



General Assembly

Amendment

January Session, 2019

LCO No. 10647



Offered by:

REP. KLARIDES, 114th Dist.
REP. CANDELORA, 86th Dist.
REP. O'DEA, 125th Dist.
REP. O'NEILL, 69th Dist.

REP. KOKORUDA, 101st Dist.
REP. ZUPKUS, 89th Dist.
REP. DAVIS C., 57th Dist.
REP. LAVIELLE, 143rd Dist.

To: House Bill No. 7424

File No. 0

Cal. No. 0

"AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE THIRTIETH, 2021, AND MAKING APPROPRIATIONS THEREFOR, AND IMPLEMENTING PROVISIONS OF THE BUDGET."

1 In line T469, strike "15,400,000" and substitute "11,262,000" in lieu
2 thereof

3 In line T469, strike "16,000,000" and substitute "11,862,000" in lieu
4 thereof

5 In line T470, adjust AGENCY TOTAL accordingly

6 In line T612, adjust NET-GENERAL FUND accordingly

7 In line T1294, strike the two instances of "9,221,035" and insert
8 "5,221,035" in lieu thereof

9 In line T1383, adjust TOTALS accordingly

10 Strike sections 99 to 102, inclusive, in their entirety, and renumber
11 the remaining sections and internal references accordingly

12 Strike sections 232 to 235, inclusive, in their entirety, and renumber
13 the remaining sections and internal references accordingly

14 Strike sections 338 and 339 in their entirety, and substitute the
15 following in lieu thereof:

16 "Sec. 338. Subsection (b) of section 12-284b of the general statutes is
17 repealed and the following is substituted in lieu thereof (*Effective July*
18 *1, 2019, and applicable to taxable years commencing on or after January 1,*
19 *2019*):

20 (b) Each limited liability company, limited liability partnership,
21 limited partnership and S corporation shall be liable for the tax
22 imposed by this section for each taxable year or portion thereof that
23 such company, partnership or corporation is an affected business
24 entity. For taxable years commencing prior to January 1, 2013, each
25 affected business entity shall annually, on or before the fifteenth day of
26 the fourth month following the close of its taxable year, pay to the
27 Commissioner of Revenue Services a tax in the amount of two
28 hundred fifty dollars. For taxable years commencing on or after
29 January 1, 2013, but prior to January 1, 2019, each affected business
30 entity shall, on or before the fifteenth day of the fourth month
31 following the close of every other taxable year, pay to the
32 Commissioner of Revenue Services a tax in the amount of two
33 hundred fifty dollars.

34 Sec. 339. Subdivision (2) of subsection (e) of section 12-217jj of the
35 general statutes is repealed and the following is substituted in lieu
36 thereof (*Effective July 1, 2019, and applicable to taxable years commencing*
37 *on or after January 1, 2019*):

38 (2) Notwithstanding the provisions of subdivision (1) of this
39 subsection, any entity that is not subject to tax under this chapter or
40 chapter 207 shall not be subject to the limitations on the transfer of

41 credits provided in subparagraphs (B) and (C) of said subdivision (1),
42 provided such entity owns not less than fifty per cent, directly or
43 indirectly, of a business entity, [subject to tax under] as defined in
44 section 12-284b."

45 Strike section 340 in its entirety, and substitute the following in lieu
46 thereof:

47 "Sec. 340. Subdivision (1) of subsection (a) of section 12-219 of the
48 general statutes is repealed and the following is substituted in lieu
49 thereof (*Effective from passage*):

50 (a) (1) Each company subject to the provisions of this part shall pay
51 for the privilege of carrying on or doing business within the state, the
52 larger of the tax, if any, imposed by section 12-214 and the tax
53 calculated under this subsection. The tax calculated under this section
54 shall be a tax of (A) three and one-tenth mills per dollar for [each
55 income year] income years commencing prior to January 1, 2020, (B)
56 two and six-tenths mills per dollar for the income year commencing on
57 or after January 1, 2020, and prior to January 1, 2021, (C) two mills per
58 dollar for the income year commencing on or after January 1, 2021, and
59 prior to January 1, 2022, (D) one mill per dollar for the income year
60 commencing on or after January 1, 2022, and prior to January 1, 2023,
61 and (E) zero mills per dollar for income years commencing on or after
62 January 1, 2023, of the amount derived [(A)] (i) by adding [(i)] (I) the
63 average value of the issued and outstanding capital stock, including
64 treasury stock at par or face value, fractional shares, scrip certificates
65 convertible into shares of stock and amounts received on subscriptions
66 to capital stock, computed on the balances at the beginning and end of
67 the taxable year or period, the average value of surplus and undivided
68 profit computed on the balances at the beginning and end of the
69 taxable year or period, and [(ii)] (II) the average value of all surplus
70 reserves computed on the balances at the beginning and end of the
71 taxable year or period, [(B)] (ii) by subtracting from the sum so
72 calculated [(i)] (I) the average value of any deficit carried on the
73 balance sheet computed on the balances at the beginning and end of

74 the taxable year or period, and [(ii)] (II) the average value of any
75 holdings of stock of private corporations including treasury stock
76 shown on the balance sheet computed on the balances at the beginning
77 and end of the taxable year or period, and [(C)] (iii) by apportioning
78 the remainder so derived between this and other states under the
79 provisions of section 12-219a, provided in no event shall the tax so
80 calculated exceed one million dollars or be less than two hundred fifty
81 dollars."

82 Strike sections 344 to 346, inclusive, and 349 in their entirety, and
83 renumber the remaining sections and internal references accordingly

84 After the last section, add the following and renumber sections and
85 internal references accordingly:

86 "Sec. 501. (NEW) (*Effective July 1, 2019*) Notwithstanding the
87 provisions of chapter 157 of the general statutes, no grant authorized
88 under said chapter shall be paid during the fiscal years ending June 30,
89 2020, and June 30, 2021. Notwithstanding the provisions of chapter 157
90 of the general statutes and section 3-69a of the general statutes, all
91 moneys in the Citizens' Election Fund shall be transferred from said
92 fund and credited to the resources of the General Fund for the fiscal
93 years ending June 30, 2020, and June 30, 2021.

