



Substitute House Bill No. 5246

Public Act No. 10-137

AN ACT CONCERNING THE PROTECTION OF, AND SERVICES FOR, VICTIMS OF DOMESTIC VIOLENCE.

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

Section 1. Section 7-73 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2010*):

(a) To any person performing the duties required by the provisions of the general statutes relating to registration of marriages, deaths and fetal deaths, the following fees shall be allowed: (1) For the license to marry, ten dollars; and (2) for issuing each burial or removal, transit and burial permit, three dollars.

(b) A twenty-dollar surcharge shall be paid to the registrar for each license to marry in addition to the fee for such license established pursuant to subsection (a) of this section. The registrar shall retain one dollar from each such surcharge for administrative costs and shall forward the remainder, on or before the tenth day of the month following each calendar quarter, to the Department of Public Health. The receipts shall be deposited into an account of the State Treasurer and credited to the General Fund for further credit to a separate nonlapsing account established by the Comptroller for use by the Department of Social Services for shelter services for victims of

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household abuse in accordance with section 17b-850 and by the Department of Public Health for rape crisis services funded under section 19a-2a. Such funds shall be allocated for these purposes by the Office of Policy and Management in consultation with the Commissioners of Social Services and Public Health based on an evaluation of need, service delivery costs and availability of other funds. The Commissioners of Social Services and Public Health shall distribute such funds to the recipient organizations in accordance with such allocations not later than October fifteenth, annually. No such [moneys] funds shall (1) be retained by the Office of Policy and Management, the Commissioner of Social Services or the Commissioner of Public Health for administrative purposes; or (2) supplant any state or federal funds otherwise available for such services.

Sec. 2. (NEW) (*Effective October 1, 2010*) (a) Notwithstanding the provisions of chapters 830 and 831 of the general statutes, for rental agreements entered into or renewed after December 31, 2010, any tenant who (1) is a victim of family violence, as defined in section 46b-38a of the general statutes, and (2) reasonably believes it is necessary to vacate the dwelling unit due to a fear for the tenant's or the tenant's child's personal safety because of family violence, may terminate the rental agreement for the dwelling unit that the tenant occupies without penalty or liability for the remaining term of the rental agreement upon giving not less than thirty calendar days' written notice to the landlord of such dwelling unit. Such notice shall include: (A) A statement that the tenant is a victim of family violence; (B) a statement that the tenant intends to terminate the rental agreement and the date of such intended termination; and (C) a copy of a police or court record related to the family violence or a signed written statement that the tenant or the tenant's child is a victim of family violence, provided such statement is from an employee or agent of a victim services organization, an employee of the Office of Victim Services within the

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Judicial Department or the Office of the Victim Advocate, or a medical or other licensed professional from whom the tenant or the tenant's child has sought assistance with respect to family violence.

(b) The tenant's termination of the rental agreement pursuant to this section shall not relieve the tenant from liability to the landlord for any rent arrearage incurred prior to such termination of the rental agreement or from liability to the landlord for property damage caused by the tenant.

(c) The landlord may bring an action in the Superior Court for injunctive relief to prevent the termination of the rental agreement if the requirements set forth in subsection (a) of this section for such termination have not been satisfied.

Sec. 3. (NEW) (*Effective July 1, 2010*) Not later than June 30, 2012, the Commissioner of Public Health shall, within available appropriations, develop one public service announcement to be issued by the Department of Public Health through television broadcast for the purpose of preventing teen dating violence and family violence, as defined in section 46b-38a of the general statutes. The commissioner may apply for public or private grants for the purpose of issuing such public service announcement.

Sec. 4. Section 47a-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

As used in this chapter, section 2 of this act and sections 47a-21, 47a-23 to 47a-23c, inclusive, 47a-26a to 47a-26g, inclusive, 47a-35 to 47a-35b, inclusive, 47a-41a, 47a-43 and 47a-46:

(a) "Action" includes recoupment, counterclaim, set-off, cause of action and any other proceeding in which rights are determined, including an action for possession.

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(b) "Building and housing codes" include any law, ordinance or governmental regulation concerning fitness for habitation or the construction, maintenance, operation, occupancy, use or appearance of any premises or dwelling unit.

(c) "Dwelling unit" means any house or building, or portion thereof, which is occupied, is designed to be occupied, or is rented, leased or hired out to be occupied, as a home or residence of one or more persons.

(d) "Landlord" means the owner, lessor or sublessor of the dwelling unit, the building of which it is a part or the premises.

(e) "Owner" means one or more persons, jointly or severally, in whom is vested (1) all or part of the legal title to property, or (2) all or part of the beneficial ownership and a right to present use and enjoyment of the premises and includes a mortgagee in possession.

(f) "Person" means an individual, corporation, limited liability company, the state or any political subdivision thereof, or agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, and any other legal or commercial entity.

(g) "Premises" means a dwelling unit and the structure of which it is a part and facilities and appurtenances therein and grounds, areas and facilities held out for the use of tenants generally or whose use is promised to the tenant.

(h) "Rent" means all periodic payments to be made to the landlord under the rental agreement.

(i) "Rental agreement" means all agreements, written or oral, and valid rules and regulations adopted under section 47a-9 or subsection (d) of section 21-70 embodying the terms and conditions concerning

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the use and occupancy of a dwelling unit or premises.

(j) "Roomer" means a person occupying a dwelling unit, which unit does not include a refrigerator, stove, kitchen sink, toilet and shower or bathtub and one or more of these facilities are used in common by other occupants in the structure.

(k) "Single-family residence" means a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit or has a common parking facility, it is a single-family residence if it has direct access to a street or thoroughfare and does not share heating facilities, hot water equipment or any other essential facility or service with any other dwelling unit.

(l) "Tenant" means the lessee, sublessee or person entitled under a rental agreement to occupy a dwelling unit or premises to the exclusion of others or as is otherwise defined by law.

(m) "Tenement house" means any house or building, or portion thereof, which is rented, leased or hired out to be occupied, or is arranged or designed to be occupied, or is occupied, as the home or residence of three or more families, living independently of each other, and doing their cooking upon the premises, and having a common right in the halls, stairways or yards.

Approved June 7, 2010