



General Assembly

Substitute Bill No. 5236

February Session, 2024



AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING CONSUMER PROTECTION AND PROFESSIONAL LICENSING, CERTIFICATION, PERMITTING AND REGISTRATION.

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

1 Section 1. Subsection (a) of section 20-426 of the 2024 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) The commissioner may revoke, suspend or refuse to issue or
5 renew any certificate of registration as a home improvement contractor
6 or salesperson or place a registrant on probation or issue a letter of
7 reprimand (1) for conduct of a character likely to mislead, deceive or
8 defraud the public or the commissioner, (2) for engaging in any
9 untruthful or misleading advertising, (3) for failing to reimburse the
10 guaranty fund established pursuant to section 20-432, as amended by
11 this act, for any moneys paid to an owner pursuant to subsection [(o)]
12 (p) of section 20-432, as amended by this act, (4) for engaging in or
13 practicing home improvement work without a contract containing the
14 provisions required under section 20-429, (5) for unfair or deceptive
15 business practices, [(5)] (6) subject to section 46a-80, based on a felony
16 conviction of an individual registrant or an individual owner of a
17 registrant that is a business entity, [;] or [(6)] (7) for violation of any of

18 the provisions of the general statutes relating to home improvements or
19 any regulation adopted pursuant to any of such provisions. The
20 commissioner may refuse to issue or renew any certificate of registration
21 as a home improvement contractor or salesperson of any person subject
22 to the registration requirements of chapter 969.

23 Sec. 2. Section 20-432 of the 2024 supplement to the general statutes
24 is repealed and the following is substituted in lieu thereof (*Effective from*
25 *passage*):

26 (a) The commissioner shall establish and maintain the Home
27 Improvement Guaranty Fund.

28 (b) Each salesman who receives a certificate pursuant to this chapter
29 shall pay a fee of forty dollars annually. Each contractor (1) who receives
30 a certificate pursuant to this chapter, or (2) receives a certificate pursuant
31 to chapter 399a and has opted to engage in home improvement pursuant
32 to subsection (f) of section 20-417b shall pay a fee of one hundred dollars
33 annually to the guaranty fund. Such fee shall be payable with the fee for
34 an application for a certificate or renewal thereof. The annual fee for a
35 contractor who receives a certificate of registration as a home
36 improvement contractor acting solely as the contractor of record for a
37 corporation shall be waived, provided the contractor of record shall use
38 such registration for the sole purpose of directing, supervising or
39 performing home improvements for such corporation.

40 (c) Payments received under subsection (b) of this section shall be
41 credited to the guaranty fund until the balance in such fund equals
42 seven hundred fifty thousand dollars. Annually, if the balance in the
43 fund exceeds seven hundred fifty thousand dollars, the first four
44 hundred thousand dollars of the excess shall be deposited into the
45 consumer protection enforcement account established in section 21a-8a.
46 Any excess thereafter shall be deposited in the General Fund. Any
47 money in the guaranty fund may be invested or reinvested in the same
48 manner as funds of the state employees retirement system, and the
49 interest arising from such investments shall be credited to the guaranty

50 fund.

51 (d) Whenever an owner obtains a binding arbitration decision, a court
52 judgment, order or decree against any contractor holding a certificate or
53 who has held a certificate under this chapter within two years of the
54 effective date of entering into the contract with the owner, or during
55 such period against any individual who has an ownership interest in
56 such contractor if such contractor is a business entity, for loss or
57 damages sustained by reason of performance of or offering to perform
58 a home improvement within this state by a contractor holding a
59 certificate under this chapter, such owner may, upon the final
60 determination of, or expiration of time for, taking an appeal in
61 connection with any such decision, judgment, order or decree, apply to
62 the commissioner for an order directing payment out of said guaranty
63 fund of the amount unpaid upon the decision, judgment, order or
64 decree, for actual damages and costs taxed by the court against the
65 contractor or individual who has an ownership interest in the
66 contractor, exclusive of punitive damages. The application shall be
67 made on forms provided by the commissioner and shall be
68 accompanied by a copy of the decision, court judgment, order or decree
69 obtained against the contractor or individual who has an ownership
70 interest in the contractor. No application for an order directing payment
71 out of the guaranty fund shall be made later than two years after the
72 final determination of, or expiration of time for, taking an appeal of said
73 decision, court judgment, order or decree.

74 (e) Upon receipt of said application together with said copy of the
75 decision, court judgment, order or decree, and true and attested copy of
76 the executing officer's return, the commissioner or [his] the
77 commissioner's designee shall inspect such documents for their veracity
78 and upon a determination that such documents are complete and
79 authentic, and a determination that the owner has not been paid, the
80 commissioner shall order payment out of the guaranty fund of the
81 amount unpaid upon the decision, judgment, order or decree for actual
82 damages and costs taxed by the court against the contractor or, if the
83 contractor is a business entity, an individual who has an ownership

84 interest in the business entity, exclusive of punitive damages.

85 (f) Whenever an owner is awarded an order of restitution against any
86 contractor or, if the contractor is a business entity, any individual who
87 has an ownership interest in such contractor for loss or damages
88 sustained by reason of performance of or offering to perform a home
89 improvement in this state by a contractor holding a certificate or who
90 has held a certificate under this chapter within two years of the date of
91 entering into the contract with the owner, in a proceeding brought by
92 the commissioner pursuant to this section or subsection (d) of section
93 42-110d, as amended by this act, or in a proceeding brought by the
94 Attorney General pursuant to subsection (a) of section 42-110m or
95 subsection (d) of section 42-110d, as amended by this act, or a criminal
96 proceeding pursuant to section 20-427, such owner may, upon the final
97 determination of, or expiration of time for, taking an appeal in
98 connection with any such order of restitution, apply to the
99 commissioner for an order directing payment out of said guaranty fund
100 of the amount unpaid upon the order of restitution. The commissioner
101 may issue said order upon a determination that the owner has not been
102 paid.

103 (g) Whenever the commissioner orders payment to an owner out of
104 the guaranty fund based upon a decision, court judgment, order or
105 decree of restitution against any individual who has been found to have
106 violated any provision of chapter 399a and has an ownership interest in
107 a business entity holding a certificate or that has held a certificate under
108 this chapter within two years of the effective date of entering into the
109 contract with the owner, such individual and the business entity that
110 holds or held such certificate shall be jointly and severally liable for the
111 resulting debt to the guaranty fund.

112 [(g)] (h) Before the commissioner may issue any order directing
113 payment out of the guaranty fund to an owner pursuant to subsection
114 (e) or (f) of this section, the commissioner shall first notify the contractor
115 of the owner's application for an order directing payment out of the
116 guaranty fund and of the contractor's right to a hearing to contest the

117 disbursement in the event that the contractor has already paid the owner
118 or is complying with a payment schedule in accordance with a court
119 judgment, order or decree. Such notice shall be given to the contractor
120 not later than fifteen days after receipt by the commissioner of the
121 owner's application for an order directing payment out of the guaranty
122 fund. If the contractor requests a hearing, in writing, by certified mail
123 not later than fifteen days after receiving the notice from the
124 commissioner, the commissioner shall grant such request and shall
125 conduct a hearing in accordance with the provisions of chapter 54. If the
126 commissioner does not receive a request by certified mail from the
127 contractor for a hearing not later than fifteen days after the contractor's
128 receipt of such notice, the commissioner shall determine that the owner
129 has not been paid, and the commissioner shall issue an order directing
130 payment out of the guaranty fund for the amount unpaid upon the
131 judgment, order or decree for actual damages and costs taxed by the
132 court against the contractor or individual who has an ownership interest
133 in the contractor, exclusive of punitive damages, or for the amount
134 unpaid upon the order of restitution.

135 [(h)] (i) The commissioner or [his] the commissioner's designee may
136 proceed against any contractor holding a certificate or who has held a
137 certificate under this chapter within the past two years of the effective
138 date of entering into the contract with the owner, for an order of
139 restitution arising from loss or damages sustained by any person by
140 reason of such contractor's performance of or offering to perform a
141 home improvement in this state. Any such proceeding shall be held in
142 accordance with the provisions of chapter 54. In the course of such
143 proceeding, the commissioner or [his] the commissioner's designee shall
144 decide whether to exercise [his] the commissioner's powers pursuant to
145 section 20-426, as amended by this act; whether to order restitution
146 arising from loss or damages sustained by any person by reason of such
147 contractor's performance or offering to perform a home improvement in
148 this state; and whether to order payment out of the guaranty fund.
149 Notwithstanding the provisions of chapter 54, the decision of the
150 commissioner or [his] the commissioner's designee shall be final with

151 respect to any proceeding to order payment out of the guaranty fund
152 and the commissioner and [his] the commissioner's designee shall not
153 be subject to the requirements of chapter 54 as they relate to appeal from
154 any such decision. The commissioner or [his] the commissioner's
155 designee may hear complaints of all owners submitting claims against a
156 single contractor in one proceeding.

157 [(i)] (j) No application for an order directing payment out of the
158 guaranty fund shall be made later than two years from the final
159 determination of, or expiration of time for, appeal in connection with
160 any decision, judgment, order or decree of restitution.

161 [(j)] (k) Whenever the owner satisfies the commissioner or [his] the
162 commissioner's designee that it is not practicable to comply with the
163 requirements of subsection (d) of this section and that the owner has
164 taken all reasonable steps to collect the amount of the decision,
165 judgment, order or decree or the unsatisfied part thereof and has been
166 unable to collect the same, the commissioner or [his] the commissioner's
167 designee may, in [his] the commissioner's or such designee's discretion,
168 dispense with the necessity for complying with such requirement.

169 [(k)] (l) In order to preserve the integrity of the guaranty fund, the
170 commissioner, in the commissioner's sole discretion, may order
171 payment out of said fund of an amount less than the actual loss or
172 damages incurred by the owner or less than the order of restitution
173 awarded by the commissioner or the Superior Court. In no event shall
174 any payment out of said guaranty fund be in excess of twenty-five
175 thousand dollars for any single claim by an owner.

176 [(l)] (m) If the money deposited in the guaranty fund is insufficient to
177 satisfy any duly authorized claim or portion thereof, the commissioner
178 shall, when sufficient money has been deposited in the fund, satisfy
179 such unpaid claims or portions thereof, in the order that such claims or
180 portions thereof were originally determined.

181 [(m)] (n) Whenever the commissioner has caused any sum to be paid
182 from the guaranty fund to an owner, the commissioner shall be

183 subrogated to all of the rights of the owner up to the amount paid plus
184 reasonable interest, and prior to receipt of any payment from the
185 guaranty fund, the owner shall assign all of this right, title and interest
186 in the claim up to such amount to the commissioner, and any amount
187 and interest recovered by the commissioner on the claim shall be
188 deposited to the guaranty fund.

189 [(n)] (o) If the commissioner orders the payment of any amount as a
190 result of a claim against a contractor, the commissioner shall determine
191 if the contractor is possessed of assets liable to be sold or applied in
192 satisfaction of the claim on the guaranty fund. If the commissioner
193 discovers any such assets, [he] the commissioner may request that the
194 Attorney General take any action necessary for the reimbursement of
195 the guaranty fund.

196 [(o)] (p) If the commissioner orders the payment of an amount as a
197 result of a claim against a contractor, the commissioner may, after notice
198 and hearing in accordance with the provisions of chapter 54, revoke the
199 certificate of the contractor and the contractor shall not be eligible to
200 receive a new or renewed certificate until [he] the contractor has repaid
201 such amount in full, plus interest from the time said payment is made
202 from the guaranty fund, at a rate to be in accordance with section 37-3b,
203 except that the commissioner may, in [his] the commissioner's sole
204 discretion, permit a contractor to receive a new or renewed certificate
205 after that contractor has entered into an agreement with the
206 commissioner whereby the contractor agrees to repay the guaranty fund
207 in full in the form of periodic payments over a set period of time. Any
208 such agreement shall include a provision providing for the summary
209 suspension of any and all certificates held by the contractor if payment
210 is not made in accordance with the terms of the agreement.

211 Sec. 3. Section 20-500 of the general statutes is repealed and the
212 following is substituted in lieu thereof (*Effective from passage*):

213 As used in this section and sections 20-501 to 20-529e, inclusive, as
214 amended by this act, and section 4 of this act, unless the context

215 otherwise requires:

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

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

220 (3) "Appraisal management company" means any person,
221 association, corporation, limited liability company or partnership that
222 performs appraisal management services, but does not include:

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

226 [(B) An appraisal management company that is a subsidiary owned
227 and controlled by a financial institution regulated by a federal financial
228 institution regulatory agency;]

229 [(C)] (B) A department or division of an entity that provides appraisal
230 management services exclusively to such entity; or

231 [(D)] (C) Any local, state or federal agency or department thereof.

232 (4) "Appraisal management services" means:

233 (A) The administration of an appraiser panel;

234 (B) The recruitment of certified appraisers to be part of an appraiser
235 panel, including, but not limited to, the negotiation of fees to be paid to,
236 and services to be provided by, the certified appraisers for their
237 participation on the appraiser panel; or

238 (C) The receipt of an appraisal request or order, or an appraisal
239 review request or order, and the delivery of such request or order to an
240 appraiser panel.

241 (5) "Appraiser panel" means a network of appraisers who are certified

242 in accordance with the requirements established by the commission by
243 regulation, are independent contractors of an appraisal management
244 company and have:

245 (A) Responded to an invitation, request or solicitation from an
246 appraisal management company to perform appraisals (i) requested or
247 ordered through the appraisal management company, or (ii) directly for
248 the appraisal management company on a periodic basis as assigned by
249 such appraisal management company; and

250 (B) Been selected and approved by the appraisal management
251 company.

252 (6) "Bank" has the same meaning as provided in section 36a-2.

253 (7) "Certified appraiser" means a person who has satisfied the
254 minimum requirements for a category of certification established by the
255 commission by regulation. Such minimum requirements shall be
256 consistent with guidelines established by the Appraisal Qualification
257 Board of the Appraisal Foundation. The categories of certification shall
258 include one category denoted as "certified residential appraiser" and
259 another denoted as "certified general appraiser". The commission may
260 modify such categories of certification.

261 (8) "Commission" means the Connecticut Real Estate Appraisal
262 Commission appointed under the provisions of section 20-502.

263 (9) "Commissioner" means the Commissioner of Consumer
264 Protection.

265 (10) "Compliance manager" means a person who holds an appraiser
266 certification in at least one state and is responsible for overseeing the
267 implementation of, and compliance with, procedures for an appraisal
268 management company to:

269 (A) Verify that a person being added to the appraiser panel of the
270 appraisal management company holds a license in good standing in
271 accordance with section 20-509;

272 (B) Maintain detailed records of each appraisal request or order the
273 appraisal management company receives and of the appraiser who
274 performs such appraisal; and

275 (C) Review on a periodic basis the work of all appraisers performing
276 appraisals for the appraisal management company to ensure that such
277 appraisals are being conducted in accordance with the USPAP.

