

**Proposed Substitute  
Bill No. 6767**

January Session, 2023

LCO No. 5519

**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2 general statutes are repealed and the following is substituted in lieu  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, per one-half  
23 gallon or per liter.

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

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

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

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

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

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

65 (a) (1) (A) No heating fuel dealer shall sell heating fuel or rent or lease  
66 a heating fuel tank without a written contract that contains all [the]  
67 terms and conditions for delivery of such heating fuel and the amount  
68 of fees, charges, surcharges or penalties allowed under this section and  
69 assessed to the consumer under such contract. No such contract shall  
70 contain any fees, charges, surcharges or penalties, except for those  
71 allowed pursuant to subsections (e), (f) and (g) of this section and for  
72 tank rental fees or liquidated damages for violation of the contract  
73 terms. No contract for the delivery of heating fuel under this subsection  
74 shall include a provision for liquidated damages for a consumer breach  
75 of such contract where the liquidated damages exceed the actual  
76 damages to the heating fuel dealer caused by such breach. No written  
77 contract period for heating fuel shall be for a term [greater] longer than  
78 thirty-six months. Each heating fuel dealer shall offer consumers the  
79 option to enter into a bona fide commercially reasonable contract for a  
80 term of eighteen months. A consumer and a heating fuel dealer may  
81 agree to enter into a bona fide commercially reasonable contract for a  
82 term of less than eighteen months. Longer fuel contract term lengths  
83 may be permitted for underground tank consumers, provided the fuel  
84 term agreements are concurrent with tank lease agreements as specified  
85 in subdivision (2) of this subsection. No provision in a contract that

86 restricts a consumer's ability to utilize another propane fuel provider  
87 shall be valid or enforceable unless the consumer has initialed a clear  
88 and conspicuous statement in all capital letters [of no less than] in at  
89 least twelve-point boldface type indicating that the consumer is aware  
90 of such restriction.

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

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

111 (3) (A) If a tank installed underground is provided to a consumer, a  
112 contract for such tank shall contain a clause providing the consumer  
113 with the option to purchase the tank and associated equipment at a price  
114 not exceeding a commercially reasonable price at any time during the  
115 length of the contract. The purchase price for the tank shall be disclosed  
116 in the contract and shall not increase before the contract expires. Any  
117 waiver of liability or transfer of warranty shall be stated in the contract.

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

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

149 (4) A contract required by this section shall be in writing and shall  
150 comply with the plain language requirements of section 42-152,

151 provided any fee, charge, surcharge or penalty disclosed in such  
152 contract shall be in twelve-point, boldface type of uniform font. Any fee,  
153 charge, surcharge or penalty shall not increase prior to the expiration of  
154 the contract.

155 (5) A written contract for the sale of heating fuel or lease of equipment  
156 that calls for an automatic renewal of the contract is not valid unless  
157 such contract complies with the provisions of this section, section 42-  
158 126b and chapter 296a.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

241 (4) The dealer incurs extraordinary labor costs for the heating fuel  
242 delivery.

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

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

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

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

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

272 thousand five hundred dollars for a third or subsequent offense  
273 occurring not more than three years after a prior offense.

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

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

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

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

304 (3) Not later than thirty days after receiving a complete request under  
305 subdivisions (1) and (2) of this subsection, the [board] department shall  
306 inform the individual making such request whether, based on the  
307 criminal record information submitted, such individual is disqualified  
308 from receiving or holding a certificate or license issued pursuant to this  
309 chapter.

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

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

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

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

336 by the [commissioner. The commissioner] department to cover the cost  
337 of conducting such criminal history records checks concerning such  
338 individual, and the department may charge [a] an administrative  
339 processing fee of not more than fifteen dollars for each request made  
340 under this subsection. [The commissioner may waive such fee.]

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

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

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

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

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

367 maintain such license.

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

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

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

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

399 under this subsection. [The commissioner may waive such fee.]

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

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

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

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

431 not the subject of a bona fide dispute between persons engaged in any  
432 trade or craft, whether licensed or unlicensed. Notwithstanding the  
433 provisions of subsection (d) or (e) of section 53a-29 and subsection (d)  
434 of section 54-56e, if the court determines that such person cannot fully  
435 repay any victims of such person within the period of probation  
436 established in subsection (d) or (e) of section 53a-29 or subsection (d) of  
437 section 54-56e, the court may impose probation for a period of not more  
438 than five years. The penalty provided in this subsection shall be in  
439 addition to any other penalties and remedies available under this  
440 chapter or chapter 416.

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

454 (c) The Commissioner of Consumer Protection may order any person  
455 who is registered as an apprenticeship sponsor with the Labor  
456 Department to provide a program of apprenticeship training pursuant  
457 to sections 31-22m to 31-22v, inclusive, for the purpose of providing the  
458 experience necessary to obtain a journeyperson's license under this  
459 chapter and employs a person as an apprentice without first verifying  
460 that such person is registered as an apprentice under this chapter to  
461 immediately cease and desist any conduct for which an apprenticeship  
462 registration is required under this chapter. The commissioner may, after  
463 a hearing held in accordance with chapter 54, impose a fine in an

464 amount not to exceed five thousand dollars for each violation of this  
465 subsection.

