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:

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 Section 7-245 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

For the purposes of this chapter: (1) "Acquire a sewerage system" means obtain title to all or any part of a sewerage system or any interest therein by purchase, condemnation, grant, gift, lease, rental or otherwise; (2) "alternative sewage treatment system" means a sewage treatment system serving one or more buildings that utilizes a method of treatment other than a subsurface sewage disposal system and that involves a discharge to the groundwaters of the state; (3) "community sewerage system" means any sewerage system serving two or more residences in separate structures which is not connected to a municipal sewerage system or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system; (4) "construct a sewerage system" means to acquire land, easements,
rights-of-way or any other real or personal property or any interest therein, plan, construct, reconstruct, equip, extend and enlarge all or any part of a sewerage system; (5) "decentralized system" means managed subsurface sewage disposal systems, managed alternative sewage treatment systems or community sewerage systems that discharge sewage flows of less than [five] seven thousand five hundred gallons per day, are used to collect and treat domestic sewage, and involve a discharge to the groundwaters of the state from areas of a municipality; 

(6) "decentralized wastewater management district" means areas of a municipality designated by the municipality through a municipal ordinance when an engineering report has determined that the existing subsurface sewage disposal systems may be detrimental to public health or the environment and that decentralized systems are required and such report is approved by the Commissioner of Energy and Environmental Protection with concurring approval by the Commissioner of Public Health, after consultation with the local director of health; (7) "municipality" means any metropolitan district, town, consolidated town and city, consolidated town and borough, city, borough, village, fire and sewer district, sewer district and each municipal organization having authority to levy and collect taxes; (8) "operate a sewerage system" means own, use, equip, reequip, repair, maintain, supervise, manage, operate and perform any act pertinent to the collection, transportation and disposal of sewage; (9) "person" means any person, partnership, corporation, limited liability company, association or public agency; (10) "remediation standards" means pollutant limits, performance requirements, design parameters or technical standards for application to existing sewage discharges in a decentralized wastewater management district for the improvement of wastewater treatment to protect public health and the environment; (11) "sewage" means any substance, liquid or solid, which may contaminate or pollute or affect the cleanliness or purity of any water; and (12) "sewerage system" means any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, treating, disposing of or discharging sewage, including, but not limited to, decentralized
systems within a decentralized wastewater management district when such district is established by municipal ordinance pursuant to section 7-247.

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

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

Sec. 3. Section 19a-35a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):
(a) Notwithstanding the provisions of chapter 439 and sections 22a-430 and 22a-430b, not later than July 1, 2021, the Commissioner of Public Health shall, within available appropriations, pursuant to section 19a-36, establish and define categories of discharge that constitute alternative on-site sewage treatment systems with capacities of [five] seven thousand five hundred gallons or less per day. After the establishment of such categories, the commissioner shall have jurisdiction, within available appropriations, to issue or deny permits and approvals for such systems and for all discharges of domestic sewage to the groundwaters of the state from such systems. The commissioner shall, pursuant to section 19a-36, [and within available appropriations,] establish minimum requirements for alternative on-site sewage treatment systems under the commissioner's jurisdiction, including, but not limited to: (1) Requirements related to activities that may occur on the property; (2) changes that may occur to the property or to buildings on the property that may affect the installation or operation of such systems; and (3) procedures for the issuance of permits or approvals by the commissioner, a local director of health, or a sanitarian licensed pursuant to chapter 395. A permit or approval granted by the commissioner, such local director of health or such sanitarian for an alternative on-site sewage treatment system pursuant to this section shall: (A) Not be inconsistent with the requirements of the federal Water Pollution Control Act, 33 USC 1251 et seq., the federal Safe Drinking Water Act, 42 USC 300f et seq., and the standards of water quality adopted pursuant to section 22a-426, as such laws and standards may be amended from time to time, (B) not be construed or deemed to be an approval for any other purpose, including, but not limited to, any planning and zoning or municipal inland wetlands and watercourses requirement, and (C) be in lieu of a permit issued under section 22a-430 or 22a-430b. For purposes of this section, "alternative on-site sewage treatment system" means a sewage treatment system serving one or more buildings on a single parcel of property that utilizes a method of treatment other than a subsurface sewage disposal system and that involves a discharge of domestic
(b) In establishing and defining categories of discharge that constitute alternative on-site sewage treatment systems pursuant to subsection (a) of this section, and in establishing minimum requirements for such systems pursuant to section 19a-36, the commissioner shall consider all relevant factors, including, but not limited to: (1) The impact that such systems or discharges may have individually or cumulatively on public health and the environment, (2) the impact that such systems and discharges may have individually or cumulatively on land use patterns, and (3) recommendations regarding responsible growth made to the commissioner by the Secretary of the Office of Policy and Management through the Office of Responsible Growth established by Executive Order No. 15 of Governor M. Jodi Rell.