278 (11) "Controlling person" means a person who has not had an
279 appraiser license, similar license or appraiser certificate denied, refused
280 renewal, suspended or revoked in any state and:

281 (A) Is a director, officer or owner of an association, corporation,
282 limited liability company or partnership offering or seeking to offer
283 appraisal management services in this state;

284 (B) Is employed by an appraisal management company and has the
285 authority to enter into agreements or contracts for the performance of
286 appraisal management services or appraisals, or is appointed or
287 authorized by such appraisal management company to enter into such
288 agreements or contracts; or

289 (C) May exercise authority over, or direct the management or policies
290 of, an appraisal management company.

291 (12) "Engaging in the real estate appraisal business" means the act or
292 process of estimating the value of real estate for a fee or other valuable
293 consideration.

294 (13) "Federally regulated appraisal management company" means an
295 appraisal management company that is owned and controlled by an
296 insured depository institution, as defined in 12 USC 1813, as amended
297 from time to time, and regulated by the Office of the Comptroller of the
298 Currency, the Board of Governors of the Federal Reserve System or the
299 Federal Deposit Insurance Corporation.

300 ~~[(13)]~~ (14) "Financial institution" means a bank, out-of-state bank or
301 institutional lender, an affiliate or subsidiary of a bank, out-of-state bank

302 or institutional lender or another lender licensed by the Department of
303 Banking.

304 [(14)] (15) "FIRREA" means the Financial Institutions, Reform,
305 Recovery and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183, as
306 amended from time to time.

307 [(15)] (16) "Out-of-state bank" has the same meaning as provided in
308 section 36a-2.

309 [(16)] (17) "Person" means an individual.

310 [(17)] (18) "Provisional appraiser" means a person engaged in the
311 business of estimating the value of real estate for a fee or other valuable
312 consideration under the supervision of a certified real estate appraiser
313 and who meets the minimum requirements, if any, established by the
314 commission by regulation for provisional appraiser status.

315 [(18)] (19) "Provisional license" means a license issued to a provisional
316 appraiser.

317 [(19)] (20) "Real estate appraiser" or "appraiser" means a person
318 engaged in the business of estimating the value of real estate for a fee or
319 other valuable consideration.

320 [(20)] (21) "USPAP" means the Uniform Standards of Professional
321 Appraisal Practice issued by the Appraisal Standards Board of the
322 Appraisal Foundation pursuant to Title XI of FIRREA.

323 Sec. 4. (NEW) (*Effective from passage*) (a) No federally regulated
324 appraisal management company shall be required to register with the
325 Department of Consumer Protection.

326 (b) A federally regulated appraisal management company shall
327 report to the Department of Consumer Protection, in a form and manner
328 prescribed by the department, such information as the Commissioner of
329 Consumer Protection is required to submit to the appraisal
330 subcommittee of the Federal Financial Institutions Examination Council

331 pursuant to Title XI of FIRREA, any regulation promulgated thereunder
332 or any policy or rule established by said subcommittee.

333 (c) A federally regulated appraisal management company shall pay
334 to the Commissioner of Consumer Protection an annual registry fee in
335 an amount determined by the appraisal subcommittee of the Federal
336 Financial Institutions Examination Council in accordance with federal
337 law. The commissioner shall transmit the annual registry fee to the
338 appropriate federal regulatory entity in accordance with Title XI of
339 FIRREA, any regulation promulgated thereunder or any policy or rule
340 established by said subcommittee.

341 Sec. 5. Subsection (a) of section 20-523 of the general statutes is
342 repealed and the following is substituted in lieu thereof (*Effective from*
343 *passage*):

344 (a) Any person who engages in the real estate appraisal business
345 without obtaining a certification or provisional license, as the case may
346 be, as provided in sections 20-500 to 20-528, inclusive, as amended by
347 this act, shall be: [fined] (1) Fined not more than one thousand dollars
348 or imprisoned not more than six months or both; [,] (2) subject to civil
349 penalties after an administrative hearing conducted by the
350 Commissioner of Consumer Protection, or the commissioner's designee,
351 in accordance with the provisions of chapter 54; and [shall be] (3)
352 ineligible to obtain a certification or provisional license for one year
353 from the date of conviction of such offense or the final decision rendered
354 by the commissioner or the commissioner's designee after an
355 administrative hearing, except the commission, in its discretion, may
356 grant a certification or provisional license, as the case may be, to such
357 person within such one-year period upon application and after a
358 hearing on such application.

359 Sec. 6. Subsections (a) and (b) of section 20-529 of the general statutes
360 are repealed and the following is substituted in lieu thereof (*Effective*
361 *from passage*):

362 (a) No appraisal management company, [shall] other than a federally

363 regulated appraisal management company, shall, without first
364 obtaining a registration from the Department of Consumer Protection,
365 (1) engage or attempt to engage in business as an appraisal management
366 company in this state; (2) perform or attempt to perform appraisal
367 management services in this state; or (3) advertise or hold itself out as
368 engaging in business as an appraisal management company in this state,
369 [without first registering with the Department of Consumer Protection.]

370 (b) Each appraisal management company, other than a federally
371 regulated appraisal management company, shall apply to the
372 Commissioner of Consumer Protection, in writing, on a form provided
373 by the commissioner. The application shall include (1) the company's
374 name, business address and telephone number; (2) if such company is
375 domiciled in another state, the name, address and telephone number of
376 the company's agent for service of process in this state, and the Uniform
377 Consent to Service of Process form to be completed by the company; (3)
378 the name, address and telephone number of any person or business
379 entity owning an equity interest, or the equivalent, of the company; (4)
380 a certification by the company that no person or business entity named
381 in subdivision (3) of this subsection has had an appraiser license or
382 certificate denied, refused to be renewed, suspended or revoked in any
383 state; (5) the name, address and telephone number of a controlling
384 person of the company who will serve as the main contact for
385 communications between the commissioner and the appraisal
386 management company; (6) the name, address and telephone number of
387 a compliance manager of the company; and (7) any other information
388 the commissioner may require. Each such application shall be
389 accompanied by a fee of one thousand dollars.

390 Sec. 7. Section 20-529a of the general statutes is repealed and the
391 following is substituted in lieu thereof (*Effective from passage*):

392 (a) Each appraisal management company, other than a federally
393 regulated appraisal management company, shall certify annually to the
394 commissioner that [it] such appraisal management company maintains
395 a detailed record of each appraisal request or order [it] such appraisal

396 management company receives and of the appraiser who performs such
397 appraisal.

398 (b) Each appraisal management company, other than a federally
399 regulated appraisal management company, may audit the appraisals
400 completed by appraisers on its appraiser panel to ensure that such
401 appraisals are being performed in accordance with the USPAP.

402 (c) Each appraisal management company, other than a federally
403 regulated appraisal management company, shall disclose to a client
404 prior to providing, or along with, the appraisal report (1) the dollar
405 amount of the total compensation to be paid by such company to the
406 appraiser who performed the appraisal; and (2) the dollar amount of the
407 total compensation to be retained by such company from the appraisal
408 fee paid to such company for such appraisal.

409 (d) No appraisal management company, other than a federally
410 regulated appraisal management company, shall prohibit or attempt to
411 prohibit an appraiser from including or referencing in an appraisal
412 report the appraisal fee, the name of the appraisal management
413 company or the client's or lender's name or identity.

414 Sec. 8. Subsections (c) to (e), inclusive, of section 20-529b of the
415 general statutes are repealed and the following is substituted in lieu
416 thereof (*Effective from passage*):

417 (c) Except in cases of breach of contract or substandard performance
418 of services or where the parties have mutually agreed upon an alternate
419 payment schedule in writing, each appraisal management company,
420 other than a federally regulated appraisal management company,
421 operating in this state shall make payment to an appraiser for the
422 completion of an appraisal or valuation assignment not later than forty-
423 five days after the date on which such appraiser transmits or otherwise
424 provides the completed appraisal or valuation study to the appraisal
425 management company or its assignee.

426 (d) No employee, owner, controlling person, director, officer or agent

427 of an appraisal management company that is not a federally regulated
428 appraisal management company shall intentionally influence, coerce or
429 encourage or attempt to influence, coerce or encourage, an appraiser to
430 misstate or misrepresent the value of a subject property, by any means,
431 including:

432 (1) Withholding or threatening to withhold timely payment for an
433 appraisal;

434 (2) Withholding or threatening to withhold business from, or
435 demoting, terminating or threatening to demote or terminate, an
436 appraiser;

437 (3) Expressly or impliedly promising future business, promotion or
438 increased compensation to an appraiser;

439 (4) Conditioning an appraisal request or payment of a fee, salary or
440 bonus on the opinion, preliminary estimate, conclusion or valuation to
441 be reached by the appraiser;

442 (5) Requesting that an appraiser provide a predetermined or desired
443 valuation in an appraisal report or estimated values or comparable sales
444 at any time prior to the completion of an appraisal;

445 (6) Providing to an appraiser an anticipated, estimated, encouraged
446 or desired value for a subject property or a proposed or target amount
447 to be loaned to the borrower, except that a copy of the contract to
448 purchase may be provided;

449 (7) Providing or offering to provide to an appraiser or to any person
450 or entity related to the appraiser stock or other financial or nonfinancial
451 benefits;

452 (8) Removing an appraiser from an appraiser panel without prior
453 written notice to such appraiser as set forth in section 20-529c, as
454 amended by this act;

455 (9) Obtaining, using or paying for a subsequent appraisal or ordering

456 an automated valuation model in connection with a mortgage financing
457 transaction unless (A) there is a reasonable basis to believe that the
458 initial appraisal was flawed or tainted and such basis is clearly noted in
459 such transaction file, or (B) such subsequent appraisal or automated
460 valuation model is performed pursuant to a bona fide prefunding or
461 postfunding appraisal review, loan underwriting or quality control
462 process; or

463 (10) Using any other act or practice that impairs or attempts to impair
464 an appraiser's independence, objectivity or impartiality.

465 (e) Nothing in subsection (d) of this section shall be construed to
466 apply to a federally regulated appraisal management company or
467 prohibit an appraisal management company from requesting that an
468 appraiser provide additional information about the basis for a valuation
469 or correct objective factual errors in an appraisal report.

470 Sec. 9. Section 20-529c of the general statutes is repealed and the
471 following is substituted in lieu thereof (*Effective from passage*):

472 (a) After an appraiser is initially added to an appraiser panel of an
473 appraisal management company, other than a federally regulated
474 appraisal management company, such company shall not remove an
475 appraiser from its appraiser panel or otherwise refuse to assign requests
476 or orders for appraisals without:

477 (1) Notifying the appraiser in writing of the reasons why the
478 appraiser is being removed;

479 (2) If the appraiser is being removed for alleged illegal conduct,
480 violation of the USPAP or violation of state licensing standards,
481 notifying the appraiser in writing of the nature of the alleged conduct or
482 violation; and

483 (3) Providing the appraiser with an opportunity to respond to such
484 notice.

485 (b) (1) Any appraiser who is removed from an appraiser panel of

486 an appraisal management company, other than a federally regulated
487 appraisal management company, for alleged illegal conduct, violation
488 of the USPAP or violation of state licensing standards may file a
489 complaint with the commissioner and request a review of the removal
490 decision, except that the commissioner shall not make any
491 determination regarding the nature of the business relationship
492 between the appraiser and the appraisal management company that is
493 unrelated to the actions specified in subsection (a) of this section.

494 (2) If an appraiser files a complaint against an appraisal management
495 company described in subdivision (1) of this subsection pursuant to said
496 subdivision, [(1) of this subsection,] the commissioner shall notify such
497 company not later than ten days after such complaint is filed. The
498 commissioner may schedule a hearing and shall render a decision not
499 later than one hundred eighty days after the date such complaint is filed.

500 (3) If the commissioner determines to the commissioner's satisfaction
501 that the appraiser did not engage in illegal conduct, violate the USPAP
502 or violate state licensing standards, the commissioner shall order
503 such appraiser to be reinstated to the appraiser panel of the appraisal
504 management company.

505 (4) The appraisal management company described in subdivision (1)
506 of this subsection that was the subject of the complaint filed pursuant to
507 said subdivision shall not (A) refuse to assign requests or orders for
508 appraisals or reduce the number of assignments to the reinstated
509 appraiser, or (B) otherwise penalize the reinstated appraiser.

510 Sec. 10. Subsection (a) of section 20-529d of the general statutes is
511 repealed and the following is substituted in lieu thereof (*Effective from*
512 *passage*):

513 (a) Upon the verified complaint, in writing, of any person concerning
514 a violation by an appraisal management company, other than a federally
515 regulated appraisal management company, of the provisions of sections
516 20-529 to 20-529c, inclusive, as amended by this act, the Department of
517 Consumer Protection may investigate such company. Upon a

518 determination by the commissioner that an appraisal management
519 company has made any materially false, fictitious or fraudulent
520 statement or violated any provision of sections 20-529 to 20-529c,
521 inclusive, as amended by this act, the commissioner may deny, refuse to
522 renew, suspend or revoke a certificate of registration issued in
523 accordance with section 20-529, as amended by this act, and may impose
524 a civil penalty of not more than twenty-five thousand dollars.

525 Sec. 11. Section 20-529e of the general statutes is repealed and the
526 following is substituted in lieu thereof (*Effective from passage*):

527 The Commissioner of Consumer Protection may adopt regulations,
528 in accordance with chapter 54, to carry out the provisions of sections 20-
529 529 to [20-529c] 20-529d, inclusive, as amended by this act, and section
530 4 of this act.

531 Sec. 12. Subsection (b) of section 21-71 of the general statutes is
532 repealed and the following is substituted in lieu thereof (*Effective from*
533 *passage*):

534 (b) (1) If an inspection by the department reveals a violation of any
535 provision of this chapter or any regulation issued under this chapter, the
536 cost of all reinspections necessary to determine compliance with any
537 such provision shall be assumed by the owner, except that if a first
538 reinspection indicates compliance with such provision, no charge shall
539 be made.

540 (2) As part of an inspection or investigation, the department may
541 order an owner of a mobile manufactured home park to obtain an
542 independent inspection report, at the sole cost of the owner, that
543 assesses the condition and potential public health impact of a condition
544 at the park, including, but not limited to, the condition of trees and
545 electrical, plumbing or sanitary systems.

546 (3) (A) In ordering an owner of a mobile manufactured home park to
547 obtain an independent inspection report under this subsection, the
548 department may require (i) the person completing such report to have

549 training or be licensed in a particular area related to the ordered
550 inspection, and (ii) that such report specifically address particular areas
551 of, or issues affecting, the park that are of concern to the department.