466 [(b)] (d) The appropriate examining board or the Commissioner of  
467 Consumer Protection may, after notice and a hearing conducted in  
468 accordance with chapter 54, impose a civil penalty for each violation on  
469 any person who (1) engages in or practices the work or occupation for  
470 which a license or apprentice registration certificate is required by this  
471 chapter, chapter 394, chapter 399b or chapter 482 without having first  
472 obtained such a license or certificate, or (2) wilfully employs or supplies  
473 for employment a person who does not have such a license or certificate  
474 or who wilfully and falsely pretends to qualify to engage in or practice  
475 such work or occupation, or (3) engages in or practices any of the work  
476 or occupations for which a license or certificate is required by this  
477 chapter, chapter 394, chapter 399b or chapter 482 after the expiration of  
478 the license or certificate, or (4) violates any of the provisions of this  
479 chapter, chapter 394, chapter 399b or chapter 482 or the regulations  
480 adopted pursuant thereto. Such penalty shall be in an amount not [more  
481 than one thousand dollars for a first violation of this subsection, not  
482 more than one thousand five hundred dollars for a second violation of  
483 this subsection and not more than] to exceed three thousand dollars for  
484 each violation of this subsection, [occurring less than three years after a  
485 second or subsequent violation of this subsection,] except that any  
486 individual employed as an apprentice but improperly registered shall  
487 not be penalized for a first offense.

488 [(c)] (e) If an examining board or the Commissioner of Consumer  
489 Protection imposes a civil penalty under the provisions of subsection  
490 [(b)] (d) of this section as a result of a violation initially reported by, a  
491 municipal building official in accordance with subsection (c) of section  
492 29-261, the commissioner shall, not less than sixty days after collecting  
493 such civil penalty, remit one-half of the amount collected to such  
494 municipality.

495 [(d)] (f) A violation of any of the provisions of this chapter shall be

496 deemed an unfair or deceptive trade practice under subsection (a) of  
497 section 42-110b.

498 ~~[(e)]~~ (g) This section shall not apply to any person who (1) holds a  
499 license issued under this chapter, chapter 394, chapter 399b or chapter  
500 482 and performs work that is incidentally, directly and immediately  
501 appropriate to the performance of such person's trade where such work  
502 commences at an outlet, receptacle or connection previously installed  
503 by a person holding the proper license, or (2) engages in work that does  
504 not require a license under this chapter, chapter 394, chapter 399b or  
505 chapter 482.

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

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

520 (2) An individual making [such] a request under subdivision (1) of  
521 this subsection shall [include (A)] make such request on a form, and in  
522 a manner, prescribed by the Commissioner of Consumer Protection,  
523 which form shall require the individual to (A) submit to state and  
524 national criminal history records checks conducted in accordance with  
525 section 29-17a, and (B) provide details of the individual's criminal  
526 conviction. [, and (B)] Such individual shall make any payment required  
527 by the [commissioner. The commissioner] department to cover the cost

528 of conducting such criminal history records checks concerning such  
529 individual, and the department may charge [a] an administrative  
530 processing fee of not more than fifteen dollars for each request made  
531 under this subsection. [The commissioner may waive such fee.]

532 (3) Not later than thirty days after receiving a complete request under  
533 subdivisions (1) and (2) of this subsection, the [commissioner]  
534 department shall inform the individual making such request whether,  
535 based on the criminal record information submitted, such individual is  
536 disqualified from receiving or holding a registration issued pursuant to  
537 this section.

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

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

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

555 (b) Any person seeking a certificate of registration shall apply to the  
556 commissioner, online, on a form provided by the commissioner. The  
557 application shall include (1) the applicant's name, business street  
558 address and business telephone number, (2) the identity of the insurer

559 that provides the applicant with insurance coverage for liability, (3) if  
560 such applicant is required by any provision of the general statutes to  
561 have workers' compensation coverage, the identity of the insurer that  
562 provides the applicant with such workers' compensation coverage, (4)  
563 if such applicant is required by any provision of the general statutes to  
564 have an agent for service of process, the name and address of such agent,  
565 and (5) proof of general liability insurance coverage in an amount not  
566 less than twenty thousand dollars, demonstrated by providing the  
567 policy number and business name of the insurance provider. Each such  
568 application shall be accompanied by a fee of one hundred twenty  
569 dollars, except that no such application fee shall be required if such  
570 person has paid the registration fee required under section 20-421, as  
571 amended by this act, during any year in which such person's registration  
572 as a new home construction contractor would be valid.

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

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

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

587 (3) A new home construction contractor that holds a certificate of  
588 registration issued in accordance with sections 20-417a to 20-417k,  
589 inclusive, that expires on September 30, 2023, shall renew such  
590 certificate of registration on or before the renewal date established for

591 the eighteen-month period beginning October 1, 2023, and ending  
592 March 31, 2025, and shall pay a prorated renewal fee in the amount of  
593 one hundred eighty dollars, a prorated fee due under subsection (b) of  
594 section 20-417i in the amount of three hundred sixty dollars and a  
595 prorated fee due under subsection (b) of section 20-432, as amended by  
596 this act, in the amount of one hundred fifty dollars if such new home  
597 construction contractor has opted to engage in home improvement  
598 under subsection (f) of this section.

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

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

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

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

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

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

619 [(1)] (2) "Certificate" means a certificate of registration issued under  
620 section 20-422.

621 [(2)] (3) "Commissioner" means (A) the Commissioner of Consumer  
622 Protection, [or] and (B) any person designated by the commissioner to  
623 administer and enforce this chapter.

