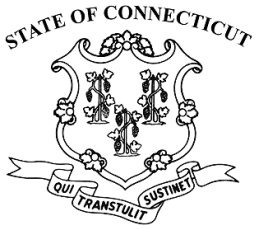

Substitute Senate Bill No. 1357

Public Act No. 25-111

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING VARIOUS STATUTES CONCERNING CONSUMER PROTECTION.

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

Section 1. Section 20-289 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

There shall be an Architectural Licensing Board in the Department of Consumer Protection. The board shall consist of five members. The Governor shall appoint two members of the board who shall be public members and three members of the board who shall be architects residing in this state. The Governor shall have the power to remove any member from office for misconduct, incapacity or neglect of duty. Members shall not be compensated for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties. The board shall keep a record of its proceedings and a roster of all licensed architects entitled to practice architecture and of all persons holding certificates of authority under sections 20-295 and 20-295a of the general statutes, revised to 1968, and corporations holding certificates of authorization for the practice of architecture under section 20-298b in this state. The department shall adopt regulations, in consultation with the board and in accordance with chapter 54, concerning eligibility for

architectural licensing examinations, appeals of examination grades, reciprocal licensing, requirements for continuing professional education for renewal of licensure, qualifications for registration for Architect Emeritus and such other matters as the department deems necessary to carry out the purposes of this chapter. The board shall, annually, prepare a roster of all licensed architects and the last-known mailing address of such architects. A copy of such roster shall be placed on file with the Secretary of the State and with the town building department of each town. The Commissioner of Consumer Protection, with advice and assistance from the board, shall adopt regulations, in accordance with chapter 54, (1) concerning professional ethics and conduct appropriate to establish and maintain a high standard of integrity and dignity in the practice of the profession, and (2) for the conduct of the board's affairs and for the examination of applicants for a license. The board shall, after public notice, hold at least one meeting per quarter, in each calendar year, for the purpose of considering applications for licenses and for the transaction of other business. Any person aggrieved by an order made under this chapter may appeal from such order as provided in section 4-183. Appeals under this section shall be privileged in respect to the order of trial and assignment.

Sec. 2. Section 20-290 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

In order to safeguard life, health and property, no person shall practice architecture in this state, except as provided in this chapter, or use the title "architect", or display or use any words, terms, letters, figures, title, sign, seal, advertisement or other device to indicate that such person practices or offers to practice architecture, including, but not limited to, the terms "architectural design", "architectural services" and "architectural drawings", unless such person has obtained a license as provided in this chapter. Nothing in this chapter shall prevent any Connecticut corporation in existence prior to 1933, whose charter

authorizes the practice of architecture, from making plans and specifications or supervising the construction of any building, except that no such corporation shall issue plans or specifications unless such plans or specifications have been signed and sealed by an architect licensed under the provisions of this chapter.

Sec. 3. Section 20-292 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each licensed architect shall renew his or her license annually. Pursuant to section 20-289, as amended by this act, a licensee shall pay to the department the professional services fee for class F, as defined in section 33-182*l* and shall submit proof of, or attest to, completion of continuing professional education requirements.

(b) Each corporation holding a certificate of authorization for the practice of architecture shall renew its certificate of authorization for the practice of architecture each year and pay to the department a renewal fee of two hundred twenty dollars.

(c) An applicant for examination or reexamination under this chapter shall pay a nonrefundable fee of seventy-two dollars and an amount sufficient to meet the cost of conducting each portion of the examination taken by such applicant. The fee for an applicant who qualifies for a license, other than by examination, in accordance with the provisions of section 20-291, shall be one hundred dollars.

(d) Pursuant to section 20-289, as amended by this act, an architect who is retired and not practicing any aspect of architecture and who **[**is**]** (1) is sixty-five years of age or older, or (2) has been licensed for a minimum of ten years in this state, may apply for registration as an Architect Emeritus. The fee for such registration shall be ten dollars. An Architect Emeritus may not engage in the practice of architecture without applying for and receiving an architect license.

(e) **[**For**]** (1) Except as provided in subdivisions (2) to (4), inclusive, of this subsection, for renewal of a license under this section, other than under subsection (d) of this section, an applicant shall submit proof or attest that he or she has completed twelve hours of continuing professional education during the continuing professional education period. The continuing professional education period shall commence three calendar months prior to the license expiration date and shall run for a period of twelve months from the date of commencement.

(2) No licensed architect shall be required to comply with the continuing professional education requirements established in this section until after the licensed architect's first license renewal.

(3) No architect who is registered as an Architect Emeritus in the manner set forth in subsection (d) of this section shall be subject to the continuing professional education requirements established in this section.

(4) (A) The board may, in the board's discretion, excuse a licensed architect from the continuing professional education requirements established in this section for reasons of health, military service or other individual hardship, provided (i) the licensed architect otherwise satisfies all requirements to renew such licensed architect's license, and (ii) the board issues its decision to excuse the licensed architect from such continuing professional education requirements in writing.

(B) A written decision issued by the board pursuant to subparagraph (A) of this subdivision shall be a final decision and not appealable to the department.

(f) (1) For renewal of a license under this section, the department shall charge the following fees for failure to earn continuing professional education credits by the end of the continuing professional education period:

(A) Three hundred fifteen dollars for reporting on a renewal application that any of the minimum of twelve hours of continuing professional education was earned up to thirteen weeks following the end of the continuing professional education period; and

(B) Six hundred twenty-five dollars for reporting on a renewal application that any of the minimum of twelve hours of continuing professional education was earned for more than thirteen weeks and up to twenty-six weeks following the end of the continuing professional education period.

(2) Failure **[**,**]** on the part of a licensee under this section to comply with the continuing professional education requirements for more than twenty-six weeks beyond the continuing professional education period may result in the imposition of a civil penalty in an amount not to exceed one thousand dollars, or in the suspension, revocation or refusal to renew the licensee's license, by the board or department **[**,**]** following an administrative hearing held pursuant to chapter 54.

Sec. 4. Section 20-298 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The following activities are exempted from the provisions of this chapter: (1) The practice of engineering by a professional engineer licensed under the provisions of chapter 391, and the performance by such professional engineer of architectural work for which such professional engineer is qualified by education and experience and which is incidental to such professional engineer's engineering work; (2) the construction or alteration of a residential building to provide dwelling space for not more than two families, or of a private garage or other accessory building intended for use with such residential building, or of any farm building or structure for agricultural use; (3) the preparation of details and shop drawings by persons other than architects, for use in execution of the work of such persons, when

buildings are designed in accordance with the requirements of this chapter; (4) the activities of employees of architects licensed in this state acting under the instructions, control or supervision of their employers; (5) the superintendence by builders, or properly qualified superintendents employed by such builders, of the construction or structural alteration of buildings or structures; (6) the activities of officers and employees of any public utility corporation whose operations are under the jurisdiction of the Public Utilities Regulatory Authority; (7) the activities of officers and employees of the government of the United States while engaged in this state in the practice of architecture for said government; and (8) the making of plans and specifications for or supervising the erection of any building, any building addition or any alteration to an existing building, where the building, including any addition, contains less than five thousand square feet total area, provided (A) this subdivision shall not be construed to exempt from the provisions of this chapter buildings of less than five thousand square feet total area of the use groups as defined in the State Building Code as follows: Assembly, educational, institutional, high hazard, transient residential, which includes hotels, motels, rooming or boarding houses, dormitories and similar buildings, and (B) the area specified in this subdivision is to be calculated from the exterior dimensions of the outside walls of the building and shall include all occupiable floors or levels.

(b) No person claiming an exemption under subsection (a) of this section shall use the title "architect", or display or use any words, terms, letters, figures, title, sign, seal, advertisement or other device to indicate or imply that such person practices or offers to practice architecture, including, but not limited to, the terms "architectural design", "architectural services" and "architectural drawings", unless such person has obtained a license as provided in this chapter.

(c) A person claiming an exemption under subdivisions (1) to (6),

inclusive, of subsection (a) of this section or subdivision (8) of said subsection (a) of this section who has not obtained a license as provided in this chapter shall clearly and conspicuously include the words "NOT A LICENSED ARCHITECT" on all contracts, advertisements, promotional materials, plans and specifications.

Sec. 5. Section 20-324e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a) When any aggrieved person commences any action for a judgment which may result in collection from the Real Estate Guaranty Fund, the aggrieved person shall notify the commission or department in writing to this effect at the time of the commencement of such action. Such written notice shall toll the time for making application to the commission pursuant to section 20-324d. The commission or department shall have the right to enter an appearance, intervene in or defend any such action and may waive the required written notice for good cause shown.**]**

[(b)**]** (a) When any aggrieved person **[**recovers a valid judgment in the Superior Court**]** obtains a binding arbitration decision, administrative decision, court judgment, order or decree against any real estate licensee or the unlicensed employee of any such real estate licensee for loss or damages sustained by reason of the embezzlement of money or property, or money or property unlawfully obtained from any person by false pretenses, artifice or forgery or by reason of any fraud, misrepresentation or deceit by or on the part of such real estate licensee or the unlicensed employee of any such real estate **[**broker**]** licensee, such aggrieved person may upon the final determination of, or expiration of time for appeal in connection with, any decision, judgment, order or decree, apply to the **[**commission**]** department for an order directing payment out of the Real Estate Guaranty Fund of the amount unpaid upon the decision, judgment, order or decree, subject to the limitations stated in section 20-324a and the limitations specified in

this section.

[(c)**]** (b) The **[**commission**]** department shall proceed upon such application in a summary manner, and **[**, upon the hearing thereof,**]** the aggrieved person shall be required to show that: (1) Such aggrieved person is not a spouse of the debtor or the personal representative of such spouse; (2) such aggrieved person has complied with all the requirements of this section; (3) such aggrieved person has obtained a decision, judgment, order or decree as provided in subsection **[**(b)**]** (a) of this section, stating the amount thereof and the amount owing thereon at the date of the application; (4) such aggrieved person has caused to be issued a writ of execution upon the decision, judgment, order or decree and the officer executing the same has made a return showing that no personal or real property of the **[**judgment**]** debtor liable to be levied upon in satisfaction of the decision, judgment, order or decree could be found, or that the amount realized on the sale of them or of such of them as were found, under the execution, was insufficient to satisfy the decision, judgment, order or decree, stating the amount so realized and the balance remaining due on the decision, judgment, order or decree after application thereon of the amount realized; (5) such aggrieved person has made all reasonable searches and inquiries to ascertain whether the **[**judgment debtor**]** real estate licensee or unlicensed employee of a real estate licensee possesses real or personal property or other assets, liable to be sold or applied in satisfaction of the decision, judgment, order or decree; and (6) that by such search such aggrieved person has discovered no personal or real property or other assets liable to be sold or applied, or that such aggrieved person has discovered certain of them, describing them, owned by the **[**judgment debtor**]** real estate licensee or unlicensed employee of a real estate licensee and liable to be so applied, and that such aggrieved person has taken all necessary action and proceedings for the realization thereof, and that the amount thereby realized was insufficient to satisfy the decision, judgment, order or decree, stating the amount so realized and

the balance remaining due on the decision, judgment, order or decree after application of the amount realized.

[(d)**]** (c) Whenever the aggrieved person satisfies the **[**commission**]** department that it is not practicable to comply with one or more of the requirements enumerated in subdivisions (4), (5) and (6) of subsection **[**(c)**]** (b) of this section and that such aggrieved person 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 **[**commission**]** department may in its discretion waive such requirements.

[(e)**]** (d) The **[**commission**]** department shall order payment from the Real Estate Guaranty Fund of any sum it shall find to be payable upon the claim, pursuant to the provisions of and in accordance with the limitations contained in this section and section 20-324a, if the **[**commission**]** department is satisfied **[**, upon the hearing,**]** of the truth of all matters required to be shown by the aggrieved person by subsection **[**(c)**]** (b) of this section and that such aggrieved person has fully pursued and exhausted all remedies available to such aggrieved person for recovering the amount awarded by the decision, judgment, **[**of the court**]** order or decree.

[(f)**]** (e) If the **[**commission**]** department pays from the Real Estate Guaranty Fund any amount in settlement of a claim or toward satisfaction of a decision, judgment, order or decree against a real estate licensee or an unlicensed employee of a real estate licensee pursuant to an order under subsection **[**(e)**]** (d) of this section, such **[**real estate licensee**]** person shall not be eligible to receive a new license until such **[**real estate licensee**]** person has repaid in full, plus interest at **[**a**]** the rate **[**to be determined by the commission and which shall reflect current market rates, the amount paid from the fund on such real estate licensee's account**]** of ten per cent per year. A discharge in bankruptcy shall not relieve a person from the penalties and disabilities provided in

this subsection.

[(g)**]** (f) If, at any time, the money deposited in the Real Estate Guaranty Fund is insufficient to satisfy any duly authorized claim or portion thereof, the **[**commission**]** department 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 filed, plus accumulated interest at the rate of four per cent a year.

Sec. 6. Subsection (b) of section 20-333 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The department shall conduct such written, oral and practical examinations as the appropriate board, with the consent of the commissioner, deems necessary to test the knowledge of the applicant in the work for which a license is being sought. The department shall allow any applicant, who has not participated in **[**an**]** a registered apprenticeship program, as set forth in section 31-22r, but either presents a recommendation for review issued pursuant to section 31-22u or demonstrates to the department, in consultation with the applicable board, equivalent experience and training, to sit for any such examination. Any person completing the required apprentice training program for a journeyman's license under section 20-334a shall, **[**within**]** not later than thirty days **[**following such completion**]** after completing such program, apply for a licensure examination given by the department or a person authorized by the department to give such examination. If an applicant does not pass such licensure examination, the commissioner shall provide each failed applicant with information on how to retake the examination and a report describing the applicant's strengths and weaknesses in such examination. Any apprentice permit issued under section 20-334a to an applicant who fails three licensure examinations in any one-year period shall remain in effect if such

applicant applies for and takes the first licensure examination given by the department following the one-year period **[**from**]** beginning on the date of such applicant's third and last unsuccessful licensure examination. Otherwise, such permit shall be revoked as of the date of the first examination given by the department following expiration of such one-year period. Upon application to the department for an initial license under the provisions of this chapter, an applicant shall submit evidence of successful completion of the applicant's final licensure examination, which successful completion shall occur not more than two years prior to the date of the relevant licensure application, unless the appropriate board grants a hardship extension of such two-year period.

Sec. 7. Section 20-341 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) (1) Any person who wilfully engages in or practices the work or occupation for which a license is required by this chapter or chapter 399b without having first obtained an apprentice permit or a certificate and license for such work, as applicable, or who wilfully employs or supplies for employment a person who does not have a certificate and license for such work, or who wilfully and falsely pretends to qualify to engage in or practice such work or occupation, including, but not limited to, offering to perform such work in any print, electronic, television or radio advertising or listing when such person does not hold a license for such work as required by this chapter, or who wilfully engages in or practices any of the work or occupations for which a license is required by this chapter after the expiration of such person's license, shall be guilty of a class B misdemeanor, except that no criminal charges shall be instituted against such person pursuant to this **[**subsection**]** subdivision unless the work activity in question is reviewed by the Commissioner of Consumer Protection, or the commissioner's authorized agent, and the commissioner or such agent

specifically determines, in writing, that such work activity requires a license and is not the subject of a bona fide dispute between persons engaged in any trade or craft, whether licensed or unlicensed. Notwithstanding the provisions of subsection (d) or (e) of section 53a-29 and subsection (d) of section 54-56e, if the court determines that such person cannot fully repay any victims of such person within the period of probation established in subsection (d) or (e) of section 53a-29 or subsection (d) of section 54-56e, the court may impose probation for a period of not more than five years. The penalty provided in this **[**subsection**]** subdivision shall be in addition to any other penalties and remedies available under this chapter or chapter 416.

[(b)**]** (2) The Commissioner of Consumer Protection may order any person who is not registered as an apprenticeship sponsor with the Labor Department and who advertises, offers, engages in or practices the work of a program of apprenticeship training for the purpose of providing the experience necessary to obtain a journeyperson's license under this chapter without first registering such program with the Labor Department pursuant to sections 31-22m to 31-22v, inclusive, to immediately cease and desist such advertising, offer, engagement or practice until such person and program are properly registered with the Labor Department pursuant to sections 31-22m to 31-22v, inclusive. The Commissioner of Consumer Protection may, after a hearing held in accordance with chapter 54, impose a fine in an amount not to exceed five thousand dollars for each violation of this **[**subsection**]** subdivision.