552 (B) In the event that the department requires the person completing
553 an independent inspection report under this subsection to have training
554 or be licensed in a particular area, the department shall include such
555 requirement in the first order the department issues to the mobile
556 manufactured home park owner requiring such report.

557 (C) The mobile manufactured home park owner shall submit proof of
558 compliance with the provisions of this subdivision at the time the owner
559 submits to the department the independent inspection report required
560 under this subsection.

561 (4) If the department orders a mobile manufactured home park
562 owner to obtain an independent inspection report as part of the owner's
563 application for a license, or for renewal of a license, to operate a mobile
564 manufactured home park, the department shall issue such order to such
565 owner at the electronic mail address such owner most recently provided
566 to the department in such owner's application. Such order shall provide
567 a description of the condition or conditions that require further
568 assessment by such owner.

569 (5) A mobile manufactured home park owner shall obtain and submit
570 to the department an independent inspection report required under this
571 subsection not later than thirty days after the department issued the
572 order requiring such report or a later date approved, in writing, by the
573 commissioner or the commissioner's designee.

574 (6) Each independent inspection report required under this
575 subsection shall include (A) an assessment of (i) all conditions outlined
576 in the department's order requiring such report that impact public
577 health and safety for the purpose of assessing the risk that such
578 conditions pose to public health and safety, and (ii) the severity of the
579 conditions described in subparagraph (A)(i) of this subdivision, and (B)
580 a detailed plan of action to remedy each condition described in

581 subparagraph (A)(i) of this subdivision.

582 (7) Not later than ten days after a mobile manufactured home park
583 owner receives an independent inspection report required under this
584 subsection, the mobile manufactured home park owner shall provide to
585 the department, in writing, a detailed plan to remedy the assessed
586 condition, which plan shall include, at a minimum, a specific timeline,
587 proposed contractors and a budget.

588 Sec. 13. Subsections (c) to (f), inclusive, of section 21a-4 of the 2024
589 supplement to the general statutes are repealed and the following is
590 substituted in lieu thereof (*Effective from passage*):

591 (c) The Commissioner of Consumer Protection may impose a late fee
592 on any applicant who fails to renew a license, permit, certificate or
593 registration on or before the expiration date of such license, permit,
594 certificate or registration. The amount of the late fee shall be equal to ten
595 per cent of the renewal fee but shall not be less than ten dollars or more
596 than one hundred dollars. Prior to renewing a license, permit, certificate
597 or registration, an applicant shall pay all outstanding fees, including,
598 but not limited to, late fees, owed to the department.

599 (d) If the Department of Consumer Protection does not receive a
600 completed license, permit, certificate or registration renewal application
601 from an applicant on or before the expiration date of such license,
602 permit, certificate or registration, [but the applicant submits a
603 completed renewal application to the department not later than] the
604 department may accept a renewal application for a period of up to
605 ninety days after such expiration date. If the department elects to accept
606 a renewal application during such period, the applicant shall pay any
607 late fee imposed by the commissioner under subsection (c) of this
608 section but shall not be required to apply for reinstatement under
609 subsection (e) of this section. No holder of any lapsed license, permit,
610 certificate or registration shall engage in any activity for which an active
611 license, permit, certificate or registration is required unless the
612 department has approved a renewal application for such license, permit,

613 certificate or registration.

614 (e) When a license, permit, certificate or registration has lapsed for a
615 period longer than ninety days after its expiration date or the length of
616 time specified in any other provision of the general statutes allowing for
617 its reinstatement, an applicant may apply to the Department of
618 Consumer Protection to reinstate such lapsed license, permit, certificate
619 or registration. Upon receipt of such completed reinstatement
620 application and payment of the corresponding application fee, the
621 department may, in the department's discretion and if such application
622 is made not later than three years after such expiration date or specified
623 time, reinstate such lapsed license, permit, certificate or registration
624 without examination. The applicant, prior to reinstatement by the
625 department, shall attest that the applicant has not worked in the
626 applicable occupation or profession in this state while such license,
627 permit, certificate or registration was lapsed, pay the current year's
628 renewal fee for reinstatement and take any continuing education
629 required for the year preceding such reinstatement and the year of such
630 reinstatement. If the applicant worked in the applicable occupation or
631 profession in this state while such license, permit, certificate or
632 registration was lapsed, the applicant shall pay all license and late fees
633 due and owing for the period in which such license, permit, certificate
634 or registration was lapsed and demonstrate to the department that the
635 applicant has completed all continuing education required for the year
636 preceding reinstatement. If a license, permit, certificate or registration
637 has lapsed for longer than three years after the license, permit, certificate
638 or registration expiration date or the length of time specified in any
639 other provision of the general statutes allowing for reinstatement,
640 whichever is longer, the applicant shall apply for a new license, permit,
641 certificate or registration under this subsection. No person who had a
642 license, permit, certificate or registration that lapsed during the three
643 years immediately preceding the date of an application made pursuant
644 to this subsection may seek a new license, permit, certificate or
645 registration of the same type under the same name.

646 (f) Unless expressly provided otherwise by law, application fees for a

647 license, permit, certificate or registration within the purview of the
648 Department of Consumer Protection shall be nonrefundable. Unless
649 waived by the department, in writing, the department may deem any
650 incomplete application that has been submitted to the department to
651 have expired and been withdrawn six months after the date of such
652 incomplete application.

653 Sec. 14. Subsections (b) to (d), inclusive, of section 21a-79 of the
654 general statutes are repealed and the following is substituted in lieu
655 thereof (*Effective from passage*):

656 (b) (1) (A) Any person [who, or association, corporation, firm or
657 partnership] that [,] uses universal product coding to total a retail
658 consumer's purchases shall mark, or cause to be marked, each consumer
659 commodity that bears a universal product code with such consumer
660 commodity's retail price.

661 (B) Any person [who, or association, corporation, firm or partnership]
662 that [,] uses an electronic pricing system to total a retail consumer's
663 purchases shall provide to such consumer an item-by-item digital
664 display, plainly visible to such consumer as each universal product code
665 is scanned, of the price of each carbonated soft drink container or
666 consumer commodity, or both, which such consumer has selected for
667 purchase before such person [, association, corporation, firm or
668 partnership] accepts payment from such consumer for such carbonated
669 soft drink container or consumer commodity, or both. The provisions of
670 this subparagraph shall not be construed to apply to any person [who,
671 or association, corporation, firm or partnership] that [,] is operating in a
672 retail sales area of not more than ten thousand square feet.

673 (2) The provisions of subparagraph (A) of subdivision (1) of this
674 subsection shall not apply if (A) the Commissioner of Consumer
675 Protection, by regulation, allows for the use of electronic shelf labeling
676 systems, (B) the commissioner grants to a person [, association,
677 corporation, firm or partnership] approval to use an electronic shelf
678 labeling system, (C) the person [, association, corporation, firm or

679 partnership] demonstrates, to the commissioner's satisfaction, that such
680 electronic shelf labeling system is supported by an electronic pricing
681 system that uses universal product coding to total a retail consumer's
682 purchases, and (D) such person [, association, corporation, firm or
683 partnership] has received the commissioner's approval for such an
684 electronic pricing system.

685 (3) The provisions of subparagraph (A) of subdivision (1) of this
686 subsection shall not apply to a person [, association, corporation, firm or
687 partnership] if (A) the conditions established in subdivision (2) of this
688 subsection have been satisfied, and (B) the person [, association,
689 corporation, firm or partnership] has received the Commissioner of
690 Consumer Protection's permission to suspend implementation of the
691 electronic pricing system for a period, not to exceed thirty days, to
692 enable such person, [association, corporation, firm or partnership,] or an
693 agent acting on behalf of such person, [association, corporation, firm or
694 partnership,] to remodel, repair, reset or otherwise modify such
695 electronic pricing system at the retail establishment.

696 (4) The provisions of subparagraph (A) of subdivision (1) of this
697 subsection shall not apply to a person [, association, corporation, firm or
698 partnership] if (A) the person [, association, corporation, firm or
699 partnership] applies for, and the Commissioner of Consumer Protection
700 approves, an exemption for such person, [association, corporation, firm
701 or partnership,] (B) such person [, association, corporation, firm or
702 partnership] demonstrates, to the commissioner's satisfaction, that such
703 person [, association, corporation, firm or partnership] has achieved
704 price scanner accuracy of at least ninety-eight per cent, as determined
705 by the latest version of the National Institute of Standards and
706 Technology Handbook 130, "Examination Procedures for Price
707 Verification", as adopted by The National Conference on Weights and
708 Measures, (C) such person [, association, corporation, firm or
709 partnership] pays an application fee, to be used to offset annual
710 inspection costs, of three hundred fifteen dollars, if the premises consists
711 of less than twenty thousand square feet of retail space, or six hundred
712 twenty-five dollars, if the premises consists of at least twenty thousand

713 square feet of retail space, (D) such person [, association, corporation,
714 firm or partnership] makes available a consumer price test scanner that
715 is approved by the commissioner and located prominently in an easily
716 accessible location for each twelve thousand square feet of retail floor
717 space, or fraction thereof, and (E) price accuracy inspections resulting in
718 less than ninety-eight per cent price scanner accuracy are reinspected,
719 [without penalty, and such person, association, corporation, firm or
720 partnership pays] which reinspection shall be performed following
721 receipt of payment of a two-hundred-fifty-dollar reinspection fee paid
722 by such person.

723 (5) Notwithstanding any provision of this subsection, consumer
724 commodities that are offered for sale and located on an end cap display
725 within the retail sales area shall not be subject to the requirements
726 established in this subsection, provided any information that would
727 otherwise have been made available to a consumer pursuant to this
728 section is clearly and conspicuously posted on or adjacent to such end
729 cap.

730 (6) Consumer commodities that are advertised in a publicly
731 circulated printed form as being offered for sale at a reduced retail price
732 for a minimum seven-day period need not be individually marked at
733 such reduced retail price, provided such consumer commodities are
734 individually marked with their regular retail price and a conspicuous
735 sign adjacent to such consumer commodities discloses (A) such reduced
736 retail price and the unit price of such consumer commodities, and (B) a
737 statement disclosing that the cashier will electronically price such
738 consumer commodities at such reduced price.

739 (7) (A) Except as provided in subparagraph (B) of this subdivision, if
740 a consumer commodity is offered for sale and the consumer
741 commodity's electronic price is higher than the posted price, then one
742 item of such consumer commodity, up to a value of twenty dollars, shall
743 be given to the consumer at no cost to the consumer. A conspicuous sign
744 shall adequately disclose to the consumer that in the event the electronic
745 price is higher than the posted retail price, one item of such consumer

746 commodity shall be given to the consumer at no cost to the consumer.

747 (B) The provisions of subparagraph (A) of this subdivision shall not
748 apply to a person [, association, corporation, firm or partnership] in
749 cases where the person [, association, corporation, firm or partnership]
750 (i) improperly fails to redeem a digital or paper coupon which, if
751 properly redeemed, would reduce the price of a consumer commodity,
752 or (ii) fails to remove a sign adjoining a consumer commodity and
753 disclosing a time-limited reduced price for the consumer commodity
754 after the time period specified for such reduced price has expired.

755 (8) If a consumer presents a digital or paper coupon which, if
756 properly redeemed, would reduce the price of a consumer commodity
757 and the person [, association, corporation, firm or partnership] fails to
758 properly redeem such coupon, such person [, association, corporation,
759 firm or partnership] shall provide to the consumer a refund in an
760 amount that is equal to the value of such coupon. If a person [,
761 association, corporation, firm or partnership] offers a consumer
762 commodity for sale at a reduced price for a specified time period, and a
763 sign disclosing such reduced price remains adjacent to the consumer
764 commodity following expiration of such time period, the person [,
765 association, corporation, firm or partnership] shall only require a
766 consumer to pay the reduced price disclosed in such sign for such
767 consumer commodity.

768 (c) (1) The Commissioner of Consumer Protection may adopt
769 regulations, in accordance with the provisions of chapter 54, concerning
770 the marking of prices, and use of universal product coding, on each unit
771 of a consumer commodity.

772 (2) The Commissioner of Consumer Protection may adopt
773 regulations, in accordance with the provisions of chapter 54, designating
774 not more than twelve consumer commodities that need not be marked
775 in accordance with the provisions of subdivision (1) of subsection (b) of
776 this section and specifying the method of providing adequate disclosure
777 to consumers to ensure that the electronic pricing of the designated

778 consumer commodities is accurate. The commissioner may also
779 establish, by regulation, methods to protect consumers against
780 electronic pricing errors of such designated consumer commodities and
781 to ensure that the electronic prices of such designated consumer
782 commodities are accurate. Among the methods that the commissioner
783 may consider are conditions similar to those set forth in subdivision (5)
784 of subsection (b) of this section.

785 (d) The Commissioner of Consumer Protection, after providing
786 notice and conducting a hearing in accordance with the provisions of
787 chapter 54, may issue a warning citation to, or impose a civil penalty of
788 not more than one hundred dollars for the first offense and not more
789 than five hundred dollars for each subsequent offense on, any person
790 [who, or association, corporation, firm or partnership] that [,] violates
791 any provision of subsection (b) of this section, or any regulation adopted
792 pursuant to subsection (c) of this section. Any person [who, or
793 association, corporation, firm or partnership] that [,] violates any
794 provision of subsection (b) of this section, or any regulation adopted
795 pursuant to subsection (c) of this section, shall be fined not more than
796 two hundred dollars for the first offense and not more than one
797 thousand dollars for each subsequent offense. Each violation with
798 respect to all units of a particular consumer commodity on any single
799 day shall be deemed a single offense.

800 Sec. 15. Subsection (e) of section 21a-79b of the general statutes is
801 repealed and the following is substituted in lieu thereof (*Effective from*
802 *passage*):

803 (e) The provisions of this section do not apply to any person,
804 association, corporation, firm or partnership operating in a retail sales
805 area of not more than [ten thousand] one thousand five hundred square
806 feet.

