



General Assembly

**Amendment**

February Session, 2004

LCO No. 2793

\*SB0048102793SD0\*

Offered by:

SEN. SULLIVAN, 5<sup>th</sup> Dist.

SEN. CRISCO, 17<sup>th</sup> Dist.

To: Senate Bill No. 481

File No. 127

Cal. No. 125

**"AN ACT CONCERNING PSYCHOLOGICALLY IMPACTED REAL ESTATE."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 20-329cc of the general statutes is repealed and  
4 the following is substituted in lieu thereof (*Effective October 1, 2004*):

5 As used in sections 20-329cc to 20-329ff, inclusive, as amended by  
6 this act, ["psychologically impacted" means the effect of certain  
7 circumstances] a "nonmaterial fact concerning real property" means a  
8 fact or circumstance surrounding real estate which includes, but is not  
9 limited to: (1) The fact that an occupant of real property is, or was at  
10 any time suspected to be, infected or has been infected with [the  
11 human immunodeficiency syndrome, as defined in section 19a-581] a  
12 disease on the list of reportable diseases issued by the Commissioner  
13 of Public Health pursuant to section 19a-2a, as amended; or (2) the fact  
14 that the property was at any time suspected to have been the site of a

15 [homicide, other felony or a suicide] death or felony.

16 Sec. 2. Section 20-329dd of the general statutes is repealed and the  
17 following is substituted in lieu thereof (*Effective October 1, 2004*):

18 (a) The existence of [any fact or circumstance which may have a  
19 psychological impact on the purchaser or lessee] a nonmaterial fact  
20 concerning real property is not a material fact that must be disclosed in  
21 a real estate transaction.

22 (b) No cause of action shall arise against an owner of real estate, [his  
23 or her] the owner's agent or any agent of the transferee for the failure  
24 to disclose [to the transferee that the transferred property was  
25 psychologically impacted, as defined in section 20-329cc] a  
26 nonmaterial fact concerning real property to the transferee.

27 Sec. 3. Section 20-329ee of the general statutes is repealed and the  
28 following is substituted in lieu thereof (*Effective October 1, 2004*):

29 Notwithstanding sections 20-329cc and 20-329dd, as amended by  
30 this act, if a purchaser or lessee of real estate, who was in the process of  
31 making a bona fide offer, advises an owner of real estate or [his or her]  
32 the owner's agent, in writing, that knowledge [that the property was at  
33 any time suspected to have been the site of a homicide, other felony or  
34 a suicide] of a nonmaterial fact concerning real property, other than a  
35 fact or circumstance set forth in subdivision (1) of section 20-329cc, as  
36 amended by this act, is important to the purchaser's decision to  
37 purchase or lease the property, the owner through [his or her] the  
38 owner's agent shall report any findings to the purchaser or lessee, in  
39 writing subject to and consistent with applicable laws of privacy. If the  
40 owner refuses to disclose such information, [his or her] the owner's  
41 agent shall so advise the purchaser or lessee in writing."

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

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Sec. 3	<i>October 1, 2004</i>
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