[(c)**]** (3) The Commissioner of Consumer Protection may order any person who is registered as an apprenticeship sponsor with the Labor Department to provide a program of apprenticeship training pursuant to sections 31-22m to 31-22v, inclusive, for the purpose of providing the experience necessary to obtain a journeyperson's license under this chapter and who employs an individual as an apprentice without first verifying that such individual is registered as an apprentice under this

chapter to immediately cease and desist any conduct for which an apprenticeship registration is required under this chapter. The commissioner may, after a hearing held in accordance with chapter 54, impose a fine in an amount not to exceed five thousand dollars for each violation of this **[**subsection**]** subdivision.

[(d)**]** (4) The appropriate examining board or the Commissioner of Consumer Protection may, after notice and a hearing conducted in accordance with chapter 54, impose a civil penalty for each violation on any person who **[**(1)**]** (A) engages in or practices the work or occupation for which a license or apprentice registration certificate is required by this chapter, chapter 394, chapter 399b or chapter 482 without having first obtained such a license or certificate, **[**or (2)**]** (B) wilfully employs or supplies for employment a person who does not have such a license or certificate or who wilfully and falsely pretends to qualify to engage in or practice such work or occupation, **[**or (3)**]** (C) engages in or practices any of the work or occupations for which a license or certificate is required by this chapter, chapter 394, chapter 399b or chapter 482 after the expiration of the license or certificate, or **[**(4)**]** (D) violates any of the provisions of this chapter, chapter 394, chapter 399b or chapter 482 or the regulations adopted pursuant thereto. Such penalty shall be in an amount not to exceed three thousand dollars for each violation of this **[**subsection**]** subdivision, except that any individual employed as an apprentice but improperly registered shall not be penalized for a first offense.

[(e)**]** (5) If an examining board or the Commissioner of Consumer Protection imposes a civil penalty under the provisions of **[**subsection (d) of this section**]** subdivision (4) of this subsection as a result of a violation initially reported by a municipal building official in accordance with subsection (c) of section 29-261, the commissioner shall, not less than sixty days after collecting such civil penalty, remit one-half of the amount collected to such municipality.

[(f)**]** (6) A violation of any of the provisions of this chapter shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b.

[(g)**]** (7) This section shall not apply to any person who **[**(1)**]** (A) holds a license issued under this chapter, chapter 394, chapter 399b or chapter 482 and performs work that is incidentally, directly and immediately appropriate to the performance of such person's trade where such work commences at an outlet, receptacle or connection previously installed by a person holding the proper license, or **[**(2)**]** (B) engages in work that does not require a license under this chapter, chapter 394, chapter 399b or chapter 482.

(b) (1) The Department of Consumer Protection may issue a notice of violation against a person following an inspection of any place or premises, performed in accordance with section 21a-11, as amended by this act, where the department discovers one or more of the following violations: (A) Offering or performing work that requires a credential under this chapter without the appropriate credential, in violation of section 20-334, (B) failure to comply with the allowable hiring ratios set forth in section 20-332b, (C) failure to obtain an apprentice registration certificate for one or more persons as required by applicable law, or (D) failure to obtain a permit as required by applicable law.

(2) (A) If the Department of Consumer Protection determines that a person has failed to correct all violations for which a notice of violation was issued pursuant to subdivision (1) of this subsection, the department may issue a stop work order against such person requiring the cessation of the practice of the trade or occupation for which a credential is required under this chapter, at the place or premises where the violation was found, as set forth in the notice of violation. Such stop work order shall be effective, and such notice sufficient, when served upon such person by (i) personal service, (ii) delivery by United States mail with delivery tracking, (iii) delivery by electronic mail sent with

tracking and delivery confirmation, or (iv) posting notice of the stop work order in a conspicuous location at the place or premises subject to such stop work order.

(B) A stop work order served in the manner set forth in subparagraph (A) of this subdivision shall remain in effect until the department (i) determines that the person against whom the department issued the stop work order has come into compliance with the requirements set forth in the notice of violation issued pursuant to subdivision (1) of this subsection, and (ii) issues an order releasing such stop work order (I) after a hearing decision rendered in accordance with subdivision (4) of this subsection, or (II) after a decision rendered by the commissioner or the commissioner's authorized representative pursuant to subdivision (5) of this subsection.

(3) If a person fails to comply with a stop work order following service made in accordance with the provisions of subdivision (2) of this subsection, the Department of Consumer Protection may impose on such person a fine in an amount not to exceed five hundred dollars per violation per day after such stop work order was served. Such fine shall be effective upon written notice to the person who failed to comply with the stop work order and payment of such fine shall be due to the department not later than fifteen days after such person receives such written notice. Any fine for failure to comply with a stop work order shall be deposited in the consumer protection enforcement account established in section 21a-8a.

(4) Any person who holds a credential issued by the Department of Consumer Protection pursuant to this chapter and has been served with a stop work order pursuant to subdivision (2) of this subsection may request an administrative hearing to contest such stop work order and any associated fine imposed on such person pursuant to subdivision (3) of this subsection. Such request shall be made in writing to the commissioner not more than fifteen days after such person was served

with such stop work order. Such hearing shall be conducted in accordance with the provisions of chapter 54. No request for an administrative hearing made pursuant to this subdivision shall operate to toll the stop work order or any fine associated with such stop work order unless so ordered by the commissioner or the commissioner's authorized representative.

(5) (A) Any person who does not hold a credential issued by the Department of Consumer Protection pursuant to this chapter and has been served with a stop work order pursuant to subdivision (2) of this subsection may submit a petition to the commissioner to lift the stop work order on the ground that (i) an error of fact or law should be corrected, (ii) new evidence has been discovered (I) which materially affects the merits of such stop work order, and (II) which for good reasons was not presented to the department upon such person's receipt of the notice of violation, or (iii) other good cause has been shown.

(B) A petition submitted pursuant to subparagraph (A) of this subdivision shall be submitted in writing not later than fifteen days after the person was served with a stop work order pursuant to subdivision (2) of this subsection. Such petition shall not operate to toll such stop work order or any associated fine imposed on such person pursuant to subdivision (3) of this subsection unless so ordered by the commissioner or the commissioner's authorized representative. The decision of the commissioner or the commissioner's authorized representative on such petition, or the failure by the commissioner or the commissioner's authorized representative to render a decision within the fifteen-day period beginning on the date on which the commissioner or the commissioner's authorized representative received such petition, shall constitute a final decision for purposes of chapter 54 and the person may appeal therefrom in accordance with section 4-183.

(6) The commissioner or the commissioner's authorized representative may apply to the Superior Court, which court, after a

hearing thereon, may issue a temporary restraining order, temporary injunction or permanent injunction (A) ordering compliance with a stop work order issued and served pursuant to subdivision (2) of this subsection, and (B) granting such other relief as may be required until the person obeys the stop work order. Any disobedience of an order issued by a court under this subdivision shall be punishable as a contempt thereof. The application for the temporary restraining order, temporary injunction, permanent injunction and for such other relief shall be brought, and the proceedings thereon conducted, by the Attorney General.

Sec. 8. Subsection (b) of section 20-341gg of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(b) No person shall engage in or offer to perform the work of any major contractor in this state on any proposed structure or existing structure or addition that exceeds the threshold limits contained in section 29-276b unless such person has first obtained a license or certificate of registration as required under the provisions of chapter 539 or a registration from the Department of Consumer Protection in accordance with the provisions of this section. Individuals licensed under chapter 393 shall be exempt from the provisions of this chapter while engaging in work that they are licensed to perform. The **[**department**]** Department of Consumer Protection shall issue a certificate of registration to any person who demonstrates to the Department of Consumer Protection that such person is prequalified as a contractor or substantial subcontractor by the Department of Administrative Services pursuant to section 4a-100. **[**who applies for registration in accordance with this section. Such prequalified person shall not be required to pay a fee for such registration at any time that the person maintains valid prequalification.**]** Any person who demonstrates to the Department of Consumer Protection that such

person is prequalified as a contractor or substantial subcontractor pursuant to section 4a-100 shall be issued a certificate of registration as a major contractor, and shall not be required to pay any fee for such registration or submit any additional proof that such person is qualified for such registration. If the individual or the firm, company, partnership or corporation employing such individual is engaged in work on a structure or addition that exceeds the threshold limits contained in section 29-276b and requires licensure under chapter 393, the firm, company, partnership or corporation shall be exempt from the provisions of this chapter concerning registration of major contractors, if the firm, company, partnership or corporation employs an individual who is licensed as a contractor under chapter 393 to perform such work. The department shall furnish to each qualified applicant a registration certifying that the holder of such registration is entitled to engage in the work for which the person has been issued a registration under this subsection, and the holder of such registration shall carry **[**it**]** such registration on his or her person while engaging in such work. Such registration shall be shown to any properly interested person upon request. No such registration shall be transferred to or used by any person other than the person to whom the registration was issued. The department shall maintain rosters of registrants and shall update such rosters annually. The department may provide copies of rosters to the public for an appropriate fee. The department may deny, suspend or revoke any registration issued by the department if the holder of such registration (1) is convicted of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the registration holder's ability to safely or competently perform the work under such registration, (B) information pertaining to the degree of rehabilitation of the registration holder, and (C) the time elapsed since the conviction or release, (2) is grossly incompetent, (3) is disqualified, pursuant to section 4a-100 or whose prequalification certificate has been revoked pursuant to section 4a-100, (4) engages in malpractice or unethical conduct or knowingly makes false, misleading or deceptive

representations regarding his work, or (5) violates any regulation adopted under subsection (c) of this section. Before any registration is suspended or revoked, such holder shall be given notice and an opportunity for hearing as provided in regulations adopted under subsection (c) of this section. The Commissioner of Consumer Protection shall provide written notice of any suspension or revocation of a registration to the Commissioner of Administrative Services not later than ten days after such suspension or revocation.

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

As used in this section and sections 20-417b to 20-417j, inclusive:

(1) "Certificate" means a certificate of registration issued under section 20-417b;

(2) "Commissioner" means the Commissioner of Consumer Protection or any person designated by the commissioner to administer and enforce this section and sections 20-417b to 20-417j, inclusive;

(3) "Completion" means the stage of construction of a new home in which the new home construction contractor is in receipt of the certificate of occupancy for such new home issued by the municipality in which such new home is constructed;

(4) "Consumer" means (A) the buyer or prospective buyer, or the heir or designated representative of the buyer or prospective buyer, of any new home, or (B) the owner of property on which a new home is being or will be constructed, regardless of whether such owner obtains a building permit as the owner of premises affected pursuant to section 29-263;

[(3)**]** (5) "Contract" means any agreement between a new home construction contractor and a consumer for the construction or sale of a

new home or any portion of a new home prior to occupancy;

[(4)**]** (6) "Engage in the business" means that the person engages in the business for the purpose of compensation or profit;

(7) "New home" means any newly constructed (A) single-family dwelling unit, (B) dwelling consisting of not more than two units, (C) unit, common element or limited common element in a condominium, as said terms are defined in section 47-68a, or (D) unit, common element or limited common element in a common interest community, as said terms are defined in section 47-202;

[(5)**]** (8) "New home construction contractor" means any person who contracts with a consumer to construct or sell a new home or any portion of a new home prior to occupancy;

[(6) "New home" means any newly constructed (A) single-family dwelling unit, (B) dwelling consisting of not more than two units, or (C) 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;**]**

[(7)**]** (9) "Person" means one or more individuals, partnerships, associations, corporations, limited liability companies, business trusts, legal representatives or any organized group of persons; and

[(8) "Consumer" means the buyer or prospective buyer, or the buyer's or prospective buyer's heirs or designated representatives, of any new home or the owner of property on which a new home is being or will be constructed regardless of whether such owner obtains a building permit as the owner of the premises affected pursuant to section 29-263; and

(9) "Completion" means the stage of construction of a new home in which the new home construction contractor is in receipt of the certificate of occupancy for such new home issued by the municipality

in which such new home is constructed.**]**

(10) "Proprietor" means an individual who (A) has an ownership interest in a business entity that holds, or previously held, a certificate of registration issued under section 20-417b, 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 two years of the effective date of entering into a contract with an owner harmed by the actions of such individual or business entity.

Sec. 10. Subsections (d) to (n), inclusive, of section 20-417i of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Whenever a consumer obtains a binding arbitration decision, a court judgment, order or decree against or regarding any new home construction contractor holding a certificate or who has held a certificate under sections 20-417a to 20-417j, inclusive, as amended by this act, or against a proprietor, within two years of the date **[**of entering**]** such contractor entered into the contract with the consumer, for loss or damages sustained by reason of any violation of the provisions of sections 20-417a to 20-417j, inclusive, as amended by this act, by a person holding a certificate under said sections, such consumer 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 the New Home Construction Guaranty Fund of the amount, not exceeding **[**thirty**]** fifty thousand dollars, unpaid upon the decision, judgment, order or decree for actual damages and costs taxed by the court against such 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 new home construction contractor or proprietor

together with a statement signed and sworn to by the consumer, affirming that the consumer has: (1) Complied with all the requirements of this subsection; (2) obtained a decision, judgment, order or decree stating the amount of the decision, judgment, order or decree and the amount owing on the decision, judgment, order or decree at the date of application; and (3) made a good faith effort to satisfy any such decision, judgment, order or decree in accordance with the provisions of chapter 906, which effort may include causing to be issued a writ of execution upon such decision, judgment, order or decree, **[**but**]** provided the officer executing the same has made a return showing that no bank accounts or personal property of such contractor liable to be levied upon in satisfaction of the decision, judgment, order or decree could be found, or that the amount realized on the sale of them or of such of them as were found, under the execution, was insufficient to satisfy the actual damage portion of the decision, judgment, order or decree or stating the amount realized and the balance remaining due on the decision, judgment, order or decree after application on the decision, judgment, order or decree of the amount realized, except that the requirements of this subdivision shall not apply to a judgment, order or decree obtained by the consumer in small claims court. A true and attested copy of such executing officer's return, when required, shall be attached to such application. Whenever the consumer satisfies the commissioner or the commissioner's designee that it is not practicable to comply with the requirements of subdivision (3) of this subsection and that the consumer has taken all reasonable steps to collect the amount of the decision, judgment, order or decree or the unsatisfied part of the decision, judgment, order or decree and has been unable to collect the same, the commissioner or the commissioner's designee may, in the commissioner's or the commissioner's designee's discretion, dispense with the necessity for complying with such requirement. No application for an order directing payment out of the fund shall be made later than two years from the final determination of, or expiration of time for taking, an appeal of such decision, court judgment, order or decree and

no such application shall be for an amount in excess of **[**thirty**]** fifty thousand dollars.

(e) Upon receipt of such application together with such copy of the decision, court judgment, order or decree, statement and, except as otherwise provided in subsection (d) of this section, true and attested copy of the executing officer's return, the commissioner or the commissioner's designee shall inspect such documents for their veracity and upon a determination that such documents are complete and authentic and that the consumer has not been paid, the commissioner shall order payment out of the New Home Construction Guaranty Fund of the amount not exceeding **[**thirty**]** fifty thousand dollars unpaid upon the decision, judgment, order or decree for actual damages and costs taxed by the court against the new home construction contractor or proprietor, exclusive of punitive damages.

(f) **[**Beginning**]** (1) During the period beginning October 1, 2000, and ending on the date immediately preceding the effective date of this section, whenever a consumer is awarded an order of restitution against any new home construction contractor for loss or damages sustained as a result of any violation of the provisions of sections 20-417a to 20-417j, inclusive, as amended by this act, by a person holding a certificate or who has held a certificate under said sections within two years of the date **[**of entering**]** such contractor entered into the contract with the consumer, in **[**(1)**]** (A) a proceeding brought by the commissioner pursuant to subsection **[**(h)**]** (i) of this section or subsection (d) of section 42-110d, as amended by this act, **[**(2)**]** (B) 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 **[**(3)**]** (C) a criminal proceeding pursuant to section 20-417e, such consumer 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 the New Home

Construction Guaranty Fund **[**of the**]** in an amount not **[**exceeding thirty**]** to exceed fifty thousand dollars unpaid upon the order of restitution. The commissioner may issue such order upon a determination that the consumer has not been paid.