807 Sec. 16. Section 21a-96 of the general statutes is repealed and the
808 following is substituted in lieu thereof (*Effective from passage*):

809 (a) Whenever the commissioner or [his] the commissioner's

810 authorized agent finds, or has probable cause to believe, that any food,
811 drug, device or cosmetic is offered or exposed for sale, or held in
812 possession with intent to distribute or sell, or is intended for distribution
813 or sale in violation of any provision of this chapter, whether [it] such
814 article is in the custody of a common carrier or any other person, [he]
815 the commissioner or such agent may affix to such article a tag or other
816 appropriate marking, giving written notice, prior to or at the time such
817 article is embargoed, that such article is, or is suspected of being, in
818 violation of this chapter and has been, or shall be, embargoed. [Within]
819 Not later than twenty-one days after an embargo has been placed upon
820 any article, unless the commissioner extends the embargo period based
821 upon a reinspection which indicates the continuation of violation, the
822 commissioner shall remove the embargo [shall be removed by the
823 commissioner] or bring a summary proceeding [for the confiscation of
824 the article shall be instituted by the commissioner] pursuant to chapter
825 54, or institute a civil action in the Superior Court, to embargo such
826 article. No person shall alter, open, remove or dispose of such
827 embargoed article by sale or otherwise without the permission of the
828 commissioner or [his] the commissioner's authorized agent, or, after a
829 summary [proceedings have been] proceeding has been brought or a
830 civil action has been instituted, without permission from the hearing
831 officer or the court. If the embargo is removed by the commissioner,
832 hearing officer or [by the] court, [neither] the commissioner, [nor]
833 hearing officer and the state shall not be held liable for damages because
834 of such embargo if the hearing officer or court finds that there was
835 probable cause for the embargo.

836 (b) [Proceedings before the Superior Court] Summary proceedings
837 brought in accordance with this section shall be by complaint [, verified
838 by affidavit, which may be made on information and belief] in the name
839 of the commissioner against the person who has custody of the article to
840 be [confiscated] embargoed.

841 (c) The complaint shall contain: (1) A particular description of the
842 article, (2) the name of the place where the article is located, (3) the name
843 of the person in whose possession or custody the article was found, if

844 such name is known to the person making the complaint or can be
845 ascertained by reasonable effort, and (4) a statement as to the manner in
846 which the article is adulterated or misbranded or the characteristics
847 which render its distribution or sale illegal.

848 [(d) Upon the filing of the verified complaint, the court shall issue a
849 warrant directed to the proper officer to seize and take in his possession
850 the article described in the complaint and bring the same before the
851 court which issued the warrant and to summon the person named in the
852 warrant, and any other person found in possession of the article, to
853 appear at the time and place therein specified.

854 (e) Any such person shall be summoned by service of a copy of the
855 warrant in the same manner as a summons issuing out of the court in
856 which the warrant has been issued.

857 (f) The hearing upon the complaint shall be at the time and place
858 specified in the warrant, which time shall not be less than five days or
859 more than fifteen days from the date of issuing the warrant, but, if the
860 execution and service of the warrant has been less than three days before
861 the return of the warrant, either party shall be entitled to a reasonable
862 continuance. Upon the hearing the complaint may be amended.

863 (g) Any person who appears and claims the food, drug, device or
864 cosmetic seized under the warrant shall be required to file a claim in
865 writing.]

866 [(h)] (d) If, upon the hearing, it appears that the article was offered or
867 exposed for sale, or had in possession with intent to distribute or sell, or
868 was intended for distribution or sale, in violation of any provision of
869 this chapter, [it shall be confiscated and disposed of by destruction or
870 sale as the] the article may be confiscated by the Department of
871 Consumer Protection or ordered by the hearing officer or court to be
872 destroyed by the respondent or defendant in a manner prescribed by
873 such hearing officer or court. [may direct, but no] No such article shall
874 be sold contrary to any provision of this chapter. In the event of an
875 adverse ruling against the respondent or defendant, the respondent or

876 defendant shall be liable for all costs and expenses incurred by the
877 department in investigating, containing, removing, monitoring,
878 mitigating and disposing of the embargoed product as well as any legal
879 expenses associated therewith. The proceeds of any sale, less the legal
880 costs and charges, shall be paid into the State Treasury.

881 [(i) If the article seized is not injurious to health and is of such
882 character that, when properly packed, marked, branded or otherwise
883 brought into compliance with the provisions of this chapter, its sale
884 would not be prohibited, the court may order such article delivered to
885 the owner upon the payment of the costs of the proceedings and the
886 execution and delivery to the state department instituting the
887 proceedings, as obligee, of a good and sufficient bond to the effect that
888 such article will be brought into compliance with the provisions of this
889 chapter under the supervision of said department, and the expenses of
890 such supervision shall be paid by the owner obtaining release of the
891 article under bond.]

892 [(j)] (e) Whenever the commissioner or any of [his] the
893 commissioner's authorized agents finds, in any room, building, other
894 structure or vehicle of transportation, [or other structure,] any meat,
895 seafood, poultry, vegetable, fruit or other perishable article which is
896 unsound, or contains any filthy, decomposed or putrid substance, or
897 that may be poisonous or deleterious to health or otherwise unsafe, the
898 commissioner, or [his] the commissioner's authorized agent, shall
899 forthwith [condemn] embargo or destroy the same, or in any other
900 manner render the same unsalable as a human food.

901 (f) Whenever the commissioner or any of the commissioner's
902 authorized agents finds, in any room, building, other structure or
903 vehicle of transportation, any drug or device, as defined in section 21a-
904 92, or drug paraphernalia, as defined in section 21a-240, which is
905 adulterated or insanitary, is produced, packed or held under insanitary
906 conditions, is unsafe or not shown to be safe, may be contaminated by
907 filth or may be deleterious or injurious to health, the commissioner, or
908 the commissioner's authorized agent, shall forthwith embargo or

909 destroy such drug, device or drug paraphernalia or in any other manner
910 render such drug, device or drug paraphernalia unsalable.

911 [(k)] (g) The commissioner may, after notice and hearing, impose a
912 civil penalty of not more than [five hundred] five thousand dollars for
913 each separate offense on any person who removes any tag or other
914 appropriate marking affixed to an article, or who offers or exposes an
915 article for sale, which has been embargoed [or condemned] in
916 accordance with the provisions of this section, without the permission
917 of the commissioner or [his] the commissioner's agent.

918 Sec. 17. Subsection (b) of section 21a-101a of the general statutes is
919 repealed and the following is substituted in lieu thereof (*Effective from*
920 *passage*):

921 (b) In accordance with sections 21a-116 and 21a-118, the
922 commissioner or the commissioner's authorized agent may investigate
923 and take samples of foods. In addition to the [seizure] powers granted
924 to the commissioner pursuant to section 21a-96, as amended by this act,
925 the commissioner or the commissioner's authorized agent may seize,
926 condemn, destroy, or in any other manner render unsalable, any
927 adulterated foods [he or she] the commissioner or such authorized agent
928 deems to be poisonous, deleterious to public health or otherwise unsafe.

929 Sec. 18. Section 21a-217 of the general statutes is repealed and the
930 following is substituted in lieu thereof (*Effective from passage*):

931 Every contract for health club services shall provide that such
932 contract may be cancelled within three business days after the date of
933 receipt by the buyer of a copy of the contract, by written notice
934 delivered, [by certified or registered United States mail] with delivery
935 tracking, to the seller or the seller's agent at an address which shall be
936 specified in the contract. After receipt of such cancellation, the health
937 club may request the return of [contract forms, membership cards and
938 any and all other documents and evidence of membership previously
939 delivered to the buyer] any cards or equipment that were delivered to
940 the buyer as part of the membership. Cancellation shall be without

941 liability on the part of the buyer, except for the fair market value of
942 services actually received and the buyer shall be entitled to a refund of
943 the entire consideration paid for the contract, if any, less the fair market
944 value of the services or use of facilities already actually received. Such
945 right of cancellation shall not be affected by the terms of the contract and
946 may not be waived or otherwise surrendered. Such contract for health
947 club services shall also contain a clause providing that if the person
948 receiving the benefits of such contract relocates further than twenty-five
949 miles from a health club facility operated by the seller or a substantially
950 similar health club facility which would accept the seller's obligation
951 under the contract, or dies during the membership term following the
952 date of such contract, or if the health club ceases operation at the location
953 where the buyer entered into the contract, the buyer or his estate shall
954 be relieved of any further obligation for payment under the contract not
955 then due and owing. The contract shall also provide that if the buyer
956 becomes disabled during the membership term, the buyer shall have the
957 option of (1) being relieved of liability for payment on that portion of
958 the contract term for which [he] the buyer is disabled, or (2) extending
959 the duration of the original contract at no cost to the buyer for a period
960 equal to the duration of the disability. The health club shall have the
961 right to require and verify reasonable evidence of relocation, disability
962 or death. In the case of disability, the health club may require that [a
963 certificate signed by] documentation from a licensed physician, a
964 licensed physician assistant, [or] a licensed advanced practice registered
965 nurse or another credentialed medical provider be submitted as
966 verification. [and may also require in such contract that the buyer
967 submit to a physical examination by a licensed physician, a licensed
968 physician assistant or a licensed advanced practice registered nurse
969 agreeable to the buyer and the health club, the cost of which
970 examination shall be borne by the health club.]

971 Sec. 19. Section 21a-218 of the general statutes is repealed and the
972 following is substituted in lieu thereof (*Effective from passage*):

973 (a) A copy of the health club contract shall be delivered to the buyer
974 at the time the contract is signed. All health club contracts shall (1) be in

975 writing and signed by the buyer, (2) designate the date on which the
976 buyer actually signs the contract, (3) identify the address of the location
977 at which the buyer entered the contract, and (4) contain a statement of
978 the buyer's rights which complies with this section. The following
979 statement shall prominently and conspicuously appear, in at least
980 twelve-point font, at the top of the contract; [under the conspicuous
981 caption:]

982 "BUYER'S RIGHT TO [CANCEL", and shall read as follows:]
983 CANCEL

984 ["If] If you wish to cancel this contract, you may cancel by sending a
985 written notice [to one of the addresses specified below. The notice must
986 say] stating that you do not wish to be bound by this contract, [and must
987 be delivered or mailed before midnight of the third business day after
988 you sign this contract. After you cancel, the health club may request the
989 return of all contracts, membership cards and other documents of
990 evidence of membership] The notice must be delivered or mailed before
991 midnight of the third business day after you sign this contract. The
992 notice must be delivered or mailed to:

993

994

995 (Insert name, electronic mail address and mailing address for
996 cancellation notice.)

997 You may also cancel this contract if: [you]

998 (1) You relocate your residence further than twenty-five (25) miles
999 from any health club operated by the seller or from any other
1000 substantially similar health club which would accept the obligation of
1001 the seller; [. This contract may also be cancelled if you]

1002 (2) You die; [, or if the] or

1003 (3) The health club ceases operation at the location where you entered

1004 into this contract or the location closest to your primary residence.

1005 If you become disabled, you shall have the option of:

1006 (1) [~~being~~] Being relieved of liability for payment on that portion of
1007 the contract term for which you are disabled; [,] or

1008 (2) [~~extending~~] Extending the duration of the original contract at no
1009 cost to you for a period equal to the duration of the disability.

1010 You must send a written notice of disability, which may be sent to the
1011 health club in an electronic form. You may be required to prove such
1012 disability by [a certificate signed by] submitting documentation from a
1013 licensed physician, [or] a licensed physician assistant, a licensed
1014 advanced practice registered nurse [, which certificate shall be enclosed
1015 with the written notice of disability sent to the health club. The health
1016 club may require that you be examined by another physician or
1017 advanced practice registered nurse agreeable to you and the health club
1018 at its expense] or another credentialed medical provider. If you cancel,
1019 the health club may keep or collect an amount equal to the fair market
1020 value of the services or use of facilities you have already received."

1021 [The full text of this statement shall be in ten-point bold type. Each
1022 contract renewed on or after October 1, 2021, shall revise the BUYER'S
1023 RIGHT TO CANCEL language to provide for cancellation notices
1024 received by electronic mail.]

1025 (b) If a buyer cancels a health club contract pursuant to the three-day
1026 cancellation provision or as a result of having moved further than
1027 twenty-five miles, or as a result of the health club ceasing operation at
1028 the location where the buyer entered into the contract or the location
1029 closest to the buyer's primary residence as provided by this chapter, the
1030 health club shall send the buyer a written confirmation of cancellation
1031 within fifteen days after receipt by the health club of the buyer's
1032 cancellation notice. If the health club fails to send such written notice to
1033 the buyer within fifteen days, the health club shall be deemed to have
1034 accepted the cancellation.

1035 [(c) (1) If the buyer notifies the health club that he has become
1036 disabled, the health club shall notify the buyer in writing within fifteen
1037 days of receipt by the health club of the buyer's notice of disability and
1038 any certificate signed by a licensed physician, physician assistant or a
1039 licensed advanced practice registered nurse which may be required
1040 under subsection (a) of this section that: (A) The health club will not
1041 require the buyer to submit to another physical examination; or (B) the
1042 health club requires the buyer to submit to another physical
1043 examination and that the buyer's obligations under the contract are
1044 suspended pending determination of disability. If the health club fails
1045 to send such written notice to the buyer within fifteen days, the health
1046 club shall be deemed to have accepted the disability.

1047 (2) If the health club requires the buyer to submit to another physical
1048 examination, all obligations of the buyer for payment under the contract
1049 will be suspended as of the date the health club receives notice of
1050 disability. The buyer's obligations will not resume until such time as a
1051 determination is made, either by consent of the buyer and the health
1052 club or through adjudicative proceedings, that disability does not exist.]

1053 [(d)] (c) A buyer who is disabled may, at the buyer's option, extend
1054 the duration of the original contract at no cost to the buyer for a period
1055 equal to the duration of the disability, or remain liable for partial
1056 payment on the contract as follows:

1057 (1) A buyer who is disabled for a period less than the full remaining
1058 term of the contract shall only be liable for a pro-rata portion of the
1059 contract price equal to the total number of weeks specified in the
1060 contract less the number of weeks after the date on which the disability
1061 first occurred, the difference being divided by the total number of weeks
1062 specified in the contract and the result of that division being multiplied
1063 by the total contract price.

1064 (2) A buyer who is disabled for the full remaining term of the contract
1065 shall only be liable for a pro-rata portion of the contract price equal to
1066 the number of complete weeks before the date the disability first

1067 occurred for which the services or facilities were made available to the
1068 buyer divided by the total number of weeks specified in the contract
1069 with the result being multiplied by the total contract price.

1070 (3) If the reasonable probabilities are that the buyer will be disabled
1071 for the full remaining term of the contract, and the buyer has elected not
1072 to extend the duration of the contract as provided in this subsection, the
1073 health club shall cancel the buyer's contract at the time such a
1074 determination is made and notify the buyer in writing that the contract
1075 has been cancelled.

1076 (4) Any money paid by the buyer which is in excess of the amount for
1077 which [he] the buyer is liable under the provisions of this section shall
1078 be refunded by the seller to the buyer.

1079 (5) A health club which received notice of disability from a buyer
1080 shall provide such buyer with a written form which shall fully explain
1081 the buyer's options as set forth in this subsection. Such form shall
1082 provide on it a location where the buyer shall indicate in writing the
1083 option [he] such buyer has chosen. Such form shall be signed by the
1084 buyer and the health club.

