



**Substitute House Bill No. 5314**

**Public Act No. 23-191**

**AN ACT CONCERNING CONSUMER AGREEMENTS, CONSUMER BILLS, TELECOMMUNICATIONS AND TICKETING.**

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

Section 1. (NEW) (*Effective October 1, 2023*) (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) "Consumer" means any individual who is a resident of this state and a prospective recipient of consumer goods or consumer services;

(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

***Substitute House Bill No. 5314***

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 of the general statutes, or any subsidiary thereof, or (E) concerning any global service largely or predominately consisting of audiovisual content;

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

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

(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

***Substitute House Bill No. 5314***

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 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 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

***Substitute House Bill No. 5314***

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 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 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 discloses to the consumer, electronically or telephonically in the manner specified in subdivision (2) of this subsection and not later than the time specified in subparagraph (F)(ii)

***Substitute House Bill No. 5314***

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 (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

***Substitute House Bill No. 5314***

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 (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) If the consumer agreement is offered, or entered into, verbally or telephonically, make such disclosure 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.

(d) (1) Each business that enters into a consumer agreement online shall, if such agreement includes an automatic renewal provision or continuous services provision, allow the consumer to take any action necessary to prevent such automatic renewal or prevent or terminate such continuous consumer services online and without requiring such consumer to take any offline action to prevent such automatic renewal or prevent or terminate such continuous consumer services. No business that is subject to the provisions of this subdivision shall take

***Substitute House Bill No. 5314***

any action to obstruct or delay a consumer's efforts to prevent automatic renewal of, or prevent or terminate provision of continuous consumer services under, a consumer agreement pursuant to this subdivision. Each business that is subject to the provisions of this subdivision shall enable a consumer to prevent automatic renewal of, or prevent or terminate provision of continuous consumer services under, a consumer agreement pursuant to this subdivision by way of:

(A) A prominently displayed direct link or button, which may be located within the consumer's (i) account or profile, or (ii) device or user settings; or

(B) An electronic mail message from the business to the consumer, which is immediately accessible by the consumer and to which the consumer may reply without obtaining any additional information.

(2) Notwithstanding subdivision (1) of this subsection, a business may require a consumer who maintains an account with the business to enter the consumer's account information, or otherwise authenticate such consumer's identity, online before such consumer may take any action to prevent automatic renewal of, or prevent or terminate provision of continuous consumer services under, a consumer agreement pursuant to subdivision (1) of this subsection. No consumer who is unwilling or unable to enter the consumer's account information, or otherwise authenticate such consumer's identity, online under this subdivision shall be precluded from authenticating such consumer's identity, or taking action to prevent such automatic renewal or prevent or terminate provision of continuous consumer services, offline by any other method set forth in subparagraph (A) of subdivision (1) of subsection (b) of this section.

(e) Nothing in this section shall be construed to create a private right of action.

***Substitute House Bill No. 5314***

Sec. 2. (NEW) (*Effective October 1, 2023*) (a) For the purposes of this section:

(1) "Consumer" means an individual who is a resident of this state and a recipient, or a prospective recipient, of consumer goods or services;

(2) "Consumer bill" means a bill or invoice for consumer goods or services delivered or provided to a consumer by, or on behalf of, a person doing business in this state;

(3) "Consumer goods or services" means articles or services that are purchased, leased, exchanged or received primarily for personal, family or household purposes; and

(4) "Person" means any individual, corporation, partnership, limited liability company, association, joint stock company, business trust, unincorporated organization or other legal entity.

(b) (1) Except as provided in subdivision (2) of this subsection, each person doing business in this state that delivers or provides consumer goods or services to consumers and issues, or causes to be issued, consumer bills in an electronic form shall provide to any consumer, on such consumer's request, consumer bills in paper form. No such person shall impose, or cause to be imposed, any charge or fee for providing any such consumer bill in paper form.

(2) No person doing business in this state that delivers or provides consumer goods or services to consumers and issues, or causes to be issued, consumer bills in an electronic form shall be required to provide to any consumer, on such consumer's request, consumer bills in paper form if such person does not, in the ordinary course of such person's business, issue, or cause to be issued, consumer bills in paper form.