624 [(3)] (4) (A) "Contractor" means any person who (i) owns and operates  
625 a home improvement business, or [who] (ii) undertakes, offers to  
626 undertake or agrees to perform any home improvement.

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

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

647 (B) "Home improvement" does not include [:(A) The] (i) the  
648 construction of a new home, [;(B)] (ii) the sale of goods or materials by  
649 a seller who neither arranges to perform nor performs, directly or  
650 indirectly, any work or labor in connection with the installation or  
651 application of the goods or materials, [;(C)] (iii) the sale of goods or  
652 services furnished for commercial or business use or for resale, provided

653 commercial or business use does not include use as residential rental  
654 property, [; (D)] (iv) the sale of appliances, such as stoves, refrigerators,  
655 freezers, room air conditioners and others, which are designed for and  
656 are easily removable from the premises without material alteration  
657 thereof, [; (E)] (v) tree or shrub cutting or the grinding of tree stumps, [;]  
658 and [(F)] (vi) any work performed without compensation by the owner  
659 on [his] such owner's own private residence or residential rental  
660 property.

661 [(5)] (6) "Home improvement contract" means an agreement between  
662 a contractor and an owner for the performance of a home improvement.

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

668 [(7)] (8) "Person" means an individual [, partnership, limited liability  
669 company or corporation] or a business entity.

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

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

681 [(10)] (11) "Residential rental property" means a single family  
682 dwelling, a multifamily dwelling consisting of not more than six units,

683 or a unit, common element or limited common element in a  
684 condominium, as defined in section 47-68a, or in a common interest  
685 community, as defined in section 47-202, which is not owner-occupied.

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

690 [(12)] (13) "Underground storage tank system" means an  
691 underground tank or combination of tanks, with any underground  
692 pipes or ancillary equipment or containment systems connected to such  
693 tank or tanks, used to contain an accumulation of petroleum, which  
694 volume is ten per cent or more beneath the surface of the ground.

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

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

715 coverage of one million dollars.

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

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

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

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

745 (f) Certificates of registration for salespersons issued to retail

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

753 (g) A contractor or salesperson shall update, through the  
754 department's online licensing system, any application information the  
755 contractor or salesperson has provided to the department pursuant to  
756 this section, including, but not limited to, any contact information,  
757 insurance information or criminal history for such contractor or  
758 salesperson, or, if such contractor is a business entity, criminal histories  
759 of the owners of such business entity, not later than thirty days after any  
760 change in such information.

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

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

772 (b) A [qualifying corporation] business entity desiring a certificate of  
773 registration shall apply to the commissioner, online, on a form provided  
774 by the commissioner. The application shall (1) state the name and  
775 address of such [corporation] business entity, the city or town and the  
776 street and number where such [corporation] business entity is to  
777 maintain its principal place of business in this state and the names and

778 addresses of [officers; and] its individual owners, (2) contain a  
779 [statement that] list of one or more individuals who shall direct,  
780 supervise or perform home improvements for such [corporation are  
781 registered home improvement contractors] business entity, (3) require  
782 each individual owner of such business entity to disclose whether such  
783 individual owner has been found guilty or convicted as a result of an act  
784 which (A) constitutes a felony under the laws of this state or federal law,  
785 or (B) was committed in another jurisdiction but, if committed in this  
786 state, would constitute a felony under the laws of this state, and (4) such  
787 other information as the commissioner may require.

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

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

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

817 (f) Each such business entity shall maintain a list of all of such  
818 business entity's employees and contractors, and all employment  
819 documents associated with such employees and contractors, in an  
820 auditable format for at least four taxable years. Such business entity  
821 shall, upon request by the commissioner or the commissioner's  
822 authorized representative, (1) immediately make such list and  
823 documents available to the commissioner or the commissioner's  
824 authorized representative for the purpose of inspecting and copying  
825 such list and documents, and (2) produce copies of such list and  
826 documents to the commissioner or the commissioner's authorized  
827 representative not later than two business days after the commissioner  
828 or the commissioner's authorized representative requests such copies.  
829 Such business entity shall make such list, documents and copies  
830 available to the commissioner or the commissioner's authorized  
831 representative in an electronic format unless it is not commercially  
832 practical for such business entity to make such list, documents and  
833 copies available to the commissioner or the commissioner's authorized  
834 representative in an electronic format.

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

837 (a) Any person seeking a certificate of registration shall apply to the  
838 commissioner online, on a form provided by the commissioner. The  
839 application shall include (1) the applicant's name, residence address,  
840 business address, business telephone number [,] and electronic mail  
841 address, (2) a statement by the applicant disclosing whether the

842 applicant has been found guilty or convicted as a result of an act which  
843 (A) constitutes a felony under the laws of this state or federal law, or (B)  
844 was committed in another jurisdiction but, if committed in this state,  
845 would constitute a felony under the laws of this state, (3) proof that the  
846 applicant has obtained general liability insurance coverage in an  
847 amount not less than twenty thousand dollars, demonstrated by  
848 providing the policy number and business name of the insurance  
849 provider, and (4) such other information as the commissioner may  
850 require.

851 (b) Each application for a certificate of registration as a home  
852 improvement contractor shall be accompanied by a fee of one hundred  
853 twenty dollars, except that no such application fee shall be required in  
854 any year during which such person has paid the registration fee  
855 required under section 20-417b, as amended by this act, or in any year  
856 in which such person's registration as a new home construction  
857 contractor is valid.

