Agency Legislative Proposal – 2025 Session
Document Name: DCP -Consumer Protection

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Legislative Liaison	C.J. Strand
Division Requesting This Proposal	Food and Standards, Licensing, Investigations, and Operations Divisions
Drafter	Julianne Avallone

Title of Proposal	AAC Recommendations by the Department of Consumer Protection
Statutory Reference, if any	CGS 21a-38, CGS 21a-54, CGS 21a-118, CGS 21a-152, CGS 20-281c, CGS 20-333, CGS 42-158ff, CGS 21a-9, CGS 20-324e, CGS 20-450, CGS 20-452, CGS 20-290, CGS 20-292, CGS 20-298, CGS 21a-430, CGS 21a-217 as amended by PA 24-142, CGS 21a-218, CGS 21a-223, CGS 21a-226, CGS 21-82, CGS 20-417a, CGS 20-417i, CGS 20-281, CGS CGS 42-179, CGS 21a-11, CGS 42-110d, CGS 42-110j, CGS 21-35b, CGS 21-35c, CGS 21-35d, CGS 21-35e, CGS 21-434, CGS 42a-134a, CGS 42-135a, CGS 20-457, CGS 20-314, CGS 20-341gg, CGS 20-341, CGS 20-341s, CGS 20-341t, CGS 20-341u, CGS 20-341v, CGS 20-341w, CGS 20-341x, CGS 20-341y, CGS 20-341z, CGS 20-341aa, CGS 20-341bb.
Brief Summary and Statement of Purpose	To update and make minor, technical and conforming changes to the Department of Consumer Protection statutes and to enhance consumer protections regarding health clubs,

How does this proposal relate to the agency's mission?	To update and make minor, technical and conforming changes to the Department of Consumer Protection statutes and to enhance consumer protections.

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Sec. 1-4 amends CGS 21a-38, 21a-54, 21a-118, and 21a-152 to align the commissioner's enforcement powers related to food safety with other regulated areas and state sanitation requirements related to the transport of food with federal requirements. It also standardizes and clarifies the inspection fee charged by the department.
Sec. 5 amends CGS 20-281c to clarify that the department and the State Board of Accountancy have authority over licensing and the commissioner shall prescribe the form and manner of applications.
Sec. 6 amends CGS 20-333 to codifies existing practice requiring exam results within the last two years.
Sec. 7 amends CGS 42-158ff to allow, as a factor in determining a violation of the requirement to obtain affirmative consent to autorenewal prior to entering an oral contract, consideration of whether the business produces a record of the consumer's properly obtained affirmative consent.
Sec. 8 amends 21a-9 to correct a technical error related to the board and commission enforcement powers.
Sec. 9 amends CGS 20-324e to allow the commissioner to sign off on applications for the real estate guaranty fund.
Sec. 10-11 amends CGS 20-450 and 20-452 to amend the language in statute related to background checks for community association managers to comply with FBI requirements.
Sec. 12-14 amends CGS 20-290, 20-292, and 20-298 to clarify the Architecture Board's authority to issue continuing education hardship waivers and when the first round of continuing education needs to be taken after initial licensure, as well as what language is permitted related to architectural services.

Sec. 15 amends CGS 21a-430 to require persons that place donation bins on property they do not own to obtain written consent of the property owner prior to placement of such bin.
Sec. 16-19 amends CGS 21a-217, 21a-218, 21a-223 and 21a-226 to increase the limit on compensation payable under the health club guaranty fund (HCGF) to allow for broader consumer restitution, aligns the interest rate for the HCGF to match the rate of other guaranty funds, and provides additional consumer protections related to health clubs.
Sec. 20 amends CGS 21-82 to clarify that owners of mobile home parks are required to maintain septic systems in good working order, not just sewage systems and connections.
Sec. 21-22 amends CGS 20-417a and 20-417i to allow the Office of the Attorney General to take criminal action against businesses that perform new home construction work without a registration and commit fraud. Currently, consumers are prohibited from accessing the New Home Construction Guaranty Fund if the criminal action brought by the Attorney General names the individual and not their solely owned business entity. This aligns with changes in PA 24-142 related to the Home Improvement Guaranty Fund.
Sec. 23 amends CGS 20-281 to allow public accountants to submit accountancy peer review reports through a centralized electronic database in lieu of providing copies of such reviews through e-license. and clarify that the opinion letter and acceptance letter are each required, consistent with the historical interpretation of the board and accountancy firms seeking to comply with the statute.
Sec. 24 amends CGS 42-179 and 42-190 to require manufacturers to submit a copy of the branded title to the DMV and DCP to ensure full compliance with the law.
Sec. 25 amends CGS 21a-11 to clarify DCP inspection powers to expressly include the inspection of documents as part of the authority for inspections.
Sec. 26-27 amends CGS 42-110d and 42-110j to increase the cap on restitution by the commissioner under the Connecticut Unfair Trade Practices Act (CUTPA). These sections also clarify that monetary settlement amounts are included in the scope of Assurances of Voluntary Compliance and the process of ordering cease and desist orders and the appeal rights of respondents. Lastly, these

sections require that a vehicle dealership must be clearly and conspicuously disclose each fee charged to purchase or lease a vehicle.

Sec. 28-31 amends CGS 21-35b, through 21a-35e to reduce unnecessary reporting requirements for the Closing Out Sale and Closing Out Sale Promoter credentials while maintaining criminal justice oversight or DCP investigative and civil enforcement oversight of these licensees.

Sec. 32 amends 21a-434 to permit retailers to comply with the requirement to accept cash at retail by installing a "reverse ATM" provided such machines comply with consumer protection requirements.

Sec. 33-34 amends CGS 42-134a and 42-135a to update the notice of cancellation required by the Home Solicitation Sales Act to make it easier for consumers to read and understand.

Sec. 35 amends CGS 20-457 to improve cost disclosures when community association managers (CAM) subcontract: (1) with a home improvement company or other licensee that the CAM has an ownership or managerial stake in; and (2) for services with a third-party contractor, consultant or service provider and the CAM is charging a markup for their management services.

Sec. 36 amends CGS 20-314 to clarify that final licensure exams must be taken within 2 years of application for a real estate credential and allows for hardship waivers to be granted by the Real Estate Commission.

Sec. 37 amends CGS 20-341gg to streamline the major contractor application process by ensuring applicants do not need to provide duplicate information to both DCP and DAS.

Sec. 38 amends CGS 20-341 to allow DCP to issue notices of violations and stop work orders at specific locations for commonly occurring violations by licensed and unlicensed workers.

Sec. 39 repeals CGS 20-341s through 20-341bb to eliminate the credential of "Mechanical Contractors" due to lack of applications for the credential and because the scope of the credential is largely covered by other existing credentials.

BACKGROUND

Origin of Proposal [x] New Proposal [x] Resubmission

Sec. 21 & 22 – HB 5272 – died on House calendar.

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	n/a
Has this proposal or a similar proposal been implemented in other states? If yes, to what result?	Secs. 21 & 22 - Similar proposal was passed in PA 24-142 related to access to the Home Improvement Guaranty Fund.
Have certain constituencies called for this proposal?	Rep. Kavros DeGraw championed HB 5272 on behalf of constituents negatively impacted by illegal activity by a new home construction contractor.

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[ ] Check here if this proposal does NOT impact other agencies

1. Agency Name	Office of the Attorney General
Agency Contact (name, title)	Cara Passaro, Chief of Staff
Date Contacted	10/1/2024
Status	**[ ] Approved [x] Talks Ongoing**
Open Issues, if any	Ok with sec. 21 and 22

2. Agency Name	Department of Labor
Agency Contact (name, title)	Marisa Morello, Legislative and Communications Program Manager
Date Contacted	10/2/2024
Status	**[x] Approved [ ] Talks Ongoing**
Open Issues, if any	

3. Agency Name	Department of Motor Vehicles
Agency Contact (name, title)	Tony Guerrera, Commissioner Michelle Givens, Staff Attorney 3
Date Contacted	9/30/24
Status	**[x] Approved [ ] Talks Ongoing**

Open Issues, if any	

FISCAL IMPACT
Include the section number(s) responsible for the fiscal impact and the anticipated impact

[ ] Check here if this proposal does NOT have a fiscal impact

State	n/a
Municipal (Include any municipal mandate that can be found within legislation)	n/a
Federal	n/a
Additional notes	**Sec. 19** Increases payout exposure from $75,000 to $125,000 if a health club closes without refunding consumers who pre-paid for services. **Sec. 22** Allows consumers access to a larger amount of restitution through the fund in the event of financial injury by a new home construction contractor. Adjusts the funding reserve to appropriately cover operational costs of running the NHGF and the HIGF.

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[x] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?

INSERT FULLY DRAFTED BILL HERE

Sec. 1 Section 21a-38 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) In accordance with an administrative hearing held pursuant to chapter 54 of the general statutes, [The] the commissioner may suspend or revoke any license issued under the provisions of section 21a-35 or 21a-36 for violation of the provisions of sections 21a-34 to 21a-45, inclusive, or any regulation adopted thereunder or for violation of any applicable municipal health ordinance or state or federal law or regulation. [No such suspension or revocation shall take effect except upon notice to the licensee and hearing thereon. Notice shall be in writing, given by registered or certified mail, and shall state: (1) The condition or violation found; (2) the corrective action, if any, to be taken and the period of time within which such action must be taken; and (3) that an opportunity for hearing will be provided upon written request filed within ten days after receipt of such notice.]

(b) Whenever the commissioner finds any grossly unsanitary condition or any other condition which constitutes a substantial hazard to public health or safety involving the preparation or transportation of any food or beverage or the use of any vending machine [he]the commissioner may, without notice or hearing, issue a written order to the licensee citing the existence of such condition and specifying the corrective action to be taken, and, if [he]the commissioner deems it necessary, require that use of such facility or machine be discontinued. Any licensee to whom such order is issued may [petition for a hearing, which shall be granted, but no such petition shall] request an administrative hearing pursuant to chapter 54 of the general statutes to contest the order. A request for an administrative hearing shall not stay the execution or effectiveness of any order issued under this subsection pending hearing. Each such order shall continue in effect until it is rescinded by the commissioner or until the condition cited is corrected as determined by the commissioner or the commissioner's designee.

Sec. 2. Section 21a-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) Any license may be revoked by the Commissioner of Consumer Protection [after notice to the licensee by mail or otherwise and opportunity to be heard] if it appears that any statement upon which it was issued was false or misleading or that any frozen dessert and frozen dessert mix manufactured by the licensee is adulterated or misbranded, or was manufactured in a plant not maintained in accordance with the standards of sanitation prescribed in the regulations promulgated under the authority of section 21a-58, or that the brand name or any label or advertising of any frozen dessert and frozen dessert mix manufactured by the licensee gives a false indication of origin, character, composition or place of manufacture, or is otherwise false or misleading in any particular way. A license may also [, after such notice and hearing,] be suspended for any of the foregoing reasons until the licensee complies with the conditions prescribed by the Commissioner of Consumer Protection for its reinstatement. The Commissioner of Consumer Protection shall not revoke or suspend any such license except upon notice and hearing in accordance with chapter 54. A license may be summarily suspended pending such a hearing if the commissioner has reason to believe that the public health, safety or welfare imperatively requires emergency action.

Sec. 3. Section 21a-118 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(b) If an inspection reveals a violation of any provision of this chapter concerning a food factory, food warehouse or food establishment, the commissioner shall notify the owner of such factory, warehouse or establishment of any such violation and his right to a hearing under this section by certified mail within fifteen days of the date of such original inspection. Such owner may contest the violations cited in such notice by requesting a hearing in writing by certified mail within fifteen days of the date of receipt of such notice. The commissioner shall grant such a request and conduct a hearing in accordance with the provisions of chapter 54. The [cost of all reinspections]fee for each reinspection necessary to determine compliance with any such provision shall be [forty] one hundred seventy five dollars [an hour] and shall be charged to such owner[, except that if the first reinspection following the original inspection indicates compliance with such provision no charge shall be made].

Sec. 4. Section 21a-152 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(c) The Commissioner of Consumer Protection may revoke, suspend, place conditions upon, or issue a civil penalty against a bakery, food manufacturing establishment or food warehouse license for any violation of sections 21a-151 to 21a-159, inclusive, [after a hearing conducted] in accordance with chapter 54 of the Connecticut General Statutes. In addition, the commissioner may summarily suspend a bakery, food manufacturing establishment or food warehouse license pending a hearing if the commissioner has reason to believe that the public health, safety or welfare imperatively requires emergency action in accordance with section 4-182 of the Connecticut General Statutes. [Not later than ten days following the suspension order, the commissioner shall cause to be held a hearing which shall be conducted in accordance with the provisions of chapter 54. Following such hearing, the commissioner shall dissolve such suspension or order revocation of the bakery, food manufacturing establishment or food warehouse license. Any corporation, firm or person whose license has been revoked may apply for a new license and the commissioner shall act on such application not later than thirty days after the commissioner receives such application. The costs of any inspections] The fee for each inspection necessary to determine whether or not an applicant, whose license has been revoked, is entitled to have a new license granted shall be borne by the applicant at such rates as the commissioner may determine. The commissioner may refuse to grant any bakery, food manufacturing establishment or food warehouse a license if the commissioner finds that the applicant has evidenced a pattern of noncompliance with the provisions of sections 21a-151 to 21a-159, inclusive of the Connecticut General Statutes. Prima facie evidence of a pattern of noncompliance shall be established if the commissioner shows that the applicant has had two or more bakery, food manufacturing establishment or food warehouse licenses revoked.

(d) All vehicles used in the transportation of food for human consumption, including, but not limited to, bakery, food manufacturing establishment or food warehouse products, shall be kept in a sanitary condition in accordance with the sanitary transportation requirements in the Food Safety Modernization Act, 21 CFR parts 1 and 11(79 FR 7006) [and shall have the name and address of the bakery, food manufacturing establishment or food warehouse owner, operator or distributor legibly printed on both sides]. Each compartment in which [unwrapped bakery, food manufacturing establishment or food warehouse products are] food for human consumption is transported shall be enclosed in a manner approved by the commissioner.

Sec. 5. Section 20-281c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) The [board] Department of Consumer Protection shall grant the certificate of "certified public accountant" to any person who (1) submits a complete application in a form and manner prescribed by the Commissioner of Consumer Protection, (2) meets the good character, education, experience and examination requirements of subsections (b) to (e), inclusive, of this section, and [upon the payment of a] (3) remits a fee of one hundred fifty dollars to the department.

(b) Good character for purposes of this section means lack of a history of dishonest or felonious acts. The board or department may refuse to grant a certificate on the grounds of failure to satisfy this requirement only if there is a substantial connection between the lack of good character of the applicant and the professional responsibilities of a licensee and if the finding by the board or department of lack of good character is supported by clear and convincing evidence, and when based upon the prior conviction of a crime, is in accordance with the provisions of section 46a-80. When an applicant is found to be unqualified for a certificate because of a finding of lack of good character, the board or department shall furnish the applicant a statement containing [the] findings of the board and a complete record of the evidence upon which the determination was based.

(c) An applicant may apply to take the examination if such person, at the time of the examination, has completed not less than one hundred twenty semester hours of education, as determined [by the board] by regulation, set forth by the commissioner in consultation with the board, to be appropriate. The educational requirements for a certificate shall be prescribed in regulations [to be adopted by the board as follows] and shall set forth the following requirements:

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

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

(d) The board may charge each applicant a fee, in an amount prescribed by the board by regulation, for each section of the examination or reexamination taken by the applicant, or the board may authorize a third party administering the examination to charge each applicant a fee for each section of the examination or reexamination taken by the applicant.

(e) The board shall allow an applicant who applies to take the examination on or after October 1, 2023, to receive credit for each section of the examination that such applicant passes in any sitting for such examination, provided such applicant passes all sections of the examination within a thirty-month period. The board may, in its discretion, extend the thirty-month period for reasons related to health, military service or other individual hardship.

(f) The experience requirement for a certificate shall be as prescribed by the board by regulation.

(g) The holder of a certificate may register his certificate annually and pay a fee of forty dollars in lieu of an annual renewal of a license and such registration shall entitle the registrant to use the abbreviation "CPA" and the title "certified public accountant" under conditions and in the manner prescribed by the board by regulation.

Sec. 6. Section 20-333 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(b) The department shall conduct such written, oral and practical examinations as the appropriate board, with the consent of the commissioner, deems necessary to test the knowledge of the applicant in the work for which a license is being sought. The department shall allow any applicant, who has not participated in [an] a registered apprenticeship program, as set forth in section 31-22r of the general statutes, but either (1) presents a recommendation for review issued pursuant to section 31-22u, or (2) demonstrates to the department, in consultation with the applicable board, equivalent experience and training, to sit for any such examination. Any person completing the required apprentice training program for a journeyman's license under section 20-334a shall, within thirty days following such completion, apply for a licensure examination given by the department or person authorized by the department. If an applicant does not pass such licensure examination, the commissioner shall provide each failed applicant with information on how to retake the examination and a report describing the applicant's strengths and weaknesses in such examination. Any apprentice permit issued under section 20-

334a to an applicant who fails three licensure examinations in any one-year period shall remain in effect if such applicant applies for and takes the first licensure examination given by the department following the one-year period from the date of such applicant's third and last unsuccessful licensure examination. Otherwise, such permit shall be revoked as of the date of the first examination given by the department following expiration of such one-year period. An applicant shall be required to submit evidence of successful completion of their final license examination, which successful completion shall occur within two years of the date of the relevant license application, unless a hardship extension to such two year period is granted by the appropriate board.

Sec. 7. Section 42-158ff of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) For the purposes of this section:

(1) "Automatic renewal provision" means any provision that is included in a consumer agreement under which a business that is a party to such agreement may renew such agreement without any action on the part of a consumer who is a party to such agreement;

(2) "Business" means any individual or sole proprietorship, partnership, firm, corporation, trust, limited liability company, limited liability partnership, joint stock company, joint venture, association or other legal entity through which commerce for profit or not for profit is conducted;

(3) "Clearly and conspicuously disclose" means (A) disclosed electronically or in writing (i) in a manner that may be retained by the consumer, and (ii) in text that is (I) larger than the size of any surrounding text, or (II) the same size as the surrounding text but in a typeface, font or color that contrasts with such surrounding text or is set off from such surrounding text by symbols or other marks that draw the consumer's attention to such disclosure; or (B) disclosed verbally or telephonically in a volume and cadence that is readily audible to, and understandable by, the consumer.

(4) **[**(3)**]** "Consumer" means any individual who is a resident of this state and a prospective recipient of consumer goods or consumer services;

(5) **[**(4)**]** "Consumer agreement" means any verbal, telephonic, written or electronic

agreement, initially entered into or amended on or after October 1, 2023, between a business and a consumer under which a business agrees to provide consumer goods or consumer services to a consumer. "Consumer agreement" does not include any such agreement (A) concerning any service provided by a business or its affiliate where either the business or its affiliate is doing business pursuant to (i) a franchise issued by a political subdivision of the state, or (ii) a license, franchise, certificate or other authorization issued by the Public Utilities Regulatory Authority, (B) concerning any service provided by a business or its affiliate where either the business or its affiliate is regulated by the Public Utilities Regulatory Authority, the Federal Communications Commission or the Federal Energy Regulatory Commission, (C) with any entity regulated by the Insurance Department or an affiliate of such entity, (D) with any bank, out-of-state bank, bank holding company, Connecticut credit union, federal credit union or out-of-state credit union, as said terms are defined in section 36a-2, or any subsidiary thereof, or (E) concerning any global or national service largely or predominately consisting of audiovisual content;

(6)[(5)] "Consumer good" means any article that is purchased, leased, exchanged or received primarily for personal, family or household purposes;

(7)[(6)]"Consumer service" means any service that is purchased, leased, exchanged or received primarily for personal, family or household purposes; and

(8) [(7)] "Continuous services provision" means any provision that is included in a consumer agreement under which a business that is a party to such agreement may continue to provide consumer services to a consumer who is a party to such agreement until the consumer takes action to prevent or terminate such business's provision of such consumer services under such agreement.

(b) (1) No business shall enter into, or offer to enter into, a consumer agreement with a consumer if such agreement includes an automatic renewal provision or a continuous services provision, unless:

(A) Such business establishes and maintains a toll-free telephone number, an electronic mail address or postal address, or the online means required under subsection (d) of this section, which the consumer may use to prevent automatic renewal or prevent or terminate continuous consumer services;

(B) Where such consumer agreement contains an automatic renewal provision, such business clearly and conspicuously discloses to the consumer [, electronically, verbally, telephonically or

in writing in the manner specified in subdivision (2) of this subsection and] before such automatic renewal, (i) that the business will automatically renew such agreement until such consumer takes action to prevent such automatic renewal, (ii) a description of the actions such consumer is required to take to prevent any automatic renewal of such agreement and, if disclosed electronically, a link or other electronic means such consumer may use to take such actions as described in subsection (d) of this section, (iii) all recurring charges that will be charged to the consumer's credit card, debit card or third-party payment account for any automatic renewal of such agreement and, if the amount of such charges is subject to change, the amount of such change if known by such business, (iv) the length of any automatic renewal term for such agreement unless the consumer selects the length of such term, (v) any additional provisions concerning such renewal term, (vi) any minimum purchase obligation, and (vii) contact information for such business;

(C) Where such consumer agreement contains a continuous services provision, such business clearly and conspicuously discloses to the consumer [, electronically, verbally, telephonically or in writing in the manner specified in subdivision (2) of this subsection and] before such consumer enters into such agreement, (i) that the business will provide continuous consumer services under such agreement until such consumer takes action to prevent or terminate such continuous consumer services, (ii) a description of the actions such consumer is required to take to prevent or terminate such continuous consumer services, (iii) all recurring charges that will be charged to the consumer's credit card, debit card or third-party payment account for such continuous consumer services and, if the amount of such charges is subject to change, the amount of such change if known by such business, (iv) the duration of such continuous consumer services, (v) any additional provisions concerning such continuous consumer services, (vi) any minimum purchase obligation, and (vii) contact information for such business;

(D) If such business intends to make any material change in the terms of such automatic renewal provision or continuous services provision, such business clearly and conspicuously discloses to the consumer [, electronically, verbally, telephonically or in writing in the manner specified in subdivision (2) of this subsection and] before such business makes such material change, the material change and a description of the actions such consumer is required to take to cancel such automatic renewal or terminate such continuous consumer services;

(E) If such consumer agreement includes a free gift or trial period, such business clearly and conspicuously discloses to the consumer [, electronically, verbally, telephonically or in writing in the manner specified in subdivision (2) of this subsection] before such consumer enters into

such agreement, (i) the price that such consumer will be charged following expiration of such period, and (ii) any manner in which the pricing for such agreement will change following expiration of such period; and

(F) (i) Except as provided in subparagraph (F)(iii) of this subdivision, if such consumer agreement is offered electronically or telephonically and includes a free gift or trial period, or a discounted or promotional price period, such business clearly and conspicuously discloses to the consumer` not later than the time specified in subparagraph (F)(ii) of this subdivision, (I) that such business will automatically renew, or provide continuous consumer services under, such agreement until such consumer takes action to prevent such automatic renewal or prevent or terminate such continuous consumer services, (II) the duration of such automatic renewal term or continuous consumer services, (III) any additional provisions concerning such renewal term or continuous consumer services, (IV) a description of the actions such consumer is required to take to prevent such automatic renewal or prevent or terminate such continuous consumer services, and (V) if such agreement is offered electronically, a prominently displayed direct link or button, or an electronic mail message, required under subsection (d) of this section.