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

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

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

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

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

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

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

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

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

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

(7) "Middle housing" includes duplexes, triplexes, quadplexes,
(8) "Cottage cluster" means a grouping of at least four detached housing units per acre, each of which have an area of less than one thousand two hundred square feet, that are located around a common courtyard;

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

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

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

(a) (1) The zoning commission of each city, town or borough is authorized to regulate, within the limits of such municipality: [A] the height, number of stories and size of buildings and other structures; [B] the percentage of the area of the lot that may be occupied; [C] the size of yards, courts and other open spaces; [D] the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, as defined in section 22a-93; [E] the height, size, location, brightness and illumination of advertising signs and billboards. [F] Such bulk regulations may allow for cluster development, as defined in section 8-18] except as provided in subsection (f) of this section.
(2) Such zoning commission may divide the municipality into districts of such number, shape and area as may be best suited to carry out the purposes of this chapter; and, within such districts, it may regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land. All such zoning regulations shall be uniform for each class or kind of buildings, structures or use of land throughout each district, but the regulations in one district may differ from those in another district.

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

(b) Zoning regulations adopted pursuant to subsection (a) of this section shall:

(1) Be made in accordance with a comprehensive plan and in adopting such regulations the commission shall consider

(2) Be designed to (A) lessen congestion in the streets; (B) secure safety from fire, panic, flood and other dangers; (C) promote health and the general welfare; (D) provide adequate light and air; (E) avoid undue concentration of population; (F) facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; and (G) combat discrimination and take other meaningful actions that (i) overcome
patterns of segregation, (ii) replace segregated living patterns with integrated and balanced living patterns, (iii) address significant disparities in housing needs and access to opportunities, and (iv) foster inclusive communities that eliminate barriers restricting access to opportunities based on protected characteristics;

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

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

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

(6) Expressly allow the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the
housing component and the other components of the state plan of
conservation and development prepared pursuant to section 16a-26; [. 
Zoning regulations shall be]

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

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

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

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

(11) Limit parking spaces to one for each studio or one-bedroom 
dwelling unit and two for each dwelling unit with two or more 
bedrooms;
(12) Be made with reasonable consideration for their impact on agriculture, as defined in subsection (q) of section 1-1; [ ]

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

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

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

(c) Zoning regulations adopted pursuant to subsection (a) of this section may:

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

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

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

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

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

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

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

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

(d) Zoning regulations adopted pursuant to subsection (a) of this section shall not:
(1) Prohibit the operation of any family child care home or group child care home in a residential zone; [. No such regulations shall prohibit]

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

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

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

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

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

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

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

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

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

(c) In any municipality where a traprock ridge, as defined in section 8-1aa, or an amphibolite ridge, as defined in section 8-1aa, is located the regulations may provide for development restrictions in ridgeline setback areas, as defined in said section. The regulations may restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (1) Emergency work necessary to protect life and property; (2) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted under this section;
and (3) selective timbering, grazing of domesticated animals and passive recreation.]

