



General Assembly

Amendment

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LCO No. 5357



Offered by:

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To: Subst. House Bill No. 5236

File No. 103

Cal. No. 99

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 20-419 of the 2024 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage*):

6 As used in this chapter, unless the context otherwise requires:

7 (1) "Business entity" means an association, corporation, limited
8 liability company, limited liability partnership or partnership.

9 (2) "Certificate" means a certificate of registration issued under
10 section 20-422.

11 (3) "Commissioner" means (A) the Commissioner of Consumer
12 Protection, and (B) any person designated by the commissioner to
13 administer and enforce this chapter.

14 (4) (A) "Contractor" means any person who (i) owns and operates a
15 home improvement business, or (ii) undertakes, offers to undertake or
16 agrees to perform any home improvement.

17 (B) "Contractor" does not include a person for whom the total price
18 of all of such person's home improvement contracts with all of such
19 person's customers does not exceed one thousand dollars during any
20 period of twelve consecutive months.

21 (5) (A) "Home improvement" includes, but is not limited to, the
22 repair, replacement, remodeling, alteration, conversion, modernization,
23 improvement, rehabilitation or sandblasting of, or addition to, any land
24 or building or that portion thereof which is used or designed to be used
25 as a private residence, dwelling place or residential rental property, or
26 the construction, replacement, installation or improvement of alarm
27 systems not requiring electrical work, as defined in section 20-330,
28 driveways, swimming pools, porches, garages, roofs, siding, insulation,
29 sunrooms, flooring, patios, landscaping, fences, doors and windows,
30 waterproofing, water, fire or storm restoration or mold remediation in
31 connection with such land or building or that portion thereof which is
32 used or designed to be used as a private residence, dwelling place or
33 residential rental property or the removal or replacement of a residential
34 underground heating oil storage tank system, in which the total price
35 for all work agreed upon between the contractor and owner or proposed
36 or offered by the contractor exceeds two hundred dollars.

37 (B) "Home improvement" does not include (i) the construction of a
38 new home, (ii) the sale of goods or materials by a seller who neither
39 arranges to perform nor performs, directly or indirectly, any work or
40 labor in connection with the installation or application of the goods or
41 materials, (iii) the sale of goods or services furnished for commercial or
42 business use or for resale, provided commercial or business use does not

43 include use as residential rental property, (iv) the sale of appliances,
44 such as stoves, refrigerators, freezers, room air conditioners and others,
45 which are designed for and are easily removable from the premises
46 without material alteration thereof, (v) tree or shrub cutting or the
47 grinding of tree stumps, and (vi) any work performed without
48 compensation by the owner on such owner's own private residence or
49 residential rental property.

50 (6) "Home improvement contract" means an agreement between a
51 contractor and an owner for the performance of a home improvement.

52 (7) "Owner" means a person who owns or resides in a private
53 residence and includes any agent thereof, including, but not limited to,
54 a condominium association. An owner of a private residence shall not
55 be required to reside in such residence to be deemed an owner under
56 this subdivision.

57 (8) "Person" means an individual or a business entity.

58 (9) "Private residence" means a single family dwelling, a multifamily
59 dwelling consisting of not more than six units, or a unit, common
60 element or limited common element in a condominium, as defined in
61 section 47-68a, or in a common interest community, as defined in section
62 47-202, or any number of condominium units for which a condominium
63 association acts as an agent for such unit owners.

64 (10) "Proprietor" means an individual who (A) has an ownership
65 interest in a business entity that holds or has held a certificate of
66 registration issued under this chapter, and (B) has been found by a court
67 of competent jurisdiction to have violated any provision of this chapter
68 related to the conduct of a business entity holding a certificate or that
69 has held a certificate issued under this chapter within the two years of
70 the effective date of entering into a contract with an owner harmed by
71 the actions of such individual or business entity.

72 [(10)] (11) "Salesman" means any individual who (A) negotiates or
73 offers to negotiate a home improvement contract with an owner, or (B)

74 solicits or otherwise endeavors to procure by any means whatsoever,
75 directly or indirectly, a home improvement contract from an owner on
76 behalf of a contractor.

77 [(11)] (12) "Residential rental property" means a single family
78 dwelling, a multifamily dwelling consisting of not more than six units,
79 or a unit, common element or limited common element in a
80 condominium, as defined in section 47-68a, or in a common interest
81 community, as defined in section 47-202, which is not owner-occupied.

82 [(12)] (13) "Residential underground heating oil storage tank system"
83 means an underground storage tank system used with or without
84 ancillary components in connection with real property composed of
85 four or less residential units.

86 [(13)] (14) "Underground storage tank system" means an
87 underground tank or combination of tanks, with any underground
88 pipes or ancillary equipment or containment systems connected to such
89 tank or tanks, used to contain an accumulation of petroleum, which
90 volume is ten per cent or more beneath the surface of the ground.

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

94 (a) The commissioner may revoke, suspend or refuse to issue or
95 renew any certificate of registration as a home improvement contractor
96 or salesperson or place a registrant on probation or issue a letter of
97 reprimand (1) for conduct of a character likely to mislead, deceive or
98 defraud the public or the commissioner, (2) for engaging in any
99 untruthful or misleading advertising, (3) for failing to reimburse the
100 guaranty fund established pursuant to section 20-432, as amended by
101 this act, for any moneys paid to an owner pursuant to subsection [(o)]
102 (p) of section 20-432, as amended by this act, (4) for engaging in or
103 practicing home improvement work without a contract containing the
104 provisions required under section 20-429, (5) for unfair or deceptive
105 business practices, [(5)] (6) subject to section 46a-80, based on a felony

106 conviction of an individual registrant or an individual owner of a
107 registrant that is a business entity, [;] or [(6)] (7) for violation of any of
108 the provisions of the general statutes relating to home improvements or
109 any regulation adopted pursuant to any of such provisions. The
110 commissioner may refuse to issue or renew any certificate of registration
111 as a home improvement contractor or salesperson of any person subject
112 to the registration requirements of chapter 969.

113 Sec. 3. Section 20-432 of the 2024 supplement to the general statutes
114 is repealed and the following is substituted in lieu thereof (*Effective from*
115 *passage*):

116 (a) The commissioner shall establish and maintain the Home
117 Improvement Guaranty Fund.

118 (b) Each salesman who receives a certificate pursuant to this chapter
119 shall pay a fee of forty dollars annually. Each contractor (1) who receives
120 a certificate pursuant to this chapter, or (2) receives a certificate pursuant
121 to chapter 399a and has opted to engage in home improvement pursuant
122 to subsection (f) of section 20-417b shall pay a fee of one hundred dollars
123 annually to the guaranty fund. Such fee shall be payable with the fee for
124 an application for a certificate or renewal thereof. The annual fee for a
125 contractor who receives a certificate of registration as a home
126 improvement contractor acting solely as the contractor of record for a
127 corporation shall be waived, provided the contractor of record shall use
128 such registration for the sole purpose of directing, supervising or
129 performing home improvements for such corporation.

130 (c) Payments received under subsection (b) of this section shall be
131 credited to the guaranty fund until the balance in such fund equals
132 seven hundred fifty thousand dollars. Annually, if the balance in the
133 fund exceeds seven hundred fifty thousand dollars, the first four
134 hundred thousand dollars of the excess shall be deposited into the
135 consumer protection enforcement account established in section 21a-8a.
136 Any excess thereafter shall be deposited in the General Fund. Any
137 money in the guaranty fund may be invested or reinvested in the same

138 manner as funds of the state employees retirement system, and the
139 interest arising from such investments shall be credited to the guaranty
140 fund.

141 (d) Whenever an owner obtains a binding arbitration decision, a court
142 judgment, order or decree against any contractor holding a certificate or
143 who has held a certificate under this chapter, or against a proprietor,
144 within two years of the [effective] date [of entering] such contractor
145 entered into the contract with the owner, for loss or damages sustained
146 by reason of performance of or offering to perform a home improvement
147 within this state by a contractor holding a certificate under this chapter,
148 such owner may, upon the final determination of, or expiration of time
149 for, taking an appeal in connection with any such decision, judgment,
150 order or decree, apply to the commissioner for an order directing
151 payment out of said guaranty fund of the amount unpaid upon the
152 decision, judgment, order or decree, for actual damages and costs taxed
153 by the court against the contractor or proprietor, exclusive of punitive
154 damages. The application shall be made on forms provided by the
155 commissioner and shall be accompanied by a copy of the decision, court
156 judgment, order or decree obtained against the contractor or proprietor.
157 No application for an order directing payment out of the guaranty fund
158 shall be made later than two years after the final determination of, or
159 expiration of time for, taking an appeal of said decision, court judgment,
160 order or decree.

161 (e) Upon receipt of said application together with said copy of the
162 decision, court judgment, order or decree, and true and attested copy of
163 the executing officer's return, the commissioner or [his] the
164 commissioner's designee shall inspect such documents for their veracity
165 and upon a determination that such documents are complete and
166 authentic, and a determination that the owner has not been paid, the
167 commissioner shall order payment out of the guaranty fund of the
168 amount unpaid upon the decision, judgment, order or decree for actual
169 damages and costs taxed by the court against the contractor or, if the
170 contractor is a business entity, a proprietor, exclusive of punitive
171 damages.

172 (f) Whenever an owner is awarded an order of restitution against any
173 contractor or, if the contractor is a business entity, any proprietor for
174 loss or damages sustained by reason of performance of or offering to
175 perform a home improvement in this state by a contractor holding a
176 certificate or who has held a certificate under this chapter within two
177 years of the date of entering into the contract with the owner, in a
178 proceeding brought by the commissioner pursuant to this section or
179 subsection (d) of section 42-110d, as amended by this act, or in a
180 proceeding brought by the Attorney General pursuant to subsection (a)
181 of section 42-110m or subsection (d) of section 42-110d, as amended by
182 this act, or a criminal proceeding pursuant to section 20-427, such owner
183 may, upon the final determination of, or expiration of time for, taking
184 an appeal in connection with any such order of restitution, apply to the
185 commissioner for an order directing payment out of said guaranty fund
186 of the amount unpaid upon the order of restitution. The commissioner
187 may issue said order upon a determination that the owner has not been
188 paid.

189 (g) Whenever the commissioner orders payment to an owner out of
190 the guaranty fund based upon a decision, court judgment, order or
191 decree of restitution against any proprietor, such proprietor and the
192 business entity that holds or held a certificate under this chapter shall
193 be liable for the resulting debt to the guaranty fund.

194 [(g)] (h) Before the commissioner may issue any order directing
195 payment out of the guaranty fund to an owner pursuant to subsection
196 (e) or (f) of this section, the commissioner shall first notify the contractor
197 of the owner's application for an order directing payment out of the
198 guaranty fund and of the contractor's right to a hearing to contest the
199 disbursement in the event that the contractor or proprietor has already
200 paid the owner or is complying with a payment schedule in accordance
201 with a court judgment, order or decree. Such notice shall be given to the
202 contractor not later than fifteen days after receipt by the commissioner
203 of the owner's application for an order directing payment out of the
204 guaranty fund. If the contractor requests a hearing, in writing, by
205 certified mail not later than fifteen days after receiving the notice from

206 the commissioner, the commissioner shall grant such request and shall
207 conduct a hearing in accordance with the provisions of chapter 54. If the
208 commissioner does not receive a request by certified mail from the
209 contractor for a hearing not later than fifteen days after the contractor's
210 receipt of such notice, the commissioner shall determine that the owner
211 has not been paid, and the commissioner shall issue an order directing
212 payment out of the guaranty fund for the amount unpaid upon the
213 judgment, order or decree for actual damages and costs taxed by the
214 court against the contractor or proprietor, exclusive of punitive
215 damages, or for the amount unpaid upon the order of restitution.

216 [(h)] (i) The commissioner or [his] the commissioner's designee may
217 proceed against any contractor holding a certificate or who has held a
218 certificate under this chapter within the past two years of the effective
219 date of entering into the contract with the owner, for an order of
220 restitution arising from loss or damages sustained by any person by
221 reason of such contractor's or the proprietor's performance of or offering
222 to perform a home improvement in this state. Any such proceeding shall
223 be held in accordance with the provisions of chapter 54. In the course of
224 such proceeding, the commissioner or [his] the commissioner's designee
225 shall decide whether to exercise [his] the commissioner's powers
226 pursuant to section 20-426, as amended by this act; whether to order
227 restitution arising from loss or damages sustained by any person by
228 reason of such contractor's or proprietor's performance or offering to
229 perform a home improvement in this state; and whether to order
230 payment out of the guaranty fund. Notwithstanding the provisions of
231 chapter 54, the decision of the commissioner or [his] the commissioner's
232 designee shall be final with respect to any proceeding to order payment
233 out of the guaranty fund and the commissioner and [his] the
234 commissioner's designee shall not be subject to the requirements of
235 chapter 54 as they relate to appeal from any such decision. The
236 commissioner or [his] the commissioner's designee may hear complaints
237 of all owners submitting claims against a single contractor in one
238 proceeding.

239 [(i)] (j) No application for an order directing payment out of the

240 guaranty fund shall be made later than two years from the final
241 determination of, or expiration of time for, appeal in connection with
242 any decision, judgment, order or decree of restitution.

243 [(j)] (k) Whenever the owner satisfies the commissioner or [his] the
244 commissioner's designee that it is not practicable to comply with the
245 requirements of subsection (d) of this section and that the owner has
246 taken all reasonable steps to collect the amount of the decision,
247 judgment, order or decree or the unsatisfied part thereof and has been
248 unable to collect the same, the commissioner or [his] the commissioner's
249 designee may, in [his] the commissioner's or such designee's discretion,
250 dispense with the necessity for complying with such requirement.

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

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

263 [(m)] (n) Whenever the commissioner has caused any sum to be paid
264 from the guaranty fund to an owner, the commissioner shall be
265 subrogated to all of the rights of the owner up to the amount paid plus
266 reasonable interest, and prior to receipt of any payment from the
267 guaranty fund, the owner shall assign all of this right, title and interest
268 in the claim up to such amount to the commissioner, and any amount
269 and interest recovered by the commissioner on the claim shall be
270 deposited to the guaranty fund.

271 [(n)] (o) If the commissioner orders the payment of any amount as a

272 result of a guaranty fund claim against a contractor or proprietor, the
273 commissioner shall determine if the contractor is possessed of assets
274 liable to be sold or applied in satisfaction of the claim on the guaranty
275 fund. If the commissioner discovers any such assets, [he] the
276 commissioner may request that the Attorney General take any action
277 necessary for the reimbursement of the guaranty fund.

278 [(o)] (p) If the commissioner orders the payment of an amount as a
279 result of a guaranty fund claim against a contractor, the commissioner
280 may, after notice and hearing in accordance with the provisions of
281 chapter 54, revoke the certificate of the contractor and the contractor
282 shall not be eligible to receive a new or renewed certificate until [he] the
283 contractor has repaid such amount in full, plus interest from the time
284 said payment is made from the guaranty fund, at a rate to be in
285 accordance with section 37-3b, except that the commissioner may, in
286 [his] the commissioner's sole discretion, permit a contractor to receive a
287 new or renewed certificate after that contractor has entered into an
288 agreement with the commissioner whereby the contractor agrees to
289 repay the guaranty fund in full in the form of periodic payments over a
290 set period of time. Any such agreement shall include a provision
291 providing for the summary suspension of any and all certificates held
292 by the contractor if payment is not made in accordance with the terms
293 of the agreement.

294 Sec. 4. Section 20-500 of the general statutes is repealed and the
295 following is substituted in lieu thereof (*Effective from passage*):

296 As used in this section and sections 20-501 to 20-529e, inclusive, as
297 amended by this act, and section 5 of this act, unless the context
298 otherwise requires:

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

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

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

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

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

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

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

315 (4) "Appraisal management services" means:

316 (A) The administration of an appraiser panel;

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

321 (C) The receipt of an appraisal request or order, or an appraisal
322 review request or order, and the delivery of such request or order to an
323 appraiser panel.

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

328 (A) Responded to an invitation, request or solicitation from an
329 appraisal management company to perform appraisals (i) requested or
330 ordered through the appraisal management company, or (ii) directly for

331 the appraisal management company on a periodic basis as assigned by
332 such appraisal management company; and

333 (B) Been selected and approved by the appraisal management
334 company.

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

336 (7) "Certified appraiser" means a person who has satisfied the
337 minimum requirements for a category of certification established by the
338 commission by regulation. Such minimum requirements shall be
339 consistent with guidelines established by the Appraisal Qualification
340 Board of the Appraisal Foundation. The categories of certification shall
341 include one category denoted as "certified residential appraiser" and
342 another denoted as "certified general appraiser". The commission may
343 modify such categories of certification.

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

346 (9) "Commissioner" means the Commissioner of Consumer
347 Protection.

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

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

355 (B) Maintain detailed records of each appraisal request or order the
356 appraisal management company receives and of the appraiser who
357 performs such appraisal; and

358 (C) Review on a periodic basis the work of all appraisers performing
359 appraisals for the appraisal management company to ensure that such

360 appraisals are being conducted in accordance with the USPAP.

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

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

367 (B) Is employed by an appraisal management company and has the
368 authority to enter into agreements or contracts for the performance of
369 appraisal management services or appraisals, or is appointed or
370 authorized by such appraisal management company to enter into such
371 agreements or contracts; or

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

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

377 (13) "Federally regulated appraisal management company" means an
378 appraisal management company that is owned and controlled by an
379 insured depository institution, as defined in 12 USC 1813, as amended
380 from time to time, and regulated by the Office of the Comptroller of the
381 Currency, the Board of Governors of the Federal Reserve System or the
382 Federal Deposit Insurance Corporation.

383 ~~[(13)]~~ (14) "Financial institution" means a bank, out-of-state bank or
384 institutional lender, an affiliate or subsidiary of a bank, out-of-state bank
385 or institutional lender or another lender licensed by the Department of
386 Banking.

387 ~~[(14)]~~ (15) "FIRREA" means the Financial Institutions, Reform,
388 Recovery and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183, as
389 amended from time to time.

390 ~~[(15)]~~ (16) "Out-of-state bank" has the same meaning as provided in
391 section 36a-2.

392 ~~[(16)]~~ (17) "Person" means an individual.

393 ~~[(17)]~~ (18) "Provisional appraiser" means a person engaged in the
394 business of estimating the value of real estate for a fee or other valuable
395 consideration under the supervision of a certified real estate appraiser
396 and who meets the minimum requirements, if any, established by the
397 commission by regulation for provisional appraiser status.

398 ~~[(18)]~~ (19) "Provisional license" means a license issued to a provisional
399 appraiser.

400 ~~[(19)]~~ (20) "Real estate appraiser" or "appraiser" means a person
401 engaged in the business of estimating the value of real estate for a fee or
402 other valuable consideration.

403 ~~[(20)]~~ (21) "USPAP" means the Uniform Standards of Professional
404 Appraisal Practice issued by the Appraisal Standards Board of the
405 Appraisal Foundation pursuant to Title XI of FIRREA.

406 Sec. 5. (NEW) (*Effective from passage*) (a) No federally regulated
407 appraisal management company shall be required to register with the
408 Department of Consumer Protection.

409 (b) A federally regulated appraisal management company shall
410 report to the Department of Consumer Protection, in a form and manner
411 prescribed by the department, such information as the Commissioner of
412 Consumer Protection is required to submit to the appraisal
413 subcommittee of the Federal Financial Institutions Examination Council
414 pursuant to Title XI of FIRREA, any regulation promulgated thereunder
415 or any policy or rule established by said subcommittee.

416 (c) A federally regulated appraisal management company shall pay
417 to the Commissioner of Consumer Protection an annual registry fee in
418 an amount determined by the appraisal subcommittee of the Federal
419 Financial Institutions Examination Council in accordance with federal

420 law. The commissioner shall transmit the annual registry fee to the
421 appropriate federal regulatory entity in accordance with Title XI of
422 FIRREA, any regulation promulgated thereunder or any policy or rule
423 established by said subcommittee.

424 Sec. 6. Subsection (a) of section 20-523 of the general statutes is
425 repealed and the following is substituted in lieu thereof (*Effective from*
426 *passage*):

427 (a) Any person who engages in the real estate appraisal business
428 without obtaining a certification or provisional license, as the case may
429 be, as provided in sections 20-500 to 20-528, inclusive, as amended by
430 this act, shall be: ~~[fined]~~ (1) Fined not more than one thousand dollars
431 or imprisoned not more than six months or both; ~~[,]~~ (2) subject to civil
432 penalties after an administrative hearing conducted by the
433 Commissioner of Consumer Protection, or the commissioner's designee,
434 in accordance with the provisions of chapter 54; and ~~[shall be]~~ (3)
435 ineligible to obtain a certification or provisional license for one year
436 from the date of conviction of such offense or the final decision rendered
437 by the commissioner or the commissioner's designee after an
438 administrative hearing, except the commission, in its discretion, may
439 grant a certification or provisional license, as the case may be, to such
440 person within such one-year period upon application and after a
441 hearing on such application.

442 Sec. 7. Subsections (a) and (b) of section 20-529 of the general statutes
443 are repealed and the following is substituted in lieu thereof (*Effective*
444 *from passage*):

445 (a) No appraisal management company, ~~[shall]~~ other than a federally
446 regulated appraisal management company, shall, without first
447 obtaining a registration from the Department of Consumer Protection,
448 (1) engage or attempt to engage in business as an appraisal management
449 company in this state; (2) perform or attempt to perform appraisal
450 management services in this state; or (3) advertise or hold itself out as
451 engaging in business as an appraisal management company in this state.

452 [without first registering with the Department of Consumer Protection.]

453 (b) Each appraisal management company, other than a federally
454 regulated appraisal management company, shall apply to the
455 Commissioner of Consumer Protection, in writing, on a form provided
456 by the commissioner. The application shall include (1) the company's
457 name, business address and telephone number; (2) if such company is
458 domiciled in another state, the name, address and telephone number of
459 the company's agent for service of process in this state, and the Uniform
460 Consent to Service of Process form to be completed by the company; (3)
461 the name, address and telephone number of any person or business
462 entity owning an equity interest, or the equivalent, of the company; (4)
463 a certification by the company that no person or business entity named
464 in subdivision (3) of this subsection has had an appraiser license or
465 certificate denied, refused to be renewed, suspended or revoked in any
466 state; (5) the name, address and telephone number of a controlling
467 person of the company who will serve as the main contact for
468 communications between the commissioner and the appraisal
469 management company; (6) the name, address and telephone number of
470 a compliance manager of the company; and (7) any other information
471 the commissioner may require. Each such application shall be
472 accompanied by a fee of one thousand dollars.

473 Sec. 8. Section 20-529a of the general statutes is repealed and the
474 following is substituted in lieu thereof (*Effective from passage*):

475 (a) Each appraisal management company, other than a federally
476 regulated appraisal management company, shall certify annually to the
477 commissioner that [it] such appraisal management company maintains
478 a detailed record of each appraisal request or order [it] such appraisal
479 management company receives and of the appraiser who performs such
480 appraisal.

481 (b) Each appraisal management company, other than a federally
482 regulated appraisal management company, may audit the appraisals
483 completed by appraisers on its appraiser panel to ensure that such

484 appraisals are being performed in accordance with the USPAP.

485 (c) Each appraisal management company, other than a federally
486 regulated appraisal management company, shall disclose to a client
487 prior to providing, or along with, the appraisal report (1) the dollar
488 amount of the total compensation to be paid by such company to the
489 appraiser who performed the appraisal; and (2) the dollar amount of the
490 total compensation to be retained by such company from the appraisal
491 fee paid to such company for such appraisal.

492 (d) No appraisal management company, other than a federally
493 regulated appraisal management company, shall prohibit or attempt to
494 prohibit an appraiser from including or referencing in an appraisal
495 report the appraisal fee, the name of the appraisal management
496 company or the client's or lender's name or identity.

497 Sec. 9. Subsections (c) to (e), inclusive, of section 20-529b of the
498 general statutes are repealed and the following is substituted in lieu
499 thereof (*Effective from passage*):

500 (c) Except in cases of breach of contract or substandard performance
501 of services or where the parties have mutually agreed upon an alternate
502 payment schedule in writing, each appraisal management company,
503 other than a federally regulated appraisal management company,
504 operating in this state shall make payment to an appraiser for the
505 completion of an appraisal or valuation assignment not later than forty-
506 five days after the date on which such appraiser transmits or otherwise
507 provides the completed appraisal or valuation study to the appraisal
508 management company or its assignee.

509 (d) No employee, owner, controlling person, director, officer or agent
510 of an appraisal management company that is not a federally regulated
511 appraisal management company shall intentionally influence, coerce or
512 encourage or attempt to influence, coerce or encourage, an appraiser to
513 misstate or misrepresent the value of a subject property, by any means,
514 including:

515 (1) Withholding or threatening to withhold timely payment for an
516 appraisal;

517 (2) Withholding or threatening to withhold business from, or
518 demoting, terminating or threatening to demote or terminate, an
519 appraiser;

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

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

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

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

532 (7) Providing or offering to provide to an appraiser or to any person
533 or entity related to the appraiser stock or other financial or nonfinancial
534 benefits;

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

538 (9) Obtaining, using or paying for a subsequent appraisal or ordering
539 an automated valuation model in connection with a mortgage financing
540 transaction unless (A) there is a reasonable basis to believe that the
541 initial appraisal was flawed or tainted and such basis is clearly noted in
542 such transaction file, or (B) such subsequent appraisal or automated
543 valuation model is performed pursuant to a bona fide prefunding or
544 postfunding appraisal review, loan underwriting or quality control

545 process; or

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

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

553 Sec. 10. Section 20-529c of the general statutes is repealed and the
554 following is substituted in lieu thereof (*Effective from passage*):

555 (a) After an appraiser is initially added to an appraiser panel of an
556 appraisal management company, other than a federally regulated
557 appraisal management company, such company shall not remove an
558 appraiser from its appraiser panel or otherwise refuse to assign requests
559 or orders for appraisals without:

560 (1) Notifying the appraiser in writing of the reasons why the
561 appraiser is being removed;

562 (2) If the appraiser is being removed for alleged illegal conduct,
563 violation of the USPAP or violation of state licensing standards,
564 notifying the appraiser in writing of the nature of the alleged conduct or
565 violation; and

566 (3) Providing the appraiser with an opportunity to respond to such
567 notice.

568 (b) (1) Any appraiser who is removed from an appraiser panel of
569 an appraisal management company, other than a federally regulated
570 appraisal management company, for alleged illegal conduct, violation
571 of the USPAP or violation of state licensing standards may file a
572 complaint with the commissioner and request a review of the removal
573 decision, except that the commissioner shall not make any
574 determination regarding the nature of the business relationship

575 between the appraiser and the appraisal management company that is
576 unrelated to the actions specified in subsection (a) of this section.

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

583 (3) If the commissioner determines to the commissioner's satisfaction
584 that the appraiser did not engage in illegal conduct, violate the USPAP
585 or violate state licensing standards, the commissioner shall order
586 such appraiser to be reinstated to the appraiser panel of the appraisal
587 management company.

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

593 Sec. 11. Subsection (a) of section 20-529d of the general statutes is
594 repealed and the following is substituted in lieu thereof (*Effective from*
595 *passage*):

596 (a) Upon the verified complaint, in writing, of any person concerning
597 a violation by an appraisal management company, other than a federally
598 regulated appraisal management company, of the provisions of sections
599 20-529 to 20-529c, inclusive, as amended by this act, the Department of
600 Consumer Protection may investigate such company. Upon a
601 determination by the commissioner that an appraisal management
602 company has made any materially false, fictitious or fraudulent
603 statement or violated any provision of sections 20-529 to 20-529c,
604 inclusive, as amended by this act, the commissioner may deny, refuse to
605 renew, suspend or revoke a certificate of registration issued in
606 accordance with section 20-529, as amended by this act, and may impose

607 a civil penalty of not more than twenty-five thousand dollars.

608 Sec. 12. Section 20-529e of the general statutes is repealed and the
609 following is substituted in lieu thereof (*Effective from passage*):

610 The Commissioner of Consumer Protection may adopt regulations,
611 in accordance with chapter 54, to carry out the provisions of sections 20-
612 529 to [20-529c] 20-529d, inclusive, as amended by this act, and section
613 5 of this act.

614 Sec. 13. Subsection (b) of section 21-71 of the general statutes is
615 repealed and the following is substituted in lieu thereof (*Effective from*
616 *passage*):

617 (b) (1) If an inspection by the department reveals a violation of any
618 provision of this chapter or any regulation issued under this chapter, the
619 cost of all reinspections necessary to determine compliance with any
620 such provision shall be assumed by the owner, except that if a first
621 reinspection indicates compliance with such provision, no charge shall
622 be made.

623 (2) As part of an inspection or investigation, the department may
624 order an owner of a mobile manufactured home park to obtain an
625 independent inspection report, at the sole cost of the owner, that
626 assesses the condition and potential public health impact of a condition
627 at the park, including, but not limited to, the condition of trees and
628 electrical, plumbing or sanitary systems.