(ii) Except as provided in subparagraph (F)(iii) of this subdivision, if such business is required to make a disclosure pursuant to subparagraph (F)(i) of this subdivision, such business [makes such disclosure] clearly and conspicuously discloses (I) where the free gift or trial period, or discounted or promotional price period, is at least thirty-two days in duration, at least twenty-one days after such period commences and not earlier than three days before such period expires, or (II) where the free gift or trial period, or discounted or promotional price period, is at least one year in duration, at least fifteen days but not more than forty-five days before such period expires.

(iii) Such business shall not be required to make the disclosure required under subparagraph (F)(i) or (F)(ii) of this subdivision if such business has not collected, or does not maintain, the consumer's electronic mail address or telephone number, as applicable, and is unable to make such disclosure to such consumer by other electronic means. For the purposes of subparagraphs (E) and (F) of this subdivision, "free gift" does not include a free promotional item or gift that a business gives to a consumer if such item or gift differs from the consumer goods or consumer services that are the subject of the consumer agreement between the business and the consumer.

(2) Each business that is required to make any disclosure under subdivision (1) of this subsection shall:

(A) If the consumer agreement is offered, or entered into, electronically or in writing, make such disclosure clearly and conspicuously in writing; or

(B) If the consumer agreement is offered, or entered into, verbally or telephonically, make such clear and conspicuous disclosure verbally or telephonically [in a volume and cadence that is readily audible to, and understandable by, the consumer].

(c) No business that enters into, or offers to enter into, a consumer agreement that includes an automatic renewal provision or a continuous services provision shall charge the consumer's credit card, debit card or third-party payment account for any automatic renewal or continuous consumer services, regardless of whether such renewal or continuous consumer services are offered or provided at a promotional or discounted price, unless such business has obtained such consumer's affirmative consent to such renewal or continuous consumer services. In considering whether this section has been violated, a Connecticut state agency or court of competent jurisdiction reviewing a potential violation shall consider, without limitation, whether the business has produced a record of such affirmative consent obtained in accordance with sections 52-570d and 53a-189 of the general statutes.

Sec. 8. Section 21a-9 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(c) Each such board or commission may act in accordance with the provisions of [subdivision (7) of] section 21a-7, and the commissioner may act in accordance with the provisions of [subdivision (4) of subsection (b) of] section 21a-8, in the case of a practitioner who: (1) Engages in fraud or material deception in order to obtain a license, registration or certificate issued by the board, commission or commissioner or to aid another in obtaining a license, registration or certificate issued by the board, commission or commissioner; (2) performs work beyond the scope of the license, registration or certificate issued by the board, commission or commissioner; (3) illegally uses or transfers a license, registration or certificate issued by the board, commission or commissioner; (4) performs incompetent or negligent work; (5) makes false, misleading or deceptive representations to the public; (6) has been subject to disciplinary action similar to that specified in [subdivision (7) of] section 21a-7 or [subdivision (4) of subsection (b) of] section 21a-8 by a duly authorized professional agency of the United States, any state within the United States, the District of Columbia, a United States possession or territory or a foreign jurisdiction; or (7) violates any provision of the general statutes or any regulation established thereunder,

relating to the practitioner's profession or occupation.

Sec. 9. Section 20-324e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) [When any aggrieved person commences any action for a judgment which may result in collection from the Real Estate Guaranty Fund, the aggrieved person shall notify the commission or department in writing to this effect at the time of the commencement of such action. Such written notice shall toll the time for making application to the commission pursuant to section 20-324d. The commission or department shall have the right to enter an appearance, intervene in or defend any such action and may waive the required written notice for good cause shown.]

[(b)] When any aggrieved person [recovers a valid judgment in the Superior Court]obtains a binding arbitration decision, a court judgment, order or decree against any against any real estate licensee or the unlicensed employee of any such real estate licensee for loss or damages sustained by reason of the embezzlement of money or property, or money or property unlawfully obtained from any person by false pretenses, artifice or forgery or by reason of any fraud, misrepresentation or deceit by or on the part of such real estate licensee or the unlicensed employee of any such real estate [broker] licensee, such aggrieved person may upon the final determination of, or expiration of time for appeal in connection with, any decision, order, decree or judgment, apply to the [commission] department for an order directing payment out of the Real Estate Guaranty Fund of the amount unpaid upon the decision, order, decree or judgment, subject to the limitations stated in section 20-324a and the limitations specified in this section.

[(c)](b) The [commission] department shall proceed upon such application in a summary manner, and [, upon the hearing thereof,] the aggrieved person shall be required to show that: (1) Such aggrieved person is not a spouse of the debtor or the personal representative of such spouse; (2) such aggrieved person has complied with all the requirements of this section; (3) such aggrieved person has obtained a decision, order, decree or judgment as provided in subsection [(b)](a) of this section, stating the amount thereof and the amount owing thereon at the date of the application; (4) such aggrieved person has caused to be issued a writ of execution upon the decision, order, decree or judgment and the officer executing the same has made a return showing that no personal or real property of the [judgment] debtor liable to be levied upon in satisfaction of the decision, order, decree or judgment could be found, or that the amount realized on the sale of them or of such of them as were found, under the execution, was

insufficient to satisfy the decision, order, decree or judgment, stating the amount so realized and the balance remaining due on the decision, order, decree or judgment after application thereon of the amount realized; (5) such aggrieved person has made all reasonable searches and inquiries to ascertain whether the [judgment debtor] real estate licensee or the unlicensed employee of any such real estate licensee possesses real or personal property or other assets, liable to be sold or applied in satisfaction of the decision, order, decree or judgment; and (6) that by such search such aggrieved person has discovered no personal or real property or other assets liable to be sold or applied, or that such aggrieved person has discovered certain of them, describing them, owned by the [judgment debtor] real estate licensee or the unlicensed employee of any such real estate licensee and liable to be so applied, and that such aggrieved person has taken all necessary action and proceedings for the realization thereof, and that the amount thereby realized was insufficient to satisfy the decision, order, decree or judgment, stating the amount so realized and the balance remaining due on the decision, order, decree or judgment after application of the amount realized.

[(d)](c) Whenever the aggrieved person satisfies the [commission] department that it is not practicable to comply with one or more of the requirements enumerated in subdivisions (4), (5) and (6) of subsection (c) of this section and that such aggrieved person has taken all reasonable steps to collect the amount of the decision, order, decree or judgment or the unsatisfied part thereof and has been unable to collect the same, the [commission] department may in its discretion waive such requirements.

[(e)](d) The [commission] department shall order payment from the Real Estate Guaranty Fund of any sum it shall find to be payable upon the claim, pursuant to the provisions of and in accordance with the limitations contained in this section and section 20-324a, if the [commission] department is satisfied [, upon the hearing,] of the truth of all matters required to be shown by the aggrieved person by subsection (c) of this section and that such aggrieved person has fully pursued and exhausted all remedies available to such aggrieved person for recovering the amount awarded by the decision, order, decree or judgment [of the court].

[(f)](e) If the [commission] department pays from the Real Estate Guaranty Fund any amount in settlement of a claim or toward satisfaction of a decision, order, decree or judgment against a real estate licensee or the unlicensed employee of any such real estate licensee pursuant to an order under subsection [(e)](d) of this section, such [real estate licensee] person shall not be eligible to receive a new license until such [real estate licensee] person has repaid in full, plus interest at a rate [to be determined by the department and which shall reflect current market

rates] of ten per cent a year, the amount paid [from] owed to the fund [on such real estate licensee's account]. A discharge in bankruptcy shall not relieve a person from the penalties and disabilities provided in this subsection.

Sec. 10. Sec. 20-450 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(1) "Association" means (A) an association, as defined in section 47-202, and an association of unit owners, as defined in section 47-68a and in section 47-68 of the general statutes, revision of 1958, revised to January 1, 1975, and (B) the mandatory owners organization of any common interest community, as defined in section 47-202, which community was not created under chapter 825 or 828 or under chapter 825 of the general statutes, revision of 1958, revised to January 1, 1975. "Association" does not include an association of a common interest community which contains only units restricted to nonresidential use;

(2) "Community association manager" means a natural person who directly provides association management services;

(3) "Association management services" means services provided to an association for remuneration, including one or more of the following: (A) Collecting, controlling or disbursing funds of the association or having the authority to do so; (B) preparing budgets or other financial documents for the association; (C) assisting in the conduct of or conducting association meetings; (D) advising or assisting the association in obtaining insurance; (E) coordinating or supervising the [overall] operations of the association; and (F) advising the association on the [overall] operations of the association [. Any person licensed in this state under any provision of the general statutes or rules of court who provides the services for which such person is licensed to an association for remuneration shall not be deemed to be providing association management services. Any director, officer or other member of an association who provides services specified in this subdivision to the association of which he or she is a member shall not be deemed to be providing association management services unless such director, officer or other member owns or controls more than two-thirds but less than all of the votes in such association];

(4) "Commission" means the Connecticut Real Estate Commission appointed under the provisions of section 20-311a;

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

(6) "Person" means an individual, partnership, corporation, limited liability company or other legal entity; and

(7) "Community association manager trainee" means a natural person working under the direct supervision of a community association manager, for the purpose of being trained in the provision of association management services.

Sec. 11. Section 20-452 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) Any person seeking a certificate of registration as a community association manager or as a community association manager trainee shall apply to the department in writing, on a form provided by the department. Such application shall include the applicant's name, residence address, business address, business telephone number, a question as to whether the applicant has been convicted of a felony in any state or jurisdiction and such other information as the department may require. Except for a community association manager trainee, any person seeking an initial certificate of registration as a community association manager shall submit to a request by the [commissioner] Commissioner of Consumer Protection for a state and national criminal history records check, conducted in accordance with the provisions of section 29-17a. No registration as a community association manager shall be issued unless the commissioner has received the results of such records check.

(b) Each application for a certificate of registration as a community association manager shall be accompanied by an application fee of sixty dollars and a registration fee of one hundred dollars. The department shall refund the registration fee if it refuses to issue a certificate of registration. The department shall not charge either an application or a registration fee for a certificate of registration as a community association manager trainee.

(c) The following persons shall be exempt from registration as a community association manager pursuant to this chapter:

(1) Any person licensed in this state under any provision of the general statutes or rules of court who provides the professional services, for which such person is licensed, to an association for remuneration, which shall include, but not be limited to accountants, attorneys, and

insurance agents;

(2) Any director, officer or other member of an association who provides association management services to the association of which he or she is a member, unless such director, officer or other member owns or controls more than two-thirds but less than all of the votes in such association; and

(3) Any person who provides administrative services for a community association manager as set forth in section 21a-451 of the general statutes.

Sec. 12. Section 20-290 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

In order to safeguard life, health and property, no person shall practice architecture in this state, except as provided in this chapter, or use the title "architect", or display or use any words, letters, figures, title, sign, seal, advertisement or other device to indicate that such person practices or offers to practice architecture, which terms shall include, but not be limited to, "architectural design," "architectural services," and "architectural drawings," unless such person has obtained a license as provided in this chapter. Nothing in this chapter shall prevent any Connecticut corporation in existence prior to 1933, whose charter authorizes the practice of architecture, from making plans and specifications or supervising the construction of any building, except that no such corporation shall issue plans or specifications unless such plans or specifications have been signed and sealed by an architect licensed under the provisions of this chapter.

Sec. 13. Section 20-292 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(e) For renewal of a license under this section, other than under subsection (d) of this section, an applicant shall submit proof or attest that he or she has completed twelve hours of continuing professional education during the continuing professional education period. The continuing professional education period shall commence three calendar months prior to the license expiration date and shall run for a period of twelve months from the date of commencement. An architect shall not be required to comply with the continuing education requirements of this

section until after the licensee's first license renewal.

(f) For reason of health, military service, or other individual hardship, the board may, in its discretion, excuse an architect from continuing professional education requirements if the architect otherwise meets all other renewal requirements. If an exemption of an architect from continuing professional education requirements is granted by the board, the board's written decision shall be final and not appealable to the department. An architect who has been granted emeritus status by the board or department shall not be subject to continuing education requirements.

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

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

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

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

Sec. 14. Section 20-298 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) The following activities are exempted from the provisions of this chapter: (1) The practice of engineering by a professional engineer licensed under the provisions of chapter 391, and the performance by such professional engineer of architectural work for which such professional engineer is qualified by education and experience and which is incidental to such professional

engineer's engineering work; (2) the construction or alteration of a residential building to provide dwelling space for not more than two families, or of a private garage or other accessory building intended for use with such residential building, or of any farm building or structure for agricultural use; (3) the preparation of details and shop drawings by persons other than architects, for use in execution of the work of such persons, when buildings are designed in accordance with the requirements of this chapter; (4) the activities of employees of architects licensed in this state acting under the instructions, control or supervision of their employers; (5) the superintendence by builders, or properly qualified superintendents employed by such builders, of the construction or structural alteration of buildings or structures; (6) the activities of officers and employees of any public utility corporation whose operations are under the jurisdiction of the Public Utilities Regulatory Authority; (7) the activities of officers and employees of the government of the United States while engaged in this state in the practice of architecture for said government; and (8) the making of plans and specifications for or supervising the erection of any building, any building addition or any alteration to an existing building, where the building, including any addition, contains less than five thousand square feet total area, provided (A) this subdivision shall not be construed to exempt from the provisions of this chapter buildings of less than five thousand square feet total area of the use groups as defined in the State Building Code as follows: Assembly, educational, institutional, high hazard, transient residential, which includes hotels, motels, rooming or boarding houses, dormitories and similar buildings, and (B) the area specified in this subdivision is to be calculated from the exterior dimensions of the outside walls of the building and shall include all occupiable floors or levels.

(b) A person claiming an exemption under this section shall not use the title "architect," or display or use any words, letters, figures, title, sign, seal, advertisement or other device to indicate or imply that such person practices or offers to practice architecture, which terms shall include, but not be limited to, “architectural design,” “architectural services,” and “architectural drawings,” unless such person has obtained a license as provided in this chapter.

(c) A person claiming an exemption under subsection (a) of this section, other than subdivision (7), who has not obtained a license as provided in this chapter shall clearly and conspicuously include the words “NOT A LICENSED ARCHITECT” on all contracts, advertisements, promotional materials, plans or specifications.

Sec. 15. Section 21a-430 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) No person shall place or cause to be placed in a public place a donation bin for the donation of clothing or other articles unless such person **[**has been granted permission**]** obtains consent in writing to place such donation bin in such public place by the owner of such public place or by such owner's duly authorized agent prior to placing such bin or causing such bin to be placed and unless such bin contains a notice in block letters at least two inches high stating: (1) If the donation is for a charitable purpose, (A) the name of the nonprofit organization that will benefit from the donation and the percentage of the donated articles or of the proceeds from the sale of the donated articles that the nonprofit organization will receive from the owner of such bin, (B) the name and contact information of the owner of such bin, and (C) that the public may contact the Department of Consumer Protection for further information, or (2) if not intended for a charitable purpose, that such donation is not for a charitable purpose. Such notice shall be on the same side of the bin where the donation is likely to be made. As used in this section, "public place" means any area that is used or held out for use by the public, whether owned or operated by public or private interests, and "donation bin" means a large container commonly placed in a parking lot for the purpose of encouraging individuals to donate clothing or other items.

(b) Any person who violates any provision of subsection (a) of this section shall be fined not more than five hundred dollars.

Sec. 16. Section 21a-217 of the general statutes, as amended by Section 19 of Public Act 24-142, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) Every contract for health club services shall provide that such contract may be cancelled within three business days after the date of receipt by the buyer of a copy of the contract, by written notice delivered, with delivery tracking, to the seller or the seller's agent at an address which shall be specified in the contract. Within seven days of receipt of such written notice, the health club shall provide the buyer with written confirmation of contract cancellation, which confirmation shall state the effective date of such cancellation. After receipt of such cancellation, the health club may request the return of any cards or equipment that were delivered to the buyer as part of the membership. Cancellation shall be without liability on the part of the buyer, except for the fair market value of services actually received and the buyer shall be entitled to a refund of the entire consideration paid for the contract, if any, less the fair market value of the

services or use of facilities already actually received. Such right of cancellation shall not be affected by the terms of the contract and may not be waived or otherwise surrendered.

(b) [Such] A contract for health club services shall [also] contain the following provisions:

(1) [a clause providing that] The buyer or the buyer's estate shall be relieved of any further obligation for payment under the contract not then due and owing if the person receiving the benefits of such contract:

(A) relocates further than twenty-five miles from a health club facility operated by the seller or a substantially similar health club facility which would accept the seller's obligation under the contract, [or]

(B) dies during the membership term following the date of such contract, or

(C) if the health club ceases operation at the location where the buyer entered into the contract [, the buyer or his estate shall be relieved of any further obligation for payment under the contract not then due and owing.];

(2) [The contract shall also provide that if] If the buyer becomes disabled during the membership term, the buyer shall have the option of [(1)](A) being relieved of liability for payment on that portion of the contract term for which the buyer is disabled, or [(2)](B) extending the duration of the original contract at no cost to the buyer for a period equal to the duration of the disability[.]; and

(3) The buyer's option to void the contract prospectively if: (A) a health club ceases to offer facilities or amenities substantially similar to those offered to the buyer when the buyer initially entered into such contract, or (B) the services offered in the contract are no longer available or substantially available because of the health club's permanent discontinuance of operation or substantial change in operation at the buyer's primary health club location. For the purpose of this subdivision, the primary health club location shall be the health club premises designated by the buyer as their preferred location for health club services delivered by the health club owner or, if not so designated, the address of the health club frequented by the buyer under the contract between the buyer and the health club owner that is most frequented by the buyer in the preceding calendar year.

(c) The health club shall have the right to require and verify reasonable evidence of relocation, disability or death. In the case of disability, the health club may require that documentation from

a licensed physician, a licensed physician assistant, a licensed advanced practice registered nurse or another credentialed medical provider be submitted as verification.

Sec. 17. Section 21a-218 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) A copy of the health club contract shall be delivered to the buyer at the time the contract is signed. All health club contracts shall (1) be in writing and signed by the buyer, (2) designate the date on which the buyer actually signs the contract, (3) identify the address of the location at which the buyer entered the contract, and (4) contain a statement of the buyer's rights which complies with this section. The following statement shall prominently and conspicuously appear, in at least twelve-point font, at the top of the contract: "BUYER'S RIGHT TO CANCEL

If you wish to cancel this contract, you may cancel by sending a written notice stating that you do not wish to be bound by this contract. The notice must be delivered or mailed before midnight of the third business day after you sign this contract. The notice must be delivered or mailed to:

(Insert name, electronic mail **[**address and**]** address and mailing address for cancellation notice.)

You may also cancel this contract if:

(1) You relocate your residence further than twenty-five (25) miles from any health club operated by the seller or from any other substantially similar health club which would accept the obligation of the seller;

(2) You die; or

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

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

(1) Being relieved of liability for payment on that portion of the contract term for which you are disabled; or

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

You must send a written notice of disability, which may be sent to the health club in an electronic form. **[**You may**]** You may be required to prove such disability by submitting documentation from a licensed physician, a licensed physician assistant, a licensed advanced practice registered nurse or another credentialed medical provider. If you cancel, the health club may keep or collect an amount equal to the fair market value of the services or use of facilities you have already received.**["]**

NOTICE OF GUARANTY FUND

The Health Club Guaranty Fund is administered by the Department of Consumer Protection to protect consumers who have a health club contract with a club that closes down or moves. If a health club is no longer operating at the location where you entered into the contract, you may be eligible for reimbursement through the Fund. For further information, and to apply to the Fund, please visit (insert Department of Consumer Protection website URL) or contact the Department by phone at (insert Department of Consumer Protection main phone line)."

Sec. 18. Section 21a-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

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

promptly notify a local emergency medical services provider after each use of such automatic external defibrillator; (3) that the application be accompanied by (A) a license or renewal fee of two hundred fifty dollars, (B) a list of the equipment and each service that the applicant intends to have available for use by buyers during the year of operations following licensure or renewal, and (C) two copies of each health club contract that the applicant is currently using or intends to use; and (4) compliance with the requirements of section 21a-226. Such licenses shall be renewed annually. The commissioner may impose a civil penalty of not more than three hundred dollars per violation against any health club that **[**continues to sell or offer**]** sells or offers for sale health club contracts for any location but fails to **[**submit a license renewal and license renewal fee**]** maintain an active license for such location **[**not later than thirty days after such license's expiration date**]**.

(b) No health club shall (1) engage in any act or practice that is in violation of or contrary to the provisions of this chapter or any regulation adopted to carry out the provisions of this chapter, including the use of contracts that do not conform to the requirements of this chapter, or (2) engage in conduct of a character likely to mislead, deceive or defraud the buyer, the public or the commissioner. The Commissioner of Consumer Protection may refuse to grant or renew a license to, issue a civil penalty in an amount not to exceed one thousand dollars per violation, or may suspend, place conditions on or revoke the license of, any health club which engages in any conduct prohibited by this chapter.

Sec. 19. Section 21a-226 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

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

(h) If the commissioner pays any amount as a result of a claim against a health club pursuant to an order under subsection (g) of this section, the health club shall pay the amount due subject to interest at a rate of ten percent per year, which amount shall be deposited to the health club guaranty fund. A health club shall not be eligible to receive a new or renewed license until the health club has repaid such amount in full **[**, plus interest at a rate to be determined by the commissioner**]**.

