



# Working Draft

General Assembly

February Session, 2020

**Bill No.**

LCO No. 3508

Referred to Committee on

Introduced by:

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

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

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 Section 7-245 of the general statutes is repealed and the  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

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

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

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50 such district is established by municipal ordinance pursuant to section  
51 7-247.)

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

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

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

80 (a) Notwithstanding the provisions of chapter 439 and sections 22a-

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

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

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

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

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

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

143 (1) "Traprock ridge" means Beacon Hill, Saltonstall Mountain,  
144 Totoket Mountain, Pistapaug Mountain, Fowler Mountain, Beseck  
145 Mountain, Higby Mountain, Chauncey Peak, Lamentation Mountain,

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

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

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

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

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

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

173 (7) "Middle housing" includes duplexes, triplexes, quadplexes,  
174 cottage clusters and townhouses;

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

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

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

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

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

204 (2) Such zoning commission may divide the municipality into  
205 districts of such number, shape and area as may be best suited to carry

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206 out the purposes of this chapter; and, within such districts, it may  
207 regulate the erection, construction, reconstruction, alteration or use of  
208 buildings or structures and the use of land. All [such] zoning regulations  
209 shall be uniform for each class or kind of buildings, structures or use of  
210 land throughout each district, but the regulations in one district may  
211 differ from those in another district. [, and]

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

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

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

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



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237 disparities in housing needs and access to opportunities, and (iv) foster  
238 inclusive communities that eliminate barriers restricting access to  
239 opportunities based on protected characteristics;

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

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

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

263 (6) Expressly allow the development of housing which will meet the  
264 housing needs identified in the state's consolidated plan for housing and  
265 community development prepared pursuant to section 8-37t and in the  
266 housing component and the other components of the state plan of  
267 conservation and development prepared pursuant to section 16a-26; [,

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268 Zoning regulations shall be]

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

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

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

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

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

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

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

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

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

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

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

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

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

326 (4) Provide incentives for developers who use [passive] (A) solar and

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

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

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

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

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

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

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

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

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

385 (4) (A) Prohibit the continuance of any nonconforming use, building  
386 or structure existing at the time of the adoption of such regulations; [or]  
387 (B) require a special permit or special exception for any such  
388 continuance; [. Such regulations shall not] (C) provide for the  
389 termination of any nonconforming use solely as a result of nonuse for a

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

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

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

420 (7) Consider, or require calculations for, traffic needs, provided any  
421 such calculation related to vehicle miles traveled, vehicle miles traveled

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422 per capita, vehicle trip generation rates and vehicle trips generated may  
423 be used to (A) reduce the amount of required parking for a  
424 development, or (B) require public sidewalks, bicycle racks or bus  
425 shelters; and

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

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

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

441 (c) In any municipality where a traprock ridge, as defined in section  
442 8-1aa, or an amphibolite ridge, as defined in section 8-1aa, is located the  
443 regulations may provide for development restrictions in ridgeline  
444 setback areas, as defined in said section. The regulations may restrict  
445 quarrying and clear cutting, except that the following operations and  
446 uses shall be permitted in ridgeline setback areas, as of right: (1)  
447 Emergency work necessary to protect life and property; (2) any  
448 nonconforming uses that were in existence and that were approved on  
449 or before the effective date of regulations adopted under this section;  
450 and (3) selective timbering, grazing of domesticated animals and  
451 passive recreation.]

452 [(d)] (f) Any advertising sign or billboard that is not equipped with

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453 the ability to calibrate brightness or illumination shall be exempt from  
454 any municipal ordinance or regulation regulating such brightness or  
455 illumination that is adopted by a city, town or borough, pursuant to  
456 subsection (a) of this section, after the date of installation of such  
457 advertising sign or billboard. [pursuant to subsection (a) of this section.]

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

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

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

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

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



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

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

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

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

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

507 (b) The as-of-right permit application and review process for  
508 approval of accessory apartments shall require that a decision on any  
509 such application be rendered not later than sixty-five days after receipt  
510 of such application by the applicable zoning commission, except that an  
511 applicant may consent to one or more extensions of not more than an  
512 additional sixty-five days or may withdraw such application. Such an  
513 application shall be deemed approved for any failure of the zoning

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514 commission to so render a decision during the period set forth in this  
515 subsection or any extension thereof.

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

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

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

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

541 (1) Designate areas within the municipality in which at least three  
542 types of middle housing are allowed, provided such middle housing  
543 shall be allowed on each lot in (A) at least fifty per cent of the area within  
544 a one-half-mile radius of a transit station, including a rapid transit or

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545 commuter rail station or a bus or ferry terminal, and (B) at least fifty per  
546 cent of the area within a one-quarter-mile radius of an area of  
547 concentrated development, such as a commercial center, an existing  
548 residential or commercial district or a village district established  
549 pursuant to section 8-2 of the general statutes;

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

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

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

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

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

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576 correction of a nonconforming use.

