

2023 Legislative Wrap-up

CT Council of Small Towns



Connecticut Council of Small Towns (COST)
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INTRODUCTION

COST's 2023 Legislative Wrap-up is designed to provide municipal officials and associate members with information on new state laws affecting municipalities. It is compiled from public act summaries and reports prepared by the Office of Legislative Research and the Office of Fiscal Analysis. The complete text of public acts and related documents may be accessed at cga.ct.gov or by contacting COST at 860-676-0770.



This year, COST testified on more than 100 bills affecting the state's small towns and cities. We also met with key lawmakers throughout the legislative process to ensure that COST's concerns were heard and adequately addressed.

As a grassroots advocacy organization, COST relies on our municipal leaders to reach out to their legislators and let them know how pending bills may affect local budgets, property taxes, and their communities. COST also maintains a full-time presence at the state Capitol.

Working together, we have been successful in addressing the critical issues facing the state's small towns and cities. With your ongoing support, which is greatly appreciated, COST is well-positioned to continue to be a strong voice for small towns at the state Capitol.

Thank you.

Very truly yours,

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BUDGET

PA 23-204 (HB-6941), the Budget, includes funding for municipal aid:

Education Equalization Grants (ECS):

- Increases funding by approximately \$54.6 million in FY24 and \$109.1 million in FY25 over current funding levels.
- Accelerates the phase-in of changes to the ECS formula in FY25 to address concerns regarding municipalities that have been historically “underfunded”, providing an additional \$68.5 million in ECS funding for FY25.
- Accelerates efforts to fully fund ECS which will provide municipalities with their full grant in FY 26, two years earlier.
- Provides funding to hold towns harmless from reductions due to the phased implementation of changes to the ECS formula and ensures they will receive funding at FY23 levels.

Excess Cost Grants (Special Education): Fully funds excess cost grants by increasing funding from approximately \$156 million each fiscal year to \$181 million. Grant reimbursements remain limited to costs exceeding 4.5 times the per pupil expenditure.

Education Finance Reform: Includes an additional \$150 million in funding to support public schools, including local and regional school districts, magnet schools, charter schools, vocational-agricultural (Vo-ag) centers, and the open choice program.

Vo-Ag Centers & Magnet Schools: Limits the per-student tuition that Vo-ag centers and most magnet schools may charge sending districts to 58% of the tuition charged for FY 24, significantly reducing costs for school districts sending students to the programs.

Mashantucket Pequot and Mohegan Grants: Includes funding of \$52,541,796 in each year of the biennium, an increase of almost \$1 million. PA 23-179 (SB-1213), which was vetoed by Governor Lamont, would have increased the Mashantucket Pequot and Mohegan grant by approximately \$87.9 million beginning in FY 26. The act would have also prevented this grant amount from being reduced except by certification of an emergency from the Governor and a two-thirds vote of the General Assembly.

Medicaid Reimbursement Rate: For FY25, the budget increases the Medicaid reimbursement rate for ambulance services, which will leverage additional state and federal funding.

Municipal Revenue Sharing Fund: Provides \$568,645,047 in funding for the Municipal Revenue Sharing Fund (MRSF) in both FY24 and FY25 which includes the following grants: (1) \$339,410,167 for Tiered PILOT, (2) \$154,562,410 for Municipal Transition grants (Motor Vehicle Tax Cap Grants), and (3) \$74,672,470 for Supplemental Revenue Sharing Grants (Municipal Stabilization Grant and GF Municipal Revenue Sharing grant combined).



Payment in Lieu of Taxes (PILOT): By law, if the amount appropriated for PILOT grants is not enough to fully fund them according to established reimbursement rates, the grant amounts must be prorated according to a three-tiered proration method. Under current law, tier one, two, and three municipalities must receive 50%, 40%, and 30% of their PILOT grants, respectively. PA 23-204, Sec. 139 increases these rates to 53%, 43%, and 33%, respectively.

Town Aid Road: The budget also includes Town Aid Road (TAR) funding at \$60 million per year from the General Fund rather than from bond funds.

BOND FUNDING – MUNICIPAL PROGRAMS

PA 23-205 (HB-6942) includes funding for:

Bikeway, Walkway, Trail & Greenway Grants: Authorizes up to \$10 million per year to provide grants to certain entities, including municipalities, to support bikeways, pedestrian walkways, recreational trails, and greenways. Grants may be used for planning, design, land acquisition, and construction.

Brownfields Remediation: Increases funding from \$25 million per year to \$35 million per year.

Community Connectivity and alternative mobility program: Increases funding from \$13 million per year to \$15 million per year.

Housing Initiatives: Targets \$810 million over the biennium for housing development and housing financial assistance, including:

- \$150 million towards the state's popular Time-To-Own program. This level of funding is expected to assist in the purchase of more than 1,250 homes annually.
- \$200 million to expand workforce development housing, which is expected to provide an additional 2,000 units of housing.
- \$200 million for the Housing Trust Fund, with an emphasis on multi-unit housing in downtown areas close to transportation.
- \$200 million for flexible housing.
- \$50 million for the Housing Receivership Fund. This funding will provide state resources for rehabilitation of existing housing that have been put under court ordered receivership.
- \$10 million for low-interest loans to Time-To-Own recipients for unanticipated capital improvements to their newly purchased homes.

Grants for Municipal Projects: Provides funding of \$91 million per year.

Local Bridge Funding: COST was successful in advocating for an increase in funding from \$10 million per year to \$20 million per year.

Local Capital Improvement Program (LoCIP): COST was successful in supporting an increase in LoCIP funding from \$30 million per year to \$45 million per year.



Local Transportation Capital Improvement Program (LoTCIP): Level funds LoTCIP at \$76 million per year.

Open Space & Watershed Land: Level funds this program at \$10 million per year. In addition, PA 23-196 (SB-1146, Sec. 10 and 11), clarifies how a land trust may combine state grants with federal, municipal, and/or private match funding, allowing applicants to leverage multiple funding sources for such projects.

Public Library Construction Grants: PA 23-2-5, Sec. 13(h), 32(g) and 60, increases the grant amounts allowed for public library construction projects. For project applications submitted on or after July 1, 2023, the act increases the 1) the grant amount allowed for projects in distressed municipalities to up to 80% of the total construction costs and 2) maximum grant allowed for any project to \$2 million.

Public Water System Projects: Includes \$25 million per year to support drinking water projects undertaken by water companies, which is generally used to supplement Drinking Water State Revolving Fund loans with grants.

Recreation & Natural Heritage Trust Program: Level funded at \$3 million per year.

School Construction: PA 23-205 (HB-6942, Sec. 114-139 & 259) approve new priority list projects totaling \$736.4 million for school construction projects, make changes to projects previously approved which result in a net impact of a \$37.6 million increase to expected state payments or reimbursements, and make adjustments to current statutory requirements regarding various school construction-related provisions represent a potential increase to state payments and reimbursements of up to \$192.6 million.

Small Town Economic Assistance Program (STEAP): Given existing unallocated funding, the bond package does not provide any funding for STEAP in FY24 but increases funding from \$30 million to \$35 million in FY25.

Solid Waste Facilities: Includes \$15 million to provide grants to municipalities for renovation, expansion of, and equipment for solid waste facilities.

Transportation Rural Improvement Program: Doubles funding from \$5 million per year to \$10 million per year.

Urban Act Funding: Provides \$100 million in bond funding per year.



