



General Assembly

Amendment

January Session, 2025

LCO No. 7774



Offered by:

SEN. SAMPSON, 16th Dist.

SEN. BERTHEL, 32nd Dist.

To: Subst. Senate Bill No. 1370

File No. 335

Cal. No. 209

**"AN ACT REQUIRING WORKERS PERFORMING OFF-SITE
CUSTOM FABRICATION FOR A PUBLIC WORKS PROJECT TO BE
PAID PREVAILING WAGE RATES."**

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

3 "Section 1. Subsection (a) of section 4-261 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (a) Each project shall [either] be subject to [the prevailing wage
7 requirements pursuant to section 31-53 or] the rate established by the
8 use of a project labor agreement. [The department shall provide notice
9 of which requirement applies prior to soliciting bids or proposals for
10 such project.]

11 Sec. 2. Section 7-112 of the general statutes is repealed and the
12 following is substituted in lieu thereof (*Effective from passage*):

13 The provisions of [sections 31-52, 31-53 and 31-54] section 31-52 shall
14 apply to the construction, remodeling or repair of any public building
15 by any political subdivision of this state or any of its agents.

16 Sec. 3. Section 7-502 of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective from passage*):

18 [(a) The provisions of section 31-53 shall apply to contractual
19 arrangements for the construction, reconstruction or rehabilitation of
20 development property.]

21 [(b)] (a) The provisions of sections 49-41 to 49-43, inclusive, shall
22 apply to any construction, reconstruction or rehabilitation of
23 development property undertaken by a municipality or a governmental
24 unit or nonprofit corporation to which a municipality has delegated
25 powers pursuant to section 7-486.

26 [(c)] (b) The provisions of sections 7-467 to 7-473c, inclusive, 7-474 to
27 7-477, inclusive, and of chapter 561 and any provisions of any special
28 act, municipal charter or ordinance granting to employees rights of
29 organization, representation and collective bargaining shall apply to
30 any powers exercised or actions undertaken pursuant to this chapter by
31 a municipality or a governmental unit or nonprofit corporation to which
32 a municipality has delegated powers pursuant to section 7-486.

33 Sec. 4. Section 8-74 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective from passage*):

35 No moderate rental housing project shall be developed until (1) the
36 housing authority or, in the case of a developer, the Commissioner of
37 Housing has provided notice to the general public of the project by
38 publication, in ten-point boldface type, of a description of the project in
39 a newspaper of general circulation in the municipality in which the
40 proposed project is to be located; (2) the Commissioner of Housing has
41 approved the site, not less than thirty days after publication of the notice
42 required under this section and after having given due consideration to
43 any comments received from the public, the plans and layout and the

44 estimated cost of development; and (3) the commissioner has approved
45 the proposed methods of financing, the proposed rents and income
46 limits for admission and continued occupancy and a detailed estimate
47 of the expenses and revenues thereof. During the period of any grant or
48 loan contract entered into under part I or III of this chapter or this part,
49 the developer shall submit to the commissioner for his approval its rent
50 schedules and its standards of tenant eligibility and continued
51 occupancy, and any changes therein and its proposed budget for each
52 fiscal year, together with such reports and financial and operating
53 statements as the commissioner finds necessary. The commissioner may
54 recommend the use of modern materials and methods of construction
55 and factory-built houses in such projects, provided the use thereof
56 would not be detrimental to the public health and safety, and may, in
57 his discretion, withhold approval of the plans therefor if he believes that
58 failure to use such methods or materials or factory-built houses would
59 result in unnecessarily high costs. The commissioner is authorized to
60 make and enforce reasonable orders and regulations and to determine
61 the allocation of dwelling units to be constructed by an authority. [The
62 provisions of section 31-53 shall apply to housing projects constructed
63 by an eligible developer under this part.]

