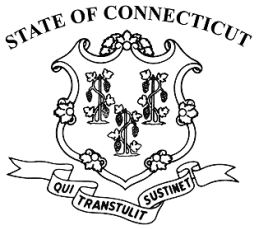

Substitute House Bill No. 5236

Public Act No. 24-142

AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF CONSUMER PROTECTION.

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

Section 1. Section 20-419 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

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

(3) "Commissioner" means (A) the Commissioner of Consumer Protection, and (B) any person designated by the commissioner to administer and enforce this chapter.

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

(B) "Contractor" does not include a person for whom the total price

of all of such person's home improvement contracts with all of such person's customers does not exceed one thousand dollars during any period of twelve consecutive months.

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

(B) "Home improvement" does not include (i) the construction of a new home, (ii) the sale of goods or materials by a seller who neither arranges to perform nor performs, directly or indirectly, any work or labor in connection with the installation or application of the goods or materials, (iii) the sale of goods or services furnished for commercial or business use or for resale, provided commercial or business use does not include use as residential rental property, (iv) the sale of appliances, such as stoves, refrigerators, freezers, room air conditioners and others, which are designed for and are easily removable from the premises without material alteration thereof, (v) tree or shrub cutting or the grinding of tree stumps, and (vi) any work performed without compensation by the owner on such owner's own private residence or

residential rental property.

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

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

(8) "Person" means an individual or a business entity.

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

(10) "Proprietor" means an individual who (A) has an ownership interest in a business entity that holds or has held a certificate of registration issued under this chapter, and (B) has been found by a court of competent jurisdiction to have violated any provision of this chapter related to the conduct of a business entity holding a certificate or that has held a certificate issued under this chapter within the two years of the effective date of entering into a contract with an owner harmed by the actions of such individual or business entity.

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

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

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

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

Sec. 2. Subsection (a) of section 20-426 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The commissioner may revoke, suspend or refuse to issue or renew any certificate of registration as a home improvement contractor or salesperson or place a registrant on probation or issue a letter of reprimand (1) for conduct of a character likely to mislead, deceive or defraud the public or the commissioner, (2) for engaging in any untruthful or misleading advertising, (3) for failing to reimburse the guaranty fund established pursuant to section 20-432, as amended by this act, for any moneys paid to an owner pursuant to subsection **[**(o)**]** (p) of section 20-432, as amended by this act, (4) for engaging in or practicing home improvement work without a contract containing the provisions required under section 20-429, (5) for unfair or deceptive business practices, **[**(5)**]** (6) subject to section 46a-80, based on a felony conviction of an individual registrant or an individual owner of a

registrant that is a business entity, **[**;**]** or **[**(6)**]** (7) for violation of any of the provisions of the general statutes relating to home improvements or any regulation adopted pursuant to any of such provisions. The commissioner may refuse to issue or renew any certificate of registration as a home improvement contractor or salesperson of any person subject to the registration requirements of chapter 969.

Sec. 3. Section 20-432 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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

(c) Payments received under subsection (b) of this section shall be credited to the guaranty fund until the balance in such fund equals seven hundred fifty thousand dollars. Annually, if the balance in the fund exceeds seven hundred fifty thousand dollars, the first four hundred thousand dollars of the excess shall be deposited into the consumer protection enforcement account established in section 21a-8a. Any excess thereafter shall be deposited in the General Fund. Any

money in the guaranty fund may be invested or reinvested in the same manner as funds of the state employees retirement system, and the interest arising from such investments shall be credited to the guaranty fund.

(d) Whenever an owner obtains a binding arbitration decision, a court judgment, order or decree against any contractor holding a certificate or who has held a certificate under this chapter, or against a proprietor, within two years of the **[**effective**]** date **[**of entering**]** such contractor entered into the contract with the owner, for loss or damages sustained by reason of performance of or offering to perform a home improvement within this state by a contractor holding a certificate under this chapter, such owner may, upon the final determination of, or expiration of time for, taking an appeal in connection with any such decision, judgment, order or decree, apply to the commissioner for an order directing payment out of said guaranty fund of the amount unpaid upon the decision, judgment, order or decree, for actual damages and costs taxed by the court against the contractor or proprietor, exclusive of punitive damages. The application shall be made on forms provided by the commissioner and shall be accompanied by a copy of the decision, court judgment, order or decree obtained against the contractor or proprietor. No application for an order directing payment out of the guaranty fund shall be made later than two years after the final determination of, or expiration of time for, taking an appeal of said decision, court judgment, order or decree.

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

amount unpaid upon the decision, judgment, order or decree for actual damages and costs taxed by the court against the contractor or, if the contractor is a business entity, a proprietor, exclusive of punitive damages.

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

(g) Whenever the commissioner orders payment to an owner out of the guaranty fund based upon a decision, court judgment, order or decree of restitution against any proprietor, such proprietor and the business entity that holds or held a certificate under this chapter shall be liable for the resulting debt to the guaranty fund.

[(g)**]** (h) Before the commissioner may issue any order directing payment out of the guaranty fund to an owner pursuant to subsection (e) or (f) of this section, the commissioner shall first notify the contractor of the owner's application for an order directing payment out of the guaranty fund and of the contractor's right to a hearing to contest the

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

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

chapter 54, the decision of the commissioner or **[**his**]** the commissioner's designee shall be final with respect to any proceeding to order payment out of the guaranty fund and the commissioner and **[**his**]** the commissioner's designee shall not be subject to the requirements of chapter 54 as they relate to appeal from any such decision. The commissioner or **[**his**]** the commissioner's designee may hear complaints of all owners submitting claims against a single contractor in one proceeding.

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

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

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

[(l)**]** (m) If the money deposited in the guaranty fund is insufficient to satisfy any duly authorized claim or portion thereof, the commissioner shall, when sufficient money has been deposited in the fund, satisfy

such unpaid claims or portions thereof, in the order that such claims or portions thereof were originally determined.

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

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

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

by the contractor if payment is not made in accordance with the terms of the agreement.

Sec. 4. Section 20-500 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this section and sections 20-501 to 20-529e, inclusive, as amended by this act, and section 5 of this act, unless the context otherwise requires:

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

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

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

(A) An appraiser that enters into an oral or written agreement with another appraiser for the performance of an appraisal, which is signed by both appraisers upon completion;

[(B) An appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency;**]**

[(C)**]** (B) A department or division of an entity that provides appraisal management services exclusively to such entity; or

[(D)**]** (C) Any local, state or federal agency or department thereof.

(4) "Appraisal management services" means:

(A) The administration of an appraiser panel;

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

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

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

(A) Responded to an invitation, request or solicitation from an appraisal management company to perform appraisals (i) requested or ordered through the appraisal management company, or (ii) directly for the appraisal management company on a periodic basis as assigned by such appraisal management company; and

(B) Been selected and approved by the appraisal management company.

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

(7) "Certified appraiser" means a person who has satisfied the minimum requirements for a category of certification established by the commission by regulation. Such minimum requirements shall be consistent with guidelines established by the Appraisal Qualification Board of the Appraisal Foundation. The categories of certification shall include one category denoted as "certified residential appraiser" and another denoted as "certified general appraiser". The commission may modify such categories of certification.

(8) "Commission" means the Connecticut Real Estate Appraisal

Commission appointed under the provisions of section 20-502.

(9) "Commissioner" means the Commissioner of Consumer Protection.

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

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

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

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

(11) "Controlling person" means a person who has not had an appraiser license, similar license or appraiser certificate denied, refused renewal, suspended or revoked in any state and:

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

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

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

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

(13) "Federally regulated appraisal management company" means an appraisal management company that is owned and controlled by an insured depository institution, as defined in 12 USC 1813, as amended from time to time, and regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System or the Federal Deposit Insurance Corporation.

[(13)**]** (14) "Financial institution" means a bank, out-of-state bank or institutional lender, an affiliate or subsidiary of a bank, out-of-state bank or institutional lender or another lender licensed by the Department of Banking.

[(14)**]** (15) "FIRREA" means the Financial Institutions, Reform, Recovery and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183, as amended from time to time.

[(15)**]** (16) "Out-of-state bank" has the same meaning as provided in section 36a-2.

[(16)**]** (17) "Person" means an individual.

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

[(18)**]** (19) "Provisional license" means a license issued to a provisional

appraiser.

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

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

Sec. 5. (NEW) (*Effective from passage*) (a) No federally regulated appraisal management company shall be required to register with the Department of Consumer Protection.

(b) A federally regulated appraisal management company shall report to the Department of Consumer Protection, in a form and manner prescribed by the department, such information as the Commissioner of Consumer Protection is required to submit to the appraisal subcommittee of the Federal Financial Institutions Examination Council pursuant to Title XI of FIRREA, any regulation promulgated thereunder or any policy or rule established by said subcommittee.

(c) A federally regulated appraisal management company shall pay to the Commissioner of Consumer Protection an annual registry fee in an amount determined by the appraisal subcommittee of the Federal Financial Institutions Examination Council in accordance with federal law. The commissioner shall transmit the annual registry fee to the appropriate federal regulatory entity in accordance with Title XI of FIRREA, any regulation promulgated thereunder or any policy or rule established by said subcommittee.

Sec. 6. Subsection (a) of section 20-523 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person who engages in the real estate appraisal business without obtaining a certification or provisional license, as the case may be, as provided in sections 20-500 to 20-528, inclusive, as amended by this act, shall be: **[**fined**]** (1) Fined not more than one thousand dollars or imprisoned not more than six months or both; **[**,**]** (2) subject to civil penalties after an administrative hearing conducted by the Commissioner of Consumer Protection, or the commissioner's designee, in accordance with the provisions of chapter 54; and **[**shall be**]** (3) ineligible to obtain a certification or provisional license for one year from the date of conviction of such offense or the final decision rendered by the commissioner or the commissioner's designee after an administrative hearing, except the commission, in its discretion, may grant a certification or provisional license, as the case may be, to such person within such one-year period upon application and after a hearing on such application.

Sec. 7. Subsections (a) and (b) of section 20-529 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No appraisal management company, **[**shall**]** other than a federally regulated appraisal management company, shall, without first obtaining a registration from the Department of Consumer Protection, (1) engage or attempt to engage in business as an appraisal management company in this state; (2) perform or attempt to perform appraisal management services in this state; or (3) advertise or hold itself out as engaging in business as an appraisal management company in this state. **[**without first registering with the Department of Consumer Protection.**]**

(b) Each appraisal management company, other than a federally regulated appraisal management company, shall apply to the Commissioner of Consumer Protection, in writing, on a form provided by the commissioner. The application shall include (1) the company's name, business address and telephone number; (2) if such company is

domiciled in another state, the name, address and telephone number of the company's agent for service of process in this state, and the Uniform Consent to Service of Process form to be completed by the company; (3) the name, address and telephone number of any person or business entity owning an equity interest, or the equivalent, of the company; (4) a certification by the company that no person or business entity named in subdivision (3) of this subsection has had an appraiser license or certificate denied, refused to be renewed, suspended or revoked in any state; (5) the name, address and telephone number of a controlling person of the company who will serve as the main contact for communications between the commissioner and the appraisal management company; (6) the name, address and telephone number of a compliance manager of the company; and (7) any other information the commissioner may require. Each such application shall be accompanied by a fee of one thousand dollars.

Sec. 8. Section 20-529a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each appraisal management company, other than a federally regulated appraisal management company, shall certify annually to the commissioner that **[**it**]** such appraisal management company maintains a detailed record of each appraisal request or order **[**it**]** such appraisal management company receives and of the appraiser who performs such appraisal.

(b) Each appraisal management company, other than a federally regulated appraisal management company, may audit the appraisals completed by appraisers on its appraiser panel to ensure that such appraisals are being performed in accordance with the USPAP.

(c) Each appraisal management company, other than a federally regulated appraisal management company, shall disclose to a client prior to providing, or along with, the appraisal report (1) the dollar

amount of the total compensation to be paid by such company to the appraiser who performed the appraisal; and (2) the dollar amount of the total compensation to be retained by such company from the appraisal fee paid to such company for such appraisal.

(d) No appraisal management company, other than a federally regulated appraisal management company, shall prohibit or attempt to prohibit an appraiser from including or referencing in an appraisal report the appraisal fee, the name of the appraisal management company or the client's or lender's name or identity.

Sec. 9. Subsections (c) to (e), inclusive, of section 20-529b of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Except in cases of breach of contract or substandard performance of services or where the parties have mutually agreed upon an alternate payment schedule in writing, each appraisal management company, other than a federally regulated appraisal management company, operating in this state shall make payment to an appraiser for the completion of an appraisal or valuation assignment not later than forty-five days after the date on which such appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee.

(d) No employee, owner, controlling person, director, officer or agent of an appraisal management company that is not a federally regulated appraisal management company shall intentionally influence, coerce or encourage or attempt to influence, coerce or encourage, an appraiser to misstate or misrepresent the value of a subject property, by any means, including:

(1) Withholding or threatening to withhold timely payment for an appraisal;

(2) Withholding or threatening to withhold business from, or demoting, terminating or threatening to demote or terminate, an appraiser;

(3) Expressly or impliedly promising future business, promotion or increased compensation to an appraiser;

(4) Conditioning an appraisal request or payment of a fee, salary or bonus on the opinion, preliminary estimate, conclusion or valuation to be reached by the appraiser;

(5) Requesting that an appraiser provide a predetermined or desired valuation in an appraisal report or estimated values or comparable sales at any time prior to the completion of an appraisal;

(6) Providing to an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the contract to purchase may be provided;

(7) Providing or offering to provide to an appraiser or to any person or entity related to the appraiser stock or other financial or nonfinancial benefits;

(8) Removing an appraiser from an appraiser panel without prior written notice to such appraiser as set forth in section 20-529c, as amended by this act;

(9) Obtaining, using or paying for a subsequent appraisal or ordering an automated valuation model in connection with a mortgage financing transaction unless (A) there is a reasonable basis to believe that the initial appraisal was flawed or tainted and such basis is clearly noted in such transaction file, or (B) such subsequent appraisal or automated valuation model is performed pursuant to a bona fide prefunding or postfunding appraisal review, loan underwriting or quality control

process; or

(10) Using any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity or impartiality.

(e) Nothing in subsection (d) of this section shall be construed to apply to a federally regulated appraisal management company or prohibit an appraisal management company from requesting that an appraiser provide additional information about the basis for a valuation or correct objective factual errors in an appraisal report.

Sec. 10. Section 20-529c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) After an appraiser is initially added to an appraiser panel of an appraisal management company, other than a federally regulated appraisal management company, such company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests or orders for appraisals without:

(1) Notifying the appraiser in writing of the reasons why the appraiser is being removed;

(2) If the appraiser is being removed for alleged illegal conduct, violation of the USPAP or violation of state licensing standards, notifying the appraiser in writing of the nature of the alleged conduct or violation; and

(3) Providing the appraiser with an opportunity to respond to such notice.

(b) (1) Any appraiser who is removed from an appraiser panel of an appraisal management company, other than a federally regulated appraisal management company, for alleged illegal conduct, violation of the USPAP or violation of state licensing standards may file a

complaint with the commissioner and request a review of the removal decision, except that the commissioner shall not make any determination regarding the nature of the business relationship between the appraiser and the appraisal management company that is unrelated to the actions specified in subsection (a) of this section.

(2) If an appraiser files a complaint against an appraisal management company described in subdivision (1) of this subsection pursuant to said subdivision, **[**(1) of this subsection,**]** the commissioner shall notify such company not later than ten days after such complaint is filed. The commissioner may schedule a hearing and shall render a decision not later than one hundred eighty days after the date such complaint is filed.

(3) If the commissioner determines to the commissioner's satisfaction that the appraiser did not engage in illegal conduct, violate the USPAP or violate state licensing standards, the commissioner shall order such appraiser to be reinstated to the appraiser panel of the appraisal management company.

(4) The appraisal management company described in subdivision (1) of this subsection that was the subject of the complaint filed pursuant to said subdivision shall not (A) refuse to assign requests or orders for appraisals or reduce the number of assignments to the reinstated appraiser, or (B) otherwise penalize the reinstated appraiser.

Sec. 11. Subsection (a) of section 20-529d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Upon the verified complaint, in writing, of any person concerning a violation by an appraisal management company, other than a federally regulated appraisal management company, of the provisions of sections 20-529 to 20-529c, inclusive, as amended by this act, the Department of Consumer Protection may investigate such company. Upon a

determination by the commissioner that an appraisal management company has made any materially false, fictitious or fraudulent statement or violated any provision of sections 20-529 to 20-529c, inclusive, as amended by this act, the commissioner may deny, refuse to renew, suspend or revoke a certificate of registration issued in accordance with section 20-529, as amended by this act, and may impose a civil penalty of not more than twenty-five thousand dollars.

Sec. 12. Section 20-529e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Consumer Protection may adopt regulations, in accordance with chapter 54, to carry out the provisions of sections 20-529 to **[**20-529c**]** 20-529d, inclusive, as amended by this act, and section 5 of this act.

Sec. 13. Subsection (b) of section 21-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) If an inspection by the department reveals a violation of any provision of this chapter or any regulation issued under this chapter, the cost of all reinspections necessary to determine compliance with any such provision shall be assumed by the owner, except that if a first reinspection indicates compliance with such provision, no charge shall be made.

(2) As part of an inspection or investigation, the department may order an owner of a mobile manufactured home park to obtain an independent inspection report, at the sole cost of the owner, that assesses the condition and potential public health impact of a condition at the park, including, but not limited to, the condition of trees and electrical, plumbing or sanitary systems.

(3) (A) In ordering an owner of a mobile manufactured home park to

obtain an independent inspection report under this subsection, the department may require (i) the person completing such report to have training or be licensed in a particular area related to the ordered inspection, and (ii) that such report specifically address particular areas of, or issues affecting, the park that are of concern to the department.

(B) In the event that the department requires the person completing an independent inspection report under this subsection to have training or be licensed in a particular area, the department shall include such requirement in the first order the department issues to the mobile manufactured home park owner requiring such report.

(C) The mobile manufactured home park owner shall submit proof of compliance with the provisions of this subdivision at the time the owner submits to the department the independent inspection report required under this subsection.

(4) If the department orders a mobile manufactured home park owner to obtain an independent inspection report as part of the owner's application for a license, or for renewal of a license, to operate a mobile manufactured home park, the department shall issue such order to such owner at the electronic mail address such owner most recently provided to the department in such owner's application. Such order shall provide a description of the condition or conditions that require further assessment by such owner.

(5) A mobile manufactured home park owner shall obtain and submit to the department an independent inspection report required under this subsection not later than thirty days after the department issued the order requiring such report or a later date approved, in writing, by the commissioner or the commissioner's designee.

(6) Each independent inspection report required under this subsection shall include (A) an assessment of (i) all conditions outlined

in the department's order requiring such report that impact public health and safety for the purpose of assessing the risk that such conditions pose to public health and safety, and (ii) the severity of the conditions described in subparagraph (A)(i) of this subdivision, and (B) a detailed plan of action to remedy each condition described in subparagraph (A)(i) of this subdivision.

(7) Not later than ten days after a mobile manufactured home park owner receives an independent inspection report required under this subsection, the mobile manufactured home park owner shall provide to the department, in writing, a detailed plan to remedy the assessed condition, which plan shall include, at a minimum, a specific timeline, proposed contractors and a budget.

Sec. 14. Subsections (c) to (f), inclusive, of section 21a-4 of the 2024 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Commissioner of Consumer Protection may impose a late fee on any applicant who fails to renew a license, permit, certificate or registration on or before the expiration date of such license, permit, certificate or registration. The amount of the late fee shall be equal to ten per cent of the renewal fee but shall not be less than ten dollars or more than one hundred dollars. Prior to renewing a license, permit, certificate or registration, an applicant shall pay all outstanding fees, including, but not limited to, late fees, owed to the department.

(d) If the Department of Consumer Protection does not receive a completed license, permit, certificate or registration renewal application from an applicant on or before the expiration date of such license, permit, certificate or registration, **[**but the applicant submits a completed renewal application to the department not later than**]** the department may accept a renewal application for a period of up to ninety days after such expiration date. If the department elects to accept

a renewal application during such period, the applicant shall pay any late fee imposed by the commissioner under subsection (c) of this section but shall not be required to apply for reinstatement under subsection (e) of this section. No holder of any lapsed license, permit, certificate or registration shall engage in any activity for which an active license, permit, certificate or registration is required unless the department has approved a renewal application for such license, permit, certificate or registration.

(e) When a license, permit, certificate or registration has lapsed for a period longer than ninety days after its expiration date or the length of time specified in any other provision of the general statutes allowing for its reinstatement, an applicant may apply to the Department of Consumer Protection to reinstate such lapsed license, permit, certificate or registration. Upon receipt of such completed reinstatement application and payment of the corresponding application fee, the department may, in the department's discretion and if such application is made not later than three years after such expiration date or specified time, reinstate such lapsed license, permit, certificate or registration without examination. The applicant, prior to reinstatement by the department, shall attest that the applicant has not worked in the applicable occupation or profession in this state while such license, permit, certificate or registration was lapsed, pay the current year's renewal fee for reinstatement and take any continuing education required for the year preceding such reinstatement and the year of such reinstatement. If the applicant worked in the applicable occupation or profession in this state while such license, permit, certificate or registration was lapsed, the applicant shall pay all license and late fees due and owing for the period in which such license, permit, certificate or registration was lapsed and demonstrate to the department that the applicant has completed all continuing education required for the year preceding reinstatement. If a license, permit, certificate or registration has lapsed for longer than three years after the license, permit, certificate

or registration expiration date or the length of time specified in any other provision of the general statutes allowing for reinstatement, whichever is longer, the applicant shall apply for a new license, permit, certificate or registration under this subsection. No person who had a license, permit, certificate or registration that lapsed during the three years immediately preceding the date of an application made pursuant to this subsection may seek a new license, permit, certificate or registration of the same type under the same name.

(f) Unless expressly provided otherwise by law, application fees for a license, permit, certificate or registration within the purview of the Department of Consumer Protection shall be nonrefundable. Unless waived by the department, in writing, the department may deem any incomplete application that has been submitted to the department to have expired and been withdrawn six months after the date of such incomplete application.

Sec. 15. Subsections (b) to (d), inclusive, of section 21a-79 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) (A) Any person **[**who, or association, corporation, firm or partnership**]** that **[**,**]** uses universal product coding to total a retail consumer's purchases shall mark, or cause to be marked, each consumer commodity that bears a universal product code with such consumer commodity's retail price.

(B) Any person **[**who, or association, corporation, firm or partnership**]** that **[**,**]** uses an electronic pricing system to total a retail consumer's purchases shall provide to such consumer an item-by-item digital display, plainly visible to such consumer as each universal product code is scanned, of the price of each carbonated soft drink container or consumer commodity, or both, which such consumer has selected for purchase before such person **[**, association, corporation, firm or

partnership**]** accepts payment from such consumer for such carbonated soft drink container or consumer commodity, or both. The provisions of this subparagraph shall not be construed to apply to any person **[**who, or association, corporation, firm or partnership**]** that **[**,**]** is operating in a retail sales area of not more than ten thousand square feet.

