



# House of Representatives

General Assembly

**File No. 299**

January Session, 2021

Substitute House Bill No. 6100

*House of Representatives, April 7, 2021*

The Committee on General Law reported through REP. D'AGOSTINO of the 91st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING DEPARTMENT OF CONSUMER PROTECTION LICENSING AND ENFORCEMENT.**

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

1 Section 1. Subsection (g) of section 16-50j of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (g) Prior to commencing any hearing pursuant to section 16-50m, the  
5 council shall consult with and solicit written comments from (1) the  
6 Department of Energy and Environmental Protection, the Department  
7 of Public Health, the Council on Environmental Quality, the  
8 Department of Agriculture, the Public Utilities Regulatory Authority,  
9 the Office of Policy and Management, the Department of Economic and  
10 Community Development and the Department of Transportation, and  
11 (2) in a hearing pursuant to section 16-50m, for a facility described in  
12 subdivision (3) of subsection (a) of section 16-50i, the Department of  
13 Emergency Services and Public Protection, [the Department of  
14 Consumer Protection,] the Department of Administrative Services and

15 the Labor Department. Copies of such comments shall be made  
16 available to all parties prior to the commencement of the hearing.  
17 Subsequent to the commencement of the hearing, said departments and  
18 council may file additional written comments with the council within  
19 such period of time as the council designates. All such written  
20 comments shall be made part of the record provided by section 16-50o.  
21 Said departments and council shall not enter any contract or agreement  
22 with any party to the proceedings or hearings described in this section  
23 or section 16-50p that requires said departments or council to withhold  
24 or retract comments, refrain from participating in or withdraw from  
25 said proceedings or hearings.

26 Sec. 2. Section 20-500 of the general statutes is repealed and the  
27 following is substituted in lieu thereof (*Effective July 1, 2021*):

28 As used in sections 20-500 to 20-529e, inclusive, unless the context  
29 otherwise requires:

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

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

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

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

41 (B) An appraisal management company that [(i) is wholly owned by  
42 a financial institution subject to regulation by an agency or department  
43 of the United States government or an agency of this state, and (ii) only  
44 receives appraisal requests from an employee of such financial  
45 institution] is a subsidiary owned and controlled by a financial

46 institution regulated by a federal financial institution regulatory agency.  
47 For the purposes of this subdivision, "financial institution" means a  
48 bank, as defined in section 36a-2, an out-of-state bank, as defined in  
49 section 36a-2, an institutional lender, any subsidiary or affiliate of such  
50 bank, out-of-state bank or institutional lender, or other lender licensed  
51 by the Department of Banking;

52 (C) A department or unit of a financial institution subject to  
53 regulation by an agency or department of the United States government  
54 or an agency of this state that only receives appraisal requests from an  
55 employee of such financial institution; or

56 (D) Any local, state or federal agency or department thereof.

57 (4) "Appraisal management services" means any of the following:

58 (A) The administration of an appraiser panel;

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

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

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

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

74 (B) Been selected and approved by such company.

75 (6) "Certified appraiser" means a person who has satisfied the  
76 minimum requirements for a category of certification established by the  
77 commission by regulation. Such minimum requirements shall be  
78 consistent with guidelines established by the Appraisal Qualification  
79 Board of the Appraisal Foundation. The categories of certification shall  
80 include, but may be modified by the commission thereafter, one  
81 category denoted as "certified residential appraiser" and another  
82 denoted as "certified general appraiser".

83 (7) "Commission" means the Connecticut Real Estate Appraisal  
84 Commission appointed under the provisions of section 20-502.

85 (8) "Commissioner" means the Commissioner of Consumer  
86 Protection.

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

91 (A) Verify that a person being added to the appraiser panel of the  
92 company holds a license in good standing in accordance with section  
93 20-509;

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

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

100 (10) "Controlling person" means a person who has not had an  
101 appraiser license or a similar license or appraiser certificate denied,  
102 refused to be renewed, suspended or revoked in any state and who:

103 (A) Is an owner, officer or director of a partnership, association,  
104 limited liability company or corporation offering or seeking to offer

105 appraisal management services in this state;

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

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

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

116 (12) "FIRREA" means the Financial Institutions, Reform, Recovery  
117 and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183.

118 (13) "Person" means an individual.

119 (14) "Provisional appraiser" means a person engaged in the business  
120 of estimating the value of real estate for a fee or other valuable  
121 consideration under the supervision of a certified real estate appraiser  
122 and who meets the minimum requirements, if any, established by the  
123 commission by regulation for provisional appraiser status.

124 (15) "Provisional license" means a license issued to a provisional  
125 appraiser.

126 (16) "Real estate appraiser" or "appraiser" means a person engaged in  
127 the business of estimating the value of real estate for a fee or other  
128 valuable consideration.

129 (17) "USPAP" means the Uniform Standards of Professional  
130 Appraisal Practice issued by the Appraisal Standards Board of the  
131 Appraisal Foundation pursuant to Title XI of FIRREA.

132 Sec. 3. Subsections (b) and (c) of section 20-529 of the general statutes  
133 are repealed and the following is substituted in lieu thereof (*Effective July*

134 1, 2021):

135 (b) Each appraisal management company shall apply to the  
136 Commissioner of Consumer Protection, in writing, on a form provided  
137 by the commissioner. The application shall include (1) the company's  
138 name, business address and telephone number; (2) if such company is  
139 domiciled in another state, the name, address and telephone number of  
140 the company's agent for service of process in this state, and the Uniform  
141 Consent to Service of Process form to be completed by the company; (3)  
142 the name, address and telephone number of any person or business  
143 entity owning [ten per cent or more of] an equity interest, or the  
144 equivalent, of the company; (4) a certification by the company that no  
145 person or business entity named in subdivision (3) of this subsection has  
146 had an appraiser license or certificate denied, refused to be renewed,  
147 suspended or revoked in any state; (5) the name, address and telephone  
148 number of a controlling person of the company who will serve as the  
149 main contact for communications between the commissioner and the  
150 appraisal management company; (6) the name, address and telephone  
151 number of a compliance manager of the company; and (7) any other  
152 information the commissioner may require. Each such application shall  
153 be accompanied by a fee of one thousand dollars.

154 (c) Before issuing or renewing a certificate of registration, the  
155 commissioner may:

156 (1) Certify that each appraisal management company applying for a  
157 certificate of registration has procedures in place to (A) verify that a  
158 person being added to the appraiser panel of the company holds a  
159 certificate in good standing in accordance with section 20-509, (B)  
160 maintain detailed records of each appraisal request or order it receives  
161 and of the appraiser who performs such appraisal, and (C) review on a  
162 periodic basis the work of all appraisers performing appraisals for the  
163 company, to ensure that such appraisals are being conducted in  
164 accordance with the USPAP;

165 (2) Determine to the commissioner's satisfaction that each person  
166 owning [more than ten per cent of] an interest in an appraisal

167 management company is of good moral character and such person has  
168 submitted to a background investigation, as deemed necessary by the  
169 commissioner;

170 (3) Determine to the commissioner's satisfaction that the controlling  
171 person (A) has never had an appraiser license or certificate denied,  
172 refused to be renewed, suspended or revoked in any state, (B) is of good  
173 moral character, and (C) has submitted to a background investigation,  
174 as deemed necessary by the commissioner; and

175 (4) Determine to the commissioner's satisfaction that each appraisal  
176 management company compensates appraisers in compliance with the  
177 federal Truth-in-Lending Act, 15 USC Section 1639e(i), as amended from  
178 time to time.

179 Sec. 4. Subsection (a) of section 20-529b of the general statutes is  
180 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
181 *2021*):

182 (a) No appraisal management company applying for a certificate of  
183 registration shall:

184 (1) Be owned by any person who has had an appraiser license or  
185 certificate denied, refused to be renewed, suspended or revoked in any  
186 state;

187 (2) Be owned by any partnership, association, limited liability  
188 company or corporation [that is more than ten per cent owned by] in  
189 which an ownership interest is held by any person who has had an  
190 appraiser license or certificate denied, refused to be renewed,  
191 suspended or revoked in any state;

192 (3) Employ any person to perform job functions related to the  
193 ordering, preparation, performance or review of appraisals who has had  
194 an appraiser license or certificate denied, refused to be renewed,  
195 suspended or revoked; or

196 (4) Enter into any contract, agreement or other business arrangement,

197 written or oral, for the procurement of appraisal services in this state,  
198 with (A) any person who has had an appraiser license or certificate  
199 denied, refused to be renewed, suspended or revoked, or (B) any  
200 partnership, association, limited liability company or corporation that  
201 employs or has entered into any contract, agreement or other business  
202 arrangement, whether oral, written or any other form, with any person  
203 who has had an appraiser license or certificate denied, refused to be  
204 renewed, suspended or revoked.

205 Sec. 5. Subsection (c) of section 20-517 of the general statutes is  
206 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
207 *2021*):

208 (c) Persons certified or provisionally licensed in accordance with the  
209 provisions of sections 20-500 to 20-528, inclusive, as amended by this  
210 act, shall fulfill a continuing education requirement. Applicants for an  
211 annual renewal certification or provisional license shall, in addition to  
212 the other requirements imposed by the provisions of said sections,  
213 biennially within any even-numbered year submit proof of compliance  
214 with the continuing education requirements of this subsection, if any, to  
215 the commission. ~~], accompanied by a sixteen-dollar processing fee]~~ Each  
216 such applicant shall pay an eight-dollar continuing education  
217 processing fee annually to cover the costs associated with the review  
218 and auditing of continuing education submissions under this section.

219 Sec. 6. Section 20-295b of the general statutes is repealed and the  
220 following is substituted in lieu thereof (*Effective July 1, 2021*):

221 (a) Any person who, on October 1, 1969, holds a certificate of  
222 authority or renewal issued pursuant to sections 20-295 and 20-295a of  
223 the general statutes, revised to 1968, shall be entered on the roster of  
224 licensed architects and shall thereafter be authorized and entitled to  
225 practice architecture in accordance with the provisions of this chapter.

226 (b) An architect licensed in this state may perform the work of an  
227 interior designer, as prescribed in chapter 396a.



228 Sec. 7. Section 20-292 of the general statutes is repealed and the  
229 following is substituted in lieu thereof (*Effective July 1, 2021*):

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

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

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

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

252 (e) For renewal of a license under this section, other than under  
253 subsection (d) of this section, an applicant shall submit proof or attest  
254 that he or she has completed twelve hours of continuing professional  
255 education during the continuing professional education period. The  
256 continuing professional education period shall commence three  
257 calendar months prior to the license expiration date and shall run for a  
258 period of twelve months from the date of commencement.

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

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

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

272 (2) Failure, on the part of a licensee under this section to comply with  
273 the continuing professional education requirements for more than  
274 twenty-six weeks beyond the continuing professional education period  
275 may result in the suspension, revocation or refusal to renew the license  
276 by the board or department, following an administrative hearing held  
277 pursuant to chapter 54.

278 Sec. 8. Subsection (a) of section 20-452 of the general statutes is  
279 repealed and the following is substituted in lieu thereof (*Effective from*  
280 *passage*):

281 (a) Any person seeking a certificate of registration as a community  
282 association manager or as a community association manager trainee  
283 shall apply to the department in writing, on a form provided by the  
284 department. Such application shall include the applicant's name,  
285 residence address, business address, business telephone number, a  
286 question as to whether the applicant has been convicted of a felony in  
287 any state or jurisdiction and such other information as the department  
288 may require. Except for a community association manager trainee, any  
289 person seeking an initial certificate of registration shall submit to a  
290 request by the commissioner for a state and national criminal history

291 records check, conducted in accordance with the provisions of section  
292 29-17a. No registration as a community association manager shall be  
293 issued unless the commissioner has received the results of such records  
294 check.

295 Sec. 9. Section 20-453 of the general statutes is repealed and the  
296 following is substituted in lieu thereof (*Effective from passage*):

297 (a) Upon receipt of a completed application and the appropriate fees,  
298 the department, upon authorization of the commission, shall: (1) Issue  
299 and deliver to the applicant a certificate of registration; or (2) refuse to  
300 issue the certificate. The commission may suspend, revoke or refuse to  
301 issue or renew any certificate issued under sections 20-450 to 20-462,  
302 inclusive, or may place a registrant on probation or issue a letter of  
303 reprimand for any of the reasons stated in section 20-456. No application  
304 for the reinstatement of a certificate which has been revoked shall be  
305 accepted by the department within one year after the date of such  
306 revocation.

307 (b) Any person issued an initial certificate of registration as a  
308 community association manager prior to October 1, 2019, shall, not later  
309 than one year following the date of issuance of such certificate,  
310 successfully complete a nationally recognized course on community  
311 association management and pass the National Board of Certification  
312 for Community Association Managers' Certified Manager of  
313 Community Associations examination, or a similar examination as may  
314 be prescribed by the Commissioner of Consumer Protection in  
315 regulations adopted pursuant to subsection [(c)] (d) of this section.

316 (c) Any person applying for an initial certificate of registration as a  
317 community association manager shall successfully complete a  
318 nationally recognized course on community association management  
319 and pass the National Board of Certification for Community Association  
320 Managers' Certified Manager of Community Associations examination,  
321 or a similar examination as may be prescribed by the Commissioner of  
322 Consumer Protection in regulations adopted pursuant to subsection (d)  
323 of this section, prior to being issued such certificate.

