



Substitute House Bill No. 5418

Public Act No. 14-153

AN ACT CONCERNING FINANCIAL LIABILITY FOR THE CLEAN-UP OF CERTAIN HAZARDOUS WASTE.

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

Section 1. Section 22a-452b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, a mortgagee who acquires title to real estate by virtue of a foreclosure or tender of a deed in lieu of foreclosure, shall not be liable for any assessment, fine or other costs imposed by the state for any spill upon such real estate beyond the value of such real estate, provided such spill occurred prior to the date of acquisition of title to such real estate by such mortgagee.

(b) Notwithstanding the provisions of section 22a-451, the Commissioner of Energy and Environmental Protection may enter into an agreement with any person or the estate of any person, as applicable, who died or sustained serious bodily injury and for which the commissioner incurred expenses to contain, remove or mitigate the human bodily effects of such death or serious bodily injury on any land or waters of the state. Any such agreement may provide for the payment of less than all: (1) Costs and expenses incurred in containing,

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removing or mitigating such effects, and (2) legal expenses and court costs incurred by the department in seeking such recovery of costs and expenses. The commissioner shall not seek the recovery of any such costs and expenses from any person or the estate of any person, as applicable, who dies or sustains serious bodily injury, on or after the effective date of this section, and for which the commissioner incurs expenses to contain, remove or mitigate only the human bodily effects of such death or serious bodily injury on any land or waters of the state.

Approved June 6, 2014