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

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

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

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

604 (d) No municipality may adopt a schedule of fees under subsection  
605 (a) of this section that results in higher fees being charged for (1)  
606 development projects built using the provisions of section 8-30g, or (2)

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607 residential buildings containing four or more dwelling units than for  
608 other residential dwellings, including, but not limited to, higher fees per  
609 dwelling unit, per square footage or per unit of construction cost.]

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

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

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

629 (4) "Commission" means a zoning commission, planning  
630 commission, planning and zoning commission, zoning board of  
631 appeals, water pollution control authority, flood control authority,  
632 sewer authority, traffic authority or municipal agency exercising  
633 zoning, [or] planning, water, flood, sewer or traffic authority but does  
634 not include an inland wetlands agency established pursuant to section  
635 22a-42;

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

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638 1, 2020):

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

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

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

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670 award the person appealing the commission decision under this section  
671 reasonable attorneys' fees and costs.

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

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

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703 billed separately from such [main living] primary dwelling unit for  
704 utilities, and [(F)] (E) complies with the building code and health and  
705 safety regulations, and "resident-owned mobile manufactured home  
706 park" means a mobile manufactured home park consisting of mobile  
707 manufactured homes located on land that is deed restricted, and, at the  
708 time of issuance of a loan for the purchase of such land, such loan  
709 required seventy-five per cent of the units to be leased to persons with  
710 incomes equal to or less than eighty per cent of the median income, and  
711 either (i) forty per cent of said seventy-five per cent to be leased to  
712 persons with incomes equal to or less than sixty per cent of the median  
713 income, or (ii) twenty per cent of said seventy-five per cent to be leased  
714 to persons with incomes equal to or less than fifty per cent of the median  
715 income.]

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

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



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

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

763 (6) For the purposes of this subsection, housing unit-equivalent  
764 points shall be determined by the commissioner as follows: (A) No  
765 points shall be awarded for a unit unless its occupancy is restricted to  
766 persons and families whose income is equal to or less than eighty per  
767 cent of the median income, except that unrestricted units in a set-aside  
768 development shall be awarded one-fourth point each. (B) Family units

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769 restricted to persons and families whose income is equal to or less than  
770 eighty per cent of the median income shall be awarded one point if an  
771 ownership unit and one and one-half points if a rental unit. (C) Family  
772 units restricted to persons and families whose income is equal to or less  
773 than sixty per cent of the median income shall be awarded one and one-  
774 half points if an ownership unit and two points if a rental unit. (D)  
775 Family units restricted to persons and families whose income is equal to  
776 or less than forty per cent of the median income shall be awarded two  
777 points if an ownership unit and two and one-half points if a rental unit.  
778 (E) Elderly units restricted to persons and families whose income is  
779 equal to or less than eighty per cent of the median income shall be  
780 awarded one-half point. (F) A set-aside development containing family  
781 units which are rental units shall be awarded additional points equal to  
782 twenty-two per cent of the total points awarded to such development,  
783 provided the application for such development was filed with the  
784 commission prior to July 6, 1995. (G) A mobile manufactured home in a  
785 resident-owned mobile manufactured home park shall be awarded  
786 points as follows: One and one-half points when occupied by persons  
787 and families with an income equal to or less than eighty per cent of the  
788 median income; two points when occupied by persons and families with  
789 an income equal to or less than sixty per cent of the median income; and  
790 one-fourth point for the remaining units. An affordable housing  
791 development approved by a municipality without the applicant using  
792 the affordable housing appeals procedure established under this section  
793 or any other judicial appeal shall be awarded additional points equal to  
794 twenty per cent of the total points awarded to such development under  
795 this subsection.

796 Sec. 16. (NEW) (*Effective October 1, 2020*) Not later than December 1,  
797 2020, the Commissioner of Transportation shall prepare, develop and  
798 adopt criteria for determining the significance of transportation impacts  
799 on various construction projects. Such criteria shall promote the  
800 reduction of greenhouse gas emissions, the establishment of multimodal  
801 transportation networks and a diversity of land uses. In developing

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802 such criteria, the commissioner shall recommend potential means by  
803 which to measure such transportation impacts, including, but not  
804 limited to, actual vehicle miles traveled, vehicle miles traveled per  
805 capita, vehicle trip generation rates and automobile trips generated. The  
806 commissioner may also prescribe criteria for models used to analyze  
807 such transportation impacts to ensure such models are accurate and  
808 reliable and further the purposes of this section.

