General Assembly

Bill No. 1502

June Special Session, 2015

LCO No. **9647**

Referred to Committee on No Committee

Introduced by:
SEN. LOONEY, 11th Dist.
SEN. DUFF, 25th Dist.
REP. SHARKEY, 88th Dist.
REP. ARESIMOWICZ, 30th Dist.

AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2017 CONCERNING GENERAL GOVERNMENT, EDUCATION AND HEALTH AND HUMAN SERVICES.

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

Section 1. (NEW) (*Effective July 1, 2015*) (a) There is hereby established and created a body politic and corporate, constituting a public instrumentality and political subdivision of the state of Connecticut established and created for the performance of an essential public and governmental function, to be known as the Connecticut Port Authority. The authority shall not be construed to be a department, institution or agency of the state.

(b) The powers of the authority shall be vested in and exercised by a board of directors, which shall consist of fifteen voting members as follows: (1) The State Treasurer, or the Treasurer's designee, the Commissioner of Energy and Environmental Protection, or the

commissioner's designee, the Commissioner of Transportation, or the commissioner's designee, the Commissioner of Economic and Community Development, or the commissioner's designee, and the Secretary of the Office of Policy and Management, or the secretary's designee, all of whom shall serve ex officio; (2) one appointed by the speaker of the House of Representatives for a term of four years; (3) one appointed by the majority leader of the House of Representatives for a term of two years; (4) one appointed by the minority leader of the House of Representatives for a term of two years; (5) one appointed by the president pro tempore of the Senate for a term of four years; (6) one appointed by the majority leader of the Senate for a term of two years; (7) one appointed by the minority leader of the Senate for a term of four years; and (8) four appointed by the Governor, two for a term of four years and two for a term of two years. Thereafter, said members of the General Assembly and the Governor shall appoint members of the board to succeed such appointees whose terms expire and each member so appointed shall hold office for a period of four years from the first day of July in the year of his or her appointment. Appointed members shall include: (A) Individuals who have experience and expertise in one or more of the following areas: (i) International trade; (ii) marine transportation; (iii) finance; or (iv) economic development; (B) one member or employee of a local port authority; (C) one elected or appointed municipal official from a coastal municipality with a population not greater than one hundred thousand; and (D) one elected or appointed municipal official from a coastal community with a population not greater than fifty thousand. The board of directors shall select the chairperson from among the members of the board, who shall serve for a term of four years. The board of directors shall select a vice-chairperson from among its members and such other officers as it deems necessary.

(c) No appointed member of the board of directors may designate a representative to perform his or her respective duties under this section in such member's absence. Any appointed member who fails to

attend three consecutive meetings of the board or who fails to attend fifty per cent of all meetings of the board held during any calendar year shall be deemed to have resigned from the board. Any vacancy occurring other than by expiration of term shall be filled not later than thirty days following the occurrence of such vacancy in the same manner as the original appointment for the balance of the unexpired term. The appointing authority for any member may remove such member for inefficiency, neglect of duty or misconduct in office after giving the member a copy of the charges against the member and an opportunity to be heard, in person or by counsel, in the member's defense, upon not less than ten days' notice. If any member shall be so removed, the appointing authority for such member shall file in the office of the Secretary of the State a complete statement of charges made against such member and the appointing authority's findings on such statement of charges, together with a complete record of the proceedings.

(d) The members of the board of directors shall appoint an executive director of the authority who shall not be a member of the board and shall serve at the pleasure of the board and receive such compensation as shall be fixed by the board. The executive director shall: (1) Be the chief administrative officer of the authority and direct and supervise administrative affairs and technical activities in accordance with the directives of the board; (2) approve all accounts for salaries, allowable expenses of the authority or of any employee or consultant thereof, and expenses incidental to the operation of the authority; (3) perform such other duties as may be directed by the board in carrying out the purposes of this section; and (4) attend all meetings of the board, keep a record of the proceedings of the authority and maintain and be custodian of all books, documents and papers filed with the authority and of the minute book or journal of the authority and of its official seal. The executive director may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that such

copies are true copies, and all persons dealing with the authority may rely upon such certificates.

(e) Each member of the board of directors shall serve without compensation, but shall be reimbursed for such member's actual and necessary expenses incurred during the performance of such member's official duties.

(f) Members of the board of directors may engage in private employment, or in a profession or business, subject to any applicable laws, rules and regulations of the state regarding official ethics or conflict of interest.

(g) Notwithstanding any provision of the general statutes, it shall not constitute a conflict of interest for a trustee, director, partner or officer of any person, firm or corporation, or any individual having a financial interest in a person, firm or corporation, to serve as a member of the board of directors of the authority, provided such trustee, director, partner, officer or individual shall comply with all applicable provisions of chapter 10 of the general statutes.

(h) Eight members of the board of directors of the authority shall constitute a quorum for the transaction of any business or the exercise of any power of the authority. For the transaction of any business or the exercise of any power of the authority, and except as otherwise provided in this section, the authority may act by a majority of the members present at any meeting at which a quorum is in attendance.

(i) The board may delegate to eight or more members such board powers and duties as it may deem necessary and proper in conformity with the provisions of this section and its bylaws.

(j) The initial members of the board may begin service immediately upon appointment, but shall not serve past the sixth Wednesday of the next regular session of the General Assembly unless qualified in the manner provided in section 4-7 of the general statutes. Thereafter, all

appointments shall be made with the advice and consent of both houses of the General Assembly, in the manner provided in section 4-19 of the general statutes.

(k) On or before December fifteenth of each year, the board shall report, in accordance with the provisions of section 11-4a of the general statutes, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to transportation, commerce and the environment, summarizing the authority's activities, disclosing operating and financial statements and recommending legislation to promote the authority's purposes.