COMMERCE

CT Brownfield Land Bank

PA 23-57 (SB-1042) expands the Remedial Action and Redevelopment Municipal Grant Program's scope to include grants for Connecticut brownfield land bank (CBLB) operational expenses. It authorizes the Department of Economic and Community Development (DECD) commissioner to award capacity-building grants of up to \$50,000 from the program for operational expenses to any CBLB that (1) matches the funding award and (2) has not previously been awarded a capacity building grant under this program. *EFFECTIVE DATE: October 1, 2023.*

Land Banking Agreements - COGs

PA 23-58 (SB-1092) authorizes Connecticut brownfield land banks (CBLBs) to enter into land banking agreements with regional councils of governments (COGs) to acquire, retain, remediate, and sell property in a COG's planning region. Under current law, CBLBs may only enter into land banking agreements with municipalities, and the agreements are required for CBLBs to acquire brownfield sites or adjacent

properties. The act makes corresponding changes in state law to treat COGs the same as municipalities under the current CBLB law. These changes do the following: 1. allow a CBLB to acquire brownfield sites or adjacent properties identified in the land banking agreement with the COG; 2. require the COG's approval before the CBLB conveys, exchanges, transfers, or sells the property; 3. allow CBLBs to enter into contracts and agreements with COGs to provide staffing to the CBLB; and 4. allow CBLBs to get grant funds or borrow from COGs for the CBLB's operations. *EFFECTIVE DATE: July 1, 2023.*

State Historic Preservation Officer

PA 23-15 (HB-6756) and PA 23-204 (HB-6941, Sec. 72), establish a 23-member working group to (1) study the State Historic Preservation Officer's (SHPO) role in administering the historic preservation review process under the Connecticut Environmental Policy Act (CEPA) and (2) recommend changes to the act and its related regulations. Includes COST appointment. *EFFECTIVE DATE: Upon passage.*

EDUCATION

Board of Education Member Training

PA 23-167 (SB-1) requires the state Department of Education (SDE) to provide, and newly elected school board members to take, training regarding the responsibilities and obligations of being a school board member. *EFFECTIVE DATE: July 1, 2023.*

Budget Transparency

PA 23-167 (SB-1) includes numerous changes affecting education, including requiring the state Department of Education (SDE), starting by February 15, 2024, to annually publish each school district's receipts, expenditures, and statistics for the previous fiscal year;



requires SDE, starting by February 15, 2025, to prepare and publish the same data in a format that allows financial comparisons between school districts and schools.
EFFECTIVE DATE: Various.

English Learners Bill of Rights

PA 23-150 (HB-6762) makes a variety of changes to public school statutes, including requiring the State Board of Education (SBE) to create an English learners bill of rights, specifying several of the rights that SBE must include in the document, and requiring annual distribution of the bill of rights. It also exempts federal COVID-related education funding from use in the calculation of the Excess Cost grant.
EFFECTIVE DATE: July 1, 2023.

Indoor Air Quality

PA 23-167 (SB-1, Sec. 42-45), includes provisions to (1) extend and expand the charge of the school indoor air quality working group, (2) establish the School Indoor Air Quality and HVAC Portal to make inspections and evaluations of school indoor air quality and HVAC systems available, (3) increase the amount of HVAC system grant program funding, and (4) require the Public Health Dept. to establish an optimal thermal comfort range in school buildings and facilities. In addition, PA 23-205 (HB-6942, the Bond Package, Sections 117-119) makes various changes, including changing the statutory reimbursement range for new school construction projects from 10-70% to 10-80% and allowing federal funds to be used as municipal share of project costs for school construction projects and school air quality grants.
EFFECTIVE DATE: Upon passage.

Kindergarten Starting Age

PA 23-159 (HB-6880, Sec. 3), as amended by PA 23-208 (HB-5003), requires children to be at least age 5 by September 1 of the school year to enroll in kindergarten. A child who has not reached the age of five on or before September 1 of the school year may be admitted (1) upon a written request by the parent or guardian of such child to the principal of the school in which such child would be enrolled, and (2) following an assessment of such child, conducted by such principal and an appropriate certified staff member of the school, to ensure that admitting such child is developmentally appropriate. *EFFECTIVE DATE: July 1, 2024.*

Mandate Relief

PA 23-160 (HB-6882) includes provisions to require the Department of Education to identify obsolete and duplicative mandates and to establish the Education Mandates Review Task Force to make recommendations concerning the repeal of or amendment to overly burdensome education mandates. *EFFECTIVE DATE: July 1, 2023.*

Paraeducators

PA 23-204 (HB-6941, Sec. 213-216 and 528), establishes two subsidy programs for paraeducators' health insurance costs and requires the Office of Health Strategy to help paraeducators enroll in certain health plans. *EFFECTIVE DATE: July 1, 2023.*

Play-Based Learning

PA 23-159 (HB-6880, Sec. 4 and 5) requires each school board to provide play-based learning during the instructional time of



each regular school day for students in kindergarten and preschool. The play-based learning must (1) be incorporated and integrated into daily practice; (2) allow for the students' needs to be met through free play, guided play, and games; and (3) not involve, predominantly, using mobile electronic devices. Additionally, it requires each school board to allow a teacher to use play-based learning during the instructional time of a regular school day for students in grades one to five, inclusive. *EFFECTIVE DATE: July 1, 2024.*

Teacher's Pension Task Force

PA 23-159 (HB-6880) makes numerous changes to education laws affecting students, teachers, and paraeducators. It also creates a task force to analyze the per-pupil equity of Teachers' Retirement System (TRS) funding and develop recommendations regarding: 1. the student equity implications of appropriating funds through the state TRS laws toward the pension normal cost and the unfunded liability amortization payments necessary to fully fund the TRS; 2. whether and how much municipalities should contribute to

the pension normal cost and the unfunded liability amortization payments in order to make the General Assembly's allocations more equitable on a per-pupil basis; 3. whether certain municipalities should be exempted from assuming a percentage of the municipal contributions due to certain factors, such as economic distress, inability to pay, or low academic performance; and 4. whether and how the resources generated through municipal contributions should be directed by the General Assembly toward (a) reducing educational inequities and (b) promoting the TRS sustainability. *EFFECTIVE DATE: Upon passage.*

Title IX Assessment Working Group

SA 23-18 establishes a working group study the possibility of assessing all municipal recreation areas and facilities used for organizes sports, and any sports facilities maintained by a public school, to determine compliance with Title IX of the Elementary and Secondary Education Act of 1972 which requires male and female students and employees in educational settings to be treated equally and fairly. *EFFECTIVE DATE: Upon passage.*

ENERGY

Microgrids

PA 23-157 (HB-6853) expands eligibility to participate in the Microgrid and Resilience Grant and Loan Program to include any local or regional governmental entity (rather than just municipalities), municipal corporation, regional council of government, public authority, or state and federally recognized tribe. As under current

law, electric distribution companies (i.e., Eversource and United Illuminating); participating municipal electric utilities; energy improvement districts; and nonprofit, academic, and private entities are also eligible, and all the eligible recipients may collaborate with each other to submit a proposal. The act allows the Department of Energy and Environmental Protection (DEEP), which administers the



program, to award program grants or loans, rather than requiring it, as under current law. *EFFECTIVE DATE: July 1, 2023.*

Siting Council – Municipal Representative

VETOED: Under PA 23-108 (SB-73), for any Connecticut Siting Council proceeding that occurs on or after October 1, 2023, this act requires the council’s membership to include an elector from the municipality where the subject facility is being proposed, in addition to the current membership. Under the act, the municipality’s chief elected official appoints the elector. If the proposed facility will be in more than one municipality, the applicable regional council of governments for the affected municipalities appoints the elector. The act requires the elector to serve as a nonvoting member and abide by all applicable confidentiality rules. By law, public members of the council must be compensated for their attendance at public hearings, executive sessions, or other council business at a rate of \$200 per activity, capped at \$200 a day. The act also makes technical and conforming changes.

Siting Council – Prime Farmland

PA 23-163 (HB-5608) prohibits the Connecticut Siting Council from approving a solar PV facility of at least two-megawatt

capacity on prime farmland or core forest without the project applicant providing a bond to cover the costs of decommissioning the facility and restoring the prime farmland. This includes the costs of an inspection by a qualified soil scientist or other agricultural soils professional to assess and assure the soils’ restoration and its suitability for farming. *EFFECTIVE DATE: Upon passage.*

KEY BILLS THAT DIED

Solar and Property Taxes - HB-6764, a bill changing the way solar PV systems are taxed by municipalities, *died in the Senate*. Beginning with the assessment year starting October 1, 2023, the bill would have exempted solar panels and other equipment from the personal property tax but the land on which the solar facilities are located would be subject to taxation as commercial property. In addition, the bill would have established a Uniform Capacity Tax of \$8,000 per megawatt (MW) of nameplate capacity for solar PV systems that have a nameplate capacity over two megawatts (MW) that also exceeds the load for the system’s location; and are approved on or after October 1, 2023, by the Connecticut Siting Council or, if the system is not subject to the council’s approval, the municipal zoning authority.

