



Acts Affecting Business and Jobs

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August 18, 2021 | 2021-R-0113

Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting businesses and jobs enacted during the 2021 regular session and June 2021 special session. It does not summarize acts that affect only (1) specific types of businesses (e.g., garages or construction companies) or (2) business sectors covered in other Acts Affecting reports, such as those concerning agriculture, banking, housing and real estate, and insurance. OLR's other Acts Affecting reports are, or will soon be, available on OLR's website:

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Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden.

Complete summaries of public acts are, or will soon be, available on OLR's website:

<https://www.cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

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Business and Community Assistance

Call Centers

A new law establishes notice requirements for certain call centers that relocate from Connecticut to a foreign country and makes them ineligible to receive state financial support for five years after the relocation. They must also remit the value of any state financial support they received over the previous five years ([PA 21-2](#), June Special Session (JSS), § 6, effective October 1, 2021).

Community Investment Fund 2030

The bond act authorizes up to \$875 million in bonds for a five-year bonding program to fund qualifying projects and grants in eligible municipalities that are designated as public investment communities or alliance districts. It establishes a 21-member board, the Community Investment Fund 2030 board, within the Department of Economic and Community Development (DECD), to accept applications for funding under the program from municipalities, community development corporations, and nonprofits undertaking eligible projects. The act establishes a process by which the board reviews the applications and submits them to the governor for his review. Each eligible project for which the governor recommends a bond allocation must be considered at a State Bond Commission meeting within two months after the board's recommendation to the governor ([PA 21-111](#), § 112, effective upon passage, as amended by [PA 21-2](#), JSS, § 475, effective July 1, 2021).

Municipal Option Property Tax Relief Program for FYs 22 & 23

A new law allows municipalities and taxing districts to provide temporary property tax or municipal utility charge relief to businesses, nonprofits, and residents for FYs 22 and 23. With the approval of their legislative bodies or boards of directors, municipalities and taxing districts may establish a program that (1) defers these payments for 90 days or (2) lowers the interest rate on late payments for 90 days, generally from 1.5% to 0.25% per month. The relief may apply to property tax payments (including those owed on real and personal property and motor vehicles) or municipal water, sewer, or electric rates, charges, or assessments ([PA 21-73](#), §§ 1-2, effective July 1, 2021).

Opportunity Zone Financial Incentives Task Force

A new law requires the DECD commissioner to study the state's opportunity zones, including the (1) financial incentives the state uses to support opportunity zone investments, (2) specific economic development projects these incentives have supported and an accounting of the financial incentives the state has paid to date, and (3) the types of businesses that have used these incentives. Additionally, in conducting the study, DECD must identify economically distressed opportunity zones in the state and develop a plan to incentivize investment in them. DECD must

report the study's results to the Commerce Committee by January 1, 2022 ([PA 21-188](#), § 5, effective upon passage).

Plan for Increasing Federal Research Funding

The legislature required Connecticut Innovations, Inc. (CI), in consultation with DECD, CTNext, and the Connecticut Center for Advanced Technology, to develop and implement a plan to increase the total funding provided to Connecticut businesses through the federal (1) small business innovation research program and (2) small business technology transfer program ([PA 21-188](#), § 4, effective upon passage).

Priority Applicants for Economic Development Assistance

A new law requires the DECD commissioner to prioritize applicants for economic development financial assistance that demonstrate a willingness to make jobs available to people with disabilities, unemployed individuals, low-income individuals, dislocated workers, individuals training for nontraditional employment, veterans, minorities, or women ([PA 21-188](#), § 2, effective October 1, 2021).

Regional Economic Development Pilot Program

A new law requires DECD to establish, within available resources, a pilot program to provide matching grants to regional economic development corporations implementing economic development programs in distressed municipalities. Corporations must represent at least four municipalities to be eligible for the pilot program, but the DECD commissioner may allow a corporation that represents fewer than four municipalities to participate at his discretion. In both cases, the corporation must represent at least one distressed municipality.

The commissioner may award up to \$10 million in total grants to participating corporations but no more than \$5 million for any single grant ([PA 21-77](#), effective July 1, 2021).

Relocation Prohibition in Economic Development Assistance Agreements

This year the legislature granted DECD and CI discretion to provide economic development assistance to certain businesses without including a relocation prohibition in the assistance agreement. The discretion applies to businesses that receive (1) up to \$50,000 in financial assistance from the department or corporation, respectively, and are “eligible small businesses” (i.e., employ no more than 100 full-time employees and meet certain other criteria) or (2) assistance from programs funded entirely by the federal government.

Under the relocation prohibition, a business generally may not receive assistance from a DECD- or CI-administered program unless it agrees not to relocate from Connecticut for 10 years after receiving the assistance, or for the term of a state loan or loan guarantee, whichever is longer ([PA 21-193](#), § 20, effective upon passage).

Small Business Express Program

As part of the FY 22-23 budget implementer, the legislature passed various changes to DECD's Small Business Express program (EXP), generally increasing flexibility in the department's administration of the program and allowing for increased participation by private lenders. Among its changes, the act does the following:

1. expands the types of assistance that may be provided from the revolving loan fund and eliminates related requirements on the uses, amounts, rates and terms, and prioritization of these loans;
2. allows the DECD commissioner, in consultation with CI, to establish a new EXP component;
3. eliminates the job creation incentive and matching grant components;
4. removes the requirement that there be no more than two minority business revolving loan funds, instead requiring a minimum of one, and increases the maximum size of loans these funds can provide;
5. makes changes to the administration and funding allocation of the EXP component operated in collaboration with Connecticut-based banks; and
6. establishes a goal for the department that by July 1, 2026, EXP (a) will be self-funded and (b) have a default rate of 20% or less for small businesses receiving assistance ([PA 21-2](#), JSS, §§ 283-286, most provisions effective July 1, 2021).