324 [(c)] (d) The department, with the advice and assistance of the  
325 commission, shall adopt regulations, in accordance with chapter 54,  
326 concerning any examination required for certification under this chapter  
327 and the approval of schools, institutions or organizations offering  
328 courses in current practices and laws concerning community association  
329 management and the content of such courses. Such regulations shall  
330 include, but not be limited to: (1) Specifications for meeting the  
331 educational requirements prescribed in this section; and (2) exemptions  
332 from the educational requirements for reasons of health or instances of  
333 individual hardship. In adopting such regulations, the department may  
334 not disapprove a school, institution or organization that offers an  
335 examination or courses in current practices and laws concerning  
336 community association management solely because its examination or  
337 courses are offered or taught by electronic means, nor may the  
338 department disapprove an examination or course solely because it is  
339 offered or taught by electronic means.

340 [(d)] (e) An applicant for renewal of registration as a community  
341 association manager shall, in addition to the other requirements  
342 imposed by the provisions of this chapter, complete sixteen hours of  
343 continuing education over the course of the two-year period, retain  
344 proof of completion, and, upon request, provide such proof to the  
345 department. Continuing education shall consist of a course or courses,  
346 offered by the Connecticut Chapter of the Community Associations  
347 Institute, in community association management techniques and  
348 common interest community law, or similar courses as may be  
349 prescribed by the Commissioner of Consumer Protection in regulations  
350 adopted pursuant to this chapter.

351 Sec. 10. Section 20-457 of the general statutes is repealed and the  
352 following is substituted in lieu thereof (*Effective from passage*):

353 (a) Each community association manager shall (1) exhibit his or her  
354 certificate of registration upon request by any interested party, (2) state  
355 in any advertisement the fact that he or she is registered, and (3) include  
356 his or her registration number in any advertisement. In the case of a

357 business entity, the advertisement shall identify at least one principal,  
358 officer or director of the entity that is a community association manager  
359 and shall include the registration number of such principal, officer or  
360 director.

361 (b) No person shall: (1) Present or attempt to present, as his or her  
362 own, the certificate of another, (2) knowingly give false evidence of a  
363 material nature to the commission or department for the purpose of  
364 procuring a certificate, (3) represent himself or herself falsely as, or  
365 impersonate, a registered community association manager, (4) use or  
366 attempt to use a certificate which has expired or which has been  
367 suspended or revoked, (5) offer to provide association management  
368 services without having a current certificate of registration under  
369 sections 20-450 to 20-462, inclusive, (6) represent in any manner that his  
370 or her registration constitutes an endorsement of the quality of his or  
371 her services or of his or her competency by the commission or  
372 department. In addition to any other remedy provided for in sections  
373 20-450 to 20-462, inclusive, any person who violates any provision of  
374 this subsection shall, after an administrative hearing, be fined not more  
375 than one thousand dollars, or shall be imprisoned for not more than one  
376 year or be both fined and imprisoned. A violation of any of the  
377 provisions of sections 20-450 to 20-462, inclusive, shall be deemed an  
378 unfair or deceptive trade practice under subsection (a) of section 42-  
379 110b.

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

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

390 of a certificate shall be two hundred dollars.

391 [(e) A community association manager whose certificate has expired  
392 more than one month before his or her application for renewal is made  
393 shall have his or her registration restored upon payment of a fee of fifty  
394 dollars in addition to his or her renewal fee. Restoration of a registration  
395 shall be effective upon approval of the application for renewal by the  
396 commission or department.

397 (f) A certificate shall not be restored unless it is renewed not later than  
398 one year after its expiration.]

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

402 [(h)] (f) All certificates issued to community association manager  
403 trainees under the provisions of sections 20-450 to 20-462, inclusive,  
404 shall expire six months from the date of issuance and shall not be  
405 renewable.

406 Sec. 11. Section 21a-190l of the general statutes is repealed and the  
407 following is substituted in lieu thereof (*Effective from passage*):

408 (a) The commissioner may deny, suspend or revoke the registration  
409 of any charitable organization, fund-raising counsel or paid solicitor  
410 which has violated any provision of this section and sections 21a-190a  
411 to [21a-190l] 21a-190k, inclusive. [The commissioner may accept a  
412 written assurance of compliance when said commissioner determines  
413 that a violation of said sections is such that the public interest would not  
414 be served by a denial, suspension or revocation of such registration.]

415 (b) The Attorney General, at the request of the commissioner, may  
416 apply to the Superior Court for, and the court may grant, a temporary  
417 injunction or a permanent injunction to restrain violations of this section  
418 and sections 21a-190a to [21a-190l] 21a-190k, inclusive, the appointment  
419 of a receiver, an order of restitution, an accounting and such other relief  
420 as may be appropriate to ensure the due application of charitable funds.

421 Proceedings thereon shall be brought in the name of the state.

422 (c) Any person who knowingly violates any provision of this section  
423 and sections 21a-190a to [21a-190l] 21a-190k, inclusive, shall be fined not  
424 more than five thousand dollars or imprisoned not more than one year,  
425 or both.

426 (d) In any action brought under subsection (b) of this section, if the  
427 court finds that a person has wilfully engaged in conduct prohibited by  
428 section 21a-190h, the Attorney General, upon petition to the court, may  
429 recover, on behalf of the state, a civil penalty of not more than two  
430 thousand five hundred dollars for each violation. For purposes of this  
431 subsection, a wilful violation occurs when the party committing the  
432 violation knew or should have known that such conduct was prohibited  
433 by section 21a-190h.

434 Sec. 12. Section 43-8a of the general statutes is repealed and the  
435 following is substituted in lieu thereof (*Effective from passage*):

436 The Commissioner of Weights and Measures shall adopt regulations,  
437 in accordance with chapter 54, [incorporating, by reference, the  
438 voluntary version of the Uniform Open Dating Regulation, as adopted  
439 and as amended from time to time, by the National Conference on  
440 Weights and Measures and published in the National Institute of  
441 Standards and Technology Handbook 130, or subsequent  
442 corresponding handbook of the United States Department of  
443 Commerce] to prescribe uniform date labeling for foods. Dairy foods  
444 required to be marked with a last sale date pursuant to section 22-197b  
445 shall be exempt from the provisions of this section.

446 Sec. 13. Section 21a-2 of the general statutes is repealed and the  
447 following is substituted in lieu thereof (*Effective from passage*):

448 (a) A toll-free telephone line, available to consumers throughout the  
449 state, shall be established in the Department of Consumer Protection for  
450 the handling of consumer inquiries and complaints concerning  
451 consumer goods or services in the state or any other matter within the

452 jurisdiction of the department and its licensing and regulatory boards.  
453 The line shall be in operation from 8:30 a.m. to 4:30 p.m. Monday  
454 through Friday each week, exclusive of those legal holidays on which  
455 state offices are closed, and shall be restricted to incoming calls.

456 (b) The Department of Consumer Protection shall process the intake  
457 of consumer complaints concerning consumer goods or services in the  
458 state and any other matter within the jurisdiction of the department. In  
459 order to assist in the resolution of consumer complaints, the department  
460 may notify, in writing, the respondent against whom a complaint was  
461 received of the allegations against them and require a written response  
462 be provided to the department not later than thirty days of receipt of  
463 such notice.

464 (c) For purposes of this section, "credential holder" means a person  
465 certified, licensed, permitted or registered with the Department of  
466 Consumer Protection. In the event the department provides written  
467 notice to a respondent who is not a credential holder that a complaint  
468 has been filed against him or her, and said respondent fails to respond  
469 after receipt of such notice, the respondent may be fined not more than  
470 two hundred fifty dollars for failure to respond to the department.  
471 Written notice for purposes of this section shall include notice sent by  
472 registered or certified mail or hand-delivered to a respondent.

473 (d) All notices of administrative enforcement actions, including  
474 compliance meetings and hearings, shall be in writing and shall comply  
475 with the provisions of subsections (a) and (b) of section 4-177 and  
476 subsection (c) of section 4-182. A notice of administrative enforcement  
477 action shall be delivered to all designated parties and intervenors who  
478 are not credential holders, or their authorized representative: (1)  
479 Personally, (2) by United States mail, with delivery tracking or via  
480 certified mail, or (3) via electronic mail with tracking and delivery  
481 confirmation. Delivery of administrative enforcement action notices  
482 shall be deemed effective notice if delivered or sent to a credential  
483 holder's last known address or electronic mail address of record on file  
484 with the department. If the party is not a credential holder, service shall



485 be deemed sufficient, provided the department has made reasonable  
486 efforts to effectuate notice, including, but not limited to, by verifying the  
487 mailing address with the Secretary of the State or the Department of  
488 Motor Vehicles.

489 Sec. 14. Subsection (a) of section 21a-7 of the general statutes is  
490 repealed and the following is substituted in lieu thereof (*Effective from*  
491 *passage*):

492 (a) Each board or commission within the Department of Consumer  
493 Protection under section 21a-6 shall have the following powers and  
494 duties:

495 (1) Each board or commission shall exercise its statutory functions,  
496 including licensing, certification, registration, accreditation of schools  
497 and the rendering of findings, orders and adjudications. With the  
498 exception of the Liquor Control Commission, any exercise of such  
499 functions by such a board or commission that is adverse to a party shall  
500 be a proposed decision and subject to approval, modification or  
501 rejection by the commissioner.

502 (2) Each board or commission may, in its discretion, issue (A) an  
503 appropriate order to any person found to be violating an applicable  
504 statute or regulation providing for the immediate discontinuance of the  
505 violation, (B) an order requiring the violator to make restitution for any  
506 damage caused by the violation, or (C) both. Each board or commission  
507 may, through the Attorney General, petition the superior court for the  
508 judicial district wherein the violation occurred, or wherein the person  
509 committing the violation resides or transacts business, for the  
510 enforcement of any order issued by it and for appropriate temporary  
511 relief or a restraining order and shall certify and file in the court a  
512 transcript of the entire record of the hearing or hearings, including all  
513 testimony upon which such order was made and the findings and  
514 orders made by the board or commission. The court may grant such  
515 relief by injunction or otherwise, including temporary relief, as it deems  
516 equitable and may make and enter a decree enforcing, modifying and  
517 enforcing as so modified, or setting aside, in whole or in part, any order

518 of a board or commission.

519 (3) Each board or commission may conduct hearings on any matter  
520 within its statutory jurisdiction. Such hearings shall be conducted in  
521 accordance with chapter 54 and the regulations established pursuant to  
522 subsection (a) of section 21a-9. In connection with any such hearing, the  
523 board or commission may administer oaths, issue subpoenas, compel  
524 testimony and order the production of books, records and documents.  
525 If any person refuses to appear, testify or produce any book, record or  
526 document when so ordered, a judge of the Superior Court may make  
527 such order as may be appropriate to aid in the enforcement of this  
528 section.

529 (4) Each board or commission may request the Commissioner of  
530 Consumer Protection to conduct an investigation and to make findings  
531 and recommendations regarding any matter within the statutory  
532 jurisdiction of the board or commission.

533 (5) Each board or commission may recommend rules and regulations  
534 for adoption by the Commissioner of Consumer Protection and may  
535 review and comment upon proposed rules and regulations prior to their  
536 adoption by said commissioner.

537 (6) Each board or commission shall meet at least once in each quarter  
538 of a calendar year and at such other times as the chairperson or the  
539 Commissioner of Consumer Protection deems necessary. A majority of  
540 the members shall constitute a quorum, except that for any examining  
541 board, forty per cent of the members shall constitute a quorum. Any  
542 member who fails to attend three consecutive meetings or who fails to  
543 attend fifty per cent of all meetings during any calendar year shall be  
544 deemed to have resigned from office. Members of boards or  
545 commissions shall not serve for more than two consecutive full terms  
546 which commence on or after July 1, 1982, except that if no successor has  
547 been appointed or approved, such member shall continue to serve until  
548 a successor is appointed or approved. Members shall not be  
549 compensated for their services but shall be reimbursed for necessary  
550 expenses incurred in the performance of their duties.

551 (7) In addition to any other action permitted under the general  
552 statutes, each board or commission may, upon a finding of any cause  
553 specified in subsection (c) of section 21a-9: (A) Revoke, place conditions  
554 upon or suspend a license, registration or certificate; (B) issue a letter of  
555 reprimand to a practitioner and send a copy of such letter to a  
556 complainant or to a state or local official; (C) place a practitioner on  
557 probationary status and require the practitioner to (i) report regularly to  
558 the department, board or commission on the matter which is the basis  
559 for probation, (ii) limit the practitioner's practice to areas prescribed by  
560 the board or commission, or (iii) continue or renew the practitioner's  
561 education until the practitioner has attained a satisfactory level of  
562 competence in any area which is the basis for probation; or (D) impose  
563 a fine not exceeding one thousand dollars per violation. Each board or  
564 commission may discontinue, suspend or rescind any action taken  
565 under this subsection.

566 (8) Each examining board within the Department of Consumer  
567 Protection or the Commissioner of Consumer Protection shall conduct  
568 any hearing or other action required for an application submitted  
569 pursuant to section 20-333 and any completed renewal application  
570 submitted pursuant to section 20-335 not later than (A) thirty days after  
571 the date of submission for such application or completed renewal  
572 application, as applicable, or (B) a period of time deemed appropriate  
573 by the Commissioner of Consumer Protection, but not to exceed sixty  
574 days after such date of submission.

575 Sec. 15. Subsection (c) of section 21a-8 of the general statutes is  
576 repealed and the following is substituted in lieu thereof (*Effective from*  
577 *passage*):

578 (c) The Commissioner of Consumer Protection shall have the  
579 following powers and duties with regard to each board or commission  
580 within the Department of Consumer Protection under section 21a-6:

581 (1) The commissioner shall, in consultation with each board or  
582 commission, exercise the functions of licensing, certification,  
583 registration, accreditation of schools and the rendering of findings,

584 orders and adjudications.