94 Sec. 502. (*Effective from passage*) (a) For the fiscal years ending June
95 30, 2020, and June 30, 2021, all state employees who are not members
96 of a collective bargaining unit shall take three unpaid furlough days
97 per fiscal year.

98 (b) Any unpaid furlough days taken pursuant to this section shall be
99 treated as voluntary schedule reductions pursuant to the provisions in
100 effect, on the effective date of this section, of (1) section 5-248c of the
101 general statutes, and (2) section 5-248c-3 of the regulations of
102 Connecticut state agencies, and wage credit for such days shall be in
103 accordance with the practice in effect on the effective date of this
104 section.

105 Sec. 503. (*Effective from passage*) The State Contracting Standards
106 Board shall develop a procurement plan for state contracting agencies
107 to achieve twenty-five million dollars in savings for the fiscal year
108 ending June 30, 2020, and sixty million dollars in savings for the fiscal
109 year ending June 30, 2021. Not later than August 1, 2019, the State
110 Contracting Standards Board shall submit such plan to the Governor
111 and the Secretary of the Office of Policy and Management for
112 implementation of such plan. The Secretary of the Office of Policy and
113 Management may make reductions in allotments to state contracting
114 agencies during said fiscal years to achieve such savings.

115 Sec. 504. (*Effective July 1, 2019*) The Secretary of the Office of Policy
116 and Management may make reductions in allotments to the
117 Department of Mental Health and Addiction Services, for the fiscal
118 years ending June 30, 2020, and June 30, 2021, in order to achieve
119 privatization savings in the General Fund of \$2,250,000 during the
120 fiscal year ending June 30, 2020, and \$4,250,000 during the fiscal year
121 ending June 30, 2021.

122 Sec. 505. (*Effective from passage*) The Department of Administrative
123 Services shall develop and implement a plan to provide the personnel,
124 payroll, affirmative action and business office functions under section
125 60 of public act 05-251 to additional state agencies, to achieve five
126 million dollars in savings for the fiscal year ending June 30, 2020, and
127 ten million dollars in savings for the fiscal year ending June 30, 2021.

128 Sec. 506. Subsection (i) of section 31-58 of the general statutes, as
129 amended by section 1 of public act 19-4, is repealed and the following
130 is substituted in lieu thereof (*Effective October 1, 2019*):

131 (i) "Minimum fair wage" in any industry or occupation in this state
132 means:

133 (1) A wage of not less than six dollars and seventy cents per hour,
134 and effective January 1, 2003, not less than six dollars and ninety cents
135 per hour, and effective January 1, 2004, not less than seven dollars and
136 ten cents per hour, and effective January 1, 2006, not less than seven

137 dollars and forty cents per hour, and effective January 1, 2007, not less
138 than seven dollars and sixty-five cents per hour, and effective January
139 1, 2009, not less than eight dollars per hour, and effective January 1,
140 2010, not less than eight dollars and twenty-five cents per hour, and
141 effective January 1, 2014, not less than eight dollars and seventy cents
142 per hour, and effective January 1, 2015, not less than nine dollars and
143 fifteen cents per hour, and effective January 1, 2016, not less than nine
144 dollars and sixty cents per hour, and effective January 1, 2017, not less
145 than ten dollars and ten cents per hour, and effective October 1, 2019,
146 not less than eleven dollars per hour, and effective September 1, 2020,
147 not less than twelve dollars per hour, and effective August 1, 2021, not
148 less than thirteen dollars per hour, and effective July 1, 2022, not less
149 than fourteen dollars per hour, and effective June 1, 2023, not less than
150 fifteen dollars per hour. On October 15, 2023, and on each October
151 fifteenth thereafter, the Labor Commissioner shall announce the
152 adjustment in the minimum fair wage which shall become the new
153 minimum fair wage and shall be effective on January first immediately
154 following. [On January 1, 2024, and not later than each January first
155 thereafter, the minimum fair wage shall be adjusted by the percentage
156 change in the employment cost index, or its successor index, for wages
157 and salaries for all civilian workers, as calculated by the United States
158 Department of Labor, over the twelve-month period ending on June
159 thirtieth of the preceding year, rounded to the nearest whole cent.]

160 (2) In no event shall the minimum fair wage be less than the amount
161 established under subdivision (1) of this subsection, or one-half of one
162 per cent rounded to the nearest whole cent more than the highest
163 federal minimum wage, whichever is greater, except as may otherwise
164 be established in accordance with the provisions of this part.

165 (3) All wage orders in effect on October 1, 1971, wherein a lower
166 minimum fair wage has been established, are amended to provide for
167 the payment of the minimum fair wage herein established except as
168 hereinafter provided.

169 (4) Whenever the highest federal minimum wage is increased, the

170 minimum fair wage established under this part shall be increased to
171 the amount of said federal minimum wage plus one-half of one per
172 cent more than said federal rate, rounded to the nearest whole cent,
173 effective on the same date as the increase in the highest federal
174 minimum wage, and shall apply to all wage orders and administrative
175 regulations then in force.

176 (5) The rates for all persons under the age of eighteen years, except
177 emancipated minors, shall be not less than eighty-five per cent of the
178 minimum fair wage for the first ninety days of such employment, or
179 ten dollars and ten cents per hour, whichever is greater, and shall be
180 equal to the minimum fair wage thereafter, except in institutional
181 training programs specifically exempted by the commissioner.

182 (6) After two consecutive quarters of negative growth in the state's
183 real gross domestic product, as reported by the Bureau of Economic
184 Analysis of the United States Department of Commerce, the Labor
185 Commissioner shall report his or her recommendations, in writing, to
186 the Governor regarding whether any scheduled increases in the
187 minimum fair wage pursuant to this section should be suspended.
188 Upon receiving the report, the Governor may submit his or her
189 recommendations regarding the suspension of such minimum fair
190 wage increases to the General Assembly.