64 Sec. 5. Section 8-117a of the general statutes is repealed and the
65 following is substituted in lieu thereof (*Effective from passage*):

66 Except as limited by the provisions of section 8-118a, sections 8-50 to
67 8-63, inclusive, 8-65 [.] and 8-67 [and 31-53] shall apply to housing
68 authority projects referred to in this part and the property acquired and
69 loans, grants, financial assistance or other financing made or to be made
70 available therefor.

71 Sec. 6. Subdivision (6) of subsection (c) of section 8-169d of the general
72 statutes is repealed and the following is substituted in lieu thereof
73 (*Effective from passage*):

74 (6) Where federal financial assistance is to be provided in the
75 implementation of a community development program, all laborers and

76 mechanics employed by contractors or subcontractors on construction
77 or rehabilitation work, except as provided under Section 110 of said
78 Housing and Community Development Act of 1974, as from time to
79 time amended, and part III of chapter 557 and part I of chapter 558, shall
80 be paid wages at rates not less than those prevailing on similar
81 construction within the locality, as determined by the United States
82 Secretary of Labor under the provisions of the Davis-Bacon Act, as from
83 time to time amended, 40 USC, Sections 276a to 276a-5, inclusive, [or by
84 the Labor Commissioner under section 31-53,] and all such persons shall
85 receive overtime compensation in accordance with the provisions of the
86 Contract Work Hours and Safety Standards Act, 40 USC, Sections 327 to
87 332, inclusive, and section 31-60, or where no such federal financial
88 assistance is to be provided, then compliance with part III of chapter 557
89 and part I of chapter 558 shall be required.

90 Sec. 7. Subsection (a) of section 10a-255 of the general statutes is
91 repealed and the following is substituted in lieu thereof (*Effective from*
92 *passage*):

93 (a) To accomplish the purposes of sections 10a-250 to 10a-263,
94 inclusive, the corporation may enter into joint ventures or shared service
95 agreements to procure hospital facilities and to contract for services
96 necessary or useful in connection with the procurement of hospital
97 facilities. The corporation shall establish and adopt specific policies,
98 rules and procedures on purchasing and contracting. Such policies,
99 rules and procedures shall be approved by a two-thirds vote of its full
100 board of directors. The corporation shall conduct its contracting and
101 purchasing operations in accordance with such policies, rules and
102 procedures. Notwithstanding any other provision of law to the contrary,
103 the corporation may enter into joint ventures or shared service
104 agreements and may procure hospital facilities and contract for any
105 services necessary or useful in connection with such procurement either
106 (1) pursuant to a process of open or competitive bidding, provided that
107 (A) the corporation may determine the format, contents and scope of
108 any joint venture or shared service agreement or any procurement of

109 hospital facilities, and services in connection with such procurement,
110 the conditions under which bidding shall take place and the schedule
111 and stipulations for contract award, and (B) the corporation may select
112 the contractor deemed to have submitted the most favorable bid, price
113 and other factors considered, when, in the judgment of the corporation,
114 such award is in the best interests of the hospital, or (2) if the
115 corporation, in its discretion, determines that, due to the nature of the
116 joint venture or shared service agreement or hospital facilities to be
117 contracted for or procured, open or public bidding is either
118 impracticable or not in the best interests of the hospital, through
119 negotiation with such person or persons as the corporation may
120 determine. The terms and conditions of joint ventures or shared service
121 agreements or contracts for hospital facilities shall be determined by the
122 corporation, as shall the fees or other compensation to be paid to such
123 persons under such joint venture, shared service agreement or contract,
124 provided [any contract for construction by the corporation or a
125 subsidiary of a hospital facility shall be subject to the provisions of
126 section 31-53 and] any joint venture agreement or shared service
127 agreement of the corporation shall contain a neutrality clause signed by
128 all parties to such joint venture agreement or shared service agreement
129 prohibiting employer interference by such parties in union organizing
130 and education campaigns, prohibiting discrimination in hiring based on
131 past union activity and prohibiting harassment of employees engaged
132 in labor organizing, all in compliance with section 31-104 and section 31-
133 105. The joint venture, shared service agreement or contracts entered
134 into by the corporation shall not be subject to the approval of any state
135 department, office or agency other than as provided in this section.
136 Copies of all contracts of the corporation shall be maintained by the
137 corporation at its offices as public records, subject to the exemption
138 provided in subsection (i) of section 10a-253. Nothing in this subsection
139 shall be deemed to restrict the discretion of the corporation to utilize its
140 own staff and workforce for the performance of any of its assigned
141 responsibilities and functions whenever, in the discretion of the
142 corporation, it becomes necessary, convenient or desirable to do so.