ENVIRONMENT

Animal Control Officers/Animal Care

PA 23-17 allows animal control officers (ACOs), when an animal is found to be neglected or cruelly treated, to seek a court order to require the animal’s owner to provide necessary care for the animal. The

act also increases, from \$15 to \$20 and for horses and large livestock from \$25 to \$30, the per diem rate that an owner must pay and requires the owner or other responsible party to pay for all veterinary costs incurred for the animal’s welfare



while in temporary custody. *EFFECTIVE DATE: Upon passage.*

Animal Shelters – Municipal

PA 23-138 (HB-5575) requires municipal or regional animal shelters to have mechanical heating and cooling systems that can maintain an indoor ambient temperature of between 55 and 80 degrees Fahrenheit, unless a state-licensed veterinarian requires other temperatures for medical reasons. It also imposes additional requirements for dog pounds consistent with the requirements for private animal shelters, and authorizes the agriculture commissioner to enforce these provisions. *EFFECTIVE DATE: October 1, 2023.*

Bears & Dangerous Animals

PA 23-77 (SB-1148) explicitly allows a person to use deadly physical force to kill a black bear if the person reasonably believes the bear is (1) inflicting, or about to inflict, great bodily harm to a person; (2) injuring or killing the person's pet that was otherwise under control; or (3) entering a building occupied with people. In addition, the act allows farmers experiencing damage to their crops, livestock, or beehives due to nuisance wildlife to get a permit from DEEP to capture, kill, or trap the wildlife if nonlethal methods have failed to prevent damage. The act also prohibits the intentional feeding of potentially dangerous animals, such as bears, bobcats, coyotes, or foxes. *EFFECTIVE DATE: October 1, 2023.*

Climate Resiliency

PA 23-140 (HB-6479) authorizes the Treasurer to invest funds on behalf of municipalities that establish Coastal

Resiliency Reserve Funds and to require DEEP to maximize the state's receipt of federal funds for climate resiliency projects undertaken by the state and municipalities. *EFFECTIVE DATE: Upon passage.*

Environmental Justice

PA 23-202 (SB-1147) makes changes in the state's environmental justice law, which generally requires applicants seeking to construct, expand, or site certain facilities in environmental justice communities to engage in a public participation process, including 1. exempting minor modifications of an existing permit for an affecting facility from the law's requirements, 2. requiring applicants subject to the law to (a) file an assessment of environmental or public health stressors and (b) submit and receive approval of a public participation report to show compliance with the requirements for informal public meetings, and 3. allowing DEEP or the Siting Council, as applicable, to deny a permit for a new affecting facility if it finds that approving the permit would result in adverse cumulative environmental or public health stressors in the environmental justice community that are greater than those experienced in other communities. *EFFECTIVE DATE: October 1, 2023.*

Environmental Justice Permit Denial

PA 23-205, Sec. 191, allows electors/voters in a municipality with a population of less than 10,000 to petition for a town referendum to override DEEP's denial of a permit based on cumulative environmental or public health stressors. *EFFECTIVE DATE: October 1, 2024.*



EPR for Tires

PA 23-62 (HB-6486) establishes a statewide stewardship program for tires and prohibits tire producers who fail to participate in a stewardship program from supplying tires in the state. This will help ensure that tires are resold or recycled and not discarded along roadways or in other areas where towns must pay for the cost of picking up and disposing of tires. The act requires tire producers to join a stewardship organization by January 1, 2025. The stewardship organization must develop a plan to implement the program which must be submitted to DEEP for approval. In addition, the act requires the Department of Transportation (DOT) to do needed laboratory testing related to a pilot program on using tire-derived asphalt on primary state roadways throughout the state and report to the legislature's Environment Committee on the efficacy and suitability of using tire-derived asphalt on these roadways. *EFFECTIVE DATE: October 1, 2023, except the DOT pilot program and reporting provisions are effective upon passage.*

Farmland Restoration

PA 23-184, Sec. 1, removes a \$20,000 cap on grants under the Farmland Restoration Grant program, including eliminating a cap for plans related to state or municipally owned land with an agricultural lease of five years or longer. The act also provides that advance payments cannot exceed 50% of the cost and the total state grant cannot exceed 90% of the cost. *EFFECTIVE DATE: October 1, 2023.*

Farm Viability Grant

PA 23-184, Sec. 4, renames the grant as the Agricultural Enhancement Grant Program, which is aimed at furthering agricultural in the state. The program is open to municipalities, groups of municipalities, regional councils of government, and certain non-profits. *EFFECTIVE DATE: Upon passage.*

Fishing Regulations – Public Hearing

PA 23-196 requires DEEP to post notice of a public hearing on proposed fishing regulations on DEEP's website and the state's eRegulations system in addition to in newspapers as required under exiting law. DEEP must also provide notice to affected municipalities so it may be posted on their websites. *EFFECTIVE DATE: Upon passage.*

Nip Bottle Surcharge

PA 23-76 (SB-895) requires the Council on Environmental Quality to include in its annual environmental quality report a review of the programs and measures local governments implemented with funds received from the state's nip surcharge. Under existing law, wholesalers must remit a five cent surcharge on nip bottles to the municipality where the sale occurred, and municipalities must use these funds to reduce littering, or the amount of solid waste generated in the municipality. *EFFECTIVE DATE: Upon passage.*

Open Space & Watershed Land Grant Program

PA 23-196 (SB-1146) clarifies how a land trust may combine state grants with federal, municipal, and/or private match



funding, allowing applicants to leverage multiple funding sources for such projects. *EFFECTIVE DATE: Upon passage.*

PFAS – Firefighting Apparatus

PA 23-204 (HB-6941) includes \$3 million in funding to assist municipalities in removing PFAS from firefighting apparatus.

PFAS Testing & Remediation

PA 23-74 (SB-100) establishes a grant program to reimburse municipalities for costs associated with testing and remediating PFAS contamination in drinking water supplies and allows DEEP to utilize federal funds and other sources to fund the program. In addition, PA 23-205, the bond package, authorizes up to \$3 million in FY 24 and \$2 million in FY 25 for this purpose and to support a buyback program for PFAS in firefighting foam. *EFFECTIVE DATE: Various.*

Public Notice of Application to DEEP

PA 23-196, Sec. 8 & 9, requires applicants for certain DEEP-issued permits and licenses for regulated activities (e.g., constructing dams, solid waste facilities, dredging, stream channel encroachment) to publish notice on the website where the affected municipality posts local land use decisions and on DEEP's website in addition to the local newspaper. DEEP's tentative determination must be published on the same municipal and DEEP websites. *EFFECTIVE DATE Upon passage.*

Solid Waste Management

PA 23-170 (HB-6664) makes various changes to the state's solid waste management laws. Among them, it:

1. creates a successor to the Materials Innovation and Recycling Authority (MIRA) and establishes a winddown for the authority.
2. establishes a post-consumer recycled content requirement for certain plastic beverage containers.
3. allows municipalities to identify additional recyclable solid waste for diversion (e.g., food scraps, lawn trimmings).
4. expands the state's organics recycling law to include certain institutions (e.g., hospitality, correctional, and educational facilities).
5. increases funding for the state's sustainable materials management account and expands the use of the account's funds.
6. allows DEEP to issue a request for proposals from solid waste management services providers and enter into agreements to manage waste from municipalities and waste authorities.
7. requires certain state solid waste planning documents to be submitted to the Environment Committee for review.
8. increases, from 2.5 cents to 3 cents, the Class II alternative compliance payment to provide more funding to support the continued operation of the state's remaining Waste-to-Energy facilities; and
9. allows the Green Bank to issue bonds to finance a solid waste facility selected in DEEP's RFP and increases from \$250 million to \$500 million the total amount of special



capital reserve fund-backed bonds that the Green Bank may issue.

EFFECTIVE DATE: Various.

MIRA Successor

The act creates the MIRA Dissolution Authority as a successor to MIRA through June 30, 2025, after which the Department of Administrative Services (DAS) becomes the successor to the Dissolution Authority. The act also provides that the powers of the MIRA Dissolution Authority will be governed by a new board, which will terminate on July 1, 2026. Upon the termination of the authority, all such authority's rights and properties shall pass to and be vested in the state of Connecticut in accordance with this act. It requires any proposed revision to DEEP's solid waste management plan and its Comprehensive Materials Management Strategy to be submitted to the legislature's Environment Committee for approval before its implementation. The section also establishes a process to follow if the committee rejects the proposal. The act also requires DEEP to issue a request for information on systems for the processing of solid waste that is generated in the state and that is not otherwise diverted, including gasification systems.