585 (2) The commissioner may, in the commissioner's discretion, issue an  
586 appropriate order to any person found to be violating any statute or  
587 regulation within the jurisdiction of such board or commission  
588 providing for the immediate discontinuance of the violation or  
589 requiring the violator to make restitution for any damage caused by the  
590 violation, or both. The commissioner may, through the Attorney  
591 General, petition the superior court for the judicial district in which the  
592 violation occurred, or in which the person committing the violation  
593 resides or transacts business, for the enforcement of any order issued by  
594 the commissioner under this subdivision and for appropriate temporary  
595 relief or a restraining order. The commissioner shall certify and file in  
596 the court a transcript of the entire record of the hearing or hearings,  
597 including all testimony upon which such order was made and the  
598 findings and orders made by the commissioner. The court may grant  
599 such relief by injunction or otherwise, including temporary relief, as the  
600 court deems equitable and may make and enter a decree enforcing,  
601 modifying and enforcing as so modified, or setting aside, in whole or in  
602 part, any order of the commissioner issued under this subdivision.

603 (3) The commissioner may conduct hearings on any matter within the  
604 statutory jurisdiction of such board or commission. Such hearings shall  
605 be conducted in accordance with chapter 54 and the regulations adopted  
606 pursuant to subsection (a) of section 21a-9. In connection with any such  
607 hearing, the commissioner may administer oaths, issue subpoenas,  
608 compel testimony and order the production of books, records and  
609 documents. If any person refuses to appear, testify or produce any book,  
610 record or document when so ordered, a judge of the Superior Court may  
611 make such order as may be appropriate to aid in the enforcement of this  
612 subdivision.

613 (4) In addition to any other action permitted under the general  
614 statutes, the commissioner may, upon a finding of any cause specified  
615 in subsection (c) of section 21a-9: (A) Revoke, place conditions upon or  
616 suspend a license, registration or certificate; (B) issue a letter of

617 reprimand to a practitioner and send a copy of such letter to a  
618 complainant or to a state or local official; (C) place a practitioner on  
619 probationary status and require the practitioner to (i) report regularly to  
620 the commissioner on the matter which is the basis for probation, (ii) limit  
621 the practitioner's practice to areas prescribed by the commissioner, or  
622 (iii) continue or renew the practitioner's education until the practitioner  
623 has attained a satisfactory level of competence in any area which is the  
624 basis for probation; or (D) impose a fine not exceeding one thousand  
625 dollars per violation. The commissioner may discontinue, suspend or  
626 rescind any action taken under this subdivision. If a license, registration  
627 or certificate is voluntarily surrendered or is not renewed, the  
628 commissioner shall not be prohibited from suspending, revoking or  
629 imposing other penalties permitted by law on any such license,  
630 registration or certificate.

631 Sec. 16. Section 21a-10 of the general statutes is repealed and the  
632 following is substituted in lieu thereof (*Effective October 1, 2021*):

633 (a) The Commissioner of Consumer Protection may establish,  
634 combine or abolish divisions, sections or other units within the  
635 Department of Consumer Protection and allocate powers, duties and  
636 functions among such units, but no function vested by statute in any  
637 officer, division, board, agency or other unit within the department shall  
638 be removed from the jurisdiction of such officer, division, board, agency  
639 or other unit under the provisions of this section.

640 (b) The Commissioner of Consumer Protection shall adopt  
641 regulations, in accordance with chapter 54, to designate a staggered  
642 schedule for the renewal of all licenses, certificates, registrations and  
643 permits issued by said department. If such designation of a staggered  
644 schedule results in the expiration of any license, certificate, registration  
645 or permit for a period of less than or more than one year, said  
646 commissioner may charge a prorated amount for such license,  
647 certificate, registration or permit. For any new license, certificate,  
648 registration or permit that is issued and for any guaranty fund fee that  
649 is imposed on or after January 1, 1995, the commissioner may charge a

650 one-time prorated amount for such newly issued license, certificate,  
651 registration, permit or guaranty fund fee.

652 (c) For any Department of Consumer Protection license, certificate,  
653 registration or permit that requires the holder to complete continuing  
654 education requirements, the continuing education requirements shall be  
655 completed within the annual or biannual period that begins and ends  
656 three months prior to the renewal date for the applicable license,  
657 certificate, registration or permit, except for licenses issued pursuant to  
658 chapter 400j.

659 Sec. 17. Section 21a-11 of the general statutes is repealed and the  
660 following is substituted in lieu thereof (*Effective from passage*):

661 (a) The Commissioner of Consumer Protection may, subject to the  
662 provisions of chapter 67, employ such agents and assistants as are  
663 necessary to enforce the provisions of the general statutes wherein said  
664 commissioner is empowered to carry out the duties and responsibilities  
665 assigned to him or his department. For the purpose of inquiring into any  
666 suspected violation of such provisions, the commissioner and his  
667 deputy and assistants shall have free access, at all reasonable hours, to  
668 all places and premises, homes and apartments of private families  
669 keeping no boarders excepted. The commissioner and his or her deputy  
670 or assistants shall have the authority to issue citations pursuant to  
671 section 51-164n, as amended by this act, for violations for the purpose  
672 of enforcing such provisions. The commissioner may delegate his or her  
673 authority to render a final decision in a contested case to a hearing  
674 officer employed by, or contracted with, the department.

675 (b) On the tender of the market price, the commissioner or his deputy  
676 may take from any person, firm or corporation samples of any article  
677 which he suspects is sold, offered for sale, kept with intent to sell, made  
678 or manufactured contrary to any provision of this chapter or related  
679 chapters under the jurisdiction of said commissioner. He may analyze  
680 such samples or have them analyzed by a state chemist or by an  
681 experiment station or by the laboratories of the Department of Public  
682 Health, and a sworn or affirmed certificate by such analyst shall be

683 prima facie evidence of the ingredients and constituents of the samples  
684 analyzed. If such analysis shows that any such sample does not conform  
685 to the requirements of law, and gives the commissioner or his deputy  
686 reasonable grounds for believing that any provision of this chapter or  
687 related chapters under his jurisdiction has been violated, he shall cause  
688 such violator to be prosecuted. Any person who refuses the access  
689 provided for herein to the commissioner, his deputy or assistants, or  
690 who refuses to sell the samples provided for herein, shall be guilty of a  
691 class D misdemeanor. Evidence of violation of any provision of this  
692 section shall be prima facie evidence of wilful violation.

693 (c) The commissioner may, subject to the provisions of chapter 54,  
694 revoke, suspend, [or] place conditions upon, deny or impose a fine not  
695 exceeding one thousand dollars per violation with regard to any license  
696 or registration issued by the department in the event that such licensee  
697 or registrant, including, but not limited to, an owner of any business  
698 entity holding such license or registration, owes moneys to any  
699 guaranty fund or account maintained or used by the department,  
700 including, but not limited to, the Home Improvement Guaranty Fund  
701 established pursuant to section 20-432, the New Home Construction  
702 Guaranty Fund established pursuant to section 20-417i, the Connecticut  
703 Health Club Guaranty Fund established pursuant to section 21a-226, the  
704 Real Estate Guaranty Fund established pursuant to section 20-324a and  
705 the privacy protection guaranty and enforcement account established  
706 pursuant to section 42-472a.

707 (d) In addition to any other action permitted under the general  
708 statutes, the commissioner may, upon a finding of a violation: (1)  
709 Revoke, place conditions upon or suspend a license, registration or  
710 certificate; (2) issue a letter of reprimand to the holder of a license,  
711 registration or certificate and send a copy of such letter to a complainant  
712 or to a state or local official; (3) place the holder of a license, registration  
713 or certificate on probationary status and require the holder to (A) report  
714 regularly to the commissioner on the matter which is the basis for  
715 probation, (B) limit the holder's practice to areas prescribed by the  
716 commissioner, or (C) continue or renew the holder's education until the

717 holder of a license, registration or certificate has attained a satisfactory  
718 level of competence in any area which is the basis for probation; or (4)  
719 impose a fine not exceeding one thousand dollars per violation. The  
720 commissioner may discontinue, suspend or rescind any action taken  
721 under this subsection. If a license, registration or certificate is  
722 voluntarily surrendered or is not renewed, the commissioner shall not  
723 be prohibited from suspending, revoking or imposing other penalties  
724 permitted by law on any such license, registration or certificate.

725       Sec. 18. Subsection (b) of section 51-164n of the general statutes is  
726 repealed and the following is substituted in lieu thereof (*Effective from*  
727 *passage*):

728       (b) Notwithstanding any provision of the general statutes, any person  
729 who is alleged to have committed (1) a violation under the provisions of  
730 section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-  
731 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-  
732 251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4)  
733 of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-  
734 435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115,  
735 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-  
736 253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292,  
737 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection  
738 (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section  
739 14-12, section 14-20a or 14-27a, subsection (f) of section 14-34a,  
740 subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,  
741 subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g)  
742 of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b,  
743 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first  
744 violation as specified in subsection (f) of section 14-164i, section 14-219  
745 as specified in subsection (e) of said section, subdivision (1) of section  
746 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-  
747 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or  
748 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-  
749 296aa, 14-300, 14-300d, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or  
750 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-



751 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,  
752 section 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section  
753 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-  
754 131, 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section  
755 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-  
756 222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-  
757 336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-  
758 231, 20-249, 20-257, 20-265, 20-324e, subsection (b) of section 20-334,  
759 section 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39, 21-43,  
760 21-47, 21-48, 21-63, subsection (d) of section 21-71, as amended by this  
761 act, or section 21-76a, subsection (c) of section 21a-2, as amended by this  
762 act, subdivision (1) of section 21a-19, section 21a-21, subdivision (1) of  
763 subsection (b) of section 21a-25, section 21a-26 or 21a-30, subsection (a)  
764 of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-77, subsection (b)  
765 of section 21a-79, section 21a-85 or 21a-154, subdivision (1) of subsection  
766 (a) of section 21a-159, subsection (a) of section 21a-279a, section 22-12b,  
767 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39,  
768 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54, subsection (f) of  
769 section 22-61m, subsection (d) of section 22-84, section 22-89, 22-90, 22-  
770 98, 22-99, 22-100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-  
771 324a, 22-326 or 22-342, subsection (b), (e) or (f) of section 22-344, section  
772 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246,  
773 subsection (a) of section 22a-250, subsection (e) of section 22a-256h,  
774 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,  
775 section 22a-449, 22a-461, 23-38, 23-46 or 23-61b, subsection (a) or  
776 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,  
777 subsection (a) of section 25-43, section 25-43d, 25-135, 26-18, 26-19, 26-  
778 21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59,  
779 subdivision (1) of subsection (d) of section 26-61, section 26-64,  
780 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,  
781 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138  
782 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215, 26-  
783 217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-230,  
784 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-  
785 294, 28-13, 29-6a, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d),

786 (e) or (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1)  
787 of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of  
788 section 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-  
789 10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-  
790 32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54,  
791 subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76,  
792 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288,  
793 subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-  
794 450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section  
795 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199,  
796 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-  
797 321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of section 53-344b, or  
798 section 53-450, or (2) a violation under the provisions of chapter 268, or  
799 (3) a violation of any regulation adopted in accordance with the  
800 provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any  
801 ordinance, regulation or bylaw of any town, city or borough, except  
802 violations of building codes and the health code, for which the penalty  
803 exceeds ninety dollars but does not exceed two hundred fifty dollars,  
804 unless such town, city or borough has established a payment and  
805 hearing procedure for such violation pursuant to section 7-152c, shall  
806 follow the procedures set forth in this section.

807 Sec. 19. Subdivision (5) of section 20-670 of the general statutes is  
808 repealed and the following is substituted in lieu thereof (*Effective from*  
809 *passage*):

810 (5) "Comprehensive background check" means a background  
811 investigation of a prospective employee performed by a homemaker-  
812 companion agency, that includes: (A) A review of any application  
813 materials prepared or requested by the agency and completed by the  
814 prospective employee; (B) an in-person or video-conference interview  
815 of the prospective employee; (C) verification of a completed United  
816 States Citizenship and Immigration Services Form I-9; (D) verification  
817 of the prospective employee's Social Security number; [(D)] (E) if the  
818 position applied for within the agency requires licensure on the part of  
819 the prospective employee, verification that the required license is in

820 good standing; [(E)] (F) a check of the registry established and  
821 maintained pursuant to section 54-257; [(F)] a review of criminal  
822 conviction information obtained through a search of current criminal  
823 matters of public record in this state based on the prospective  
824 employee's name and date of birth;] (G) a local and national criminal  
825 background check of criminal matters of public record based on the  
826 prospective employee's name and date of birth that includes a search of  
827 a multistate and multi-jurisdiction criminal record locator or other  
828 similar commercial nationwide database with validation, and a search  
829 of the United States Department of Justice National Sex Offender Public  
830 Website, conducted by a third-party consumer reporting agency or  
831 background screening company that is accredited by the Professional  
832 Background Screening Association and in compliance with the federal  
833 Fair Credit Reporting Act; (H) if the prospective employee has resided  
834 in this state less than three years prior to the date of the application with  
835 the agency, a review of criminal conviction information from the state  
836 or states where such prospective employee resided during such three-  
837 year period; and [(H)] (I) a review of any other information that the  
838 agency deems necessary in order to evaluate the suitability of the  
839 prospective employee for the position.