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

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

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

869 (a) The commissioner may revoke, suspend or refuse to issue or  
870 renew any certificate of registration as a home improvement contractor  
871 or salesperson or place a registrant on probation or issue a letter of  
872 reprimand [for: (1) Conduct] (1) for conduct of a character likely to

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

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

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

906 three years after a prior violation and, in the case of radon mitigation  
907 work, such penalty shall be not less than two hundred fifty dollars] per  
908 violation. Any civil penalty collected pursuant to this subsection shall  
909 be deposited in the consumer protection enforcement account  
910 established in section 21a-8a.

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

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

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

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

936 (2) An individual making [such] a request under subdivision (1) of

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

948 [(2)] (3) Not later than thirty days after receiving a complete request  
949 under subdivisions (1) and (2) of this subsection, the [commissioner]  
950 department shall inform the individual making such request whether,  
951 based on the criminal record information submitted, such individual is  
952 disqualified from receiving or holding a [license or] certificate or license  
953 issued pursuant to this section.

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

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

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

966 (b) No person shall [: (1) Present] (1) present or attempt to present, as  
967 such person's own, the certificate of another, (2) knowingly give false

968 evidence of a material nature to the Commissioner of Consumer  
969 Protection for the purpose of procuring a certificate, (3) represent  
970 [himself or herself] such person falsely as, or impersonate, a registered  
971 homemaker-companion agency, (4) use or attempt to use a certificate  
972 which has expired or which has been suspended or revoked, (5) offer or  
973 provide homemaker services or companion services without having a  
974 current certificate of registration under the provisions of sections 20-670  
975 to 20-680, inclusive, or (6) represent in any manner that such person's  
976 registration constitutes an endorsement by the commissioner of the  
977 quality of services provided by such person.

978 (c) In addition to any other remedy provided for in sections 20-670 to  
979 20-676, inclusive, any person who violates any provision of subsection  
980 (b) of this section shall be fined not more than one thousand dollars or  
981 imprisoned not more than six months, or both.

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

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

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

1000     (3) The commissioner waives the requirement that a new application  
1001 be filed under section 20-672.

1002     (e) All certificates issued under the provisions of sections 20-670 to  
1003 20-680, inclusive, shall expire annually. The fee for renewal of a  
1004 certificate shall be the same as the fee charged for an original application  
1005 pursuant to section 20-672. Fees collected pursuant to the issuance of a  
1006 certificate or renewal of a certificate shall be deposited in the General  
1007 Fund.

1008     (f) Failure to receive a notice of expiration of registration or a renewal  
1009 application shall not exempt a homemaker-companion agency from the  
1010 obligation to renew.

1011     (g) Not later than ten days before a homemaker-companion agency  
1012 ceases providing all homemaker services and companion services in this  
1013 state, the homemaker-companion agency shall send a written notice to  
1014 the Department of Consumer Protection disclosing the impending  
1015 cessation and contact information that the department may use to  
1016 contact such homemaker-companion agency to obtain additional  
1017 information.

1018     (h) Not later than ten days before a homemaker-companion agency  
1019 unilaterally ceases providing homemaker services or companion  
1020 services to a person in this state, the homemaker-companion agency  
1021 shall send a written notice to the person disclosing the impending  
1022 cessation, how such person may transition to alternative care and shall  
1023 be reimbursed for any prepaid homemaker services or companion  
1024 services and contact information that such person may use to contact  
1025 such homemaker-companion agency to obtain additional information.

1026     Sec. 19. Section 20-679 of the general statutes is repealed and the  
1027 following is substituted in lieu thereof (*Effective from passage*):

1028     (a) A homemaker-companion agency shall disclose, in writing, to a  
1029 person who is scheduled to receive homemaker services or companion

1030 services, or such person's representative, the full legal name of the  
1031 employee who will provide such services. The homemaker-companion  
1032 agency shall make such disclosure to such person, or such person's  
1033 authorized representative, before such employee enters such person's  
1034 home.

1035 [(a)] (b) Not later than seven calendar days after the date on which a  
1036 homemaker-companion agency commences providing homemaker  
1037 services or companion services, such agency shall provide the person  
1038 who receives [the] such services, or the authorized representative of  
1039 such person, with a written contract or service plan that prescribes the  
1040 anticipated scope, type, frequency, duration and cost of [the] such  
1041 services. [provided by the agency.] In addition, any contract or service  
1042 plan provided by a homemaker-companion agency to a person  
1043 receiving homemaker services or companion services shall also provide  
1044 conspicuous notice, in boldface type, disclosing (1) [of] the person's  
1045 right to request changes to, or review of the contract or service plan, (2)  
1046 of] that such agency shall provide at least sixty days' advance written  
1047 notice to such person or such person's authorized representative  
1048 disclosing any change in the rate charged for such services, (3) the  
1049 employees of such agency who, pursuant to section 20-678 are required  
1050 to submit to a comprehensive background check, [(3)] (4) that upon the  
1051 request of such person or an authorized representative of such person,  
1052 such agency shall provide such person or representative of such person  
1053 with written notice that a comprehensive background check, as required  
1054 pursuant to section 20-678, was performed for all employees of such  
1055 agency performing homemaker services or companion services for such  
1056 person, [(4)] (5) that such agency's records are available for inspection  
1057 or audit by the Department of Consumer Protection, [(5)] (6) that the  
1058 agency is not able to guarantee the extent to which its homemaker  
1059 services or companion services will be covered under any insurance  
1060 plan, and [(6)] (7) that such contract or service plan may be cancelled at  
1061 any time by the client if such contract or service plan does not contain a  
1062 specific period of duration. No contract or service plan for the provision  
1063 of homemaker or companion services shall be valid against the person