(l) Not later than seven days after receiving an audit of the authority conducted by an independent auditing firm, the board shall submit, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations, commerce, the environment and transportation a copy of each such audit.

(m) The board shall: (1) Develop and recommend to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to transportation a maritime policy for the state; (2) advise the Governor and such committee concerning the state's maritime policies and operations; (3) support the development of the state's maritime commerce and industries, including its ports and harbors; (4) recommend investments and actions, including dredging, required in order to preserve and enhance maritime commerce and industries; and (5) conduct studies and present recommendations concerning maritime issues.

(n) At least once each year, the board shall hold a public hearing for the purpose of evaluating the adequacy of the state's maritime policies, facilities and support for maritime commerce and industry.

(o) On or before January 1, 2017, and annually thereafter, the board of directors shall submit, in writing, to the Governor (1) a list of

139 projects which, if undertaken by the state, would support the state's
140 maritime policies and encourage maritime commerce and industry; (2)
141 recommendations for improvements to existing maritime policies,
142 programs and facilities; and (3) such other recommendations as the
143 board considers appropriate. Copies of such report shall be submitted
144 to the joint standing committee of the General Assembly having
145 cognizance of matters relating to transportation, in accordance with
146 the provisions of section 11-4a of the general statutes.

147 Sec. 2. (NEW) (*Effective July 1, 2015*) (a) The purposes of the
148 Connecticut Port Authority shall be to coordinate the development of
149 Connecticut's ports and harbors, with a focus on private and public
150 investments, pursue federal and state funds for dredging and other
151 infrastructure improvements to increase cargo movement through the
152 ports and maintain navigability of all ports and harbors, market the
153 economic development of such ports and harbors, work with the
154 Department of Economic and Community Development and other
155 state, local and private entities to maximize the economic potential of
156 the ports and harbors, support and enhance the overall development
157 of the state's maritime commerce and industries, coordinate the
158 planning and funding of capital projects promoting the development
159 of the ports and harbors, develop strategic entrepreneurial initiatives
160 that may be available to the state, coordinate the state's maritime
161 policy activities, serve as the Governor's principal maritime policy
162 advisor and undertake such other responsibilities as may be assigned
163 to it. To accomplish the purposes of the authority, the authority shall
164 have the duty and power to:

165 (1) Have perpetual succession as a body politic and corporate and to
166 adopt bylaws for the regulation of its affairs and the conduct of its
167 business;

168 (2) Adopt an official seal and alter the same at pleasure;

169 (3) Maintain an office at such place or places as it may designate;

(4) Sue and be sued in its own name, and plead and be impleaded;

(5) Develop an organizational and management structure that will best accomplish the goals of the authority concerning Connecticut ports and harbors;

(6) Create a code of conduct for the board of directors of the authority consistent with part I of chapter 10 of the general statutes;

(7) Adopt rules for the conduct of its business, which shall not be considered regulations as defined in section 4-166 of the general statutes;

(8) Adopt an annual budget and plan of operations, including a requirement of board approval before the budget or plan may take effect;

(9) Employ such assistants, agents and other employees as may be necessary or desirable to carry out its purposes. (A) The executive director and such employees shall be exempt from the classified service and, except as provided in subparagraph (B) of this subdivision, shall not be employees, as defined in subsection (b) of section 5-270 of the general statutes. The authority shall fix appropriate compensation for such employees and establish all necessary or appropriate personnel practices and policies, including those relating to hiring, promotion, compensation, retirement and collective bargaining, which need not be in accordance with chapter 68 of the general statutes, and the authority shall not be an employer, as defined in subsection (a) of section 5-270 of the general statutes, and may engage consultants, attorneys and appraisers as may be necessary or desirable to carry out its purposes in accordance with sections 1 to 9, inclusive, of this act. (B) For purposes of group welfare benefits and retirement, including, but not limited to, those provided under chapter 66 of the general statutes and sections 5-257 and 5-259 of the general statutes, the officers and all other employees of the authority shall be state employees. The authority shall reimburse the appropriate state

agencies for all costs incurred by such designation; and

(10) Invest in, acquire, lease, purchase, own, manage, hold and dispose of real property and lease, convey or deal in or enter into agreements with respect to such property on any terms necessary or incidental to carrying out the purposes of sections 1 to 9, inclusive, of this act, provided such transactions shall not be subject to approval, review or regulation by any state agency pursuant to title 4b of the general statutes or any other provision of the general statutes, except the authority shall not convey fee simple ownership in any property associated with the ports or harbors under its jurisdiction and control without the approval of the State Properties Review Board and the Attorney General.

(b) The authority shall continue as long as it has bonds or other obligations outstanding and until its existence is terminated by law, provided no such termination shall affect any outstanding contractual obligation of the authority and the state shall succeed to the obligations of the authority under any contract. Upon the termination of the existence of the authority, all its rights and properties shall pass to and be vested in the state of Connecticut.

Sec. 3. (NEW) (*Effective July 1, 2016*) (a) The Connecticut Port Authority may authorize the issuance of bonds in one or more series and in principal amounts necessary to carry out the purposes of sections 1 to 9, inclusive, of this act. Such bonds shall be payable from all or a portion of the revenues of the ports and harbors of the state as may be specified in the proceedings authorizing such bonds, and may include, among other types of bonds, special purpose revenue bonds payable solely from revenues derived from special purpose facilities and bonds payable from particular sources of revenues. The authority may request such assistance from the Treasurer as may be necessary or desirable for the issuance by the authority of bonds to finance such projects and other improvements. The expense of such assistance shall be payable from the proceeds of such bonds and the State Treasurer

233 may provide such assistance. The authority may appoint a finance or
234 other committee of the board or one or more officers or employees to
235 serve as the board's authorized delegate in connection with the
236 issuance of bonds pursuant to this section.