840 Sec. 20. Section 20-672 of the general statutes is repealed and the  
841 following is substituted in lieu thereof (*Effective from passage*):

842 (a) Any person seeking a certificate of registration as a homemaker-  
843 companion agency shall apply to the Commissioner of Consumer  
844 Protection, in writing, on a form provided by the commissioner. The  
845 application shall include the applicant's name, residence address,  
846 business address, business telephone number and such other  
847 information as the commissioner may require. An applicant shall also  
848 be required to submit to state and national criminal history records  
849 checks in accordance with section 29-17a and to certify under oath to the  
850 commissioner that: (1) Such agency complies with the requirements of  
851 section 20-678, as amended by this act, concerning employee  
852 comprehensive background checks, (2) such agency provides all  
853 persons receiving homemaker or companion services with a written

854 individualized contract or service plan that specifically identifies the  
855 anticipated scope, type, frequency and duration of homemaker or  
856 companion services provided by the agency to the person, (3) such  
857 agency maintains a surety bond or an insurance policy in an amount of  
858 not less than ten thousand dollars coverage, which coverage shall  
859 include theft by an employee of such agency from a person for whom  
860 homemaker or companion services are provided by the agency, and (4)  
861 all records maintained by such agency shall be open, at all reasonable  
862 hours, for inspection, copying or audit by the commissioner.

863 (b) Each application for a certificate of registration as a homemaker-  
864 companion agency shall be accompanied by a fee of three [seventy-five]  
865 hundred seventy-five dollars.

866 (c) Upon the failure by a homemaker-companion agency to comply  
867 with the registration provisions of this section, the Attorney General, at  
868 the request of the Commissioner of Consumer Protection, is authorized  
869 to apply in the name of the state of Connecticut to the Superior Court  
870 for an order temporarily or permanently restraining and enjoining a  
871 homemaker-companion agency from continuing to do business in the  
872 state.

873 Sec. 21. Section 20-678 of the general statutes is repealed and the  
874 following is substituted in lieu thereof (*Effective from passage*):

875 [On or after January 1, 2012, each] (a) On and after January 1, 2022,  
876 each homemaker-companion agency, prior to extending an offer of  
877 employment or entering into a contract with a prospective employee  
878 who may provide companion services or homemaker services, shall  
879 require such prospective employee to submit to a comprehensive  
880 background check. No homemaker-companion agency shall extend an  
881 offer of employment or enter into a contract with a prospective  
882 employee (1) whose name appears on the list of excluded individuals or  
883 entities posted in the federal online database maintained by the United  
884 States Department of Health and Human Services Office of Inspector  
885 General for a conviction that has occurred during the preceding five  
886 years, or (2) who, during the preceding five years, has been: (A)

887 Convicted or released from incarceration for a criminal offense related  
888 to the delivery of an item or service under any state health care program,  
889 as defined in 42 USC 1320a-7(h); (B) under federal or state law, convicted  
890 or released from incarceration for a criminal offense relating to neglect  
891 or abuse of patients in connection with the delivery of a health care item  
892 or service; (C) convicted or released from incarceration for a felony  
893 relating to fraud, theft, embezzlement, breach of fiduciary responsibility  
894 or other financial misconduct, in connection with the delivery of a health  
895 care item or service or with respect to any act or omission in a health  
896 care program operated by or financed, in whole or in part, by any  
897 federal, state or local government agency; (D) under federal or state law,  
898 convicted or released from incarceration for a felony relating to the  
899 unlawful manufacture, distribution, prescription or dispensing of a  
900 controlled substance; or (E) subject to a substantiated finding of neglect,  
901 abuse, physical harm or misappropriation of property, the value of  
902 which exceeds two thousand dollars, by the administrative proceeding  
903 of a state or federal agency.

904 (b) [In addition, each] Each homemaker-companion agency shall  
905 require that [such] a prospective employee complete and sign a form  
906 which contains questions as to whether the prospective employee was  
907 convicted of a crime involving violence or dishonesty in a state court or  
908 federal court in any state; or was subject to any decision imposing  
909 disciplinary action by a licensing agency in any state, the District of  
910 Columbia, a United States possession or territory or a foreign  
911 jurisdiction. Any prospective employee who makes a false written  
912 statement regarding such prior criminal convictions or disciplinary  
913 action shall be guilty of a class A misdemeanor.

914 (c) Each homemaker-companion agency shall maintain a paper or  
915 electronic copy of any materials obtained during the comprehensive  
916 background check and shall make such records available for inspection  
917 upon request of the Department of Consumer Protection. Each  
918 homemaker-companion agency shall notify, in writing, all individuals  
919 receiving services of the agency's comprehensive background check  
920 policy and cite to the provisions of this section.

921 Sec. 22. Section 20-330 of the general statutes is repealed and the  
922 following is substituted in lieu thereof (*Effective from passage*):

923 As used in this chapter:

924 (1) "Contractor" means any person regularly offering to the general  
925 public services of such person or such person's employees in the field of  
926 electrical work, plumbing and piping work, solar work, heating, piping,  
927 cooling and sheet metal work, fire protection sprinkler systems work,  
928 elevator installation, repair and maintenance work, irrigation work,  
929 automotive glass work or flat glass work, as defined in this section;

930 (2) "Electrical work" means the installation, erection, maintenance,  
931 inspection, testing, alteration or repair of any wire, cable, conduit,  
932 busway, raceway, support, insulator, conductor, appliance, apparatus,  
933 fixture or equipment that generates, transforms, transmits or uses  
934 electrical energy for light, heat, power or other purposes, but does not  
935 include low voltage wiring, not exceeding twenty-four volts, used  
936 within a lawn sprinkler system;

937 (3) "Plumbing and piping work" means the installation, repair,  
938 replacement, alteration, maintenance, inspection or testing of gas, water  
939 and associated fixtures, tubing and piping mains and branch lines up to  
940 and including the closest valve to a machine or equipment used in the  
941 manufacturing process, laboratory equipment, sanitary equipment,  
942 other than subsurface sewage disposal systems, fire prevention  
943 apparatus, all water systems for human usage, sewage treatment  
944 facilities and all associated fittings within a building and includes lateral  
945 storm and sanitary lines from buildings to the mains, process piping,  
946 swimming pools and pumping equipment, and includes making  
947 connections to back flow prevention devices, and includes low voltage  
948 wiring, not exceeding twenty-four volts, used within a lawn sprinkler  
949 system, but does not include (A) solar thermal work performed  
950 pursuant to a certificate held as provided in section 20-334g, except for  
951 the repair of those portions of a solar hot water heating system that  
952 include the basic domestic hot water tank and the tie-in to the potable  
953 water system, (B) the installation, repair, replacement, alteration,

954 maintenance, inspection or testing of fire prevention apparatus within a  
955 structure, except for standpipes that are not connected to sprinkler  
956 systems, (C) medical gas and vacuum systems work, and (D) millwright  
957 work. For the purposes of this subdivision, "process piping" means  
958 piping or tubing that conveys liquid or gas that is used directly in the  
959 production of a chemical or a product for human consumption;

960 (4) "Solar thermal work" means the installation, erection, repair,  
961 replacement, alteration, maintenance, inspection or testing of active,  
962 passive and hybrid solar systems that directly convert ambient energy  
963 into heat or convey, store or distribute such ambient energy;

964 (5) "Heating, piping and cooling work" means (A) the installation,  
965 repair, replacement, maintenance, inspection, testing or alteration of  
966 any apparatus for piping, appliances, devices or accessories for heating  
967 systems, including sheet metal work, (B) the installation, repair,  
968 replacement, maintenance, inspection, testing or alteration of air  
969 conditioning and refrigeration systems, boilers, including apparatus  
970 and piping for the generation or conveyance of steam and associated  
971 pumping equipment and process piping and the installation of tubing  
972 and piping mains and branch lines up to and including the closest valve  
973 to a machine or equipment used in the manufacturing process and  
974 onsite testing and balancing of hydronic, steam and combustion air, but  
975 excluding millwright work, and (C) on-site operation, by manipulating,  
976 adjusting or controlling, with sufficient technical knowledge, as  
977 determined by the commissioner, (i) heating systems with a steam or  
978 water boiler maximum operating pressure of fifteen pounds per square  
979 inch gauge or greater, or (ii) air conditioning or refrigeration systems  
980 with an aggregate of more than fifty horsepower or kilowatt  
981 equivalency of fifty horsepower or of two hundred pounds of  
982 refrigerant. Heating, piping and cooling work does not include solar  
983 thermal work performed pursuant to a certificate held as provided in  
984 section 20-334g, or medical gas and vacuum systems work or the passive  
985 monitoring of heating, air conditioning or refrigeration systems. For the  
986 purposes of this subdivision, "process piping" means piping or tubing  
987 that conveys liquid or gas that is used directly in the production of a

988 chemical or a product for human consumption;

989 (6) "Apprentice" means any person registered with the Labor  
990 Department for the purpose of learning a skilled trade;

991 (7) "Elevator installation, repair and maintenance work" means the  
992 installation, erection, maintenance, inspection, testing and repair of all  
993 types of elevators, dumb waiters, escalators, and moving walks and all  
994 mechanical equipment, fittings, associated piping and wiring from a  
995 source of supply brought to the equipment room by an unlimited  
996 electrical contractor for all types of machines used to hoist or convey  
997 persons or materials, but does not include temporary hoisting machines  
998 used for hoisting materials in connection with any construction job or  
999 project, provided "elevator inspection" includes the visual examination  
1000 of an elevator system or portion of a system, with or without the  
1001 disassembly or removal of component parts;

1002 (8) "Elevator maintenance" means the lubrication, inspection, testing  
1003 and replacement of controls, [hoistway] hoist way and car parts;

1004 (9) "Fire protection sprinkler systems work" means the layout, on-site  
1005 fabrication, installation, alteration, maintenance, inspection, testing or  
1006 repair of any automatic or manual sprinkler system designed for the  
1007 protection of the interior or exterior of a building or structure from fire,  
1008 or any piping or tubing and appurtenances and equipment pertaining  
1009 to such system including overhead and underground water mains, fire  
1010 hydrants and hydrant mains, standpipes and hose connections to  
1011 sprinkler systems, sprinkler tank heaters excluding electrical wiring, air  
1012 lines and thermal systems used in connection with sprinkler and alarm  
1013 systems connected thereto, foam extinguishing systems or special  
1014 hazard systems including water spray, foam, carbon dioxide or dry  
1015 chemical systems, halon and other liquid or gas fire suppression  
1016 systems, but does not include (A) any engineering design work  
1017 connected with the layout of fire protection sprinkler systems, or (B) any  
1018 work performed by employees of or contractors hired by a public water  
1019 system, as defined in subsection (a) of section 25-33d;



1020 (10) "State Fire Marshal" means the State Fire Marshal appointed by  
1021 the Commissioner of Administrative Services;

1022 (11) "Journeyman sprinkler fitter" means a specialized pipe fitter  
1023 craftsman, experienced and skilled in the installation, alteration,  
1024 maintenance and repair of fire protection sprinkler systems;

1025 (12) "Irrigation work" means making the connections to and the  
1026 inspection and testing of back flow prevention devices, and low voltage  
1027 wiring, not exceeding twenty-four volts, used within a lawn sprinkler  
1028 system;

1029 (13) "Sheet metal work" means the onsite layout, installation, erection,  
1030 replacement, repair or alteration, including, but not limited to, onsite  
1031 testing and balancing of related life safety components, environmental  
1032 air, heating, ventilating and air conditioning systems by manipulating,  
1033 adjusting or controlling such systems for optimum balance performance  
1034 of any duct work system, ferrous, nonferrous or other material for  
1035 ductwork systems, components, devices, air louvers or accessories, in  
1036 accordance with the State Building Code;

1037 (14) "Journeyman sheet metal worker" means an experienced  
1038 craftsman skilled in the installation, erection, replacement, repair or  
1039 alteration of duct work systems, both ferrous and nonferrous;

1040 (15) "Automotive glass work" means installing, maintaining or  
1041 repairing fixed glass in motor vehicles;

1042 (16) "Flat glass work" means installing, maintaining or repairing glass  
1043 in residential or commercial structures;

1044 (17) "Medical gas and vacuum systems work" means the work and  
1045 practice, materials, instrumentation and fixtures used in the  
1046 construction, installation, alteration, extension, removal, repair,  
1047 maintenance, inspection, testing or renovation of gas and vacuum  
1048 systems and equipment used solely to transport gases for medical  
1049 purposes and to remove liquids, air-gases or solids from such systems;

1050 (18) "Solar electricity work" means the installation, erection, repair,  
1051 replacement, alteration, maintenance, inspection and testing of  
1052 photovoltaic or wind generation equipment used to distribute or store  
1053 ambient energy for heat, light, power or other purposes to a point  
1054 immediately inside any structure or adjacent to an end use;

1055 (19) "Active solar system" means a system that uses an external source  
1056 of energy to power a motor-driven fan or pump to force the circulation  
1057 of a fluid through solar heat collectors and which removes the sun's heat  
1058 from the collectors and transports such heat to a location where it may  
1059 be used or stored;

1060 (20) "Passive solar system" means a system that is capable of  
1061 collecting or storing the sun's energy as heat without the use of a motor-  
1062 driven fan or pump;

1063 (21) "Hybrid solar system" means a system that contains components  
1064 of both an active solar system and a passive solar system;

1065 (22) "Gas hearth product work" means the installation, service,  
1066 inspection, testing or repair of a propane or natural gas fired fireplace,  
1067 fireplace insert, stove or log set and associated venting and piping that  
1068 simulates a flame of a solid fuel fire. "Gas hearth product work" does  
1069 not include (A) fuel piping work, (B) the servicing of fuel piping, or (C)  
1070 work associated with pressure regulating devices, except for appliances  
1071 gas valves;

1072 (23) "Millwright work" means the installation, repair, replacement,  
1073 maintenance or alteration, including the inspection and testing, of (A)  
1074 power generation machinery, or (B) industrial machinery, including the  
1075 related interconnection of piping and tubing used in the manufacturing  
1076 process, but does not include the performance of any action for which  
1077 licensure is required under this chapter;

1078 (24) "Inspection" means the examination of a system or portion of a  
1079 system, involving the disassembly or removal of component parts of the  
1080 system; [and]

1081 (25) "Testing" means to determine the status of a system as intended  
1082 for its use, with or without the disassembly of component parts of the  
1083 system, by the use of testing and measurement instruments; [.]