Sec. 20. Section 21-82 of the general statutes is repealed and the following is substituted in lieu thereof (*effective July 1, 2025*):

(a) At all times during the tenancy the owner shall:

(1) Comply with the requirements of the State Building Code, the Fire Safety Code, and all applicable state laws and regulations, local ordinances and planning and zoning regulations materially affecting health and safety;

(2) Maintain the premises and regrade them when necessary to prevent the accumulation of stagnant water and to prevent the detrimental effects of moving water;

(3) Maintain the ground at such a level that the mobile manufactured home will not tilt from its original position;

(4) Keep each mobile manufactured home space or lot marked in such a way that each resident will be certain of his area of responsibility;

(5) Keep any exterior area of the park not the responsibility of each resident free from any species of weed or plant growth which are noxious or detrimental to the health of the residents;

(6) Make all repairs and do whatever is necessary to put and keep the portion of the mobile manufactured home park that is not the responsibility of each resident in a fit and habitable condition, except where such premises are intentionally rendered unfit or uninhabitable by the resident, a member of his family or other person on the premises with his consent, in which case such duty shall be the responsibility of the resident;

(7) Keep all common areas of the premises in a clean and safe condition;

(8) Be responsible for the extermination of any insect, rodent, vermin or other pest dangerous to the health of the residents whenever infestation exists in the area of the park not the responsibility of the resident or in the area for which the resident is responsible including the mobile manufactured home if such infestation is not the fault of the resident and particularly if such infestation existed prior to the occupancy of the resident claiming relief;

(9) Maintain all mobile manufactured homes rented by the owner in a condition which is

structurally sound and capable of withstanding adverse effects of weather conditions;

(10) Maintain all electrical, plumbing, gas or other utilities provided by him in good working condition except during any emergency after which any repair shall be completed within seventy-two hours unless good cause is shown as to why such repair has not been completed;

(11) Maintain all water and sewage lines and connections in good working order, and in the event of any emergency, make necessary arrangements for the provision of such service on a temporary basis;

(12) Maintain septic systems, leaching fields, and septic lines and connections in good working order, and in the event of any emergency, make necessary arrangements for the provision of such service on a temporary basis;

[(12)](13) Arrange for the removal from waste receptacles of ashes, garbage, rubbish and other waste incidental to the occupancy of the dwelling unit;

[(13)](14) Maintain any road within the park in good condition, provide adequate space for parking of two cars for each lot except that any park which provided only one space for each lot on January 1, 1985, and which provided only one space for each lot on October 1, 1972, shall be exempt from such requirement, and be responsible for damage to any vehicle which is the direct result of any unrepaired or poorly maintained access road within the park;

[(14)](15) Respect the privacy of the resident and if only the space or lot is rented, agree to enter the mobile manufactured home only with the permission of the resident;

[(15)](16) Allow all residents freedom of choice in the purchase of all services pursuant to section 21-78;

[(16)](17) Allow a resident to terminate a rental agreement whenever a change in the location of such resident's employment requires a change in the location of his residence if such resident gives thirty days' notice; provided, a resident who is a member of the armed forces of the United States may terminate his rental agreement with less than notice of thirty days if he receives reassignment orders which do not allow such prior notification

Sec. 21. Section 20-417a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

As used in this section and sections 20-417b to 20-417j, inclusive:

(1) "Certificate" means a certificate of registration issued under section 20-417b;

(2) "Commissioner" means the Commissioner of Consumer Protection or any person designated by the commissioner to administer and enforce this section and sections 20-417b to 20-417j, inclusive;

(3) "Completion" means the stage of construction of a new home in which the new home construction contractor is in receipt of the certificate of occupancy for such new home issued by the municipality in which such new home is constructed;

(4) "Consumer" means the buyer or prospective buyer, or the buyer's or prospective buyer's heirs or designated representatives, of any new home or the owner of property on which a new home is being or will be constructed regardless of whether such owner obtains a building permit as the owner of the premises affected pursuant to section 29-263;

[(3)**]** (5) "Contract" means any agreement between a new home construction contractor and a consumer for the construction or sale of a new home or any portion of a new home prior to occupancy;

[(4)**]** (6) "Engage in the business" means that the person engages in the business for the purpose of compensation or profit;

(7) "New home" means any newly constructed (A) single-family dwelling unit, (B) dwelling consisting of not more than two units, or (C) unit, common element or limited common element in a condominium, as defined in section 47-68a, or in a common interest community, as defined in section 47-202;

[(5)**]** (8) "New home construction contractor" means any person who contracts with a consumer to construct or sell a new home or any portion of a new home prior to occupancy;

[(6) "New home" means any newly constructed (A) single-family dwelling unit, (B) dwelling consisting of not more than two units, or (C) unit, common element or limited common element in a condominium, as defined in section 47-68a, or in a common interest community, as defined

in section 47-202;]

[(7)] (9) "Person" means one or more individuals, partnerships, associations, corporations, limited liability companies, business trusts, legal representatives or any organized group of persons; and

[(8) "Consumer" means the buyer or prospective buyer, or the buyer's or prospective buyer's heirs or designated representatives, of any new home or the owner of property on which a new home is being or will be constructed regardless of whether such owner obtains a building permit as the owner of the premises affected pursuant to section 29-263; and

(9) "Completion" means the stage of construction of a new home in which the new home construction contractor is in receipt of the certificate of occupancy for such new home issued by the municipality in which such new home is constructed.]

(10) "Proprietor" means an individual who (A) has an ownership interest in a business entity that holds or has held a certificate issued under section 20-417b, and (B) has been found by a court of competent jurisdiction to have violated any provision of this chapter related to the conduct of a business entity holding a certificate or that has held a certificate issued under section 20-417b within the two years of the effective date of entering into a contract with a consumer harmed by the actions of such business entity or the owner of such business entity.

Sec. 22. Section 20-417i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(d) Whenever a consumer obtains a binding arbitration decision, a court judgment, order or decree against or regarding any new home construction contractor holding a certificate or who has held a certificate under sections 20-417a to 20-417j, inclusive, as amended by this act, or against a proprietor, within two years of the date [of entering] such contractor entered into the contract with the consumer, for loss or damages sustained by reason of any violation of the provisions of sections 20-417a to 20-417j, inclusive, as amended by this act, by a person holding a certificate under said sections, such consumer may, upon the final determination of, or expiration of time for taking, an appeal in connection with any such decision, judgment, order or decree, apply to the commissioner for an order directing payment out of the New Home Construction Guaranty Fund of the amount, not exceeding [thirty] fifty thousand dollars,

unpaid upon the decision, judgment, order or decree for actual damages and costs taxed by the court against such contractor or proprietor, exclusive of punitive damages. The application shall be made on forms provided by the commissioner and shall be accompanied by a copy of the decision, court judgment, order or decree obtained against the new home construction contractor or proprietor together with a statement signed and sworn to by the consumer, affirming that the consumer has: (1) Complied with all the requirements of this subsection; (2) obtained a decision, judgment, order or decree stating the amount of the decision, judgment, order or decree and the amount owing on the decision, judgment, order or decree at the date of application; and (3) made a good faith effort to satisfy any such decision, judgment, order or decree in accordance with the provisions of chapter 906, which effort may include causing to be issued a writ of execution upon such decision, judgment, order or decree, [but] provided the officer executing the same has made a return showing that no bank accounts or personal property of such contractor liable to be levied upon in satisfaction of the decision, judgment, order or decree could be found, or that the amount realized on the sale of them or of such of them as were found, under the execution, was insufficient to satisfy the actual damage portion of the decision, judgment, order or decree or stating the amount realized and the balance remaining due on the decision, judgment, order or decree after application on the decision, judgment, order or decree of the amount realized, except that the requirements of this subdivision shall not apply to a judgment, order or decree obtained by the consumer in small claims court. A true and attested copy of such executing officer's return, when required, shall be attached to such application. Whenever the consumer satisfies the commissioner or the commissioner's designee that it is not practicable to comply with the requirements of subdivision (3) of this subsection and that the consumer has taken all reasonable steps to collect the amount of the decision, judgment, order or decree or the unsatisfied part of the decision, judgment, order or decree and has been unable to collect the same, the commissioner or the commissioner's designee may, in the commissioner's or the commissioner's designee's discretion, dispense with the necessity for complying with such requirement. No application for an order directing payment out of the fund shall be made later than two years from the final determination of, or expiration of time for taking, an appeal of such decision, court judgment, order or decree and no such application shall be for an amount in excess of [thirty] fifty thousand dollars.

(e) Upon receipt of such application together with such copy of the decision, court judgment, order or decree, statement and, except as otherwise provided in subsection (d) of this section, true and attested copy of the executing officer's return, the commissioner or the commissioner's

designee shall inspect such documents for their veracity and upon a determination that such documents are complete and authentic and that the consumer has not been paid, the commissioner shall order payment out of the New Home Construction Guaranty Fund of the amount not exceeding **[**thirty**]** fifty thousand dollars unpaid upon the decision, judgment, order or decree for actual damages and costs taxed by the court against the contractor or proprietor, exclusive of punitive damages.

(f) **[**Beginning**]** (1) During the period beginning on October 1, 2000, and ending on the date immediately preceding the effective date of this section, whenever a consumer is awarded an order of restitution against any new home construction contractor for loss or damages sustained as a result of any violation of the provisions of sections 20-417a to 20-417j, inclusive, as amended by this act, by a person holding a certificate or who has held a certificate under said sections within two years of the date of entering into the contract with the consumer, in **[**(1)**]** (A) a proceeding brought by the commissioner pursuant to subsection **[**(h)**]** (i) of this section or subsection (d) of section 42-110d, **[**(2)**]** (B) a proceeding brought by the Attorney General pursuant to subsection (a) of section 42-110m, or subsection (d) of section 42-110d, or **[**(3)**]** (C) a criminal proceeding pursuant to section 20-417e, such consumer may, upon the final determination of, or expiration of time for taking, an appeal in connection with any such order of restitution, apply to the commissioner for an order directing payment out of the New Home Construction Guaranty Fund of the amount not exceeding **[**thirty**]** fifty thousand dollars unpaid upon the order of restitution. The commissioner may issue such order upon a determination that the consumer has not been paid.

(2) Beginning on the effective date of this section, whenever a consumer is awarded an order of restitution against any new home construction contractor or proprietor for loss or damages sustained as a result of any violation of the provisions of sections 20-417a to 20-417j, inclusive, as amended by this act, by a person holding a certificate or who has held a certificate under said sections within two years of the date such contractor entered into the contract with the consumer, in (A) a proceeding brought by the commissioner pursuant to subsection (i) of this section or subsection (d) of section 42-110d, (B) a proceeding brought by the Attorney General pursuant to subsection (a) of section 42-110m or subsection (d) of section 42-110d, or (C) a criminal proceeding pursuant to section 20-417e, such consumer may, upon the final determination of, or expiration of time for taking, an appeal in connection with any such order of restitution, apply to the commissioner for an order directing payment out of the New Home Construction Guaranty Fund of the amount not exceeding fifty thousand dollars unpaid upon the order of restitution. The commissioner may issue such order upon a determination that the

consumer has not been paid.

(g) Whenever the commissioner orders payment to a consumer out of the New Home Construction Guaranty Fund based upon a decision, judgment, order or decree of restitution, the contractor and proprietor shall be liable for the resulting debt to the New Home Construction Guaranty Fund.

[(g)**]** (h) Before the commissioner may issue any order directing payment out of the New Home Construction Guaranty Fund to a consumer pursuant to subsection (e) or (f) of this section, the commissioner shall first notify the new home construction contractor of the consumer's application for an order directing payment out of the fund and of the new home construction contractor's right to a hearing to contest the disbursement in the event that such contractor or proprietor has already paid the consumer. Such notice shall be given to the new home construction contractor not later than fifteen days after receipt by the commissioner of the consumer's application for an order directing payment out of the fund. If the new home construction contractor requests a hearing, in writing, by certified mail not later than fifteen days after receiving the notice from the commissioner, the commissioner shall grant such request and shall conduct a hearing in accordance with the provisions of chapter 54. If the commissioner does not receive a written request for a hearing by certified mail from the new home construction contractor on or before the fifteenth day from the contractor's receipt of such notice, the commissioner shall conclude that the consumer has not been paid, and the commissioner shall issue an order directing payment out of the fund for the amount not exceeding **[**thirty**]** fifty thousand dollars unpaid upon the judgment, order or decree for actual damages and costs taxed by the court against the new home construction contractor or proprietor, exclusive of punitive damages, or for the amount not exceeding **[**thirty**]** fifty thousand dollars unpaid upon the order of restitution.

[(h)**]** (i) The commissioner or the commissioner's designee may proceed against any new home construction contractor holding a certificate or who has held a certificate under sections 20-417a to 20-417j, inclusive, as amended by this act, within two years of the effective date of entering into the contract with the consumer, for an order of restitution arising from loss or damages sustained by any consumer as a result of any violation of the provisions of said sections 20-417a to 20-417j, inclusive, by the contractor or proprietor. Any such proceeding shall be held in accordance with the provisions of chapter 54. In the course of such proceeding, the commissioner or the commissioner's designee shall decide whether to (1) exercise the powers specified in section 20-417c, (2) order restitution arising from loss or damages sustained by any

consumer as a result of any violation of the provisions of sections 20-417a to 20-417j, inclusive, as amended by this act, and (3) order payment out of the New Home Construction Guaranty Fund. Notwithstanding the provisions of chapter 54, the decision of the commissioner or the commissioner's designee shall be final with respect to any proceeding to order payment out of the fund and the commissioner and the commissioner's designee shall not be subject to the requirements of chapter 54 as such requirements relate to an appeal from any such decision. The commissioner or the commissioner's designee may hear complaints of all consumers submitting claims against a single new home construction contractor in one proceeding.

[(i)**]** (j) No application for an order directing payment out of the New Home Construction Guaranty Fund shall be made later than two years from the final determination of, or expiration of time for, an appeal in connection with any judgment, order or decree of restitution, and no such application shall be for an amount in excess of **[**thirty**]** fifty thousand dollars.

[(j)**]** (k) In order to preserve the integrity of the New Home Construction Guaranty Fund, the commissioner, in the commissioner's sole discretion, may order payment out of the fund of an amount less than the actual loss or damages incurred by the consumer or less than the order of restitution awarded by the commissioner or the Superior Court. In no event shall any payment out of the fund be in excess of **[**thirty**]** fifty thousand dollars for any single claim by a consumer.

[(k)**]** (l) If the money deposited in the New Home Construction Guaranty Fund is insufficient to satisfy any duly authorized claim or portion of a claim, the commissioner shall, when sufficient money has been deposited in the fund, satisfy such unpaid claims or portions of claims not exceeding **[**thirty**]** fifty thousand dollars, in the order that such claims or portions of claims were originally determined.

[(l)**]** (m) Whenever the commissioner has caused any sum to be paid from the New Home Construction Guaranty Fund to a consumer, the commissioner shall be subrogated to all of the rights of the consumer up to the amount paid plus reasonable interest, and prior to receipt of any payment from the fund, the consumer shall assign all of the consumer's right, title and interest in the claim up to such amount to the commissioner, and any amount and interest recovered by the commissioner on the claim shall be deposited in the fund.

[(m)**]** (n) If the commissioner orders the payment of any amount as a result of a guaranty fund claim against a new home construction contractor or proprietor, the commissioner shall determine if such contractor is possessed of assets liable to be sold or applied in satisfaction of the claim on the New Home Construction Guaranty Fund. If the commissioner discovers any

such assets, the commissioner may request that the Attorney General take any action necessary for the reimbursement of the fund.

[(n)**]** (o) If the commissioner orders the payment of an amount as a result of a guaranty fund claim against a new home construction contractor, the commissioner may, after notice and hearing in accordance with the provisions of chapter 54, revoke the certificate of such contractor and such contractor shall not be eligible to receive a new or renewed certificate until such contractor has repaid such amount in full, plus interest from the time such payment is made from the New Home Construction Guaranty Fund, at a rate to be in accordance with section 37-3b, except that the commissioner may, in the commissioner's sole discretion, permit a new home construction contractor to receive a new or renewed certificate after such contractor has entered into an agreement with the commissioner whereby such contractor agrees to repay the fund in full in the form of periodic payments over a set period of time. Any such agreement shall include a provision providing for the summary suspension of any and all certificates held by the new home construction contractor if payment is not made in accordance with the terms of the agreement.

Sec. 23. Section 20-281 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(b) The State Board of Accountancy shall require, by regulation, that on and after January 1, 1990, as a condition to renewal of a permit to practice issued under section 20-281e that permit holders undergo a quality review, conducted in such manner as the board may by regulation specify, to determine and report on the degree of compliance by the permit holder with generally accepted accounting principals, generally accepted auditing standards and other similarly recognized authoritative technical standards. Such a review shall be required every three years, except as provided in subsection (c) of this section. Any such regulations shall provide that an applicant may comply with such regulations by furnishing sufficient evidence to the board that a similar quality review has been completed for other purposes. Each such review shall be performed by a reviewer having such qualifications as shall be set forth by regulation. Each reviewer shall be independent of the firm being reviewed. The firm which is the subject of the review shall **[**furnish**]** provide a copy of the opinion letter **[**accompanying the report of the review performed by**]** of the reviewer and a copy of an acceptance letter issued by a qualified oversight body that confirms the firm has received final approval from the qualified

oversight body and all corrective actions have been taken by the firm related to the review, as required by the qualified oversight body, to the [board] department within thirty days of the acceptance of the final report by a qualified oversight body as determined by the board. Such letter shall not be a public record unless it is made part of the record of a disciplinary hearing. If the quality review [report is designated "modified"] indicates any deficiencies or delinquencies, the board may require the firm which is the subject of the review to submit an affidavit, within such time as the board may specify, indicating that [the remedial] corrective action [suggested by the reviewer] has been completed. Payment for any review shall be the responsibility of the firm which is the subject of the review. A firm may comply with reporting requirements set forth in this subsection by providing digital access to the opinion letter and acceptance letter, for a period of not less than ninety calendar days, to the department by means of a secure website, including but not limited to the AICPA Facilitated State Board Access.

Sec. 24. Section 42-179 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(g) (1) No motor vehicle which is returned to any person pursuant to any provision of this chapter or in settlement of any dispute related to any complaint made under the provisions of this chapter and which requires replacement or refund shall be resold, transferred or leased in the state without clear and conspicuous written disclosure of the fact that such motor vehicle was so returned prior to resale or lease. Such disclosure shall be affixed to the motor vehicle and shall be included in any contract for sale or lease. The Commissioner of Motor Vehicles shall, by regulations adopted in accordance with the provisions of chapter 54, prescribe the form and content of any such disclosure statement and establish provisions by which the commissioner may remove such written disclosure after such time as the commissioner may determine that such motor vehicle is no longer defective.

(2) For any motor vehicle subject to a complaint made under the provisions of this chapter, if a manufacturer accepts the return of a motor vehicle or compensates any person who accepts the return of a motor vehicle, whether the return is pursuant to an arbitration award or settlement, such manufacturer shall stamp the words "MANUFACTURER BUYBACK-LEMON" clearly and conspicuously on the face of the original title in letters at least one-quarter inch high and, not later than thirty days after receipt of the title, shall submit a copy of the stamped title to the Department of Motor Vehicles and remit evidence of such submission to the

Department of Consumer Protection electronically within such thirty day period. The Department of Motor Vehicles shall maintain a listing of such buyback vehicles and in the case of any request for a title for a buyback vehicle, shall cause the words "MANUFACTURER BUYBACK-LEMON" to appear clearly and conspicuously on the face of the new title in letters which are at least one-quarter inch high. Any person who applies for a title shall disclose to the department the fact that such vehicle was returned as set forth in this subsection.

(3) If a manufacturer accepts the return of a motor vehicle from a consumer due to a nonconformity or defect, in exchange for a refund or a replacement vehicle, whether as a result of an administrative or judicial determination, an arbitration proceeding or a voluntary settlement, the manufacturer shall notify the Department of Motor Vehicles and shall provide the department with all relevant information, including the year, make, model, vehicle identification number and prior title number of the vehicle. Such manufacturer shall stamp the words "MANUFACTURER BUYBACK-LEMON" clearly and conspicuously on the face of the original title in letters at least one-quarter-inch high, and, not later than thirty days after receipt of the title, shall submit a copy of the stamped title to the Department of Motor Vehicles and remit evidence of such submission to the Department of Consumer Protection in a manner prescribed by the Commissioner of Consumer Protection within such thirty day period. The Commissioner of Motor Vehicles shall adopt regulations in accordance with chapter 54 specifying the format and time period in which such information shall be provided and the nature of any additional information which the commissioner may require.

(4) The provisions of this subsection shall apply to motor vehicles originally returned in another state from a consumer due to a nonconformity or defect in exchange for a refund or replacement vehicle and which a lessor or transferor with actual knowledge subsequently sells, transfers or leases in this state.

(5) If a manufacturer fails to stamp, submit and remit evidence of submission of a title as required by this subsection within thirty days of receipt of the title, the Department of Consumer Protection may impose a fine not to exceed ten thousand dollars on the manufacturer. Any such fine shall be deposited into the new automobile warranties account established pursuant to section 42-190. A manufacturer that is aggrieved by a fine imposed pursuant to this subsection may, within ten days of receipt of written notice of such fine from the department, request, in writing, a hearing. The department shall, upon the receipt of all documentation necessary to evaluate the request, determine whether circumstances beyond the manufacturer's control prevented performance, and may conduct a hearing pursuant to chapter 54, if appropriate.

Sec. 25. Section 21a-11 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) The Commissioner of Consumer Protection may, subject to the provisions of chapter 67, employ such agents and assistants as are necessary to enforce the provisions of the general statutes wherein said commissioner is empowered to carry out the duties and responsibilities assigned to the commissioner or the Department of Consumer Protection. For the purpose of inquiring into any suspected violation of such provisions, the commissioner and the commissioner's deputy and assistants shall have free access, at all reasonable hours, to all places and premises, homes and apartments of private families keeping no boarders excepted, and shall be permitted therein to inspect, document by audio and visual means, and shall be provided upon the request of the commissioner or the commissioner's deputy or assistants, copies of any accounts, books, records, memoranda, correspondence, signage, and other documents related to the suspected violation, unless otherwise prohibited by law. The commissioner and the commissioner's deputy or assistants shall have the authority to issue citations pursuant to section 51-164n for violations for the purpose of enforcing such provisions. The commissioner may delegate the commissioner's authority to render a final decision in a contested case to a hearing officer employed by, or contracted with, the department.

Sec. 26. Section 42-110d of the general statutes as amended by Public Act 24-142 is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(d) Said commissioner, in conformance with sections 4-176e to 4-185, inclusive, whenever the commissioner has reason to believe that any person has been engaged or is engaged in an alleged violation of any provision of this chapter, shall deliver to such person, in a manner that is sufficient to effectuate notice as set forth in section 21a-2, a complaint stating the charges and containing a notice of a hearing, to be held upon a day and at a place therein fixed at least fifteen days after the date of such complaint. The person so notified shall have the right to file a written answer to the complaint and charges therein stated and appear at the time and place so fixed for such hearing, in person or otherwise, with or without counsel, and submit testimony and be fully heard. Any person may make application, and upon good cause shown shall be allowed by the commissioner to intervene and appear in such proceeding by counsel or in person. The testimony in any such proceeding, including the testimony of any intervening person, shall be under oath and shall either be reduced to writing by the recording officer of the hearing or

recorded in an audio or audiovisual format. The commissioner or the commissioner's authorized representatives shall have the power to require by subpoena the attendance and testimony of witnesses and the production of any documentary material at such proceeding. If upon such hearing the commissioner is of the opinion that the method of competition or the act or practice in question is prohibited by this chapter, the commissioner or the commissioner's designee shall [make a report in writing to the person complained of in which the commissioner or such designee shall state the commissioner's or such designee's findings as to the facts and shall forward by certified mail to] issue a final decision, which may include orders for such person [an order] to cease and desist from using such methods of competition or such act or practice. The commissioner may impose a civil penalty, in an amount not to exceed the amount set forth in subsection (b) of section 42-110o, after a hearing conducted pursuant to chapter 54, [or, if the amount involved is less than ten thousand dollars, an] and issue an order directing restitution, or both. The commissioner may apply for the enforcement of any cease and desist order, civil penalty, order directing restitution or consent order issued or imposed under this chapter to the superior court for the judicial district of Hartford, or to any judge thereof if the same is not in session, for an order temporarily or permanently restraining and enjoining any person from continuing any violation of such cease and desist order, an order directing payment of any civil penalty or restitution or a consent order. Such application for a temporary restraining order, temporary and permanent injunction, order directing payment of any civil penalty or restitution and for such other appropriate decree or process shall be brought and the proceedings thereon conducted by the Attorney General.