Solid Waste Management Plan Approval

VETOED: PA 23-177 (SB-1143) requires (1) any proposed revision to the statewide solid waste management plan or Comprehensive Materials Management Strategy to be submitted to the Environment Committee for review and approval and (2) the committee to hold a

public hearing on the revision within 15 days after its submission. It establishes a process by which a proposed revision that the committee rejects may be subsequently approved by the General Assembly. The act also requires DEEP to (1) issue a request for information (RFI) on certain solid waste processing systems by October 1, 2023, and (2) report to the Environment Committee by February 1, 2024, recommendations for issuing a request for proposals on these systems.

Tree Trimming/Removal

PA 23-190 (SB-965) allows OPM, for any fiscal year, to (1) authorize reimbursement for certain tree removal or trimming projects before the municipality has added the project to its local capital improvement plan and (2) require the municipality to certify that it is taking steps to amend its plan to include the project. By law, the Local Capital Improvement Program (LoCIP), administered by OPM, reimburses municipalities for the cost of eligible local capital improvement projects, including hazardous tree removal or trimming for nonutility related hazardous branches, limbs, and trees on municipal property or in a municipal right-of-way. *EFFECTIVE DATE: July 1, 2023.*

KEY BILLS THAT DIED

A provision in HB-6664 which would have increased the solid waste assessment from \$1.50/ton to \$3/ton for waste sent to in-state facilities and imposed a \$5/ton assessment on waste sent to out-of-state facilities, was stripped from the bill due to opposition from COST and other organizations. In addition, provisions



requiring municipalities to separate food scraps, and establishing an EPR program for packaging, were stripped from the bill. Also, bills creating an EPR program for smoke detectors, establishing electronic dog

licensing, and calling for an Environmental Rights Amendment, failed in committee.

FINANCE & MUNICIPAL TAX

Board of Assessment Appeals Task Force

PA 23-204 (HB-6941, Sec. 403) establishes a seven-member task force to review boards of assessment appeals proceedings and report to the legislature by January 1, 2024.

Car Tax Study

Special Act 23-24 (SB-497) establishes a task force to study the feasibility of repealing the motor vehicle property tax, the potential impact of such repeal on municipal budgets and an analysis of possibilities for replacing lost municipal revenues, including an annual 8% tax on automobile insurance and homeowners' insurance. The task force is required to finalize its recommendations by February 1, 2024. *EFFECTIVE DATE: Upon passage.*

CT Municipal Employees Retirement System

PA 23-182 (HB-6930) makes changes to address concerns regarding the CT Municipal Employees Retirement System (CMERS), including changing how cost-of-living increases are calculated, and re-amortizing the unfunded liability of the municipal pension fund from 17 to 25 years. This is projected to save participating municipalities \$32.3 million in the coming fiscal year and \$843 million over the next three decades. The act also allows members participating in CMERS to elect to

participate in a deferred retirement option plan, alters the provisions determining retirement allowance calculations, and requires municipalities to submit information regarding their retirement systems to the State Comptroller by 9/1/23 in order to prepare a report on best practices. *EFFECTIVE DATE: Upon passage.*

Conservation Easement Tax Abatement

PA 23-207 (SB-998, Sec. 1 and 2) allows municipalities to adopt an ordinance establishing a program to abate property taxes for qualifying portions of a taxpayer's land that are subject to a conservation easement preserving its use as a recreational trail. *EFFECTIVE DATE: October 1, 2023, for assessment years commencing on or after October 1, 2023.*

Electronic Payment Municipal Tax

Under existing law, municipalities may allow taxpayers to pay tax bills using credit cards. PA 23-132 (HB-6891) expands the allowable payment methods to include charge cards, debit cards, and electronic payment services (e.g., PayPal). It correspondingly extends to these payment methods the conditions that already apply to credit cards under existing law. It (1) allows the municipality to set conditions on their use; (2) allows the municipality to charge a service fee for using these payment methods, up to the service fee



amount charged by the servicer or card issuer; and (3) specifies that any debts incurred for using these payment methods are not enforceable through municipal tax liens. *EFFECTIVE DATE: October 1, 2023.*

Local Capital Improvement Program

PA 23-124 (HB-6807) requires OPM to annually distribute each municipality's total LoCIP allocation by June 30, rather than reimbursing them for their eligible project expenditures as current law requires. It correspondingly requires municipalities to annually report to OPM on how they spent their grants. By law, LoCIP is an OPM-administered grant program that allocates funding, based on a statutory formula, to municipalities for costs they incur for eligible local capital improvement projects. *EFFECTIVE DATE: Upon passage.*

Motor Vehicle Assessments

PA 23-204 (HB-6941, Sec. 219-229), delays, by one year, provisions in a 2022 law that made various changes to motor vehicle taxation and assessment procedures, including: 1. exempting from property tax snowmobiles, all-terrain vehicles, and utility trailers used exclusively for personal purposes; 2. requiring municipalities to value motor vehicles based on their

manufacturer's suggested retail price (MSRP) and a 20-year depreciation schedule, rather than the schedule of values annually recommended by OPM. *EFFECTIVE DATE: Upon passage.*

Municipal Audits – Public Hearings

PA 23-197 requires municipalities to hold public hearings to discuss municipal financial audits that OPM determines were not prepared in compliance with state law or which show evidence of unsound or irregular financial practices or lack of internal controls. *EFFECTIVE DATE: October 1, 2023.*

Reservation Lands

PA 23-204, Sec. 359, creates a working group to examine the taxation of reservation land. *EFFECTIVE DATE: Upon passage.*

KEY BILLS THAT DIED

Despite a strong push to decrease the interest rate on delinquent property taxes, limit the assignment or foreclosure of sewer liens, and increase the uniform assessment rate from 70% to 75%, the bills died due to opposition from COST and other organizations.

GENERAL LAW

Bazaars and Raffles

PA 23-98 (SB-1058) - Under current law, a municipality must adopt the Bazaar and Raffles Act if a raffle is conducted in town. Instead, this act deems every town, city, and borough to have adopted the Act but

allows municipalities to opt-out by ordinance or if at least 5% of the municipality's electors petition for it, the chief executive authority must submit the question of opting out to a vote at a special meeting within 21 days after receiving the petition. If the municipality does not opt



out, the following entities may conduct, operate, or sponsor bazaars or raffles: veterans', religious, civic, fraternal, educational, and charitable organizations; volunteer fire companies; political parties and their town committees; and towns acting through a designated centennial, bicentennial, or other centennial celebration committee. *EFFECTIVE DATE: October 1, 2023.*

Building Permits

PA 23-114 (HB-5317) explicitly authorizes municipalities to accept electronically submitted building permit applications from contractors, aligning the law's building permit signature requirements with current practice. *EFFECTIVE DATE: October 1, 2023.*

Cannabis, Medical Marijuana and Hemp

PA 23-79 (HB-6700) establishes a "high-THC hemp product category" and classifies it as marijuana or cannabis, which subjects it to various licensing and regulatory requirements, such as it can only be sold by licensed establishments to those age 21 or older except under the medical marijuana program. It also makes other changes, including placing more requirements on hemp manufacturers and products. *EFFECTIVE DATE: Various.*

Liquor Control

PA 23-50 (HB-6548) makes several unrelated changes to the regulation of alcoholic liquor, including 1. removing the sunset provision to allow permittees for on-premises consumption to sell sealed containers of alcoholic liquor for off-premises consumption; 2. establishing a year-round outdoor open-air permit which allows the retail sale of alcoholic liquor for on-premises consumption on a lot, yard, green, or other outdoor space under certain conditions; 3. expanding the farmers' market sales permit to allow manufacturer permittees for spirits to sell their product at a farmers' market; allows manufacturer permittees for spirits and beer to offer free tastings of their product at farmers' markets, and 4. allowing (1) for-profit entities to sponsor festivals and (2) manufacturer permittees that hold an out-of-state shipper's permit for beer to make certain types of sales at a festival and ship directly to visitors. *EFFECTIVE DATE: Various.*

GOVERNMENT ADMINISTRATION & ELECTIONS

Abandoned Property Task Force

PA 23-10 (HB-6651) establishes a task force to study the possible financial and legal consequences incurred by municipalities relating to unclaimed or abandoned real property located in such municipalities. Such study shall include, an examination of