629 (3) (A) In ordering an owner of a mobile manufactured home park to
630 obtain an independent inspection report under this subsection, the
631 department may require (i) the person completing such report to have
632 training or be licensed in a particular area related to the ordered
633 inspection, and (ii) that such report specifically address particular areas
634 of, or issues affecting, the park that are of concern to the department.

635 (B) In the event that the department requires the person completing
636 an independent inspection report under this subsection to have training

637 or be licensed in a particular area, the department shall include such
638 requirement in the first order the department issues to the mobile
639 manufactured home park owner requiring such report.

640 (C) The mobile manufactured home park owner shall submit proof of
641 compliance with the provisions of this subdivision at the time the owner
642 submits to the department the independent inspection report required
643 under this subsection.

644 (4) If the department orders a mobile manufactured home park
645 owner to obtain an independent inspection report as part of the owner's
646 application for a license, or for renewal of a license, to operate a mobile
647 manufactured home park, the department shall issue such order to such
648 owner at the electronic mail address such owner most recently provided
649 to the department in such owner's application. Such order shall provide
650 a description of the condition or conditions that require further
651 assessment by such owner.

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

657 (6) Each independent inspection report required under this
658 subsection shall include (A) an assessment of (i) all conditions outlined
659 in the department's order requiring such report that impact public
660 health and safety for the purpose of assessing the risk that such
661 conditions pose to public health and safety, and (ii) the severity of the
662 conditions described in subparagraph (A)(i) of this subdivision, and (B)
663 a detailed plan of action to remedy each condition described in
664 subparagraph (A)(i) of this subdivision.

665 (7) Not later than ten days after a mobile manufactured home park
666 owner receives an independent inspection report required under this
667 subsection, the mobile manufactured home park owner shall provide to
668 the department, in writing, a detailed plan to remedy the assessed

669 condition, which plan shall include, at a minimum, a specific timeline,
670 proposed contractors and a budget.

671 Sec. 14. Subsections (c) to (f), inclusive, of section 21a-4 of the 2024
672 supplement to the general statutes are repealed and the following is
673 substituted in lieu thereof (*Effective from passage*):

674 (c) The Commissioner of Consumer Protection may impose a late fee
675 on any applicant who fails to renew a license, permit, certificate or
676 registration on or before the expiration date of such license, permit,
677 certificate or registration. The amount of the late fee shall be equal to ten
678 per cent of the renewal fee but shall not be less than ten dollars or more
679 than one hundred dollars. Prior to renewing a license, permit, certificate
680 or registration, an applicant shall pay all outstanding fees, including,
681 but not limited to, late fees, owed to the department.

682 (d) If the Department of Consumer Protection does not receive a
683 completed license, permit, certificate or registration renewal application
684 from an applicant on or before the expiration date of such license,
685 permit, certificate or registration, [but the applicant submits a
686 completed renewal application to the department not later than] the
687 department may accept a renewal application for a period of up to
688 ninety days after such expiration date. If the department elects to accept
689 a renewal application during such period, the applicant shall pay any
690 late fee imposed by the commissioner under subsection (c) of this
691 section but shall not be required to apply for reinstatement under
692 subsection (e) of this section. No holder of any lapsed license, permit,
693 certificate or registration shall engage in any activity for which an active
694 license, permit, certificate or registration is required unless the
695 department has approved a renewal application for such license, permit,
696 certificate or registration.

697 (e) When a license, permit, certificate or registration has lapsed for a
698 period longer than ninety days after its expiration date or the length of
699 time specified in any other provision of the general statutes allowing for
700 its reinstatement, an applicant may apply to the Department of

701 Consumer Protection to reinstate such lapsed license, permit, certificate
702 or registration. Upon receipt of such completed reinstatement
703 application and payment of the corresponding application fee, the
704 department may, in the department's discretion and if such application
705 is made not later than three years after such expiration date or specified
706 time, reinstate such lapsed license, permit, certificate or registration
707 without examination. The applicant, prior to reinstatement by the
708 department, shall attest that the applicant has not worked in the
709 applicable occupation or profession in this state while such license,
710 permit, certificate or registration was lapsed, pay the current year's
711 renewal fee for reinstatement and take any continuing education
712 required for the year preceding such reinstatement and the year of such
713 reinstatement. If the applicant worked in the applicable occupation or
714 profession in this state while such license, permit, certificate or
715 registration was lapsed, the applicant shall pay all license and late fees
716 due and owing for the period in which such license, permit, certificate
717 or registration was lapsed and demonstrate to the department that the
718 applicant has completed all continuing education required for the year
719 preceding reinstatement. If a license, permit, certificate or registration
720 has lapsed for longer than three years after the license, permit, certificate
721 or registration expiration date or the length of time specified in any
722 other provision of the general statutes allowing for reinstatement,
723 whichever is longer, the applicant shall apply for a new license, permit,
724 certificate or registration under this subsection. No person who had a
725 license, permit, certificate or registration that lapsed during the three
726 years immediately preceding the date of an application made pursuant
727 to this subsection may seek a new license, permit, certificate or
728 registration of the same type under the same name.

729 (f) Unless expressly provided otherwise by law, application fees for a
730 license, permit, certificate or registration within the purview of the
731 Department of Consumer Protection shall be nonrefundable. Unless
732 waived by the department, in writing, the department may deem any
733 incomplete application that has been submitted to the department to
734 have expired and been withdrawn six months after the date of such

735 incomplete application.

736 Sec. 15. Subsections (b) to (d), inclusive, of section 21a-79 of the
737 general statutes are repealed and the following is substituted in lieu
738 thereof (*Effective from passage*):

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

744 (B) Any person [who, or association, corporation, firm or partnership]
745 that [.] uses an electronic pricing system to total a retail consumer's
746 purchases shall provide to such consumer an item-by-item digital
747 display, plainly visible to such consumer as each universal product code
748 is scanned, of the price of each carbonated soft drink container or
749 consumer commodity, or both, which such consumer has selected for
750 purchase before such person [, association, corporation, firm or
751 partnership] accepts payment from such consumer for such carbonated
752 soft drink container or consumer commodity, or both. The provisions of
753 this subparagraph shall not be construed to apply to any person [who,
754 or association, corporation, firm or partnership] that [.] is operating in a
755 retail sales area of not more than ten thousand square feet.

756 (2) The provisions of subparagraph (A) of subdivision (1) of this
757 subsection shall not apply if (A) the Commissioner of Consumer
758 Protection, by regulation, allows for the use of electronic shelf labeling
759 systems, (B) the commissioner grants to a person [, association,
760 corporation, firm or partnership] approval to use an electronic shelf
761 labeling system, (C) the person [, association, corporation, firm or
762 partnership] demonstrates, to the commissioner's satisfaction, that such
763 electronic shelf labeling system is supported by an electronic pricing
764 system that uses universal product coding to total a retail consumer's
765 purchases, and (D) such person [, association, corporation, firm or
766 partnership] has received the commissioner's approval for such an

767 electronic pricing system.

768 (3) The provisions of subparagraph (A) of subdivision (1) of this
769 subsection shall not apply to a person [, association, corporation, firm or
770 partnership] if (A) the conditions established in subdivision (2) of this
771 subsection have been satisfied, and (B) the person [, association,
772 corporation, firm or partnership] has received the Commissioner of
773 Consumer Protection's permission to suspend implementation of the
774 electronic pricing system for a period, not to exceed thirty days, to
775 enable such person, [association, corporation, firm or partnership,] or an
776 agent acting on behalf of such person, [association, corporation, firm or
777 partnership,] to remodel, repair, reset or otherwise modify such
778 electronic pricing system at the retail establishment.

779 (4) The provisions of subparagraph (A) of subdivision (1) of this
780 subsection shall not apply to a person [, association, corporation, firm or
781 partnership] if (A) the person [, association, corporation, firm or
782 partnership] applies for, and the Commissioner of Consumer Protection
783 approves, an exemption for such person, [association, corporation, firm
784 or partnership,] (B) such person [, association, corporation, firm or
785 partnership] demonstrates, to the commissioner's satisfaction, that such
786 person [, association, corporation, firm or partnership] has achieved
787 price scanner accuracy of at least ninety-eight per cent, as determined
788 by the latest version of the National Institute of Standards and
789 Technology Handbook 130, "Examination Procedures for Price
790 Verification", as adopted by The National Conference on Weights and
791 Measures, (C) such person [, association, corporation, firm or
792 partnership] pays an application fee, to be used to offset annual
793 inspection costs, of three hundred fifteen dollars, if the premises consists
794 of less than twenty thousand square feet of retail space, or six hundred
795 twenty-five dollars, if the premises consists of at least twenty thousand
796 square feet of retail space, (D) such person [, association, corporation,
797 firm or partnership] makes available a consumer price test scanner that
798 is approved by the commissioner and located prominently in an easily
799 accessible location for each twelve thousand square feet of retail floor
800 space, or fraction thereof, and (E) price accuracy inspections resulting in

801 less than ninety-eight per cent price scanner accuracy are reinspected,
802 [without penalty, and such person, association, corporation, firm or
803 partnership pays] which reinspection shall be performed following
804 receipt of payment of a two-hundred-fifty-dollar reinspection fee paid
805 by such person.

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

813 (6) Consumer commodities that are advertised in a publicly
814 circulated printed form as being offered for sale at a reduced retail price
815 for a minimum seven-day period need not be individually marked at
816 such reduced retail price, provided such consumer commodities are
817 individually marked with their regular retail price and a conspicuous
818 sign adjacent to such consumer commodities discloses (A) such reduced
819 retail price and the unit price of such consumer commodities, and (B) a
820 statement disclosing that the cashier will electronically price such
821 consumer commodities at such reduced price.

822 (7) (A) Except as provided in subparagraph (B) of this subdivision, if
823 a consumer commodity is offered for sale and the consumer
824 commodity's electronic price is higher than the posted price, then one
825 item of such consumer commodity, up to a value of twenty dollars, shall
826 be given to the consumer at no cost to the consumer. A conspicuous sign
827 shall adequately disclose to the consumer that in the event the electronic
828 price is higher than the posted retail price, one item of such consumer
829 commodity shall be given to the consumer at no cost to the consumer.

830 (B) The provisions of subparagraph (A) of this subdivision shall not
831 apply to a person [, association, corporation, firm or partnership] in
832 cases where the person [, association, corporation, firm or partnership]

833 (i) improperly fails to redeem a digital or paper coupon which, if
834 properly redeemed, would reduce the price of a consumer commodity,
835 or (ii) fails to remove a sign adjoining a consumer commodity and
836 disclosing a time-limited reduced price for the consumer commodity
837 after the time period specified for such reduced price has expired.

838 (8) If a consumer presents a digital or paper coupon which, if
839 properly redeemed, would reduce the price of a consumer commodity
840 and the person [, association, corporation, firm or partnership] fails to
841 properly redeem such coupon, such person [, association, corporation,
842 firm or partnership] shall provide to the consumer a refund in an
843 amount that is equal to the value of such coupon. If a person [,
844 association, corporation, firm or partnership] offers a consumer
845 commodity for sale at a reduced price for a specified time period, and a
846 sign disclosing such reduced price remains adjacent to the consumer
847 commodity following expiration of such time period, the person [,
848 association, corporation, firm or partnership] shall only require a
849 consumer to pay the reduced price disclosed in such sign for such
850 consumer commodity.

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

855 (2) The Commissioner of Consumer Protection may adopt
856 regulations, in accordance with the provisions of chapter 54, designating
857 not more than twelve consumer commodities that need not be marked
858 in accordance with the provisions of subdivision (1) of subsection (b) of
859 this section and specifying the method of providing adequate disclosure
860 to consumers to ensure that the electronic pricing of the designated
861 consumer commodities is accurate. The commissioner may also
862 establish, by regulation, methods to protect consumers against
863 electronic pricing errors of such designated consumer commodities and
864 to ensure that the electronic prices of such designated consumer
865 commodities are accurate. Among the methods that the commissioner

866 may consider are conditions similar to those set forth in subdivision (5)
867 of subsection (b) of this section.

868 (d) The Commissioner of Consumer Protection, after providing
869 notice and conducting a hearing in accordance with the provisions of
870 chapter 54, may issue a warning citation to, or impose a civil penalty of
871 not more than one hundred dollars for the first offense and not more
872 than five hundred dollars for each subsequent offense on, any person
873 [who, or association, corporation, firm or partnership] that [,] violates
874 any provision of subsection (b) of this section, or any regulation adopted
875 pursuant to subsection (c) of this section. Any person [who, or
876 association, corporation, firm or partnership] that [,] violates any
877 provision of subsection (b) of this section, or any regulation adopted
878 pursuant to subsection (c) of this section, shall be fined not more than
879 two hundred dollars for the first offense and not more than one
880 thousand dollars for each subsequent offense. Each violation with
881 respect to all units of a particular consumer commodity on any single
882 day shall be deemed a single offense.

883 Sec. 16. Subsection (e) of section 21a-79b of the general statutes is
884 repealed and the following is substituted in lieu thereof (*Effective from*
885 *passage*):

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

890 Sec. 17. Section 21a-96 of the general statutes is repealed and the
891 following is substituted in lieu thereof (*Effective from passage*):

892 (a) Whenever the commissioner or [his] the commissioner's
893 authorized agent finds, or has probable cause to believe, that any food,
894 drug, device or cosmetic is offered or exposed for sale, or held in
895 possession with intent to distribute or sell, or is intended for distribution
896 or sale in violation of any provision of this chapter, whether [it] such
897 article is in the custody of a common carrier or any other person, [he]

898 the commissioner or such agent may affix to such article a tag or other
899 appropriate marking, giving written notice, prior to or at the time such
900 article is embargoed, that such article is, or is suspected of being, in
901 violation of this chapter and has been, or shall be, embargoed. [Within]
902 Not later than twenty-one days after an embargo has been placed upon
903 any article, unless the commissioner extends the embargo period based
904 upon a reinspection which indicates the continuation of violation, the
905 commissioner shall remove the embargo [shall be removed by the
906 commissioner] or bring a summary proceeding [for the confiscation of
907 the article shall be instituted by the commissioner] pursuant to chapter
908 54, or institute a civil action in the Superior Court, to embargo such
909 article. No person shall alter, open, remove or dispose of such
910 embargoed article by sale or otherwise without the permission of the
911 commissioner or [his] the commissioner's authorized agent, or, after a
912 summary [proceedings have been] proceeding has been brought or a
913 civil action has been instituted, without permission from the hearing
914 officer or the court. If the embargo is removed by the commissioner,
915 hearing officer or [by the] court, [neither] the commissioner, [nor]
916 hearing officer and the state shall not be held liable for damages because
917 of such embargo if the hearing officer or court finds that there was
918 probable cause for the embargo.

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

924 (c) The complaint shall contain: (1) A particular description of the
925 article, (2) the name of the place where the article is located, (3) the name
926 of the person in whose possession or custody the article was found, if
927 such name is known to the person making the complaint or can be
928 ascertained by reasonable effort, and (4) a statement as to the manner in
929 which the article is adulterated or misbranded or the characteristics
930 which render its distribution or sale illegal.

931 [(d) Upon the filing of the verified complaint, the court shall issue a
932 warrant directed to the proper officer to seize and take in his possession
933 the article described in the complaint and bring the same before the
934 court which issued the warrant and to summon the person named in the
935 warrant, and any other person found in possession of the article, to
936 appear at the time and place therein specified.

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

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

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

949 [(h)] (d) If, upon the hearing, it appears that the article was offered or
950 exposed for sale, or had in possession with intent to distribute or sell, or
951 was intended for distribution or sale, in violation of any provision of
952 this chapter, [it shall be confiscated and disposed of by destruction or
953 sale as the] the article may be confiscated by the Department of
954 Consumer Protection or ordered by the hearing officer or court to be
955 destroyed by the respondent or defendant in a manner prescribed by
956 such hearing officer or court. [may direct, but no] No such article shall
957 be sold contrary to any provision of this chapter. In the event of an
958 adverse ruling against the respondent or defendant, the respondent or
959 defendant shall be liable for all costs and expenses incurred by the
960 department in investigating, containing, removing, monitoring,
961 mitigating and disposing of the embargoed product as well as any legal
962 expenses associated therewith. The proceeds of any sale, less the legal

963 costs and charges, shall be paid into the State Treasury.

964 [(i) If the article seized is not injurious to health and is of such
965 character that, when properly packed, marked, branded or otherwise
966 brought into compliance with the provisions of this chapter, its sale
967 would not be prohibited, the court may order such article delivered to
968 the owner upon the payment of the costs of the proceedings and the
969 execution and delivery to the state department instituting the
970 proceedings, as obligee, of a good and sufficient bond to the effect that
971 such article will be brought into compliance with the provisions of this
972 chapter under the supervision of said department, and the expenses of
973 such supervision shall be paid by the owner obtaining release of the
974 article under bond.]

975 [(j)] (e) Whenever the commissioner or any of [his] the
976 commissioner's authorized agents finds, in any room, building, other
977 structure or vehicle of transportation, [or other structure,] any meat,
978 seafood, poultry, vegetable, fruit or other perishable article which is
979 unsound, or contains any filthy, decomposed or putrid substance, or
980 that may be poisonous or deleterious to health or otherwise unsafe, the
981 commissioner, or [his] the commissioner's authorized agent, shall
982 forthwith [condemn] embargo or destroy the same, or in any other
983 manner render the same unsalable as a human food.

984 (f) Whenever the commissioner or any of the commissioner's
985 authorized agents finds, in any room, building, other structure or
986 vehicle of transportation, any drug or device, as defined in section 21a-
987 92, or drug paraphernalia, as defined in section 21a-240, which is
988 adulterated or insanitary, is produced, packed or held under insanitary
989 conditions, is unsafe or not shown to be safe, may be contaminated by
990 filth or may be deleterious or injurious to health, the commissioner, or
991 the commissioner's authorized agent, shall forthwith embargo or
992 destroy such drug, device or drug paraphernalia or in any other manner
993 render such drug, device or drug paraphernalia unsalable.

994 [(k)] (g) The commissioner may, after notice and hearing, impose a

995 civil penalty of not more than [five hundred] five thousand dollars for
996 each separate offense on any person who removes any tag or other
997 appropriate marking affixed to an article, or who offers or exposes an
998 article for sale, which has been embargoed [or condemned] in
999 accordance with the provisions of this section, without the permission
1000 of the commissioner or [his] the commissioner's agent.

1001 Sec. 18. Subsection (b) of section 21a-101a of the general statutes is
1002 repealed and the following is substituted in lieu thereof (*Effective from*
1003 *passage*):

1004 (b) In accordance with sections 21a-116 and 21a-118, the
1005 commissioner or the commissioner's authorized agent may investigate
1006 and take samples of foods. In addition to the [seizure] powers granted
1007 to the commissioner pursuant to section 21a-96, as amended by this act,
1008 the commissioner or the commissioner's authorized agent may seize,
1009 condemn, destroy, or in any other manner render unsalable, any
1010 adulterated foods [he or she] the commissioner or such authorized agent
1011 deems to be poisonous, deleterious to public health or otherwise unsafe.

1012 Sec. 19. Section 21a-217 of the general statutes is repealed and the
1013 following is substituted in lieu thereof (*Effective from passage*):

1014 Every contract for health club services shall provide that such
1015 contract may be cancelled within three business days after the date of
1016 receipt by the buyer of a copy of the contract, by written notice
1017 delivered, [by certified or registered United States mail] with delivery
1018 tracking, to the seller or the seller's agent at an address which shall be
1019 specified in the contract. After receipt of such cancellation, the health
1020 club may request the return of [contract forms, membership cards and
1021 any and all other documents and evidence of membership previously
1022 delivered to the buyer] any cards or equipment that were delivered to
1023 the buyer as part of the membership. Cancellation shall be without
1024 liability on the part of the buyer, except for the fair market value of
1025 services actually received and the buyer shall be entitled to a refund of
1026 the entire consideration paid for the contract, if any, less the fair market

1027 value of the services or use of facilities already actually received. Such
1028 right of cancellation shall not be affected by the terms of the contract and
1029 may not be waived or otherwise surrendered. Such contract for health
1030 club services shall also contain a clause providing that if the person
1031 receiving the benefits of such contract relocates further than twenty-five
1032 miles from a health club facility operated by the seller or a substantially
1033 similar health club facility which would accept the seller's obligation
1034 under the contract, or dies during the membership term following the
1035 date of such contract, or if the health club ceases operation at the location
1036 where the buyer entered into the contract, the buyer or his estate shall
1037 be relieved of any further obligation for payment under the contract not
1038 then due and owing. The contract shall also provide that if the buyer
1039 becomes disabled during the membership term, the buyer shall have the
1040 option of (1) being relieved of liability for payment on that portion of
1041 the contract term for which [he] the buyer is disabled, or (2) extending
1042 the duration of the original contract at no cost to the buyer for a period
1043 equal to the duration of the disability. The health club shall have the
1044 right to require and verify reasonable evidence of relocation, disability
1045 or death. In the case of disability, the health club may require that [a
1046 certificate signed by] documentation from a licensed physician, a
1047 licensed physician assistant, [or] a licensed advanced practice registered
1048 nurse or another credentialed medical provider be submitted as
1049 verification. [and may also require in such contract that the buyer
1050 submit to a physical examination by a licensed physician, a licensed
1051 physician assistant or a licensed advanced practice registered nurse
1052 agreeable to the buyer and the health club, the cost of which
1053 examination shall be borne by the health club.]

1054 Sec. 20. Section 21a-218 of the general statutes is repealed and the
1055 following is substituted in lieu thereof (*Effective from passage*):

1056 (a) A copy of the health club contract shall be delivered to the buyer
1057 at the time the contract is signed. All health club contracts shall (1) be in
1058 writing and signed by the buyer, (2) designate the date on which the
1059 buyer actually signs the contract, (3) identify the address of the location
1060 at which the buyer entered the contract, and (4) contain a statement of

1061 the buyer's rights which complies with this section. The following
1062 statement shall prominently and conspicuously appear, in at least
1063 twelve-point font, at the top of the contract; [under the conspicuous
1064 caption:]

1065 "BUYER'S RIGHT TO [CANCEL", and shall read as follows:]
1066 CANCEL

1067 ["If] If you wish to cancel this contract, you may cancel by sending a
1068 written notice [to one of the addresses specified below. The notice must
1069 say] stating that you do not wish to be bound by this contract, [and must
1070 be delivered or mailed before midnight of the third business day after
1071 you sign this contract. After you cancel, the health club may request the
1072 return of all contracts, membership cards and other documents of
1073 evidence of membership.] The notice must be delivered or mailed before
1074 midnight of the third business day after you sign this contract. The
1075 notice must be delivered or mailed to:

1076

1077

1078 (Insert name, electronic mail address and mailing address for
1079 cancellation notice.)

1080 You may also cancel this contract if: [you]

1081 (1) You relocate your residence further than twenty-five (25) miles
1082 from any health club operated by the seller or from any other
1083 substantially similar health club which would accept the obligation of
1084 the seller; [. This contract may also be cancelled if you]

1085 (2) You die; [, or if the] or

1086 (3) The health club ceases operation at the location where you entered
1087 into this contract or the location closest to your primary residence.

1088 If you become disabled, you shall have the option of:

1089 (1) [being] Being relieved of liability for payment on that portion of
1090 the contract term for which you are disabled; [,] or

1091 (2) [extending] Extending the duration of the original contract at no
1092 cost to you for a period equal to the duration of the disability.

1093 You must send a written notice of disability, which may be sent to the
1094 health club in an electronic form. You may be required to prove such
1095 disability by [a certificate signed by] submitting documentation from a
1096 licensed physician, [or] a licensed physician assistant, a licensed
1097 advanced practice registered nurse [, which certificate shall be enclosed
1098 with the written notice of disability sent to the health club. The health
1099 club may require that you be examined by another physician or
1100 advanced practice registered nurse agreeable to you and the health club
1101 at its expense] or another credentialed medical provider. If you cancel,
1102 the health club may keep or collect an amount equal to the fair market
1103 value of the services or use of facilities you have already received."

1104 [The full text of this statement shall be in ten-point bold type. Each
1105 contract renewed on or after October 1, 2021, shall revise the BUYER'S
1106 RIGHT TO CANCEL language to provide for cancellation notices
1107 received by electronic mail.]

1108 (b) If a buyer cancels a health club contract pursuant to the three-day
1109 cancellation provision or as a result of having moved further than
1110 twenty-five miles, or as a result of the health club ceasing operation at
1111 the location where the buyer entered into the contract or the location
1112 closest to the buyer's primary residence as provided by this chapter, the
1113 health club shall send the buyer a written confirmation of cancellation
1114 within fifteen days after receipt by the health club of the buyer's
1115 cancellation notice. If the health club fails to send such written notice to
1116 the buyer within fifteen days, the health club shall be deemed to have
1117 accepted the cancellation.

1118 [(c) (1) If the buyer notifies the health club that he has become
1119 disabled, the health club shall notify the buyer in writing within fifteen
1120 days of receipt by the health club of the buyer's notice of disability and

1121 any certificate signed by a licensed physician, physician assistant or a
1122 licensed advanced practice registered nurse which may be required
1123 under subsection (a) of this section that: (A) The health club will not
1124 require the buyer to submit to another physical examination; or (B) the
1125 health club requires the buyer to submit to another physical
1126 examination and that the buyer's obligations under the contract are
1127 suspended pending determination of disability. If the health club fails
1128 to send such written notice to the buyer within fifteen days, the health
1129 club shall be deemed to have accepted the disability.

1130 (2) If the health club requires the buyer to submit to another physical
1131 examination, all obligations of the buyer for payment under the contract
1132 will be suspended as of the date the health club receives notice of
1133 disability. The buyer's obligations will not resume until such time as a
1134 determination is made, either by consent of the buyer and the health
1135 club or through adjudicative proceedings, that disability does not exist.]

1136 [(d)] (c) A buyer who is disabled may, at the buyer's option, extend
1137 the duration of the original contract at no cost to the buyer for a period
1138 equal to the duration of the disability, or remain liable for partial
1139 payment on the contract as follows:

1140 (1) A buyer who is disabled for a period less than the full remaining
1141 term of the contract shall only be liable for a pro-rata portion of the
1142 contract price equal to the total number of weeks specified in the
1143 contract less the number of weeks after the date on which the disability
1144 first occurred, the difference being divided by the total number of weeks
1145 specified in the contract and the result of that division being multiplied
1146 by the total contract price.

1147 (2) A buyer who is disabled for the full remaining term of the contract
1148 shall only be liable for a pro-rata portion of the contract price equal to
1149 the number of complete weeks before the date the disability first
1150 occurred for which the services or facilities were made available to the
1151 buyer divided by the total number of weeks specified in the contract
1152 with the result being multiplied by the total contract price.

1153 (3) If the reasonable probabilities are that the buyer will be disabled
1154 for the full remaining term of the contract, and the buyer has elected not
1155 to extend the duration of the contract as provided in this subsection, the
1156 health club shall cancel the buyer's contract at the time such a
1157 determination is made and notify the buyer in writing that the contract
1158 has been cancelled.

1159 (4) Any money paid by the buyer which is in excess of the amount for
1160 which [he] the buyer is liable under the provisions of this section shall
1161 be refunded by the seller to the buyer.

1162 (5) A health club which received notice of disability from a buyer
1163 shall provide such buyer with a written form which shall fully explain
1164 the buyer's options as set forth in this subsection. Such form shall
1165 provide on it a location where the buyer shall indicate in writing the
1166 option [he] such buyer has chosen. Such form shall be signed by the
1167 buyer and the health club.

1168 [(e)] (d) In any cancellation of a health club service contract the buyer
1169 shall not be liable for any payment to the seller if the services received
1170 by the buyer are as a result of a representation by the health club to the
1171 buyer that such services are to be received free or if the buyer received
1172 services at a health club as a result of a representation by the health club
1173 to the buyer that such services are to be received at a reduced or discount
1174 price, the buyer shall only be liable as a result of his cancellation for an
1175 amount equal to that which was represented to the buyer that [he] such
1176 buyer would have to pay.

1177 [(f)] (e) Any refund to the buyer as a result of cancellation of the
1178 contract shall be delivered by the health club to the buyer within fifteen
1179 business days of receipt by the health club of the notice of cancellation.

1180 Sec. 21. Subsection (c) of section 21a-219 of the general statutes is
1181 repealed and the following is substituted in lieu thereof (*Effective from*
1182 *passage*):

1183 (c) Each health club shall post the prices and the three-day

1184 cancellation provisions, the disability provisions and the twenty-five
1185 mile moving provisions of all contracts in a conspicuous place where the
1186 contract is entered into. If a contract is presented to a consumer
1187 exclusively in an electronic format, the three-day cancellation and
1188 disability provisions shall: (1) Be presented to the consumer in a
1189 separate document in electronic or paper form, and (2) include an
1190 acknowledgment by the consumer that the consumer has received such
1191 provisions. Both the contract and the document including the
1192 cancellation provisions, disability provisions and acknowledgment
1193 shall be executed as part of a single transaction.

