



General Assembly

Amendment

February Session, 2002

LCO No. 4511

SB0031104511SD0

Offered by:

SEN. JEPSEN, 27th Dist.

SEN. DAILY, 33rd Dist.

SEN. NICKERSON, 36th Dist.

To: Subst. Senate Bill No. 311

File No. 517

Cal. No. 323

"AN ACT CONCERNING RURAL DEVELOPMENT."

1 After section 1, insert the following:

2 "Sec. 2. Subsection (a) of section 7-188 of the general statutes is
3 repealed and the following is substituted in lieu thereof (*Effective July*
4 *1, 2002*):

5 (a) Any municipality, in addition to such powers as it has under the
6 provisions of the general statutes or any special act, shall have the
7 power to: [(1) adopt and amend]

8 (1) Adopt a charter which shall be its organic law and shall
9 supersede any existing charter, including amendments thereto, and
10 shall supersede all special acts that are inconsistent with such charter
11 or amendments. [, which] Such charter [or amended charter] may
12 include the provisions of any special act concerning the municipality
13 but [which] shall not otherwise be inconsistent with the constitution or

14 general statutes. [~~provided nothing~~] Nothing in this section shall be
15 construed to provide that any special act or charter provision relative
16 to any municipality is repealed solely because such special act or
17 provision is not included in the charter; [~~or amended charter; (2)~~
18 ~~amend~~]

19 (2) Adopt amendments to a charter which shall supersede any
20 existing charter provisions amended, and shall supersede all special
21 acts that are inconsistent with such amendments. Such amendment
22 may include the provisions of any special act concerning the
23 municipality but shall not otherwise be inconsistent with the
24 Constitution or general statutes. Nothing in this section shall be
25 construed to provide that any special act or charter provision relative
26 to any municipality is repealed solely because such special act or
27 charter provision is not included in an amendment;

28 (3) Amend a home rule ordinance which has been adopted prior to
29 October 1, 1982, which revised home rule ordinance shall not be
30 inconsistent with the constitution or the general statutes; [~~and (3)~~
31 ~~repeal~~] and

32 (4) Repeal any such home rule ordinance by adopting a charter,
33 provided the rights or benefits granted to any individual under any
34 municipal retirement or pension system shall not be diminished or
35 eliminated.

36 Sec. 3. Subsection (a) of section 7-192 of the general statutes is
37 repealed and the following is substituted in lieu thereof (*Effective July*
38 *1, 2002*):

39 (a) Every charter, special act and home rule ordinance in effect on
40 October 1, 1982, shall continue in effect until repealed or superseded
41 by the adoption of a charter, charter amendments or home rule
42 ordinance amendments in accordance with this chapter, the provisions
43 in any charter in existence on said date governing revision or
44 amendment to the contrary notwithstanding. Nothing in this section
45 shall prohibit the adoption of a revised home rule ordinance or home

46 rule ordinance amendments by any method established in such home
47 rule ordinance if the provisions concerning such method were in effect
48 on July 15, 1959. Any municipality administering its local affairs under
49 the provisions of the general statutes or special acts adopted prior to
50 said date may continue to so administer its local affairs [until] and may
51 amend its charter under such special acts in addition to the right of the
52 electors of such municipality to avail themselves of the provisions of
53 this chapter to adopt a charter or to amend a charter. Any municipality
54 having as its organic law a home rule ordinance or a revised or
55 amended home rule ordinance shall after any revision or amendment
56 of such ordinance publish, in a single document, any such home rule
57 ordinance and shall make such ordinance available at a nominal cost to
58 any member of the public."