Business Law and Practice

Annual Report Filing Fee for Limited Liability Companies (LLCs)

The legislature decreased, from \$80 to \$20, the filing fee for LLC annual reports filed for any year before July 1, 2020. It retained the prior \$80 filing fee for LLC annual reports filed for any year on or after that date. Under prior law, the \$80 filing fee applied to any reports filed on or after July 1, 2020 ([PA 21-201](#), § 5, effective upon passage).

Business Insurance Task Force

The legislature established a nine-member task force to study insurance costs borne by businesses in distressed municipalities, including an examination of the underwriting practices affecting these

businesses. The task force must report its findings and recommendations to the Insurance and Real Estate Committee by January 1, 2022 ([PA 21-93](#), § 4, effective upon passage).

Corporation Shareholder or Member Meetings

A new law allows a business or nonstock corporation's board of directors to determine that a shareholder or member meeting, as applicable, may be held entirely remotely, unless the bylaws require that the meeting be held at a physical location. The act makes related changes regarding electronic access to the required list of shareholders or members for meetings.

The act specifies when the shareholders or members alone, or also the board, may amend certain bylaw provisions, including those prohibiting remote-only meetings. It also changes certain procedures for nonstock corporation actions without a meeting ([PA 21-39](#), §§ 10-24, effective upon passage).

Cybersecurity Standards for Businesses

A new law encourages certain businesses to adopt cybersecurity standards by prohibiting the Superior Court from assessing punitive damages against a covered entity for a data breach of personal or restricted information if the entity meets specified cybersecurity requirements. Under the new law, "covered entities" are businesses accessing, maintaining, communicating, or processing personal or restricted information in or through systems, networks, or services located inside or outside the state. The new law's protection does not apply if the covered entity's failure to implement reasonable cybersecurity controls resulted from gross negligence or willful or wanton conduct ([PA 21-119](#), effective October 1, 2021).

Data Privacy Breaches

The legislature expanded the data breach notification law to apply to additional types of information and cover more individuals who keep this information. It extended notification requirements to include anyone who owns, licenses, or maintains computerized data that includes personal information, rather than just those who do so in the ordinary course of doing business in the state, as under prior law. It also generally shortened, from 90 to 60 days after the security breach was discovered, the deadline by which data managers must inform consumers and the attorney general ([PA 21-59](#), effective October 1, 2021).

Prohibition on Refusing Cash Payments

This year the legislature prohibited retailers from (1) refusing cash as a form of payment, (2) posting signs stating that cash is not accepted, or (3) charging a higher price to customers who pay

with cash. The prohibition does not apply to certain transactions, including those at parking lots, membership-based wholesale clubs, and those conducted by phone, mail, or the Internet ([PA 21-60](#), effective October 1, 2021).

Third-Party Delivery Services for Restaurants

A new law prohibits third-party food delivery services (e.g., GrubHub, UberEats, DoorDash, etc.) from (1) falsely suggesting a relationship with a food service establishment by using the establishment's likeness, registered trademark, or intellectual property, and (2) using their proprietary marketplace (e.g., mobile application) to take orders and arrange for the delivery of a food service establishment's products without first obtaining the establishment's written consent.

The new law allows a food service establishment to bring an action in Superior Court to recover the greater of \$5,000 or actual damages when its likeness is used by a third-party delivery service or it appears on a third-party proprietary marketplace in violation of the law. It allows the court to award punitive damages and equitable relief as it deems appropriate. The new law also bars contracts between third-party delivery services and food service establishments, entered into on and after October 1, 2021, from including certain indemnification provisions ([PA 21-166](#), effective October 1, 2021).

Business Taxes and Fees

Admissions Tax Elimination

The budget implementer eliminates the admissions tax for all places of amusement, except for the 6% tax on movie tickets costing more than \$5, beginning July 1, 2021. Under prior law, the admissions tax was generally 10% (5% for certain specified venues) of amounts paid for admission to places of amusement, entertainment, or recreation. The law retains the 10% dues tax, which applies to amounts paid as dues or initiation fees to any social, athletic, or sporting club ([PA 21-2](#), JSS, § 434, effective June 30, 2021).

Alcoholic Beverages Tax on Beer

Beginning July 1, 2023, a new law decreases the excise tax on beer (other than beer for off-premises consumption sold on premises covered by a manufacturer's permit) from \$7.20 per barrel to \$6 per barrel. By law, beer for off-premises consumption sold on the premises covered by a manufacturer's permit is subject to a lower tax rate (\$3.60 per barrel) ([PA 21-2](#), JSS, § 437, effective upon passage).

Capital Base Tax Phase-Out

The legislature delayed the start date of the capital base tax phase-out by three years and extended the phase-out period. Prior law phased out the tax on corporations over four years, from 2021 to 2024. Under a new law, the phase-out begins in the 2024 income year with the following rates: 2.6 mils in 2024, 2.1 mils in 2025, 1.6 mils in 2026, 1.1 mils in 2027, and 0 mils in 2028 and thereafter.

The new law exempts taxpayers from estimated tax payment requirements and interest on underpayments for the 2021 income year for any additional tax due as a result of the delayed phase-out ([PA 21-2](#), JSS, §§ 424 & 425, effective upon passage).

Corporation Business Tax Surcharge

A new law extends the 10% corporation business tax surcharge for two additional years, to the 2021 and 2022 income years. As under existing law, the surcharge for 2021 and 2022 applies to companies that have more than \$250 in corporation tax liability and either (1) have at least \$100 million in annual gross income in those years or (2) are taxable members of a combined group that files a combined unitary return, regardless of the amount of annual gross income.

The new law exempts taxpayers from estimated tax payment requirements and interest on underpayments for the 2021 income year for any additional tax due as a result of the surcharge extension before the provision takes effect ([PA 21-2](#), JSS, §§ 422, 423 & 425, effective upon passage).