191 Sec. 507. Subdivision (12) of section 1-79 of the general statutes is
192 repealed and the following is substituted in lieu thereof (*Effective July*
193 *1, 2019*):

194 (12) "Quasi-public agency" means Connecticut Innovations,
195 Incorporated, the Connecticut Health and Education Facilities
196 Authority, the Connecticut Higher Education Supplemental Loan
197 Authority, the Connecticut Student Loan Foundation, the Connecticut
198 Housing Finance Authority, the State Housing Authority, the Materials
199 Innovation and Recycling Authority, the Capital Region Development
200 Authority, the Connecticut Lottery Corporation, the Connecticut
201 Airport Authority, the Connecticut Health Insurance Exchange, the

202 Connecticut Green Bank, [the Connecticut Retirement Security
203 Authority,] the Connecticut Port Authority and the State Education
204 Resource Center.

205 Sec. 508. Subdivision (1) of section 1-120 of the general statutes is
206 repealed and the following is substituted in lieu thereof (*Effective July*
207 *1, 2019*):

208 (1) "Quasi-public agency" means Connecticut Innovations,
209 Incorporated, the Connecticut Health and Educational Facilities
210 Authority, the Connecticut Higher Education Supplemental Loan
211 Authority, the Connecticut Student Loan Foundation, the Connecticut
212 Housing Finance Authority, the Connecticut Housing Authority, the
213 Materials Innovation and Recycling Authority, the Capital Region
214 Development Authority, the Connecticut Lottery Corporation, the
215 Connecticut Airport Authority, the Connecticut Health Insurance
216 Exchange, the Connecticut Green Bank, [the Connecticut Retirement
217 Security Authority,] the Connecticut Port Authority and the State
218 Education Resource Center.

219 Sec. 509. Section 1-124 of the general statutes is repealed and the
220 following is substituted in lieu thereof (*Effective July 1, 2019*):

221 (a) Connecticut Innovations, Incorporated, the Connecticut Health
222 and Educational Facilities Authority, the Connecticut Higher
223 Education Supplemental Loan Authority, the Connecticut Student
224 Loan Foundation, the Connecticut Housing Finance Authority, the
225 Connecticut Housing Authority, the Materials Innovation and
226 Recycling Authority, the Connecticut Airport Authority, the Capital
227 Region Development Authority, the Connecticut Health Insurance
228 Exchange, the Connecticut Green Bank, [the Connecticut Retirement
229 Security Authority,] the Connecticut Port Authority and the State
230 Education Resource Center shall not borrow any money or issue any
231 bonds or notes which are guaranteed by the state of Connecticut or for
232 which there is a capital reserve fund of any kind which is in any way
233 contributed to or guaranteed by the state of Connecticut until and

234 unless such borrowing or issuance is approved by the State Treasurer
235 or the Deputy State Treasurer appointed pursuant to section 3-12. The
236 approval of the State Treasurer or said deputy shall be based on
237 documentation provided by the authority that it has sufficient
238 revenues to (1) pay the principal of and interest on the bonds and notes
239 issued, (2) establish, increase and maintain any reserves deemed by the
240 authority to be advisable to secure the payment of the principal of and
241 interest on such bonds and notes, (3) pay the cost of maintaining,
242 servicing and properly insuring the purpose for which the proceeds of
243 the bonds and notes have been issued, if applicable, and (4) pay such
244 other costs as may be required.

245 (b) To the extent Connecticut Innovations, Incorporated, the
246 Connecticut Higher Education Supplemental Loan Authority, the
247 Connecticut Student Loan Foundation, the Connecticut Housing
248 Finance Authority, the Connecticut Housing Authority, the Materials
249 Innovation and Recycling Authority, the Connecticut Health and
250 Educational Facilities Authority, the Connecticut Airport Authority,
251 the Capital Region Development Authority, the Connecticut Health
252 Insurance Exchange, the Connecticut Green Bank, [the Connecticut
253 Retirement Security Authority,] the Connecticut Port Authority or the
254 State Education Resource Center is permitted by statute and
255 determines to exercise any power to moderate interest rate fluctuations
256 or enter into any investment or program of investment or contract
257 respecting interest rates, currency, cash flow or other similar
258 agreement, including, but not limited to, interest rate or currency swap
259 agreements, the effect of which is to subject a capital reserve fund
260 which is in any way contributed to or guaranteed by the state of
261 Connecticut, to potential liability, such determination shall not be
262 effective until and unless the State Treasurer or his or her deputy
263 appointed pursuant to section 3-12 has approved such agreement or
264 agreements. The approval of the State Treasurer or his or her deputy
265 shall be based on documentation provided by the authority that it has
266 sufficient revenues to meet the financial obligations associated with the
267 agreement or agreements.

268 Sec. 510. Section 1-125 of the general statutes is repealed and the
269 following is substituted in lieu thereof (*Effective July 1, 2019*):