(c) The Commissioner of Consumer Protection may adopt



**Substitute House Bill No. 5314**

regulations, in accordance with the provisions of chapter 54 of the general statutes, to carry out the purposes of this section.

Sec. 3. Section 16-333m of the general statutes, as amended by section 18 of public act 23-98 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) No charge may be imposed by any community antenna television company or certified competitive video service provider in any case where a video service subscriber of such company or provider, as applicable, requests a total disconnection of such service. No charge that exceeds the cost to the company or provider may be imposed by any such company or provider in any case in which the video service subscriber requests a downgrade of such service.

(b) No company or provider may charge a subscriber for any video service after the date that such subscriber requests disconnection, downgrade or cancellation of such service, unless, in the case of a total disconnection or any video service option requested to be eliminated, the subscriber prevents the company or provider from disconnecting such service within a reasonable time. If the subscriber makes such request before the last day of the monthly billing period for such service, such company or provider, as applicable, shall grant the subscriber a pro rata rebate for all days of the monthly billing period after such disconnection, downgrade or cancellation.

(c) Nothing in this section shall be construed to relieve a video service subscriber of responsibility for charges incurred as of the date of subscription termination or for any charges resulting from unreturned or damaged equipment, or for equipment purchased from the company or provider for which a balance is still owed.

Sec. 4. Section 16-47 of the general statutes, as amended by section 19 of public act 23-98 is repealed and the following is substituted in lieu

**Substitute House Bill No. 5314**

thereof (*Effective July 1, 2023*):

(a) As used in this section and section 16-47a, (1) "holding company" means any corporation, association, partnership, trust or similar organization, or person, which, either alone or in conjunction and pursuant to an arrangement or understanding with one or more other corporations, associations, partnerships, trusts or similar organizations, or persons, directly or indirectly, controls a gas company, electric distribution company, water company, telephone company, community antenna television company, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider [ ] or certified competitive video service provider, [or broadband Internet access service provider, as defined in section 16-330a,] and (2) "control" means the possession of the power to direct or cause the direction of the management and policies of a gas company, electric distribution company, water company, telephone company, community antenna television company, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider [or broadband Internet access service provider, as defined in section 16-330a,] or a holding company, whether through the ownership of its voting securities, the ability to effect a change in the composition of its board of directors or otherwise, provided, control shall not be deemed to arise solely from a revocable proxy or consent given to a person in response to a public proxy or consent solicitation made pursuant to and in accordance with the applicable rules and regulations of the Securities Exchange Act of 1934 unless a participant in said solicitation has announced an intention to effect a merger or consolidation with, reorganization, or other business combination or extraordinary transaction involving the gas company, electric distribution company, water company, telephone company, community antenna television company, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications

**Substitute House Bill No. 5314**

provider, certified competitive video service provider [or broadband Internet access service provider, as defined in section 16-330a,] or the holding company. Control shall be presumed to exist if a person directly or indirectly owns ten per cent or more of the voting securities of a gas company, electric distribution company, water company, telephone company, community antenna television company, [holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider or broadband Internet access service provider, as defined in section 16-330a,] or a holding company, provided the authority may determine, after conducting a hearing, that said presumption of control has been rebutted by a showing that such ownership does not in fact confer control. For a holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider or certified competitive video service provider, or the holding company thereof, control shall be presumed to exist if a person directly or indirectly owns more than forty per cent of the voting securities of such company, provided the authority may determine, after conducting a hearing, that such presumption of control has been rebutted by a showing that such ownership does not in fact confer control.

(b) (1) No gas company, electric distribution company, water company, telephone company, community antenna television company, [holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider or broadband Internet access service provider, as defined in section 16-330a,] or holding company thereof, or any official, board or commission purporting to act under any governmental authority other than that of this state or of its divisions, municipal corporations or courts, shall interfere or attempt to interfere with or, directly or indirectly, exercise or attempt to exercise authority or control over any gas company, electric distribution company, water

**Substitute House Bill No. 5314**

company, telephone company [,] or community antenna television company [, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider or broadband Internet access service provider, as defined in section 16-330a,] engaged in the business of supplying service within this state, or with or over any holding company doing the principal part of its business within this state, without first making written application to and obtaining the approval of the Public Utilities Regulatory Authority, except as the United States may properly regulate actual transactions in interstate commerce.

