of process, the name and address of such agent,
562 and (5) proof of general liability insurance coverage in an amount not

563 less than twenty thousand dollars, demonstrated by providing the
564 policy number and business name of the insurance provider. Each such
565 application shall be accompanied by a fee of one hundred twenty
566 dollars, except that no such application fee shall be required if such
567 person has paid the registration fee required under section 20-421, as
568 amended by this act, during any year in which such person's registration
569 as a new home construction contractor would be valid.

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

574 (d) [All] (1) Except as provided in subdivision (2) or (3) of this
575 subsection, all certificates issued under the provisions of sections 20-
576 417a to [20-417j] 20-417k, inclusive, shall expire annually [The] on the
577 thirty-first day of March, and the fee charged for renewal of such a
578 certificate shall be the same as the fee charged for [an] the original
579 application [, except that no] for such certificate.

580 (2) No renewal fee is due if a person seeking renewal of a certificate
581 has paid the registration fee under section 20-427, as amended by this
582 act, during any year in which such person's registration as a new home
583 construction contractor would be valid.

584 (3) A new home construction contractor that holds a certificate of
585 registration issued in accordance with sections 20-417a to 20-417k,
586 inclusive, that expires on September 30, 2023, shall renew such
587 certificate of registration on or before the renewal date established for
588 the eighteen-month period beginning October 1, 2023, and ending
589 March 31, 2025, and shall pay a prorated renewal fee in the amount of
590 one hundred eighty dollars, a prorated fee due under subsection (b) of
591 section 20-417i in the amount of three hundred sixty dollars and a
592 prorated fee due under subsection (b) of section 20-432, as amended by
593 this act, in the amount of one hundred fifty dollars if such new home
594 construction contractor has opted to engage in home improvement

595 under subsection (f) of this section.

596 [(e) All certificates issued under the provisions of this chapter shall
597 expire annually on the thirty-first day of March. The fee for renewal of
598 a certificate shall be the same as charged for the original application.]

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

602 [(g)] (f) The holder of a certificate of registration issued by the
603 commissioner in accordance with the provisions of sections 20-417a to
604 [20-417j] 20-417k, inclusive, may opt to engage in home improvement,
605 as defined in section 20-419, as amended by this act. If a new home
606 construction contractor does opt to engage in such home improvement,
607 such new home construction contractor shall first notify the
608 commissioner in writing and shall pay to the Department of Consumer
609 Protection any fee due to the Home Improvement Guaranty Fund
610 pursuant to section 20-432, as amended by this act.

611 Sec. 10. Section 20-419 of the general statutes is repealed and the
612 following is substituted in lieu thereof (*Effective from passage*):

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

614 (1) "Business entity" means an association, corporation, limited
615 liability company, limited liability partnership or partnership.

616 [(1)] (2) "Certificate" means a certificate of registration issued under
617 section 20-422.

618 [(2)] (3) "Commissioner" means (A) the Commissioner of Consumer
619 Protection, [or] and (B) any person designated by the commissioner to
620 administer and enforce this chapter.

621 [(3)] (4) (A) "Contractor" means any person who (i) owns and operates
622 a home improvement business, or [who] (ii) undertakes, offers to
623 undertake or agrees to perform any home improvement.

624 (B) "Contractor" does not include a person for whom the total price
625 of all of [his] such person's home improvement contracts with all of [his]
626 such person's customers does not exceed one thousand dollars during
627 any period of twelve consecutive months.

628 ~~[(4)]~~ (5) (A) "Home improvement" includes, but is not limited to, the
629 repair, replacement, remodeling, alteration, conversion, modernization,
630 improvement, rehabilitation or sandblasting of, or addition to, any land
631 or building or that portion thereof which is used or designed to be used
632 as a private residence, dwelling place or residential rental property, or
633 the construction, replacement, installation or improvement of alarm
634 systems not requiring electrical work, as defined in section 20-330,
635 driveways, swimming pools, porches, garages, roofs, siding, insulation,
636 sunrooms, flooring, patios, landscaping, fences, doors and windows,
637 waterproofing, water, fire or storm restoration or mold remediation in
638 connection with such land or building or that portion thereof which is
639 used or designed to be used as a private residence, dwelling place or
640 residential rental property or the removal or replacement of a residential
641 underground heating oil storage tank system, in which the total price
642 for all work agreed upon between the contractor and owner or proposed
643 or offered by the contractor exceeds two hundred dollars.

644 (B) "Home improvement" does not include [:(A) The] (i) the
645 construction of a new home, [; (B)] (ii) the sale of goods or materials by
646 a seller who neither arranges to perform nor performs, directly or
647 indirectly, any work or labor in connection with the installation or
648 application of the goods or materials, [; (C)] (iii) the sale of goods or
649 services furnished for commercial or business use or for resale, provided
650 commercial or business use does not include use as residential rental
651 property, [; (D)] (iv) the sale of appliances, such as stoves, refrigerators,
652 freezers, room air conditioners and others, which are designed for and
653 are easily removable from the premises without material alteration
654 thereof, [; (E)] (v) tree or shrub cutting or the grinding of tree stumps, [;]
655 and [(F)] (vi) any work performed without compensation by the owner
656 on [his] such owner's own private residence or residential rental
657 property.

658 [(5)] (6) "Home improvement contract" means an agreement between
659 a contractor and an owner for the performance of a home improvement.

660 [(6)] (7) "Owner" means a person who owns or resides in a private
661 residence and includes any agent thereof, including, but not limited to,
662 a condominium association. An owner of a private residence shall not
663 be required to reside in such residence to be deemed an owner under
664 this subdivision.

665 [(7)] (8) "Person" means an individual [, partnership, limited liability
666 company or corporation] or a business entity.