1194 Sec. 22. Subsection (a) of section 21a-223 of the general statutes is
1195 repealed and the following is substituted in lieu thereof (*Effective from*
1196 *passage*):

1197 (a) Each individual place of business of each health club shall obtain
1198 a license from the Department of Consumer Protection prior to the sale
1199 of any health club contract. Application for such license shall be made
1200 on forms provided by the Commissioner of Consumer Protection and
1201 said commissioner shall require as a condition to the issuance and
1202 renewal of any license obtained under this chapter (1) that the applicant
1203 provide for and maintain on the premises of the health club sanitary
1204 facilities; (2) that the applicant, on and after October 1, 2022, (A) (i)
1205 provide and maintain in a readily accessible location on the premises of
1206 the health club at least one automatic external defibrillator, as defined
1207 in section 19a-175, and (ii) make such location known to employees of
1208 such health club, (B) ensure that at least one employee is on the premises
1209 of such health club during staffed business hours who is trained in
1210 cardiopulmonary resuscitation and the use of an automatic external
1211 defibrillator in accordance with the standards set forth by the American
1212 Red Cross or American Heart Association, (C) maintain and test the
1213 automatic external defibrillator in accordance with the manufacturer's
1214 guidelines, and (D) promptly notify a local emergency medical services
1215 provider after each use of such automatic external defibrillator; (3) that
1216 the application be accompanied by (A) a license or renewal fee of two
1217 hundred fifty dollars, (B) a list of the equipment and each service that

1218 the applicant intends to have available for use by buyers during the year
1219 of operations following licensure or renewal, and (C) [two copies] an
1220 electronic copy of each health club contract that the applicant is
1221 currently using or intends to use; and (4) compliance with the
1222 requirements of section 21a-226, as amended by this act. Such licenses
1223 shall be renewed annually. [The commissioner may impose a civil
1224 penalty of not more than three hundred dollars against any health club
1225 that continues to sell or offer for sale health club contracts for any
1226 location but fails to submit a license renewal and license renewal fee for
1227 such location not later than thirty days after such license's expiration
1228 date.]

1229 Sec. 23. Subsections (f) to (l), inclusive, of section 21a-226 of the
1230 general statutes are repealed and the following is substituted in lieu
1231 thereof (*Effective from passage*):

1232 [(f) The commissioner shall proceed upon such application and shall
1233 hold a hearing in accordance with the provisions of chapter 54.
1234 Notwithstanding the provisions of chapter 54, the decision of the
1235 commissioner shall be final with respect to the application. The
1236 commissioner may hear applications of all buyers submitting claims
1237 against a single health club in one proceeding.]

1238 (f) (1) Before the commissioner may issue any order directing
1239 payment out of the guaranty fund to a buyer pursuant to this section,
1240 the commissioner shall first notify the health club of the buyer's
1241 application for an order directing payment out of the guaranty fund and
1242 of the health club's right to a hearing to contest the disbursement in the
1243 event that the health club (A) has already paid the buyer, or (B) is
1244 complying with a payment schedule in accordance with (i) a written
1245 agreement with the buyer, or (ii) a court judgment, order or decree.

1246 (2) If a health club described in subdivision (1) of this subsection
1247 requests a hearing, the commissioner shall grant such request and
1248 conduct the hearing in accordance with the provisions of chapter 54 if
1249 the health club submits such request (A) in writing, and (B) not later

1250 than fifteen days after the health club receives the notice issued by the
1251 commissioner pursuant to subdivision (1) of this subsection.

1252 (3) If the commissioner does not receive a request from a health club
1253 for a hearing within the fifteen-day period set forth in subdivision (2) of
1254 this subsection, the commissioner shall (A) determine that the buyer has
1255 not been paid, and (B) issue an order directing payment out of the
1256 guaranty fund for the amount due.

1257 (4) If multiple buyers submit claims against any health club, the
1258 commissioner may hear such buyers' applications in one proceeding.

1259 (g) After hearing, the commissioner shall issue an order requiring
1260 payment from the guaranty fund of any sum [he] the commissioner
1261 finds to be payable upon such application. The total compensation
1262 payable from the guaranty fund on the closing of any one health club
1263 location shall not exceed seventy-five thousand dollars.

1264 (h) If the commissioner pays any amount as a result of a claim against
1265 a health club pursuant to an order under subsection (g) of this section,
1266 the health club shall not be eligible to receive a new or renewed license
1267 until [it] the health club has repaid such amount in full, plus interest at
1268 a rate to be determined by the commissioner.

1269 (i) If the commissioner pays any amount as a result of a claim against
1270 a health club pursuant to an order under subsection (g) of this section,
1271 the commissioner shall determine if the health club is possessed of real
1272 or personal property or other assets, liable to be sold or applied in
1273 satisfaction of the claim on such fund. If the commissioner discovers any
1274 such assets, [he] the commissioner may request that the Attorney
1275 General take any action necessary for the realization thereof for the
1276 reimbursement of the guaranty fund.

1277 (j) The commissioner may, in order to preserve the integrity of the
1278 guaranty fund, order payments to be made out of said fund for amounts
1279 less than the actual loss incurred by any buyer of a health club contract.

1280 (k) When the commissioner has caused any sum to be paid from the
1281 guaranty fund to a buyer who has entered into a health club contract,
1282 the commissioner shall be subrogated to all of the rights of the buyer up
1283 to the amount paid, and the buyer shall assign all of [his] the buyer's
1284 right, title, and interest in the claim up to such amount to the
1285 commissioner, and any amount and interest recovered by the
1286 commissioner on the claim shall be deposited to the guaranty fund,
1287 except as provided in subsection (c) of this section.

1288 (l) Notwithstanding any provision of the general statutes to the
1289 contrary, the commissioner may prohibit a health club from making
1290 payments to the Connecticut Health Club Guaranty Fund if, in the
1291 opinion of the commissioner, the health club within the past five years
1292 has engaged in any unfair or deceptive trade practices under subsection
1293 (a) of section 42-110b, has engaged in any conduct of a character likely
1294 to mislead, deceive or defraud the buyer, the public or the
1295 commissioner, or has violated any of the provisions this chapter. If the
1296 commissioner determines that a health club should be prohibited from
1297 making payments to the Connecticut Health Club Guaranty Fund, the
1298 department shall [mail a notice by certified mail to the principal place
1299 of business of] provide notice to the health club, [and] which notice shall
1300 state the grounds for the contemplated action. [Within] Not later than
1301 fourteen days [of receipt of the] after the health club receives such
1302 notice, the health club may file a written request for a hearing. If a
1303 hearing is requested such hearing shall be conducted in accordance with
1304 the provisions of chapter 54.

1305 Sec. 24. Subsection (a) of section 21a-227 of the general statutes is
1306 repealed and the following is substituted in lieu thereof (*Effective from*
1307 *passage*):

1308 (a) When any health club is closing or transferring its place of
1309 business to another location, the health club [, at least sixty days before
1310 closing or transferring,] shall: (1) [Notify] Send a written notice
1311 disclosing such closing or transfer to (A) the Department of Consumer
1312 Protection, [; (2) notify] (B) all current members [; (3) notify] (i) at least

1313 sixty days before the date of such closing or transfer, and (ii) at least
1314 twenty days, but not more than forty days, before the date of such
1315 closing or transfer, and (C) all prospective members prior to entering
1316 into any health club contract; and [(4) publish a notice in a newspaper
1317 with general circulation throughout this state that the health club is
1318 closing or transferring its place of business] (2) conspicuously post, on
1319 the health club's Internet web site and premises, notices disclosing such
1320 closing or transfer. Not later than one business day after the health club
1321 provides the written notice disclosing such closing or transfer to all
1322 current members, the health club shall provide to the department an
1323 electronic copy of such written notice.

1324 Sec. 25. Section 25-133 of the general statutes is repealed and the
1325 following is substituted in lieu thereof (*Effective from passage*):

1326 (a) Where the board finds that compliance with all requirements of
1327 this chapter or regulations adopted pursuant thereto, other than
1328 requirements related to the purity, potability and safeguarding of well
1329 water, would result in undue hardship, an exemption from [any] one or
1330 more of such requirements may be granted by the board, subject to the
1331 approval of the Commissioner of Consumer Protection, to the extent
1332 necessary to ameliorate such undue hardship and to the extent such
1333 exemption can be granted without impairing the intent and purpose of
1334 this chapter.

1335 (b) With respect to matters related to the purity, potability and
1336 safeguarding of well water under section 19a-37, where a local director
1337 of health finds that compliance with all requirements of this chapter or
1338 regulations adopted pursuant thereto would result in undue hardship,
1339 an exemption from one or more of such requirements may be granted
1340 by the local director of health upon a finding by such local director of
1341 health that such exemption can be granted without adversely affecting
1342 the purity and adequacy of the well water.

1343 Sec. 26. Subsections (b) to (d), inclusive, of section 42-110d of the 2024
1344 supplement to the general statutes are repealed and the following is

1345 substituted in lieu thereof (*Effective from passage*):

1346 (b) Said commissioner or [his] said commissioner's authorized
1347 representatives shall have the right to (1) enter any place or
1348 establishment within the state, at reasonable times, for the purpose of
1349 making an investigation; (2) check the invoices and records pertaining
1350 to costs and other transactions of commodities; (3) take samples of
1351 commodities for evidence upon tendering the market price therefor to
1352 the person having such commodity in [his] such person's custody; (4)
1353 subpoena documentary material relating to such investigation; and (5)
1354 have access to, for the purpose of examination, documentary material
1355 and the right to copy and receive electronic copies of such documentary
1356 material of any person being investigated or proceeded against. The
1357 commissioner or [his] the commissioner's authorized representatives
1358 shall have power to require by subpoena the attendance and testimony
1359 of witnesses and the production of all such documentary material
1360 relating to any matter under investigation.

1361 (c) In addition to other powers conferred upon the commissioner,
1362 said commissioner may execute in writing and cause to be served, [by
1363 certified mail] through reasonable efforts to effectuate notice as set forth
1364 in section 21a-2, an investigative demand upon any person suspected of
1365 using, having used or about to use any method, act or practice declared
1366 by section 42-110b to be unlawful or upon any person from whom said
1367 commissioner wants assurance that section 42-110b has not, is not or
1368 will not be violated. Such investigative demand shall contain a
1369 description of the method, act or practice under investigation, provide
1370 a reasonable time for compliance, and require such person to furnish
1371 under oath or otherwise, as may be specified in said demand, a report
1372 in writing setting forth relevant facts or circumstances together with
1373 documentary material. Notwithstanding subsection (f) of this section,
1374 responses to investigative demands issued under this subsection may
1375 be withheld from public disclosure during the full pendency of the
1376 investigation.

1377 (d) Said commissioner, in conformance with sections 4-176e to 4-185,

1378 inclusive, whenever the commissioner has reason to believe that any
1379 person has been engaged or is engaged in an alleged violation of any
1380 provision of this chapter, shall [mail] deliver to such person, [by
1381 certified mail] in a manner that is sufficient to effectuate notice as set
1382 forth in section 21a-2, a complaint stating the charges and containing a
1383 notice of a hearing, to be held upon a day and at a place therein fixed at
1384 least fifteen days after the date of such complaint. The person so notified
1385 shall have the right to file a written answer to the complaint and charges
1386 therein stated and appear at the time and place so fixed for such hearing,
1387 in person or otherwise, with or without counsel, and submit testimony
1388 and be fully heard. Any person may make application, and upon good
1389 cause shown shall be allowed by the commissioner to intervene and
1390 appear in such proceeding by counsel or in person. The testimony in any
1391 such proceeding, including the testimony of any intervening person,
1392 shall be under oath and shall either be reduced to writing by the
1393 recording officer of the hearing [and filed in the office of the
1394 commissioner] or recorded in an audio or audiovisual format. The
1395 commissioner or the commissioner's authorized representatives shall
1396 have the power to require by subpoena the attendance and testimony of
1397 witnesses and the production of any documentary material at such
1398 proceeding. If upon such hearing the commissioner is of the opinion that
1399 the method of competition or the act or practice in question is prohibited
1400 by this chapter, the commissioner or the commissioner's designee shall
1401 make a report in writing to the person complained of in which the
1402 commissioner or such designee shall state the commissioner's or such
1403 designee's findings as to the facts and shall forward by certified mail to
1404 such person an order to cease and desist from using such methods of
1405 competition or such act or practice. The commissioner may impose a
1406 civil penalty, in an amount not to exceed the amount set forth in
1407 subsection (b) of section 42-110o, after a hearing conducted pursuant to
1408 chapter 54, or, if the amount involved is less than ten thousand dollars,
1409 an order directing restitution, or both. The commissioner may apply for
1410 the enforcement of any cease and desist order, civil penalty, order
1411 directing restitution or consent order issued or imposed under this
1412 chapter to the superior court for the judicial district of Hartford, or to

1413 any judge thereof if the same is not in session, for [orders] an order
1414 temporarily [and] or permanently restraining and enjoining any person
1415 from continuing [violations] any violation of such cease and desist
1416 order, an order directing payment of any civil penalty or restitution or
1417 a consent order. Such application for a temporary restraining order,
1418 temporary and permanent injunction, order directing payment of any
1419 civil penalty or restitution and for such other appropriate decree or
1420 process shall be brought and the proceedings thereon conducted by the
1421 Attorney General.

1422 Sec. 27. Subsections (a) to (c), inclusive, of section 42-110aa of the
1423 general statutes are repealed and the following is substituted in lieu
1424 thereof (*Effective from passage*):

1425 [(a) No person engaged in trade or commerce in this state, upon the
1426 return of goods purchased from such person's place of business, shall
1427 refuse to accept the returned goods immediately and issue the
1428 individual returning such goods either a cash or credit refund of the
1429 purchase price or credit towards the purchase of another item offered
1430 for sale at such person's place of business, provided such return is made
1431 within the period of time established by such person for the acceptance
1432 of returned goods and provided further, such goods are returned in a
1433 manner consistent with such person's conspicuously posted refund or
1434 exchange policy. Any such person that utilizes an electronic system to
1435 record, monitor and limit the number or total dollar value of returns
1436 made by a consumer shall clearly indicate the use of such system within
1437 such person's conspicuously posted refund or exchange policy.]

1438 (a) (1) Any person engaged in trade or commerce in this state shall
1439 disclose such person's refund or exchange policy, including whether or
1440 not such person, as a matter of policy, provides refunds or allows
1441 exchanges. Such person shall clearly and conspicuously: (A) Post such
1442 policy on such person's premises if such person conducts in-person sales
1443 of goods; (B) display such policy on such person's Internet web site if
1444 such person conducts online sales of goods; and (C) verbally disclose
1445 such policy if such person conducts verbal sales of goods, including, but

1446 not limited to, sales of goods by telephone.

1447 (2) If any person described in subdivision (1) of this subsection, as a
1448 matter of policy, provides refunds or allows exchanges, such person's
1449 refund or exchange policy shall disclose: (A) Whether such person shall
1450 (i) provide a cash refund, credit refund or refund in the form of a store
1451 credit, or (ii) allow an exchange; (B) whether such person shall provide
1452 a refund or allow an exchange (i) at any time, or (ii) before a specified
1453 time; (C) whether any refund or exchange is subject to any fee and the
1454 amount of such fee, which fee shall be expressed (i) in a dollar amount,
1455 or (ii) as a percentage; and (D) any other conditions imposed by such
1456 person that govern refunds or exchanges.

1457 (3) If any person described in subdivision (1) of this subsection does
1458 not, as a matter of policy, provide refunds or allow exchanges, such
1459 person shall provide a cash refund, credit refund or refund in the form
1460 of a store credit to any consumer who returns any good purchased from
1461 such person not later than seven days after the consumer received such
1462 goods unless such person discloses such person's refund or exchange
1463 policy in accordance with the provisions of subdivisions (1) and (2) of
1464 this subsection.

1465 (b) (1) Any person that utilizes an electronic system to record,
1466 monitor and limit the number or total dollar value of returns made by a
1467 consumer shall: [,] (A) Clearly indicate in such person's conspicuously
1468 posted refund or exchange policy that such person uses such system;
1469 and (B) prior to terminating the right of any such consumer to return
1470 goods [at such person's place of business] pursuant to any such
1471 limitation, provide written notice to such consumer that indicates such
1472 termination. [Such]

1473 (2) The written termination notice provided pursuant to
1474 subparagraph (B) of subdivision (1) of this subsection shall not affect
1475 [such] the consumer's right to return any goods purchased by such
1476 consumer or purchased for the benefit of such consumer prior to the
1477 date of such notice, if such consumer has a valid receipt evidencing a

1478 purchase date for such goods that is prior to the date such consumer
1479 receives such notice. Any such written termination notice that is mailed
1480 to the last-known address of such consumer, the electronic mail address
1481 provided by such consumer or [to] the address of such consumer that is
1482 obtained through reasonably available public records shall be deemed
1483 to comply with the notification requirements of this subsection.

1484 (c) This section shall not be construed to prohibit any person engaged
1485 in trade or commerce in this state from extending the period of time
1486 during which such person will accept the return of goods purchased
1487 from such [person's place of business] person.

1488 Sec. 28. Subsections (a) to (f), inclusive, of section 42-133ff of the
1489 general statutes are repealed and the following is substituted in lieu
1490 thereof (*Effective from passage*):

1491 (a) For the purposes of this section:

1492 (1) (A) "Agent" (i) means any person who (I) arranges for the
1493 distribution of services by another person, or (II) leases, rents or sells
1494 tangible or intangible personal, real or mixed property, or any other
1495 article, commodity or thing of value, on behalf of another person, and
1496 (ii) includes, but is not limited to, (I) any person who is duly appointed
1497 as an agent by a common carrier, (II) any person who sells
1498 transportation, travel or vacation arrangements on behalf of another
1499 person who is engaged in the business of furnishing transportation,
1500 travel or vacation services, and (III) any member of a cruise line
1501 association that operates exclusively as an agent for cruise lines to sell
1502 cruise travel products or services.

1503 (B) "Agent" does not mean (i) a common carrier, (ii) an employee of a
1504 common carrier, or (iii) any person engaged in the business of
1505 furnishing transportation, travel or vacation services.

1506 (2) "Charge card" (A) means any card, device or instrument that (i) is
1507 issued, with or without a fee, to a holder and requires the holder to pay
1508 the full outstanding balance due on such card, device or instrument at

1509 the end of each standard billing cycle established by the issuer of such
1510 card, device or instrument, and (ii) may be used by the holder in a
1511 transaction to receive services or lease, purchase or rent tangible or
1512 intangible personal, real or mixed property, or any other article,
1513 commodity or thing of value, and (B) includes, but is not limited to, any
1514 software application that (i) is used to store a digital form of such card,
1515 device or instrument, and (ii) may be used in a transaction to receive
1516 such services or lease, purchase or rent any such property, article,
1517 commodity or thing.

1518 (3) "Credit card" (A) means any card, device or instrument that (i) is
1519 issued, with or without a fee, to a holder, and (ii) may be used by the
1520 holder in a transaction to receive services or lease, purchase or rent
1521 tangible or intangible personal, real or mixed property, or any other
1522 article, commodity or thing of value on credit, regardless of whether
1523 such card, device or instrument is known as a credit card, credit plate or
1524 by any other name, and (B) includes, but is not limited to, any software
1525 application that (i) is used to store a digital form of such card, device or
1526 instrument, and (ii) may be used in a transaction to receive such services
1527 or lease, purchase or rent any such property, article, commodity or thing
1528 on credit.

1529 (4) (A) "Debit card" (i) means any card, code, device or other means
1530 of access, or any combination thereof, that (I) is authorized or issued for
1531 use to debit an asset account held, directly or indirectly, by a financial
1532 institution, and (II) may be used in a transaction to receive services or
1533 lease, purchase or rent tangible or intangible personal, real or mixed
1534 property, or any other article, commodity or thing of value regardless of
1535 whether such card, code, device, means or combination is known as a
1536 debit card, and (ii) includes, but is not limited to, (I) any software
1537 application that is used to store a digital form of such card, code, device
1538 or other means of access, or any combination thereof, that may be used
1539 in a transaction to receive such services or lease, purchase or rent any
1540 such property, article, commodity or thing, and (II) any cards, codes,
1541 devices or other means of access, or any combination thereof, commonly
1542 known as automated teller machine cards and payroll cards.

1543 (B) "Debit card" does not mean (i) a check, draft or similar paper
1544 instrument, or (ii) any electronic representation of such check, draft or
1545 instrument.

1546 (5) "Person" means any natural person, corporation, incorporated or
1547 unincorporated association, limited liability company, partnership,
1548 trust or other legal entity.

1549 (6) "Surcharge" means any additional charge or fee that increases the
1550 total amount of a transaction for the privilege of using a particular
1551 [form] method of payment.

1552 (7) (A) "Transaction" means distribution by one person to another
1553 person of any service, or the lease, rental or sale by one person of any
1554 tangible or intangible personal, real or mixed property, or any other
1555 article, commodity or thing of value to another person, for a certain price
1556 in this state.

1557 (B) "Transaction" does not mean payment of any (i) fees, costs, fines
1558 or other charges to a state agency authorized by the Secretary of the
1559 Office of Policy and Management under section 1-1j, (ii) taxes, penalties,
1560 interest and fees allowed by the Commissioner of Revenue Services in
1561 accordance with section 12-39r, (iii) taxes, penalties, interest and fees, or
1562 other charges, to a municipality in accordance with section 12-141a, (iv)
1563 fees, costs, fines or other charges to the Judicial Branch in accordance
1564 with section 51-193b, or (v) sum pursuant to any other provision of the
1565 general statutes or regulation of Connecticut state agencies.

1566 (b) No person may impose a surcharge on any transaction.

1567 (c) (1) Nothing in this section shall prohibit any person from offering
1568 a discount on any transaction to induce payment by cash, check, debit
1569 card or similar means rather than by charge card or credit card. No
1570 person may offer any such discount unless such person posts a notice
1571 disclosing such discount. Such person shall clearly and conspicuously
1572 (A) post such notice on such person's premises if such person conducts
1573 transactions in-person, (B) display such notice on the Internet web site

1574 or digital payment application before completing any online transaction
1575 or transaction that is processed by way of such digital payment
1576 application, and (C) verbally provide such notice before completing any
1577 oral transaction, including, but not limited to, any telephonic
1578 transaction.

1579 (2) In furtherance of the legislative findings contained in section 42-
1580 133j, no existing or future agreement or contract shall prohibit a gasoline
1581 distributor or retailer from offering a discount to a buyer based upon
1582 the method such buyer uses to pay for such gasoline. Any provision in
1583 such agreement or contract prohibiting such distributor or retailer from
1584 offering such discount is void and without effect because such provision
1585 is contrary to public policy.

1586 (d) No person shall condition acceptance of a charge card or credit
1587 card for a transaction on a requirement that the transaction be in a
1588 minimum amount unless such person discloses such requirement. Such
1589 person shall clearly and conspicuously (1) post such notice on such
1590 person's premises if such person conducts transactions in-person, (2)
1591 display such notice on the Internet web site or digital payment
1592 application before completing any online transaction or transaction
1593 processed by way of such digital payment application, and (3) verbally
1594 provide such notice before completing any oral transaction, including,
1595 but not limited to, any telephonic transaction.

1596 (e) No person may reduce the amount of any commission paid to an
1597 agent for such person in a transaction because a charge card or credit
1598 card was used to provide payment as part of such transaction.

1599 (f) A violation of any provision of this section shall be deemed an
1600 unfair or deceptive trade practice under subsection (a) of section 42-
1601 110b. The Commissioner of Consumer Protection may, after notice and
1602 hearing in accordance with the provisions of chapter 54, impose an
1603 additional civil penalty for any violation of this section. The amount of
1604 such additional civil penalty shall not exceed five hundred dollars per
1605 violation. Payments of such additional civil penalty shall be deposited

1606 in the consumer protection enforcement account established in section
1607 21a-8a.

1608 Sec. 29. Section 43-16a of the general statutes is repealed and the
1609 following is substituted in lieu thereof (*Effective from passage*):

1610 [When] As used in this chapter:

1611 (1) "Commissioner" means the state Commissioner of Weights and
1612 Measures or the commissioner's designee;

1613 [(1) "Licensed public weigher"] (2) "Public weighmaster" means a
1614 natural person licensed under the provisions of this chapter; and

1615 [(2)] (3) "Vehicle" means any device in, upon or by which any
1616 property, produce, commodity or article is or may be transported or
1617 drawn.;

1618 (3) "Commissioner" means the state Commissioner of Weights and
1619 Measures.]

1620 Sec. 30. Section 43-16b of the general statutes is repealed and the
1621 following is substituted in lieu thereof (*Effective from passage*):

1622 The commissioner is authorized to enforce the provisions of this
1623 chapter and [he] may [issue] adopt, from time to time [,] and in
1624 accordance with chapter 54, reasonable regulations for the enforcement
1625 of this chapter. [, which regulations shall have the force and effect of
1626 law.]

1627 Sec. 31. Section 43-16c of the general statutes is repealed and the
1628 following is substituted in lieu thereof (*Effective from passage*):

1629 Any person who is a resident of the state of Connecticut, is [not less
1630 than] eighteen years of age or older, is of good moral character and has
1631 the ability to weigh accurately and [to] make correct weight certificates
1632 may apply to the commissioner for a public weighmaster license. [as a
1633 licensed public weigher.]

1634 Sec. 32. Section 43-16d of the general statutes is repealed and the
1635 following is substituted in lieu thereof (*Effective from passage*):

1636 An application for a [license as a licensed public weigher] public
1637 weighmaster license shall be made upon a form prescribed by the
1638 commissioner, and the [application] applicant shall furnish evidence
1639 that the applicant has the qualifications required [by] in section 43-16c,
1640 as amended by this act.

1641 Sec. 33. Section 43-16e of the general statutes is repealed and the
1642 following is substituted in lieu thereof (*Effective from passage*):

1643 The commissioner may adopt rules for determining the qualifications
1644 of [the applicant for a license as a licensed public weigher. He]
1645 applicants for a public weighmaster license. The commissioner may
1646 pass upon the qualifications of [the] each applicant upon the basis of the
1647 information supplied in [the] such applicant's application, or [he] the
1648 commissioner may examine such applicant orally or in writing, or both,
1649 for the purpose of determining [his] such applicant's qualifications. [He]
1650 The commissioner shall grant [licenses as licensed public weighers to
1651 such applicants as may be] a public weighmaster license to each
1652 applicant who is found to possess the qualifications required [by] in
1653 section 43-16c, as amended by this act. The commissioner shall keep a
1654 record of all such applications and of all licenses issued thereon.

1655 Sec. 34. Section 43-16f of the general statutes is repealed and the
1656 following is substituted in lieu thereof (*Effective from passage*):

1657 Before the issuance of any public weighmaster license, [as a licensed
1658 public weigher,] or any renewal thereof, the applicant shall pay to the
1659 commissioner a fee of forty dollars.

1660 Sec. 35. Section 43-16g of the general statutes is repealed and the
1661 following is substituted in lieu thereof (*Effective from passage*):

1662 The commissioner may, upon request and without charge, issue a
1663 limited public weighmaster license [as a licensed public weigher] to any

1664 qualified officer or employee of a state commission, board, institution or
1665 agency, authorizing such officer or employee to act as a [licensed public
1666 weigher] public weighmaster only within the scope of [his] such officer's
1667 or employee's official employment on behalf of [the] such state
1668 commission, board, institution or agency. [of which he is an officer or
1669 employee.]

1670 Sec. 36. Section 43-16h of the general statutes is repealed and the
1671 following is substituted in lieu thereof (*Effective from passage*):

1672 Each public weighmaster license [as licensed public weigher] shall
1673 expire annually. Renewal applications shall be in such form as the
1674 commissioner shall prescribe.

1675 Sec. 37. Section 43-16i of the general statutes is repealed and the
1676 following is substituted in lieu thereof (*Effective from passage*):

1677 The weight certificate issued by a [licensed public weigher] public
1678 weighmaster shall state the date of issuance, the kind of property,
1679 produce, commodity or article weighed, the name of the declared owner
1680 or agent of the owner or of the consignee of the material weighed, the
1681 accurate weight of the material weighed, the means by which the
1682 material was being transported at the time [it] such material was
1683 weighed, such other available information as may be necessary to
1684 distinguish or identify the property, produce, commodity or article from
1685 others of like kind, and such other information required by [statutes] the
1686 laws of this state or by regulations authorized to be issued for the
1687 enforcement of this chapter.

1688 Sec. 38. Section 43-16j of the general statutes is repealed and the
1689 following is substituted in lieu thereof (*Effective from passage*):

1690 A [licensed public weigher] public weighmaster shall not enter on a
1691 weight certificate issued by [him] such public weighmaster any weight
1692 values [but such as he] other than those weight values which such public
1693 weighmaster has personally determined, and [he] such public
1694 weighmaster shall make no entries on a weight certificate issued by

1695 some other person. A weight certificate shall be so prepared as to show
1696 clearly that weight or weights were actually determined. If the
1697 certificate form provides for the entry of gross, tare [,] and net weights,
1698 in any case in which only the gross, the tare or the net weight is
1699 determined by the [weigher, he] public weighmaster, such public
1700 weighmaster shall strike through or otherwise cancel the printed entries
1701 for the weights not determined or computed. If gross and tare weights
1702 are shown on a weight certificate and both of these were not determined
1703 on the same scale and on the day for which the certificate is dated, the
1704 [weigher] public weighmaster shall identify on the certificate the scale
1705 used for determining each such weight and the date of each such
1706 determination.