270 The directors, officers and employees of Connecticut Innovations,
271 Incorporated, the Connecticut Higher Education Supplemental Loan
272 Authority, the Connecticut Student Loan Foundation, the Connecticut
273 Housing Finance Authority, the Connecticut Housing Authority, the
274 Materials Innovation and Recycling Authority, including ad hoc
275 members of the Materials Innovation and Recycling Authority, the
276 Connecticut Health and Educational Facilities Authority, the Capital
277 Region Development Authority, the Connecticut Airport Authority,
278 the Connecticut Lottery Corporation, the Connecticut Health Insurance
279 Exchange, the Connecticut Green Bank, [the Connecticut Retirement
280 Security Authority,] the Connecticut Port Authority and the State
281 Education Resource Center and any person executing the bonds or
282 notes of the agency shall not be liable personally on such bonds or
283 notes or be subject to any personal liability or accountability by reason
284 of the issuance thereof, nor shall any director or employee of the
285 agency, including ad hoc members of the Materials Innovation and
286 Recycling Authority, be personally liable for damage or injury, not
287 wanton, reckless, wilful or malicious, caused in the performance of his
288 or her duties and within the scope of his or her employment or
289 appointment as such director, officer or employee, including ad hoc
290 members of the Materials Innovation and Recycling Authority. The
291 agency shall protect, save harmless and indemnify its directors,
292 officers or employees, including ad hoc members of the Materials
293 Innovation and Recycling Authority, from financial loss and expense,
294 including legal fees and costs, if any, arising out of any claim, demand,
295 suit or judgment by reason of alleged negligence or alleged
296 deprivation of any person's civil rights or any other act or omission
297 resulting in damage or injury, if the director, officer or employee,
298 including ad hoc members of the Materials Innovation and Recycling
299 Authority, is found to have been acting in the discharge of his or her
300 duties or within the scope of his or her employment and such act or
301 omission is found not to have been wanton, reckless, wilful or

302 malicious.

303 Sec. 511. Section 31-71e of the general statutes is repealed and the
304 following is substituted in lieu thereof (*Effective July 1, 2019*):

305 No employer may withhold or divert any portion of an employee's
306 wages unless (1) the employer is required or empowered to do so by
307 state or federal law, or (2) the employer has written authorization from
308 the employee for deductions on a form approved by the commissioner,
309 or (3) the deductions are authorized by the employee, in writing, for
310 medical, surgical or hospital care or service, without financial benefit
311 to the employer and recorded in the employer's wage record book, or
312 (4) the deductions are for contributions attributable to automatic
313 enrollment, as defined in section 31-71j, in a retirement plan described
314 in Section 401(k), 403(b), 408, 408A or 457 of the Internal Revenue Code
315 of 1986, or any subsequent corresponding internal revenue code of the
316 United States, as from time to time amended, established by the
317 employer, [or in the Connecticut Retirement Security Exchange
318 established pursuant to section 31-418,] or (5) the employer is required
319 under the law of another state to withhold income tax of such other
320 state with respect to (A) employees performing services of the
321 employer in such other state, or (B) employees residing in such other
322 state.

323 Sec. 512. Section 31-71j of the general statutes is repealed and the
324 following is substituted in lieu thereof (*Effective July 1, 2019*):

325 (a) As used in this section: (1) "Automatic enrollment" means a plan
326 provision in an employee retirement plan described in Section 401(k)
327 or 403(b) of the Internal Revenue Code of 1986, or any subsequent
328 corresponding internal revenue code of the United States, as from time
329 to time amended, or a governmental deferred compensation plan
330 described in Section 457 of said Internal Revenue Code, or a payroll
331 deduction Individual Retirement Account plan described in Section
332 408 or 408A of said Internal Revenue Code, [or the Connecticut
333 Retirement Security Exchange established pursuant to section 31-418,]

334 under which an employee is treated as having elected to have the
335 employer make a specified contribution to the plan equal to a
336 percentage of compensation specified in the plan until such employee
337 affirmatively elects to not have such contribution made or elects to
338 make a contribution in another amount; and (2) "automatic
339 contribution arrangement" means an arrangement under an automatic
340 enrollment plan under which, in the absence of an investment election
341 by the participating employee, contributions made under such plan are
342 invested in accordance with regulations prescribed by the United
343 States Secretary of Labor under Section 404(c)(5) of the Employee
344 Retirement Income Security Act of 1974, as amended from time to
345 time.

346 (b) Any employer who provides automatic enrollment shall be
347 relieved of liability for the investment decisions made by the employer
348 [or the Connecticut Retirement Security Authority pursuant to section
349 31-423] on behalf of any participating employee under an automatic
350 contribution arrangement, provided:

351 (1) The plan allows the participating employee at least quarterly
352 opportunities to select investments for the employee's contributions
353 between investment alternatives available under the plan;

354 (2) The employee is given notice of the investment decisions that
355 will be made in the absence of the employee's direction, a description
356 of all the investment alternatives available under the plan and a brief
357 description of procedures available for the employee to change
358 investments; and

359 (3) The employee is given at least annual notice of the actual
360 investments made on behalf of the employee under such automatic
361 contribution arrangement.

362 (c) Nothing in this section shall modify any existing responsibility of
363 employers or other plan officials for the selection of investment funds
364 for participating employees.

365 (d) The relief from liability of the employer under this section shall
366 extend to any other plan official who actually makes the investment
367 decisions on behalf of participating employees under an automatic
368 contribution arrangement.

369 Sec. 513. (NEW) (*Effective from passage*) The Insurance Commissioner
370 shall adopt regulations, on or before July 1, 2020, in accordance with
371 the provisions of chapter 54 of the general statutes, to establish and
372 implement standards for individual and group short-term disability
373 and family leave income protection coverage for employees. Any such
374 regulations shall prohibit pregnancy from being considered a
375 preexisting condition.

376 Sec. 514. (NEW) (*Effective from passage*) The Insurance Commissioner
377 shall adopt regulations, on or before July 1, 2020, in accordance with
378 the provisions of chapter 54 of the general statutes, to allow for and
379 facilitate the ability of Connecticut employers and Connecticut
380 residents to purchase short-term disability insurance and family leave
381 income protection insurance offered in or by other states. After the
382 enactment of legislation by a state legislature of another state that
383 permits residents of other states who work outside the state to
384 participate in that state's paid family leave program, the Insurance
385 Commissioner shall negotiate with the appropriate agency or agencies
386 of such states to enter into an agreement to allow employers and
387 residents of Connecticut to participate in such programs.

388 Sec. 515. (NEW) (*Effective from passage*) Upon written request by the
389 employee, an employer may withhold from an employee's wages an
390 amount to purchase in whole or in part individual or group short-term
391 disability and family leave income protection coverage for employees.