667 [(8)] (9) "Private residence" means a single family dwelling, a
668 multifamily dwelling consisting of not more than six units, or a unit,
669 common element or limited common element in a condominium, as
670 defined in section 47-68a, or in a common interest community, as
671 defined in section 47-202, or any number of condominium units for
672 which a condominium association acts as an agent for such unit owners.

673 [(9)] (10) "Salesman" means any individual who (A) negotiates or
674 offers to negotiate a home improvement contract with an owner, or (B)
675 solicits or otherwise endeavors to procure by any means whatsoever,
676 directly or indirectly, a home improvement contract from an owner on
677 behalf of a contractor.

678 [(10)] (11) "Residential rental property" means a single family
679 dwelling, a multifamily dwelling consisting of not more than six units,
680 or a unit, common element or limited common element in a
681 condominium, as defined in section 47-68a, or in a common interest
682 community, as defined in section 47-202, which is not owner-occupied.

683 [(11)] (12) "Residential underground heating oil storage tank system"
684 means an underground storage tank system used with or without
685 ancillary components in connection with real property composed of
686 four or less residential units.

687 [(12)] (13) "Underground storage tank system" means an

688 underground tank or combination of tanks, with any underground
689 pipes or ancillary equipment or containment systems connected to such
690 tank or tanks, used to contain an accumulation of petroleum, which
691 volume is ten per cent or more beneath the surface of the ground.

692 Sec. 11. Section 20-420 of the general statutes is repealed and the
693 following is substituted in lieu thereof (*Effective from passage*):

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

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

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

717 (d) On and after July 1, 2008, a home improvement contractor shall
718 not perform gas hearth product work, as defined in subdivision (22) of
719 section 20-330, unless such home improvement contractor holds a

720 limited contractor or journeyman gas hearth installer license pursuant
721 to section 20-334f.

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

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

750 (g) A contractor or salesperson shall update, through the
751 department's online licensing system, any application information the
752 contractor or salesperson has provided to the department pursuant to

753 this section, including, but not limited to, any contact information,
754 insurance information or criminal history for such contractor or
755 salesperson, or, if such contractor is a business entity, criminal histories
756 of the owners of such business entity, not later than thirty days after any
757 change in such information.

758 Sec. 12. Section 20-420a of the general statutes is repealed and the
759 following is substituted in lieu thereof (*Effective from passage*):

760 (a) No [corporation] business entity shall perform or offer to perform
761 home improvements in this state unless such [corporation] business
762 entity has been issued a certificate of registration by the commissioner.
763 No such [corporation] business entity shall be relieved of responsibility
764 for the conduct and acts of its agents, employees or officers by reason of
765 its compliance with the provisions of this section, nor shall any
766 individual contractor be relieved of responsibility for home
767 improvements performed by reason of [his] such individual contractor's
768 employment or relationship with such [corporation] business entity.

769 (b) A [qualifying corporation] business entity desiring a certificate of
770 registration shall apply to the commissioner, online, on a form provided
771 by the commissioner. The application shall (1) state the name and
772 address of such [corporation] business entity, the city or town and the
773 street and number where such [corporation] business entity is to
774 maintain its principal place of business in this state and the names and
775 addresses of [officers; and] its individual owners, (2) contain a
776 [statement that] list of one or more individuals who shall direct,
777 supervise or perform home improvements for such [corporation are
778 registered home improvement contractors] business entity, (3) require
779 each individual owner of such business entity to disclose whether such
780 individual owner has been found guilty or convicted as a result of an act
781 which (A) constitutes a felony under the laws of this state or federal law,
782 or (B) was committed in another jurisdiction but, if committed in this
783 state, would constitute a felony under the laws of this state, and (4) such
784 other information as the commissioner may require.

785 (c) Any certificate issued by the commissioner pursuant to this
786 section may be revoked, suspended, or have conditions placed upon the
787 holder of the certificate by the commissioner after notice and hearing in
788 accordance with the provisions of chapter 54 concerning contested
789 cases, if it is shown that the holder of such certificate has not conformed
790 to the requirements of this chapter, that the certificate was obtained
791 through fraud or misrepresentation or that [the contractor of record
792 employed by or acting on behalf of such corporation has had his
793 certificate of registration suspended or revoked by the commissioner]
794 any individual owner of such home improvement contractor, if such
795 registrant is a business entity, has been convicted of a crime that would
796 preclude such registrant from holding such registration in accordance
797 with section 46a-80. The commissioner may refuse to issue or renew a
798 certificate if any facts exist which would entitle the commissioner to
799 suspend or revoke an existing certificate.

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

807 (e) Each such [corporation] business entity shall [file with the
808 commissioner] confirm, upon application or renewal thereof, [a
809 certificate of] that such applicant business entity is in good standing
810 [issued by the office of] with the Secretary of the State. Such corporation
811 shall notify the commissioner of any change in [corporate good] such
812 standing [within] not later than thirty days after such change becomes
813 effective.

814 (f) Each such business entity shall maintain a list of all of such
815 business entity's employees and contractors, and all employment
816 documents associated with such employees and contractors, in an
817 auditable format for at least four taxable years. Such business entity

818 shall, upon request by the commissioner or the commissioner's
819 authorized representative, (1) immediately make such list and
820 documents available to the commissioner or the commissioner's
821 authorized representative for the purpose of inspecting and copying
822 such list and documents, and (2) produce copies of such list and
823 documents to the commissioner or the commissioner's authorized
824 representative not later than two business days after the commissioner
825 or the commissioner's authorized representative requests such copies.
826 Such business entity shall make such list, documents and copies
827 available to the commissioner or the commissioner's authorized
828 representative in an electronic format unless it is not commercially
829 practical for such business entity to make such list, documents and
830 copies available to the commissioner or the commissioner's authorized
831 representative in an electronic format.

