



General Assembly

Amendment

January Session, 2011

LCO No. 6243

SB0085206243SR0

Offered by:

SEN. MARKLEY, 16th Dist.

SEN. WELCH, 31st Dist.

To: Subst. Senate Bill No. 852

File No. 29

Cal. No. 51

"AN ACT CONCERNING PERMANENT SUPPORTIVE HOUSING INITIATIVES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 8-3e of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2011*):

5 (a) No zoning regulation shall treat the following in a manner
6 different from any single family residence: (1) Any community
7 residence that houses six or fewer mentally retarded persons and
8 necessary staff persons and that is licensed under the provisions of
9 section 17a-227, (2) any child-care residential facility that houses six or
10 fewer children with mental or physical disabilities and necessary staff
11 persons and that is licensed under sections 17a-145 to 17a-151,
12 inclusive, or (3) any community residence that houses six or fewer
13 persons receiving mental health or addiction services and necessary
14 staff persons paid for or provided by the Department of Mental Health

15 and Addiction Services and that has been issued a license by the
16 Department of Public Health under the provisions of section 19a-491, if
17 a license is required.

18 (b) Any resident of a municipality in which such a community
19 residence or child-care residential facility is located may, with the
20 approval of the legislative body of such municipality, petition (1) the
21 Commissioner of Developmental Services to revoke the license of such
22 community residence on the grounds that such community residence
23 is not in compliance with the provisions of any statute or regulation
24 concerning the operation of such residences, (2) the Commissioner of
25 Children and Families to revoke the license of such child-care
26 residential facility on the grounds that such child-care residential
27 facility is not in compliance with the provision of any general statute
28 or regulation concerning the operation of such child-care residential
29 facility, or (3) the Commissioner of Mental Health and Addiction
30 Services to withdraw funding from such community residence on the
31 grounds that such community residence is not in compliance with the
32 provisions of any general statute or regulation adopted thereunder
33 concerning the operation of a community residence.

34 (c) (1) Any such community residence or child-care residential
35 facility shall be required to operate in a safe and quiet manner. For
36 purposes of this subsection, "safe and quiet manner" means without
37 incidents of violence, public disorder or disturbance of the peace.

38 (2) Any resident of a municipality in which such a community
39 residence or child-care residential facility is located may cite a
40 violation of the requirements of subdivision (1) of this subsection as
41 the basis for a petition to the Commissioner of Developmental
42 Services, the Commissioner of Children and Families or the
43 Commissioner of Mental Health and Addiction Services for the
44 revocation of a license or withdrawal of funding for such residence or
45 facility pursuant to subsection (b) of this section."