237 (b) Bonds issued pursuant to this section shall be obligations of the
238 authority and shall neither be payable from nor charged upon any
239 funds other than the revenues of the authority pledged to the payment
240 thereof, nor shall the state or any political subdivision thereof be
241 subject to any liability thereon except to the extent of such pledged
242 revenues. The issuance of bonds under the provisions of this section
243 and sections 4 to 6, inclusive, of this act shall not directly or indirectly
244 or contingently obligate the state or any political subdivision thereof to
245 levy or to pledge any form of taxation whatever therefor or to make
246 any appropriation for their payment. The bonds shall not constitute a
247 charge, lien or encumbrance, legal or equitable, upon any property of
248 the state or of any political subdivision thereof, except the property of
249 the authority or the state mortgaged or otherwise encumbered under
250 the provisions and for the purposes of sections 1 to 9, inclusive, of this
251 act. The substance of such limitation shall be plainly stated on the face
252 of each bond. Bonds issued pursuant to this section and sections 4 to 6,
253 inclusive, of this act shall not be subject to any statutory limitation on
254 the indebtedness of the state and such bonds, when issued, shall not be
255 included in computing the aggregate indebtedness of the state in
256 respect to and to the extent of any such limitation.

257 (c) The bonds referred to in this section may be executed and
258 delivered at such time or times, shall be dated, shall bear interest at
259 such rate or rates, including variable rates to be determined in such
260 manner as set forth in the proceedings authorizing the issuance of the
261 bonds, provide for payment of interest on such dates, whether before
262 or at maturity, shall mature at such time or times not exceeding thirty
263 years from their date, have such rank or priority, be payable in such
264 medium of payment, be issued in coupon, registered or book entry
265 form, carry such registration and transfer privileges and be subject to

purchase or redemption before maturity at such price or prices and under such terms and conditions, including the condition that such bonds be subject to purchase or redemption on the demand of the owner thereof, all as may be determined by the authority. The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, the manner of execution of the bonds, the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the state. Prior to the preparation of definitive bonds, the authority may, under like restrictions, provide for the issuance of interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. If any of the officers whose signatures appear on the bonds or coupons cease to be officers before the delivery of any such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until delivery.

(d) Any bonds issued under the authority of this section and sections 4 to 6, inclusive, of this act may be sold at public sale on sealed proposals or by negotiation in such manner, at such price and at such time or times as may be determined by the authority. The authority may pay from the proceeds of the bonds all costs and expenses which the authority may deem necessary or advantageous in connection with the authorization, sale and issuance thereof, including the cost of interest on any short-term financing authorized under subsection (b) of section 4 of this act.

(e) The principal of and interest on any bonds issued pursuant to this section shall be secured by a pledge of the revenues out of which such bonds shall be made payable. They may be secured by a mortgage covering all or any part of the project from which the revenues so pledged may be derived or by a pledge of one or more leases, sale contracts or loan agreements with respect to such project or by a pledge of one or more notes, debentures, bonds or other secured

or unsecured debt obligations of any lessee or contracting party under a loan agreement or sale contract or by a pledge of reserve and sinking funds established pursuant to the resolution authorizing the issuance of the bonds and any other funds and accounts, including proceeds from investment of any of the foregoing, established pursuant to this chapter or the proceedings authorizing the issuance of such bonds, and by moneys paid under a credit facility, including, but not limited to, a letter of credit or policy of bond insurance, issued by a financial institution pursuant to an agreement authorized by such proceedings.

(f) The proceedings under which the bonds are authorized to be issued pursuant to this section, and any mortgage given to secure the same, may, subject to the provisions of the general statutes, contain any agreements and provisions customarily contained in instruments securing bonds, including, but not limited to: (1) Provisions respecting custody of the proceeds from the sale of the bonds, including their investment and reinvestment until used for the cost of the project; (2) provisions respecting the fixing and collection of rents or payments with respect to the facilities of the ports and harbors of the state and any facility charges; (3) the terms to be incorporated in the lease, sale contract or loan agreement with respect to the project; (4) the maintenance and insurance of the project; (5) the creation, maintenance, custody, investment and reinvestment, and use of the revenues derived from the operation of the ports and harbors of the state; (6) establishment of reserves or sinking funds, and such accounts thereunder as may be established by the authority, and the regulation and disposition thereof; (7) the rights and remedies available in case of a default to the bondholders or to any trustee under any lease, sale contract, loan agreement, mortgage or trust indenture; (8) reimbursement agreements, remarketing agreements, standby bond purchase agreements or similar agreements in connection with obtaining any credit or liquidity facilities including, but not limited to, letters of credit or policies of bond insurance and such other agreements entered into pursuant to section 3-20a of the general

statutes; (9) provisions for the issuance of additional bonds on a parity with bonds theretofore issued, including establishment of coverage requirements with respect thereto; (10) covenants to do or to refrain from doing such acts and things as may be necessary or convenient or desirable in order to better secure any bonds or to maintain any federal or state exemption from tax of the interest on such bonds; and (11) provisions or covenants of like or different character from the foregoing which are consistent with the provisions of sections 1 to 9, inclusive, of this act and which the authority determines in such proceedings are necessary, convenient or desirable in order to better secure the bonds or bond anticipation notes, or will tend to make the bonds or bond anticipation notes more marketable, and which are in the best interests of the state. The proceedings under which the bonds are authorized, and any mortgage given to secure the same, may further provide that any cash balances not necessary (A) to pay the cost of maintaining, repairing and operating the facilities of the ports and harbors of the state, (B) to pay the principal of and interest on the bonds as the same shall become due and payable, and (C) to create and maintain reserve and sinking funds as provided in any authorizing resolution or other proceedings shall be deposited into one or more specifically designated working funds to be held in trust by the authority and applied to future debt service requirements or other port authority purposes.