1085 [(e)] (d) In any cancellation of a health club service contract the buyer
1086 shall not be liable for any payment to the seller if the services received
1087 by the buyer are as a result of a representation by the health club to the
1088 buyer that such services are to be received free or if the buyer received
1089 services at a health club as a result of a representation by the health club
1090 to the buyer that such services are to be received at a reduced or discount
1091 price, the buyer shall only be liable as a result of his cancellation for an
1092 amount equal to that which was represented to the buyer that [he] such
1093 buyer would have to pay.

1094 [(f)] (e) Any refund to the buyer as a result of cancellation of the
1095 contract shall be delivered by the health club to the buyer within fifteen
1096 business days of receipt by the health club of the notice of cancellation.

1097 Sec. 20. Subsection (c) of section 21a-219 of the general statutes is

1098 repealed and the following is substituted in lieu thereof (*Effective from*
1099 *passage*):

1100 (c) Each health club shall post the prices and the three-day
1101 cancellation provisions, the disability provisions and the twenty-five
1102 mile moving provisions of all contracts in a conspicuous place where the
1103 contract is entered into. If a contract is presented to a consumer
1104 exclusively in an electronic format, the three-day cancellation and
1105 disability provisions shall: (1) Be presented to the consumer in a
1106 separate document in electronic or paper form, and (2) include an
1107 acknowledgment by the consumer that the consumer has received such
1108 provisions. Both the contract and the document including the
1109 cancellation provisions, disability provisions and acknowledgment
1110 shall be executed as part of a single transaction.

1111 Sec. 21. Subsection (a) of section 21a-223 of the general statutes is
1112 repealed and the following is substituted in lieu thereof (*Effective from*
1113 *passage*):

1114 (a) Each individual place of business of each health club shall obtain
1115 a license from the Department of Consumer Protection prior to the sale
1116 of any health club contract. Application for such license shall be made
1117 on forms provided by the Commissioner of Consumer Protection and
1118 said commissioner shall require as a condition to the issuance and
1119 renewal of any license obtained under this chapter (1) that the applicant
1120 provide for and maintain on the premises of the health club sanitary
1121 facilities; (2) that the applicant, on and after October 1, 2022, (A) (i)
1122 provide and maintain in a readily accessible location on the premises of
1123 the health club at least one automatic external defibrillator, as defined
1124 in section 19a-175, and (ii) make such location known to employees of
1125 such health club, (B) ensure that at least one employee is on the premises
1126 of such health club during staffed business hours who is trained in
1127 cardiopulmonary resuscitation and the use of an automatic external
1128 defibrillator in accordance with the standards set forth by the American
1129 Red Cross or American Heart Association, (C) maintain and test the
1130 automatic external defibrillator in accordance with the manufacturer's

1131 guidelines, and (D) promptly notify a local emergency medical services
1132 provider after each use of such automatic external defibrillator; (3) that
1133 the application be accompanied by (A) a license or renewal fee of two
1134 hundred fifty dollars, (B) a list of the equipment and each service that
1135 the applicant intends to have available for use by buyers during the year
1136 of operations following licensure or renewal, and (C) [two copies] an
1137 electronic copy of each health club contract that the applicant is
1138 currently using or intends to use; and (4) compliance with the
1139 requirements of section 21a-226, as amended by this act. Such licenses
1140 shall be renewed annually. [The commissioner may impose a civil
1141 penalty of not more than three hundred dollars against any health club
1142 that continues to sell or offer for sale health club contracts for any
1143 location but fails to submit a license renewal and license renewal fee for
1144 such location not later than thirty days after such license's expiration
1145 date.]

1146 Sec. 22. Subsections (f) to (l), inclusive, of section 21a-226 of the
1147 general statutes are repealed and the following is substituted in lieu
1148 thereof (*Effective from passage*):

1149 [(f) The commissioner shall proceed upon such application and shall
1150 hold a hearing in accordance with the provisions of chapter 54.
1151 Notwithstanding the provisions of chapter 54, the decision of the
1152 commissioner shall be final with respect to the application. The
1153 commissioner may hear applications of all buyers submitting claims
1154 against a single health club in one proceeding.]

1155 (f) (1) Before the commissioner may issue any order directing
1156 payment out of the guaranty fund to a buyer pursuant to this section,
1157 the commissioner shall first notify the health club of the buyer's
1158 application for an order directing payment out of the guaranty fund and
1159 of the health club's right to a hearing to contest the disbursement in the
1160 event that the health club (A) has already paid the buyer, or (B) is
1161 complying with a payment schedule in accordance with (i) a written
1162 agreement with the buyer, or (ii) a court judgment, order or decree.

1163 (2) If a health club described in subdivision (1) of this subsection
1164 requests a hearing, the commissioner shall grant such request and
1165 conduct the hearing in accordance with the provisions of chapter 54 if
1166 the health club submits such request (A) in writing, and (B) not later
1167 than fifteen days after the health club receives the notice issued by the
1168 commissioner pursuant to subdivision (1) of this subsection.

1169 (3) If the commissioner does not receive a request from a health club
1170 for a hearing within the fifteen-day period set forth in subdivision (2) of
1171 this subsection, the commissioner shall (A) determine that the buyer has
1172 not been paid, and (B) issue an order directing payment out of the
1173 guaranty fund for the amount due.

1174 (4) If multiple buyers submit claims against any health club, the
1175 commissioner may hear such buyers' applications in one proceeding.

1176 (g) After hearing, the commissioner shall issue an order requiring
1177 payment from the guaranty fund of any sum [he] the commissioner
1178 finds to be payable upon such application. The total compensation
1179 payable from the guaranty fund on the closing of any one health club
1180 location shall not exceed seventy-five thousand dollars.

1181 (h) If the commissioner pays any amount as a result of a claim against
1182 a health club pursuant to an order under subsection (g) of this section,
1183 the health club shall not be eligible to receive a new or renewed license
1184 until [it] the health club has repaid such amount in full, plus interest at
1185 a rate to be determined by the commissioner.

1186 (i) If the commissioner pays any amount as a result of a claim against
1187 a health club pursuant to an order under subsection (g) of this section,
1188 the commissioner shall determine if the health club is possessed of real
1189 or personal property or other assets, liable to be sold or applied in
1190 satisfaction of the claim on such fund. If the commissioner discovers any
1191 such assets, [he] the commissioner may request that the Attorney
1192 General take any action necessary for the realization thereof for the
1193 reimbursement of the guaranty fund.

1194 (j) The commissioner may, in order to preserve the integrity of the
1195 guaranty fund, order payments to be made out of said fund for amounts
1196 less than the actual loss incurred by any buyer of a health club contract.

1197 (k) When the commissioner has caused any sum to be paid from the
1198 guaranty fund to a buyer who has entered into a health club contract,
1199 the commissioner shall be subrogated to all of the rights of the buyer up
1200 to the amount paid, and the buyer shall assign all of [his] the buyer's
1201 right, title, and interest in the claim up to such amount to the
1202 commissioner, and any amount and interest recovered by the
1203 commissioner on the claim shall be deposited to the guaranty fund,
1204 except as provided in subsection (c) of this section.

1205 (l) Notwithstanding any provision of the general statutes to the
1206 contrary, the commissioner may prohibit a health club from making
1207 payments to the Connecticut Health Club Guaranty Fund if, in the
1208 opinion of the commissioner, the health club within the past five years
1209 has engaged in any unfair or deceptive trade practices under subsection
1210 (a) of section 42-110b, has engaged in any conduct of a character likely
1211 to mislead, deceive or defraud the buyer, the public or the
1212 commissioner, or has violated any of the provisions this chapter. If the
1213 commissioner determines that a health club should be prohibited from
1214 making payments to the Connecticut Health Club Guaranty Fund, the
1215 department shall [mail a notice by certified mail to the principal place
1216 of business of] provide notice to the health club, [and] which notice shall
1217 state the grounds for the contemplated action. [Within] Not later than
1218 fourteen days [of receipt of the] after the health club receives such
1219 notice, the health club may file a written request for a hearing. If a
1220 hearing is requested such hearing shall be conducted in accordance with
1221 the provisions of chapter 54.

1222 Sec. 23. Subsection (a) of section 21a-227 of the general statutes is
1223 repealed and the following is substituted in lieu thereof (*Effective from*
1224 *passage*):

1225 (a) When any health club is closing or transferring its place of

1226 business to another location, the health club [, at least sixty days before
1227 closing or transferring,] shall: (1) [Notify] Send a written notice
1228 disclosing such closing or transfer to (A) the Department of Consumer
1229 Protection, [; (2) notify] (B) all current members [; (3) notify] (i) at least
1230 sixty days before the date of such closing or transfer, and (ii) at least
1231 twenty days, but not more than forty days, before the date of such
1232 closing or transfer, and (C) all prospective members prior to entering
1233 into any health club contract; and [(4) publish a notice in a newspaper
1234 with general circulation throughout this state that the health club is
1235 closing or transferring its place of business] (2) conspicuously post, on
1236 the health club's Internet web site and premises, notices disclosing such
1237 closing or transfer. Not later than one business day after the health club
1238 provides the written notice disclosing such closing or transfer to all
1239 current members, the health club shall provide to the department an
1240 electronic copy of such written notice.

1241 Sec. 24. Section 25-133 of the general statutes is repealed and the
1242 following is substituted in lieu thereof (*Effective from passage*):

1243 (a) Where the board finds that compliance with all requirements of
1244 this chapter or regulations adopted pursuant thereto, other than
1245 requirements related to the purity, potability and safeguarding of well
1246 water, would result in undue hardship, an exemption from [any] one or
1247 more of such requirements may be granted by the board, subject to the
1248 approval of the Commissioner of Consumer Protection, to the extent
1249 necessary to ameliorate such undue hardship and to the extent such
1250 exemption can be granted without impairing the intent and purpose of
1251 this chapter.

1252 (b) With respect to matters related to the purity, potability and
1253 safeguarding of well water under section 19a-37, where a local director
1254 of health finds that compliance with all requirements of this chapter or
1255 regulations adopted pursuant thereto would result in undue hardship,
1256 an exemption from one or more of such requirements may be granted
1257 by the local director of health upon a finding by such local director of
1258 health that such exemption can be granted without adversely affecting

1259 the purity and adequacy of the well water.

1260 Sec. 25. Subsections (b) to (d), inclusive, of section 42-110d of the 2024
1261 supplement to the general statutes are repealed and the following is
1262 substituted in lieu thereof (*Effective from passage*):

1263 (b) Said commissioner or [his] said commissioner's authorized
1264 representatives shall have the right to (1) enter any place or
1265 establishment within the state, at reasonable times, for the purpose of
1266 making an investigation; (2) check the invoices and records pertaining
1267 to costs and other transactions of commodities; (3) take samples of
1268 commodities for evidence upon tendering the market price therefor to
1269 the person having such commodity in [his] such person's custody; (4)
1270 subpoena documentary material relating to such investigation; and (5)
1271 have access to, for the purpose of examination, documentary material
1272 and the right to copy and receive electronic copies of such documentary
1273 material of any person being investigated or proceeded against. The
1274 commissioner or [his] the commissioner's authorized representatives
1275 shall have power to require by subpoena the attendance and testimony
1276 of witnesses and the production of all such documentary material
1277 relating to any matter under investigation.

1278 (c) In addition to other powers conferred upon the commissioner,
1279 said commissioner may execute in writing and cause to be served, [by
1280 certified mail] through reasonable efforts to effectuate notice as set forth
1281 in section 21a-2, an investigative demand upon any person suspected of
1282 using, having used or about to use any method, act or practice declared
1283 by section 42-110b to be unlawful or upon any person from whom said
1284 commissioner wants assurance that section 42-110b has not, is not or
1285 will not be violated. Such investigative demand shall contain a
1286 description of the method, act or practice under investigation, provide
1287 a reasonable time for compliance, and require such person to furnish
1288 under oath or otherwise, as may be specified in said demand, a report
1289 in writing setting forth relevant facts or circumstances together with
1290 documentary material. Notwithstanding subsection (f) of this section,
1291 responses to investigative demands issued under this subsection may

1292 be withheld from public disclosure during the full pendency of the
1293 investigation.

1294 (d) Said commissioner, in conformance with sections 4-176e to 4-185,
1295 inclusive, whenever the commissioner has reason to believe that any
1296 person has been engaged or is engaged in an alleged violation of any
1297 provision of this chapter, shall [mail] deliver to such person, [by
1298 certified mail] in a manner that is sufficient to effectuate notice as set
1299 forth in section 21a-2, a complaint stating the charges and containing a
1300 notice of a hearing, to be held upon a day and at a place therein fixed at
1301 least fifteen days after the date of such complaint. The person so notified
1302 shall have the right to file a written answer to the complaint and charges
1303 therein stated and appear at the time and place so fixed for such hearing,
1304 in person or otherwise, with or without counsel, and submit testimony
1305 and be fully heard. Any person may make application, and upon good
1306 cause shown shall be allowed by the commissioner to intervene and
1307 appear in such proceeding by counsel or in person. The testimony in any
1308 such proceeding, including the testimony of any intervening person,
1309 shall be under oath and shall either be reduced to writing by the
1310 recording officer of the hearing [and filed in the office of the
1311 commissioner] or recorded in an audio or audiovisual format. The
1312 commissioner or the commissioner's authorized representatives shall
1313 have the power to require by subpoena the attendance and testimony of
1314 witnesses and the production of any documentary material at such
1315 proceeding. If upon such hearing the commissioner is of the opinion that
1316 the method of competition or the act or practice in question is prohibited
1317 by this chapter, the commissioner or the commissioner's designee shall
1318 make a report in writing to the person complained of in which the
1319 commissioner or such designee shall state the commissioner's or such
1320 designee's findings as to the facts and shall forward by certified mail to
1321 such person an order to cease and desist from using such methods of
1322 competition or such act or practice. The commissioner may impose a
1323 civil penalty, in an amount not to exceed the amount set forth in
1324 subsection (b) of section 42-110o, after a hearing conducted pursuant to
1325 chapter 54, or, if the amount involved is less than ten thousand dollars,

1326 an order directing restitution, or both. The commissioner may apply for
1327 the enforcement of any cease and desist order, civil penalty, order
1328 directing restitution or consent order issued or imposed under this
1329 chapter to the superior court for the judicial district of Hartford, or to
1330 any judge thereof if the same is not in session, for [orders] an order
1331 temporarily [and] or permanently restraining and enjoining any person
1332 from continuing [violations] any violation of such cease and desist
1333 order, an order directing payment of any civil penalty or restitution or
1334 a consent order. Such application for a temporary restraining order,
1335 temporary and permanent injunction, order directing payment of any
1336 civil penalty or restitution and for such other appropriate decree or
1337 process shall be brought and the proceedings thereon conducted by the
1338 Attorney General.