Highway Use Tax

Beginning January 1, 2023, a new law imposes a highway use tax on every carrier for the privilege of operating, or causing to be operated, certain heavy, multi-unit motor vehicles on any public road in the state. It is charged at a per-mile rate that increases based on a vehicle's weight, ranging from (1) 2.5 cents for vehicles weighing 26,000-28,000 pounds (lbs.) to (2) 17.5 cents for vehicles weighing more than 80,000 lbs. The resulting revenue must be deposited in the Special Transportation Fund ([PA 21-177](#), effective upon passage and applicable to calendar months beginning on or after January 1, 2023).

Prepaid Wireless E-911 Fee

Under a new law, marketplace facilitators are considered retailers for purposes of collecting and remitting the prepaid wireless E-911 fee, which supports the state's enhanced emergency 911 program. Marketplace facilitators are generally businesses that (1) facilitate the sale of goods and

services for sellers by providing a forum that lists or advertises the sellers' goods and services, (2) collect receipts from customers, and (3) remit payments to sellers ([PA 21-70](#), effective July 1, 2022, and applicable to sales occurring on or after July 1, 2022).

Revenue from Sales Tax on Meals

The budget implementer allows certain businesses that serve meals (e.g., hotels, restaurants, and bars) to keep 100% of the sales tax they collect on meal sales during one of the following weeks chosen by the business:

1. August 1, 2021, to August 7, 2021;
2. December 12, 2021, to December 18, 2021; or
3. May 15, 2022, to May 21, 2022 ([PA 21-2](#), JSS, § 436, effective July 1, 2021).

Tax Amnesty Program

The legislature required the Department of Revenue Services (DRS) to establish a tax amnesty program for individuals, businesses, or other taxpayers that owe Connecticut state taxes (other than motor carrier road taxes). Under the program, eligible taxpayers may receive a 75% reduction in the interest that would otherwise be due. The amnesty runs from November 1, 2021, to January 31, 2022, and covers any taxable period ending on or before December 30, 2020 ([PA 21-2](#), JSS, § 450, effective upon passage).

Cannabis and Businesses

Angel Investor Tax Credits for Social Equity Applicants

The angel investor tax credit program provides personal income tax credits to angel investors that make qualifying cash investments in eligible Connecticut businesses. The new law legalizing recreational cannabis extends this program to eligible cannabis businesses (e.g., dispensaries, cultivators, product manufacturers, and delivery services), thus allowing eligible investors to receive income tax credits for investing in these businesses. It also extends the program's sunset date from June 30, 2024, to June 30, 2028.

An eligible cannabis business is one (1) for which a social equity applicant has been granted a license or provisional license, and (2) in which a social equity applicant or applicants have an ownership interest of at least 65% and have control of the establishment ([PA 21-1](#), JSS, § 133, effective July 1, 2021).

Employers

The recreational cannabis law establishes numerous cannabis-related guidelines, rules, and protections for employers and employees. It establishes actions that employers may take concerning employee cannabis use (e.g., implementing a policy prohibiting cannabis possession, use, or other consumption by an employee, except for qualified possession of medical marijuana) and actions that they may not take (e.g., holding against an employee the use of cannabis before employment). It also exempts from its provisions employers in several categories (e.g., construction, manufacturing, and educational services) and certain types of positions (e.g., emergency services personnel, positions requiring driving, and positions supervising children).

With certain exceptions, the new law allows an employee or prospective employee aggrieved by a violation of the employer limitations to bring a civil action in Superior Court ([PA 21-1](#), JSS, §§ 97, 98 & 101, most provisions effective July 1, 2022).

Financial Assistance and Workforce Training Programs

The new recreational cannabis law authorizes up to \$50 million in general obligation bonds for DECD and the Social Equity Council to jointly use for financial assistance and workforce training programs. This includes (1) low-interest loans to social equity applicants, municipalities, or nonprofits to rehabilitate, renovate, or develop unused or underused real property for use as a cannabis establishment and (2) capital to social equity applicants seeking to start or maintain a cannabis establishment ([PA 21-1](#), JSS, §§ 134 & 135, effective July 1, 2021).

State and Municipal Cannabis Taxes

The recreational cannabis law subjects retail sales of cannabis to new state and municipal taxes that apply in addition to the state's 6.35% sales and use tax. The state cannabis tax rate is 0.625 cents per milligram of total THC for cannabis plant material, 2.75 cents per milligram of total THC for cannabis edible products, and 0.9 cents per milligram of total THC for cannabis, other than cannabis plant material or cannabis edible products. The municipal cannabis tax rate is 3%. Cannabis for palliative use is exempt from all three taxes under the new law.

For FY 22, the new law directs the state cannabis tax revenue, along with any state sales and use tax revenue received from recreational cannabis, to a newly established cannabis regulatory and investment account, dedicated to paying any costs state agencies incur to implement the new law. For FY 23 and thereafter, it directs the state cannabis tax revenue to the General Fund and two new appropriated funds (the Social Equity and Innovation Fund and the Prevention and Recovery Services Fund), according to a specified schedule ([PA 21-1](#), JSS, §§ 125-129, effective July 1, 2021).

COVID-19-Related Provisions

Commission on the Disparate Impact of COVID-19

The legislature established a 22-member commission within the Legislative Department to analyze and identify the cause of any disparate impact of COVID-19 and the federal and state responses to it on different racial, ethnic, gender, and socioeconomic groups. The commission's powers and duties include appointing and convening at least two working groups to analyze the impact of COVID-19, including one on labor, commerce, and public health needs ([SA 21-37](#), effective July 1, 2021).

Department of Mental Health and Addiction Services (DMHAS) Mental Health Toolkit for Employers

A new law requires DMHAS to develop and post online a mental health toolkit to help employers address their employees' mental health needs that arise due to COVID-19. The toolkit must (1) identify common mental health issues and their symptoms and (2) provide information and other resources on actions that employers may take to help employees address these issues. DMHAS must post the toolkit on its website by October 1, 2021 ([PA 21-35](#), § 19, effective upon passage).

