



Senate

General Assembly

File No. 138

February Session, 2004

Senate Bill No. 446

Senate, March 18, 2004

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING MUNICIPAL CONSERVATION EASEMENTS.

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

1 Section 1. Section 47-42a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 For the purposes of sections 47-42b and 47-42c, the following
4 definitions shall apply:

5 (a) "Conservation restriction" means a limitation, whether or not
6 stated in the form of a restriction, easement, covenant or condition, in
7 any deed, will or other instrument executed by or on behalf of the
8 owner of the land described therein, including, but not limited to, the
9 state or any political subdivision of the state, or in any order of taking
10 such land whose purpose is to retain land or water areas
11 predominantly in their natural, scenic or open condition or in
12 agricultural, farming, forest or open space use.

13 (b) "Preservation restriction" means a limitation, whether or not

14 stated in the form of a restriction, easement, covenant or condition, in
15 any deed, will or other instrument executed by or on behalf of the
16 owner of land, including, but not limited to, the state or any political
17 subdivision of the state, or in any order of taking of such land whose
18 purpose is to preserve historically significant structures or sites.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

ENV *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

OLR Bill Analysis

SB 446

AN ACT CONCERNING MUNICIPAL CONSERVATION EASEMENTS**SUMMARY:**

By law, any government body or charitable corporation or trust with the power to acquire interests in land may acquire a conservation or preservation restriction in land in the same manner it acquires other interests in land. This bill specifies that the state, or any of its political subdivisions, may establish such a restriction on land it owns.

EFFECTIVE DATE: Upon passage

BACKGROUND***Conservation and Preservation Restrictions***

By law, landowners may create conservation restrictions in written instruments. Their purpose is to retain land or water areas predominantly in their natural, scenic or open condition, or in agricultural, farming, forest or open space use. Preservation restrictions are similar, but are meant to preserve historically significant structures or sites.

COMMITTEE ACTION

Environment Committee

Joint Favorable Report

Yea 22 Nay 0