(2) The provisions of subparagraph (A) of subdivision (1) of this subsection shall not apply if (A) the Commissioner of Consumer Protection, by regulation, allows for the use of electronic shelf labeling systems, (B) the commissioner grants to a person **[**, association, corporation, firm or partnership**]** approval to use an electronic shelf labeling system, (C) the person **[**, association, corporation, firm or partnership**]** demonstrates, to the commissioner's satisfaction, that such electronic shelf labeling system is supported by an electronic pricing system that uses universal product coding to total a retail consumer's purchases, and (D) such person **[**, association, corporation, firm or partnership**]** has received the commissioner's approval for such an electronic pricing system.

(3) The provisions of subparagraph (A) of subdivision (1) of this subsection shall not apply to a person **[**, association, corporation, firm or partnership**]** if (A) the conditions established in subdivision (2) of this subsection have been satisfied, and (B) the person **[**, association, corporation, firm or partnership**]** has received the Commissioner of Consumer Protection's permission to suspend implementation of the electronic pricing system for a period, not to exceed thirty days, to enable such person, **[**association, corporation, firm or partnership,**]** or an agent acting on behalf of such person, **[**association, corporation, firm or partnership,**]** to remodel, repair, reset or otherwise modify such electronic pricing system at the retail establishment.

(4) The provisions of subparagraph (A) of subdivision (1) of this subsection shall not apply to a person **[**, association, corporation, firm or partnership**]** if (A) the person **[**, association, corporation, firm or

partnership**]** applies for, and the Commissioner of Consumer Protection approves, an exemption for such person, **[**association, corporation, firm or partnership,**]** (B) such person **[**, association, corporation, firm or partnership**]** demonstrates, to the commissioner's satisfaction, that such person **[**, association, corporation, firm or partnership**]** has achieved price scanner accuracy of at least ninety-eight per cent, as determined by the latest version of the National Institute of Standards and Technology Handbook 130, "Examination Procedures for Price Verification", as adopted by The National Conference on Weights and Measures, (C) such person **[**, association, corporation, firm or partnership**]** pays an application fee, to be used to offset annual inspection costs, of three hundred fifteen dollars, if the premises consists of less than twenty thousand square feet of retail space, or six hundred twenty-five dollars, if the premises consists of at least twenty thousand square feet of retail space, (D) such person **[**, association, corporation, firm or partnership**]** makes available a consumer price test scanner that is approved by the commissioner and located prominently in an easily accessible location for each twelve thousand square feet of retail floor space, or fraction thereof, and (E) price accuracy inspections resulting in less than ninety-eight per cent price scanner accuracy are reinspected, **[**without penalty, and such person, association, corporation, firm or partnership pays**]** which reinspection shall be performed following receipt of payment of a two-hundred-fifty-dollar reinspection fee paid by such person.

(5) Notwithstanding any provision of this subsection, consumer commodities that are offered for sale and located on an end cap display within the retail sales area shall not be subject to the requirements established in this subsection, provided any information that would otherwise have been made available to a consumer pursuant to this section is clearly and conspicuously posted on or adjacent to such end cap.

(6) Consumer commodities that are advertised in a publicly circulated printed form as being offered for sale at a reduced retail price for a minimum seven-day period need not be individually marked at such reduced retail price, provided such consumer commodities are individually marked with their regular retail price and a conspicuous sign adjacent to such consumer commodities discloses (A) such reduced retail price and the unit price of such consumer commodities, and (B) a statement disclosing that the cashier will electronically price such consumer commodities at such reduced price.

(7) (A) Except as provided in subparagraph (B) of this subdivision, if a consumer commodity is offered for sale and the consumer commodity's electronic price is higher than the posted price, then one item of such consumer commodity, up to a value of twenty dollars, shall be given to the consumer at no cost to the consumer. A conspicuous sign shall adequately disclose to the consumer that in the event the electronic price is higher than the posted retail price, one item of such consumer commodity shall be given to the consumer at no cost to the consumer.

(B) The provisions of subparagraph (A) of this subdivision shall not apply to a person **[**, association, corporation, firm or partnership**]** in cases where the person **[**, association, corporation, firm or partnership**]** (i) improperly fails to redeem a digital or paper coupon which, if properly redeemed, would reduce the price of a consumer commodity, or (ii) fails to remove a sign adjoining a consumer commodity and disclosing a time-limited reduced price for the consumer commodity after the time period specified for such reduced price has expired.

(8) If a consumer presents a digital or paper coupon which, if properly redeemed, would reduce the price of a consumer commodity and the person **[**, association, corporation, firm or partnership**]** fails to properly redeem such coupon, such person **[**, association, corporation, firm or partnership**]** shall provide to the consumer a refund in an amount that is equal to the value of such coupon. If a person **[**,

association, corporation, firm or partnership**]** offers a consumer commodity for sale at a reduced price for a specified time period, and a sign disclosing such reduced price remains adjacent to the consumer commodity following expiration of such time period, the person **[**, association, corporation, firm or partnership**]** shall only require a consumer to pay the reduced price disclosed in such sign for such consumer commodity.

(c) (1) The Commissioner of Consumer Protection may adopt regulations, in accordance with the provisions of chapter 54, concerning the marking of prices, and use of universal product coding, on each unit of a consumer commodity.

(2) The Commissioner of Consumer Protection may adopt regulations, in accordance with the provisions of chapter 54, designating not more than twelve consumer commodities that need not be marked in accordance with the provisions of subdivision (1) of subsection (b) of this section and specifying the method of providing adequate disclosure to consumers to ensure that the electronic pricing of the designated consumer commodities is accurate. The commissioner may also establish, by regulation, methods to protect consumers against electronic pricing errors of such designated consumer commodities and to ensure that the electronic prices of such designated consumer commodities are accurate. Among the methods that the commissioner may consider are conditions similar to those set forth in subdivision (5) of subsection (b) of this section.

(d) The Commissioner of Consumer Protection, after providing notice and conducting a hearing in accordance with the provisions of chapter 54, may issue a warning citation to, or impose a civil penalty of not more than one hundred dollars for the first offense and not more than five hundred dollars for each subsequent offense on, any person **[**who, or association, corporation, firm or partnership**]** that **[**,**]** violates any provision of subsection (b) of this section, or any regulation adopted

pursuant to subsection (c) of this section. Any person **[**who, or association, corporation, firm or partnership**]** that **[**,**]** violates any provision of subsection (b) of this section, or any regulation adopted pursuant to subsection (c) of this section, shall be fined not more than two hundred dollars for the first offense and not more than one thousand dollars for each subsequent offense. Each violation with respect to all units of a particular consumer commodity on any single day shall be deemed a single offense.

Sec. 16. Subsection (e) of section 21a-79b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) The provisions of this section do not apply to any person, association, corporation, firm or partnership operating in a retail sales area of not more than **[**ten thousand**]** one thousand five hundred square feet.

Sec. 17. Section 21a-96 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Whenever the commissioner or **[**his**]** the commissioner's authorized agent finds, or has probable cause to believe, that any food, drug, device or cosmetic is offered or exposed for sale, or held in possession with intent to distribute or sell, or is intended for distribution or sale in violation of any provision of this chapter, whether **[**it**]** such article is in the custody of a common carrier or any other person, **[**he**]** the commissioner or such agent may affix to such article a tag or other appropriate marking, giving written notice, prior to or at the time such article is embargoed, that such article is, or is suspected of being, in violation of this chapter and has been, or shall be, embargoed. **[**Within**]** Not later than twenty-one days after an embargo has been placed upon any article, unless the commissioner extends the embargo period based upon a reinspection which indicates the continuation of violation, the

commissioner shall remove the embargo **[**shall be removed by the commissioner**]** or bring a summary proceeding **[**for the confiscation of the article shall be instituted by the commissioner**]** pursuant to chapter 54, or institute a civil action in the Superior Court, to embargo such article. No person shall alter, open, remove or dispose of such embargoed article by sale or otherwise without the permission of the commissioner or **[**his**]** the commissioner's authorized agent, or, after a summary **[**proceedings have been**]** proceeding has been brought or a civil action has been instituted, without permission from the hearing officer or the court. If the embargo is removed by the commissioner, hearing officer or **[**by the**]** court, **[**neither**]** the commissioner, **[**nor**]** hearing officer and the state shall not be held liable for damages because of such embargo if the hearing officer or court finds that there was probable cause for the embargo.

(b) **[**Proceedings before the Superior Court**]** Summary proceedings brought in accordance with this section shall be by complaint **[**, verified by affidavit, which may be made on information and belief**]** in the name of the commissioner against the person who has custody of the article to be **[**confiscated**]** embargoed.

(c) The complaint shall contain: (1) A particular description of the article, (2) the name of the place where the article is located, (3) the name of the person in whose possession or custody the article was found, if such name is known to the person making the complaint or can be ascertained by reasonable effort, and (4) a statement as to the manner in which the article is adulterated or misbranded or the characteristics which render its distribution or sale illegal.

[(d) Upon the filing of the verified complaint, the court shall issue a warrant directed to the proper officer to seize and take in his possession the article described in the complaint and bring the same before the court which issued the warrant and to summon the person named in the warrant, and any other person found in possession of the article, to

appear at the time and place therein specified.

(e) Any such person shall be summoned by service of a copy of the warrant in the same manner as a summons issuing out of the court in which the warrant has been issued.

(f) The hearing upon the complaint shall be at the time and place specified in the warrant, which time shall not be less than five days or more than fifteen days from the date of issuing the warrant, but, if the execution and service of the warrant has been less than three days before the return of the warrant, either party shall be entitled to a reasonable continuance. Upon the hearing the complaint may be amended.

(g) Any person who appears and claims the food, drug, device or cosmetic seized under the warrant shall be required to file a claim in writing.**]**

[(h)**]** (d) If, upon the hearing, it appears that the article was offered or exposed for sale, or had in possession with intent to distribute or sell, or was intended for distribution or sale, in violation of any provision of this chapter, **[**it shall be confiscated and disposed of by destruction or sale as the**]** the article may be confiscated by the Department of Consumer Protection or ordered by the hearing officer or court to be destroyed by the respondent or defendant in a manner prescribed by such hearing officer or court. **[**may direct, but no**]** No such article shall be sold contrary to any provision of this chapter. In the event of an adverse ruling against the respondent or defendant, the respondent or defendant shall be liable for all costs and expenses incurred by the department in investigating, containing, removing, monitoring, mitigating and disposing of the embargoed product as well as any legal expenses associated therewith. The proceeds of any sale, less the legal costs and charges, shall be paid into the State Treasury.

[(i) If the article seized is not injurious to health and is of such

character that, when properly packed, marked, branded or otherwise brought into compliance with the provisions of this chapter, its sale would not be prohibited, the court may order such article delivered to the owner upon the payment of the costs of the proceedings and the execution and delivery to the state department instituting the proceedings, as obligee, of a good and sufficient bond to the effect that such article will be brought into compliance with the provisions of this chapter under the supervision of said department, and the expenses of such supervision shall be paid by the owner obtaining release of the article under bond.**]**

[(j)**]** (e) Whenever the commissioner or any of **[**his**]** the commissioner's authorized agents finds, in any room, building, other structure or vehicle of transportation, **[**or other structure,**]** any meat, seafood, poultry, vegetable, fruit or other perishable article which is unsound, or contains any filthy, decomposed or putrid substance, or that may be poisonous or deleterious to health or otherwise unsafe, the commissioner, or **[**his**]** the commissioner's authorized agent, shall forthwith **[**condemn**]** embargo or destroy the same, or in any other manner render the same unsalable as a human food.

(f) Whenever the commissioner or any of the commissioner's authorized agents finds, in any room, building, other structure or vehicle of transportation, any drug or device, as defined in section 21a-92, or drug paraphernalia, as defined in section 21a-240, which is adulterated or insanitary, is produced, packed or held under insanitary conditions, is unsafe or not shown to be safe, may be contaminated by filth or may be deleterious or injurious to health, the commissioner, or the commissioner's authorized agent, shall forthwith embargo or destroy such drug, device or drug paraphernalia or in any other manner render such drug, device or drug paraphernalia unsalable.

[(k)**]** (g) The commissioner may, after notice and hearing, impose a civil penalty of not more than **[**five hundred**]** five thousand dollars for

each separate offense on any person who removes any tag or other appropriate marking affixed to an article, or who offers or exposes an article for sale, which has been embargoed **[**or condemned**]** in accordance with the provisions of this section, without the permission of the commissioner or **[**his**]** the commissioner's agent.

Sec. 18. Subsection (b) of section 21a-101a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) In accordance with sections 21a-116 and 21a-118, the commissioner or the commissioner's authorized agent may investigate and take samples of foods. In addition to the **[**seizure**]** powers granted to the commissioner pursuant to section 21a-96, as amended by this act, the commissioner or the commissioner's authorized agent may seize, condemn, destroy, or in any other manner render unsalable, any adulterated foods **[**he or she**]** the commissioner or such authorized agent deems to be poisonous, deleterious to public health or otherwise unsafe.

Sec. 19. Section 21a-217 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Every contract for health club services shall provide that such contract may be cancelled within three business days after the date of receipt by the buyer of a copy of the contract, by written notice delivered, **[**by certified or registered United States mail**]** with delivery tracking, to the seller or the seller's agent at an address which shall be specified in the contract. After receipt of such cancellation, the health club may request the return of **[**contract forms, membership cards and any and all other documents and evidence of membership previously delivered to the buyer**]** any cards or equipment that were delivered to the buyer as part of the membership. Cancellation shall be without liability on the part of the buyer, except for the fair market value of services actually received and the buyer shall be entitled to a refund of

the entire consideration paid for the contract, if any, less the fair market value of the services or use of facilities already actually received. Such right of cancellation shall not be affected by the terms of the contract and may not be waived or otherwise surrendered. Such contract for health club services shall also contain a clause providing that if the person receiving the benefits of such contract relocates further than twenty-five miles from a health club facility operated by the seller or a substantially similar health club facility which would accept the seller's obligation under the contract, or dies during the membership term following the date of such contract, or if the health club ceases operation at the location where the buyer entered into the contract, the buyer or his estate shall be relieved of any further obligation for payment under the contract not then due and owing. The contract shall also provide that if the buyer becomes disabled during the membership term, the buyer shall have the option of (1) being relieved of liability for payment on that portion of the contract term for which **[**he**]** the buyer is disabled, or (2) extending the duration of the original contract at no cost to the buyer for a period equal to the duration of the disability. The health club shall have the right to require and verify reasonable evidence of relocation, disability or death. In the case of disability, the health club may require that **[**a certificate signed by**]** documentation from a licensed physician, a licensed physician assistant, **[**or**]** a licensed advanced practice registered nurse or another credentialed medical provider be submitted as verification. **[**and may also require in such contract that the buyer submit to a physical examination by a licensed physician, a licensed physician assistant or a licensed advanced practice registered nurse agreeable to the buyer and the health club, the cost of which examination shall be borne by the health club.**]**

Sec. 20. Section 21a-218 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A copy of the health club contract shall be delivered to the buyer

at the time the contract is signed. All health club contracts shall (1) be in writing and signed by the buyer, (2) designate the date on which the buyer actually signs the contract, (3) identify the address of the location at which the buyer entered the contract, and (4) contain a statement of the buyer's rights which complies with this section. The following statement shall prominently and conspicuously appear, in at least twelve-point font, at the top of the contract: **[**under the conspicuous caption:**]**

"BUYER'S RIGHT TO **[**CANCEL", and shall read as follows:**]** CANCEL

["If**]** If you wish to cancel this contract, you may cancel by sending a written notice **[**to one of the addresses specified below. The notice must say**]** stating that you do not wish to be bound by this contract. **[**and must be delivered or mailed before midnight of the third business day after you sign this contract. After you cancel, the health club may request the return of all contracts, membership cards and other documents of evidence of membership.**]** The notice must be delivered or mailed before midnight of the third business day after you sign this contract. The notice must be delivered or mailed to:

....

....

(Insert name, electronic mail address and mailing address for cancellation notice.)

You may also cancel this contract if: **[**you**]**

(1) You relocate your residence further than twenty-five (25) miles from any health club operated by the seller or from any other substantially similar health club which would accept the obligation of the seller; **[**. This contract may also be cancelled if you**]**

(2) You die; **[**, or if the**]** or

(3) The health club ceases operation at the location where you entered into this contract or the location closest to your primary residence.

If you become disabled, you shall have the option of:

(1) **[**being**]** Being relieved of liability for payment on that portion of the contract term for which you are disabled; **[**,**]** or

(2) **[**extending**]** Extending the duration of the original contract at no cost to you for a period equal to the duration of the disability.

You must send a written notice of disability, which may be sent to the health club in an electronic form. You may be required to prove such disability by **[**a certificate signed by**]** submitting documentation from a licensed physician, **[**or**]** a licensed physician assistant, a licensed advanced practice registered nurse **[**, which certificate shall be enclosed with the written notice of disability sent to the health club. The health club may require that you be examined by another physician or advanced practice registered nurse agreeable to you and the health club at its expense**]** or another credentialed medical provider. If you cancel, the health club may keep or collect an amount equal to the fair market value of the services or use of facilities you have already received."

[The full text of this statement shall be in ten-point bold type. Each contract renewed on or after October 1, 2021, shall revise the BUYER'S RIGHT TO CANCEL language to provide for cancellation notices received by electronic mail.**]**

(b) If a buyer cancels a health club contract pursuant to the three-day cancellation provision or as a result of having moved further than twenty-five miles, or as a result of the health club ceasing operation at the location where the buyer entered into the contract or the location closest to the buyer's primary residence as provided by this chapter, the

health club shall send the buyer a written confirmation of cancellation within fifteen days after receipt by the health club of the buyer's cancellation notice. If the health club fails to send such written notice to the buyer within fifteen days, the health club shall be deemed to have accepted the cancellation.

[(c) (1) If the buyer notifies the health club that he has become disabled, the health club shall notify the buyer in writing within fifteen days of receipt by the health club of the buyer's notice of disability and any certificate signed by a licensed physician, physician assistant or a licensed advanced practice registered nurse which may be required under subsection (a) of this section that: (A) The health club will not require the buyer to submit to another physical examination; or (B) the health club requires the buyer to submit to another physical examination and that the buyer's obligations under the contract are suspended pending determination of disability. If the health club fails to send such written notice to the buyer within fifteen days, the health club shall be deemed to have accepted the disability.

(2) If the health club requires the buyer to submit to another physical examination, all obligations of the buyer for payment under the contract will be suspended as of the date the health club receives notice of disability. The buyer's obligations will not resume until such time as a determination is made, either by consent of the buyer and the health club or through adjudicative proceedings, that disability does not exist.**]**

[(d)**]** (c) A buyer who is disabled may, at the buyer's option, extend the duration of the original contract at no cost to the buyer for a period equal to the duration of the disability, or remain liable for partial payment on the contract as follows:

(1) A buyer who is disabled for a period less than the full remaining term of the contract shall only be liable for a pro-rata portion of the contract price equal to the total number of weeks specified in the

contract less the number of weeks after the date on which the disability first occurred, the difference being divided by the total number of weeks specified in the contract and the result of that division being multiplied by the total contract price.

(2) A buyer who is disabled for the full remaining term of the contract shall only be liable for a pro-rata portion of the contract price equal to the number of complete weeks before the date the disability first occurred for which the services or facilities were made available to the buyer divided by the total number of weeks specified in the contract with the result being multiplied by the total contract price.

(3) If the reasonable probabilities are that the buyer will be disabled for the full remaining term of the contract, and the buyer has elected not to extend the duration of the contract as provided in this subsection, the health club shall cancel the buyer's contract at the time such a determination is made and notify the buyer in writing that the contract has been cancelled.

(4) Any money paid by the buyer which is in excess of the amount for which **[**he**]** the buyer is liable under the provisions of this section shall be refunded by the seller to the buyer.

(5) A health club which received notice of disability from a buyer shall provide such buyer with a written form which shall fully explain the buyer's options as set forth in this subsection. Such form shall provide on it a location where the buyer shall indicate in writing the option **[**he**]** such buyer has chosen. Such form shall be signed by the buyer and the health club.

[(e)**]** (d) In any cancellation of a health club service contract the buyer shall not be liable for any payment to the seller if the services received by the buyer are as a result of a representation by the health club to the buyer that such services are to be received free or if the buyer received

services at a health club as a result of a representation by the health club to the buyer that such services are to be received at a reduced or discount price, the buyer shall only be liable as a result of his cancellation for an amount equal to that which was represented to the buyer that **[**he**]** such buyer would have to pay.

[(f)**]** (e) Any refund to the buyer as a result of cancellation of the contract shall be delivered by the health club to the buyer within fifteen business days of receipt by the health club of the notice of cancellation.

Sec. 21. Subsection (c) of section 21a-219 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Each health club shall post the prices and the three-day cancellation provisions, the disability provisions and the twenty-five mile moving provisions of all contracts in a conspicuous place where the contract is entered into. If a contract is presented to a consumer exclusively in an electronic format, the three-day cancellation and disability provisions shall: (1) Be presented to the consumer in a separate document in electronic or paper form, and (2) include an acknowledgment by the consumer that the consumer has received such provisions. Both the contract and the document including the cancellation provisions, disability provisions and acknowledgment shall be executed as part of a single transaction.

Sec. 22. Subsection (a) of section 21a-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each individual place of business of each health club shall obtain a license from the Department of Consumer Protection prior to the sale of any health club contract. Application for such license shall be made on forms provided by the Commissioner of Consumer Protection and

said commissioner shall require as a condition to the issuance and renewal of any license obtained under this chapter (1) that the applicant provide for and maintain on the premises of the health club sanitary facilities; (2) that the applicant, on and after October 1, 2022, (A) (i) provide and maintain in a readily accessible location on the premises of the health club at least one automatic external defibrillator, as defined in section 19a-175, and (ii) make such location known to employees of such health club, (B) ensure that at least one employee is on the premises of such health club during staffed business hours who is trained in cardiopulmonary resuscitation and the use of an automatic external defibrillator in accordance with the standards set forth by the American Red Cross or American Heart Association, (C) maintain and test the automatic external defibrillator in accordance with the manufacturer's guidelines, and (D) promptly notify a local emergency medical services provider after each use of such automatic external defibrillator; (3) that the application be accompanied by (A) a license or renewal fee of two hundred fifty dollars, (B) a list of the equipment and each service that the applicant intends to have available for use by buyers during the year of operations following licensure or renewal, and (C) **[**two copies**]** an electronic copy of each health club contract that the applicant is currently using or intends to use; and (4) compliance with the requirements of section 21a-226, as amended by this act. Such licenses shall be renewed annually. **[**The commissioner may impose a civil penalty of not more than three hundred dollars against any health club that continues to sell or offer for sale health club contracts for any location but fails to submit a license renewal and license renewal fee for such location not later than thirty days after such license's expiration date.**]**

Sec. 23. Subsections (f) to (l), inclusive, of section 21a-226 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(f) The commissioner shall proceed upon such application and shall hold a hearing in accordance with the provisions of chapter 54. Notwithstanding the provisions of chapter 54, the decision of the commissioner shall be final with respect to the application. The commissioner may hear applications of all buyers submitting claims against a single health club in one proceeding.**]**

(f) (1) Before the commissioner may issue any order directing payment out of the guaranty fund to a buyer pursuant to this section, the commissioner shall first notify the health club of the buyer's application for an order directing payment out of the guaranty fund and of the health club's right to a hearing to contest the disbursement in the event that the health club (A) has already paid the buyer, or (B) is complying with a payment schedule in accordance with (i) a written agreement with the buyer, or (ii) a court judgment, order or decree.

