



Working Draft

General Assembly

Bill No.

February Session, 2020

LCO No. 3562

Referred to Committee on

Introduced by:

**AN ACT CONCERNING LEGISLATION FOR SPECIAL SESSION
CONCERNING ZONING AND AFFORDABLE HOUSING.**

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

1 Section 1. Section 7-245 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2020*):

3 For the purposes of this chapter: (1) "Acquire a sewerage system"
4 means obtain title to all or any part of a sewerage system or any interest
5 therein by purchase, condemnation, grant, gift, lease, rental or
6 otherwise; (2) "alternative sewage treatment system" means a sewage
7 treatment system serving one or more buildings that utilizes a method
8 of treatment other than a subsurface sewage disposal system and that
9 involves a discharge to the groundwaters of the state; (3) "community
10 sewerage system" means any sewerage system serving two or more
11 residences in separate structures which is not connected to a municipal
12 sewerage system or which is connected to a municipal sewerage system
13 as a distinct and separately managed district or segment of such system;
14 (4) "construct a sewerage system" means to acquire land, easements,

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15 rights-of-way or any other real or personal property or any interest
16 therein, plan, construct, reconstruct, equip, extend and enlarge all or any
17 part of a sewerage system; (5) "decentralized system" means managed
18 subsurface sewage disposal systems, managed alternative sewage
19 treatment systems or community sewerage systems that discharge
20 sewage flows of less than [five] seven thousand five hundred gallons
21 per day, are used to collect and treat domestic sewage, and involve a
22 discharge to the groundwaters of the state from areas of a municipality;
23 (6) "decentralized wastewater management district" means areas of a
24 municipality designated by the municipality through a municipal
25 ordinance when an engineering report has determined that the existing
26 subsurface sewage disposal systems may be detrimental to public health
27 or the environment and that decentralized systems are required and
28 such report is approved by the Commissioner of Energy and
29 Environmental Protection with concurring approval by the
30 Commissioner of Public Health, after consultation with the local
31 director of health; (7) "municipality" means any metropolitan district,
32 town, consolidated town and city, consolidated town and borough, city,
33 borough, village, fire and sewer district, sewer district and each
34 municipal organization having authority to levy and collect taxes; (8)
35 "operate a sewerage system" means own, use, equip, reequip, repair,
36 maintain, supervise, manage, operate and perform any act pertinent to
37 the collection, transportation and disposal of sewage; (9) "person" means
38 any person, partnership, corporation, limited liability company,
39 association or public agency; (10) "remediation standards" means
40 pollutant limits, performance requirements, design parameters or
41 technical standards for application to existing sewage discharges in a
42 decentralized wastewater management district for the improvement of
43 wastewater treatment to protect public health and the environment; (11)
44 "sewage" means any substance, liquid or solid, which may contaminate
45 or pollute or affect the cleanliness or purity of any water; and (12)
46 "sewerage system" means any device, equipment, appurtenance, facility
47 and method for collecting, transporting, receiving, treating, disposing of
48 or discharging sewage, including, but not limited to, decentralized

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49 systems within a decentralized wastewater management district when
50 such district is established by municipal ordinance pursuant to section
51 7-247.

52 Sec. 2. Subsection (b) of section 7-246 of the general statutes is
53 repealed and the following is substituted in lieu thereof (*Effective October*
54 *1, 2020*):

55 (b) Each municipal water pollution control authority designated in
56 accordance with this section may prepare and periodically update a
57 water pollution control plan for the municipality. Such plan shall
58 designate and delineate the boundary of: (1) Areas served by any
59 municipal sewerage system; (2) areas where municipal sewerage
60 facilities are planned and the schedule of design and construction
61 anticipated or proposed; (3) areas where sewers are to be avoided; (4)
62 areas served by any community sewerage system not owned by a
63 municipality; (5) areas to be served by any proposed community
64 sewerage system not owned by a municipality; and (6) areas to be
65 designated as decentralized wastewater management districts. Such
66 plan shall also describe the means by which municipal programs are
67 being carried out to avoid community pollution problems, include
68 specific allocations of capacity to serve areas that could be developed
69 for residential or mixed-use buildings containing four or more dwelling
70 units, and describe any programs wherein the local director of health
71 manages subsurface sewage disposal systems. The authority shall file a
72 copy of the plan and any periodic updates of such plan with the
73 Commissioner of Energy and Environmental Protection and the
74 Commissioner of Housing and shall manage or ensure the effective
75 supervision, management, control, operation and maintenance of any
76 community sewerage system or decentralized wastewater management
77 district not owned by a municipality.

78 Sec. 3. Section 19a-35a of the general statutes is repealed and the
79 following is substituted in lieu thereof (*Effective October 1, 2020*):

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80 (a) Notwithstanding the provisions of chapter 439 and sections 22a-
81 430 and 22a-430b, not later than July 1, 2021, the Commissioner of Public
82 Health shall, [within available appropriations,] pursuant to section 19a-
83 36, establish and define categories of discharge that constitute
84 alternative on-site sewage treatment systems with capacities of [five]
85 seven thousand five hundred gallons or less per day. After the
86 establishment of such categories, [said] the commissioner shall have
87 jurisdiction, within available appropriations, to issue or deny permits
88 and approvals for such systems and for all discharges of domestic
89 sewage to the groundwaters of the state from such systems. [Said] The
90 commissioner shall, pursuant to section 19a-36, [and within available
91 appropriations,] establish minimum requirements for alternative on-site
92 sewage treatment systems under [said] the commissioner's jurisdiction,
93 including, but not limited to: (1) Requirements related to activities that
94 may occur on the property; (2) changes that may occur to the property
95 or to buildings on the property that may affect the installation or
96 operation of such systems; and (3) procedures for the issuance of
97 permits or approvals by [said] the commissioner, a local director of
98 health, or a sanitarian licensed pursuant to chapter 395. A permit or
99 approval granted by [said] the commissioner, such local director of
100 health or such sanitarian for an alternative on-site sewage treatment
101 system pursuant to this section shall: (A) Not be inconsistent with the
102 requirements of the federal Water Pollution Control Act, 33 USC 1251 et
103 seq., the federal Safe Drinking Water Act, 42 USC 300f et seq., and the
104 standards of water quality adopted pursuant to section 22a-426, as such
105 laws and standards may be amended from time to time, (B) not be
106 construed or deemed to be an approval for any other purpose,
107 including, but not limited to, any planning and zoning or municipal
108 inland wetlands and watercourses requirement, and (C) be in lieu of a
109 permit issued under section 22a-430 or 22a-430b. For purposes of this
110 section, "alternative on-site sewage treatment system" means a sewage
111 treatment system serving one or more buildings on a single parcel of
112 property that utilizes a method of treatment other than a subsurface
113 sewage disposal system and that involves a discharge of domestic

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114 sewage to the groundwaters of the state.

115 (b) In establishing and defining categories of discharge that constitute
116 alternative on-site sewage treatment systems pursuant to subsection (a)
117 of this section, and in establishing minimum requirements for such
118 systems pursuant to section 19a-36, [said] the commissioner shall
119 consider all relevant factors, including, but not limited to: (1) The impact
120 that such systems or discharges may have individually or cumulatively
121 on public health and the environment, (2) the impact that such systems
122 and discharges may have individually or cumulatively on land use
123 patterns, and (3) recommendations regarding responsible growth made
124 to [said] the commissioner by the Secretary of the Office of Policy and
125 Management through the Office of Responsible Growth established by
126 Executive Order No. 15 of Governor M. Jodi Rell.

127 (c) The Commissioner of Energy and Environmental Protection shall
128 retain jurisdiction over any alternative on-site sewage treatment system
129 not under the jurisdiction of the Commissioner of Public Health. The
130 provisions of title 22a shall apply to any such system not under the
131 jurisdiction of the Commissioner of Public Health. The provisions of this
132 section shall not affect any permit issued by the Commissioner of
133 Energy and Environmental Protection prior to [July 1, 2007] October 1,
134 2020, and the provisions of title 22a shall continue to apply to any such
135 permit until such permit expires.

136 (d) A permit or approval denied by the Commissioner of Public
137 Health, a local director of health or a sanitarian pursuant to subsection
138 (a) of this section shall be subject to an appeal in the manner provided
139 in section 19a-229.

140 Sec. 4. Section 8-1aa of the general statutes is repealed and the
141 following is substituted in lieu thereof (*Effective October 1, 2020*):

142 As used in section 8-2 and sections 6 and 7 of this act:

143 (1) "Traprock ridge" means Beacon Hill, Saltonstall Mountain,

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144 Totoket Mountain, Pistapaug Mountain, Fowler Mountain, Beseck
145 Mountain, Higby Mountain, Chauncey Peak, Lamentation Mountain,
146 Cathole Mountain, South Mountain, East Peak, West Peak, Short
147 Mountain, Ragged Mountain, Bradley Mountain, Pinnacle Rock,
148 Rattlesnake Mountain, Talcott Mountain, Hatchett Hill, Peak Mountain,
149 West Suffield Mountain, Cedar Mountain, East Rock, Mount Sanford,
150 Prospect Ridge, Peck Mountain, West Rock, Sleeping Giant, Pond Ledge
151 Hill, Onion Mountain, The Sugarloaf, The Hedgehog, West Mountains,
152 The Knolls, Barndoor Hills, Stony Hill, Manitook Mountain, Rattlesnake
153 Hill, Durkee Hill, East Hill, Rag Land, Bear Hill, Orenaug Hills;

154 (2) "Amphibolite ridge" means Huckleberry Hill, East Hill, Ratlum
155 Hill, Mount Hoar, Sweetheart Mountain;

156 (3) "Ridgeline" means the line on a traprock or amphibolite ridge
157 created by all points at the top of a fifty per cent slope, which is
158 maintained for a distance of fifty horizontal feet perpendicular to the
159 slope and which consists of surficial basalt geology, identified on the
160 map prepared by Stone et al., United States Geological Survey, entitled
161 "Surficial Materials Map of Connecticut";

162 (4) "Ridgeline setback area" means the area bounded by (A) a line that
163 parallels the ridgeline at a distance of one hundred fifty feet on the more
164 wooded side of the ridge, and (B) the contour line where a ridge of less
165 than fifty per cent is maintained for fifty feet or more on the rockier side
166 of the slope, mapped pursuant to section 8-2;

167 (5) "Development" means the construction, reconstruction, alteration,
168 or expansion of a building; [and]

169 (6) "Building" means any structure other than (A) a facility as defined
170 in section 16-50i or (B) structures of a relatively slender nature compared
171 to the buildings to which they are associated, including but not limited
172 to chimneys, flagpoles, antennas, utility poles and steeples; [.]