392 Sec. 516. Section 31-51kk of the general statutes is repealed and the
393 following is substituted in lieu thereof (*Effective July 1, 2020*):

394 As used in sections 31-51kk to 31-51qq, inclusive:

395 (1) "Eligible employee" means an employee who has been employed

396 (A) for at least twelve months by the employer with respect to whom
397 leave is requested; and (B) for at least one thousand hours of service
398 with such employer during the twelve-month period preceding the
399 first day of the leave;

400 (2) "Employ" includes to allow or permit to work;

401 (3) "Employee" means any person engaged in service to an employer
402 in the business of the employer;

403 (4) "Employer" means a person engaged in any activity, enterprise
404 or business who employs seventy-five or more employees, and
405 includes any person who acts, directly or indirectly, in the interest of
406 an employer to any of the employees of such employer and any
407 successor in interest of an employer, but shall not include the state, a
408 municipality, a local or regional board of education, or a private or
409 parochial elementary or secondary school. The number of employees
410 of an employer shall be determined on October first annually;

411 (5) "Employment benefits" means all benefits provided or made
412 available to employees by an employer, including group life insurance,
413 health insurance, disability insurance, sick leave, annual leave,
414 educational benefits and pensions, regardless of whether such benefits
415 are provided by practice or written policy of an employer or through
416 an "employee benefit plan", as defined in Section 1002(3) of Title 29 of
417 the United States Code;

418 (6) "Grandchild" means a grandchild related to a person by (A)
419 blood, (B) marriage, (C) adoption by a child of the grandparent, or (D)
420 foster care by a child of the grandparent;

421 (7) "Grandparent" means a grandparent related to a person by (A)
422 blood, (B) marriage, (C) adoption of a minor child by a child of the
423 grandparent, or (D) foster care by a child of the grandparent;

424 ~~[(6)]~~ (8) "Health care provider" means (A) a doctor of medicine or
425 osteopathy who is authorized to practice medicine or surgery by the

426 state in which the doctor practices; (B) a podiatrist, dentist,
427 psychologist, optometrist or chiropractor authorized to practice by the
428 state in which such person practices and performs within the scope of
429 the authorized practice; (C) an advanced practice registered nurse,
430 nurse practitioner, nurse midwife or clinical social worker authorized
431 to practice by the state in which such person practices and performs
432 within the scope of the authorized practice; (D) Christian Science
433 practitioners listed with the First Church of Christ, Scientist in Boston,
434 Massachusetts; (E) any health care provider from whom an employer
435 or a group health plan's benefits manager will accept certification of
436 the existence of a serious health condition to substantiate a claim for
437 benefits; (F) a health care provider as defined in subparagraphs (A) to
438 (E), inclusive, of this subdivision who practices in a country other than
439 the United States, who is licensed to practice in accordance with the
440 laws and regulations of that country; or (G) such other health care
441 provider as the Labor Commissioner determines, performing within
442 the scope of the authorized practice. The commissioner may utilize any
443 determinations made pursuant to chapter 568;

444 [(7)] (9) "Parent" means a biological parent, foster parent, adoptive
445 parent, stepparent, parent-in-law or legal guardian of an eligible
446 employee or an eligible employee's spouse, or an individual who stood
447 in loco parentis to an employee when the employee was a son or
448 daughter;

449 [(8)] (10) "Person" means one or more individuals, partnerships,
450 associations, corporations, business trusts, legal representatives or
451 organized groups of persons;

452 [(9)] (11) "Reduced leave schedule" means a leave schedule that
453 reduces the usual number of hours per workweek, or hours per
454 workday, of an employee;

455 [(10)] (12) "Serious health condition" means an illness, injury,
456 impairment, or physical or mental condition that involves (A) inpatient
457 care in a hospital, hospice, nursing home or residential medical care

458 facility; or (B) continuing treatment, including outpatient treatment, by
459 a health care provider;

460 (13) "Sibling" means a brother or sister related to a person by (A)
461 blood, (B) marriage, (C) adoption by a parent of the person, or (D)
462 foster care placement;

463 ~~[(11)]~~ (14) "Son or daughter" means a biological, adopted or foster
464 child, stepchild, legal ward, or, in the alternative, a child of a person
465 standing in loco parentis, who is (A) under eighteen years of age; or (B)
466 eighteen years of age or older and incapable of self-care because of a
467 mental or physical disability; and

468 ~~[(12)]~~ (15) "Spouse" means a [husband or wife, as the case may be]
469 person to whom one is legally married or a person to whom one
470 maintains a spousal like relationship including, but not limited to,
471 cohabitation.

472 Sec. 517. Section 31-51ll of the general statutes is repealed and the
473 following is substituted in lieu thereof (*Effective July 1, 2020*):

474 (a) (1) Subject to section 31-51mm, an eligible employee shall be
475 entitled to a total of sixteen workweeks of leave during any twenty-
476 four-month period, such twenty-four-month period to be determined
477 utilizing any one of the following methods: (A) Consecutive calendar
478 years; (B) any fixed twenty-four-month period, such as two
479 consecutive fiscal years or a twenty-four-month period measured
480 forward from an employee's first date of employment; (C) a twenty-
481 four-month period measured forward from an employee's first day of
482 leave taken under sections 31-51kk to 31-51qq, inclusive; or (D) a
483 rolling twenty-four-month period measured backward from an
484 employee's first day of leave taken under sections 31-51kk to 31-51qq,
485 inclusive.

