



**House Bill No. 5780**

**Public Act No. 11-99**

***AN ACT CONCERNING INTERLOCAL AGREEMENTS.***

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

Section 1. Section 7-148cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

Two or more municipalities may jointly perform any function that each municipality may perform separately under any provisions of the general statutes or of any special act, charter or home rule ordinance by entering into an interlocal agreement pursuant to sections 7-339a to 7-339l, inclusive, as amended by this act. [Each participating municipality shall approve any agreement entered into pursuant to this section in the same manner as an ordinance is approved in such participating municipality or, if no ordinances are approved by such participating municipality, in the same manner as the budget is approved. The terms of each agreement shall establish a process for withdrawal from such agreement and shall require that the agreement be reviewed at least once every five years by the body that approved the agreement to assess the effectiveness of such agreement in enhancing the performance of the function that is the subject of the agreement.] As used in this section, "municipality" means any municipality, as defined in section 7-187, [or] any district, as defined in section 7-324, any metropolitan district or any municipal district

**House Bill No. 5780**

created under section 7-330 and located within the state of Connecticut.

Sec. 2. Section 7-339a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

As used in sections 7-339a to 7-339l, inclusive, as amended by this act, unless a different meaning clearly appears from the context: "Public agency" means any [city, town or borough or any district as defined in section 7-324 or any metropolitan district or any municipal district created under section 7-330] municipality, as defined in section 7-148cc, as amended by this act, of the state of Connecticut, and any local governmental unit, subdivision or special district of another state; "interlocal agreement" means an agreement entered into pursuant to said sections; "interlocal advisory board" means a board established pursuant to said sections; "participating public agency" means a party to an interlocal agreement; "legislative body" has the meaning assigned to it by section 1-1 but, where the legislative body is the town meeting, the requirements of said sections as to [holding public hearings by a legislative body] providing the opportunity for public comment shall not apply.

Sec. 3. Subsection (a) of section 7-339b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) Any public agency of this state may participate in developing and implementing interlocal agreements with any public agency or agencies of this state or any other state or states providing for any of the following:

[(1) The exchange, furnishing or providing by one or more of the participating public agencies to one or more of the other participating public agencies, or the furnishing or providing for the joint use or

**House Bill No. 5780**

benefit of the several participating public agencies, of services, personnel, facilities, equipment or any other property or resources for any one or more of the following purposes or uses: Fire prevention and fire fighting; police protection and police services; supply of water, gas or electricity; garbage collection and disposal; sewer lines and sewage treatment and disposal; refuse collection and disposal, and establishment or use of public dumps; storm drainage; establishment or use of airports or landing fields; public entertainment and amusement; establishment or use of parks, public gardens, gymnasiums, playgrounds, swimming pools, community centers, recreation centers or other recreational areas or facilities; establishment and preservation of open spaces; control of air and water pollution; planning services; engineering services; lighting; ambulance service; fire and police radio and communication systems, hospital service; public health services; mental health services; establishment or care of cemeteries; library or bookmobile services; suppression or control of plant and animal pests or diseases; flood control; water conservation; public shade tree protection services; traffic services; transportation services; redevelopment services, and publicizing the advantages of the region.]

(1) The joint performance of any function that each participating public agency may perform separately under any provision of the general statutes or of any special act, charter or home rule ordinance.

(2) The establishment of an interlocal advisory board or boards to recommend programs and policies for cooperative or uniform action in any fields of activity permitted or authorized hereunder for each participating public agency, and from time to time to advise with the appropriate officials of the participating public agencies in respect to such programs, policies or fields of activity.

(3) The establishment and maintenance of interlocal employees or officers of the participating public agencies for the purpose of

**House Bill No. 5780**

administering or assisting in any of the undertakings contemplated by subdivision (1) [hereof] of this subsection or for the purpose of performing services for an interlocal advisory board as authorized by subdivision (2) [hereof] of this subsection. Such employees or officers, if not continuing in or eligible for the merit system, insurance and pension benefits and status of employment with a participating public agency, may continue in such status or be made eligible therefor if the interlocal agreement contains appropriate provisions to this effect. An interlocal advisory board may enter into an agreement with the federal Secretary of Health and Human Services to provide Old Age and Survivors Insurance coverage to employees of such board.

Sec. 4. Section 7-339c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

[(a) The public agencies proposing an interlocal agreement shall submit to the legislative body of each participating public agency a copy of the proposed interlocal agreement as it may have prepared. Within thirty days after receipt thereof, the legislative body of each participating public agency shall hold at least one public hearing on the proposed agreement and, within fifteen days after such hearing, or the last of such hearings, submit to each other participating public agency any recommendations for changes in the proposed agreement that it may deem desirable.

(b) If no recommendations for changes are submitted to the public agency, the agreement shall be deemed final. If recommendations for changes are submitted within such time, after consideration thereof, the public agencies shall submit a final report to the legislative body of each participating public agency, together with a copy of its proposed agreement, if it has been revised in any respect.

(c) Within thirty days after an agreement has become final, it shall be either ratified or rejected by vote of the legislative body of each

**House Bill No. 5780**

participating public agency. If, by any general or special law, ordinance, charter provision, bylaw, corporate article or district rule or regulation, any subject contained in an interlocal agreement must be submitted to a referendum before being undertaken individually by such agency or jointly by such agency and any other public agency, the agreement shall be submitted to a referendum of the electors of such public agency and shall not be deemed ratified by such public agency until approved at such referendum.

(d) Unless an interlocal agreement requires ratification by a specific number of participating public agencies, it shall take effect as to ratifying agencies at such time as it shall provide, when ratified by any two participating agencies. Rejection by any participating agency shall not void an agreement as to other ratifying agencies, unless the agreement so provides.]

(a) Interlocal agreements shall be negotiated and shall contain all provisions on which there is mutual agreement between the participating public agencies. Such agreements shall establish a process for amendment, termination and withdrawal. The public agencies proposing an interlocal agreement shall submit to the legislative body of each participating public agency a copy of the proposed interlocal agreement for ratification or rejection. The legislative body of each participating public agency shall provide the opportunity for public comment before voting to ratify or reject such proposed agreement. For purposes of this section, providing the opportunity for public comment does not require a legislative body to conduct a public hearing.

(b) For any municipality in which the legislative body is the town meeting, such legislative body may, by resolution, vote to delegate its authority to ratify or reject a proposed interlocal agreement to the board of selectmen, provided such board of selectmen provides the opportunity for public comment in accordance with this section.

**House Bill No. 5780**

Sec. 5. Subsection (a) of section 12-62q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

(a) Notwithstanding the provisions of subdivision (1) of subsection (b) of section 12-62, any two or more towns may enter into an agreement, as provided in section 7-148cc, as amended by this act, and sections 7-339a to 7-339l, inclusive, as amended by this act, to establish a regional revaluation program. Towns participating in such an agreement shall provide for the revaluation of all parcels of real property encompassed within such towns at the same time and not less than once every five years, or shall annually revalue approximately one-fifth of all such parcels over a five-year period.

Sec. 6. Section 7-339f of the general statutes is repealed. (*Effective from passage*)

Approved July 8, 2011