1064 who receives the services or the authorized representative of such  
1065 person, unless the contract or service plan has been signed by a duly  
1066 authorized representative of the homemaker-companion agency and  
1067 the person who receives the services or the authorized representative of  
1068 such person. No change in the rate charged for homemaker services or  
1069 companion services shall be valid against a person who is receiving such  
1070 services unless the homemaker-companion agency providing such  
1071 services provides at least sixty days' advance written notice to such  
1072 person, or such person's authorized representative, disclosing such rate  
1073 change. The requirements of this section shall not apply to homemaker  
1074 services or companion services provided under the Connecticut home-  
1075 care program for the elderly administered by the Department of Social  
1076 Services in accordance with section 17b-342. A written contract or  
1077 service plan between a homemaker-companion agency and a person  
1078 receiving services or the authorized representative of such person shall  
1079 not be enforceable against such person receiving services or authorized  
1080 representative unless such written contract or service plan contains all  
1081 of the requirements of this section.

1082 [(b)] (c) Nothing in this section shall preclude a homemaker-  
1083 companion agency that has complied with subdivisions (1) to [(6)] (7),  
1084 inclusive, of subsection [(a)] (b) of this section from the recovery of  
1085 payment for work performed based on the reasonable value of  
1086 homemaker services or companion services which were requested by  
1087 the person receiving such services, provided the court determines that  
1088 it would be inequitable to deny such recovery.

1089 Sec. 20. Subsections (c) to (f), inclusive, of section 21a-4 of the general  
1090 statutes are repealed and the following is substituted in lieu thereof  
1091 (*Effective from passage*):

1092 (c) The Commissioner of Consumer Protection may impose a [fine]  
1093 late fee on any applicant who fails to renew a license, permit, certificate  
1094 or registration [not later than] on or before the expiration date of such  
1095 license, permit, certificate or registration. The amount of the [fine] late

1096 fee shall be equal to ten per cent of the renewal fee but shall not be less  
1097 than ten dollars or more than one hundred dollars.

1098 (d) [Notwithstanding any other provision of the general statutes,  
1099 each applicant whose license has lapsed for a period longer than the  
1100 length of time allowing automatic reinstatement may apply for  
1101 reinstatement to the appropriate board. Upon receipt of such  
1102 application and payment of the fee, the department may, at its  
1103 discretion, reinstate a lapsed license without examination, provided  
1104 such application for reinstatement is accompanied by a notarized letter  
1105 and supporting documentation attesting to the applicant's related work  
1106 experience in their occupation or profession from the time he or she had  
1107 let such license lapse. Such applicant, upon approval by the department,  
1108 shall pay all back license and late fees in order for such license to be  
1109 reinstated.] If the Department of Consumer Protection does not receive  
1110 a completed license, permit, certificate or registration renewal  
1111 application from an applicant on or before the expiration date of such  
1112 license, permit, certificate or registration but the applicant submits a  
1113 completed renewal application to the department not later than ninety  
1114 days after such expiration date, the applicant shall pay any late fee  
1115 imposed by the commissioner under subsection (c) of this section but  
1116 shall not be required to apply for reinstatement under subsection (e) of  
1117 this section.

1118 (e) When a license, permit, [certification] certificate or registration has  
1119 lapsed for a period longer than ninety days after its expiration date or  
1120 the length of time specified in any other provision of the general statutes  
1121 allowing [automatic] for its reinstatement, [or the general statutes are  
1122 silent as to the period of time during which reinstatement of the license,  
1123 permit, certification or registration is permissible] an applicant may  
1124 apply [for reinstatement to the department] to the Department of  
1125 Consumer Protection to reinstate such lapsed license, permit, certificate  
1126 or registration. Upon receipt of such completed reinstatement  
1127 application and payment of the corresponding application fee, the  
1128 department may, in the department's discretion and if such application

1129 [was] is made not later than three years after [the] such expiration date  
1130 [allowing automatic reinstatement] or specified time, reinstate [the]  
1131 such lapsed license, permit, [certification] certificate or registration  
1132 without examination. The applicant, prior to reinstatement by the  
1133 department, shall [pay all back license and late fees, unless the applicant  
1134 attests] attest that [he or she] the applicant has not worked in the  
1135 applicable occupation or profession in this state while [the] such license,  
1136 permit, [certification] certificate or registration was lapsed, [in which  
1137 case the applicant shall] pay the current year's renewal fee for  
1138 reinstatement and take any continuing education required for the year  
1139 preceding such reinstatement and the year of such reinstatement. If the  
1140 applicant worked in the applicable occupation or profession in this state  
1141 while such license, permit, certificate or registration was lapsed, the  
1142 applicant shall pay all license and late fees due and owing for the period  
1143 in which such license, permit, certificate or registration was lapsed and  
1144 demonstrate to the department that the applicant has completed all  
1145 continuing education required for the year preceding reinstatement. If  
1146 [the] a license, permit, [certification] certificate or registration [lapse is  
1147 three years or more] has lapsed for longer than three years after the  
1148 license, permit, certificate or registration expiration date or the length of  
1149 time specified in any other provision of the general statutes allowing for  
1150 reinstatement, whichever is longer, the applicant shall apply for a new  
1151 license, permit, [certification] certificate or registration under this  
1152 subsection. No person who had a license, permit, certificate or  
1153 registration that lapsed during the three years immediately preceding  
1154 the date of an application made pursuant to this subsection may seek a  
1155 new license, permit, certificate or registration of the same type under the  
1156 same name.

