



House of Representatives

General Assembly

File No. 572

January Session, 2009

House Bill No. 6616

House of Representatives, April 8, 2009

The Committee on Public Health reported through REP. RITTER of the 38th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT ESTABLISHING WOOD SMOKE TO BE A PUBLIC NUISANCE.

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

- 1 Section 1. (*Effective from passage*) Not later than July 1, 2010, the
2 Commissioner of Public Health, in accordance with the provisions of
3 section 19a-36 of the general statutes, shall amend section 19-13-B1 of
4 the Public Health Code to provide that wood smoke emissions that
5 endanger the health of persons who live in the vicinity of the source of
6 such wood smoke shall be declared to constitute a public nuisance.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
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PH 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:

Municipalities	Effect	FY 10 \$	FY 11 \$
Various Municipalities	Revenue Gain	None	Potential Minimal
Various Municipalities	Cost	None	Potential

Explanation

This bill would extend the provisions of the public nuisance statute to include wood smoke emissions, no later than 7/4/10, and could result in a revenue gain to municipalities dependent upon the number of violators and the amount of the fine assessed violators. The maximum fine for Public Health Code violators is \$100 per violation.

A potential cost to various municipalities may also result, dependent on the number of complaints received related to wood smoke emissions, investigations prompted, and abatement orders issued. It is anticipated that the Department of Public Health will incur no fiscal impact in response to the enactment of this bill.

The Out Years

The annualized ongoing fiscal impact identified above would be dependent upon the number of violators of the new provisions, the amount of the fines assessed violators, the number of complaints received, investigations prompted, and abatements issued.

OLR Bill Analysis

HB 6616

AN ACT ESTABLISHING WOOD SMOKE TO BE A PUBLIC NUISANCE.

SUMMARY:

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 23 Nay 7 (03/20/2009)