(e) If the commissioner determines that public health, safety or welfare imperatively requires emergency action, the commissioner may order a person to cease and desist from such actions pending administrative proceedings. These proceedings shall be promptly instituted and determined. The commissioner shall determine whether an event imperatively requires emergency action, which requires immediate correction or cessation of operations to prevent injury or serious illness based on the nature, severity and duration of any anticipated harm. After the earlier of the close of the record in an administrative proceeding on an emergency order or forty-five calendar days after the issuance of an emergency order issued under this subsection, any party named in an emergency order of the commissioner may appeal an emergency order of the commissioner to Superior Court as a preliminary order in accordance with section 4-183 of the general statutes. Such appeal to Superior Court shall not enjoin such emergency order pending the appeal unless so ordered by the Superior Court. Nothing in this section shall be construed to limit the right of the commissioner to issue a final decision

following a hearing or to limit the right of a party named in an emergency order to appeal a final agency decision under section 4-183 of the general statutes.

(f)(1) Unless otherwise prohibited by statute, each licensee under section 14-52 engaged in the sale or lease of motor vehicles, as defined in section 42-179, shall clearly and conspicuously disclose, on a side window of the motor vehicle for sale or least, in a size, typeface, and form approved by the Commissioner of Motor Vehicles, each and every fee, charge, or cost that (A) a person is required to pay in order to purchase or otherwise receive a motor vehicle and (B) associated with any add-on or service, including, but not limited to, vehicle identification number marking as set forth in section 14-99h, door guards, mud flaps, window visors, floor mats, or licensee maintenance or service contracts. If any fee, charge, or cost associated with any add-on or service offered by the licensee related to an individual sale is not required by law, the licensee shall clearly and conspicuously disclose that such information on the retail purchase order and on a side window of the motor vehicle for sale or lease, in a size, typeface, and form approved by the Commissioner of Motor Vehicles.

(2) Each order that is required under subsection (a) of section 14-62 evidencing a sale or lease of a motor vehicle shall contain a separate section, prominently displayed in a size, typeface, and form approved by the Commissioner of Motor Vehicles, that lists each and every fee, charge, or cost associated with any optional add-on or service that the buyer has agreed to purchase. Such section shall be clearly labeled that the fees, charges, or costs associated with each add-on and service listed are option and not required by law.

[(e)](g) In addition to any injunction issued pursuant to subsection (d) of this section, the court may make such additional orders or judgments as may be necessary to restore to any person in interest any moneys or property, real or personal, which may have been acquired by means of any practices prohibited by this chapter, including the appointment of a receiver or the revocation of a license or certificate authorizing the person subject to the order or injunction to engage in business in this state, or both.

[(f)](h) The commissioner or the Attorney General or their employees shall disclose, in accordance with the provisions of the Freedom of Information Act, as defined in section 1-200, all records concerning the investigation of any alleged violation of any provision of this chapter, including, but not limited to, any complaint initiating an investigation and all records of the disposition or settlement of a complaint. For purposes of this section, "disposition" shall include the following action or nonaction with respect to any complaints or investigations: (1) No action

taken because of (A) a lack of jurisdiction, (B) unsubstantiated allegations, or (C) a lack of sufficient information to draw a conclusion, as determined by the commissioner, after investigation; (2) referral to another state agency, or to a federal or local agency, or to law enforcement authorities; (3) an acceptance of an assurance of voluntary compliance in accordance with the provisions of section 42-110j; and (4) formal action taken, including the institution of administrative proceedings pursuant to subsection (d) of this section or court proceedings pursuant to section 42-110m, 42-110o or 42-110p. The commissioner may withhold such records from disclosure during the pendency of an investigation or examination held in accordance with subsection (a) of this section, but in no event shall the commissioner withhold any such records longer than a period of eighteen months after the date on which the initial complaint was filed with the commissioner or after the date on which the investigation or examination was commenced, whichever is earlier. Nothing herein shall be deemed to affect the rights of litigants, including parties to administrative proceedings, under the laws of discovery of this state.

Sec. 27. Section 42-110j of the general statutes, as amended by Public Act 24-142, is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

In the administration of this chapter, the commissioner may accept an assurance of voluntary compliance with respect to any method, act or practice deemed in violation of this chapter from any person alleged to be engaged or to have been engaged in such method, act or practice. Such assurance may include an amount as a monetary settlement, restitution to aggrieved persons and for investigative costs. No such assurance of voluntary compliance shall be considered an admission of violation for any purpose. Matters thus closed may at any time be reopened by the commissioner for further proceedings in the public interest. In the event of any violation of the terms of an assurance of voluntary compliance accepted under this section, the commissioner may proceed as provided in sections 42-110d and 42-110e or may request that the Attorney General apply in the name of the state to the Superior Court for relief from such violation consistent with section 42-110m, as amended by this act.

Sec. 28. Section 21-35b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) No person shall advertise, offer for sale or sell a stock of goods, wares or merchandise under the description of closing-out sale unless [he] such person shall have obtained a license from the Commissioner of Consumer Protection authorizing the conducting of such sale for each location at which such sale is to be conducted.

(b) Each person desiring to conduct a closing-out sale shall [deposit with the Commissioner of Consumer Protection the sum of five hundred dollars or a dollar amount equal to one per cent of the wholesale cost of the inventory filed pursuant to subsection (c) of this section whichever is greater; provided that no such deposit shall exceed five thousand dollars. Upon application in the sum to be prescribed by said commissioner and upon deposit to said commissioner of a further sum of] pay one hundred dollars as a state license fee [, said commissioner] and the Commissioner of Consumer Protection shall issue to the applicant a "closing-out sale license", authorizing [him] the applicant to advertise and conduct a sale consistent with that requested in the application.

(c) Each person applying for a "closing-out sale license" shall make such application therefor in writing [and under oath stating all the facts relating to the reasons and character of such sale], including the opening and terminating dates of the proposed sale and an attestation that the person is current on all taxes due in the state, [a complete inventory of the goods, wares and merchandise actually on hand in the place where such sale is to be conducted] in [the] a form and manner prescribed by the [commissioner, and all details necessary to locate exactly and identify fully the goods, wares or merchandise to be sold, and shall disclose the names and residences of owner or owners or partners in whose interest the sale is to be conducted] Commissioner of Consumer Protection. No license shall be issued unless the application is submitted to the [commissioner] Department of Consumer Protection at least five days prior to the requested commencement date of the closing-out sale. Any applicant who uses the services of a promoter as defined in section 21-35a for a closing-out sale shall [include a signed and dated copy of the agreement between such applicant and such promoter as part of the application] include in the application the name and license number of each such promoter. The commissioner may, by regulation, request such other information to be submitted by the applicant as he deems necessary.

[(d) Each person holding a closing-out sale license issued under this section shall file with the Commissioner of Consumer Protection a monthly report, commencing one month from the opening date of the sale, enumerating all goods, wares or merchandise sold, transferred or otherwise disposed of by the licensee or his agents, servants or employees during that month pursuant to the closing-out sale. Said commissioner shall prescribe the form for such reporting.]

[(e)](d) All documentation concerning the goods, wares and merchandise to be included in such closing-out sale, including but not limited to purchase orders and delivery statements, shall be made available by the licensee for inspection by an authorized representative of the commissioner during regular business hours.

[(f)](e) Each person holding a closing-out sale license shall (1) include the license number in any advertisement, together with clear and conspicuous disclosure of the termination date of such closing-out sale license, and (2) post such license in a conspicuous location at the point of sale.

Sec. 29. Section 21-35c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) [All] A state [licenses] license issued under this chapter shall expire ninety days [from the date thereof] after the date on which the license was issued or on the termination date designated in the original application, whichever occurs first, unless extended pursuant to section 21-35e of the general statutes. Each state license upon expiration, or voluntary surrender prior to expiration, shall be returned to the Commissioner of Consumer Protection who shall cancel the same, endorse the date of delivery and cancellation thereon and place the same on file. [The commissioner shall then hold the special deposit of each such licensee for a period of sixty days and, after satisfying all claims made upon the same under this section, shall return such deposit or such portion of the same, if any, as may remain in the commissioner's hands to the licensee depositing it, or as directed by the licensee in the original application. Each deposit made with the commissioner shall be subject, as long as it remains in the commissioner's hands, to attachment or execution on behalf of creditors or consumers whose claims may arise in connection with business done under the authorized sale. Said commissioner may also be held to answer as garnishee under process of foreign attachment, where such process is used, in any civil action brought against any licensee. The commissioner shall pay over, under order of court or upon execution of a judgment, such sum of money as the commissioner may be chargeable

with upon the commissioner's disclosure or otherwise. Such deposit shall not be paid over by said commissioner on garnishee process or to such licensee until the expiration of the sixty-day period specified in this section. Such deposit shall also be subject to the payment of any fine or penalty imposed on the licensee for violation of any provision of this chapter, provided written notice of the name of such licensee and of the amount of such fine or penalty shall be given during such period to the commissioner by the clerk of the court in which such fine or penalty was imposed.]

[(b) Whenever any state license, issued under the provisions of section 21-35b has been lost or destroyed, so that such license cannot, after the expiration of the term thereof, be returned or surrendered under the provisions of subsection (a) of this section, the licensee may file an affidavit with the Commissioner of Consumer Protection describing such license with sufficient particularity to identify the same and the claimant thereunder, and showing such loss or destruction; and the commissioner, upon such proof of loss and identity as is satisfactory to him, may accept such affidavit in lieu of the return or surrender of such license, and such licensee shall have the same right to the return of the special deposit made by him as though he had returned or surrendered his license.]

Sec. 30. Section 21-35d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

Before selling under the state license prescribed in section 21-35b in any town, city or borough, each person conducting a closing-out sale shall make application for a municipal license to the selectmen or other authority of such town, city or borough authorized to issue licenses therein; and, unless the fee therefor is fixed as herein provided, shall file with them a true statement, under oath, of the average quantity and value of the stock of goods, wares and merchandise kept or intended to be kept or exposed by him for sale. Such selectmen or other authority shall submit such statement to the assessors of the town, who, after such examination and inquiry as they deem necessary, shall determine such average quantity and value, and shall forthwith transmit a certificate thereof to such selectmen or other authority. Thereupon such selectmen or other authority shall authorize the town clerk, upon the payment by the applicant of a fee equal to the taxes assessable in such town, city or borough under the last-preceding tax levy therein upon an amount of property of the same valuation, to issue to him a license authorizing such closing-out sale in such municipality. Such authority may authorize the issue

of such license without the filing of such statement, upon the payment of a license fee fixed by it. Upon payment of such fee, such town clerk shall issue such license, which shall remain in force as long as the licensee continuously keeps and exposes for sale in such municipality such stock of goods, wares or merchandise, but not later than the first day of October following its date. **[**Upon such payment and proof of payment of all other license fees, if any, chargeable upon local sales, such town clerk shall record the state license of such transient vendor in full, shall endorse thereon the words "local license fees paid" and shall affix thereto his official signature and the date of such endorsement.**]**

Sec. 31. Section 21-35e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

[No goods, wares or merchandise other than those listed in the inventory required in this chapter shall be included in any closing-out sale and no**]** No sale shall continue beyond a reasonable date to be specified in the required application, except, that an extension may be authorized by the Commissioner of Consumer Protection upon proper showing of need **[**, such extension being contingent on the submitting of a revised inventory showing the items listed on the original inventory remaining unsold and not listing any goods not included in the original application and inventory**]**.

Sec. 32. Section 21a-434 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) For purposes of this section,

(1) "at retail" includes any retail transaction conducted in person, excluding any transaction:

(A) By telephone, mail or the Internet,

(B) for parking at a parking lot or a parking garage,

(C) at a wholesale club that sells consumer goods and services through a membership model,

(D) at a retail store selling consumer goods exclusively through a membership model that

requires payment by means of an affiliated mobile device application,

(E) for the rental of consumer goods, services or accommodations for which posting of collateral or security is typically required, and

(F) for consumer goods or services provided exclusively to employees and individuals other than customers who are authorized to be on the employer's premises, and

(2) "cash" means legal tender.

(b) A person selling or offering for sale goods or services at retail in this state shall not:

(1) Refuse to accept cash as a form of payment for such goods or services,

(2) post signs stating that cash payment is not accepted, or

(3) charge a customer paying cash a higher price than such customer would pay using any other form of payment.

(c) Notwithstanding the foregoing, a person selling or offering for sale goods or services at retail in this state may comply with the requirements of this section by providing a device to consumers that converts cash into a prepaid card provided:

(1) Such prepaid card shall not:

(A) require the payment of any fee for initial receipt of the prepaid card;

(B) charge any fee for use of the prepaid card, including but not limited to a fee to check the balance of the card, a fee to deposit additional cash on the card, or any recurring fee;

(C) require a minimum deposit amount greater than one dollar;

(D) be subject to an expiration date;

(E) limit the number of transactions that may be completed using the prepaid card; or

(F) require a consumer to provide personally identifiable information including, but not limited to, telephone number, email address, or social security number;

(2) Upon request, such device shall provide each consumer with a printed receipt indicating

the amount of cash such consumer deposited onto the prepaid card; and

(3) In the event such device malfunctions the retail establishment where such device is located shall:

(A) Accept payment in cash from consumers for the entire duration such device does not function in accordance with the standards set forth in this section; and

(B) Place a conspicuous sign on or immediately adjacent to such device indicating that such retail establishment is required by law to accept cash if such device malfunctions.

[(c)**]**(d) The Commissioner of Consumer Protection may adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

Sec. 33. Section 42-134a of the general statutes is repealed and the following is substituted in lieu thereof (*effective July 1, 2025*):

(f) "Business day" means any calendar day except Saturday, Sunday or any **[**of the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.**]** day designated as a legal holiday pursuant to section 1-4 of the general statutes.

Sec. 34. Section 42-135a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

No agreement in a home solicitation sale shall be effective against the buyer if it is not signed and dated by the buyer or if the seller shall:

(1) Fail to furnish the buyer with a fully completed receipt or copy of all contracts and documents pertaining to such sale at the time of its execution, which contract shall be in the same language as that principally used in the oral sales presentation and which shall show the date of the transaction and shall contain the name and address of the seller, and in immediate proximity to the space reserved in the contract for the signature of the buyer, or on the front page of the receipt if a contract is not used, and in boldface type of a minimum size of **[**ten**]**twelve

points, a statement in substantially the following form:

YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION. SEE THE ATTACHED NOTICE OF CANCELLATION FORM FOR AN EXPLANATION OF THIS RIGHT.

(2) Fail to furnish each buyer, at the time such buyer signs the home solicitation sales contract or otherwise agrees to buy consumer goods or services from the seller, a **[**completed**]** form completed by the seller in duplicate, captioned "NOTICE OF CANCELLATION", which shall be attached to the contract or receipt and easily detachable, and which shall contain in **[**ten-point**]** twelve-point boldface type the following information and statements and also duplicated in the same language as that used in the contract:

[Notice of Cancellation (Date of Transaction)

YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION, WITHIN THREE BUSINESS DAYS FROM THE ABOVE DATE.

IF YOU CANCEL, ANY PROPERTY TRADED IN, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT OR SALE, AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN TEN BUSINESS DAYS FOLLOWING RECEIPT BY THE SELLER OF YOUR CANCELLATION NOTICE, AND ANY SECURITY INTEREST ARISING OUT OF THE TRANSACTION WILL BE CANCELLED.

IF YOU CANCEL, YOU MUST MAKE AVAILABLE TO THE SELLER AT YOUR RESIDENCE, IN SUBSTANTIALLY AS GOOD CONDITION AS WHEN RECEIVED, ANY GOODS DELIVERED TO YOU UNDER THIS CONTRACT OR SALE; OR YOU MAY, IF YOU WISH, COMPLY WITH THE INSTRUCTIONS OF THE SELLER REGARDING THE RETURN SHIPMENT OF THE GOODS AT THE SELLER'S EXPENSE AND RISK.

IF YOU DO MAKE THE GOODS AVAILABLE TO THE SELLER AND THE SELLER DOES NOT PICK THEM UP WITHIN TWENTY DAYS OF THE DATE OF CANCELLATION, YOU MAY RETAIN OR DISPOSE OF THE GOODS WITHOUT ANY FURTHER OBLIGATION. IF YOU FAIL TO MAKE THE GOODS AVAILABLE TO THE SELLER, OR IF YOU AGREE TO RETURN THE GOODS TO THE SELLER AND FAIL TO DO SO, THEN YOU REMAIN LIABLE FOR PERFORMANCE OF ALL OBLIGATIONS UNDER THE CONTRACT.

TO CANCEL THIS TRANSACTION, MAIL OR DELIVER A SIGNED AND DATED COPY OF THIS CANCELLATION NOTICE OR ANY OTHER WRITTEN NOTICE, OR SEND A TELEGRAM TO (Name of Seller) AT (Address of Seller's Place of Business) NOT LATER THAN MIDNIGHT OF (Date)

I HEREBY CANCEL THIS TRANSACTION.

(Date)

(Buyer's Signature)**]**

NOTICE OF CANCELLATION

Seller: (Seller insert here the name of seller)

Date of Transaction: (Seller insert here the date of the transaction)

You have the right to cancel this contract or sale by following the instructions in this notice. Your deadline is midnight on (Seller insert here in boldface type font the date of the third business day after the date of the transaction) to cancel. You have until this deadline to sign, date, and send this notice of cancellation to the Seller by email, fax, or mail to the contact information listed below.

(Instructions for seller: to determine the third business day, start counting on the day following the day when the transaction took place and do not count Saturdays, Sundays, or days designated as legal holidays in Connecticut).

There is no penalty if you cancel. You do not have any legal obligations under the contract if you cancel. If you cancel, the seller must return to you any payments made by you, any property you traded in, and any negotiable instrument executed by you, such as a personal check, money order, or promissory note. The seller has ten days after it receives your cancellation notice to return those items to you. Any security interest arising out of the transaction will be canceled, such as a legal claim or a lien on your property.

If you cancel, you must make available to the seller any goods delivered to you under this contract or sale. The goods must be in substantially as good condition as when you received them. The seller can pick them up from your residence. If you make the goods available to the seller and the seller does not pick them up, after twenty calendar days have passed since you

sent this notice to the seller, you may keep or dispose of the goods. If you do not make the goods available to the seller, you will still have to fulfill your contractual obligations.

The seller may also tell you how to return the goods to the seller at the seller's own expense and risk, such as by mailing them to the seller. You do not have to agree to return the goods to the seller yourself, but if you agree to do so but fail to send the goods to the seller, you will still have to fulfill your contractual obligations.

To cancel this contract or sale, you must sign and date this notice, and send it either by email, by fax, or by regular mail to:

(Seller insert here the name of the Seller)

Email: (Seller insert here the Seller's business email address)

OR

Fax: (Seller insert here the Seller's fax number)

OR

Regular mail: (Seller insert here the address of the Seller's place of business)

I hereby cancel this transaction.

Dated:

Signed:

(3) Fail, before furnishing copies of the "Notice of Cancellation" to the buyer, to complete both copies by entering the name of the seller, the address of the seller's place of business, the date of the transaction, the seller's business email address if the seller has a business email address, and, in boldface font type, the date, not earlier than the third business day [following] after the date of the transaction, by which the buyer may give notice of cancellation.

[. . .]

(10) Fail, when providing a digital copy of the agreement by email or other electronic delivery method, to include the following statement, immediately adjacent to the body of the message,

in at least the greater of size twelve point type or the point size type of the body of the message: PLEASE REVIEW IMPORTANT INFORMATION ABOUT YOUR RIGHT TO CANCEL THIS AGREEMENT IN THE "NOTICE OF CANCELLATION" BEING PROVIDED TO YOU

Sec. 35. Section 20-457 of the general statutes is repealed and the following is substituted in lieu thereof (*effective October 1, 2025*):

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

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

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

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

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

(g) Each community association manager shall provide clear and conspicuous written disclosure of the following information to any person contracting with the community association manager for association management services:

(1) Whether the community association manager has any ownership or managerial interest in a company soliciting business from the association or the community association manager; and

(2) If the community association manager is providing construction oversight or project coordination services to an association, which services are not included in the scope of the community association manager's general association management services, the community association manager shall disclose in writing to the association any amount to be charged by the community association manager for their additional oversight and coordination services.

Sec. 36. Section 20-314 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(c) In order to determine the competency of any applicant for a real estate broker's license or a real estate salesperson's license the commission or Commissioner of Consumer Protection shall, on payment of an application fee of one hundred twenty dollars by an applicant for a real estate broker's license or an application fee of eighty dollars by an applicant for a real estate salesperson's license, subject such applicant to personal written examination as to the applicant's competency to act as a real estate broker or real estate salesperson, as the case may be. Such examination shall be prepared by the Department of Consumer Protection or by a national testing service designated by the Commissioner of Consumer Protection and shall be administered to applicants by the Department of Consumer Protection or by such testing service at such times and places as the commissioner may deem necessary. The commission or Commissioner of Consumer Protection may waive the uniform portion of the written examination requirement in the case of an applicant who has taken the national testing service examination in another state within two years from the date of application and has received a score deemed satisfactory by the commission or Commissioner of Consumer Protection. An

applicant shall be required to submit evidence of successful completion of their final license examination, which successful completion shall occur within two years of the date of the relevant license application, unless a hardship extension to such two year period is granted by the commission. The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54, establishing passing scores for examinations. In addition to such application fee, applicants taking the examination administered by a national testing service shall be required to pay directly to such testing service an examination fee covering the cost of such examination. Each payment of such application fee shall entitle the applicant to take such examination within the one-year period from the date of payment.