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

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

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

827       (2) Two representatives with expertise in fair housing issues or  
828 affordable housing advocacy;

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

830       (4) Two representatives with expertise in architecture or design;

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831 (5) One representative of a municipal advocacy organization; and

832 (6) One representative with expertise in the housing construction  
833 trade.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

905        [(i)] (12) "Housing project" means any work or undertaking [(1)] (A)  
906        to demolish, clear or remove buildings from any slum area, which work  
907        or undertaking may embrace the adaptation of such area to public  
908        purposes, including parks or other recreational or community purposes;  
909        [or (2)] (B) to provide decent, safe and sanitary urban or rural dwellings,  
910        apartments or other living accommodations for families of low or  
911        moderate income, which work or undertaking may include buildings,  
912        land, equipment, facilities and other real or personal property for  
913        necessary, convenient or desirable appurtenances, streets, sewers, water  
914        service, parks, site preparation, gardening, administrative, community,  
915        recreational, commercial or welfare purposes and may include the  
916        acquisition and rehabilitation of existing dwelling units or structures to  
917        be used for moderate or low rental units; or [(3)] (C) to accomplish a  
918        combination of the [foregoing] purposes listed in subparagraphs (A)  
919        and (B) of this subdivision. The term "housing project" also may [be  
920        applied to] include the planning of the buildings and improvements, the  
921        acquisition of property, the demolition of existing structures, the

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922 construction, reconstruction, alteration and repair of the improvements  
923 and all other work in connection therewith and may include the  
924 reconstruction, rehabilitation, alteration, or major repair of existing  
925 buildings or improvements which were undertaken pursuant to parts II  
926 and VI of this chapter.

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

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

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

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

949 (17) "Municipal developer" means a municipality, which has not  
950 declared by resolution a need for a housing authority pursuant to  
951 section 8-40, acting by and through its legislative body, except that in  
952 any town in which a town meeting or representative town meeting is

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953 the legislative body, "municipal developer" means the board of  
954 selectmen if such board is authorized to act as the municipal developer  
955 by the town meeting or representative town meeting.

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

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

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

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

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

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

981 [(q)] (24) "Slum" means any area where dwellings predominate



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982 which, by reason of dilapidation, overcrowding, faulty arrangement or  
983 design, lack of ventilation, light or sanitary facilities, or any combination  
984 of these factors, are detrimental to safety, health and morals.

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

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

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

995 (u) "Eligible developer" or "developer" means (1) a nonprofit  
996 corporation; (2) any business corporation incorporated pursuant to  
997 chapter 601 or any predecessor statutes thereto, having as one of its  
998 purposes the construction, rehabilitation, ownership or operation of  
999 housing, and having articles of incorporation approved by the  
1000 commissioner in accordance with regulations adopted pursuant to  
1001 section 8-79a or 8-84; (3) any partnership, limited partnership, joint  
1002 venture, trust, limited liability company or association having as one of  
1003 its purposes the construction, rehabilitation, ownership or operation of  
1004 housing, and having basic documents of organization approved by the  
1005 commissioner in accordance with regulations adopted pursuant to  
1006 section 8-79a or 8-84; (4) a housing authority; (5) a family or person  
1007 approved by the commissioner as qualified to own, construct,  
1008 rehabilitate, manage and maintain housing under a mortgage loan made  
1009 or insured under an agreement entered into pursuant to the provisions  
1010 of this chapter; or (6) a municipal developer.

1011 (v) "Mortgage" means a mortgage deed, deed of trust, or other  
1012 instrument which shall constitute a lien, whether first or second, on real

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1013 estate or on a leasehold under a lease having a remaining term, at the  
1014 time such mortgage is acquired, which does not expire for at least that  
1015 number of years beyond the maturity date of the obligation secured by  
1016 such mortgage as is equal to the number of years remaining until the  
1017 maturity date of such obligation.

1018 (w) "Nonprofit corporation" means a nonprofit corporation  
1019 incorporated pursuant to chapter 602 or any predecessor statutes  
1020 thereto, having as one of its purposes the construction, rehabilitation,  
1021 ownership or operation of housing and having articles of incorporation  
1022 approved by the Commissioner of Housing in accordance with  
1023 regulations adopted pursuant to section 8-79a or 8-84.

1024 (x) "Municipal developer" means a municipality, as defined in  
1025 subsection (l) of this section, which has not declared by resolution a need  
1026 for a housing authority pursuant to section 8-40, acting by and through  
1027 its legislative body, except that in any town in which a town meeting or  
1028 representative town meeting is the legislative body, "municipal  
1029 developer" means the board of selectmen if such board is authorized to  
1030 act as the municipal developer by the town meeting or representative  
1031 town meeting.]

1032 Sec. 19. Section 8-40 of the general statutes is repealed and the  
1033 following is substituted in lieu thereof (*Effective October 1, 2020*):

1034 (a) In each municipality of the state there is created a public body  
1035 corporate and politic to be known as the "housing authority" of the  
1036 municipality; provided such authority shall not transact any business or  
1037 exercise its powers [hereunder] under this section until the governing  
1038 body of the municipality by resolution declares that there is need for a  
1039 housing authority in the municipality, provided it shall find that (1)  
1040 [that] insanitary or unsafe inhabited dwelling accommodations exist in  
1041 the municipality, [or] (2) [that] there is a shortage of safe or sanitary  
1042 dwelling accommodations in the municipality available to families of  
1043 low income at rentals they can afford, or (3) [that] there is a shortage of

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1044 safe or sanitary dwelling accommodations in the municipality available  
1045 to families of moderate income at rentals they can afford. In determining  
1046 whether dwelling accommodations are unsafe or insanitary, [said] such  
1047 governing body may take into consideration the degree of  
1048 overcrowding, the percentage of land coverage, the light, air, space and  
1049 access available to the inhabitants of such dwelling accommodations,  
1050 the size and arrangement of the rooms, the sanitary facilities and the  
1051 extent to which conditions exist in such buildings which endanger life  
1052 or property by fire or other causes.