143 Sec. 8. Subdivision (2) of subsection (a) of section 16a-3n of the general
144 statutes is repealed and the following is substituted in lieu thereof
145 (*Effective from passage*):

146 (2) In developing any solicitations pursuant to this section, the
147 commissioner shall include requirements for contract commitments in
148 selected bids that [(A) require payment of not less than the prevailing
149 wage, as described in section 31-53, for laborers, workmen and
150 mechanics performing construction activities within the United States
151 with respect to the project, and (B)] require selected bidders to engage
152 in a good faith negotiation of a project labor agreement. Any solicitation
153 issued pursuant to this section shall specify the minimum terms that
154 such project labor agreements shall address.

155 Sec. 9. Section 31-76a of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective from passage*):

157 (a) On receipt of a complaint for nonpayment of wages [,] or a
158 violation of the provisions of subsection (g) of section 31-288, [or a
159 violation of the provisions of subsection (b) of section 31-53,] the Labor
160 Commissioner, the director of Wage and Workplace Standards or the
161 director's designee, shall have power to enter, during usual business
162 hours, the place of business or employment of any employer to
163 determine compliance with the wage payment laws [,] or subsection (g)
164 of section 31-288, [or subsection (b) of section 31-53,] and for such
165 purpose may examine payroll and other records and interview
166 employees, call hearings, administer oaths, take testimony under oath
167 and take depositions in the manner provided by sections 52-148a to
168 52-148e, inclusive.

169 (b) The commissioner or the director, for such purpose, may issue
170 subpoenas for the attendance of witnesses and the production of books
171 and records. Any employer or any officer or agent of any employer,
172 corporation, firm or partnership who wilfully fails to furnish time and
173 wage records as required by law to the commissioner, the director of
174 minimum wage or any wage enforcement agent upon request, or who

175 refuses to admit the commissioner, the director or such agent to the
176 place of employment of such employer, corporation, firm or
177 partnership, or who hinders or delays the commissioner, the director or
178 such agent in the performance of the commissioner's, the director's or
179 such agent's duties in the enforcement of this section shall be fined not
180 less than one thousand dollars. Each day of such failure to furnish the
181 time and wage records to the commissioner, the director or such agent
182 shall constitute a separate offense, and each day of refusal to admit, of
183 hindering or of delaying the commissioner, the director or such agent
184 shall constitute a separate offense.

185 (c) (1) If the commissioner determines, after an investigation
186 pursuant to subsection (a) of this section, that an employer is in violation
187 of [(A)] subsection (g) of section 31-288, [or (B) subsection (b) of section
188 31-53,] the commissioner shall issue, not later than seventy-two hours
189 after making such determination, a stop work order against the
190 employer requiring the cessation of all business operations of such
191 employer. Such stop work order shall be issued only against the
192 employer found to be in violation of subsection (g) of section 31-288 [or
193 in violation of subsection (b) of section 31-53] and only as to the specific
194 place of business or employment for which the violation exists. Such
195 order shall be effective when served upon the employer or at the place
196 of business or employment. A stop work order may be served at a place
197 of business or employment by posting a copy of the stop work order in
198 a conspicuous location at the place of business or employment. Such
199 order shall remain in effect until the commissioner issues an order
200 releasing the stop work order upon a finding by the commissioner that
201 the employer has come into compliance with the requirements of
202 subsection (b) of section 31-284, [or subsection (b) of section 31-53,] or
203 after a hearing held pursuant to subdivision (2) of this subsection.