(2) No holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider or certified competitive video service provider, or any official, board or commission purporting to act under any governmental authority other than that of this state or of its divisions, municipal corporations or courts, shall interfere or attempt to interfere with or, directly or indirectly, exercise or attempt to exercise authority or control over any holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider or certified competitive video service provider engaged in the business of supplying service within this state, without first making written application to and obtaining the approval of the Public Utilities Regulatory Authority, except as the United States may properly regulate actual transactions in interstate commerce or as set forth in subsection (j) of this section.

(c) (1) No corporation, association, partnership, trust or similar organization, or person, shall take any action that causes it to become a holding company with control over a gas company, electric distribution company, water company, telephone company [,] or community antenna television company [, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider or broadband

**Substitute House Bill No. 5314**

Internet access service provider, as defined in section 16-330a,] engaged in the business of supplying service within this state, or acquire, directly or indirectly, control over such a holding company, or take any action that would if successful cause it to become or to acquire control over such a holding company, without first making written application to and obtaining the approval of the authority.

(2) No corporation, association, partnership, trust or similar organization, or person, shall take any action that causes it to become a holding company with control over a holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider or certified competitive video service provider engaged in the business of supplying service within this state, or acquire, directly or indirectly, control over such a holding company, or take any action that would if successful cause it to become or to acquire control over such a holding company, without first making written application to and obtaining the approval of the authority, except as the United States may properly regulate actual transactions in interstate commerce or as set forth in subsection (j) of this section.

(3) Any such corporation, association, partnership, trust or similar organization, or person, applying to the authority for such approval shall pay the reasonable expenses incurred by the authority in carrying out its duties under this subsection, and accordingly, shall deposit with the authority a bond, executed by a surety company authorized to do business in this state, in the amount of fifty thousand dollars, conditioned to indemnify the authority for such expenses.

(d) (1) The Public Utilities Regulatory Authority shall investigate and hold a public hearing on the question of granting its approval with respect to any application made under subdivision (1) of subsection (b) [or (c)] of this section or subdivision (1) of subsection (c) of this section and thereafter may approve or disapprove any such application in whole or in part and upon such terms and conditions as it deems

***Substitute House Bill No. 5314***

necessary or appropriate. In connection with its investigation, the authority may request the views of the gas company, electric distribution company, water company, telephone company, community antenna television company [, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider or broadband Internet access service provider, as defined in section 16-330a,] or holding company which is the subject of the application with respect to the proposed acquisition. After the filing of an application satisfying the requirements of such regulations as the authority may adopt in accordance with the provisions of chapter 54, but not later than thirty business days after the filing of such application, the authority shall give prompt notice of the public hearing to the person required to file the application and to the subject company [, certificate holder, provider,] or holding company. Such hearing shall be commenced as promptly as practicable after the filing of the application, but not later than sixty business days after the filing. The authority shall make its determination as soon as practicable, but not later than two hundred days after the filing of the application, [except for applications filed by community antenna television companies, holders of a certificate of cable franchise authority pursuant to section 16-331p or certified competitive video service providers, which shall be determined not later than one hundred twenty days after filing.] unless the person required to file the application agrees to an extension of time or the authority extends the time as provided in this subsection. The authority may extend the time period for making its determination by not more than thirty days if, before the end of such time period, the authority notifies all parties and intervenors to the proceedings of such extension. The authority may, in its discretion, grant the subject company, certificate holder, provider or holding company the opportunity to participate in the hearing by presenting evidence and oral and written argument. If the authority fails to give notice of its determination to hold a hearing, commence the hearing, or render its determination after the hearing within the time