(2) Beginning on the effective date of this section, whenever a consumer is awarded an order of restitution against any new home construction contractor or proprietor for loss or damages sustained as a result of any violation of the provisions of sections 20-417a to 20-417j, inclusive, as amended by this act, by a person holding a certificate or who held a certificate under said sections within two years of the date such contractor entered into the contract with the consumer, in (A) a proceeding brought by the commissioner pursuant to subsection (i) of this section or subsection (d) of section 42-110d, as amended by this act, (B) 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 (C) a criminal proceeding pursuant to section 20-417e, such consumer 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 the New Home Construction Guaranty Fund in an amount not to exceed fifty thousand dollars unpaid upon the order of restitution. The commissioner may issue such order upon a determination that the consumer has not been paid.

(g) Whenever the commissioner orders that payment be made to a consumer out of the New Home Construction Guaranty Fund based on a decision, judgment, order or decree of restitution, the new home construction contractor and the proprietor of such contractor shall be liable for the resulting debt to the fund.

[(g)**]** (h) Before the commissioner may issue any order directing payment out of the New Home Construction Guaranty Fund to a consumer pursuant to subsection (e) or (f) of this section, the

commissioner shall first notify the new home construction contractor of the consumer's application for an order directing payment out of the fund and of **[**the new home construction**]** such contractor's right to a hearing to contest the disbursement in the event that such contractor or the proprietor of such contractor has already paid the consumer. Such notice shall be given to the new home construction contractor not later than fifteen days after receipt by the commissioner of the consumer's application for an order directing payment out of the fund. If the new home construction 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 written request for a hearing **[**by certified mail**]** from the new home construction contractor on or before the fifteenth day from **[**the**]** such contractor's receipt of such notice, the commissioner shall conclude that the consumer has not been paid, and the commissioner shall issue an order directing payment out of the fund for the amount not exceeding **[**thirty**]** fifty thousand dollars unpaid upon the judgment, order or decree for actual damages and costs taxed by the court against **[**the new home construction**]** such contractor or the proprietor of such contractor, exclusive of punitive damages, or for the amount not exceeding **[**thirty**]** fifty thousand dollars unpaid upon the order of restitution.

[(h)**]** (i) The commissioner or the commissioner's designee may proceed against any new home construction contractor holding a certificate or who has held a certificate under sections 20-417a to 20-417j, inclusive, as amended by this act, within two years of the **[**effective date of entering**]** date such contractor entered into the contract with the consumer, for an order of restitution arising from loss or damages sustained by any consumer as a result of any violation of the provisions of said sections 20-417a to 20-417j, inclusive, by such contractor or the proprietor of such contractor. Any such proceeding shall be held in

accordance with the provisions of chapter 54. In the course of such proceeding, the commissioner or the commissioner's designee shall decide whether to (1) exercise the powers specified in section 20-417c, (2) order restitution arising from loss or damages sustained by any consumer as a result of any violation of the provisions of sections 20-417a to 20-417j, inclusive, as amended by this act, and (3) order payment out of the New Home Construction Guaranty Fund. Notwithstanding the provisions of chapter 54, the decision of the commissioner or the commissioner's designee shall be final with respect to any proceeding to order payment out of the fund and the commissioner and the commissioner's designee shall not be subject to the requirements of chapter 54 as such requirements relate to an appeal from any such decision. The commissioner or the commissioner's designee may hear complaints of all consumers submitting claims against a single new home construction contractor in one proceeding.

[(i)**]** (j) No application for an order directing payment out of the New Home Construction Guaranty Fund shall be made later than two years from the final determination of, or expiration of time for, an appeal in connection with any judgment, order or decree of restitution, and no such application shall be for an amount in excess of **[**thirty**]** fifty thousand dollars.

[(j)**]** (k) In order to preserve the integrity of the New Home Construction Guaranty Fund, the commissioner, in the commissioner's sole discretion, may order payment out of the fund of an amount less than the actual loss or damages incurred by the consumer or less than the order of restitution awarded by the commissioner or the Superior Court. In no event shall any payment out of the fund be in excess of **[**thirty**]** fifty thousand dollars for any single claim by a consumer.

[(k)**]** (l) If the money deposited in the New Home Construction Guaranty Fund is insufficient to satisfy any duly authorized claim or portion of a claim, the commissioner shall, when sufficient money has

been deposited in the fund, satisfy such unpaid claims or portions of claims not exceeding **[**thirty**]** fifty thousand dollars, in the order that such claims or portions of claims were originally determined.

[(l)**]** (m) Whenever the commissioner has caused any sum to be paid from the New Home Construction Guaranty Fund to a consumer, the commissioner shall be subrogated to all of the rights of the consumer up to the amount paid plus reasonable interest, and prior to receipt of any payment from the fund, the consumer shall assign all of the consumer'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 in the fund.

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

[(n)**]** (o) If the commissioner orders the payment of an amount as a result of a guaranty fund claim against a new home construction contractor, the commissioner may, after notice and hearing in accordance with the provisions of chapter 54, revoke the certificate of such contractor and such contractor shall not be eligible to receive a new or renewed certificate until such contractor has repaid such amount in full, plus interest from the time such payment is made from the New Home Construction Guaranty Fund, at a rate to be in accordance with section 37-3b, except that the commissioner may, in the commissioner's sole discretion, permit a new home construction contractor to receive a new or renewed certificate after such contractor has entered into an agreement with the commissioner whereby such contractor agrees to

repay the 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 new home construction contractor if payment is not made in accordance with the terms of the agreement.

Sec. 11. Section 20-450 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this section and sections **[**20-450**]** 20-451 to 20-462, inclusive, unless the context otherwise requires:

(1) "Association" means (A) an association, as defined in section 47-202, and an association of unit owners, as defined in section 47-68a and in section 47-68 of the general statutes, revision of 1958, revised to January 1, 1975, and (B) the mandatory owners organization of any common interest community, as defined in section 47-202, which community was not created under chapter 825 or 828 or under chapter 825 of the general statutes, revision of 1958, revised to January 1, 1975. "Association" does not include an association of a common interest community which contains only units restricted to nonresidential use;

[(2) "Community association manager" means a natural person who directly provides association management services;**]**

[(3)**]** (2) "Association management services" means services provided to an association for remuneration, including one or more of the following: (A) Collecting, controlling or disbursing funds of the association or having the authority to do so; (B) preparing budgets or other financial documents for the association; (C) assisting in the conduct of, or conducting, association meetings; (D) advising or assisting the association in obtaining insurance; (E) coordinating or supervising the **[**overall**]** operations of the association; and (F) advising the association on the **[**overall**]** operations of the association; **[**. Any

person licensed in this state under any provision of the general statutes or rules of court who provides the services for which such person is licensed to an association for remuneration shall not be deemed to be providing association management services. Any director, officer or other member of an association who provides services specified in this subdivision to the association of which he or she is a member shall not be deemed to be providing association management services unless such director, officer or other member owns or controls more than two-thirds but less than all of the votes in such association;**]**

[(4)**]** (3) "Commission" means the Connecticut Real Estate Commission appointed under the provisions of section 20-311a;

(4) "Community association manager" means a natural person who directly provides association management services;

(5) "Community association manager trainee" means a natural person working under the direct supervision of a community association manager for the purpose of being trained in the provision of association management services;

[(5)**]** (6) "Department" means the Department of Consumer Protection; and

[(6)**]** (7) "Person" means an individual, partnership, corporation, limited liability company or other legal entity. **[**; and

(7) "Community association manager trainee" means a natural person working under the direct supervision of a community association manager, for the purpose of being trained in the provision of association management services.**]**

Sec. 12. Section 20-452 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person seeking a certificate of registration as a community association manager or as a community association manager trainee shall apply to the department in writing, on a form provided by the department. Such application shall include the applicant's name, residence address, business address, business telephone number, a question as to whether the applicant has been convicted of a felony in any state or jurisdiction and such other information as the department may require. Except for a community association manager trainee, any person seeking an initial certificate of registration as a community association manager shall submit to a request by the **[**commissioner**]** Commissioner of Consumer Protection for a state and national criminal history records check, conducted in accordance with the provisions of section 29-17a. No registration as a community association manager shall be issued unless the commissioner has received the results of such records check.

(b) Each application for a certificate of registration as a community association manager shall be accompanied by an application fee of sixty dollars and a registration fee of one hundred dollars. The department shall refund the registration fee if it refuses to issue a certificate of registration. The department shall not charge either an application or a registration fee for a certificate of registration as a community association manager trainee.

(c) The following persons shall be exempt from registration as a community association manager under this chapter: (1) Any person, including, but not limited to, any attorney admitted to practice law in this state, any certified public accountant licensed under chapter 389 or any insurance producer licensed under chapter 701a, who provides to an association professional services, for which such person is licensed or admitted, for remuneration; (2) any director, officer or other member of an association who provides association management services to the association of which he or she is a member, unless such director, officer

or other member owns or controls more than two-thirds but less than all of the votes in such association; and (3) any person who provides administrative support services to a community association manager as set forth in section 20-451.

Sec. 13. Section 20-457 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) Each community association manager shall (1) exhibit his or her certificate of registration upon request by any interested party, (2) state in any advertisement the fact that he or she is registered, and (3) include his or her registration number in any advertisement. In the case of a business entity, the advertisement shall identify at least one principal, officer or director of the entity that is a community association manager and shall include the registration number of such principal, officer or director.

(b) No person shall: (1) Present or attempt to present, as his or her own, the certificate of another, (2) knowingly give false evidence of a material nature to the commission or department for the purpose of procuring a certificate, (3) represent himself or herself falsely as, or impersonate, a registered community association manager, (4) use or attempt to use a certificate which has expired or which has been suspended or revoked, (5) offer to provide association management services without having a current certificate of registration under sections 20-450 to 20-462, inclusive, as amended by this act, or (6) represent in any manner that his or her registration constitutes an endorsement of the quality of his or her services or of his or her competency by the commission or department. In addition to any other remedy provided for in sections 20-450 to 20-462, inclusive, as amended by this act, any person who violates any provision of this subsection shall **[**, after an administrative hearing,**]** be fined not more than one thousand dollars, or shall be imprisoned for not more than one year or be both fined and imprisoned. A violation of any of the provisions of

sections 20-450 to 20-462, inclusive, as amended by this act, shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b.

(c) Certificates issued to community association managers shall not be transferable or assignable.

(d) All certificates issued to community association managers under the provisions of sections 20-450 to 20-462, inclusive, as amended by this act, shall expire annually on the thirty-first day of January. A holder of a certificate of registration who seeks to renew his or her certificate shall, when filing an application for renewal of the certificate, submit documentation to the department which establishes that he or she has passed any examination and completed any educational coursework, as the case may be, required for certification under this chapter. The fee for renewal of a certificate shall be two hundred dollars.

(e) Failure to receive a notice of expiration or a renewal application shall not exempt a community association manager from the obligation to renew.

(f) All certificates issued to community association manager trainees under the provisions of sections 20-450 to 20-462, inclusive, as amended by this act, shall expire six months from the date of issuance and shall not be renewable.

(g) (1) Each community association manager who enters into a contract with an association for the purpose of providing association management services shall disclose to the association:

(A) Whether the community association manager has any ownership or managerial interest in any entity that solicits business from the association or the community association manager; and

(B) If the community association manager is required to provide any

construction oversight or project coordination services to the association that are not included in the scope of the general association management services the community association manager is required to provide under such contract, any amount the community association manager will charge to provide such construction oversight or project coordination services.

(2) Each disclosure made pursuant to this subsection shall be clear, conspicuous and in writing.

Sec. 14. Section 21-35b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person shall advertise, offer for sale or sell a stock of goods, wares or merchandise **[**under the description**]** as part of a closing-out sale unless **[**he shall have**]** such person has obtained **[**a license**]** from the Commissioner of Consumer Protection a state closing-out sale license authorizing **[**the conducting of**]** such sale for each location at which such sale is to be conducted.

(b) Each person desiring to conduct a closing-out sale shall **[**deposit with**]** pay to the Commissioner of Consumer Protection **[**the sum of five hundred dollars or a dollar amount equal to one per cent of the wholesale cost of the inventory filed pursuant to subsection (c) of this section whichever is greater; provided that no such deposit shall exceed five thousand dollars. Upon application in the sum to be prescribed by said commissioner and upon deposit to said commissioner of a further sum**]** a state closing-out sale license fee in the amount of one hundred dollars **[**as a state license fee, said**]** and the commissioner shall issue to the applicant a **[**"closing-out sale license"**]** state closing-out sale license, authorizing **[**him**]** the licensee to advertise and conduct a closing-out sale consistent with that requested in the application.

(c) Each person applying for a **[**"closing-out sale license"**]** state

closing-out sale license shall make **[**such**]** an application **[**therefor**]** for such license in a form and manner prescribed by the Commissioner of Consumer Protection. Such application shall be in writing and **[**under oath stating all the facts relating to the reasons and character of such sale, including**]** include the opening and terminating dates of the proposed closing-out sale **[**, a complete inventory of the goods, wares and merchandise actually on hand in the place where such sale is to be conducted in the manner prescribed by the commissioner, and all details necessary to locate exactly and identify fully the goods, wares or merchandise to be sold, and shall disclose the names and residences of owner or owners or partners in whose interest the sale is to be conducted**]** and an attestation by the applicant that such applicant is not delinquent in payment of any taxes due and owing to this state or any political subdivision of this state. No state closing-out sale license shall be issued unless the application is submitted to the **[**commissioner**]** Department of Consumer Protection at least five days prior to the requested commencement date of the closing-out sale. Any applicant who uses the services of a promoter, as defined in section 21-35a, for a closing-out sale shall include **[**a signed and dated copy of the agreement between such applicant and such promoter as part of the application**]** in the application the name and license number for each such promoter. The commissioner may, by regulation, request such other information to be submitted by the applicant as he deems necessary.

[(d) Each person holding a closing-out sale license issued under this section shall file with the Commissioner of Consumer Protection a monthly report, commencing one month from the opening date of the sale, enumerating all goods, wares or merchandise sold, transferred or otherwise disposed of by the licensee or his agents, servants or employees during that month pursuant to the closing-out sale. Said commissioner shall prescribe the form for such reporting.**]**

[(e)**]** (d) All documentation concerning the goods, wares and

merchandise to be included in such closing-out sale, including but not limited to purchase orders and delivery statements, shall be made available by the licensee for inspection by an authorized representative of the **[**commissioner**]** Commissioner of Consumer Protection during regular business hours.

[(f)**]** (e) Each person holding a state closing-out sale license shall (1) include the state closing-out sale license number in any advertisement, together with clear and conspicuous disclosure of the termination date of such state closing-out sale license, and (2) post such state closing-out sale license in a conspicuous location at the point of sale.

Sec. 15. Section 21-35c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a) All state licenses**]** Except as provided in section 21-35e, as amended by this act, a state closing-out sale license issued under this chapter shall expire ninety days **[**from the date thereof**]** after the date on which such state closing-out sale license was issued or on the termination date designated in the original application for such state closing-out sale license, whichever occurs first. **[**Each state license upon expiration, or voluntary surrender prior to expiration, shall be returned to the Commissioner of Consumer Protection who shall cancel the same, endorse the date of delivery and cancellation thereon and place the same on file. The commissioner shall then hold the special deposit of each such licensee for a period of sixty days and, after satisfying all claims made upon the same under this section, shall return such deposit or such portion of the same, if any, as may remain in the commissioner's hands to the licensee depositing it, or as directed by the licensee in the original application. Each deposit made with the commissioner shall be subject, as long as it remains in the commissioner's hands, to attachment or execution on behalf of creditors or consumers whose claims may arise in connection with business done under the authorized sale. Said commissioner may also be held to answer as garnishee under process of

foreign attachment, where such process is used, in any civil action brought against any licensee. The commissioner shall pay over, under order of court or upon execution of a judgment, such sum of money as the commissioner may be chargeable with upon the commissioner's disclosure or otherwise. Such deposit shall not be paid over by said commissioner on garnishee process or to such licensee until the expiration of the sixty-day period specified in this section. Such deposit shall also be subject to the payment of any fine or penalty imposed on the licensee for violation of any provision of this chapter, provided written notice of the name of such licensee and of the amount of such fine or penalty shall be given during such period to the commissioner by the clerk of the court in which such fine or penalty was imposed.