(1) the impact of such real property on property tax revenues of such municipalities, (2) the impact of such real property on adjacent property values in such municipalities, and (3) potential best practices or strategies to reduce any negative impact of such real property on such municipalities, including property tax



foreclosure procedures, programs to incentivize real property owners to maintain and occupy their properties, and programs to assist such municipalities in the disposition of such real property. *EFFECTIVE DATE: Upon passage.*

Early Voting

PA 23-5 (HB-5004), as amended by PA 23-204 (HB-6941), establishes a process for implementing in-person, early voting for all general elections, primaries, and special elections, held on or after April 1, 2024. The act requires every municipality to provide at least one voting location for 14 days prior to a general election, 7 days prior to most primaries and 4 days prior to special elections & presidential preference primaries. The act does not apply to referenda, however, there are provisions requiring municipalities to provide information on charter provisions affecting referenda. The budget includes \$1.8 million in funding to provide each municipality with up to \$10,500 to assist municipalities in implementing early voting. Legislative leaders have indicated that additional municipal funding will be considered next year. *EFFECTIVE DATE: Applicable to elections held on or after April 1, 2024.*

Election Administration Task Force

PA 23-205 (HB-6942, Sec. 238) establishes a task force to study means of ensuring that election administration in each municipality is fully staffed by personnel properly trained in all tasks necessary for effective election administration. Includes COST appointment. *EFFECTIVE DATE: Upon passage.*

Freedom of Information Violations

PA 23-200 (SB-1221) increases, from \$1,000 to \$5,000, the maximum civil penalty that the Freedom of Information Commission (FOIC) may impose for certain Freedom of Information Act (FOIA) violations. The act also expands the circumstances under which FOIC may issue an order or impose a civil penalty. Under existing law, when a person files an appeal with FOIC against a public agency, the commission may confirm the agency's action or order it to provide relief that the commission believes is appropriate to rectify the denial. Under the act, if the commission finds that a public agency is engaging in (1) a practice or pattern of conduct that constitutes an obstruction of any right conferred by FOIA or (2) reckless, willful, or wanton misconduct in delaying or denying responses to public records requests, then it may take the following actions: 1. impose a civil penalty of \$20 to \$5,000 against a custodian or other official of the public agency and 2. order other relief that it determines is appropriate to correct the obstruction or misconduct and deter the agency from violating FOIA. Under the act, FOIC may make these findings in an appeal of a public agency's denial of a FOIA right and after a hearing. The act allows FOIC to apply to the New Britain Superior Court for an order requiring the public agency to comply with a commission-issued order related to these findings. *EFFECTIVE DATE: October 1, 2023.*

No Excuse Absentee Voting

House Joint Resolution 1 calls for a constitutional amendment to allow no



excuse absentee voting. The resolution was adopted by a sufficient margin to place the question on the November 15, 2024 general election ballot.

Regional Election Advisors

PA 23-205 (HB-6942, Sec. 234-238) directs OPM to award grants of at least \$25,000 each to every Council of Government (COGs) that has appointed a regional election advisor. The act formally makes it permissive rather than mandatory to have a regional election monitor. This codifies existing practice. Currently, few if any local or regional government organizations utilize regional election monitors.

State Voting Rights Act

PA 23-204 (HB-6941, Sec. 514-522) enacts a state voting rights act which prohibits election methods that impair a protected class member's right to vote. The act also establishes (1) requirements for

municipalities to provide language assistance for limited English proficient individuals and (2) a preclearance process to require that certain jurisdictions get approval for certain election-related policies. The act also authorizes the secretary of the state and other parties to

file a court action over violations, allows the court to impose tailored remedies for violating the act and award attorney's fees to plaintiffs who prevail in court. *EFFECTIVE DATE: July 1, 2023 for most provisions.*

KEY BILLS THAT DIED

A bill requiring members participating remotely in municipal meetings to use electronic platforms with video capability and ensure that their face is visible when speaking or voting died in the House. In addition, a bill creating a task force to determine whether public agency boards and commissions should be required to allow public comment at all meetings, died.

HOUSING

Affordable Housing Plans

PA 23-205 (HB-6942, Sec. 194) requires municipal affordable housing plans required pursuant to Sec. 8-30j of the general statutes to address affordable housing unit accessibility for individuals with developmental disabilities. Under existing law, affordable housing plans are required to be submitted by June 1, 2022 and updated every five years. *EFFECTIVE DATE: Applicable to any plan or plan update submitted on or after October 1, 2023.*

Affordable Housing Roundtable Group

PA 23-207 (SB-998) establishes the majority leaders' roundtable group on affordable housing, consisting of 24 members, to study various topics related to promoting and developing affordable housing in the state Municipal Fair Share Housing Allocations.

Fair Share Housing Allocations

Under PA 23-207 (SB-998), by December 1, 2024, OPM, in consultation with the Departments of Housing and Economic and Community Development, must establish a methodology for each municipality's fair share allocation by: 1) determining the



need for affordable housing units in each of the state's planning regions, and 2) fairly allocating this need to each region's municipalities considering the duty of the state and municipalities to affirmatively further fair housing under the state Zoning Enabling Act and the federal Fair Housing Act. OPM must increase a municipality's fair share allocation if, relative to other municipalities in its planning region, it has a (a) higher equalized net grand list; (b) higher median income; (c) lower federal poverty rate; and (d) lower population share residing in multi-family housing. OPM must submit its methodology to the (1) the Housing and Planning and Development committees and (2) each chamber of the General Assembly for approval. *EFFECTIVE DATE: July 1, 2023.*

Housing Code Violations

PA 23-207, Sec. 14, requires agencies that enforce municipal health and safety standards or the local housing code to make housing code violation complaint forms available to tenants in both English and Spanish. The act also allows municipalities to impose civil penalties of up to \$2,000 rather than \$250 on rental property owners for violations of the municipality's rules on maintaining safe and sanitary housing. Rental property owners may appeal penalties under certain circumstances to the municipality's legislative body or board of selectmen where the legislative body is a town meeting. *EFFECTIVE DATE: October 1, 2023.*

Housing Data Reporting

PA 23-204 (HB-6941, Sec. 208) requires municipalities, by March 31, 2024, and

annually thereafter, to report to DECD on 1. the number of new dwelling units permitted in such municipality, including specifying how many new dwelling units are located within single family, two-to-four family and more than four family homes; and 2. the number of dwelling units demolished in such municipality. In addition, municipalities must provide this data to DECD for 2018 – 2022 by December 31, 2023. Municipalities that fail to comply will not be eligible for discretionary DECD funding.

Housing Growth Zones

PA 23-204, Sec. 1, 31, 194-198, includes provisions expanding the Municipal Redevelopment Authority (MRDA) and requiring municipalities that work with MRDA to adopt zoning regulations that facilitate housing growth zones (HGZ) in development districts which include transit stations or downtowns. A HGZ is the area of a development district (or a larger area) in which local zoning regulations facilitate substantial new housing development. Under the act, MRDA must approve an HGZ proposal if it determines the proposal will likely substantially increase the production of dwellings that meet regional housing demand. MRDA must consider several factors when reviewing HGZ proposals to determine if they will increase housing stock, including whether proposals: 1. allow new dwelling units to be developed without correspondingly requiring new off-street parking spaces; 2. generally promote residential diversity; and 3. for applications that will create a net increase of at least 10 dwelling units, require 10% of new units be sold or rented at, or below, prices



preserving the units as affordable housing for households whose income is less than or equal to 80% of the median income. In addition, if a proposal includes the following components, MRDA must presume it will substantially increase dwelling unit production: 1. permits middle housing (i.e., duplexes, triplexes, quadplexes, cottage clusters and townhouses) as of right (i.e., subject only to an administrative review) and 2. generally requires only approval by the zoning board of appeals (ZBA), planning commission, zoning commission, or combined planning and zoning commission for applicable permits to engage in an activity creating a net increase in dwelling units other than middle housing units. Municipalities cannot receive financial assistance from MRDA for a development district project until they enact the approved HGZ regulations. *EFFECTIVE DATE: July 1, 2023, for the revised definitions and HGZ provisions and October 1, 2023, for the other changes.*

Housing Project Sale/Demolition

PA 23-144 (HB-6632) modifies the conditions under which the Department of Housing may approve the selling, leasing, transferring, or destruction of certain housing projects. *EFFECTIVE DATE: October 1, 2023.*

Mobile Manufactured Home Parks

PA 23-125 (SB-988) expands the types of transactions for which a mobile manufactured home park owner must give the park's residents notice and an opportunity to purchase the park before completing the transaction. With certain exceptions, the act's requirements apply to

all sales, leases, or transfers, other than those already covered by existing law. (Existing law, unchanged by the act, applies when the owner intends to discontinue using the property as a mobile home park or sell it to a person who intends to do so) The act excepts specified types of transactions from its requirements, including those where the other party is an immediate family member (i.e., a spouse, parent, grandparent, child, grandchild, or sibling) of the owner. *EFFECTIVE DATE: October 1, 2023.*

Municipal Fines - Housing Violations

PA 23-207 (SB-998) allows (1) municipalities to set civil penalties of up to \$2,000 per day against landlords for each violation of their rules on maintaining safe and sanitary housing and (2) landlords to appeal these fines to the municipality's legislative body or board of selectmen, under certain circumstances. *EFFECTIVE DATE: October 1, 2023.*

Office of Responsible Growth

PA 23-207 (SB-998) includes provisions establishing the Office of Responsible Growth within OPM and assigns it various responsibilities.