832 Sec. 13. Section 20-421 of the general statutes is repealed and the
833 following is substituted in lieu thereof (*Effective from passage*):

834 (a) Any person seeking a certificate of registration shall apply to the
835 commissioner online, on a form provided by the commissioner. The
836 application shall include (1) the applicant's name, residence address,
837 business address, business telephone number [,] and electronic mail
838 address, (2) a statement by the applicant disclosing whether the
839 applicant has been found guilty or convicted as a result of an act which
840 (A) constitutes a felony under the laws of this state or federal law, or (B)
841 was committed in another jurisdiction but, if committed in this state,
842 would constitute a felony under the laws of this state, (3) proof that the
843 applicant has obtained general liability insurance coverage in an
844 amount not less than twenty thousand dollars, demonstrated by
845 providing the policy number and business name of the insurance
846 provider, and (4) such other information as the commissioner may
847 require.

848 (b) Each application for a certificate of registration as a home
849 improvement contractor shall be accompanied by a fee of one hundred
850 twenty dollars, except that no such application fee shall be required in

851 any year during which such person has paid the registration fee
852 required under section 20-417b, as amended by this act, or in any year
853 in which such person's registration as a new home construction
854 contractor is valid.

855 (c) Each application for a certificate of registration as a salesman shall
856 be accompanied by a fee of one hundred twenty dollars.

857 (d) The application fee for a certificate of registration as a home
858 improvement contractor acting solely as the contractor of record for a
859 [corporation] business entity, shall be waived, provided the contractor
860 of record shall use such registration for the sole purpose of directing,
861 supervising or performing home improvements for such [corporation]
862 business entity.

863 Sec. 14. Subsection (a) of section 20-426 of the general statutes is
864 repealed and the following is substituted in lieu thereof (*Effective from*
865 *passage*):

866 (a) The commissioner may revoke, suspend or refuse to issue or
867 renew any certificate of registration as a home improvement contractor
868 or salesperson or place a registrant on probation or issue a letter of
869 reprimand [for: (1) Conduct] (1) for conduct of a character likely to
870 mislead, deceive or defraud the public or the commissioner, [;] (2) for
871 engaging in any untruthful or misleading advertising, [;] (3) for failing
872 to reimburse the guaranty fund established pursuant to section 20-432,
873 as amended by this act, for any moneys paid to an owner pursuant to
874 subsection (o) of section 20-432, [;] as amended by this act, (4) for unfair
875 or deceptive business practices, [;] (5) subject to section 46a-80, based on
876 a felony conviction of an individual registrant or the owners of a
877 registrant that is a business entity, or [(5)] (6) for violation of any of the
878 provisions of the general statutes relating to home improvements or any
879 regulation adopted pursuant to any of such provisions. The
880 commissioner may refuse to issue or renew any certificate of registration
881 as a home improvement contractor or salesperson of any person subject
882 to the registration requirements of chapter 969.

883 Sec. 15. Subsection (d) of section 20-427 of the general statutes is
884 repealed and the following is substituted in lieu thereof (*Effective from*
885 *passage*):

886 (d) The commissioner may, after notice and hearing in accordance
887 with the provisions of chapter 54, impose a civil penalty on any person
888 who engages in or practices the work or occupation for which a
889 certificate of registration is required by this chapter without having first
890 obtained such a certificate of registration or who wilfully employs or
891 supplies for employment a person who does not have such a certificate
892 of registration or who wilfully and falsely pretends to qualify to engage
893 in or practice such work or occupation, or who engages in or practices
894 any of the work or occupations for which a certificate of registration is
895 required by this chapter after the expiration of such person's certificate
896 of registration or who violates any of the provisions of this chapter or
897 the regulations adopted pursuant thereto. Such penalty shall be in an
898 amount not more than [five hundred dollars for a first violation of this
899 subsection, not more than seven hundred fifty dollars for a second
900 violation of this subsection occurring not more than three years after a
901 prior violation, not more than] one thousand five hundred dollars [for a
902 third or subsequent violation of this subsection occurring not more than
903 three years after a prior violation and, in the case of radon mitigation
904 work, such penalty shall be not less than two hundred fifty dollars] per
905 violation. Any civil penalty collected pursuant to this subsection shall
906 be deposited in the consumer protection enforcement account
907 established in section 21a-8a.

908 Sec. 16. Subsection (b) of section 20-432 of the general statutes is
909 repealed and the following is substituted in lieu thereof (*Effective from*
910 *passage*):

911 (b) Each salesman who receives a certificate pursuant to this chapter
912 shall pay a fee of forty dollars annually. Each contractor (1) who receives
913 a certificate pursuant to this chapter, or (2) receives a certificate pursuant
914 to chapter 399a and has opted to engage in home improvement pursuant
915 to subsection [(g)] (f) of section 20-417b, as amended by this act, shall

916 pay a fee of one hundred dollars annually to the guaranty fund. Such
917 fee shall be payable with the fee for an application for a certificate or
918 renewal thereof. The annual fee for a contractor who receives a
919 certificate of registration as a home improvement contractor acting
920 solely as the contractor of record for a corporation shall be waived,
921 provided the contractor of record shall use such registration for the sole
922 purpose of directing, supervising or performing home improvements
923 for such corporation.

924 Sec. 17. Subsection (m) of section 20-540 of the general statutes is
925 repealed and the following is substituted in lieu thereof (*Effective from*
926 *passage*):

927 (m) (1) Any individual who has been convicted of any criminal
928 offense may request, at any time, that the [commissioner] Department
929 of Consumer Protection determine whether such individual's criminal
930 conviction disqualifies [the] such individual from obtaining a certificate
931 or license [or certificate] issued or conferred [by the commissioner]
932 pursuant to this section.