(b) Whenever any state license, issued under the provisions of section 21-35b has been lost or destroyed, so that such license cannot, after the expiration of the term thereof, be returned or surrendered under the provisions of subsection (a) of this section, the licensee may file an affidavit with the Commissioner of Consumer Protection describing such license with sufficient particularity to identify the same and the claimant thereunder, and showing such loss or destruction; and the commissioner, upon such proof of loss and identity as is satisfactory to him, may accept such affidavit in lieu of the return or surrender of such license, and such licensee shall have the same right to the return of the special deposit made by him as though he had returned or surrendered his license.**]**

Sec. 16. Section 21-35d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Before selling under the state closing-out sale license prescribed in section 21-35b, as amended by this act, in any town, city or borough, each person conducting a closing-out sale shall make application for a municipal closing-out sale license to the selectmen or other authority of such town, city or borough authorized to issue licenses therein; and,

unless the fee therefor is fixed as herein provided, shall file with them a true statement, under oath, of the average quantity and value of the stock of goods, wares and merchandise kept or intended to be kept or exposed by **[**him**]** such person for sale. Such selectmen or other authority shall submit such statement to the assessors of the town, who, after such examination and inquiry as they deem necessary, shall determine such average quantity and value, and shall forthwith transmit a certificate thereof to such selectmen or other authority. Thereupon such selectmen or other authority shall authorize the town clerk, upon the payment by the applicant of a fee equal to the taxes assessable in such town, city or borough under the last-preceding tax levy therein upon an amount of property of the same valuation, to issue to **[**him**]** such person a municipal closing-out sale license authorizing such closing-out sale in such municipality. Such authority may authorize the issue of such municipal closing-out sale license without the filing of such statement, upon the payment of a municipal closing-out sale license fee fixed by it. Upon payment of such fee, such town clerk shall issue such municipal closing-out sale license, which shall remain in force as long as the licensee continuously keeps and exposes for sale in such municipality such stock of goods, wares or merchandise, but not later than the first day of October following its date. **[**Upon such payment and proof of payment of all other license fees, if any, chargeable upon local sales, such town clerk shall record the state license of such transient vendor in full, shall endorse thereon the words "local license fees paid" and shall affix thereto his official signature and the date of such endorsement.**]**

Sec. 17. Section 21-35e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No **[**goods, wares or merchandise other than those listed in the inventory required in this chapter shall be included in any closing-out sale and no**]** sale shall continue beyond a reasonable date to be specified in the required application, except **[**, that an extension may be

authorized**]** the Commissioner of Consumer Protection may authorize an extension upon a proper showing of need. **[**, such extension being contingent on the submitting of a revised inventory showing the items listed on the original inventory remaining unsold and not listing any goods not included in the original application and inventory.**]**

Sec. 18. Section 21-35f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No person in contemplation of a closing-out sale under a state closing-out sale license as provided for in section 21-35b, as amended by this act, shall order any goods, wares or merchandise for the purpose of selling and disposing of the same at such sale, and any unusual purchases and additions to the stock of such goods, wares or merchandise within sixty days prior to the filing of application for a state closing-out sale license to conduct such sale shall be presumptive evidence that such purchases and additions to stock were made in contemplation of such sale.

Sec. 19. Subsections (a) to (h), inclusive, of section 21-82 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) At all times during the tenancy the owner shall:

(1) Comply with the requirements of the State Building Code, the Fire Safety Code, and all applicable state laws and regulations, local ordinances and planning and zoning regulations materially affecting health and safety;

(2) Maintain the premises and regrade them when necessary to prevent the accumulation of stagnant water and to prevent the detrimental effects of moving water;

(3) Maintain the ground at such a level that the mobile manufactured

home will not tilt from its original position;

(4) Keep each mobile manufactured home space or lot marked in such a way that each resident will be certain of his area of responsibility;

(5) Keep any exterior area of the park not the responsibility of each resident free from any species of weed or plant growth which are noxious or detrimental to the health of the residents;

(6) Make all repairs and do whatever is necessary to put and keep the portion of the mobile manufactured home park that is not the responsibility of each resident in a fit and habitable condition, except where such premises are intentionally rendered unfit or uninhabitable by the resident, a member of his family or other person on the premises with his consent, in which case such duty shall be the responsibility of the resident;

(7) Keep all common areas of the premises in a clean and safe condition;

(8) Be responsible for the extermination of any insect, rodent, vermin or other pest dangerous to the health of the residents whenever infestation exists in the area of the park not the responsibility of the resident or in the area for which the resident is responsible including the mobile manufactured home if such infestation is not the fault of the resident and particularly if such infestation existed prior to the occupancy of the resident claiming relief;

(9) Maintain all mobile manufactured homes rented by the owner in a condition which is structurally sound and capable of withstanding adverse effects of weather conditions;

(10) Maintain all electrical, plumbing, gas or other utilities provided by him in good working condition except during any emergency after which any repair shall be completed within seventy-two hours unless

good cause is shown as to why such repair has not been completed;

(11) Maintain all water and sewage lines and connections in good working order **[**,**]** and, in the event of any emergency, make necessary arrangements for the provision of such service on a temporary basis;

(12) Maintain all septic systems, leaching fields and septic lines and connections in good working order and, in the event of any emergency, make necessary arrangements for the provision of temporary septic service;

[(12)**]** (13) Arrange for the removal from waste receptacles of ashes, garbage, rubbish and other waste incidental to the occupancy of the dwelling unit;

[(13)**]** (14) Maintain any road within the park in good condition, provide adequate space for parking of two cars for each lot except that any park which provided only one space for each lot on January 1, 1985, and which provided only one space for each lot on October 1, 1972, shall be exempt from such requirement, and be responsible for damage to any vehicle which is the direct result of any unrepaired or poorly maintained access road within the park;

[(14)**]** (15) Respect the privacy of the resident and if only the space or lot is rented, agree to enter the mobile manufactured home only with the permission of the resident;

[(15)**]** (16) Allow all residents freedom of choice in the purchase of all services pursuant to section 21-78; and

[(16)**]** (17) Allow a resident to terminate a rental agreement whenever a change in the location of such resident's employment requires a change in the location of his residence if such resident gives thirty days' notice; provided, a resident who is a member of the armed forces of the United States may terminate his rental agreement with less than notice

of thirty days if he receives reassignment orders which do not allow such prior notification.

(b) At all times during the tenancy the resident shall:

(1) Comply with all obligations primarily imposed upon residents by applicable provisions of any building, housing or fire code materially affecting health and safety;

(2) Keep the unit and his area of responsibility as marked by the owner in a clean and sanitary condition, free of garbage and rubbish;

(3) Keep the supplied basic facilities including any plumbing fixture, cooking and refrigeration equipment and electrical fixtures in a rented mobile manufactured home unit in a clean and sanitary condition and exercise reasonable care in their proper use and operation;

(4) Dispose of any rubbish, garbage and other waste material in a clean and sanitary manner;

(5) Not wilfully or negligently destroy, deface, damage, impair or remove any part of the premises or permit any other person to do so;

(6) Observe all reasonable rules of the owner concerning the use, occupation and maintenance of the premises, provided such reasonable rules are brought to his attention at the time he signs a rental agreement;

(7) Unless otherwise agreed, occupy the dwelling unit only as a dwelling unit;

(8) Conduct himself and require other persons on the premises with his consent to conduct themselves in a manner that will not disturb his neighbors' peaceful enjoyment of the premises or constitute a nuisance, as defined in section 47a-32, or a serious nuisance, as defined in section 21-80; and

(9) If judgment has entered against a member of the resident's household pursuant to subsection (c) of section 47a-26h for serious nuisance by using the premises for the illegal sale of drugs, not permit such person to resume occupancy of the dwelling unit, except with the consent of the owner.

(c) Rent is payable without demand or notice at the time and place agreed upon by the parties. Unless otherwise agreed, (1) rent is payable at the premises, and (2) periodic rent is payable at the beginning of any term of one month or less and for terms of more than one month in equal monthly installments at the beginning of each month. In the absence of agreement, the resident shall pay the fair rental value for the use and occupancy of the premises.

(d) The terms for the payment of rent shall be clearly set forth and any charge for services, space or lot rent, unit rent or any other charge shall be specifically itemized in the rental agreement and in any billing to the resident by the owner. The total rent for the term of the rental agreement shall be stated therein.

(e) Reasonable rules for guest parking shall be clearly stated and unless violation thereof occurs, no fee shall be charged a resident or a guest.

(f) Any action on the part of the resident which may be grounds for eviction from the park or termination of the rental agreement shall be clearly and specifically stated therein.

(g) The right of the resident to sell his mobile manufactured home pursuant to section 21-79 shall be clearly stated in the rental agreement.

(h) If the owner makes an entry prohibited by subdivision **[**(14)**]** (15) of subsection (a) of this section, or makes repeated demands for entry otherwise lawful but which have the effect of unreasonably harassing the resident, the resident may recover actual damages not less than an

amount equal to one month's rent and reasonable attorney's fees. The resident may also obtain injunctive relief to prevent the recurrence of the conduct or terminate the rental agreement.

Sec. 20. Section 21-83c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

A rental agreement shall not permit the receipt of rent for any period during which the owner has failed to comply with the provisions of subdivisions (1) to **[**(13)**]** (14), inclusive, of subsection (a) of section 21-82, as amended by this act, and such failure materially affects the health and safety of the residents or materially affects habitability.

Sec. 21. Subsection (a) of section 47a-14h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) Any tenant who claims that the landlord has failed to perform his or her legal duties, as required by section 47a-7 or 47a-7a or subdivisions (1) to **[**(13)**]** (14), inclusive, of subsection (a) of section 21-82, as amended by this act, may institute an action in the superior court having jurisdiction over housing matters in the judicial district in which such tenant resides to obtain the relief authorized by this section and sections 47a-7a, 47a-20 and 47a-68. No tenant may institute an action under this section if a valid notice to quit possession or occupancy based upon nonpayment of rent has been served on such tenant prior to the institution of an action under this section or if a valid notice to quit possession or occupancy based on any other ground has been served on such tenant prior to such tenant making the complaint to the agency referred to in subsection (b) of this section, provided any such notice to quit is still effective.

Sec. 22. Subsection (c) of section 21a-9 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

passage):

(c) Each such board or commission may act in accordance with the provisions of **[**subdivision (7) of**]** section 21a-7, and the commissioner may act in accordance with the provisions of **[**subdivision (4) of subsection (b) of**]** section 21a-8, in the case of a practitioner who: (1) Engages in fraud or material deception in order to obtain a license, registration or certificate issued by the board, commission or commissioner or to aid another in obtaining a license, registration or certificate issued by the board, commission or commissioner; (2) performs work beyond the scope of the license, registration or certificate issued by the board, commission or commissioner; (3) illegally uses or transfers a license, registration or certificate issued by the board, commission or commissioner; (4) performs incompetent or negligent work; (5) makes false, misleading or deceptive representations to the public; (6) has been subject to disciplinary action similar to that specified in **[**subdivision (7) of**]** section 21a-7 or **[**subdivision (4) of subsection (b) of section**]** 21a-8 by a duly authorized professional agency of the United States, any state within the United States, the District of Columbia, a United States possession or territory or a foreign jurisdiction; or (7) violates any provision of the general statutes or any regulation established thereunder, relating to the practitioner's profession or occupation.

Sec. 23. Subsection (a) of section 21a-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) The Commissioner of Consumer Protection may, subject to the provisions of chapter 67, employ such agents and assistants as are necessary to enforce the provisions of the general statutes wherein the commissioner is empowered to carry out the duties and responsibilities assigned to the commissioner or the Department of Consumer Protection. For the purpose of inquiring into any suspected violation of

such provisions, the commissioner and the commissioner's deputy and assistants shall (A) have free access, at all reasonable hours, to all places and premises, homes and apartments of private families keeping no boarders excepted, and shall be permitted therein to inspect and document by audio and visual means, and (B) unless prohibited by other applicable law, be provided, upon request, copies of any accounts, books, records, memoranda, correspondence, signage and other documents related to such suspected violation.

(2) The commissioner and the commissioner's deputy or assistants shall have the authority to issue citations pursuant to section 51-164n for violations for the purpose of enforcing **[**such**]** the provisions of the general statutes wherein the commissioner is empowered to carry out the duties and responsibilities assigned to the commissioner or the department. The commissioner may delegate the commissioner's authority to render a final decision in a contested case to a hearing officer employed by, or contracted with, the department.

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

Sec. 24. Subsections (a) and (b) of section 21a-38 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) **[**The**]** Following an administrative hearing held in accordance with the provisions of chapter 54, the commissioner may suspend or revoke any license issued under the provisions of section 21a-35 or 21a-36 for violation of the provisions of sections 21a-34 to 21a-45, inclusive,

or any regulation adopted thereunder or for violation of any applicable municipal health ordinance or state or federal law or regulation. **[**No such suspension or revocation shall take effect except upon notice to the licensee and hearing thereon. Notice shall be in writing, given by registered or certified mail, and shall state: (1) The condition or violation found; (2) the corrective action, if any, to be taken and the period of time within which such action must be taken; and (3) that an opportunity for hearing will be provided upon written request filed within ten days after receipt of such notice.**]**

(b) Whenever the commissioner finds any grossly unsanitary condition or any other condition which constitutes a substantial hazard to public health or safety involving the preparation or transportation of any food or beverage or the use of any vending machine **[**he**]** the commissioner may, without notice or hearing, issue a written order to the licensee citing the existence of such condition and specifying the corrective action to be taken, and, if **[**he**]** the commissioner deems it necessary, require that use of such facility or machine be discontinued. Any licensee to whom such order is issued may **[**petition for a hearing, which shall be granted, but no such petition shall**]** request an administrative hearing in accordance with the provisions of chapter 54 to contest such order. No such request shall stay the execution or effectiveness of any order issued pursuant to this subsection pending an administrative hearing. Each such order shall continue in effect until **[**it**]** such order is rescinded by the commissioner or until the condition cited is corrected, as determined by the commissioner or the commissioner's designee.

Sec. 25. Section 21a-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any license may be revoked by the Commissioner of Consumer Protection **[**after notice to the licensee by mail or otherwise and opportunity to be heard**]** if it appears that any statement upon which **[**it**]**

such license was issued was false or misleading or that any frozen dessert and frozen dessert mix manufactured by the licensee is adulterated or misbranded, or was manufactured in a plant not maintained in accordance with the standards of sanitation prescribed in the regulations promulgated under the authority of section 21a-58, or that the brand name or any label or advertising of any frozen dessert and frozen dessert mix manufactured by the licensee gives a false indication of origin, character, composition or place of manufacture, or is otherwise false or misleading in any particular way. A license may also **[**, after such notice and hearing,**]** be suspended for any of the foregoing reasons until the licensee complies with the conditions prescribed by the **[**Commissioner of Consumer Protection**]** commissioner for its reinstatement. The commissioner shall not revoke or suspend a license except upon notice and hearing in accordance with chapter 54. The commissioner may summarily suspend a license pending such a hearing if the commissioner has reason to believe that the public health, safety or welfare imperatively requires emergency action.