School Construction Bonus

Under PA 23-207 (SB-998), local or regional boards of education located in an "inclusive municipality," as determined by DOH, are eligible for a five percentage point increase to their state grant reimbursement rate for school building projects.



Workforce Housing – Property Tax/Building Permit Fee Exemptions

PA 23-207 (SB-998) creates a tax credit program to encourage the development of workforce housing. It also requires municipal tax assessors to assess workforce housing opportunity development projects using the capitalization of net income method based on actual rent received for property tax assessment purposes and exempts both of these categories of workforce housing projects from building permit application fees. The act also allows municipalities to provide up to a seven-year, 70% property tax exemption for workforce housing development projects, offset by a 70% state grant in lieu of taxes.

were considered this session. Although the legislature approved an omnibus housing bill, efforts to mandate that municipalities meet rigid “fair share” affordable housing goals died given staunch opposition from towns and constituents. In addition, a bill which would have penalized municipalities for failing to create transit-oriented development projects that include certain as-of-right minimum housing densities near certain train and bus stations, failed to win support in the House. Bills to require most small towns to create and staff fair rent commissions also failed. Currently, municipalities with a population of 25,000 or more must adopt an ordinance creating a fair rent commission.

KEY BILLS THAT DIED

Numerous bills aimed at increasing housing density and promoting affordable housing

LABOR

Firefighters Cancer Relief

PA 23-204 (HB-6941, Sec. 162-165), requires firefighters who have certain cancers and meet other specified criteria to receive workers’ compensation-like benefits and disability retirement benefits that are paid by a municipality and then reimbursed from a state account; creates the Firefighter Cancer Relief Fund Advisory Committee to annually evaluate the account; and requires the treasurer to annually report on the status of the account and the existing Firefighters Cancer Relief Program.

Workers’ Comp for Post Traumatic Stress Injuries

PA 23-35 (SB-913) - Starting January 1, 2024, this act expands eligibility for workers’ compensation benefits for post-traumatic stress injuries (PTSI) to cover all employees covered by the workers’ compensation law. Current law generally limits eligibility for PTSI benefits to certain first responders (e.g., police officers, firefighters, emergency medical service personnel, and emergency 9-1-1 dispatchers) who are diagnosed with PTSI as a direct result of certain qualifying events (e.g., witnessing someone’s death) that



occur in the line of duty. The act instead allows any employee covered by workers' compensation law to qualify for the benefits if the same qualifying events occur in the course of the employee's employment. The PTSI benefits provided to them are subject to the same procedures and limitations that currently apply to the PTSI benefits for first responders. *EFFECTIVE DATE: January 1, 2024.*

Workers' Compensation Medical Plans

PA 23-32 (HB-6797) requires the Workers' Compensation Commission (WCC) chairperson, in setting standards for approving employer or insurer medical plans, to include whether the plan has an administrative process allowing employees to seek certain information about the medical and health care services recommended by the plan's providers. The act also requires the Judiciary Committee chairpersons or their designees, by August 15, 2023, to convene two working groups. One group must review medical records-related statutes and develop legislative recommendations on (1) streamlining third-party record requests to health care providers to timely get record copies, and (2) setting reasonable fees for expenses when responding to these requests, including requests for electronic records.

The other group must review the level of partial permanent disability payments available to injured employees under the workers' compensation laws. *EFFECTIVE DATE: Upon passage, except that the provision on approval standards for employer or insurer medical plans takes effect October 1, 2023.*

Workers' Compensation – Telecommunicators

PA 23-80 (HB-6721) extends "portal-to-portal" workers' compensation coverage to telecommunicators (i.e., 9-1-1 emergency dispatchers) in three situations: (1) when they are subject to emergency calls while off duty by the terms of their employment, (2) when they are responding to a direct order to appear at their work assignment when nonessential employees are excused from working, or (3) after working two or more mandatory overtime shifts on consecutive days. *EFFECTIVE DATE: October 1, 2023.*

BILLS THAT DIED

COST opposed several labor mandates that died this session, including SB-910 which would have increased municipal costs by eliminating permanent partial disability settlement offsets from the pension benefit formula.

PLANNING & DEVELOPMENT

Blight, Littering & Receivership

PA 23-33 (HB-6892): This act: 1. expands the communities in which abandoned and blighted property receiverships can be used, by including any community with a population of 15,000 or more; 2. broadly

expands state and local authority to regulate blight to include regulating blighted commercial properties, not just residential ones; 3. increases the maximum daily penalties municipalities can assess for blight under their general powers, from \$100 to \$1,000, for repeat offenders in a



12-month period; 4. increases the maximum state littering fine from \$199 to \$500; 5. eliminates certain notice requirements to lienholders when a municipality remediates, or orders remediated, certain property maintenance-related violations; and 6. when a municipal authority requests a rent receivership, eliminates current law's requirement that mortgagees and lienholders participate in proceedings to determine whether a receiver should be appointed. The act also expands the enterprise zone program's goal of eliminating housing blight to include eliminating any blight. *EFFECTIVE DATE: October 1, 2023.*

Building Inspection Timelines Task force

PA 23-204 (HB-6941, Sec. 404) establishes a seven-member task force to study the timeliness of building inspections required for building permits and report to the legislature by January 1, 2024. *EFFECTIVE DATE: Upon passage.*

Charter Revision

PA 23-205 (HB-6942, Sec. 226) prevents a municipality from modifying a municipal charter in a way that (1) modifies the manner in which any petition is filed with a local legislative body or a zoning board of appeals to challenge a decision of a planning commission, zoning commission or combined planning and zoning commission, including, but not limited to, the number of signatures required upon such petition, the manner of obtaining such signatures, or residency or location requirements concerning real property owned by persons signing any such petition; (2) modifies any regulations concerning any planning

commission, zoning commission or combined planning and zoning commission; (3) modifies any vote requirement concerning the initiation or completion of the process of eminent domain, or otherwise modifies the public notice or hearing requirements of such process; (4) modifies any vote requirement concerning the disposition of municipal property, or otherwise modifies the public notice or hearing requirements concerning such disposition. *EFFECTIVE DATE: Upon passage.*

Dealer Certificates of Approval

PA 23-40 transfers authority to issue motor vehicle dealer and repairer certificates of approval from the municipality's zoning board of appeals to its zoning enforcement official, who must determine whether the proposed location and use complies with the municipality's zoning regulations. *EFFECTIVE DATE: July 1, 2023.*

Diaper Changing Tables

PA 23-72 requires the next proposed revision to the State Building Code to require certain newly constructed or substantially renovated public buildings, i.e., state, municipal, religious and educational buildings, to provide safe, sanitary, and convenient baby diaper changing tables if the building includes a public restroom. *EFFECTIVE DATE: Upon passage.*

Land Records Task Force

SA 23-9 (HB-6648) establishes a task force to study the online recording, indexing, and searching of municipal land records and maps. *EFFECTIVE DATE: Upon passage.*



Land Use Training/Zoning Enforcement Officers

PA 23-173 (SB-1002) makes changes to: 1. clarify a requirement in existing law requiring zoning enforcement officers (ZEOs) to obtain certification from the Connecticut Association of ZEOs, 2. generally allow zoning commission or zoning board of appeals (ZBA) members to serve as alternates on a municipality's planning commission, and 3. exempt certain individuals with practical land use experience from training requirements applicable to land use board members and reduce the frequency of the training for nonexempt members. *EFFECTIVE DATE: October 1, 2023.*

