



General Assembly

January Session, 2015

Committee Bill No. 5710

LCO No. 3560



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT AUTHORIZING THE COMMISSIONER OF ENERGY AND ENVIRONMENTAL PROTECTION TO SEEK ENFORCEMENT OF PROHIBITIONS AGAINST PERSONS ENCROACHING ON STATE-OWNED OPEN SPACE.

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

1 Section 1. Subsection (c) of section 52-560a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2015*):

4 (c) Any owner of open space land or holder of a conservation
5 easement subject to the provisions of subsection (b) of this section or
6 the Attorney General or the Commissioner of Energy and
7 Environmental Protection may bring an action in the superior court for
8 the judicial district where the land is located against any person who
9 violates the provisions of said subsection with respect to such owner's
10 land or land subject to such conservation easement. The court shall
11 order any person who violates the provisions of subsection (b) of this
12 section to restore the land to its condition as it existed prior to such
13 violation or shall award the landowner the costs of such restoration,
14 including reasonable management costs necessary to achieve such

15 restoration. In addition, the court may award reasonable attorney's
16 fees and costs and such injunctive or equitable relief as the court
17 deems appropriate.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	52-560a(c)

Statement of Purpose:

To authorize the Commissioner of Energy and Environmental Protection, in addition to the Attorney General, to bring an action in court against any person who encroaches on open space land that is owned by the state, a political subdivision of the state or a nonprofit land conservation organization.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. WILLIS, 64th Dist.

H.B. 5710