173 (7) "Middle housing" includes duplexes, triplexes, quadplexes,

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174 cottage clusters and townhouses;

175 (8) "Cottage cluster" means a grouping of at least four detached
176 housing units per acre, each of which have an area of less than one
177 thousand two hundred square feet, that are located around a common
178 courtyard;

179 (9) "Townhouse" means a residential building consisting of one or
180 more dwelling units constructed in a grouping of three or more attached
181 units, each of which (A) extends from foundation to roof, (B) shares at
182 least one common wall with an adjacent unit, and (C) has open space on
183 at least two sides; and

184 (10) "Accessory apartment" means a separate living unit that (A) is
185 located on the same lot as a larger primary dwelling unit, (B) has a full
186 kitchen, (C) has a square footage that is not more than thirty per cent of
187 the total square footage of the primary dwelling unit, (D) is not billed
188 separately from such primary dwelling unit for utilities, and (E)
189 complies with the building code and health and safety regulations.

190 Sec. 5. Section 8-2 of the general statutes is repealed and the following
191 is substituted in lieu thereof (*Effective October 1, 2020*):

192 (a) (1) The zoning commission of each city, town or borough is
193 authorized to regulate, within the limits of such municipality: [, the] (A)
194 The height, number of stories and size of buildings and other structures;
195 (B) the percentage of the area of the lot that may be occupied; (C) the
196 size of yards, courts and other open spaces; (D) the density of
197 population and the location and use of buildings, structures and land
198 for trade, industry, residence or other purposes, including water-
199 dependent uses, as defined in section 22a-93; [,] and (E) the height, size,
200 location, brightness and illumination of advertising signs and
201 billboards, [, Such bulk regulations may allow for cluster development,
202 as defined in section 8-18] except as provided in subsection (f) of this
203 section.

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204 (2) Such zoning commission may divide the municipality into
205 districts of such number, shape and area as may be best suited to carry
206 out the purposes of this chapter; and, within such districts, it may
207 regulate the erection, construction, reconstruction, alteration or use of
208 buildings or structures and the use of land. All [such] zoning regulations
209 shall be uniform for each class or kind of buildings, structures or use of
210 land throughout each district, but the regulations in one district may
211 differ from those in another district. [, and]

212 (3) Such zoning regulations may provide that certain classes or kinds
213 of buildings, structures or uses of land are permitted only after
214 obtaining a special permit or special exception from a zoning
215 commission, planning commission, combined planning and zoning
216 commission or zoning board of appeals, whichever commission or
217 board the regulations may, notwithstanding any special act to the
218 contrary, designate, subject to standards set forth in the regulations and
219 to conditions necessary to protect the public health, safety, convenience
220 and property values. [Such]

221 (b) Zoning regulations adopted pursuant to subsection (a) of this
222 section shall: [be]

223 (1) Be made in accordance with a comprehensive plan and in
224 [adopting such regulations the commission shall consider]
225 consideration of the plan of conservation and development [prepared]
226 adopted under section 8-23; [. Such regulations shall be]

227 (2) Be designed to (A) lessen congestion in the streets; [to] (B) secure
228 safety from fire, panic, flood and other dangers; [to] (C) promote health
229 and the general welfare; [to] (D) provide adequate light and air; [to
230 prevent the overcrowding of land; to] (E) avoid undue concentration of
231 population; [and to] (F) facilitate the adequate provision for
232 transportation, water, sewerage, schools, parks and other public
233 requirements; [. Such regulations shall be] and (G) combat
234 discrimination and take other meaningful actions that (i) overcome

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235 patterns of segregation, (ii) replace segregated living patterns with
236 integrated and balanced living patterns, (iii) address significant
237 disparities in housing needs and access to opportunities, and (iv) foster
238 inclusive communities that eliminate barriers restricting access to
239 opportunities based on protected characteristics;

240 (3) Be made with reasonable consideration as to [the character of the
241 district and its peculiar] a district's physical suitability for particular
242 uses and with a view to conserving the value of buildings and
243 encouraging the most appropriate use of land throughout [such] a
244 municipality; [. Such regulations may, to the extent consistent with soil
245 types, terrain, infrastructure capacity and the plan of conservation and
246 development for the community, provide for cluster development, as
247 defined in section 8-18, in residential zones. Such regulations shall also
248 encourage]

249 (4) Provide for (A) the development of housing opportunities,
250 including, but not limited to, opportunities for [multifamily dwellings,
251 consistent with soil types, terrain and infrastructure capacity] accessory
252 apartments, middle housing and residential mixed-use buildings
253 containing four or more dwelling units, for all residents of the
254 municipality and the planning region in which the municipality is
255 located, as designated by the Secretary of the Office of Policy and
256 Management under section 16a-4a, and (B) the identification of specific
257 areas that allow such development; [. Such regulations shall also
258 promote]

259 (5) Promote housing choice and economic diversity in housing [,
260 including housing for] through the express allowance of housing that
261 could feasibly be occupied by both low and moderate income
262 households; [, and shall encourage]

263 (6) Expressly allow the development of housing which will meet the
264 housing needs identified in the state's consolidated plan for housing and
265 community development prepared pursuant to section 8-37t and in the

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266 housing component and the other components of the state plan of
267 conservation and development prepared pursuant to section 16a-26; [
268 Zoning regulations shall be]

269 (7) Allow for the creation of as-of-right accessory apartments that
270 include permanent provisions for independent living in accordance
271 with the requirements of section 6 of this act;

272 (8) Allow for the creation of middle housing in accordance with the
273 requirements of section 7 of this act;

274 (9) Allow residential buildings containing at least four dwelling units,
275 or mixed-use buildings that allow dwelling units, in (A) at least fifty per
276 cent of the area within a one-half mile radius of a transit station,
277 including a rapid transit or commuter rail station or a bus or ferry
278 terminal, and (B) at least fifty per cent of the area within a one-quarter
279 mile radius of an area of concentrated development, such as a
280 commercial center, an existing residential or commercial district or a
281 village district established pursuant to section 8-2j, provided the
282 calculation of areas described in subparagraphs (A) and (B) of this
283 subdivision shall be net of all regulated inland wetlands and
284 watercourses;

285 (10) Allow residential buildings containing at least four dwelling
286 units, mixed-use buildings that allow dwelling units and middle
287 housing on at least ten per cent of land within the municipality, net of
288 regulated inland wetlands and watercourses, (A) provided lots for
289 which sewage, stormwater, water or traffic infrastructure renders
290 development thereof infeasible shall not count toward such percentage,
291 and (B) except that any municipality with a population of five thousand
292 or less shall not be subject to the provisions of this subdivision;

293 (11) Limit parking spaces to one for each studio or one-bedroom
294 dwelling unit and two for each dwelling unit with two or more
295 bedrooms;

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296 (12) Be made with reasonable consideration for their impact on
297 agriculture, as defined in subsection (q) of section 1-1; [.]

298 (13) Provide that proper provisions be made for soil erosion and
299 sediment control pursuant to section 22a-329;

300 (14) Be made with reasonable consideration for the protection of
301 existing and potential public surface and ground drinking water
302 supplies; and

303 (15) In any municipality that is contiguous to Long Island Sound, (A)
304 be made with reasonable consideration for the restoration and
305 protection of the ecosystem and habitat of Long Island Sound; (B) be
306 designed to reduce hypoxia, pathogens, toxic contaminants and
307 floatable debris on Long Island Sound; and (C) provide that such
308 municipality's zoning commission consider the environmental impact
309 on Long Island Sound of any proposal for development.

310 (c) Zoning regulations adopted pursuant to subsection (a) of this
311 section may: [be]

312 (1) To the extent consistent with soil types, terrain and water, sewer
313 and traffic infrastructure capacity for the community, provide for or
314 require cluster development, as defined in section 8-18;

315 (2) Be made with reasonable consideration for the protection of
316 historic factors; [and shall be made with reasonable consideration for
317 the protection of existing and potential public surface and ground
318 drinking water supplies. On and after July 1, 1985, the regulations shall
319 provide that proper provision be made for soil erosion and sediment
320 control pursuant to section 22a-329. Such regulations may also
321 encourage]

322 (3) Require or promote (A) energy-efficient patterns of development,
323 (B) the use of solar and other renewable forms of energy, (C) combined
324 heat and power, and (D) energy conservation; [. The regulations may

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325 also provide for]

326 (4) Provide incentives for developers who use [passive] (A) solar and
327 other renewable forms of energy, (B) combined heat and power, and (C)
328 energy conservation techniques, [as defined in subsection (b) of section
329 8-25, in planning a residential subdivision development. The incentives
330 may include, but not be] including, but not limited to, cluster
331 development, higher density development and performance standards
332 for roads, sidewalks and underground facilities in the subdivision; [.
333 Such regulations may provide]

334 (5) Provide for a municipal system for the creation of development
335 rights and the permanent transfer of such development rights, which
336 may include a system for the variance of density limits in connection
337 with any such transfer; [. Such regulations may also provide]

338 (6) Provide for notice requirements in addition to those required by
339 this chapter; [. Such regulations may provide]

340 (7) Provide for conditions on operations to collect spring water or
341 well water, as defined in section 21a-150, including the time, place and
342 manner of such operations; [. No such regulations shall prohibit] and

343 (8) In any municipality where a traprock ridge or an amphibolite
344 ridge is located, (A) provide for development restrictions in ridgeline
345 setback areas; and (B) restrict quarrying and clear cutting, except that
346 the following operations and uses shall be permitted in ridgeline setback
347 areas, as of right: (i) Emergency work necessary to protect life and
348 property; (ii) any nonconforming uses that were in existence and that
349 were approved on or before the effective date of regulations adopted
350 pursuant to this section; and (iii) selective timbering, grazing of
351 domesticated animals and passive recreation.