1053 (b) The governing bodies of two or more municipalities may create a  
1054 regional housing authority, which shall have all the powers, duties and  
1055 responsibilities conferred upon housing authorities by this chapter and  
1056 chapter 130. The area of operation of such authority shall include the  
1057 municipalities for which such authority is created, provided, in the case  
1058 of a municipal area of operation that includes a neighboring  
1059 municipality, the neighboring municipality agrees by proper resolution  
1060 to the expansion of the area of operation to include such neighboring  
1061 municipality. Such authority shall act through a board of commissioners  
1062 composed of two representatives from each municipality appointed for  
1063 terms of four years in the manner provided in section 8-41.

1064 (c) Any housing authority may adopt an expanded area of operation.

1065 Sec. 20. Section 8-44b of the general statutes is repealed and the  
1066 following is substituted in lieu thereof (*Effective October 1, 2020*):

1067 (a) Any housing authority created by section 8-40 shall have the  
1068 power to establish and maintain a housing authority police force, [the]  
1069 except that no housing authority shall have the power to establish or  
1070 maintain a housing authority police force in an expanded area of  
1071 operation. The members of [which] any such police force shall be  
1072 employees of such housing authority and shall be known as housing  
1073 authority police officers. Housing authority police officers shall be  
1074 appointed by the local board, agency or person empowered to appoint

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

1093 (b) Notwithstanding the provisions of subsection (a) of this section,  
1094 any housing authority police force which existed prior to October 1,  
1095 1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the  
1096 Demonstration Cities and Metropolitan Development Act of 1966, and  
1097 which, for any reason, does not constitute a housing authority police  
1098 force pursuant to subsection (a) of this section, shall constitute a housing  
1099 authority police force pursuant to this subsection and the members of  
1100 any such police [~~forces~~] force may exercise the powers granted to such  
1101 members pursuant to this subsection. The members of such police force  
1102 may act, at the expense of the municipality, as special police officers  
1103 upon property owned or managed by any housing authority. Such  
1104 special police officers: (1) May arrest, without previous complaint and  
1105 warrant, any person for any offense in their jurisdiction, when such  
1106 person is taken or apprehended in the act or on the speedy information  
1107 of others; (2) when in the immediate pursuit of one who may be arrested

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1108 under the provisions of this subsection, may pursue such offender  
1109 outside of their jurisdiction into any part of the municipality to effect an  
1110 arrest; (3) shall be peace officers as defined in subdivision (9) of section  
1111 53a-3; (4) shall have the authority to serve criminal process within their  
1112 jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color  
1113 from that worn by the police officers of the municipality; (6) shall, when  
1114 on duty, wear in plain view a shield, distinct in shape from that worn  
1115 by the police officers of the municipality which shall bear the words  
1116 "special police"; (7) shall complete a forty-hour basic training program  
1117 provided by the municipality within one hundred eighty days of June  
1118 27, 1983; and (8) shall take an oath of office.]

1119 Sec. 21. Section 8-50 of the general statutes is repealed and the  
1120 following is substituted in lieu thereof (*Effective October 1, 2020*):

1121 [An authority shall have the right to acquire by the exercise of the  
1122 power of eminent domain any real property that is not located in an  
1123 expanded area of operation which it deems necessary for its purposes  
1124 under this chapter after the adoption by [it] such authority of a  
1125 resolution declaring that the acquisition of such real property described  
1126 [therein] in such resolution is necessary for such purposes. An authority,  
1127 in its own name and at its own expense and cost, may prefer a petition  
1128 and exercise the power of eminent domain in the manner provided in  
1129 section 48-12 and acts supplementary thereto, except that a housing  
1130 authority's power of eminent domain shall not extend to an expanded  
1131 area of operation. Property already devoted to a public use may be  
1132 acquired, provided no real property belonging to the municipality, the  
1133 state or any political subdivision thereof may be acquired without its  
1134 consent.]