933 (2) An individual making [such] a request under subdivision (1) of
934 this subsection shall [include (A)] make such request on a form, and in
935 a manner, prescribed by the Commissioner of Consumer Protection,
936 which form shall require the individual to (A) submit to state and
937 national criminal history records checks conducted in accordance with
938 section 29-17a, and (B) provide details of the individual's criminal
939 conviction. [, and (B)] Such individual shall make any payment required
940 by the [commissioner. The commissioner] department to cover the cost
941 of conducting such criminal history records checks concerning such
942 individual, and the department may charge [a] an administrative
943 processing fee of not more than fifteen dollars for each request made
944 under this subsection. [The commissioner may waive such fee.]

945 [(2)] (3) Not later than thirty days after receiving a complete request
946 under subdivisions (1) and (2) of this subsection, the [commissioner]
947 department shall inform the individual making such request whether,

948 based on the criminal record information submitted, such individual is
949 disqualified from receiving or holding a [license or] certificate or license
950 issued pursuant to this section.

951 [(3)] (4) The [commissioner] department is not bound by a
952 determination made under this section [,] if, upon further investigation,
953 the [commissioner] department determines that the individual's
954 criminal conviction differs from the information presented in [the] such
955 individual's determination request made under this subsection.

956 Sec. 18. Section 20-677 of the general statutes is repealed and the
957 following is substituted in lieu thereof (*Effective from passage*):

958 (a) Each person obtaining a homemaker-companion agency
959 certificate of registration shall [: (1) Exhibit] (1) exhibit the agency's
960 certificate of registration upon request by any interested party, (2) state
961 in any advertisement the fact that the agency is registered, and (3)
962 include the agency's registration number in any advertisement.

963 (b) No person shall [: (1) Present] (1) present or attempt to present, as
964 such person's own, the certificate of another, (2) knowingly give false
965 evidence of a material nature to the Commissioner of Consumer
966 Protection for the purpose of procuring a certificate, (3) represent
967 [himself or herself] such person falsely as, or impersonate, a registered
968 homemaker-companion agency, (4) use or attempt to use a certificate
969 which has expired or which has been suspended or revoked, (5) offer or
970 provide homemaker services or companion services without having a
971 current certificate of registration under the provisions of sections 20-670
972 to 20-680, inclusive, or (6) represent in any manner that such person's
973 registration constitutes an endorsement by the commissioner of the
974 quality of services provided by such person.

975 (c) In addition to any other remedy provided for in sections 20-670 to
976 20-676, inclusive, any person who violates any provision of subsection
977 (b) of this section shall be fined not more than one thousand dollars or
978 imprisoned not more than six months, or both.

979 (d) Certificates issued to a homemaker-companion agency shall not
980 be transferable or assignable. Prior to any sale or change in ownership
981 of a registered homemaker-companion agency, each proposed new
982 owner, or, if a proposed new owner is a business entity, the individuals
983 who own such business entity, shall submit to state and national
984 criminal history records checks as required under section 20-672, unless:

985 (1) The proposed new owner (A) owns less than ten per cent of the
986 shares or other equity interests in any publicly listed or traded
987 homemaker-companion agency, and (B) will not engage in the day-to-
988 day operations, or direct the management and policies, of the registered
989 homemaker-companion agency that is the subject of the proposed sale
990 or change in ownership;

991 (2) The proposed new owner (A) owns less than five per cent of the
992 shares or other equity interests in any private homemaker-companion
993 agency, and (B) will not engage in the day-to-day operations, or direct
994 the management and policies, of the registered homemaker-companion
995 agency that is the subject of the proposed sale or change in ownership;
996 or

997 (3) The commissioner waives the requirement that a new application
998 be filed under section 20-672.

999 (e) All certificates issued under the provisions of sections 20-670 to
1000 20-680, inclusive, shall expire annually. The fee for renewal of a
1001 certificate shall be the same as the fee charged for an original application
1002 pursuant to section 20-672. Fees collected pursuant to the issuance of a
1003 certificate or renewal of a certificate shall be deposited in the General
1004 Fund.

1005 (f) Failure to receive a notice of expiration of registration or a renewal
1006 application shall not exempt a homemaker-companion agency from the
1007 obligation to renew.

1008 (g) Not later than ten days before a homemaker-companion agency
1009 ceases providing all homemaker services and companion services in this

1010 state, the homemaker-companion agency shall send a written notice to
1011 the Department of Consumer Protection disclosing the impending
1012 cessation and contact information that the department may use to
1013 contact such homemaker-companion agency to obtain additional
1014 information.

1015 (h) Not later than ten days before a homemaker-companion agency
1016 unilaterally ceases providing homemaker services or companion
1017 services to a person in this state, the homemaker-companion agency
1018 shall send a written notice to the person disclosing the impending
1019 cessation, how such person may transition to alternative care and shall
1020 be reimbursed for any prepaid homemaker services or companion
1021 services and contact information that such person may use to contact
1022 such homemaker-companion agency to obtain additional information.

1023 Sec. 19. Section 20-679 of the general statutes is repealed and the
1024 following is substituted in lieu thereof (*Effective from passage*):

1025 (a) A homemaker-companion agency shall disclose, in writing, to a
1026 person who is scheduled to receive homemaker services or companion
1027 services, or such person's representative, the full legal name of the
1028 employee who will provide such services. The homemaker-companion
1029 agency shall make such disclosure to such person, or such person's
1030 authorized representative, before such employee enters such person's
1031 home.