Sec. 26. Subsection (b) of section 21a-118 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(b) If an inspection reveals a violation of any provision of this chapter concerning a food factory, food warehouse or food establishment, the commissioner shall notify the owner of such factory, warehouse or establishment of any such violation and his right to a hearing under this section by certified mail within fifteen days of the date of such original inspection. Such owner may contest the violations cited in such notice by requesting a hearing in writing by certified mail within fifteen days of the date of receipt of such notice. The commissioner shall grant such a request and conduct a hearing in accordance with the provisions of chapter 54. The **[**cost of all reinspections**]** fee for each reinspection

necessary to determine compliance with any such provision shall be **[**forty**]** one hundred seventy-five dollars **[**an hour**]** and shall be charged to such owner. **[**, except that if the first reinspection following the original inspection indicates compliance with such provision no charge shall be made.**]**

Sec. 27. Subsections (c) and (d) of section 21a-152 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Commissioner of Consumer Protection may revoke, suspend, place conditions upon or issue a civil penalty against a bakery, food manufacturing establishment or food warehouse license for any violation of sections 21a-151 to 21a-159, inclusive, **[**after a hearing conducted**]** in accordance with the provisions of chapter 54. In addition, the commissioner may summarily suspend a bakery, food manufacturing establishment or food warehouse license pending a hearing in accordance with the provisions of chapter 54 if the commissioner has reason to believe that the public health, safety or welfare imperatively requires emergency action. **[**Not later than ten days following the suspension order, the commissioner shall cause to be held a hearing which shall be conducted in accordance with the provisions of chapter 54. Following such hearing, the commissioner shall dissolve such suspension or order revocation of the bakery, food manufacturing establishment or food warehouse license. Any corporation, firm or person whose license has been revoked may apply for a new license and the commissioner shall act on such application not later than thirty days after the commissioner receives such application. The costs of any inspections**]** The fee for each inspection necessary to determine whether or not an applicant, whose license has been revoked, is entitled to have a new license granted shall be borne by the applicant at such rates as the commissioner may determine. The commissioner may refuse to grant any bakery, food manufacturing establishment or

food warehouse a license if the commissioner finds that the applicant has evidenced a pattern of noncompliance with the provisions of sections 21a-151 to 21a-159, inclusive. Prima facie evidence of a pattern of noncompliance shall be established if the commissioner shows that the applicant has had two or more bakery, food manufacturing establishment or food warehouse licenses revoked.

(d) All vehicles used in the transportation of food for human consumption, including, but not limited to, bakery, food manufacturing establishment or food warehouse products, shall be kept in a sanitary condition **[**and shall have the name and address of the bakery, food manufacturing establishment or food warehouse owner, operator or distributor legibly printed on both sides**]** in accordance with the sanitary transportation requirements established in the regulations adopted pursuant to the Food Safety Modernization Act, 21 CFR Parts 1 and 11, as amended from time to time. Each compartment in which **[**unwrapped bakery, food manufacturing establishment or food warehouse products are**]** food for human consumption is transported shall be enclosed in a manner approved by the commissioner.

Sec. 28. Section 21a-217 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) **[**Every**]** Each contract for health club services shall provide that such contract may be cancelled **[**within**]** not later than three business days after the date **[**of receipt by**]** on which the buyer **[**of**]** under such contract receives a copy of **[**the**]** such contract, by written cancellation notice delivered, with delivery tracking, to the **[**seller**]** health club or the **[**seller's**]** health club's agent at an address **[**which**]** that shall be specified in **[**the**]** such contract. Not later than ten business days after the health club or the health club's agent receives such written cancellation notice, the health club shall provide to the buyer a written statement confirming that such contract has been cancelled and disclosing the effective date of such cancellation. After receipt of such written cancellation notice, the

health club may request the return of 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 health club 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 health club contract and may not be waived or otherwise surrendered. **[**Such**]**

(b) (1) Each health club contract **[**for health club services**]** shall also **[**contain a clause providing**]** provide that:

(A) The buyer or the buyer's estate shall be relieved of any further obligation not due and owing under such contract (i) if the person receiving the benefits of such contract (I) relocates further than twenty-five miles from a health club **[**facility**]** location operated by the **[**seller**]** health club or a substantially similar health club **[**facility**]** location which would accept the **[**seller's obligation**]** health club's obligations under **[**the**]** such contract, or (II) dies during the membership term following the effective date of such contract, or (ii) if the health club ceases operation at the health club location where the buyer entered into **[**the**]** such 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**]**

(B) If the buyer becomes disabled during the membership term, the buyer shall have the option of **[**(1)**]** (i) being relieved of liability for payment on that portion of the contract term for which the buyer is disabled, or **[**(2)**]** (ii) extending the **[**duration of the**]** original term of such contract, at no cost to the buyer, for a period equal to the duration of the disability; **[**.**]** and

(C) The buyer may, at the buyer's option, void such contract

prospectively if (i) the health club ceases to offer facilities or amenities that are substantially similar to the facilities or amenities that such health club offered to the buyer when the buyer initially entered into such contract, or (ii) the services offered under such contract are no longer available, or are substantially unavailable, because the operations of the health club have permanently discontinued or there has been a substantial change in the operations of the health club location primarily used by the buyer.

(2) For the purposes of this subsection, the health club location primarily used by the buyer shall be (A) the health club location designated by the buyer as the buyer's preferred health club location for delivery of services under the health club contract, or (B) if the buyer does not designate a health club location as the buyer's preferred health club location for delivery of services under the health club contract, the health club location most frequented by the buyer during the preceding calendar year.

(c) **[**The**]** A health club shall have the right to require and verify reasonable evidence of relocation, disability or death. In the case of disability, **[**the**]** a health club may require that documentation from a licensed physician, a licensed physician assistant, a licensed advanced practice registered nurse or another credentialed medical provider be submitted as verification.

Sec. 29. Subsection (a) of section 21a-218 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(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:

"BUYER'S RIGHT TO CANCEL

If you wish to cancel this contract, you may cancel by sending a written notice stating that you do not wish to be bound by this contract. 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:

(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;

(2) You die; 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 relieved of liability for payment on that portion of the contract term for which you are disabled; or

(2) 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 submitting documentation from a licensed physician, a licensed physician assistant, a licensed advanced practice registered nurse 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.

NOTICE OF GUARANTY FUND

The Connecticut Health Club Guaranty Fund is administered by the Department of Consumer Protection to protect consumers who have a health club contract with a club that closes down or moves. If a health club is no longer operating at the location where you entered into the contract, you may be eligible for reimbursement through the fund. For further information, and to apply to the fund, please visit (insert Department of Consumer Protection's Internet web site address) or contact the department by phone at (insert Department of Consumer Protection's main telephone number)."

Sec. 30. Subsections (a) and (b) of section 21a-223 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(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) 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.

(b) No health club shall (1) engage in any act or practice that is in violation of or contrary to the provisions of this chapter or any regulation adopted to carry out the provisions of this chapter, including the use of contracts that do not conform to the requirements of this chapter, or (2) engage in conduct of a character likely to mislead, deceive or defraud the buyer, the public or the commissioner. The Commissioner of Consumer Protection may refuse to grant or renew a license to, impose a civil penalty in an amount not to exceed one thousand dollars per violation on or **[**may**]** suspend, place conditions on or revoke the license of **[**,**]** any health club **[**which**]** that engages in any conduct prohibited by this chapter.

Sec. 31. Subsections (g) and (h) of section 21a-226 of the general statutes are repealed and the following is substituted in lieu thereof

(*Effective October 1, 2025*):

(g) After hearing, the commissioner shall issue an order requiring payment from the guaranty fund of any sum 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**]** one hundred twenty-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 pay the amount due plus interest at the rate of ten per cent per year. A health club shall not be eligible to receive a new or renewed license until the health club has repaid such amount in full. **[**, plus interest at a rate to be determined by the commissioner.**]** All funds paid pursuant to this subsection shall be deposited in the guaranty fund.

Sec. 32. Subsection (a) of section 21a-430 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) No person shall place or cause to be placed in a public place a donation bin for the donation of clothing or other articles unless (1) such person **[**has been granted permission**]** obtains advance written consent from the owner of such public place, or such owner's duly authorized agent, to place such donation bin, or cause such bin to be placed, in such public place, **[**by the owner of such public place or by such owner's duly authorized agent**]** and **[**unless**]** (2) such bin contains a notice, in block letters at least two inches high, stating, **[**: (1) If**]** (A) if the donation is for a charitable purpose, **[**(A)**]** (i) the name of the nonprofit organization that will benefit from the donation, **[**and the percentage of the donated articles or of the proceeds from the sale of the donated articles that the nonprofit organization will receive from the owner of such bin, (B)**]** (ii) the name and contact information of the owner of such bin, and **[**(C)**]**

(iii) that the public may contact the Department of Consumer Protection for further information, or **[**(2)**]** (B) if not intended for a charitable purpose, that such donation is not for a charitable purpose. Such notice shall be on the same side of the bin where the donation is likely to be made. As used in this section, "public place" means any area that is used or held out for use by the public, whether owned or operated by public or private interests, and "donation bin" means a large container commonly placed in a parking lot for the purpose of encouraging individuals to donate clothing or other items.

Sec. 33. Section 21a-434 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For purposes of this section, (1) "at retail" includes any retail transaction conducted in person, excluding any transaction: (A) By telephone, mail or the Internet, (B) for parking at a parking lot or a parking garage, (C) at a wholesale club that sells consumer goods and services through a membership model, (D) at a retail store selling consumer goods exclusively through a membership model that requires payment by means of an affiliated mobile device application, (E) for the rental of consumer goods, services or accommodations for which posting of collateral or security is typically required, **[**and**]** (F) for consumer goods or services provided exclusively to employees and individuals other than customers who are authorized to be on the employer's premises, and (G) at a location where no individual is employed to provide in-person assistance with any offer or purchase of goods or services, and (2) "cash" means legal tender.

(b) **[**A**]** Except as provided in subsection (c) or (d) of this section, a person selling or offering for sale goods or services at retail in this state shall not: (1) Refuse to accept cash as a form of payment for such goods or services, (2) post signs stating that cash payment is not accepted, or (3) charge a customer paying cash a higher price than such customer would pay using any other form of payment.

(c) A person selling or offering for sale goods or services at retail in this state shall be deemed to have satisfied the requirements established in subsection (b) of this section if the person provides a device to consumers that converts cash into a prepaid card, and:

(1) Such person and such person's device vendor do not, directly or indirectly:

(A) Require payment of any fee for initial receipt of such prepaid card;

(B) Charge any fee to use such prepaid card, including, but not limited to, (i) a fee charged to (I) check the balance of such prepaid card, or (II) deposit additional cash on such prepaid card, or (ii) any recurring fee;

(C) Require payment of a minimum deposit for such prepaid card in an amount that is greater than one dollar;

(D) Establish an expiration date relative to the underlying funds deposited on such prepaid card;

(E) Limit the number of transactions that may be completed by using such prepaid card; or

(F) Require a consumer to provide any personally identifiable information, including, but not limited to, a telephone number, electronic mail address or Social Security number, to receive or use such prepaid card;

(2) Such device shall, upon request, provide a printed receipt to a consumer indicating the amount of cash the consumer has deposited onto such prepaid card; and

(3) In the event such device malfunctions, the retail store where such device is located shall:

(A) Accept payment in cash from consumers until such device is restored and satisfies the requirements established in this subsection; and

(B) Post a sign in a conspicuous location on or immediately adjacent to such device stating that such retail store is required by law to accept cash if such device malfunctions.

(d) Nothing in subsections (a) to (c), inclusive, of this section shall be construed to apply to any service offered by a health care provider, as defined in section 19a-17b, or to any professional service, as defined in section 33-182a.

[(c)**]** (e) The Commissioner of Consumer Protection may adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

Sec. 34. Section 42-110d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the purposes of this chapter the **[**commissioner**]** Commissioner of Consumer Protection shall have the power to order an investigation and examination to be made. In addition to other powers conferred upon the commissioner by this chapter, the commissioner or **[**his**]** the commissioner's authorized representatives may issue subpoenas to any person involved in any matter under investigation and examination, administer an oath or affirmation to any person, and conduct hearings in aid of any investigation or examination, provided none of the powers conferred by this chapter shall be used for the purpose of compelling any natural person to furnish testimony or evidence which might tend to incriminate him or subject him to a penalty or forfeiture.

(b) **[**Said commissioner**]** The Commissioner of Consumer Protection or **[**said**]** the 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 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 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 of Consumer Protection, the commissioner may execute in writing and cause to be served, 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**]** the 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**]** The Commissioner of Consumer Protection,

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 deliver to such person, 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 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**]** issue a final decision, which may include orders for 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 an order temporarily or permanently restraining and enjoining any person from continuing 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.

(e) In addition to any injunction issued pursuant to subsection (d) of this section, the court may make such additional orders or judgments as may be necessary to restore to any person in interest any moneys or property, real or personal, which may have been acquired by means of any practices prohibited by this chapter, including the appointment of a receiver or the revocation of a license or certificate authorizing the person subject to the order or injunction to engage in business in this state, or both.

(f) The **[**commissioner**]** Commissioner of Consumer Protection or the Attorney General or their employees shall disclose, in accordance with the provisions of the Freedom of Information Act, as defined in section 1-200, all records concerning the investigation of any alleged violation of any provision of this chapter, including, but not limited to, any complaint initiating an investigation and all records of the disposition or settlement of a complaint. For purposes of this section, "disposition" shall include the following action or nonaction with respect to any complaints or investigations: (1) No action taken because of (A) a lack of jurisdiction, (B) unsubstantiated allegations, or (C) a lack of sufficient information to draw a conclusion, as determined by the commissioner, after investigation; (2) referral to another state agency, or to a federal or

local agency, or to law enforcement authorities; (3) an acceptance of an assurance of voluntary compliance in accordance with the provisions of section 42-110j, as amended by this act; and (4) formal action taken, including the institution of administrative proceedings pursuant to subsection (d) of this section or court proceedings pursuant to section 42-110m, 42-110o or 42-110p. The commissioner may withhold such records from disclosure during the pendency of an investigation or examination held in accordance with subsection (a) of this section, but in no event shall the commissioner withhold any such records longer than a period of eighteen months after the date on which the initial complaint was filed with the commissioner or after the date on which the investigation or examination was commenced, whichever is earlier. Nothing herein shall be deemed to affect the rights of litigants, including parties to administrative proceedings, under the laws of discovery of this state.

Sec. 35. Section 42-110j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

In the administration of this chapter, the commissioner may accept an assurance of voluntary compliance with respect to any method, act or practice deemed in violation of this chapter from any person alleged to be engaged or to have been engaged in such method, act or practice. Such assurance may include an amount as a monetary settlement and as restitution to aggrieved persons and for investigative costs. No such assurance of voluntary compliance shall be considered an admission of violation for any purpose. Matters thus closed may at any time be reopened by the commissioner for further proceedings in the public interest. In the event of any violation of the terms of an assurance of voluntary compliance accepted under this section, the commissioner may proceed as provided in sections 42-110d, as amended by this act, and 42-110e or may request that the Attorney General apply in the name of the state to the Superior Court for relief from such violation consistent

with section 42-110m.

Sec. 36. Section 42-134a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

As used in this chapter:

[(a)**]** (1) "Home solicitation sale" means a sale, lease, or rental of consumer goods or services, whether under single or multiple contracts, in which the seller or his representative personally solicits the sale, including those in response to or following an invitation by the buyer, and the buyer's agreement or offer to purchase is made at a place other than the place of business of the seller. The term "home solicitation sale" does not include a transaction: **[**(1)**]** (A) Made pursuant to prior negotiations in the course of a visit by the buyer to a retail business establishment having a fixed, permanent location where goods are exhibited or the services are offered for sale on a continuing basis; **[**(2)**]** (B) in which the buyer has initiated the contact and the goods or services are needed to meet a bona fide immediate personal emergency of the buyer, and the buyer furnishes the seller with a separate dated and signed personal statement in the buyer's handwriting describing the situation requiring immediate remedy and expressly acknowledging and waiving the right to cancel the sale within three business days; **[**(3)**]** (C) conducted and consummated entirely by mail or telephone and without any other contact between the buyer and the seller or its representative prior to delivery of the goods or performance of the services; **[**(4)**]** (D) in which the buyer has initiated the contact and specifically requested the seller to visit his home for the purpose of repairing or performing maintenance upon the buyer's personal property. If in the course of such a visit, the seller sells the buyer the right to receive additional services or goods other than replacement parts necessarily used in performing the maintenance or in making the repairs, the sale of those additional goods or services shall not come within this exclusion; **[**(5)**]** (E) pertaining to the sale or rental of real

property, to the sale of insurance, to the sale of newspapers or to the sale of securities or commodities by a broker-dealer registered with the securities and exchange commission; **[**(6)**]** (F) made pursuant to a home party plan sales and demonstration; or **[**(7)**]** (G) in the case of consumer goods, other than magazine sales or subscriptions, where the purchase price, whether under single or multiple contracts, does not exceed twenty-five dollars.