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

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

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

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

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

(3) Require a gross area for accessory apartments of up to thirty per
cent of the primary dwelling on the same lot or one thousand two
hundred square feet, whichever is less, except that such regulations may
allow a larger gross area for such apartments;

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

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

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

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

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

(b) The as-of-right permit application and review process for
approval of accessory apartments shall require that a decision on any
such application be rendered not later than sixty-five days after receipt
of such application by the applicable zoning commission, except that an
applicant may consent to one or more extensions of not more than an
additional sixty-five days or may withdraw such application. Such an
application shall be deemed approved for any failure of the zoning
commission to so render a decision during the period set forth in this
subsection or any extension thereof.

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

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

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

Sec. 7. (NEW) (Effective October 1, 2020) (a) Any zoning regulations
adopted pursuant to section 8-2 of the general statutes concerning
middle housing shall:
(1) Designate areas within the municipality in which at least three types of middle housing are allowed, provided such middle housing shall be allowed on each lot in (A) at least fifty per cent of the area within a one-half-mile radius of a transit station, including a rapid transit or commuter rail station or a bus or ferry terminal, and (B) at least fifty per cent of the area within a one-quarter-mile radius of an area of concentrated development, such as a commercial center, an existing residential or commercial district or a village district established pursuant to section 8-2 of the general statutes;

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

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

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

(c) If a municipality fails to adopt new regulations or amend existing regulations that comply with the provisions of this section, any noncompliant existing regulation shall become null and void and such municipality shall approve or deny applications for middle housing in accordance with the requirements for regulations set forth in the provisions of this section until such municipality adopts or amends a regulation in compliance with this section.
(d) A municipality shall not (1) use or impose additional standards beyond those set forth in this section that in any way discourage through unreasonable costs or delays the development of such middle housing, or (2) condition the approval of middle housing on the correction of a nonconforming use.

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

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

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

(c) No fee described in subsection (b) of this section shall exceed two hundred fifty dollars per dwelling unit in the aggregate for all municipal
approvals for any single development project.

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

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

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

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

(4) "Commission" means a zoning commission, planning commission, planning and zoning commission, zoning board of appeals, water pollution control authority, flood control authority, sewer authority, traffic authority or municipal agency exercising zoning, [or] planning, water, flood, sewer or traffic authority but does
not include an inland wetlands agency established pursuant to section 22a-42:

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

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

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

(g) Upon an appeal taken under subsection (f) of this section, the burden shall be on the commission to prove, based upon the evidence in the record compiled before such commission, that the decision from which such appeal is taken and the reasons cited for such decision are supported by sufficient evidence in the record. The commission shall also have the burden to prove, based upon the evidence in the record compiled before such commission, that (1) (A) the decision is necessary to protect substantial public interests in health, safety or other matters which the commission may legally consider; (B) such public interests clearly outweigh the need for affordable housing; and (C) such public interests cannot be protected by reasonable changes to the affordable housing development, or (2) (A) the application which was the subject of the decision from which such appeal was taken would locate affordable housing in an area which is zoned for industrial use and
which does not permit residential uses; and (B) the development is not
assisted housing. If the commission does not satisfy its burden of proof
under this subsection, the court shall wholly or partly revise, modify,
remand or reverse the decision from which the appeal was taken in a
manner consistent with the evidence in the record before it and may
award the person appealing the commission decision under this section
reasonable attorneys' fees and costs.