1032 [(a)] (b) Not later than seven calendar days after the date on which a
1033 homemaker-companion agency commences providing homemaker
1034 services or companion services, such agency shall provide the person
1035 who receives [the] such services, or the authorized representative of
1036 such person, with a written contract or service plan that prescribes the
1037 anticipated scope, type, frequency, duration and cost of [the] such
1038 services. [provided by the agency.] In addition, any contract or service
1039 plan provided by a homemaker-companion agency to a person
1040 receiving homemaker services or companion services shall also provide
1041 conspicuous notice, in boldface type, disclosing (1) [of] the person's

1042 right to request changes to, or review of the contract or service plan, (2)
1043 of] that such agency shall provide at least sixty days' advance written
1044 notice to such person or such person's authorized representative
1045 disclosing any change in the rate charged for such services, (3) the
1046 employees of such agency who, pursuant to section 20-678 are required
1047 to submit to a comprehensive background check, [(3)] (4) that upon the
1048 request of such person or an authorized representative of such person,
1049 such agency shall provide such person or representative of such person
1050 with written notice that a comprehensive background check, as required
1051 pursuant to section 20-678, was performed for all employees of such
1052 agency performing homemaker services or companion services for such
1053 person, [(4)] (5) that such agency's records are available for inspection
1054 or audit by the Department of Consumer Protection, [(5)] (6) that the
1055 agency is not able to guarantee the extent to which its homemaker
1056 services or companion services will be covered under any insurance
1057 plan, and [(6)] (7) that such contract or service plan may be cancelled at
1058 any time by the client if such contract or service plan does not contain a
1059 specific period of duration. No contract or service plan for the provision
1060 of homemaker or companion services shall be valid against the person
1061 who receives the services or the authorized representative of such
1062 person, unless the contract or service plan has been signed by a duly
1063 authorized representative of the homemaker-companion agency and
1064 the person who receives the services or the authorized representative of
1065 such person. No change in the rate charged for homemaker services or
1066 companion services shall be valid against a person who is receiving such
1067 services unless the homemaker-companion agency providing such
1068 services provides at least sixty days' advance written notice to such
1069 person, or such person's authorized representative, disclosing such rate
1070 change. The requirements of this section shall not apply to homemaker
1071 services or companion services provided under the Connecticut home-
1072 care program for the elderly administered by the Department of Social
1073 Services in accordance with section 17b-342. A written contract or
1074 service plan between a homemaker-companion agency and a person
1075 receiving services or the authorized representative of such person shall
1076 not be enforceable against such person receiving services or authorized

1077 representative unless such written contract or service plan contains all
1078 of the requirements of this section.

1079 [(b)] (c) Nothing in this section shall preclude a homemaker-
1080 companion agency that has complied with subdivisions (1) to [(6)] (7),
1081 inclusive, of subsection [(a)] (b) of this section from the recovery of
1082 payment for work performed based on the reasonable value of
1083 homemaker services or companion services which were requested by
1084 the person receiving such services, provided the court determines that
1085 it would be inequitable to deny such recovery.

1086 Sec. 20. Subsections (c) to (f), inclusive, of section 21a-4 of the general
1087 statutes are repealed and the following is substituted in lieu thereof
1088 (*Effective from passage*):

1089 (c) The Commissioner of Consumer Protection may impose a [fine]
1090 late fee on any applicant who fails to renew a license, permit, certificate
1091 or registration [not later than] on or before the expiration date of such
1092 license, permit, certificate or registration. The amount of the [fine] late
1093 fee shall be equal to ten per cent of the renewal fee but shall not be less
1094 than ten dollars or more than one hundred dollars.

1095 (d) [Notwithstanding any other provision of the general statutes,
1096 each applicant whose license has lapsed for a period longer than the
1097 length of time allowing automatic reinstatement may apply for
1098 reinstatement to the appropriate board. Upon receipt of such
1099 application and payment of the fee, the department may, at its
1100 discretion, reinstate a lapsed license without examination, provided
1101 such application for reinstatement is accompanied by a notarized letter
1102 and supporting documentation attesting to the applicant's related work
1103 experience in their occupation or profession from the time he or she had
1104 let such license lapse. Such applicant, upon approval by the department,
1105 shall pay all back license and late fees in order for such license to be
1106 reinstated.] If the Department of Consumer Protection does not receive
1107 a completed license, permit, certificate or registration renewal
1108 application from an applicant on or before the expiration date of such

1109 license, permit, certificate or registration but the applicant submits a
1110 completed renewal application to the department not later than ninety
1111 days after such expiration date, the applicant shall pay any late fee
1112 imposed by the commissioner under subsection (c) of this section but
1113 shall not be required to apply for reinstatement under subsection (e) of
1114 this section.

1115 (e) When a license, permit, [certification] certificate or registration has
1116 lapsed for a period longer than ninety days after its expiration date or
1117 the length of time specified in any other provision of the general statutes
1118 allowing [automatic] for its reinstatement, [or the general statutes are
1119 silent as to the period of time during which reinstatement of the license,
1120 permit, certification or registration is permissible] an applicant may
1121 apply [for reinstatement to the department] to the Department of
1122 Consumer Protection to reinstate such lapsed license, permit, certificate
1123 or registration. Upon receipt of such completed reinstatement
1124 application and payment of the corresponding application fee, the
1125 department may, in the department's discretion and if such application
1126 [was] is made not later than three years after [the] such expiration date
1127 [allowing automatic reinstatement] or specified time, reinstate [the]
1128 such lapsed license, permit, [certification] certificate or registration
1129 without examination. The applicant, prior to reinstatement by the
1130 department, shall [pay all back license and late fees, unless the applicant
1131 attests] attest that [he or she] the applicant has not worked in the
1132 applicable occupation or profession in this state while [the] such license,
1133 permit, [certification] certificate or registration was lapsed, [in which
1134 case the applicant shall] pay the current year's renewal fee for
1135 reinstatement and take any continuing education required for the year
1136 preceding such reinstatement and the year of such reinstatement. If the
1137 applicant worked in the applicable occupation or profession in this state
1138 while such license, permit, certificate or registration was lapsed, the
1139 applicant shall pay all license and late fees due and owing for the period
1140 in which such license, permit, certificate or registration was lapsed and
1141 demonstrate to the department that the applicant has completed all
1142 continuing education required for the year preceding reinstatement. If

1143 [the] a license, permit, [certification] certificate or registration [lapse is
1144 three years or more] has lapsed for longer than three years after the
1145 license, permit, certificate or registration expiration date or the length of
1146 time specified in any other provision of the general statutes allowing for
1147 reinstatement, whichever is longer, the applicant shall apply for a new
1148 license, permit, [certification] certificate or registration under this
1149 subsection. No person who had a license, permit, certificate or
1150 registration that lapsed during the three years immediately preceding
1151 the date of an application made pursuant to this subsection may seek a
1152 new license, permit, certificate or registration of the same type under the
1153 same name.