1157 (f) Unless expressly provided otherwise by law, application fees for a  
1158 license, permit, [certification] certificate or registration within the  
1159 purview of the Department of Consumer Protection shall be  
1160 nonrefundable.

1161 Sec. 21. Subsection (a) of section 21a-11 of the general statutes is

1162 repealed and the following is substituted in lieu thereof (*Effective from*  
1163 *passage*):

1164 (a) (1) The Commissioner of Consumer Protection may, subject to the  
1165 provisions of chapter 67, employ such agents and assistants as are  
1166 necessary to enforce the provisions of the general statutes wherein [said]  
1167 the commissioner is empowered to carry out the duties and  
1168 responsibilities assigned to [him or his department] the commissioner  
1169 or the Department of Consumer Protection. For the purpose of inquiring  
1170 into any suspected violation of such provisions, the commissioner [and  
1171 his deputy and assistants] or the commissioner's authorized  
1172 representative may subpoena witnesses and require the production of  
1173 records, papers and documents pertinent to an investigation or inquiry,  
1174 and shall have free access, at all reasonable hours, to all places and  
1175 premises, homes and apartments of private families keeping no  
1176 boarders excepted. The commissioner and [his or her] the  
1177 commissioner's deputy or assistants shall have the authority to issue  
1178 citations pursuant to section 51-164n for violations for the purpose of  
1179 enforcing such provisions. The commissioner may delegate [his or her]  
1180 the commissioner's authority to render a final decision in a contested  
1181 case to a hearing officer employed by, or contracted with, the  
1182 department.

1183 (2) Notwithstanding the provisions of the Freedom of Information  
1184 Act, as defined in section 1-200, all records, papers and documents  
1185 obtained during an investigation or enforcement action conducted  
1186 pursuant to subdivision (1) of this subsection shall be confidential and  
1187 not subject to disclosure under said act until such investigation or  
1188 enforcement action has been finally adjudicated or otherwise settled or  
1189 closed.

1190 Sec. 22. Subsection (a) of section 21a-101 of the general statutes is  
1191 repealed and the following is substituted in lieu thereof (*Effective from*  
1192 *passage*):

1193 (a) A food shall be deemed to be adulterated:

1194 (1) (A) If it bears or contains any poisonous or deleterious substance  
1195 which may render it injurious to health; but, if the substance is not an  
1196 added substance, such food shall not be considered adulterated under  
1197 this clause if the quantity of such substance in such food would not  
1198 ordinarily render it injurious to health; (B) if it bears or contains any  
1199 added poisonous or added deleterious substance which is unsafe within  
1200 the meaning of section 21a-104; (C) if it consists in whole or in part of  
1201 any diseased, contaminated, filthy, putrid or decomposed substance or  
1202 if it is otherwise unfit for food; (D) if it has been produced, prepared,  
1203 packed or held under insanitary conditions whereby it may have  
1204 become contaminated with filth, or whereby it may have been rendered  
1205 diseased, unwholesome or injurious to health; (E) if it is in whole or in  
1206 part the product of a diseased animal or of an animal which has died  
1207 otherwise than by slaughter or which has been fed on the uncooked offal  
1208 from a slaughterhouse; or (F) if its container is composed in whole or in  
1209 part of any poisonous or deleterious substance which may render the  
1210 contents injurious to health;

1211 (2) (A) If any valuable constituent has been in whole or in part  
1212 omitted or abstracted therefrom; (B) if any substance has been  
1213 substituted wholly or in part therefor; (C) if damage or inferiority has  
1214 been concealed in any manner; or (D) if any substance has been added  
1215 thereto or mixed or packed therewith so as to increase its bulk or weight,  
1216 or reduce its quality or strength, or make it appear better or of greater  
1217 value than it is;

1218 (3) If it bears or contains a color additive which is unsafe within the  
1219 meaning of section 21a-104;

1220 (4) If it is confectionery and it bears or contains any alcohol or  
1221 nonnutritive article or substance except harmless coloring, harmless  
1222 flavoring, harmless resinous glaze not in excess of four-tenths of one per  
1223 cent, harmless natural gum or pectin; provided this subdivision shall  
1224 not apply to any confectionery by reason of its containing less than one-  
1225 half of one per cent by volume of alcohol derived solely from the use of

1226 flavoring extracts, or to any chewing gum by reason of its containing  
1227 harmless nonnutritive masticatory substances, or any alcohol-infused  
1228 confection subject to regulations adopted under subsection (b) of this  
1229 section; and

1230 (5) If such food is to be offered for sale at retail as a food product and  
1231 a retail or wholesale establishment has added to such food any sulfiting  
1232 agent, including sulfur dioxide, sodium sulfite, sodium bisulfite,  
1233 potassium bisulfite, sodium metabisulfite or potassium metabisulfite,  
1234 separately or in combination, [to such food] unless such sulfiting agent  
1235 is an incidental additive, as defined in section 21a-104a, as amended by  
1236 this act.