1707 Sec. 39. Section 43-16k of the general statutes is repealed and the
1708 following is substituted in lieu thereof (*Effective from passage*):

1709 When making a weight determination as provided for by this
1710 chapter, a [licensed public weigher] public weighmaster shall use a
1711 weighing device that is of a type suitable for the weighing of the amount
1712 and kind of material to be weighed and that has been tested and
1713 approved for use by a weights and measures officer of this state within
1714 a period of twelve months immediately preceding the date of the
1715 weighing.

1716 Sec. 40. Section 43-16l of the general statutes is repealed and the
1717 following is substituted in lieu thereof (*Effective from passage*):

1718 A [licensed public weigher] public weighmaster shall not use any
1719 scale to weigh a load the value of which exceeds the nominal or rated
1720 capacity of the scale. When the gross or tare weight of any vehicle or
1721 combination of vehicles is to be determined, the weighing shall be
1722 performed upon a scale having a platform of sufficient size to
1723 accommodate such vehicle or combination of vehicles fully, completely
1724 and as one entire unit. If a combination of vehicles must be broken up
1725 into separate units in order to be weighed as prescribed [herein] in this
1726 section, each such separate weight certificate shall be issued for each

1727 such separate unit.

1728 Sec. 41. Section 43-16m of the general statutes is repealed and the
1729 following is substituted in lieu thereof (*Effective from passage*):

1730 A [licensed public weigher] public weighmaster shall keep and
1731 preserve, for at least one year [] or such longer period as may be
1732 specified in the regulations authorized to be [issued] adopted for the
1733 enforcement of this chapter, a legible carbon copy of each weight
1734 certificate issued by [him] such public weighmaster, which copies shall
1735 be open at all reasonable times for inspection by any weights and
1736 measures officer of this state.

1737 Sec. 42. Section 43-16n of the general statutes is repealed and the
1738 following is substituted in lieu thereof (*Effective from passage*):

1739 The following persons shall not be required, but shall be permitted,
1740 to obtain [licenses as licensed public weighers] a public weighmaster
1741 license: (1) A weights and measures officer when acting within the scope
1742 of [his] such officer's official duties, (2) a person weighing property,
1743 produce, commodities or articles that [he or his] such person, or such
1744 person's employer, if any, is either buying or selling, and (3) a person
1745 weighing property, produce, commodities or articles in conformity with
1746 the requirements of federal statutes or the [statutes] laws of this state
1747 relative to warehousemen or processors.

1748 Sec. 43. Section 43-16o of the general statutes is repealed and the
1749 following is substituted in lieu thereof (*Effective from passage*):

1750 No person shall assume the title [licensed public weigher] of public
1751 weighmaster, or any title of similar import, perform the duties or acts to
1752 be performed by a [licensed public weigher] public weighmaster under
1753 this chapter, hold [himself] such person out as a [licensed public
1754 weigher] public weighmaster, issue any weight certificate ticket,
1755 memorandum or statement for which a fee is charged, or engage in the
1756 full-time or part-time business of public weighing, unless [he] such
1757 person holds a valid license as a [licensed public weigher] public

1758 weighmaster. As used in this section, "public weighing" means the
1759 weighing for any person, upon request, of property, produce,
1760 commodities or articles other than those which the weigher or [his] the
1761 weigher's employer, if any, is either buying or selling.

1762 Sec. 44. Section 43-16p of the general statutes is repealed and the
1763 following is substituted in lieu thereof (*Effective from passage*):

1764 The commissioner is authorized to suspend or revoke the license of
1765 any [licensed public weigher] public weighmaster (1) when [he] the
1766 commissioner is satisfied, after a hearing upon ten days' notice to the
1767 licensee, that such licensee has violated any provision of this chapter or
1768 of any valid regulation of the commissioner affecting [licensed public
1769 weighers] public weighmasters, or (2) when a [licensed public weigher]
1770 public weighmaster has been convicted in any court of competent
1771 jurisdiction of violating any provision of this chapter or of any
1772 regulation issued under authority of this chapter.

1773 Sec. 45. Section 43-16q of the general statutes is repealed and the
1774 following is substituted in lieu thereof (*Effective from passage*):

1775 (a) Any person who requests a [licensed public weigher] public
1776 weighmaster to weigh any property, produce, commodity or article
1777 falsely or incorrectly, or who requests a false or incorrect weight
1778 certificate, or any person who issues a weight certificate simulating the
1779 weight certificate prescribed in this chapter and who is not a [licensed
1780 public weigher] public weighmaster, shall, for the first offense, be fined
1781 not less than twenty-five dollars or more than one hundred dollars and,
1782 for any subsequent offense, be guilty of a class C misdemeanor.

1783 (b) Any [licensed public weigher] public weighmaster who falsifies a
1784 weight certificate, or who delegates [his] such public weighmaster's
1785 authority to any person not licensed as a [licensed public weigher]
1786 public weighmaster, or who preseals a weight certificate with [his] such
1787 public weighmaster's official seal before performing the act of weighing,
1788 shall be guilty of a class C misdemeanor.

1789 (c) Any person who violates any provision of this chapter or any rule
1790 or regulation promulgated or adopted pursuant thereto for which no
1791 specific penalty has been provided shall be fined not less than twenty-
1792 five dollars or more than [one hundred] one thousand dollars.

1793 (d) The Commissioner of Consumer Protection, after conducting a
1794 hearing in accordance with the provisions of chapter 54, may impose a
1795 civil penalty of not more than [one hundred dollars for the first offense
1796 and not more than five hundred dollars for any subsequent offense] one
1797 thousand dollars per violation on any person who violates any
1798 provision of this chapter or any regulation adopted pursuant to this
1799 chapter. Each violation with respect to each such unit, certificate, device
1800 or scale shall be considered a separate offense.

1801 Sec. 46. Section 43-20 of the general statutes is repealed and the
1802 following is substituted in lieu thereof (*Effective from passage*):

1803 "Bulk grains, feeds and feedstuffs", as used in this section and section
1804 43-21, as amended by this act, means all such substances sold or offered
1805 for sale in loose form and delivered to or from a vehicle, truck,
1806 compartment or container in quantities of one hundred pounds or more.
1807 Quantity determination in the sale of bulk grains, feeds and feedstuffs
1808 shall be by avoirdupois weight. All bulk grains, feeds and feedstuffs
1809 sold or offered for sale in this state shall be sold or offered for sale in
1810 accordance with the provisions of this section and section 43-21, as
1811 amended by this act, except that the Commissioner of Consumer
1812 Protection may upon request approve in writing the use of other
1813 methods of determining the true net weight of the contents of the
1814 container, compartment, truck or vehicle used to transport such bulk
1815 grain, feeds or feedstuffs. No person shall deliver grains, feeds or
1816 feedstuffs in bulk without first having such grains, feeds or feedstuffs
1817 weighed by a public [weigher] weighmaster on stationary scales,
1818 suitable for the weighing of bulk grains, feeds or feedstuffs, which have
1819 been tested and scaled by an authorized sealer or inspector of weights
1820 and measures. Each vehicle, truck, compartment or container of bulk
1821 grains, feeds and feedstuffs while in transit delivery shall be

1822 accompanied by a delivery ticket and a duplicate original thereof, on
1823 which shall be distinctly expressed in ink or other indelible substance
1824 [(a)] (1) in pounds avoirdupois the gross and tare weights of the vehicle,
1825 truck, compartment or container; [(b)] (2) the net weight of bulk grains,
1826 feeds and feedstuffs contained in such vehicle, truck, compartment or
1827 container; [(c)] (3) the name and address of the seller; [(d)] (4) the name
1828 and address of the buyer; [(e)] (5) the signature and license number of
1829 the public [weigher] weighmaster; and [(f)] (6) the date of the weighing.
1830 One of such duplicate delivery tickets shall be surrendered, upon
1831 demand, to any sealer or inspector of weights and measures for [his]
1832 such sealer's or inspector's inspection; and such ticket or, when such
1833 sealer desires to retain one of the duplicate tickets, a weight slip issued
1834 and signed and dated by the sealer or inspector shall be delivered to the
1835 buyer or his agent or representative at the time of delivery of such
1836 grains, feeds or feedstuffs, and the other duplicate ticket shall be
1837 retained by the seller for a period of one year, during which time it shall
1838 be subject to inspection by a sealer or inspector of weights and measures.
1839 If the buyer takes such grains, feeds or feedstuffs from the vendor's
1840 place of business, a delivery ticket in the form required by this section,
1841 signed by a licensed public [weigher] weighmaster, shall be given to the
1842 buyer or his agent at the time of delivery. No person shall sell or deliver,
1843 or attempt or offer to sell or deliver, less than the amount of such grains,
1844 feeds or feedstuffs represented by the delivery tickets therefor, provided
1845 a tolerance of five pounds to the ton shall be allowed. No public
1846 [weigher] weighmaster shall weigh grains, feeds or feedstuffs delivered
1847 to a vehicle, truck, compartment or container for transportation
1848 purposes and sign a delivery ticket therefor unless he has first weighed
1849 the vehicle, truck, compartment or container, empty, on the same scale,
1850 in order to determine the tare weight and the true net weight of the
1851 contents of the vehicle, truck, compartment or container.

1852 Sec. 47. Section 43-21 of the general statutes is repealed and the
1853 following is substituted in lieu thereof (*Effective from passage*):

1854 Each container, compartment, truck or vehicle containing grain, feeds
1855 or feedstuffs which have been weighed by a public [weigher]

1856 weighmaster shall have a lead-wire seal or seals affixed in such a
1857 manner that no loss or delivery of the contents may be made without
1858 destroying or mutilating the seal or seals. Each container, compartment,
1859 truck or vehicle transporting bulk grain, feeds or feedstuffs while in
1860 transit delivery shall remain sealed until delivery is completed. The
1861 actual net weight of the contents of a container, compartment, truck or
1862 vehicle of grain, feeds or feedstuffs shall be stated in the receipt or bill
1863 effecting deliveries between the seller and buyer of such grain, feeds or
1864 feedstuffs. Grain, feeds or feedstuffs packed in bags or sacks used in
1865 bulk delivery to the buyer, when the bags and sacks are representative
1866 of the quantity contained in the container, compartment, truck or
1867 vehicle used for transporting or delivering such commodities, shall bear
1868 the name, brand or trademark under which the article is sold, and the
1869 net weight of the contents shall appear distinctly on a label or as a
1870 printed statement affixed to each bag or sack. The provisions of this
1871 section shall not apply to deliveries by barge or railway track car.

1872 Sec. 48. Subsection (c) of section 43-27 of the general statutes is
1873 repealed and the following is substituted in lieu thereof (*Effective from*
1874 *passage*):

1875 (c) No commercial dealer may sell fuel wood by weight or load or
1876 deliver fuel wood sold by weight in any vehicle for transportation
1877 unless such fuel wood is weighed by a [licensed public weigher] public
1878 weighmaster, as defined in section 43-16a, as amended by this act, on a
1879 stationary scale which has been tested and sealed by an authorized
1880 sealer or inspector of weights and measures. Any fuel wood sold by
1881 weight shall be accompanied by a delivery ticket in duplicate which
1882 shall contain the following information: (1) The gross weight of any
1883 vehicle transporting such fuel wood; (2) the net weight of such fuel
1884 wood; (3) whether such fuel wood is seasoned or green; (4) the price of
1885 such fuel wood by weight; (5) the name and license number of the
1886 [public weigher] public weighmaster; (6) the name and address of the
1887 buyer and the seller; and (7) the date of such transaction. The
1888 commercial dealer shall give the original of such ticket to the customer
1889 and shall retain the duplicate for at least one year, which copy shall be

1890 subject to inspection by any sealer or inspector of weights and measures.
1891 No such dealer may sell or deliver to any customer less than the amount
1892 of fuel wood represented on such delivery ticket. No [public weigher]
1893 public weighmaster may weigh fuel wood loaded on a vehicle for
1894 transportation unless [he] the public weighmaster has first weighed the
1895 vehicle empty on the same scale in order to determine the true net
1896 weight of such fuel wood. Any sealer or inspector of weights and
1897 measures may require that any vehicle for transportation of fuel wood
1898 be weighed at the nearest public scale to verify the information recorded
1899 on any delivery ticket. If fuel wood is sold by weight, no commercial
1900 dealer may deliver more than one load of such fuel wood at a time.

1901 Sec. 49. Section 43-28 of the general statutes is repealed and the
1902 following is substituted in lieu thereof (*Effective from passage*):

1903 All coal and coke sold, except in accordance with a written agreement
1904 with the purchaser otherwise, or offered for sale, in this state, shall be
1905 sold or offered for sale by weight. No person [, firm or corporation] shall
1906 deliver any coal or coke without first having the coal or coke weighed
1907 by a public [weigher] weighmaster on stationary scales suitable for the
1908 weighing of coal or coke, which have been tested and sealed by an
1909 authorized sealer or inspector of weights and measures. Such coal or
1910 coke shall be accompanied while in transit by a delivery ticket and a
1911 duplicate original thereof, on which shall be distinctly expressed in ink,
1912 or other indelible substance, in pounds, the weight of the coal or coke
1913 contained in the vehicle or other receptacle, together with the name and
1914 address of the seller, the name and address of the purchaser, the
1915 signature and license number of the public [weigher] weighmaster and
1916 the date of weighing, together with the number of bags or sacks of the
1917 commodity, when the bags or sacks are representative of the quantity
1918 contained in the vehicle used for transporting the coal or coke, provided
1919 coal or coke sold or offered for sale in this state in quantities of seventy-
1920 five pounds or less, in paper bags, sacks or similar containers, when the
1921 name and address of the dealer and the net contents of avoirdupois
1922 weight are distinctly and indelibly marked in ink or otherwise on the
1923 paper bags, sacks or similar containers, shall be exempt from the

1924 provisions of this section requiring delivery tickets and duplicates
1925 thereof. One of the duplicate delivery tickets shall be surrendered, upon
1926 demand, to any sealer or inspector of weights and measures for his
1927 inspection, and the ticket, or, when the sealer desires to retain one of the
1928 duplicate tickets, a weight slip, issued by the seller and signed and dated
1929 by the sealer or inspector, shall be delivered to the purchaser or his agent
1930 or representative, at the time of the delivery of the coal or coke, and the
1931 other duplicate ticket shall be retained by the seller for a period of one
1932 year, subject to inspection by any sealer or inspector of weights and
1933 measures. If the purchaser or his agent takes the coal or coke from the
1934 seller's place of business, a delivery ticket in the form required by this
1935 section and signed by a public [weigher] weighmaster shall be given to
1936 the purchaser or his agent at the time of delivery. No person shall sell or
1937 deliver, or attempt to sell or deliver, or offer to sell or deliver less than
1938 the amount of coal or coke represented in the delivery tickets therefor,
1939 provided a tolerance at the rate of five pounds to the ton shall be allowed
1940 for unavoidable wastage and variation in scales. No public [weigher]
1941 weighmaster shall weigh coal or coke loaded on a vehicle for
1942 transportation thereon and sign a delivery ticket therefor, unless [he]
1943 such public weighmaster has first weighed the vehicle empty on the
1944 same day and on the same scales, in order to determine the true net
1945 weight of the load of coal or coke. Any person who violates any
1946 provision of this section shall be fined not more than two hundred
1947 dollars or imprisoned not more than six months or both.

1948 Sec. 50. Section 43-31 of the general statutes is repealed and the
1949 following is substituted in lieu thereof (*Effective from passage*):

1950 The quantity of all preheated petroleum products sold, offered for
1951 sale or delivered at retail shall be determined by weight, such weighing
1952 to be done by a public [weigher] weighmaster licensed by the state of
1953 Connecticut, who shall weigh such products in the containers or
1954 vehicles in which they are to be delivered and on scales that have been
1955 tested and sealed by an authorized sealer or inspector of weights and
1956 measures.

1957 Sec. 51. Section 43-32 of the general statutes is repealed and the
1958 following is substituted in lieu thereof (*Effective from passage*):

1959 Each vehicle or container of such petroleum products while in transit
1960 for delivery shall be accompanied by a delivery ticket and a duplicate
1961 original thereof, on which shall be distinctly expressed in ink or other
1962 indelible substance [(a)] (1) in pounds, the gross and tare weights of the
1963 vehicle or container; [(b)] (2) the net weight of such petroleum products
1964 contained in such vehicle or container and its specific gravity or the
1965 gravity determined by accepted standard practice of using the formula
1966 of the American Petroleum Institute at sixty degrees Fahrenheit; [(c)] (3)
1967 the quantity of petroleum products so transported expressed in gallons
1968 or in barrels computed at forty-two gallons per barrel, the method of
1969 determining such gallonage or barrelage to be by accepted standard
1970 practice on the basis of the products being at a temperature of sixty
1971 degrees Fahrenheit; [(d)] (4) the name and address of the seller; [(e)] (5)
1972 the name and address of the purchaser; [(f)] (6) the signature and license
1973 number of the public [weigher] weighmaster; and [(g)] (7) the date of
1974 the weighing. One of such duplicate delivery tickets shall be
1975 surrendered upon demand to any sealer or inspector of weights and
1976 measures for [his] inspection, and such ticket or, when such sealer
1977 desires to retain one of the duplicate tickets, a weight slip issued and
1978 signed and dated by the sealer or inspector shall be delivered to the
1979 purchaser or [his] the purchaser's agent or representative at the time of
1980 delivery of such petroleum products, and the other duplicate ticket shall
1981 be retained by the seller for a period of one year, during which time it
1982 shall be subject to inspection by a sealer or inspector of weights and
1983 measures. If the purchaser takes such petroleum products from the
1984 vendor's place of business, a delivery ticket in the form required by this
1985 section, signed by a [licensed public weigher] public weighmaster, shall
1986 be given to the purchaser or [his] the purchaser's agent at the time of
1987 delivery. No person shall sell or deliver, attempt to sell or deliver or
1988 offer to sell or deliver less than the amount of such petroleum products
1989 represented by the delivery tickets therefor, provided a tolerance at the
1990 rate of five pounds to the ton shall be allowed.

1991 Sec. 52. Section 43-33 of the general statutes is repealed and the
1992 following is substituted in lieu thereof (*Effective from passage*):

1993 No public [weigher] weighmaster shall weigh such petroleum
1994 products loaded on a vehicle or in a container for transportation and
1995 sign a delivery ticket therefor unless [he] the public weighmaster has
1996 secured the tare weight of the vehicle or the container in which such
1997 petroleum products are loaded for the purpose of delivery.

1998 Sec. 53. Subsection (b) of section 51-164n of the 2024 supplement to
1999 the general statutes is repealed and the following is substituted in lieu
2000 thereof (*Effective from passage*):

2001 (b) Notwithstanding any provision of the general statutes, any person
2002 who is alleged to have committed (1) a violation under the provisions of
2003 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)
2004 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,
2005 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-
2006 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of
2007 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-
2008 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of
2009 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-
2010 266, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-
2011 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection
2012 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section
2013 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-
2014 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
2015 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,
2016 subdivision (2) of subsection (a) of section 14-12, subsection (d) of
2017 section 14-12, subsection (f) of section 14-12a, subsection (a) of section
2018 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,
2019 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58
2020 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,
2021 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,
2022 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,
2023 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-

2024 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b
2025 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-
2026 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-
2027 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of
2028 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,
2029 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-
2030 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,
2031 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,
2032 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section
2033 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of
2034 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,
2035 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of
2036 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,
2037 subsection (b) of section 17a-227, section 17a-465, subsection (c) of
2038 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-
2039 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,
2040 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,
2041 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
2042 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-
2043 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or
2044 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,
2045 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or
2046 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,
2047 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
2048 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,
2049 section 21a-26, [or 21a-30,] subsection (a) of section 21a-37, section 21a-
2050 46, 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-
2051 79, as amended by this act, section 21a-85 or 21a-154, subdivision (1) of
2052 subsection (a) of section 21a-159, section 21a-278b, subsection (c), (d) or
2053 (e) of section 21a-279a, section 21a-415a, 21a-421eee, 21a-421fff [,] or 21a-
2054 421hhh, subsection (a) of section 21a-430, section 22-12b, 22-13, 22-14,
2055 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39f, 22-49,
2056 22-54, 22-61j or 22-61l, subdivision (1) of subsection (n) of section 22-61l,
2057 subsection (f) of section 22-61m, subdivision (1) of subsection (f) of
2058 section 22-61m, section 22-84, 22-89, 22-90, 22-96, 22-98, 22-99, 22-100 or

2059 22-111o, subsection (d) of section 22-118l, section 22-167, subsection (c)
2060 of section 22-277, section 22-278, 22-279, 22-280a, 22-318a, 22-320h, 22-
2061 324a or 22-326, subsection (b), subdivision (1) or (2) of subsection (e) or
2062 subsection (g) of section 22-344, subsection (a) or (b) of section 22-344b,
2063 subsection (d) of section 22-344d, section 22-344f, 22-350a, 22-354, 22-
2064 359, 22-366, 22-391, 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246,
2065 subsection (a) of section 22a-250, section 22a-256g, subsection (e) of
2066 section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and (d) of
2067 section 22a-381e, section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45,
2068 23-46 or 23-61b, subsection (a) or subdivision (1) of subsection (c) of
2069 section 23-65, section 25-37 or 25-40, subsection (a) of section 25-43,
2070 section 25-43d, 25-135, 26-18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-
2071 43, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of subsection
2072 (d) of section 26-61, section 26-64, subdivision (1) of section 26-76,
2073 section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-
2074 107, 26-114a, 26-117, subsection (b) of section 26-127, 26-128, 26-128a, 26-
2075 131, 26-132, 26-138, 26-139 or 26-141, subdivision (1) of section 26-186,
2076 section 26-207, 26-215, 26-217 or 26-224a, subdivision (1) of section 26-
2077 226, section 26-227, 26-230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-
2078 276, 26-280, 26-284, 26-285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-
2079 292, 26-294, 27-107, 28-13, 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or
2080 29-156a, subsection (b), (d), (e), (g) or (h) of section 29-161q, section 29-
2081 161y or 29-161z, subdivision (1) of section 29-198, section 29-210, 29-243
2082 or 29-277, subsection (c) of section 29-291c, section 29-316 or 29-318,
2083 subsection (b) of section 29-335a, section 29-381, 30-19f, as amended by
2084 this act, 30-48a or 30-86a, as amended by this act, subsection (b) of
2085 section 30-89, subsection (c) or (d) of section 30-117, section 31-3, 31-10,
2086 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32,
2087 31-36, 31-47 or 31-48, subsection (b) of section 31-48b, section 31-51, 31-
2088 51g, 31-52, 31-52a, 31-53 or 31-54, subsection (a) or (c) of section 31-69,
2089 section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i)
2090 of section 31-273, section 31-288, 31-348, 33-624, 33-1017, 34-13d or 34-
2091 412, subdivision (1) of section 35-20, subsection (a) of section 36a-57,
2092 subsection (b) of section 36a-665, section 36a-699, 36a-739, 36a-787, 38a-
2093 2 or 38a-140, subsection (a) or (b) of section 38a-278, section 38a-479qq,

2094 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713, 38a-733, 38a-764,
2095 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230, 42-470 or 42-480,
2096 subsection (a) or (c) of section 43-16q, as amended by this act, section
2097 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section
2098 46a-54, section 46a-59, 46a-81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a,
2099 47-47 or 47-53, subsection (i) of section 47a-21, subdivision (1) of
2100 subsection (k) of section 47a-21, section 49-2a, 49-8a, 49-16, 52-143 or 52-
2101 289, subsection (j) of section 52-362, section 53-133, 53-199, 53-212a, 53-
2102 249a, 53-252, 53-264, 53-280, 53-290a, 53-302a, 53-303e, 53-311a, 53-314,
2103 53-321, 53-322, 53-323 or 53-331, subsection (b) of section 53-343a, section
2104 53-344, subsection (b) or (c) of section 53-344b, subsection (b) of section
2105 53-345a, section 53-377, 53-422 or 53-450 or subsection (i) of section 54-
2106 36a, or (2) a violation under the provisions of chapter 268, or (3) a
2107 violation of any regulation adopted in accordance with the provisions
2108 of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance,
2109 regulation or bylaw of any town, city or borough, except violations of
2110 building codes and the health code, for which the penalty exceeds ninety
2111 dollars but does not exceed two hundred fifty dollars, unless such town,
2112 city or borough has established a payment and hearing procedure for
2113 such violation pursuant to section 7-152c, shall follow the procedures
2114 set forth in this section.

2115 Sec. 54. Section 30-1 of the 2024 supplement to the general statutes is
2116 repealed and the following is substituted in lieu thereof (*Effective from*
2117 *passage*):

2118 For the purposes of this chapter and section 55 of this act, unless the
2119 context indicates a different meaning:

2120 (1) "Airline" means any (A) United States airline carrier holding a
2121 certificate of public convenience and necessity from the Civil
2122 Aeronautics Board under Section 401 of the Federal Aviation Act of
2123 1958, as amended from time to time, or (B) foreign flag carrier holding a
2124 permit under Section 402 of said act.

2125 (2) "Alcohol" (A) means the product of distillation of any fermented

2126 liquid that is rectified at least once and regardless of such liquid's origin,
2127 and (B) includes synthetic ethyl alcohol which is considered nonpotable.

2128 (3) "Alcoholic beverage" and "alcoholic liquor" include the four
2129 varieties of liquor defined in subdivisions (2), (5), ~~[(20)]~~ (21) and ~~[(21)]~~
2130 (22) of this section (alcohol, beer, spirits and wine) and every liquid or
2131 solid, patented or unpatented, containing alcohol, beer, spirits or wine
2132 and at least one-half of one per cent alcohol by volume, and capable of
2133 being consumed by a human being as a beverage. Any liquid or solid
2134 containing more than one of the four varieties so defined belongs to the
2135 variety which has the highest percentage of alcohol according to the
2136 following order: Alcohol, spirits, wine and beer, except as provided in
2137 subdivision ~~[(21)]~~ (22) of this section.

2138 (4) "Backer" means, except in cases where the permittee is the
2139 proprietor, the proprietor of any business or club, incorporated or
2140 unincorporated, that is engaged in manufacturing or selling alcoholic
2141 liquor and in which business a permittee is associated, whether as an
2142 agent, employee or part owner.

2143 (5) "Beer" means any beverage obtained by the alcoholic fermentation
2144 of a decoction or infusion of barley, hops and malt in drinking water.

2145 (6) "Boat" means any vessel that is (A) operating on any waterway of
2146 this state, and (B) engaged in transporting passengers for hire to or from
2147 any port of this state.

2148 (7) "Business entity" means any incorporated or unincorporated
2149 association, corporation, firm, joint stock company, limited liability
2150 company, limited liability partnership, partnership, trust or other legal
2151 entity.

2152 ~~[(7)]~~ (8) "Case price" means the price of a container made of
2153 cardboard, wood or any other material and containing units of the same
2154 class and size of alcoholic liquor. A case of alcoholic liquor, other than
2155 beer, cocktails, cordials, prepared mixed drinks and wines, shall be in
2156 the quantity and number, or fewer, with the permission of the

2157 Commissioner of Consumer Protection, of bottles or units as follows:
2158 (A) Six one thousand seven hundred fifty milliliter bottles, (B) six one
2159 thousand eight hundred milliliter bottles, (C) twelve seven hundred
2160 milliliter bottles, (D) twelve seven hundred twenty milliliter bottles, (E)
2161 twelve seven hundred fifty milliliter bottles, (F) twelve nine hundred
2162 milliliter bottles, (G) twelve one liter bottles, (H) twenty-four three
2163 hundred seventy-five milliliter bottles, (I) forty-eight two hundred
2164 milliliter bottles, (J) sixty one hundred milliliter bottles, or (K) one
2165 hundred twenty fifty milliliter bottles, except a case of fifty milliliter
2166 bottles may be in a quantity and number as originally configured,
2167 packaged and sold by the manufacturer or out-of-state shipper prior to
2168 shipment if the number of such bottles in such case is not greater than
2169 two hundred. The commissioner shall not authorize fewer quantities or
2170 numbers of bottles or units as specified in this subdivision for any one
2171 person or entity more than eight times in any calendar year. For the
2172 purposes of this subdivision, "class" has the same meaning as provided
2173 in 27 CFR 4.21 for wine, 27 CFR 5.22 for spirits and 27 CFR 7.24 for beer.

2174 [(8)] (9) "Club" has the same meaning as provided in section 30-22aa.

2175 [(9)] (10) "Coliseum" has the same meaning as provided in section 30-
2176 33a.

2177 [(10)] (11) "Commission" means the Liquor Control Commission
2178 established under this chapter.

2179 [(11)] (12) "Department" means the Department of Consumer
2180 Protection.

