



General Assembly

Substitute Bill No. 1111

January Session, 2013



**AN ACT REQUIRING CERTAIN WATER POLLUTION CONTROL
AUTHORITIES TO OPERATE PURSUANT TO AN INTERLOCAL
AGREEMENT AND CONCERNING THE LIABILITY OF WATER
COMPANIES FOR DAMAGES CAUSED BY A LEAK OR BREAK IN A
WATER MAIN.**

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

1 Section 1. (NEW) (*Effective October 1, 2013*) Any water pollution
2 control authority located in a municipality with a population of less
3 than fifty thousand that, through the municipality, receives a grant
4 pursuant to section 22a-478 of the general statutes for a water pollution
5 control project involving a sewerage system, as defined in section 7-
6 245 of the general statutes, that serves customers in more than one
7 municipality shall operate pursuant to an interlocal agreement
8 negotiated in good faith. Each municipality served by such sewerage
9 system shall be a party to such agreement. Any such interlocal
10 agreement created after October 1, 2013, shall include the following
11 provisions: (1) Except as required by section 7-256 of the general
12 statutes, no charge for connection with or for the use of the sewerage
13 system shall be increased without the prior preparation and review by
14 the water pollution control authority of an independent cost of service
15 study; (2) the water pollution control authority shall establish an
16 advisory board that shall meet at least twice annually and shall consist
17 of (A) one person who shall represent the chief elected officials of the
18 municipalities served by the sewerage system, and (B) one person from

19 each municipality served by the sewerage system who shall represent
20 customers of such sewerage system; (3) the water pollution control
21 authority shall consult with such advisory board prior to taking any
22 action concerning a transfer of real property, a rate increase, except as
23 required pursuant to section 7-256 of the general statutes, or a capital
24 improvement project with an aggregate cost in excess of five million
25 dollars; and (4) when surrounding municipalities contribute more than
26 twenty per cent of the design capacity flows of the water pollution
27 control authority's sewerage system, the parties to the interlocal
28 agreement shall negotiate in good faith and make best efforts to form a
29 regional water pollution control authority pursuant to section 22a-500
30 of the general statutes.

31 Sec. 2. (NEW) (*Effective October 1, 2013*) Any water company shall be
32 liable to a consumer for any uninsured damages proximately caused
33 by a leak or break in a water main owned by the water company. For
34 purposes of this section, "water company" and "consumer" have the
35 same meanings as provided in section 25-32a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	New section
Sec. 2	<i>October 1, 2013</i>	New section

Statement of Legislative Commissioners:

In section 1, the second sentence was added for clarity.

PD *Joint Favorable Subst.*