[(b)**]** (2) "Consumer goods or services" means goods or services purchased, leased, or rented primarily for personal, family, or household purposes, including courses of instruction or training regardless of the purpose for which they are taken.

[(c)**]** (3) "Seller" means any person, partnership, corporation, limited liability company or association engaged in home solicitation sales of consumer goods or services.

[(d)**]** (4) "Place of business" means the main or permanent branch office or local address of a seller.

[(e)**]** (5) "Purchase price" means the total price paid or to be paid for the consumer goods or services, including all interest and service charges.

[(f)**]** (6) "Business day" means any calendar day except Saturday, Sunday or any **[**of the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day**]** legal holiday designated, appointed or recommended under section 1-4.

Sec. 37. Subsection (a) of section 36a-671b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) A debt negotiator shall provide to each debtor a contract that shall include a complete, detailed list of services to be performed, the costs of such services and the results to be achieved. Each debt negotiation service contract shall contain (1) a statement certifying that the person offering debt negotiation services has reviewed the consumer's debt, and (2) an individualized evaluation of the likelihood that the proposed debt negotiation services would reduce the consumer's debt or debt service or, if appropriate, prevent the consumer's residential home from being foreclosed. Each contract shall allow the consumer to cancel or rescind such contract within three business days after the date on which the consumer signed the contract. Such contract shall contain a clear and conspicuous caption that shall read, "Debtor's three-day right to cancel", along with the following statement: "If you wish to cancel this contract, you may cancel by mailing a written notice by certified or registered mail to the address specified below. The notice shall state 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." As used in this section, "business day" **[**has the same meaning as provided in section 42-134a**]** means any calendar day except Sunday or any of the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.

Sec. 38. Subdivision (4) of section 42-481 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(4) "Sales representative" means a person who: (A) Establishes a business relationship with a principal to solicit orders for products or services, and (B) is compensated in whole, or in part, by commission. "Sales representative" does not include an employee or a person who places orders or purchases on the person's own account or for resale or a seller, as defined in **[**subsection (c) of**]** section 42-134a, as amended by

this act; and

Sec. 39. Section 42-135a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

No agreement in a home solicitation sale shall be effective against the buyer if **[**it**]** the agreement is not signed and dated by the buyer or if the seller shall:

(1) Fail to furnish the buyer with a fully completed receipt or copy of all contracts and documents pertaining to such sale at the time of its execution, which contract shall be in the same language as that principally used in the oral sales presentation and which shall show the date of the transaction and shall contain the name and address of the seller, and in immediate proximity to the space reserved in the contract for the signature of the buyer, or on the front page of the receipt if a contract is not used, and in boldface type of a minimum size of **[**ten**]** twelve points, a statement in substantially the following form:

YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION. SEE THE ATTACHED NOTICE OF CANCELLATION FORM FOR AN EXPLANATION OF THIS RIGHT.

(2) Fail to furnish each buyer, at the time such buyer signs the home solicitation sales contract or otherwise agrees to buy consumer goods or services from the seller, a **[**completed**]** form completed by the seller in duplicate, captioned "NOTICE OF CANCELLATION", which shall be attached to the contract or receipt and easily detachable, and which shall contain in **[**ten-point**]** twelve-point boldface type the following information and statements in the same language as that used in the contract:

[NOTICE OF CANCELLATION

.... (Date of Transaction)

YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN THREE BUSINESS DAYS FROM THE ABOVE DATE.

IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN TEN BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF YOU CANCEL, YOU MUST MAKE AVAILABLE TO THE SELLER AT YOUR RESIDENCE, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE; OR YOU MAY, IF YOU WISH, COMPLY WITH THE INSTRUCTIONS OF THE SELLER REGARDING THE RETURN SHIPMENT OF THE GOODS AT THE SELLER'S EXPENSE AND RISK.

IF YOU DO MAKE THE GOODS AVAILABLE TO THE SELLER AND THE SELLER DOES NOT PICK THEM UP WITHIN TWENTY DAYS OF THE DATE OF CANCELLATION, YOU MAY RETAIN OR DISPOSE OF THE GOODS WITHOUT ANY FURTHER OBLIGATION. IF YOU FAIL TO MAKE THE GOODS AVAILABLE TO THE SELLER, OR IF YOU AGREE TO RETURN THE GOODS TO THE SELLER AND FAIL TO DO SO, THEN YOU REMAIN LIABLE FOR PERFORMANCE OF ALL OBLIGATIONS UNDER THE CONTRACT.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM TO .... (Name of

Seller) AT .... (Address of Seller's Place of Business) NOT LATER THAN MIDNIGHT OF .... (Date)

I HEREBY CANCEL THIS TRANSACTION.

.... (Date)

.... (Buyer's Signature)**]**

"NOTICE OF CANCELLATION

Seller: (Seller's name inserted by seller)

Date of Transaction: (Date of transaction inserted by seller)

You have the right to cancel this contract or sale by following the instructions in this notice. Your deadline is midnight on (date of the third business day after the date of the transaction, as inserted in boldface type by seller) to cancel. You have until this deadline to sign, date, and send this notice of cancellation to the Seller by email, fax, or mail to the contact information listed below.

(Instructions for seller: To determine the third business day, start counting on the day following the day when the transaction took place and do not count Saturdays, Sundays, or days designated as legal holidays in Connecticut.)

There is no penalty if you cancel. You do not have any legal obligations under the contract if you cancel. If you cancel, the seller must return to you any payments made by you, any property you traded in, and any negotiable instrument executed by you, such as a personal check, money order or promissory note. The seller has ten days after it receives your cancellation notice to return those items to you. Any security interest arising out of the transaction will be cancelled, such as a legal claim or a lien on your property.

If you cancel, you must make available to the seller any goods delivered to you under this contract or sale. The goods must be in substantially as good condition as when you received them. The seller can pick them up from your residence. If you make the goods available to the seller and the seller does not pick them up, after twenty calendar days have passed since you sent this notice to the seller, you may keep or dispose of the goods. If you do not make the goods available to the seller, you will still have to fulfill your contractual obligations.

The seller may also tell you how to return the goods to the seller at the seller's own expense and risk, such as by mailing them to the seller. You do not have to agree to return the goods to the seller yourself, but if you agree to do so but fail to send the goods to the seller, you will still have to fulfill your contractual obligations.

To cancel this contract or sale, you must sign and date this notice, and send it either by email, by fax, or by regular mail to:

(Seller's name inserted by seller)

Email: (Seller's business electronic mail address inserted by seller)

OR

Fax: (Seller's fax number inserted by seller)

OR

Regular mail: (Address of seller's place of business inserted by seller)

I hereby cancel this transaction.

Dated:

Signed:"

(3) Fail, before furnishing copies of the "Notice of Cancellation" to the

buyer, to complete both copies by entering the name of the seller, the address of the seller's place of business, the date of the transaction, the seller's business electronic mail address and the date, not earlier than the third business day **[**following**]** after the date of the transaction, by which the buyer may give notice of cancellation.

(4) Include in any home solicitation sale contract or receipt any confession of judgment or any waiver of any of the rights to which the buyer is entitled under this chapter, including specifically such buyer's right to cancel the sale in accordance with the provisions of this section.

(5) Fail to inform each buyer, orally, at the time such buyer signs the contract or purchases the goods or services, of such buyer's right to cancel.

(6) Misrepresent in any manner the buyer's right to cancel.

(7) Fail or refuse to honor any valid notice of cancellation by a buyer and within ten business days after the receipt of such notice, to (A) refund all payments made under the contract or sale; (B) return any goods or property traded in, in substantially as good condition as when received by the seller; (C) cancel and return any negotiable instrument executed by the buyer in connection with the contract or sale and take any action necessary or appropriate to terminate promptly any security interest created in the transaction; and (D) cancel and return any contract executed by the buyer in connection with the transaction.

(8) Negotiate, transfer, sell, or assign any note or other evidence of indebtedness to a finance company or other third party prior to midnight of the fifth business day following the date the contract was signed or the goods or services purchased.

(9) Fail, within ten business days of receipt of the buyer's notice of cancellation, to notify such buyer whether the seller intends to repossess or to abandon any shipped or delivered goods.

(10) Fail, when providing a digital copy of the agreement by electronic mail or any other electronic delivery method, to include the following statement, immediately adjacent to the body of the message, in at least twelve-point type or, if the body of the message is in larger size type, the same size type as the body of the message:

PLEASE REVIEW IMPORTANT INFORMATION ABOUT YOUR RIGHT TO CANCEL THIS AGREEMENT IN THE "NOTICE OF CANCELLATION" BEING PROVIDED TO YOU.

Sec. 40. Subsection (g) of section 42-179 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(g) (1) No motor vehicle which is returned to any person pursuant to any provision of this chapter or in settlement of any dispute related to any complaint made under the provisions of this chapter and which requires replacement or refund shall be resold, transferred or leased in the state without clear and conspicuous written disclosure of the fact that such motor vehicle was so returned prior to resale or lease. Such disclosure shall be affixed to the motor vehicle and shall be included in any contract for sale or lease. The Commissioner of Motor Vehicles shall, by regulations adopted in accordance with the provisions of chapter 54, prescribe the form and content of any such disclosure statement and establish provisions by which the commissioner may remove such written disclosure after such time as the commissioner may determine that such motor vehicle is no longer defective.

(2) For any motor vehicle subject to a complaint made under the provisions of this chapter, if a manufacturer accepts the return of a motor vehicle or compensates any person who accepts the return of a motor vehicle, whether the return is pursuant to an arbitration award or settlement, such manufacturer shall stamp the words "MANUFACTURER BUYBACK-LEMON" clearly and conspicuously

on the face of the original title in letters at least one-quarter inch high and, not later than thirty days after receipt of the title, shall submit a copy of the stamped title to the Department of Motor Vehicles and electronically remit evidence of such submission to the Department of Consumer Protection within such thirty-day period. The Department of Motor Vehicles shall maintain a listing of such buyback vehicles and in the case of any request for a title for a buyback vehicle, shall cause the words "MANUFACTURER BUYBACK-LEMON" to appear clearly and conspicuously on the face of the new title in letters which are at least one-quarter inch high. Any person who applies for a title shall disclose to the department the fact that such vehicle was returned as set forth in this subsection.

(3) If a manufacturer accepts the return of a motor vehicle from a consumer due to a nonconformity or defect, in exchange for a refund or a replacement vehicle, whether as a result of an administrative or judicial determination, an arbitration proceeding or a voluntary settlement, the manufacturer shall notify the Department of Motor Vehicles and shall provide the department with all relevant information, including the year, make, model, vehicle identification number and prior title number of the vehicle. Such manufacturer shall stamp the words "MANUFACTURER BUYBACK-LEMON" clearly and conspicuously on the face of the original title in letters at least one-quarter-inch high, and, not later than thirty days after receipt of the title, shall submit a copy of the stamped title to the Department of Motor Vehicles and remit evidence of such submission to the Department of Consumer Protection, in a form and manner prescribed by the Commissioner of Consumer Protection, within such thirty-day period. The Commissioner of Motor Vehicles shall adopt regulations in accordance with chapter 54 specifying the format and time period in which such information shall be provided and the nature of any additional information which the commissioner may require.

(4) The provisions of this subsection shall apply to motor vehicles originally returned in another state from a consumer due to a nonconformity or defect in exchange for a refund or replacement vehicle and which a lessor or transferor with actual knowledge subsequently sells, transfers or leases in this state.

(5) If a manufacturer fails to stamp, submit and remit evidence of submission of a title as required by this subsection within thirty days of receipt of the title, the Department of Consumer Protection may impose a fine not to exceed ten thousand dollars on the manufacturer. Any such fine shall be deposited into the new automobile warranties account established pursuant to section 42-190. A manufacturer that is aggrieved by a fine imposed pursuant to this subsection may, within ten days of receipt of written notice of such fine from the department, request, in writing, a hearing. The department shall, upon the receipt of all documentation necessary to evaluate the request, determine whether circumstances beyond the manufacturer's control prevented performance, and may conduct a hearing pursuant to chapter 54, if appropriate.

Sec. 41. Section 42-158ff of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) For the purposes of this section:

(1) "Automatic renewal provision" means any provision that is included in a consumer agreement under which a business that is a party to such agreement may renew such agreement without any action on the part of a consumer who is a party to such agreement;

(2) "Business" means any individual or sole proprietorship, partnership, firm, corporation, trust, limited liability company, limited liability partnership, joint stock company, joint venture, association or other legal entity through which commerce for profit or not for profit is

conducted;

(3) "Clearly and conspicuously disclose" means (A) for a disclosure made electronically or in writing, to make such disclosure (i) in a manner that may be retained by the consumer, and (ii) in text that is (I) larger than the size of any surrounding text, or (II) the same size as the surrounding text but in a typeface, font or color that contrasts with such surrounding text or is set off from such surrounding text by symbols or other marks that draw the consumer's attention to such disclosure, and (B) for a disclosure made verbally or telephonically, to make such disclosure in a volume and cadence that is readily audible to, and understandable by, the consumer;

[(3)**]** (4) "Consumer" means any individual who is a resident of this state and a prospective recipient of consumer goods or consumer services;

[(4)**]** (5) "Consumer agreement" means any verbal, telephonic, written or electronic agreement, initially entered into or amended on or after October 1, 2023, between a business and a consumer under which a business agrees to provide consumer goods or consumer services to a consumer. "Consumer agreement" does not include any such agreement (A) concerning any service provided by a business or its affiliate where either the business or its affiliate is doing business pursuant to (i) a franchise issued by a political subdivision of the state, or (ii) a license, franchise, certificate or other authorization issued by the Public Utilities Regulatory Authority, (B) concerning any service provided by a business or its affiliate where either the business or its affiliate is regulated by the Public Utilities Regulatory Authority, the Federal Communications Commission or the Federal Energy Regulatory Commission, (C) with any entity regulated by the Insurance Department or an affiliate of such entity, (D) with any bank, out-of-state bank, bank holding company, Connecticut credit union, federal credit union or out-of-state credit union, as said terms are defined in section

36a-2, or any subsidiary thereof, **[**or**]** (E) concerning any global or national service largely or predominately consisting of audiovisual content, or (F) with any entity regulated by the Department of Consumer Protection as a home improvement contractor under chapter 400;

[(5)**]** (6) "Consumer good" means any article that is purchased, leased, exchanged or received primarily for personal, family or household purposes;

[(6)**]** (7) "Consumer service" means any service that is purchased, leased, exchanged or received primarily for personal, family or household purposes; and

[(7)**]** (8) "Continuous services provision" means any provision that is included in a consumer agreement under which a business that is a party to such agreement may continue to provide consumer services to a consumer who is a party to such agreement until the consumer takes action to prevent or terminate such business's provision of such consumer services under such agreement.