2181 [(12)] (13) "Dining room" means any room or rooms (A) located in
2182 premises operating under (i) a hotel permit issued under section 30-21,
2183 (ii) a restaurant permit issued under subsection (a) of section 30-22, (iii)
2184 a restaurant permit for wine and beer issued under subsection (b) of
2185 section 30-22, or (iv) a cafe permit issued under section 30-22a, and (B)
2186 where meals are customarily served to any member of the public who
2187 has means of payment and a proper demeanor.

2188 [(13)] (14) "Mead" means fermented honey (A) with or without
2189 additions or adjunct ingredients, and (B) regardless of (i) alcohol
2190 content, (ii) process, and (iii) whether such honey is carbonated,
2191 sparkling or still.

2192 [(14)] (15) "Minor" means any person who is younger than twenty-
2193 one years of age.

2194 [(15)] (16) "Noncommercial entity" means an academic institution,
2195 charitable organization, government organization, nonprofit
2196 organization or similar entity that is not primarily dedicated to
2197 obtaining a commercial advantage or monetary compensation.

2198 [(16)] (17) "Nonprofit club" has the same meaning as provided in
2199 section 30-22aa.

2200 [(17)] (18) (A) "Person" means an individual, including, but not
2201 limited to, a partner.

2202 (B) "Person" does not include [a corporation, joint stock company,
2203 limited liability company or other association of individuals] any
2204 business entity.

2205 [(18)] (19) (A) "Proprietor" includes all owners of a business or club,
2206 incorporated or unincorporated, that is engaged in manufacturing or
2207 selling alcoholic liquor, whether such owners are persons, fiduciaries,
2208 [joint stock companies] business entities, stockholders of corporations
2209 or otherwise.

2210 (B) "Proprietor" does not include any person who, or [corporation]
2211 business entity that, is merely a creditor, whether as a bond holder,
2212 franchisor, landlord or note holder, of a business or club, incorporated
2213 or unincorporated, that is engaged in manufacturing or selling alcoholic
2214 liquor.

2215 [(19)] (20) "Restaurant" has the same meaning as provided in section
2216 30-22.

2217 [(20)] (21) "Spirits" means any beverage that contains alcohol
2218 obtained by distillation mixed with drinkable water and other
2219 substances in solution, including brandy, rum, whiskey and gin.

2220 [(21)] (22) "Wine" means any alcoholic beverage obtained by
2221 fermenting the natural sugar content of fruits, such as apples, grapes or
2222 other agricultural products, containing such sugar, including fortified
2223 wines such as port, sherry and champagne.

2224 Sec. 55. (NEW) (*Effective from passage*) (a) Subject to the provisions of
2225 subsection (b) of this section, a franchisor or landlord may, without
2226 obtaining approval as a backer, receive profits from the sale of alcoholic
2227 liquor from a franchisee or tenant that is permitted to sell alcoholic
2228 liquor under the provisions of chapter 545 of the general statutes,
2229 provided the franchisor or landlord does not:

2230 (1) Control the operations of the permit premises;

2231 (2) Direct sales of alcoholic liquor from the permit premises; or

2232 (3) Otherwise engage in activities indicating ownership or
2233 proprietorship of the franchisee or tenant.

2234 (b) The Department of Consumer Protection may require a franchisor
2235 or landlord to obtain approval as a backer in order for the franchisor or
2236 landlord to receive profits as set forth in subsection (a) of this section. In
2237 determining whether to require a franchisor or landlord to receive such
2238 approval, the department shall:

2239 (1) Consider the percentage of such profits that the franchisor or
2240 landlord receives; and

2241 (2) Evaluate whether the franchisor or landlord may (A) supervise,
2242 hire, retain or discharge persons employed on the permit premises, (B)
2243 set menu selections or prices for the permit premises, (C) establish hours
2244 or days of operation for the permit premises, (D) decide whether or
2245 when a patio may be used in connection with the operations of the
2246 permit premises, (E) order or accept alcoholic liquor deliveries for the

2247 permit premises, (F) arrange advertising for the permit premises,
2248 including, but not limited to, advertising on the Internet or through
2249 social media, (G) dictate decorations for the permit premises, (H) access
2250 banking accounts related to the permit premises, (I) incur debt on behalf
2251 of a backer for the permit, and (J) enter into agreements with other
2252 entities on behalf of a backer for the permit.

2253 Sec. 56. Section 30-4 of the general statutes is repealed and the
2254 following is substituted in lieu thereof (*Effective from passage*):

2255 No commissioner of the Liquor Control Commission and no
2256 employee of the Department of Consumer Protection who carries out
2257 the duties and responsibilities of sections 30-2 to 30-68m, inclusive, and
2258 the regulations enacted thereunder may, directly or indirectly,
2259 individually or as a member [of a partnership] or owner of a business
2260 entity or as a shareholder of a corporation, have any interest whatsoever
2261 in dealing in or in the manufacture of alcoholic liquor, nor receive any
2262 commission or profit whatsoever from nor have any interest whatsoever
2263 in the purchases or sales made by the persons authorized by this chapter
2264 to purchase or sell alcoholic liquor. No provision of this section shall
2265 prevent any such commissioner or employee from purchasing and
2266 keeping in [his] such commissioner's or employee's possession, for [the]
2267 personal use [of himself or] by such commissioner or employee,
2268 members of [his] such commissioner's or employee's family or guests,
2269 any alcoholic liquor which may be purchased or kept by any person by
2270 virtue of this chapter.

2271 Sec. 57. Section 30-14a of the general statutes is repealed and the
2272 following is substituted in lieu thereof (*Effective from passage*):

2273 (a) A package store permit issued under subsection (b) of section 30-
2274 20 may be renewed by the person to whom [it] such permit was issued
2275 or by any person who (1) is a transferee or purchaser of premises
2276 operating under a package store permit issued under subsection (b) of
2277 section 30-20, and [who] (2) meets the requirements of this chapter
2278 concerning eligibility for a liquor permit. Commencing June 8, 1986, the

2279 Department of Consumer Protection may issue one package store
2280 permit under subsection (b) of section 30-20 for every twenty-five
2281 hundred residents of a town as determined by the most recently
2282 completed decennial census. The department may authorize the holder
2283 of such permit to remove [his] such holder's permit premises to a
2284 location in another town provided such removal complies with the
2285 provisions of this chapter.

2286 (b) (1) The Department of Consumer Protection may (A) refuse to
2287 accept any incomplete application for a package store permit under
2288 subsection (b) of section 30-20, or (B) establish a deadline by which an
2289 applicant for a package store permit under subsection (b) of section 30-
2290 20 shall open to the public for continuous operation.

2291 (2) If an applicant for a package store permit under subsection (b) of
2292 section 30-20 fails to open to the public for continuous operation on or
2293 before the deadline established by the Department of Consumer
2294 Protection under subparagraph (B) of subdivision (1) of this subsection,
2295 the department may deem such applicant's application to have been
2296 withdrawn and expired for the purpose of preventing placeholdering. For
2297 the purposes of this subdivision, "placeholdering" means (A) applying for
2298 the last available package store permit in a town, and (B) failing to open
2299 to the public for continuous operation on or before the deadline
2300 established by the department under subparagraph (B) of subdivision
2301 (1) of this subsection.

2302 Sec. 58. Subsection (a) of section 30-17 of the general statutes is
2303 repealed and the following is substituted in lieu thereof (*Effective from*
2304 *passage*):

2305 (a) (1) A wholesaler permit shall allow the bottling of alcoholic liquor
2306 and the wholesale sale of alcoholic liquor to permittees in this state and
2307 without the state, as may be permitted by law, and the sale of alcoholic
2308 liquors to vessels engaged in coastwise or foreign commerce, and the
2309 sale of alcohol and alcoholic liquor for industrial purposes to
2310 nonpermittees, such sales to be made in accordance with the regulations

2311 adopted by the Department of Consumer Protection, and the sale of
2312 alcohol and alcoholic liquor for medicinal purposes to hospitals and
2313 charitable institutions and to religious organizations for sacramental
2314 purposes and the receipt from out-of-state shippers of multiple
2315 packages of alcoholic liquor. The holder of a wholesaler permit may
2316 apply for and shall thereupon receive an out-of-state shipper's permit
2317 for direct importation from abroad of alcoholic liquors manufactured
2318 outside the United States and an out-of-state shipper's permit for direct
2319 importation from abroad of beer manufactured outside the United
2320 States. The annual fee for a wholesaler permit shall be two thousand six
2321 hundred fifty dollars.

2322 (2) When a holder of a wholesaler permit has had the distributorship
2323 of any alcohol, beer, spirits or wine product of a manufacturer or out-
2324 of-state shipper for six months or more, such distributorship may be
2325 terminated or its geographic territory diminished upon (A) the
2326 execution of a written stipulation by the wholesaler and manufacturer
2327 or out-of-state shipper agreeing to the change and the approval of such
2328 change by the Department of Consumer Protection; or (B) the sending
2329 of a written notice by certified or registered mail, return receipt
2330 requested, by the manufacturer or out-of-state shipper to the
2331 wholesaler, a copy of which notice has been sent simultaneously [by
2332 certified or registered mail, return receipt requested,] to the
2333 [Department of Consumer Protection] department in a manner
2334 prescribed by the Commissioner of Consumer Protection. No such
2335 termination or diminishment shall become effective except for just and
2336 sufficient cause, provided such cause shall be set forth in such notice
2337 and the [Department of Consumer Protection] department shall
2338 determine, after hearing, that just and sufficient cause exists. If an
2339 emergency occurs, caused by the wholesaler, prior to such hearing,
2340 which threatens the manufacturers' or out-of-state shippers' products or
2341 otherwise endangers the business of the manufacturer or out-of-state
2342 shipper and said emergency is established to the satisfaction of the
2343 [Department of Consumer Protection] department, the department may
2344 temporarily suspend such wholesaler permit or take whatever

2345 reasonable action the department deems advisable to provide for such
2346 emergency and the department may continue such temporary action
2347 until its decision after a full hearing. The [Department of Consumer
2348 Protection] department shall render its decision with reasonable
2349 promptness following such hearing. Notwithstanding the aforesaid, a
2350 manufacturer or out-of-state shipper may appoint one or more
2351 additional wholesalers as the distributor for an alcohol, spirits or wine
2352 product within such territory, provided such appointment shall not be
2353 effective until six months from the date such manufacturer or out-of-
2354 state shipper sets forth such intention in written notice to the existing
2355 wholesaler by certified or registered mail, return receipt requested, with
2356 a copy of such notice simultaneously sent [by certified or registered
2357 mail, return receipt requested, to the Department of Consumer
2358 Protection] to the department in a manner prescribed by the
2359 Commissioner of Consumer Protection. For just and sufficient cause, a
2360 manufacturer or out-of-state shipper may appoint one or more
2361 additional wholesalers as the distributor for a beer product within such
2362 territory provided such manufacturer or out-of-state shipper sets forth
2363 such intention and cause in written notice to the existing wholesaler by
2364 certified or registered mail, return receipt requested, with a copy of such
2365 notice simultaneously sent [by certified or registered mail, return receipt
2366 requested, to the Department of Consumer Protection] to the
2367 department in a manner prescribed by the Commissioner of Consumer
2368 Protection. Such written notice shall include the name of each additional
2369 wholesaler appointed as a distributor and provide a detailed description
2370 of the just and sufficient cause necessitating such appointment. For the
2371 purposes of this section, "just and sufficient cause" means the existence
2372 of circumstances which, in the opinion of a reasonable person
2373 considering all of the equities of both the wholesaler and the
2374 manufacturer or out-of-state shipper warrants a termination or a
2375 diminishment of a distributorship as the case may be. For the purposes
2376 of this section, "manufacturer or out-of-state shipper" means the
2377 manufacturer or out-of-state shipper who originally granted a
2378 distributorship of any alcohol, beer, spirits or wine product to a
2379 wholesaler, any successor to such manufacturer or out-of-state shipper,

2380 which successor has assumed the contractual relationship with such
2381 wholesaler by assignment or otherwise, or any other manufacturer or
2382 out-of-state shipper who acquires the right to ship such alcohol, beer,
2383 spirits or wine into the state.

2384 (3) Nothing contained in this section shall be construed to interfere
2385 with the authority of the Department of Consumer Protection to retain
2386 or adopt reasonable regulations concerning the termination or
2387 diminishment of a distributorship held by a wholesaler for less than six
2388 months.

2389 (4) All hearings held under this section shall be held in accordance
2390 with the provisions of chapter 54.

2391 Sec. 59. Subsection (b) of section 30-19f of the general statutes is
2392 repealed and the following is substituted in lieu thereof (*Effective from*
2393 *passage*):

2394 (b) No [person, corporation, incorporated or unincorporated
2395 association, partnership, trust or other legal entity] person or business
2396 entity, except the holder of an out-of-state shipper's permit issued under
2397 section 30-18 or 30-19, a manufacturer's permit issued under section 30-
2398 16, other than a manufacturer permit for a farm winery or a
2399 manufacturer permit for wine, cider and mead, or a wholesaler's permit
2400 issued under section 30-17, as amended by this act, shall transport any
2401 alcoholic beverages imported into this state unless: [such person: (1)
2402 Holds] (1) Such person or business entity holds an in-state transporter's
2403 permit issued under this section; (2) the tax imposed on such alcoholic
2404 liquor under section 12-435 has been paid; and (3) if applicable, the tax
2405 imposed on the sale of such alcoholic liquor under chapter 219 has been
2406 paid.

2407 Sec. 60. Subsection (d) of section 30-22b of the general statutes is
2408 repealed and the following is substituted in lieu thereof (*Effective from*
2409 *passage*):

2410 (d) "Catering establishment" means any premises that (1) has an

2411 adequate, suitable and sanitary kitchen, dining room and facilities to
2412 provide hot meals, (2) has no sleeping accommodations for the public,
2413 (3) is owned or operated by any [person, firm, association, partnership
2414 or corporation that] person who, or business entity that, (A) regularly
2415 furnishes for hire on such premises [,] one or more ballrooms, reception
2416 rooms, dining rooms, banquet halls or similar places of assemblage for
2417 a particular function, occasion or event, or [that] (B) furnishes provisions
2418 and services for consumption or use at [such] any function, occasion or
2419 event described in subparagraph (A) of this subdivision, and (4)
2420 employs an adequate number of employees on such premises at the time
2421 of any [such] function, occasion or event described in subparagraph (A)
2422 of subdivision (3) of this subsection.

2423 Sec. 61. Section 30-35 of the 2024 supplement to the general statutes
2424 is repealed and the following is substituted in lieu thereof (*Effective from*
2425 *passage*):

2426 (a) A temporary liquor permit for a noncommercial entity shall allow
2427 the sale of beer, spirits or wine at any fundraising event, outing, picnic
2428 or social gathering conducted by a bona fide noncommercial entity, club
2429 or golf country club, as described in subsection (g) of section 30-22a,
2430 which noncommercial entity, club or golf country club shall be the
2431 backer of the permittee under such permit. No for-profit business entity
2432 may be the backer of any such permittee. Each temporary liquor permit
2433 for a noncommercial entity shall also allow the retail sale of beer, spirits
2434 or wine at an in-person or online auction, provided such auction is held
2435 as part of a fundraising event to benefit the tax-exempt activities of the
2436 noncommercial entity, club or golf country club. All profits from the
2437 auction or sale of such beer, spirits or wine shall be retained by the
2438 backer or permittee conducting such fundraising event, outing, picnic,
2439 social gathering or auction, and no portion of such profits shall be paid,
2440 directly or indirectly, to any [individual or other corporation] person or
2441 business entity. Such permit shall be issued subject to the approval of
2442 the [department] Department of Consumer Protection and shall be
2443 effective only for specified dates and times limited by the department.
2444 The combined total of fundraising events, outings, picnics, social

2445 gatherings or auctions, for which a temporary liquor permit for a
2446 noncommercial entity is issued under this section, shall not exceed
2447 twelve in any calendar year and the approved dates and times for each
2448 such fundraising event, outing, picnic, social gathering or auction shall
2449 be displayed on such permit. Each temporary liquor permit for a
2450 noncommercial entity issued under this section shall be subject to the
2451 hours of sale established in subsection (a) of section 30-91 and the
2452 combined total of days for which such permit is issued shall not exceed
2453 twenty days in any calendar year. The holder of a temporary liquor
2454 permit for a noncommercial entity issued under this section shall
2455 display such permit, and the days for which such permit has been
2456 issued, in a prominent location adjacent to the entrance to the
2457 fundraising event, outing, picnic, social gathering or auction. The fee for
2458 a temporary liquor permit for a noncommercial entity shall be fifty
2459 dollars per day.

2460 (b) The holder of a manufacturer permit issued under section 30-16,
2461 a wholesaler permit issued under section 30-17, as amended by this act,
2462 [or] an out-of-state shipper's permit for alcoholic liquor issued under
2463 section 30-18, an out-of-state retail shipper's permit for wine or out-of-
2464 state winery shipper's permit for wine issued under section 30-18a, an
2465 out-of-state shipper's permit for beer issued under section 30-19, a
2466 package store permit issued under subsection (b) of section 30-20, a
2467 restaurant permit issued under section 30-22 or a cafe permit issued
2468 under subsection (c) of section 30-22a may offer tastings for, and donate
2469 to, the holder of a temporary liquor permit for a noncommercial entity
2470 issued under this section any beer, spirits or wine such manufacturer
2471 permittee manufactures, for which such wholesaler permittee holds
2472 distribution rights or which such package store permittee sells at retail.

2473 Sec. 62. Subsection (b) of section 30-39 of the 2024 supplement to the
2474 general statutes is repealed and the following is substituted in lieu
2475 thereof (*Effective from passage*):

2476 (b) (1) Any person desiring a liquor permit or a renewal of such a
2477 permit shall make an affirmed application therefor to the Department of

2478 Consumer Protection, upon forms to be furnished by the department,
2479 showing the name and address of the applicant and of the applicant's
2480 backer, if any, the location of the club or place of business which is to be
2481 operated under such permit and a financial statement setting forth all
2482 elements and details of any business transactions connected with the
2483 application. Such application shall include a detailed description of the
2484 type of live entertainment that is to be provided. A club or place of
2485 business shall be exempt from providing such detailed description if the
2486 club or place of business (A) was issued a liquor permit prior to October
2487 1, 1993, and (B) has not altered the type of entertainment provided. The
2488 application shall also indicate any crimes of which the applicant or the
2489 applicant's backer may have been convicted. Applicants shall submit
2490 documents, only upon initial application, sufficient to establish that
2491 state and local building, fire and zoning requirements and local
2492 ordinances concerning hours and days of sale will be met, except that
2493 local building and zoning requirements and local ordinances
2494 concerning hours and days of sale shall not apply to a cafe permit issued
2495 under subsection (d) or (h) of section 30-22a. The State Fire Marshal or
2496 the marshal's certified designee shall be responsible for approving
2497 compliance with the State Fire Code at Bradley International Airport.
2498 Any person desiring a permit provided for in section 30-33b shall file a
2499 copy of such person's license with such application if such license was
2500 issued by the Department of Consumer Protection. The department
2501 may, at its discretion, conduct an investigation to determine (i) whether
2502 a permit shall be issued to an applicant or the applicant's backer, or (ii)
2503 the suitability of the proposed permit premises. Completion of an
2504 inspection pursuant to subsection (f) of section 29-305 shall not be
2505 deemed to constitute a precondition to renewal of a permit that is
2506 subject to subsection (f) of section 29-305.

2507 (2) The applicant shall pay to the department a nonrefundable
2508 application fee, which fee shall be in addition to the fees prescribed in
2509 this chapter for the permit sought. An application fee shall not be
2510 charged for an application to renew a permit. The application fee shall
2511 be in the amount of ten dollars for the filing of each application for a

2512 permit by a nonprofit golf tournament permit under section 30-37g or a
2513 temporary liquor permit for a noncommercial entity under section 30-
2514 35, as amended by this act; and in the amount of one hundred dollars
2515 for the filing of an initial application for all other permits. Any permit
2516 issued shall be valid only for the purposes and activities described in
2517 the application.

2518 (3) The applicant, immediately after filing an application, shall give
2519 notice thereof, with the name and residence of the permittee, the type of
2520 permit applied for and the location of the place of business for which
2521 such permit is to be issued and the type of live entertainment to be
2522 provided, all in a form prescribed by the department, by publishing the
2523 same in a newspaper having a circulation in the town in which the place
2524 of business to be operated under such permit is to be located, at least
2525 once a week for two successive weeks, the first publication to be not
2526 more than seven days after the filing date of the application and the last
2527 publication not more than fourteen days after the filing date of the
2528 application. The applicant shall affix, and maintain in a legible condition
2529 upon the outer door of the building wherein such place of business is to
2530 be located and clearly visible from the public highway, the placard
2531 provided by the department, not later than the day following the receipt
2532 of the placard by the applicant. If such outer door of such premises is so
2533 far from the public highway that such placard is not clearly visible as
2534 provided, the department shall direct a suitable method to notify the
2535 public of such application. When an application is filed for any type of
2536 permit for a building that has not been constructed, such applicant shall
2537 erect and maintain in a legible condition a sign not less than six feet by
2538 four feet upon the site where such place of business is to be located,
2539 instead of such placard upon the outer door of the building. The sign
2540 shall set forth the type of permit applied for and the name of the
2541 proposed permittee, shall be clearly visible from the public highway and
2542 shall be so erected not later than the day following the receipt of the
2543 placard. Such applicant shall make a return to the department, under
2544 oath, of compliance with the foregoing requirements, in such form as
2545 the department may determine, but the department may require any

2546 additional proof of such compliance. Upon receipt of evidence of such
2547 compliance, the department may hold a hearing as to the suitability of
2548 the proposed location. The provisions of this subdivision shall not apply
2549 to applications for (A) airline permits issued under section 30-28a, (B)
2550 temporary liquor permits for noncommercial entities issued under
2551 section 30-35, as amended by this act, (C) concession permits issued
2552 under section 30-33, (D) military permits issued under section 30-34, (E)
2553 cafe permits issued under subsection (h) of section 30-22a, (F)
2554 warehouse permits issued under section 30-32, (G) broker's permits
2555 issued under section 30-30, (H) out-of-state shipper's permits for
2556 alcoholic liquor issued under section 30-18, (I) out-of-state shipper's
2557 permits for beer issued under section 30-19, (J) coliseum permits issued
2558 under section 30-33a, (K) nonprofit golf tournament permits issued
2559 under section 30-37g, (L) Connecticut craft cafe permits issued under
2560 section 30-22d to permittees who held a manufacturer permit for a brew
2561 pub or a manufacturer permit for beer issued under subsection (b) of
2562 section 30-16 and a brew pub before July 1, 2020, (M) off-site farm
2563 winery sales and wine, cider and mead tasting permits issued under
2564 section 30-16a, (N) out-of-state retailer shipper's permits for wine issued
2565 under section 30-18a, (O) out-of-state winery shipper's permits for wine
2566 issued under section 30-18a, (P) in-state transporter's permits for
2567 alcoholic liquor issued under section 30-19f, as amended by this act,
2568 including, but not limited to, boats operating under such permits, (Q)
2569 seasonal outdoor open-air permits issued under section 30-22e, (R)
2570 festival permits issued under section 30-37t, (S) temporary auction
2571 permits issued under section 30-37u, (T) outdoor open-air permits
2572 issued under section 30-22f, and (U) renewals of any permit described
2573 in subparagraphs (A) to (T), inclusive, of this subdivision, if applicable.
2574 The provisions of this subdivision regarding publication and placard
2575 display shall also be required of any applicant who seeks to amend the
2576 type of entertainment either upon filing of a renewal application or
2577 upon requesting permission of the department in a form that requires
2578 the approval of the municipal zoning official.

2579 (4) In any case in which a permit has been issued to a partnership, if

2580 one or more of the partners dies or retires, the remaining partner or
2581 partners need not file a new application for the unexpired portion of the
2582 current permit, and no additional fee for such unexpired portion shall
2583 be required. Notice of any such change shall be given to the department
2584 and the permit shall be endorsed to show correct ownership. When any
2585 partnership changes by reason of the addition of one or more persons, a
2586 new application with new fees shall be required.

2587 Sec. 63. Subsection (a) of section 30-47 of the general statutes is
2588 repealed and the following is substituted in lieu thereof (*Effective from*
2589 *passage*):

2590 (a) The Department of Consumer Protection may, in its discretion,
2591 suspend, revoke or refuse to grant or renew a permit for the sale of
2592 alcoholic liquor, or impose a fine of not greater than one thousand
2593 dollars per violation, if [it] the department has reasonable cause to
2594 believe: (1) That the applicant or permittee appears to be financially
2595 irresponsible or neglects to provide for [his] the applicant's or
2596 permittee's family, or neglects or is unable to pay [his] the applicant's or
2597 permittee's just debts; (2) that the applicant or permittee has been
2598 provided with funds by any wholesaler or manufacturer or has any
2599 forbidden connection with any other class of permittee as provided in
2600 this chapter; (3) that the applicant or permittee is in the habit of using
2601 alcoholic beverages to excess; (4) that the applicant or permittee has
2602 wilfully made any false statement to the department in a material
2603 matter; (5) that the applicant or permittee has been convicted of
2604 violating any of the liquor laws of this or any other state or the liquor
2605 laws of the United States or has been convicted of a felony as such term
2606 is defined in section 53a-25, provided any action taken is based upon (A)
2607 the nature of the conviction and its relationship to the applicant or
2608 permittee's ability to safely or competently perform the duties
2609 associated with such permit, (B) information pertaining to the degree of
2610 rehabilitation of the applicant or permittee, and (C) the time elapsed
2611 since the conviction or release, or has such a criminal record that the
2612 department reasonably believes [he] the applicant or permittee is not a
2613 suitable person to hold a permit, provided no refusal shall be rendered

2614 under this subdivision except in accordance with the provisions of
2615 sections 46a-80 and 46a-81; (6) that the applicant or permittee has not
2616 been delegated full authority and control of the permit premises and of
2617 the conduct of all business on such premises; or (7) that the applicant,
2618 applicant's backer, backer or permittee has violated any provision of this
2619 chapter or any regulation adopted under this chapter. Any applicant,
2620 applicant's backer or backer shall be subject to the same disqualifications
2621 as provided in this [section in the case of an applicant for a permit or a
2622 permittee] chapter, or any regulation adopted under this chapter, for
2623 permittees.

2624 Sec. 64. Subsection (a) of section 30-48 of the 2024 supplement to the
2625 general statutes is repealed and the following is substituted in lieu
2626 thereof (*Effective from passage*):

2627 (a) No backer or permittee of one permit class shall be a backer or
2628 permittee of any other permit class except in the case of airline permits
2629 issued under section 30-28a, boats operating under in-state transporter's
2630 permits issued under section 30-19f, as amended by this act, and cafe
2631 permits issued under subsections (d) and (h) of section 30-22a, except
2632 that: (1) A backer of a hotel permit issued under section 30-21 or a
2633 restaurant permit issued under section 30-22 may be a backer of both
2634 such classes; (2) a holder or backer of a restaurant permit issued under
2635 section 30-22 or a cafe permit issued under subsection (a) of section 30-
2636 22a may be a holder or backer of any other or all of such classes; (3) a
2637 holder or backer of a restaurant permit issued under section 30-22 may
2638 be a holder or backer of a cafe permit issued under subsection (f) of
2639 section 30-22a; (4) a backer of a restaurant permit issued under section
2640 30-22 may be a backer of a coliseum permit issued under section 30-33a
2641 when such restaurant is within a coliseum; (5) a backer of a hotel permit
2642 issued under section 30-21 may be a backer of a coliseum permit issued
2643 under section 30-33a; (6) a backer of a grocery store beer permit issued
2644 under subsection (c) of section 30-20 may be (A) a backer of a package
2645 store permit issued under subsection (b) of section 30-20 if such was the
2646 case on or before May 1, 1996, and (B) a backer of a restaurant permit
2647 issued under section 30-22, provided the restaurant permit premises do

2648 not abut or share the same space as the grocery store beer permit
2649 premises; (7) a backer of a cafe permit issued under subsection (j) of
2650 section 30-22a, may be a backer of a nonprofit theater permit issued
2651 under section 30-35a; (8) a backer of a nonprofit theater permit issued
2652 under section 30-35a may be a holder or backer of a hotel permit issued
2653 under section 30-21 or a coliseum permit issued under section 30-33a;
2654 (9) a backer of a concession permit issued under section 30-33 may be a
2655 backer of a coliseum permit issued under section 30-33a; (10) a holder of
2656 an out-of-state winery shipper's permit for wine issued under section
2657 30-18a may be a holder of an in-state transporter's permit issued under
2658 section 30-19f, as amended by this act; (11) a holder of an out-of-state
2659 shipper's permit for alcoholic liquor issued under section 30-18 or an
2660 out-of-state winery shipper's permit for wine issued under section 30-
2661 18a may be a holder of an in-state transporter's permit issued under
2662 section 30-19f, as amended by this act; (12) a holder of a manufacturer
2663 permit for a farm winery issued under subsection (c) of section 30-16 or
2664 a manufacturer permit for wine, cider and mead issued under
2665 subsection (d) of section 30-16 may be a holder of an in-state
2666 transporter's permit issued under section 30-19f, as amended by this act,
2667 an off-site farm winery sales and tasting permit issued under section 30-
2668 16a or any combination of such permits; (13) the holder of a
2669 manufacturer permit for spirits, beer, a farm winery or wine, cider and
2670 mead, issued under subsection (a), (b), (c) or (d), respectively, of section
2671 30-16 may be a holder of a Connecticut craft cafe permit issued under
2672 section 30-22d, a restaurant permit or a restaurant permit for wine and
2673 beer issued under section 30-22 or a farmers' market sales permit issued
2674 under section 30-37o; (14) the holder of a restaurant permit issued under
2675 section 30-22, a cafe permit issued under section 30-22a, or an in-state
2676 transporter's permit issued under section 30-19f, as amended by this act,
2677 may be the holder of a seasonal outdoor open-air permit issued under
2678 section 30-22e or an outdoor open-air permit issued under section 30-
2679 22f; [and] (15) the holder of a festival permit issued under section 30-37t
2680 may be the holder or backer of one or more of such other classes; (16)
2681 the holder of an out-of-state shipper's permit for alcoholic liquor other
2682 than beer issued under section 30-18, an out-of-state winery shipper's

2683 permit for wine issued under section 30-18a or an out-of-state shipper's
2684 permit for beer issued under section 30-19 may be the holder of an out-
2685 of-state retailer shipper's permit for wine issued under section 30-18a;
2686 and (17) the holder of a restaurant permit issued under section 30-22
2687 may be a holder of a Connecticut craft cafe permit issued under section
2688 30-22d, provided the permit premises are located at two different
2689 addresses. Any person may be a permittee of more than one permit. No
2690 holder of a manufacturer permit for beer issued under subsection (b) of
2691 section 30-16 and no spouse or child of such holder may be a holder or
2692 backer of more than three restaurant permits issued under section 30-22
2693 or cafe permits issued under section 30-22a.