1339 Sec. 26. Subsections (a) to (c), inclusive, of section 42-110aa of the
1340 general statutes are repealed and the following is substituted in lieu
1341 thereof (*Effective from passage*):

1342 [(a) No person engaged in trade or commerce in this state, upon the
1343 return of goods purchased from such person's place of business, shall
1344 refuse to accept the returned goods immediately and issue the
1345 individual returning such goods either a cash or credit refund of the
1346 purchase price or credit towards the purchase of another item offered
1347 for sale at such person's place of business, provided such return is made
1348 within the period of time established by such person for the acceptance
1349 of returned goods and provided further, such goods are returned in a
1350 manner consistent with such person's conspicuously posted refund or
1351 exchange policy. Any such person that utilizes an electronic system to
1352 record, monitor and limit the number or total dollar value of returns
1353 made by a consumer shall clearly indicate the use of such system within
1354 such person's conspicuously posted refund or exchange policy.]

1355 (a) (1) Any person engaged in trade or commerce in this state shall
1356 disclose such person's refund or exchange policy, including whether or
1357 not such person, as a matter of policy, provides refunds or allows
1358 exchanges. Such person shall clearly and conspicuously: (A) Post such

1359 policy on such person's premises if such person conducts in-person sales
1360 of goods; (B) display such policy on such person's Internet web site if
1361 such person conducts online sales of goods; and (C) verbally disclose
1362 such policy if such person conducts verbal sales of goods, including, but
1363 not limited to, sales of goods by telephone.

1364 (2) If any person described in subdivision (1) of this subsection, as a
1365 matter of policy, provides refunds or allows exchanges, such person's
1366 refund or exchange policy shall disclose: (A) Whether such person shall
1367 (i) provide a cash refund, credit refund or refund in the form of a store
1368 credit, or (ii) allow an exchange; (B) whether such person shall provide
1369 a refund or allow an exchange (i) at any time, or (ii) before a specified
1370 time; (C) whether any refund or exchange is subject to any fee and the
1371 amount of such fee, which fee shall be expressed (i) in a dollar amount,
1372 or (ii) as a percentage; and (D) any other conditions imposed by such
1373 person that govern refunds or exchanges.

1374 (3) If any person described in subdivision (1) of this subsection does
1375 not, as a matter of policy, provide refunds or allow exchanges, such
1376 person shall provide a cash refund, credit refund or refund in the form
1377 of a store credit to any consumer who returns any good purchased from
1378 such person not later than seven days after the consumer received such
1379 goods unless such person discloses such person's refund or exchange
1380 policy in accordance with the provisions of subdivisions (1) and (2) of
1381 this subsection.

1382 (b) (1) Any person that utilizes an electronic system to record,
1383 monitor and limit the number or total dollar value of returns made by a
1384 consumer shall: [,] (A) Clearly indicate in such person's conspicuously
1385 posted refund or exchange policy that such person uses such system;
1386 and (B) prior to terminating the right of any such consumer to return
1387 goods [at such person's place of business] pursuant to any such
1388 limitation, provide written notice to such consumer that indicates such
1389 termination. [Such]

1390 (2) The written termination notice provided pursuant to

1391 subparagraph (B) of subdivision (1) of this subsection shall not affect
1392 [such] the consumer's right to return any goods purchased by such
1393 consumer or purchased for the benefit of such consumer prior to the
1394 date of such notice, if such consumer has a valid receipt evidencing a
1395 purchase date for such goods that is prior to the date such consumer
1396 receives such notice. Any such written termination notice that is mailed
1397 to the last-known address of such consumer, the electronic mail address
1398 provided by such consumer or [to] the address of such consumer that is
1399 obtained through reasonably available public records shall be deemed
1400 to comply with the notification requirements of this subsection.

1401 (c) This section shall not be construed to prohibit any person engaged
1402 in trade or commerce in this state from extending the period of time
1403 during which such person will accept the return of goods purchased
1404 from such [person's place of business] person.

1405 Sec. 27. Subsections (a) to (f), inclusive, of section 42-133ff of the
1406 general statutes are repealed and the following is substituted in lieu
1407 thereof (*Effective from passage*):

1408 (a) For the purposes of this section:

1409 (1) (A) "Agent" (i) means any person who (I) arranges for the
1410 distribution of services by another person, or (II) leases, rents or sells
1411 tangible or intangible personal, real or mixed property, or any other
1412 article, commodity or thing of value, on behalf of another person, and
1413 (ii) includes, but is not limited to, (I) any person who is duly appointed
1414 as an agent by a common carrier, (II) any person who sells
1415 transportation, travel or vacation arrangements on behalf of another
1416 person who is engaged in the business of furnishing transportation,
1417 travel or vacation services, and (III) any member of a cruise line
1418 association that operates exclusively as an agent for cruise lines to sell
1419 cruise travel products or services.

1420 (B) "Agent" does not mean (i) a common carrier, (ii) an employee of a
1421 common carrier, or (iii) any person engaged in the business of
1422 furnishing transportation, travel or vacation services.

1423 (2) "Charge card" (A) means any card, device or instrument that (i) is
1424 issued, with or without a fee, to a holder and requires the holder to pay
1425 the full outstanding balance due on such card, device or instrument at
1426 the end of each standard billing cycle established by the issuer of such
1427 card, device or instrument, and (ii) may be used by the holder in a
1428 transaction to receive services or lease, purchase or rent tangible or
1429 intangible personal, real or mixed property, or any other article,
1430 commodity or thing of value, and (B) includes, but is not limited to, any
1431 software application that (i) is used to store a digital form of such card,
1432 device or instrument, and (ii) may be used in a transaction to receive
1433 such services or lease, purchase or rent any such property, article,
1434 commodity or thing.

1435 (3) "Credit card" (A) means any card, device or instrument that (i) is
1436 issued, with or without a fee, to a holder, and (ii) may be used by the
1437 holder in a transaction to receive services or lease, purchase or rent
1438 tangible or intangible personal, real or mixed property, or any other
1439 article, commodity or thing of value on credit, regardless of whether
1440 such card, device or instrument is known as a credit card, credit plate or
1441 by any other name, and (B) includes, but is not limited to, any software
1442 application that (i) is used to store a digital form of such card, device or
1443 instrument, and (ii) may be used in a transaction to receive such services
1444 or lease, purchase or rent any such property, article, commodity or thing
1445 on credit.

1446 (4) (A) "Debit card" (i) means any card, code, device or other means
1447 of access, or any combination thereof, that (I) is authorized or issued for
1448 use to debit an asset account held, directly or indirectly, by a financial
1449 institution, and (II) may be used in a transaction to receive services or
1450 lease, purchase or rent tangible or intangible personal, real or mixed
1451 property, or any other article, commodity or thing of value regardless of
1452 whether such card, code, device, means or combination is known as a
1453 debit card, and (ii) includes, but is not limited to, (I) any software
1454 application that is used to store a digital form of such card, code, device
1455 or other means of access, or any combination thereof, that may be used
1456 in a transaction to receive such services or lease, purchase or rent any

1457 such property, article, commodity or thing, and (II) any cards, codes,
1458 devices or other means of access, or any combination thereof, commonly
1459 known as automated teller machine cards and payroll cards.

1460 (B) "Debit card" does not mean (i) a check, draft or similar paper
1461 instrument, or (ii) any electronic representation of such check, draft or
1462 instrument.

1463 (5) "Person" means any natural person, corporation, incorporated or
1464 unincorporated association, limited liability company, partnership,
1465 trust or other legal entity.

1466 (6) "Surcharge" means any additional charge or fee that increases the
1467 total amount of a transaction for the privilege of using a particular
1468 [form] method of payment.

1469 (7) (A) "Transaction" means distribution by one person to another
1470 person of any service, or the lease, rental or sale by one person of any
1471 tangible or intangible personal, real or mixed property, or any other
1472 article, commodity or thing of value to another person, for a certain price
1473 in this state.

1474 (B) "Transaction" does not mean payment of any (i) fees, costs, fines
1475 or other charges to a state agency authorized by the Secretary of the
1476 Office of Policy and Management under section 1-1j, (ii) taxes, penalties,
1477 interest and fees allowed by the Commissioner of Revenue Services in
1478 accordance with section 12-39r, (iii) taxes, penalties, interest and fees, or
1479 other charges, to a municipality in accordance with section 12-141a, (iv)
1480 fees, costs, fines or other charges to the Judicial Branch in accordance
1481 with section 51-193b, or (v) sum pursuant to any other provision of the
1482 general statutes or regulation of Connecticut state agencies.

1483 (b) No person may impose a surcharge on any transaction.

1484 (c) (1) Nothing in this section shall prohibit any person from offering
1485 a discount on any transaction to induce payment by cash, check, debit
1486 card or similar means rather than by charge card or credit card. No

1487 person may offer any such discount unless such person posts a notice
1488 disclosing such discount. Such person shall clearly and conspicuously
1489 (A) post such notice on such person's premises if such person conducts
1490 transactions in-person, (B) display such notice on the Internet web site
1491 or digital payment application before completing any online transaction
1492 or transaction that is processed by way of such digital payment
1493 application, and (C) verbally provide such notice before completing any
1494 oral transaction, including, but not limited to, any telephonic
1495 transaction.

1496 (2) In furtherance of the legislative findings contained in section 42-
1497 133j, no existing or future agreement or contract shall prohibit a gasoline
1498 distributor or retailer from offering a discount to a buyer based upon
1499 the method such buyer uses to pay for such gasoline. Any provision in
1500 such agreement or contract prohibiting such distributor or retailer from
1501 offering such discount is void and without effect because such provision
1502 is contrary to public policy.

1503 (d) No person shall condition acceptance of a charge card or credit
1504 card for a transaction on a requirement that the transaction be in a
1505 minimum amount unless such person discloses such requirement. Such
1506 person shall clearly and conspicuously (1) post such notice on such
1507 person's premises if such person conducts transactions in-person, (2)
1508 display such notice on the Internet web site or digital payment
1509 application before completing any online transaction or transaction
1510 processed by way of such digital payment application, and (3) verbally
1511 provide such notice before completing any oral transaction, including,
1512 but not limited to, any telephonic transaction.

1513 (e) No person may reduce the amount of any commission paid to an
1514 agent for such person in a transaction because a charge card or credit
1515 card was used to provide payment as part of such transaction.

1516 (f) A violation of any provision of this section shall be deemed an
1517 unfair or deceptive trade practice under subsection (a) of section 42-
1518 110b. The Commissioner of Consumer Protection may, after notice and

1519 hearing in accordance with the provisions of chapter 54, impose an
1520 additional civil penalty for any violation of this section. The amount of
1521 such additional civil penalty shall not exceed five hundred dollars per
1522 violation. Payments of such additional civil penalty shall be deposited
1523 in the consumer protection enforcement account established in section
1524 21a-8a.

1525 Sec. 28. Section 43-16a of the general statutes is repealed and the
1526 following is substituted in lieu thereof (*Effective from passage*):

1527 [When] As used in this chapter:

1528 (1) "Commissioner" means the state Commissioner of Weights and
1529 Measures or the commissioner's designee;

1530 [(1) "Licensed public weigher"] (2) "Public weighmaster" means a
1531 natural person licensed under the provisions of this chapter; and

1532 [(2)] (3) "Vehicle" means any device in, upon or by which any
1533 property, produce, commodity or article is or may be transported or
1534 drawn.];

1535 (3) "Commissioner" means the state Commissioner of Weights and
1536 Measures.]

1537 Sec. 29. Section 43-16b of the general statutes is repealed and the
1538 following is substituted in lieu thereof (*Effective from passage*):

1539 The commissioner is authorized to enforce the provisions of this
1540 chapter and [he] may [issue] adopt, from time to time [,] and in
1541 accordance with chapter 54, reasonable regulations for the enforcement
1542 of this chapter. [, which regulations shall have the force and effect of
1543 law.]

1544 Sec. 30. Section 43-16c of the general statutes is repealed and the
1545 following is substituted in lieu thereof (*Effective from passage*):

1546 Any person who is a resident of the state of Connecticut, is [not less

1547 than] eighteen years of age or older, is of good moral character and has
1548 the ability to weigh accurately and [to] make correct weight certificates
1549 may apply to the commissioner for a public weighmaster license. [as a
1550 licensed public weigher.]

1551 Sec. 31. Section 43-16d of the general statutes is repealed and the
1552 following is substituted in lieu thereof (*Effective from passage*):

1553 An application for a [license as a licensed public weigher] public
1554 weighmaster license shall be made upon a form prescribed by the
1555 commissioner, and the [application] applicant shall furnish evidence
1556 that the applicant has the qualifications required [by] in section 43-16c,
1557 as amended by this act.

1558 Sec. 32. Section 43-16e of the general statutes is repealed and the
1559 following is substituted in lieu thereof (*Effective from passage*):

1560 The commissioner may adopt rules for determining the qualifications
1561 of [the applicant for a license as a licensed public weigher. He]
1562 applicants for a public weighmaster license. The commissioner may
1563 pass upon the qualifications of [the] each applicant upon the basis of the
1564 information supplied in [the] such applicant's application, or [he] the
1565 commissioner may examine such applicant orally or in writing, or both,
1566 for the purpose of determining [his] such applicant's qualifications. [He]
1567 The commissioner shall grant [licenses as licensed public weighers to
1568 such applicants as may be] a public weighmaster license to each
1569 applicant who is found to possess the qualifications required [by] in
1570 section 43-16c, as amended by this act. The commissioner shall keep a
1571 record of all such applications and of all licenses issued thereon.

1572 Sec. 33. Section 43-16f of the general statutes is repealed and the
1573 following is substituted in lieu thereof (*Effective from passage*):

1574 Before the issuance of any public weighmaster license, [as a licensed
1575 public weigher,] or any renewal thereof, the applicant shall pay to the
1576 commissioner a fee of forty dollars.

1577 Sec. 34. Section 43-16g of the general statutes is repealed and the
1578 following is substituted in lieu thereof (*Effective from passage*):

1579 The commissioner may, upon request and without charge, issue a
1580 limited public weighmaster license [as a licensed public weigher] to any
1581 qualified officer or employee of a state commission, board, institution or
1582 agency, authorizing such officer or employee to act as a [licensed public
1583 weigher] public weighmaster only within the scope of [his] such officer's
1584 or employee's official employment on behalf of [the] such state
1585 commission, board, institution or agency. [of which he is an officer or
1586 employee.]

1587 Sec. 35. Section 43-16h of the general statutes is repealed and the
1588 following is substituted in lieu thereof (*Effective from passage*):

1589 Each public weighmaster license [as licensed public weigher] shall
1590 expire annually. Renewal applications shall be in such form as the
1591 commissioner shall prescribe.