1237 Sec. 23. Section 21a-104a of the general statutes is repealed and the  
1238 following is substituted in lieu thereof (*Effective from passage*):

1239 (a) For the purposes of this section:

1240 (1) "Incidental additive" has the same meaning as provided in 21 CFR  
1241 101.100, as amended from time to time;

1242 (2) "Manufacturer" means any person, firm or corporation which (A)  
1243 produces or grows food, and (B) packages such food for resale or  
1244 distribution;

1245 [(1)] (3) "Person" means any individual, partnership, firm,  
1246 association, limited liability company or corporation; and

1247 [(2)] (4) "Sulfiting agent" means any sulfur dioxide, sodium sulfite,  
1248 sodium bisulfite, potassium bisulfite, sodium metabisulfite or  
1249 potassium metabisulfite. [;]

1250 [(3) "Manufacturer" means any person, firm or corporation which  
1251 produces or grows food and which packages such food for resale or  
1252 distribution.]

1253 (b) No person who sells, offers for sale or distributes food, other than

1254 a manufacturer of food, shall add any sulfiting agent, other than an  
1255 incidental additive, to any food sold, offered for sale or distributed in  
1256 this state.

1257 [(c) Any retailer who displays, sells or offers for sale any bulk display  
1258 of unpackaged food, including food displayed in any salad bar, which  
1259 food contains any sulfiting agent, shall prominently display a sign  
1260 which shall read as follows:

1261 THIS PRODUCT CONTAINS A SULFITING AGENT. SULFITES  
1262 MAY CAUSE AN ALLERGIC REACTION IN CERTAIN PERSONS,  
1263 PARTICULARLY ASTHMATICS.

1264 Each letter on such sign shall be not less than one-half inch in height  
1265 and shall be of the same type, style and color, which color shall contrast  
1266 clearly with the background of such sign.]

1267 (c) Each sulfiting agent that is added to any food or to any ingredient  
1268 in any food shall comply with the requirements established in 21 CFR  
1269 101.100(a)(4), as amended from time to time.

1270 (d) [Any] Except as provided in 21 CFR 101.100, as amended from  
1271 time to time, with respect to incidental additives, any manufacturer who  
1272 adds a sulfiting agent to any food or to any ingredient in any food,  
1273 which sulfiting agent is present in the finished food product, shall  
1274 include such sulfiting agent as an ingredient of the food in the ingredient  
1275 statement of the label attached to such food product. Such ingredient  
1276 statement shall indicate the name of the sulfiting agent and the function  
1277 of such sulfiting agent.

1278 Sec. 24. Section 21a-231 of the general statutes is repealed and the  
1279 following is substituted in lieu thereof (*Effective from passage*):

1280 When used in this section and sections [21a-231] 21a-232 to 21a-236,  
1281 inclusive, as amended by this act:

1282 (1) "Bedding" means any mattress, pillow, cushion, quilt, bed pad,

1283 comforter, sleeping bag, upholstered spring bed, box spring, davenport,  
1284 bedspring metal couch, metal bed, metal cradle, hammock pillow,  
1285 upholstered furniture or other substantially similar article or part  
1286 thereof used or intended to be used for sleeping, resting or reclining.

1287 (2) "Commissioner" means the Commissioner of Consumer  
1288 Protection or such commissioner's designee.

1289 (3) "Department" means the Department of Consumer Protection.

1290 (4) "Fee", "permit fee" and "license fee" mean the respective fees paid  
1291 at the time of application for the issuance or renewal of any permit or  
1292 license.

1293 (5) "Filling material" means any natural or synthetic fibers or  
1294 filaments, down, feathers or other soft material which may be used in  
1295 the manufacture of bedding.

1296 (6) "Importer" means any person who imports bedding from outside  
1297 the United States.

1298 (7) "Manufacture", "make", or "made" refer to the assembly,  
1299 construction or the importation of bedding or filling material for sale.

1300 (8) "Manufacturer" means any person who makes or prepares for sale  
1301 or imports bedding, in whole or in part, that contains filling material.

1302 (9) "New" means any filling material or bedding which has not been  
1303 previously used for any purpose.

1304 (10) "Person" means an individual, partnership, corporation, limited  
1305 liability company, association, receiver or agent.

1306 (11) "Renovate" means addition of new filling material to bedding.

1307 (12) "Renovator" means any person who adds new filling material to  
1308 bedding for a fee.

1309 (13) "Sale", "sell", or "sold" means offering or exposing for sale or  
1310 exchange or lease or holding in possession with like intent.

1311 (14) "Sanitized" or "method of sanitation" means the direct  
1312 application of chemicals to kill pathogenic agents.

1313 (15) "Sterilized" or "method of sterilization" refers to the mitigation of  
1314 any infective and deleterious substances including germs, fungi and  
1315 insects from bedding or filling material by a process approved by the  
1316 commissioner.

1317 (16) "Secondhand" means any filling material or bedding subject to  
1318 prior use.

1319 (17) "Secondhand dealer" means any person who sells any  
1320 secondhand bedding.

1321 [(18) "Supply dealer" means any person who manufactures,  
1322 processes, packages, repackages or otherwise prepares for sale, any  
1323 filling or material.]

1324 [(19)] (18) "Upholstered furniture" means any furniture that contains  
1325 filling material and is used or intended to be used for sitting, resting or  
1326 reclining.

