



General Assembly

February Session, 2000

Amendment

LCO No. 3895

Offered by:

SEN. LEBEAU, 3rd Dist.

To: Subst. Senate Bill No. 578

File No. 604

Cal. No. 398

"An Act Concerning Smart Buildings And Internet Business Districts."

1 In line 7, after "property", insert "or any information technology
2 project"

3 In line 9, after "for", insert "an information technology project or"

4 In line 12, strike "fully wired office space provided high-capacity
5 networking within such space and high-speed connections to the
6 Internet"

7 After line 143, insert the following and renumber the remaining
8 sections accordingly:

9 "Sec. 3. Subsection (d) of section 32-23d of the general statutes is
10 repealed and the following is substituted in lieu thereof:

11 (d) "Project" means any facility, plant, works, system, building,
12 structure, utility, fixture or other real property improvement located in
13 the state, any machinery, equipment, furniture, fixture or other
14 personal property to be located in the state and the land on which it is

15 located or which is reasonably necessary in connection therewith,
16 which is of a nature or which is to be used or occupied by any person
17 for purposes which would constitute it as an economic development
18 project, information technology project, public service project, urban
19 project, recreation project, commercial fishing project, health care
20 project, the convention center project, as defined in subdivision (3) of
21 section 32-600, or nonprofit project, and any real property
22 improvement reasonably related thereto. A project may be acquired (1)
23 directly or (2) indirectly through the purchase of all or substantially all
24 of the stock of a corporation. A project shall not include new materials,
25 work in process, stock in trade or stock of a corporation.

26 Sec. 4. Section 32-23d of the general statutes is amended by adding
27 subsections (ee) to (gg), inclusive, as follows:

28 (NEW) (ee) "Information technology project" means any project (1)
29 providing information technology intensive office or laboratory space,
30 including, but not limited to, smart buildings, incubator facilities, or
31 any project that is to be used or occupied by any person specializing in
32 e-commerce technologies or other technologies using high-speed
33 communications infrastructure, and (2) which the authority deems will
34 materially contribute to the economic base of the state by creating or
35 retaining jobs, promoting the export of products or services beyond
36 state borders, encouraging innovation in products or services, or
37 otherwise contributing to, supporting or enhancing existing activities
38 that are important to the economic base of the state.

39 (NEW) (ff) "Incubator facilities" has the same meaning as incubator
40 facilities in subdivision (5) of section 32-34.

41 (NEW) (gg) "Smart building" means a building that houses, for use
42 by its tenants, an information or communications infrastructure
43 capable of transmitting digital video, voice, and data content over a
44 high-speed wired, wireless, or other communications intranet and
45 provides the capability of delivering and receiving high-speed digital
46 video, voice and data transmissions over the Internet."

47 In line 209, after "(12)", insert "provide tenant lease guarantees and
48 performance guarantees and"

49 In line 214, after "which" insert "guarantees,"

50 In 315, insert a period after "state" and strike "; and (26) act as a loan
51 guarantor for information"

52 Strike lines 316 to 371, inclusive, in their entirety and insert the
53 following in lieu thereof:

54 "Sec. 4. Section 32-39 of the general statutes is amended by adding
55 subsection (38) as follows:

56 (NEW) (38) To provide financial aid to persons developing smart
57 buildings, as defined in section 32-23d, as amended by section 3 of this
58 act, incubator facilities or other information technology intensive office
59 and laboratory space.

60 Sec. 5. (NEW) As used in section 6 of this act, the following terms
61 shall have the following meanings unless the context indicates another
62 meaning and intent:

63 (1) "Authority" means the Connecticut Development Authority,
64 created under section 32-11a of the general statutes, and any of its
65 subsidiaries or affiliates;

66 (2) "Executive Director" means the executive director of the
67 Connecticut Development Authority;

68 (3) "Financial assistance" means any and all forms of grants, loans,
69 extensions of credit, guarantees, equity investments, grants or other
70 forms of financing or refinancing to persons for the purchase,
71 acquisition, leasing, construction, expansion, continued operation,
72 reconstruction, financing, refinancing or placing in operation of an
73 information technology project, including, but not limited to, fixed
74 assets, working capital, equity participations and acquisitions,
75 employee buyouts, refinancing, lease guarantees, financial

76 restructuring and other purposes which the authority determines
77 further the purposes of this section. For purposes of this section and
78 section 6 of this act financial assistance shall not be considered
79 financial assistance under the provisions of section 32-462 of the
80 general statutes;

81 (4) "Information technology project" means an information
82 technology project, as defined in section 32-23d of the general statutes,
83 as amended by this act;

84 (5) "Person" means a person, as defined in subsection (s) of section
85 32-23d of the general statutes;

86 (6) "Return on investment" means any and all forms of principal or
87 interest payments, guarantee fees, equity participations, options,
88 warrants, debentures and any or all other forms of remuneration to the
89 authority in return for any financial assistance provided or offered.

90 Sec. 6. (NEW) (a) There is created within the authority the High-
91 Technology Infrastructure Fund. The state, acting through the
92 authority, may provide financial assistance from such fund that
93 enables the development of information technology projects. Such
94 financial assistance may be provided directly or in participation with
95 any other financial institutions, funds or other persons or other sources
96 of financing, public or private and the authority may enter into any
97 agreements or contracts it deems necessary or convenient in
98 connection therewith. Payments of principal, interest or other forms of
99 return on investment received by the authority shall be deposited in or
100 held on behalf of said fund.

101 (b) The authority may provide financial assistance in such amounts,
102 in such form and under such terms and condition as the authority shall
103 prescribe, in written procedures adopted in accordance with section 1-
104 121 of the general statutes. Such procedures shall provide, in the case
105 of financial assistance in a form other than a grant, for returns on
106 investment as the authority deems appropriate to reflect the nature of
107 the risk, provided a single project shall not receive an amount in excess

108 of fifteen million dollars and shall not be for a term longer than thirty
109 years.

110 (c) The authority may take all reasonable steps and exercise all
111 reasonable remedies necessary or desirable to protect the obligations
112 or interests of the authority, including, but not limited to, the purchase
113 or redemption of in foreclosure proceedings, bankruptcy proceedings
114 or in other judicial proceedings of any property on which it holds a
115 mortgage or other lien or in which it has an interest, and for such
116 purposes and any other purposes provided in this section payment
117 may be made from the High-Technology Infrastructure Fund upon
118 certification by the executive director that payment is authorized
119 under the provisions of this section, or other sections of the general
120 statutes, applicable procedures or other programs of the authority.

121 (d) Applicants for financial assistance shall pay the costs the
122 authority deems reasonable and necessary incurred in processing
123 applications made under this section, including application and
124 commitment fees, closing costs or other costs. In carrying out the
125 provisions of this section, any administrative expenses incurred by the
126 authority, to the extent not paid by the borrower or from moneys
127 appropriated to the authority for such purposes, may be paid from the
128 High-Technology Infrastructure Fund."