352 (d) Zoning regulations adopted pursuant to subsection (a) of this
353 section shall not:

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354 (1) Prohibit the operation of any family child care home or group
355 child care home in a residential zone; [. No such regulations shall
356 prohibit]

357 (2) (A) Prohibit the use of receptacles for the storage of items
358 designated for recycling in accordance with section 22a-241b or require
359 that such receptacles comply with provisions for bulk or lot area, or
360 similar provisions, except provisions for side yards, rear yards and front
361 yards; [. No such regulations shall] or (B) unreasonably restrict access to
362 or the size of such receptacles for businesses, given the nature of the
363 business and the volume of items designated for recycling in accordance
364 with section 22a-241b, that such business produces in its normal course
365 of business, provided nothing in this section shall be construed to
366 prohibit such regulations from requiring the screening or buffering of
367 such receptacles for aesthetic reasons; [. Such regulations shall not
368 impose]

369 (3) Impose conditions and requirements on manufactured homes,
370 including mobile manufactured homes, having as their narrowest
371 dimension twenty-two feet or more and built in accordance with federal
372 manufactured home construction and safety standards or on lots
373 containing such manufactured homes, [which] including mobile
374 manufactured home parks, if those conditions and requirements are
375 substantially different from conditions and requirements imposed on
376 (A) single-family dwellings; [and] (B) lots containing single-family
377 dwellings; [. Such regulations shall not impose conditions and
378 requirements on developments to be occupied by manufactured homes
379 having as their narrowest dimension twenty-two feet or more and built
380 in accordance with federal manufactured home construction and safety
381 standards which are substantially different from conditions and
382 requirements imposed on] or (C) multifamily dwellings, lots containing
383 multifamily dwellings, cluster developments or planned unit
384 developments; [. Such regulations shall not prohibit]

385 (4) (A) Prohibit the continuance of any nonconforming use, building

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386 or structure existing at the time of the adoption of such regulations; [or]
387 (B) require a special permit or special exception for any such
388 continuance; [. Such regulations shall not] (C) provide for the
389 termination of any nonconforming use solely as a result of nonuse for a
390 specified period of time without regard to the intent of the property
391 owner to maintain that use; [. Such regulations shall not] or (D)
392 terminate or deem abandoned a nonconforming use, building or
393 structure unless the property owner of such use, building or structure
394 voluntarily discontinues such use, building or structure and such
395 discontinuance is accompanied by an intent to not reestablish such use,
396 building or structure, [. The demolition or deconstruction of a
397 nonconforming use, building or structure shall not by itself be evidence
398 of such property owner's intent to not reestablish such use, building or
399 structure. Unless such town opts out, in accordance with the provisions
400 of subsection (j) of section 8-1bb, such regulations shall not prohibit]
401 except that such regulations may provide for the termination of any
402 nonconforming use, building or structure, other than any such use,
403 building or structure for housing purposes, by (i) specifying the time by
404 which such nonconforming use, building or structure shall terminate, or
405 (ii) setting forth a formula by which the mandatory termination of any
406 such nonconforming use, building or structure shall be fixed so as to
407 allow an investor to recover the amortization of his or her investment in
408 such nonconforming use, building or structure;

409 (5) Require that, for each application for any building with four or
410 more dwelling units, any approval of such application be through a
411 rezoning, including as a special development or planned development
412 district, or a special permit review, or any such application receive a
413 public hearing, unless single-family dwellings are similarly subject to
414 such requirements;

415 (6) Prohibit the installation of temporary health care structures for
416 use by mentally or physically impaired persons [in accordance with the
417 provisions of section 8-1bb if such structures comply with the provisions
418 of said section] pursuant to section 8-1bb unless the municipality opts

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419 out pursuant to subsection (j) of said section;

420 (7) Consider, or require calculations for, traffic needs, provided any
421 such calculation related to vehicle miles traveled, vehicle miles traveled
422 per capita, vehicle trip generation rates and vehicle trips generated may
423 be used to (A) reduce the amount of required parking for a
424 development, or (B) require public sidewalks, bicycle racks or bus
425 shelters; and

426 (8) Prohibit the operation in a residential zone of any cottage food
427 operation, as defined in section 21a-62b.

428 (e) Any city, town or borough which adopts the provisions of this
429 chapter may, by vote of its legislative body, exempt municipal property
430 from the regulations prescribed by the zoning commission of such city,
431 town or borough, [;] but unless it is so voted, municipal property shall
432 be subject to such regulations.

433 [(b) In any municipality that is contiguous to Long Island Sound the
434 regulations adopted under this section shall be made with reasonable
435 consideration for restoration and protection of the ecosystem and
436 habitat of Long Island Sound and shall be designed to reduce hypoxia,
437 pathogens, toxic contaminants and floatable debris in Long Island
438 Sound. Such regulations shall provide that the commission consider the
439 environmental impact on Long Island Sound of any proposal for
440 development.

441 (c) In any municipality where a traprock ridge, as defined in section
442 8-1aa, or an amphibolite ridge, as defined in section 8-1aa, is located the
443 regulations may provide for development restrictions in ridgeline
444 setback areas, as defined in said section. The regulations may restrict
445 quarrying and clear cutting, except that the following operations and
446 uses shall be permitted in ridgeline setback areas, as of right: (1)
447 Emergency work necessary to protect life and property; (2) any
448 nonconforming uses that were in existence and that were approved on
449 or before the effective date of regulations adopted under this section;

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450 and (3) selective timbering, grazing of domesticated animals and
451 passive recreation.]

452 ~~[(d)]~~ (f) Any advertising sign or billboard that is not equipped with
453 the ability to calibrate brightness or illumination shall be exempt from
454 any municipal ordinance or regulation regulating such brightness or
455 illumination that is adopted by a city, town or borough, pursuant to
456 subsection (a) of this section, after the date of installation of such
457 advertising sign or billboard. [pursuant to subsection (a) of this section.]

458 (g) Any owner of property located in a municipality, the zoning
459 regulations of which such owner alleges are noncompliant with the
460 provisions of subdivisions (7) to (11), inclusive, of subsection (b) of this
461 section or section 6 or 7 of this act, may file an application in the superior
462 court for the judicial district in which such municipality is located to
463 enjoin the enforcement of such regulations. If such court finds that such
464 municipality failed to comply with the provisions of said subdivisions,
465 such court may issue an injunction for such purpose.

466 Sec. 6. (NEW) (*Effective October 1, 2020*) (a) Any zoning regulations
467 adopted pursuant to section 8-2 of the general statutes concerning as-of-
468 right accessory apartments shall:

469 (1) Designate spaces within the municipality in which accessory
470 apartments are allowed, provided at least one accessory apartment shall
471 be allowed on each lot with an area equal to or greater than twenty
472 thousand square feet that either contains a single-family dwelling or is
473 zoned primarily for single-family dwellings;

474 (2) Allow accessory apartments to be attached to or located within the
475 proposed or existing primary dwelling, such as with attached garages,
476 storage areas or similarly used spaces; in an accessory structure; or
477 detached from the proposed or existing primary dwelling and located
478 on the same lot as such dwelling;

479 (3) Require a gross area for accessory apartments of up to thirty per

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480 cent of the primary dwelling on the same lot or one thousand two
481 hundred square feet, whichever is less, except that such regulations may
482 allow a larger gross area for such apartments;

483 (4) For an accessory apartment that is not located within an existing
484 structure, require a setback of not more than ten feet from the side and
485 rear boundaries of the lot on which such apartment is located;

486 (5) Create an as-of-right permit application and review process for
487 approval of accessory apartments that is conducted administratively
488 and without a public hearing, in accordance with subsection (b) of this
489 section;

490 (6) Ensure that any additional standards regarding accessory
491 apartments related to height, landscaping and architectural design do
492 not (A) conflict with this section, (B) adversely affect affordability, or (C)
493 exceed any such standards as they are applied to single-family
494 dwellings in the municipality;

495 (7) Be prohibited from requiring (A) a passageway between any such
496 accessory apartment and any such primary dwelling, (B) an exterior
497 door for any such accessory apartment, except as required by the
498 applicable building code, (C) additional parking spaces for any such
499 accessory apartment beyond the minimum required for any such
500 primary dwelling or fees in lieu of parking otherwise allowed by section
501 8-2c of the general statutes, or (D) owner occupancy of any such primary
502 dwelling or accessory apartment; and

503 (8) Be interpreted and enforced such that nothing in this section shall
504 be in derogation of applicable building code or other requirements
505 where a private sewerage system is being used, provided approval for
506 any such accessory apartment shall not be unreasonably withheld.

507 (b) The as-of-right permit application and review process for
508 approval of accessory apartments shall require that a decision on any
509 such application be rendered not later than sixty-five days after receipt

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510 of such application by the applicable zoning commission, except that an
511 applicant may consent to one or more extensions of not more than an
512 additional sixty-five days or may withdraw such application. Such an
513 application shall be deemed approved for any failure of the zoning
514 commission to so render a decision during the period set forth in this
515 subsection or any extension thereof.

516 (c) A municipality shall not (1) condition the approval of an accessory
517 apartment on the correction of a nonconforming use; or (2) require the
518 installation of fire sprinklers in an accessory apartment if such
519 sprinklers are not required for the primary dwelling located on the same
520 lot.

521 (d) A municipality, special district, sewer or water authority shall not
522 (1) consider an accessory apartment to be a new residential use for the
523 purposes of calculating connection fees or capacity charges for utilities,
524 including water and sewer service, unless such accessory apartment
525 was constructed with a new single-family dwelling on the same lot, or
526 (2) require the installation of a new or separate utility connection
527 directly to an accessory apartment or impose a related connection fee or
528 capacity charge.

529 (e) If a municipality fails to adopt new regulations or amend existing
530 regulations that comply with the provisions of this section, any
531 noncompliant existing regulation shall become null and void and such
532 municipality shall approve or deny applications for accessory
533 apartments in accordance with the requirements for regulations set
534 forth in the provisions of this section until such municipality adopts or
535 amends a regulation in compliance with this section. A municipality
536 may not use or impose additional standards beyond those set forth in
537 this section.

538 Sec. 7. (NEW) (*Effective October 1, 2020*) (a) Any zoning regulations
539 adopted pursuant to section 8-2 of the general statutes concerning
540 middle housing shall:

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541 (1) Designate areas within the municipality in which at least three
542 types of middle housing are allowed, provided such middle housing
543 shall be allowed on each lot in (A) at least fifty per cent of the area within
544 a one-half-mile radius of a transit station, including a rapid transit or
545 commuter rail station or a bus or ferry terminal, and (B) at least fifty per
546 cent of the area within a one-quarter-mile radius of an area of
547 concentrated development, such as a commercial center, an existing
548 residential or commercial district or a village district established
549 pursuant to section 8-2 of the general statutes;

550 (2) Create an as-of-right permit application and review process for
551 approval of middle housing that is conducted administratively and
552 without a public hearing in accordance with subsection (b) of this
553 section; and

554 (3) Ensure that any additional standards regarding middle housing
555 related to height, setbacks, landscaping and architectural design do not
556 (A) conflict with this section, (B) adversely affect affordability, or (C)
557 exceed any such standards as they are applied to single-family
558 dwellings in the municipality.

559 (b) The as-of-right permit application and review process for
560 approval of middle housing shall require that a decision on any such
561 application be rendered not later than sixty-five days after receipt of
562 such application by the applicable zoning commission, except that an
563 applicant may consent to one or more extensions of no more than an
564 additional sixty-five days or may withdraw such application.

565 (c) If a municipality fails to adopt new regulations or amend existing
566 regulations that comply with the provisions of this section, any
567 noncompliant existing regulation shall become null and void and such
568 municipality shall approve or deny applications for middle housing in
569 accordance with the requirements for regulations set forth in the
570 provisions of this section until such municipality adopts or amends a
571 regulation in compliance with this section.