204 (2) Any employer against which a stop work order is issued pursuant
205 to subdivision (1) of this subsection may request a hearing before the
206 commissioner. Such request shall be made in writing to the
207 commissioner not more than ten days after the issuance of such order.

208 Such hearing shall be conducted in accordance with the provisions of
209 chapter 54.

210 (3) Stop work orders and any penalties imposed under section 31-288
211 or 31-69a against a corporation, partnership or sole proprietorship for a
212 violation of subsection (g) of section 31-288 [or for a violation of
213 subsection (b) of section 31-53] shall be effective against any successor
214 entity that has one or more of the same principals or officers as the
215 corporation, partnership or sole proprietorship against which the stop
216 work order was issued and are engaged in the same or equivalent trade
217 or activity.

218 Sec. 10. Section 31-76m of the general statutes is repealed and the
219 following is substituted in lieu thereof (*Effective from passage*):

220 Notwithstanding any other provisions of the general statutes, if the
221 Labor Commissioner imposes a fine or civil penalty under the
222 provisions of section 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-52, [31-
223 53, 31-54,] 31-69, 31-69a, 31-76 or 31-76a, as amended by this act, as a
224 result of a violation initially reported by a municipal official, the
225 commissioner shall, within thirty days after collecting such fine or
226 penalty, remit one-half of the amount collected to such municipality.

227 Sec. 11. Subsection (a) of section 31-76o of the general statutes is
228 repealed and the following is substituted in lieu thereof (*Effective from*
229 *passage*):

230 (a) For the purposes of this section, "employee welfare fund" [has the
231 same meaning as provided in subsection (i) of section 31-53] means any
232 trust fund established by one or more employers and one or more labor
233 organizations or one or more other third parties not affiliated with the
234 employers to provide, from moneys in the fund, whether through the
235 purchase of insurance or annuity contracts or otherwise, benefits under
236 an employee welfare plan. "Employee welfare plan" does not include
237 any such fund where the trustee, or all of the trustees, are subject to
238 supervision by the Banking Commissioner of this state or any other state

239 or the Comptroller of the Currency of the United States or the Board of
240 Governors of the Federal Reserve System.

241 Sec. 12. Subsection (a) of section 32-665 of the general statutes is
242 repealed and the following is substituted in lieu thereof (*Effective from*
243 *passage*):

244 (a) Except as otherwise provided in sections 32-650 to 32-668,
245 inclusive, the following provisions of the general statutes, including
246 regulations adopted thereunder, shall not apply to the overall project:
247 Section 3-14b, subdivisions (13) to (15), inclusive, of section 4-166,
248 sections 4-167 to 4-174, inclusive, 4-181a, 4a-1 to 4a-59a, inclusive, 4a-63
249 to 4a-76, inclusive, title 4b, section 16a-31, chapters 97a, 124 and 126,
250 sections 14-311 to 14-314c, inclusive, 19a-37, 22a-16 and subsection (a) of
251 section 22a-19. For the purposes of section 22a-12, construction plans
252 relating to the overall project shall not be considered construction plans
253 required to be submitted by state agencies to the Council on
254 Environmental Quality. Notwithstanding any provision of any special
255 act, charter, ordinance, home rule ordinance or chapter 98, no provision
256 of any such act, charter or ordinance or said chapter 98, concerning
257 licenses, permits or approvals by a political subdivision of the state
258 pertaining to building demolition or construction shall apply to the
259 overall project and, notwithstanding any provision of the general
260 statutes, the State Building Inspector and the State Fire Marshal shall
261 have original jurisdiction with respect to the administration and
262 enforcement of the State Building Code and the Fire Safety Code,
263 respectively, with respect to all aspects of the overall project, including,
264 without limitation, the conduct of necessary reviews and inspections
265 and the issuance of any building permit, certificate of occupancy or
266 other necessary permits or certificates related to building construction,
267 occupancy or fire safety. For the purposes of part III of chapter 557, the
268 stadium facility project, the convention center project and the parking
269 project shall be deemed to be a public works project and consist of public
270 buildings, [except that the provisions relating to payment of prevailing
271 wages to workers in connection with a public works project including,