Sec. 37. Section 20-341gg of the general statutes is repealed and the following is substituted in lieu thereof (*effective July 1, 2025*):

(b) No person shall engage in or offer to perform the work of any major contractor in this state on any proposed structure or existing structure or addition that exceeds the threshold limits contained in section 29-276b unless such person has first obtained a license or certificate of registration as required under the provisions of chapter 539 or a registration from the Department of Consumer Protection in accordance with the provisions of this section. Individuals licensed under chapter 393 shall be exempt from the provisions of this chapter while engaging in work that they are licensed to perform. The department shall issue a certificate of registration to any person who provides evidence such person is prequalified as a contractor or substantial subcontractor, in good standing, by the Department of Administrative Services pursuant to section 4a-100 of the general statutes. A prequalified person shall be issued a major contractor registration based on such active prequalification without paying the registration fee or submission of further evidence to the department of qualification for such registration. **[**who applies for registration in accordance with this section. Such prequalified person shall not be required to pay a fee for such registration at any time that the person maintains valid prequalification.**]** If the individual or the firm, company, partnership or corporation employing such individual is engaged in work on a structure or addition that exceeds the threshold limits contained in section 29-276b and requires licensure under chapter 393, the firm, company, partnership or corporation shall be exempt from the provisions of this chapter concerning registration of major contractors, if the firm, company, partnership or corporation employs an individual who is licensed as a contractor under chapter 393 to perform such work. The department shall furnish to each qualified applicant a registration certifying that the holder of

such registration is entitled to engage in the work for which the person has been issued a registration under this subsection, and the holder of such registration shall carry it on his person while engaging in such work. Such registration shall be shown to any properly interested person upon request. No such registration shall be transferred to or used by any person other than the person to whom the registration was issued. The department shall maintain rosters of registrants and shall update such rosters annually. The department may provide copies of rosters to the public for an appropriate fee. The department may deny, suspend or revoke any registration issued by the department if the holder of such registration (1) is convicted of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the registration holder's ability to safely or competently perform the work under such registration, (B) information pertaining to the degree of rehabilitation of the registration holder, and (C) the time elapsed since the conviction or release, (2) is grossly incompetent, (3) is disqualified, pursuant to section 4a-100 or whose prequalification certificate has been revoked pursuant to section 4a-100, (4) engages in malpractice or unethical conduct or knowingly makes false, misleading or deceptive representations regarding his work, or (5) violates any regulation adopted under subsection (c) of this section. Before any registration is suspended or revoked, such holder shall be given notice and an opportunity for hearing as provided in regulations adopted under subsection (c) of this section. The Commissioner of Consumer Protection shall provide written notice of any suspension or revocation of a registration to the Commissioner of Administrative Services not later than ten days after such suspension or revocation.

Sec. 38. Section 20-341 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(f) As used in this subsection: (1) "Commissioner" means the Commissioner of Consumer Protection or the commissioner's authorized representative; and (2) "department" means the Department of Consumer Protection.

(1) The department may issue a notice of violation against a person following a compliance check at a location in accordance with section 21a-11 of the general statutes where the department discovers one or more of the following violations:

(A) Offering or performing work that requires a license pursuant to chapter 393 without the appropriate credential, in violation of section 20-334 of the general statutes;

(B) failure to comply with allowable hiring ratios set forth as section 20-332b of the general statutes;

(C) failure to obtain an apprentice registration certificate for one or more persons as required by law; or

(D) failure to obtain a permit required by law.

(2) If the department determines a person failed to correct all violations for which a notice of violation was issued pursuant to this subsection, the department may issue a stop work order against such person requiring the cessation of the practice of the trade or occupation for which a license is required pursuant to this chapter, at the location where the violation was found, as set forth in the notice of violation. Such order shall be effective when: (A) personally served upon such person, delivered by United States mail with delivery tracking, or sent by electronic mail with tracking and delivery confirmation; or (B) notice of the stop work order is conspicuously posted at the location subject to the stop work order. Such order shall remain in effect until the department determines the person has come into compliance with the requirements of the notice of violation and issues an order releasing the stop work order, after a hearing decision rendered in accordance with subdivision (4) of this subsection, or after an order by the commissioner pursuant to subdivision (5) of this subsection.

(3) If a person fails to comply with a stop work order after such stop work order has been served pursuant to subdivision (2) of this section, the department may impose on the person a fine not to exceed five hundred dollars per violation per day after the stop work order has been served. Such fine shall be effective upon written notice to the person who failed to comply with the stop work order and such payment shall be due within fifteen days of receipt of such notice. Any fine for failure to comply with a stop work order shall be deposited in the consumer protection enforcement account established in section 21a-8a of the general statutes.

(4) Any person who holds a license issued by the department pursuant to chapter 393 of the general statutes against whom a stop work order is issued pursuant to this subsection may request an administrative hearing to contest such order and the fine imposed. Such request shall be made in writing to the commissioner not more than fifteen days after the issuance of such order. Such hearing shall be conducted in accordance with the provisions of chapter 54. A request for an administrative hearing shall not operate to toll a stop work order or associated fine unless so ordered by the commissioner.

(5) Any person who does not hold a license issued by the department pursuant to chapter 393 of the general statutes against whom a stop work order is issued pursuant to this subsection may submit a petition to the commissioner to lift the stop work order on the ground that: (A) An error of fact or law should be corrected; (B) new evidence has been discovered which materially affects the merits of the stop work order and which for good reasons was not presented to the department upon receipt by such person of a notice of violation; or (C) other good cause has been shown. Such petition shall be made in writing to the commissioner not more than fifteen days after the issuance of such order. Such petition shall not operate to toll such order or associated fine unless so ordered by the commissioner. The decision of the commissioner on such petition, or the failure by the commissioner to render a decision by no later than fifteen days after receipt of such petition, shall constitute a final decision for purposes of chapter 54 of the general statutes and a person may appeal such decision in accordance with section 4-183 of the general statutes.

(6) The commissioner may apply to the superior court, which court, after a hearing thereon, may issue a temporary restraining order, a temporary injunction, or a permanent injunction: (A) Granting injunctive relief ordering compliance with the stop work order issued pursuant to this subsection; and (B) Granting such other relief as may be required, until the person obeys the stop work order. Any disobedience of any order entered under this section by any court shall be punished as a contempt thereof. Such application for a temporary restraining order, temporary or permanent injunction, and for such other appropriate decree or process shall be brought and the proceedings thereon conducted by the Attorney General.

Sec. 39. Sections 20-341s, 20-341t, 20-341u, 20-341v, 20-341w, 20-341x, 20-341y, 20-341z, 20-341aa, and 20-341bb of the general statutes are repealed.

Agency Legislative Proposal – 2025 Session
Document Name: DCP - Drug Control

Document Name	**DCP 2 – Drug Control**

Legislative Liaison	C.J. Strand
Division Requesting This Proposal	Drug Control
Drafter	Julianne Avallone and Rodrick Marriott

Title of Proposal	AAC Recommendations by the Department of Consumer Protection Regarding Drug Control
Statutory Reference, if any	Sec. 20 of PA 23-79, CGS 21a-240 as amended by PA 24-76, CGS 21a-421a, CGS 21a-420p, CGS 21a-420r, CGS 21a-420s, CGS 21a-420j, CGS 21a-420m, CGS 21a-420u, CGS 21a-243, CGS 22-61m as amended by Sec. 31 of PA 24-76, CGS 20-627, CGS 20-633b, CGS 21a-408c, CGS 21a-421ccc, CGS 21a-421j(14)
Brief Summary and Statement of Purpose	To clarify and update provisions related to the Department of Consumer Protection's regulation of adult-use cannabis, medical marijuana, and drug control statutes.
How does this proposal relate to the agency's mission?	Included are proposals intended to protect the health and safety of consumers and patients, support the emerging cannabis industry, and streamline and reduce burdens on departmental operations and industry participants.

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Sec. 1 amends section 20 of PA 23-79 to expand and clarify the cannabis data provided by DCP in the quarterly legislative report based on industry information currently gathered by the Department and provides for more achievable reporting dates.

Sec. 2 amends section 21a-240 to exclude bank loans from the definition of "backers" who must be licensed in the context of cannabis establishments. This section eliminates the need to license an individual associated with a bank when the bank only provides financing and does not serve in an active management role.

Sec. 3-4 amends CGS 21a-421a and creates a new section to provide a receivership option for CT cannabis establishments. Aligns with cannabis programs in other states that, because cannabis is illegal at the federal level and cannabis businesses are precluded from the federal bankruptcy process, have implemented laws to address concerns about when an unlicensed third-party (typically a creditor) takes over management of a cannabis establishment.

Sections 5-7 amends CGS 21a-420p, 21a-420r, and 21a-420s to broaden the authorized transportation provisions for cannabis license types to better accommodate the flow of commerce and industry operations.

Sections 8-10 amends CGS 21a-420j, 21a-420m and 21a-420u to eliminate the 20-mile distance requirement between equity joint venture cannabis establishments, which was created to ensure no converted medical cultivator or dispensary dominated a geographic area of the market. Now that cannabis establishments are dispersed throughout the state, this requirement acts as a barrier for re-sale of these social equity businesses. Eliminating this distance barrier will allow these businesses to be sold without long-term restrictions.

Sec. 11 amends CGS 21a-243 to add certain intoxicating substances that are commonly sold at gas stations and convenience stores to the list of controlled

substances in the state. These substances are unregulated and are often untested for hazardous ingredients. This proposal also provides for the Department to adopt temporary policies and procedures to implement this section prior to the adoption of regulations.

Sec. 12-13 amends section 31 of PA 24-76 and CGS 22-61m to protect minors by requiring all retailers of raw hemp and manufactured hemp products at or below 0.5 mg THC, and moderate-THC product vendors selling raw hemp, to maintain such products behind the counter at retail and restrict raw hemp products to purchase by individuals of age 21 or older. These sections also extends per se CUTPA language related to false or misleading claims regarding low THC hemp products or hemp flower, not just manufactured hemp products.

Sec. 14-15 amends CGS 20-627 and 20-633b to require out of state licensees to provide evidence of a state or 3rd party inspection validating compliance with national sterile compounding standards (USP 797) to ensure these highly sensitive pharmaceutical compounding locations, usually producing injectable drugs, are maintained in a manner that avoid adulteration of medicine.

Sec. 16 amends CGS 21a-408c to allow pharmacists employed by a dispensary or hybrid retailer to certify patients for medical marijuana with one renewal not to exceed a period of one year. This section also allows a physician the discretion to do a two-year certification.

Sec. 17 amends CGS 21a-421ccc to correct an inaccurate reference in statute.

Sec. 18 amends section 2 of PA 24-95 to require child resistant tops for infused beverages to avoid accidental ingestion by minors.

BACKGROUND

Origin of Proposal [x] New Proposal [ ] Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	n/a
Has this proposal or a similar proposal been implemented in other states? If yes, to what result?	Section 3 (receivership) – This language is modeled primarily from Oregon law. Similar laws are also in effect in Nevada, California, Michigan, New York and Colorado.
Have certain constituencies called for this proposal?	n/a

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[ ] Check here if this proposal does NOT impact other agencies

1. Agency Name	Office of the Attorney General
Agency Contact (name, title)	Cara Passaro, Chief of Staff
Date Contacted	10/4/2024
Status	**[x] Approved** **[ ] Talks Ongoing**
Open Issues, if any	

2. Agency Name	DMHAS
Agency Contact (name, title)	Kelly Sinko, Chief of Policy and Governmental Affairs
Date Contacted	12/5/2024
Status	**[x] Approved** **[ ] Talks Ongoing**
Open Issues, if any	

3. Agency Name	DPH
Agency Contact (name, title)	Adam Skowera, Legislative Liaison
Date Contacted	12/5/2024
Status	**[ ] Approved** **[x] Talks Ongoing**
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[x] Check here if this proposal does NOT have a fiscal impact

State	
Municipal (Include any municipal mandate that can be found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[x] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?

INSERT FULLY DRAFTED BILL HERE

Sec. 1. Section 20 of PA 23-79 is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

During the period beginning October 1, 2023, and ending October 1, 2026, the Department of Consumer Protection shall, not later than the first day of [January, April, July and October] February, May, August and November, submit a report, in accordance with section 11-4a of the general statutes, to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection. Each report shall contain the following:

(1) For [the] each fiscal quarter [ending on the last day of the month immediately preceding the date on which the department submits such report] (A) the number of applicants that were selected from the lottery, broken down by license type, (B) the number of provisional licenses that the department issued pursuant to RERACA, broken down by license type, (C) the number of final licenses that the department issued pursuant to RERACA, broken down by license type[,] and town [and county], and (D) the mechanism by which the department issued each final license pursuant to RERACA, including, but not limited to, by way of the lottery, to equity joint ventures and to cultivators located in disproportionately impacted areas;

(2) A chart demonstrating the increase or decrease of cannabis establishment licenses issued in each category per fiscal quarter over the last twelve months [the department's good faith estimate regarding any anticipated increase in the number of cannabis establishments during the next calendar year]; and

(3) any other information the department, in the department's discretion, may deem appropriate.

Sec. 2. Section 21a-240 of the general statutes, as amended by PA 24-76, is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(2) "Backer" means any individual with a direct or indirect financial interest in a cannabis

establishment. "Backer" does not include: (A) a bank, bank and trust company, bank holding company, Connecticut bank, Connecticut credit union, federal bank, federal branch, federal credit union, financial institution, foreign bank, holding company, out-of-state bank, out-of-state credit union, out-of-state trust company, savings and loan association, savings bank, savings and loan holding company, as such terms are defined in section 36a-2 of the general statutes, or any wholly-owned subsidiaries thereof, that provides non-equity financing to a cannabis establishment and does not participate directly in the control, management or operation of such cannabis establishment; or (B) an individual with an investment interest in a cannabis establishment if [(A)] (i) the interest held by such individual and such individual's spouse, parent or child, in the aggregate, does not exceed five per cent of the total ownership or interest rights in such cannabis establishment, and [(B)] (ii) such individual does not participate directly or indirectly in the control, management or operation of the cannabis establishment;

Sec. 3. (NEW) (*Effective July 1, 2025*)

(a) As used in this section:

(1) "Court appointee" means a person appointed by a court of competent jurisdiction to exercise court oversight with respect to the property, assets, management, or operation of a cannabis establishment and includes, but is not limited to, a receiver, custodian, guardian, trustee, and the executor or administrator of an estate.

(2) "Court supervised proceeding" means a proceeding where a court of competent jurisdiction appoints or designates a court appointee to manage the property, assets, or operations of a cannabis establishment.

(b) The department may issue a temporary cannabis operator license to a court appointee to operate a cannabis establishment for a period of up to sixty days, or such longer period approved by the commissioner, in the commissioner's sole discretion, but in no event longer than the time reasonably necessary to allow for the orderly disposition of (1) the cannabis establishment in a court supervised proceeding, or (2) any delinquencies or deficiencies identified by the court. The department may recommend, for consideration in any in-state court supervised proceeding, a person to serve as a court appointee. Upon issuance of a temporary cannabis operator license pursuant to this section, such licensee shall comply with all applicable licensing provisions, however such applicant shall not be required to submit to or pass a

criminal background check or financial history check. A holder of a temporary cannabis operator license may request, and the commissioner may grant, an extension of the licensure period, in a form and manner prescribed by the commissioner.

(c) A court appointee shall apply for a temporary cannabis operator license, on a form and in a manner prescribed by the commissioner, to operate a cannabis establishment. The nonrefundable application fee for a temporary cannabis operator license shall be $500 dollars. Such application shall include, but not be limited to:

The contact information of the court appointee;

Proof that the person is the court appointee for the cannabis establishment;

The duration of time for which the license is requested; and

A summary of the circumstances necessitating the application for a temporary cannabis operator license.

(d) The commissioner may refuse to issue a temporary cannabis operator license or revoke or extend a temporary cannabis operator license issued pursuant to this section:

(1) If the court appointee does not propose to operate the cannabis establishment immediately upon receiving the temporary cannabis operator license or does not begin to operate the cannabis establishment immediately upon receiving the temporary license, unless such time frame is extended in writing by the commissioner;

(2) For sufficient cause, set forth in section 21a-421p(b) of the general statutes;

(3) If the court appointee operates the cannabis establishment in violation of the Connecticut general statutes, or any policy, procedure, or regulation promulgated thereunder; or

(4) If the duration of time for which the temporary cannabis operator license was granted has elapsed.

(g) The duration of a temporary cannabis operator license under this section shall be initially issued for a sixty-day period and may be extended by the department as reasonably necessary to allow for the resolution of the court supervised proceeding.

Sec. 4. Section 21a-421a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective 7/1/2025*):

(b) No person shall act as a backer or key employee, or represent that such person is a backer or key employee, unless such person has obtained a license from the department pursuant to this subsection. Such person shall apply for a license on a form and in a manner prescribed by the commissioner. Such form may require the applicant to: (1) Submit to a state and national criminal history records check conducted in accordance with section 29-17a, which may include a financial history check if requested by the commissioner, to determine the character and fitness of the applicant for the license, (2) provide information sufficient for the department to assess whether the applicant has an ownership interest in any other cannabis establishment, cannabis establishment applicant or cannabis-related business nationally or internationally, (3) provide demographic information, and (4) obtain such other information as the department determines is consistent with the requirements of RERACA or chapter 420f. A backer or key employee shall be denied a license in the event his or her background check reveals a disqualifying conviction.

(c) If a person listed in section 21a-420(2)(A) of the general statutes, as amended by section 2 of this act, which holds a security interest in a cannabis establishment, appoints an authorized representative to engage in the control, management or operation of such cannabis establishment for a temporary period due to a failure to comply with the terms of the security instrument that created the security interest in the cannabis establishment, such authorized representative shall obtain a key employee license prior to commencing control, management or operation of the cannabis establishment. The authorized representative shall apply for the key employee license in accordance with subsection (b) of this section, provided such authorized representative shall not be subject to a criminal history records check. The provisions of this subsection shall not apply to an authorized representative that is a court appointee, as set forth in section 3 of this act.

[(c)] (d) Except as provided in subsection (d) of this section, any person who receives a cannabis establishment license, backer or key employee license or employee registration issued pursuant to subsection (a) of this section shall notify the department, in writing, of any changes to the information supplied on the application for such license or registration not later than five business days after such change.

[(d)] (e) Any person who receives a cannabis establishment license or backer or key employee license shall notify the department, in a manner prescribed by the department, of any arrest or

conviction of such person for an offense that would constitute a disqualifying conviction, as defined in section 21a-420, not later than forty-eight hours after such arrest or conviction.

[(e)] (f) The department may adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this section, or may adopt policies and procedures as set forth in section 21a-421j, prior to adopting such final regulations.

Sec. 5. Section 21a-420p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(e) A micro-cultivator may sell, transfer or transport its cannabis to a [dispensary facility, hybrid retailer, retailer, delivery service, food and beverage manufacturer, product manufacturer] cannabis establishment, research program, or cannabis testing laboratory [or product packager], provided the cannabis is cultivated, grown and propagated at the micro-cultivator's licensed establishment and transported utilizing the micro-cultivator's own employees or a transporter. A micro-cultivator shall not gift or transfer cannabis or cannabis products at no cost to a consumer as part of a commercial transaction.

Sec. 6. Section 21a-420r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(b) A retailer may obtain cannabis from a cultivator, micro-cultivator, producer, product packager, food and beverage manufacturer, product manufacturer or transporter or an undeliverable return from a delivery service. A retailer may sell, transport or transfer cannabis or cannabis products to a [delivery service] cannabis establishment, cannabis testing laboratory or research program. A retailer may sell cannabis to a consumer or research program. A retailer may not conduct sales of medical marijuana products nor offer discounts or other inducements to qualifying patients or caregivers. A retailer shall not gift or transfer cannabis at no cost to a consumer as part of a commercial transaction.

Sec. 7. Section. 21a-420s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(b) A hybrid retailer may obtain cannabis from a cultivator, micro-cultivator, producer, product packager, food and beverage manufacturer, product manufacturer or transporter. In addition to the activities authorized under section 21a-420t, a hybrid retailer may sell, transport or transfer cannabis to a [delivery service] cannabis establishment, cannabis testing laboratory or research program. A hybrid retailer may sell cannabis products to a consumer or research program. A hybrid retailer shall not gift or transfer cannabis at no cost to a consumer, qualifying patient or caregiver as part of a commercial transaction.

Sec. 8. Section 21a-420j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(e) [Equity joint ventures that share a common cultivator or cultivator backer shall not be located within twenty miles of another commonly owned equity joint venture.

(f)] An equity joint venture applicant shall pay fifty per cent of the amount of any applicable fee specified in subsection (c) of section 21a-420e for the first three renewal cycles of the applicable cannabis establishment license applied for, and shall pay the full amount of such fee thereafter.

Sec. 9. Section 21a-420m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(f) **[**Equity joint ventures that are retailers or hybrid retailers that share a common producer backer or owner shall not be located within twenty miles of each other.

(g) **]**If a producer has paid a reduced conversion fee, as described in subsection (b) of section 21a-420*l*, and subsequently did not create two equity joint ventures under this section that, not later than fourteen months after the Department of Consumer Protection approved the producer's license expansion application under section 21a-420*l*, each received a final license from the department, the producer shall be liable for the full conversion fee of three million dollars established in section 21a-420*l* minus such paid reduced conversion fee.

[(h)] (g) No producer that receives license expansion authorization under section 21a-420*l* shall create more than two equity joint ventures. No such producer shall apply for, or create,

any additional equity joint venture if, on July 1, 2021, such producer has created at least two equity joint ventures that have each received a provisional license.

[(i)] (h) An equity joint venture applicant shall pay fifty per cent of the amount of any applicable fee specified in subsection (c) of section 21a-420e for the first three renewal cycles of the applicable cannabis establishment license applied for, and shall pay the full amount of such fee thereafter.

Sec. 10. Section 21a-420u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(f) **[**Equity joint ventures that are retailers or hybrid retailers that share a common dispensary facility backer or owner, or hybrid retailer backer or owner, shall not be located within twenty miles of each other.

(g) **]** If a dispensary facility has paid the reduced conversion fee, in accordance with subsection (a) of this section, and did not subsequently create one equity joint venture under this section that, not later than fourteen months after the Department of Consumer Protection approved the dispensary facility's license conversion application under section 21a-420t, receives a final license from the department, the dispensary facility shall be liable for the full conversion fee of one million dollars established in section 21a-420e minus such paid reduced conversion fee.

[(h)] (g) No dispensary facility that receives approval to convert the dispensary facility's license to a hybrid-retailer license under section 21a-420t shall create more than two equity joint ventures. No such dispensary facility shall apply for, or create, any additional equity joint venture if, on July 1, 2021, such dispensary facility has created at least two equity joint ventures that have each received a provisional license.

[(i)] (h) An equity joint venture applicant shall pay fifty per cent of the amount of any applicable fee specified in subsection (c) of section 21a-420e for the first three renewal cycles of the applicable cannabis establishment license applied for, and shall pay the full amount of such fee thereafter.

Sec. 11. Section 21a-243 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(i) The Commissioner of Consumer Protection shall, by regulation adopted pursuant to this section, designate the following substances, by whatever official, common, usual, chemical or trade name designation, as controlled substances and classify each such substance in the appropriate schedule:

(1) 1-pentyl-3-(1-naphthoyl)indole (JWH-018);

(2) 1-butyl-3-(1-naphthoyl)indole (JWH-073);

(3) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

(4) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497);

(5) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohex-anol; CP-47,497 C8 homologue);

(6) 7-hydroxymitragynine;

(7) Bromazalam;

(8) Flubromazolam;

(9) Mitragyna speciosa (kratom), including its leaves, stem, and any extracts;

(10) Nitazenes, including but not limited to isotonitazene;

(11) Salvia divinorum; [and]

[(7)](12) Salvinorum A [.];

(13) Tianeptine; and

(14) Phenibut.

