



Senate

General Assembly

File No. 371

February Session, 2012

Senate Bill No. 345

Senate, April 11, 2012

The Committee on Planning and Development reported through SEN. CASSANO of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING MUNICIPAL FLOOD AND EROSION CONTROL BOARDS.

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

1 Section 1. Section 25-85 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 Such board shall have authority, within the limits of appropriations
4 from time to time made by the municipality, to plan, lay out, acquire,
5 construct, reconstruct, repair, maintain, supervise and manage a flood
6 or erosion control system. As used in sections 25-84 to 25-94, inclusive,
7 "flood or erosion control system" means any dike, berm, dam, piping,
8 groin, jetty, sea wall, embankment, revetment, tide-gate, water storage
9 area, ditch, drain or other structure or facility useful in preventing or
10 ameliorating damage from floods or erosion, whether caused by fresh
11 or salt water, or any dam forming a lake or pond that benefits abutting
12 properties, and shall include any easements, rights-of-way and
13 riparian rights [which] that may be required in furtherance of any such
14 system.

15 Sec. 2. Section 25-86 of the general statutes is repealed and the
 16 following is substituted in lieu thereof (*Effective October 1, 2012*):

17 Such board is authorized to enter upon and to take and hold, by
 18 purchase, condemnation or otherwise, any real property or interest
 19 therein [which] that it determines is necessary for use in connection
 20 with the flood or erosion control system. Whenever the board is unable
 21 to agree with the owner of any such property as to the compensation
 22 to be paid for the taking thereof, the board, in the name of the
 23 municipality, may bring condemnation proceedings in accordance
 24 with the procedure provided by part I of chapter 835 for condemnation
 25 by municipal corporations generally. In such case, the court or judge
 26 may permit immediate possession of such property by the board in
 27 accordance with the procedure provided by said chapter.

28 Sec. 3. Section 25-89 of the general statutes is repealed and the
 29 following is substituted in lieu thereof (*Effective October 1, 2012*):

30 If any assessment is not valid or enforceable for any reason, a new
 31 assessment may be made in the manner hereinbefore provided for the
 32 determination of the original assessment. If any assessment is made
 33 [which] that is not sufficient to cover the entire cost of the work to be
 34 paid for by such assessment, a supplementary assessment may be
 35 made by the board against those properties previously assessed, to the
 36 end that a sum sufficient to pay the cost of such work may be obtained,
 37 provided the total of such supplementary assessment and the original
 38 assessment shall not exceed the value of the special benefit to accrue to
 39 the property against which the benefit is assessed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	25-85
Sec. 2	<i>October 1, 2012</i>	25-86
Sec. 3	<i>October 1, 2012</i>	25-89

PD *Joint Favorable*

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:*** None***Explanation***

The bill, which makes technical changes to certain municipal flood and erosion control boards, has no fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis

SB 345

AN ACT CONCERNING MUNICIPAL FLOOD AND EROSION CONTROL BOARDS.

SUMMARY:

This bill makes technical changes to statutes concerning municipal flood and erosion control boards.

EFFECTIVE DATE: October 1, 2012

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 20 Nay 0 (03/23/2012)