Essential Workers COVID-19 Assistance Program

This year the legislature created the Connecticut Essential Workers COVID-19 Assistance Program to provide benefits for lost wages, out-of-pocket medical expenses, and burial expenses for certain essential employees (e.g., health care personnel, grocery store workers, and child care workers) who could not work or died due to contracting COVID-19. The program's benefits are available within available funds and on a first-come, first-served basis, and will be paid only through June 30, 2024 ([PA 21-2](#), JSS, § 289, effective October 1, 2021).

Hospitality Industry Recovery

A new law requires the DECD commissioner, in consultation with the DRS commissioner, to periodically report to the Commerce Committee on the hospitality industry's recovery from the COVID-19 pandemic. The first report is due by July 1, 2021, and subsequent reports are due on a fiscal quarterly basis until June 30, 2022 ([PA 21-188](#), § 3, effective upon passage).

Outdoor Dining and Retail

The legislature passed two new laws concerning outdoor dining and retail. The first of these laws generally incorporates the outdoor dining and retail provisions contained in Executive Order (EO)

7MM, as amended by subsequent EOs, and extends them until March 31, 2022. Under this law, if a business wants to engage in outdoor activities, it must apply to the local enforcement official (generally the zoning enforcement officer or building official), who will conduct an administrative review of the application ([SA 21-3](#), effective upon passage).

The second law takes effect April 1, 2022, and requires municipalities to allow outdoor food and beverage service (dining) as an accessory use to a licensed food establishment (e.g., restaurant or food market). Under this law, businesses must seek an administrative site plan review to determine whether the proposed outdoor dining use conforms with zoning requirements not contemplated by the new law (e.g., regulations unrelated to providing pedestrian pathways and parking) ([PA 21-2](#), JSS, § 182, effective April 1, 2022).

Remote Work and Taxation During COVID-19

With many Connecticut residents working from home during the COVID-19 pandemic, the legislature passed a new law specifying conditions under which certain residents who worked remotely from Connecticut for employers in other states must be allowed a Connecticut income tax credit for taxes paid to the other state for the 2020 tax year.

The new law also prohibits DRS from considering the activities of employees who worked remotely in Connecticut due solely to COVID-19 in determining whether an employer has nexus with Connecticut for any state tax ([PA 21-3](#), § 1, effective upon passage).

Remote Work Economy

A new law requires the DECD commissioner, in consultation with AdvanceCT, to develop a plan by January 1, 2022, to support the state's remote work economy. The plan must (1) promote existing remote workspaces and (2) incentivize the creation of new remote workspaces, including in central business districts, underutilized office space, and unoccupied shopping malls ([SA 21-25](#), § 2, effective upon passage).

Employers

Breastfeeding in the Workplace

Existing law requires employers to make reasonable efforts to provide a room or other location near an employee's work area, other than a toilet stall, where the employee can express milk during a meal or break period in private. A new law further requires that this area (1) be free from intrusion and shielded from the public while the employee expresses milk, (2) include or be near a

refrigerator or employee-provided portable cold storage device in which the employee can store her breast milk, and (3) have access to an electrical outlet ([PA 21-27](#), effective October 1, 2021).

Clean Energy Jobs

A new law requires that (1) construction workers on certain clean energy projects be paid wages and benefits at least equal to those required under the state's prevailing wage law and (2) operations, maintenance, and security employees in any building or facility created in the project be paid wages and benefits that are at least equal to those required under the state's standard wage law. The requirements generally apply to projects that begin construction after July 1, 2021, and have a total nameplate capacity of at least two megawatts, but the new law also exempts projects that meet certain criteria ([PA 21-43](#), as amended by [PA 21-2](#), JSS, § 82, effective July 1, 2021).

Disciplining, Dissuading, or Misinforming Employees about Workers' Compensation Claims

A new law prohibits employers from (1) disciplining employees for filing a workers' compensation claim or exercising their related rights and (2) deliberately misinforming or dissuading them from filing a claim for workers' compensation benefits or, starting October 1, 2021, a claim for benefits from the Connecticut Essential Workers COVID-19 Assistance Program ([PA 21-2](#), JSS, § 290, effective upon passage).

Domestic Workers

This year the legislature broadened the range of written information that employers must provide to certain domestic workers when they are hired to include (1) their job duties and responsibilities; (2) the availability of sick leave, rest days, vacation, personal days, and holidays; (3) whether the employer may charge fees or costs for board and lodging and, if so, their amount; and (4) how to file a complaint about a violation of the worker's rights ([PA 21-2](#), JSS, §§ 3-5, effective October 1, 2021).

Education Assistance Programs

A new law requires employers with 100 or more employees to notify their Connecticut resident employees about education assistance programs they may offer. Employers must give this notice annually for the next three years, beginning by December 1, 2021. DECD must make information and resources about these programs available to employers ([PA 21-2](#), JSS, § 260, effective July 1, 2021).

Employee Recall Rights

A new law requires hotels, lodging houses, food service contractors, and building service enterprises with at least 15 employees to meet certain requirements related to recalling the employees they laid off between March 10, 2020, and May 1, 2022. Among other things, these employers must notify those laid-off employees about available positions for which they are qualified and offer the positions to those with the most seniority ([PA 21-189](#), effective upon passage).

Employee Sexual Harassment Training

For purposes of existing requirements for employee training in sexual harassment laws, new legislation allows employers to not provide the training to an employee who, within two years before being hired, received it while working for another employer. This applies if the Commission on Human Rights and Opportunities (CHRO) provided that training in-person or through its online training program required by law ([PA 21-109](#), § 4, October 1, 2021).

Time Off to Vote

The legislature required employers, through June 30, 2024, to give an employee two hours of unpaid time off from his or her regularly scheduled work on the day of a regular state election to vote, if the employee requests it in advance. In the case of a special election for a U.S. Senator, U.S. Representative, state senator, or state representative, the requirement applies only to employees who are already registered voters (i.e., electors).