(j) Notwithstanding the provisions of subsection (c) of this section, the Commissioner of Consumer Protection shall designate the following substances, by whatever official, common, usual, chemical or trade name designation, as controlled substances in schedule I of the

controlled substances scheduling regulations:

(1) Mephedrone (4-methylmethcathinone);

(2) Synthetic cannabinoids; and

(3) MDPV (3,4-methyenedioxypyrovalerone).

(k) Notwithstanding the provisions of subsection (c) of this section, the commissioner shall adopt regulations in accordance with chapter 54 to implement the provisions of this subsection. Notwithstanding the requirements of sections 4-168 to 4-172, inclusive, in order to protect public health and safety, prior to adopting such regulations the commissioner shall issue policies and procedures to implement the provisions of this subsection, which shall have the force and effect of law. The commissioner shall post all policies and procedures on the department's Internet web site and submit such policies and procedures to the Secretary of the State for posting on the eRegulations System, at least fifteen days prior to the effective date of any policy or procedure. Any such policy or procedure shall no longer be effective upon the earlier of either the adoption of the policy or procedure as a final regulation under section 4-172 or forty-eight months from July 1, 2025, if such regulations have not been submitted to the legislative regulation review committee for consideration under section 4-170. The commissioner shall issue policies and procedures and thereafter final regulations to designate the following substances, by whatever official, common, usual, chemical or trade name designation, as controlled substances and classify each such substance in the appropriate schedule:

(1) 7-hydroxymitragynine;

(2) Bromazalam;

(3) Flubromazolam;

(4) Mitragyna speciosa (kratom), including its leaves, stem, and any extracts;

(5) Nitazenes, including but not limited to isotonitazene;

(6) Tianeptine; and(7) Phenibut.

Sec. 12. Section 31 of Public Act 24-76 is repealed and the following is substituted in lieu

thereof (*Effective October 1, 2025*):

(a) As used in this section:

(1) "Cannabis establishment" has the same meaning as provided in section 21a-420 of the general statutes, as amended by this act;

(2) "Consumer" has the same meaning as provided in section 21a-420 of the general statutes, as amended by this act;

(3) "Container" (A) means an object that is offered, intended for sale or sold to a consumer and directly contains (i) a manufacturer hemp product, or (ii) a moderate-THC hemp product, and (B) does not include an object or packaging that indirectly contains, or contains in bulk for transportation purposes, (i) a manufacturer hemp product, or (ii) a moderate-THC hemp product;

(4) "Hemp flower" means the flower, including abnormal and immature flowers, of a plant of hemp, as defined in section 22-61l of the general statutes, but does not include the leaves or stem of such plant.

[(4)] (5) "Manufacturer hemp product" has the same meaning as provided in section 22-61l of the general statutes, as amended by this act;

[(5)] (6) "Moderate-THC hemp product" (A) means a manufacturer hemp product that has total THC, as defined in section 21a-240 of the general statutes, as amended by this act, of not less than one-half of one milligram, and not more than five milligrams, on a per-container basis, and (B) does not include (i) an infused beverage, as defined in section 26 of this act, or (ii) a legacy infused beverage, as defined in section 26 of this act; and

[(6)] (7) "Moderate-THC hemp product vendor" means a person that (A) holds a certificate of registration issued by the Commissioner of Consumer Protection pursuant to this section, and (B) is not a cannabis establishment.

[. . . .]

(e) (1) No cannabis establishment or moderate-THC hemp product vendor, or agent or employee of a cannabis establishment or moderate-THC hemp product vendor, shall sell a moderate-THC hemp product or hemp flower to any individual who is younger than twenty-

one years of age. Prior to selling any moderate-THC hemp product or hemp flower to an individual, the cannabis establishment, moderate-THC hemp product vendor, agent or employee thereof shall first verify the individual's age with a valid government-issued driver's license or identity card to establish that such individual is twenty-one years of age or older. If a moderate-THC hemp product vendor sells moderate-THC hemp products by means other than an in-person transaction at its licensed location, including, but not limited to, by Internet web site or mail order, such moderate-THC hemp product vendor shall ensure age verification of the individual receiving such moderate-THC hemp products upon delivery to establish that such individual is twenty-one years of age or older.

(2) Any person who does not hold a moderate-THC hemp product vendor license or cannabis establishment license, shall only sell a manufacturer hemp product or hemp flower through (A) a direct, person-to-person exchange at a commercial premises that requires the assistance of such person or an agent or employee of such person to access the products, which products shall be either maintained behind a sales counter inaccessible to consumers or in a locked container, or (B) delivery, including through an Internet web site or mail order, provided the age verification requirements of this subsection are met to establish that the individual purchasing and receiving the manufacturer hemp product or hemp flower is twenty-one years of age or older, prior to such purchase and receipt.

Sec. 13. Section 22-61m of the general statutes, as amended by Section 24 of Public Act 24-76, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(s) Any claim of health impacts, medical effects or physical or mental benefits shall be prohibited on any advertising for, labeling of or marketing of manufacturer hemp products or hemp flower, as defined in this act, regardless of whether such manufacturer hemp products or hemp flower were manufactured in this state or another jurisdiction. Any violation of this subsection shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b.

Sec. 14. Section 20-627 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(a) As used in sections 20-627 to 20-630, inclusive, "nonresident pharmacy" means any pharmacy located outside this state that ships, mails or delivers, in any manner, legend devices or legend drugs into this state pursuant to a prescription order.

(b) A nonresident pharmacy shall be registered with the department, upon approval of the commission, and shall:

(1) Disclose annually in a report to the commission the location, names and titles of all principal corporate officers, if applicable, and all pharmacists who are dispensing drugs or devices to residents of this state;

(2) [A nonresident pharmacy shall file] File a report within ten days after any change of name, ownership, management, officers or directors. Such report shall be accompanied by the filing fee set forth in section 20-601. Any nonresident pharmacy that fails to give notice as required pursuant to this subdivision within ten days after the change shall pay the late fee set forth in section 20-601;

(3) Comply with all lawful directions and requests for information from the regulatory or licensing agency of the state in which it is licensed as well as comply with all requests for information made by the commission or department pursuant to this section;

(4) Disclose to the department whether the nonresident pharmacy is dispensing sterile pharmaceuticals, as defined in section 20-633b, within this state. If any such dispensed sterile pharmaceutical is not patient-specific, the nonresident pharmacy shall submit a copy of the manufacturing license or registration issued by the regulatory or licensing agency of the state in which it is licensed, and a copy of any registration issued by the federal Food and Drug Administration to the department;

(5) Maintain at all times, a valid unexpired license, permit or registration to conduct such pharmacy in compliance with the laws of the state in which the nonresident pharmacy is located;

(6) Before receiving a certificate of registration from the department, submit a copy of the most recent inspection report resulting from an inspection conducted by the regulatory or licensing agency of the state in which the nonresident pharmacy is located. If the nonresident pharmacy is delivering sterile compounded products within this state, such inspection report shall include a section based on standards required in the most recent United States

Pharmacopeia, Chapter 797, as amended from time to time. If the state in which the nonresident pharmacy is located does not conduct inspections based on standards required in the most recent United States Pharmacopeia, Chapter 797, as amended from time to time, such nonresident pharmacy shall provide proof to the department that it is in compliance with such standards;

(7) [A nonresident pharmacy shall provide] Provide a toll-free telephone number to facilitate communication between patients in this state and a pharmacist at such nonresident pharmacy who has access to the patient's records at all times. Such toll-free telephone number shall be disclosed on a label affixed to each container of drugs dispensed to patients in this state;

(8) Notify the department if the nonresident pharmacy has had any disciplinary action or written advisement or warning by any federal or state regulatory agency or any accreditation body not later than ten business days after being notified of such action, advisement or warning; and

(9) Provide to the department the names and addresses of all residents of this state to whom legend devices or legend drugs have been delivered, not later than twenty-four hours after the nonresident pharmacy initiates a recall of any legend devices or legend drugs.

(c) If a nonresident pharmacy sells, delivers or offers sterile compounded products in this state, such registrant shall be required to submit inspection reports, as prescribed in section 20-633b of the general statutes, from a government agency or third-party entity with expertise in sterile compounding, evidencing the registrant's program, processes and facilities comply with the standards required in the most recent United States Pharmacopeia, Chapter 797, as amended from time to time.

Sec. 15. Section 20-633b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(1) "Medical order" means a written, oral or electronic order by a prescribing practitioner, as defined in section 20-14c, for a drug to be dispensed by a pharmacy for administration to a patient;

(2) "Sterile compounding pharmacy" means a pharmacy, as defined in section 20-571, a nonresident pharmacy registered pursuant to section 20-627, that dispenses or compounds

sterile pharmaceuticals;

(3) "Sterile pharmaceutical" means any dosage form of a drug, including, but not limited to, parenterals, injectables, surgical irrigants and ophthalmics devoid of viable microorganisms; and

(4) "USP chapters" means chapters 797, 800 and 825 of the United States Pharmacopeia that pertain to compounding sterile pharmaceuticals and their referenced companion documents, as amended from time to time.

(b) (1) If an applicant for a new pharmacy license pursuant to section 20-594 intends to compound sterile pharmaceuticals, the applicant shall file an addendum to its pharmacy license application to include sterile pharmaceutical compounding. The Department of Consumer Protection shall inspect the proposed pharmacy premises of the applicant and the applicant shall not compound sterile pharmaceuticals until it receives notice that the addendum application has been approved by the department and the Commission of Pharmacy.

(2) If an existing pharmacy licensed pursuant to section 20-594 intends to compound sterile pharmaceuticals for the first time on or after July 1, 2014, such pharmacy shall file an addendum application to its application on file with the department to include sterile pharmaceutical compounding. The Department of Consumer Protection shall inspect the pharmacy premises and the pharmacy shall not compound sterile pharmaceuticals until it receives notice that such addendum application has been approved by the department and the Commission of Pharmacy.

(3) If an applicant for a nonresident pharmacy registration intends to compound sterile pharmaceuticals for sale or delivery in this state, the applicant shall file an addendum to its application to include sterile pharmaceutical compounding. The applicant shall provide the department with written proof it has passed inspection, as prescribed in section 20-633b of the general statutes, by the appropriate state agency in the state where such nonresident pharmacy is located. Such pharmacy shall not compound sterile pharmaceuticals for sale or delivery in this state until it receives notice that the addendum application has been approved by the department and the Commission of Pharmacy.

(4) If a nonresident pharmacy registered pursuant to section 20-627 intends to compound sterile pharmaceuticals for sale or delivery in this state for the first time on or after July 1, 2014, the nonresident pharmacy shall file an addendum to its application to include sterile pharmaceutical compounding. The nonresident pharmacy shall provide the department with

written proof it has passed inspection, as prescribed in section 20-633b of the general statutes, by the appropriate state agency in the state where such nonresident pharmacy is located. Such pharmacy shall not compound sterile pharmaceuticals until it receives notice that the addendum application has been approved by the department and the Commission of Pharmacy.

(c) A sterile compounding pharmacy shall comply with the USP chapters. A sterile compounding pharmacy shall also comply with all applicable federal and state statutes and regulations.

(d) An institutional pharmacy within a facility licensed pursuant to section 19a-490 that compounds sterile pharmaceuticals shall comply with the USP chapters, and shall also comply with all applicable federal and state statutes and regulations. Such institutional pharmacy may request from the Commissioner of Consumer Protection an extension of time, not to exceed six months, to comply, for state enforcement purposes, with any amendments to USP chapters, for good cause shown. The commissioner may grant an extension for a length of time not to exceed six months. Nothing in this section shall prevent such institutional pharmacy from requesting a subsequent extension of time or shall prevent the commissioner from granting such extension.

(e) (1) A sterile compounding pharmacy may only provide patient-specific sterile pharmaceuticals to patients, practitioners of medicine, osteopathy, podiatry, dentistry or veterinary medicine, or to an acute care or long-term care hospital or health care facility licensed by the Department of Public Health.

(2) If a sterile compounding pharmacy provides sterile pharmaceuticals without a patient-specific prescription or medical order, the sterile compounding pharmacy shall also obtain a certificate of registration from the Department of Consumer Protection pursuant to section 21a-70 and any required federal license or registration. A sterile compounding pharmacy may prepare and maintain on-site inventory of sterile pharmaceuticals no greater than a thirty-day supply, calculated from the completion of compounding, which thirty-day period shall include the period required for third-party analytical testing, to be performed in accordance with the USP chapters.

(f) (1) If a sterile compounding pharmacy plans to remodel any area utilized for the compounding of sterile pharmaceuticals or adjacent space, relocate any space utilized for the compounding of sterile pharmaceuticals or upgrade or conduct a nonemergency repair to the heating, ventilation, air conditioning or primary or secondary engineering controls for any space utilized for the compounding of sterile pharmaceuticals, the sterile compounding pharmacy

shall notify the Department of Consumer Protection, in writing, not later than forty-five days prior to commencing such remodel, relocation, upgrade or repair. Such written notification shall include a plan for such remodel, relocation, upgrade or repair and such plan shall be subject to department review and approval. If a sterile compounding pharmacy makes an emergency repair, the sterile compounding pharmacy shall notify the department of such emergency repair, in writing, not later than twenty-four hours after such repair is commenced.

(2) If the USP chapters require sterile recertification after such remodel, relocation, upgrade or repair, the sterile compounding pharmacy shall provide a copy of its sterile recertification to the Department of Consumer Protection not later than five days after the sterile recertification approval. The recertification shall only be performed by an independent licensed environmental monitoring entity.

(g) A sterile compounding pharmacy shall report, in writing, to the Department of Consumer Protection any known violation or noncompliance with viable and nonviable environmental sampling testing, as defined in the USP chapters, not later than the end of the next business day after discovering such violation or noncompliance.

(h) (1) If a sterile compounding pharmacy initiates a recall of sterile pharmaceuticals that were dispensed pursuant to a patient-specific prescription or medical order, the sterile compounding pharmacy shall notify each patient or patient care giver, the prescribing practitioner and the Department of Consumer Protection of such recall not later than twenty-four hours after such recall was initiated.

(2) If a sterile compounding pharmacy initiates a recall of sterile pharmaceuticals that were not dispensed pursuant to a patient-specific prescription or a medical order, the sterile compounding pharmacy shall notify: (A) Each purchaser of such sterile pharmaceuticals, to the extent such sterile compounding pharmacy possesses contact information for each such purchaser, (B) the Department of Consumer Protection, and (C) the federal Food and Drug Administration of such recall not later than the end of the next business day after such recall was initiated.

(i) Each sterile compounding pharmacy and each institutional pharmacy within a facility licensed pursuant to section 19a-490 shall prepare and maintain a policy and procedure manual. The policy and procedure manual shall comply with the USP chapters.

(j) Each sterile compounding pharmacy shall report to the Department of Consumer Protection any administrative or legal action commenced against it by any state or federal regulatory agency or accreditation entity not later than five business days after receiving notice of the commencement of such action.

(k) Notwithstanding the provisions of subdivisions (3) and (4) of subsection (b) of this section, a sterile compounding pharmacy that is a nonresident pharmacy shall [provide] submit an inspection report to the Department of Consumer Protection, from a government agency or third-party entity with expertise in sterile compounding, evidencing the registrant's compliance with the standards required in the most recent United States Pharmacopeia, Chapter 797, as amended from time to time [proof that it has passed an inspection in such nonresident pharmacy's home state, based on the USP chapters]. Such nonresident pharmacy shall submit to the Department of Consumer Protection a copy of the most recent inspection report, which inspection report shall be dated by the inspector within six months prior to the date of application, with its initial nonresident pharmacy application and shall submit to the department, on or before June 30th of each even numbered calendar year, a copy of [its most recent]a new inspection report evidencing the registrant remains compliant with the standards required in the most recent United States Pharmacopeia, Chapter 797, as amended from time to time, which inspection report shall be dated by the inspector within six months prior to June 30th of each even numbered calendar year. [every two years thereafter. If the state in which the nonresident pharmacy is located does not conduct inspections based on standards required in the USP chapters, such nonresident pharmacy shall provide satisfactory proof to the department that it is in compliance with the standards required in the USP chapters.]

Sec 16. Section 21a-408c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(b) Any written certification for the palliative use of marijuana issued by a physician, physician assistant or advanced practice registered nurse under subsection (a) of this section shall be valid for a period [not to exceed] of either six months, one year, eighteen months, or two years, from the date such written certification is signed and dated by the physician, physician assistant or advanced practice registered nurse. A licensed pharmacist employed by a dispensary or hybrid retailer, as defined in section 21a-420 of the general statutes, shall be authorized to grant a temporary extension for any written certification for the palliative use of

marijuana issued by a physician, physician assistant or advanced practice registered nurse for a period not to exceed ninety consecutive days following the expiration of such written certification. Not later than ten calendar days after the expiration of such period, or at any time before the expiration of such period should the qualifying patient no longer wish to possess marijuana for palliative use, the qualifying patient or the caregiver shall destroy all usable marijuana possessed by the qualifying patient and the caregiver for palliative use.

(c) A physician, physician assistant or advanced practice registered nurse shall not be subject to arrest or prosecution, penalized in any manner, including, but not limited to, being subject to any civil penalty, or denied any right or privilege, including, but not limited to, being subject to any disciplinary action by the Connecticut Medical Examining Board, the Connecticut State Board of Examiners for Nursing or other professional licensing board, for providing a written certification for the palliative use of marijuana under subdivision (1) of subsection (a) of section 21a-408a if:

(1) The physician, physician assistant or advanced practice registered nurse has diagnosed the qualifying patient as having a debilitating medical condition;

(2) The physician, physician assistant or advanced practice registered nurse has explained the potential risks and benefits of the palliative use of marijuana to the qualifying patient and, if the qualifying patient lacks legal capacity, to a parent, guardian or person having legal custody of the qualifying patient;

(3) The written certification issued by the physician, physician assistant or advanced practice registered nurse is based upon the physician's, physician assistant's or advanced practice registered nurse's professional opinion after having completed a medically reasonable assessment of the qualifying patient's medical history and current medical condition made in the course of a bona fide health care professional-patient relationship; and

(4) The physician, physician assistant or advanced practice registered nurse has no financial interest in a cannabis establishment, except for retailers and delivery services, as such terms are defined in section 21a-420.

(d) A licensed pharmacist employed by a dispensary or hybrid retailer may issue a temporary written certification, for a period of no more than ninety consecutive days, to an individual authorizing the palliative use of marijuana by such individual as a qualifying patient if such pharmacist has reasonably determined, after reviewing the individual's medical history, that

such person is twenty-one years of age or older and has a debilitating medical condition. Prior to issuing a written certification the pharmacist shall:

(1) Conduct an in-person assessment of the qualifying patient;

(2) Review the electronic prescription drug monitoring program established pursuant to section 21a-254 and verify that no pharmacist prescribed or dispensed cannabis to the individual in the last three hundred and sixty five days from the date of such review; and

(e) The written certification issued by the pharmacist employed by a dispensary or hybrid retailer shall:

(1) Be in a form and manner prescribed by the Department of Consumer Protection;

(2) Not exceed a term of 90 consecutive days; and

(3) Include a statement signed and dated by the pharmacist that in their professional opinion, the qualifying patient has provided evidence of a debilitating medical condition and the potential benefits of the palliative use of marijuana would likely outweigh the health risks of such use to the qualifying patient.

(f) The total charge by the licensed pharmacist and the dispensary facility or hybrid retailer in connection with the issuance of each temporary written certification authorizing the palliative use of marijuana by the qualifying patient shall not exceed twenty-five dollars.

(g) A licensed pharmacist engaged in the issuance of temporary written certifications authorizing the palliative use of marijuana by qualifying patients shall maintain all patient assessment and eligibility documentation for at least three years.

(1) Such records shall be organized and maintained either in hard copy at the establishment of the dispensary facility or hybrid retailer at which the licensed pharmacist assessed the qualifying patient, or electronically in a system accessible by such licensee.

(2) All records created in connection with a licensed pharmacist issuing a temporary written certification authorizing the palliative use of marijuana a by qualifying patient shall be readily available and provided to the Department, upon request, within forty-eight hours of such request.

(h) A licensed pharmacist employed by a dispensary or hybrid retailer shall not be subject to arrest or prosecution, penalized in any manner, including, but not limited to, being subject to any civil penalty, or denied any right or privilege, including, but not limited to, being subject to any disciplinary action by the Connecticut Commission of Pharmacy, or any other professional licensing board, for providing a written certification for the palliative use of marijuana under subsection (d) of section 21a-408a provided:

(1) The licensed pharmacist has reasonably determined, after reviewing the patient's medical history, that the qualifying patient is eighteen years of age or older and has a debilitating medical condition; and

(2) The licensed pharmacist has explained the potential risks and benefits of the palliative use of marijuana to the qualifying patient and, if the qualifying patient lacks legal capacity, to a guardian or person having legal custody or medical decision-making authority for the qualifying patient.

[(d)] (i) A physician assistant or nurse shall not be subject to arrest or prosecution, penalized in any manner, including, but not limited to, being subject to any civil penalty, or denied any right or privilege, including, but not limited to, being subject to any disciplinary action by the Connecticut Medical Examining Board, Board of Examiners for Nursing or other professional licensing board, for administering marijuana to a qualifying patient or research program subject in a hospital or health care facility licensed by the Department of Public Health.

[(e)] (j) Notwithstanding the provisions of this section, sections 21a-408 to 21a-408b, inclusive, and sections 21a-408d to 21a-408o, inclusive, a pharmacist, physician assistant or an advanced practice registered nurse shall not issue a written certification to a qualifying patient when the qualifying patient's debilitating medical condition is glaucoma.

Sec. 17. Section 21a-421ccc of the general statutes is repealed and the following is substituted in lieu thereof (Effective upon passage):

(a) No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall: (1) Knowingly or recklessly permit any person under twenty-one years of age to possess cannabis in violation of section [21-279a] 21a-279a, in such dwelling unit or on such private property, or (2) knowing that any person under twenty-one years of age

possesses cannabis in violation of section [21-279a] 21a-279a, in such dwelling unit or on such private property, fail to make reasonable efforts to halt such possession.

(b) Any person who violates the provisions of subsection (a) of this section shall be guilty of a class A misdemeanor.