(g) In the discretion of the authority, bonds issued pursuant to this section may be secured by a trust indenture by and between the authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the state. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the exercise of its powers pursuant to sections 1 to 9, inclusive, of this act and the custody, safeguarding and application of all moneys. The authority

365 may provide by such trust indenture for the payment of the proceeds
366 of the bonds and the revenues from the operation of the ports and
367 harbors of the state to the trustee under such trust indenture or other
368 depository, and for the method of disbursement thereof, with such
369 safeguards and restrictions as it may determine. All expenses incurred
370 in carrying out such trust indenture may be treated as a part of the
371 operating expenses of the applicable project. If the bonds shall be
372 secured by a trust indenture, the bondholders shall have no authority
373 to appoint a separate trustee to represent them.

374 (h) In connection with the issuance of bonds to finance a project or
375 to refund bonds previously issued by the authority or the state to
376 finance a project, the authority may create and establish one or more
377 reserve funds to be known as special capital reserve funds and may
378 pay into such special capital reserve funds (1) any moneys
379 appropriated and made available by the state for the purposes of such
380 funds, (2) any proceeds of sale of notes or bonds for a project, to the
381 extent provided in the resolution of the authority authorizing the
382 issuance thereof, and (3) any other moneys which may be made
383 available to the authority for the purpose of such funds from any other
384 source or sources. The moneys held in or credited to any special capital
385 reserve fund established under this section, except as hereinafter
386 provided, shall be used solely for the payment of the principal of and
387 interest on, when due, whether at maturity or by mandatory sinking
388 fund installments, on bonds of the authority secured by such capital
389 reserve fund as the same become due, the purchase of such bonds of
390 the authority, the payment of any redemption premium required to be
391 paid when such bonds are redeemed prior to maturity; provided the
392 authority shall have power to provide that moneys in any such fund
393 shall not be withdrawn therefrom at any time in such amount as
394 would reduce the amount of such funds to less than the maximum
395 amount of principal and interest becoming due by reasons of maturity
396 or a required sinking fund installment in the then current or any
397 succeeding calendar year on the bonds of the authority then

outstanding or the maximum amount permitted to be deposited in such fund by the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, to permit the interest on said bonds to be excluded from gross income for federal tax purposes and secured by such special capital reserve fund, such amount being herein referred to as the "required minimum capital reserve", except for the purpose of paying such principal of, redemption premium and interest on such bonds of the authority secured by such special capital reserve becoming due and for the payment of which other moneys of the authority are not available. The authority may provide that it shall not issue bonds secured by a special capital reserve fund at any time if the required minimum capital reserve on the bonds outstanding and the bonds then to be issued and secured by the same special capital reserve fund at the time of issuance, unless the authority, at the time of the issuance of such bonds, shall deposit in such special capital reserve fund from the proceeds of the bonds so to be issued, or otherwise, an amount which, together with the amount then in such special capital reserve fund, will be not less than the required minimum capital reserve. On or before December first, annually, there is deemed to be appropriated from the state General Fund such sums, if any, as shall be certified by the chairperson or vice-chairperson of the authority to the Secretary of the Office of Policy and Management and the Treasurer, as necessary to restore each such special capital reserve fund to the amount equal to the required minimum capital reserve of such fund, and such amounts shall be allotted and paid to the authority. For the purpose of evaluation of any such special capital reserve fund, obligations acquired as an investment for any such fund shall be valued at market. Nothing contained in this section shall preclude the authority from establishing and creating other debt service reserve funds in connection with the issuance of bonds or notes of the authority which are not special capital reserve funds. Subject to any agreement or agreements with holders of outstanding notes and bonds of the authority, any amount or amounts allotted and paid to the

authority pursuant to this section shall be repaid to the state from moneys of the authority at such time as such moneys are not required for any other of its corporate purposes and in any event shall be repaid to the state on the date one year after all bonds and notes of the authority theretofore issued on the date or dates such amount or amounts are allotted and paid to the authority or thereafter issued, together with interest on such bonds and notes, with interest on any unpaid installments of interest and all costs and expenses in connection with any action or proceeding by or on behalf of the holders thereof, are fully met and discharged. No bonds secured by a special capital reserve fund shall be issued to pay project costs unless the authority is of the opinion and determines that revenues pledged to secure such bonds shall be sufficient to (A) pay the principal of and interest on the bonds issued to finance the project, (B) establish, increase and maintain any reserves deemed by the authority to be advisable to secure the payment of the principal of and interest on such bonds, (C) pay the cost of maintaining the project in good repair and keeping it properly insured, and (D) pay such other costs of the project as may be required. No bonds secured by a special capital reserve fund shall be issued unless the issuance of such bonds is approved by the Treasurer. Notwithstanding any other provision contained in this section, the aggregate amount of bonds secured by the special capital reserve funds authorized to be created and established by this subsection shall not exceed fifty million dollars.

(i) Any pledge made by the authority shall be valid and binding from the time when the pledge is made, and the revenues or property so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act. The lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(j) The authority shall have power out of any funds available therefor to purchase bonds or notes of the authority or the state issued pursuant to this section. The authority may hold, pledge, cancel or resell such bonds, subject to and in accordance with agreements with bondholders.