1084 (26) "Owner" means a person who owns or resides in a residential  
1085 property and includes any agent thereof, including, but not limited to,  
1086 a condominium association. An owner of a residential property is not  
1087 required to reside in such residential property to be deemed an owner  
1088 under this subdivision;

1089 (27) "Person" means an individual, partnership, limited liability  
1090 company or corporation; and

1091 (28) "Residential property" means a single family dwelling, a  
1092 multifamily dwelling consisting of not more than six units, or a unit,  
1093 common element or limited common element in a condominium, as  
1094 defined in section 47-68a, or in a common interest community, as  
1095 defined in section 47-202, or any number of condominium units for  
1096 which a condominium association acts as an agent for the unit owners.

1097 Sec. 23. (NEW) (Effective January 1, 2022) (a) No contract to perform  
1098 work on a private residence, as defined in section 20-419 of the general  
1099 statutes, by a contractor licensed pursuant to chapter 393 of the general  
1100 statutes or any person who owns or controls a business engaged to  
1101 provide the work or services licensed under the provisions of said  
1102 chapter by persons licensed for such work, shall be valid or enforceable  
1103 against an owner, as defined in section 20-419 of the general statutes,  
1104 unless it: (1) Is in writing; (2) is signed by the owner and the contractor  
1105 or business; (3) contains the entire agreement between the owner and  
1106 the contractor or business; (4) contains the date of the transaction; (5)  
1107 contains the name and address of the contractor and the contractor's  
1108 license number or, in the case of a business, the name of the business  
1109 owner, partner or limited liability member and the phone number and  
1110 address of the business, partnership or limited liability company; (6)  
1111 contains the name and license number of any licensees performing the  
1112 work, provided the name and the license number of a licensee may be  
1113 amended in writing during the term of the contract; (7) contains a notice

1114 of the owner's cancellation rights in accordance with the provisions of  
1115 chapter 740 of the general statutes; and (8) contains a starting date and  
1116 completion date.

1117 (b) Each change in the terms and conditions of a contract specified in  
1118 subsection (a) of this section shall be in writing and shall be signed by  
1119 the owner and contractor or business, except that the commissioner  
1120 may, by regulations adopted pursuant to chapter 54 of the general  
1121 statutes, dispense with the necessity for complying with such  
1122 requirement.

1123 Sec. 24. Subsection (c) of section 20-334 of the general statutes is  
1124 repealed and the following is substituted in lieu thereof (*Effective from*  
1125 *passage*):

1126 (c) The Commissioner of Consumer Protection and each board  
1127 established under section 20-331 may suspend or revoke any license or  
1128 certificate granted or issued by it under this chapter if the holder of such  
1129 license or certificate is convicted of a felony, is grossly incompetent,  
1130 engages in malpractice or unethical conduct or knowingly makes false,  
1131 misleading or deceptive representations regarding his work or violates  
1132 the regulations adopted under this chapter. Before any such license is  
1133 suspended or revoked, such holder shall be given notice and  
1134 opportunity for hearing as provided in regulations adopted by the  
1135 Commissioner of Consumer Protection. Any person whose license has  
1136 been suspended or revoked may, after ninety days but not more than  
1137 one hundred eighty days after such suspension or revocation, apply to  
1138 the board demonstrating good cause to have such license reinstated.  
1139 Any such suspension or revocation of a license or certification by the  
1140 board shall be a proposed final decision and submitted to the  
1141 commissioner in accordance with the provisions of subsection (b) of  
1142 section 21a-7.

1143 Sec. 25. Subsection (a) of section 20-306 of the general statutes is  
1144 repealed and the following is substituted in lieu thereof (*Effective from*  
1145 *passage*):

1146 (a) (1) The Department of Consumer Protection shall notify each  
1147 person licensed under this chapter of the date of the expiration of such  
1148 license and the amount of the fee required for its renewal for one year.  
1149 Such license renewals shall be accompanied by the payment of the  
1150 professional services fee for class G, as defined in section 33-182l, in the  
1151 case of a professional engineer license, a professional engineer and land  
1152 surveyor combined license, or a land surveyor license. The license shall  
1153 be considered lapsed if not renewed [within thirty days following the  
1154 normal] on or before the expiration date.

1155 (2) Annual renewal of an engineer-in-training license or a surveyor-  
1156 in-training license shall not be required. Any such license shall remain  
1157 valid for a period of ten years from the date of its original issuance and,  
1158 during this time, it shall meet in part the requirements for licensure as a  
1159 professional engineer or land surveyor. It shall not be the duty of the  
1160 department to notify the holder of an engineer-in-training license or a  
1161 surveyor-in-training license of the date of expiration of such license  
1162 other than to publish it annually in the roster.

1163 (3) Renewal of any license under this chapter or payment of renewal  
1164 fees shall not be required of any licensee serving in the armed forces of  
1165 the United States until the next renewal period immediately following  
1166 the termination of such service or the renewal period following the fifth  
1167 year after such licensee's entry into such service, whichever occurs first.  
1168 The status of such licensees shall be indicated in the annual roster of  
1169 professional engineers and land surveyors.

1170 Sec. 26. Subsection (f) of section 20-314 of the general statutes is  
1171 repealed and the following is substituted in lieu thereof (*Effective from*  
1172 *passage*):

1173 (f) All licenses issued under the provisions of this chapter shall expire  
1174 annually. At the time of application for a real estate broker's license,  
1175 there shall be paid to the commission, for each individual applicant and  
1176 for each proposed active member or officer of a firm, partnership,  
1177 association or corporation, the sum of five hundred sixty-five dollars,  
1178 and for the annual renewal thereof, the sum of three hundred seventy-

1179 five dollars, [and] except that for licenses expiring on March 31, 2022, a  
1180 prorated renewal fee shall be charged to reflect the fact that the March  
1181 2022, renewal shall expire on November 30, 2023. At the time of  
1182 application for a real estate salesperson's license, there shall be paid to  
1183 the commission two hundred eighty-five dollars and for the annual  
1184 renewal thereof the sum of two hundred eighty-five dollars. Three  
1185 dollars of each such annual renewal fee shall be payable to the Real  
1186 Estate Guaranty Fund established pursuant to section 20-324a. [If a  
1187 license is not issued, the fee shall be returned.] A real estate broker's  
1188 license issued to any partnership, association or corporation shall entitle  
1189 the individual designated in the application, as provided in section 20-  
1190 312, upon compliance with the terms of this chapter, but without the  
1191 payment of any further fee, to perform all of the acts of a real estate  
1192 broker under this chapter on behalf of such partnership, association or  
1193 corporation. Any license which expires and is not renewed pursuant to  
1194 this subsection may be reinstated by the commission, if, not later than  
1195 two years after the date of expiration, the former licensee pays to the  
1196 commission for each real estate broker's license the sum of three  
1197 hundred seventy-five dollars and for each real estate salesperson's  
1198 license the sum of two hundred eighty-five dollars for each year or  
1199 fraction thereof from the date of expiration of the previous license to the  
1200 date of payment for reinstatement, except that any licensee whose  
1201 license expired after such licensee entered military service shall be  
1202 reinstated without payment of any fee if an application for  
1203 reinstatement is filed with the commission within two years after the  
1204 date of expiration. Any such reinstated broker's license shall expire on  
1205 the next succeeding [March thirty-first for real estate brokers or]  
1206 November thirtieth, except that any broker's license that is reinstated  
1207 before March 31, 2022, shall expire on March 31, 2022. Any such  
1208 reinstated real estate salesperson's license shall expire on the next  
1209 succeeding May thirty-first, [for real estate salespersons.]

1210 Sec. 27. Subsection (b) of section 20-317 of the general statutes is  
1211 repealed and the following is substituted in lieu thereof (*Effective from*  
1212 *passage*):

1213 (b) Every applicant licensed in another state shall file an irrevocable  
1214 consent that suits and actions may be commenced against such  
1215 applicant in the proper court in any judicial district of the state in which  
1216 a cause of action may arise or in which the plaintiff may reside, by the  
1217 service of any process or pleading, authorized by the laws of this state,  
1218 on the chairperson of the commission, such consent stipulating and  
1219 agreeing that such service of such process or pleading shall be taken and  
1220 held in all courts to be as valid and binding as if service had been made  
1221 upon such applicant in the state of Connecticut. If any process or  
1222 pleadings under this chapter are served upon the chairperson, it shall  
1223 be by duplicate copies, one of which shall be filed in the office of the  
1224 commission, and the other immediately forwarded by registered or  
1225 certified mail, to the applicant against whom such process or pleadings  
1226 are directed, at the last-known address of such applicant as shown by  
1227 the records of the [commission] department. No default in any such  
1228 proceedings or action shall be taken unless it appears by affidavit of the  
1229 chairperson of the commission that a copy of the process or pleading  
1230 was mailed to the defendant as required by this subsection, and no  
1231 judgment by default shall be taken in any such action or proceeding  
1232 within twenty days after the date of mailing of such process or pleading  
1233 to the out-of-state defendant.

1234 Sec. 28. Subsection (b) of section 20-319 of the general statutes is  
1235 repealed and the following is substituted in lieu thereof (*Effective from*  
1236 *passage*):

1237 (b) There is hereby established an annual renewal license to be issued  
1238 by the Department of Consumer Protection. Persons licensed in  
1239 accordance with the provisions of this chapter shall fulfill a continuing  
1240 education requirement. Applicants for an annual renewal license for  
1241 real estate brokers or real estate salespersons shall, in addition to the  
1242 other requirements imposed by the provisions of this chapter, in any  
1243 even-numbered year, submit proof of compliance with the continuing  
1244 education requirements of this subsection to the commission. [  
1245 accompanied by an eight-dollar] Each licensee shall pay an annual four-  
1246 dollar continuing education processing fee to cover administrative costs

1247 associated with the review and auditing of continuing education  
1248 submissions. The continuing education requirement may be satisfied by  
1249 successful completion of any of the following during the two-year  
1250 period preceding such renewal: (1) A course or courses, approved by  
1251 the commission, of continuing education in current real estate practices  
1252 and licensing laws, including, but not limited to, practices and laws  
1253 concerning common interest communities, consisting of not less than  
1254 twelve hours of classroom study; or (2) a written examination prepared  
1255 and administered by either the Department of Consumer Protection, or  
1256 by a national testing service approved by the department, which  
1257 demonstrates a knowledge of current real estate practices and licensing  
1258 laws; or (3) equivalent continuing educational experience or study as  
1259 determined by regulations adopted pursuant to subsection (d) of this  
1260 section. An applicant for examination under subdivision (2) of this  
1261 subsection shall pay the required examination fee to the national testing  
1262 service, if administered by such testing service, or to the Department of  
1263 Consumer Protection, if administered by the department.

1264 Sec. 29. Subsection (f) of section 20-427 of the general statutes is  
1265 repealed and the following is substituted in lieu thereof (*Effective from*  
1266 *passage*):

1267 (f) All certificates issued under the provisions of this chapter shall  
1268 expire annually on March thirty-first, except that certificates which  
1269 expire on November 30, 2021, shall be renewed on November 30, 2021,  
1270 and expire on March 31, 2022. The fee for renewal of a certificate shall  
1271 be the same as the fee charged for an original application, except that for  
1272 certificates which expire on March 31, 2022, a prorated renewal fee shall  
1273 be charged to reflect the portion of the year for which the certificate will  
1274 be active.

1275 Sec. 30. Subsection (d) of section 21-67 of the general statutes is  
1276 repealed and the following is substituted in lieu thereof (*Effective from*  
1277 *passage*):

1278 (d) The department shall conduct an inspection of each mobile  
1279 manufactured home park annually. Such inspections may be staggered



1280 throughout the course of the year. The department shall, upon receipt  
1281 of a renewal application, accompanied by the annual license fee, [and  
1282 after inspection of the mobile manufactured home park and  
1283 determination that the park continues to conform with the requirements  
1284 of this chapter,] issue a renewal license, unless the park fails to comply  
1285 with the requirements of this chapter, as determined by an enforcement  
1286 action conducted pursuant to section 21-71, as amended by this act.

1287 Sec. 31. Section 21-71 of the general statutes is repealed and the  
1288 following is substituted in lieu thereof (*Effective from passage*):

1289 (a) The department may revoke, suspend, place conditions on or  
1290 refuse to renew any license to operate a mobile manufactured home  
1291 park for a violation of any provision of this chapter or any regulations  
1292 issued hereunder or any other state or local law or regulation, after  
1293 hearing, except that if the department upon investigation finds a  
1294 licensee is not providing adequate sewerage facilities, electrical,  
1295 plumbing or sanitary services, water supply or fire protection,  
1296 suspension of the license shall be automatic, provided such licensee  
1297 shall be entitled to a hearing before the department [within five] not  
1298 later than thirty days after such suspension. A license may be reinstated  
1299 or reissued if the circumstances leading to the violation have been  
1300 remedied and the park is being maintained and operated in full  
1301 compliance with this chapter and the regulations hereunder. Each  
1302 officer, board, commission or department of the state or any local  
1303 government shall assist the department with technical data on sewerage  
1304 facilities, electrical, plumbing or sanitary services, water supply or fire  
1305 protection and shall submit such data to the department for the  
1306 department's use in any hearing held pursuant to this section. In  
1307 addition to revoking, suspending, placing conditions on, or refusing to  
1308 renew any license to operate a mobile manufactured home park, the  
1309 department may, following an administrative hearing, impose a fine of  
1310 not less than fifty nor more than three hundred dollars for each day that  
1311 such violation [continues] exists. In connection with any investigation  
1312 the Commissioner of Consumer Protection or the commissioner's  
1313 authorized agent may administer oaths, issue subpoenas, compel

1314 testimony and order the production of books, records and documents.  
1315 [The commissioner may issue an appropriate order to any owner found  
1316 to be in violation of any provision of this chapter or any regulation  
1317 issued hereunder, providing for the immediate discontinuance of the  
1318 violation.] Each owner shall retain all leases, disclosure statements, rules  
1319 and regulations required under this chapter for at least four years after  
1320 any resident to whom they relate vacates the park.