1135 Sec. 22. Section 8-45a of the general statutes is repealed and the  
1136 following is substituted in lieu thereof (*Effective October 1, 2020*):

1137 [A housing authority, as defined in [subsection (b) of] section 8-39, in  
1138 determining eligibility for the rental of public housing units may

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

1162 Sec. 23. Subdivision (29) of section 12-412 of the 2020 supplement to  
1163 the general statutes is repealed and the following is substituted in lieu  
1164 thereof (*Effective October 1, 2020*):

1165 (29) (A) Sales of and the storage, use or other consumption of tangible  
1166 personal property acquired for incorporation into or used and  
1167 consumed in the operation of housing facilities for low and moderate  
1168 income families and persons and sales of and the acceptance, use or  
1169 other consumption of any service described in subdivision (2) of section  
1170 12-407 that is used and consumed in the development, construction,  
1171 rehabilitation, renovation, repair or operation of housing facilities for

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1172 low and moderate income families and persons, provided such facilities  
1173 are constructed under the sponsorship of and owned or operated by  
1174 nonprofit housing organizations or housing authorities, as defined in  
1175 [subsection (b)] subdivision (2) of section 8-39. The nonprofit housing  
1176 organization or housing authority sponsoring the construction of or  
1177 owning or operating such housing facility shall obtain from the  
1178 commissioner a letter of determination that the housing facility has, to  
1179 the satisfaction of said commissioner, met all the requirements for  
1180 exemption under this subsection. At the time of any sale or purchase  
1181 that is exempt under this subsection, the purchaser shall present to the  
1182 retailer a copy of the determination letter that was issued to the  
1183 nonprofit housing organization or housing authority together with a  
1184 certificate from the purchaser, in such form as the commissioner may  
1185 prescribe, certifying that the tangible personal property or services that  
1186 are being purchased from the retailer are to be used or consumed  
1187 exclusively for the purposes of incorporation into or in the  
1188 development, construction, rehabilitation, renovation, repair or  
1189 operation of the housing facility identified in the letter of determination.  
1190 For the purposes of this subsection, (i) "nonprofit housing organization"  
1191 means any organization which has as one of its purposes the  
1192 development, construction, sponsorship or ownership of housing for  
1193 low and moderate income families as stated in its charter, if it is  
1194 incorporated, or its constitution or bylaws, if it is unincorporated, and  
1195 which has received exemption from federal income tax under the  
1196 provisions of Section 501(c) of the Internal Revenue Code, as amended  
1197 from time to time, provided the charter of such organization, if it is  
1198 incorporated, or its constitution or bylaws, if unincorporated, shall  
1199 contain a provision that no officer, member or employee thereof shall  
1200 receive or at any future time may receive any pecuniary profit from the  
1201 operation thereof, except a reasonable compensation for services in  
1202 effecting the purposes of the organization; (ii) "housing facilities" means  
1203 facilities having as their primary purpose the provision of safe and  
1204 adequate housing and related facilities for low and moderate income  
1205 families and persons, notwithstanding that said housing provides other

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1206 dwelling accommodations in addition to the primary purpose of  
1207 providing dwelling accommodations for low and moderate income  
1208 families; (iii) "related facilities" means those facilities defined in  
1209 subsection (d) of section 8-243; and (iv) "low and moderate income  
1210 families" means those families as defined in subsection (h) of said  
1211 section 8-243.

1212 (B) Sales of and the acceptance, use or other consumption of any  
1213 service described in subdivision (2) of section 12-407 that is used or  
1214 consumed in the development, construction, renovation or operation of  
1215 housing facilities for low and moderate income families and persons,  
1216 provided such facilities are owned or sponsored by a mutual housing  
1217 association, as defined in subsection (b) of section 8-214f, and operated  
1218 as mutual housing by such association at a location that was conveyed  
1219 to such association by the United States Secretary of Housing and Urban  
1220 Development prior to September 1, 1995.]

1221 Sec. 24. Section 8-389 of the general statutes is repealed and the  
1222 following is substituted in lieu thereof (*Effective October 1, 2020*):

1223 [Upon the incorporation of a successfully negotiated regional fair  
1224 housing compact into a regional plan of conservation and development  
1225 by a regional planning agency pursuant to section 8-386, the  
1226 Commissioner of Housing and the Connecticut Housing Authority may  
1227 give priority to any application for financial or technical assistance made  
1228 by a municipality, housing authority or eligible developer, as defined in  
1229 [subsection (u) of] section 8-39, in connection with any project located in  
1230 a municipality which has approved the regional fair housing compact  
1231 pursuant to section 8-386.]

1232 Sec. 25. Subsection (i) of section 12-631 of the general statutes is  
1233 repealed and the following is substituted in lieu thereof (*Effective October*  
1234 *1, 2020*):

1235 (i) "Families of low and moderate income" means families meeting  
1236 the criteria for designation as families of low and moderate income



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1237 established by the Commissioner of Housing pursuant to [subsection  
1238 (f)] subdivision (8) of section 8-39.]

1239 Sec. 26. Section 8-113a of the general statutes is repealed and the  
1240 following is substituted in lieu thereof (*Effective October 1, 2020*):

1241 [The following terms, wherever used or referred to in this part, [shall]  
1242 have the following respective meanings, unless a different meaning  
1243 clearly appears from the context:

1244 [(a)] (1) "Authority" or "housing authority" means any of the public  
1245 corporations created by section 8-40.

1246 [(b)] "Municipality" means any city, borough or town. "The  
1247 municipality" means the particular municipality for which a particular  
1248 housing authority is created.

1249 (c) "Governing body" means, for towns having a town council, the  
1250 council; for other towns, the selectmen; for cities, the common council  
1251 or other similar body of officials; and for boroughs, the warden and  
1252 burgesses.