(k) Whether or not the notes and bonds are of such form and character as to be negotiable instruments under the terms of the Uniform Commercial Code, the notes and bonds are hereby made negotiable instruments within the meaning of and for all purposes of the Uniform Commercial Code, subject only to the provisions of the notes and bonds for registration.

(l) Any moneys held by the authority with respect to the ports and harbors of the state or by a trustee pursuant to a trust indenture, subject to the provisions of such indenture, including proceeds from the sale of any bonds and notes, and revenues, receipts and income from the operation of the ports and harbors of the state may be invested and reinvested in such obligations, securities and other investments, including, without limitation, participation certificates in the Short Term Investment Fund created in section 3-27a of the general statutes, or deposited or redeposited in such bank or banks, all as shall be authorized by the authority in the proceedings authorizing the issuance of the bonds and notes.

(m) For the purposes of sections 1 to 9, inclusive, of this act, the costs of the project payable out of the proceeds of bonds issued pursuant to this section shall include: (1) Expenses and obligations incurred for labor and materials in connection with the construction of the project; (2) the cost of acquiring by purchase, if such purchase shall be deemed expedient, and the amount of any award or final judgment in any proceedings to acquire by condemnation, such land, property rights, rights-of-way, franchises, easements and other interests in land as may be deemed necessary or convenient in connection with such construction or with the operation of the project, and the amount of

any damages incident thereto; (3) the costs of all machinery and equipment acquired in connection with the project; (4) reserves for the payment of the principal of and interest on any notes and bonds issued pursuant to this section and interest accruing on any such notes, during construction of the project and for six months after completion of such construction; (5) initial working capital, expenses of administration properly chargeable to the construction or acquisition of the project, legal, architectural and engineering expenses and fees, costs of audits, costs of preparing and issuing any notes and bonds pursuant to this section; and (6) all other items of expense not elsewhere specified incident to the planning, acquisition and construction of the project or of the placing of the same in operation.

(n) For purposes of sections 1 to 9, inclusive, of this act, the term "project" shall refer to the renovations and improvements to be acquired and constructed at the ports and harbors of the state as may be specified from time to time by the board in a resolution as contemplated by subsection (a) of this section.

Sec. 4. (NEW) (*Effective July 1, 2016*) (a) Any bonds issued by the authority under sections 3 to 6, inclusive, of this act and at any time outstanding may at any time be refunded by the authority by the issuance of its refunding bonds in such amounts as the authority may deem necessary, but not exceeding an amount sufficient to refund the principal of the bonds to be so refunded, any unpaid interest thereon and any premiums, related termination payments and commissions necessary to be paid in connection therewith and to pay costs and expenses which the authority may deem necessary or advantageous in connection with the authorization, sale and issuance of refunding bonds. Any such refunding may be effected whether the bonds to be refunded shall have matured or shall thereafter mature. All refunding bonds issued hereunder shall be payable and shall be subject to and may be secured in accordance with the provisions of section 3 of this act.

529 (b) Whenever the authority has adopted a resolution authorizing
530 bonds pursuant to section 3 of this act, the authority may, pending the
531 issue of such bonds, issue temporary notes and any renewals thereof in
532 anticipation of the proceeds from the sale of such bonds, which notes
533 and any renewals thereof shall be designated "Bond Anticipation
534 Notes". Such portion of the proceeds from the sale of such bonds as
535 may be so required shall be applied to the payment of the principal of
536 and interest on any such bond anticipation notes which have been
537 issued. The principal of and interest on any bond anticipation notes
538 issued pursuant to this subsection may be repaid from pledged
539 revenues or other receipts, funds or moneys pledged to the repayment
540 of the bonds in anticipation of which the bond anticipation notes are
541 issued, to the extent not paid from the proceeds of renewals thereof or
542 of the bonds.

543 Sec. 5. (NEW) (*Effective July 1, 2016*) (a) It is hereby determined that
544 the purposes of sections 1 to 9, inclusive, of this act are public purposes
545 and that the authority will be performing an essential governmental
546 function in the exercise of the powers conferred upon it hereunder.
547 The state covenants with the purchasers and all subsequent holders
548 and transferees of notes and bonds issued by the authority under
549 sections 3 to 6, inclusive, of this act in consideration of the acceptance
550 of and payment for the notes and bonds, that the principal and interest
551 of such notes and bonds shall at all times be free from taxation, except
552 for estate and gift taxes, imposed by the state or by any political
553 subdivision thereof but the interest on such notes and bonds shall be
554 included in the computation of any excise or franchise tax. The
555 authority is authorized to include this covenant of the state in any
556 agreement with the holder of such notes or bonds. Any notes or bonds
557 issued by the authority pursuant to sections 3 to 6, inclusive, of this act
558 may be issued on a basis that provides that the interest thereon is
559 intended to be exempt or not to be exempt from federal income
560 taxation, as may be determined by the authority.

561 (b) Bonds issued under the authority of sections 3 to 6, inclusive, of

562 this act are hereby made securities in which all public officers and
563 public bodies of the state and its political subdivisions, all insurance
564 companies, credit unions, building and loan associations, investment
565 companies, banking associations, trust companies, executors,
566 administrators, trustees and other fiduciaries and pension, profit-
567 sharing and retirement funds may properly and legally invest funds,
568 including capital in their control or belonging to them. Such bonds are
569 hereby made securities which may properly and legally be deposited
570 with and received by any state or municipal officer or any agency or
571 political subdivision of the state for any purpose for which the deposit
572 of bonds or obligations of the state is now or may hereafter be
573 authorized by law.