1321 (b) If an inspection by the department reveals a violation of any  
1322 provision of this chapter or any regulation issued [hereunder] under this  
1323 chapter, the cost of all reinspections necessary to determine compliance  
1324 with any such provision shall be assumed by the owner, except that if a  
1325 first reinspection indicates compliance with such provision, no charge  
1326 shall be made. As part of an inspection or investigation, the department  
1327 may order an owner of a mobile manufactured park to obtain an  
1328 independent inspection report, at the sole cost of the owner, that  
1329 assesses the condition and potential public health impact of a condition  
1330 at the park, including, but not limited to, the condition of trees and  
1331 electrical, plumbing or sanitary systems.

1332 [(b)] (c) In addition to any other available remedies, the provisions of  
1333 section 47a-14h shall be available to all residents in a mobile  
1334 manufactured home park including residents who own their own units.

1335 (d) The department may issue an order to any owner determined to  
1336 be in violation of any provision of this chapter or any regulation issued  
1337 under this section after an inspection of a mobile manufactured home  
1338 park, providing for the immediate discontinuance of the violation or  
1339 timely remediation of such violation. Any owner of a mobile  
1340 manufactured home park who fails to comply with any orders  
1341 contained in a notice of violation resulting from a reinspection of such  
1342 park not later than thirty days after of issuance of such notice, including  
1343 confirmation of active licensure, shall be fined five hundred dollars per  
1344 violation and shall follow the procedures specified in section 51-164n,  
1345 as amended by this act.

1346 Sec. 32. Subsection (c) of section 20-281c of the general statutes is

1347 repealed and the following is substituted in lieu thereof (*Effective from*  
1348 *passage*):

1349 (c) An applicant may apply to take the examination if such person,  
1350 [holds a baccalaureate degree, or its equivalent, conferred by a college  
1351 or university acceptable to the board, with an accounting concentration  
1352 or equivalent] at the time of the examination, has completed not less  
1353 than one hundred twenty semester hours of education, as determined  
1354 by the board by regulation to be appropriate. The educational  
1355 requirements for a certificate shall be prescribed in regulations to be  
1356 adopted by the board as follows:

1357 (1) Until December 31, 1999, a baccalaureate degree or its equivalent  
1358 conferred by a college or university acceptable to the board, with an  
1359 accounting concentration or equivalent as determined by the board by  
1360 regulation to be appropriate;

1361 (2) After January 1, 2000, at least one hundred fifty semester hours of  
1362 college education including a baccalaureate or higher degree conferred  
1363 by a college or university acceptable to the board. The total educational  
1364 program shall include an accounting concentration or equivalent, as  
1365 determined by the board by regulation to be appropriate.

1366 Sec. 33. Section 20-281d of the general statutes is repealed and the  
1367 following is substituted in lieu thereof (*Effective October 1, 2021*):

1368 (a) The board shall issue or renew licenses to persons who make  
1369 application and demonstrate their qualifications in accordance with  
1370 subsections (b) to (g), inclusive, of this section.

1371 (b) Licenses shall be initially issued for one year and renewed  
1372 annually. Applications for such licenses shall be made in such form, and  
1373 in the case of applications for renewal, between such dates, as the board  
1374 shall by regulation, adopted in accordance with the provisions of  
1375 chapter 54, specify.

1376 (c) An applicant for initial issuance of a license under this section shall  
1377 show:

1378 (1) That [he] such applicant holds a valid certificate;

1379 (2) If the applicant's certificate was issued more than four years prior  
1380 to his or her application for issuance of an initial license under this  
1381 section, that he or she has fulfilled the requirements of continuing  
1382 professional education that would have been applicable under  
1383 subsection (e) of this section if he or she had secured his or her initial  
1384 license within four years of issuance of his or her certificate and was  
1385 now applying under subsection (e) of this section for renewal of such  
1386 license.

1387 (d) The board shall issue a certificate to a holder of a certificate issued  
1388 by another state upon a showing that:

1389 (1) The applicant passed the examination required for issuance of his  
1390 or her certificate with grades that would have been passing grades at  
1391 the time in this state; and

1392 (2) The applicant meets all current requirements in this state for  
1393 issuance of a certificate at the time the application is made; or the  
1394 applicant, at the time of the issuance of the applicant's certificate in the  
1395 other state, met all such requirements then applicable in this state; or the  
1396 applicant has had five years of experience in the practice of public  
1397 accountancy no earlier than the ten years immediately preceding the  
1398 applicant's application or meets equivalent requirements prescribed by  
1399 the board by regulation.

1400 (e) For renewal of a license under this section, an applicant shall show  
1401 that he or she has completed forty hours of continuing professional  
1402 education during each year from the date of issuance or last renewal. A  
1403 renewal applicant who has a principal place of business outside of this  
1404 state may show compliance with the provisions of this subsection by  
1405 certifying in writing that he or she has completed the continuing  
1406 professional education requirements in the state of the applicant's  
1407 principal place of business during each year from the date of his or her  
1408 license issuance or last renewal. The board may prescribe, by regulation  
1409 adopted in accordance with the provisions of chapter 54, the content,

1410 duration and organization of continuing professional education courses  
1411 which contribute to the general professional competence of the  
1412 applicant.

1413 (f) For renewal of a license under this section, the board shall charge  
1414 the following fees for failure to earn continuing education credits by the  
1415 June thirtieth deadline:

1416 (1) Three hundred fifteen dollars for reporting on a renewal  
1417 application a minimum of forty hours of continuing professional  
1418 education, any of which was earned after June thirtieth and on or by  
1419 September thirtieth;

1420 (2) Six hundred twenty-five dollars for reporting on a renewal  
1421 application a minimum of forty hours of continuing professional  
1422 education any of which was earned after June thirtieth and on or by  
1423 December thirty-first.

1424 (g) The board shall charge a fee of one hundred fifty dollars for the  
1425 initial issuance and the professional services fee for class I, as defined in  
1426 section 33-182l, for each annual renewal of such license.

1427 (h) Applicants for initial issuance or renewal of licenses under this  
1428 section shall in their applications list all states in which they have  
1429 applied for or hold certificates or licenses, and each holder of or  
1430 applicant for a license under this section shall notify the board in  
1431 writing, within thirty days after its occurrence, of any issuance, denial,  
1432 revocation or suspension of a certificate or license by another state.

1433 (i) The board shall administer an online renewal system for licenses  
1434 renewed pursuant to this section. Each applicant for renewal pursuant  
1435 to this section shall use such online renewal system and shall pay the  
1436 applicable renewal fee using a credit card or via electronic funds transfer  
1437 from a bank or credit union account. A licensee may request a waiver of  
1438 such renewal requirements due to extenuating circumstances and the  
1439 board may allow such licensee to renew his or her license using a paper  
1440 form.

1441 Sec. 34. Subsection (c) of section 20-281k of the general statutes is  
1442 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
1443 *2021*):

1444 (c) [Nothing in this section shall require a licensee to keep any  
1445 workpaper beyond the period prescribed in any other applicable  
1446 statute, except that any] A licensee shall ensure that any work product  
1447 and workpaper created in the performance of an engagement for a client  
1448 is retained for not less than seven years after the creation of such work  
1449 product or workpaper, unless the licensee is required by law to retain  
1450 such records for a longer period. Any work product or workpaper  
1451 prepared by a licensee in the course of an audit of a corporation the  
1452 securities of which are registered under Section 12 of the Securities  
1453 Exchange Act of 1934, as from time to time amended, or that is required  
1454 to file reports under Section 15(d) of the Securities Exchange Act of 1934,  
1455 as from time to time amended, shall be retained for the period described  
1456 in section 33-1332.

1457 Sec. 35. Section 20-281l of the general statutes is repealed and the  
1458 following is substituted in lieu thereof (*Effective October 1, 2021*):

1459 [(a) Except as expressly permitted by this section, a licensee shall not:  
1460 (1) Pay a fee or commission to obtain a client; or (2) accept a fee or  
1461 commission for referring a client to the products or services of a third  
1462 party.

1463 (b) A licensee, who is not performing any of the services set forth in  
1464 subsection (c) of this section and who complies with the provisions of  
1465 subsection (d) of this section, may accept a fee or commission for  
1466 referring a client to the products or services of a third party if such  
1467 referral is made in conjunction with professional services provided to  
1468 the client by such licensee making such referral. Nothing in this  
1469 subsection shall be construed to permit the solicitation or acceptance of  
1470 a fee or commission solely for the referral of a client to a third party.]

1471 [(c)] (a) A licensee shall not [perform services for] recommend or refer  
1472 any product or service to a client for a commission and shall not accept

1473 a commission from a client during the period that the licensee is  
1474 performing for such client any of the following services or during the  
1475 period that is covered by any historical financial statements that are  
1476 involved in any of the following services: (1) An audit or review of a  
1477 financial statement; (2) a compilation of a financial statement if the  
1478 licensee expects or [has reasonable cause to] might reasonably expect  
1479 that a third party will use the financial statement and the licensee's  
1480 compilation report does not disclose a lack of independence; or (3) an  
1481 examination of prospective financial information.

1482 [(d)] (b) A licensee who is not prohibited under this section from  
1483 performing services for a [fee or] commission or from accepting a [fee  
1484 or] commission and who is paid or expects to be paid a [fee or]  
1485 commission shall disclose such payment or expectation to any [client or  
1486 other] person or entity to whom such licensee recommends or refers a  
1487 product or service to which the [fee or] commission relates.

1488 [(e) As used in this section, "fee" includes, but is not limited to, a  
1489 commission, rebate, preference, discount or any other consideration.

1490 (f) This section does not prohibit payments for the purchase of all, or  
1491 a material part, of an accounting practice, or retirement payments to  
1492 individuals who are or were formerly engaged in the practice of public  
1493 accountancy, or payments to the heirs or estates of such individuals.

1494 (g) Nothing in this section shall be construed to relieve a licensee from  
1495 any requirement under federal or state law that obligates such licensee  
1496 to obtain a license or authorization prior to referring a client to the  
1497 products or services of a third party, including, but not limited to, any  
1498 license requirements under federal or state securities or insurance laws.]

1499 Sec. 36. Section 20-281m of the general statutes is repealed and the  
1500 following is substituted in lieu thereof (*Effective October 1, 2021*):

1501 (a) A licensee shall not, during any period in which the licensee is  
1502 engaged to perform any of the services listed in this subsection or during  
1503 any period covered by any historical financial services involved in any

1504 of such services: (1) Perform for a contingent fee any of the following  
1505 professional services, or accept a contingent fee from a client for whom  
1506 the licensee or the licensee's firm performs any of the following services:  
1507 (A) An audit or review of a financial statement; (B) a compilation of a  
1508 financial statement if the licensee expects or has reasonable cause to  
1509 expect that a third party will use the financial statement and the  
1510 licensee's compilation report does not disclose a lack of independence;  
1511 or (C) an examination of prospective financial information, or (2)  
1512 prepare an original or amended tax return or claim for a tax refund for  
1513 a contingent fee for any client.

1514 (b) As used in this section, "contingent fee" means a fee established  
1515 for the performance of a service that will not be charged unless a  
1516 specified finding or result is attained or in which the amount of the fee  
1517 is dependent on a specified finding or result of such service. "Contingent  
1518 fee" does not include: (1) A fee fixed by courts or other [public]  
1519 governmental authorities; (2) a fee in a tax matter that is based on the  
1520 results of judicial proceedings or the findings of governmental agencies;  
1521 or (3) a fee that varies based solely on the complexity of the services  
1522 rendered.

1523 [(c) A contingent fee arrangement between a licensee and a client  
1524 shall be in writing and shall state the method by which the fee is  
1525 determined.]

1526 Sec. 37. Subsection (b) of section 20-691 of the general statutes is  
1527 repealed and the following is substituted in lieu thereof (*Effective from*  
1528 *passage*):

1529 (b) (1) A person seeking registration as a locksmith shall apply to the  
1530 commissioner on a form provided by the commissioner. The application  
1531 shall include the applicant's name, residence address, business address,  
1532 business telephone number, a question as to whether the applicant has  
1533 been convicted of a felony in any state or jurisdiction, and such other  
1534 information as the commissioner may require. The applicant shall  
1535 submit to a request by the commissioner for a [recent] state and national  
1536 criminal history records check conducted in accordance with the



1537 provisions of section 29-17a. No registration shall be issued unless the  
1538 commissioner has received the results of a such records check. In  
1539 accordance with the provisions of section 46a-80 and after a hearing held  
1540 pursuant to chapter 54, the commissioner may revoke, refuse to issue or  
1541 refuse to renew a registration when an applicant's criminal history  
1542 records check reveals the applicant has been convicted of a crime of  
1543 dishonesty, fraud, theft, assault, other violent offense or a crime related  
1544 to the performance of locksmithing.

1545 (2) The application fee for registration as a locksmith and the biennial  
1546 renewal fee for such registration shall be two hundred dollars.

1547 (3) The department shall establish and maintain a registry of  
1548 locksmiths. The registry shall contain the names and addresses of  
1549 registered locksmiths and such other information as the commissioner  
1550 may require. Such registry shall be updated at least annually by the  
1551 department, be made available to the public upon request and be  
1552 published on the department's Internet web site.