***Substitute House Bill No. 5314***

limits specified in this subdivision, the proposed acquisition shall be deemed approved. In each proceeding on a written application submitted under said subdivision (1) of subsection (b) [or (c)] of this section or subdivision (1) of subsection (c) of this section, the authority shall, in a manner which treats all parties to the proceeding on an equal basis, take into consideration (1) the financial, technological and managerial suitability and responsibility of the applicant, (2) the ability of the gas company, electric distribution company, water company, telephone company, community antenna television company [, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider or broadband Internet access service provider, as defined in section 16-330a,] or holding company which is the subject of the application to provide safe, adequate and reliable service to the public through the company's [, certificate holder's or provider's] plant, equipment and manner of operation if the application were to be approved, and (3) for an application concerning a telephone company, the effect of approval on the location and accessibility of management and operations and on the proportion and number of state resident employees. The authority shall only grant its approval of an application filed on or after January 1, 2021, made under subdivision (1) of subsection (c) of this section, if the holding company effects a change in the composition of the board of directors to include a proportional percentage of Connecticut-based directors equivalent to the percentage that Connecticut service areas represent of the total service areas covered by the holding company.

(2) The Public Utilities Regulatory Authority shall investigate and hold a public hearing on the question of granting its approval with respect to any application made under subdivision (2) of subsection (b) of this section or subdivision (2) of subsection (c) of this section and thereafter may approve or disapprove any such application in whole or in part and upon such terms and conditions as it deems necessary or

***Substitute House Bill No. 5314***

appropriate. In connection with its investigation, the authority may request the views of the subject certificate holder, provider or holding company which is the subject of the application with respect to the proposed acquisition. After the filing of an application satisfying the requirements of such regulations as the authority may adopt in accordance with the provisions of chapter 54, but not later than thirty business days after the filing of such application, the authority shall give prompt notice of the public hearing to the person required to file the application and to the subject certificate holder, provider or holding company. Such hearing shall be commenced as promptly as practicable after the filing of the application, but not later than sixty business days after the filing, and the authority shall make its determination as soon as practicable, but not later than one-hundred-eighty days after the filing of the application, unless the person required to file the application agrees to an extension of time or the authority extends the time as provided in this subsection. The authority may extend the time period for making its determination by not more than thirty days if, before the end of such period, the authority notifies all parties and intervenors to the proceedings of such extension. Such authority-noticed extension may only occur once. The authority shall, upon request of the certificate holder, provider or holding company, grant the subject company or holding company the opportunity to participate in the hearing by presenting evidence and oral and written argument. If the authority fails to give notice of its determination to hold a hearing, commence the hearing or render its determination after the hearing within the time limits specified in this subdivision, the proposed acquisition shall be deemed approved. In each proceeding on a written application submitted under said subdivision (2) of subsection (b) of this section or subdivision (2) of subsection (c) of this section, the scope of review for the authority shall be limited to (A) the financial, technological and managerial suitability and responsibility of the applicant, and (B) the legal, financial and technical ability of the holder of a certificate of cable franchise authority pursuant to section 16-331p,



***Substitute House Bill No. 5314***

certified telecommunications provider, certified competitive video service provider or holding company which is the subject of the application to provide safe, adequate and reliable service subject to the authority's regulation.

(e) During any proceeding under subdivision (1) of subsection (b) [or (c)] of this section or subdivision (1) of subsection (c) of this section, the authority may order any party to such proceeding and the officers, directors, employees and agents of such party to refrain for a specific time period from communicating, directly or indirectly, with the record and beneficial owners of securities of the gas company, electric distribution company, water company, telephone company, community antenna television company [, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider or broadband Internet access service provider, as defined in section 16-330a,] or holding company which is the subject of such proceedings, in regard to the matters submitted to the authority for its approval under said subdivision (1) of subsection (b) of this section or subdivision (1) of subsection (c) of this section. If the authority issues such an order, it shall also order all other parties to the proceeding and the officers, directors, employees and agents of such parties to refrain for the same time period from communicating, directly or indirectly, with such record and beneficial owners of such securities, in regard to such matters. No order issued pursuant to this subsection shall prohibit any party from complying with disclosure and reporting obligations under any other provision of the general statutes or under federal law.

(f) Each holding company shall, not later than three months after the close of its fiscal year, annually, file with the authority a copy of its annual report to stockholders for such fiscal year. If the holding company does not print such an annual report, it shall file instead, not later than the same date, a comprehensive audit and report of its

**Substitute House Bill No. 5314**

accounts and operations prepared by an independent public accounting firm approved by the authority. The provisions of this subsection shall not apply to any holding company in the form of a person.