574 Sec. 6. (NEW) (*Effective July 1, 2016*) The state of Connecticut does
575 hereby pledge to and agree with the holders of any bonds and notes
576 issued under this section and sections 3 to 5, inclusive, of this act and
577 with those parties who may enter into contracts with the authority
578 pursuant to the provisions of sections 1 to 9, inclusive, of this act that
579 the state will not limit or alter the rights hereby vested in the authority
580 until such obligations, together with the interest thereon, are fully met
581 and discharged and such contracts are fully performed on the part of
582 the authority, provided nothing contained herein shall preclude such
583 limitation or alteration if and when adequate provision shall be made
584 by law for the protection of the holders of such bonds and notes of the
585 authority or those entering into such contracts with the authority. The
586 authority is authorized to include this pledge and undertaking for the
587 state in such bonds and notes or contracts.

588 Sec. 7. (*Effective July 1, 2016*) The exercise of the powers granted by
589 sections 1 to 9, inclusive, of this act shall be in all respects for the
590 benefit of the people of the state, for the increase of their commerce,
591 welfare and prosperity, and as the improvement of their infrastructure,
592 navigability and transportation systems by the authority or its agent
593 shall constitute the performance of an essential public function, neither
594 the authority nor its agent shall be required to pay any taxes or

595 assessments, including mortgage recording taxes, upon or with respect
596 to any property acquired or used by the authority or its agent under
597 the provisions of sections 1 to 9, inclusive, of this act or upon the
598 income therefrom. On and before June 30, 2018, property and facilities
599 owned by the authority shall be deemed to be state-owned real
600 property for purposes of sections 12-19a and 12-19b of the general
601 statutes, and the state shall make grants in lieu of taxes with respect to
602 such property and facilities to the municipality in which such property
603 and facilities are located as provided by said sections 12-19a and 12-
604 19b.

605 Sec. 8. (*Effective July 1, 2015*) The Department of Economic and
606 Community Development and the Connecticut Port Authority
607 established pursuant to section 1 of this act may enter into a
608 memorandum of understanding pursuant to which: (1) Administrative
609 support and services, including all staff support necessary for the
610 operations of the authority may be provided by the department, and
611 (2) provision is made for the coordination of management and
612 operational activities that may include: (A) Joint procurement and
613 contracting; (B) the sharing of services and resources; (C) the
614 coordination of promotional activities; and (D) other arrangements
615 designed to enhance revenues, reduce operating costs or achieve
616 operating efficiencies. The terms and conditions of such memorandum
617 of understanding, including provisions with respect to the
618 reimbursement by the authority to the department of the costs of such
619 administrative support and services, shall be as the authority and the
620 department determine to be appropriate. Such memorandum of
621 understanding shall terminate as of June 30, 2018.

622 Sec. 9. (NEW) (*Effective July 1, 2015*) (a) The Connecticut Port
623 Authority and the Commissioner of Transportation shall enter into one
624 or more memoranda of understanding that will facilitate the
625 authority's governance of the ports and harbors of the state, and
626 provide for an orderly transition and transfer of ownership,
627 jurisdiction or authority to control, operate and maintain such ports

628 and harbors from the Department of Transportation to the authority.
629 Such memoranda of understanding shall include, but not be limited to:
630 (1) Those assets, funds and accounts, contracts and liabilities, powers
631 and duties associated with the ports and harbors of the state that will
632 be transferred to the authority, whether by deed, lease, management
633 contract, agency agreement, assignment or assumption, and the
634 manner of such transfer; (2) the time or times when such transfers shall
635 be effective; and (3) the reimbursement to the state for the services
636 provided under any memorandum of understanding. The memoranda
637 of understanding shall provide for the lease, assignment or transfer of
638 ownership, jurisdiction or authority to control the ports and harbors,
639 together with all assets, funds and accounts, contracts and liabilities,
640 powers and duties and the manner and timing of any such lease,
641 assignment or transfer. The authority, from time to time, shall advise
642 the Department of Transportation of its readiness to accept any such
643 lease, assignment or transfer in accordance with such memoranda of
644 understanding, and such leases, assignments or transfers shall not be
645 unreasonably delayed or withheld. If any bonds or other obligations
646 issued under any provision of the general statutes for projects or
647 purposes relating to ports and harbors remain outstanding, the
648 Treasurer shall also be party to any such memorandum of
649 understanding. Once any such power, duty, asset, fund or account,
650 contract or liability shall have been transferred to the authority, the
651 commissioner shall not thereafter exercise any such power, perform
652 such duty or take action with respect to any such asset, fund or
653 account, contract or liability.

654 (b) No memorandum of understanding entered into between the
655 authority, the commissioner and the Treasurer, if applicable, shall
656 provide for any powers to be ceded to the authority, any duties to be
657 assumed by the authority or any transfer of assets, funds or accounts,
658 contracts or liabilities to the authority if such cession, assumption or
659 transfer shall contravene any contract now extant between the state
660 and any other party including, without limitation, any bonds or other

661 obligations issued pursuant to any provision of the general statutes for
662 projects or purposes relating to ports and harbors or any trust
663 indenture or other agreement with respect to such bonds or other
664 obligations. The Treasurer, the commissioner and the authority, and
665 each of them, shall enter into such agreements, amendments, consents,
666 assignments, supplemental indentures and other documents and
667 instruments necessary to provide for such cession, assumption or
668 transfer. The authority may, with the consent and approval of the
669 Treasurer, assume the obligations of the state as issuer of any bonds,
670 notes or other obligations issued under any provision of the general
671 statutes for projects or purposes relating to ports and harbors that
672 remain outstanding, and thereafter to indemnify and release the state
673 from all liability and expense relating to such obligations. Any such
674 assumption by the authority and release of the state shall be subject to
675 the terms and provisions of any indenture securing such bonds, notes
676 or other obligations of the state and approval of the State Bond
677 Commission.