1553 (4) No person shall engage in locksmithing, use the title locksmith or  
1554 display or use any words, letters, figures, title, advertisement or other  
1555 method to indicate said person is a locksmith unless such person has  
1556 obtained a registration as provided in this section.

1557 (5) The following persons shall be exempt from registration as a  
1558 locksmith, but only if the person performing the service does not hold  
1559 himself or herself out to the public as a locksmith: (A) Persons employed  
1560 by a state, municipality or other political subdivision, or by any agency  
1561 or department of the government of the United States, acting in their  
1562 official capacity; (B) automobile service dealers who service, install,  
1563 repair or rebuild automobile locks; (C) retail merchants selling locks or  
1564 similar security accessories or installing, programming, repairing,  
1565 maintaining, reprogramming, rebuilding or servicing electronic garage  
1566 door devices; (D) members of the building trades who install or remove  
1567 complete locks or locking devices in the course of residential or  
1568 commercial new construction or remodeling; (E) employees of towing  
1569 services, repossessioners, or an automobile club representative or

1570 employee opening automotive locks in the normal course of his or her  
1571 business. The provisions of this section shall not prohibit an employee  
1572 of a towing service from opening motor vehicles to enable a vehicle to  
1573 be moved without towing, provided the towing service does not hold  
1574 itself out to the public, by directory advertisement, through a sign at the  
1575 facilities of the towing service or by any other form of advertisement, as  
1576 a locksmith; (F) students in a course of study in locksmith programs  
1577 approved by the department; (G) warranty services by a lock  
1578 manufacturer or its employees on the manufacturer's own products; (H)  
1579 maintenance employees of a property owner or property management  
1580 companies at multifamily residential buildings, who service, install,  
1581 repair or open locks for tenants; and (I) persons employed as security  
1582 personnel at schools or institutions of higher education who open locks  
1583 while acting in the course of their employment.

1584 Sec. 38. Subsection (d) of section 20-432 of the general statutes is  
1585 repealed and the following is substituted in lieu thereof (*Effective from*  
1586 *passage*):

1587 (d) Whenever an owner obtains a court judgment, order or decree  
1588 against any contractor holding a certificate or who has held a certificate  
1589 under this chapter within [the past] two years of the effective date of  
1590 entering into the contract with the owner, for loss or damages sustained  
1591 by reason of performance of or offering to perform a home improvement  
1592 within this state by a contractor holding a certificate under this chapter,  
1593 such owner may, upon the final determination of, or expiration of time  
1594 for, taking an appeal in connection with any such judgment, order or  
1595 decree, apply to the commissioner for an order directing payment out  
1596 of said guaranty fund of the amount unpaid upon the judgment, order  
1597 or decree, for actual damages and costs taxed by the court against the  
1598 contractor, exclusive of punitive damages. The application shall be  
1599 made on forms provided by the commissioner and shall be  
1600 accompanied by a copy of the court judgment, order or decree obtained  
1601 against the contractor together with an [a notarized] affidavit [, signed  
1602 and sworn to by the owner,] affirming that: (1) He or she has complied  
1603 with all the requirements of this subsection; (2) he or she has obtained a

1604 judgment, order or decree, stating the amount thereof and the amount  
1605 owing thereon at the date of application; and (3) he or she has caused to  
1606 be issued a writ of execution upon said judgment, order or decree and  
1607 the officer executing the same has made a return showing that no bank  
1608 accounts or personal property of the contractor liable to be levied upon  
1609 in satisfaction of the judgment, order or decree could be found, or that  
1610 the amount realized on the sale of them or of such of them as were  
1611 found, under the execution, was insufficient to satisfy the actual damage  
1612 portion of the judgment, order or decree or stating the amount realized  
1613 and the balance remaining due on the judgment, order or decree after  
1614 application thereon of the amount realized, except that the requirements  
1615 of this subdivision shall not apply to a judgment, order or decree  
1616 obtained by the owner in small claims court. A true and attested copy  
1617 of said executing officer's return, when required, shall be attached to  
1618 such application and affidavit. No application for an order directing  
1619 payment out of the guaranty fund shall be made later than two years  
1620 after the final determination of, or expiration of time for, taking an  
1621 appeal of said court judgment, order or decree.

1622       Sec. 39. Section 20-340 of the general statutes is repealed and the  
1623 following is substituted in lieu thereof (*Effective from passage*):

1624       The provisions of this chapter shall not apply to: (1) Persons  
1625 employed by any federal, state or municipal agency; (2) employees of  
1626 any public service company regulated by the Public Utilities Regulatory  
1627 Authority or of any corporate affiliate of any such company when the  
1628 work performed by such affiliate is on behalf of a public service  
1629 company, but in either case only if the work performed is in connection  
1630 with the rendition of public utility service, including the installation or  
1631 maintenance of wire for community antenna television service, or is in  
1632 connection with the installation or maintenance of wire or telephone sets  
1633 for single-line telephone service located inside the premises of a  
1634 consumer; (3) employees of any municipal corporation specially  
1635 chartered by this state; (4) employees of any contractor while such  
1636 contractor is performing electrical-line or emergency work for any  
1637 public service company; (5) persons engaged in the installation,

1638 maintenance, repair and service of electrical or other appliances of a size  
1639 customarily used for domestic use where such installation commences  
1640 at an outlet receptacle or connection previously installed by persons  
1641 licensed to do the same and maintenance, repair and service is confined  
1642 to the appliance itself and its internal operation; (6) employees of  
1643 industrial firms whose main duties concern the maintenance of the  
1644 electrical work, plumbing and piping work, solar thermal work,  
1645 heating, piping, cooling work, sheet metal work, elevator installation,  
1646 repair and maintenance work, automotive glass work or flat glass work  
1647 of such firm on its own premises or on premises leased by it for its own  
1648 use; (7) employees of industrial firms when such employees' main  
1649 duties concern the fabrication of glass products or electrical, plumbing  
1650 and piping, fire protection sprinkler systems, solar, heating, piping,  
1651 cooling, chemical piping, sheet metal or elevator installation, repair and  
1652 maintenance equipment used in the production of goods sold by  
1653 industrial firms, except for products, electrical, plumbing and piping  
1654 systems and repair and maintenance equipment used directly in the  
1655 production of a product for human consumption; (8) persons  
1656 performing work necessary to the manufacture or repair of any  
1657 apparatus, appliances, fixtures, equipment or devices produced by it for  
1658 sale or lease; (9) employees of stage and theatrical companies  
1659 performing the operation, installation and maintenance of electrical  
1660 equipment if such installation commences at an outlet receptacle or  
1661 connection previously installed by persons licensed to make such  
1662 installation; (10) employees of carnivals, circuses or similar transient  
1663 amusement shows who install electrical work, provided such  
1664 installation shall be subject to the approval of the State Fire Marshal  
1665 prior to use as otherwise provided by law and shall comply with  
1666 applicable municipal ordinances and regulations; (11) persons engaged  
1667 in the installation, maintenance, repair and service of glass or electrical,  
1668 plumbing, fire protection sprinkler systems, solar, heating, piping,  
1669 cooling and sheet metal equipment in and about single-family  
1670 residences owned and occupied or to be occupied by such persons;  
1671 provided any such installation, maintenance and repair shall be subject  
1672 to inspection and approval by the building official of the municipality

1673 in which such residence is located and shall conform to the requirements  
1674 of the State Building Code; (12) persons who install, maintain or repair  
1675 glass in a motor vehicle owned or leased by such persons; (13) persons  
1676 or entities holding themselves out to be retail sellers of glass products,  
1677 but not such persons or entities that also engage in automotive glass  
1678 work or flat glass work; (14) persons who install preglazed or  
1679 preassembled windows or doors in residential or commercial buildings;  
1680 (15) persons registered under chapter 400 who install safety-backed  
1681 mirror products or repair or replace flat glass in sizes not greater than  
1682 thirty square feet in residential buildings; (16) sheet metal work  
1683 performed in residential buildings consisting of six units or less by new  
1684 home construction contractors registered pursuant to chapter 399a, by  
1685 home improvement contractors registered pursuant to chapter 400 or by  
1686 persons licensed pursuant to this chapter, when such work is limited to  
1687 exhaust systems installed for hoods and fans in kitchens and baths,  
1688 clothes dryer exhaust systems, radon vent systems, fireplaces, fireplace  
1689 flues, masonry chimneys or prefabricated metal chimneys rated by  
1690 Underwriters Laboratories or installation of stand-alone appliances  
1691 including wood, pellet or other stand-alone stoves that are installed in  
1692 residential buildings by such contractors or persons; (17) employees of  
1693 or any contractor employed by and under the direction of a properly  
1694 licensed solar contractor, performing work limited to the hoisting,  
1695 placement and anchoring of solar collectors, photovoltaic panels, towers  
1696 or turbines; (18) persons performing swimming pool maintenance and  
1697 repair work authorized pursuant to section 20-417aa; [and] (19) any  
1698 employee of the Connecticut Airport Authority covered by a state  
1699 collective bargaining agreement; and (20) any employee of a public  
1700 service company regulated by the Public Utilities Regulatory Authority  
1701 or of a contractor while such contractor is performing work on behalf of  
1702 a public service company, provided such work is (A) limited to water  
1703 meter installation or the replacement of a water meter connected to  
1704 existing fittings or unions previously installed by a person holding the  
1705 proper plumbing and piping license, and (B) in connection with the  
1706 rendition of public utility service, including the installation or  
1707 maintenance of associated low voltage wiring for the sole purpose of a

1708 meter reader located outside the premises of a public service company  
 1709 consumer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-50j(g)
Sec. 2	<i>July 1, 2021</i>	20-500
Sec. 3	<i>July 1, 2021</i>	20-529(b) and (c)
Sec. 4	<i>July 1, 2021</i>	20-529b(a)
Sec. 5	<i>July 1, 2021</i>	20-517(c)
Sec. 6	<i>July 1, 2021</i>	20-295b
Sec. 7	<i>July 1, 2021</i>	20-292
Sec. 8	<i>from passage</i>	20-452(a)
Sec. 9	<i>from passage</i>	20-453
Sec. 10	<i>from passage</i>	20-457
Sec. 11	<i>from passage</i>	21a-190l
Sec. 12	<i>from passage</i>	43-8a
Sec. 13	<i>from passage</i>	21a-2
Sec. 14	<i>from passage</i>	21a-7(a)
Sec. 15	<i>from passage</i>	21a-8(c)
Sec. 16	<i>October 1, 2021</i>	21a-10
Sec. 17	<i>from passage</i>	21a-11
Sec. 18	<i>from passage</i>	51-164n(b)
Sec. 19	<i>from passage</i>	20-670(5)
Sec. 20	<i>from passage</i>	20-672
Sec. 21	<i>from passage</i>	20-678
Sec. 22	<i>from passage</i>	20-330
Sec. 23	<i>January 1, 2022</i>	New section
Sec. 24	<i>from passage</i>	20-334(c)
Sec. 25	<i>from passage</i>	20-306(a)
Sec. 26	<i>from passage</i>	20-314(f)
Sec. 27	<i>from passage</i>	20-317(b)
Sec. 28	<i>from passage</i>	20-319(b)
Sec. 29	<i>from passage</i>	20-427(f)
Sec. 30	<i>from passage</i>	21-67(d)
Sec. 31	<i>from passage</i>	21-71
Sec. 32	<i>from passage</i>	20-281c(c)
Sec. 33	<i>October 1, 2021</i>	20-281d
Sec. 34	<i>July 1, 2021</i>	20-281k(c)
Sec. 35	<i>October 1, 2021</i>	20-281l

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Sec. 36	<i>October 1, 2021</i>	20-281m
Sec. 37	<i>from passage</i>	20-691(b)
Sec. 38	<i>from passage</i>	20-432(d)
Sec. 39	<i>from passage</i>	20-340

**Statement of Legislative Commissioners:**

In Section 7(f)(1)(B), "more than thirteen weeks" was inserted for consistency with Section 7(f)(1)(A) and in Section 23(a), "and any person" was changed to "or any person" for consistency.

**GL**        *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Loss	Less than 1,000	Less than 1,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill makes numerous changes to the Department of Consumer Protection statutes resulting in the various potential revenue impacts described below.

- **Section 7** establishes fees for architects who do not meet continuing education guidelines (\$315 fee for architects who complete it up to 13 weeks after deadline and \$625 fee for architects who complete if 13-26 weeks after the deadline) resulting in a potential revenue gain to the extent violations occur.
- **Section 10** removes a provision that allows community association managers to pay a \$50 fee for renewal applications made more than a month after they expired resulting in a potential revenue loss of less than \$1,000 per year.
- **Sections 14-17** allows DCP to impose a fine of up to \$1,000 per violation for any license, registration, or certificate resulting in a potential revenue gain to the extent violations occur.