In both cases, the time off must occur during regular voting hours (i.e., from 6:00 a.m. to 8:00 p.m.), and the employee must make the request at least two working days before the election ([PA 21-2](#), JSS, § 94, effective upon passage).

Workplace Smoking Ban

Subject to certain exclusions, a new law requires employers to ban smoking (whether tobacco, cannabis, or hemp) and e-cigarette use in any area of the workplace, regardless of the number of employees. It applies both inside the workplace and outside within 25 feet of a doorway, operable window, or air intake vent. Under prior law, an employer (1) with five or more employees could designate employee smoking rooms, if the employer also designated enough non-smoking break rooms, and (2) with fewer than five employees had to establish non-smoking work areas upon request ([PA 21-1](#), JSS, § 88, effective October 1, 2021).

Employment Discrimination

Age

A new law prohibits age discrimination during the employment application process. It generally makes it a discriminatory employment practice for employers to request or require a prospective employee's age, birth date, or graduation date on an initial employment application ([PA 21-69](#), effective October 1, 2021).

Erased Criminal Records

Starting in 2023, a new law prohibits discrimination in various contexts, including employment, based on someone's erased criminal history record information. Among other things, the new law prohibits employers or their agents, representatives, or designees from discriminating against someone in pay or employment terms, conditions, or privileges on this basis.

Existing law bars employers from taking various actions in relation to job applicants' or employees' criminal history or erased criminal records. For some of these violations, the new law gives an allegedly aggrieved individual the option of filing a complaint with CHRO or a lawsuit. Under prior law, these individuals could file a complaint with the labor commissioner ([PA 21-32](#), as amended by [PA 21-33](#), § 10, most provisions effective January 1, 2023).

Hairstyles

This year the legislature passed the CROWN Act, making it an illegal practice to (1) discriminate based on a person's hair texture or protective hairstyle in employment, public accommodations, housing, credit practices, union membership, and state agency practices or (2) deprive any person of any rights secured or protected by either the state's or United States' constitution. It does so by specifying that the term "race" includes ethnic traits historically associated with race, including hair texture and protective hairstyles.

Under the law, "protective hairstyles" include wigs, headwraps, and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros, and afro puffs ([PA 21-2](#), effective upon passage).

Wages and Gender

This session, the legislature sought to reduce gender wage discrimination by enacting a new law that generally requires employers to provide equal pay for "comparable," rather than equal, work. It also requires employers to provide job applicants and employees with the wage range for their positions ([PA 21-30](#), effective October 1, 2021).

Environment

Beverage Container Redemption and Recycling

A new law revamps the state's beverage container redemption law (i.e., the "bottle bill"). Among other things, the law does the following:

1. expands, beginning January 1, 2023, the list of beverages subject to the bottle bill's requirements to include hard cider, juice, tea, coffee, and sports or energy drinks, among other things; and exempts containers of less than 150mL;
2. increases, beginning January 1, 2024, the beverage container deposit amount to at least 10 cents, rather than 5 cents;
3. increases, beginning October 1, 2021, the handling fee to 2.5 cents or 3.5 cents per beverage container, depending on the type of container involved that distributors must pay to dealers and redemption centers;
4. incrementally reduces the amount of unclaimed deposits that distributors must remit to the General Fund from 100% currently to 45% by FY 26, and allows the distributors to keep the remainder;
5. requires certain retailers, beginning October 1, 2021, to have at least two reverse vending machines at their place of business; and
6. requires the DEEP commissioner to approve stewardship organizations for beverage containers.

The legislature also added a five-cent surcharge on the sale of spirit or liquor beverage containers of 50mL or less (commonly referred to as "nips"), which must be provided to municipalities for environmental measures aimed at reducing solid waste or reducing litter's impact ([PA 21-58](#), various effective dates).

Food Packaging Restrictions

The legislature passed a law prohibiting, as of January 1, 2024, offering for sale or promotional purposes food packaging and packaging components with perfluoroalkyl or polyfluoroalkyl substance (PFAS) intentionally introduced during manufacturing or distribution. The new law also prohibits using a material that replaces a chemical (i.e., PFAS) regulated by the state packaging and packaging components law in an amount or way that creates an equal or greater hazard than the regulated chemical ([PA 21-191](#), § 2, effective October 1, 2021).

Product Recycled Content Requirements

The legislature passed a law requiring the Department of Energy and Environmental Protection commissioner to develop, by December 1, 2022, recommendations for (1) recycling content requirements for products sold in Connecticut and (2) multi-state coordination in developing the standards. She must do this in consultation with retailers, manufacturers, recycling businesses, and regional organizations ([SA 21-9](#), effective upon passage).

Government Contracting

Disparity Study

The legislature required CHRO, in consultation with the Department of Administrative Services, to develop and issue a request for proposals for conducting a disparity study to analyze the state's set-aside program for small and minority-owned businesses. Among other things, the study must examine whether (1) there is significant statistical evidence of past or continuing discrimination in awarding state contracts and (2) there are barriers in the state's contracting process preventing small and minority businesses from participating ([SA 21-8](#), effective upon passage).

Prevailing Wage Rates for Public Works Projects

A new law revises the method the labor commissioner must use to set prevailing wage rates on public works projects. It establishes one process for building, heavy, and highway projects and another for residential projects.

Under existing law, contractors on public works projects must at least pay the prevailing hourly wage rate and benefits, as determined by law, to all eligible workers on the project. This requirement applies to new construction projects of \$1 million or more and renovation projects of \$100,000 or more ([PA 21-154](#), effective October 1, 2021).

Set-Aside Program

The legislature revamped the state set-aside program's eligibility requirements for small contractors and minority business enterprises (MBEs). With respect to for-profit entities, it defined a "small contractor" as one that is registered as a small business in the federal database maintained by the U.S. General Services Administration, as required to do business with the federal government.

This requirement replaces provisions in prior law requiring, among other things, that these entities have annual gross revenues of \$20 million or less and be independent. (By law, unchanged by the act, MBEs are small contractors owned by women, minorities, or people with disabilities.) It retained

prior law’s eligibility requirements for nonprofit entities (e.g., that they have annual gross revenues of \$20 million or less and be independent) ([PA 21-76](#), §§ 8-11, effective October 1, 2021).