2694 Sec. 65. Section 30-51a of the general statutes is repealed and the
2695 following is substituted in lieu thereof (*Effective from passage*):

2696 Notwithstanding the provisions of subdivision (6) of subsection (a)
2697 of section 30-47, as amended by this act, and section 30-51, as amended
2698 by this act, a permittee of premises operating under a grocery store beer
2699 permit issued under subsection (c) of section 30-20 may lease up to fifty
2700 per cent of the total square footage of the premises to any person for
2701 lawful purposes. The Department of Consumer Protection shall not
2702 issue a permit allowing the sale or consumption of alcoholic liquor on
2703 any such leased premises, and the sale or consumption of alcoholic
2704 liquor shall be unlawful on any such leased premises.

2705 Sec. 66. Section 30-51 of the general statutes is repealed and the
2706 following is substituted in lieu thereof (*Effective from passage*):

2707 No permit may be issued for the sale of alcoholic liquor in any
2708 building, a portion of which will not be used as the permit premises,
2709 unless the application therefor is accompanied by an affidavit signed
2710 and affirmed by the applicant, stating that access from the portion of the
2711 building that will not be used as the permit premises to the portion of
2712 the building that will be used as the permit premises is effectually
2713 [closed] separate, unless the Department of Consumer Protection
2714 endorses upon such application that it has dispensed with such affidavit

2715 for reasons considered by it good and satisfactory and also endorses
2716 thereon such reasons. [If any way] No new means of access [from the
2717 other portion of such building to the portion used as] into the permit
2718 premises [is] shall be opened, after such permit is issued, without the
2719 written consent of the Department of Consumer Protection endorsed on
2720 such permit. [, such permit shall thereupon become and be forfeited,
2721 with or without notice from the Department of Consumer Protection,
2722 and shall be null and void. If such applicant or] If any permittee or any
2723 backer thereof opens, causes to be opened, [permits] allows to be opened
2724 or allows to remain open, at any time during the term for which such
2725 permit is issued, any [way] new means of access from any portion of a
2726 building not part of the permit premises [to any other portion of such
2727 building that is] into the permit premises, without the written consent
2728 of the Department of Consumer Protection endorsed on such permit,
2729 such [persons] permittee or [backers] backer shall be subject to the
2730 penalties provided in section 30-113. The Department of Consumer
2731 Protection shall require every applicant for a permit to sell alcoholic
2732 liquor to state under oath whether any portion of the building in which
2733 it is proposed to carry on such business will not be used as the permit
2734 premises; and, if so, the Department of Consumer Protection shall
2735 appoint a suitable person to examine the premises and to see that any
2736 and all access between the portion so to be used for the sale of alcoholic
2737 liquor and the portion not so used is effectually [closed] separate, and
2738 may designate the manner of such [closing] separation, and, if
2739 necessary, order seals to be placed so that such way of access cannot be
2740 opened without breaking the seals, and the breaking or removal of such
2741 seals or other methods of preventing access, so ordered and provided,
2742 shall be prima facie evidence of a violation of this section. The above
2743 provisions shall not apply to any premises operating under a hotel
2744 permit.

2745 Sec. 67. Section 30-55 of the general statutes is repealed and the
2746 following is substituted in lieu thereof (*Effective from passage*):

2747 (a) The Department of Consumer Protection may, in its discretion,
2748 revoke, suspend or place conditions on any permit or provisional permit

2749 or impose a fine of not greater than one thousand dollars per violation,
2750 upon cause found after hearing, provided [ten days'] written notice of
2751 such hearing has been given to the permittee, [setting forth, with the
2752 particulars required in civil pleadings, the charges upon which such
2753 proposed revocation, suspension, condition or fine is predicated. Any
2754 appeal from such order of revocation, suspension, condition or fine shall
2755 be taken in accordance with the provisions of section 4-183] applicant,
2756 backer or proposed backer in accordance with the provisions of chapter
2757 54.

2758 (b) The surrender of a permit or provisional permit for cancellation,
2759 the withdrawal of an application or the expiration of a permit shall not
2760 prevent the [department] Department of Consumer Protection from
2761 suspending or revoking any such permit pursuant to the provisions of
2762 this section.

2763 Sec. 68. Section 30-58a of the general statutes is repealed and the
2764 following is substituted in lieu thereof (*Effective from passage*):

2765 The Department of Consumer Protection, in [its] the department's
2766 discretion and subject to such regulations as [it] the department may
2767 adopt, may accept from any applicant, applicant's backer, backer or
2768 permittee [or backer] an offer in compromise in such an amount as may
2769 in the discretion of the department be proper under the circumstances
2770 in lieu of the suspension of any permit previously imposed by the
2771 department. Any sums of money so collected by the department shall
2772 be paid forthwith into the State Treasury for the general purposes of the
2773 state.

2774 Sec. 69. Section 30-60 of the general statutes is repealed and the
2775 following is substituted in lieu thereof (*Effective from passage*):

2776 Any applicant for a permit or for the renewal of a permit for the
2777 manufacture or sale of alcoholic liquor whose application is refused or
2778 any applicant or permittee whose permit is denied, revoked or
2779 suspended by the Department of Consumer Protection or any ten
2780 residents who have filed a remonstrance pursuant to the provisions of

2781 section 30-39, as amended by this act, and who are aggrieved by the
2782 granting of a permit by the department may appeal therefrom in
2783 accordance with section 4-183. Appeals shall be privileged in respect to
2784 the assignment thereof. If said court decides, upon the trial of such
2785 appeal, that the appellant is a suitable person to sell alcoholic liquor and
2786 that the place named in [his] the appellant's application is a suitable
2787 place, within the class of permit applied for or revoked, and renders
2788 judgment accordingly, a copy of such judgment shall be forthwith
2789 transmitted by the clerk of said court to the department, and the
2790 department shall thereupon issue a permit to such appellant to sell such
2791 alcoholic liquor at such place for the remainder of the permit year, and
2792 the fee to be paid therefor, unless the application is for the renewal of
2793 the permit, in which case the full fee shall be paid, shall bear the same
2794 proportion to the full permit fee for a year as the unexpired portion of
2795 the year from the time when such permit was granted bears to the full
2796 year. If the court decides on such trial that the applicant is not a suitable
2797 person to sell alcoholic liquor or that the place named in the application
2798 is not a suitable place, and renders judgment accordingly, a copy of such
2799 judgment shall be forthwith transmitted by the clerk of said court to the
2800 department and the department shall not issue a permit to such
2801 applicant or shall rescind the granting of a permit, as the case may be. If
2802 said court upholds the decision of the department upon the trial of such
2803 appeal, or modifies such decision in whole or in part and renders
2804 judgment accordingly, a copy of such judgment shall be forthwith
2805 transmitted by the clerk of said court to the department and, if a renewal
2806 fee has been paid within the time during which such appeal has been
2807 pending, the department shall thereupon certify to the Treasurer a
2808 deduction from such fee of a sum which shall bear the same proportion
2809 to the full permit fee for a year as the portion of the year from the time
2810 when such renewal would have become effective to the time when such
2811 judgment was rendered bears to the full year, and the amount of such
2812 deduction shall be paid in accordance with the provisions of section 30-
2813 5, and the remainder of such fee shall be paid by the state to the
2814 applicant.

2815 Sec. 70. Section 30-62a of the general statutes is repealed and the
2816 following is substituted in lieu thereof (*Effective from passage*):

2817 (a) The Department of Consumer Protection, subject to such
2818 regulations as said department [shall] may adopt, may permit more
2819 than one consumer bar in any premises for which a permit has been
2820 issued under this part for the retail sale of alcoholic liquor to be
2821 consumed on [the] such premises. A consumer bar is a counter, with or
2822 without seats, at which a patron may purchase and consume or
2823 purchase alcoholic liquor. The fee for each additional consumer bar shall
2824 be one hundred ninety dollars per annum.

2825 (b) The Department of Consumer Protection, subject to such
2826 regulations as said department may adopt, may permit more than one
2827 consumer service bar in any premises for which a permit has been
2828 issued under this part for the retail sale of alcoholic liquor to be
2829 consumed on such premises. A consumer service bar is a counter,
2830 without seats, at which a patron may purchase alcoholic liquor, but for
2831 which the primary function is to facilitate the purchase of food.
2832 Alcoholic liquor may be served to a patron across the consumer service
2833 bar, but no patron shall sit or consume alcoholic liquor or food at the
2834 consumer service bar. Minors may stand at a consumer service bar for
2835 the purpose of ordering and receiving food. No premises shall have both
2836 a self-pour endorsement and a consumer service bar endorsement.

2837 Sec. 71. Section 30-78 of the general statutes is repealed and the
2838 following is substituted in lieu thereof (*Effective from passage*):

2839 (a) All alcoholic liquor which is intended by the owner or keeper
2840 thereof to be manufactured or sold in violation of law shall, together
2841 with the vessels in which such liquor is contained, be a nuisance and
2842 subject to confiscation by the Commissioner of Consumer Protection or
2843 the commissioner's authorized agent. The Department of Consumer
2844 Protection may dispose of any intoxicating liquor, acquired in
2845 connection with the administration of this chapter, by public or private
2846 sale in such manner and upon such terms as it deems practical and, in

2847 cases where sale is impracticable, by delivering [it] such intoxicating
2848 liquor to any state institution which has use therefor. All proceeds from
2849 such sale shall be paid into the State Treasury to the credit of the General
2850 Fund.

2851 (b) (1) If, during an inspection or investigation of a permittee, the
2852 Commissioner of Consumer Protection or the commissioner's
2853 authorized agent has probable cause to believe that the permittee is in
2854 possession of, or there exists on the permit premises, any item listed in
2855 subdivision (2) of this subsection, the commissioner or the
2856 commissioner's authorized agent may affix to such item a tag or other
2857 appropriate marking to indicate that such item is, or is suspected to be,
2858 in violation of this chapter and has been embargoed, provided the
2859 commissioner or the commissioner's authorized agent gives advance
2860 written notice to the permittee disclosing such violation, or suspected
2861 violation, and embargo.

2862 (2) Subject to the provisions of this subsection, the commissioner or
2863 the commissioner's authorized agent may embargo the following items
2864 if such items are discovered as part of an inspection or investigation
2865 described in subdivision (1) of this subsection:

2866 (A) Any unauthorized gambling device, illegitimate lottery ticket, or
2867 illegal gambling or bookmaking equipment;

2868 (B) Any driver's license or identification card that is used by any
2869 person, other than the person to whom such driver's license or
2870 identification card was issued, to unlawfully (i) enter, or attempt to
2871 enter, the permit premises, or (ii) purchase, or attempt to purchase,
2872 alcoholic liquor;

2873 (C) Any imitation of a driver's license or identification card that is
2874 used by any person to unlawfully (i) enter, or attempt to enter, the
2875 permit premises, or (ii) purchase, or attempt to purchase, alcoholic
2876 liquor;

2877 (D) Any drug, as defined in section 20-571, that is offered or made

2878 available for sale by any person who is not authorized to offer such drug
2879 or make such drug available for sale;

2880 (E) Any high-THC hemp product, as defined in section 21a-240;

2881 (F) Any synthetic cannabinoid, as defined in section 21a-240; and

2882 (G) Any tobacco products that are sold without a stamp or by any
2883 person other than a dealer, as said terms are defined in section 12-285.

2884 (3) No person shall remove or dispose of any embargoed item, by sale
2885 or otherwise, unless such person obtains advance written consent from
2886 the commissioner or the commissioner's authorized agent for such
2887 removal or disposal.

2888 (4) Not later than fifteen days after a permittee receives a written
2889 notice under subdivision (1) of this subsection, the permittee may
2890 submit to the department a written request for a hearing to remove the
2891 embargo. The commissioner shall cause such hearing to be held not later
2892 than forty-five days after the department receives the permittee's
2893 written request for a hearing, and such hearing shall be conducted
2894 pursuant to chapter 54. If the embargo is removed, neither the
2895 commissioner nor the state shall be held liable for any damages incurred
2896 for any injury sustained due to such embargo if the commissioner, the
2897 commissioner's designee or a court of competent jurisdiction finds that
2898 there was probable cause to impose such embargo.

2899 (c) (1) In addition to any embargo imposed under subsection (b) of
2900 this section, the Commissioner of Consumer Protection or the
2901 commissioner's authorized agent may confiscate the following items if
2902 such items are present on any permit premises:

2903 (A) Any driver's license or identification card that is used by any
2904 person, other than the person to whom such driver's license or
2905 identification card was issued, to unlawfully (i) enter, or attempt to
2906 enter, the permit premises, or (ii) purchase, or attempt to purchase,
2907 alcoholic liquor; and

2908 (B) Any imitation of a driver's license or identification card that is
2909 used by any person to unlawfully (i) enter, or attempt to enter, the
2910 permit premises, or (ii) purchase, or attempt to purchase, alcoholic
2911 liquor.

2912 (2) To effectuate any confiscation authorized under subdivision (1) of
2913 this subsection, the commissioner or commissioner's authorized agent
2914 shall provide to the permittee a written inventory of the items that the
2915 commissioner or the commissioner's authorized agent has confiscated,
2916 along with a narrative description of the basis for such confiscation.

2917 (3) Not later than two days after the commissioner or the
2918 commissioner's authorized agent completes any confiscation authorized
2919 under subdivision (1) of this subsection, the commissioner or the
2920 commissioner's authorized agent shall submit to the law enforcement
2921 agency having jurisdiction over the permit premises a written notice
2922 disclosing that such confiscation occurred.

2923 (4) Not later than fifteen days after the commissioner or the
2924 commissioner's authorized agent completes any confiscation authorized
2925 under subdivision (1) of this subsection, the permittee may submit to
2926 the department a written request for a hearing to revoke the
2927 confiscation. The commissioner shall cause such hearing to be held not
2928 later than forty-five days after the department receives the permittee's
2929 written request for a hearing, and such hearing shall be conducted
2930 pursuant to chapter 54. If the confiscation is revoked, neither the
2931 commissioner nor the state shall be held liable for any damages incurred
2932 for any injury sustained due to such confiscation if the commissioner,
2933 the commissioner's designee or a court of competent jurisdiction finds
2934 that there was probable cause to make such confiscation.

2935 Sec. 72. Section 30-86 of the general statutes is repealed and the
2936 following is substituted in lieu thereof (*Effective from passage*):

2937 (a) As used in this section:

2938 (1) "Cardholder" means any person who presents a driver's license or

2939 an identity card to a permittee or permittee's agent or employee, to
2940 purchase or receive alcoholic liquor from such permittee or permittee's
2941 agent or employee;

2942 (2) "Identity card" means an identification card issued in accordance
2943 with the provisions of section 1-1h;

2944 (3) "Transaction scan" means the process by which a permittee or
2945 permittee's agent or employee checks, by means of a transaction scan
2946 device, the validity of a driver's license or an identity card; and

2947 (4) "Transaction scan device" means any commercial device or
2948 combination of devices used at a point of sale that is capable of
2949 deciphering in an electronically readable format the information
2950 encoded on the magnetic strip or bar code of a driver's license or an
2951 identity card.

2952 (b) (1) Any permittee or any servant or agent of a permittee who sells
2953 or delivers alcoholic liquor to any minor or any intoxicated person, or to
2954 any habitual drunkard, knowing the person to be such [an] a habitual
2955 drunkard, shall be subject to the penalties of section 30-113.

2956 (2) Any person who sells, ships, delivers or gives alcoholic liquor to
2957 a minor, by any means, including, but not limited to, the Internet or any
2958 other on-line computer network, except on the order of a practicing
2959 physician, shall be fined not more than three thousand five hundred
2960 dollars or imprisoned not more than eighteen months, or both.

2961 (3) The provisions of this subsection shall not apply (A) to a sale,
2962 shipment or delivery made to a person over age eighteen who is an
2963 employee or permit holder under section 30-90a and where such sale,
2964 shipment or delivery is made in the course of such person's employment
2965 or business, (B) to a sale, shipment or delivery made in good faith to a
2966 minor who practices any deceit in the procurement of an identity card
2967 issued in accordance with the provisions of section 1-1h, who uses or
2968 exhibits any such identity card belonging to any other person or who
2969 uses or exhibits any such identity card that has been altered or tampered

2970 with in any way, or (C) to a shipment or delivery made to a minor by a
2971 parent, guardian or spouse of the minor, provided such parent,
2972 guardian or spouse has attained the age of twenty-one and provided
2973 such minor possesses such alcoholic liquor while accompanied by such
2974 parent, guardian or spouse.

2975 (4) Nothing in this subsection shall be construed to burden a person's
2976 exercise of religion under section 3 of article first of the Constitution of
2977 the state in violation of subsection (a) of section 52-571b.

2978 (c) (1) A permittee or permittee's agent or employee may perform a
2979 transaction scan to check the validity of a driver's license or identity card
2980 presented by a cardholder as a condition for selling, giving away or
2981 otherwise distributing alcoholic liquor to the cardholder.

2982 (2) If the information deciphered by the transaction scan performed
2983 under subdivision (1) of this subsection fails to match the information
2984 printed on the driver's license or identity card presented by the
2985 cardholder, or if the transaction scan indicates that the information so
2986 printed is false or fraudulent, neither the permittee nor any permittee's
2987 agent or employee shall sell, give away or otherwise distribute any
2988 alcoholic liquor to the cardholder.

2989 (3) Subdivision (1) of this subsection does not preclude a permittee or
2990 permittee's agent or employee from using a transaction scan device to
2991 check the validity of a document presented as identification other than
2992 a driver's license or an identity card, if the document includes a bar code
2993 or magnetic strip that may be scanned by the device, as a condition for
2994 selling, giving away or otherwise distributing alcoholic liquor to the
2995 person presenting the document.

2996 (d) (1) No permittee or permittee's agent or employee shall
2997 electronically or mechanically record or maintain any information
2998 derived from a transaction scan, except the following: (A) The name and
2999 date of birth of the person listed on the driver's license or identity card
3000 presented by a cardholder; and (B) the expiration date and identification
3001 number of the driver's license or identity card presented by a

3002 cardholder.

3003 (2) No permittee or permittee's agent or employee shall use a
3004 transaction scan device for a purpose other than the purposes specified
3005 in subsection (c) of this section, subsection (d) of section 53-344 or
3006 subsection (e) of section 53-344b.

3007 (3) No permittee or permittee's agent or employee shall sell or
3008 otherwise disseminate the information derived from a transaction scan
3009 to any third party for any purpose, including, but not limited to, any
3010 marketing, advertising or promotional activities, except that a permittee
3011 or permittee's agent or employee may release that information pursuant
3012 to a court order.

3013 (4) Nothing in subsection (c) of this section or this subsection relieves
3014 a permittee or permittee's agent or employee of any responsibility to
3015 comply with any other applicable state or federal laws or rules
3016 governing the sale, giving away or other distribution of alcoholic liquor.

3017 (5) Any person who violates this subsection shall be subject to any
3018 penalty set forth in section 30-55, as amended by this act.

3019 (e) (1) In any prosecution of a permittee or permittee's agent or
3020 employee for selling alcoholic liquor to a minor in violation of
3021 subsection (b) of this section, it shall be an affirmative defense that all of
3022 the following occurred: (A) A cardholder attempting to purchase or
3023 receive alcoholic liquor presented a driver's license or an identity card;
3024 (B) a transaction scan of the driver's license or identity card that the
3025 cardholder presented indicated that the license or card was valid; and
3026 (C) the alcoholic liquor was sold, given away or otherwise distributed
3027 to the cardholder in reasonable reliance upon the identification
3028 presented and the completed transaction scan.

3029 (2) In determining whether a permittee or permittee's agent or
3030 employee has proven the affirmative defense provided by subdivision
3031 (1) of this subsection, the trier of fact in such prosecution shall consider
3032 that reasonable reliance upon the identification presented and the

3033 completed transaction scan may require a permittee or permittee's agent
3034 or employee to exercise reasonable diligence and that the use of a
3035 transaction scan device does not excuse a permittee or permittee's agent
3036 or employee from exercising such reasonable diligence to determine the
3037 following: (A) Whether a person to whom the permittee or permittee's
3038 agent or employee sells, gives away or otherwise distributes alcoholic
3039 liquor is twenty-one years of age or older; and (B) whether the
3040 description and picture appearing on the driver's license or identity card
3041 presented by a cardholder are those of the cardholder.

3042 (f) Any minor who participates in an investigation or enforcement
3043 action initiated by, or operated in conjunction with, the Department of
3044 Consumer Protection pursuant to this chapter shall be considered a state
3045 officer, afforded the legal protections set forth in section 4-165 and
3046 indemnified by the state under section 5-141d for any action taken
3047 pursuant to a directive by the department related to such minor's
3048 participation in such investigation or action.

3049 Sec. 73. Subsection (a) of section 30-86a of the general statutes is
3050 repealed and the following is substituted in lieu thereof (*Effective from*
3051 *passage*):

3052 (a) For the purposes of section 30-86, as amended by this act, any
3053 permittee shall require any person whose age is in question to fill out
3054 and sign a statement in the following form on one occasion when each
3055 such person makes a purchase:

3056, 20..

3057 I,, hereby represent to, a permittee of the Connecticut
3058 Department of Consumer Protection, that I am over the age of 21 years,
3059 having been born on, 19.. or 20.., at

3060 This statement is made to induce said permittee to sell or otherwise furnish alcoholic beverages to
3061 the undersigned. I understand that title 30 of the general statutes
3062 prohibits the sale of alcoholic liquor to any person who is not twenty-
3063 one years of age.

3064 I understand that I am subject to a fine of one hundred dollars for the
3065 first offense and not more than two hundred fifty dollars for each
3066 subsequent offense for wilfully misrepresenting my age for the
3067 purposes set forth in this statement.

3068 (Name)

3069 (Address)

3070 Such statement once taken shall be applicable both to the particular
3071 sale in connection with which such statement was taken, as well as to all
3072 future sales at the same premises, and shall have full force and effect
3073 under subsection (b) of this section as to every subsequent sale or
3074 purchase. Such statement shall be printed upon appropriate forms to be
3075 furnished by the [permittees] permittee and approved by the
3076 Department of Consumer Protection [and] or electronically displayed
3077 by the permittee on an electronic device that is capable of allowing the
3078 person whose age is in question to electronically fill out and sign such
3079 statement. If such statement is filled out and signed in paper form, such
3080 statement shall be kept on file on the permit premises, alphabetically
3081 indexed, in a suitable file box, and shall be open to inspection by the
3082 [Department of Consumer Protection] department or any of [its] the
3083 department's agents or inspectors at any reasonable time. If such
3084 statement is filled out and signed in electronic form, such statement
3085 shall be stored in an electronic medium that is immediately accessible
3086 from the permit premises, alphabetically indexed, and shall be in an
3087 electronic format that is accessible to the department or any of the
3088 department's agents or inspectors at any reasonable time. Any person
3089 who makes any false statement on a form signed by [him] such person
3090 as required by this section shall be fined not more than one hundred
3091 dollars for the first offense and not more than two hundred fifty dollars
3092 for each subsequent offense.

3093 Sec. 74. Section 30-90 of the general statutes is repealed and the
3094 following is substituted in lieu thereof (*Effective from passage*):

3095 Any permittee who, either personally or through such permittee's

3096 servant or agent, allows any minor, intoxicated person or [any] person
3097 to whom the sale or gift of alcoholic liquor has been prohibited by law
3098 to loiter on the permit premises where alcoholic liquor is kept for sale,
3099 or who allows any minor, other than a person who is at least eighteen
3100 years of age and an employee or permit holder under section 30-90a or
3101 a minor accompanied by the minor's parent or guardian, or intoxicated
3102 person to be in any room where alcoholic liquor is served at any bar,
3103 shall be subject to the penalties described in section 30-113. For
3104 barrooms consisting of only one room and for permit premises without
3105 effective separation between a barroom and a dining room, an
3106 unaccompanied minor or intoxicated person may remain on the permit
3107 premises while waiting for and consuming food prepared on such
3108 permit premises. No minor may sit or stand at a consumer bar without
3109 being accompanied by a parent, guardian or spouse.

3110 Sec. 75. Section 12-801 of the 2024 supplement to the general statutes
3111 is repealed and the following is substituted in lieu thereof (*Effective from*
3112 *passage*):

3113 As used in section 12-563a and sections 12-800 to 12-818, inclusive,
3114 the following terms have the following meanings unless the context
3115 clearly indicates another meaning:

3116 (1) "Board" or "board of directors" means the board of directors of the
3117 corporation;

3118 (2) "Corporation" means the Connecticut Lottery Corporation as
3119 created under section 12-802;

3120 (3) "Department" means the Department of Consumer Protection;

3121 (4) "Division" means the former Division of Special Revenue in the
3122 Department of Revenue Services;

3123 (5) "Fantasy contest" has the same meaning as provided in section 12-
3124 850, as amended by this act;

3125 (6) "Gaming laboratory" means a business entity that (A) specializes

3126 in the testing of technology systems for gaming operators licensed in the
3127 United States, (B) is licensed by the department as an affiliate pursuant
3128 to section 12-815a, as amended by this act, and (C) is not owned or
3129 controlled by the corporation;

3130 (7) "Keno" means a lottery game in which a subset of numbers are
3131 drawn from a larger field of numbers by a central computer system
3132 using an approved random number generator, wheel system device or
3133 other drawing device;

3134 ~~[(6)]~~ (8) "Lottery" means (A) the Connecticut state lottery conducted
3135 prior to the transfer authorized under section 12-808 by the Division of
3136 Special Revenue, (B) after such transfer, the Connecticut state lottery
3137 conducted by the corporation pursuant to sections 12-563a and 12-800
3138 to 12-818, inclusive, and section 12-853, (C) the state lottery referred to
3139 in subsection (a) of section 53-278g, and (D) keno conducted by the
3140 corporation pursuant to section 12-806c, or sections 12-851 and 12-853;

3141 [(7) "Keno" means a lottery game in which a subset of numbers are
3142 drawn from a larger field of numbers by a central computer system
3143 using an approved random number generator, wheel system device or
3144 other drawing device;]

3145 [(8)] (9) "Lottery and gaming fund" means a fund or funds established
3146 by, and under the management and control of, the corporation, into
3147 which all lottery, sports wagering and fantasy contest revenues of the
3148 corporation are deposited from which all payments and expenses of the
3149 corporation are paid and from which transfers to the General Fund or
3150 the Connecticut Teachers' Retirement Fund Bonds Special Capital
3151 Reserve Fund, established in section 10-183vv, are made pursuant to
3152 section 12-812;

3153 (10) "Lottery draw game" has the same meaning as provided in
3154 section 12-850, as amended by this act;

3155 (11) "Lottery gaming system" means the complete integrated set of
3156 hardware and software elements that communicates, records, reports,

3157 captures and accounts for gaming data, including, but not limited to,
3158 issuing, canceling and validating wagers, determining winners and
3159 other functions necessary for the technological operation of the lottery;

3160 (12) "Lottery sales agent" has the same meaning as provided in
3161 section 12-850, as amended by this act;

3162 ~~[(9)]~~ (13) "Online lottery ticket sales" means the sale of lottery tickets
3163 for lottery draw games through the corporation's Internet web site, an
3164 online service or a mobile application, pursuant to a license issued to the
3165 corporation under section 12-853;

3166 ~~[(10)]~~ (14) "Online sports wagering" has the same meaning as
3167 provided in section 12-850, as amended by this act;

3168 ~~[(11)]~~ (15) "Operating revenue" means total revenue received from
3169 lottery sales and sports wagering less all cancelled sales and amounts
3170 paid as prizes but before payment or provision for payment of any other
3171 expenses;

3172 (16) "Person in charge" means the person designated by a lottery sales
3173 agent licensee, or the applicant for such a license, who is responsible for
3174 managing such agent's compliance with the provisions of chapters 226
3175 and 229a;

3176 ~~[(12)]~~ (17) "Retail sports wagering" has the same meaning as provided
3177 in section 12-850, as amended by this act; and

3178 ~~[(13)]~~ (18) "Skin" has the same meaning as provided in section 12-850,
3179 as amended by this act.