(2) If a health club described in subdivision (1) of this subsection requests a hearing, the commissioner shall grant such request and conduct the hearing in accordance with the provisions of chapter 54 if the health club submits such request (A) in writing, and (B) not later than fifteen days after the health club receives the notice issued by the commissioner pursuant to subdivision (1) of this subsection.

(3) If the commissioner does not receive a request from a health club for a hearing within the fifteen-day period set forth in subdivision (2) of this subsection, the commissioner shall (A) determine that the buyer has not been paid, and (B) issue an order directing payment out of the guaranty fund for the amount due.

(4) If multiple buyers submit claims against any health club, the commissioner may hear such buyers' applications in one proceeding.

(g) After hearing, the commissioner shall issue an order requiring payment from the guaranty fund of any sum **[**he**]** the commissioner

finds to be payable upon such application. The total compensation payable from the guaranty fund on the closing of any one health club location shall not exceed seventy-five thousand dollars.

(h) If the commissioner pays any amount as a result of a claim against a health club pursuant to an order under subsection (g) of this section, the health club shall not be eligible to receive a new or renewed license until **[**it**]** the health club has repaid such amount in full, plus interest at a rate to be determined by the commissioner.

(i) If the commissioner pays any amount as a result of a claim against a health club pursuant to an order under subsection (g) of this section, the commissioner shall determine if the health club is possessed of real or personal property or other assets, liable to be sold or applied in satisfaction of the claim on such fund. If the commissioner discovers any such assets, **[**he**]** the commissioner may request that the Attorney General take any action necessary for the realization thereof for the reimbursement of the guaranty fund.

(j) The commissioner may, in order to preserve the integrity of the guaranty fund, order payments to be made out of said fund for amounts less than the actual loss incurred by any buyer of a health club contract.

(k) When the commissioner has caused any sum to be paid from the guaranty fund to a buyer who has entered into a health club contract, the commissioner shall be subrogated to all of the rights of the buyer up to the amount paid, and the buyer shall assign all of **[**his**]** the buyer's right, title, and interest in the claim up to such amount to the commissioner, and any amount and interest recovered by the commissioner on the claim shall be deposited to the guaranty fund, except as provided in subsection (c) of this section.

(l) Notwithstanding any provision of the general statutes to the contrary, the commissioner may prohibit a health club from making

payments to the Connecticut Health Club Guaranty Fund if, in the opinion of the commissioner, the health club within the past five years has engaged in any unfair or deceptive trade practices under subsection (a) of section 42-110b, has engaged in any conduct of a character likely to mislead, deceive or defraud the buyer, the public or the commissioner, or has violated any of the provisions this chapter. If the commissioner determines that a health club should be prohibited from making payments to the Connecticut Health Club Guaranty Fund, the department shall **[**mail a notice by certified mail to the principal place of business of**]** provide notice to the health club, **[**and**]** which notice shall state the grounds for the contemplated action. **[**Within**]** Not later than fourteen days **[**of receipt of the**]** after the health club receives such notice, the health club may file a written request for a hearing. If a hearing is requested such hearing shall be conducted in accordance with the provisions of chapter 54.

Sec. 24. Subsection (a) of section 21a-227 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) When any health club is closing or transferring its place of business to another location, the health club **[**, at least sixty days before closing or transferring,**]** shall: (1) **[**Notify**]** Send a written notice disclosing such closing or transfer to (A) the Department of Consumer Protection, **[**; (2) notify**]** (B) all current members **[**; (3) notify**]** (i) at least sixty days before the date of such closing or transfer, and (ii) at least twenty days, but not more than forty days, before the date of such closing or transfer, and (C) all prospective members prior to entering into any health club contract; and **[**(4) publish a notice in a newspaper with general circulation throughout this state that the health club is closing or transferring its place of business**]** (2) conspicuously post, on the health club's Internet web site and premises, notices disclosing such closing or transfer. Not later than one business day after the health club

provides the written notice disclosing such closing or transfer to all current members, the health club shall provide to the department an electronic copy of such written notice.

Sec. 25. Section 25-133 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Where the board finds that compliance with all requirements of this chapter or regulations adopted pursuant thereto, other than requirements related to the purity, potability and safeguarding of well water, would result in undue hardship, an exemption from **[**any**]** one or more of such requirements may be granted by the board, subject to the approval of the Commissioner of Consumer Protection, to the extent necessary to ameliorate such undue hardship and to the extent such exemption can be granted without impairing the intent and purpose of this chapter.

(b) With respect to matters related to the purity, potability and safeguarding of well water under section 19a-37, where a local director of health finds that compliance with all requirements of this chapter or regulations adopted pursuant thereto would result in undue hardship, an exemption from one or more of such requirements may be granted by the local director of health upon a finding by such local director of health that such exemption can be granted without adversely affecting the purity and adequacy of the well water.

Sec. 26. Subsections (b) to (d), inclusive, of section 42-110d of the 2024 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Said commissioner or **[**his**]** said commissioner's authorized representatives shall have the right to (1) enter any place or establishment within the state, at reasonable times, for the purpose of making an investigation; (2) check the invoices and records pertaining

to costs and other transactions of commodities; (3) take samples of commodities for evidence upon tendering the market price therefor to the person having such commodity in **[**his**]** such person's custody; (4) subpoena documentary material relating to such investigation; and (5) have access to, for the purpose of examination, documentary material and the right to copy and receive electronic copies of such documentary material of any person being investigated or proceeded against. The commissioner or **[**his**]** the commissioner's authorized representatives shall have power to require by subpoena the attendance and testimony of witnesses and the production of all such documentary material relating to any matter under investigation.

(c) In addition to other powers conferred upon the commissioner, said commissioner may execute in writing and cause to be served, **[**by certified mail**]** through reasonable efforts to effectuate notice as set forth in section 21a-2, an investigative demand upon any person suspected of using, having used or about to use any method, act or practice declared by section 42-110b to be unlawful or upon any person from whom said commissioner wants assurance that section 42-110b has not, is not or will not be violated. Such investigative demand shall contain a description of the method, act or practice under investigation, provide a reasonable time for compliance, and require such person to furnish under oath or otherwise, as may be specified in said demand, a report in writing setting forth relevant facts or circumstances together with documentary material. Notwithstanding subsection (f) of this section, responses to investigative demands issued under this subsection may be withheld from public disclosure during the full pendency of the investigation.

(d) Said commissioner, in conformance with sections 4-176e to 4-185, inclusive, whenever the commissioner has reason to believe that any person has been engaged or is engaged in an alleged violation of any provision of this chapter, shall **[**mail**]** deliver to such person, **[**by

certified mail**]** in a manner that is sufficient to effectuate notice as set forth in section 21a-2, a complaint stating the charges and containing a notice of a hearing, to be held upon a day and at a place therein fixed at least fifteen days after the date of such complaint. The person so notified shall have the right to file a written answer to the complaint and charges therein stated and appear at the time and place so fixed for such hearing, in person or otherwise, with or without counsel, and submit testimony and be fully heard. Any person may make application, and upon good cause shown shall be allowed by the commissioner to intervene and appear in such proceeding by counsel or in person. The testimony in any such proceeding, including the testimony of any intervening person, shall be under oath and shall either be reduced to writing by the recording officer of the hearing **[**and filed in the office of the commissioner**]** or recorded in an audio or audiovisual format. The commissioner or the commissioner's authorized representatives shall have the power to require by subpoena the attendance and testimony of witnesses and the production of any documentary material at such proceeding. If upon such hearing the commissioner is of the opinion that the method of competition or the act or practice in question is prohibited by this chapter, the commissioner or the commissioner's designee shall make a report in writing to the person complained of in which the commissioner or such designee shall state the commissioner's or such designee's findings as to the facts and shall forward by certified mail to such person an order to cease and desist from using such methods of competition or such act or practice. The commissioner may impose a civil penalty, in an amount not to exceed the amount set forth in subsection (b) of section 42-110o, after a hearing conducted pursuant to chapter 54, or, if the amount involved is less than ten thousand dollars, an order directing restitution, or both. The commissioner may apply for the enforcement of any cease and desist order, civil penalty, order directing restitution or consent order issued or imposed under this chapter to the superior court for the judicial district of Hartford, or to any judge thereof if the same is not in session, for **[**orders**]** an order

temporarily **[**and**]** or permanently restraining and enjoining any person from continuing **[**violations**]** any violation of such cease and desist order, an order directing payment of any civil penalty or restitution or a consent order. Such application for a temporary restraining order, temporary and permanent injunction, order directing payment of any civil penalty or restitution and for such other appropriate decree or process shall be brought and the proceedings thereon conducted by the Attorney General.

Sec. 27. Subsections (a) to (c), inclusive, of section 42-110aa of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a) No person engaged in trade or commerce in this state, upon the return of goods purchased from such person's place of business, shall refuse to accept the returned goods immediately and issue the individual returning such goods either a cash or credit refund of the purchase price or credit towards the purchase of another item offered for sale at such person's place of business, provided such return is made within the period of time established by such person for the acceptance of returned goods and provided further, such goods are returned in a manner consistent with such person's conspicuously posted refund or exchange policy. Any such person that utilizes an electronic system to record, monitor and limit the number or total dollar value of returns made by a consumer shall clearly indicate the use of such system within such person's conspicuously posted refund or exchange policy.**]**

(a) (1) Any person engaged in trade or commerce in this state shall disclose such person's refund or exchange policy, including whether or not such person, as a matter of policy, provides refunds or allows exchanges. Such person shall clearly and conspicuously: (A) Post such policy on such person's premises if such person conducts in-person sales of goods; (B) display such policy on such person's Internet web site if such person conducts online sales of goods; and (C) verbally disclose

such policy if such person conducts verbal sales of goods, including, but not limited to, sales of goods by telephone.

(2) If any person described in subdivision (1) of this subsection, as a matter of policy, provides refunds or allows exchanges, such person's refund or exchange policy shall disclose: (A) Whether such person shall (i) provide a cash refund, credit refund or refund in the form of a store credit, or (ii) allow an exchange; (B) whether such person shall provide a refund or allow an exchange (i) at any time, or (ii) before a specified time; (C) whether any refund or exchange is subject to any fee and the amount of such fee, which fee shall be expressed (i) in a dollar amount, or (ii) as a percentage; and (D) any other conditions imposed by such person that govern refunds or exchanges.

(3) If any person described in subdivision (1) of this subsection does not, as a matter of policy, provide refunds or allow exchanges, such person shall provide a cash refund, credit refund or refund in the form of a store credit to any consumer who returns any good purchased from such person not later than seven days after the consumer received such goods unless such person discloses such person's refund or exchange policy in accordance with the provisions of subdivisions (1) and (2) of this subsection.

(b) (1) Any person that utilizes an electronic system to record, monitor and limit the number or total dollar value of returns made by a consumer shall: **[**,**]** (A) Clearly indicate in such person's conspicuously posted refund or exchange policy that such person uses such system; and (B) prior to terminating the right of any such consumer to return goods **[**at such person's place of business**]** pursuant to any such limitation, provide written notice to such consumer that indicates such termination. **[**Such**]**

(2) The written termination notice provided pursuant to subparagraph (B) of subdivision (1) of this subsection shall not affect

[such**]** the consumer's right to return any goods purchased by such consumer or purchased for the benefit of such consumer prior to the date of such notice, if such consumer has a valid receipt evidencing a purchase date for such goods that is prior to the date such consumer receives such notice. Any such written termination notice that is mailed to the last-known address of such consumer, the electronic mail address provided by such consumer or **[**to**]** the address of such consumer that is obtained through reasonably available public records shall be deemed to comply with the notification requirements of this subsection.

(c) This section shall not be construed to prohibit any person engaged in trade or commerce in this state from extending the period of time during which such person will accept the return of goods purchased from such **[**person's place of business**]** person.

Sec. 28. Subsections (a) to (f), inclusive, of section 42-133ff of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the purposes of this section:

(1) (A) "Agent" (i) means any person who (I) arranges for the distribution of services by another person, or (II) leases, rents or sells tangible or intangible personal, real or mixed property, or any other article, commodity or thing of value, on behalf of another person, and (ii) includes, but is not limited to, (I) any person who is duly appointed as an agent by a common carrier, (II) any person who sells transportation, travel or vacation arrangements on behalf of another person who is engaged in the business of furnishing transportation, travel or vacation services, and (III) any member of a cruise line association that operates exclusively as an agent for cruise lines to sell cruise travel products or services.

(B) "Agent" does not mean (i) a common carrier, (ii) an employee of a

common carrier, or (iii) any person engaged in the business of furnishing transportation, travel or vacation services.

(2) "Charge card" (A) means any card, device or instrument that (i) is issued, with or without a fee, to a holder and requires the holder to pay the full outstanding balance due on such card, device or instrument at the end of each standard billing cycle established by the issuer of such card, device or instrument, and (ii) may be used by the holder in a transaction to receive services or lease, purchase or rent tangible or intangible personal, real or mixed property, or any other article, commodity or thing of value, and (B) includes, but is not limited to, any software application that (i) is used to store a digital form of such card, device or instrument, and (ii) may be used in a transaction to receive such services or lease, purchase or rent any such property, article, commodity or thing.

(3) "Credit card" (A) means any card, device or instrument that (i) is issued, with or without a fee, to a holder, and (ii) may be used by the holder in a transaction to receive services or lease, purchase or rent tangible or intangible personal, real or mixed property, or any other article, commodity or thing of value on credit, regardless of whether such card, device or instrument is known as a credit card, credit plate or by any other name, and (B) includes, but is not limited to, any software application that (i) is used to store a digital form of such card, device or instrument, and (ii) may be used in a transaction to receive such services or lease, purchase or rent any such property, article, commodity or thing on credit.

(4) (A) "Debit card" (i) means any card, code, device or other means of access, or any combination thereof, that (I) is authorized or issued for use to debit an asset account held, directly or indirectly, by a financial institution, and (II) may be used in a transaction to receive services or lease, purchase or rent tangible or intangible personal, real or mixed property, or any other article, commodity or thing of value regardless of

whether such card, code, device, means or combination is known as a debit card, and (ii) includes, but is not limited to, (I) any software application that is used to store a digital form of such card, code, device or other means of access, or any combination thereof, that may be used in a transaction to receive such services or lease, purchase or rent any such property, article, commodity or thing, and (II) any cards, codes, devices or other means of access, or any combination thereof, commonly known as automated teller machine cards and payroll cards.

(B) "Debit card" does not mean (i) a check, draft or similar paper instrument, or (ii) any electronic representation of such check, draft or instrument.

(5) "Person" means any natural person, corporation, incorporated or unincorporated association, limited liability company, partnership, trust or other legal entity.

(6) "Surcharge" means any additional charge or fee that increases the total amount of a transaction for the privilege of using a particular **[**form**]** method of payment.

(7) (A) "Transaction" means distribution by one person to another person of any service, or the lease, rental or sale by one person of any tangible or intangible personal, real or mixed property, or any other article, commodity or thing of value to another person, for a certain price in this state.

(B) "Transaction" does not mean payment of any (i) fees, costs, fines or other charges to a state agency authorized by the Secretary of the Office of Policy and Management under section 1-1j, (ii) taxes, penalties, interest and fees allowed by the Commissioner of Revenue Services in accordance with section 12-39r, (iii) taxes, penalties, interest and fees, or other charges, to a municipality in accordance with section 12-141a, (iv) fees, costs, fines or other charges to the Judicial Branch in accordance

with section 51-193b, or (v) sum pursuant to any other provision of the general statutes or regulation of Connecticut state agencies.

(b) No person may impose a surcharge on any transaction.

(c) (1) Nothing in this section shall prohibit any person from offering a discount on any transaction to induce payment by cash, check, debit card or similar means rather than by charge card or credit card. No person may offer any such discount unless such person posts a notice disclosing such discount. Such person shall clearly and conspicuously (A) post such notice on such person's premises if such person conducts transactions in-person, (B) display such notice on the Internet web site or digital payment application before completing any online transaction or transaction that is processed by way of such digital payment application, and (C) verbally provide such notice before completing any oral transaction, including, but not limited to, any telephonic transaction.

(2) In furtherance of the legislative findings contained in section 42-133j, no existing or future agreement or contract shall prohibit a gasoline distributor or retailer from offering a discount to a buyer based upon the method such buyer uses to pay for such gasoline. Any provision in such agreement or contract prohibiting such distributor or retailer from offering such discount is void and without effect because such provision is contrary to public policy.

(d) No person shall condition acceptance of a charge card or credit card for a transaction on a requirement that the transaction be in a minimum amount unless such person discloses such requirement. Such person shall clearly and conspicuously (1) post such notice on such person's premises if such person conducts transactions in-person, (2) display such notice on the Internet web site or digital payment application before completing any online transaction or transaction processed by way of such digital payment application, and (3) verbally

provide such notice before completing any oral transaction, including, but not limited to, any telephonic transaction.

(e) No person may reduce the amount of any commission paid to an agent for such person in a transaction because a charge card or credit card was used to provide payment as part of such transaction.

(f) A violation of any provision of this section shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b. The Commissioner of Consumer Protection may, after notice and hearing in accordance with the provisions of chapter 54, impose an additional civil penalty for any violation of this section. The amount of such additional civil penalty shall not exceed five hundred dollars per violation. Payments of such additional civil penalty shall be deposited in the consumer protection enforcement account established in section 21a-8a.

Sec. 29. Section 43-16a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[When**]** As used in this chapter:

(1) "Commissioner" means the state Commissioner of Weights and Measures or the commissioner's designee;

[(1) "Licensed public weigher"**]** (2) "Public weighmaster" means a natural person licensed under the provisions of this chapter; and

[(2)**]** (3) "Vehicle" means any device in, upon or by which any property, produce, commodity or article is or may be transported or drawn. **[**;

(3) "Commissioner" means the state Commissioner of Weights and Measures.**]**

Sec. 30. Section 43-16b of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective from passage*):

The commissioner is authorized to enforce the provisions of this chapter and **[**he**]** may **[**issue**]** adopt, from time to time **[**,**]** and in accordance with chapter 54, reasonable regulations for the enforcement of this chapter. **[**, which regulations shall have the force and effect of law.**]**

Sec. 31. Section 43-16c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person who is a resident of the state of Connecticut, is **[**not less than**]** eighteen years of age or older, is of good moral character and has the ability to weigh accurately and **[**to**]** make correct weight certificates may apply to the commissioner for a public weighmaster license. **[**as a licensed public weigher.**]**

Sec. 32. Section 43-16d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

An application for a **[**license as a licensed public weigher**]** public weighmaster license shall be made upon a form prescribed by the commissioner, and the **[**application**]** applicant shall furnish evidence that the applicant has the qualifications required **[**by**]** in section 43-16c, as amended by this act.

Sec. 33. Section 43-16e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The commissioner may adopt rules for determining the qualifications of **[**the applicant for a license as a licensed public weigher. He**]** applicants for a public weighmaster license. The commissioner may pass upon the qualifications of **[**the**]** each applicant upon the basis of the information supplied in **[**the**]** such applicant's application, or **[**he**]** the commissioner may examine such applicant orally or in writing, or both,

for the purpose of determining **[**his**]** such applicant's qualifications. **[**He**]** The commissioner shall grant **[**licenses as licensed public weighers to such applicants as may be**]** a public weighmaster license to each applicant who is found to possess the qualifications required **[**by**]** in section 43-16c, as amended by this act. The commissioner shall keep a record of all such applications and of all licenses issued thereon.

Sec. 34. Section 43-16f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Before the issuance of any public weighmaster license, **[**as a licensed public weigher,**]** or any renewal thereof, the applicant shall pay to the commissioner a fee of forty dollars.

Sec. 35. Section 43-16g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The commissioner may, upon request and without charge, issue a limited public weighmaster license **[**as a licensed public weigher**]** to any qualified officer or employee of a state commission, board, institution or agency, authorizing such officer or employee to act as a **[**licensed public weigher**]** public weighmaster only within the scope of **[**his**]** such officer's or employee's official employment on behalf of **[**the**]** such state commission, board, institution or agency. **[**of which he is an officer or employee.**]**

Sec. 36. Section 43-16h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each public weighmaster license **[**as licensed public weigher**]** shall expire annually. Renewal applications shall be in such form as the commissioner shall prescribe.

Sec. 37. Section 43-16i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The weight certificate issued by a **[**licensed public weigher**]** public weighmaster shall state the date of issuance, the kind of property, produce, commodity or article weighed, the name of the declared owner or agent of the owner or of the consignee of the material weighed, the accurate weight of the material weighed, the means by which the material was being transported at the time **[**it**]** such material was weighed, such other available information as may be necessary to distinguish or identify the property, produce, commodity or article from others of like kind, and such other information required by **[**statutes**]** the laws of this state or by regulations authorized to be issued for the enforcement of this chapter.

Sec. 38. Section 43-16j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A **[**licensed public weigher**]** public weighmaster shall not enter on a weight certificate issued by **[**him**]** such public weighmaster any weight values **[**but such as he**]** other than those weight values which such public weighmaster has personally determined, and **[**he**]** such public weighmaster shall make no entries on a weight certificate issued by some other person. A weight certificate shall be so prepared as to show clearly that weight or weights were actually determined. If the certificate form provides for the entry of gross, tare **[**,**]** and net weights, in any case in which only the gross, the tare or the net weight is determined by the **[**weigher, he**]** public weighmaster, such public weighmaster shall strike through or otherwise cancel the printed entries for the weights not determined or computed. If gross and tare weights are shown on a weight certificate and both of these were not determined on the same scale and on the day for which the certificate is dated, the **[**weigher**]** public weighmaster shall identify on the certificate the scale used for determining each such weight and the date of each such determination.

Sec. 39. Section 43-16k of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective from passage*):

When making a weight determination as provided for by this chapter, a **[**licensed public weigher**]** public weighmaster shall use a weighing device that is of a type suitable for the weighing of the amount and kind of material to be weighed and that has been tested and approved for use by a weights and measures officer of this state within a period of twelve months immediately preceding the date of the weighing.

Sec. 40. Section 43-16*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A **[**licensed public weigher**]** public weighmaster shall not use any scale to weigh a load the value of which exceeds the nominal or rated capacity of the scale. When the gross or tare weight of any vehicle or combination of vehicles is to be determined, the weighing shall be performed upon a scale having a platform of sufficient size to accommodate such vehicle or combination of vehicles fully, completely and as one entire unit. If a combination of vehicles must be broken up into separate units in order to be weighed as prescribed **[**herein**]** in this section, each such separate weight certificate shall be issued for each such separate unit.