State Contract Data Access

Beginning October 1, 2021, a new law requires that any executed, renewed, or amended contract between a state contracting agency and a contractor contain a provision authorizing the state agency to access any contract-related data that the contractor possesses or controls upon demand and in the agency’s prescribed format at no additional cost. It applies to any executive branch agency, board, commission, department, office, institution, or council. ([PA 21-145](#), §§ 2 & 3, effective October 1, 2021).

State Contracting Bid Updates

A new law authorizes public contracting agencies to allow bidders on public works contracts up to two business days after a bid opening to submit their prequalification certificate, if required, and an update statement (renamed from “update bid statement”). Prior law automatically disqualified a bid if the update bid statement or applicable prequalification certificate was missing ([PA 21-198](#), §§ 1-4, effective July 1, 2021).

Innovation and Entrepreneurship

CTNext Innovation Place Program

The FY 22-23 bond act authorizes \$64.2 million in bonds over a five-year period, from FY 22 to FY 26, to recapitalize CTNext’s innovation place program. Under the act, the bond proceeds may generally be used for new and existing innovation places, except that (1) \$10 million is for deposit into the CTNext Fund in FY 24 to cover general operating expenses and (2) \$200,000 is for an economic feasibility study of certain lands in Trumbull in FY 22. The act also reestablishes and makes permanent the requirement that the CTNext board report annually to the Commerce and Finance, Revenue and Bonding committees on the innovation place program’s operation, effectiveness, and grant distribution ([PA 21-111](#), §§ 92-94, effective July 1, 2021).

UConn Faculty Recruitment and Hiring Program

The FY 22-23 bond act requires UConn to begin a new research faculty recruitment and hiring program and authorizes \$46.1 million in bonds over a five-year period, from FY 22 to FY 26, for this purpose. The new program must be used to help UConn meet its existing research faculty recruitment goals and requirements, specifically to (1) support Connecticut’s economic development through faculty research and (2) promote core sectors of the state economy by accelerating the pace of applied research and development.

Through this new program, UConn must (1) encourage and facilitate creating new business ventures in the state that fuel economic growth and (2) provide resources for proof of concept, technology maturation, early- and later-stage venture capital funding, and other measures that encourage expanding UConn’s entrepreneurial ecosystem ([PA 21-111](#), §§ 99-100, effective July 1, 2021).

Licensed Trades and Professions

Contracts with Tradespersons

A new law requires that contracts for work on one-to-six unit residential properties by certain licensed tradespeople (e.g., electricians and plumbers) be in writing and meet certain other requirements to be enforceable against the consumer ([PA 21-37](#), §§ 22 & 23, effective January 1, 2022).

Credentialing for People Licensed in Other States

A new law generally makes it easier for various tradespeople, health care professionals, and other professionals licensed in other states to obtain a Connecticut credential if they reside here. It does so by generally requiring the Department of Consumer Protection (DCP) or Department of Public Health (DPH) to issue the appropriate license or other credential to a state resident, or a spouse of an active duty service member permanently stationed here, if that person meets specified experience and background requirements. It allows DCP or DPH, as applicable, to deny a credential if the commissioner finds it to be in the state’s best interest ([PA 21-152](#), §§ 1 & 4, effective October 1, 2021).

Hiring Ratio for Certain Trades

State regulations establish a “hiring ratio” for certain licensed trades. The hiring ratio limits the number of apprentices that an employer may use based on the number of journeypersons or contractors employed. The contractor and journeyperson classifications have two license types: limited and unlimited

Under a new law, for purposes of this hiring ratio, limited license holders who are enrolled in an unlimited license apprenticeship program continue to count as journeypersons or contractors for limited work performance. The new law also specifies that such a registered apprentice’s limited license must not be used to calculate the number of apprentices that the unlimited contractor may hire under the hiring ratio ([PA 21-197](#), § 11, effective upon passage).

Home Improvement and New Home Construction Contractors

A new law makes various changes in the laws governing registered new home construction contractors and home improvement contractors. Among other things, the new law requires them to show proof of general liability insurance providing at least \$20,000 in coverage as part of their annual state registration. It also (1) specifies the contents of an enforceable contract between a new home builder and consumer and (2) specifies what constitutes home improvement and locksmith work ([PA 21-197](#), most provisions effective July 1, 2022).

Targeted Industry Development

In-Person and Online Gaming

The legislature established new frameworks for legalizing and regulating (1) in-person and online sports wagering, (2) online casino gaming, (3) in-person and online keno, (4) online lottery draw games other than keno, and (5) fantasy contests. These frameworks are subject to several conditions, principally that the governor must first enter into specific contractual agreements with the Mashantucket Pequot and Mohegan tribes, which must then be approved by the U.S. Department of Interior secretary.

The legislation generally authorizes the tribes and the Connecticut Lottery Corporation (CLC) to operate these games subject to specific requirements, including limiting the authorizations to an initial 10-year period with an option for a five-year renewal. It requires (1) monthly payments from the tribes and CLC to the General Fund ranging from 13.75% to 20% of gross revenues from sports wagering, online casino gaming, and fantasy contests and (2) new annual payments of \$500,000 from each tribe and \$1 million from CLC towards certain problem gambling accounts or programs. The legislation also delays the authorization for an off-reservation casino gaming facility in East Windsor for 10 years ([PA 21-23](#), most provisions effective July 1, 2021).

Fantasy Contests. As part of the budget implementer, the legislature required the DCP commissioner to issue a provisional license to each tribe and CLC to operate fantasy contests outside the tribes' reservations under certain conditions. The act generally requires that all provisional licenses expire simultaneously on the earlier of September 30, 2021, or the date on which certain licenses have been issued under PA 21-23, but it allows the DCP commissioner to grant a one-time extension of up to 150 days ([PA 21-2](#), JSS, § 315, effective upon passage).