(g) Any action contrary to the provisions of subsection (b) or (c) of this section shall be voidable on order of the authority.

(h) Whenever any corporation, association, partnership, trust or similar organization, or person, takes or engages in any action which may or would violate subsection (b) or (c) of this section or any order adopted pursuant to said subsection (b) or (c), the Superior Court, upon application of the authority or any holding company or gas company, electric distribution company, water company, telephone company, community antenna television company, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider [,] or certified competitive video service provider [or broadband Internet access service provider, as defined in section 16-330a,] affected by such action, may enjoin any such corporation, association, partnership, trust or similar organization, or person from continuing or doing any act in violation of said subsection (b) or (c) or may otherwise enforce compliance with said subsection (b) or (c), including, but not limited to, the reinstatement of authority or control over the gas company, electric distribution company, water company, telephone company, community antenna television company, holder of a certificate of cable franchise authority pursuant to section 16-331p, certified telecommunications provider, certified competitive video service provider [or broadband Internet access service provider, as defined in section 16-330a,] or holding company to those persons who exercised authority or control over such company, certificate holder or provider before such action.

(i) The provisions of this section shall not be construed to require any person to make written application to or obtain the approval of the authority with respect to any telephone company or holding company

**Substitute House Bill No. 5314**

of a telephone company over which such person exercises authority or control or operates as a holding company on June 30, 1987.

(j) Notwithstanding subsections (a) to (i), inclusive, of this section or any other provision of the general statutes, a holder of a certificate of cable franchise authority pursuant to section 16-331p, a certified telecommunications provider, a certified competitive video service provider or a holding company thereof shall not be required to make a written application to, or obtain the approval of, the Public Utilities Regulatory Authority with respect to any internal reorganization or restructuring of such certificate holder, provider or company that does not involve a change in the operational control or management of such certificate holder, provider or company.

Sec. 5. Section 53-289a of the general statutes, as amended by section 7 of public act 23-98 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) As used in this section, "service charge" means any additional fee or charge that is designated as an "administrative fee", "service fee" or "surcharge" or by using another substantially similar term.

(b) No person shall advertise the prices of tickets to any entertainment event, including, but not limited to, any place of amusement, arena, stadium, theater, performance, sport, exhibition or athletic contest given in this state for which a service charge is imposed for the sale of a ticket at the site of the event, without conspicuously disclosing in such advertisement, whether displayed at the site of the event or elsewhere, the total price for each ticket and what portion of each ticket price, stated in a dollar amount, represents a service charge.

(c) If a price is charged for admission to a place of entertainment, the operator of the place of entertainment shall print, endorse or otherwise disclose on the face of each ticket to an entertainment event at such place

***Substitute House Bill No. 5314***

of entertainment (1) the price established for such ticket, or (2) if such operator, or such operator's agent, sells or resells such ticket, including at auction, the final price of such ticket.

(d) (1) Any person that facilitates the sale or resale of a ticket to an entertainment event shall (A) disclose the total price of such ticket, which total price shall include all service charges required to purchase such ticket, and (B) disclose, in a clear and conspicuous manner, to the purchaser of such ticket the portion of the total ticket price, expressed as a dollar amount, that is attributable to service charges charged to such purchaser for such ticket.

(2) The disclosures required under subdivision (1) of this subsection shall be displayed in the ticket listing before the ticket is selected for purchase. The total ticket price shall not increase during the period beginning when a ticket is selected for purchase and ending when a ticket is purchased, except a reasonable service charge may be charged for delivery of a nonelectronic ticket if (A) such service charge is based on the delivery method selected by the ticket purchaser, and (B) such service charge is disclosed to such purchaser before such purchaser purchases such ticket.

(3) No disclosure required under this subsection shall be (A) false or misleading, (B) presented more prominently than the total ticket price, or (C) displayed in a font size that is as large or larger than the font size in which the total ticket price is displayed.

(e) A movie shall not be deemed to constitute an entertainment event for the purposes of this section.