



House of Representatives

General Assembly

File No. 127

February Session, 2006

House Bill No. 5704

House of Representatives, March 23, 2006

The Committee on Planning and Development reported through REP. WALLACE of the 109th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING MUNICIPAL FUNDS FOR OPEN SPACE.

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

1 Section 1. Section 8-25b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) Any municipality [which] that provides in regulations, adopted
4 pursuant to section 8-25, for the payment of a fee or the fair market
5 value of land transferred in lieu of any requirement to provide open
6 space, shall deposit any such payments in a fund [which] that shall be
7 used for the purpose of preserving open space or acquiring additional
8 land for open space or for recreational or agricultural purposes.

9 (b) Notwithstanding the provisions of subsection (a) of this section,
10 any municipality, by vote of its legislative body, may use such fund for
11 expenses incurred for the purchase of land and construction of
12 affordable housing.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	8-25b

PD *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

The Out Years

None

OLR Bill Analysis
HB 5704

AN ACT CONCERNING MUNICIPAL FUNDS FOR OPEN SPACE.

SUMMARY:

This bill allows towns to finance affordable housing projects by tapping a fund they can currently use only (1) to preserve open space or (2) acquire additional land for recreational or agricultural purposes. Towns can establish the fund under their authority to regulate subdivisions. By law, they can require a developer to provide land for open space, parks, and playgrounds or pay a fee into the fund. (Alternatively, developers can pay a fee into the fund and transfer land to the town.)

Under the bill, a town's legislative body can vote to use the fund to acquire land and construct affordable housing. The standard for determining if housing is affordable is based on the town's median income. The law assumes that a family earning no more than that amount can afford the housing if it costs the family no more than 30% of its income.

EFFECTIVE DATE: October 1, 2006

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 15 Nay 1 (03/13/2006)