Tourism Industry Task Force

The legislature established a 15-member task force to study the shortage of employees in various tourism-related businesses in the state (e.g., shoreline businesses and marine trades). The task

force must create an inventory and timeline of tourism industry employment opportunities and a mechanism for advertising these opportunities. It must also review the most efficient, cost-effective, and reliable transportation available to individuals seeking these opportunities. The task force must report its findings and recommendations to the Commerce Committee by January 1, 2022 ([PA 21-94](#), § 3, effective upon passage).

Tax Credits and Incentives

Data Centers

The legislature authorized DECD to enter into 20- or 30-year agreements to provide tax incentives to qualifying data centers that locate within the state and make a minimum investment of at least (1) \$50 million if the data center is in an enterprise zone or a federal opportunity zone or (2) \$200 million if it is located elsewhere. The new law outlines data center eligibility and the terms and conditions applicable to data center agreements. It also establishes an Office of Data Infrastructure Administration and Security within DECD to oversee the application process and assist applicants ([PA 21-1](#), effective July 1, 2021).

Film and Digital Media Production Tax Credits

Beginning January 1, 2022, the budget implementer allows film and digital media production tax credits to be claimed against the sales and use tax under the following conditions:

1. eligible production companies or other taxpayers claiming the credit (i.e., transferees) may claim only 78% of the credit's value when using it against the sales and use tax and
2. transferees may claim the credit against the sales and use tax only if there is at least 50% common ownership between the transferee and eligible production company that transferred the credit ([PA 21-2](#), JSS, § 429, effective January 1, 2022).

Invest CT Credit Cap

The legislature increased the aggregate cap on Invest CT tax credits from \$350 million to \$550 million. It retained the program's existing \$40 million annual cap. By law, the credits apply to the insurance premiums and surplus lines brokers tax, and investors qualify for them by investing in eligible businesses through state certified business investment funds (i.e., Invest CT funds) ([PA 21-2](#), JSS, § 428, effective July 1, 2021).

Research and Development (R & D) Credits

The budget implementer increased the cap on the amount of R&D tax credits corporations may claim each year against the corporation business tax from 50.1% to 70% of their tax liability,

phased in over two years (i.e., 60% in income year 2021 and 70% in income year 2022). The new law also caps the number of years a taxpayer may carry forward unused R&D credits at 15 years for credits allowed beginning with the 2021 income year. For credits allowed before 2021, tax credits may still be carried forward until they are fully used ([PA 21-2](#), JSS, §§ 426 & 427, effective upon passage, with the carryforward provision applicable to income years beginning on or after January 1, 2021).

Sales and Use Tax Exemptions for Beer Manufacturers

The budget implementer makes specified manufacturing-related sales and use tax exemptions available beginning July 1, 2023, to beer manufacturers that are not otherwise eligible for them because they manufacture or will manufacture beer at a facility that also makes substantial retail sales. These include exemptions for (1) gas and electricity for direct use in a manufacturing plant and (2) machinery used directly in a manufacturing production process ([PA 21-2](#), JSS, § 459, effective upon passage and applicable to sales occurring on or after July 1, 2023).

Stranded Tax Credit Program Expansion

By law, businesses can exchange accumulated (i.e., stranded) research and development tax credits for undertaking certain in-state capital projects. A new law (1) allows businesses to do the same for making human capital investments and (2) makes various conforming changes to the stranded tax credit program. The new law defines "human capital investment" identically as under the state's human capital investment tax credit program ([PA 21-188](#), § 1, effective July 1, 2021, and applicable to income years beginning January 1, 2021).

Unemployment System

Compensation Base Period

By law, unemployment compensation is based, in part, on the claimant's work base period before becoming unemployed. Under prior law, the base period for claimants who were also receiving workers' compensation benefits, or who were properly absent from work under the employer's sick leave or disability leave policy, was the first four of the five most recently worked quarters.

A new law instead makes the claimant's work base period the four consecutive quarters immediately preceding the most recently worked quarter. Under prior law, the quarters were not required to be consecutive, thus allowing an employee who was in and out of work over a period of time to use quarters from over a longer period ([PA 21-141](#), § 7, effective upon passage).

Quarterly Reporting Requirements

Under a new law, employers subject to the state's unemployment law with 50 or more employees must include specified data about each employee in their quarterly wage reports to the Department of Labor (DOL), with an employer waiver request option. The data includes age, race and ethnicity, education level, hours and wages, job title, and employment start and end date (when applicable), among other things. The act phases in these reporting requirements for employers in three stages, based on number of employees, beginning in 2024. It also exempts employers' identifying information and employees' personally identifying information from disclosure under the Freedom of Information Act ([PA 21-2](#), JSS, § 270, effective July 1, 2021).

System Reform

The legislature made several reforms to the state's unemployment insurance (UI) system that start in 2024. For UI benefits, among other things, the new law generally (1) increases the minimum weekly UI benefit from \$15 to \$40 and correspondingly increases the minimum earnings needed to qualify for the minimum benefit from \$600 to \$1,600 and (2) freezes the maximum benefit allowed from 2024 through 2027.

For UI taxes paid by employers, among other things, the law (1) increases employers' taxable wage base from \$15,000 to \$25,000 per employee and requires that it be annually adjusted for inflation; (2) expands the range of UI experience tax rates from 0.5% - 5.4% to 0.1% - 10%; and (3) generally reduces the maximum fund balance rate from 1.4% to 1.0% ([PA 21-200](#), effective January 1, 2022).

Unemployment Tax Experience Rates

In response to the past year's COVID-19-related layoffs, the legislature enacted a new law to disregard an employer's benefit charges and taxable wages between July 1, 2019, and June 30, 2021, when calculating the employer's unemployment tax experience rate for taxable years starting on or after January 1, 2022. In effect, this means that the unemployment benefits paid to an employer's former employees during that period will not affect the employer's experience rate. The rate charged to employers who have not participated in the unemployment system long enough to have their own experience rates will similarly not be affected by the benefits paid during those years ([PA 21-5](#), effective October 1, 2021).