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

(k) The affordable housing appeals procedure established under this
section shall not be available if the real property which is the subject of
the application is located in a municipality in which at least ten per cent
of all dwelling units in the municipality are (1) assisted housing, (2)
currently financed by Connecticut Housing Finance Authority
mortgages, (3) subject to binding recorded deeds containing covenants
or restrictions which require that such dwelling units be sold or rented
at, or below, prices which will preserve the units as housing for which
persons and families pay thirty per cent or less of income, where such
income is less than or equal to eighty per cent of the median income, (4)
mobile manufactured homes located in mobile manufactured home
parks or legally approved accessory apartments, which homes or
apartments are subject to binding recorded deeds containing covenants
or restrictions which require that such dwelling units be sold or rented
at, or below, prices which will preserve the units as housing for which,
for a period of not less than ten years, persons and families pay thirty
per cent or less of income, where such income is less than or equal to
eighty per cent of the median income, or (5) mobile manufactured
homes located in resident-owned mobile manufactured home parks.
The municipalities meeting the criteria set forth in this subsection shall
be listed in the report submitted under section 8-37qqq. As used in this
subsection, "accessory apartment" means a separate living unit that (A)
is attached to the main living unit of a house, which house has the
external appearance of a single-family residence] is located on the same
lot as a larger primary dwelling unit, (B) has a full kitchen, (C) has a
square footage that is not more than thirty per cent of the total square
footage of the [house, (D) has an internal doorway connecting to the
main living unit of the house, (E)] primary dwelling unit, (D) is not
billed separately from such [main living] primary dwelling unit for
utilities, and [(F)] (E) complies with the building code and health and
safety regulations, and "resident-owned mobile manufactured home
park" means a mobile manufactured home park consisting of mobile
manufactured homes located on land that is deed restricted, and, at the
time of issuance of a loan for the purchase of such land, such loan
required seventy-five per cent of the units to be leased to persons with
incomes equal to or less than eighty per cent of the median income, and
either (i) forty per cent of said seventy-five per cent to be leased to
persons with incomes equal to or less than sixty per cent of the median
income, or (ii) twenty per cent of said seventy-five per cent to be leased
to persons with incomes equal to or less than fifty per cent of the median
income.

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

(6) For the purposes of this subsection, housing unit-equivalent
points shall be determined by the commissioner as follows: (A) No
points shall be awarded for a unit unless its occupancy is restricted to
persons and families whose income is equal to or less than eighty per
cent of the median income, except that unrestricted units in a set-aside
development shall be awarded one-fourth point each. (B) Family units
restricted to persons and families whose income is equal to or less than
eighty per cent of the median income shall be awarded one point if an
ownership unit and one and one-half points if a rental unit. (C) Family
units restricted to persons and families whose income is equal to or less
than sixty per cent of the median income shall be awarded one and one-
half points if an ownership unit and two points if a rental unit. (D)
Family units restricted to persons and families whose income is equal to or less than forty per cent of the median income shall be awarded two points if an ownership unit and two and one-half points if a rental unit. (E) Restricted family units containing at least three bedrooms shall be awarded an additional one-fourth point. (F) Elderly units restricted to persons and families whose income is equal to or less than eighty per cent of the median income shall be awarded one-half point. (G) If at least sixty per cent of the total restricted units submitted by a municipality as part of an application for a certificate of affordable housing project completion are family units, any elderly units submitted within such application shall be awarded an additional one-half point. (H) Restricted family units located within an approved incentive housing development, as defined in section 8-13m, shall be awarded an additional one-fourth point. (I) A set-aside development containing family units which are rental units shall be awarded additional points equal to twenty-two per cent of the total points awarded to such development, provided the application for such development was filed with the commission prior to July 6, 1995. (J) A mobile manufactured home in a resident-owned mobile manufactured home park shall be awarded points as follows: One and one-half points when occupied by persons and families with an income equal to or less than eighty per cent of the median income; two points when occupied by persons and families with an income equal to or less than sixty per cent of the median income; and one-fourth point for the remaining units. (K) An affordable housing development approved by a municipality without the applicant using the affordable housing appeals procedure established under this section or any other judicial appeal shall be awarded additional points equal to twenty per cent of the total points awarded to such development under this subsection.

