



# House of Representatives

General Assembly

**File No. 246**

January Session, 2011

Substitute House Bill No. 6410

*House of Representatives, March 28, 2011*

The Committee on Planning and Development reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE REVISION OF MUNICIPAL CHARTERS.**

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

1 Section 1. Subsection (b) of section 7-190 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2011*):

4 (b) The appointing authority shall direct the commission to consider  
5 those recommendations included in the petition and may make other  
6 recommendations to the commission. The appointing authority may  
7 authorize the commission to consider other items for inclusion in the  
8 proposed charter, other changes to the charter or home rule ordinance  
9 and such other items as the commission deems desirable or necessary.  
10 [The commission may also consider other items for inclusion in the  
11 proposed charter, other changes to the charter or home rule ordinance  
12 and such other items as it deems desirable or necessary.] The  
13 commission shall in its reports comment on each recommendation  
14 which it has been directed to consider. [, if any, and on such other

15 changes or items.] The appointing authority shall specify by resolution  
16 when the commission shall submit its draft report, which shall be not  
17 later than sixteen months from the date of its appointment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	7-190(b)

**PD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 12 \$</b>	<b>FY 13 \$</b>
Various Municipalities	Potential Cost/Potential Cost Avoidance	Minimal	Minimal

**Explanation**

Enactment of the bill may increase the likelihood that a charter commission is appointed in any given municipality. Minimal costs (estimated at less than \$2,000) would be incurred for a commission to hold at least two public hearings (required per Section 7-191 CGS).

However, the cost<sup>1</sup> of conducting charter revision may be lessened, as the bill would potentially limit the scope of work undertaken by a commission (as compared to under current law). The potential cost avoidance due to limiting the scope of work is anticipated to be minimal, likely less than \$5,000.

**The Out Years**

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

<sup>1</sup> Charter commissions may expend appropriated funds to engage employees and enter into consultant contracts (per Section 7-201 CGS).

**OLR Bill Analysis****sHB 6410*****AN ACT CONCERNING THE REVISION OF MUNICIPAL CHARTERS.*****SUMMARY:**

By law, a commission appointed to draft or amend a municipal charter or amend a home rule ordinance must consider the changes or items (1) specified in the petition that initiated the adoption or revision process, if applicable, and (2) anything else the appointing authority recommends. Under current law, the commission may consider additional changes or items it deems desirable or necessary. This bill allows the commission to consider additional items or changes only if the appointing authority authorizes it to do so.

EFFECTIVE DATE: October 1, 2011

**BACKGROUND*****Charter Adoption and Revision Process***

The law authorizes towns to adopt or amend a charter or amend a home rule ordinance and specifies the process for doing so. The town's legislative body (i.e. appointing authority) or the town's voters can initiate the process by resolution or petition, respectively. The legislative body must appoint a commission, which must consider any item the legislative body or the petition specifies.

The commission and the legislative body must hold public hearings on the proposal according to a statutory schedule. The legislative body can recommend changes to the commission's proposal, but the commission does not have to accept them. After the commission finalizes its proposed charter or amendments, the legislative body can accept or reject all or parts of it. Voters can petition for a referendum on the rejected parts and must ultimately vote on the proposal,

regardless of whether the legislative body initially approved it.

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/11/2011)