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572 (d) A municipality shall not (1) use or impose additional standards
573 beyond those set forth in this section that in any way discourage
574 through unreasonable costs or delays the development of such middle
575 housing, or (2) condition the approval of middle housing on the
576 correction of a nonconforming use.

577 Sec. 8. Section 8-1c of the general statutes is repealed and the
578 following is substituted in lieu thereof (*Effective October 1, 2020*):

579 (a) As used in this section, "municipal agency" means a municipal
580 zoning commission, planning commission, combined planning and
581 zoning commission, zoning board of appeals or inland wetlands
582 commission. Any municipality may, by ordinance, establish a schedule
583 of reasonable fees for the processing of applications by a municipal
584 [zoning commission, planning commission, combined planning and
585 zoning commission, zoning board of appeals or inland wetlands
586 commission] agency. Such schedule shall supersede any specific fees set
587 forth in the general statutes, or any special act or established by a
588 planning commission under section 8-26.

589 (b) A municipality may, by regulation, require any person applying
590 to a municipal agency for approval of a development project to pay the
591 cost of reasonable consulting fees for peer review of particular technical
592 aspects of an application for the benefit of the reviewing municipal
593 agency. Any such fees shall be accounted for separately from other
594 funds of the municipal agency and shall be used only for expenses
595 associated with the technical review by consultants who are not salaried
596 employees of the municipality or the reviewing municipal agency. Any
597 amount of the fee remaining after payment of all expenses for technical
598 review, including any interest accrued, shall be returned to the applicant
599 not later than forty-five days after the completion of the technical
600 review.

601 (c) No fee described in subsection (b) of this section shall exceed two
602 hundred fifty dollars per dwelling unit in the aggregate for all municipal

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603 approvals for any single development project.

604 (d) No municipality may adopt a schedule of fees under subsection
605 (a) of this section that results in higher fees being charged for (1)
606 development projects built using the provisions of section 8-30g, or (2)
607 residential buildings containing four or more dwelling units than for
608 other residential dwellings, including, but not limited to, higher fees per
609 dwelling unit, per square footage or per unit of construction cost.

610 Sec. 9. Subsection (j) of section 8-1bb of the general statutes is repealed
611 and the following is substituted in lieu thereof (*Effective October 1, 2020*):

612 (j) A municipality, by vote of its legislative body or, in a municipality
613 where the legislative body is a town meeting, by vote of the board of
614 selectmen, may opt out of the provisions of this section and the
615 [provision] provisions of subdivision (6) of subsection [(a)] (d) of section
616 8-2 regarding authorization for the installation of temporary health care
617 structures, provided the zoning commission or combined planning and
618 zoning commission of the municipality: (1) First holds a public hearing
619 in accordance with the provisions of section 8-7d on such proposed opt-
620 out, (2) affirmatively decides to opt out of the provisions of said sections
621 within the period of time permitted under section 8-7d, (3) states upon
622 its records the reasons for such decision, and (4) publishes notice of such
623 decision in a newspaper having a substantial circulation in the
624 municipality not later than fifteen days after such decision has been
625 rendered.

626 Sec. 10. Subdivision (4) of subsection (a) of section 8-30g of the general
627 statutes is repealed and the following is substituted in lieu thereof
628 (*Effective October 1, 2020*):

629 (4) "Commission" means a zoning commission, planning
630 commission, planning and zoning commission, zoning board of
631 appeals, water pollution control authority, flood control authority,
632 sewer authority, traffic authority or municipal agency exercising
633 zoning, [or] planning, water, flood, sewer or traffic authority but does

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634 not include an inland wetlands agency established pursuant to section
635 22a-42;

636 Sec. 11. Subsection (c) of section 8-30g of the general statutes is
637 repealed and the following is substituted in lieu thereof (*Effective October*
638 *1, 2020*):

639 (c) Any commission, by regulation, may require that an affordable
640 housing application seeking a change of zone include the submission of
641 a conceptual site plan describing the proposed development's total
642 number of residential units and their arrangement on the property and
643 the proposed development's roads and traffic circulation, sewage
644 disposal and water supply. No commission may require that an
645 affordable housing application include fire safety or fire response
646 analyses beyond confirming that the proposed affordable housing
647 development meets the requirements of the Fire Safety Code.

648 Sec. 12. Subsection (g) of section 8-30g of the general statutes is
649 repealed and the following is substituted in lieu thereof (*Effective October*
650 *1, 2020*):

651 (g) Upon an appeal taken under subsection (f) of this section, the
652 burden shall be on the commission to prove, based upon the evidence
653 in the record compiled before such commission, that the decision from
654 which such appeal is taken and the reasons cited for such decision are
655 supported by sufficient evidence in the record. The commission shall
656 also have the burden to prove, based upon the evidence in the record
657 compiled before such commission, that (1) (A) the decision is necessary
658 to protect substantial public interests in health, safety or other matters
659 which the commission may legally consider; (B) such public interests
660 clearly outweigh the need for affordable housing; and (C) such public
661 interests cannot be protected by reasonable changes to the affordable
662 housing development, or (2) (A) the application which was the subject
663 of the decision from which such appeal was taken would locate
664 affordable housing in an area which is zoned for industrial use and

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665 which does not permit residential uses; and (B) the development is not
666 assisted housing. If the commission does not satisfy its burden of proof
667 under this subsection, the court shall wholly or partly revise, modify,
668 remand or reverse the decision from which the appeal was taken in a
669 manner consistent with the evidence in the record before it and may
670 award the person appealing the commission decision under this section
671 reasonable attorneys' fees and costs.

672 Sec. 13. Subsection (k) of section 8-30g of the general statutes is
673 repealed and the following is substituted in lieu thereof (*Effective October*
674 *1, 2020*):

675 (k) The affordable housing appeals procedure established under this
676 section shall not be available if the real property which is the subject of
677 the application is located in a municipality in which at least ten per cent
678 of all dwelling units in the municipality are (1) assisted housing, (2)
679 currently financed by Connecticut Housing Finance Authority
680 mortgages, (3) subject to binding recorded deeds containing covenants
681 or restrictions which require that such dwelling units be sold or rented
682 at, or below, prices which will preserve the units as housing for which
683 persons and families pay thirty per cent or less of income, where such
684 income is less than or equal to eighty per cent of the median income, (4)
685 mobile manufactured homes located in mobile manufactured home
686 parks or legally approved accessory apartments, which homes or
687 apartments are subject to binding recorded deeds containing covenants
688 or restrictions which require that such dwelling units be sold or rented
689 at, or below, prices which will preserve the units as housing for which,
690 for a period of not less than ten years, persons and families pay thirty
691 per cent or less of income, where such income is less than or equal to
692 eighty per cent of the median income, or (5) mobile manufactured
693 homes located in resident-owned mobile manufactured home parks.
694 The municipalities meeting the criteria set forth in this subsection shall
695 be listed in the report submitted under section 8-37qqq. As used in this
696 subsection, "accessory apartment" means a separate living unit that (A)
697 [is attached to the main living unit of a house, which house has the

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698 external appearance of a single-family residence] is located on the same
699 lot as a larger primary dwelling unit, (B) has a full kitchen, (C) has a
700 square footage that is not more than thirty per cent of the total square
701 footage of the [house, (D) has an internal doorway connecting to the
702 main living unit of the house, (E)] primary dwelling unit, (D) is not
703 billed separately from such [main living] primary dwelling unit for
704 utilities, and [(F)] (E) complies with the building code and health and
705 safety regulations, and "resident-owned mobile manufactured home
706 park" means a mobile manufactured home park consisting of mobile
707 manufactured homes located on land that is deed restricted, and, at the
708 time of issuance of a loan for the purchase of such land, such loan
709 required seventy-five per cent of the units to be leased to persons with
710 incomes equal to or less than eighty per cent of the median income, and
711 either (i) forty per cent of said seventy-five per cent to be leased to
712 persons with incomes equal to or less than sixty per cent of the median
713 income, or (ii) twenty per cent of said seventy-five per cent to be leased
714 to persons with incomes equal to or less than fifty per cent of the median
715 income.

716 Sec. 14. Subdivision (6) of subsection (l) of section 8-30g of the general
717 statutes is repealed and the following is substituted in lieu thereof
718 (*Effective October 1, 2020*):

719 (6) For the purposes of this subsection, housing unit-equivalent
720 points shall be determined by the commissioner as follows: (A) No
721 points shall be awarded for a unit unless its occupancy is restricted to
722 persons and families whose income is equal to or less than eighty per
723 cent of the median income, except that unrestricted units in a set-aside
724 development shall be awarded one-fourth point each. (B) Family units
725 restricted to persons and families whose income is equal to or less than
726 eighty per cent of the median income shall be awarded one point if an
727 ownership unit and one and one-half points if a rental unit. (C) Family
728 units restricted to persons and families whose income is equal to or less
729 than sixty per cent of the median income shall be awarded one and one-
730 half points if an ownership unit and two points if a rental unit. (D)

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731 Family units restricted to persons and families whose income is equal to
732 or less than forty per cent of the median income shall be awarded two
733 points if an ownership unit and two and one-half points if a rental unit.
734 (E) Restricted family units containing at least three bedrooms shall be
735 awarded an additional one-fourth point. (F) Elderly units restricted to
736 persons and families whose income is equal to or less than eighty per
737 cent of the median income shall be awarded one-half point. (G) If at least
738 sixty per cent of the total restricted units submitted by a municipality as
739 part of an application for a certificate of affordable housing project
740 completion are family units, any elderly units submitted within such
741 application shall be awarded an additional one-half point. (H)
742 Restricted family units located within an approved incentive housing
743 development, as defined in section 8-13m, shall be awarded an
744 additional one-fourth point. (I) A set-aside development containing
745 family units which are rental units shall be awarded additional points
746 equal to twenty-two per cent of the total points awarded to such
747 development, provided the application for such development was filed
748 with the commission prior to July 6, 1995. (J) A mobile manufactured
749 home in a resident-owned mobile manufactured home park shall be
750 awarded points as follows: One and one-half points when occupied by
751 persons and families with an income equal to or less than eighty per cent
752 of the median income; two points when occupied by persons and
753 families with an income equal to or less than sixty per cent of the median
754 income; and one-fourth point for the remaining units. (K) An affordable
755 housing development approved by a municipality without the
756 applicant using the affordable housing appeals procedure established
757 under this section or any other judicial appeal shall be awarded
758 additional points equal to twenty per cent of the total points awarded to
759 such development under this subsection.