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

(6) For the purposes of this subsection, housing unit-equivalent
points shall be determined by the commissioner as follows: (A) No
points shall be awarded for a unit unless its occupancy is restricted to
persons and families whose income is equal to or less than eighty per
cent of the median income, except that unrestricted units in a set-aside
development shall be awarded one-fourth point each. (B) Family units
restricted to persons and families whose income is equal to or less than
eighty per cent of the median income shall be awarded one point if an
ownership unit and one and one-half points if a rental unit. (C) Family
units restricted to persons and families whose income is equal to or less
than sixty per cent of the median income shall be awarded one and one-
half points if an ownership unit and two points if a rental unit. (D)
Family units restricted to persons and families whose income is equal to
or less than forty per cent of the median income shall be awarded two
points if an ownership unit and two and one-half points if a rental unit.
(E) Elderly units restricted to persons and families whose income is
equal to or less than eighty per cent of the median income shall be
awarded one-half point. (F) A set-aside development containing family
units which are rental units shall be awarded additional points equal to
twenty-two per cent of the total points awarded to such development,
provided the application for such development was filed with the
commission prior to July 6, 1995. (G) A mobile manufactured home in a
resident-owned mobile manufactured home park shall be awarded
points as follows: One and one-half points when occupied by persons
and families with an income equal to or less than eighty per cent of the
median income; two points when occupied by persons and families with
an income equal to or less than sixty per cent of the median income; and
one-fourth point for the remaining units. An affordable housing
development approved by a municipality without the applicant using
the affordable housing appeals procedure established under this section
or any other judicial appeal shall be awarded additional points equal to
twenty per cent of the total points awarded to such development under
this subsection.

Sec. 16. (NEW) (Effective October 1, 2020) Not later than December 1,
2020, the Commissioner of Transportation shall prepare, develop and adopt criteria for determining the significance of transportation impacts on various construction projects. Such criteria shall promote the reduction of greenhouse gas emissions, the establishment of multimodal transportation networks and a diversity of land uses. In developing such criteria, the commissioner shall recommend potential means by which to measure such transportation impacts, including, but not limited to, actual vehicle miles traveled, vehicle miles traveled per capita, vehicle trip generation rates and automobile trips generated. The commissioner may also prescribe criteria for models used to analyze such transportation impacts to ensure such models are accurate and reliable and further the purposes of this section.

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

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

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

(2) The Commissioner of Housing, or the commissioner's designee;
(3) Two representatives with expertise in fair housing issues or affordable housing advocacy;

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

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

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

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

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

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

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

[(a)] (1) "Area of operation" [includes the municipality in which a housing authority is created under the provisions of this chapter and may include a neighboring municipality, provided the governing body of such neighboring municipality agrees by proper resolution to the extension of the area of operation to include such neighboring municipality] means a municipal area of operation and, if adopted by a housing authority, includes an expanded area of operation.
"Authority" or "housing authority" means any of the public corporations created by section 8-40, and the Connecticut Housing Authority when exercising the rights, powers, duties or privileges of, or subject to the immunities or limitations of, housing authorities pursuant to section 8-121.

"Bonds" means any bonds, including refunding bonds, notes, interim certificates, debentures or other obligations issued by the authority pursuant to this chapter.

"Clerk" means the clerk of the particular city, borough or town for which a particular housing authority is created.

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

"Expanded area of operation" means an area (A) adopted by a housing authority; and (B) designated by the Department of Housing pursuant to section 8-348 as a high or very high opportunity census tract, provided any part of such census tract is located within fifteen miles of the municipality in which the housing authority is located.
"Families of low income" means families who lack the amount of income which is necessary, as determined by the authority undertaking the housing project, to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

"Families of low and moderate income" means families who lack the amount of income which is necessary, as determined by the Commissioner of Housing, to enable them to rent or purchase moderate cost housing without financial assistance as provided by this part and parts II and III of this chapter.

"Family" means a household consisting of one or more persons.

"Federal government" includes the United States of America, the federal emergency administration of public works or any other agency or instrumentality, corporate or otherwise, of the United States of America.

"Governing body" means, for towns having a town council, the council; for other towns, the selectmen; for cities, the common council or other similar body of officials; and for boroughs, the warden and burgesses.