Sec. 18 Section 2 of Public Act 24-95 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(3) "Container" (A) means an object that is intended for sale to a consumer, as defined in section 21a-420 of the general statutes, as amended by section 4 of public act 24-76, and directly contains an infused beverage or legacy infused beverage in a child-resistant can or bottle, and (B) does not include an object or packaging that indirectly contains, or contains in bulk for transportation purposes, an infused beverage or legacy infused beverage;

Agency Legislative Proposal – 2025 Session
Document Name: DCP - Liquor Control

Document Name	DCP – Liquor Control

Legislative Liaison	C.J. Strand
Division Requesting This Proposal	Liquor Control Division
Drafter	Julianne Avallone and Caitlin Anderson

Title of Proposal	AAC Recommendations by the Department of Consumer Protection Regarding the Liquor Control Act
Statutory Reference, if any	CGS 30-22b, Section 2 of PA 24-95, CGS 30-39, CGS 30-19f, CGS 30-47, CGS 30-20 (merge with PA 24-76), CGS 30-87, CGS 30-37j, CGS 13-113, CGS 30-53.
Brief Summary and Statement of Purpose	To clarify and update provisions in the Liquor Control Act.
How does this proposal relate to the agency's mission?	Included are proposals intended to protect consumers and reduce burdens on departmental operations and industry participants.

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Sec. 1 amends CGS 30-22b to clarify that certain managed residential communities are allowed to operate under a restaurant caterer permit.
Sec. 2 amends section 2 of PA 24-95 to require child resistant tops for infused beverages to avoid accidental ingestion by minors.
Sec. 3 amends CGS 30-39 to clarify applications require local signatures before consideration, to remove publication notice in newspapers, and to require new permittees complete education.
Sec. 4 amends CGS 30-19f to create daily in-state transporter permit as an alternative to annual in-state transporter permit.
Sec. 5 amends CGS 30-47 to allow department as a settlement mechanism to send permittees alleged to have violated Liquor Control Act to either the existing alcohol seller and server training program or newly proposed liquor education program (see sec. 3)
Sec. 6 amends CGS 30-20 update definition of "grocery store" to clarify and codify manner department reviews grocery store applications.
Sec. 7 amends CGS 30-87 to make a technical change to clarify that Liquor Control may conduct sting operations using minors at permitted premises and coordinate with other state agencies for assistance.
Sec. 8 amends CGS 30-37j to create a mobile bar permit that allows holder to solely offer alcoholic beverages for consumption at hired events.
Sec. 9 amends CGS 13-113 to clarify law enforcement authority.
Sec. 10 repeals CGS 30-53, which requires that permits be recorded annually by the town.

BACKGROUND

Origin of Proposal [x] New Proposal [ ] Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	N/a
Has this proposal or a similar proposal been implemented in other states? If yes, to what result?	N/a
Have certain constituencies called for this proposal?	N/a

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[ ] Check here if this proposal does NOT impact other agencies

1. Agency Name	Department of Mental Health and Addiction Services
Agency Contact (name, title)	Kelly Sinko, Chief of Policy and Governmental Affairs
Date Contacted	9/30/24
Status	**[x] Approved** **[ ] Talks Ongoing**
Open Issues, if any	DMHAS approved section 7.

2. Agency Name	Department of Emergency Services and Public Protection
Agency Contact (name, title)	Nicole Lake, Chief of Staff
Date Contacted	9/30/24
Status	**[x] Approved** **[ ] Talks Ongoing**
Open Issues, if any	DESPP approved .

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[ ] Check here if this proposal does NOT have a fiscal impact

State	N/A
Municipal (Include any municipal mandate that can be found within legislation)	N/A
Federal	N/A
Additional notes	Reduces licensing costs for permittees by removing certain unnecessary requirements and providing additional flexibility.

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[x] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?

For section 9 regarding the permit recording requirement change, we have rosters publicly available for every permit type. They update in real time. Export the roster to Excel and sort by town. https://www.elicense.ct.gov/Lookup/GenerateRoster.aspx.

INSERT FULLY DRAFTED BILL HERE

Sec. 1. Section 30-22b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*)**:**

(a) A restaurant permit for a catering establishment shall allow a catering establishment or managed residential community to serve alcoholic liquor at a function, occasion or event on the premises of a catering establishment, or at daily scheduled meals on the premises of an assist living facility provided (1) alcoholic liquor shall be sold only to persons invited to and attending such a function, occasion or event, or such daily-scheduled meals, and (2) alcoholic liquor shall be sold only during the specific hours such function, occasion or event or such daily-scheduled meals are [is] scheduled on the premises. The permittee shall comply with the regulations of the local department of health. The department may waive the requirements of subdivisions (1) and (2) of this subsection for not more than sixteen functions, occasions or events of a catering establishment annually, provided such establishment makes written application to the department at least ten days prior to the scheduled date of the function, occasion or event for which a waiver is sought, and may permanently waive such requirements for any managed residential community that solely offers alcoholic beverages with daily-scheduled meals. The annual fee for a restaurant permit for a catering establishment shall be one thousand four hundred fifty dollars.

(b) Nothing in this section shall be construed to require that any catering establishment operated under a restaurant permit for a catering establishment be open for business to the public at any time other than when a particular function, occasion or event is scheduled on such premises.

(c) No organization eligible for a club or nonprofit club permit, or other entity established primarily to serve its members shall be eligible for a restaurant permit for a catering establishment.

(d) "Catering establishment" means any premises that (1) has an adequate, suitable and sanitary kitchen, dining room and facilities to provide hot meals, (2) has no sleeping accommodations for the public, (3) is owned or operated by any person, firm, association, partnership or corporation that regularly furnishes for hire on such premises, one or more

ballrooms, reception rooms, dining rooms, banquet halls or similar places of assemblage for a particular function, occasion or event or that furnishes provisions and services for consumption or use at such function, occasion or event, and (4) employs an adequate number of employees on such premises at the time of any such function, occasion or event.

(e) "managed residential community" has the same meaning as section 19a-693 that (1) has an adequate, suitable and sanitary kitchen, dining room and facilities to provide hot meals, (2) provides daily meals in the dining room, and (3) only serves meals to residents, their guests, and employees.

Sec. 2. Section 2 of Public Act 24-95 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(3) "Container" (A) means an object that is intended for sale to a consumer, as defined in section 21a-420 of the general statutes, as amended by section 4 of public act 24-76, and directly contains an infused beverage or legacy infused beverage in a child-resistant can or bottle, and (B) does not include an object or packaging that indirectly contains, or contains in bulk for transportation purposes, an infused beverage or legacy infused beverage;

Sec. 3. Section 30-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) For the purposes of this section, the "filing date" of an application means the date upon which the department, after approving the application for processing, mails or otherwise delivers to the applicant a placard containing such date.

(b) (1) Any person desiring a liquor permit or a renewal of such a permit shall make an affirmed application therefor to the Department of Consumer Protection, upon forms to be furnished by the department, showing the name and address of the applicant and of the applicant's backer, if any, the location of the club or place of business which is to be operated under such permit and a financial statement setting forth all elements and details of any business transactions connected with the application. Such application shall include a detailed description of the type of live entertainment that is to be provided. A club or place of business shall be exempt from providing such detailed description if the club or place of business (A) was

issued a liquor permit prior to October 1, 1993, and (B) has not altered the type of entertainment provided. The application shall also indicate any crimes of which the applicant or the applicant's backer may have been convicted. [Applicants shall submit] The department shall not review an application until an applicant submits all documents sufficient to establish that state and local building, fire and zoning requirements and local ordinances concerning hours and days of sale will be met, except that local building and zoning requirements and local ordinances concerning hours and days of sale shall not apply to a cafe permit issued under subsection (d) or (h) of section 30-22a. If an applicant has not submitted evidence of local and state approval, fully executed by the appropriate authorities, related to building, fire and zoning requirements, and local ordinances concerning hours and days of sale, within thirty (30) days of the department's receipt of the initial application submission, the application shall be deemed withdrawn and invalid. The State Fire Marshal or the marshal's certified designee shall be responsible for approving compliance with the State Fire Code at Bradley International Airport. Any person desiring a permit provided for in section 30-33b shall file a copy of such person's license with such application if such license was issued by the Department of Consumer Protection. The department may, at its discretion, conduct an investigation to determine whether a permit shall be issued to an applicant.

(2) The applicant shall pay to the department a nonrefundable application fee, which fee shall be in addition to the fees prescribed in this chapter for the permit sought. An application fee shall not be charged for an application to renew a permit. The application fee shall be in the amount of ten dollars for the filing of each application for a permit by a charitable organization under section 30-37b, including a nonprofit public television corporation under section 30-37d, a nonprofit golf tournament permit under section 30-37g, a temporary permit under section 30-35 or a special club permit under section 30-25; and in the amount of one hundred dollars for the filing of an initial application for all other permits. Any permit issued shall be valid only for the purposes and activities described in the application.

(3) [The applicant, immediately after filing an application, shall give notice thereof, with the name and residence of the permittee, the type of permit applied for and the location of the place of business for which such permit is to be issued and the type of live entertainment to be provided, all in a form prescribed by the department, by publishing the same in a newspaper having a circulation in the town in which the place of business to be operated under such permit is to be located, at least once a week for two successive weeks, the first publication to be not more than seven days after the filing date of the application and the last publication not more than fourteen days after the filing date of the application.] The applicant shall affix, and maintain

in a legible condition upon the outer door of the building wherein such place of business is to be located and clearly visible from the public highway, the placard provided by the department, not later than the day following the receipt of the placard by the applicant. If such outer door of such premises is so far from the public highway that such placard is not clearly visible as provided, the department shall direct a suitable method to notify the public of such application. When an application is filed for any type of permit for a building that has not been constructed, such applicant shall erect and maintain in a legible condition a sign not less than six feet by four feet upon the site where such place of business is to be located, instead of such placard upon the outer door of the building. The sign shall set forth the type of permit applied for and the name of the proposed permittee, shall be clearly visible from the public highway and shall be so erected not later than the day following the receipt of the placard. Such applicant shall make a return to the department, under oath, of compliance with the foregoing requirements, in such form as the department may determine, but the department may require any additional proof of such compliance. Upon receipt of evidence of such compliance, the department may hold a hearing as to the suitability of the proposed location. The provisions of this subdivision shall not apply to applications for (A) airline permits issued under section 30-28a, (B) charitable organization permits issued under section 30-37b, (C) temporary permits issued under section 30-35, (D) special club permits issued under section 30-25, (E) concession permits issued under section 30-33, (F) military permits issued under section 30-34, (G) cafe permits issued under subsection (h) of section 30-22a, (H) warehouse permits issued under section 30-32, (I) broker's permits issued under section 30-30, (J) out-of-state shipper's permits for alcoholic liquor issued under section 30-18, (K) out-of-state shipper's permits for beer issued under section 30-19, (L) coliseum permits issued under section 30-33a, (M) nonprofit golf tournament permits issued under section 30-37g, (N) nonprofit public television corporation permits issued under section 30-37d, (O) Connecticut craft cafe permits issued under section 30-22d to permittees who held a manufacturer permit for a brew pub or a manufacturer permit for beer issued under subsection (b) of section 30-16 and a brew pub before July 1, 2020, (P) off-site farm winery sales and wine, cider and mead tasting permits issued under section 30-16a, (Q) out-of-state retailer shipper's permits for wine issued under section 30-18a, (R) out-of-state winery shipper's permits for wine issued under section 30-18a, (S) in-state transporter's permits for alcoholic liquor issued under section 30-19f, including, but not limited to, boats operating under such permits, (T) seasonal outdoor open-air permits issued under section 30-22e, (U) festival permits issued under section 30-37t, and (V) renewals of any permit described in subparagraphs (A) to (U), inclusive, of this subdivision, if applicable. The provisions of this subdivision regarding publication and placard display shall also be required of any applicant who seeks to amend the type of entertainment

either upon filing of a renewal application or upon requesting permission of the department in a form that requires the approval of the municipal zoning official.

(4) In any case in which a permit has been issued to a partnership, if one or more of the partners dies or retires, the remaining partner or partners need not file a new application for the unexpired portion of the current permit, and no additional fee for such unexpired portion shall be required. Notice of any such change shall be given to the department and the permit shall be endorsed to show correct ownership. When any partnership changes by reason of the addition of one or more persons, a new application with new fees shall be required.

(c) Any ten persons who are at least eighteen years of age, and are residents of the town within which the business for which the permit or renewal thereof has been applied for, is intended to be operated, or, in the case of a manufacturer's or a wholesaler's permit, any ten persons who are at least eighteen years of age and are residents of the state, may file with the department, within three weeks from the last date of publication of notice made pursuant to subdivision (3) of subsection (b) of this section for an initial permit, and in the case of renewal of an existing permit, at least twenty-one days before the renewal date of such permit, a remonstrance containing any objection to the suitability of such applicant or proposed place of business, provided any such issue is not controlled by local zoning. Upon the filing of such remonstrance, the department, upon written application, shall hold a hearing and shall give such notice as it deems reasonable of the time and place at least five days before such hearing is had. The remonstrants shall designate one or more agents for service, who shall serve as the recipient or recipients of all notices issued by the department. At any time prior to the issuance of a decision by the department, a remonstrance may be withdrawn by the remonstrants or by such agent or agents acting on behalf of such remonstrants and the department may cancel the hearing or withdraw the case. The decision of the department on such application shall be final with respect to the remonstrance. The provisions of this subsection shall not apply to festival permits issued under section 30-37t.

(d) No new permit shall be issued until the foregoing provisions of subsections (a) and (b) of this section have been complied with. If no new permit is issued within twelve months of the filing date, as defined in subsection (a) of this section, the application may, in the discretion of the department, be deemed withdrawn and shall then be returned to the applicant. Six months' or seasonal permits may be renewed, provided the renewal application and fee shall be filed at least twenty-one days before the reopening of the business, there is no change in the permittee, ownership or type of permit, and the permittee or backer did not receive a rebate of the permit

fee with respect to the permit issued for the previous year.

(e) The department may renew a permit that has expired if the applicant pays to the department a nonrefundable late fee pursuant to subsection (c) of section 21a-4, which fee shall be in addition to the fees prescribed in this chapter for the permit applied for. The provisions of this subsection shall not apply to one-day permits, to any permit which is the subject of administrative or court proceedings, or where otherwise provided by law.

(f) Effective July 1, 2026, no new permit shall be issued until the applicant, applicant's backer, permittee, and all members of the backer, completes a liquor education program in a form and manner prescribed by the department, unless such liquor education program is waived in writing by the department. Notwithstanding the foregoing, persons holding a provisional or final permit as of July 1, 2026 shall not be required to comply with this education provision in order to obtain a final permit or renew their existing permit. This requirement shall only apply to final permits, substitute permittee applications, and transfer of interest applications. The liquor education program shall address the prevention of sales to minors, prevention of overservice of alcohol, restrictions on drink promotions, and any other topic prescribed by the department.

Sec. 4. Section 30-19f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a)(1) An in-state transporter's permit for alcoholic liquor shall allow the commercial transportation of any alcoholic liquor and, with the approval of the Department of Consumer Protection, the provision or sale of alcoholic liquor for consumption in a boat engaged in the transportation of passengers for hire or a motor vehicle in livery service, as permitted by law. One permit shall cover all such boats or vehicles that are under common control, direction, management or ownership. When applying for such approval, in a form and manner prescribed by the commissioner, the owner of any such boat or vehicle in which the sale or consumption of alcoholic liquor will be available shall specifically identify to the department each such boat or vehicle. The **[**annual**]** fee for an annual in-state transporter's liquor permit shall be one thousand two hundred fifty dollars for the first boat or vehicle and an additional annual fee of two hundred dollars for each additional boat or vehicle.

(2) The Department of Consumer Protection may issue a daily in-state transporter permit to

an applicant that submits an application in a form and manner prescribed by the commissioner. The daily in-state transporter permit shall authorize a person to engage in the work of an in-state transporter, however such authorization shall be limited in duration. The fee for a daily in-state transporter permit shall be one hundred fifty dollars per day per vehicle. The maximum number of days for which a daily in-state transporter permit shall be issued to any one backer pursuant to this section shall not exceed eight days per calendar year. A daily in-state transporter permittee may apply, in a form and manner prescribed by the commissioner, to convert such credential into an annual in-state transporter's permit. The effective date of the converted annual in-state transporter's permit shall be the first date of issuance of the daily in-state transporter permit during the current calendar year. Any fees paid for a daily in-state transporter permit issued in a calendar year shall be credited toward the fee for an annual in-state transporter's permit, however, no rebate shall be issued to the applicant if the total fees paid during such calendar year for the daily in-state transporter permits exceed the total fees due for the annual in-state transporter's permit.

Sec. 5. Section 30-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) The Department of Consumer Protection may, in its discretion, suspend, revoke or refuse to grant or renew a permit for the sale of alcoholic liquor if it has reasonable cause to believe: (1) That the applicant or permittee appears to be financially irresponsible or neglects to provide for his family, or neglects or is unable to pay his just debts; (2) that the applicant or permittee has been provided with funds by any wholesaler or manufacturer or has any forbidden connection with any other class of permittee as provided in this chapter; (3) that the applicant or permittee is in the habit of using alcoholic beverages to excess; (4) that the applicant or permittee has willfully made any false statement to the department in a material matter; (5) that the applicant or permittee has been convicted of violating any of the liquor laws of this or any other state or the liquor laws of the United States or has been convicted of a felony as such term is defined in section 53a-25, provided any action taken is based upon (A) the nature of the conviction and its relationship to the applicant or permittee's ability to safely or competently perform the duties associated with such permit, (B) information pertaining to the degree of rehabilitation of the applicant or permittee, and (C) the time elapsed since the conviction or release, or has such a criminal record that the department reasonably believes he is not a suitable person to hold a permit, provided no refusal shall be rendered under this subdivision except in accordance with

the provisions of sections 46a-80 and 46a-81; (6) that the applicant or permittee has not been delegated full authority and control of the permit premises and of the conduct of all business on such premises; or (7) that the applicant or permittee has violated any provision of this chapter or any regulation adopted under this chapter. Any backer shall be subject to the same disqualifications as provided in this section in the case of an applicant for a permit or a permittee.

(b) The Commissioner of Consumer Protection may, in his or her discretion, require a permittee who has had his or her permit for the sale of alcoholic liquor suspended or revoked pursuant to subsection (a) of this section to have such permittee's employees participate in an alcohol seller and server training program approved by the commissioner. The commissioner may require proof of completion of the program from the permittee prior to reactivation or reissuance of such permit.

(c) The Commissioner of Consumer Protection may, in his or her discretion, enter into a settlement agreement, or comparable negotiated settlement instrument, in lieu of proceeding with an administrative hearing. Such agreement may contain terms that include, but are not limited to, settlement fees, probation, conditions on the permit, suspension, training requirements, and additional security measures. [In lieu of suspending or revoking a permit for the sale of alcoholic liquor pursuant to subsection (a) of this section the commissioner may require a permittee to have such permittee's employees participate in an alcohol seller and server training program.]

Sec. 6. Section 30-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) For the purposes of this section, "grocery store" (1) means any store that (A) is commonly known as a delicatessen, food store, grocery store or supermarket, and (B) [is primarily engaged in the retail sale of] derives more than fifty percent of its retail sales from any combination of dairy products, eggs and poultry, fruits and vegetables, meat, seafood, bakery products, or various canned or dry goods such as coffee, flour, spices, sugar and tea, whether packaged or in bulk, [regardless of whether] however no such store [sells] shall be required to sell fresh fruits and vegetables or [fresh, prepared or smoked fish] seafood, meat and poultry[, and

(2) does not include any store that is primarily engaged in the retail sale of bakery products,

candy, nuts and confectioneries, dairy products, eggs and poultry, fruits and vegetables or seafood]. A "grocery store" does not include a store that is primarily engaged in the retail sale of one category of food item, such as bakery products, candy, confectioneries, dairy products, fruits and vegetables, meats, poultry, or seafood.

Sec. 7. Section 30-87 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

Any person who induces any minor to procure alcoholic liquor from any person permitted to sell such alcoholic liquor shall be subject to the penalties prescribed in section 30-113. The provisions of this section shall not apply to (1) the procurement of liquor by a person over age eighteen who is an employee or permit holder under section 30-90a where such procurement is made in the course of such person's employment or business, or (2) any such inducement in furtherance of an official investigation or enforcement activity authorized or conducted by a law enforcement agency or the Department of Consumer Protection. Nothing in this section shall be construed to prevent any action from being taken under section 30-55 or section 30-86, or both, against any person permitted to sell alcoholic liquor who has sold alcoholic liquor to a minor where such minor is participating in an official investigation or enforcement activity conducted by a law enforcement agency.

Sec. 8. Section 30-37j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) A caterer liquor permit shall allow a person [regularly]primarily engaged in the business of providing [food and beverages]meals to others for service at private gatherings or at special events to sell and serve alcoholic liquor for on-premises consumption with or without the provision of [food]meals at any activity, event or function for which such person has been hired, pursuant to a contract between the holder of the caterer liquor permit and the hiring party. For purposes of this subsection, "meals" shall mean appetizers, entrees and desserts, in any combination, of sufficient variety and quantity reasonably capable of satisfying hunger. The holder of a caterer liquor permit shall not engage in self-dealing or self-hiring in order to generate catering events. The annual fee for a caterer liquor permit shall be four hundred forty dollars.

(b) A mobile bar permit shall allow a person to sell and serve alcoholic liquor for on-premise consumption without the provision of meals at any activity, event, or function for which such person has been hired, pursuant to a contract between the holder of the mobile bar permit and the hiring party. The holder of a mobile bar permit shall not engage in self-dealing or self-hiring in order to generate hired events. The annual fee for a mobile bar permit shall be seven hundred and fifty dollars.

(c) The holder of a caterer liquor permit or mobile bar permit shall, on a form prescribed by the Department of Consumer Protection or electronically, notify the department, in writing, of the date, location and hours of each event at which alcohol is served under such permit at least one business day in advance of such event. If the holder of a caterer liquor permit or mobile bar permit is unable to provide the written notice required under this section due to exigent circumstances, such holder may provide notice to the department by telephone of the date, location and hours of each event at which alcohol is served under such permit.

[(c)**]**(d) Notwithstanding the provisions of subsection (a) of section 30-48, a backer or holder of a caterer liquor permit may be a backer or holder of any other permit issued under the provisions of this chapter, except that a backer or holder of a caterer liquor permit may not be a backer or holder of any other manufacturer permit issued under section 30-16 or a wholesaler permit issued under section 30-17.

[(d)**]**(e) The holder of a caterer liquor permit, mobile bar permit, and any other permit issued under the provisions of this chapter that prohibits the off-premises consumption of alcoholic liquor shall be exempt from such prohibition for the purposes of conducting such holder's catering and mobile bar business only.

[(e)**]**(f) The holder of a caterer liquor permit and mobile bar permit shall be exempt from the provisions of sections 30-38, 30-52 and 30-54 and from the requirements to affix and maintain a placard, as provided in subdivision (3) of subsection (b) of section 30-39.

[(f)**]**(g) The holder of a caterer liquor permit and mobile bar permit may enter into a contract with another business entity to provide exclusive catering services at a specific venue, provided the holder of the caterer liquor permit is available for hire at other venues and is using the permit at other venues. No holder or member of the backer of the caterer liquor permit, nor the holder's or member's spouse or child, shall have an ownership interest in the venue that is subject to the exclusivity agreement.