Regional Councils of Government – Funding

PA 23-204, Sec. 93 and PA 23-205, Sec. 155, distributes \$7 million from the regional planning incentive account to the regional councils of government (COG) each year beginning in FY 25. The funds must be distributed according to a formula the OPM secretary determines in consultation with the COGs. Under the bill, the formula must include for each COG a (1) base payment, and (2) per capita payment amount, based on the most recent decennial census. The formula must be reviewed and updated every five years after its initial adoption. Unchanged by the act, existing law also requires the secretary to annually distribute \$185,500 plus 68 cents per capita from this same account to each COG. *EFFECTIVE DATE: July 1, 2023.*

Sewer System Regulatory Oversight

PA 23-207 (SB-998, Sec. 27) transfers from DEEP to the Department of Public Health (DPH) regulatory authority over certain small community sewerage systems and household and small commercial subsurface sewerage disposal systems and requires the agencies to adopt regulations on them. *EFFECTIVE DATE: Upon passage.*

Siting – Warehouses & Distribution Facilities

PA 23-204 (HB-6941, Sec. 182) prohibits any municipality with more than 6,000 but fewer than 8,000 people, or any of its land use boards or commissions, from approving the siting, construction, permitting, operation, or use of a warehouse or distribution facility on certain parcels. The prohibition applies to warehouses or facilities that exceed 100,000 square feet and (1) are located on a parcel or parcels that are less than 150 acres total, (2) contain more than five acres of wetlands in total, and (3) are located within two miles of a public school. This prohibition applies regardless of conflicting municipal charters, ordinances, regulations, or resolutions, special acts, or municipal zoning statutes. *EFFECTIVE DATE: Upon passage.*

Zoning – Community Residences

PA 23-205 (HB-6942, Sec. 204-207) makes changes to the statutes regarding zoning and the establishment of community residences. *EFFECTIVE DATE: October 1, 2023.*



Zoning – Family/Group Childcare Homes

Current law prohibits zoning regulations from banning family or group childcare homes from residential zones. PA 23-142 (HB-6590) specifies that this restriction applies only to those located in a residence. (A group childcare home may be located in a non-residential facility.) Additionally, under the act, zoning regulations cannot require special permits or exceptions for operating these family or group childcare homes. The act also extends to licensed group childcare homes located in a residence, the protection current law provides to licensed family childcare homes by prohibiting municipal zoning regulations from treating them differently than single- or multi-family dwellings. Starting by

December 1, 2023, the act requires each municipality's chief executive officer to annually submit to OPM a sworn statement (1) confirming that the municipality's zoning ordinances comply with such zoning requirements or (2) identifying the specific timeframe within which the municipality will bring its zoning ordinances into compliance. The act also extends certain inspection requirements to group childcare homes located in a residence, which currently apply only to family childcare homes, including prohibiting municipalities from imposing operational conditions (other than those the Office of Early Childhood requires) if they comply with all codes and ordinances applicable to single- and multi-family dwellings. *EFFECTIVE DATE: October 1, 2023.*

PUBLIC HEALTH

Harm Reduction Centers

PA 23-97 (SB-9) includes provisions requiring the Department of Mental Health & Addiction Services (DMHAS) to create a pilot program establishing harm reduction centers to assist people with substance abuse disorders access counseling and other services, including receiving fentanyl or xylazine strips. *EFFECTIVE DATE: Upon Passage.*

Opioid Antagonist Access

PA 23-52 (HB-6768) allows prescribing practitioners and pharmacists to work with law enforcement, school boards, and others to increase the public's access to opioid antagonists, including making them available in vending machines and other avenues. *EFFECTIVE DATE: Upon passage.*

Opioid Antagonist Bulk Purchase Fund

PA 23-97 (SB-9) includes provisions creating an Opioid Antagonist Bulk Purchase Fund and requires DMHAS to give opioid antagonists to eligible entities, including municipalities and emergency medical services (EMS) organizations and requires EMS personnel to give kits with opioid antagonists and a fact sheet to certain patients. *EFFECTIVE DATE: October 1, 2023.*

Opioid Settlement Funds

PA 23-204 (HB-6941, Sec. 193) expands the purposes for which the Opioid Settlement Fund may be used to include providing funds to municipal police departments to equip officers with opioid antagonists. *EFFECTIVE DATE: July 1, 2023.*



PA 23-92, Sec. 2 & 3, require municipalities that receive opioid settlement funds directly from a settlement administrator to annually report to the Opioid Settlement Advisory Committee on their expenditures for the prior year on a form the committee prescribes. Under the act, municipalities must report by October 1, 2023, and annually afterwards, until their settlement funds are exhausted. *EFFECTIVE DATE: July 1, 2023.*

Public Awareness Campaign – Opioids

PA 23-116 (HB-5917) requires the Department of Transportation (DOT) to conduct a public awareness campaign on the dangers of driving while under the influence of opioids and other substances. *EFFECTIVE DATE: Upon passage.*

Rural Health Task Force

PA 23-97 (SB-9) creates a task force to study rural health issues, including (1) resources and services available to promote rural health and support health care providers in rural areas and (2) ways to coordinate and streamline these resources and services. *EFFECTIVE DATE: Upon passage.*

Splash Pad & Spray Park Warning Signs

PA 23-97 (SB-9) requires owners or operators of splash pads and spray parks where water is recirculated to post a sign stating that the water is recirculated and warning of the potential health risk to people ingesting it. They must post the sign by January 1, 2024, and in a conspicuous place at or near the entrance. *EFFECTIVE DATE: July 1, 2023*

PUBLIC SAFETY & JUDICIARY

Accreditation – Constables/Resident Troopers

PA 23-59 (HB-6622) delays by one year the POST accreditation deadlines for local law enforcement units that consist solely of constables or resident state troopers. *EFFECTIVE DATE: Upon passage.*

Ambulance Services

PA 23-204 (HB-6941, Sec. 53) requires the Department of Public Health (DPH) commissioner to increase by 10% the maximum allowable rates for licensed and certified ambulance services, invalid coaches, and paramedic intercept services in FY24.

Catalytic Converter Theft

Special Act 23-20 (HB-6796) requires the Departments of Motor Vehicles and Emergency Services and Public Protection to seek to enter into agreements with the proper authorities of other states to develop a regional approach to combating the theft of catalytic converters and creates a task force to study the laws relating to catalytic converters. *EFFECTIVE DATE: Upon passage.*

Cybersecurity Taskforce

PA 23-23 (SB-933) creates a cybersecurity task force to coordinate efforts of state agencies to protect against and respond to cybersecurity threats. *EFFECTIVE DATE: Upon passage.*



Emergency Services Awareness Program

PA 23-137, Sec. 9, requires various state agencies to develop guidelines and best practices for municipalities to create and implement emergency services awareness programs for children and adults with autism spectrum disorder, cognitive impairments, nonverbal learning disorders and intellectual and other developmental disabilities. *EFFECTIVE DATE: Upon passage.*

Firefighter and EMS Shortage

SA 23-1 (SB-1017) creates a task force to address the shortage of firefighters and EMS personnel, including college-to-profession pipelines, tax incentives, and streamlined certification processes. *EFFECTIVE DATE: Upon passage.*

Gun Laws

PA 23-53 (HB-6667) makes several significant changes to the state's firearm laws, including prohibiting anyone from knowingly carrying any firearm with intent to display it, with certain exceptions. Also, beginning January 1, 2024, the act generally prohibits anyone from possessing ghost guns, with certain exceptions. The act generally limits a person to only three handgun retail purchases in a 30-day period and makes violations a class C felony; allows certified NRA instructors to be sold up to six handguns in a 30-day period. It extends the firearm safe storage law to all firearms people store or keep on their premises, rather than only under specified circumstances; expands the scope of the crime of negligently storing a firearm to apply when anyone, not just a minor, obtains an unlawfully stored firearm and

injures or kills himself or herself or someone else. It also expands the assault weapons ban to include more firearms and creates a process for those who lawfully own these weapons to get a certificate of possession or transfer or sell the weapon. *EFFECTIVE DATE: Various.*

