



General Assembly

Amendment

January Session, 2023

LCO No. 8099



Offered by:
REP. SANCHEZ E., 24th Dist.

To: Subst. House Bill No. 6552

File No. 7

Cal. No. 26

"AN ACT CONCERNING THE CONNECTICUT RETIREMENT SECURITY PROGRAM."

1 In line 121, strike " ." and " ."

2 In line 121, after the closing bracket insert the following: "according
3 to a plan established and agreed upon by both the Secretary of the Office
4 of Policy and Management and the Comptroller. Such plan shall (1)
5 include a schedule for reimbursement of any money expended from the
6 General Fund to the program, and (2) incorporate any previously agreed
7 upon terms between the Comptroller and the Treasurer to pay back the
8 General Fund for any request for an advance made pursuant to section
9 6 of public act 18-169. Payments to reimburse the General Fund shall
10 continue according to the terms of such plan until all money expended
11 from the General Fund to the program is reimbursed. The program may
12 pay any unpaid amounts earlier than the established repayment plan
13 requires."

14 After line 246, insert the following and renumber the remaining
15 sections and internal references accordingly:

16 "Sec. 6. Section 31-425 of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective from passage*):

18 (a) The Attorney General may investigate any violation of section 31-
19 421, as amended by this act. If the Attorney General finds that any
20 member of the Connecticut Retirement Security Advisory Board, or any
21 agent engaged or appointed by the Comptroller or the board has
22 violated or is violating any provision of said section, the Attorney
23 General may bring a civil action in the superior court for the judicial
24 district of Hartford under this section in the name of the state against
25 such member or agent. The remedies available to a court in any such
26 action shall be limited to injunctive relief. Nothing in this section shall
27 be construed to create a private right of action.

28 (b) If a qualified employer fails to remit contributions to the program
29 in the time period specified in subsection (e) of section 31-422, such
30 failure to remit such contributions shall be a violation of section 31-71e.

31 (c) [If a qualified employer fails to enroll a covered employee as
32 required under subsection (a) of section 31-422, such covered employee,
33 the Labor Commissioner or the Comptroller, may bring a civil action to
34 require the qualified employer to enroll the covered employee and shall
35 recover such costs and reasonable attorney's fees as may be allowed by
36 the court.] (1) The Comptroller shall send at least two notices of
37 noncompliance, followed by a final notice of noncompliance, to any
38 qualified employer that fails to (A) enroll such employer's covered
39 employees in the program in accordance with subdivision (2) of
40 subsection (a) of section 31-422, as amended by this act, or (B) fails to
41 remit contributions to the program in the time period specified in
42 subsection (e) of section 31-422.

43 (2) Any qualified employer that is found to be noncompliant ninety
44 calendar days after service of the final notice of noncompliance shall be
45 subject to a penalty of (A) five hundred dollars for an employer that
46 employs not less than five and not more than twenty-four employees,
47 (B) one thousand dollars for an employer that employs not less than

48 twenty-five and not more than ninety-nine employees, and (C) one
49 thousand five hundred dollars for an employer that employs one
50 hundred or more employees."