
OLR Bill Analysis

sHB 5222

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING VARIOUS STATUTES CONCERNING CONSUMER PROTECTION.

SUMMARY

This bill makes several unrelated changes to licensing and other programs overseen by the Department of Consumer Protection (DCP). The bill:

1. eliminates (a) the requirement that registered interior designers complete four hours of continuing education every three years on the state building and fire safety codes and (b) related recordkeeping provisions (§§ 1 & 8);
2. extends the licensing period for professional engineers and land surveyors from one to two years, doubles the current annual fees, and makes conforming changes (§§ 2-4);
3. requires applicants for a real estate broker or salesperson license to successfully complete the required final exam for the license within two years of applying for the license, unless the Real Estate Commission grants a hardship extension on the applicant's written request (§ 5);
4. expands the definition of plumbing and piping work to include work related to alternative fuels and petroleum-based products (§ 6);
5. requires a business that provides certain trade services to designate someone to serve as its contractor of record (§ 7);
6. specifies that a state and national, rather than local and national, criminal records check is required for homemaker companion agency employees (§ 9);

7. extends to establishments certain provisions about adulterated or misbranded food in vending machines and specifically allows DCP to prohibit establishments from selling adulterated or misbranded food until the conditions are remedied (§ 10);
8. requires donation bins in public places that are for charities to include the charity's DCP registration number (§ 11);
9. gives purchasers three days to cancel an irrevocable funeral service contract; makes other changes, including to required disclosures for funeral service contracts and the timeline for depositing funds; and establishes a working group to study issues on prepaid funeral service contracts and a guaranty fund for consumers who purchase these contracts (§§ 12-14 & 16); and
10. eliminates provisions governing apartment listing services (§§ 15 & 17).

EFFECTIVE DATE: Upon passage, except provisions on (1) real estate licensing exams, adulterated or misbranded food, donation bins, and funeral service contracts other than the working group are effective July 1, 2026, and (2) professional engineers and land surveyors are effective October 1, 2026.

§§ 2-4 — LICENSING PERIOD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

The bill extends the licensing period for professional engineers and land surveyors from one to two years. Correspondingly, it increases the (1) initial licensing fee for one of these licenses or a combined license for both of them from \$220 to \$440, (2) license renewal fee from \$285 to \$570, and (3) renewal fee for licensees aged 65 and over who no longer practice the profession from \$60 to \$120.

The bill also increases the reciprocal licensing fee for a professional engineer, land surveyor, or combined license for a person with a comparable license from another jurisdiction from \$190 to \$380.

§ 6 — SCOPE OF PLUMBING AND PIPING WORK

For purposes of licensing, the bill expands what is considered plumbing and piping work. Among other things, currently, this work means installing, repairing, replacing, altering, maintaining, inspecting, or testing gas, water, and associated fixtures, tubing, and piping mains and certain branch lines. The bill also includes these activities related to alternative fuels and petroleum-based products.

§ 7 — TRADE BUSINESSES DESIGNATING A CONTRACTOR OF RECORD

The bill requires a business that provides certain trade services to designate someone to serve as its contractor of record. This applies to businesses such as those providing services requiring licensed electricians; plumbers; solar, heating, piping, and cooling contractors and journeymen; elevator and fire protection sprinkler craftsmen; irrigation contractors and journeymen; gas hearth installer contractors and journeymen; and residential stair lift technicians.

Under the bill, the contractor of record must be:

1. licensed, and in good standing, to perform work or services provided by the business;
2. one of the business' owners or direct employees (someone whose work is subject to the business' control; has compensation reported on a federal Form W-2; and is not an independent contractor, subcontractor, or consultant);
3. regularly engaged in the business when it is providing work or services requiring licensure; and
4. responsible for acting on the business' behalf to get building permits for the business.

A person who is a direct employee can only serve as a contractor of record for one business at a time.

The business must, in a way set by DCP, inform DCP of (1) the designated contractor's name, phone number, and email address and (2)

any change to this information or to who is the designated contractor of record, within 10 days of the change.