3180 Sec. 76. Section 12-806a of the general statutes is repealed and the
3181 following is substituted in lieu thereof (*Effective from passage*):

3182 (a) As used in this section, "procedure" has the same meaning as
3183 ["procedure", as defined in subdivision (2) of] provided in section 1-120.

3184 (b) The Department of Consumer Protection shall, for the purposes

3185 of section 12-568a, subsection (c) of section 12-574, sections 12-802a, 12-
3186 815a, as amended by this act, 12-853, 12-854, 12-863 to 12-865, inclusive,
3187 as amended by this act, 12-867 and 12-868 and this section, regulate the
3188 activities of the Connecticut Lottery Corporation to assure the integrity
3189 of the state lottery, retail sports wagering, online sports wagering and
3190 fantasy contests. In addition to the requirements of the provisions of
3191 chapter 12 and notwithstanding the provisions of section 12-806, the
3192 Connecticut Lottery Corporation shall, prior to implementing any
3193 procedure designed to assure the integrity of the state lottery, retail
3194 sports wagering, online sports wagering and fantasy contests, obtain the
3195 written approval of the Commissioner of Consumer Protection in
3196 accordance with regulations adopted under section 12-568a.

3197 (c) (1) Each lottery gaming system shall be tested and certified, in a
3198 manner and with a frequency deemed necessary by the department to
3199 preserve gaming integrity, by a gaming laboratory. If the department
3200 suspects that the integrity of the lottery gaming system may be
3201 vulnerable or compromised, the department may require that the lottery
3202 gaming system be recertified by a gaming laboratory and the new
3203 certification submitted to the department.

3204 (2) Each lottery draw game or keno shall be tested and certified, in a
3205 manner and with a frequency deemed necessary by the department to
3206 preserve gaming integrity, by a gaming laboratory prior to the
3207 corporation offering such lottery draw game or keno, provided a lottery
3208 draw game shall not require such testing and certification if such game
3209 (A) is sold in at least twenty states within the United States, and (B) has
3210 been tested by a nationally recognized gaming testing laboratory that is
3211 licensed in at least twenty states to perform system and game analysis.

3212 (3) The department may develop technical standards against which
3213 gaming laboratories shall test lottery draw games and keno for
3214 compliance. If the department develops such standards, the
3215 department:

3216 (A) Shall post such standards on the department's Internet web site;

3217 (B) Shall review such standards not less than annually to ensure such
3218 standards preserve the integrity of gaming;

3219 (C) May modify or update such standards to respond to a legal
3220 interpretation, to include additional standards or amend existing
3221 standards as the commissioner deems necessary in order to preserve the
3222 integrity of gaming or protect consumers from financial harm, to adjust
3223 to changes in technology, relevant standards or platform design, or for
3224 any other reason in order to preserve the integrity of gaming;

3225 (D) Shall post any updates to such standards on the department's
3226 Internet web site, and such updates shall be effective thirty days after
3227 such posting unless the commissioner establishes a later effective date;
3228 and

3229 (E) Shall notify the corporation in writing of any update to such
3230 standards prior to implementation of such update.

3231 (4) A gaming laboratory engaged in testing and certifying a lottery
3232 draw game or keno shall file a report with the department, which shall
3233 include (A) the extent to which the lottery draw game or keno meets any
3234 technical standards adopted by the commissioner, (B) whether the
3235 lottery draw game or keno complies with the requirements of this
3236 chapter and any regulations adopted pursuant to the provisions of this
3237 chapter, and (C) any additional information needed by the department
3238 to certify the lottery game or keno.

3239 (5) The department shall review the lottery draw game or keno that
3240 is being tested for proper functioning, and consider the test results and
3241 certification submitted by the gaming laboratory. After completing the
3242 evaluation of a lottery draw game or keno, the department may approve
3243 the lottery draw game or keno for use in the state. The department may
3244 suspend or revoke approval of a lottery draw game or keno without
3245 notice if the department has good cause to believe that the continued
3246 operation of such game or keno poses a threat to the security and
3247 integrity of gaming in the state.

3248 Sec. 77. Subsection (a) of section 12-810 of the general statutes is
3249 repealed and the following is substituted in lieu thereof (*Effective from*
3250 *passage*):

3251 (a) The Freedom of Information Act, as defined in section 1-200, shall
3252 apply to all actions, meetings and records of the corporation, except (1)
3253 where otherwise limited by subsection (c) of this section as to new
3254 lottery games and serial numbers of unclaimed lottery tickets, (2) with
3255 respect to financial, credit and proprietary information submitted by
3256 any person to the corporation in connection with any proposal to
3257 provide goods, services or professional advice to the corporation as
3258 provided in section 12-815, (3) with respect to any personally
3259 identifying, financial, credit or wagering information associated with
3260 any person's account for Internet games, as defined in section 12-850, as
3261 amended by this act, and (4) where otherwise limited by subsection [(f)]
3262 (g) of section 12-863, as amended by this act.

3263 Sec. 78. Section 12-815a of the general statutes is repealed and the
3264 following is substituted in lieu thereof (*Effective from passage*):

3265 (a) The Commissioner of Consumer Protection shall issue vendor,
3266 affiliate, lottery sales agent and occupational licenses in a form and
3267 manner prescribed by the commissioner and in accordance with the
3268 provisions of this section.

3269 (b) No person or business organization awarded a primary contract
3270 by the Connecticut Lottery Corporation to provide facilities,
3271 components, goods or services that are necessary for and directly related
3272 to the secure operation of the activities of said corporation shall do so
3273 unless such person or business organization is issued a vendor license
3274 by the Commissioner of Consumer Protection. For the purposes of this
3275 subsection, "primary contract" means a contract to provide facilities,
3276 components, goods or services to said corporation by a person or
3277 business organization (1) that provides any lottery game or any online
3278 wagering system related facilities, components, goods or services and
3279 that receives or, in the exercise of reasonable business judgment, can be

3280 expected to receive more than seventy-five thousand dollars or twenty-
3281 five per cent of its gross annual sales from said corporation, or (2) that
3282 has access to the facilities of said corporation and provides services in
3283 such facilities without supervision by said corporation. Each applicant
3284 for a vendor license shall pay a nonrefundable application fee of two
3285 hundred fifty dollars.

3286 (c) No person or business organization, other than a shareholder in a
3287 publicly traded corporation, may be a contractor or a subcontractor for
3288 the provision of facilities, components, goods or services that are
3289 necessary for and directly related to the secure operation of the activities
3290 of the Connecticut Lottery Corporation, or may exercise control in or
3291 over a vendor licensee unless such person or business organization is
3292 licensed as an affiliate licensee by the commissioner. Each applicant for
3293 an affiliate license shall pay a nonrefundable application fee of two
3294 hundred fifty dollars.

3295 (d) (1) Each employee of a vendor or affiliate licensee who has access
3296 to the facilities of the Connecticut Lottery Corporation and provides
3297 services in such facilities without supervision by said corporation or
3298 performs duties directly related to the activities of said corporation shall
3299 obtain an occupational license.

3300 (2) Each officer, director, partner, trustee or owner of a business
3301 organization licensed as a vendor or affiliate licensee and any
3302 shareholder, executive, agent or other person connected with any
3303 vendor or affiliate licensee who, in the judgment of the commissioner,
3304 will exercise control in or over any such licensee shall obtain an
3305 occupational license.

3306 (3) Each employee of the Connecticut Lottery Corporation shall
3307 obtain an occupational license.

3308 (e) The commissioner shall issue occupational licenses in the
3309 following classes: (1) Class I for persons specified in subdivision (1) of
3310 subsection (d) of this section; (2) Class II for persons specified in
3311 subdivision (2) of subsection (d) of this section; (3) Class III for persons

3312 specified in subdivision (3) of subsection (d) of this section who, in the
3313 judgment of the commissioner, will not exercise authority over or direct
3314 the management and policies of the Connecticut Lottery Corporation;
3315 and (4) Class IV for persons specified in subdivision (3) of subsection (d)
3316 of this section who, in the judgment of the commissioner, will exercise
3317 authority over or direct the management and policies of the Connecticut
3318 Lottery Corporation. Each applicant for a Class I or III occupational
3319 license shall pay a nonrefundable application fee of twenty dollars. Each
3320 applicant for a Class II or IV occupational license shall pay a
3321 nonrefundable application fee of one hundred dollars. The
3322 nonrefundable application fee shall accompany the application for each
3323 such occupational license.

3324 (f) No person or business organization may be a lottery sales agent
3325 unless such person or organization is licensed as a lottery sales agent by
3326 the commissioner.

3327 ~~[(f)]~~ (g) In determining whether to grant a vendor, affiliate, lottery
3328 sales agent or occupational license to any such person or business
3329 organization, the commissioner may require an applicant to provide
3330 information as to such ~~[applicant's]~~ applicant and person in charge
3331 related to: (1) Financial standing and credit; (2) moral character; (3)
3332 criminal record, if any; (4) previous employment; (5) corporate,
3333 partnership or association affiliations; (6) ownership of personal assets;
3334 and (7) such other information as the commissioner deems pertinent to
3335 the issuance of such license, provided the submission of such other
3336 information will assure the integrity of the state lottery. The
3337 commissioner shall require each applicant for a vendor, affiliate, lottery
3338 sales agent or occupational license, provided if an applicant for a lottery
3339 sales agent is a business organization the commissioner shall require
3340 such entity's person in charge to submit to state and national criminal
3341 history records checks and may require each such applicant, or person
3342 in charge, to submit to an international criminal history records check
3343 before such license is issued. The state and national criminal history
3344 records checks required pursuant to this subsection shall be conducted
3345 in accordance with section 29-17a. The commissioner shall issue a

3346 vendor, affiliate, lottery sales agent or occupational license, as the case
3347 may be, to each applicant who satisfies the requirements of this
3348 subsection and who is deemed qualified by the commissioner. The
3349 commissioner may reject for good cause an application for a vendor,
3350 affiliate, lottery sales agent or occupational license.

3351 [(g)] (h) Each vendor, affiliate or Class I or II occupational license shall
3352 be effective for not more than one year from the date of issuance. Each
3353 Class III or IV occupational license shall remain in effect throughout the
3354 term of employment of any such employee holding such a license. The
3355 commissioner may require each employee issued a Class IV
3356 occupational license to submit information as to such employee's
3357 financial standing and credit annually. Initial application for and
3358 renewal of any such license shall be in such form and manner as the
3359 commissioner shall prescribe.

3360 (i) (1) Upon petition of the corporation, a vendor licensee or an
3361 affiliate licensee, the department may authorize an applicant for an
3362 occupational license to provisionally perform the work permitted under
3363 the license applied for, if: (A) The applicant has filed a completed
3364 occupational license application in the form and manner required by the
3365 commissioner, and (B) the corporation, vendor licensee or affiliate
3366 licensee attests that the provisional authorization is necessary to
3367 continue the efficient operation of the lottery, and is based on
3368 circumstances that are extraordinary and not designed to circumvent
3369 the otherwise applicable licensing procedures.

3370 (2) The department may issue a provisional authorization to an
3371 applicant for an occupational license in advance of issuance or denial of
3372 such license for a period not to exceed six months. Provisional
3373 authorization shall permit such applicant to perform the functions and
3374 require the applicant to comply with the requirements of the
3375 occupational license applied for as set forth in the provisions of this
3376 chapter and regulations adopted pursuant to this chapter. Provisional
3377 authorization shall not constitute approval for an occupational license.
3378 During the period of time that any provisional authorization is in effect,

3379 the applicant granted such authorization shall be subject to and comply
3380 with all applicable statutes and regulations. Any provisional
3381 authorization issued by the department shall expire immediately upon
3382 the earlier of: (A) The date of issuance of written notice from the
3383 department that the occupational license has been approved or denied,
3384 or (B) six months after the date the provisional authorization was issued.

3385 (3) An individual whose occupational license application is denied
3386 after a period of provisional authorization shall not reapply for an
3387 occupational license for a period of one year from the date of the denial.

3388 (4) An individual whose provisional authorization expires pursuant
3389 to subparagraph (B) of subdivision (2) of this subsection may apply for
3390 an additional provisional authorization. The department may issue such
3391 additional provisional authorization upon a determination that the
3392 conditions of subparagraph (B) of subdivision (1) of this subsection
3393 exist.

3394 (j) When an incident occurs, or is reasonably suspected to have
3395 occurred, that causes a disruption in the operation, security, accuracy,
3396 integrity or availability of the lottery gaming system, the vendor
3397 licensed to provide such lottery gaming system shall, immediately upon
3398 discovery of such incident, but not later than twenty-four hours after
3399 discovery of such incident, provide the department with a written
3400 incident report including the details of the incident and the vendor's
3401 proposed corrections. Not later than five business days after notifying
3402 the department of an incident, the vendor licensee shall provide the
3403 department with a written incident report that (1) details the incident,
3404 including the root cause of the incident, and (2) outlines the vendor's
3405 plan to make corrections, mitigate the effects of the incident and prevent
3406 incidents of a similar nature from occurring in the future. If the vendor
3407 licensee is unable to determine the root cause and correct the incident
3408 within the initial five business days, the licensee shall continue to
3409 update the department every five business days with written incident
3410 reports until the root cause is determined and the incident is corrected.
3411 The department may require the vendor licensee to submit the lottery

3412 gaming system to a gaming laboratory for recertification.

3413 [(h)] (k) (1) The commissioner may suspend or revoke for good cause
3414 a vendor, affiliate, lottery sales agent or occupational license after a
3415 hearing held before the commissioner in accordance with chapter 54.
3416 The commissioner may order summary suspension of any such license
3417 in accordance with subsection (c) of section 4-182.

3418 (2) Any such applicant aggrieved by the action of the commissioner
3419 concerning an application for a license, or any person or business
3420 organization whose license is suspended or revoked, may appeal
3421 pursuant to section 4-183.

3422 (3) The commissioner may impose a civil penalty on any licensee for
3423 a violation of any provision of this chapter or any regulation adopted
3424 under section 12-568a in an amount not to exceed two thousand five
3425 hundred dollars after a hearing held in accordance with chapter 54.

3426 [(i)] (l) The commissioner may require that the books and records of
3427 any vendor or affiliate licensee be maintained in any manner which the
3428 commissioner may deem best, and that any financial or other statements
3429 based on such books and records be prepared in accordance with
3430 generally accepted accounting principles in such form as the
3431 commissioner shall prescribe. The commissioner or a designee may
3432 visit, investigate and place expert accountants and such other persons
3433 as deemed necessary in the offices or places of business of any such
3434 licensee for the purpose of satisfying himself or herself that such licensee
3435 is in compliance with the regulations of the department.

3436 [(j)] (m) For the purposes of this section, (1) "business organization"
3437 means a partnership, incorporated or unincorporated association, firm,
3438 corporation, limited liability company, trust or other form of business
3439 or legal entity; (2) "control" means the power to exercise authority over
3440 or direct the management and policies of a licensee; and (3) "person"
3441 means any individual.

3442 [(k)] (n) The Commissioner of Consumer Protection may adopt such

3443 regulations, in accordance with chapter 54, as are necessary to
3444 implement the provisions of this section.

3445 Sec. 79. Section 12-850 of the 2024 supplement to the general statutes
3446 is repealed and the following is substituted in lieu thereof (*Effective from*
3447 *passage*):

3448 For the purposes of this section, ~~and~~ [and] sections 12-851 to 12-871,
3449 inclusive, ~~and sections 82 and 83 of this act~~:

3450 (1) "Business entity" means any partnership, limited liability
3451 company, society, association, joint stock company, corporation, estate,
3452 receiver, trustee, assignee, referee or any other legal entity and any other
3453 person acting in a fiduciary or representative capacity, whether
3454 appointed by a court or otherwise, and any combination thereof;

3455 (2) "Commissioner" means the Commissioner of Consumer
3456 Protection or the commissioner's designee;

3457 (3) "Connecticut intercollegiate team" means any team associated
3458 with an intercollegiate program of a university or college of the state
3459 system of public higher education, as described in section 10a-1, an
3460 independent institution of higher education, as defined in section 10a-
3461 173, or a for-profit college or university physically located in the state
3462 that offers in-person classes within the state;

3463 (4) "Consumables" means nondurable items, including, but not
3464 limited to, dice, playing cards and roulette balls used in live online
3465 casino gaming;

3466 (5) "Department" means the Department of Consumer Protection;

3467 (6) "Electronic wagering platform" means the combination of
3468 hardware, software and data networks used to manage, administer,
3469 offer or control Internet games or retail sports wagering at a facility in
3470 this state;

3471 (7) "E-bingo machine" means an electronic device categorized as a

3472 class II machine under the federal Indian Gaming Regulatory Act, P.L.
3473 100-497, 25 USC 2701 et seq. used to play bingo that is confined to a
3474 game cabinet and is substantially similar in appearance and play to a
3475 class III slot machine. "E-bingo machine" does not include any other
3476 electronic device, aid, instrument, tool or other technological aid used
3477 in the play of any in-person class II bingo game;

3478 (8) "Entry fee" means the amount of cash or cash equivalent that is
3479 required to be paid by an individual to a master wagering licensee in
3480 order for such individual to participate in a fantasy contest;

3481 (9) "E-sports" means electronic sports and competitive video games
3482 played as a game of skill;

3483 (10) "Fantasy contest" means any fantasy or simulated game or
3484 contest with an entry fee, conducted over the Internet, including
3485 through an Internet web site or a mobile device, in which: (A) The value
3486 of all prizes and awards offered to a winning fantasy contest player is
3487 established and made known to the players in advance of the game or
3488 contest; (B) all winning outcomes reflect the knowledge and skill of the
3489 players and are determined predominantly by accumulated statistical
3490 results of the performance of participants in events; and (C) no winning
3491 outcome is based on the score, point spread or any performance of any
3492 single team or combination of teams or solely on any single performance
3493 of a contestant or player in any single event. "Fantasy contest" does not
3494 include lottery games;

3495 (11) "Gaming entity licensee" means a master wagering licensee, a
3496 licensed online gaming operator, a licensed online gaming service
3497 provider or a licensed sports wagering retailer;

3498 [(11)] (12) "Handling consumables" means physical contact with, or
3499 supervisory oversight over the acceptance, inventory, storage or
3500 destruction of, consumables, as well as being responsible for card
3501 inspection, counting and shuffling;

3502 [(12)] (13) "Internet games" means (A) online casino gaming; (B)

3503 online sports wagering; (C) fantasy contests; (D) keno through the
3504 Internet, an online service or a mobile application; and (E) the sale of
3505 tickets for lottery draw games through the Internet, an online service or
3506 a mobile application;

3507 [(13)] (14) "Keno" has the same meaning as provided in section 12-
3508 801, as amended by this act;

3509 [(14)] (15) "Key employee" means an individual with the following
3510 position or an equivalent title associated with a master wagering
3511 licensee or a licensed online gaming service provider, online gaming
3512 operator or sports wagering retailer: (A) President or chief officer, who
3513 is the top ranking individual of the licensee and is responsible for all
3514 staff and the overall direction of business operations; (B) financial
3515 manager, who is the individual who reports to the president or chief
3516 officer who is generally responsible for oversight of the financial
3517 operations of the licensee, including, but not limited to, revenue
3518 generation, distributions, tax compliance and budget implementation;
3519 (C) compliance manager, who is the individual that reports to the
3520 president or chief officer and who is generally responsible for ensuring
3521 the licensee complies with all laws, regulations and requirements
3522 related to the operation of the licensee; (D) chief information officer,
3523 who is the individual generally responsible for establishing policies or
3524 procedures on, or making management decisions related to,
3525 information systems; or (E) chief data security officer, who is the
3526 individual generally responsible for establishing policies or procedures
3527 on, or making management decisions related to, technical systems. "Key
3528 employee" includes an individual (i) who is responsible for establishing
3529 the policies or procedures on, or making management decisions related
3530 to, wagering structures or outcomes for a licensee; or (ii) who has an
3531 ownership interest [, provided the interest held by such individual and
3532 such individual's spouse, parent and child, in the aggregate,] that is five
3533 per cent or more of the total ownership or interest rights in the licensee.
3534 Tribal membership in and of itself shall not constitute ownership for
3535 purposes of this subdivision;

3536 [(15)] (16) "Live game employee" means an employee of a master
3537 wagering licensee or a licensed online gaming operator or online
3538 gaming service provider that is operating live online casino gaming who
3539 is (A) responsible for handling consumables in a live online casino
3540 authorized under this chapter, (B) responsible for presenting live online
3541 casino gaming in a live online casino authorized under this chapter, or
3542 (C) a direct manager of an individual who is a live game employee
3543 under subparagraph (A) or (B) of this subdivision;

3544 [(16)] (17) "Lottery draw game" means any game in which one or
3545 more numbers, letters or symbols are randomly drawn at
3546 predetermined times, but not more frequently than once every four
3547 minutes, from a range of numbers, letters or symbols, and prizes are
3548 paid to players possessing winning plays, as set forth in each game's
3549 official game rules. "Lottery draw game" does not include keno, any
3550 game for which lottery draw tickets are not available through a lottery
3551 sales agent or any game that simulates online casino gaming;

3552 (18) "Lottery sales agent" means a person that contracts with the
3553 Connecticut Lottery Corporation to sell lottery tickets or offer keno at a
3554 retail facility in the state and not over the Internet, and is licensed in
3555 accordance with chapters 226 and 229a;

3556 [(17)] (19) "Mashantucket Pequot memorandum of understanding"
3557 means the memorandum of understanding entered into by and between
3558 the state and the Mashantucket Pequot Tribe on January 13, 1993, as
3559 amended from time to time;

3560 [(18)] (20) "Mashantucket Pequot procedures" means the Final
3561 Mashantucket Pequot Gaming Procedures prescribed by the Secretary
3562 of the United States Department of the Interior pursuant to 25 USC
3563 2710(d)(7)(B)(vii) and published in 56 Federal Register 24996 (May 31,
3564 1991), as amended from time to time;

3565 [(19)] (21) "Master wagering licensee" means (A) the Mashantucket
3566 Pequot Tribe, or an instrumentality of or an affiliate wholly-owned by
3567 said tribe, if licensed to operate online sports wagering, online casino

3568 gaming and fantasy contests pursuant to section 12-852; (B) the
3569 Mohegan Tribe of Indians of Connecticut, or an instrumentality of or an
3570 affiliate wholly-owned by said tribe, if licensed to operate online sports
3571 wagering, online casino gaming and fantasy contests pursuant to
3572 section 12-852; or (C) the Connecticut Lottery Corporation, if licensed
3573 pursuant to section 12-853 to operate retail sports wagering, online
3574 sports wagering, fantasy contests and keno and to sell tickets for lottery
3575 draw games through the Internet, an online service or a mobile
3576 application;

3577 [(20)] (22) "Mohegan compact" means the Tribal-State Compact
3578 entered into by and between the state and the Mohegan Tribe of Indians
3579 of Connecticut on May 17, 1994, as amended from time to time;

3580 [(21)] (23) "Mohegan memorandum of understanding" means the
3581 memorandum of understanding entered into by and between the state
3582 and the Mohegan Tribe of Indians of Connecticut on May 17, 1994, as
3583 amended from time to time;

3584 [(22)] (24) "Occupational employee" means an employee of a master
3585 wagering licensee or a licensed online gaming operator, online gaming
3586 service provider or sports wagering retailer;

3587 [(23)] (25) "Off-track betting system licensee" means the person or
3588 business organization licensed to operate the off-track betting system
3589 pursuant to chapter 226;

3590 [(24)] (26) "Online casino gaming" means (A) slots, blackjack, craps,
3591 roulette, baccarat, poker and video poker, bingo, live dealer and other
3592 peer-to-peer games and any variations of such games, and (B) any
3593 games authorized by the department, conducted over the Internet,
3594 including through an Internet web site or a mobile device, through an
3595 electronic wagering platform that does not require a bettor to be
3596 physically present at a facility;

3597 [(25)] (27) "Online gaming operator" means a person or business
3598 entity that operates an electronic wagering platform and contracts

3599 directly with a master wagering licensee to offer (A) one or more
3600 Internet games on behalf of such licensee, or (B) retail sports wagering
3601 on behalf of such licensee at a facility in this state;

3602 [(26)] (28) "Online gaming service provider" means a person or
3603 business entity, other than an online gaming operator, that provides
3604 goods or services to, or otherwise transacts business related to Internet
3605 games or retail sports wagering with, a master wagering licensee or a
3606 licensed online gaming operator, online gaming service provider or
3607 sports wagering retailer;

3608 [(27)] (29) "Online sports wagering" means sports wagering
3609 conducted over the Internet, including through an Internet web site or
3610 a mobile device, through an electronic wagering platform that does not
3611 require a sports bettor to be physically present at a facility that conducts
3612 retail sports wagering;

3613 [(28)] (30) "Retail sports wagering" means in-person sports wagering
3614 requiring a sports bettor to be physically present at one of the up to
3615 fifteen facility locations of the Connecticut Lottery Corporation or a
3616 licensed sports wagering retailer in this state;

3617 [(29)] (31) "Skin" means the branded or cobranded name and logo on
3618 the interface of an Internet web site or a mobile application that bettors
3619 use to access an electronic wagering platform for Internet games;

3620 [(30)] (32) "Sporting event" means any (A) sporting or athletic event
3621 at which two or more persons participate, individually or on a team, and
3622 may be eligible to receive compensation in excess of actual expenses for
3623 such participation in such sporting or athletic event; (B) sporting or
3624 athletic event sponsored by an intercollegiate athletic program of an
3625 institution of higher education or an association of such programs,
3626 except for those in which one of the participants is a Connecticut
3627 intercollegiate team and the event is not in connection with a permitted
3628 intercollegiate tournament; (C) Olympic or international sports
3629 competition event; or (D) e-sports event, except for those in which one
3630 of the participants is a Connecticut intercollegiate team and the event is

3631 not in connection with a permitted intercollegiate tournament. As used
3632 in this subdivision, "permitted intercollegiate tournament" means an
3633 intercollegiate e-sports, sporting or athletic event involving four or more
3634 intercollegiate teams that involves one or more Connecticut
3635 intercollegiate teams and the wager on the tournament is based on the
3636 outcome of all games within the tournament. "Sporting event" does not
3637 include horse racing, jai alai or greyhound racing;

3638 [(31)] (33) "Sports governing body" means the organization that
3639 prescribes final rules and enforces codes of conduct with respect to a
3640 sporting event and participants in the sporting event;

3641 [(32)] (34) "Sports wagering" means risking or accepting any money,
3642 credit, deposit or other thing of value for gain contingent in whole or in
3643 part, (A) by any system or method of wagering, including, but not
3644 limited to, in person or through an electronic wagering platform, and
3645 (B) based on (i) a live sporting event or a portion or portions of a live
3646 sporting event, including future or propositional events during such an
3647 event, or (ii) the individual performance statistics of an athlete or
3648 athletes in a sporting event or a combination of sporting events. "Sports
3649 wagering" does not include the payment of an entry fee to play a fantasy
3650 contest or a fee to participate in e-sports; and

3651 [(33)] (35) "Sports wagering retailer" means a person or business
3652 entity that contracts with the Connecticut Lottery Corporation to
3653 facilitate retail sports wagering operated by said corporation through an
3654 electronic wagering platform at up to fifteen facilities in this state.

3655 Sec. 80. Subsection (c) of section 12-859 of the 2024 supplement to the
3656 general statutes is repealed and the following is substituted in lieu
3657 thereof (*Effective from passage*):

3658 (c) [(1)] A key employee shall apply for a license on a form and in a
3659 manner prescribed by the commissioner. Such form shall require the
3660 applicant to: [(A)] (1) Submit to a fingerprint-based state and national
3661 criminal history records check conducted in accordance with section 29-
3662 17a, which may include a financial history check if requested by the

3663 commissioner, to determine the character and fitness of the applicant for
3664 the license, [(B)] (2) provide information related to other business
3665 affiliations, and [(C)] (3) provide or allow the department to obtain such
3666 other information as the department determines is consistent with the
3667 requirements of this section in order to determine the fitness of the
3668 applicant to hold a license.