Sec. 41. Section 43-16m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A **[**licensed public weigher**]** public weighmaster shall keep and preserve, for at least one year **[**,**]** or such longer period as may be specified in the regulations authorized to be **[**issued**]** adopted for the enforcement of this chapter, a legible carbon copy of each weight certificate issued by **[**him**]** such public weighmaster, which copies shall be open at all reasonable times for inspection by any weights and measures officer of this state.

Sec. 42. Section 43-16n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The following persons shall not be required, but shall be permitted, to obtain **[**licenses as licensed public weighers**]** a public weighmaster license: (1) A weights and measures officer when acting within the scope of **[**his**]** such officer's official duties, (2) a person weighing property, produce, commodities or articles that **[**he or his**]** such person, or such person's employer, if any, is either buying or selling, and (3) a person weighing property, produce, commodities or articles in conformity with the requirements of federal statutes or the **[**statutes**]** laws of this state relative to warehousemen or processors.

Sec. 43. Section 43-16o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No person shall assume the title **[**licensed public weigher**]** of public weighmaster, or any title of similar import, perform the duties or acts to be performed by a **[**licensed public weigher**]** public weighmaster under this chapter, hold **[**himself**]** such person out as a **[**licensed public weigher**]** public weighmaster, issue any weight certificate ticket, memorandum or statement for which a fee is charged, or engage in the full-time or part-time business of public weighing, unless **[**he**]** such person holds a valid license as a **[**licensed public weigher**]** public weighmaster. As used in this section, "public weighing" means the weighing for any person, upon request, of property, produce, commodities or articles other than those which the weigher or **[**his**]** the weigher's employer, if any, is either buying or selling.

Sec. 44. Section 43-16p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The commissioner is authorized to suspend or revoke the license of any **[**licensed public weigher**]** public weighmaster (1) when **[**he**]** the

commissioner is satisfied, after a hearing upon ten days' notice to the licensee, that such licensee has violated any provision of this chapter or of any valid regulation of the commissioner affecting **[**licensed public weighers**]** public weighmasters, or (2) when a **[**licensed public weigher**]** public weighmaster has been convicted in any court of competent jurisdiction of violating any provision of this chapter or of any regulation issued under authority of this chapter.

Sec. 45. Section 43-16q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person who requests a **[**licensed public weigher**]** public weighmaster to weigh any property, produce, commodity or article falsely or incorrectly, or who requests a false or incorrect weight certificate, or any person who issues a weight certificate simulating the weight certificate prescribed in this chapter and who is not a **[**licensed public weigher**]** public weighmaster, shall, for the first offense, be fined not less than twenty-five dollars or more than one hundred dollars and, for any subsequent offense, be guilty of a class C misdemeanor.

(b) Any **[**licensed public weigher**]** public weighmaster who falsifies a weight certificate, or who delegates **[**his**]** such public weighmaster's authority to any person not licensed as a **[**licensed public weigher**]** public weighmaster, or who preseals a weight certificate with **[**his**]** such public weighmaster's official seal before performing the act of weighing, shall be guilty of a class C misdemeanor.

(c) Any person who violates any provision of this chapter or any rule or regulation promulgated or adopted pursuant thereto for which no specific penalty has been provided shall be fined not less than twenty-five dollars or more than **[**one hundred**]** one thousand dollars.

(d) The Commissioner of Consumer Protection, after conducting a hearing in accordance with the provisions of chapter 54, may impose a

civil penalty of not more than **[**one hundred dollars for the first offense and not more than five hundred dollars for any subsequent offense**]** one thousand dollars per violation on any person who violates any provision of this chapter or any regulation adopted pursuant to this chapter. Each violation with respect to each such unit, certificate, device or scale shall be considered a separate offense.

Sec. 46. Section 43-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

"Bulk grains, feeds and feedstuffs", as used in this section and section 43-21, as amended by this act, means all such substances sold or offered for sale in loose form and delivered to or from a vehicle, truck, compartment or container in quantities of one hundred pounds or more. Quantity determination in the sale of bulk grains, feeds and feedstuffs shall be by avoirdupois weight. All bulk grains, feeds and feedstuffs sold or offered for sale in this state shall be sold or offered for sale in accordance with the provisions of this section and section 43-21, as amended by this act, except that the Commissioner of Consumer Protection may upon request approve in writing the use of other methods of determining the true net weight of the contents of the container, compartment, truck or vehicle used to transport such bulk grain, feeds or feedstuffs. No person shall deliver grains, feeds or feedstuffs in bulk without first having such grains, feeds or feedstuffs weighed by a public **[**weigher**]** weighmaster on stationary scales, suitable for the weighing of bulk grains, feeds or feedstuffs, which have been tested and scaled by an authorized sealer or inspector of weights and measures. Each vehicle, truck, compartment or container of bulk grains, feeds and feedstuffs while in transit delivery shall be accompanied by a delivery ticket and a duplicate original thereof, on which shall be distinctly expressed in ink or other indelible substance **[**(a)**]** (1) in pounds avoirdupois the gross and tare weights of the vehicle, truck, compartment or container; **[**(b)**]** (2) the net weight of bulk grains,

feeds and feedstuffs contained in such vehicle, truck, compartment or container; **[**(c)**]** (3) the name and address of the seller; **[**(d)**]** (4) the name and address of the buyer; **[**(e)**]** (5) the signature and license number of the public **[**weigher**]** weighmaster; and **[**(f)**]** (6) the date of the weighing. One of such duplicate delivery tickets shall be surrendered, upon demand, to any sealer or inspector of weights and measures for **[**his**]** such sealer's or inspector's inspection; and such ticket or, when such sealer desires to retain one of the duplicate tickets, a weight slip issued and signed and dated by the sealer or inspector shall be delivered to the buyer or his agent or representative at the time of delivery of such grains, feeds or feedstuffs, and the other duplicate ticket shall be retained by the seller for a period of one year, during which time it shall be subject to inspection by a sealer or inspector of weights and measures. If the buyer takes such grains, feeds or feedstuffs from the vendor's place of business, a delivery ticket in the form required by this section, signed by a licensed public **[**weigher**]** weighmaster, shall be given to the buyer or his agent at the time of delivery. No person shall sell or deliver, or attempt or offer to sell or deliver, less than the amount of such grains, feeds or feedstuffs represented by the delivery tickets therefor, provided a tolerance of five pounds to the ton shall be allowed. No public **[**weigher**]** weighmaster shall weigh grains, feeds or feedstuffs delivered to a vehicle, truck, compartment or container for transportation purposes and sign a delivery ticket therefor unless he has first weighed the vehicle, truck, compartment or container, empty, on the same scale, in order to determine the tare weight and the true net weight of the contents of the vehicle, truck, compartment or container.

Sec. 47. Section 43-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each container, compartment, truck or vehicle containing grain, feeds or feedstuffs which have been weighed by a public **[**weigher**]** weighmaster shall have a lead-wire seal or seals affixed in such a

manner that no loss or delivery of the contents may be made without destroying or mutilating the seal or seals. Each container, compartment, truck or vehicle transporting bulk grain, feeds or feedstuffs while in transit delivery shall remain sealed until delivery is completed. The actual net weight of the contents of a container, compartment, truck or vehicle of grain, feeds or feedstuffs shall be stated in the receipt or bill effecting deliveries between the seller and buyer of such grain, feeds or feedstuffs. Grain, feeds or feedstuffs packed in bags or sacks used in bulk delivery to the buyer, when the bags and sacks are representative of the quantity contained in the container, compartment, truck or vehicle used for transporting or delivering such commodities, shall bear the name, brand or trademark under which the article is sold, and the net weight of the contents shall appear distinctly on a label or as a printed statement affixed to each bag or sack. The provisions of this section shall not apply to deliveries by barge or railway track car.

Sec. 48. Subsection (c) of section 43-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) No commercial dealer may sell fuel wood by weight or load or deliver fuel wood sold by weight in any vehicle for transportation unless such fuel wood is weighed by a **[**licensed public weigher**]** public weighmaster, as defined in section 43-16a, as amended by this act, on a stationary scale which has been tested and sealed by an authorized sealer or inspector of weights and measures. Any fuel wood sold by weight shall be accompanied by a delivery ticket in duplicate which shall contain the following information: (1) The gross weight of any vehicle transporting such fuel wood; (2) the net weight of such fuel wood; (3) whether such fuel wood is seasoned or green; (4) the price of such fuel wood by weight; (5) the name and license number of the **[**public weigher**]** public weighmaster; (6) the name and address of the buyer and the seller; and (7) the date of such transaction. The

commercial dealer shall give the original of such ticket to the customer and shall retain the duplicate for at least one year, which copy shall be subject to inspection by any sealer or inspector of weights and measures. No such dealer may sell or deliver to any customer less than the amount of fuel wood represented on such delivery ticket. No **[**public weigher**]** public weighmaster may weigh fuel wood loaded on a vehicle for transportation unless **[**he**]** the public weighmaster has first weighed the vehicle empty on the same scale in order to determine the true net weight of such fuel wood. Any sealer or inspector of weights and measures may require that any vehicle for transportation of fuel wood be weighed at the nearest public scale to verify the information recorded on any delivery ticket. If fuel wood is sold by weight, no commercial dealer may deliver more than one load of such fuel wood at a time.

Sec. 49. Section 43-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

All coal and coke sold, except in accordance with a written agreement with the purchaser otherwise, or offered for sale, in this state, shall be sold or offered for sale by weight. No person **[**, firm or corporation**]** shall deliver any coal or coke without first having the coal or coke weighed by a public **[**weigher**]** weighmaster on stationary scales suitable for the weighing of coal or coke, which have been tested and sealed by an authorized sealer or inspector of weights and measures. Such coal or coke shall be accompanied while in transit by a delivery ticket and a duplicate original thereof, on which shall be distinctly expressed in ink, or other indelible substance, in pounds, the weight of the coal or coke contained in the vehicle or other receptacle, together with the name and address of the seller, the name and address of the purchaser, the signature and license number of the public **[**weigher**]** weighmaster and the date of weighing, together with the number of bags or sacks of the commodity, when the bags or sacks are representative of the quantity contained in the vehicle used for transporting the coal or coke, provided

coal or coke sold or offered for sale in this state in quantities of seventy-five pounds or less, in paper bags, sacks or similar containers, when the name and address of the dealer and the net contents of avoirdupois weight are distinctly and indelibly marked in ink or otherwise on the paper bags, sacks or similar containers, shall be exempt from the provisions of this section requiring delivery tickets and duplicates thereof. One of the duplicate delivery tickets shall be surrendered, upon demand, to any sealer or inspector of weights and measures for his inspection, and the ticket, or, when the sealer desires to retain one of the duplicate tickets, a weight slip, issued by the seller and signed and dated by the sealer or inspector, shall be delivered to the purchaser or his agent or representative, at the time of the delivery of the coal or coke, and the other duplicate ticket shall be retained by the seller for a period of one year, subject to inspection by any sealer or inspector of weights and measures. If the purchaser or his agent takes the coal or coke from the seller's place of business, a delivery ticket in the form required by this section and signed by a public **[**weigher**]** weighmaster shall be given to the purchaser or his agent at the time of delivery. No person shall sell or deliver, or attempt to sell or deliver, or offer to sell or deliver less than the amount of coal or coke represented in the delivery tickets therefor, provided a tolerance at the rate of five pounds to the ton shall be allowed for unavoidable wastage and variation in scales. No public **[**weigher**]** weighmaster shall weigh coal or coke loaded on a vehicle for transportation thereon and sign a delivery ticket therefor, unless **[**he**]** such public weighmaster has first weighed the vehicle empty on the same day and on the same scales, in order to determine the true net weight of the load of coal or coke. Any person who violates any provision of this section shall be fined not more than two hundred dollars or imprisoned not more than six months or both.

Sec. 50. Section 43-31 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The quantity of all preheated petroleum products sold, offered for sale or delivered at retail shall be determined by weight, such weighing to be done by a public **[**weigher**]** weighmaster licensed by the state of Connecticut, who shall weigh such products in the containers or vehicles in which they are to be delivered and on scales that have been tested and sealed by an authorized sealer or inspector of weights and measures.

Sec. 51. Section 43-32 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Each vehicle or container of such petroleum products while in transit for delivery shall be accompanied by a delivery ticket and a duplicate original thereof, on which shall be distinctly expressed in ink or other indelible substance **[**(a)**]** (1) in pounds, the gross and tare weights of the vehicle or container; **[**(b)**]** (2) the net weight of such petroleum products contained in such vehicle or container and its specific gravity or the gravity determined by accepted standard practice of using the formula of the American Petroleum Institute at sixty degrees Fahrenheit; **[**(c)**]** (3) the quantity of petroleum products so transported expressed in gallons or in barrels computed at forty-two gallons per barrel, the method of determining such gallonage or barrelage to be by accepted standard practice on the basis of the products being at a temperature of sixty degrees Fahrenheit; **[**(d)**]** (4) the name and address of the seller; **[**(e)**]** (5) the name and address of the purchaser; **[**(f)**]** (6) the signature and license number of the public **[**weigher**]** weighmaster; and **[**(g)**]** (7) the date of the weighing. One of such duplicate delivery tickets shall be surrendered upon demand to any sealer or inspector of weights and measures for **[**his**]** inspection, and such ticket or, when such sealer desires to retain one of the duplicate tickets, a weight slip issued and signed and dated by the sealer or inspector shall be delivered to the purchaser or **[**his**]** the purchaser's agent or representative at the time of delivery of such petroleum products, and the other duplicate ticket shall

be retained by the seller for a period of one year, during which time it shall be subject to inspection by a sealer or inspector of weights and measures. If the purchaser takes such petroleum products from the vendor's place of business, a delivery ticket in the form required by this section, signed by a **[**licensed public weigher**]** public weighmaster, shall be given to the purchaser or **[**his**]** the purchaser's agent at the time of delivery. No person shall sell or deliver, attempt to sell or deliver or offer to sell or deliver less than the amount of such petroleum products represented by the delivery tickets therefor, provided a tolerance at the rate of five pounds to the ton shall be allowed.

Sec. 52. Section 43-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No public **[**weigher**]** weighmaster shall weigh such petroleum products loaded on a vehicle or in a container for transportation and sign a delivery ticket therefor unless **[**he**]** the public weighmaster has secured the tare weight of the vehicle or the container in which such petroleum products are loaded for the purpose of delivery.

Sec. 53. Subsection (b) of section 51-164n of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Notwithstanding any provision of the general statutes, any person who is alleged to have committed (1) a violation under the provisions of section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c) of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-266, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-

124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4, subdivision (2) of subsection (a) of section 14-12, subsection (d) of section 14-12, subsection (f) of section 14-12a, subsection (a) of section 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h, section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a, section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of section 14-275c, section 14-276, subsection (a) or (b) of section 14-277, section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa, 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15, subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152, subsection (b) of section 17a-227, section 17a-465, subsection (c) of section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b, 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or

20-329g, subsection (b) of section 20-334, section 20-341*l*, 20-366, 20-482, 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or 21-63, subsection (d) of section 21-71, section 21-76a or 21-100, subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26, **[**or 21a-30,**]** subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79, as amended by this act, section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a, section 21a-415a, 21a-421eee, 21a-421fff **[**,**]** or 21a-421hhh, subsection (a) of section 21a-430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61*l*, subdivision (1) of subsection (n) of section 22-61*l*, subsection (f) of section 22-61m, subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89, 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-118*l*, section 22-167, subsection (c) of section 22-277, section 22-278, 22-279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b), subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344, subsection (a) or (b) of section 22-344b, subsection (d) of section 22-344d, section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of section 22a-250, section 22a-256g, subsection (e) of section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e, section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b, subsection (a) or subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117, subsection (b) of section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138, 26-139 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-224a, subdivision (1) of section 26-

226, section 26-227, 26-230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13, 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e), (g) or (h) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section 29-291c, section 29-316 or 29-318, subsection (b) of section 29-335a, section 29-381, 30-19f, as amended by this act, 30-48a or 30-86a, as amended by this act, subsection (b) of section 30-89, subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-47 or 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-52, 31-52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-412, subdivision (1) of section 35-20, subsection (a) of section 36a-57, subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq, 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764, 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480, subsection (a) or (c) of section 43-16q, as amended by this act, section 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46a-81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or 47-53, subsection (i) of section 47a-21, subdivision (1) of subsection (k) of section 47a-21, section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection (j) of section 52-362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331, subsection (b) of section 53-343a, section 53-344, subsection (b) or (c) of section 53-344b, subsection (b) of section 53-345a, section 53-377, 53-422 or 53-450 or subsection (i) of section 54-36a, or (2) a violation under the provisions of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of

building codes and the health code, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars, unless such town, city or borough has established a payment and hearing procedure for such violation pursuant to section 7-152c, shall follow the procedures set forth in this section.

Sec. 54. Section 30-1 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the purposes of this chapter and section 55 of this act, unless the context indicates a different meaning:

(1) "Airline" means any (A) United States airline carrier holding a certificate of public convenience and necessity from the Civil Aeronautics Board under Section 401 of the Federal Aviation Act of 1958, as amended from time to time, or (B) foreign flag carrier holding a permit under Section 402 of said act.

(2) "Alcohol" (A) means the product of distillation of any fermented liquid that is rectified at least once and regardless of such liquid's origin, and (B) includes synthetic ethyl alcohol which is considered nonpotable.

(3) "Alcoholic beverage" and "alcoholic liquor" include the four varieties of liquor defined in subdivisions (2), (5), **[**(20)**]** (21) and **[**(21)**]** (22) of this section (alcohol, beer, spirits and wine) and every liquid or solid, patented or unpatented, containing alcohol, beer, spirits or wine and at least one-half of one per cent alcohol by volume, and capable of being consumed by a human being as a beverage. Any liquid or solid containing more than one of the four varieties so defined belongs to the variety which has the highest percentage of alcohol according to the following order: Alcohol, spirits, wine and beer, except as provided in subdivision **[**(21)**]** (22) of this section.

(4) "Backer" means, except in cases where the permittee is the

proprietor, the proprietor of any business or club, incorporated or unincorporated, that is engaged in manufacturing or selling alcoholic liquor and in which business a permittee is associated, whether as an agent, employee or part owner.

(5) "Beer" means any beverage obtained by the alcoholic fermentation of a decoction or infusion of barley, hops and malt in drinking water.

(6) "Boat" means any vessel that is (A) operating on any waterway of this state, and (B) engaged in transporting passengers for hire to or from any port of this state.

(7) "Business entity" means any incorporated or unincorporated association, corporation, firm, joint stock company, limited liability company, limited liability partnership, partnership, trust or other legal entity.

[(7)**]** (8) "Case price" means the price of a container made of cardboard, wood or any other material and containing units of the same class and size of alcoholic liquor. A case of alcoholic liquor, other than beer, cocktails, cordials, prepared mixed drinks and wines, shall be in the quantity and number, or fewer, with the permission of the Commissioner of Consumer Protection, of bottles or units as follows: (A) Six one thousand seven hundred fifty milliliter bottles, (B) six one thousand eight hundred milliliter bottles, (C) twelve seven hundred milliliter bottles, (D) twelve seven hundred twenty milliliter bottles, (E) twelve seven hundred fifty milliliter bottles, (F) twelve nine hundred milliliter bottles, (G) twelve one liter bottles, (H) twenty-four three hundred seventy-five milliliter bottles, (I) forty-eight two hundred milliliter bottles, (J) sixty one hundred milliliter bottles, or (K) one hundred twenty fifty milliliter bottles, except a case of fifty milliliter bottles may be in a quantity and number as originally configured, packaged and sold by the manufacturer or out-of-state shipper prior to shipment if the number of such bottles in such case is not greater than

two hundred. The commissioner shall not authorize fewer quantities or numbers of bottles or units as specified in this subdivision for any one person or entity more than eight times in any calendar year. For the purposes of this subdivision, "class" has the same meaning as provided in 27 CFR 4.21 for wine, 27 CFR 5.22 for spirits and 27 CFR 7.24 for beer.

[(8)**]** (9) "Club" has the same meaning as provided in section 30-22aa.

[(9)**]** (10) "Coliseum" has the same meaning as provided in section 30-33a.

[(10)**]** (11) "Commission" means the Liquor Control Commission established under this chapter.

[(11)**]** (12) "Department" means the Department of Consumer Protection.

[(12)**]** (13) "Dining room" means any room or rooms (A) located in premises operating under (i) a hotel permit issued under section 30-21, (ii) a restaurant permit issued under subsection (a) of section 30-22, (iii) a restaurant permit for wine and beer issued under subsection (b) of section 30-22, or (iv) a cafe permit issued under section 30-22a, and (B) where meals are customarily served to any member of the public who has means of payment and a proper demeanor.

[(13)**]** (14) "Mead" means fermented honey (A) with or without additions or adjunct ingredients, and (B) regardless of (i) alcohol content, (ii) process, and (iii) whether such honey is carbonated, sparkling or still.

[(14)**]** (15) "Minor" means any person who is younger than twenty-one years of age.

[(15)**]** (16) "Noncommercial entity" means an academic institution, charitable organization, government organization, nonprofit

organization or similar entity that is not primarily dedicated to obtaining a commercial advantage or monetary compensation.

[(16)**]** (17) "Nonprofit club" has the same meaning as provided in section 30-22aa.

[(17)**]** (18) (A) "Person" means an individual, including, but not limited to, a partner.

(B) "Person" does not include **[**a corporation, joint stock company, limited liability company or other association of individuals**]** any business entity.

[(18)**]** (19) (A) "Proprietor" includes all owners of a business or club, incorporated or unincorporated, that is engaged in manufacturing or selling alcoholic liquor, whether such owners are persons, fiduciaries, **[**joint stock companies**]** business entities, stockholders of corporations or otherwise.

(B) "Proprietor" does not include any person who, or **[**corporation**]** business entity that, is merely a creditor, whether as a bond holder, franchisor, landlord or note holder, of a business or club, incorporated or unincorporated, that is engaged in manufacturing or selling alcoholic liquor.

[(19)**]** (20) "Restaurant" has the same meaning as provided in section 30-22.

[(20)**]** (21) "Spirits" means any beverage that contains alcohol obtained by distillation mixed with drinkable water and other substances in solution, including brandy, rum, whiskey and gin.

[(21)**]** (22) "Wine" means any alcoholic beverage obtained by fermenting the natural sugar content of fruits, such as apples, grapes or other agricultural products, containing such sugar, including fortified

wines such as port, sherry and champagne.

Sec. 55. (NEW) (*Effective from passage*) (a) Subject to the provisions of subsection (b) of this section, a franchisor or landlord may, without obtaining approval as a backer, receive profits from the sale of alcoholic liquor from a franchisee or tenant that is permitted to sell alcoholic liquor under the provisions of chapter 545 of the general statutes, provided the franchisor or landlord does not:

(1) Control the operations of the permit premises;

(2) Direct sales of alcoholic liquor from the permit premises; or

(3) Otherwise engage in activities indicating ownership or proprietorship of the franchisee or tenant.