§ 10 — ADULTERATED OR MISBRANDED FOOD

The bill extends to establishments the prohibitions that currently apply to vending machines on selling adulterated or misbranded food, beverages, or ingredients (the law already prohibits sale of adulterated or misbranded foods under the state uniform food, drug, and cosmetic act). The bill specifies that the definition of “adulterated” in the state uniform food, drug, and cosmetic act applies to this provision. Generally, this definition includes, among other things, when a product has:

1. a poisonous or deleterious substance;
2. a diseased, contaminated, filthy, putrid, or decomposed substance or is otherwise unfit for food;
3. been produced, prepared, packed, or held under insanitary conditions;
4. been made from a diseased animal;
5. a container with a poisonous or deleterious substance;
6. a valuable constituent part that has been omitted or taken out;
7. a substance that has been substituted;
8. damage or inferiority that has been concealed;
9. a substance that has been added, mixed, or packed to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is; or
10. an unsafe color additive (see CGS § 21a-101).

Current law allows DCP to impound and forbid the sale of adulterated or misbranded food or beverages in a vending machine after written notice. The bill allows these actions if they protect public

health and safety, applies them to establishments, and also allows DCP to prohibit an establishment from selling or offering adulterated or misbranded food or beverages until the conditions that caused the issue and are likely to do so in the future are remedied.

Under existing law, after a hearing, DCP can have food or beverages from a vending machine destroyed or released for relabeling if that would correct the problem. The bill also applies these provisions to establishments.

§ 11 — DONATION BIN LABELS

By law, the label on a charitable donation bin that collects clothing or other articles in a public place must have a label stating (1) the name of the nonprofit organization that benefits from the donation, (2) the name and contact information of its owner, and (3) that the public can contact DCP for more information. The bill also requires the label to include the charity's DCP registration number.

§§ 12-14 & 16 — FUNERAL SERVICE CONTRACTS

Right to Cancel Irrevocable Contract Within Three Days (§ 14)

The bill allows the purchaser of an irrevocable funeral service contract to cancel the contract until midnight three calendar days after signing and receiving a copy of the contract. The bill (1) prohibits waiving this right and (2) allows a purchaser, beneficiary, or beneficiary's legal representative to void a contract if it includes this waiver. Someone who cancels or voids a contract must send a notice to the seller by hand delivery, postage prepaid U.S. mail, or overnight delivery service. Within 20 business days of receiving a timely notice, the seller must refund all payments made by the purchaser before cancellation without any penalty or obligation.

The bill requires an irrevocable funeral service contract to have a statement substantially similar to the following in conspicuous type:

"PURCHASER'S RIGHT TO CANCEL.

(1) BY SIGNING THIS CONTRACT YOU ARE INCURRING AN OBLIGATION TO PURCHASE AN IRREVOCABLE FUNERAL

SERVICE CONTRACT. YOU MAY, HOWEVER, CANCEL THIS CONTRACT WITHOUT PENALTY OR OBLIGATION BEFORE MIDNIGHT OF THE THIRD CALENDAR DAY AFTER THE DATE YOU SIGN AND RECEIVE A COPY OF THE CONTRACT.

(2) IF YOU DECIDE TO CANCEL THIS CONTRACT, YOU MAY DO SO BY EITHER HAND-DELIVERING NOTICE OF CANCELLATION TO THE CONTRACT SELLER OR BY MAILING NOTICE BY PREPAID UNITED STATES MAIL TO THE CONTRACT SELLER, OR BY PROVIDING NOTICE BY OVERNIGHT COMMON CARRIER DELIVERY SERVICE TO THE CONTRACT SELLER. YOUR NOTICE OF CANCELLATION IS EFFECTIVE ON THE DATE SENT. IF MAILED OR SENT BY OVERNIGHT COMMON CARRIER FOR YOUR PROTECTION, SHOULD YOU DECIDE TO CANCEL, YOU SHOULD EITHER SEND YOUR NOTICE OF CANCELLATION BY CERTIFIED MAIL WITH A RETURN RECEIPT REQUESTED OR OBTAIN A SIGNED AND DATED RECEIPT IF DELIVERING IT IN PERSON OR BY OVERNIGHT COMMON CARRIER.