760 Sec. 15. Subdivision (6) of section 8-30g of the general statutes, as
761 amended by section 4 of public act 17-170, is repealed and the following
762 is substituted in lieu thereof (*Effective October 1, 2022*):

763 (6) For the purposes of this subsection, housing unit-equivalent

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764 points shall be determined by the commissioner as follows: (A) No
765 points shall be awarded for a unit unless its occupancy is restricted to
766 persons and families whose income is equal to or less than eighty per
767 cent of the median income, except that unrestricted units in a set-aside
768 development shall be awarded one-fourth point each. (B) Family units
769 restricted to persons and families whose income is equal to or less than
770 eighty per cent of the median income shall be awarded one point if an
771 ownership unit and one and one-half points if a rental unit. (C) Family
772 units restricted to persons and families whose income is equal to or less
773 than sixty per cent of the median income shall be awarded one and one-
774 half points if an ownership unit and two points if a rental unit. (D)
775 Family units restricted to persons and families whose income is equal to
776 or less than forty per cent of the median income shall be awarded two
777 points if an ownership unit and two and one-half points if a rental unit.
778 (E) Elderly units restricted to persons and families whose income is
779 equal to or less than eighty per cent of the median income shall be
780 awarded one-half point. (F) A set-aside development containing family
781 units which are rental units shall be awarded additional points equal to
782 twenty-two per cent of the total points awarded to such development,
783 provided the application for such development was filed with the
784 commission prior to July 6, 1995. (G) A mobile manufactured home in a
785 resident-owned mobile manufactured home park shall be awarded
786 points as follows: One and one-half points when occupied by persons
787 and families with an income equal to or less than eighty per cent of the
788 median income; two points when occupied by persons and families with
789 an income equal to or less than sixty per cent of the median income; and
790 one-fourth point for the remaining units. An affordable housing
791 development approved by a municipality without the applicant using
792 the affordable housing appeals procedure established under this section
793 or any other judicial appeal shall be awarded additional points equal to
794 twenty per cent of the total points awarded to such development under
795 this subsection.

796 Sec. 16. (NEW) (*Effective October 1, 2020*) Not later than December 1,

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797 2020, the Commissioner of Transportation shall prepare, develop and
798 adopt criteria for determining the significance of transportation impacts
799 on various construction projects. Such criteria shall promote the
800 reduction of greenhouse gas emissions, the establishment of multimodal
801 transportation networks and a diversity of land uses. In developing
802 such criteria, the commissioner shall recommend potential means by
803 which to measure such transportation impacts, including, but not
804 limited to, actual vehicle miles traveled, vehicle miles traveled per
805 capita, vehicle trip generation rates and automobile trips generated. The
806 commissioner may also prescribe criteria for models used to analyze
807 such transportation impacts to ensure such models are accurate and
808 reliable and further the purposes of this section.

809 Sec. 17. (*Effective October 1, 2020*) (a) Not later than November 15,
810 2020, the Secretary of the Office of Policy and Management, or the
811 secretary's designee, shall convene and chair a working group to
812 develop model zoning guidelines for municipalities to adopt regarding
813 commercial main streets, town centers and areas near fixed nodes of
814 public transit. Such guidelines shall (1) identify common architectural
815 and site design features of building types used throughout this state, (2)
816 create a catalogue of building types, particularly those typically
817 associated with housing, (3) establish design review standards for
818 approval of certain building types, accounting for topography, geology
819 and infrastructure capacity, and (4) establish procedures for expediting
820 the approval of buildings that satisfy such design review standards.

821 (b) The working group shall consist of the following members, who
822 shall be appointed by the Secretary of the Office of Policy and
823 Management, in consultation with the Commissioner of Housing, not
824 later than sixty days after the effective date of this section:

825 (1) The Secretary of the Office of Policy and Management, or the
826 secretary's designee;

827 (2) The Commissioner of Housing, or the commissioner's designee;

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828 (3) Two representatives with expertise in fair housing issues or
829 affordable housing advocacy;

830 (4) Two representatives with expertise in state or local planning;

831 (5) Two representatives with expertise in architecture or design;

832 (6) One representative of a municipal advocacy organization; and

833 (7) One representative with expertise in the housing construction
834 trade.

835 (c) Not later than March 1, 2021, the working group convened
836 pursuant to this section shall submit a report proposing the model
837 zoning guidelines it developed to the joint standing committee of the
838 General Assembly having cognizance of matters relating to planning
839 and development, in accordance with section 11-4a of the general
840 statutes. Not later than July 1, 2021, the Secretary of the Office of Policy
841 and Management shall post such model zoning guidelines with any
842 necessary revisions on its Internet web site for use and adoption by
843 municipalities of this state.

844 Sec. 18. Section 8-39 of the general statutes is repealed and the
845 following is substituted in lieu thereof (*Effective October 1, 2020*):

846 The following terms, wherever used or referred to in this chapter,
847 [shall] have the following respective meanings, unless a different
848 meaning clearly appears from the context:

849 [(a)] (1) "Area of operation" [includes the municipality in which a
850 housing authority is created under the provisions of this chapter and
851 may include a neighboring municipality, provided the governing body
852 of such neighboring municipality agrees by proper resolution to the
853 extension of the area of operation to include such neighboring
854 municipality] means a municipal area of operation and, if adopted by a
855 housing authority, includes an expanded area of operation.

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856 [(b)] (2) "Authority" or "housing authority" means any of the public
857 corporations created by section 8-40, and the Connecticut Housing
858 Authority when exercising the rights, powers, duties or privileges of, or
859 subject to the immunities or limitations of, housing authorities pursuant
860 to section 8-121.

861 [(c)] (3) "Bonds" means any bonds, including refunding bonds, notes,
862 interim certificates, debentures or other obligations issued by the
863 authority pursuant to this chapter.

864 [(d)] (4) "Clerk" means the clerk of the particular city, borough or
865 town for which a particular housing authority is created.

866 (5) "Eligible developer" or "developer" means (A) a nonprofit
867 corporation; (B) any business corporation incorporated pursuant to
868 chapter 601 or any predecessor statutes thereto, having as one of its
869 purposes the construction, rehabilitation, ownership or operation of
870 housing, and having articles of incorporation approved by the
871 Commissioner of Housing in accordance with regulations adopted
872 pursuant to section 8-79a or 8-84; (C) any partnership, limited
873 partnership, joint venture, trust, limited liability company or association
874 having as one of its purposes the construction, rehabilitation, ownership
875 or operation of housing, and having basic documents of organization
876 approved by the commissioner in accordance with regulations adopted
877 pursuant to section 8-79a or 8-84; (D) a housing authority; (E) a family
878 or person approved by the commissioner as qualified to own, construct,
879 rehabilitate, manage and maintain housing under a mortgage loan made
880 or insured under an agreement entered into pursuant to the provisions
881 of this chapter; or (F) a municipal developer.

882 (6) "Expanded area of operation" means an area (A) adopted by a
883 housing authority; and (B) designated by the Department of Housing
884 pursuant to section 8-348 as a high or very high opportunity census
885 tract, provided any part of such census tract is located within fifteen
886 miles of the municipality in which the housing authority is located.

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887 [(e)] (7) "Families of low income" means families who lack the amount
888 of income which is necessary, as determined by the authority
889 undertaking the housing project, to enable them, without financial
890 assistance, to live in decent, safe and sanitary dwellings, without
891 overcrowding.

892 [(f)] (8) "Families of low and moderate income" means families who
893 lack the amount of income which is necessary, as determined by the
894 Commissioner of Housing, to enable them to rent or purchase moderate
895 cost housing without financial assistance as provided by this part and
896 parts II and III of this chapter.

897 (9) "Family" means a household consisting of one or more persons.

898 [(g)] (10) "Federal government" includes the United States of
899 America, the federal emergency administration of public works or any
900 other agency or instrumentality, corporate or otherwise, of the United
901 States of America.

902 [(h)] (11) "Governing body" means, for towns having a town council,
903 the council; for other towns, the selectmen; for cities, the common
904 council or other similar body of officials; and for boroughs, the warden
905 and burgesses.

906 [(i)] (12) "Housing project" means any work or undertaking [(1)] (A)
907 to demolish, clear or remove buildings from any slum area, which work
908 or undertaking may embrace the adaptation of such area to public
909 purposes, including parks or other recreational or community purposes;
910 [or (2)] (B) to provide decent, safe and sanitary urban or rural dwellings,
911 apartments or other living accommodations for families of low or
912 moderate income, which work or undertaking may include buildings,
913 land, equipment, facilities and other real or personal property for
914 necessary, convenient or desirable appurtenances, streets, sewers, water
915 service, parks, site preparation, gardening, administrative, community,
916 recreational, commercial or welfare purposes and may include the
917 acquisition and rehabilitation of existing dwelling units or structures to

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918 be used for moderate or low rental units; or [(3)] (C) to accomplish a
919 combination of the [foregoing] purposes listed in subparagraphs (A)
920 and (B) of this subdivision. The term "housing project" also may [be
921 applied to] include the planning of the buildings and improvements, the
922 acquisition of property, the demolition of existing structures, the
923 construction, reconstruction, alteration and repair of the improvements
924 and all other work in connection therewith and may include the
925 reconstruction, rehabilitation, alteration, or major repair of existing
926 buildings or improvements which were undertaken pursuant to parts II
927 and VI of this chapter.

928 [(j)] (13) "Mayor" means, for cities, the mayor and, for boroughs, the
929 warden.

930 [(k)] (14) "Moderate rental" means a rental which, as determined by
931 an authority with the concurrence of the Commissioner of Housing, is
932 below the level at which private enterprise is currently building a
933 needed volume of safe and sanitary dwellings for rental in the locality
934 involved; and "moderate rental housing project" means a housing
935 project, receiving state aid in the form of loans or grants, for families
936 unable to pay more than moderate rental. Such project may include the
937 reconstruction, rehabilitation, alteration, or major repair of existing
938 buildings or improvements which were undertaken pursuant to parts II
939 or VI of this chapter.

940 (15) "Mortgage" means a mortgage deed, deed of trust or other
941 instrument which constitutes a lien, whether first or second, on real
942 estate or on a leasehold under a lease having a remaining term, at the
943 time such mortgage is acquired, which does not expire for at least that
944 number of years beyond the maturity date of the obligation secured by
945 such mortgage as is equal to the number of years remaining until the
946 maturity date of such obligation.

947 (16) "Municipal area of operation" includes the municipality in which
948 a housing authority is created under the provisions of this chapter and

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949 may include a neighboring municipality, as provided in section 8-40.

950 (17) "Municipal developer" means a municipality, which has not
951 declared by resolution a need for a housing authority pursuant to
952 section 8-40, acting by and through its legislative body, except that in
953 any town in which a town meeting or representative town meeting is
954 the legislative body, "municipal developer" means the board of
955 selectmen if such board is authorized to act as the municipal developer
956 by the town meeting or representative town meeting.

957 [(l)] (18) "Municipality" means any city, borough or town. "The
958 municipality" means the particular municipality for which a particular
959 housing authority is created.