Sec. 9. CGS 30-113 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person convicted of a violation of any provision of this chapter for which a specified penalty is not imposed, shall, for each offense, be guilty of a class A misdemeanor. [subject to any penalty set forth in section 30-55].

Section 10. Section 30-53 of the general statutes is repealed. (*Effective upon passage*)

Agency Legislative Proposal – 2025 Session
Document Name: DCP - Gaming

Document Name	**DCP - Gaming**

Legislative Liaison	C.J. Strand
Division Requesting This Proposal	Gaming Division
Drafter	Julianne Avallone and Kris Gilman

Title of Proposal	AAC Recommendations by the Department of Consumer Protection Concerning Gaming
Statutory Reference, if any	CGS 12-850 as amended by PA 23-54, CGS 12-863 as amended by PA 24-142, CGS 29-143w, CGS 12-801, CGS 12-813, CGS 12-866, CGS 53-278b, CGS 12-815a as amended by PA 24-142, CGS 12-859a as amended by 2024 supplement, CGS 42-301, CGS 21a-1c
Brief Summary and Statement of Purpose	To update provisions regarding the regulation of the Connecticut Lottery Corporation (CLC), online gaming and sports wagering.
How does this proposal relate to the agency's mission?	Included are proposals intended to protect players in CT's gaming market.

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Sec. 1 amends CGS 12-850 for a number of definitions used throughout the proposal.

Sec. 2 amends CGS 12-863 to prevent gaming entity licensees from advertising on websites and other media that also provide advertising for unlicensed entities that offer gambling.

Sec. 3 amends CGS 29-143w to address conflicts between Chapter 532a and Chapter 229b and allow wagering on professional matches as permitted under Chapter 229b.

Sec. 4-5 amends CGS 12-801 and 12-813 to clarify that courier services for the purchase and delivery of lottery tickets is prohibited in the state.

Sec. 6 amends CGS 12-866 to clarify the fee calculation for progressive online casino games and peer-to-peer games.

Sec. 7 amends CGS 53-278b to strengthen criminal penalties for illegal gambling activity to align with other states.

Sec. 8-9 amends CGS 12-815a and creates a new section to clarify the legal basis for any licensure enforcement or denial actions brought by the department related to the regulation of the lottery.

Sec. 10 creates a new section to add clarifying language regarding collegiate sports wagering on Connecticut intercollegiate teams.

Sec. 11-12 amends CGS 12-859a and creates a new section related to background checks to comply with FBI requirements. Currently, the FBI does not require fingerprinting for live gaming operators. There have been at least 60 incidences of live gaming operators failing their state-mandated background

checks. The language in these sections will strengthen the state's ability to conduct background checks on live gaming employees.

Sec. 13 amends CGS 42-301 to clarify that the use of sweepstakes to fund casino gaming or sports betting that is not licensed under Chapter 229b is prohibited.

Sec. 14 repeals an outdated provision related to the transfer of an executive director position from the Department of Special Revenue to the Department of Consumer Protection in 2011.

BACKGROUND

Origin of Proposal [x] New Proposal [x] Resubmission

Sec. 10 - clarifies the restrictions on wagering on Connecticut collegiate sports.

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	N/a
Has this proposal or a similar proposal been implemented in other states? If	n/a

yes, to what result?	
Have certain constituencies called for this proposal?	n/a

INTERAGENCY IMPACT
List each affected agency. Copy the table as needed.

[ ] Check here if this proposal does NOT impact other agencies

1. Agency Name	Connecticut Lottery Corporation
Agency Contact (name, title)	Art Mongillo
Date Contacted	9/23/24
Status	**[ ] Approved** **[x] Talks Ongoing**
Open Issues, if any	

FISCAL IMPACT
Include the section number(s) responsible for the fiscal impact and the anticipated impact

[ ] Check here if this proposal does NOT have a fiscal impact

State	Section 6: the state would collect additional revenue on fees collected by online gaming operators from progressive and peer-to-peer casino games.

Municipal (Include any municipal mandate that can be found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[x] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?

INSERT FULLY DRAFTED BILL HERE

Sec 1. Sec. 12-850 of the general statutes as amended by Public Act 23-54 is repealed and the following is substituted in lieu thereof (*effective October 1, 2025*):

For the purposes of this section and sections 12-851 to 12-871, inclusive:

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

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

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

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

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

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

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

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

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

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

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

(12) "Internet games" means (A) online casino gaming; (B) online sports wagering; (C) fantasy contests; (D) keno through the Internet, an online service or a mobile application; and (E) the sale of tickets for lottery draw games through the Internet, an online service or a mobile application;

(13) "Keno" has the same meaning as provided in section 12-801;

(14) "Key employee" means an individual with the following position or an equivalent title associated with a master wagering licensee or a licensed online gaming service provider, online gaming operator or sports wagering retailer: (A) President or chief officer, who is the top ranking individual of the licensee and is responsible for all staff and the overall direction of business operations; (B) financial manager, who is the individual who reports to the president or chief officer who is generally responsible for oversight of the financial operations of the licensee, including, but not limited to, revenue generation, distributions, tax compliance and budget implementation; (C) compliance manager, who is the individual that reports to the president or chief officer and who is generally responsible for ensuring the licensee complies with all laws, regulations and requirements related to the operation of the licensee; (D) chief information

officer, who is the individual generally responsible for establishing policies or procedures on, or making management decisions related to, information systems; or (E) chief data security officer, who is the individual generally responsible for establishing policies or procedures on, or making management decisions related to, technical systems. "Key employee" includes an individual (i) who is responsible for establishing the policies or procedures on, or making management decisions related to, wagering structures or outcomes for a licensee; or (ii) who has an ownership interest, provided the interest held by such individual and such individual's spouse, parent and child, in the aggregate, is five per cent or more of the total ownership or interest rights in the licensee. Tribal membership in and of itself shall not constitute ownership for purposes of this subdivision;

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

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

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

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

(19) "Master wagering licensee" means (A) the Mashantucket Pequot Tribe, or an instrumentality of or an affiliate wholly-owned by said tribe, if licensed to operate online sports wagering, online casino gaming and fantasy contests pursuant to section 12-852; (B) the

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

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

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

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

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

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

(25) "Online gaming operator" means a person or business entity that operates an electronic wagering platform and contracts directly with a master wagering licensee to offer (A) one or more Internet games on behalf of such licensee, or (B) retail sports wagering on behalf of such licensee at a facility in this state;

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

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

(28) "Progressive and Peer-to-peer revenue" shall mean the total value of the rake or other fee charged to individuals located in the state to participate in all progressive and peer-to-peer casino games.

(29) Peer-to-peer casino games" means card game and card game tournament including but not limited to poker, in which patrons compete against each other and not against the licensee operating the game, and the licensee operating the game assesses a rake or any other type of fee associated with the game, contest or tournament, but does not wager with or against any patron.

(30) "Progressive game" means any game conducted in conjunction with another approved online casino game in which the value of the prize is carried forward to the next game if no patron wins, such games may include, but not be limited to, an online casino game conducted by more than one licensee for the purpose of a common jackpot prize.

(31) "Rake" means the fee, commission or fixed percentage of total wagers not returned to players that is charged (1) by an online gaming operator, (2) to a patron, and (3) in order for a patron to participate in a peer-to-peer casino game or progressive game. The aggregate rake for a poker game, inclusive of all rounds in such game, shall not exceed ten percent of all sums wagered in the specific poker game.

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

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

[(30)](34) "Sporting event" means any (A) sporting or athletic event at which two or more persons participate, individually or on a team, and may be eligible to receive compensation in excess of actual expenses for such participation in such sporting or athletic event; (B) sporting or athletic event sponsored by an intercollegiate athletic program of an institution of higher

education or an association of such programs [, except for those in which one of the participants is a Connecticut intercollegiate team and the event is not in connection with a permitted intercollegiate tournament]; (C) Olympic or international sports competition event; or (D) e-sports event [, except for those in which one of the participants is a Connecticut intercollegiate team and the event is not in connection with a permitted intercollegiate tournament. As used in this subdivision, "permitted intercollegiate tournament" means an intercollegiate e-sports, sporting or athletic event involving four or more intercollegiate teams that involves one or more Connecticut intercollegiate teams and the wager on the tournament is based on the outcome of all games within the tournament]. "Sporting event" does not include horse racing, jai alai or greyhound racing;

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

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

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

(38) "Wager" means the risking or accepting of money, credit, deposit, cash equivalent, including free play, loyalty points, and other redeemable betting credits, or anything of value on an uncertain occurrence or outcome of an event, but does not include entry fees.

Sec 2. Section 12-863 of the General Statutes as amended by section 84 of Public Act 24-142 is repealed and the following is substituted in lieu thereof (*effective October 1, 2025*):

(e) Advertising, marketing and other promotional materials published, aired, displayed or

disseminated by or on behalf of any gaming entity licensee shall:

(1) Not depict an individual who is, or appears to be, under twenty-one years of age, unless such individual is a professional athlete or a collegiate athlete who, if permitted by applicable law, is able to profit from the use of his or her name and likeness;

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

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

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

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

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

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

(8) Not be placed before any audience where the majority of the viewers or participants is presumed to be under twenty-one years of age, or, if pertaining exclusively to keno, online lottery ticket sales or fantasy contests, or any combination thereof, to those under eighteen years of age;

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

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

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

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

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

(14) Not be placed on a website or through any media forum that contains advertising or offers for gambling or professional gambling, as defined in section 53-278a of the general statutes, that is illegal in this state, unless such advertising is placed on behalf of a person duly licensed to offer and accept wagers in another state, territory, jurisdiction or federally recognized tribal lands located in the United States.

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

(g) The name and any personally identifying information of a person who is participating or who has participated in the voluntary self-exclusion process established pursuant to subdivision (5) of subsection (c) of this section or established by the Department of Consumer Protection in regulations adopted pursuant to subdivision (4) of section 12-865 shall not be deemed public records, as defined in section 1-200, and shall not be available to the public under the provisions of the Freedom of Information Act, as defined in section 1-200, except:

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

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

(h) Upon investigation by the Department of Consumer Protection, if the commissioner finds a violation of subsection (e) of this section, the commissioner may issue an order directing the removal in whole or in part of one or more advertisements by not later than ten days after the order is issued. A party to such order may request an administrative hearing under chapter 54 of the general statutes by filing with the Department of Consumer Protection a written request by no later than ten days after the order is issued. If a party fails to request an administrative hearing or comply with the order by the tenth day after the order is issued, such party thereafter shall pay a civil penalty of up to one thousand dollars per day until the party complies with the order. Nothing in this subsection shall be deemed to limit the authority of the Department of Consumer Protection to pursue enforcement action under other provisions of the general statutes.

Sec 3. Section 29-143w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Sec. 29-143w. (Formerly Sec. 21a-208). Betting prohibited. No person shall bet or wager upon the result of any boxing or mixed martial arts match unless the bet or wager is conducted pursuant to sections 12-850 to 12-872, inclusive, of the general statutes, as amended by section 1 of this act.

Sec 4. Section 12-801 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(14) "Ticket courier service" means a service operated for the purpose of purchasing Connecticut Lottery tickets on behalf of individuals located within or outside the state and delivering or transmitting such tickets, or electronic images thereof, to such individuals as a business-for-profit delivery service.

Sec 5. Section 12-813 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) No ticket shall be sold at a price greater than that fixed by the president, subject to the direction of the board and no sale shall be made other than by a licensed lottery sales agent or his designated employee, or by such other lawful means, including online lottery ticket sales. No person may offer a lottery ticket for resale. No person shall operate a ticket courier service in this state. No person shall sell a lottery ticket to a minor and no minor shall purchase a lottery ticket. Any person who violates the provisions of this subsection shall be guilty of a class A misdemeanor. A minor may receive a lottery ticket as a gift.

Sec. 6 Section 12-866 of the General Statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(a) A master wagering licensee, if licensed to operate online casino gaming pursuant to section 12-852, shall pay to the state for deposit in the General Fund: (1) Eighteen per cent of the gross gaming revenue from online casino gaming authorized under section 12-852 during the five-year period after the first issuance of a license for such gaming under section 12-852, or (2) twenty per cent of the gross gaming revenue from online casino gaming authorized under section 12-852 during the sixth and any succeeding year after the first issuance of a license for such gaming under section 12-852. Each such licensee shall commence payments under this subsection not later than the fifteenth day of the month following the month such licensee began the operation of online casino gaming under section 12-852, and shall make payments not later than the fifteenth day of each succeeding month, while such online casino gaming is conducted.

(b) For purposes of this section, "gross gaming revenue" means the total of all sums actually received by each such licensee from online casino gaming, excluding peer-to-peer casino games and progressive games, plus progressive and peer-to-peer revenue, less the total of all sums paid as winnings to online casino gaming patrons, excluding peer-to-peer casino games and progressive games, and any federal excise tax applicable to such sums received, provided:

(1) The total of all sums paid as winnings to such patrons shall not include the cash equivalent value of any merchandise or thing of value included in a jackpot or payout; and

(2) Coupons or credits that are issued to patrons for the sole purpose of playing online casino games and are linked to online casino gaming in a documented way as part of a promotional program and actually played by the patrons shall not be included in the calculation of gross gaming revenue from online casino gaming, provided if the aggregate amount of such coupons and credits played during a calendar month (A) exceeds twenty-five per cent of the total amount of gross gaming revenue for that month, for any month during the first year that the operation of online casino gaming is permitted, (B) exceeds twenty per cent of the total amount of gross gaming revenue for that month, for any month during the second year that the operation of online casino gaming is permitted, or (C) exceeds fifteen per cent of the total amount of gross gaming revenue for that month, for any month during the third or succeeding year that the operation of online casino gaming is permitted, then the applicable excess amount of coupons or credits used in such calendar month shall be included in the calculation of gross gaming revenue. For the purpose of this subdivision, the year of operation of online casino gaming shall be measured from the date that the first master wagering license is issued pursuant to section 12-852 or the date that regulations, including, but not limited to, emergency regulations, are adopted and effective pursuant to section 12-865, whichever is later.

Sec. 7 Section 53-278b of the General statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2025*):

(b) Any person who engages in professional gambling shall be guilty of a class **[**A misdemeanor**]** D felony.

Sec. 8 Section 12-815a as amended by Section 78 of PA 24-142 is repealed and the following is

substituted in lieu thereof (*Effective July 1, 2025*):

Vendor, affiliate and occupational licenses. Suspension or revocation of license. Compliance by licensees. Regulations.

(g) In determining whether to grant a vendor, affiliate, lottery sales agent or occupational license to any such person or business organization, the commissioner may require an applicant to provide information as to such applicant and person in charge related to: (1) Financial standing and credit; (2) moral character; (3) criminal record, if any; (4) previous employment; (5) corporate, partnership or association affiliations; (6) ownership of personal assets; and (7) such other information as the commissioner deems pertinent to the issuance of such license, provided the submission of such other information will assure the integrity of the state lottery. The commissioner shall require each applicant for a vendor, affiliate, lottery sales agent or occupational license, provided if an applicant for a lottery sales agent is a business organization the commissioner shall require such entity's person in charge to submit to state and national criminal history records checks and may require each such applicant, or person in charge, to submit to an international criminal history records check before such license is issued. The state and national criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a. The commissioner shall issue a vendor, affiliate, lottery sales agent or occupational license, as the case may be, to each applicant who satisfies the requirements of this subsection and who is deemed qualified by the commissioner. **[**The commissioner may reject for good cause an application for a vendor, affiliate, lottery sales agent or occupational license.**]**

(k) (1) The commissioner may suspend **[**or**]**, revoke, refuse to issue or renew, place conditions on, and impose civil penalties on, **[**for good cause**]** a vendor, affiliate, lottery sales agent or occupational license **[**after a hearing held before the commissioner in accordance with chapter 54**]** or application for cause, which shall include, but is not limited to (A) failure to comply with the chapters 226 and 229a of the general statutes and the Regulations of Connecticut State Agencies promulgated thereunder, (B) conduct of a character inimical to the integrity of gaming, (C) the provision of false or misleading information, (D) financial distress or irresponsibility, and (E) an incomplete application. Upon refusal to issue or renew a license, the commissioner shall notify the applicant of the denial and of the applicant's right to request a hearing within ten days from the date of receipt of the notice of denial. If the applicant requests a hearing within such ten days, the commissioner shall give notice of the grounds for the commissioner's refusal and shall conduct a hearing concerning such refusal in accordance with the provisions of

Chapter 54 of the Connecticut General Statutes concerning contested cases. If the commissioner's denial of a lottery sales agent license is sustained after such hearing, an applicant shall not apply for the same credential for at least one year after the date on which such denial was sustained. The commissioner may order summary suspension of any such license in accordance with subsection (c) of section 4-182.

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

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

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

Sec. 9 (New) (*Effective July 1, 2025*):

(a) The commissioner may reject an application for a lottery sales agent license, as defined in section 12-850 of the general statutes, as amended by section 1 of this act, for cause, including, but not limited to, conduct of a character inimical to the integrity of the lottery, the provision of false or misleading information, lack of financial stability, or an incomplete application. Upon refusal to issue or renew a license, the commissioner shall notify the applicant of the denial and of the applicant's right to request a hearing within ten days from the date of receipt of the notice of denial. If the applicant requests a hearing within such ten days, the commissioner shall give notice of the grounds for the commissioner's refusal and shall conduct a hearing concerning such refusal in accordance with the provisions of Chapter 54 of the Connecticut General Statutes

concerning contested cases. If the commissioner's denial of a license is sustained after such hearing, an applicant may make new application not less than one year after the date on which such denial was sustained an application for a lottery sales agent license, as defined in section 12-850 of the general statutes, as amended by section 1 of this act.

(b) The commissioner may suspend or, revoke, place conditions on, and issue civil penalties to, in an amount not to exceed two thousand five hundred dollars per violation, a vendor, affiliate or occupational license for cause, which includes, but is not limited to, failure to comply with the Chapters 226 and 229a of the general statutes, inclusive of the Regulations of Connecticut State Agencies promulgated thereunder, conduct of a character inimical to the integrity of gaming; the provision of false or misleading information; lack of financial stability; manipulating or inappropriately accessing the lottery system or any associated hardware or software; tampering with the lottery; or otherwise defrauding the public by compromising the lottery in any manner. Upon refusal to issue or renew a license, the commissioner shall notify the applicant of the denial and of the applicant's right to request a hearing within ten days from the date of receipt of the notice of denial. If the applicant requests a hearing within such ten days, the commissioner shall give notice of the grounds for the commissioner's refusal and shall conduct a hearing concerning such refusal in accordance with the provisions of Chapter 54 of the Connecticut General Statutes concerning contested cases. If the commissioner's denial of a license is sustained after such hearing, an applicant may make a new application not less than one year after the date on which such denial was sustained. The commissioner may order summary suspension of any such license in accordance with subsection (c) of section 4-182.

(c) In the event the department finds any unauthorized gambling machines, illegitimate lottery ticket, professional gambling, or bookmaking equipment at a licensed lottery sales agent location, such licensee shall be summarily suspended and subject to a fine in the amount of up to ten thousand dollars per violation, upon written notification by the department. Such summary suspension shall remain in effect until the summary suspension is lifted and all associated fines are paid. The summary suspension order may be lifted by either the commissioner issuing a written order to such effect, or a final decision being rendered after an administrative hearing. If a request for a hearing is not submitted to the department in writing by the licensee within fifteen days after the summary suspension and fine order is delivered to the licensee, the order shall be deemed a final decision subject to appeal pursuant to section 4-183 of the general statutes.

Sec. 10 (NEW) (*Effective from passage*):

(a) No person licensed to operate sports wagering pursuant to Chapter 229b of the general statutes may accept a wager on a sporting event in which a Connecticut intercollegiate team or a player on a Connecticut intercollegiate team is participating, unless:

(1) The sporting event is a tournament involving four or more teams;

(2) The wager is based on the outcome of all games in the tournament; and

(3) The wager is accepted after the field of teams playing in the tournament has been set and prior to the start of the tournament.

(b) During a tournament, (1) wagers may be placed on an individual game in which no Connecticut intercollegiate team is playing, and (2) once all Connecticut intercollegiate teams have been eliminated from the tournament, there is no further limitation on the acceptance of wagers concerning the tournament.

Sec. 11 Section 12-859a of the 2024 supplement to the Connecticut General Statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A live game employee, other than an individual who holds a key employee license, **[**who will be directly or substantially involved in the operation of live online casino gaming in a manner impacting the integrity of such gaming,**]** shall obtain a live game employee license prior to commencing such employment.

(b) **[**(1)**]** A live game employee shall apply for a live game employee license on a form and in a manner prescribed by the commissioner. Such form shall require the applicant to: (A) Submit to a fingerprint-based state and national criminal history records check conducted in accordance with section 29-17a of the general statutes, which may include a financial history check if requested by the commissioner, to determine the character and fitness of the applicant for the license, (B) provide information related to other business affiliations, and (C) provide, or allow the department to obtain, such other information as the department determines is consistent with the requirements of this section in order to determine the fitness of the applicant to hold a license. Review of any criminal history records check shall be performed solely by an authorized employee of the department.

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

Sec. 12 (NEW) (*Effective from passage*):

In place of the criminal history records check set forth in subsection (b) of section 12-859a of the general statutes, the commissioner may accept from a live game employee applicant the submission of a third-party local and national criminal background check that includes a multistate and multijurisdictional criminal record locator or other similar commercial nationwide database with validation, and other such background screening as the commissioner may require. Any such third-party criminal background check shall be conducted by a third-party consumer reporting agency or background screening company that is in compliance with the federal Fair Credit Reporting Act and accredited by the Professional Background Screening Association.

Sec. 13. Section 42-301 of the general statutes is repealed and the following is substituted in lieu thereof (*effective July 1, 2025*):

(a) No person shall conduct or promote a sweepstakes or a promotional drawing authorized by the provisions of section 53-278g that (1) is not related to the bona fide sale of goods, services or property, [or] (2) uses a simulated gambling device (3) allows or facilitates a person to participate in real or simulated casino gaming or sports betting that is not licensed under Chapter 229b.

(b) Any person who violates the provisions of this section shall be subject to the penalty for professional gambling, as provided in subsection (b) of section 53-278b.

(c) Any simulated gambling device used in a sweepstakes or a promotional drawing shall be deemed a common nuisance and be subject to seizure, as provided in section 53-278c.

(d) Any premises used for a sweepstakes or a promotional drawing in violation of the provisions of this section shall be deemed a common nuisance and shall be subject to the provisions in section 53-278e.

(e) Nothing in this section shall be construed to prohibit a retail grocery chain from conducting or promoting a sweepstakes that uses a simulated gambling device, provided such sweepstakes is related to the sale of groceries, the prize is not redeemed or redeemable for cash and the prize is only used as a discount to reduce the price of items purchased from such retail grocery chain. For the purposes of this section, "retail grocery chain" means an operator or franchisor of five or more retail establishments whose primary business is the sale of groceries.

(f) A violation of subsection (a) of this section shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b of the general statutes.

Sec 14. Section 21a-1c of the general statutes is repealed (*effective from passage*).