- **Sections 30-31** allow DCP to issue a \$500 fine per violation to mobile manufactured home park licenses if 30 days pass without resolution following a reinspection resulting in a potential revenue gain to the extent violations occur.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

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**OLR Bill Analysis****sHB 6100*****AN ACT CONCERNING DEPARTMENT OF CONSUMER PROTECTION LICENSING AND ENFORCEMENT.*****SUMMARY**

This bill makes numerous changes to the to the Department of Consumer Protection (DCP) laws. Principally, it:

1. removes DCP from the list of state agencies with which the Connecticut Siting Council must consult, and solicit written comments from, prior to starting public hearings on certificate applications (§ 1);
2. makes changes to the appraisal management company (AMC) statutes, to comport with the Federal Financial Institutions Examination Council's audit recommendations (§§ 2-4);
3. establishes continuing education completion deadlines for architects (§ 7);
4. replaces a requirement to adopt regulations conforming to an obsolete national standard with general authority to prescribe uniform date labeling requirements for food (§ 12);
5. specifies the notice procedure that applies when a designated party or intervenor requires notice of an enforcement action (§ 13);
6. makes assessed fines payable by mail without appearing in court for (A) manufacturing hemp without a license or (B) noncompliance with a DCP order concerning mobile manufactured home parks (§ 18);

7. requires homemaker-companion agencies to conduct a national background check meeting certain requirements and specifies conditions that make an individual ineligible for employment (§§ 19-21);
8. requires contracts for work on private residential property by licensed tradespeople to meet certain specifications (§§ 22-24);
9. for professional engineer and surveyor licensees, specifies that a license lapses if not renewed by the expiration date (§ 25);
10. changes the annual registration expiration date for real estate brokers and home improvement contractors (§§ 26 & 29);
11. makes several changes to the mobile manufactured home park licensing laws to increase DCP's enforcement authority (§§ 30-31);
12. makes several changes to the law regulating certified public accountants (CPAs), including changes to conform statute to the American Institute of CPAs' rules of conduct concerning fees (§§ 32-36);
13. specifies that a locksmith registration applicant's criminal history check must be a state and national criminal history check requested through the State Police Bureau of Identification (§ 37); and
14. exempts individuals doing certain water meter utility work from the tradesperson licensing statutes (§ 39).

The bill also makes numerous minor, technical, and conforming changes.

**EFFECTIVE DATE:** Upon passage, except the AMC, real estate appraiser, architect, and certain CPA provisions (§§ 2-7 & 34) are effective July 1, 2021; a provision concerning annual CE completion periods and the other CPA provisions (§§ 16, 33 & 35-36) are effective

October 1, 2021; and the tradesperson contract provision (§ 23) is effective January 1, 2022.

## **§§ 2-5 — APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES**

Real estate appraisers, provisional appraisers, and AMCs must register with DCP. The bill makes several changes to the AMC statutes, to comport with the Federal Financial Institutions Examination Council's audit recommendations. It:

1. revises the definition of AMC, to exclude any subsidiary of a federally regulated financial institution, regardless of what type of appraisal requests it receives, and
2. requires AMCs, when applying to DCP, to disclose any owners, not just those owning 10% or more of the company (owners are subject to DCP's good moral character review), and makes related conforming changes to subject owners of less than a 10% interest to the same requirements that apply to owners of at least a 10% interest under current law (§§ 2-4).

The bill also makes the real estate appraiser or provisional appraiser continuing education fee annual, rather than biennial, so that it coincides with the renewal period and specifies that it covers the cost of reviewing and auditing continuing education submissions (§ 5).

## **§ 7 — ARCHITECTS**

By law, architects must complete 12 hours of continuing education (CE) annually (Conn. Agency Regs. § 20-289-6a); failure to do so may result in license suspension or revocation or civil penalties of up to \$1,000 (CGS § 20-294). The bill establishes specific CE completion deadlines and specifies that architects who miss the deadlines by more than 26 weeks may, after an administrative hearing, lose their license or have it suspended.

The bill specifies that the 12-month CE period begins three months prior to license expiration and ends three months before renewal in the

following year. The bill establishes fees for architects who do not meet the bill's CE completion deadlines:

1. \$315 for architects who complete it up to 13 weeks after the deadline and
2. \$625 for architects who complete it 13-26 weeks after the deadline.

The bill also allows licensed architects to attest to, rather than submit proof of, completing their required CE.

### **§§ 8-10 — COMMUNITY ASSOCIATION MANAGERS (CAM)**

CAMs provide management services to common interest community associations, such as condominium associations and boards. The bill specifies that CAMs, before applying for an initial registration, must complete a nationally recognized course on community association management and pass the National Board of Certification for Community Association Managers' Certified Manager of Community Associations examination (or a similar examination if permitted by DCP regulations). (In practice, DCP already requires this.)

By law, the fee for an initial registration is \$100, plus a \$60 application fee; the fee for renewal is \$200. The bill eliminates a (1) provision that prohibits renewing a certificate that expired more than a year prior and (2) \$50 fee for renewal applications made more than a month after they expired.

### **§ 13 — NOTICE OF ADMINISTRATIVE ENFORCEMENT ACTION**

The bill specifies that notice of administrative enforcement actions, including compliance meetings and hearings related to consumer hotline complaints, must be in writing and comply with the Uniform Administrative Procedure Act. It sets out the specific notice procedure that applies when a designated party or intervenor, or their authorized representative, requires notice of an enforcement action. The notice must be delivered (1) personally; (2) by U.S. mail, with delivery tracking or via certified mail; or (3) by email, with tracking and delivery

confirmation.

Notice to a non-credential holder is sufficient if DCP makes reasonable efforts, including verifying the mailing address with the Secretary of the State or the Department of Motor Vehicles. If notice is sent by mail or email to a credential holder, it is effective if sent to the last known address on file with DCP.

### **§§ 14-17 — GENERAL POWERS**

The bill makes numerous minor and conforming changes to the statutes concerning DCP's general powers, and those of boards or commissions within it. Among other things, it:

1. specifies that DCP and each board or commission is authorized to place conditions on a license, registration, or certificate (not just suspend or revoke it) or impose a fine of up to \$1,000 per violation;
2. specifies that the DCP commissioner may issue a letter of reprimand to a credential holder or registrant and send a copy of the letter to a complainant or to a state or local official;
3. authorizes the DCP commissioner to place a credential holder or registrant on probationary status and (A) require him or her to report to DCP regularly or seek further education to attain a satisfactory level of competence and (B) limit his or her practice areas;
4. specifies that continuing education completion periods begin and end three months prior to the annual or biennial renewal date for the applicable credential, except those related to the practice of pharmacy; and
5. specifically authorizes the DCP commissioner to delegate her authority to render a final decision in a contested case to a hearing officer.

The bill specifies that DCP's enforcement powers extend to

credentials or registrations that are voluntarily surrendered or not renewed.

### **§§ 19-21 — HOMEMAKER-COMPANION AGENCIES**

By law, each homemaker-companion agency must obtain a surety bond for at least \$10,000 to insure against an employee's theft from a client. The bill allows agencies to obtain an insurance policy for the same purpose (§ 20).

#### ***Background Check (§ 19)***

By law, homemaker-companion agencies must conduct a comprehensive background check of prospective employees. The bill expands the required components to include verifying a non-citizen prospective employee's employment authorization (i.e., Form I-9). Instead of reviewing only public Connecticut criminal records, the bill also requires agencies to conduct a national check. When doing so, it requires them to:

1. search a multistate and multi-jurisdiction criminal record locator or similar commercial nationwide database with validation;
2. search the Department of Justice's National Sex Offender Public Website; and
3. use a third-party consumer reporting agency or background screening company that is accredited by the Professional Background Screening Association and in compliance with the federal Fair Credit Reporting Act.

The bill also allows agencies to conduct video-conference interviews, rather than requiring the mandated interview to be in-person.

The bill requires agencies to notify clients, in writing, of their background check policy and include a citation to state law.

#### ***Hiring Ban (§ 21)***

Beginning January 1, 2022, agencies are prohibited from hiring someone whose name appears on the U.S. Department of Health and

Human Services' Office of Inspector General's online federal database of excluded individuals and entities for a conviction within the past five years. Individuals and entities on the list are prohibited from being paid for services with federal health care program funding due to past actions, such as Medicare fraud.

The bill also prohibits agencies from hiring someone who in the past five years was:

1. convicted or released from incarceration for a criminal offense related to services or items provided under certain state health care programs (e.g., Medicaid and the Children's Health Insurance Program);
2. convicted under state or federal law or released from incarceration for a criminal offense related to patient neglect or abuse while providing health care items or services;
3. convicted or released from incarceration for a felony related to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct, (A) while providing health care items or services or (B) for an act or omission in connection with a health care program operated or funded by a government agency;
4. convicted under state or federal law or released from incarceration for a felony relating to unlawful controlled substance manufacture, distribution, prescription, or dispensing; or
5. subject to a state or federal agency's substantiated finding of neglect, abuse, physical harm, or misappropriation of property valued at over \$2,000.

## **§§ 22-24 & 39 — LICENSED TRADESPERSONS**

### ***Contract Contents (§§ 22 & 23)***

The bill requires contracts for work on private residential property by



licensed tradespeople to meet certain specifications.

The bill applies to contracts entered into by an owner or resident (or their agent) of a one-to-six unit residential property or condominium or common interest community of any size (“consumer”), for work performed by a licensed contractor in the electrical; plumbing and piping; solar; heating, piping, cooling, and sheet metal; fire protection sprinkler systems; elevator installation, repair, and maintenance; irrigation; automotive glass; or flat glass work fields (“licensed tradesperson”).

Under the bill, to be enforceable against the consumer, the contract must contain the entire agreement and:

1. be in writing and signed by the licensed tradesperson or his or her employer and consumer;
2. contain the contracting licensed tradesperson’s name, address, and license number (or the employing business’s owner or partner’s name, phone number, and address);
3. include the name and license number of each licensed tradesperson performing work (this information may be amended in writing during the contract’s term);
4. contain notice of the owner’s cancellation rights under the Home Solicitation Sales Act; and
5. contain the transaction date and specify a start and completion date.

The bill requires any changes to the contract to be written and signed by both parties unless the DCP commissioner eliminates the requirement by regulation.

***Reinstatement (§ 24)***

The bill limits how long a tradesperson has to apply for license reinstatement after it is suspended or revoked. Under the bill, they have

up to 180 days after the action is taken to apply for license reinstatement. The bill specifies that they must show good cause when applying for reinstatement.

By law, unchanged by the bill, tradespeople must wait at least 90 days after action is taken on their license to apply for reinstatement.

### **Exemption for Certain Water Meter Work (§ 39)**

The bill exempts from the tradesperson licensing statutes (1) employees of a Public Utilities Regulatory Authority-regulated public service company and (2) contractors, while working on behalf of public service companies. The exemption only applies to specific water meter work, specifically, work that is:

1. limited to installing or replacing a water meter connected to existing fittings or unions that were installed by a licensed plumber or pipefitter, and
2. related to providing a public utility service, including installing or maintaining associated low voltage wiring solely for a meter reader located outside.

### **§§ 26-28 — REAL ESTATE BROKERS AND SALESPERSONS**

The bill makes several minor changes to the real estate brokers' and salespersons' licensing laws. It:

1. changes the annual expiration date for brokers' licenses to November 30, rather than March 31, and specifies how renewals will be handed in the transition year (i.e., 2022), including a pro-rated renewal fee;
2. eliminates a provision making application fees refundable if a broker's or salesperson's license is not issued; and
3. makes real estate brokers' and salespersons' continuing education fee annual, rather than biennial (so that it coincides with the renewal period) and specifies that it covers the cost of reviewing and auditing continuing education submissions.

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**§§ 29 & 38 — HOME IMPROVEMENT CONTRACTORS**

The bill makes home improvement contractors' annual registrations expire on March 31, rather than November 30, and specifies how renewals will be handed in the transition year (i.e., 2021), including a pro-rated fee (§ 29).

It also makes a minor change to the affidavit requirement for Home Improvement Guaranty Fund applicants by eliminating the requirement that it be notarized (§ 38).

**§§ 30 & 31 — MOBILE MANUFACTURED HOME PARK LICENSES**

The bill makes several changes to the mobile manufactured home park licensing laws. It:

1. specifies that a mobile manufactured home park's license renewal may only be denied for failure to comply with the law if a formal enforcement action has been commenced;
2. specifies that DCP may place conditions on a license following a violation of applicable laws, rather than only revoke, suspend, or refuse to renew it;
3. subjects violators of a DCP order to a \$500 fine per violation, if 30 days pass without resolution following a reinspection (payable through the Centralized Infractions Bureau);
4. gives DCP 30 days, rather than five, to hold a hearing after immediately suspending a license upon finding certain public health and safety violations; and
5. authorizes DCP to require a licensee to obtain and pay for an independent inspection report assessing the potential public health impact of a park condition (e.g., trees or plumbing systems).

**§§ 32-36 — CERTIFIED PUBLIC ACCOUNTANTS*****Exam and License Renewal (§§ 32 & 33)***

The bill specifically allows an applicant to take the CPA exam if he or she has completed at least 120 semester hours of appropriate education, as specified in Board of Accountancy regulations. Currently, to qualify to take the exam, one must have a B.A. or equivalent with an accounting concentration or equivalent.

The bill requires CPAs to renew their licenses online and pay the renewal fee by credit card or electronic funds transfer, unless they request and are granted a waiver from the Board of Accountancy, due to extenuating circumstances.

#### ***Work Product Retention (§ 34)***

The bill requires CPAs to keep work product and workpaper related to work for a client for at least seven years after creation, unless the law requires a longer retention. Current law only specifies that CPAs must retain workpaper as required by law.

As is the case under existing law, work product or workpaper related to the audit of a corporation subject to the Securities Exchange Act of 1934 must comply with the retention laws specific to those audits.

#### ***Fee Arrangements (§§ 35 & 36)***

The bill makes several minor changes to conform state law to the American Institute of CPAs' rules of conduct for CPA commissions and contingency fees. Among other things, it explicitly expands existing law's prohibition on certain contingent fee arrangements by specifying that a CPA may not work on contingency for a client in a situation where another member of the CPA's firm would be prohibited from doing so. (Existing law prohibits CPAs from working on a contingent fee basis under certain conditions, including when the CPA is auditing a client or preparing tax returns.) The bill also eliminates a provision requiring contingent fee arrangements to be specified in writing.

### **BACKGROUND**

#### ***Related Bills***

sSB 266 (File 14), favorably reported by the General Law Committee,

eliminates the affidavit requirement for Home Improvement Guaranty Fund applicants.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/23/2021)