1592 Sec. 36. Section 43-16i of the general statutes is repealed and the
1593 following is substituted in lieu thereof (*Effective from passage*):

1594 The weight certificate issued by a [licensed public weigher] public
1595 weighmaster shall state the date of issuance, the kind of property,
1596 produce, commodity or article weighed, the name of the declared owner
1597 or agent of the owner or of the consignee of the material weighed, the
1598 accurate weight of the material weighed, the means by which the
1599 material was being transported at the time [it] such material was
1600 weighed, such other available information as may be necessary to
1601 distinguish or identify the property, produce, commodity or article from
1602 others of like kind, and such other information required by [statutes] the
1603 laws of this state or by regulations authorized to be issued for the
1604 enforcement of this chapter.

1605 Sec. 37. Section 43-16j of the general statutes is repealed and the
1606 following is substituted in lieu thereof (*Effective from passage*):

1607 A [licensed public weigher] public weighmaster shall not enter on a
1608 weight certificate issued by [him] such public weighmaster any weight
1609 values [but such as he] other than those weight values which such public
1610 weighmaster has personally determined, and [he] such public
1611 weighmaster shall make no entries on a weight certificate issued by
1612 some other person. A weight certificate shall be so prepared as to show
1613 clearly that weight or weights were actually determined. If the
1614 certificate form provides for the entry of gross, tare [,] and net weights,
1615 in any case in which only the gross, the tare or the net weight is
1616 determined by the [weigher, he] public weighmaster, such public
1617 weighmaster shall strike through or otherwise cancel the printed entries
1618 for the weights not determined or computed. If gross and tare weights
1619 are shown on a weight certificate and both of these were not determined
1620 on the same scale and on the day for which the certificate is dated, the
1621 [weigher] public weighmaster shall identify on the certificate the scale
1622 used for determining each such weight and the date of each such
1623 determination.

1624 Sec. 38. Section 43-16k of the general statutes is repealed and the
1625 following is substituted in lieu thereof (*Effective from passage*):

1626 When making a weight determination as provided for by this
1627 chapter, a [licensed public weigher] public weighmaster shall use a
1628 weighing device that is of a type suitable for the weighing of the amount
1629 and kind of material to be weighed and that has been tested and
1630 approved for use by a weights and measures officer of this state within
1631 a period of twelve months immediately preceding the date of the
1632 weighing.

1633 Sec. 39. Section 43-16l of the general statutes is repealed and the
1634 following is substituted in lieu thereof (*Effective from passage*):

1635 A [licensed public weigher] public weighmaster shall not use any
1636 scale to weigh a load the value of which exceeds the nominal or rated
1637 capacity of the scale. When the gross or tare weight of any vehicle or
1638 combination of vehicles is to be determined, the weighing shall be

1639 performed upon a scale having a platform of sufficient size to
1640 accommodate such vehicle or combination of vehicles fully, completely
1641 and as one entire unit. If a combination of vehicles must be broken up
1642 into separate units in order to be weighed as prescribed [herein] in this
1643 section, each such separate weight certificate shall be issued for each
1644 such separate unit.

1645 Sec. 40. Section 43-16m of the general statutes is repealed and the
1646 following is substituted in lieu thereof (*Effective from passage*):

1647 A [licensed public weigher] public weighmaster shall keep and
1648 preserve, for at least one year [] or such longer period as may be
1649 specified in the regulations authorized to be [issued] adopted for the
1650 enforcement of this chapter, a legible carbon copy of each weight
1651 certificate issued by [him] such public weighmaster, which copies shall
1652 be open at all reasonable times for inspection by any weights and
1653 measures officer of this state.

1654 Sec. 41. Section 43-16n of the general statutes is repealed and the
1655 following is substituted in lieu thereof (*Effective from passage*):

1656 The following persons shall not be required, but shall be permitted,
1657 to obtain [licenses as licensed public weighers] a public weighmaster
1658 license: (1) A weights and measures officer when acting within the scope
1659 of [his] such officer's official duties, (2) a person weighing property,
1660 produce, commodities or articles that [he or his] such person, or such
1661 person's employer, if any, is either buying or selling, and (3) a person
1662 weighing property, produce, commodities or articles in conformity with
1663 the requirements of federal statutes or the [statutes] laws of this state
1664 relative to warehousemen or processors.

1665 Sec. 42. Section 43-16o of the general statutes is repealed and the
1666 following is substituted in lieu thereof (*Effective from passage*):

1667 No person shall assume the title [licensed public weigher] of public
1668 weighmaster, or any title of similar import, perform the duties or acts to
1669 be performed by a [licensed public weigher] public weighmaster under

1670 this chapter, hold [himself] such person out as a [licensed public
1671 weigher] public weighmaster, issue any weight certificate ticket,
1672 memorandum or statement for which a fee is charged, or engage in the
1673 full-time or part-time business of public weighing, unless [he] such
1674 person holds a valid license as a [licensed public weigher] public
1675 weighmaster. As used in this section, "public weighing" means the
1676 weighing for any person, upon request, of property, produce,
1677 commodities or articles other than those which the weigher or [his] the
1678 weigher's employer, if any, is either buying or selling.

1679 Sec. 43. Section 43-16p of the general statutes is repealed and the
1680 following is substituted in lieu thereof (*Effective from passage*):

1681 The commissioner is authorized to suspend or revoke the license of
1682 any [licensed public weigher] public weighmaster (1) when [he] the
1683 commissioner is satisfied, after a hearing upon ten days' notice to the
1684 licensee, that such licensee has violated any provision of this chapter or
1685 of any valid regulation of the commissioner affecting [licensed public
1686 weighers] public weighmasters, or (2) when a [licensed public weigher]
1687 public weighmaster has been convicted in any court of competent
1688 jurisdiction of violating any provision of this chapter or of any
1689 regulation issued under authority of this chapter.

1690 Sec. 44. Section 43-16q of the general statutes is repealed and the
1691 following is substituted in lieu thereof (*Effective from passage*):

1692 (a) Any person who requests a [licensed public weigher] public
1693 weighmaster to weigh any property, produce, commodity or article
1694 falsely or incorrectly, or who requests a false or incorrect weight
1695 certificate, or any person who issues a weight certificate simulating the
1696 weight certificate prescribed in this chapter and who is not a [licensed
1697 public weigher] public weighmaster, shall, for the first offense, be fined
1698 not less than twenty-five dollars or more than one hundred dollars and,
1699 for any subsequent offense, be guilty of a class C misdemeanor.

1700 (b) Any [licensed public weigher] public weighmaster who falsifies a
1701 weight certificate, or who delegates [his] such public weighmaster's

1702 authority to any person not licensed as a [licensed public weigher]
1703 public weighmaster, or who preseals a weight certificate with [his] such
1704 public weighmaster's official seal before performing the act of weighing,
1705 shall be guilty of a class C misdemeanor.

1706 (c) Any person who violates any provision of this chapter or any rule
1707 or regulation promulgated or adopted pursuant thereto for which no
1708 specific penalty has been provided shall be fined not less than twenty-
1709 five dollars or more than [one hundred] one thousand dollars.

1710 (d) The Commissioner of Consumer Protection, after conducting a
1711 hearing in accordance with the provisions of chapter 54, may impose a
1712 civil penalty of not more than [one hundred dollars for the first offense
1713 and not more than five hundred dollars for any subsequent offense] one
1714 thousand dollars per violation on any person who violates any
1715 provision of this chapter or any regulation adopted pursuant to this
1716 chapter. Each violation with respect to each such unit, certificate, device
1717 or scale shall be considered a separate offense.

1718 Sec. 45. Section 43-20 of the general statutes is repealed and the
1719 following is substituted in lieu thereof (*Effective from passage*):

1720 "Bulk grains, feeds and feedstuffs", as used in this section and section
1721 43-21, as amended by this act, means all such substances sold or offered
1722 for sale in loose form and delivered to or from a vehicle, truck,
1723 compartment or container in quantities of one hundred pounds or more.
1724 Quantity determination in the sale of bulk grains, feeds and feedstuffs
1725 shall be by avoirdupois weight. All bulk grains, feeds and feedstuffs
1726 sold or offered for sale in this state shall be sold or offered for sale in
1727 accordance with the provisions of this section and section 43-21, as
1728 amended by this act, except that the Commissioner of Consumer
1729 Protection may upon request approve in writing the use of other
1730 methods of determining the true net weight of the contents of the
1731 container, compartment, truck or vehicle used to transport such bulk
1732 grain, feeds or feedstuffs. No person shall deliver grains, feeds or
1733 feedstuffs in bulk without first having such grains, feeds or feedstuffs

1734 weighed by a public [weigher] weighmaster on stationary scales,
1735 suitable for the weighing of bulk grains, feeds or feedstuffs, which have
1736 been tested and scaled by an authorized sealer or inspector of weights
1737 and measures. Each vehicle, truck, compartment or container of bulk
1738 grains, feeds and feedstuffs while in transit delivery shall be
1739 accompanied by a delivery ticket and a duplicate original thereof, on
1740 which shall be distinctly expressed in ink or other indelible substance
1741 [(a)] (1) in pounds avoirdupois the gross and tare weights of the vehicle,
1742 truck, compartment or container; [(b)] (2) the net weight of bulk grains,
1743 feeds and feedstuffs contained in such vehicle, truck, compartment or
1744 container; [(c)] (3) the name and address of the seller; [(d)] (4) the name
1745 and address of the buyer; [(e)] (5) the signature and license number of
1746 the public [weigher] weighmaster; and [(f)] (6) the date of the weighing.
1747 One of such duplicate delivery tickets shall be surrendered, upon
1748 demand, to any sealer or inspector of weights and measures for [his]
1749 such sealer's or inspector's inspection; and such ticket or, when such
1750 sealer desires to retain one of the duplicate tickets, a weight slip issued
1751 and signed and dated by the sealer or inspector shall be delivered to the
1752 buyer or his agent or representative at the time of delivery of such
1753 grains, feeds or feedstuffs, and the other duplicate ticket shall be
1754 retained by the seller for a period of one year, during which time it shall
1755 be subject to inspection by a sealer or inspector of weights and measures.
1756 If the buyer takes such grains, feeds or feedstuffs from the vendor's
1757 place of business, a delivery ticket in the form required by this section,
1758 signed by a licensed public [weigher] weighmaster, shall be given to the
1759 buyer or his agent at the time of delivery. No person shall sell or deliver,
1760 or attempt or offer to sell or deliver, less than the amount of such grains,
1761 feeds or feedstuffs represented by the delivery tickets therefor, provided
1762 a tolerance of five pounds to the ton shall be allowed. No public
1763 [weigher] weighmaster shall weigh grains, feeds or feedstuffs delivered
1764 to a vehicle, truck, compartment or container for transportation
1765 purposes and sign a delivery ticket therefor unless he has first weighed
1766 the vehicle, truck, compartment or container, empty, on the same scale,
1767 in order to determine the tare weight and the true net weight of the
1768 contents of the vehicle, truck, compartment or container.

1769 Sec. 46. Section 43-21 of the general statutes is repealed and the
1770 following is substituted in lieu thereof (*Effective from passage*):

1771 Each container, compartment, truck or vehicle containing grain, feeds
1772 or feedstuffs which have been weighed by a public [weigher]
1773 weighmaster shall have a lead-wire seal or seals affixed in such a
1774 manner that no loss or delivery of the contents may be made without
1775 destroying or mutilating the seal or seals. Each container, compartment,
1776 truck or vehicle transporting bulk grain, feeds or feedstuffs while in
1777 transit delivery shall remain sealed until delivery is completed. The
1778 actual net weight of the contents of a container, compartment, truck or
1779 vehicle of grain, feeds or feedstuffs shall be stated in the receipt or bill
1780 effecting deliveries between the seller and buyer of such grain, feeds or
1781 feedstuffs. Grain, feeds or feedstuffs packed in bags or sacks used in
1782 bulk delivery to the buyer, when the bags and sacks are representative
1783 of the quantity contained in the container, compartment, truck or
1784 vehicle used for transporting or delivering such commodities, shall bear
1785 the name, brand or trademark under which the article is sold, and the
1786 net weight of the contents shall appear distinctly on a label or as a
1787 printed statement affixed to each bag or sack. The provisions of this
1788 section shall not apply to deliveries by barge or railway track car.

1789 Sec. 47. Subsection (c) of section 43-27 of the general statutes is
1790 repealed and the following is substituted in lieu thereof (*Effective from*
1791 *passage*):

1792 (c) No commercial dealer may sell fuel wood by weight or load or
1793 deliver fuel wood sold by weight in any vehicle for transportation
1794 unless such fuel wood is weighed by a [licensed public weigher] public
1795 weighmaster, as defined in section 43-16a, as amended by this act, on a
1796 stationary scale which has been tested and sealed by an authorized
1797 sealer or inspector of weights and measures. Any fuel wood sold by
1798 weight shall be accompanied by a delivery ticket in duplicate which
1799 shall contain the following information: (1) The gross weight of any
1800 vehicle transporting such fuel wood; (2) the net weight of such fuel
1801 wood; (3) whether such fuel wood is seasoned or green; (4) the price of

1802 such fuel wood by weight; (5) the name and license number of the
1803 [public weigher] public weighmaster; (6) the name and address of the
1804 buyer and the seller; and (7) the date of such transaction. The
1805 commercial dealer shall give the original of such ticket to the customer
1806 and shall retain the duplicate for at least one year, which copy shall be
1807 subject to inspection by any sealer or inspector of weights and measures.
1808 No such dealer may sell or deliver to any customer less than the amount
1809 of fuel wood represented on such delivery ticket. No [public weigher]
1810 public weighmaster may weigh fuel wood loaded on a vehicle for
1811 transportation unless [he] the public weighmaster has first weighed the
1812 vehicle empty on the same scale in order to determine the true net
1813 weight of such fuel wood. Any sealer or inspector of weights and
1814 measures may require that any vehicle for transportation of fuel wood
1815 be weighed at the nearest public scale to verify the information recorded
1816 on any delivery ticket. If fuel wood is sold by weight, no commercial
1817 dealer may deliver more than one load of such fuel wood at a time.