"Housing project" means any work or undertaking to demolish, clear or remove buildings from any slum area, which work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes; or to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for families of low or moderate income, which work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, recreational, commercial or welfare purposes and may include the acquisition and rehabilitation of existing dwelling units or structures to
be used for moderate or low rental units; or [(3)] (C) to accomplish a combination of the [foregoing] purposes listed in subparagraphs (A) and (B) of this subdivision. The term "housing project" also may [be applied to] include the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith and may include the reconstruction, rehabilitation, alteration, or major repair of existing buildings or improvements which were undertaken pursuant to parts II and VI of this chapter.

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

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

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

(16) "Municipal area of operation" includes the municipality in which a housing authority is created under the provisions of this chapter and
may include a neighboring municipality, as provided in section 8-40.

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

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

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

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

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

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

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

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

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

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

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

(u) "Eligible developer" or "developer" means (1) a nonprofit corporation; (2) any business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (3) any partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (4) a housing authority; (5) a family or person approved by the commissioner as qualified to own, construct,
rehabilitate, manage and maintain housing under a mortgage loan made
or insured under an agreement entered into pursuant to the provisions
of this chapter; or (6) a municipal developer.

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

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

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

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

(a) In each municipality of the state there is created a public body
corporate and politic to be known as the "housing authority" of the
municipality; provided such authority shall not transact any business or
exercise its powers [hereunder] under this section until the governing
body of the municipality by resolution declares that there is need for a
housing authority in the municipality, provided it shall find that (1) that insanitary or unsafe inhabited dwelling accommodations exist in the municipality, or (2) that there is a shortage of safe or sanitary dwelling accommodations in the municipality available to families of low income at rentals they can afford, or (3) that there is a shortage of safe or sanitary dwelling accommodations in the municipality available to families of moderate income at rentals they can afford. In determining whether dwelling accommodations are unsafe or insanitary, the governing body may take into consideration the degree of overcrowding, the percentage of land coverage, the light, air, space and access available to the inhabitants of such dwelling accommodations, the size and arrangement of the rooms, the sanitary facilities and the extent to which conditions exist in such buildings which endanger life or property by fire or other causes.

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

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

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

(a) Any housing authority created by section 8-40 shall have the power to establish and maintain a housing authority police force, except that no housing authority shall have the power to establish or
maintain a housing authority police force in an expanded area of
operation. The members of [which] any such police force shall be
employees of such housing authority and shall be known as housing
authority police officers. Housing authority police officers shall be
appointed by the local board, agency or person empowered to appoint
municipal police officers, subject to approval of the housing authority.
The requirements for appointment as a police officer in the municipality
in which the housing authority is located, except for age and physical
qualifications, shall be mandatory for housing authority police officers
in such municipality. No person shall be appointed to such housing
authority police force unless [he] such person has been awarded a
certificate attesting to [his] such person's successful completion of an
approved municipal police basic training program, as provided in
section 7-294e. The initial appointment shall be for a probationary term
upon completion of which the appointing authority may promote such
probationary officers to permanent status; provided such promotion
shall be in accordance with procedures applicable to municipal police
officers in the municipality and shall be made subject to the approval of
the housing authority. Housing authority police officers shall have and
exercise the powers and authority conferred upon municipal police
officers and shall be subject to the ultimate supervision and control of
the chief of police of the municipality in which the housing authority
operates.

(b) Notwithstanding the provisions of subsection (a) of this section,
any housing authority police force which existed prior to October 1,
1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the
Demonstration Cities and Metropolitan Development Act of 1966, and
which, for any reason, does not constitute a housing authority police
force pursuant to subsection (a) of this section, shall constitute a housing
authority police force pursuant to this subsection and the members of
any such police [forces] force may exercise the powers granted to such
members pursuant to this subsection. The members of such police force
may act, at the expense of the municipality, as special police officers
upon property owned or managed by any housing authority. Such special police officers: (1) May arrest, without previous complaint and warrant, any person for any offense in their jurisdiction, when such person is taken or apprehended in the act or on the speedy information of others; (2) when in the immediate pursuit of one who may be arrested under the provisions of this subsection, may pursue such offender outside of their jurisdiction into any part of the municipality to effect an arrest; (3) shall be peace officers as defined in subdivision (9) of section 53a-3; (4) shall have the authority to serve criminal process within their jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color from that worn by the police officers of the municipality; (6) shall, when on duty, wear in plain view a shield, distinct in shape from that worn by the police officers of the municipality which shall bear the words "special police"; (7) shall complete a forty-hour basic training program provided by the municipality within one hundred eighty days of June 27, 1983; and (8) shall take an oath of office.