272 but not limited to, section 31-53 shall not apply to the stadium facility
273 project, the convention center project and the parking project if the
274 project manager or the prime construction contractor has negotiated
275 other wage terms pursuant to a project labor agreement.] The provisions
276 of section 2-32c and subsection (c) of section 2-79a shall not apply to any
277 provisions of public act 99-241, as amended by public act 00-140, or
278 chapter 588x concerning the overall project. Any building permit
279 application with respect to the overall project shall be exempt from the
280 assessment of an education fee under subsection (b) of section 29-252a.

281 Sec. 13. Subsection (b) of section 51-164n of the general statutes is
282 repealed and the following is substituted in lieu thereof (*Effective from*
283 *passage*):

284 (b) Notwithstanding any provision of the general statutes, any person
285 who is alleged to have committed (1) a violation under the provisions of
286 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)
287 of section 7-66, section 7-83, 7-147h, 7-148, 7-283, 7-325, 7-393, 8-12, 8-25,
288 8-27, 9-63, 9-322, 9-350, 10-185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-
289 254, 10a-35, 12-52, 12-54, 12-129b or 12-170aa, subdivision (3) of
290 subsection (e) of section 12-286, section 12-286a, 12-292, 12-314b or 12-
291 326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of
292 section 12-411, section 12-435c, 12-476a, 12-476b, 12-476c, 12-487, 13a-
293 26b, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-
294 124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or 13b-39f, subsection
295 (f) of section 13b-42, section 13b-90 or 13b-100, subsection (a) of section
296 13b-108, section 13b-221 or 13b-292, subsection (a) or (b) of section 13b-
297 324, section 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c,
298 subsection (a), (b) or (c) of section 13b-412, section 13b-414 or 14-4,
299 subdivision (2) of subsection (a) of section 14-12, subsection (d) of
300 section 14-12, subsection (f) of section 14-12a, subsection (a) of section
301 14-15a, section 14-16c, 14-20a or 14-27a, subsection (f) of section 14-34a,
302 subsection (d) of section 14-35, section 14-43, 14-44j, 14-49, 14-50a, 14-58
303 or 14-62a, subsection (b) of section 14-66, section 14-66a or 14-67a,
304 subsection (g) of section 14-80, subsection (f) or (i) of section 14-80h,

305 section 14-97a or 14-98, subsection (a), (b) or (d) of section 14-100a,
306 section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a, 14-146, 14-152, 14-
307 153, 14-161 or 14-163b, subsection (f) of section 14-164i, section 14-213b
308 or 14-219, subdivision (1) of section 14-223a, subsection (d) of section 14-
309 224, section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-
310 267a, 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of
311 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,
312 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-
313 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,
314 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,
315 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section
316 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of
317 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,
318 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of
319 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,
320 subsection (b) of section 17a-227, section 17a-465, subsection (c) of
321 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-
322 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,
323 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,
324 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
325 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-
326 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or
327 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,
328 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or
329 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,
330 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
331 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,
332 section 21a-26, subsection (a) of section 21a-37, section 21a-46, 21a-61,
333 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79, section
334 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,
335 section 21a-278b, subsection (c), (d) or (e) of section 21a-279a, section
336 21a-415a, 21a-421eee, 21a-421fff or 21a-421hhh, subsection (a) of section
337 21a-430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34,
338 22-35, 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l,
339 subdivision (1) of subsection (n) of section 22-61l, subsection (f) of