1253 (d) "Mayor" means, for cities, the mayor, and, for boroughs, the  
1254 warden. "Clerk" means the clerk of the particular city, borough or town  
1255 for which a particular housing authority is created.

1256 (e) "Area of operation" shall include the municipality in which a  
1257 housing authority is created under the provisions of this chapter, and  
1258 may include a neighboring municipality, provided the governing body  
1259 of such neighboring municipality shall agree by proper resolution to the  
1260 extension of the area of operation to include such neighboring  
1261 municipality.]

1262 (2) "Bonds" means any bonds, notes, interim certificates, certificates  
1263 of indebtedness, debentures or other obligations issued by the authority  
1264 pursuant to this chapter.

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1265 (3) "Elderly persons" means persons sixty-two years of age and over  
1266 who lack the amount of income which is necessary, as determined by  
1267 the authority or nonprofit corporation, subject to approval by the  
1268 Commissioner of Housing, to enable them to live in decent, safe and  
1269 sanitary dwellings without financial assistance as provided under this  
1270 part, or persons who have been certified by the Social Security Board as  
1271 being totally disabled under the federal Social Security Act or certified  
1272 by any other federal board or agency as being totally disabled.

1273 (4) "Housing partnership" means any partnership, limited  
1274 partnership, joint venture, trust or association consisting of (A) a  
1275 housing authority, a nonprofit corporation or both, and (B) (i) a business  
1276 corporation incorporated pursuant to chapter 601 or any predecessor  
1277 statutes thereto, having as one of its purposes the construction,  
1278 rehabilitation, ownership or operation of housing, and having articles of  
1279 incorporation approved by the commissioner in accordance with  
1280 regulations adopted pursuant to section 8-79a or 8-84, (ii) a for-profit  
1281 partnership, limited partnership, joint venture, trust, limited liability  
1282 company or association having as one of its purposes the construction,  
1283 rehabilitation, ownership or operation of housing, and having basic  
1284 documents of organization approved by the commissioner in  
1285 accordance with regulations adopted pursuant to section 8-79a or 8-84,  
1286 or (iii) any combination of the entities included under subparagraphs  
1287 (B)(i) and (B)(ii) of this subdivision.

1288 [(f)] (5) "Housing project" means any work or undertaking [(1)] (A) to  
1289 demolish, clear or remove buildings from any slum area, which work or  
1290 undertaking may embrace the adaptation of such area to public  
1291 purposes, including parks or other recreational or community purposes;  
1292 [(2)] (B) to provide decent, safe and sanitary urban or rural dwellings,  
1293 apartments or other living accommodations for elderly persons, which  
1294 work or undertaking may include buildings, land, equipment, facilities  
1295 and other real or personal property for necessary, convenient or  
1296 desirable appurtenances, streets, sewers, water service, parks, site  
1297 preparation, gardening, administrative, community, recreational or

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1298 welfare purposes; ~~[(3)] (C)~~ to provide a continuum of housing  
1299 comprising independent living accommodations, residential care,  
1300 intermediate housing facilities and skilled nursing care and facilities  
1301 with ready access to medical and hospital services; or ~~[(4)] (D)~~ to  
1302 accomplish a combination of [the foregoing] purposes specified in  
1303 subparagraphs (A) to (C), inclusive, of this subdivision. The term  
1304 "housing project" also may be applied to the planning of the buildings  
1305 and improvements, the acquisition of property, the demolition of  
1306 existing structures, the construction, reconstruction, alteration and  
1307 repair of the improvements and all other work in connection therewith.

1308 [(g) "Bonds" means any bonds, notes, interim certificates, certificates  
1309 of indebtedness, debentures or other obligations issued by the authority  
1310 pursuant to this chapter.

1311 (h) "Real property" shall include all lands, including improvements  
1312 and fixtures thereon, and property of any nature appurtenant thereto,  
1313 or used in connection therewith, and every estate, interest and right,  
1314 legal or equitable, therein, including terms for years and liens by way of  
1315 judgment, mortgage or otherwise and the indebtedness secured by such  
1316 liens.

1317 (i) "Obligee of the authority" or "obligee" shall include any  
1318 bondholder, trustee or trustees for any bondholders, or lessor demising  
1319 to the authority property used in connection with a housing project, or  
1320 any assignee or assignees of such lessor's interest or any part thereof,  
1321 and the state government when it is a party to any contract with the  
1322 authority.

1323 (j) "State public body" means any city, borough, town, municipal  
1324 corporation, district or other subdivision of the state.]

1325 ~~[(k)] (6)~~ "Rent" means the entire amount paid to a local authority,  
1326 nonprofit corporation or housing partnership for any dwelling unit.

1327 ~~[(l)] (7)~~ "Shelter rent" means "rent" as defined [herein] in this section.

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1328 less any charges made by a local authority, nonprofit corporation or  
1329 housing partnership for water, heat, gas, electricity and sewer use  
1330 charges.