(b) The Department of Consumer Protection may require a franchisor or landlord to obtain approval as a backer in order for the franchisor or landlord to receive profits as set forth in subsection (a) of this section. In determining whether to require a franchisor or landlord to receive such approval, the department shall:

(1) Consider the percentage of such profits that the franchisor or landlord receives; and

(2) Evaluate whether the franchisor or landlord may (A) supervise, hire, retain or discharge persons employed on the permit premises, (B) set menu selections or prices for the permit premises, (C) establish hours or days of operation for the permit premises, (D) decide whether or when a patio may be used in connection with the operations of the permit premises, (E) order or accept alcoholic liquor deliveries for the permit premises, (F) arrange advertising for the permit premises, including, but not limited to, advertising on the Internet or through social media, (G) dictate decorations for the permit premises, (H) access banking accounts related to the permit premises, (I) incur debt on behalf

of a backer for the permit, and (J) enter into agreements with other entities on behalf of a backer for the permit.

Sec. 56. Section 30-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No commissioner of the Liquor Control Commission and no employee of the Department of Consumer Protection who carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, and the regulations enacted thereunder may, directly or indirectly, individually or as a member **[**of a partnership**]** or owner of a business entity or as a shareholder of a corporation, have any interest whatsoever in dealing in or in the manufacture of alcoholic liquor, nor receive any commission or profit whatsoever from nor have any interest whatsoever in the purchases or sales made by the persons authorized by this chapter to purchase or sell alcoholic liquor. No provision of this section shall prevent any such commissioner or employee from purchasing and keeping in **[**his**]** such commissioner's or employee's possession, for **[**the**]** personal use **[**of himself or**]** by such commissioner or employee, members of **[**his**]** such commissioner's or employee's family or guests, any alcoholic liquor which may be purchased or kept by any person by virtue of this chapter.

Sec. 57. Section 30-14a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A package store permit issued under subsection (b) of section 30-20 may be renewed by the person to whom **[**it**]** such permit was issued or by any person who (1) is a transferee or purchaser of premises operating under a package store permit issued under subsection (b) of section 30-20, and **[**who**]** (2) meets the requirements of this chapter concerning eligibility for a liquor permit. Commencing June 8, 1986, the Department of Consumer Protection may issue one package store permit under subsection (b) of section 30-20 for every twenty-five

hundred residents of a town as determined by the most recently completed decennial census. The department may authorize the holder of such permit to remove **[**his**]** such holder's permit premises to a location in another town provided such removal complies with the provisions of this chapter.

(b) (1) The Department of Consumer Protection may (A) refuse to accept any incomplete application for a package store permit under subsection (b) of section 30-20, or (B) establish a deadline by which an applicant for a package store permit under subsection (b) of section 30-20 shall open to the public for continuous operation.

(2) If an applicant for a package store permit under subsection (b) of section 30-20 fails to open to the public for continuous operation on or before the deadline established by the Department of Consumer Protection under subparagraph (B) of subdivision (1) of this subsection, the department may deem such applicant's application to have been withdrawn and expired for the purpose of preventing placeholding. For the purposes of this subdivision, "placeholding" means (A) applying for the last available package store permit in a town, and (B) failing to open to the public for continuous operation on or before the deadline established by the department under subparagraph (B) of subdivision (1) of this subsection.

Sec. 58. Subsection (a) of section 30-17 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) A wholesaler permit shall allow the bottling of alcoholic liquor and the wholesale sale of alcoholic liquor to permittees in this state and without the state, as may be permitted by law, and the sale of alcoholic liquors to vessels engaged in coastwise or foreign commerce, and the sale of alcohol and alcoholic liquor for industrial purposes to nonpermittees, such sales to be made in accordance with the regulations

adopted by the Department of Consumer Protection, and the sale of alcohol and alcoholic liquor for medicinal purposes to hospitals and charitable institutions and to religious organizations for sacramental purposes and the receipt from out-of-state shippers of multiple packages of alcoholic liquor. The holder of a wholesaler permit may apply for and shall thereupon receive an out-of-state shipper's permit for direct importation from abroad of alcoholic liquors manufactured outside the United States and an out-of-state shipper's permit for direct importation from abroad of beer manufactured outside the United States. The annual fee for a wholesaler permit shall be two thousand six hundred fifty dollars.

(2) When a holder of a wholesaler permit has had the distributorship of any alcohol, beer, spirits or wine product of a manufacturer or out-of-state shipper for six months or more, such distributorship may be terminated or its geographic territory diminished upon (A) the execution of a written stipulation by the wholesaler and manufacturer or out-of-state shipper agreeing to the change and the approval of such change by the Department of Consumer Protection; or (B) the sending of a written notice by certified or registered mail, return receipt requested, by the manufacturer or out-of-state shipper to the wholesaler, a copy of which notice has been sent simultaneously **[**by certified or registered mail, return receipt requested,**]** to the **[**Department of Consumer Protection**]** department in a manner prescribed by the Commissioner of Consumer Protection. No such termination or diminishment shall become effective except for just and sufficient cause, provided such cause shall be set forth in such notice and the **[**Department of Consumer Protection**]** department shall determine, after hearing, that just and sufficient cause exists. If an emergency occurs, caused by the wholesaler, prior to such hearing, which threatens the manufacturers' or out-of-state shippers' products or otherwise endangers the business of the manufacturer or out-of-state shipper and said emergency is established to the satisfaction of the

[Department of Consumer Protection**]** department, the department may temporarily suspend such wholesaler permit or take whatever reasonable action the department deems advisable to provide for such emergency and the department may continue such temporary action until its decision after a full hearing. The **[**Department of Consumer Protection**]** department shall render its decision with reasonable promptness following such hearing. Notwithstanding the aforesaid, a manufacturer or out-of-state shipper may appoint one or more additional wholesalers as the distributor for an alcohol, spirits or wine product within such territory, provided such appointment shall not be effective until six months from the date such manufacturer or out-of-state shipper sets forth such intention in written notice to the existing wholesaler by certified or registered mail, return receipt requested, with a copy of such notice simultaneously sent **[**by certified or registered mail, return receipt requested, to the Department of Consumer Protection**]** to the department in a manner prescribed by the Commissioner of Consumer Protection. For just and sufficient cause, a manufacturer or out-of-state shipper may appoint one or more additional wholesalers as the distributor for a beer product within such territory provided such manufacturer or out-of-state shipper sets forth such intention and cause in written notice to the existing wholesaler by certified or registered mail, return receipt requested, with a copy of such notice simultaneously sent **[**by certified or registered mail, return receipt requested, to the Department of Consumer Protection**]** to the department in a manner prescribed by the Commissioner of Consumer Protection. Such written notice shall include the name of each additional wholesaler appointed as a distributor and provide a detailed description of the just and sufficient cause necessitating such appointment. For the purposes of this section, "just and sufficient cause" means the existence of circumstances which, in the opinion of a reasonable person considering all of the equities of both the wholesaler and the manufacturer or out-of-state shipper warrants a termination or a diminishment of a distributorship as the case may be. For the purposes

of this section, "manufacturer or out-of-state shipper" means the manufacturer or out-of-state shipper who originally granted a distributorship of any alcohol, beer, spirits or wine product to a wholesaler, any successor to such manufacturer or out-of-state shipper, which successor has assumed the contractual relationship with such wholesaler by assignment or otherwise, or any other manufacturer or out-of-state shipper who acquires the right to ship such alcohol, beer, spirits or wine into the state.

(3) Nothing contained in this section shall be construed to interfere with the authority of the Department of Consumer Protection to retain or adopt reasonable regulations concerning the termination or diminishment of a distributorship held by a wholesaler for less than six months.

(4) All hearings held under this section shall be held in accordance with the provisions of chapter 54.

Sec. 59. Subsection (b) of section 30-19f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) No **[**person, corporation, incorporated or unincorporated association, partnership, trust or other legal entity**]** person or business entity, except the holder of an out-of-state shipper's permit issued under section 30-18 or 30-19, a manufacturer's permit issued under section 30-16, other than a manufacturer permit for a farm winery or a manufacturer permit for wine, cider and mead, or a wholesaler's permit issued under section 30-17, as amended by this act, shall transport any alcoholic beverages imported into this state unless: **[**such person: (1) Holds**]** (1) Such person or business entity holds an in-state transporter's permit issued under this section; (2) the tax imposed on such alcoholic liquor under section 12-435 has been paid; and (3) if applicable, the tax imposed on the sale of such alcoholic liquor under chapter 219 has been

paid.

Sec. 60. Subsection (d) of section 30-22b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) "Catering establishment" means any premises that (1) has an adequate, suitable and sanitary kitchen, dining room and facilities to provide hot meals, (2) has no sleeping accommodations for the public, (3) is owned or operated by any **[**person, firm, association, partnership or corporation that**]** person who, or business entity that, (A) regularly furnishes for hire on such premises **[**,**]** one or more ballrooms, reception rooms, dining rooms, banquet halls or similar places of assemblage for a particular function, occasion or event, or **[**that**]** (B) furnishes provisions and services for consumption or use at **[**such**]** any function, occasion or event described in subparagraph (A) of this subdivision, and (4) employs an adequate number of employees on such premises at the time of any **[**such**]** function, occasion or event described in subparagraph (A) of subdivision (3) of this subsection.

Sec. 61. Section 30-35 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A temporary liquor permit for a noncommercial entity shall allow the sale of beer, spirits or wine at any fundraising event, outing, picnic or social gathering conducted by a bona fide noncommercial entity, club or golf country club, as described in subsection (g) of section 30-22a, which noncommercial entity, club or golf country club shall be the backer of the permittee under such permit. No for-profit business entity may be the backer of any such permittee. Each temporary liquor permit for a noncommercial entity shall also allow the retail sale of beer, spirits or wine at an in-person or online auction, provided such auction is held as part of a fundraising event to benefit the tax-exempt activities of the

noncommercial entity, club or golf country club. All profits from the auction or sale of such beer, spirits or wine shall be retained by the backer or permittee conducting such fundraising event, outing, picnic, social gathering or auction, and no portion of such profits shall be paid, directly or indirectly, to any **[**individual or other corporation**]** person or business entity. Such permit shall be issued subject to the approval of the **[**department**]** Department of Consumer Protection and shall be effective only for specified dates and times limited by the department. The combined total of fundraising events, outings, picnics, social gatherings or auctions, for which a temporary liquor permit for a noncommercial entity is issued under this section, shall not exceed twelve in any calendar year and the approved dates and times for each such fundraising event, outing, picnic, social gathering or auction shall be displayed on such permit. Each temporary liquor permit for a noncommercial entity issued under this section shall be subject to the hours of sale established in subsection (a) of section 30-91 and the combined total of days for which such permit is issued shall not exceed twenty days in any calendar year. The holder of a temporary liquor permit for a noncommercial entity issued under this section shall display such permit, and the days for which such permit has been issued, in a prominent location adjacent to the entrance to the fundraising event, outing, picnic, social gathering or auction. The fee for a temporary liquor permit for a noncommercial entity shall be fifty dollars per day.

(b) The holder of a manufacturer permit issued under section 30-16, a wholesaler permit issued under section 30-17, as amended by this act, **[**or**]** an out-of-state shipper's permit for alcoholic liquor issued under section 30-18, an out-of-state retail shipper's permit for wine or out-of-state winery shipper's permit for wine issued under section 30-18a, an out-of-state shipper's permit for beer issued under section 30-19, a package store permit issued under subsection (b) of section 30-20, a restaurant permit issued under section 30-22 or a cafe permit issued

under subsection (c) of section 30-22a may offer tastings for, and donate to, the holder of a temporary liquor permit for a noncommercial entity issued under this section any beer, spirits or wine such manufacturer permittee manufactures, for which such wholesaler permittee holds distribution rights or which such package store permittee sells at retail.

Sec. 62. Subsection (b) of section 30-39 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) Any person desiring a liquor permit or a renewal of such a permit shall make an affirmed application therefor to the Department of Consumer Protection, upon forms to be furnished by the department, showing the name and address of the applicant and of the applicant's backer, if any, the location of the club or place of business which is to be operated under such permit and a financial statement setting forth all elements and details of any business transactions connected with the application. Such application shall include a detailed description of the type of live entertainment that is to be provided. A club or place of business shall be exempt from providing such detailed description if the club or place of business (A) was issued a liquor permit prior to October 1, 1993, and (B) has not altered the type of entertainment provided. The application shall also indicate any crimes of which the applicant or the applicant's backer may have been convicted. Applicants shall submit documents, only upon initial application, sufficient to establish that state and local building, fire and zoning requirements and local ordinances concerning hours and days of sale will be met, except that local building and zoning requirements and local ordinances concerning hours and days of sale shall not apply to a cafe permit issued under subsection (d) or (h) of section 30-22a. The State Fire Marshal or the marshal's certified designee shall be responsible for approving compliance with the State Fire Code at Bradley International Airport. Any person desiring a permit provided for in section 30-33b shall file a

copy of such person's license with such application if such license was issued by the Department of Consumer Protection. The department may, at its discretion, conduct an investigation to determine (i) whether a permit shall be issued to an applicant or the applicant's backer, or (ii) the suitability of the proposed permit premises. Completion of an inspection pursuant to subsection (f) of section 29-305 shall not be deemed to constitute a precondition to renewal of a permit that is subject to subsection (f) of section 29-305.

(2) The applicant shall pay to the department a nonrefundable application fee, which fee shall be in addition to the fees prescribed in this chapter for the permit sought. An application fee shall not be charged for an application to renew a permit. The application fee shall be in the amount of ten dollars for the filing of each application for a permit by a nonprofit golf tournament permit under section 30-37g or a temporary liquor permit for a noncommercial entity under section 30-35, as amended by this act; and in the amount of one hundred dollars for the filing of an initial application for all other permits. Any permit issued shall be valid only for the purposes and activities described in the application.

(3) The applicant, immediately after filing an application, shall give notice thereof, with the name and residence of the permittee, the type of permit applied for and the location of the place of business for which such permit is to be issued and the type of live entertainment to be provided, all in a form prescribed by the department, by publishing the same in a newspaper having a circulation in the town in which the place of business to be operated under such permit is to be located, at least once a week for two successive weeks, the first publication to be not more than seven days after the filing date of the application and the last publication not more than fourteen days after the filing date of the application. The applicant shall affix, and maintain in a legible condition upon the outer door of the building wherein such place of business is to

be located and clearly visible from the public highway, the placard provided by the department, not later than the day following the receipt of the placard by the applicant. If such outer door of such premises is so far from the public highway that such placard is not clearly visible as provided, the department shall direct a suitable method to notify the public of such application. When an application is filed for any type of permit for a building that has not been constructed, such applicant shall erect and maintain in a legible condition a sign not less than six feet by four feet upon the site where such place of business is to be located, instead of such placard upon the outer door of the building. The sign shall set forth the type of permit applied for and the name of the proposed permittee, shall be clearly visible from the public highway and shall be so erected not later than the day following the receipt of the placard. Such applicant shall make a return to the department, under oath, of compliance with the foregoing requirements, in such form as the department may determine, but the department may require any additional proof of such compliance. Upon receipt of evidence of such compliance, the department may hold a hearing as to the suitability of the proposed location. The provisions of this subdivision shall not apply to applications for (A) airline permits issued under section 30-28a, (B) temporary liquor permits for noncommercial entities issued under section 30-35, as amended by this act, (C) concession permits issued under section 30-33, (D) military permits issued under section 30-34, (E) cafe permits issued under subsection (h) of section 30-22a, (F) warehouse permits issued under section 30-32, (G) broker's permits issued under section 30-30, (H) out-of-state shipper's permits for alcoholic liquor issued under section 30-18, (I) out-of-state shipper's permits for beer issued under section 30-19, (J) coliseum permits issued under section 30-33a, (K) nonprofit golf tournament permits issued under section 30-37g, (L) Connecticut craft cafe permits issued under section 30-22d to permittees who held a manufacturer permit for a brew pub or a manufacturer permit for beer issued under subsection (b) of section 30-16 and a brew pub before July 1, 2020, (M) off-site farm

winery sales and wine, cider and mead tasting permits issued under section 30-16a, (N) out-of-state retailer shipper's permits for wine issued under section 30-18a, (O) out-of-state winery shipper's permits for wine issued under section 30-18a, (P) in-state transporter's permits for alcoholic liquor issued under section 30-19f, as amended by this act, including, but not limited to, boats operating under such permits, (Q) seasonal outdoor open-air permits issued under section 30-22e, (R) festival permits issued under section 30-37t, (S) temporary auction permits issued under section 30-37u, (T) outdoor open-air permits issued under section 30-22f, and (U) renewals of any permit described in subparagraphs (A) to (T), inclusive, of this subdivision, if applicable. The provisions of this subdivision regarding publication and placard display shall also be required of any applicant who seeks to amend the type of entertainment either upon filing of a renewal application or upon requesting permission of the department in a form that requires the approval of the municipal zoning official.

(4) In any case in which a permit has been issued to a partnership, if one or more of the partners dies or retires, the remaining partner or partners need not file a new application for the unexpired portion of the current permit, and no additional fee for such unexpired portion shall be required. Notice of any such change shall be given to the department and the permit shall be endorsed to show correct ownership. When any partnership changes by reason of the addition of one or more persons, a new application with new fees shall be required.

Sec. 63. Subsection (a) of section 30-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Consumer Protection may, in its discretion, suspend, revoke or refuse to grant or renew a permit for the sale of alcoholic liquor, or impose a fine of not greater than one thousand dollars per violation, if **[**it**]** the department has reasonable cause to

believe: (1) That the applicant or permittee appears to be financially irresponsible or neglects to provide for **[**his**]** the applicant's or permittee's family, or neglects or is unable to pay **[**his**]** the applicant's or permittee's just debts; (2) that the applicant or permittee has been provided with funds by any wholesaler or manufacturer or has any forbidden connection with any other class of permittee as provided in this chapter; (3) that the applicant or permittee is in the habit of using alcoholic beverages to excess; (4) that the applicant or permittee has wilfully made any false statement to the department in a material matter; (5) that the applicant or permittee has been convicted of violating any of the liquor laws of this or any other state or the liquor laws of the United States or has been convicted of a felony as such term is defined in section 53a-25, provided any action taken is based upon (A) the nature of the conviction and its relationship to the applicant or permittee's ability to safely or competently perform the duties associated with such permit, (B) information pertaining to the degree of rehabilitation of the applicant or permittee, and (C) the time elapsed since the conviction or release, or has such a criminal record that the department reasonably believes **[**he**]** the applicant or permittee is not a suitable person to hold a permit, provided no refusal shall be rendered under this subdivision except in accordance with the provisions of sections 46a-80 and 46a-81; (6) that the applicant or permittee has not been delegated full authority and control of the permit premises and of the conduct of all business on such premises; or (7) that the applicant, applicant's backer, backer or permittee has violated any provision of this chapter or any regulation adopted under this chapter. Any applicant, applicant's backer or backer shall be subject to the same disqualifications as provided in this **[**section in the case of an applicant for a permit or a permittee**]** chapter, or any regulation adopted under this chapter, for permittees.

Sec. 64. Subsection (a) of section 30-48 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu

thereof (*Effective from passage*):

(a) No backer or permittee of one permit class shall be a backer or permittee of any other permit class except in the case of airline permits issued under section 30-28a, boats operating under in-state transporter's permits issued under section 30-19f, as amended by this act, and cafe permits issued under subsections (d) and (h) of section 30-22a, except that: (1) A backer of a hotel permit issued under section 30-21 or a restaurant permit issued under section 30-22 may be a backer of both such classes; (2) a holder or backer of a restaurant permit issued under section 30-22 or a cafe permit issued under subsection (a) of section 30-22a may be a holder or backer of any other or all of such classes; (3) a holder or backer of a restaurant permit issued under section 30-22 may be a holder or backer of a cafe permit issued under subsection (f) of section 30-22a; (4) a backer of a restaurant permit issued under section 30-22 may be a backer of a coliseum permit issued under section 30-33a when such restaurant is within a coliseum; (5) a backer of a hotel permit issued under section 30-21 may be a backer of a coliseum permit issued under section 30-33a; (6) a backer of a grocery store beer permit issued under subsection (c) of section 30-20 may be (A) a backer of a package store permit issued under subsection (b) of section 30-20 if such was the case on or before May 1, 1996, and (B) a backer of a restaurant permit issued under section 30-22, provided the restaurant permit premises do not abut or share the same space as the grocery store beer permit premises; (7) a backer of a cafe permit issued under subsection (j) of section 30-22a, may be a backer of a nonprofit theater permit issued under section 30-35a; (8) a backer of a nonprofit theater permit issued under section 30-35a may be a holder or backer of a hotel permit issued under section 30-21 or a coliseum permit issued under section 30-33a; (9) a backer of a concession permit issued under section 30-33 may be a backer of a coliseum permit issued under section 30-33a; (10) a holder of an out-of-state winery shipper's permit for wine issued under section 30-18a may be a holder of an in-state transporter's permit issued under

section 30-19f, as amended by this act; (11) a holder of an out-of-state shipper's permit for alcoholic liquor issued under section 30-18 or an out-of-state winery shipper's permit for wine issued under section 30-18a may be a holder of an in-state transporter's permit issued under section 30-19f, as amended by this act; (12) a holder of a manufacturer permit for a farm winery issued under subsection (c) of section 30-16 or a manufacturer permit for wine, cider and mead issued under subsection (d) of section 30-16 may be a holder of an in-state transporter's permit issued under section 30-19f, as amended by this act, an off-site farm winery sales and tasting permit issued under section 30-16a or any combination of such permits; (13) the holder of a manufacturer permit for spirits, beer, a farm winery or wine, cider and mead, issued under subsection (a), (b), (c) or (d), respectively, of section 30-16 may be a holder of a Connecticut craft cafe permit issued under section 30-22d, a restaurant permit or a restaurant permit for wine and beer issued under section 30-22 or a farmers' market sales permit issued under section 30-37o; (14) the holder of a restaurant permit issued under section 30-22, a cafe permit issued under section 30-22a, or an in-state transporter's permit issued under section 30-19f, as amended by this act, may be the holder of a seasonal outdoor open-air permit issued under section 30-22e or an outdoor open-air permit issued under section 30-22f; **[**and**]** (15) the holder of a festival permit issued under section 30-37t may be the holder or backer of one or more of such other classes; (16) the holder of an out-of-state shipper's permit for alcoholic liquor other than beer issued under section 30-18, an out-of-state winery shipper's permit for wine issued under section 30-18a or an out-of-state shipper's permit for beer issued under section 30-19 may be the holder of an out-of-state retailer shipper's permit for wine issued under section 30-18a; and (17) the holder of a restaurant permit issued under section 30-22 may be a holder of a Connecticut craft cafe permit issued under section 30-22d, provided the permit premises are located at two different addresses. Any person may be a permittee of more than one permit. No holder of a manufacturer permit for beer issued under subsection (b) of

section 30-16 and no spouse or child of such holder may be a holder or backer of more than three restaurant permits issued under section 30-22 or cafe permits issued under section 30-22a.