340 section 22-61m, subdivision (1) of subsection (f) of section 22-61m,
341 section 22-84, 22-89, 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o,
342 subsection (d) of section 22-118l, section 22-167, subsection (c) of section
343 22-277, section 22-278, 22-279, 22-280a, 22-318a, 22-320h, 22-324a or 22-
344 326, subsection (b), subdivision (1) or (2) of subsection (e) or subsection
345 (g) of section 22-344, subsection (a) or (b) of section 22-344b, subsection
346 (d) of section 22-344d, section 22-344f, 22-350a, 22-354, 22-359, 22-366,
347 22-391, 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246, subsection (a)
348 of section 22a-250, section 22a-256g, subsection (e) of section 22a-256h,
349 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,
350 section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b,
351 subsection (a) or subdivision (1) of subsection (c) of section 23-65, section
352 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-
353 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-
354 56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61,
355 section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89,
356 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117,
357 subsection (b) of section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138,
358 26-139 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,
359 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-
360 230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-
361 285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13,
362 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d),
363 (e), (g) or (h) of section 29-161q, section 29-161y or 29-161z, subdivision
364 (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of
365 section 29-291c, section 29-316 or 29-318, subsection (b) of section 29-
366 335a, section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section
367 30-89, subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11,
368 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36,
369 31-47 or 31-48, subsection (b) of section 31-48b, section 31-51, 31-51g, 31-
370 52[,] or 31-52a, [31-53 or 31-54,] subsection (a) or (c) of section 31-69,
371 section 31-70, 31-74, 31-75, 31-76, 31-76a, as amended by this act, 31-89b
372 or 31-134, subsection (i) of section 31-273, section 31-288, 31-348, 33-624,
373 33-1017, 34-13d or 34-412, subdivision (1) of section 35-20, subsection (a)
374 of section 36a-57, subsection (b) of section 36a-665, section 36a-699, 36a-

375 739, 36a-787, 38a-2 or 38a-140, subsection (a) or (b) of section 38a-278,
376 section 38a-479qq, 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713,
377 38a-733, 38a-764, 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230,
378 42-470 or 42-480, subsection (a) or (c) of section 43-16q, section 45a-283,
379 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
380 section 46a-59, 46a-81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or
381 47-53, subsection (i) of section 47a-21, subdivision (1) of subsection (k)
382 of section 47a-21, section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection
383 (j) of section 52-362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-
384 264, 53-280, 53-290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-
385 323 or 53-331, subsection (b) of section 53-343a, section 53-344,
386 subsection (b) or (c) of section 53-344b, subsection (b) of section 53-345a,
387 section 53-377, 53-422 or 53-450 or subsection (i) of section 54-36a, or (2)
388 a violation under the provisions of chapter 268, or (3) a violation of any
389 regulation adopted in accordance with the provisions of section 12-484,
390 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or
391 bylaw of any town, city or borough, except violations of building codes
392 and the health code, for which the penalty exceeds ninety dollars but
393 does not exceed two hundred fifty dollars, unless such town, city or
394 borough has established a payment and hearing procedure for such
395 violation pursuant to section 7-152c, shall follow the procedures set
396 forth in this section.

397 Sec. 14. Subdivisions (14) to (18), inclusive, of section 53a-119 of the
398 general statutes are repealed and the following is substituted in lieu
399 thereof (*Effective from passage*):

400 [(14) Failure to pay prevailing rate of wages. A person is guilty of
401 failing to pay the prevailing rate of wages when he (A) files a certified
402 payroll, in accordance with section 31-53 which he knows is false, in
403 violation of section 53a-157a, and (B) fails to pay to an employee or to
404 an employee welfare fund the amount attested to in the certified payroll
405 with the intent to convert such amount to his own use or to the use of a
406 third party.]

