



House of Representatives

General Assembly

File No. 338

January Session, 2009

House Bill No. 6589

House of Representatives, March 30, 2009

The Committee on Planning and Development reported through REP. SHARKEY of the 88th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING LAND USE APPEALS.

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) As used in this section
2 "land use matter" means any action under chapter 124, 125a, 126 or 127
3 of the general statutes or under sections 22a-36 to 22a-45, inclusive, of
4 the general statutes.

5 (b) The Chief Court Administrator shall (1) establish in each judicial
6 district a docket separate from other civil matters for the hearing of
7 land use matters; and (2) identify in each judicial district judges with
8 experience in land use matters who shall hear all matters on such
9 docket.

10 (c) The Chief Court Administrator shall establish policies and
11 procedures to implement the provisions of this section. On or before
12 January 1, 2010, said administrator shall submit a report on such
13 implementation, in accordance with section 11-4a of the general
14 statutes, to the joint standing committee of the General Assembly

- 15 having cognizance of matters relating to planning and development.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	New section

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:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Judicial Dept.	GF - Potential Cost	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

Although the bill would not create additional work through the creation of separate land use dockets in each judicial district, it restricts the ability of the Chief Court Administrator to allocate the Judicial Department’s existing resources in the most efficient manner possible and could thereby generate overtime or other personnel costs. Any such costs would be minimal (i.e., less than \$50,000) on an annual basis.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

HB 6589

AN ACT CONCERNING LAND USE APPEALS.

SUMMARY:

This bill requires the Judicial Branch to treat land-use cases separately from other civil cases. The chief court administrator must do this by establishing a separate land-use docket in each judicial district and identifying judges with land-use expertise in each district to hear cases on the district’s land-use docket.

The land-use dockets must hear only cases under the zoning, land use ordinances, planning commission, regional planning agency, and inland wetlands and watercourses statutes. The chief court administrator must establish implementing policies and procedures. She must report the status of the land use dockets to the Planning and Development Committee by January 1, 2010.

EFFECTIVE DATE: October 1, 2009

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 19 Nay 0 (03/11/2009)