Workforce Development

Credentials Database

This year's budget implementer requires each regional workforce development board and training program provider listed on DOL's Eligible Training Provider list, among other entities, to annually submit information about credentials they offer to the Office of Higher Education (OHE) beginning by July 1, 2024. OHE must include this information in its newly created database of credentials offered in Connecticut.

Under the act, the DOL commissioner may also require any pre-apprenticeship or apprenticeship program sponsor to submit information about its program to OHE for inclusion in the database ([PA 21-2](#), JSS, § 264, effective July 1, 2021).

DOC Vocational Village Program

A new law establishes a vocational village program, administered by the Department of Correction (DOC) commissioner in consultation with DECD, to provide skilled trades training to inmates. The program must provide inmates opportunities to earn nationally recognized industry certifications and credentials, including in computer coding, carpentry, computerized numerical control manufacturing, welding, electrical, heating, ventilation and air conditioning, and plumbing ([PA 21-188](#), § 6, effective October 1, 2021).

Governor's Workforce Council

A new law creates the Governor's Workforce Council as a 51-member successor council to the Connecticut Employment and Training Commission. It removes some duties from the council and adds others, including requiring it to develop a four-year state workforce development plan. Additionally, it recognizes the council as the statewide workforce development board for federal Workforce Innovation and Opportunity Act (WIOA) purposes and requires it to annually recommend WIOA fund appropriations for adult workforce development ([PA 21-2](#), JSS, §§ 214-18 & 227-28, various effective dates).

Office of Workforce Strategy

This year's budget implementer eliminates the Office of Workforce Competitiveness (OWC) and replaces it with a new Office of Workforce Strategy (OWS), led by a chief workforce officer. It generally transfers to the chief workforce officer the workforce-development related functions and duties currently assigned to the labor commissioner and OWC. It also (1) allows OWS to spend federal American Rescue Plan Act funds the state receives and (2) adds the chief workforce officer

to various state boards and committees related to career education, workforce training, and economic development ([PA 21-2](#), JSS, §§ 203-209, 230, 232-33, 236-46 & 253-56, various effective dates).

Preapprenticeship Definition Expansion

A new law expands the definition of a preapprentice for DOL's subsidized training and employment program (STEP Up) to include non-students age 19 and older. Under prior law, a preapprentice had to be either (1) a current high school, preparatory school, or higher education student, or (2) age 18 or younger and employed under a written agreement with an apprenticeship sponsor. The new law instead defines a preapprentice as a person, student, or minor employed under a written agreement with an apprenticeship sponsor and registered with DOL. STEP Up provides grants to help cover training costs and pay for the first 180 days of a new employee's ("preapprentice") job with an eligible small business or small manufacturer ([PA 21-141](#), § 4, effective upon passage).

Reentry Employment Advisory Committee

A new law establishes a reentry employment advisory committee to advise the DOC commissioner on aligning the department's education and job training programs with the needs of employers in the community. This must include, among other things, the (1) types of licenses and certifications that employers seek in job applicants and (2) availability of apprenticeships for incarcerated and formerly incarcerated individuals in the community. The committee must meet at least twice per year ([PA 21-85](#), § 2, July 1, 2021).

Regional Workforce Development Boards

This year's budget implementer assigns several new duties to regional workforce development boards. Among other things, the act requires each board to (1) serve as the lead agency for any local workforce development initiative and (2) act in accordance with the Governor's Workforce Council's workforce development plan and the chief workforce officer's state workforce strategy. It also eliminates several board responsibilities, including establishing worker training education committees and annually preparing regional employment and training program priorities and goals.

Additionally, the act eliminates some board membership criteria in state law and makes changes to boards' information exchange with state agencies involved with employment and training. It also transfers to the governor some oversight authority over the boards ([PA 21-2](#), JSS, §§ 216-22, effective July 1, 2021).

State Apprenticeship Programs and the Apprenticeship Council

This year the legislature placed more control of apprenticeship programs under DOL rather than the State Apprenticeship Council. Prior law required (1) the council to make policies to administer the apprenticeship statutes and (2) all apprenticeship programs to register with the council. The new law instead requires the council to assist in recommending policies to DOL and requires all programs to register with DOL ([PA 21-141](#), §§ 2 & 6, effective upon passage, and §§ 9-11, effective October 1, 2021).

Student and Trainee Data Collection

By January 1, 2023, the budget implementer requires each regional workforce development board and community action agency, among other entities, to submit to OHE specified data on each of their enrolled students or trainees who earn a credential that they offer. The data must include gender identity; age; race; ethnicity; course enrollment; course and credential completion; fees and tuition charged; federal student loans received; federal student loan balances; and state-assigned student identifiers, if applicable ([PA 21-2](#), JSS, § 269, effective July 1, 2021).

Technical Education and Career System (TECS) Board Duties

The TECS board oversees the state's technical high schools. This year's budget implementer act requires TECS to assess, in consultation with certain entities, its alignment with business and industry in specific ways (e.g., recommend improvements to certificate and degree programs to meet business's needs). Additionally, it requires the TECS board to create an integrated system of statewide industry advisory committees for each career cluster offered as part of TECS and the community college system. Under prior law, the DOL commissioner was required to lead this system's creation ([PA 21-2](#), JSS, §§ 229 & 231, effective July 1, 2021).

Workforce Development Pipeline Program for People with Disabilities

A new law requires DECD to incorporate a plan to establish a workforce development pipeline program for people with disabilities into the state workforce strategy. The plan must incentivize business to take certain workforce development actions for people with disabilities, including (1) providing training programs; (2) offering modified interviews; and (3) reserving market-rate, full-time jobs. DECD must develop the plan by November 1, 2021, and provide for implementation by July 1, 2022 ([SA 21-10](#), effective upon passage).

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