1818 Sec. 48. Section 43-28 of the general statutes is repealed and the
1819 following is substituted in lieu thereof (*Effective from passage*):

1820 All coal and coke sold, except in accordance with a written agreement
1821 with the purchaser otherwise, or offered for sale, in this state, shall be
1822 sold or offered for sale by weight. No person [, firm or corporation] shall
1823 deliver any coal or coke without first having the coal or coke weighed
1824 by a public [weigher] weighmaster on stationary scales suitable for the
1825 weighing of coal or coke, which have been tested and sealed by an
1826 authorized sealer or inspector of weights and measures. Such coal or
1827 coke shall be accompanied while in transit by a delivery ticket and a
1828 duplicate original thereof, on which shall be distinctly expressed in ink,
1829 or other indelible substance, in pounds, the weight of the coal or coke
1830 contained in the vehicle or other receptacle, together with the name and
1831 address of the seller, the name and address of the purchaser, the
1832 signature and license number of the public [weigher] weighmaster and
1833 the date of weighing, together with the number of bags or sacks of the
1834 commodity, when the bags or sacks are representative of the quantity
1835 contained in the vehicle used for transporting the coal or coke, provided

1836 coal or coke sold or offered for sale in this state in quantities of seventy-
1837 five pounds or less, in paper bags, sacks or similar containers, when the
1838 name and address of the dealer and the net contents of avoirdupois
1839 weight are distinctly and indelibly marked in ink or otherwise on the
1840 paper bags, sacks or similar containers, shall be exempt from the
1841 provisions of this section requiring delivery tickets and duplicates
1842 thereof. One of the duplicate delivery tickets shall be surrendered, upon
1843 demand, to any sealer or inspector of weights and measures for his
1844 inspection, and the ticket, or, when the sealer desires to retain one of the
1845 duplicate tickets, a weight slip, issued by the seller and signed and dated
1846 by the sealer or inspector, shall be delivered to the purchaser or his agent
1847 or representative, at the time of the delivery of the coal or coke, and the
1848 other duplicate ticket shall be retained by the seller for a period of one
1849 year, subject to inspection by any sealer or inspector of weights and
1850 measures. If the purchaser or his agent takes the coal or coke from the
1851 seller's place of business, a delivery ticket in the form required by this
1852 section and signed by a public [weigher] weighmaster shall be given to
1853 the purchaser or his agent at the time of delivery. No person shall sell or
1854 deliver, or attempt to sell or deliver, or offer to sell or deliver less than
1855 the amount of coal or coke represented in the delivery tickets therefor,
1856 provided a tolerance at the rate of five pounds to the ton shall be allowed
1857 for unavoidable wastage and variation in scales. No public [weigher]
1858 weighmaster shall weigh coal or coke loaded on a vehicle for
1859 transportation thereon and sign a delivery ticket therefor, unless [he]
1860 such public weighmaster has first weighed the vehicle empty on the
1861 same day and on the same scales, in order to determine the true net
1862 weight of the load of coal or coke. Any person who violates any
1863 provision of this section shall be fined not more than two hundred
1864 dollars or imprisoned not more than six months or both.

1865 Sec. 49. Section 43-31 of the general statutes is repealed and the
1866 following is substituted in lieu thereof (*Effective from passage*):

1867 The quantity of all preheated petroleum products sold, offered for
1868 sale or delivered at retail shall be determined by weight, such weighing
1869 to be done by a public [weigher] weighmaster licensed by the state of

1870 Connecticut, who shall weigh such products in the containers or
1871 vehicles in which they are to be delivered and on scales that have been
1872 tested and sealed by an authorized sealer or inspector of weights and
1873 measures.

1874 Sec. 50. Section 43-32 of the general statutes is repealed and the
1875 following is substituted in lieu thereof (*Effective from passage*):

1876 Each vehicle or container of such petroleum products while in transit
1877 for delivery shall be accompanied by a delivery ticket and a duplicate
1878 original thereof, on which shall be distinctly expressed in ink or other
1879 indelible substance [(a)] (1) in pounds, the gross and tare weights of the
1880 vehicle or container; [(b)] (2) the net weight of such petroleum products
1881 contained in such vehicle or container and its specific gravity or the
1882 gravity determined by accepted standard practice of using the formula
1883 of the American Petroleum Institute at sixty degrees Fahrenheit; [(c)] (3)
1884 the quantity of petroleum products so transported expressed in gallons
1885 or in barrels computed at forty-two gallons per barrel, the method of
1886 determining such gallonage or barrelage to be by accepted standard
1887 practice on the basis of the products being at a temperature of sixty
1888 degrees Fahrenheit; [(d)] (4) the name and address of the seller; [(e)] (5)
1889 the name and address of the purchaser; [(f)] (6) the signature and license
1890 number of the public [weigher] weighmaster; and [(g)] (7) the date of
1891 the weighing. One of such duplicate delivery tickets shall be
1892 surrendered upon demand to any sealer or inspector of weights and
1893 measures for [his] inspection, and such ticket or, when such sealer
1894 desires to retain one of the duplicate tickets, a weight slip issued and
1895 signed and dated by the sealer or inspector shall be delivered to the
1896 purchaser or [his] the purchaser's agent or representative at the time of
1897 delivery of such petroleum products, and the other duplicate ticket shall
1898 be retained by the seller for a period of one year, during which time it
1899 shall be subject to inspection by a sealer or inspector of weights and
1900 measures. If the purchaser takes such petroleum products from the
1901 vendor's place of business, a delivery ticket in the form required by this
1902 section, signed by a [licensed public weigher] public weighmaster, shall
1903 be given to the purchaser or [his] the purchaser's agent at the time of

1904 delivery. No person shall sell or deliver, attempt to sell or deliver or
1905 offer to sell or deliver less than the amount of such petroleum products
1906 represented by the delivery tickets therefor, provided a tolerance at the
1907 rate of five pounds to the ton shall be allowed.

1908 Sec. 51. Section 43-33 of the general statutes is repealed and the
1909 following is substituted in lieu thereof (*Effective from passage*):

1910 No public [weigher] weighmaster shall weigh such petroleum
1911 products loaded on a vehicle or in a container for transportation and
1912 sign a delivery ticket therefor unless [he] the public weighmaster has
1913 secured the tare weight of the vehicle or the container in which such
1914 petroleum products are loaded for the purpose of delivery.

1915 Sec. 52. Subsection (b) of section 51-164n of the 2024 supplement to
1916 the general statutes is repealed and the following is substituted in lieu
1917 thereof (*Effective from passage*):

1918 (b) Notwithstanding any provision of the general statutes, any person
1919 who is alleged to have committed (1) a violation under the provisions of
1920 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)
1921 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,
1922 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-
1923 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of
1924 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-
1925 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of
1926 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-
1927 266, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-
1928 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection
1929 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section
1930 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-
1931 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
1932 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,
1933 subdivision (2) of subsection (a) of section 14-12, subsection (d) of
1934 section 14-12, subsection (f) of section 14-12a, subsection (a) of section
1935 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,

1936 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58
1937 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,
1938 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,
1939 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,
1940 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-
1941 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b
1942 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-
1943 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-
1944 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of
1945 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,
1946 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-
1947 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,
1948 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,
1949 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section
1950 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of
1951 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,
1952 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of
1953 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,
1954 subsection (b) of section 17a-227, section 17a-465, subsection (c) of
1955 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-
1956 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,
1957 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,
1958 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
1959 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-
1960 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or
1961 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,
1962 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or
1963 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,
1964 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
1965 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,
1966 section 21a-26, [or 21a-30,] subsection (a) of section 21a-37, section 21a-
1967 46, 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-
1968 79, as amended by this act, section 21a-85 or 21a-154, subdivision (1) of
1969 subsection (a) of section 21a-159, section 21a-278b, subsection (c), (d) or
1970 (e) of section 21a-279a, section 21a-415a, 21a-421eee, 21a-421fff [,] or 21a-

1971 421hhh, subsection (a) of section 21a-430, section 22-12b, 22-13, 22-14,
1972 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39f, 22-49,
1973 22-54, 22-61j or 22-61l, subdivision (1) of subsection (n) of section 22-61l,
1974 subsection (f) of section 22-61m, subdivision (1) of subsection (f) of
1975 section 22-61m, section 22-84, 22-89, 22-90, 22-96, 22-98, 22-99, 22-100 or
1976 22-111o, subsection (d) of section 22-118l, section 22-167, subsection (c)
1977 of section 22-277, section 22-278, 22-279, 22-280a, 22-318a, 22-320h, 22-
1978 324a or 22-326, subsection (b), subdivision (1) or (2) of subsection (e) or
1979 subsection (g) of section 22-344, subsection (a) or (b) of section 22-344b,
1980 subsection (d) of section 22-344d, section 22-344f, 22-350a, 22-354, 22-
1981 359, 22-366, 22-391, 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246,
1982 subsection (a) of section 22a-250, section 22a-256g, subsection (e) of
1983 section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d) of
1984 section 22a-381e, section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45,
1985 23-46 or 23-61b, subsection (a) or subdivision (1) of subsection (c) of
1986 section 23-65, section 25-37 or 25-40, subsection (a) of section 25-43,
1987 section 25-43d, 25-135, 26-18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-
1988 43, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of subsection
1989 (d) of section 26-61, section 26-64, subdivision (1) of section 26-76,
1990 section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-
1991 107, 26-114a, 26-117, subsection (b) of section 26-127, 26-128, 26-128a, 26-
1992 131, 26-132, 26-138, 26-139 or 26-141, subdivision (1) of section 26-186,
1993 section 26-207, 26-215, 26-217 or 26-224a, subdivision (1) of section 26-
1994 226, section 26-227, 26-230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-
1995 276, 26-280, 26-284, 26-285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-
1996 292, 26-294, 27-107, 28-13, 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or
1997 29-156a, subsection (b), (d), (e), (g) or (h) of section 29-161q, section 29-
1998 161y or 29-161z, subdivision (1) of section 29-198, section 29-210, 29-243
1999 or 29-277, subsection (c) of section 29-291c, section 29-316 or 29-318,
2000 subsection (b) of section 29-335a, section 29-381, 30-19f, 30-48a or 30-86a,
2001 subsection (b) of section 30-89, subsection (c) or (d) of section 30-117,
2002 section 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,
2003 31-24, 31-25, 31-32, 31-36, 31-47 or 31-48, subsection (b) of section 31-48b,
2004 section 31-51, 31-51g, 31-52, 31-52a, 31-53 or 31-54, subsection (a) or (c)
2005 of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-

2006 134, subsection (i) of section 31-273, section 31-288, 31-348, 33-624, 33-
2007 1017, 34-13d or 34-412, subdivision (1) of section 35-20, subsection (a) of
2008 section 36a-57, subsection (b) of section 36a-665, section 36a-699, 36a-
2009 739, 36a-787, 38a-2 or 38a-140, subsection (a) or (b) of section 38a-278,
2010 section 38a-479qq, 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713,
2011 38a-733, 38a-764, 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230,
2012 42-470 or 42-480, subsection (a) or (c) of section 43-16q, as amended by
2013 this act, section 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or
2014 (14) of section 46a-54, section 46a-59, 46a-81b, 46b-22, 46b-24, 46b-34,
2015 46b-38d, 47-34a, 47-47 or 47-53, subsection (i) of section 47a-21,
2016 subdivision (1) of subsection (k) of section 47a-21, section 49-2a, 49-8a,
2017 49-16, 52-143 or 52-289, subsection (j) of section 52-362, section 53-133,
2018 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-290a, 53-302a, 53-
2019 303e, 53-311a, 53-314, 53-321, 53-322, 53-323 or 53-331, subsection (b) of
2020 section 53-343a, section 53-344, subsection (b) or (c) of section 53-344b,
2021 subsection (b) of section 53-345a, section 53-377, 53-422 or 53-450 or
2022 subsection (i) of section 54-36a, or (2) a violation under the provisions of
2023 chapter 268, or (3) a violation of any regulation adopted in accordance
2024 with the provisions of section 12-484, 12-487 or 13b-410, or (4) a violation
2025 of any ordinance, regulation or bylaw of any town, city or borough,
2026 except violations of building codes and the health code, for which the
2027 penalty exceeds ninety dollars but does not exceed two hundred fifty
2028 dollars, unless such town, city or borough has established a payment
2029 and hearing procedure for such violation pursuant to section 7-152c,
2030 shall follow the procedures set forth in this section.

2031 Sec. 53. Sections 21a-27 to 21a-30, inclusive, of the general statutes are
2032 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-426(a)
Sec. 2	<i>from passage</i>	20-432
Sec. 3	<i>from passage</i>	20-500
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	20-523(a)

Sec. 6	<i>from passage</i>	20-529(a) and (b)
Sec. 7	<i>from passage</i>	20-529a
Sec. 8	<i>from passage</i>	20-529b(c) to (e)
Sec. 9	<i>from passage</i>	20-529c
Sec. 10	<i>from passage</i>	20-529d(a)
Sec. 11	<i>from passage</i>	20-529e
Sec. 12	<i>from passage</i>	21-71(b)
Sec. 13	<i>from passage</i>	21a-4(c) to (f)
Sec. 14	<i>from passage</i>	21a-79(b) to (d)
Sec. 15	<i>from passage</i>	21a-79b(e)
Sec. 16	<i>from passage</i>	21a-96
Sec. 17	<i>from passage</i>	21a-101a(b)
Sec. 18	<i>from passage</i>	21a-217
Sec. 19	<i>from passage</i>	21a-218
Sec. 20	<i>from passage</i>	21a-219(c)
Sec. 21	<i>from passage</i>	21a-223(a)
Sec. 22	<i>from passage</i>	21a-226(f) to (l)
Sec. 23	<i>from passage</i>	21a-227(a)
Sec. 24	<i>from passage</i>	25-133
Sec. 25	<i>from passage</i>	42-110d(b) to (d)
Sec. 26	<i>from passage</i>	42-110aa(a) to (c)
Sec. 27	<i>from passage</i>	42-133ff(a) to (f)
Sec. 28	<i>from passage</i>	43-16a
Sec. 29	<i>from passage</i>	43-16b
Sec. 30	<i>from passage</i>	43-16c
Sec. 31	<i>from passage</i>	43-16d
Sec. 32	<i>from passage</i>	43-16e
Sec. 33	<i>from passage</i>	43-16f
Sec. 34	<i>from passage</i>	43-16g
Sec. 35	<i>from passage</i>	43-16h
Sec. 36	<i>from passage</i>	43-16i
Sec. 37	<i>from passage</i>	43-16j
Sec. 38	<i>from passage</i>	43-16k
Sec. 39	<i>from passage</i>	43-16l
Sec. 40	<i>from passage</i>	43-16m
Sec. 41	<i>from passage</i>	43-16n
Sec. 42	<i>from passage</i>	43-16o
Sec. 43	<i>from passage</i>	43-16p
Sec. 44	<i>from passage</i>	43-16q
Sec. 45	<i>from passage</i>	43-20

Sec. 46	<i>from passage</i>	43-21
Sec. 47	<i>from passage</i>	43-27(c)
Sec. 48	<i>from passage</i>	43-28
Sec. 49	<i>from passage</i>	43-31
Sec. 50	<i>from passage</i>	43-32
Sec. 51	<i>from passage</i>	43-33
Sec. 52	<i>from passage</i>	51-164n(b)
Sec. 53	<i>from passage</i>	Repealer section

GL *Joint Favorable Subst.*

BA *Joint Favorable*