678 (c) The authority shall further do all acts and things necessary by
679 federal or state law, rule or regulation or relevant contractual
680 requirements to effect the lease, assignment or transfer of ownership,
681 jurisdiction or authority to control, operate and maintain the ports and
682 harbors of the state in the manner deemed by the authority to be in its
683 best interests whether by deed, lease, management contract, agency
684 agreement, assignment or assumption, all to the extent contemplated
685 by such memoranda of understanding. The Department of
686 Transportation shall receive no compensation in consideration of any
687 such leases, assignments or transfers. Upon satisfaction of all such
688 requirements, the authority, from time to time, shall notify the
689 Department of Transportation of its readiness to accept such leases,
690 assignments or transfers with respect to the ports and harbors of the
691 state and all documents and contracts necessary to effect such leases,
692 assignments or transfers shall be executed.

693 Sec. 10. Subsection (a) of section 2 of public act 14-222 is repealed

694 and the following is substituted in lieu thereof (*Effective July 1, 2015*):

695 (a) There is established a Port Authority Working Group. Such
696 working group shall prepare and submit recommendations to the
697 Department of Economic and Community Development on the powers
698 and duties of the board of directors of the Connecticut Port Authority,
699 established pursuant to section 1 of **[**this act**]** public act 14-222,
700 regarding: (1) Employment and personnel practices and policies,
701 including those relating to hiring, promotion, compensation,
702 retirement and collective bargaining; (2) issuance of bonds; (3)
703 authority to acquire, lease, purchase, own, manage, hold and dispose
704 of personal and real property; (4) authority to make and enter into
705 contracts and agreements; and (5) any other powers, duties or
706 functions of the Connecticut Port Authority. The Port Authority
707 Working Group shall terminate on **[**October 1, 2015**]** July 1, 2015.

708 Sec. 11. Section 3 of public act 14-222 is repealed and the following is
709 substituted in lieu thereof (*Effective July 1, 2015*):

710 (a) The Commissioner of Economic and Community Development,
711 after consultation with the Commissioner of Transportation, the
712 Commissioner of Energy and Environmental Protection, the Secretary
713 of the Office of Policy and Management and the Port Authority
714 Working Group established pursuant to section 2 of **[**this act**]** public
715 act 14-222, shall, within available appropriations, (1) develop a plan to
716 transition the maritime functions of the Department of Transportation
717 to the Connecticut Port Authority; (2) review and make
718 recommendations for state policies that affect Connecticut's ports; (3)
719 coordinate state, regional and local efforts to encourage the growth of
720 Connecticut's ports; (4) develop a plan to transition the functions of the
721 Connecticut Maritime Commission to the Connecticut Port Authority
722 after the establishment of the Connecticut Port Authority; (5) develop a
723 plan concerning the bonding authority of the Connecticut Port
724 Authority; (6) develop a proposed business and operating plan for the
725 consideration of the board of directors of the Connecticut Port

726 Authority upon its creation; and (7) prepare and submit, on or before
727 March 1, 2015, a report of activities, findings and recommendations
728 concerning the establishment of the Connecticut Port Authority to the
729 Governor and the joint standing committees of the General Assembly
730 having cognizance of matters relating to commerce, transportation and
731 the environment, in accordance with the provisions of section 11-4a of
732 the general statutes.

733 (b) On and after July 1, 2015, no further actions shall be required
734 pursuant to this section.

735 Sec. 12. Section 13b-51 of the general statutes is repealed and the
736 following is substituted in lieu thereof (*Effective July 1, 2016*):

737 **[**The commissioner**]** The Connecticut Port Authority shall have
738 jurisdiction over the harbors **[**and navigable waterways**]** of the state,
739 with all the powers and duties prescribed in this chapter **[**, in title 15,**]**
740 and as otherwise provided by law. The powers and duties of all
741 existing harbor boards or boards of harbor commissioners under either
742 the general statutes or special acts of this state shall be vested in the
743 **[**commissioner**]** Commissioner of Energy and Environmental
744 Protection but all such boards shall continue **[**in the department**]** to
745 assist the commissioner in an advisory capacity, and to perform such
746 duties as **[**he**]** the commissioner may delegate to them. Harbor masters
747 and deputy harbor masters appointed by the Governor under section
748 15-1 shall be subject to the direction and control of the commissioner,
749 and shall be responsible to **[**him**]** the commissioner for the safe and
750 efficient operation of the harbors over which **[**they**]** the harbor masters
751 and deputy harbor masters have jurisdiction. Nothing in this chapter
752 shall be construed to limit or in any way derogate from the powers and
753 authority of the Commissioner of Energy and Environmental
754 Protection under title 25.

755 Sec. 13. Section 13b-53 of the general statutes is repealed and the
756 following is substituted in lieu thereof (*Effective July 1, 2016*):

757 The commissioner and the Connecticut Port Authority may, on
758 behalf of the state, acquire, own, construct, maintain or operate, upon,
759 at or near the seaboard or any navigable waterway, land, or any
760 harbor, wharf, dock, pier, quay, canal, slip or basin, or any appropriate
761 harbor facility, shed, warehouse of any kind, vault, railroad track,
762 yard, terminal or equipment, or such other facility related to the
763 transportation of goods or people by water as [he] the commissioner or
764 the authority, as appropriate, deems necessary to the fulfillment of the
765 purposes of this chapter. The commissioner, with the approval of the
766 State Properties Review Board, the Office of Policy and Management
767 and the Attorney General, may lease or grant any interest at the State
768 Pier in New London or any navigation property owned or under the
769 control of the Department of Transportation to any person and in any
770 manner, as [he] the commissioner deems appropriate, except that after
771 initiating such approval, the commissioner may temporarily lease any
772 such interest with the approval of the Secretary of the Office of Policy
773 and Management. A temporary lease shall be effective only until a
774 final decision is made by the Office of Policy and Management, the
775 State Properties Review Board and the Attorney General. Leases of
776 land of the state shall be for periods determined by the commissioner
777 with the approval of the State Properties Review Board and may
778 provide for the construction of buildings on the land. The
779 commissioner or the authority, as appropriate, may confer the
780 privilege of concessions of supplying, upon such facilities, goods,
781 commodities, service and facilities.