1331 [(m) "Elderly persons" means persons sixty-two years of age and over  
1332 who lack the amount of income which is necessary, as determined by  
1333 the authority or nonprofit corporation, subject to approval by the  
1334 Commissioner of Housing, to enable them to live in decent, safe and  
1335 sanitary dwellings without financial assistance as provided under this  
1336 part, or persons who have been certified by the Social Security Board as  
1337 being totally disabled under the federal Social Security Act or certified  
1338 by any other federal board or agency as being totally disabled.]

1339 (n) "Housing partnership" means any partnership, limited  
1340 partnership, joint venture, trust or association consisting of (1) a housing  
1341 authority, a nonprofit corporation or both and (2) (A) a business  
1342 corporation incorporated pursuant to chapter 601 or any predecessor  
1343 statutes thereto, having as one of its purposes the construction,  
1344 rehabilitation, ownership or operation of housing, and having articles of  
1345 incorporation approved by the commissioner in accordance with  
1346 regulations adopted pursuant to section 8-79a or 8-84, (B) a for-profit  
1347 partnership, limited partnership, joint venture, trust, limited liability  
1348 company or association having as one of its purposes the construction,  
1349 rehabilitation, ownership or operation of housing, and having basic  
1350 documents of organization approved by the commissioner in  
1351 accordance with regulations adopted pursuant to section 8-79a or 8-84  
1352 or (C) any combination of the entities included under subparagraphs  
1353 (A) and (B) of this subdivision.]]

1354 Sec. 27. Subsection (a) of section 8-116c of the general statutes is  
1355 repealed and the following is substituted in lieu thereof (*Effective October*  
1356 *1, 2020*):

1357 (a) An elderly person [, as defined in subsection (m) of section 8-113a,]  
1358 shall not be eligible to move into a housing project [, as defined in

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1359 subsection (f) of section 8-113a,] if the person (1) is currently using illegal  
1360 drugs, (2) is currently abusing alcohol and has a recent history of  
1361 disruptive or dangerous behavior and whose tenancy (A) would  
1362 constitute a direct threat to the health or safety of another individual or  
1363 (B) would result in substantial physical damage to the property of  
1364 another, (3) has a recent history of disruptive or dangerous behavior and  
1365 whose tenancy (A) would constitute a direct threat to the health and  
1366 safety of another individual or (B) would result in substantial physical  
1367 damage to the property of another, or (4) was convicted of the illegal  
1368 sale or possession of a controlled substance, as defined in section 21a-  
1369 240, within the prior twenty-four-month period.]

1370 Sec. 28. Section 8-116d of the general statutes is repealed and the  
1371 following is substituted in lieu thereof (*Effective October 1, 2020*):

1372 [Any elderly person [, as defined in subsection (m) of section 8-113a,]  
1373 who applies for and is accepted for admission to a housing project  
1374 pursuant to this part or part VII of this chapter or pursuant to any other  
1375 state or federal housing assistance program may terminate the lease or  
1376 rental agreement for the dwelling unit that he or she occupies at the time  
1377 of such acceptance, without the penalty or liability for the remaining  
1378 term of the lease or rental agreement, upon giving thirty days' written  
1379 notice to the landlord of such dwelling unit.]

1380 Sec. 29. Section 8-119h of the general statutes is repealed and the  
1381 following is substituted in lieu thereof (*Effective October 1, 2020*):

1382 [Upon preliminary approval by the State Bond Commission pursuant  
1383 to the provisions of section 3-20, the state, acting by and through the  
1384 Commissioner of Housing, may enter into a contract or contracts with  
1385 an authority, a municipal developer, a nonprofit corporation or a  
1386 housing partnership for state financial assistance for a congregate  
1387 housing project, in the form of capital grants, interim loans, permanent  
1388 loans, deferred loans or any combination thereof for application to the  
1389 development cost of such project or projects. A contract with an

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1390 authority, a municipal developer, a nonprofit corporation or a housing  
1391 partnership may provide that in the case of any loan made in  
1392 conjunction with any housing assistance funds provided by an agency  
1393 of the United States government, if such housing assistance funds  
1394 terminate prior to complete repayment of a loan made pursuant to this  
1395 section, the remaining balance of such loan may be converted to a capital  
1396 grant or decreased loan. Any such state assistance contract with an  
1397 authority, a municipal developer, a nonprofit corporation or a housing  
1398 partnership for a capital grant or loan entered into prior to the time  
1399 housing assistance funds became available from an agency of the United  
1400 States government, may, upon the mutual consent of the commissioner  
1401 and the authority, municipal developer, nonprofit corporation or  
1402 housing partnership, be renegotiated to provide for a loan or increased  
1403 loan in the place of a capital grant or loan or a part thereof, consistent  
1404 with the above conditions. Such capital grants or loans shall be in an  
1405 amount not in excess of the development cost of the project or projects,  
1406 including, in the case of grants or loans financed from the proceeds of  
1407 the state's general obligation bonds issued pursuant to any  
1408 authorization, allocation or approval of the State Bond Commission  
1409 made prior to July 1, 1990, administrative or other cost or expense to be  
1410 incurred by the state in connection therewith, as approved by said  
1411 commissioner. In anticipation of final payment of such capital grants or  
1412 loans, the state, acting by and through said commissioner and in  
1413 accordance with such contract, may make temporary advances to the  
1414 authority, municipal developer, nonprofit corporation or housing  
1415 partnership for preliminary planning expense or other development  
1416 cost of such project or projects. Any loan provided pursuant to this  
1417 section shall bear interest at a rate to be determined in accordance with  
1418 subsection (t) of section 3-20. Any such authority, municipal developer,  
1419 nonprofit corporation or housing partnership may, subject to the  
1420 approval of the Commissioner of Housing, contract with any other  
1421 person approved by the Commissioner of Housing for the operation of  
1422 a project undertaken pursuant to this part. As used in this section,  
1423 "housing partnership" has the same meaning as provided in [subsection