1154 (f) Unless expressly provided otherwise by law, application fees for a
1155 license, permit, [certification] certificate or registration within the
1156 purview of the Department of Consumer Protection shall be
1157 nonrefundable.

1158 Sec. 21. Subsection (a) of section 21a-11 of the general statutes is
1159 repealed and the following is substituted in lieu thereof (*Effective from*
1160 *passage*):

1161 (a) (1) The Commissioner of Consumer Protection may, subject to the
1162 provisions of chapter 67, employ such agents and assistants as are
1163 necessary to enforce the provisions of the general statutes wherein [said]
1164 the commissioner is empowered to carry out the duties and
1165 responsibilities assigned to [him or his department] the commissioner
1166 or the Department of Consumer Protection. For the purpose of inquiring
1167 into any suspected violation of such provisions, the commissioner [and
1168 his deputy and assistants] or the commissioner's authorized
1169 representative may subpoena witnesses and require the production of
1170 records, papers and documents pertinent to an investigation or inquiry,
1171 and shall have free access, at all reasonable hours, to all places and
1172 premises, homes and apartments of private families keeping no
1173 boarders excepted. The commissioner and [his or her] the
1174 commissioner's deputy or assistants shall have the authority to issue
1175 citations pursuant to section 51-164n for violations for the purpose of

1176 enforcing such provisions. The commissioner may delegate [his or her]
1177 the commissioner's authority to render a final decision in a contested
1178 case to a hearing officer employed by, or contracted with, the
1179 department.

1180 (2) Notwithstanding the provisions of the Freedom of Information
1181 Act, as defined in section 1-200, all records, papers and documents
1182 obtained during an investigation or enforcement action conducted
1183 pursuant to subdivision (1) of this subsection shall be confidential and
1184 not subject to disclosure under said act until such investigation or
1185 enforcement action has been finally adjudicated or otherwise settled or
1186 closed.

1187 Sec. 22. Subsection (a) of section 21a-101 of the general statutes is
1188 repealed and the following is substituted in lieu thereof (*Effective from*
1189 *passage*):

1190 (a) A food shall be deemed to be adulterated:

1191 (1) (A) If it bears or contains any poisonous or deleterious substance
1192 which may render it injurious to health; but, if the substance is not an
1193 added substance, such food shall not be considered adulterated under
1194 this clause if the quantity of such substance in such food would not
1195 ordinarily render it injurious to health; (B) if it bears or contains any
1196 added poisonous or added deleterious substance which is unsafe within
1197 the meaning of section 21a-104; (C) if it consists in whole or in part of
1198 any diseased, contaminated, filthy, putrid or decomposed substance or
1199 if it is otherwise unfit for food; (D) if it has been produced, prepared,
1200 packed or held under insanitary conditions whereby it may have
1201 become contaminated with filth, or whereby it may have been rendered
1202 diseased, unwholesome or injurious to health; (E) if it is in whole or in
1203 part the product of a diseased animal or of an animal which has died
1204 otherwise than by slaughter or which has been fed on the uncooked offal
1205 from a slaughterhouse; or (F) if its container is composed in whole or in
1206 part of any poisonous or deleterious substance which may render the
1207 contents injurious to health;

1208 (2) (A) If any valuable constituent has been in whole or in part
1209 omitted or abstracted therefrom; (B) if any substance has been
1210 substituted wholly or in part therefor; (C) if damage or inferiority has
1211 been concealed in any manner; or (D) if any substance has been added
1212 thereto or mixed or packed therewith so as to increase its bulk or weight,
1213 or reduce its quality or strength, or make it appear better or of greater
1214 value than it is;

1215 (3) If it bears or contains a color additive which is unsafe within the
1216 meaning of section 21a-104;

1217 (4) If it is confectionery and it bears or contains any alcohol or
1218 nonnutritive article or substance except harmless coloring, harmless
1219 flavoring, harmless resinous glaze not in excess of four-tenths of one per
1220 cent, harmless natural gum or pectin; provided this subdivision shall
1221 not apply to any confectionery by reason of its containing less than one-
1222 half of one per cent by volume of alcohol derived solely from the use of
1223 flavoring extracts, or to any chewing gum by reason of its containing
1224 harmless nonnutritive masticatory substances, or any alcohol-infused
1225 confection subject to regulations adopted under subsection (b) of this
1226 section; and

1227 (5) If such food is to be offered for sale at retail as a food product and
1228 a retail or wholesale establishment has added to such food any sulfiting
1229 agent, including sulfur dioxide, sodium sulfite, sodium bisulfite,
1230 potassium bisulfite, sodium metabisulfite or potassium metabisulfite,
1231 separately or in combination, [to such food] unless such sulfiting agent
1232 is an incidental additive, as defined in section 21a-104a, as amended by
1233 this act.

1234 Sec. 23. Section 21a-104a of the general statutes is repealed and the
1235 following is substituted in lieu thereof (*Effective from passage*):

1236 (a) For the purposes of this section:

1237 (1) "Incidental additive" has the same meaning as provided in 21 CFR
1238 101.100, as amended from time to time;

1239 (2) "Manufacturer" means any person, firm or corporation which (A)
1240 produces or grows food, and (B) packages such food for resale or
1241 distribution;

1242 [(1)] (3) "Person" means any individual, partnership, firm,
1243 association, limited liability company or corporation; and

1244 [(2)] (4) "Sulfiting agent" means any sulfur dioxide, sodium sulfite,
1245 sodium bisulfite, potassium bisulfite, sodium metabisulfite or
1246 potassium metabisulfite. [;]

1247 [(3) "Manufacturer" means any person, firm or corporation which
1248 produces or grows food and which packages such food for resale or
1249 distribution.]

