
OLR BILL ANALYSIS

HB 6389

AN ACT TRANSFERRING THE RESPONSIBILITIES OF THE DIVISION OF SPECIAL REVENUE, CONSUMER COUNSEL, HEALTHCARE ADVOCATE AND BOARD OF ACCOUNTANCY TO THE DEPARTMENT OF CONSUMER PROTECTION.

SUMMARY

This bill transfers the responsibilities of the Division of Special Revenue (DSR), Office of Consumer Counsel (OCC), State Board of Accountancy, and the Healthcare Advocate to the Department of Consumer Protection (DCP).

The bill also makes many changes to charitable forms of gambling, such as bingo, bazaars, and raffles.

EFFECTIVE DATE: July 1, 2011

DEPARTMENT OF SPECIAL REVENUE

The bill eliminates DSR, which was in the Department of Revenue Services, and transfers its responsibilities and authority to the DCP. This includes eliminating the DSR executive director position and transferring his authority and responsibilities to the DCP commissioner. The bill makes minor, technical, and conforming changes to eliminate DSR and the executive director from the applicable statutes.

The bill changes the dates for the Office of Policy and Management's (OPM) assessment of the Connecticut Lottery Corporation (CLC) for DCP's regulatory costs. It changes, from August 1st to May 1st, the date OPM must submit its assessment to the CLC. It also changes, from September 15th to June 15th, the date OPM must finalize the assessment for the preceding year. It changes the CLC's quarterly payments from October 1st to July 1st, January 1st to October

1st, April 1st to January 1st, and July 1st to April 1st.

OFFICE OF CONSUMER COUNSEL

The bill eliminates the OCC, which was in the Department of Public Utility Control for administrative purposes, and transfers its responsibilities and authority to DCP. This includes eliminating the Consumer Counsel position and exemption of not having to post a bond as a condition for presenting a state regulatory appeal. The bill also makes minor, technical, and conforming changes to eliminate the OCC from the applicable statutes.

STATE BOARD OF ACCOUNTANCY

The bill moves the State Board of Accountancy to DCP. It eliminates the executive director position and removes certain administrative requirements.

OFFICE OF THE HEALTHCARE ADVOCATE

The bill moves the Office of the Healthcare Advocate, which was in the Department of Insurance for administrative purposes, under DCP's authority. It also transfers certain administrative responsibilities to DCP. The bill gives the DCP commissioner, rather than the governor, authority to appoint the Healthcare Advocate. It also makes minor, technical, and conforming changes to the applicable statutes.

The bill also requires the insurance commissioner to consult with the DCP commissioner in establishing a methodology to determine the (1) expenditures of the Office of the Healthcare Advocate and (2) transfer of such amount to DCP.

COMMISSION ON HEALTH EQUITY

The bill moves the Commission on Health Equity, which was in the Office of the Health Care Advocate, to DCP for administrative purposes only.

GAMBLING

Bingo

The bill deletes several provisions in the bingo statutes. It

eliminates: (1) definitions; (2) the sponsorship exception; (3) a provision allowing the executive director to inspect records; (4) regulation fees, which include a 5% fee paid to the state, where .25% of the total money going to each municipality; (5) DSR's authority to: suspend or revoke a permit, issue cease and desist orders, hold hearings, hear appeals, and impose penalties for violations.

Fifty-Fifty Coupon Game

The bill eliminates most of the regulations for a fifty-fifty coupon game, leaving only that a bazaar may operate the game each day of the event and may award cash prizes of 50% of the game sales.

Other Gambling Provisions

The bill eliminates the sealed ticket games and many, but not all, provisions concerning bazaar and raffles, including: (1) permit applications, (2) investigating applicants, (3) kinds of permits, (4) permit fees, (5) prizes, (6) equipment, (7) types of advertising, (8) report requirements, (9) suspension or revocation, (10) receipt reporting, (11) examination of reports, and (12) regulations.

It keeps provisions on recreational bingo, bingo products, and tuition raffles. It retains many references to DSR in these provisions and does not extend DCP's authority to cover these activities.

The bill continues to exempt authorized bingo games and devices from the penalties for criminal gambling but it eliminates exemptions for (1) other authorized games (such as raffles, bazaars, and tuition raffles), (2) gambling premises for authorized bazaars or raffles, and (3) other authorized gambling devices.