Sec. 65. Section 30-51a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the provisions of subdivision (6) of subsection (a) of section 30-47, as amended by this act, and section 30-51, as amended by this act, a permittee of premises operating under a grocery store beer permit issued under subsection (c) of section 30-20 may lease up to fifty per cent of the total square footage of the premises to any person for lawful purposes. The Department of Consumer Protection shall not issue a permit allowing the sale or consumption of alcoholic liquor on any such leased premises, and the sale or consumption of alcoholic liquor shall be unlawful on any such leased premises.

Sec. 66. Section 30-51 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No permit may be issued for the sale of alcoholic liquor in any building, a portion of which will not be used as the permit premises, unless the application therefor is accompanied by an affidavit signed and affirmed by the applicant, stating that access from the portion of the building that will not be used as the permit premises to the portion of the building that will be used as the permit premises is effectually **[**closed**]** separate, unless the Department of Consumer Protection endorses upon such application that it has dispensed with such affidavit for reasons considered by it good and satisfactory and also endorses thereon such reasons. **[**If any way**]** No new means of access **[**from the other portion of such building to the portion used as**]** into the permit premises **[**is**]** shall be opened, after such permit is issued, without the written consent of the Department of Consumer Protection endorsed on such permit. **[**, such permit shall thereupon become and be forfeited,

with or without notice from the Department of Consumer Protection, and shall be null and void. If such applicant or**]** If any permittee or any backer thereof opens, causes to be opened, **[**permits**]** allows to be opened or allows to remain open, at any time during the term for which such permit is issued, any **[**way**]** new means of access from any portion of a building not part of the permit premises **[**to any other portion of such building that is**]** into the permit premises, without the written consent of the Department of Consumer Protection endorsed on such permit, such **[**persons**]** permittee or **[**backers**]** backer shall be subject to the penalties provided in section 30-113. The Department of Consumer Protection shall require every applicant for a permit to sell alcoholic liquor to state under oath whether any portion of the building in which it is proposed to carry on such business will not be used as the permit premises; and, if so, the Department of Consumer Protection shall appoint a suitable person to examine the premises and to see that any and all access between the portion so to be used for the sale of alcoholic liquor and the portion not so used is effectually **[**closed**]** separate, and may designate the manner of such **[**closing**]** separation, and, if necessary, order seals to be placed so that such way of access cannot be opened without breaking the seals, and the breaking or removal of such seals or other methods of preventing access, so ordered and provided, shall be prima facie evidence of a violation of this section. The above provisions shall not apply to any premises operating under a hotel permit.

Sec. 67. Section 30-55 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Consumer Protection may, in its discretion, revoke, suspend or place conditions on any permit or provisional permit or impose a fine of not greater than one thousand dollars per violation, upon cause found after hearing, provided **[**ten days'**]** written notice of such hearing has been given to the permittee, **[**setting forth, with the

particulars required in civil pleadings, the charges upon which such proposed revocation, suspension, condition or fine is predicated. Any appeal from such order of revocation, suspension, condition or fine shall be taken in accordance with the provisions of section 4-183**]** applicant, backer or proposed backer in accordance with the provisions of chapter 54.

(b) The surrender of a permit or provisional permit for cancellation, the withdrawal of an application or the expiration of a permit shall not prevent the **[**department**]** Department of Consumer Protection from suspending or revoking any such permit pursuant to the provisions of this section.

Sec. 68. Section 30-58a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Department of Consumer Protection, in **[**its**]** the department's discretion and subject to such regulations as **[**it**]** the department may adopt, may accept from any applicant, applicant's backer, backer or permittee **[**or backer**]** an offer in compromise in such an amount as may in the discretion of the department be proper under the circumstances in lieu of the suspension of any permit previously imposed by the department. Any sums of money so collected by the department shall be paid forthwith into the State Treasury for the general purposes of the state.

Sec. 69. Section 30-60 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any applicant for a permit or for the renewal of a permit for the manufacture or sale of alcoholic liquor whose application is refused or any applicant or permittee whose permit is denied, revoked or suspended by the Department of Consumer Protection or any ten residents who have filed a remonstrance pursuant to the provisions of

section 30-39, as amended by this act, and who are aggrieved by the granting of a permit by the department may appeal therefrom in accordance with section 4-183. Appeals shall be privileged in respect to the assignment thereof. If said court decides, upon the trial of such appeal, that the appellant is a suitable person to sell alcoholic liquor and that the place named in **[**his**]** the appellant's application is a suitable place, within the class of permit applied for or revoked, and renders judgment accordingly, a copy of such judgment shall be forthwith transmitted by the clerk of said court to the department, and the department shall thereupon issue a permit to such appellant to sell such alcoholic liquor at such place for the remainder of the permit year, and the fee to be paid therefor, unless the application is for the renewal of the permit, in which case the full fee shall be paid, shall bear the same proportion to the full permit fee for a year as the unexpired portion of the year from the time when such permit was granted bears to the full year. If the court decides on such trial that the applicant is not a suitable person to sell alcoholic liquor or that the place named in the application is not a suitable place, and renders judgment accordingly, a copy of such judgment shall be forthwith transmitted by the clerk of said court to the department and the department shall not issue a permit to such applicant or shall rescind the granting of a permit, as the case may be. If said court upholds the decision of the department upon the trial of such appeal, or modifies such decision in whole or in part and renders judgment accordingly, a copy of such judgment shall be forthwith transmitted by the clerk of said court to the department and, if a renewal fee has been paid within the time during which such appeal has been pending, the department shall thereupon certify to the Treasurer a deduction from such fee of a sum which shall bear the same proportion to the full permit fee for a year as the portion of the year from the time when such renewal would have become effective to the time when such judgment was rendered bears to the full year, and the amount of such deduction shall be paid in accordance with the provisions of section 30-5, and the remainder of such fee shall be paid by the state to the

applicant.

Sec. 70. Section 30-62a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Consumer Protection, subject to such regulations as said department **[**shall**]** may adopt, may permit more than one consumer bar in any premises for which a permit has been issued under this part for the retail sale of alcoholic liquor to be consumed on **[**the**]** such premises. A consumer bar is a counter, with or without seats, at which a patron may purchase and consume or purchase alcoholic liquor. The fee for each additional consumer bar shall be one hundred ninety dollars per annum.

(b) The Department of Consumer Protection, subject to such regulations as said department may adopt, may permit more than one consumer service bar in any premises for which a permit has been issued under this part for the retail sale of alcoholic liquor to be consumed on such premises. A consumer service bar is a counter, without seats, at which a patron may purchase alcoholic liquor, but for which the primary function is to facilitate the purchase of food. Alcoholic liquor may be served to a patron across the consumer service bar, but no patron shall sit or consume alcoholic liquor or food at the consumer service bar. Minors may stand at a consumer service bar for the purpose of ordering and receiving food. No premises shall have both a self-pour endorsement and a consumer service bar endorsement.

Sec. 71. Section 30-78 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) All alcoholic liquor which is intended by the owner or keeper thereof to be manufactured or sold in violation of law shall, together with the vessels in which such liquor is contained, be a nuisance and subject to confiscation by the Commissioner of Consumer Protection or

the commissioner's authorized agent. The Department of Consumer Protection may dispose of any intoxicating liquor, acquired in connection with the administration of this chapter, by public or private sale in such manner and upon such terms as it deems practical and, in cases where sale is impracticable, by delivering **[**it**]** such intoxicating liquor to any state institution which has use therefor. All proceeds from such sale shall be paid into the State Treasury to the credit of the General Fund.

(b) (1) If, during an inspection or investigation of a permittee, the Commissioner of Consumer Protection or the commissioner's authorized agent has probable cause to believe that the permittee is in possession of, or there exists on the permit premises, any item listed in subdivision (2) of this subsection, the commissioner or the commissioner's authorized agent may affix to such item a tag or other appropriate marking to indicate that such item is, or is suspected to be, in violation of this chapter and has been embargoed, provided the commissioner or the commissioner's authorized agent gives advance written notice to the permittee disclosing such violation, or suspected violation, and embargo.

(2) Subject to the provisions of this subsection, the commissioner or the commissioner's authorized agent may embargo the following items if such items are discovered as part of an inspection or investigation described in subdivision (1) of this subsection:

(A) Any unauthorized gambling device, illegitimate lottery ticket, or illegal gambling or bookmaking equipment;

(B) Any driver's license or identification card that is used by any person, other than the person to whom such driver's license or identification card was issued, to unlawfully (i) enter, or attempt to enter, the permit premises, or (ii) purchase, or attempt to purchase, alcoholic liquor;

(C) Any imitation of a driver's license or identification card that is used by any person to unlawfully (i) enter, or attempt to enter, the permit premises, or (ii) purchase, or attempt to purchase, alcoholic liquor;

(D) Any drug, as defined in section 20-571, that is offered or made available for sale by any person who is not authorized to offer such drug or make such drug available for sale;

(E) Any high-THC hemp product, as defined in section 21a-240;

(F) Any synthetic cannabinoid, as defined in section 21a-240; and

(G) Any tobacco products that are sold without a stamp or by any person other than a dealer, as said terms are defined in section 12-285.

(3) No person shall remove or dispose of any embargoed item, by sale or otherwise, unless such person obtains advance written consent from the commissioner or the commissioner's authorized agent for such removal or disposal.

(4) Not later than fifteen days after a permittee receives a written notice under subdivision (1) of this subsection, the permittee may submit to the department a written request for a hearing to remove the embargo. The commissioner shall cause such hearing to be held not later than forty-five days after the department receives the permittee's written request for a hearing, and such hearing shall be conducted pursuant to chapter 54. If the embargo is removed, neither the commissioner nor the state shall be held liable for any damages incurred for any injury sustained due to such embargo if the commissioner, the commissioner's designee or a court of competent jurisdiction finds that there was probable cause to impose such embargo.

(c) (1) In addition to any embargo imposed under subsection (b) of this section, the Commissioner of Consumer Protection or the

commissioner's authorized agent may confiscate the following items if such items are present on any permit premises:

(A) Any driver's license or identification card that is used by any person, other than the person to whom such driver's license or identification card was issued, to unlawfully (i) enter, or attempt to enter, the permit premises, or (ii) purchase, or attempt to purchase, alcoholic liquor; and

(B) Any imitation of a driver's license or identification card that is used by any person to unlawfully (i) enter, or attempt to enter, the permit premises, or (ii) purchase, or attempt to purchase, alcoholic liquor.

(2) To effectuate any confiscation authorized under subdivision (1) of this subsection, the commissioner or commissioner's authorized agent shall provide to the permittee a written inventory of the items that the commissioner or the commissioner's authorized agent has confiscated, along with a narrative description of the basis for such confiscation.

(3) Not later than two days after the commissioner or the commissioner's authorized agent completes any confiscation authorized under subdivision (1) of this subsection, the commissioner or the commissioner's authorized agent shall submit to the law enforcement agency having jurisdiction over the permit premises a written notice disclosing that such confiscation occurred.

(4) Not later than fifteen days after the commissioner or the commissioner's authorized agent completes any confiscation authorized under subdivision (1) of this subsection, the permittee may submit to the department a written request for a hearing to revoke the confiscation. The commissioner shall cause such hearing to be held not later than forty-five days after the department receives the permittee's written request for a hearing, and such hearing shall be conducted

pursuant to chapter 54. If the confiscation is revoked, neither the commissioner nor the state shall be held liable for any damages incurred for any injury sustained due to such confiscation if the commissioner, the commissioner's designee or a court of competent jurisdiction finds that there was probable cause to make such confiscation.

Sec. 72. Section 30-86 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section:

(1) "Cardholder" means any person who presents a driver's license or an identity card to a permittee or permittee's agent or employee, to purchase or receive alcoholic liquor from such permittee or permittee's agent or employee;

(2) "Identity card" means an identification card issued in accordance with the provisions of section 1-1h;

(3) "Transaction scan" means the process by which a permittee or permittee's agent or employee checks, by means of a transaction scan device, the validity of a driver's license or an identity card; and

(4) "Transaction scan device" means any commercial device or combination of devices used at a point of sale that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver's license or an identity card.

(b) (1) Any permittee or any servant or agent of a permittee who sells or delivers alcoholic liquor to any minor or any intoxicated person, or to any habitual drunkard, knowing the person to be such **[**an**]** a habitual drunkard, shall be subject to the penalties of section 30-113.

(2) Any person who sells, ships, delivers or gives alcoholic liquor to

a minor, by any means, including, but not limited to, the Internet or any other on-line computer network, except on the order of a practicing physician, shall be fined not more than three thousand five hundred dollars or imprisoned not more than eighteen months, or both.

(3) The provisions of this subsection shall not apply (A) to a sale, shipment or delivery made to a person over age eighteen who is an employee or permit holder under section 30-90a and where such sale, shipment or delivery is made in the course of such person's employment or business, (B) to a sale, shipment or delivery made in good faith to a minor who practices any deceit in the procurement of an identity card issued in accordance with the provisions of section 1-1h, who uses or exhibits any such identity card belonging to any other person or who uses or exhibits any such identity card that has been altered or tampered with in any way, or (C) to a shipment or delivery made to a minor by a parent, guardian or spouse of the minor, provided such parent, guardian or spouse has attained the age of twenty-one and provided such minor possesses such alcoholic liquor while accompanied by such parent, guardian or spouse.

(4) Nothing in this subsection shall be construed to burden a person's exercise of religion under section 3 of article first of the Constitution of the state in violation of subsection (a) of section 52-571b.

(c) (1) A permittee or permittee's agent or employee may perform a transaction scan to check the validity of a driver's license or identity card presented by a cardholder as a condition for selling, giving away or otherwise distributing alcoholic liquor to the cardholder.

(2) If the information deciphered by the transaction scan performed under subdivision (1) of this subsection fails to match the information printed on the driver's license or identity card presented by the cardholder, or if the transaction scan indicates that the information so printed is false or fraudulent, neither the permittee nor any permittee's

agent or employee shall sell, give away or otherwise distribute any alcoholic liquor to the cardholder.

(3) Subdivision (1) of this subsection does not preclude a permittee or permittee's agent or employee from using a transaction scan device to check the validity of a document presented as identification other than a driver's license or an identity card, if the document includes a bar code or magnetic strip that may be scanned by the device, as a condition for selling, giving away or otherwise distributing alcoholic liquor to the person presenting the document.

(d) (1) No permittee or permittee's agent or employee shall electronically or mechanically record or maintain any information derived from a transaction scan, except the following: (A) The name and date of birth of the person listed on the driver's license or identity card presented by a cardholder; and (B) the expiration date and identification number of the driver's license or identity card presented by a cardholder.

(2) No permittee or permittee's agent or employee shall use a transaction scan device for a purpose other than the purposes specified in subsection (c) of this section, subsection (d) of section 53-344 or subsection (e) of section 53-344b.

(3) No permittee or permittee's agent or employee shall sell or otherwise disseminate the information derived from a transaction scan to any third party for any purpose, including, but not limited to, any marketing, advertising or promotional activities, except that a permittee or permittee's agent or employee may release that information pursuant to a court order.

(4) Nothing in subsection (c) of this section or this subsection relieves a permittee or permittee's agent or employee of any responsibility to comply with any other applicable state or federal laws or rules

governing the sale, giving away or other distribution of alcoholic liquor.

(5) Any person who violates this subsection shall be subject to any penalty set forth in section 30-55, as amended by this act.

(e) (1) In any prosecution of a permittee or permittee's agent or employee for selling alcoholic liquor to a minor in violation of subsection (b) of this section, it shall be an affirmative defense that all of the following occurred: (A) A cardholder attempting to purchase or receive alcoholic liquor presented a driver's license or an identity card; (B) a transaction scan of the driver's license or identity card that the cardholder presented indicated that the license or card was valid; and (C) the alcoholic liquor was sold, given away or otherwise distributed to the cardholder in reasonable reliance upon the identification presented and the completed transaction scan.

(2) In determining whether a permittee or permittee's agent or employee has proven the affirmative defense provided by subdivision (1) of this subsection, the trier of fact in such prosecution shall consider that reasonable reliance upon the identification presented and the completed transaction scan may require a permittee or permittee's agent or employee to exercise reasonable diligence and that the use of a transaction scan device does not excuse a permittee or permittee's agent or employee from exercising such reasonable diligence to determine the following: (A) Whether a person to whom the permittee or permittee's agent or employee sells, gives away or otherwise distributes alcoholic liquor is twenty-one years of age or older; and (B) whether the description and picture appearing on the driver's license or identity card presented by a cardholder are those of the cardholder.

(f) Any minor who participates in an investigation or enforcement action initiated by, or operated in conjunction with, the Department of Consumer Protection pursuant to this chapter shall be considered a state officer, afforded the legal protections set forth in section 4-165 and

indemnified by the state under section 5-141d for any action taken pursuant to a directive by the department related to such minor's participation in such investigation or action.

Sec. 73. Subsection (a) of section 30-86a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the purposes of section 30-86, as amended by this act, any permittee shall require any person whose age is in question to fill out and sign a statement in the following form on one occasion when each such person makes a purchase:

...., 20..

I, ..., hereby represent to ...., a permittee of the Connecticut Department of Consumer Protection, that I am over the age of 21 years, having been born on ...., 19.. or 20.., at ..... This statement is made to induce said permittee to sell or otherwise furnish alcoholic beverages to the undersigned. I understand that title 30 of the general statutes prohibits the sale of alcoholic liquor to any person who is not twenty-one years of age.

I understand that I am subject to a fine of one hundred dollars for the first offense and not more than two hundred fifty dollars for each subsequent offense for wilfully misrepresenting my age for the purposes set forth in this statement.

.... (Name)

.... (Address)

Such statement once taken shall be applicable both to the particular sale in connection with which such statement was taken, as well as to all future sales at the same premises, and shall have full force and effect

under subsection (b) of this section as to every subsequent sale or purchase. Such statement shall be printed upon appropriate forms to be furnished by the **[**permittees**]** permittee and approved by the Department of Consumer Protection **[**and**]** or electronically displayed by the permittee on an electronic device that is capable of allowing the person whose age is in question to electronically fill out and sign such statement. If such statement is filled out and signed in paper form, such statement shall be kept on file on the permit premises, alphabetically indexed, in a suitable file box, and shall be open to inspection by the **[**Department of Consumer Protection**]** department or any of **[**its**]** the department's agents or inspectors at any reasonable time. If such statement is filled out and signed in electronic form, such statement shall be stored in an electronic medium that is immediately accessible from the permit premises, alphabetically indexed, and shall be in an electronic format that is accessible to the department or any of the department's agents or inspectors at any reasonable time. Any person who makes any false statement on a form signed by **[**him**]** such person as required by this section shall be fined not more than one hundred dollars for the first offense and not more than two hundred fifty dollars for each subsequent offense.

Sec. 74. Section 30-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any permittee who, either personally or through such permittee's servant or agent, allows any minor, intoxicated person or **[**any**]** person to whom the sale or gift of alcoholic liquor has been prohibited by law to loiter on the permit premises where alcoholic liquor is kept for sale, or who allows any minor, other than a person who is at least eighteen years of age and an employee or permit holder under section 30-90a or a minor accompanied by the minor's parent or guardian, or intoxicated person to be in any room where alcoholic liquor is served at any bar, shall be subject to the penalties described in section 30-113. For

barrooms consisting of only one room and for permit premises without effective separation between a barroom and a dining room, an unaccompanied minor or intoxicated person may remain on the permit premises while waiting for and consuming food prepared on such permit premises. No minor may sit or stand at a consumer bar without being accompanied by a parent, guardian or spouse.

Sec. 75. Section 12-801 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in section 12-563a and sections 12-800 to 12-818, inclusive, the following terms have the following meanings unless the context clearly indicates another meaning:

(1) "Board" or "board of directors" means the board of directors of the corporation;

(2) "Corporation" means the Connecticut Lottery Corporation as created under section 12-802;

(3) "Department" means the Department of Consumer Protection;

(4) "Division" means the former Division of Special Revenue in the Department of Revenue Services;

(5) "Fantasy contest" has the same meaning as provided in section 12-850, as amended by this act;

(6) "Gaming laboratory" means a business entity that (A) specializes in the testing of technology systems for gaming operators licensed in the United States, (B) is licensed by the department as an affiliate pursuant to section 12-815a, as amended by this act, and (C) is not owned or controlled by the corporation;

(7) "Keno" means a lottery game in which a subset of numbers are

drawn from a larger field of numbers by a central computer system using an approved random number generator, wheel system device or other drawing device;

[(6)**]** (8) "Lottery" means (A) the Connecticut state lottery conducted prior to the transfer authorized under section 12-808 by the Division of Special Revenue, (B) after such transfer, the Connecticut state lottery conducted by the corporation pursuant to sections 12-563a and 12-800 to 12-818, inclusive, and section 12-853, (C) the state lottery referred to in subsection (a) of section 53-278g, and (D) keno conducted by the corporation pursuant to section 12-806c, or sections 12-851 and 12-853;

[(7) "Keno" means a lottery game in which a subset of numbers are drawn from a larger field of numbers by a central computer system using an approved random number generator, wheel system device or other drawing device;**]**

[(8)**]** (9) "Lottery and gaming fund" means a fund or funds established by, and under the management and control of, the corporation, into which all lottery, sports wagering and fantasy contest revenues of the corporation are deposited from which all payments and expenses of the corporation are paid and from which transfers to the General Fund or the Connecticut Teachers' Retirement Fund Bonds Special Capital Reserve Fund, established in section 10-183vv, are made pursuant to section 12-812;

(10) "Lottery draw game" has the same meaning as provided in section 12-850, as amended by this act;

(11) "Lottery gaming system" means the complete integrated set of hardware and software elements that communicates, records, reports, captures and accounts for gaming data, including, but not limited to, issuing, canceling and validating wagers, determining winners and other functions necessary for the technological operation of the lottery;

(12) "Lottery sales agent" has the same meaning as provided in section 12-850, as amended by this act;

[(9)**]** (13) "Online lottery ticket sales" means the sale of lottery tickets for lottery draw games through the corporation's Internet web site, an online service or a mobile application, pursuant to a license issued to the corporation under section 12-853;

[(10)**]** (14) "Online sports wagering" has the same meaning as provided in section 12-850, as amended by this act;

[(11)**]** (15) "Operating revenue" means total revenue received from lottery sales and sports wagering less all cancelled sales and amounts paid as prizes but before payment or provision for payment of any other expenses;

(16) "Person in charge" means the person designated by a lottery sales agent licensee, or the applicant for such a license, who is responsible for managing such agent's compliance with the provisions of chapters 226 and 229a;

[(12)**]** (17) "Retail sports wagering" has the same meaning as provided in section 12-850, as amended by this act; and

[(13)**]** (18) "Skin" has the same meaning as provided in section 12-850, as amended by this act.

Sec. 76. Section 12-806a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section, "procedure" has the same meaning as **[**"procedure", as defined in subdivision (2) of**]** provided in section 1-120.