1250 (b) No person who sells, offers for sale or distributes food, other than
1251 a manufacturer of food, shall add any sulfiting agent, other than an
1252 incidental additive, to any food sold, offered for sale or distributed in
1253 this state.

1254 [(c) Any retailer who displays, sells or offers for sale any bulk display
1255 of unpackaged food, including food displayed in any salad bar, which
1256 food contains any sulfiting agent, shall prominently display a sign
1257 which shall read as follows:

1258 THIS PRODUCT CONTAINS A SULFITING AGENT. SULFITES
1259 MAY CAUSE AN ALLERGIC REACTION IN CERTAIN PERSONS,
1260 PARTICULARLY ASTHMATICS.

1261 Each letter on such sign shall be not less than one-half inch in height
1262 and shall be of the same type, style and color, which color shall contrast
1263 clearly with the background of such sign.]

1264 (c) Each sulfiting agent that is added to any food or to any ingredient
1265 in any food shall comply with the requirements established in 21 CFR
1266 101.100(a)(4), as amended from time to time.

1267 (d) [Any] Except as provided in 21 CFR 101.100, as amended from

1268 time to time, with respect to incidental additives, any manufacturer who
1269 adds a sulfiting agent to any food or to any ingredient in any food,
1270 which sulfiting agent is present in the finished food product, shall
1271 include such sulfiting agent as an ingredient of the food in the ingredient
1272 statement of the label attached to such food product. Such ingredient
1273 statement shall indicate the name of the sulfiting agent and the function
1274 of such sulfiting agent.

1275 Sec. 24. Section 21a-231 of the general statutes is repealed and the
1276 following is substituted in lieu thereof (*Effective from passage*):

1277 When used in this section and sections [21a-231] 21a-232 to 21a-236,
1278 inclusive, as amended by this act:

1279 (1) "Bedding" means any mattress, pillow, cushion, quilt, bed pad,
1280 comforter, sleeping bag, upholstered spring bed, box spring, davenport,
1281 bedspring metal couch, metal bed, metal cradle, hammock pillow,
1282 upholstered furniture or other substantially similar article or part
1283 thereof used or intended to be used for sleeping, resting or reclining.

1284 (2) "Commissioner" means the Commissioner of Consumer
1285 Protection or such commissioner's designee.

1286 (3) "Department" means the Department of Consumer Protection.

1287 (4) "Fee", "permit fee" and "license fee" mean the respective fees paid
1288 at the time of application for the issuance or renewal of any permit or
1289 license.

1290 (5) "Filling material" means any natural or synthetic fibers or
1291 filaments, down, feathers or other soft material which may be used in
1292 the manufacture of bedding.

1293 (6) "Importer" means any person who imports bedding from outside
1294 the United States.

1295 (7) "Manufacture", "make", or "made" refer to the assembly,
1296 construction or the importation of bedding or filling material for sale.

1297 (8) "Manufacturer" means any person who makes or prepares for sale
1298 or imports bedding, in whole or in part, that contains filling material.

1299 (9) "New" means any filling material or bedding which has not been
1300 previously used for any purpose.

1301 (10) "Person" means an individual, partnership, corporation, limited
1302 liability company, association, receiver or agent.

1303 (11) "Renovate" means addition of new filling material to bedding.

1304 (12) "Renovator" means any person who adds new filling material to
1305 bedding for a fee.

1306 (13) "Sale", "sell", or "sold" means offering or exposing for sale or
1307 exchange or lease or holding in possession with like intent.

1308 (14) "Sanitized" or "method of sanitation" means the direct
1309 application of chemicals to kill pathogenic agents.

1310 (15) "Sterilized" or "method of sterilization" refers to the mitigation of
1311 any infective and deleterious substances including germs, fungi and
1312 insects from bedding or filling material by a process approved by the
1313 commissioner.

1314 (16) "Secondhand" means any filling material or bedding subject to
1315 prior use.

1316 (17) "Secondhand dealer" means any person who sells any
1317 secondhand bedding.

1318 [(18) "Supply dealer" means any person who manufactures,
1319 processes, packages, repackages or otherwise prepares for sale, any
1320 filling or material.]

1321 [(19)] (18) "Upholstered furniture" means any furniture that contains
1322 filling material and is used or intended to be used for sitting, resting or
1323 reclining.

1324 Sec. 25. Subsection (m) of section 21a-232 of the general statutes is
1325 repealed and the following is substituted in lieu thereof (*Effective from*
1326 *passage*):

1327 (m) No manufacturer, [supply dealer,] renovator, secondhand dealer
1328 or vendor shall deliver any tag required by this chapter unless it is
1329 affixed to an article of bedding or filling material provided that the
1330 commissioner may permit the delivery of unattached tags.

1331 Sec. 26. Subsections (a) to (d), inclusive, of section 21a-233 of the
1332 general statutes are repealed and the following is substituted in lieu
1333 thereof (*Effective from passage*):

1334 (a) Every article of bedding or filling material offered for sale shall
1335 have attached to it a tag which states: The name, as approved by the
1336 commissioner, of the filling material; whether the filling material is new
1337 or secondhand; the license number of the manufacturer, [supply dealer,]
1338 renovator or secondhand dealer; the name and address of the
1339 manufacturer, [supply dealer,] secondhand dealer, renovator or vendor;
1340 when applicable, the words "contents sterilized" and the permit number
1341 of the sterilizer; and the per cent by weight of each filling material.
1342 Secondhand bedding which has not been renovated may also bear on
1343 the tag the statement "as is - contents unknown". Nothing other than the
1344 disclosures and statements required or permitted by this chapter shall
1345 appear on the tag.