3669 [(2) In place of the criminal history records check described in
3670 subparagraph (A) of subdivision (1) of this subsection, the
3671 commissioner may accept from an applicant for an initial key employee
3672 license the submission of a third-party local and national criminal
3673 background check that includes a multistate and multijurisdictional
3674 criminal record locator or other similar commercial nation-wide
3675 database with validation, and other such background screening as the
3676 commissioner may require. Any such third-party criminal background
3677 check shall be conducted by a third-party consumer reporting agency or
3678 background screening company that is in compliance with the federal
3679 Fair Credit Reporting Act and accredited by the Professional
3680 Background Screening Association.]

3681 Sec. 81. Subsection (b) of section 12-859a of the 2024 supplement to
3682 the general statutes is repealed and the following is substituted in lieu
3683 thereof (*Effective from passage*):

3684 (b) [(1)] A live game employee shall apply for a live game employee
3685 license on a form and in a manner prescribed by the commissioner. Such
3686 form shall require the applicant to: [(A)] (1) Submit to a fingerprint-
3687 based state and national criminal history records check conducted in
3688 accordance with section 29-17a, which may include a financial history
3689 check if requested by the commissioner, to determine the character and
3690 fitness of the applicant for the license, [(B)] (2) provide information
3691 related to other business affiliations, and [(C)] (3) provide, or allow the
3692 department to obtain, such other information as the department
3693 determines is consistent with the requirements of this section in order
3694 to determine the fitness of the applicant to hold a license.

3695 [(2) In place of the criminal history records check described in
3696 subparagraph (A) of subdivision (1) of this subsection, the
3697 commissioner may accept from a live game employee applicant the
3698 submission of a third-party local and national criminal background
3699 check that includes a multistate and multijurisdictional criminal record
3700 locator or other similar commercial nation-wide database with
3701 validation, and other such background screening as the commissioner
3702 may require. Any such third-party criminal background check shall be
3703 conducted by a third-party consumer reporting agency or background
3704 screening company that is in compliance with the federal Fair Credit
3705 Reporting Act and accredited by the Professional Background Screening
3706 Association.]

3707 Sec. 82. (NEW) (*Effective from passage*) In place of the criminal history
3708 records check required of an applicant for a key employee license under
3709 subsection (c) of section 12-859 of the general statutes, as amended by
3710 this act, an applicant for a live game employee license under subsection
3711 (b) of section 12-859a of the general statutes, as amended by this act, an
3712 applicant for a lottery sales agent license, or person in charge of such
3713 agent, under subsection (g) of section 12-815a, as amended by this act,
3714 the commissioner may accept from such applicant the submission of a
3715 third-party local and national criminal background check that includes
3716 a multistate and multijurisdictional criminal record locator or other
3717 similar commercial nation-wide database with validation, and other
3718 such background screening as the commissioner may require. Any such
3719 third-party criminal background check shall be conducted by a third-
3720 party consumer reporting agency or background screening company
3721 that is in compliance with the federal Fair Credit Reporting Act and
3722 accredited by the Professional Background Screening Association.

3723 Sec. 83. (NEW) (*Effective from passage*) (a) Upon petition of the holder
3724 of a master wagering, online gaming operator, online gaming service
3725 provider or sports wagering retailer licensee, the commissioner may
3726 authorize an applicant for a key employee license under section 12-859
3727 of the general statutes, as amended by this act, or a live game employee
3728 license under subsection (b) of section 12-859a of the general statutes, as

3729 amended by this act, to provisionally perform the work permitted under
3730 the license applied for, if:

3731 (1) The applicant has filed a completed key employee or live game
3732 employee license application, as applicable, in the form and manner
3733 required by the department, and

3734 (2) The master wagering, online gaming operator, online gaming
3735 service provider or sports wagering retailer licensee attests that the
3736 provisional authorization is necessary to continue the efficient operation
3737 of Internet games or retail sports wagering, and is based on
3738 circumstances that are extraordinary and not designed to circumvent
3739 the otherwise applicable licensing procedures.

3740 (b) The department may issue a provisional authorization to an
3741 applicant for a key employee or live game employee license in advance
3742 of issuance or denial of such key employee or live game employee
3743 license, as applicable, for a period not to exceed six months. Provisional
3744 authorization shall permit such applicant to perform the functions and
3745 require the applicant to comply with the requirements of the license
3746 applied for as set forth in the provisions of this chapter and regulations
3747 adopted pursuant to this chapter. Provisional authorization shall not
3748 constitute approval for a key employee or live game employee license.
3749 During the period of time that any provisional authorization is in effect,
3750 the applicant granted such authorization shall be subject to and comply
3751 with all applicable statutes and regulations. Any provisional
3752 authorization issued by the department shall expire immediately upon
3753 the earlier of: (1) The date of issuance of written notice from the
3754 commissioner that the key employee or live game employee license, as
3755 applicable, has been approved or denied, or (2) six months after the date
3756 the provisional authorization was issued.

3757 (c) An individual whose key employee or live game employee license
3758 application is denied after a period of provisional authorization shall
3759 not reapply for such a license for a period of one year from the date of
3760 the denial.

3761 (d) An individual whose provisional authorization expires pursuant
3762 to subdivision (2) of subsection (b) of this section may apply for an
3763 additional provisional authorization. The commissioner may issue such
3764 additional provisional authorization upon a determination that the
3765 conditions of subdivision (2) of subsection (a) of this section exist.

3766 Sec. 84. Section 12-863 of the general statutes is repealed and the
3767 following is substituted in lieu thereof (*Effective from passage*):

3768 (a) (1) An individual may only place a sports wager through retail
3769 sports wagering or online sports wagering outside of the reservations of
3770 the Mashantucket Pequot Tribe and the Mohegan Tribe of Indians of
3771 Connecticut or place a wager through online casino gaming conducted
3772 outside of such reservations, if the wagering is authorized pursuant to
3773 sections 12-852 to 12-854, inclusive, and the individual (A) has attained
3774 the age of twenty-one, and (B) is physically present in the state when
3775 placing the wager, and, in the case of retail sports wagering, is
3776 physically present at a retail sports wagering facility in this state.

3777 (2) An individual may only participate in a fantasy contest outside of
3778 the reservations of the Mashantucket Pequot Tribe and the Mohegan
3779 Tribe of Indians of Connecticut if the contest is authorized pursuant to
3780 section 12-852 or 12-853, and the individual has attained the age of
3781 eighteen.

3782 (b) Any electronic wagering platform used to (1) conduct online
3783 sports wagering or online casino gaming, (2) conduct keno through the
3784 Internet web site, an online service or a mobile application of the
3785 Connecticut Lottery Corporation, (3) conduct retail sports wagering, (4)
3786 sell lottery draw game tickets through the Internet web site, online
3787 service or mobile application of the Connecticut Lottery Corporation, or
3788 (5) conduct fantasy contests, shall be developed to:

3789 (A) Verify that an individual (i) with an account for online sports
3790 wagering, online casino gaming or retail sports wagering is twenty-one
3791 years of age or older and is physically present in the state when placing
3792 a wager or, in the case of retail sports wagering, is physically present at

3793 a retail sports wagering facility, (ii) with an account to participate in
3794 keno or to purchase lottery draw game tickets is eighteen years of age
3795 or older and is physically present in the state when participating or
3796 purchasing such tickets, or (iii) with an account for fantasy contests is
3797 eighteen years of age or older;

3798 (B) Provide a mechanism to prevent the unauthorized use of a
3799 wagering account; and

3800 (C) Maintain the security of wagering, participation or purchasing
3801 data and other confidential information.

3802 (c) A master wagering licensee and a licensed online gaming
3803 operator, online gaming service provider and sports wagering retailer
3804 shall each, where applicable based on the services provided:

3805 (1) Prohibit an individual from establishing more than one account
3806 on each electronic wagering platform operated by the licensee;

3807 (2) Limit a person to the use of only one debit card or only one credit
3808 card for an account, and place a monetary limit on the use of a credit
3809 card over a period of time, provided single-use stored value instruments
3810 purchased by cash or debit card only, including, but not limited to, a gift
3811 card or a lottery terminal printed value voucher, may be used pursuant
3812 to subdivision (3) of subsection (d) of section 12-853;

3813 (3) Allow a person to limit the amount of money that may be
3814 deposited into an account, and spent per day through an account;

3815 (4) Provide that any money in an online account belongs solely to the
3816 owner of the account and may be withdrawn by the owner;

3817 (5) Establish a voluntary self-exclusion process to allow a person to
3818 (A) exclude himself or herself from establishing an account, (B) exclude
3819 himself or herself from placing wagers through an account, or (C) limit
3820 the amount such person may spend using such an account;

3821 (6) Provide responsible gambling and problem gambling information

3822 to participants; and

3823 (7) Conspicuously display on each applicable Internet web site or
3824 mobile application:

3825 (A) A link to a description of the provisions of this subsection;

3826 (B) A link to responsible gambling information;

3827 (C) A toll-free telephone number an individual may use to obtain
3828 information about problem gambling;

3829 (D) A link to information about the voluntary self-exclusion process
3830 described in subdivision (5) of this subsection;

3831 (E) A clear display or periodic pop-up message of the amount of time
3832 an individual has spent on the operator's Internet web site or mobile
3833 application;

3834 (F) A means to initiate a break in play to discourage excessive play;
3835 and

3836 (G) A clear display of the amount of money available to the
3837 individual in his or her account.

3838 (d) At least every five years, each master wagering licensee shall be
3839 subject to an independent review of operations conducted pursuant to
3840 such license for responsible play, as assessed by industry standards and
3841 performed by a third party approved by the department, which review
3842 shall be paid for by the licensee.

3843 (e) [No advertisement of online casino gaming, online sports
3844 wagering or retail sports wagering may] Advertising, marketing and
3845 other promotional materials published, aired, displayed or
3846 disseminated by or on behalf of any gaming entity licensee shall:

3847 (1) [Depict] Not depict an individual who is, or appears to be, under
3848 twenty-one years of age, unless such individual is a professional athlete
3849 or a collegiate athlete who, if permitted by applicable law, is able to

3850 profit from the use of his or her name and likeness; [or]

3851 (2) Not be aimed exclusively or primarily at individuals under
3852 twenty-one years of age, or at individuals under eighteen years of age if
3853 pertaining exclusively to keno, online lottery ticket sales or fantasy
3854 contests, or any combination thereof;

3855 (3) Not directly advertise, target or promote Internet games or retail
3856 sports wagering to specific individuals, rather than a general audience,
3857 who are excluded pursuant to a self-exclusion process as described in
3858 subdivision (5) of subsection (c) of this section, through methods,
3859 including, but not limited to, electronic mail, telephone calls, text
3860 messages, direct messaging applications, mail and social media;

3861 (4) State that individuals shall be eighteen or twenty-one years of age
3862 or older, as applicable, to participate in the type of gaming advertised,
3863 marketed or promoted;

3864 (5) Not contain images, symbols, celebrity or entertainer
3865 endorsements or language designed to appeal specifically to those
3866 under twenty-one years of age, or, if pertaining exclusively to keno,
3867 online lottery ticket sales or fantasy contests, or any combination
3868 thereof, to those under eighteen years of age;

3869 (6) Not contain inaccurate or misleading information that would
3870 reasonably be expected to confuse and mislead patrons in order to
3871 induce them to engage in gaming;

3872 (7) Not be published, aired, displayed or disseminated to a media
3873 outlet or on social media, that appeal primarily to individuals under
3874 twenty-one years or age, or, if pertaining exclusively to keno, online
3875 lottery ticket sales or fantasy contests, or any combination thereof, to
3876 those under eighteen years of age;

3877 (8) Not be placed before any audience where the majority of the
3878 viewers or participants is presumed to be under twenty-one years of
3879 age, or, if pertaining exclusively to keno, online lottery ticket sales or

3880 fantasy contests, or any combination thereof, to those under eighteen
3881 years of age;

3882 (9) Not imply greater chances of winning compared to other
3883 licensees;

3884 (10) Not imply greater chances of winning based on wagering in
3885 greater quantity or amount, except for a lottery draw game that was
3886 approved prior to January 1, 2024, is available for patron wagering as of
3887 the effective date of this section, includes features approved by the
3888 department that increase the chances of winning and is not exclusively
3889 sold by lottery sales agents;

3890 (11) Not contain claims or representations that gaming will guarantee
3891 an individual's social, financial or personal success;

3892 (12) Not use any type, size, location, lighting, illustration, graphic,
3893 depiction or color resulting in the obscuring of any material fact; and

3894 (13) If a direct or targeted advertisement or promotion sent to an
3895 individual, including, but not limited to, electronic mail or text message,
3896 include a clear and conspicuous Internet link that allows the recipient to
3897 unsubscribe by clicking on one link.

3898 (f) No master wagering licensee, online gaming operator licensee or
3899 sports wagering retailer licensee may enter into an agreement with a
3900 third party to conduct advertising or marketing on behalf of, or to the
3901 benefit of, such licensee that provides that compensation is dependent
3902 on, or related to, the volume of individuals who become patrons, the
3903 volume or amount of wagers placed or the outcome of wagers. A master
3904 wagering licensee or online gaming operator licensee may compensate
3905 a third party for advertising services based on the click through of an
3906 individual to an online gaming operator licensee's Internet web site,
3907 provided such compensation is not based on an individual creating an
3908 account or placing a wager.

3909 ~~[(f)]~~ (g) The name and any personally identifying information of a

3910 person who is participating or who has participated in the voluntary
3911 self-exclusion process established pursuant to subdivision (5) of
3912 subsection (c) of this section or established by the Department of
3913 Consumer Protection in regulations adopted pursuant to subdivision (4)
3914 of section 12-865 shall not be deemed public records, as defined in
3915 section 1-200, and shall not be available to the public under the
3916 provisions of the Freedom of Information Act, as defined in section 1-
3917 200, except:

3918 (1) The Department of Consumer Protection or Connecticut Lottery
3919 Corporation may disclose the name and personally identifying
3920 information of such person to a master wagering licensee, licensed
3921 online gaming operator, licensed online gaming service provider or
3922 licensed sports wagering retailer as necessary to achieve the purposes
3923 of the voluntary self-exclusion process established pursuant to
3924 subdivision (5) of subsection (c) of this section or established by the
3925 Department of Consumer Protection in regulations adopted pursuant to
3926 subdivision (4) of section 12-865; and

3927 (2) The Connecticut Lottery Corporation may disclose the name and
3928 any relevant records of such person, other than records regarding such
3929 person's participation in the voluntary self-exclusion process, if such
3930 person claims a winning lottery ticket or if such person claims or is paid
3931 a winning wager from online sports wagering or retail sports wagering
3932 or is paid a prize from a fantasy contest.

3933 Sec. 85. Section 12-864 of the general statutes is repealed and the
3934 following is substituted in lieu thereof (*Effective October 1, 2024*):

3935 (a) (1) No athlete, coach or referee who takes part in a sporting event
3936 and no individual participating in e-sports shall place any sports wager
3937 on any sporting event in which such athlete, coach, referee or individual
3938 is participating.

3939 (2) No athlete, coach or referee who takes part in a sporting event of
3940 a sports governing body; employee of a sports governing body holding
3941 a position of authority or influence sufficient to exert influence over

3942 participants in a sporting event; employee of a member team of a sports
3943 governing body holding a position of authority or influence sufficient to
3944 exert influence over participants in a sporting event; or personnel of any
3945 bargaining unit of a sports governing body's athletes or referees, shall
3946 place any wager on any sporting event overseen by such governing
3947 body.

3948 (3) No owner with a direct or indirect legal or beneficial ownership
3949 interest of five per cent or more of a member team of a sports governing
3950 body shall place any wager on a sporting event in which such member
3951 team participates. Tribal membership in and of itself shall not constitute
3952 ownership for purposes of this section.

3953 (b) In determining which individuals are prohibited from placing a
3954 wager under subsection (a) of this section, a master wagering licensee
3955 or a licensed online gaming operator, sports wagering retailer or online
3956 gaming service provider shall use reasonably available public
3957 information and exercise reasonable efforts to obtain information from
3958 the department or the relevant sports governing body regarding (1)
3959 owners with a direct or indirect legal or beneficial ownership interest of
3960 five per cent or more of a member team of a sports governing body; and
3961 (2) employees holding a position of authority or influence sufficient to
3962 exert influence over participants in sporting events.

3963 (c) An individual shall only place a [sports] wager on such
3964 individual's behalf and shall not wager on the account of, or for, any
3965 other person. No master wagering licensee or a licensed online gaming
3966 operator, sports wagering retailer or online gaming service provider
3967 shall accept a wager from a person on the account of, or for, any other
3968 person.

3969 (d) An officer, director, owner, key employee, live game employee or
3970 occupational employee of a master wagering licensee or a licensed
3971 online gaming operator, sports wagering retailer or online gaming
3972 service provider or a family member who resides in the same household
3973 as such officer, director, owner, key employee or occupational

3974 employee, shall not place any wager [on a sporting event] with such
3975 master wagering licensee or its licensed sports wagering retailer or
3976 online gaming operator. Tribal membership in and of itself shall not
3977 constitute ownership for purposes of this section.

3978 (e) A master wagering licensee or a licensed online gaming operator,
3979 sports wagering retailer or online gaming service provider shall not
3980 knowingly pay any winnings to a person who places a wager in
3981 violation of this section.

3982 (f) A sports governing body may request that the commissioner
3983 restrict, limit or exclude wagering on a sporting event or events by
3984 providing notice in such form and manner as the commissioner
3985 prescribes. The commissioner may take such action as the commissioner
3986 deems necessary to ensure the integrity of wagering on such sporting
3987 event or events.

3988 Sec. 86. Subsection (f) of section 12-574 of the general statutes is
3989 repealed and the following is substituted in lieu thereof (*Effective from*
3990 *passage*):

3991 (f) (1) No person may participate in this state in any activity permitted
3992 under this chapter as an employee of an association, concessionaire,
3993 vendor, totalizator or affiliate licensee unless such person is licensed as
3994 an occupational licensee by the commissioner under subdivision (2) of
3995 subsection (a) of section 12-578, as amended by this act. Whether located
3996 in or out of this state, no officer, director, partner, trustee or owner of a
3997 business organization which obtains a license in accordance with this
3998 section may continue in such capacity unless such officer, director,
3999 partner, trustee or owner is licensed as an occupational licensee by the
4000 commissioner as an owner under subdivision (2) of subsection (a) of
4001 section 12-578, as amended by this act. An occupational license shall also
4002 be obtained by any shareholder, key executive, agent or other person
4003 connected with any association, concessionaire, vendor, totalizator or
4004 affiliate licensee, who in the judgment of the commissioner will exercise
4005 control in or over any such licensee. Such person shall apply for a license

4006 not later than thirty days after the commissioner requests [him] such
4007 person, in writing, to do so as a pari-mutuel employee under
4008 subdivision (2) of subsection (a) of section 12-578, as amended by this
4009 act. The commissioner shall complete his investigation of an applicant
4010 for an occupational license and notify such applicant of his decision to
4011 approve or deny the application within one year after its receipt, or, if
4012 the commissioner determines good cause exists for extending such
4013 period of investigation and gives the applicant a reasonable opportunity
4014 for a hearing, by the date prescribed by the commissioner.

4015 (2) Upon petition by the holder of an association, vendor, totalizator
4016 or affiliate license, the commissioner may authorize an applicant for an
4017 occupational license under subdivision (2) of subsection (a) of section
4018 12-578, as amended by this act, to provisionally perform the work
4019 permitted under the occupational license applied for, if:

4020 (A) The applicant has filed a completed application for such
4021 occupational license in the form and manner required by the
4022 commissioner, and

4023 (B) Such association, vendor, totalizator or affiliate licensee attests
4024 that the provisional authorization is necessary to continue the efficient
4025 operation of pari-mutuel wagering, and is based on circumstances that
4026 are extraordinary and not designed to circumvent the otherwise
4027 applicable licensing procedures.

4028 (3) The commissioner may issue a provisional authorization to an
4029 applicant for an occupational license under subdivision (2) of subsection
4030 (a) of section 12-578, as amended by this act, in advance of issuance or
4031 denial of such occupational license for such applicant for a period not to
4032 exceed six months. Provisional authorization shall permit such
4033 applicant to perform the functions and require the applicant to comply
4034 with the requirements of the occupational license applied for as set forth
4035 in the provisions of this chapter and regulations adopted pursuant to
4036 this chapter. Provisional authorization shall not constitute approval for
4037 an occupational license under subdivision (2) of subsection (a) of section

4038 12-578, as amended by this act. During the period of time that any
4039 provisional authorization is in effect, the applicant granted such
4040 authorization shall be subject to and comply with all applicable statutes
4041 and regulations. Any provisional authorization issued by the
4042 commissioner shall expire immediately upon the earlier of: (A) The date
4043 of issuance of written notice from the commissioner that the
4044 occupational license has been approved or denied, or (B) six months
4045 after the date the provisional authorization was issued.

4046 (4) An individual whose occupational license application is denied
4047 after a period of provisional authorization shall not reapply for an
4048 occupational license under subdivision (2) of subsection (a) of section
4049 12-578, as amended by this act, for a period of one year from the date of
4050 the denial.

4051 (5) An individual whose provisional authorization expires pursuant
4052 to subparagraph (B) of subdivision (3) of this subsection, may apply for
4053 an additional provisional authorization. The commissioner may issue
4054 such additional provisional authorization upon a determination that the
4055 conditions of subparagraph (B) of subdivision (2) of this subsection
4056 exist.

4057 Sec. 87. Section 12-578 of the general statutes is repealed and the
4058 following is substituted in lieu thereof (*Effective from passage*):

4059 (a) The commissioner shall adopt regulations, in accordance with the
4060 provisions of chapter 54, governing registration and the issuance and
4061 annual renewal of licenses and payment of annual nonrefundable
4062 application fees for the same in accordance with the following schedule:

4063 (1) Registration: (A) Stable name, one hundred dollars; (B)
4064 partnership name, one hundred dollars; (C) colors, twenty dollars; (D)
4065 kennel name, one hundred dollars.

4066 (2) [Licenses:] Occupational licenses: (A) Owner, one hundred
4067 dollars; (B) trainer, one hundred dollars; (C) assistant trainer, one
4068 hundred dollars; (D) jockey, forty dollars; (E) jockey agent, for each

4069 jockey, one hundred dollars; (F) stable employees, including exercise
4070 boy, groom, stable foreman, hot walker, outrider, twenty dollars; (G)
4071 veterinarian, one hundred dollars; (H) jockey apprentice, forty dollars;
4072 (I) driver, one hundred dollars; (J) valet, twenty dollars; (K) blacksmith,
4073 twenty dollars; (L) plater, twenty dollars; (M) [concessionaire, for each
4074 concession, two hundred fifty dollars; (N) concessionaire affiliate, for
4075 each concession of the concessionaire, two hundred fifty dollars; (O)]
4076 concession employees, twenty dollars; [(P)] ~~(N)~~ jai alai players, one
4077 hundred dollars; [(Q)] ~~(O)~~ officials and supervisors, one hundred
4078 dollars; [(R)] ~~(P)~~ pari-mutuel employees, forty dollars; [(S)] ~~(Q)~~ other
4079 personnel engaged in activities regulated under this chapter, twenty
4080 dollars; [(T) vendor, for each contract, two hundred fifty dollars; (U)
4081 totalizator, for each contract, two hundred fifty dollars; (V) vendor and
4082 totalizator affiliates, for each contract of the vendor or totalizator, two
4083 hundred fifty dollars; (W)] or (R) gaming employee, forty dollars.]; (X)
4084 nongaming vendor, two hundred fifty dollars; (Y) gaming services, five
4085 hundred dollars; and (Z) gaming affiliate, two hundred fifty dollars. For
4086 the purposes of this subdivision, "concessionaire affiliate" means a
4087 business organization, other than a shareholder in a publicly traded
4088 corporation, that may exercise control in or over a concessionaire; and
4089 "concessionaire" means any individual or business organization granted
4090 the right to operate an activity at a dog race track or off-track betting
4091 facility for the purpose of making a profit that receives or, in the exercise
4092 of reasonable business judgment, can be expected to receive more than
4093 twenty-five thousand dollars or twenty-five per cent of its gross annual
4094 receipts from such activity at such track or facility.]

4095 (3) Business entity licenses: (A) Concessionaire, for each concession,
4096 two hundred fifty dollars; (B) concessionaire affiliate, for each
4097 concession of the concessionaire, two hundred fifty dollars; (C) vendor,
4098 for each contract, two hundred fifty dollars; (D) totalizator, for each
4099 contract, two hundred fifty dollars; (E) vendor and totalizator affiliates,
4100 for each contract of the vendor or totalizator, two hundred fifty dollars;
4101 (F) nongaming vendor, two hundred fifty dollars; (G) gaming services,
4102 five hundred dollars; and (H) gaming affiliate, two hundred fifty

4103 dollars. For the purposes of this subdivision, "concessionaire" means
4104 any individual or business organization granted the right to operate an
4105 activity at a dog race track or off-track betting facility for the purpose of
4106 making a profit that receives or, in the exercise of reasonable business
4107 judgment, can be expected to receive more than twenty-five thousand
4108 dollars or twenty-five per cent of its gross annual receipts from such
4109 activity at such track or facility, and "concessionaire affiliate" means a
4110 business organization, other than a shareholder in a publicly traded
4111 corporation, that may exercise control in or over a concessionaire.

4112 (b) The commissioner shall require each applicant for a license under
4113 subdivision (2) or (3) of subsection (a) of this section to submit to state
4114 and national criminal history records checks before such license is
4115 issued. The criminal history records checks required pursuant to this
4116 subsection shall be conducted in accordance with section 29-17a.

4117 Sec. 88. Section 29-18c of the 2024 supplement to the general statutes
4118 is repealed and the following is substituted in lieu thereof (*Effective from*
4119 *passage*):

4120 The Commissioner of Emergency Services and Public Protection may
4121 appoint not more than four persons employed as investigators in the
4122 security unit of the Department of Consumer Protection, upon the
4123 nomination of the Commissioner of Consumer Protection, to act as
4124 special police officers in said unit. Such appointees shall serve at the
4125 pleasure of the Commissioner of Emergency Services and Public
4126 Protection. During such tenure, they shall have all the powers conferred
4127 on state police officers while investigating or making arrests for any
4128 offense arising from the operation of any off-track betting system, retail
4129 sports wagering, as defined in section 12-850, as amended by this act,
4130 Internet games, as defined in section 12-850, as amended by this act, or
4131 the conduct of any lottery game. Such special police officers shall be
4132 certified under the provisions of sections 7-294a to 7-294e, inclusive.

4133 Sec. 89. Subsection (a) of section 7-177 of the 2024 supplement to the
4134 general statutes is repealed and the following is substituted in lieu

4135 thereof (*Effective October 1, 2024*):

4136 (a) All prizes given at any bazaar or raffle shall be merchandise,
4137 tangible personal property or a ticket, coupon, gift card or gift
4138 certificate, entitling the winner to merchandise, tangible personal
4139 property, services, transportation on a common carrier by land, water
4140 or air and to any tour facilities provided in connection therewith, or to
4141 participation in a lottery conducted under chapter 226. Such ticket,
4142 coupon, gift card or gift certificate shall not be refundable. No cash
4143 prizes or prizes consisting of alcoholic liquor shall be given, except as
4144 provided in subsection (b) of this section and section 7-177a, and no
4145 prize shall be redeemed or redeemable for cash, except tickets for a
4146 lottery conducted under chapter 226 or gift certificates awarded in
4147 accordance with subsection (e) of section 7-185a. No animal shall be
4148 given as a prize. For the purposes of this section, coins whose trading
4149 value exceeds their face value and coins not commonly in circulation
4150 shall not be deemed a cash prize.

4151 Sec. 90. Section 53-250 of the general statutes is repealed and the
4152 following is substituted in lieu thereof (*Effective October 1, 2024*):

4153 Any person who uses any animal, including a fish, reptile or bird for
4154 the purpose of soliciting any alms, collection, contribution, subscription,
4155 donation or payment of money, or uses any animal, including a fish,
4156 reptile or bird as a prize or award in the operation of any game or device,
4157 or exhibits any wild animal in connection with any business for the
4158 purpose of attracting trade upon any street, highway or public park or
4159 at any fair, exhibition or place of amusement, recreation or
4160 entertainment, or owns, keeps or has in [his] such person's custody any
4161 animal, including a fish, reptile or bird for any such purpose, shall be
4162 guilty of a class D misdemeanor, but no provision of this section shall
4163 be construed so as to apply (1) to the exhibition of any animal, including
4164 a fish, reptile or bird by (A) any educational institution; or (B) in a
4165 zoological garden or in connection with any theatrical exhibition or
4166 circus, or (2) to the use of any animal in a cow-chip raffle.

4167 Sec. 91. Sections 21a-27 to 21a-30, inclusive, of the general statutes are
 4168 repealed. (*Effective from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-419
Sec. 2	<i>from passage</i>	20-426(a)
Sec. 3	<i>from passage</i>	20-432
Sec. 4	<i>from passage</i>	20-500
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	20-523(a)
Sec. 7	<i>from passage</i>	20-529(a) and (b)
Sec. 8	<i>from passage</i>	20-529a
Sec. 9	<i>from passage</i>	20-529b(c) to (e)
Sec. 10	<i>from passage</i>	20-529c
Sec. 11	<i>from passage</i>	20-529d(a)
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