

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 13-222**—sSB 461

*Planning and Development Committee*

*Judiciary Committee*

**AN ACT CONFERRING CORPORATE POWERS ON CERTAIN  
MUNICIPAL STORMWATER AUTHORITIES**

**SUMMARY:** This act designates a municipal stormwater authority that meets certain conditions as a municipal quasi-public authority and allows the municipality, by ordinance, to grant it specific powers to carry out its duties.

The act also subjects charges from any municipal stormwater authority that are more than 30 days overdue to interest at the same rate the municipality's tax collector charges for delinquent property taxes (1.5% per month or part of a month or 18% per year). Under the act, any unpaid stormwater authority charge is a lien on the property against which it is levied, running from the date it became delinquent. The lien may be continued, recorded, and released like a property tax lien.

EFFECTIVE DATE: October 1, 2013

**MUNICIPAL STORMWATER AUTHORITY POWERS**

PA 07-154 (1) required what is now the Department of Energy and Environmental Protection to create a municipal stormwater authority pilot program in up to four municipalities adjoining Long Island Sound and (2) authorized up to \$1 million in grants to the participating towns to reimburse a portion of the planning, engineering, and legal costs associated with creating a stormwater authority and developing a stormwater program. Three municipalities, New Haven, New London, and Norwalk, participated in the program, but, to date, none has created a stormwater authority.

The act designates a stormwater authority created under this pilot program and located in a distressed municipality with a population of 28,000 or less as a "body corporate and politic" (i.e., a quasi-public authority). New London is the only municipality that meets these conditions and thus the only one affected.

The act allows the ordinance establishing New London's stormwater authority to grant it the power to:

1. sue and be sued;
2. acquire, hold, and convey any real and personal property;
3. contract;
4. borrow money, including issuing bonds, with municipal legislative approval;
5. (a) recommend, to the legislative body, the imposition of a tax on real property within the authority's district and (b) use the tax revenue to carry out the authority's powers;

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6. deposit and spend funds; and
7. enter property to make surveys, soundings, borings, and examinations to accomplish the authority's purposes.

OLR Tracking: RP:JKL:PF:ts