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

An authority shall have the right to acquire by the exercise of the power of eminent domain any real property that is not located in an expanded area of operation which it deems necessary for its purposes under this chapter after the adoption by [it] such authority of a resolution declaring that the acquisition of such real property described therein in such resolution is necessary for such purposes. An authority, in its own name and at its own expense and cost, may prefer a petition and exercise the power of eminent domain in the manner provided in section 48-12 and acts supplementary thereto, except that a housing authority's power of eminent domain shall not extend to an expanded area of operation. Property already devoted to a public use may be acquired, provided no real property belonging to the municipality, the state or any political subdivision thereof may be acquired without its consent.
Sec. 22. Section 8-45a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

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

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

(29) (A) Sales of and the storage, use or other consumption of tangible personal property acquired for incorporation into or used and
consumed in the operation of housing facilities for low and moderate income families and persons and sales of and the acceptance, use or other consumption of any service described in subdivision (2) of section 12-407 that is used and consumed in the development, construction, rehabilitation, renovation, repair or operation of housing facilities for low and moderate income families and persons, provided such facilities are constructed under the sponsorship of and owned or operated by nonprofit housing organizations or housing authorities, as defined in [subsection (b)] subdivision (2) of section 8-39. The nonprofit housing organization or housing authority sponsoring the construction of or owning or operating such housing facility shall obtain from the commissioner a letter of determination that the housing facility has, to the satisfaction of said commissioner, met all the requirements for exemption under this subsection. At the time of any sale or purchase that is exempt under this subsection, the purchaser shall present to the retailer a copy of the determination letter that was issued to the nonprofit housing organization or housing authority together with a certificate from the purchaser, in such form as the commissioner may prescribe, certifying that the tangible personal property or services that are being purchased from the retailer are to be used or consumed exclusively for the purposes of incorporation into or in the development, construction, rehabilitation, renovation, repair or operation of the housing facility identified in the letter of determination. For the purposes of this subsection, (i) "nonprofit housing organization" means any organization which has as one of its purposes the development, construction, sponsorship or ownership of housing for low and moderate income families as stated in its charter, if it is incorporated, or its constitution or bylaws, if it is unincorporated, and which has received exemption from federal income tax under the provisions of Section 501(c) of the Internal Revenue Code, as amended from time to time, provided the charter of such organization, if it is incorporated, or its constitution or bylaws, if unincorporated, shall contain a provision that no officer, member or employee thereof shall receive or at any future time may receive any pecuniary profit from the
operation thereof, except a reasonable compensation for services in
effecting the purposes of the organization; (ii) "housing facilities" means
facilities having as their primary purpose the provision of safe and
adequate housing and related facilities for low and moderate income
families and persons, notwithstanding that said housing provides other
dwelling accommodations in addition to the primary purpose of
providing dwelling accommodations for low and moderate income
families; (iii) "related facilities" means those facilities defined in
subsection (d) of section 8-243; and (iv) "low and moderate income
families" means those families as defined in subsection (h) of said
section 8-243.