960 (19) "Nonprofit corporation" means a nonprofit corporation
961 incorporated pursuant to chapter 602 or any predecessor statutes
962 thereto, having as one of its purposes the construction, rehabilitation,
963 ownership or operation of housing and having articles of incorporation
964 approved by the Commissioner of Housing in accordance with
965 regulations adopted pursuant to section 8-79a or 8-84.

966 [(m)] (20) "Obligee of the authority" or "obligee" includes any
967 bondholder, trustee or trustees for any bondholders, or lessor demising
968 to the authority property used in connection with a housing project, or
969 any assignee or assignees of such lessor's interest or any part thereof,
970 and the state or federal government when it is a party to any contract
971 with the authority.

972 [(n)] (21) "Real property" includes all lands, including improvements
973 and fixtures thereon, and property of any nature appurtenant thereto,
974 or used in connection therewith, and every estate, interest and right,
975 legal or equitable, therein, including terms for years and liens by way of
976 judgment, mortgage or otherwise and the indebtedness secured by such
977 liens.

978 [(o)] (22) "Rent" means the entire amount paid to an authority for any

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979 dwelling unit.

980 [(p)] (23) "Shelter rent" means rent less any charges made by an
981 authority for water, heat, gas and electricity.

982 [(q)] (24) "Slum" means any area where dwellings predominate
983 which, by reason of dilapidation, overcrowding, faulty arrangement or
984 design, lack of ventilation, light or sanitary facilities, or any combination
985 of these factors, are detrimental to safety, health and morals.

986 [(r)] (25) "State public body" means any city, borough, town,
987 municipal corporation, district or other subdivision of the state.

988 [(s)] (26) "Veteran" has the same meaning [assigned by] as provided
989 in section 27-103 and includes any officer of the United States Public
990 Health Service detailed by proper authority to duty with any of the
991 armed forces and the spouse or widow or widower of such veteran,
992 provided such veteran shall have served for a period of ninety days or
993 more in time of war after December 7, 1941, and shall have resided in
994 this state at any time continuously for two years.

995 [(t) "Family" means a household consisting of one or more persons.

996 (u) "Eligible developer" or "developer" means (1) a nonprofit
997 corporation; (2) any business corporation incorporated pursuant to
998 chapter 601 or any predecessor statutes thereto, having as one of its
999 purposes the construction, rehabilitation, ownership or operation of
1000 housing, and having articles of incorporation approved by the
1001 commissioner in accordance with regulations adopted pursuant to
1002 section 8-79a or 8-84; (3) any partnership, limited partnership, joint
1003 venture, trust, limited liability company or association having as one of
1004 its purposes the construction, rehabilitation, ownership or operation of
1005 housing, and having basic documents of organization approved by the
1006 commissioner in accordance with regulations adopted pursuant to
1007 section 8-79a or 8-84; (4) a housing authority; (5) a family or person
1008 approved by the commissioner as qualified to own, construct,

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1009 rehabilitate, manage and maintain housing under a mortgage loan made
1010 or insured under an agreement entered into pursuant to the provisions
1011 of this chapter; or (6) a municipal developer.

1012 (v) "Mortgage" means a mortgage deed, deed of trust, or other
1013 instrument which shall constitute a lien, whether first or second, on real
1014 estate or on a leasehold under a lease having a remaining term, at the
1015 time such mortgage is acquired, which does not expire for at least that
1016 number of years beyond the maturity date of the obligation secured by
1017 such mortgage as is equal to the number of years remaining until the
1018 maturity date of such obligation.

1019 (w) "Nonprofit corporation" means a nonprofit corporation
1020 incorporated pursuant to chapter 602 or any predecessor statutes
1021 thereto, having as one of its purposes the construction, rehabilitation,
1022 ownership or operation of housing and having articles of incorporation
1023 approved by the Commissioner of Housing in accordance with
1024 regulations adopted pursuant to section 8-79a or 8-84.

1025 (x) "Municipal developer" means a municipality, as defined in
1026 subsection (l) of this section, which has not declared by resolution a need
1027 for a housing authority pursuant to section 8-40, acting by and through
1028 its legislative body, except that in any town in which a town meeting or
1029 representative town meeting is the legislative body, "municipal
1030 developer" means the board of selectmen if such board is authorized to
1031 act as the municipal developer by the town meeting or representative
1032 town meeting.]

1033 Sec. 19. Section 8-40 of the general statutes is repealed and the
1034 following is substituted in lieu thereof (*Effective October 1, 2020*):

1035 (a) In each municipality of the state there is created a public body
1036 corporate and politic to be known as the "housing authority" of the
1037 municipality; provided such authority shall not transact any business or
1038 exercise its powers [hereunder] under this section until the governing
1039 body of the municipality by resolution declares that there is need for a

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1040 housing authority in the municipality, provided it shall find that (1)
1041 [that] insanitary or unsafe inhabited dwelling accommodations exist in
1042 the municipality, [or] (2) [that] there is a shortage of safe or sanitary
1043 dwelling accommodations in the municipality available to families of
1044 low income at rentals they can afford, or (3) [that] there is a shortage of
1045 safe or sanitary dwelling accommodations in the municipality available
1046 to families of moderate income at rentals they can afford. In determining
1047 whether dwelling accommodations are unsafe or insanitary, [said] such
1048 governing body may take into consideration the degree of
1049 overcrowding, the percentage of land coverage, the light, air, space and
1050 access available to the inhabitants of such dwelling accommodations,
1051 the size and arrangement of the rooms, the sanitary facilities and the
1052 extent to which conditions exist in such buildings which endanger life
1053 or property by fire or other causes.

1054 (b) The governing bodies of two or more municipalities may create a
1055 regional housing authority, which shall have all the powers, duties and
1056 responsibilities conferred upon housing authorities by this chapter and
1057 chapter 130. The area of operation of such authority shall include the
1058 municipalities for which such authority is created, provided, in the case
1059 of a municipal area of operation that includes a neighboring
1060 municipality, the neighboring municipality agrees by proper resolution
1061 to the expansion of the area of operation to include such neighboring
1062 municipality. Such authority shall act through a board of commissioners
1063 composed of two representatives from each municipality appointed for
1064 terms of four years in the manner provided in section 8-41.

1065 (c) Any housing authority may adopt an expanded area of operation.

1066 Sec. 20. Section 8-44b of the general statutes is repealed and the
1067 following is substituted in lieu thereof (*Effective October 1, 2020*):

1068 (a) Any housing authority created by section 8-40 shall have the
1069 power to establish and maintain a housing authority police force, [the]
1070 except that no housing authority shall have the power to establish or

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1071 maintain a housing authority police force in an expanded area of
1072 operation. The members of [which] any such police force shall be
1073 employees of such housing authority and shall be known as housing
1074 authority police officers. Housing authority police officers shall be
1075 appointed by the local board, agency or person empowered to appoint
1076 municipal police officers, subject to approval of the housing authority.
1077 The requirements for appointment as a police officer in the municipality
1078 in which the housing authority is located, except for age and physical
1079 qualifications, shall be mandatory for housing authority police officers
1080 in such municipality. No person shall be appointed to such housing
1081 authority police force unless [he] such person has been awarded a
1082 certificate attesting to [his] such person's successful completion of an
1083 approved municipal police basic training program, as provided in
1084 section 7-294e. The initial appointment shall be for a probationary term
1085 upon completion of which the appointing authority may promote such
1086 probationary officers to permanent status; provided such promotion
1087 shall be in accordance with procedures applicable to municipal police
1088 officers in the municipality and shall be made subject to the approval of
1089 the housing authority. Housing authority police officers shall have and
1090 exercise the powers and authority conferred upon municipal police
1091 officers and shall be subject to the ultimate supervision and control of
1092 the chief of police of the municipality in which the housing authority
1093 operates.

1094 (b) Notwithstanding the provisions of subsection (a) of this section,
1095 any housing authority police force which existed prior to October 1,
1096 1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the
1097 Demonstration Cities and Metropolitan Development Act of 1966, and
1098 which, for any reason, does not constitute a housing authority police
1099 force pursuant to subsection (a) of this section, shall constitute a housing
1100 authority police force pursuant to this subsection and the members of
1101 any such police [forces] force may exercise the powers granted to such
1102 members pursuant to this subsection. The members of such police force
1103 may act, at the expense of the municipality, as special police officers

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1104 upon property owned or managed by any housing authority. Such
1105 special police officers: (1) May arrest, without previous complaint and
1106 warrant, any person for any offense in their jurisdiction, when such
1107 person is taken or apprehended in the act or on the speedy information
1108 of others; (2) when in the immediate pursuit of one who may be arrested
1109 under the provisions of this subsection, may pursue such offender
1110 outside of their jurisdiction into any part of the municipality to effect an
1111 arrest; (3) shall be peace officers as defined in subdivision (9) of section
1112 53a-3; (4) shall have the authority to serve criminal process within their
1113 jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color
1114 from that worn by the police officers of the municipality; (6) shall, when
1115 on duty, wear in plain view a shield, distinct in shape from that worn
1116 by the police officers of the municipality which shall bear the words
1117 "special police"; (7) shall complete a forty-hour basic training program
1118 provided by the municipality within one hundred eighty days of June
1119 27, 1983; and (8) shall take an oath of office.

1120 Sec. 21. Section 8-50 of the general statutes is repealed and the
1121 following is substituted in lieu thereof (*Effective October 1, 2020*):

1122 An authority shall have the right to acquire by the exercise of the
1123 power of eminent domain any real property that is not located in an
1124 expanded area of operation which it deems necessary for its purposes
1125 under this chapter after the adoption by [it] such authority of a
1126 resolution declaring that the acquisition of such real property described
1127 [therein] in such resolution is necessary for such purposes. An authority,
1128 in its own name and at its own expense and cost, may prefer a petition
1129 and exercise the power of eminent domain in the manner provided in
1130 section 48-12 and acts supplementary thereto, except that a housing
1131 authority's power of eminent domain shall not extend to an expanded
1132 area of operation. Property already devoted to a public use may be
1133 acquired, provided no real property belonging to the municipality, the
1134 state or any political subdivision thereof may be acquired without its
1135 consent.