(b) (1) No business shall enter into, or offer to enter into, a consumer agreement with a consumer if such agreement includes an automatic renewal provision or a continuous services provision, unless:

(A) Such business establishes and maintains a toll-free telephone number, an electronic mail address or postal address, or the online means required under subsection (d) of this section, which the consumer may use to prevent automatic renewal or prevent or terminate continuous consumer services;

(B) Where such consumer agreement contains an automatic renewal provision, such business clearly and conspicuously discloses to the consumer, **[**electronically, verbally, telephonically or in writing in the manner specified in subdivision (2) of this subsection and**]** before such

automatic renewal, (i) that the business will automatically renew such agreement until such consumer takes action to prevent such automatic renewal, (ii) a description of the actions such consumer is required to take to prevent any automatic renewal of such agreement and, if disclosed electronically, a link or other electronic means such consumer may use to take such actions as described in subsection (d) of this section, (iii) all recurring charges that will be charged to the consumer's credit card, debit card or third-party payment account for any automatic renewal of such agreement and, if the amount of such charges is subject to change, the amount of such change if known by such business, (iv) the length of any automatic renewal term for such agreement unless the consumer selects the length of such term, (v) any additional provisions concerning such renewal term, (vi) any minimum purchase obligation, and (vii) contact information for such business;

(C) Where such consumer agreement contains a continuous services provision, such business clearly and conspicuously discloses to the consumer, **[**electronically, verbally, telephonically or in writing in the manner specified in subdivision (2) of this subsection and**]** before such consumer enters into such agreement, (i) that the business will provide continuous consumer services under such agreement until such consumer takes action to prevent or terminate such continuous consumer services, (ii) a description of the actions such consumer is required to take to prevent or terminate such continuous consumer services, (iii) all recurring charges that will be charged to the consumer's credit card, debit card or third-party payment account for such continuous consumer services and, if the amount of such charges is subject to change, the amount of such change if known by such business, (iv) the duration of such continuous consumer services, (v) any additional provisions concerning such continuous consumer services, (vi) any minimum purchase obligation, and (vii) contact information for such business;

(D) If such business intends to make any material change in the terms of such automatic renewal provision or continuous services provision, such business clearly and conspicuously discloses to the consumer, **[**electronically, verbally, telephonically or in writing in the manner specified in subdivision (2) of this subsection and**]** before such business makes such material change, the material change and a description of the actions such consumer is required to take to cancel such automatic renewal or terminate such continuous consumer services;

(E) If such consumer agreement includes a free gift or trial period, such business clearly and conspicuously discloses to the consumer, **[**electronically, verbally, telephonically or in writing in the manner specified in subdivision (2) of this subsection**]** before such consumer enters into such agreement, (i) the price that such consumer will be charged following expiration of such period, and (ii) any manner in which the pricing for such agreement will change following expiration of such period; and

(F) (i) Except as provided in subparagraph (F)(iii) of this subdivision, if such consumer agreement is offered electronically or telephonically and includes a free gift or trial period, or a discounted or promotional price period, such business clearly and conspicuously discloses to the consumer, **[**electronically or telephonically in the manner specified in subdivision (2) of this subsection and**]** not later than the time specified in subparagraph (F)(ii) of this subdivision, (I) that such business will automatically renew, or provide continuous consumer services under, such agreement until such consumer takes action to prevent such automatic renewal or prevent or terminate such continuous consumer services, (II) the duration of such automatic renewal term or continuous consumer services, (III) any additional provisions concerning such renewal term or continuous consumer services, (IV) a description of the actions such consumer is required to take to prevent such automatic renewal or prevent or terminate such continuous consumer services,

and (V) if such agreement is offered electronically, a prominently displayed direct link or button, or an electronic mail message, required under subsection (d) of this section.

(ii) Except as provided in subparagraph (F)(iii) of this subdivision, if such business is required to make a disclosure pursuant to subparagraph (F)(i) of this subdivision, such business **[**makes such disclosure**]** clearly and conspicuously discloses (I) where the free gift or trial period, or discounted or promotional price period, is at least thirty-two days in duration, at least twenty-one days after such period commences and not earlier than three days before such period expires, or (II) where the free gift or trial period, or discounted or promotional price period, is at least one year in duration, at least fifteen days but not more than forty-five days before such period expires.

(iii) Such business shall not be required to make the disclosure required under subparagraph (F)(i) or (F)(ii) of this subdivision if such business has not collected, or does not maintain, the consumer's electronic mail address or telephone number, as applicable, and is unable to make such disclosure to such consumer by other electronic means. For the purposes of subparagraphs (E) and (F) of this subdivision, "free gift" does not include a free promotional item or gift that a business gives to a consumer if such item or gift differs from the consumer goods or consumer services that are the subject of the consumer agreement between the business and the consumer.

(2) Each business that is required to make any disclosure under subdivision (1) of this subsection shall:

(A) If the consumer agreement is offered, or entered into, electronically or in writing, make such disclosure **[**(i) in a manner that may be retained by the consumer, and (ii) in text that is (I) larger than the size of any surrounding text, or (II) the same size as the surrounding text but in a typeface, font or color that contrasts with such surrounding

text or is set off from such surrounding text by symbols or other marks that draw the consumer's attention to such disclosure**]** (i) clearly and conspicuously, and (ii) electronically or in writing; or

(B) If the consumer agreement is offered, or entered into, verbally or telephonically, make such disclosure **[**in a volume and cadence that is readily audible to, and understandable by, the consumer**]** (i) clearly and conspicuously, and (ii) verbally or telephonically.

(c) No business that enters into, or offers to enter into, a consumer agreement that includes an automatic renewal provision or a continuous services provision shall charge the consumer's credit card, debit card or third-party payment account for any automatic renewal or continuous consumer services, regardless of whether such renewal or continuous consumer services are offered or provided at a promotional or discounted price, unless such business has obtained such consumer's affirmative consent to such renewal or continuous consumer services. In considering whether a business has obtained affirmative consent in accordance with the provisions of this subsection, a state agency or court of competent jurisdiction shall consider, without limitation, whether the business has produced a record of such affirmative consent obtained in accordance with the provisions of sections 52-570d and 53a-189.

(d) (1) Each business that enters into a consumer agreement online shall, if such agreement includes an automatic renewal provision or continuous services provision, allow the consumer to take any action necessary to prevent such automatic renewal or prevent or terminate such continuous consumer services online and without requiring such consumer to take any offline action to prevent such automatic renewal or prevent or terminate such continuous consumer services. No business that is subject to the provisions of this subdivision shall take any action to obstruct or delay a consumer's efforts to prevent automatic renewal of, or prevent or terminate provision of continuous consumer services under, a consumer agreement pursuant to this subdivision.

Each business that is subject to the provisions of this subdivision shall enable a consumer to prevent automatic renewal of, or prevent or terminate provision of continuous consumer services under, a consumer agreement pursuant to this subdivision by way of:

(A) A prominently displayed direct link or button, which may be located within the consumer's (i) account or profile, or (ii) device or user settings; or

(B) An electronic mail message from the business to the consumer, which is immediately accessible by the consumer and to which the consumer may reply without obtaining any additional information.

(2) Notwithstanding subdivision (1) of this subsection, a business may require a consumer who maintains an account with the business to enter the consumer's account information, or otherwise authenticate such consumer's identity, online before such consumer may take any action to prevent automatic renewal of, or prevent or terminate provision of continuous consumer services under, a consumer agreement pursuant to subdivision (1) of this subsection. No consumer who is unwilling or unable to enter the consumer's account information, or otherwise authenticate such consumer's identity, online under this subdivision shall be precluded from authenticating such consumer's identity, or taking action to prevent such automatic renewal or prevent or terminate provision of continuous consumer services, offline by any other method set forth in subparagraph (A) of subdivision (1) of subsection (b) of this section.

(e) Nothing in this section shall be construed to create a private right of action.

Sec. 42. Section 14-62a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) No dealer licensed under the provisions of section 14-52 shall

advertise the price of any motor vehicle unless the stated price in such advertisement includes the federal tax, the cost of delivery, dealer preparation, any fee, charge or cost imposed for any add-on consumer good or consumer service and any other charges of any nature **[**, except that**]** and such advertisement **[**shall (1) state**]** (1) states in at least eight-point bold type that any state or local tax, registration fees or dealer conveyance fee or processing fee, as defined in subsection (a) of section 14-62, as amended by this act, **[**is**]** are excluded from such advertised price, **[**and**]** (2) separately **[**state**]** states, in at least eight-point bold type, immediately next to the phrase "Dealer Conveyance Fee", the amount of such dealer conveyance fee or processing fee, and (3) separately states, in at least eight-point bold type, immediately next to the phrase "Additional Fees, Charges and Costs", the amount of any fee, charge or cost imposed for any add-on consumer good or consumer service. For the purposes of this subsection, (A) "dealer conveyance fee" and "processing fee" have the same meanings as provided in subsection (a) of section 14-62, as amended by this act, (B) "consumer good" has the same meaning as provided in section 42-110r, and (C) "consumer service" has the same meaning as provided in subsection (a) of section 42-158ff, as amended by this act.

(b) Any new or used car dealer violating the provisions of this section shall be fined not more than one thousand dollars. The Commissioner of Motor Vehicles may suspend or revoke, in accordance with section 14-64, the license of any such dealer violating the provisions of this section.

Sec. 43. Subsections (a) and (b) of section 14-62 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) Each sale shall be evidenced by an order properly signed by both the buyer and seller, a copy of which shall be furnished to the buyer when executed, and an invoice upon delivery of the motor vehicle, both

of which shall contain the following information: (1) Make of vehicle; (2) year of model, whether sold as new or used, and on invoice the identification number; (3) deposit, and (A) if the deposit is not refundable, the words "No Refund of Deposit" shall appear at this point, and (B) if the deposit is conditionally refundable, the words "Conditional Refund of Deposit" shall appear at this point, followed by a statement giving the conditions for refund, and (C) if the deposit is unconditionally refundable, the words "Unconditional Refund" shall appear at this point; (4) cash selling price; (5) finance charges, and (A) if these charges do not include insurance, the words "No Insurance" shall appear at this point, and (B) if these charges include insurance, a statement shall appear at this point giving the exact type of coverage; (6) allowance on motor vehicle traded in, if any, and description of the same; (7) stamped or printed in a size equal to at least ten-point bold type on the face of both the order and invoice one of the following forms: (A) "This motor vehicle not guaranteed", or (B) "This motor vehicle is guaranteed", followed by a statement as to the terms of such guarantee, which terms shall include the duration of the guarantee or the number of miles the guarantee shall remain in effect. Such statement shall not apply to household furnishings of any trailer; (8) if the motor vehicle is new but has been subject to use by the seller or use in connection with **[**his**]** the seller's business as a dealer, the word "demonstrator" shall be clearly displayed on the face of both the order and invoice; (9) any dealer conveyance fee or processing fee and a statement that such fee is not payable to the state of Connecticut printed in at least ten-point bold type on the face of both the order and invoice; and (10) the dealer's legal name, address and license number. For the purposes of this **[**subdivision,**]** section, (A) "dealer conveyance fee" or "processing fee" means a fee charged by a dealer to recover reasonable costs for processing all documentation and performing services related to the closing of a sale, including, but not limited to, the registration and transfer of ownership of the motor vehicle which is the subject of the sale, (B) "consumer good" has the same meaning as provided in section

42-110r, and (C) "consumer service" has the same meaning as provided in subsection (a) of section 42-158ff, as amended by this act.

(b) (1) The selling price quoted by any dealer to a prospective buyer shall include, separately stated, the amount of the dealer conveyance fee and that such fee is negotiable. No dealer conveyance fee shall be added to the selling price at the time the order is signed by the buyer.

(2) The selling price quoted by any dealer to a prospective buyer shall both (A) include any fee, charge or cost imposed for any optional add-on consumer good or consumer service, and (B) separately state the amount of each such fee, charge or cost and that such fee, charge or cost is negotiable.

[(2)**]** (3) No dealer shall include in the selling price a dealer preparation charge for any item or service for which the dealer is reimbursed by the manufacturer or any item or service not specifically ordered by the buyer and itemized on the invoice.

(4) The form used by a dealer for the order and invoice shall not be printed in advance of discussions with a prospective buyer to include the amount of any fee, charge or cost imposed for any other optional add-on consumer good or consumer service.

Sec. 44. Section 42a-2-313 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(1) In this section: (a) "Manufacturer" means a seller involved in the design, assembly or preparation of any goods before such goods are sold or distributed to a consumer at retail. (b) "Seller" means a person who is engaged in the business of selling or transferring ownership of, or contracting to sell or transfer ownership of, goods and includes a manufacturer, wholesaler, distributor or retailer.

[(1)**]** (2) Express warranties by the seller are created as follows: (a)

Any affirmation of fact or promise made by the seller to the buyer which relates to the goods and becomes part of the basis of the bargain creates an express warranty that the goods shall conform to the affirmation or promise. (b) Any description of the goods which is made part of the basis of the bargain creates an express warranty that the goods shall conform to the description. (c) Any sample or model which is made part of the basis of the bargain creates an express warranty that the whole of the goods shall conform to the sample or model. (d) Any affirmation of fact or promise made by the seller to repair or replace defective goods creates an express warranty that the defective goods shall be repaired or replaced in conformance with such affirmation or promise.

[(2)**]** (3) It is not necessary to the creation of an express warranty that the seller use formal words such as "warrant" or "guarantee" or that **[**he**]** the seller have a specific intention to make a warranty, but an affirmation merely of the value of the goods or a statement purporting to be merely the seller's opinion or commendation of the goods does not create a warranty.

(4) It is not necessary to the assertion of a claim for breach of an express warranty for the buyer, or the buyer's successor in interest, to have bought the goods directly from, or entered into a sales contract with, the seller.

Sec. 45. Section 42a-2A-503 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) In this section:

(1) "Lessor" means a person who is engaged in the business of leasing or distributing on condition of being returned, or contracting to lease or distribute on condition of being returned, goods and includes a manufacturer, wholesaler, distributor or retailer.

(2) "Manufacturer" means a lessor involved in the design, assembly

or preparation of any goods before such goods are leased or distributed to a consumer.

[(a)**]** (b) Express warranties by the lessor are created as follows:

(1) Any representation made by the lessor to the lessee, including a representation made in any medium of communication to the public, such as advertising, which relates to the goods and becomes part of the basis of the bargain creates an express warranty that the goods will conform to the representation or, with respect to a sample or model, that the whole of the goods will conform to the sample or model.

(2) Any promise made by the lessor to repair or replace defective goods creates an express warranty that the defective goods will be repaired or replaced in accordance with such promise.

[(b)**]** (c) To create an express warranty, it is not necessary that the lessor use formal words such as "warranty" or "guaranty" or have a specific intention to make a warranty. However, a representation merely of the value of the goods or an affirmation purporting to be merely the lessor's opinion or commendation of the goods does not create an express warranty under subsection **[**(a)**]** (b) of this section.

[(c)**]** (d) A representation, including a representation made in any medium of communication to the public, such as advertising, which was made to the lessee and which relates to the goods becomes part of the basis of the bargain unless:

(1) The lessee knew that the representation was not true;

(2) A reasonable person in the position of the lessee would not believe that the representation was part of the agreement; or

(3) In the case of a representation made in a medium for communication to the public, including advertising, the lessee did not

know of the representation at the time of the agreement.

[(d)**]** (e) A right of action for breach of warranty under this section accrues as provided under subsection (c) of section 42a-2A-715.

(f) It is not necessary to the assertion of a claim for breach of an express warranty for the lessee, or the lessee's successor in interest, to have leased the goods directly from, or entered into a contract with, the lessor.

Sec. 46. Subsection (b) of section 20-679 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Not later than seven calendar days after the date on which a homemaker-companion agency commences providing homemaker services or companion services, such agency shall provide the person who receives such services, or the authorized representative of such person, with a written contract or service plan. The written contract or service plan shall be developed in consultation with such person or authorized representative and include (1) a person-centered plan of care and services that prescribes the anticipated scope, type, frequency, duration and cost of such services, (2) the anticipated scope, type and frequency of oversight of an employee assigned to such person by the homemaker-companion agency, and (3) a predetermined frequency of meetings between the person who oversees such employee and the person who receives the services, or the authorized representative of such person. In addition, any contract or service plan provided by a homemaker-companion agency to a person receiving homemaker services or companion services shall also provide conspicuous notice, in boldface type, disclosing (A) the person's right to request changes to, or review of, the contract or service plan, (B) that such agency shall provide at least sixty days' advance written notice to such person or such person's authorized representative disclosing any change in the rate for

the same level or type of services provided and charged for such services, (C) the employees of such agency who, pursuant to section 20-678 are required to submit to a comprehensive background check, (D) that upon the request of such person or an authorized representative of such person, such agency shall provide such person or representative of such person with written notice that a comprehensive background check, as required pursuant to section 20-678, was performed for all employees of such agency performing homemaker services or companion services for such person, (E) that such agency's records are available for inspection or audit by the Department of Consumer Protection, (F) that the agency is not able to guarantee the extent to which its homemaker services or companion services will be covered under any insurance plan, and (G) that such contract or service plan may be cancelled at any time by the client if such contract or service plan does not contain a specific period of duration. On the date that a homemaker-companion agency provides such contract or service plan to such person, the agency shall also provide a printed copy of the guide that details the process by which such person, or such person's authorized representative, may file a complaint against such agency, posted on the Department of Consumer Protection's Internet web site pursuant to **[**20-284**]** section 20-684. No contract or service plan for the provision of homemaker or companion services shall be valid against the person who receives the services or the authorized representative of such person, unless the contract or service plan has been signed by a duly authorized representative of the homemaker-companion agency and the person who receives the services or the authorized representative of such person. No change in the rate for the same level or type of services provided and charged for homemaker services or companion services shall be valid against a person who is receiving such services unless the homemaker-companion agency providing such services provides at least sixty days' advance written notice to such person, or such person's authorized representative, disclosing such rate change. The requirements of this section shall not apply to homemaker services or

companion services provided under the Connecticut home-care program for the elderly administered by the Department of Social Services in accordance with section 17b-342. A written contract or service plan between a homemaker-companion agency and a person receiving services or the authorized representative of such person shall not be enforceable against such person receiving services or authorized representative unless such written contract or service plan contains all of the requirements of this section.