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1424 (n) of] section 8-113a.)

1425 Sec. 30. Section 8-119l of the general statutes is repealed and the  
1426 following is substituted in lieu thereof (*Effective October 1, 2020*):

1427 The state, acting by and through the Commissioner of Housing, may  
1428 enter into a contract or contracts with an authority, a municipal  
1429 developer, a nonprofit corporation or a housing partnership for state  
1430 financial assistance in the form of a grant-in-aid for an operating cost  
1431 subsidy for state-financed congregate housing projects developed  
1432 pursuant to this part. In calculating the amount of the grant-in-aid, the  
1433 commissioner shall use adjusted gross income of tenants. As used in this  
1434 section, "adjusted gross income" means annual aggregate income from  
1435 all sources minus fifty per cent of all unreimbursable medical expenses.  
1436 As used in this section, "housing partnership" has the same meaning as  
1437 provided in [subsection (n) of] section 8-113a.

1438 Sec. 31. Subdivision (1) of subsection (a) of section 22a-19 of the  
1439 general statutes is repealed and the following is substituted in lieu  
1440 thereof (*Effective October 1, 2020*):

1441 (a) (1) In any administrative, licensing or other proceeding, and in  
1442 any judicial review thereof made available by law, the Attorney  
1443 General, any political subdivision of the state, any instrumentality or  
1444 agency of the state or of a political subdivision thereof, any person,  
1445 partnership, corporation, association, organization or other legal entity  
1446 may intervene as a party on the filing of a verified pleading asserting  
1447 that the proceeding or action for judicial review involves conduct which  
1448 has, or which is reasonably likely to have, the effect of unreasonably  
1449 polluting, impairing or destroying the public trust in the air, water or  
1450 other natural resources of the state. In the case of an administrative,  
1451 licensing or other proceeding or judicial review thereof concerning an  
1452 application for an affordable housing development, as defined in  
1453 section 8-30g, the proposed intervenor shall allege and prove, and the  
1454 reviewing authority shall make findings of fact that demonstrate,

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1455 standing and aggrievement arising from the proposed affordable  
1456 housing development, in order to obtain intervenor status under this  
1457 section.

1458 Sec. 32. (NEW) (*Effective October 1, 2020*) Beginning January 1, 2021,  
1459 and annually thereafter, any member of a zoning, planning or planning  
1460 and zoning commission, zoning board of appeals or inland wetlands  
1461 agency who serves on such commission, board or agency for more than  
1462 six months in a calendar year shall complete not less than four hours of  
1463 training in Connecticut land use and planning law during such calendar  
1464 year. Not less than two hours of such training shall consist of topics  
1465 related to affordable and fair housing policies. The Office of Policy and  
1466 Management shall establish guidelines for such training. Not later than  
1467 February 1, 2022, and annually thereafter, each municipality in which  
1468 such commission, board or agency is located shall verify the compliance  
1469 by each member of such commission, board or agency with the  
1470 requirements of this section in a form and manner prescribed by the  
1471 Office of Policy and Management.

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

Section 1	<i>October 1, 2020</i>	7-245
Sec. 2	<i>October 1, 2020</i>	7-246(b)
Sec. 3	<i>October 1, 2020</i>	19a-35a
Sec. 4	<i>October 1, 2020</i>	8-1aa
Sec. 5	<i>October 1, 2020</i>	8-2
Sec. 6	<i>October 1, 2020</i>	New section
Sec. 7	<i>October 1, 2020</i>	New section
Sec. 8	<i>October 1, 2020</i>	8-1c
Sec. 9	<i>October 1, 2020</i>	8-1bb(j)
Sec. 10	<i>October 1, 2020</i>	8-30g(a)(4)
Sec. 11	<i>October 1, 2020</i>	8-30g(c)
Sec. 12	<i>October 1, 2020</i>	8-30g(g)
Sec. 13	<i>October 1, 2020</i>	8-30g(k)
Sec. 14	<i>October 1, 2020</i>	8-30g(l)(6)
Sec. 15	<i>October 1, 2022</i>	8-30g(6)



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