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

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

Upon the incorporation of a successfully negotiated regional fair
housing compact into a regional plan of conservation and development
by a regional planning agency pursuant to section 8-386, the
Commissioner of Housing and the Connecticut Housing Authority may
give priority to any application for financial or technical assistance made
by a municipality, housing authority or eligible developer, as defined in
subsection (u) of section 8-39, in connection with any project located in
a municipality which has approved the regional fair housing compact
pursuant to section 8-386.
Sec. 25. Subsection (i) of section 12-631 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

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

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

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

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

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

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

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

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

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

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

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

(5) "Housing project" means any work or undertaking [(1)] (A) to demolish, clear or remove buildings from any slum area, which work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes;
[(2)] (B) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for elderly persons, which work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, recreational or welfare purposes; [(3)] (C) to provide a continuum of housing comprising independent living accommodations, residential care, intermediate housing facilities and skilled nursing care and facilities with ready access to medical and hospital services; or [(4)] (D) to accomplish a combination of [the foregoing] purposes specified in subparagraphs (A) to (C), inclusive, of this subdivision. The term "housing project" also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith.

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

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

(i) "Obligee of the authority" or "obligee" shall include any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the state government when it is a party to any contract with the authority.
(j) "State public body" means any city, borough, town, municipal corporation, district or other subdivision of the state.]

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

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

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

(n) "Housing partnership" means any partnership, limited partnership, joint venture, trust or association consisting of (1) a housing authority, a nonprofit corporation or both and (2) (A) a business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84, (B) a for-profit partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84 or (C) any combination of the entities included under subparagraphs (A) and (B) of this subdivision.]
Sec. 27. Subsection (a) of section 8-116c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

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

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

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

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

Upon preliminary approval by the State Bond Commission pursuant to the provisions of section 3-20, the state, acting by and through the Commissioner of Housing, may enter into a contract or contracts with
an authority, a municipal developer, a nonprofit corporation or a housing partnership for state financial assistance for a congregate housing project, in the form of capital grants, interim loans, permanent loans, deferred loans or any combination thereof for application to the development cost of such project or projects. A contract with an authority, a municipal developer, a nonprofit corporation or a housing partnership may provide that in the case of any loan made in conjunction with any housing assistance funds provided by an agency of the United States government, if such housing assistance funds terminate prior to complete repayment of a loan made pursuant to this section, the remaining balance of such loan may be converted to a capital grant or decreased loan. Any such state assistance contract with an authority, a municipal developer, a nonprofit corporation or a housing partnership, be renegotiated to provide for a loan or increased loan in the place of a capital grant or loan or a part thereof, consistent with the above conditions. Such capital grants or loans shall be in an amount not in excess of the development cost of the project or projects, including, in the case of grants or loans financed from the proceeds of the state's general obligation bonds issued pursuant to any authorization, allocation or approval of the State Bond Commission made prior to July 1, 1990, administrative or other cost or expense to be incurred by the state in connection therewith, as approved by said commissioner. In anticipation of final payment of such capital grants or loans, the state, acting by and through said commissioner and in accordance with such contract, may make temporary advances to the authority, municipal developer, nonprofit corporation or housing partnership for preliminary planning expense or other development cost of such project or projects. Any loan provided pursuant to this section shall bear interest at a rate to be determined in accordance with subsection (t) of section 3-20. Any such authority, municipal developer,
nonprofit corporation or housing partnership may, subject to the
approval of the Commissioner of Housing, contract with any other
person approved by the Commissioner of Housing for the operation of
a project undertaken pursuant to this part. As used in this section,
"housing partnership" has the same meaning as provided in [subsection
(n) of] section 8-113a.

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

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

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

(a) (1) In any administrative, licensing or other proceeding, and in
any judicial review thereof made available by law, the Attorney
General, any political subdivision of the state, any instrumentality or
agency of the state or of a political subdivision thereof, any person,
partnership, corporation, association, organization or other legal entity
may intervene as a party on the filing of a verified pleading asserting
that the proceeding or action for judicial review involves conduct which
has, or which is reasonably likely to have, the effect of unreasonably
polluting, impairing or destroying the public trust in the air, water or
other natural resources of the state. In the case of an administrative, licensing or other proceeding or judicial review thereof concerning an application for an affordable housing development, as defined in section 8-30g, the proposed intervenor shall allege and prove, and the reviewing authority shall make findings of fact that demonstrate, standing and aggrievement arising from the proposed affordable housing development, in order to obtain intervenor status under this section.

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

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

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