(b) The Department of Consumer Protection shall, for the purposes of section 12-568a, subsection (c) of section 12-574, sections 12-802a, 12-815a, as amended by this act, 12-853, 12-854, 12-863 to 12-865, inclusive,

as amended by this act, 12-867 and 12-868 and this section, regulate the activities of the Connecticut Lottery Corporation to assure the integrity of the state lottery, retail sports wagering, online sports wagering and fantasy contests. In addition to the requirements of the provisions of chapter 12 and notwithstanding the provisions of section 12-806, the Connecticut Lottery Corporation shall, prior to implementing any procedure designed to assure the integrity of the state lottery, retail sports wagering, online sports wagering and fantasy contests, obtain the written approval of the Commissioner of Consumer Protection in accordance with regulations adopted under section 12-568a.

(c) (1) Each lottery gaming system shall be tested and certified, in a manner and with a frequency deemed necessary by the department to preserve gaming integrity, by a gaming laboratory. If the department suspects that the integrity of the lottery gaming system may be vulnerable or compromised, the department may require that the lottery gaming system be recertified by a gaming laboratory and the new certification submitted to the department.

(2) Each lottery draw game or keno shall be tested and certified, in a manner and with a frequency deemed necessary by the department to preserve gaming integrity, by a gaming laboratory prior to the corporation offering such lottery draw game or keno, provided a lottery draw game shall not require such testing and certification if such game (A) is sold in at least twenty states within the United States, and (B) has been tested by a nationally recognized gaming testing laboratory that is licensed in at least twenty states to perform system and game analysis.

(3) The department may develop technical standards against which gaming laboratories shall test lottery draw games and keno for compliance. If the department develops such standards, the department:

(A) Shall post such standards on the department's Internet web site;

(B) Shall review such standards not less than annually to ensure such standards preserve the integrity of gaming;

(C) May modify or update such standards to respond to a legal interpretation, to include additional standards or amend existing standards as the commissioner deems necessary in order to preserve the integrity of gaming or protect consumers from financial harm, to adjust to changes in technology, relevant standards or platform design, or for any other reason in order to preserve the integrity of gaming;

(D) Shall post any updates to such standards on the department's Internet web site, and such updates shall be effective thirty days after such posting unless the commissioner establishes a later effective date; and

(E) Shall notify the corporation in writing of any update to such standards prior to implementation of such update.

(4) A gaming laboratory engaged in testing and certifying a lottery draw game or keno shall file a report with the department, which shall include (A) the extent to which the lottery draw game or keno meets any technical standards adopted by the commissioner, (B) whether the lottery draw game or keno complies with the requirements of this chapter and any regulations adopted pursuant to the provisions of this chapter, and (C) any additional information needed by the department to certify the lottery game or keno.

(5) The department shall review the lottery draw game or keno that is being tested for proper functioning, and consider the test results and certification submitted by the gaming laboratory. After completing the evaluation of a lottery draw game or keno, the department may approve the lottery draw game or keno for use in the state. The department may suspend or revoke approval of a lottery draw game or keno without notice if the department has good cause to believe that the continued

operation of such game or keno poses a threat to the security and integrity of gaming in the state.

Sec. 77. Subsection (a) of section 12-810 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Freedom of Information Act, as defined in section 1-200, shall apply to all actions, meetings and records of the corporation, except (1) where otherwise limited by subsection (c) of this section as to new lottery games and serial numbers of unclaimed lottery tickets, (2) with respect to financial, credit and proprietary information submitted by any person to the corporation in connection with any proposal to provide goods, services or professional advice to the corporation as provided in section 12-815, (3) with respect to any personally identifying, financial, credit or wagering information associated with any person's account for Internet games, as defined in section 12-850, as amended by this act, and (4) where otherwise limited by subsection **[**(f)**]** (g) of section 12-863, as amended by this act.

Sec. 78. Section 12-815a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Consumer Protection shall issue vendor, affiliate, lottery sales agent and occupational licenses in a form and manner prescribed by the commissioner and in accordance with the provisions of this section.

(b) No person or business organization awarded a primary contract by the Connecticut Lottery Corporation to provide facilities, components, goods or services that are necessary for and directly related to the secure operation of the activities of said corporation shall do so unless such person or business organization is issued a vendor license by the Commissioner of Consumer Protection. For the purposes of this

subsection, "primary contract" means a contract to provide facilities, components, goods or services to said corporation by a person or business organization (1) that provides any lottery game or any online wagering system related facilities, components, goods or services and that receives or, in the exercise of reasonable business judgment, can be expected to receive more than seventy-five thousand dollars or twenty-five per cent of its gross annual sales from said corporation, or (2) that has access to the facilities of said corporation and provides services in such facilities without supervision by said corporation. Each applicant for a vendor license shall pay a nonrefundable application fee of two hundred fifty dollars.

(c) No person or business organization, other than a shareholder in a publicly traded corporation, may be a contractor or a subcontractor for the provision of facilities, components, goods or services that are necessary for and directly related to the secure operation of the activities of the Connecticut Lottery Corporation, or may exercise control in or over a vendor licensee unless such person or business organization is licensed as an affiliate licensee by the commissioner. Each applicant for an affiliate license shall pay a nonrefundable application fee of two hundred fifty dollars.

(d) (1) Each employee of a vendor or affiliate licensee who has access to the facilities of the Connecticut Lottery Corporation and provides services in such facilities without supervision by said corporation or performs duties directly related to the activities of said corporation shall obtain an occupational license.

(2) Each officer, director, partner, trustee or owner of a business organization licensed as a vendor or affiliate licensee and any shareholder, executive, agent or other person connected with any vendor or affiliate licensee who, in the judgment of the commissioner, will exercise control in or over any such licensee shall obtain an occupational license.

(3) Each employee of the Connecticut Lottery Corporation shall obtain an occupational license.

(e) The commissioner shall issue occupational licenses in the following classes: (1) Class I for persons specified in subdivision (1) of subsection (d) of this section; (2) Class II for persons specified in subdivision (2) of subsection (d) of this section; (3) Class III for persons specified in subdivision (3) of subsection (d) of this section who, in the judgment of the commissioner, will not exercise authority over or direct the management and policies of the Connecticut Lottery Corporation; and (4) Class IV for persons specified in subdivision (3) of subsection (d) of this section who, in the judgment of the commissioner, will exercise authority over or direct the management and policies of the Connecticut Lottery Corporation. Each applicant for a Class I or III occupational license shall pay a nonrefundable application fee of twenty dollars. Each applicant for a Class II or IV occupational license shall pay a nonrefundable application fee of one hundred dollars. The nonrefundable application fee shall accompany the application for each such occupational license.

(f) No person or business organization may be a lottery sales agent unless such person or organization is licensed as a lottery sales agent by the commissioner.

[(f)**]** (g) In determining whether to grant a vendor, affiliate, lottery sales agent or occupational license to any such person or business organization, the commissioner may require an applicant to provide information as to such **[**applicant's**]** applicant and person in charge related to: (1) Financial standing and credit; (2) moral character; (3) criminal record, if any; (4) previous employment; (5) corporate, partnership or association affiliations; (6) ownership of personal assets; and (7) such other information as the commissioner deems pertinent to the issuance of such license, provided the submission of such other information will assure the integrity of the state lottery. The

commissioner shall require each applicant for a vendor, affiliate, lottery sales agent or occupational license, provided if an applicant for a lottery sales agent is a business organization the commissioner shall require such entity's person in charge to submit to state and national criminal history records checks and may require each such applicant, or person in charge, to submit to an international criminal history records check before such license is issued. The state and national criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a. The commissioner shall issue a vendor, affiliate, lottery sales agent or occupational license, as the case may be, to each applicant who satisfies the requirements of this subsection and who is deemed qualified by the commissioner. The commissioner may reject for good cause an application for a vendor, affiliate, lottery sales agent or occupational license.

[(g)**]** (h) Each vendor, affiliate or Class I or II occupational license shall be effective for not more than one year from the date of issuance. Each Class III or IV occupational license shall remain in effect throughout the term of employment of any such employee holding such a license. The commissioner may require each employee issued a Class IV occupational license to submit information as to such employee's financial standing and credit annually. Initial application for and renewal of any such license shall be in such form and manner as the commissioner shall prescribe.

(i) (1) Upon petition of the corporation, a vendor licensee or an affiliate licensee, the department may authorize an applicant for an occupational license to provisionally perform the work permitted under the license applied for, if: (A) The applicant has filed a completed occupational license application in the form and manner required by the commissioner, and (B) the corporation, vendor licensee or affiliate licensee attests that the provisional authorization is necessary to continue the efficient operation of the lottery, and is based on

circumstances that are extraordinary and not designed to circumvent the otherwise applicable licensing procedures.

(2) The department may issue a provisional authorization to an applicant for an occupational license in advance of issuance or denial of such license for a period not to exceed six months. Provisional authorization shall permit such applicant to perform the functions and require the applicant to comply with the requirements of the occupational license applied for as set forth in the provisions of this chapter and regulations adopted pursuant to this chapter. Provisional authorization shall not constitute approval for an occupational license. During the period of time that any provisional authorization is in effect, the applicant granted such authorization shall be subject to and comply with all applicable statutes and regulations. Any provisional authorization issued by the department shall expire immediately upon the earlier of: (A) The date of issuance of written notice from the department that the occupational license has been approved or denied, or (B) six months after the date the provisional authorization was issued.

(3) An individual whose occupational license application is denied after a period of provisional authorization shall not reapply for an occupational license for a period of one year from the date of the denial.

(4) An individual whose provisional authorization expires pursuant to subparagraph (B) of subdivision (2) of this subsection may apply for an additional provisional authorization. The department may issue such additional provisional authorization upon a determination that the conditions of subparagraph (B) of subdivision (1) of this subsection exist.

(j) When an incident occurs, or is reasonably suspected to have occurred, that causes a disruption in the operation, security, accuracy, integrity or availability of the lottery gaming system, the vendor licensed to provide such lottery gaming system shall, immediately upon

discovery of such incident, but not later than twenty-four hours after discovery of such incident, provide the department with a written incident report including the details of the incident and the vendor's proposed corrections. Not later than five business days after notifying the department of an incident, the vendor licensee shall provide the department with a written incident report that (1) details the incident, including the root cause of the incident, and (2) outlines the vendor's plan to make corrections, mitigate the effects of the incident and prevent incidents of a similar nature from occurring in the future. If the vendor licensee is unable to determine the root cause and correct the incident within the initial five business days, the licensee shall continue to update the department every five business days with written incident reports until the root cause is determined and the incident is corrected. The department may require the vendor licensee to submit the lottery gaming system to a gaming laboratory for recertification.

[(h)**]** (k) (1) The commissioner may suspend or revoke for good cause a vendor, affiliate, lottery sales agent or occupational license after a hearing held before the commissioner in accordance with chapter 54. The commissioner may order summary suspension of any such license in accordance with subsection (c) of section 4-182.

(2) Any such applicant aggrieved by the action of the commissioner concerning an application for a license, or any person or business organization whose license is suspended or revoked, may appeal pursuant to section 4-183.

(3) The commissioner may impose a civil penalty on any licensee for a violation of any provision of this chapter or any regulation adopted under section 12-568a in an amount not to exceed two thousand five hundred dollars after a hearing held in accordance with chapter 54.

[(i)**]** (l) The commissioner may require that the books and records of any vendor or affiliate licensee be maintained in any manner which the

commissioner may deem best, and that any financial or other statements based on such books and records be prepared in accordance with generally accepted accounting principles in such form as the commissioner shall prescribe. The commissioner or a designee may visit, investigate and place expert accountants and such other persons as deemed necessary in the offices or places of business of any such licensee for the purpose of satisfying himself or herself that such licensee is in compliance with the regulations of the department.

[(j)**]** (m) For the purposes of this section, (1) "business organization" means a partnership, incorporated or unincorporated association, firm, corporation, limited liability company, trust or other form of business or legal entity; (2) "control" means the power to exercise authority over or direct the management and policies of a licensee; and (3) "person" means any individual.

[(k)**]** (n) The Commissioner of Consumer Protection may adopt such regulations, in accordance with chapter 54, as are necessary to implement the provisions of this section.

Sec. 79. Section 12-850 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For the purposes of this section, **[**and**]** sections 12-851 to 12-871, inclusive, and sections 82 and 83 of this act:

(1) "Business entity" means any partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof;

(2) "Commissioner" means the Commissioner of Consumer Protection or the commissioner's designee;

(3) "Connecticut intercollegiate team" means any team associated with an intercollegiate program of a university or college of the state system of public higher education, as described in section 10a-1, an independent institution of higher education, as defined in section 10a-173, or a for-profit college or university physically located in the state that offers in-person classes within the state;

(4) "Consumables" means nondurable items, including, but not limited to, dice, playing cards and roulette balls used in live online casino gaming;

(5) "Department" means the Department of Consumer Protection;

(6) "Electronic wagering platform" means the combination of hardware, software and data networks used to manage, administer, offer or control Internet games or retail sports wagering at a facility in this state;

(7) "E-bingo machine" means an electronic device categorized as a class II machine under the federal Indian Gaming Regulatory Act, P.L. 100-497, 25 USC 2701 et seq. used to play bingo that is confined to a game cabinet and is substantially similar in appearance and play to a class III slot machine. "E-bingo machine" does not include any other electronic device, aid, instrument, tool or other technological aid used in the play of any in-person class II bingo game;

(8) "Entry fee" means the amount of cash or cash equivalent that is required to be paid by an individual to a master wagering licensee in order for such individual to participate in a fantasy contest;

(9) "E-sports" means electronic sports and competitive video games played as a game of skill;

(10) "Fantasy contest" means any fantasy or simulated game or contest with an entry fee, conducted over the Internet, including

through an Internet web site or a mobile device, in which: (A) The value of all prizes and awards offered to a winning fantasy contest player is established and made known to the players in advance of the game or contest; (B) all winning outcomes reflect the knowledge and skill of the players and are determined predominantly by accumulated statistical results of the performance of participants in events; and (C) no winning outcome is based on the score, point spread or any performance of any single team or combination of teams or solely on any single performance of a contestant or player in any single event. "Fantasy contest" does not include lottery games;

(11) "Gaming entity licensee" means a master wagering licensee, a licensed online gaming operator, a licensed online gaming service provider or a licensed sports wagering retailer;

[(11)**]** (12) "Handling consumables" means physical contact with, or supervisory oversight over the acceptance, inventory, storage or destruction of, consumables, as well as being responsible for card inspection, counting and shuffling;

[(12)**]** (13) "Internet games" means (A) online casino gaming; (B) online sports wagering; (C) fantasy contests; (D) keno through the Internet, an online service or a mobile application; and (E) the sale of tickets for lottery draw games through the Internet, an online service or a mobile application;

[(13)**]** (14) "Keno" has the same meaning as provided in section 12-801, as amended by this act;

[(14)**]** (15) "Key employee" means an individual with the following position or an equivalent title associated with a master wagering licensee or a licensed online gaming service provider, online gaming operator or sports wagering retailer: (A) President or chief officer, who is the top ranking individual of the licensee and is responsible for all

staff and the overall direction of business operations; (B) financial manager, who is the individual who reports to the president or chief officer who is generally responsible for oversight of the financial operations of the licensee, including, but not limited to, revenue generation, distributions, tax compliance and budget implementation; (C) compliance manager, who is the individual that reports to the president or chief officer and who is generally responsible for ensuring the licensee complies with all laws, regulations and requirements related to the operation of the licensee; (D) chief information officer, who is the individual generally responsible for establishing policies or procedures on, or making management decisions related to, information systems; or (E) chief data security officer, who is the individual generally responsible for establishing policies or procedures on, or making management decisions related to, technical systems. "Key employee" includes an individual (i) who is responsible for establishing the policies or procedures on, or making management decisions related to, wagering structures or outcomes for a licensee; or (ii) who has an ownership interest **[**, provided the interest held by such individual and such individual's spouse, parent and child, in the aggregate,**]** that is five per cent or more of the total ownership or interest rights in the licensee. Tribal membership in and of itself shall not constitute ownership for purposes of this subdivision;

[(15)**]** (16) "Live game employee" means an employee of a master wagering licensee or a licensed online gaming operator or online gaming service provider that is operating live online casino gaming who is (A) responsible for handling consumables in a live online casino authorized under this chapter, (B) responsible for presenting live online casino gaming in a live online casino authorized under this chapter, or (C) a direct manager of an individual who is a live game employee under subparagraph (A) or (B) of this subdivision;

[(16)**]** (17) "Lottery draw game" means any game in which one or

more numbers, letters or symbols are randomly drawn at predetermined times, but not more frequently than once every four minutes, from a range of numbers, letters or symbols, and prizes are paid to players possessing winning plays, as set forth in each game's official game rules. "Lottery draw game" does not include keno, any game for which lottery draw tickets are not available through a lottery sales agent or any game that simulates online casino gaming;

(18) "Lottery sales agent" means a person that contracts with the Connecticut Lottery Corporation to sell lottery tickets or offer keno at a retail facility in the state and not over the Internet, and is licensed in accordance with chapters 226 and 229a;

[(17)**]** (19) "Mashantucket Pequot memorandum of understanding" means the memorandum of understanding entered into by and between the state and the Mashantucket Pequot Tribe on January 13, 1993, as amended from time to time;

[(18)**]** (20) "Mashantucket Pequot procedures" means the Final Mashantucket Pequot Gaming Procedures prescribed by the Secretary of the United States Department of the Interior pursuant to 25 USC 2710(d)(7)(B)(vii) and published in 56 Federal Register 24996 (May 31, 1991), as amended from time to time;

[(19)**]** (21) "Master wagering licensee" means (A) the Mashantucket Pequot Tribe, or an instrumentality of or an affiliate wholly-owned by said tribe, if licensed to operate online sports wagering, online casino gaming and fantasy contests pursuant to section 12-852; (B) the Mohegan Tribe of Indians of Connecticut, or an instrumentality of or an affiliate wholly-owned by said tribe, if licensed to operate online sports wagering, online casino gaming and fantasy contests pursuant to section 12-852; or (C) the Connecticut Lottery Corporation, if licensed pursuant to section 12-853 to operate retail sports wagering, online sports wagering, fantasy contests and keno and to sell tickets for lottery

draw games through the Internet, an online service or a mobile application;

[(20)**]** (22) "Mohegan compact" means the Tribal-State Compact entered into by and between the state and the Mohegan Tribe of Indians of Connecticut on May 17, 1994, as amended from time to time;

[(21)**]** (23) "Mohegan memorandum of understanding" means the memorandum of understanding entered into by and between the state and the Mohegan Tribe of Indians of Connecticut on May 17, 1994, as amended from time to time;

[(22)**]** (24) "Occupational employee" means an employee of a master wagering licensee or a licensed online gaming operator, online gaming service provider or sports wagering retailer;

[(23)**]** (25) "Off-track betting system licensee" means the person or business organization licensed to operate the off-track betting system pursuant to chapter 226;

[(24)**]** (26) "Online casino gaming" means (A) slots, blackjack, craps, roulette, baccarat, poker and video poker, bingo, live dealer and other peer-to-peer games and any variations of such games, and (B) any games authorized by the department, conducted over the Internet, including through an Internet web site or a mobile device, through an electronic wagering platform that does not require a bettor to be physically present at a facility;

[(25)**]** (27) "Online gaming operator" means a person or business entity that operates an electronic wagering platform and contracts directly with a master wagering licensee to offer (A) one or more Internet games on behalf of such licensee, or (B) retail sports wagering on behalf of such licensee at a facility in this state;

[(26)**]** (28) "Online gaming service provider" means a person or

business entity, other than an online gaming operator, that provides goods or services to, or otherwise transacts business related to Internet games or retail sports wagering with, a master wagering licensee or a licensed online gaming operator, online gaming service provider or sports wagering retailer;

[(27)**]** (29) "Online sports wagering" means sports wagering conducted over the Internet, including through an Internet web site or a mobile device, through an electronic wagering platform that does not require a sports bettor to be physically present at a facility that conducts retail sports wagering;

[(28)**]** (30) "Retail sports wagering" means in-person sports wagering requiring a sports bettor to be physically present at one of the up to fifteen facility locations of the Connecticut Lottery Corporation or a licensed sports wagering retailer in this state;

[(29)**]** (31) "Skin" means the branded or cobranded name and logo on the interface of an Internet web site or a mobile application that bettors use to access an electronic wagering platform for Internet games;

[(30)**]** (32) "Sporting event" means any (A) sporting or athletic event at which two or more persons participate, individually or on a team, and may be eligible to receive compensation in excess of actual expenses for such participation in such sporting or athletic event; (B) sporting or athletic event sponsored by an intercollegiate athletic program of an institution of higher education or an association of such programs, except for those in which one of the participants is a Connecticut intercollegiate team and the event is not in connection with a permitted intercollegiate tournament; (C) Olympic or international sports competition event; or (D) e-sports event, except for those in which one of the participants is a Connecticut intercollegiate team and the event is not in connection with a permitted intercollegiate tournament. As used in this subdivision, "permitted intercollegiate tournament" means an

intercollegiate e-sports, sporting or athletic event involving four or more intercollegiate teams that involves one or more Connecticut intercollegiate teams and the wager on the tournament is based on the outcome of all games within the tournament. "Sporting event" does not include horse racing, jai alai or greyhound racing;

[(31)**]** (33) "Sports governing body" means the organization that prescribes final rules and enforces codes of conduct with respect to a sporting event and participants in the sporting event;

[(32)**]** (34) "Sports wagering" means risking or accepting any money, credit, deposit or other thing of value for gain contingent in whole or in part, (A) by any system or method of wagering, including, but not limited to, in person or through an electronic wagering platform, and (B) based on (i) a live sporting event or a portion or portions of a live sporting event, including future or propositional events during such an event, or (ii) the individual performance statistics of an athlete or athletes in a sporting event or a combination of sporting events. "Sports wagering" does not include the payment of an entry fee to play a fantasy contest or a fee to participate in e-sports; and

[(33)**]** (35) "Sports wagering retailer" means a person or business entity that contracts with the Connecticut Lottery Corporation to facilitate retail sports wagering operated by said corporation through an electronic wagering platform at up to fifteen facilities in this state.

Sec. 80. Subsection (c) of section 12-859 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) **[**(1)**]** A key employee shall apply for a license on a form and in a manner prescribed by the commissioner. Such form shall require the applicant to: **[**(A)**]** (1) Submit to a fingerprint-based state and national criminal history records check conducted in accordance with section 29-

17a, which may include a financial history check if requested by the commissioner, to determine the character and fitness of the applicant for the license, **[**(B)**]** (2) provide information related to other business affiliations, and **[**(C)**]** (3) provide or allow the department to obtain such other information as the department determines is consistent with the requirements of this section in order to determine the fitness of the applicant to hold a license.