1327 Sec. 25. Subsection (m) of section 21a-232 of the general statutes is  
1328 repealed and the following is substituted in lieu thereof (*Effective from*  
1329 *passage*):

1330 (m) No manufacturer, [supply dealer,] renovator, secondhand dealer  
1331 or vendor shall deliver any tag required by this chapter unless it is  
1332 affixed to an article of bedding or filling material provided that the  
1333 commissioner may permit the delivery of unattached tags.

1334 Sec. 26. Subsections (a) to (d), inclusive, of section 21a-233 of the  
1335 general statutes are repealed and the following is substituted in lieu  
1336 thereof (*Effective from passage*):

1337 (a) Every article of bedding or filling material offered for sale shall  
1338 have attached to it a tag which states: The name, as approved by the  
1339 commissioner, of the filling material; whether the filling material is new  
1340 or secondhand; the license number of the manufacturer, [supply dealer,  
1341 renovator or secondhand dealer; the name and address of the  
1342 manufacturer, [supply dealer,] secondhand dealer, renovator or vendor;  
1343 when applicable, the words "contents sterilized" and the permit number  
1344 of the sterilizer; and the per cent by weight of each filling material.  
1345 Secondhand bedding which has not been renovated may also bear on  
1346 the tag the statement "as is - contents unknown". Nothing other than the  
1347 disclosures and statements required or permitted by this chapter shall  
1348 appear on the tag.

1349 (b) All tags attached to new bedding and filling material shall be  
1350 legibly marked with the date of delivery to the consumer.

1351 (c) Renovated bedding shall bear a tag which, in addition to the other  
1352 statements required by this chapter, states: "Renovated for" followed by  
1353 the name and address of the person for whom the bedding is renovated,  
1354 the name and address of the renovator, the date sterilized, that the  
1355 bedding contains the same filling material as when it was received, and  
1356 the name and per cent by weight of each filling material added during  
1357 renovation.

1358 (d) Each container of filling material shall bear a tag which states: The  
1359 name, license number and address of the manufacturer [, supply dealer]  
1360 or vendor; the name of the filling material and whether the filling  
1361 material is new or secondhand; and, if sterilized, the words "contents  
1362 sterilized" and the permit number of the sterilizer. New bedding or new  
1363 filling material shall not be transported with secondhand bedding or  
1364 secondhand filling material that has not been sterilized.

1365 Sec. 27. Subsections (a) to (c), inclusive, of section 21a-234 of the  
1366 general statutes are repealed and the following is substituted in lieu  
1367 thereof (*Effective from passage*):

1368 (a) No person shall act as a manufacturer, [supply dealer,] importer,  
1369 renovator or secondhand dealer without first completing an application  
1370 and obtaining a numbered license from the commissioner. The license  
1371 shall be conspicuously posted in the establishment of the person to  
1372 whom the license is issued. A license shall be valid for one year.

1373 (b) Any method of sterilization or sanitation used in connection with  
1374 this chapter shall require the prior approval of the commissioner. Each  
1375 person who wishes to sterilize or sanitize bedding or filling material  
1376 shall complete an application and obtain a numbered permit from the  
1377 commissioner. The permit must be conspicuously posted in the  
1378 establishment of the person to whom the permit is issued. Each permit  
1379 shall cost twenty-five dollars and shall be valid for one year.

1380 (c) Manufacturers shall pay, prior to the issuance or reissuance of a  
1381 license, a fee of one hundred dollars. The licensee may then operate as a  
1382 manufacturer, [supply dealer,] renovator or secondhand dealer.  
1383 [Supply dealers shall pay, prior to the issuance or reissuance of a license,  
1384 a fee of one hundred dollars. The licensee may then operate as a supply  
1385 dealer, renovator or secondhand dealer.] Renovators shall pay, prior to  
1386 the issuance or reissuance of a license, a fee of fifty dollars. The licensee  
1387 may then operate as a renovator and secondhand dealer. Secondhand  
1388 dealers shall pay, prior to the issuance or reissuance of a license, a fee of  
1389 fifty dollars. The licensee may then operate as a secondhand dealer.  
1390 Importers shall pay, prior to the issuance or reissuance of a license, a fee  
1391 of one hundred dollars.

1392 Sec. 28. Subsection (e) of section 21a-415 of the general statutes is  
1393 repealed and the following is substituted in lieu thereof (*Effective from*  
1394 *passage*):

1395 (e) The department may renew a dealer registration issued under this  
1396 section that has expired if the applicant pays to the department any  
1397 [fine] late fee imposed by the commissioner pursuant to subsection (c)  
1398 of section 21a-4, as amended by this act, which [fine] late fee shall be in  
1399 addition to the fees prescribed in this section for the dealer registration

1400 applied for. The provisions of this subsection shall not apply to any  
 1401 dealer registration which is the subject of administrative or court  
 1402 proceedings.

1403 Sec. 29. Subsection (d) of section 21a-415a of the general statutes is  
 1404 repealed and the following is substituted in lieu thereof (*Effective from*  
 1405 *passage*):

1406 (d) The department may renew a manufacturer registration issued  
 1407 under this section that has expired for a period of six months or less if  
 1408 the applicant pays to the department any [fine] late fee imposed by the  
 1409 commissioner pursuant to subsection (c) of section 21a-4, as amended  
 1410 by this act, which [fine] late fee shall be in addition to the fees prescribed  
 1411 in this section for the certificate of manufacturer registration applied for.  
 1412 The provisions of this subsection shall not apply to any manufacturer  
 1413 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

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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)