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1136 Sec. 22. Section 8-45a of the general statutes is repealed and the
1137 following is substituted in lieu thereof (*Effective October 1, 2020*):

1138 A housing authority, as defined in [subsection (b) of] section 8-39, in
1139 determining eligibility for the rental of public housing units may
1140 establish criteria and consider relevant information concerning (1) an
1141 applicant's or any proposed occupant's history of criminal activity
1142 involving: (A) Crimes of physical violence to persons or property, (B)
1143 crimes involving the illegal manufacture, sale, distribution or use of, or
1144 possession with intent to manufacture, sell, use or distribute, a
1145 controlled substance, as defined in section 21a-240, or (C) other criminal
1146 acts which would adversely affect the health, safety or welfare of other
1147 tenants, (2) an applicant's or any proposed occupant's abuse, or pattern
1148 of abuse, of alcohol when the housing authority has reasonable cause to
1149 believe that such applicant's or proposed occupant's abuse, or pattern of
1150 abuse, of alcohol may interfere with the health, safety or right to
1151 peaceful enjoyment of the premises by other residents, and (3) an
1152 applicant or any proposed occupant who is subject to a lifetime
1153 registration requirement under section 54-252 on account of being
1154 convicted or found not guilty by reason of mental disease or defect of a
1155 sexually violent offense. In evaluating any such information, the
1156 housing authority shall give consideration to the time, nature and extent
1157 of the applicant's or proposed occupant's conduct and to factors which
1158 might indicate a reasonable probability of favorable future conduct such
1159 as evidence of rehabilitation and evidence of the willingness of the
1160 applicant, the applicant's family or the proposed occupant to participate
1161 in social service or other appropriate counseling programs and the
1162 availability of such programs.

1163 Sec. 23. Subdivision (29) of section 12-412 of the 2020 supplement to
1164 the general statutes is repealed and the following is substituted in lieu
1165 thereof (*Effective October 1, 2020*):

1166 (29) (A) Sales of and the storage, use or other consumption of tangible
1167 personal property acquired for incorporation into or used and

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1168 consumed in the operation of housing facilities for low and moderate
1169 income families and persons and sales of and the acceptance, use or
1170 other consumption of any service described in subdivision (2) of section
1171 12-407 that is used and consumed in the development, construction,
1172 rehabilitation, renovation, repair or operation of housing facilities for
1173 low and moderate income families and persons, provided such facilities
1174 are constructed under the sponsorship of and owned or operated by
1175 nonprofit housing organizations or housing authorities, as defined in
1176 [subsection (b)] subdivision (2) of section 8-39. The nonprofit housing
1177 organization or housing authority sponsoring the construction of or
1178 owning or operating such housing facility shall obtain from the
1179 commissioner a letter of determination that the housing facility has, to
1180 the satisfaction of said commissioner, met all the requirements for
1181 exemption under this subsection. At the time of any sale or purchase
1182 that is exempt under this subsection, the purchaser shall present to the
1183 retailer a copy of the determination letter that was issued to the
1184 nonprofit housing organization or housing authority together with a
1185 certificate from the purchaser, in such form as the commissioner may
1186 prescribe, certifying that the tangible personal property or services that
1187 are being purchased from the retailer are to be used or consumed
1188 exclusively for the purposes of incorporation into or in the
1189 development, construction, rehabilitation, renovation, repair or
1190 operation of the housing facility identified in the letter of determination.
1191 For the purposes of this subsection, (i) "nonprofit housing organization"
1192 means any organization which has as one of its purposes the
1193 development, construction, sponsorship or ownership of housing for
1194 low and moderate income families as stated in its charter, if it is
1195 incorporated, or its constitution or bylaws, if it is unincorporated, and
1196 which has received exemption from federal income tax under the
1197 provisions of Section 501(c) of the Internal Revenue Code, as amended
1198 from time to time, provided the charter of such organization, if it is
1199 incorporated, or its constitution or bylaws, if unincorporated, shall
1200 contain a provision that no officer, member or employee thereof shall
1201 receive or at any future time may receive any pecuniary profit from the

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1202 operation thereof, except a reasonable compensation for services in
1203 effecting the purposes of the organization; (ii) "housing facilities" means
1204 facilities having as their primary purpose the provision of safe and
1205 adequate housing and related facilities for low and moderate income
1206 families and persons, notwithstanding that said housing provides other
1207 dwelling accommodations in addition to the primary purpose of
1208 providing dwelling accommodations for low and moderate income
1209 families; (iii) "related facilities" means those facilities defined in
1210 subsection (d) of section 8-243; and (iv) "low and moderate income
1211 families" means those families as defined in subsection (h) of said
1212 section 8-243.

1213 (B) Sales of and the acceptance, use or other consumption of any
1214 service described in subdivision (2) of section 12-407 that is used or
1215 consumed in the development, construction, renovation or operation of
1216 housing facilities for low and moderate income families and persons,
1217 provided such facilities are owned or sponsored by a mutual housing
1218 association, as defined in subsection (b) of section 8-214f, and operated
1219 as mutual housing by such association at a location that was conveyed
1220 to such association by the United States Secretary of Housing and Urban
1221 Development prior to September 1, 1995.

1222 Sec. 24. Section 8-389 of the general statutes is repealed and the
1223 following is substituted in lieu thereof (*Effective October 1, 2020*):

1224 Upon the incorporation of a successfully negotiated regional fair
1225 housing compact into a regional plan of conservation and development
1226 by a regional planning agency pursuant to section 8-386, the
1227 Commissioner of Housing and the Connecticut Housing Authority may
1228 give priority to any application for financial or technical assistance made
1229 by a municipality, housing authority or eligible developer, as defined in
1230 [subsection (u) of] section 8-39, in connection with any project located in
1231 a municipality which has approved the regional fair housing compact
1232 pursuant to section 8-386.

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1233 Sec. 25. Subsection (i) of section 12-631 of the general statutes is
1234 repealed and the following is substituted in lieu thereof (*Effective October*
1235 *1, 2020*):

1236 (i) "Families of low and moderate income" means families meeting
1237 the criteria for designation as families of low and moderate income
1238 established by the Commissioner of Housing pursuant to [subsection
1239 (f)] subdivision (8) of section 8-39.

1240 Sec. 26. Section 8-113a of the general statutes is repealed and the
1241 following is substituted in lieu thereof (*Effective October 1, 2020*):

1242 The following terms, wherever used or referred to in this part, [shall]
1243 have the following respective meanings, unless a different meaning
1244 clearly appears from the context:

1245 [(a)] (1) "Authority" or "housing authority" means any of the public
1246 corporations created by section 8-40.

1247 [(b)] "Municipality" means any city, borough or town. "The
1248 municipality" means the particular municipality for which a particular
1249 housing authority is created.

1250 (c) "Governing body" means, for towns having a town council, the
1251 council; for other towns, the selectmen; for cities, the common council
1252 or other similar body of officials; and for boroughs, the warden and
1253 burgesses.

1254 (d) "Mayor" means, for cities, the mayor, and, for boroughs, the
1255 warden. "Clerk" means the clerk of the particular city, borough or town
1256 for which a particular housing authority is created.

1257 (e) "Area of operation" shall include the municipality in which a
1258 housing authority is created under the provisions of this chapter, and
1259 may include a neighboring municipality, provided the governing body
1260 of such neighboring municipality shall agree by proper resolution to the
1261 extension of the area of operation to include such neighboring

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1262 municipality.]

1263 (2) "Bonds" means any bonds, notes, interim certificates, certificates
1264 of indebtedness, debentures or other obligations issued by the authority
1265 pursuant to this chapter.

1266 (3) "Elderly persons" means persons sixty-two years of age and over
1267 who lack the amount of income which is necessary, as determined by
1268 the authority or nonprofit corporation, subject to approval by the
1269 Commissioner of Housing, to enable them to live in decent, safe and
1270 sanitary dwellings without financial assistance as provided under this
1271 part, or persons who have been certified by the Social Security Board as
1272 being totally disabled under the federal Social Security Act or certified
1273 by any other federal board or agency as being totally disabled.

1274 (4) "Housing partnership" means any partnership, limited
1275 partnership, joint venture, trust or association consisting of (A) a
1276 housing authority, a nonprofit corporation or both, and (B) (i) a business
1277 corporation incorporated pursuant to chapter 601 or any predecessor
1278 statutes thereto, having as one of its purposes the construction,
1279 rehabilitation, ownership or operation of housing, and having articles of
1280 incorporation approved by the commissioner in accordance with
1281 regulations adopted pursuant to section 8-79a or 8-84, (ii) a for-profit
1282 partnership, limited partnership, joint venture, trust, limited liability
1283 company or association having as one of its purposes the construction,
1284 rehabilitation, ownership or operation of housing, and having basic
1285 documents of organization approved by the commissioner in
1286 accordance with regulations adopted pursuant to section 8-79a or 8-84,
1287 or (iii) any combination of the entities included under subparagraphs
1288 (B)(i) and (B)(ii) of this subdivision.

1289 ~~[(f)]~~ (5) "Housing project" means any work or undertaking [(1)] (A) to
1290 demolish, clear or remove buildings from any slum area, which work or
1291 undertaking may embrace the adaptation of such area to public
1292 purposes, including parks or other recreational or community purposes;

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1293 [(2)] (B) to provide decent, safe and sanitary urban or rural dwellings,
1294 apartments or other living accommodations for elderly persons, which
1295 work or undertaking may include buildings, land, equipment, facilities
1296 and other real or personal property for necessary, convenient or
1297 desirable appurtenances, streets, sewers, water service, parks, site
1298 preparation, gardening, administrative, community, recreational or
1299 welfare purposes; [(3)] (C) to provide a continuum of housing
1300 comprising independent living accommodations, residential care,
1301 intermediate housing facilities and skilled nursing care and facilities
1302 with ready access to medical and hospital services; or [(4)] (D) to
1303 accomplish a combination of [the foregoing] purposes specified in
1304 subparagraphs (A) to (C), inclusive, of this subdivision. The term
1305 "housing project" also may be applied to the planning of the buildings
1306 and improvements, the acquisition of property, the demolition of
1307 existing structures, the construction, reconstruction, alteration and
1308 repair of the improvements and all other work in connection therewith.

1309 [(g) "Bonds" means any bonds, notes, interim certificates, certificates
1310 of indebtedness, debentures or other obligations issued by the authority
1311 pursuant to this chapter.

1312 (h) "Real property" shall include all lands, including improvements
1313 and fixtures thereon, and property of any nature appurtenant thereto,
1314 or used in connection therewith, and every estate, interest and right,
1315 legal or equitable, therein, including terms for years and liens by way of
1316 judgment, mortgage or otherwise and the indebtedness secured by such
1317 liens.

1318 (i) "Obligee of the authority" or "obligee" shall include any
1319 bondholder, trustee or trustees for any bondholders, or lessor demising
1320 to the authority property used in connection with a housing project, or
1321 any assignee or assignees of such lessor's interest or any part thereof,
1322 and the state government when it is a party to any contract with the
1323 authority.

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1324 (j) "State public body" means any city, borough, town, municipal
1325 corporation, district or other subdivision of the state.]

1326 [(k)] (6) "Rent" means the entire amount paid to a local authority,
1327 nonprofit corporation or housing partnership for any dwelling unit.