[(2) In place of the criminal history records check described in subparagraph (A) of subdivision (1) of this subsection, the commissioner may accept from an applicant for an initial key employee license the submission of a third-party local and national criminal background check that includes a multistate and multijurisdictional criminal record locator or other similar commercial nation-wide database with validation, and other such background screening as the commissioner may require. Any such third-party criminal background check shall be conducted by a third-party consumer reporting agency or background screening company that is in compliance with the federal Fair Credit Reporting Act and accredited by the Professional Background Screening Association.**]**

Sec. 81. Subsection (b) of section 12-859a of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) **[**(1)**]** A live game employee shall apply for a live game employee license on a form and in a manner prescribed by the commissioner. Such form shall require the applicant to: **[**(A)**]** (1) Submit to a fingerprint-based state and national criminal history records check conducted in accordance with section 29-17a, which may include a financial history check if requested by the commissioner, to determine the character and fitness of the applicant for the license, **[**(B)**]** (2) provide information related to other business affiliations, and **[**(C)**]** (3) provide, or allow the department to obtain, such other information as the department

determines is consistent with the requirements of this section in order to determine the fitness of the applicant to hold a license.

[(2) In place of the criminal history records check described in subparagraph (A) of subdivision (1) of this subsection, the commissioner may accept from a live game employee applicant the submission of a third-party local and national criminal background check that includes a multistate and multijurisdictional criminal record locator or other similar commercial nation-wide database with validation, and other such background screening as the commissioner may require. Any such third-party criminal background check shall be conducted by a third-party consumer reporting agency or background screening company that is in compliance with the federal Fair Credit Reporting Act and accredited by the Professional Background Screening Association.**]**

Sec. 82. (NEW) (*Effective from passage*) In place of the criminal history records check required of an applicant for a key employee license under subsection (c) of section 12-859 of the general statutes, as amended by this act, an applicant for a live game employee license under subsection (b) of section 12-859a of the general statutes, as amended by this act, an applicant for a lottery sales agent license, or person in charge of such agent, under subsection (g) of section 12-815a, as amended by this act, the commissioner may accept from such applicant the submission of a third-party local and national criminal background check that includes a multistate and multijurisdictional criminal record locator or other similar commercial nation-wide database with validation, and other such background screening as the commissioner may require. Any such third-party criminal background check shall be conducted by a third-party consumer reporting agency or background screening company that is in compliance with the federal Fair Credit Reporting Act and accredited by the Professional Background Screening Association.

Sec. 83. (NEW) (*Effective from passage*) (a) Upon petition of the holder

of a master wagering, online gaming operator, online gaming service provider or sports wagering retailer licensee, the commissioner may authorize an applicant for a key employee license under section 12-859 of the general statutes, as amended by this act, or a live game employee license under subsection (b) of section 12-859a of the general statutes, as amended by this act, to provisionally perform the work permitted under the license applied for, if:

(1) The applicant has filed a completed key employee or live game employee license application, as applicable, in the form and manner required by the department, and

(2) The master wagering, online gaming operator, online gaming service provider or sports wagering retailer licensee attests that the provisional authorization is necessary to continue the efficient operation of Internet games or retail sports wagering, and is based on circumstances that are extraordinary and not designed to circumvent the otherwise applicable licensing procedures.

(b) The department may issue a provisional authorization to an applicant for a key employee or live game employee license in advance of issuance or denial of such key employee or live game employee license, as applicable, for a period not to exceed six months. Provisional authorization shall permit such applicant to perform the functions and require the applicant to comply with the requirements of the license applied for as set forth in the provisions of this chapter and regulations adopted pursuant to this chapter. Provisional authorization shall not constitute approval for a key employee or live game employee license. During the period of time that any provisional authorization is in effect, the applicant granted such authorization shall be subject to and comply with all applicable statutes and regulations. Any provisional authorization issued by the department shall expire immediately upon the earlier of: (1) The date of issuance of written notice from the commissioner that the key employee or live game employee license, as

applicable, has been approved or denied, or (2) six months after the date the provisional authorization was issued.

(c) An individual whose key employee or live game employee license application is denied after a period of provisional authorization shall not reapply for such a license for a period of one year from the date of the denial.

(d) An individual whose provisional authorization expires pursuant to subdivision (2) of subsection (b) of this section may apply for an additional provisional authorization. The commissioner may issue such additional provisional authorization upon a determination that the conditions of subdivision (2) of subsection (a) of this section exist.

Sec. 84. Section 12-863 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) An individual may only place a sports wager through retail sports wagering or online sports wagering outside of the reservations of the Mashantucket Pequot Tribe and the Mohegan Tribe of Indians of Connecticut or place a wager through online casino gaming conducted outside of such reservations, if the wagering is authorized pursuant to sections 12-852 to 12-854, inclusive, and the individual (A) has attained the age of twenty-one, and (B) is physically present in the state when placing the wager, and, in the case of retail sports wagering, is physically present at a retail sports wagering facility in this state.

(2) An individual may only participate in a fantasy contest outside of the reservations of the Mashantucket Pequot Tribe and the Mohegan Tribe of Indians of Connecticut if the contest is authorized pursuant to section 12-852 or 12-853, and the individual has attained the age of eighteen.

(b) Any electronic wagering platform used to (1) conduct online sports wagering or online casino gaming, (2) conduct keno through the

Internet web site, an online service or a mobile application of the Connecticut Lottery Corporation, (3) conduct retail sports wagering, (4) sell lottery draw game tickets through the Internet web site, online service or mobile application of the Connecticut Lottery Corporation, or (5) conduct fantasy contests, shall be developed to:

(A) Verify that an individual (i) with an account for online sports wagering, online casino gaming or retail sports wagering is twenty-one years of age or older and is physically present in the state when placing a wager or, in the case of retail sports wagering, is physically present at a retail sports wagering facility, (ii) with an account to participate in keno or to purchase lottery draw game tickets is eighteen years of age or older and is physically present in the state when participating or purchasing such tickets, or (iii) with an account for fantasy contests is eighteen years of age or older;

(B) Provide a mechanism to prevent the unauthorized use of a wagering account; and

(C) Maintain the security of wagering, participation or purchasing data and other confidential information.

(c) A master wagering licensee and a licensed online gaming operator, online gaming service provider and sports wagering retailer shall each, where applicable based on the services provided:

(1) Prohibit an individual from establishing more than one account on each electronic wagering platform operated by the licensee;

(2) Limit a person to the use of only one debit card or only one credit card for an account, and place a monetary limit on the use of a credit card over a period of time, provided single-use stored value instruments purchased by cash or debit card only, including, but not limited to, a gift card or a lottery terminal printed value voucher, may be used pursuant to subdivision (3) of subsection (d) of section 12-853;

(3) Allow a person to limit the amount of money that may be deposited into an account, and spent per day through an account;

(4) Provide that any money in an online account belongs solely to the owner of the account and may be withdrawn by the owner;

(5) Establish a voluntary self-exclusion process to allow a person to (A) exclude himself or herself from establishing an account, (B) exclude himself or herself from placing wagers through an account, or (C) limit the amount such person may spend using such an account;

(6) Provide responsible gambling and problem gambling information to participants; and

(7) Conspicuously display on each applicable Internet web site or mobile application:

(A) A link to a description of the provisions of this subsection;

(B) A link to responsible gambling information;

(C) A toll-free telephone number an individual may use to obtain information about problem gambling;

(D) A link to information about the voluntary self-exclusion process described in subdivision (5) of this subsection;

(E) A clear display or periodic pop-up message of the amount of time an individual has spent on the operator's Internet web site or mobile application;

(F) A means to initiate a break in play to discourage excessive play; and

(G) A clear display of the amount of money available to the individual in his or her account.

(d) At least every five years, each master wagering licensee shall be subject to an independent review of operations conducted pursuant to such license for responsible play, as assessed by industry standards and performed by a third party approved by the department, which review shall be paid for by the licensee.

(e) **[**No advertisement of online casino gaming, online sports wagering or retail sports wagering may**]** Advertising, marketing and other promotional materials published, aired, displayed or disseminated by or on behalf of any gaming entity licensee shall:

(1) **[**Depict**]** Not depict an individual who is, or appears to be, under twenty-one years of age, unless such individual is a professional athlete or a collegiate athlete who, if permitted by applicable law, is able to profit from the use of his or her name and likeness; **[**or**]**

(2) Not be aimed exclusively or primarily at individuals under twenty-one years of age, or at individuals under eighteen years of age if pertaining exclusively to keno, online lottery ticket sales or fantasy contests, or any combination thereof;

(3) Not directly advertise, target or promote Internet games or retail sports wagering to specific individuals, rather than a general audience, who are excluded pursuant to a self-exclusion process as described in subdivision (5) of subsection (c) of this section, through methods, including, but not limited to, electronic mail, telephone calls, text messages, direct messaging applications, mail and social media;

(4) State that individuals shall be eighteen or twenty-one years of age or older, as applicable, to participate in the type of gaming advertised, marketed or promoted;

(5) Not contain images, symbols, celebrity or entertainer endorsements or language designed to appeal specifically to those under twenty-one years of age, or, if pertaining exclusively to keno,

online lottery ticket sales or fantasy contests, or any combination thereof, to those under eighteen years of age;

(6) Not contain inaccurate or misleading information that would reasonably be expected to confuse and mislead patrons in order to induce them to engage in gaming;

(7) Not be published, aired, displayed or disseminated to a media outlet or on social media, that appeal primarily to individuals under twenty-one years or age, or, if pertaining exclusively to keno, online lottery ticket sales or fantasy contests, or any combination thereof, to those under eighteen years of age;

(8) Not be placed before any audience where the majority of the viewers or participants is presumed to be under twenty-one years of age, or, if pertaining exclusively to keno, online lottery ticket sales or fantasy contests, or any combination thereof, to those under eighteen years of age;

(9) Not imply greater chances of winning compared to other licensees;

(10) Not imply greater chances of winning based on wagering in greater quantity or amount, except for a lottery draw game that was approved prior to January 1, 2024, is available for patron wagering as of the effective date of this section, includes features approved by the department that increase the chances of winning and is not exclusively sold by lottery sales agents;

(11) Not contain claims or representations that gaming will guarantee an individual's social, financial or personal success;

(12) Not use any type, size, location, lighting, illustration, graphic, depiction or color resulting in the obscuring of any material fact; and

(13) If a direct or targeted advertisement or promotion sent to an individual, including, but not limited to, electronic mail or text message, include a clear and conspicuous Internet link that allows the recipient to unsubscribe by clicking on one link.

(f) No master wagering licensee, online gaming operator licensee or sports wagering retailer licensee may enter into an agreement with a third party to conduct advertising or marketing on behalf of, or to the benefit of, such licensee that provides that compensation is dependent on, or related to, the volume of individuals who become patrons, the volume or amount of wagers placed or the outcome of wagers. A master wagering licensee or online gaming operator licensee may compensate a third party for advertising services based on the click through of an individual to an online gaming operator licensee's Internet web site, provided such compensation is not based on an individual creating an account or placing a wager.

[(f)**]** (g) The name and any personally identifying information of a person who is participating or who has participated in the voluntary self-exclusion process established pursuant to subdivision (5) of subsection (c) of this section or established by the Department of Consumer Protection in regulations adopted pursuant to subdivision (4) of section 12-865 shall not be deemed public records, as defined in section 1-200, and shall not be available to the public under the provisions of the Freedom of Information Act, as defined in section 1-200, except:

(1) The Department of Consumer Protection or Connecticut Lottery Corporation may disclose the name and personally identifying information of such person to a master wagering licensee, licensed online gaming operator, licensed online gaming service provider or licensed sports wagering retailer as necessary to achieve the purposes of the voluntary self-exclusion process established pursuant to subdivision (5) of subsection (c) of this section or established by the

Department of Consumer Protection in regulations adopted pursuant to subdivision (4) of section 12-865; and

(2) The Connecticut Lottery Corporation may disclose the name and any relevant records of such person, other than records regarding such person's participation in the voluntary self-exclusion process, if such person claims a winning lottery ticket or if such person claims or is paid a winning wager from online sports wagering or retail sports wagering or is paid a prize from a fantasy contest.

Sec. 85. Section 12-864 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) (1) No athlete, coach or referee who takes part in a sporting event and no individual participating in e-sports shall place any sports wager on any sporting event in which such athlete, coach, referee or individual is participating.

(2) No athlete, coach or referee who takes part in a sporting event of a sports governing body; employee of a sports governing body holding a position of authority or influence sufficient to exert influence over participants in a sporting event; employee of a member team of a sports governing body holding a position of authority or influence sufficient to exert influence over participants in a sporting event; or personnel of any bargaining unit of a sports governing body's athletes or referees, shall place any wager on any sporting event overseen by such governing body.

(3) No owner with a direct or indirect legal or beneficial ownership interest of five per cent or more of a member team of a sports governing body shall place any wager on a sporting event in which such member team participates. Tribal membership in and of itself shall not constitute ownership for purposes of this section.

(b) In determining which individuals are prohibited from placing a

wager under subsection (a) of this section, a master wagering licensee or a licensed online gaming operator, sports wagering retailer or online gaming service provider shall use reasonably available public information and exercise reasonable efforts to obtain information from the department or the relevant sports governing body regarding (1) owners with a direct or indirect legal or beneficial ownership interest of five per cent or more of a member team of a sports governing body; and (2) employees holding a position of authority or influence sufficient to exert influence over participants in sporting events.

(c) An individual shall only place a **[**sports**]** wager on such individual's behalf and shall not wager on the account of, or for, any other person. No master wagering licensee or a licensed online gaming operator, sports wagering retailer or online gaming service provider shall accept a wager from a person on the account of, or for, any other person.

(d) An officer, director, owner, key employee, live game employee or occupational employee of a master wagering licensee or a licensed online gaming operator, sports wagering retailer or online gaming service provider or a family member who resides in the same household as such officer, director, owner, key employee or occupational employee, shall not place any wager **[**on a sporting event**]** with such master wagering licensee or its licensed sports wagering retailer or online gaming operator. Tribal membership in and of itself shall not constitute ownership for purposes of this section.

(e) A master wagering licensee or a licensed online gaming operator, sports wagering retailer or online gaming service provider shall not knowingly pay any winnings to a person who places a wager in violation of this section.

(f) A sports governing body may request that the commissioner restrict, limit or exclude wagering on a sporting event or events by

providing notice in such form and manner as the commissioner prescribes. The commissioner may take such action as the commissioner deems necessary to ensure the integrity of wagering on such sporting event or events.

Sec. 86. Subsection (f) of section 12-574 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) (1) No person may participate in this state in any activity permitted under this chapter as an employee of an association, concessionaire, vendor, totalizator or affiliate licensee unless such person is licensed as an occupational licensee by the commissioner under subdivision (2) of subsection (a) of section 12-578, as amended by this act. Whether located in or out of this state, no officer, director, partner, trustee or owner of a business organization which obtains a license in accordance with this section may continue in such capacity unless such officer, director, partner, trustee or owner is licensed as an occupational licensee by the commissioner as an owner under subdivision (2) of subsection (a) of section 12-578, as amended by this act. An occupational license shall also be obtained by any shareholder, key executive, agent or other person connected with any association, concessionaire, vendor, totalizator or affiliate licensee, who in the judgment of the commissioner will exercise control in or over any such licensee. Such person shall apply for a license not later than thirty days after the commissioner requests **[**him**]** such person, in writing, to do so as a pari-mutuel employee under subdivision (2) of subsection (a) of section 12-578, as amended by this act. The commissioner shall complete his investigation of an applicant for an occupational license and notify such applicant of his decision to approve or deny the application within one year after its receipt, or, if the commissioner determines good cause exists for extending such period of investigation and gives the applicant a reasonable opportunity for a hearing, by the date prescribed by the commissioner.

(2) Upon petition by the holder of an association, vendor, totalizator or affiliate license, the commissioner may authorize an applicant for an occupational license under subdivision (2) of subsection (a) of section 12-578, as amended by this act, to provisionally perform the work permitted under the occupational license applied for, if:

(A) The applicant has filed a completed application for such occupational license in the form and manner required by the commissioner, and

(B) Such association, vendor, totalizator or affiliate licensee attests that the provisional authorization is necessary to continue the efficient operation of pari-mutuel wagering, and is based on circumstances that are extraordinary and not designed to circumvent the otherwise applicable licensing procedures.

(3) The commissioner may issue a provisional authorization to an applicant for an occupational license under subdivision (2) of subsection (a) of section 12-578, as amended by this act, in advance of issuance or denial of such occupational license for such applicant for a period not to exceed six months. Provisional authorization shall permit such applicant to perform the functions and require the applicant to comply with the requirements of the occupational license applied for as set forth in the provisions of this chapter and regulations adopted pursuant to this chapter. Provisional authorization shall not constitute approval for an occupational license under subdivision (2) of subsection (a) of section 12-578, as amended by this act. During the period of time that any provisional authorization is in effect, the applicant granted such authorization shall be subject to and comply with all applicable statutes and regulations. Any provisional authorization issued by the commissioner shall expire immediately upon the earlier of: (A) The date of issuance of written notice from the commissioner that the occupational license has been approved or denied, or (B) six months after the date the provisional authorization was issued.

(4) An individual whose occupational license application is denied after a period of provisional authorization shall not reapply for an occupational license under subdivision (2) of subsection (a) of section 12-578, as amended by this act, for a period of one year from the date of the denial.

(5) An individual whose provisional authorization expires pursuant to subparagraph (B) of subdivision (3) of this subsection may apply for an additional provisional authorization. The commissioner may issue such additional provisional authorization upon a determination that the conditions of subparagraph (B) of subdivision (2) of this subsection exist.

Sec. 87. Section 12-578 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, governing registration and the issuance and annual renewal of licenses and payment of annual nonrefundable application fees for the same in accordance with the following schedule:

(1) Registration: (A) Stable name, one hundred dollars; (B) partnership name, one hundred dollars; (C) colors, twenty dollars; (D) kennel name, one hundred dollars.

(2) **[**Licenses:**]** Occupational licenses: (A) Owner, one hundred dollars; (B) trainer, one hundred dollars; (C) assistant trainer, one hundred dollars; (D) jockey, forty dollars; (E) jockey agent, for each jockey, one hundred dollars; (F) stable employees, including exercise boy, groom, stable foreman, hot walker, outrider, twenty dollars; (G) veterinarian, one hundred dollars; (H) jockey apprentice, forty dollars; (I) driver, one hundred dollars; (J) valet, twenty dollars; (K) blacksmith, twenty dollars; (L) plater, twenty dollars; (M) **[**concessionaire, for each concession, two hundred fifty dollars; (N) concessionaire affiliate, for

each concession of the concessionaire, two hundred fifty dollars; (O)**]** concession employees, twenty dollars; **[**(P)**]** (N) jai alai players, one hundred dollars; **[**(Q)**]** (O) officials and supervisors, one hundred dollars; **[**(R)**]** (P) pari-mutuel employees, forty dollars; **[**(S)**]** (Q) other personnel engaged in activities regulated under this chapter, twenty dollars; **[**(T) vendor, for each contract, two hundred fifty dollars; (U) totalizator, for each contract, two hundred fifty dollars; (V) vendor and totalizator affiliates, for each contract of the vendor or totalizator, two hundred fifty dollars; (W)**]** or (R) gaming employee, forty dollars. **[**; (X) nongaming vendor, two hundred fifty dollars; (Y) gaming services, five hundred dollars; and (Z) gaming affiliate, two hundred fifty dollars. For the purposes of this subdivision, "concessionaire affiliate" means a business organization, other than a shareholder in a publicly traded corporation, that may exercise control in or over a concessionaire; and "concessionaire" means any individual or business organization granted the right to operate an activity at a dog race track or off-track betting facility for the purpose of making a profit that receives or, in the exercise of reasonable business judgment, can be expected to receive more than twenty-five thousand dollars or twenty-five per cent of its gross annual receipts from such activity at such track or facility.**]**

(3) Business entity licenses: (A) Concessionaire, for each concession, two hundred fifty dollars; (B) concessionaire affiliate, for each concession of the concessionaire, two hundred fifty dollars; (C) vendor, for each contract, two hundred fifty dollars; (D) totalizator, for each contract, two hundred fifty dollars; (E) vendor and totalizator affiliates, for each contract of the vendor or totalizator, two hundred fifty dollars; (F) nongaming vendor, two hundred fifty dollars; (G) gaming services, five hundred dollars; and (H) gaming affiliate, two hundred fifty dollars. For the purposes of this subdivision, "concessionaire" means any individual or business organization granted the right to operate an activity at a dog race track or off-track betting facility for the purpose of making a profit that receives or, in the exercise of reasonable business

judgment, can be expected to receive more than twenty-five thousand dollars or twenty-five per cent of its gross annual receipts from such activity at such track or facility, and "concessionaire affiliate" means a business organization, other than a shareholder in a publicly traded corporation, that may exercise control in or over a concessionaire.

(b) The commissioner shall require each applicant for a license under subdivision (2) or (3) of subsection (a) of this section to submit to state and national criminal history records checks before such license is issued. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a.

Sec. 88. Section 29-18c of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Emergency Services and Public Protection may appoint not more than four persons employed as investigators in the security unit of the Department of Consumer Protection, upon the nomination of the Commissioner of Consumer Protection, to act as special police officers in said unit. Such appointees shall serve at the pleasure of the Commissioner of Emergency Services and Public Protection. During such tenure, they shall have all the powers conferred on state police officers while investigating or making arrests for any offense arising from the operation of any off-track betting system, retail sports wagering, as defined in section 12-850, as amended by this act, Internet games, as defined in section 12-850, as amended by this act, or the conduct of any lottery game. Such special police officers shall be certified under the provisions of sections 7-294a to 7-294e, inclusive.

Sec. 89. Subsection (a) of section 7-177 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) All prizes given at any bazaar or raffle shall be merchandise, tangible personal property or a ticket, coupon, gift card or gift certificate, entitling the winner to merchandise, tangible personal property, services, transportation on a common carrier by land, water or air and to any tour facilities provided in connection therewith, or to participation in a lottery conducted under chapter 226. Such ticket, coupon, gift card or gift certificate shall not be refundable. No cash prizes or prizes consisting of alcoholic liquor shall be given, except as provided in subsection (b) of this section and section 7-177a, and no prize shall be redeemed or redeemable for cash, except tickets for a lottery conducted under chapter 226 or gift certificates awarded in accordance with subsection (e) of section 7-185a. No animal shall be given as a prize. For the purposes of this section, coins whose trading value exceeds their face value and coins not commonly in circulation shall not be deemed a cash prize.

Sec. 90. Section 53-250 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

Any person who uses any animal, including a fish, reptile or bird for the purpose of soliciting any alms, collection, contribution, subscription, donation or payment of money, or uses any animal, including a fish, reptile or bird as a prize or award in the operation of any game or device, or exhibits any wild animal in connection with any business for the purpose of attracting trade upon any street, highway or public park or at any fair, exhibition or place of amusement, recreation or entertainment, or owns, keeps or has in **[**his**]** such person's custody any animal, including a fish, reptile or bird for any such purpose, shall be guilty of a class D misdemeanor, but no provision of this section shall be construed so as to apply (1) to the exhibition of any animal, including a fish, reptile or bird by (A) any educational institution; or (B) in a zoological garden or in connection with any theatrical exhibition or circus, or (2) to the use of any animal in a cow-chip raffle.

Sec. 91. Sections 21a-27 to 21a-30, inclusive, of the general statutes are repealed. (*Effective from passage*)

Approved June 6, 2024