1346 (b) All tags attached to new bedding and filling material shall be
1347 legibly marked with the date of delivery to the consumer.

1348 (c) Renovated bedding shall bear a tag which, in addition to the other
1349 statements required by this chapter, states: "Renovated for" followed by
1350 the name and address of the person for whom the bedding is renovated,
1351 the name and address of the renovator, the date sterilized, that the
1352 bedding contains the same filling material as when it was received, and
1353 the name and per cent by weight of each filling material added during
1354 renovation.

1355 (d) Each container of filling material shall bear a tag which states: The
1356 name, license number and address of the manufacturer [, supply dealer]
1357 or vendor; the name of the filling material and whether the filling
1358 material is new or secondhand; and, if sterilized, the words "contents
1359 sterilized" and the permit number of the sterilizer. New bedding or new
1360 filling material shall not be transported with secondhand bedding or
1361 secondhand filling material that has not been sterilized.

1362 Sec. 27. Subsections (a) to (c), inclusive, of section 21a-234 of the
1363 general statutes are repealed and the following is substituted in lieu
1364 thereof (*Effective from passage*):

1365 (a) No person shall act as a manufacturer, [supply dealer,] importer,
1366 renovator or secondhand dealer without first completing an application
1367 and obtaining a numbered license from the commissioner. The license
1368 shall be conspicuously posted in the establishment of the person to
1369 whom the license is issued. A license shall be valid for one year.

1370 (b) Any method of sterilization or sanitation used in connection with
1371 this chapter shall require the prior approval of the commissioner. Each
1372 person who wishes to sterilize or sanitize bedding or filling material
1373 shall complete an application and obtain a numbered permit from the
1374 commissioner. The permit must be conspicuously posted in the
1375 establishment of the person to whom the permit is issued. Each permit
1376 shall cost twenty-five dollars and shall be valid for one year.

1377 (c) Manufacturers shall pay, prior to the issuance or reissuance of a
1378 license, a fee of one hundred dollars. The licensee may then operate as a
1379 manufacturer, [supply dealer,] renovator or secondhand dealer.
1380 [Supply dealers shall pay, prior to the issuance or reissuance of a license,
1381 a fee of one hundred dollars. The licensee may then operate as a supply
1382 dealer, renovator or secondhand dealer.] Renovators shall pay, prior to
1383 the issuance or reissuance of a license, a fee of fifty dollars. The licensee
1384 may then operate as a renovator and secondhand dealer. Secondhand
1385 dealers shall pay, prior to the issuance or reissuance of a license, a fee of
1386 fifty dollars. The licensee may then operate as a secondhand dealer.

1387 Importers shall pay, prior to the issuance or reissuance of a license, a fee
 1388 of one hundred dollars.

1389 Sec. 28. Subsection (e) of section 21a-415 of the general statutes is
 1390 repealed and the following is substituted in lieu thereof (*Effective from*
 1391 *passage*):

1392 (e) The department may renew a dealer registration issued under this
 1393 section that has expired if the applicant pays to the department any
 1394 [fine] late fee imposed by the commissioner pursuant to subsection (c)
 1395 of section 21a-4, as amended by this act, which [fine] late fee shall be in
 1396 addition to the fees prescribed in this section for the dealer registration
 1397 applied for. The provisions of this subsection shall not apply to any
 1398 dealer registration which is the subject of administrative or court
 1399 proceedings.

1400 Sec. 29. Subsection (d) of section 21a-415a of the general statutes is
 1401 repealed and the following is substituted in lieu thereof (*Effective from*
 1402 *passage*):

1403 (d) The department may renew a manufacturer registration issued
 1404 under this section that has expired for a period of six months or less if
 1405 the applicant pays to the department any [fine] late fee imposed by the
 1406 commissioner pursuant to subsection (c) of section 21a-4, as amended
 1407 by this act, which [fine] late fee shall be in addition to the fees prescribed
 1408 in this section for the certificate of manufacturer registration applied for.
 1409 The provisions of this subsection shall not apply to any manufacturer
 1410 registration which is the subject of administrative or court proceedings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16a-15(a) to (f)
Sec. 2	<i>from passage</i>	16a-21
Sec. 3	<i>from passage</i>	20-280e(b)
Sec. 4	<i>from passage</i>	20-291(b)
Sec. 5	<i>from passage</i>	20-295b
Sec. 6	<i>from passage</i>	20-334(d)

Sec. 7	<i>from passage</i>	20-341
Sec. 8	<i>from passage</i>	20-341gg(d)
Sec. 9	<i>from passage</i>	20-417b
Sec. 10	<i>from passage</i>	20-419
Sec. 11	<i>from passage</i>	20-420
Sec. 12	<i>from passage</i>	20-420a
Sec. 13	<i>from passage</i>	20-421
Sec. 14	<i>from passage</i>	20-426(a)
Sec. 15	<i>from passage</i>	20-427(d)
Sec. 16	<i>from passage</i>	20-432(b)
Sec. 17	<i>from passage</i>	20-540(m)
Sec. 18	<i>from passage</i>	20-677
Sec. 19	<i>from passage</i>	20-679
Sec. 20	<i>from passage</i>	21a-4(c) to (f)
Sec. 21	<i>from passage</i>	21a-11(a)
Sec. 22	<i>from passage</i>	21a-101(a)
Sec. 23	<i>from passage</i>	21a-104a
Sec. 24	<i>from passage</i>	21a-231
Sec. 25	<i>from passage</i>	21a-232(m)
Sec. 26	<i>from passage</i>	21a-233(a) to (d)
Sec. 27	<i>from passage</i>	21a-234(a) to (c)
Sec. 28	<i>from passage</i>	21a-415(e)
Sec. 29	<i>from passage</i>	21a-415a(d)

Statement of Purpose:

To implement the Department of Consumer Protection's recommendations concerning licensing and enforcement.

[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.]