Juvenile Justice

PA 23-188 (HB-6888) makes various changes to juvenile justice laws. Among other things, it: 1. creates an implementation team to develop a prearrest diversion plan for low-risk children; 2. expands the Juvenile Justice Policy and Oversight Committee's (JJPOC) membership by adding five new members; 3. requires various state agencies, by November 1, 2023, and in consultation with designated JJPOC subcommittees, to develop a reentry success plan for youth released from the Department of Correction and the Judicial Department's facilities and programs; and 4. requires the judicial branch, by July 1, 2023, to begin reviewing and updating the implementation plan to securely house in the branch's custody anyone under age 18 who is arrested and detained. *EFFECTIVE DATE: Various.*

Local Emergency Operations Plans

PA 23-24 requires local emergency operations plans submitted on or after January 1, 2025, to include a domestic terrorism prevention strategy based on standards developed by DESPP's Division of Emergency Management and Homeland Security. *EFFECTIVE DATE: October 1, 2023.*



Municipal Liability – Negligent Operation of a Motor Vehicle

PA 23-83 (HB-6570) eliminates the governmental immunity defense in a civil action for damages to a person or property caused by any negligent operation of a motor vehicle owned by a political subdivision. The act also specifies that eliminating this governmental immunity must not be construed as limiting or expanding the rights, duties, and exemptions given to an emergency vehicle operator under existing law, such as proceeding through red lights, and exceeding speed limits under certain conditions. *EFFECTIVE DATE: Upon passage.*

Mutual Aid

PA 23-81 (HB-6722) Existing law allows any municipality, with the approval of its chief executive officer (CEO) and, if required by charter or ordinance, its governing body, to enter into an agreement with any other municipality or municipalities on requesting and supplying police assistance and reimbursing or receiving reimbursement for the same. This act sets specific terms that agreements entered into, renewed, or amended on and after July 1, 2023, must include. Specifically, they must (1) allow each municipality's police chief, or the chief's designee, to request and provide police assistance and (2) require those who do so to inform their municipality's CEO about the actions taken. *EFFECTIVE DATE: July 1, 2023.*

Police Body/Dashboard Camera Grant Program

PA 23-204, Sec. 99, extends to 2025 the deadline for the grant program to assist municipalities in purchasing police body/dash cameras. *EFFECTIVE DATE: Upon passage.*

Police Recording Equipment Reporting

PA 23-204 (HB-6941, Sec. 58), requires (1) POST to create a form for law enforcement units to use to report on their compliance with state law's body and dashboard camera requirements, (2) the units to annually submit a report on the form, and (3) UConn's Institute for Municipal and Regional Policy to review the submissions and report findings and recommendations. *EFFECTIVE DATE: July 1, 2023.*

Police Recruitment Task Force

PA 23-69 (HB-5360) establishes a nine-member task force to study police recruitment and retention in Connecticut, make recommendations, and report to the legislature by January 1, 2024. The act also requires that police officers responding to an alleged crime or fatality involving the use of a firearm complete a firearm incident report, whether or not an arrest is made. *EFFECTIVE DATE: Upon passage.*

Probate Court Facilities

PA 23-189, Sec. 1, requires the municipalities comprising each probate district to ensure that basic phone service includes all necessary calls not just local calls and provide sufficient network wiring, electrical wiring, and internet service. In addition, the act specifies that the



computer equipment maintenance, phone line, wiring and internet service must be appropriate to conduct the court's business as determined by the probate court administrator. *EFFECTIVE DATE: October 1, 2023.*

Public Safety Registration System for Children with Intellectual or Developmental Disabilities

PA 23-137, Sec. 7 & 8, as amended by PA 23-204, Sec. 170, creates a public safety registration system that municipal police departments may implement for parents and guardians of children with intellectual or developmental disability. *EFFECTIVE DATE: Upon passage.*

Seat Belt Safety – Municipal Police Vehicles

PA 23-87 requires POST to develop a model policy on required seat belt use in municipal police vehicles by December 31, 2023. *EFFECTIVE DATE: Upon passage.*

Sensory Kits for Emergency Services Personnel

PA 23-137, Sec. 10, requires the Dept. of Administrative Services to develop and acquire sensory kits for DESPP to distribute to emergency services personnel who interact with children and adults with autism spectrum disorder, cognitive impairments, or nonverbal learning disorders. By September 1, 2025, municipalities may apply to DESPP for kits, which will be distributed to up to 75 municipalities based on a formula developed by DESPP. *EFFECTIVE DATE: Upon passage.*

KEY BILLS THAT DIED

Provisions mandating that municipalities enroll police and firefighters in the CT Municipal Employees Retirement System or comparable retirement plan, which COST opposed, were stripped from the bills.

TRANSPORTATION

Airport Purchase

PA 23-204 (HB-6941, Sec. 275), expands a provision in SB-904 that subjects any Connecticut Airport Authority purchase of a municipally owned airport to approval by the municipality in which the airport is located to include instances where the airport is leased and where the municipality controls the airport; additionally requires approval by the municipality that owns or controls the airport; and specifies that approval may not be unreasonably withheld. The act specifies that this provision does not displace or supersede an existing

agreement regarding an airport between (1) a municipality or its political subdivision that owns or controls an airport and (2) the municipality in which the airport is located. *EFFECTIVE DATE: July 1, 2023.*

Automatic Traffic Enforcement

PA 23-116 (HB-5917), the Vision Zero bill, includes provisions allowing municipalities to authorize the use of speed cameras and red light cameras if they (1) adopt an ordinance meeting the act's requirements and (2) get a speed and red light camera plan approved by DOT every three years. Existing law authorizes the use of speed



cameras only by DOT through the work zone speed camera pilot programs. By January 1, 2024, the act requires DOT to develop, and revise as necessary, two sets of guidance for municipalities developing speed and red light camera plans and seeking DOT approval. *EFFECTIVE DATE: October 1, 2023, except that the provision on DOT guidelines is effective upon passage.*

Local Traffic Authority Training

PA 23-135, Sec. 5, requires Local Traffic Authorities, or their appointed representatives, to complete training at UConn's CT Training & Technical Assistance Center, which UConn must offer 3 times per year. *EFFECTIVE DATE: Upon passage.*

Major Traffic Generator Certificates

PA 23-135, Sec. 3 & 4, prohibit local building officials from issuing a certificate of occupancy for certain major traffic generating developments until conditions of the Office of State Traffic Administration have been met. *EFFECTIVE DATE: July 1, 2023.*

Metropolitan Planning Organizations

SA 23-13 (HB-6670) requires the Connecticut Advisory Commission on Intergovernmental Relations (ACIR), in consultation with the DOT, to study the consolidation of metropolitan planning organizations and submit a report by January 1, 2024. *EFFECTIVE DATE: Upon passage.*

Rural Speed Enforcement Grant Program

PA 23-204, Sec. 52, extends a grant program for speed enforcement on rural

roads to eligible municipalities without a law enforcement unit or resident state trooper. Grants are capped at \$5,000 but eligible municipalities may receive up to 10 grants. *EFFECTIVE DATE: July 1, 2023.*

Shore Line East

PA 23-204 (HB-6941, Sec. 68) directs DOT to select and contract with a Shore Line East operator through a competitive process. In addition, funding for Shore Line East, which currently is being funded at 66% of its pre-pandemic service level, will decrease in the state budget for the upcoming fiscal year to 44% of its pre-pandemic service level. *EFFECTIVE DATE: Upon passage.*

KEY BILLS THAT DIED

Provisions allowing the Office of State Traffic Administration (OSTA) to withhold discretionary funding from towns that failed to comply with OSTA requirements, which COST opposed, were stripped from the bill.



VETERANS

Veterans Graves Upkeep

SA 23-25 (SB-642) establishes a veterans' graves upkeep working group to develop a process for family members of deceased veterans who have been buried in a cemetery in this state to address concerns regarding the upkeep of such deceased veterans' graves. *EFFECTIVE DATE: July 1, 2023.*

Veterans Services Representatives

PA 23-34 makes various changes to the laws requiring municipalities to have a veterans' representative program and designate an entity to carry out the program's duties, such as assisting veterans and their dependents obtain services and benefits. Under the act, municipalities may carry out such duties jointly. In addition, all designated representatives must complete training offered by the Dept. of Veterans Affairs Office of Aid Advocacy rather than just volunteers and town employees. *EFFECTIVE DATE: October 1, 2023.*

*Questions? Please contact COST Executive Director
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