



General Assembly

January Session, 2011

Raised Bill No. 6292

LCO No. 2902

02902_____PD_

Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT CONCERNING SPECIAL TAXING DISTRICTS.

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

1 Section 1. Section 7-325 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) Upon the petition of fifteen or more voters, as defined by section
4 7-6, of any town, specifying the limits of a proposed district for any or
5 all of the purposes set forth in section 7-326, the selectmen of such
6 town shall call a meeting of the voters residing within such specified
7 limits to act upon such petition, which meeting shall be held at such
8 place within such town and such hour as the selectmen designate,
9 [within] not later than the date thirty days after the date such petition
10 has been received by such selectmen. Such limits shall contain only
11 contiguous property, except any proposed district which is proposed
12 to be established only to plan, lay out, acquire, construct, reconstruct,
13 repair, maintain, operate and regulate the use of a community water
14 system or to construct and maintain drains and sewers or both and
15 which does not exercise any of the other powers enumerated in section
16 7-326, may contain noncontiguous properties if the properties

17 proposed to be included are, or are to be, served by a common water
18 or sewer main. Such meeting shall be called by publication of a written
19 notice of the same, signed by the selectmen, at least fourteen days
20 before the time fixed for such meeting in two successive issues of some
21 newspaper published or circulated in such town. Not later than
22 twenty-four hours before such meeting, (1) two hundred or more
23 voters or ten per cent of the total number of voters, whichever is less,
24 may petition the selectmen in writing for a referendum, or (2) the
25 selectmen in their discretion may order a referendum, on the sole
26 question of whether the proposed district should be established. Any
27 such referendum shall be held not less than seven nor more than
28 fourteen days after the receipt of such petition or the date of such
29 order, on a day to be set by the selectmen for a vote by paper ballots or
30 by a "yes" or "no" vote on the voting machines, during the hours
31 between twelve o'clock noon and eight o'clock p.m.; except that any
32 town may, by vote of its selectmen, provide for an earlier hour for
33 opening the polls but not earlier than six o'clock a.m., notwithstanding
34 the provisions of any special act to the contrary. If two-thirds of the
35 voters casting votes in such referendum vote in favor of establishing
36 the proposed district, the selectmen shall reconvene such meeting not
37 later than the date seven days after the day on which the referendum is
38 held. Upon approval of the petition for the proposed district by two-
39 thirds of the voters present at such meeting, or if a referendum is held,
40 upon the reconvening of such meeting after the referendum, the voters
41 may name the district and, upon the vote of a majority of such voters,
42 choose necessary officers therefor to hold office until the first annual
43 meeting thereof; and the district shall, upon the filing of the first report
44 required pursuant to subsection (c) of this section, thereupon be a body
45 corporate and politic and have the powers, not inconsistent with the
46 general statutes, in relation to the objects for which it was established,
47 that are necessary for the accomplishment of such objects, including
48 the power to lay and collect taxes. The clerk of such district shall cause
49 its name and a description of its territorial limits and of any additions
50 that may be made thereto to be recorded in the land records of each

51 town in which such district is located.

52 (b) Any district may enlarge or reduce its territorial limits if the
53 board of directors of the district approves a resolution proposing such
54 an enlargement or reduction and stating the proposed boundaries of
55 the area proposed to be included or excluded, as the case may be,
56 provided: (1) The board of directors of the district shall call a meeting
57 of voters of the area proposed to be included or excluded, which
58 meeting shall be held [within] not later than the date thirty days [of]
59 after the date of the board of directors' approval of such resolution and
60 shall be called by publication of a written notice of the same, signed by
61 the members of the board of directors of the district, at least fourteen
62 days before the time fixed for such meeting in two successive issues of
63 some newspaper published or circulated in such town, provided not
64 later than twenty-four hours before any such meeting, two hundred or
65 more such voters or ten per cent of the total number of such voters,
66 whichever is less, may petition the clerk of the district, in writing, that
67 a referendum on the question of whether the area proposed to be
68 included or excluded should join or leave the district be held in the
69 manner provided in section 7-327, as amended by this act; (2) a two-
70 thirds majority of the voters of the area proposed to be included or
71 excluded in attendance at such meeting, or, if a referendum is held,
72 two-thirds of such voters casting votes in such referendum, vote in
73 favor of joining or leaving such district; (3) that any area to be added is
74 contiguous with some portion of the existing district, and (4) if the
75 enlargement of the territorial limits of the district will overlap the
76 territorial limits of another district within the town, the legislative
77 body of the town approves such enlargement. If any district enlarges
78 or reduces its territorial limits, the clerk of such district shall notify the
79 town clerk of each town affected by such enlargement or reduction
80 [within] not later than the date thirty days after the date of the vote.

81 (c) The clerk of each district created pursuant to this chapter or any
82 provisions of the general statutes or any special act, shall report to the
83 town clerk of each town in which such district is located: (1) If created

84 by approval of a petition pursuant to subsection (a) of this section on
85 or after July 1, 1987, [within] not later than the date seven days after
86 the date of such approval; and (2) on or before July 31, 1993, and
87 annually thereafter for each such district, irrespective of the date of
88 creation. The first report filed after the creation of a district shall
89 include a list of the officers of such district, a copy of the charter or
90 special act of such district and such other information on the
91 organization and the financial status of such district as the Secretary of
92 the Office of Policy and Management may recommend. A copy of the
93 charter or special act of such district shall be included in any
94 subsequent report if such charter or special act was amended after the
95 date of the previous filing. No district, irrespective of the date of
96 creation, created by approval of a petition pursuant to subsection (a) of
97 this section shall exist as a body corporate and politic until the clerk of
98 such district has filed at least one report required by this subsection. If
99 a district is located in more than one town, the report shall be filed by
100 the district clerk with the town clerk of each town in which the district
101 is located.

102 (d) Any fine imposed on and after July 1, 1992, on a clerk for failure
103 to file a report required pursuant to subsection (c) of this section shall
104 be waived.

105 Sec. 2. Subsection (b) of section 7-327 of the general statutes is
106 repealed and the following is substituted in lieu thereof (*Effective*
107 *October 1, 2011*):

108 (b) The president of the district shall be the chief executive officer
109 thereof and shall be a member of the board of directors. [He] The
110 president shall preside at all meetings of the voters of the district and
111 at all meetings of the directors, and at all meetings where [he] the
112 president presides, [he] the president shall vote to dissolve a tie when
113 necessary. [He] The president shall designate the duties devolving
114 upon each of the five directors, shall approve all bills for payment by
115 the treasurer and shall be, ex officio, a member of all committees and

116 boards of the district. The vice president shall be a member of the
117 board of directors, and shall have all the authority, power and duties
118 of the president whenever the president vacates his office, is absent or
119 from any cause is unable to perform his duties. The clerk shall be a
120 member of the board of directors, shall keep a record of the minutes of
121 all meetings of the voters and of the board of directors and shall keep
122 at all times a list of the voters of the district. The treasurer shall have
123 charge of the collection and payment of all moneys of the district,
124 under such rules and regulations as shall be prescribed by the board of
125 directors, and shall prepare the annual budget, which shall be
126 reviewed by the board of directors and transmitted with the board's
127 comments and recommendations to the annual budget meeting of the
128 district for adoption.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	7-325
Sec. 2	<i>October 1, 2011</i>	7-327(b)

Statement of Purpose:

To make technical changes to the statutes concerning special taxing districts for internal consistency.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]