1328 [(l)] (7) "Shelter rent" means "rent" as defined [herein] in this section,
1329 less any charges made by a local authority, nonprofit corporation or
1330 housing partnership for water, heat, gas, electricity and sewer use
1331 charges.

1332 [(m) "Elderly persons" means persons sixty-two years of age and over
1333 who lack the amount of income which is necessary, as determined by
1334 the authority or nonprofit corporation, subject to approval by the
1335 Commissioner of Housing, to enable them to live in decent, safe and
1336 sanitary dwellings without financial assistance as provided under this
1337 part, or persons who have been certified by the Social Security Board as
1338 being totally disabled under the federal Social Security Act or certified
1339 by any other federal board or agency as being totally disabled.

1340 (n) "Housing partnership" means any partnership, limited
1341 partnership, joint venture, trust or association consisting of (1) a housing
1342 authority, a nonprofit corporation or both and (2) (A) a business
1343 corporation incorporated pursuant to chapter 601 or any predecessor
1344 statutes thereto, having as one of its purposes the construction,
1345 rehabilitation, ownership or operation of housing, and having articles of
1346 incorporation approved by the commissioner in accordance with
1347 regulations adopted pursuant to section 8-79a or 8-84, (B) a for-profit
1348 partnership, limited partnership, joint venture, trust, limited liability
1349 company or association having as one of its purposes the construction,
1350 rehabilitation, ownership or operation of housing, and having basic
1351 documents of organization approved by the commissioner in
1352 accordance with regulations adopted pursuant to section 8-79a or 8-84
1353 or (C) any combination of the entities included under subparagraphs
1354 (A) and (B) of this subdivision.]

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1355 Sec. 27. Subsection (a) of section 8-116c of the general statutes is
1356 repealed and the following is substituted in lieu thereof (*Effective October*
1357 *1, 2020*):

1358 (a) An elderly person [, as defined in subsection (m) of section 8-113a,]
1359 shall not be eligible to move into a housing project [, as defined in
1360 subsection (f) of section 8-113a,] if the person (1) is currently using illegal
1361 drugs, (2) is currently abusing alcohol and has a recent history of
1362 disruptive or dangerous behavior and whose tenancy (A) would
1363 constitute a direct threat to the health or safety of another individual or
1364 (B) would result in substantial physical damage to the property of
1365 another, (3) has a recent history of disruptive or dangerous behavior and
1366 whose tenancy (A) would constitute a direct threat to the health and
1367 safety of another individual or (B) would result in substantial physical
1368 damage to the property of another, or (4) was convicted of the illegal
1369 sale or possession of a controlled substance, as defined in section 21a-
1370 240, within the prior twenty-four-month period.

1371 Sec. 28. Section 8-116d of the general statutes is repealed and the
1372 following is substituted in lieu thereof (*Effective October 1, 2020*):

1373 Any elderly person [, as defined in subsection (m) of section 8-113a,]
1374 who applies for and is accepted for admission to a housing project
1375 pursuant to this part or part VII of this chapter or pursuant to any other
1376 state or federal housing assistance program may terminate the lease or
1377 rental agreement for the dwelling unit that he or she occupies at the time
1378 of such acceptance, without the penalty or liability for the remaining
1379 term of the lease or rental agreement, upon giving thirty days' written
1380 notice to the landlord of such dwelling unit.

1381 Sec. 29. Section 8-119h of the general statutes is repealed and the
1382 following is substituted in lieu thereof (*Effective October 1, 2020*):

1383 Upon preliminary approval by the State Bond Commission pursuant
1384 to the provisions of section 3-20, the state, acting by and through the
1385 Commissioner of Housing, may enter into a contract or contracts with

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1386 an authority, a municipal developer, a nonprofit corporation or a
1387 housing partnership for state financial assistance for a congregate
1388 housing project, in the form of capital grants, interim loans, permanent
1389 loans, deferred loans or any combination thereof for application to the
1390 development cost of such project or projects. A contract with an
1391 authority, a municipal developer, a nonprofit corporation or a housing
1392 partnership may provide that in the case of any loan made in
1393 conjunction with any housing assistance funds provided by an agency
1394 of the United States government, if such housing assistance funds
1395 terminate prior to complete repayment of a loan made pursuant to this
1396 section, the remaining balance of such loan may be converted to a capital
1397 grant or decreased loan. Any such state assistance contract with an
1398 authority, a municipal developer, a nonprofit corporation or a housing
1399 partnership for a capital grant or loan entered into prior to the time
1400 housing assistance funds became available from an agency of the United
1401 States government, may, upon the mutual consent of the commissioner
1402 and the authority, municipal developer, nonprofit corporation or
1403 housing partnership, be renegotiated to provide for a loan or increased
1404 loan in the place of a capital grant or loan or a part thereof, consistent
1405 with the above conditions. Such capital grants or loans shall be in an
1406 amount not in excess of the development cost of the project or projects,
1407 including, in the case of grants or loans financed from the proceeds of
1408 the state's general obligation bonds issued pursuant to any
1409 authorization, allocation or approval of the State Bond Commission
1410 made prior to July 1, 1990, administrative or other cost or expense to be
1411 incurred by the state in connection therewith, as approved by said
1412 commissioner. In anticipation of final payment of such capital grants or
1413 loans, the state, acting by and through said commissioner and in
1414 accordance with such contract, may make temporary advances to the
1415 authority, municipal developer, nonprofit corporation or housing
1416 partnership for preliminary planning expense or other development
1417 cost of such project or projects. Any loan provided pursuant to this
1418 section shall bear interest at a rate to be determined in accordance with
1419 subsection (t) of section 3-20. Any such authority, municipal developer,

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1420 nonprofit corporation or housing partnership may, subject to the
1421 approval of the Commissioner of Housing, contract with any other
1422 person approved by the Commissioner of Housing for the operation of
1423 a project undertaken pursuant to this part. As used in this section,
1424 "housing partnership" has the same meaning as provided in [subsection
1425 (n) of] section 8-113a.

1426 Sec. 30. Section 8-119l of the general statutes is repealed and the
1427 following is substituted in lieu thereof (*Effective October 1, 2020*):

1428 The state, acting by and through the Commissioner of Housing, may
1429 enter into a contract or contracts with an authority, a municipal
1430 developer, a nonprofit corporation or a housing partnership for state
1431 financial assistance in the form of a grant-in-aid for an operating cost
1432 subsidy for state-financed congregate housing projects developed
1433 pursuant to this part. In calculating the amount of the grant-in-aid, the
1434 commissioner shall use adjusted gross income of tenants. As used in this
1435 section, "adjusted gross income" means annual aggregate income from
1436 all sources minus fifty per cent of all unreimbursable medical expenses.
1437 As used in this section, "housing partnership" has the same meaning as
1438 provided in [subsection (n) of] section 8-113a.

1439 Sec. 31. Subdivision (1) of subsection (a) of section 22a-19 of the
1440 general statutes is repealed and the following is substituted in lieu
1441 thereof (*Effective October 1, 2020*):

1442 (a) (1) In any administrative, licensing or other proceeding, and in
1443 any judicial review thereof made available by law, the Attorney
1444 General, any political subdivision of the state, any instrumentality or
1445 agency of the state or of a political subdivision thereof, any person,
1446 partnership, corporation, association, organization or other legal entity
1447 may intervene as a party on the filing of a verified pleading asserting
1448 that the proceeding or action for judicial review involves conduct which
1449 has, or which is reasonably likely to have, the effect of unreasonably
1450 polluting, impairing or destroying the public trust in the air, water or

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1451 other natural resources of the state. In the case of an administrative,
1452 licensing or other proceeding or judicial review thereof concerning an
1453 application for an affordable housing development, as defined in
1454 section 8-30g, the proposed intervenor shall allege and prove, and the
1455 reviewing authority shall make findings of fact that demonstrate,
1456 standing and aggrievement arising from the proposed affordable
1457 housing development, in order to obtain intervenor status under this
1458 section.

1459 Sec. 32. (NEW) (*Effective October 1, 2020*) Beginning January 1, 2021,
1460 and annually thereafter, any member of a zoning, planning or planning
1461 and zoning commission, zoning board of appeals or inland wetlands
1462 agency who serves on such commission, board or agency for more than
1463 six months in a calendar year shall complete not less than four hours of
1464 training in Connecticut land use and planning law during such calendar
1465 year. Not less than two hours of such training shall consist of topics
1466 related to affordable and fair housing policies. The Office of Policy and
1467 Management shall establish guidelines for such training. Not later than
1468 February 1, 2022, and annually thereafter, each municipality in which
1469 such commission, board or agency is located shall verify the compliance
1470 by each member of such commission, board or agency with the
1471 requirements of this section in a form and manner prescribed by the
1472 Office of Policy and Management.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2020</i>	7-245
Sec. 2	<i>October 1, 2020</i>	7-246(b)
Sec. 3	<i>October 1, 2020</i>	19a-35a
Sec. 4	<i>October 1, 2020</i>	8-1aa
Sec. 5	<i>October 1, 2020</i>	8-2
Sec. 6	<i>October 1, 2020</i>	New section
Sec. 7	<i>October 1, 2020</i>	New section
Sec. 8	<i>October 1, 2020</i>	8-1c
Sec. 9	<i>October 1, 2020</i>	8-1bb(j)

WORKING DRAFT

Bill No.

Sec. 10	<i>October 1, 2020</i>	8-30g(a)(4)
Sec. 11	<i>October 1, 2020</i>	8-30g(c)
Sec. 12	<i>October 1, 2020</i>	8-30g(g)
Sec. 13	<i>October 1, 2020</i>	8-30g(k)
Sec. 14	<i>October 1, 2020</i>	8-30g(l)(6)
Sec. 15	<i>October 1, 2022</i>	8-30g(6)
Sec. 16	<i>October 1, 2020</i>	New section
Sec. 17	<i>October 1, 2020</i>	New section
Sec. 18	<i>October 1, 2020</i>	8-39
Sec. 19	<i>October 1, 2020</i>	8-40
Sec. 20	<i>October 1, 2020</i>	8-44b
Sec. 21	<i>October 1, 2020</i>	8-50
Sec. 22	<i>October 1, 2020</i>	8-45a
Sec. 23	<i>October 1, 2020</i>	12-412(29)
Sec. 24	<i>October 1, 2020</i>	8-389
Sec. 25	<i>October 1, 2020</i>	12-631(i)
Sec. 26	<i>October 1, 2020</i>	8-113a
Sec. 27	<i>October 1, 2020</i>	8-116c(a)
Sec. 28	<i>October 1, 2020</i>	8-116d
Sec. 29	<i>October 1, 2020</i>	8-119h
Sec. 30	<i>October 1, 2020</i>	8-119l
Sec. 31	<i>October 1, 2020</i>	22a-19(a)(1)
Sec. 32	<i>October 1, 2020</i>	New section