(3) A PURCHASER SHOULD NOT RELY ON STATEMENTS OTHER THAN THOSE INCLUDED IN THIS CONTRACT.

(4) SHOULD YOU CANCEL, ANY PAYMENTS MADE BY YOU UNDER THE CONTRACT AND ANY NEGOTIABLE INSTRUMENT EXECUTED BY YOU WILL BE RETURNED WITHIN TWENTY BUSINESS DAYS FOLLOWING RECEIPT BY THE CONTRACT SELLER OF YOUR CANCELLATION NOTICE.”

Depositing Funds in Escrow (§§ 12 & 13)

The bill reduces, from 15 to three days, the deadline for a licensed funeral service establishment to deposit money or securities in an escrow account after receiving them under a funeral service contract. It also reduces, from 10 to five days after the deposit, the deadline for the escrow agent to notify the purchaser of the receipt and amount of the funds.

The law requires a funeral service contract to include certain

provisions, including a statement that the purchaser should receive a notice from the escrow agent about the deposit described above in a clear and conspicuous type. The bill changes this provision to also state that the escrow agent's notice will state the amount of the deposit and that the purchaser will receive the notice within 10, instead of 25, days. It requires this to be in bold type and also requires it to state that the purchaser or beneficiary has the right to cancel the contract if it is a revocable contract and the purchaser does not receive the escrow agent's notice, or the full deposit was not placed in escrow.

Contract Contents (§ 12)

The law requires a funeral service contract to describe the purchaser's or beneficiary's ability to cancel a revocable funeral service contract. The bill requires it to state immediately next to where the purchaser signs:

“YOU, THE BUYER, OR YOUR BENEFICIARY MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO THE RENDERING OF SERVICES.”

The bill also requires a contract to include a signed statement by the purchaser that before executing the contract the purchaser received a copy of DCP's funeral service contract fact sheet and had time to review it.

Working Group (§ 16)

The bill establishes a working group to study issues related to prepaid funeral service contracts and creating a guaranty fund for consumers who buy these contracts. The working group must report its findings and recommendations to the General Law Committee in (1) an initial report by February 1, 2027, and (2) a final report by January 1, 2028.

The working group consists of the following:

1. the banking, DCP, insurance, and public health commissioners and the probate court administrator, or their designees;
2. one member appointed by each of the General Law Committee's

co-chairs and ranking members, who may be legislators (the co-chairs must choose two of these members to serve as working group co-chairs and legislators appointed to the working group under this provision are only voting members if also chosen to serve as a working group chair); and

3. one representative of an association representing funeral directors, one representative of an association representing insurance companies, and one representative of an association representing banks, each appointed jointly by the General Law Committee co-chairs.

The bill requires initial appointments within 30 days of the bill's passage and appointing authorities to fill any vacancies. The working group co-chairs must schedule and hold the first meeting within 60 days of the bill's passage. The working group must meet at least monthly and at other times the co-chairs deem necessary. The General Law Committee administrative staff serve as the working group's administrative staff.

§§ 15 & 17 — APARTMENT LISTING SERVICES

The bill eliminates provisions governing apartment listing services, which are services that, for a fee, let customers use a listing of apartments for rent (it appears that no one currently holds this credential). Among other things, it eliminates requirements for:

1. one year registration periods, a \$100 fee, and posting a \$10,000 surety bond;
2. entering a contract before collecting a fee with a customer;
3. providing notice that a service (a) is not a licensed real estate broker or salesperson; (b) does not guarantee getting a rental; (c) is showing listings that meet the customer's specifications; and (d) must, after a timely request, refund the customer any money paid over \$30 if the contract expires without the customer finding a rental through a listing on the service;

4. contents of listings and actions the service must take before providing a listing to a customer;
5. prohibited conduct, such as falsely representing that a listing meets specifications, denying knowledge of whether the service has listings that meet the specifications while knowing that it does not, and having a contract duration of more than 60 days; and
6. Connecticut Unfair Trade Practices Act violations.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/11/2026)