Sec. 47. Subsection (i) of section 1-84 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(i) (1) No public official or state employee or member of the **[**official**]** official's or employee's immediate family or a business with which he or she is associated shall enter into any contract with the state, valued at one hundred dollars or more, **[**other than a**]** unless (A) such contract **[**(A)**]** is awarded through an open and public process that includes, at a minimum, (i) pre-award public disclosure of all offers to enter into such contract, and (ii) post-award public disclosure of such contract, or (B) such contract is a contract (i) of employment as a state employee, **[**(B)**]** (ii) with the Technical Education and Career System for students enrolled in a school in the system to perform services in conjunction with vocational, technical, technological or postsecondary education and training any such student is receiving at a school in the system, subject to the review process under subdivision (2) of this subsection, **[**(C)**]** (iii) with a public institution of higher education to support a collaboration with such institution to develop and commercialize any invention or discovery, **[**or (D)**]** (iv) pursuant to a court appointment, **[**unless the contract has been awarded through an open and public process, including prior public offer and subsequent public disclosure of all proposals considered and the contract awarded**]** or (v) with the office of the Attorney General to be retained as an expert witness for, or in anticipation of, litigation or an administrative proceeding, provided

the office of the Attorney General files with the Office of State Ethics, in a form and manner prescribed by the Office of State Ethics and not later than thirty days after the expert witness is disclosed, or required to be disclosed, to the opposing party or parties, either directly or through the court of competent jurisdiction or administrative agency, or resolution of the litigation or administrative proceeding for which the expert witness was retained, whichever occurs first, a statement disclosing (I) the name of the expert witness, (II) the qualifications of the expert witness, (III) the scope of the services provided by the expert witness, (IV) the date of execution of such contract, (V) the beginning and ending dates of the term of such contract, and (VI) the value of such contract, if known by the office of the Attorney General. In no event shall an executive head of an agency, as defined in section 4-166, including a commissioner of a department, or an executive head of a quasi-public agency, or the executive head's immediate family or a business with which he is associated enter into any contract with that agency or quasi-public agency. Nothing in this subsection shall be construed as applying to any public official who is appointed as a member of the executive branch or as a member or director of a quasi-public agency and who receives no compensation other than per diem payments or reimbursement for actual or necessary expenses, or both, incurred in the performance of the public official's duties unless such public official has authority or control over the subject matter of the contract. Any contract made in violation of this subsection shall be voidable by a court of competent jurisdiction if the suit is commenced not later than one hundred eighty days after the making of the contract. For purposes of this subdivision, "expert witness" means any individual who is qualified to provide testimony on any scientific, technical or other specialized matter by virtue of his or her knowledge, skill, experience, training or education, and is retained to provide his or her testimony on such matter, including, but not limited to, in the form of an expert opinion.

(2) The superintendent of the Technical Education and Career System

shall establish an open and transparent process to review any contract entered into under subparagraph **[**(B)**]** (B)(ii) of subdivision (1) of this subsection.

Sec. 48. Section 21a-190a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

As used in sections 21a-190a to 21a-190*l*, inclusive, as amended by this act:

(1) "Charitable organization" means any person who is **[**or holds himself out to be established for any benevolent, educational, philanthropic, humane, scientific, patriotic, social welfare or advocacy, public health, environmental conservation, civic or eleemosynary purpose, or for the benefit of law enforcement officers, firefighters or other persons who protect the public safety**]** organized and operated, or holds himself or herself out as being organized and operated, for one or more charitable purposes. "Charitable organization" does not include any political action committee organization.

(2) "Person" means an individual, corporation, limited liability company, association, partnership, trust, foundation or any other entity however styled.

(3) "Solicit" and "solicitation" mean any request directly or indirectly for money, credit, property, financial assistance or other thing of any kind or value on the plea or representation that such money, credit, property, financial assistance or other thing of any kind or value is to be used for a charitable purpose or benefit a charitable organization. "Solicit" and "solicitation" shall include, but shall not be limited to, the following methods of requesting or securing such money, credit, property, financial assistance or other thing of value: (A) Any oral, **[**or**]** written, electronic or online request; (B) any announcement to the press, over the radio or television or by telephone or telegraph concerning an

appeal or campaign by or for any charitable organization or purpose; (C) the distribution, circulation, posting or publishing of any handbill, written advertisement or other publication; and (D) the sale of, offer or attempt to sell, any advertisement, advertising space, book, card, tag, coupon, device, magazine, membership, merchandise, subscription, flower, ticket, candy, cookies or other tangible item in connection with an appeal made for any charitable organization or purpose, or where the name of any charitable organization is used or referred to in any such appeal as an inducement or reason for making any such sale, or when or where in connection with any such sale, any statement is made that the whole or any part of the proceeds from any such sale is to be used for any charitable purpose or benefit any charitable organization. A solicitation shall be deemed to have taken place whether or not the person making the same receives any contribution.

(4) "Charitable purpose" means (A) any benevolent, educational, philanthropic, humane, scientific, patriotic, social welfare or advocacy, public health, environmental conservation, civic or eleemosynary objective, and (B) any purpose to benefit law enforcement officers, firefighters or other persons who protect the public safety.

(5) "Contribution" means the grant, promise or pledge of money, credit, property, financial assistance or other thing of any kind or value. **[**in response to a solicitation.**]** "Contribution" shall not include bona fide fees, dues or assessments paid by members, provided membership is not conferred solely as consideration for making a contribution in response to a solicitation.

(6) "Fund-raising counsel" means a person who for compensation plans, manages, advises or consults with respect to the solicitation in this state of contributions by a charitable organization, but who does not solicit contributions and who does not directly or indirectly employ, procure or engage any person compensated to solicit contributions. **[**A**]** "Fund-raising counsel" does not include a bona fide nontemporary

salaried officer or employee of a charitable organization **[**shall not be deemed to be a fund-raising counsel**]** or an attorney-at-law retained exclusively to provide legal services.

(7) "Paid solicitor" means a person who for any consideration, **[**other than**]** including, but not limited to, monetary compensation but excluding any nonmonetary gift of nominal value awarded to a volunteer solicitor as an incentive or token of appreciation, performs for a charitable organization any service in connection with which contributions are solicited by such person or by any person he directly or indirectly employs, procures or engages to solicit for such compensation. A bona fide nontemporary salaried officer or employee of a charitable organization shall not be deemed to be a paid solicitor.

(8) "Commercial coventurer" means a person who for profit is regularly and primarily engaged in trade or commerce in this state other than in connection with the raising of funds for charitable organizations or purposes and who conducts a charitable sales promotion.

(9) "Charitable sales promotion" means an advertising or sales campaign, conducted by a commercial coventurer, which represents that the purchase or use of goods or services offered by the commercial coventurer are to benefit a charitable organization or purpose.

(10) "Department" means the Department of Consumer Protection.

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

(12) "Membership" means that which entitles a person to the privileges, professional standing, honors or other direct benefit of the organization and the rights to vote, elect officers and hold office in the organization.

(13) "Parent organization" means that part of a charitable

organization which supervises and exercises control over the solicitation and expenditure activities of one or more chapters, branches or affiliates.

(14) "Gross revenue" means income of any kind from all sources, without deduction of any costs or expenses, including all amounts received as the result of any solicitation by a paid solicitor.

Sec. 49. Section 21a-190b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) Every charitable organization not exempted by section 21a-190d shall annually register with the department prior to conducting any solicitation or prior to having any solicitation conducted on its behalf by others. Application for registration shall be in a form prescribed by the commissioner and shall include a nonrefundable application fee of fifty dollars. Such application shall include: (1) A registration statement, (2) an annual financial report for such organization for the preceding fiscal year that is prepared in accordance with the provisions of subsection (a) of section 21a-190c, and (3) an audited or reviewed financial statement as required by subsection (b) of section 21a-190c, unless the commissioner waives such requirement under subdivision (4) of subsection (b) of section 21a-190c. An authorized officer of the organization shall certify that the statements therein are true and correct to the best of their knowledge. A chapter, branch or affiliate in this state of a registered parent organization shall not be required to register provided the parent organization files a consolidated annual registration for itself and its chapter, branch or affiliate. Each charitable organization shall annually renew its registration not later than eleven months after the end of such organization's fiscal year.

(b) In the event the department determines that the application for registration does not contain the documents required in subsection (a) of this section or is not in accordance with the regulations adopted by

the commissioner pursuant to this chapter, the department shall notify the charitable organization of such noncompliance not later than ten days after the department's receipt of such application for registration. Any such charitable organization may request a hearing on its noncompliant status in accordance with the provisions of chapter 54.

(c) In addition to the application fee required pursuant to subsection (a) of this section, a charitable organization shall pay a late fee of twenty-five dollars for each month, or part thereof, that such application for registration is late. The commissioner may, upon written request and for good cause shown, waive or reduce any late fee under this section.

(d) In the event that a charitable organization fails to register in accordance with the provisions of this section, such organization shall include in its application for registration an annual financial report for each of the previous years in which such organization was required to file an application for registration or an annual financial report.

[(e) Any charitable organization registered in accordance with this section on September 30, 2005, shall be deemed to be registered pursuant to this section until the last day of the fifth month after the close of the fiscal year in effect on September 30, 2005.**]**

Sec. 50. Section 21a-190e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) Each contract between a charitable organization and a fund-raising counsel shall be in writing and **[**shall be filed by the fund-raising counsel with the department at least fifteen days prior to the performance by the fund-raising counsel of any material services pursuant to such contract. Each contract shall be filed in a form prescribed by the commissioner. The contract shall**]** contain such information as will enable the department to identify the services the fund-raising counsel is to provide and the manner of his compensation.

Each charitable organization employing a fund-raising counsel shall retain a copy of the contract between such charitable organization and the fund-raising counsel for a period of not less than seven years following expiration of such contract, and shall provide such contract to the department upon a request made by the department for such contract.

(b) A fund-raising counsel who at any time has custody or control of contributions from a solicitation shall register with the department. Applications for registration or renewal of a registration as a fund-raising counsel shall be in a form prescribed by the commissioner and shall be accompanied by a fee in the amount of one hundred twenty dollars. Each fund-raising counsel shall certify that such application or report is true and correct to the best of the fund-raising counsel's knowledge. Each application shall contain such information as the department shall require. Each registration shall be valid for one year and may be renewed for additional one-year periods. An applicant for registration or for a renewal of registration as a fund-raising counsel shall, at the time of making such application, file with and have approved by the department a bond in a form prescribed by the commissioner, in which the applicant shall be the principal obligor in the sum of **[**twenty**]** fifty thousand dollars, with one or more responsible sureties whose liability in the aggregate as such sureties shall be **[**no**]** not less than such sum. The fund-raising counsel shall maintain the bond in effect as long as the registration is in effect. The bond shall run to the state and to any person who may have a cause of action against the principal obligor of the bond for any liabilities resulting from the obligor's conduct of any activities subject to sections 21a-190a to 21a-190*l*, inclusive, as amended by this act, or arising out of a violation of said sections or any regulation adopted pursuant to said sections. Any such fund-raising counsel shall account to the charitable organization with which he has contracted for all income received and expenses paid no later than ninety days after a solicitation campaign has been

completed, and in the case of a solicitation campaign lasting more than one year, on the anniversary of the commencement of such campaign. Such accounting shall be in writing, shall be retained by the charitable organization for three years and shall be available to the department upon request.

Sec. 51. Subsection (j) of section 21a-190f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(j) A paid solicitor shall file a financial report for the campaign with the department **[**no**]** not more than **[**ninety**]** forty-five days after a solicitation campaign has been completed, and on the anniversary of the commencement of any solicitation campaign **[**which**]** that lasts more than one year, in a form prescribed by the commissioner. The financial report shall include gross revenue and an itemization of all expenditures incurred. The report shall be completed on a form prescribed by the department. An authorized official of the paid solicitor and two authorized officials of the charitable organization shall certify that such report is true and complete to the best of their knowledge. The information contained in such report shall be available to the public.

Sec. 52. Section 21a-190h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

It shall be a violation of sections 21a-190a to 21a-190*l*, inclusive, as amended by this act, for: (1) Any person to misrepresent the purpose or beneficiary of a solicitation; (2) any person to misrepresent the purpose or nature of a charitable organization; (3) any charitable organization or any person while engaged in the conduct of the affairs of a charitable organization to engage in any financial transaction **[**which**]** or nonfinancial conduct that (A) is not related to the accomplishment of **[**its**]** the charitable organization's charitable purpose, or **[**which**]** (B) jeopardizes or interferes with the ability of the charitable organization

to accomplish such organization's charitable purpose; (4) any charitable organization to expend an unreasonable amount of money for **[**solicitation or**]** management; (5) any person to use or exploit the fact of registration so as to lead the public to believe that such registration constitutes an endorsement or approval by the state; (6) any person to misrepresent that any other person sponsors or endorses a solicitation; (7) any person to use the name of a charitable organization, or to display any emblem, device or printed matter belonging to or associated with a charitable organization without the express written permission of the charitable organization; (8) any charitable organization to use the name which is the same as or confusingly similar to the name of another charitable organization unless the latter organization shall consent in writing to its use; (9) any charitable organization to represent itself as being associated with another charitable organization without the express written acknowledgment and endorsement of such other charitable organization; (10) any person to make any false or misleading statement on any document required by sections 21a-190a to 21a-190*l*, inclusive, as amended by this act; (11) any person to fail to comply with the requirements of sections 21a-190b to 21a-190g, inclusive, as amended by this act; (12) any charitable organization to use the services of an unregistered fund-raising counsel or paid solicitor; (13) any fund-raising counsel or paid solicitor to perform any services on behalf of an unregistered charitable organization; or (14) any person to appropriate any property of a charitable organization for a private use.

Sec. 53. Subsection (b) of section 21a-190i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(b) **[**The**]** Notwithstanding any provision of this chapter, the commissioner or **[**his**]** the commissioner's authorized representative may subpoena documentary material relating to any matter under investigation, issue subpoenas to any person involved in or who may

have knowledge of any matter under investigation, administer an oath or affirmation to any person and conduct hearings on any matter under investigation.

Sec. 54. Section 21a-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

No person shall sell any food, drug or cosmetic, as defined by section 21a-92, at an auction, unless such person has notified the Commissioner of Consumer Protection, in writing, of such sale; provided this section shall not apply to the sale of food by any church, parent teacher association, charitable organization, as defined **[**by subdivision (1) of**]** in section 21a-190a, as amended by this act, or any organization of any political party. Such notice shall be given at least seven days prior to such sale and said commissioner may inspect such food, drug or cosmetic and prohibit the sale of the same if **[**it**]** such food, drug or cosmetic is found to be unfit for human use. This section shall apply to the sale of unclaimed freight.

Sec. 55. Subsection (a) of section 47-36ddd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than July 31, 2024, each real estate listing provider who entered into a real estate listing agreement on or before June 30, 2024, shall rerecord such agreement, and record notice of such agreement, with the town clerk of the town in which the residential real property that is the subject of such agreement is located if such agreement (1) purports to run with the land or bind future **[**holders**]** owners of interests in such residential real property, (2) allows for any assignment of any right to provide the real estate listing under such agreement without first providing notice to, and obtaining consent from, the owner of such residential real property, or (3) purports to create any lien or encumbrance upon, or other security interest in, such residential real

property.

Sec. 56. Sections 19a-32n and 20-341s to 20-341bb, inclusive, of the general statutes are repealed. (*Effective October 1, 2025*)

Governor's Action:
Approved June 24, 2025