407 [(15)] (14) Theft of utility service. A person is guilty of theft of utility

408 service when he intentionally obtains electric, gas, water,
409 telecommunications, wireless radio communications or community
410 antenna television service that is available only for compensation: (A)
411 By deception or threat or by false token, slug or other means including,
412 but not limited to, electronic or mechanical device or unauthorized use
413 of a confidential identification or authorization code or through
414 fraudulent statements, to avoid payment for the service by himself or
415 another person; or (B) by tampering or making connection with or
416 disconnecting the meter, pipe, cable, conduit, conductor, attachment or
417 other equipment or by manufacturing, modifying, altering,
418 programming, reprogramming or possessing any device, software or
419 equipment or part or component thereof or by disguising the identity or
420 identification numbers of any device or equipment utilized by a
421 supplier of electric, gas, water, telecommunications, wireless radio
422 communications or community antenna television service, without the
423 consent of such supplier, in order to avoid payment for the service by
424 himself or another person; or (C) with intent to avoid payment by
425 himself or another person for a prospective or already rendered service
426 the charge or compensation for which is measured by a meter or other
427 mechanical measuring device provided by the supplier of the service,
428 by tampering with such meter or device or by attempting in any manner
429 to prevent such meter or device from performing its measuring
430 function, without the consent of the supplier of the service. There shall
431 be a rebuttable presumption that the person to whom the service is
432 billed has the intent to obtain the service and to avoid making payment
433 for the service if, without the consent of the supplier of the service: (i)
434 Any meter, pipe, cable, conduit, conductor, attachment or other
435 equipment has been tampered with or connected or disconnected, (ii)
436 any device, software or equipment or part or component thereof has
437 been modified, altered, programmed, reprogrammed or possessed, (iii)
438 the identity or identification numbers of any device or equipment
439 utilized by the supplier of the service have been disguised, or (iv) a
440 meter or other mechanical measuring device provided by the supplier
441 of the service has been tampered with or prevented from performing its
442 measuring function. The presumption does not apply if the person to

443 whose service the condition applies has received such service for less
444 than thirty-one days or until the service supplier has made at least one
445 meter or service reading and provided a billing statement to the person
446 as to whose service the condition applies. The presumption does not
447 apply with respect to wireless radio communications.

448 [(16)] (15) Air bag fraud. A person is guilty of air bag fraud when such
449 person, with intent to defraud another person, obtains property from
450 such other person or a third person by knowingly selling, installing or
451 reinstalling any object, including any counterfeit air bag or
452 nonfunctional air bag, as such terms are defined in section 14-106d, in
453 lieu of an air bag that was designed in accordance with federal safety
454 requirements as provided in 49 CFR 571.208, as amended, and which is
455 proper for the make, model and year of the vehicle, as part of the vehicle
456 inflatable restraint system.

457 [(17)] (16) Theft of motor fuel. A person is guilty of theft of motor fuel
458 when such person (A) delivers or causes to be delivered motor fuel, as
459 defined in section 14-327a, into the fuel tank of a vehicle or into a
460 portable container, or into both, on the premises of a retail dealer, as
461 defined in section 14-318, and (B) with the intent to appropriate such
462 motor fuel to himself or a third person, leaves such premises without
463 paying the purchase price for such motor fuel.

464 [(18)] (17) Failure to repay surplus Citizens' Election Fund grant
465 funds. A person is guilty of failure to repay surplus Citizens' Election
466 Fund grant funds when such person fails to return to the Citizens'
467 Election Fund any surplus funds from a grant made pursuant to sections
468 9-700 to 9-716, inclusive, not later than ninety days after the primary or
469 election for which the grant is made.

470 Sec. 15. Sections 8-94, 31-53, 31-53a, 31-53b, 31-53c, 31-53d, 31-54, 31-
471 55, 31-55a and 53a-157a of the general statutes are repealed. (*Effective*
472 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-261(a)
Sec. 2	<i>from passage</i>	7-112
Sec. 3	<i>from passage</i>	7-502
Sec. 4	<i>from passage</i>	8-74
Sec. 5	<i>from passage</i>	8-117a
Sec. 6	<i>from passage</i>	8-169d(c)(6)
Sec. 7	<i>from passage</i>	10a-255(a)
Sec. 8	<i>from passage</i>	16a-3n(a)(2)
Sec. 9	<i>from passage</i>	31-76a
Sec. 10	<i>from passage</i>	31-76m
Sec. 11	<i>from passage</i>	31-76o(a)
Sec. 12	<i>from passage</i>	32-665(a)
Sec. 13	<i>from passage</i>	51-164n(b)
Sec. 14	<i>from passage</i>	53a-119(14) to (18)
Sec. 15	<i>from passage</i>	Repealer section