486 (2) Leave under this subsection may be taken for one or more of the
487 following reasons:

- 488 (A) Upon the birth of a son or daughter of the employee;
- 489 (B) Upon the placement of a son or daughter with the employee for
490 adoption or foster care;
- 491 (C) In order to care for the spouse, [or a son,] sibling, son or
492 daughter, [or] grandparent, grandchild, parent of the employee, if such
493 spouse, [son,] sibling, son or daughter, [or] grandparent, grandchild,
494 parent has a serious health condition;
- 495 (D) Because of a serious health condition of the employee;
- 496 (E) In order to serve as an organ or bone marrow donor; or
- 497 (F) Because of any qualifying exigency, as determined in regulations
498 adopted by the United States Secretary of Labor, arising out of the fact
499 that the spouse, son, daughter or parent of the employee is on active
500 duty, or has been notified of an impending call or order to active duty,
501 in the armed forces, as defined in subsection (a) of section 27-103.
- 502 (b) Entitlement to leave under subparagraph (A) or (B) of
503 subdivision (2) of subsection (a) of this section may accrue prior to the
504 birth or placement of a son or daughter when such leave is required
505 because of such impending birth or placement.
- 506 (c) (1) Leave under subparagraph (A) or (B) of subdivision (2) of
507 subsection (a) of this section for the birth or placement of a son or
508 daughter may not be taken by an employee intermittently or on a
509 reduced leave schedule unless the employee and the employer agree
510 otherwise. Subject to subdivision (2) of this subsection concerning an
511 alternative position, subdivision (2) of subsection (f) of this section
512 concerning the duties of the employee and subdivision (5) of
513 subsection (b) of section 31-51mm concerning sufficient certification,
514 leave under subparagraph (C) or (D) of subdivision (2) of subsection
515 (a) or under subsection (i) of this section for a serious health condition
516 may be taken intermittently or on a reduced leave schedule when
517 medically necessary. The taking of leave intermittently or on a reduced

518 leave schedule pursuant to this subsection shall not result in a
519 reduction of the total amount of leave to which the employee is
520 entitled under subsection (a) of this section beyond the amount of
521 leave actually taken.

522 (2) If an employee requests intermittent leave or leave on a reduced
523 leave schedule under subparagraph (C), (D) or (E) of subdivision (2) of
524 subsection (a) or under subsection (i) of this section that is foreseeable
525 based on planned medical treatment, the employer may require the
526 employee to transfer temporarily to an available alternative position
527 offered by the employer for which the employee is qualified and that
528 (A) has equivalent pay and benefits, and (B) better accommodates
529 recurring periods of leave than the regular employment position of the
530 employee, provided the exercise of this authority shall not conflict
531 with any provision of a collective bargaining agreement between such
532 employer and a labor organization which is the collective bargaining
533 representative of the unit of which the employee is a part.

534 (d) Except as provided in subsection (e) of this section, leave
535 granted under subsection (a) of this section may consist of unpaid
536 leave.

537 (e) (1) If an employer provides paid leave for fewer than sixteen
538 workweeks, the additional weeks of leave necessary to attain the
539 sixteen workweeks of leave required under sections 5-248a and 31-
540 51kk to 31-51qq, inclusive, may be provided without compensation.

541 (2) (A) An eligible employee may elect, or an employer may require
542 the employee, to substitute any of the accrued paid vacation leave,
543 personal leave or family leave of the employee for leave provided
544 under subparagraph (A), (B) or (C) of subdivision (2) of subsection (a)
545 of this section for any part of the sixteen-week period of such leave
546 under said subsection or under subsection (i) of this section for any
547 part of the twenty-six-week period of such leave.

548 (B) An eligible employee may elect, or an employer may require the
549 employee, to substitute any of the accrued paid vacation leave,

550 personal leave, or medical or sick leave of the employee for leave
551 provided under subparagraph (C), (D) or (E) of subdivision (2) of
552 subsection (a) of this section for any part of the sixteen-week period of
553 such leave under said subsection or under subsection (i) of this section
554 for any part of the twenty-six-week period of leave, except that
555 nothing in section 5-248a or sections 31-51kk to 31-51qq, inclusive,
556 shall require an employer to provide paid sick leave or paid medical
557 leave in any situation in which such employer would not normally
558 provide any such paid leave.

559 (f) (1) In any case in which the necessity for leave under
560 subparagraph (A) or (B) of subdivision (2) of subsection (a) of this
561 section is foreseeable based on an expected birth or placement of a son
562 or daughter, the employee shall provide the employer with not less
563 than thirty days' notice, before the date of the leave is to begin, of the
564 employee's intention to take leave under said subparagraph (A) or (B),
565 except that if the date of the birth or placement of a son or daughter
566 requires leave to begin in less than thirty days, the employee shall
567 provide such notice as is practicable.

568 (2) In any case in which the necessity for leave under subparagraph
569 (C), (D) or (E) of subdivision (2) of subsection (a) or under subsection
570 (i) of this section is foreseeable based on planned medical treatment,
571 the employee (A) shall make a reasonable effort to schedule the
572 treatment so as not to disrupt unduly the operations of the employer,
573 subject to the approval of the health care provider of the employee or
574 the health care provider of the spouse, sibling, son [,] or daughter,
575 [spouse or] grandparent, grandchild, parent of the employee, as
576 appropriate; and (B) shall provide the employer with not less than
577 thirty days' notice, before the date the leave is to begin, of the
578 employee's intention to take leave under said subparagraph (C), (D) or
579 (E) or said subsection (i), except that if the date of the treatment
580 requires leave to begin in less than thirty days, the employee shall
581 provide such notice as is practicable.

582 (g) In any case in which [a husband and wife] two spouses entitled

583 to leave under subsection (a) of this section are employed by the same
584 employer, the aggregate number of workweeks of leave to which both
585 may be entitled may be limited to sixteen workweeks during any
586 twenty-four-month period, if such leave is taken: (1) Under
587 subparagraph (A) or (B) of subdivision (2) of subsection (a) of this
588 section; or (2) to care for a sick sibling, son or daughter, grandparent,
589 grandchild, parent under subparagraph (C) of said subdivision. In any
590 case in which [a husband and wife] two spouses entitled to leave
591 under subsection (i) of this section are employed by the same
592 employer, the aggregate number of workweeks of leave to which both
593 may be entitled may be limited to twenty-six workweeks during any
594 twelve-month period.

595 (h) Unpaid leave taken pursuant to sections 5-248a and 31-51kk to
596 31-51qq, inclusive, shall not be construed to affect an employee's
597 qualification for exemption under chapter 558.

598 (i) Subject to section 31-51mm, an eligible employee who is the
599 spouse, son or daughter, parent or next of kin of a current member of
600 the armed forces, as defined in section 27-103, who is undergoing
601 medical treatment, recuperation or therapy, is otherwise in outpatient
602 status or is on the temporary disability retired list for a serious injury
603 or illness incurred in the line of duty shall be entitled to a one-time
604 benefit of twenty-six workweeks of leave during any twelve-month
605 period for each armed forces member per serious injury or illness
606 incurred in the line of duty. Such twelve-month period shall
607 commence on an employee's first day of leave taken to care for a
608 covered armed forces member and end on the date twelve months
609 after such first day of leave. For the purposes of this subsection, (1)
610 "next of kin" means the armed forces member's nearest blood relative,
611 other than the covered armed forces member's spouse, parent, son or
612 daughter, in the following order of priority: Blood relatives who have
613 been granted legal custody of the armed forces member by court
614 decree or statutory provisions, brothers and sisters, grandparents,
615 aunts and uncles, and first cousins, unless the covered armed forces
616 member has specifically designated in writing another blood relative

617 as his or her nearest blood relative for purposes of military caregiver
618 leave, in which case the designated individual shall be deemed to be
619 the covered armed forces member's next of kin; and (2) "son or
620 daughter" means a biological, adopted or foster child, stepchild, legal
621 ward or child for whom the eligible employee or armed forces member
622 stood in loco parentis and who is any age.

623 (j) Leave taken pursuant to sections 31-51kk to 31-51qq, inclusive,
624 shall not run concurrently with the provisions of section 31-313.

625 (k) Notwithstanding the provisions of sections 5-248a and 31-51kk
626 to 31-51qq, inclusive, all further rights granted by federal law shall
627 remain in effect.

628 Sec. 518. Section 31-51mm of the general statutes is repealed and the
629 following is substituted in lieu thereof (*Effective July 1, 2021*):

630 (a) An employer may require that request for leave based on a
631 serious health condition in subparagraph (C) or (D) of subdivision (2)
632 of subsection (a) of section 31-51ll, or leave based on subsection (i) of
633 section 31-51ll, be supported by a certification issued by the health care
634 provider of the eligible employee or of the spouse, sibling, son [,] or
635 daughter, [spouse] grandparent, grandchild, parent, [or] next of kin of
636 the employee, as appropriate. The employee shall provide, in a timely
637 manner, a copy of such certification to the employer.

638 (b) Certification provided under subsection (a) of this section shall
639 be sufficient if it states:

640 (1) The date on which the serious health condition commenced;

641 (2) The probable duration of the condition;

642 (3) The appropriate medical facts within the knowledge of the
643 health care provider regarding the condition;

644 (4) (A) For purposes of leave under subparagraph (C) of subdivision
645 (2) of subsection (a) of section 31-51ll, a statement that the eligible

646 employee is needed to care for the spouse, sibling, son [,] or daughter,
647 [spouse or] grandparent, grandchild, parent and an estimate of the
648 amount of time that such employee needs to care for the spouse,
649 sibling, son [,] or daughter, [spouse or] grandparent, grandchild,
650 parent; and (B) for purposes of leave under subparagraph (D) of
651 subdivision (2) of subsection (a) of section 31-51ll, a statement that the
652 employee is unable to perform the functions of the position of the
653 employee;

654 (5) In the case of certification for intermittent leave or leave on a
655 reduced leave schedule for planned medical treatment, the dates on
656 which such treatment is expected to be given and the duration of such
657 treatment;

658 (6) In the case of certification for intermittent leave or leave on a
659 reduced leave schedule under subparagraph (D) of subdivision (2) of
660 subsection (a) of section 31-51ll, a statement of the medical necessity of
661 the intermittent leave or leave on a reduced leave schedule, and the
662 expected duration of the intermittent leave or reduced leave schedule;

663 (7) In the case of certification for intermittent leave or leave on a
664 reduced leave schedule under subparagraph (C) of subdivision (2) of
665 subsection (a) of section 31-51ll, a statement that the employee's
666 intermittent leave or leave on a reduced leave schedule is necessary for
667 the care of the spouse, sibling, son [,] or daughter, grandparent,
668 grandchild or parent [or spouse] who has a serious health condition, or
669 will assist in their recovery, and the expected duration and schedule of
670 the intermittent leave or reduced leave schedule; and

671 (8) In the case of certification for intermittent leave or leave on a
672 reduced leave schedule under subsection (i) of section 31-51ll, a
673 statement that the employee's intermittent leave or leave on a reduced
674 leave schedule is necessary for the care of the spouse, son or daughter,
675 parent or next of kin who is a current member of the armed forces, as
676 defined in section 27-103, who is undergoing medical treatment,
677 recuperation or therapy, is otherwise in outpatient status or is on the

678 temporary disability retired list, for a serious injury or illness incurred
679 in the line of duty, and the expected duration and schedule of the
680 intermittent leave or reduced leave schedule. For the purposes of this
681 subsection, "son or daughter" and "next of kin" have the same
682 meanings as provided in subsection (i) of section 31-511l.

683 (c) (1) In any case in which the employer has reason to doubt the
684 validity of the certification provided under subsection (a) of this
685 section for leave under subparagraph (C) or (D) of subdivision (2) of
686 subsection (a) or under subsection (i) of section 31-511l, the employer
687 may require, at the expense of the employer, that the eligible employee
688 obtain the opinion of a second health care provider designated or
689 approved by the employer concerning any information certified under
690 subsection (b) of this section for such leave.

691 (2) A health care provider designated or approved under
692 subdivision (1) of this subsection shall not be employed on a regular
693 basis by the employer.

694 (d) (1) In any case in which the second opinion described in
695 subsection (c) of this section differs from the opinion in the original
696 certification provided under subsection (a) of this section, the
697 employer may require, at the expense of the employer, that the
698 employee obtain the opinion of a third health care provider designated
699 or approved jointly by the employer and the employee concerning the
700 information certified under subsection (b) of this section.

701 (2) The opinion of the third health care provider concerning the
702 information certified under subsection (b) of this section shall be
703 considered to be final and shall be binding on the employer and the
704 employee.

705 (e) The employer may require that the eligible employee obtain
706 subsequent recertifications on a reasonable basis, provided the
707 standards for determining what constitutes a reasonable basis for
708 recertification may be governed by a collective bargaining agreement
709 between such employer and a labor organization which is the

710 collective bargaining representative of the unit of which the worker is
711 a part if such a collective bargaining agreement is in effect. Unless
712 otherwise required by the employee's health care provider, the
713 employer may not require recertification more than once during a
714 thirty-day period and, in any case, may not unreasonably require
715 recertification. The employer shall pay for any recertification that is not
716 covered by the employee's health insurance.

717 Sec. 519. Section 31-51pp of the general statutes is repealed and the
718 following is substituted in lieu thereof (*Effective July 1, 2021*):

719 (a) (1) It shall be a violation of sections 5-248a and 31-51kk to 31-
720 51qq, inclusive, for any employer to interfere with, restrain or deny the
721 exercise of, or the attempt to exercise, any right provided under said
722 sections.

723 (2) It shall be a violation of sections 5-248a and 31-51kk to 31-51qq,
724 inclusive, for any employer to discharge or cause to be discharged, or
725 in any other manner discriminate, against any individual for opposing
726 any practice made unlawful by said sections or because such employee
727 has exercised the rights afforded to such employee under said sections.

728 (b) It shall be a violation of sections 5-248a and 31-51kk to 31-51qq,
729 inclusive, for any person to discharge or cause to be discharged, or in
730 any other manner discriminate, against any individual because such
731 individual:

732 (1) Has filed any charge, or has instituted or caused to be instituted
733 any proceeding, under or related to sections 5-248a and 31-51kk to 31-
734 51qq, inclusive;

735 (2) Has given, or is about to give, any information in connection
736 with any inquiry or proceeding relating to any right provided under
737 said sections; or

738 (3) Has testified, or is about to testify, in any inquiry or proceeding
739 relating to any right provided under said sections.

740 (c) (1) It shall be a violation of sections 31-51kk to 31-51qq, inclusive,
741 for any employer to deny an employee the right to use up to two
742 weeks of accumulated sick leave or to discharge, threaten to discharge,
743 demote, suspend or in any manner discriminate against an employee
744 for using, or attempting to exercise the right to use, up to two weeks of
745 accumulated sick leave to attend to a serious health condition of a
746 spouse, sibling, son or daughter, [spouse or] grandparent, grandchild,
747 parent of the employee, or for the birth or adoption of a son or
748 daughter of the employee. For purposes of this subsection, "sick leave"
749 means an absence from work for which compensation is provided
750 through an employer's bona fide written policy providing
751 compensation for loss of wages occasioned by illness, but does not
752 include absences from work for which compensation is provided
753 through an employer's plan, including, but not limited to, a short or
754 long-term disability plan, whether or not such plan is self-insured.

755 (2) Any employee aggrieved by a violation of this subsection may
756 file a complaint with the [Labor] Insurance Commissioner alleging
757 violation of the provisions of this subsection. Upon receipt of any such
758 complaint, the commissioner shall hold a hearing. After the hearing,
759 the commissioner shall send each party a written copy of the
760 commissioner's decision. The commissioner may award the employee
761 all appropriate relief, including rehiring or reinstatement to the
762 employee's previous job, payment of back wages and reestablishment
763 of employee benefits to which the employee otherwise would have
764 been eligible if a violation of this subsection had not occurred. Any
765 party aggrieved by the decision of the commissioner may appeal the
766 decision to the Superior Court in accordance with the provisions of
767 chapter 54.

768 (3) The rights and remedies specified in this subsection are
769 cumulative and nonexclusive and are in addition to any other rights or
770 remedies afforded by contract or under other provisions of law.

771 Sec. 520. Sections 31-416 to 31-429, inclusive, of the general statutes
772 are repealed. (*Effective July 1, 2019*)

773 Sec. 521. Sections 1 to 26, inclusive, of Senate bill 1 of the current
 774 session, as amended by Senate Amendment Schedule "A", are
 775 repealed. (*Effective from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Sec. 338	<i>July 1, 2019, and applicable to taxable years commencing on or after January 1, 2019</i>	12-284b(b)
Sec. 339	<i>July 1, 2019, and applicable to taxable years commencing on or after January 1, 2019</i>	12-217jj(e)(2)
Sec. 340	<i>from passage</i>	12-219(a)(1)
Sec. 501	<i>July 1, 2019</i>	New section
Sec. 502	<i>from passage</i>	New section
Sec. 503	<i>from passage</i>	New section
Sec. 504	<i>July 1, 2019</i>	New section
Sec. 505	<i>from passage</i>	New section
Sec. 506	<i>October 1, 2019</i>	31-58(i)
Sec. 507	<i>July 1, 2019</i>	1-79(12)
Sec. 508	<i>July 1, 2019</i>	1-120(1)
Sec. 509	<i>July 1, 2019</i>	1-124
Sec. 510	<i>July 1, 2019</i>	1-125
Sec. 511	<i>July 1, 2019</i>	31-71e
Sec. 512	<i>July 1, 2019</i>	31-71j
Sec. 513	<i>from passage</i>	New section
Sec. 514	<i>from passage</i>	New section
Sec. 515	<i>from passage</i>	New section
Sec. 516	<i>July 1, 2020</i>	31-51kk
Sec. 517	<i>July 1, 2020</i>	31-51ll
Sec. 518	<i>July 1, 2021</i>	31-51mm
Sec. 519	<i>July 1, 2021</i>	31-51pp
Sec. 520	<i>July 1, 2019</i>	Repealer section
Sec. 521	<i>from passage</i>	Repealer section