782 Sec. 14. Section 13b-55a of the general statutes, as amended by
783 section 8 of public act 14-222, is repealed and the following is
784 substituted in lieu thereof (*Effective July 1, 2016*):

785 (a) In addition to municipal requests for a grant-in-aid pursuant to
786 section 13b-57, as amended by this act, harbor improvement projects
787 may be initiated by the [Commissioner of Transportation] Connecticut
788 Port Authority on behalf of the state or for the state on behalf of the
789 federal government. Recommendations on the prioritization or

790 inclusion of projects shall be submitted to the [commissioner by the
791 Connecticut Port Authority] board of directors of the authority by the
792 executive director of the authority. The [department] authority shall
793 contract for the provision of goods and services to harbors and
794 waterways for such improvements, and shall provide the funding
795 required under such contracts, except that the [commissioner]
796 authority may enter into agreements with other state agencies or
797 municipalities for such agencies or municipalities to provide the
798 funding for any of such contracts. The [department] authority shall
799 administer all contracts entered into under this section.

800 (b) All contracts are subject to final negotiation of the scope and
801 budget for a given project. Contracting periods may vary depending
802 on each project. Payments shall be made on a reimbursement basis for
803 deliverables completed no later than the dates of service of an executed
804 contract. Appropriate back-up information shall be included with each
805 payment request indicating that services have been rendered. The
806 [department] authority may elect to provide part or all of the funds
807 necessary as an upfront payment, provided funds are held in a
808 separate, noninterest bearing account and are expended not later than
809 sixty days after such funds are provided.

810 (c) Harbor improvement projects include the preparation of plans,
811 studies and construction for the alteration and improvement of various
812 state, municipal and other properties in or adjacent to the waters of the
813 state, for the purpose of improving the economy and infrastructure of
814 the state.

815 Sec. 15. Section 13b-55b of the general statutes is repealed and the
816 following is substituted in lieu thereof (*Effective July 1, 2016*):

817 (a) There is established an account to be known as the "harbor
818 improvement account" which shall be a separate, nonlapsing account
819 within the General Fund. There shall be deposited in the account: (1)
820 The proceeds of notes, bonds or other obligations issued by the state

821 for the purpose of deposit therein and use in accordance with the
822 permissible uses thereof; (2) funds appropriated by the General
823 Assembly for the purpose of deposit therein and [use] used in
824 accordance with the permissible uses thereof; and (3) any other funds
825 required or permitted by law to be deposited in the account. The funds
826 in said account shall be expended by the [Commissioner of
827 Transportation] Connecticut Port Authority for the purpose of
828 initiating harbor improvement projects in accordance with section 13b-
829 55a and for the purposes described in subsection (b) of this section.

830 (b) The harbor improvement account may be used for federal
831 dredging projects (1) to support, in full or in part, local and state
832 matching requirements for such projects; (2) to cover the incremental
833 costs associated with applicable environmental regulatory
834 requirements or management practices, including beneficial use; and
835 (3) to cover part or all of the costs of such projects in the absence of
836 adequate federal funds. If any account funds are used for the purpose
837 described in subdivision (3) of this subsection, the [commissioner]
838 authority shall pursue reimbursement to the account from the federal
839 government.

840 Sec. 16. Section 13b-56 of the general statutes is repealed and the
841 following is substituted in lieu thereof (*Effective July 1, 2016*):

842 (a) For the purposes of this section and section 13b-57, as amended
843 by this act, "harbor improvement agency" means any board,
844 commission, agency or department of any municipality designated by
845 the chief executive officer of such municipality and approved by the
846 governing body thereof for the purpose of carrying out a harbor
847 improvement project under this section.

848 (b) Any municipality may undertake a harbor improvement project,
849 including the development, improvement, construction and
850 installation of berthing areas, channels to berthing areas, sea walls,
851 piers, docks, navigation aids, bridges and other related facilities and

structures, pursuant to a harbor improvement plan. The harbor improvement agency may prepare or cause to be prepared a harbor improvement plan, and may approve such plan after (1) obtaining the approval of the planning agency of the municipality, and (2) holding a public hearing thereon, notice of which shall be published at least twice in a newspaper of general circulation in the municipality, the first publication of notice to be not less than two weeks before the date of the public hearing.

(c) Such harbor improvement plan shall include: **[**(a)**]** (1) A description of the harbor improvement area and the condition, type and use of the structures and facilities therein; **[**(b)**]** (2) the location and extent of the proposed land uses and harbor uses in such area; **[**(c)**]** (3) the location and extent of streets and public utilities, facilities and works within the area; **[**(d)**]** (4) schedules showing the number of families and businesses to be displaced by the proposed improvement, the method of relocating such families and businesses and the availability of sufficient suitable living accommodations at prices and rentals within the financial means of such families and located within a reasonable distance of the area from which they are displaced; **[**(e)**]** (5) present and proposed zoning regulations in the harbor improvement area; **[**(f)**]** (6) a description of all land to be acquired and buildings and improvements to be demolished and removed or rehabilitated; **[**(g)**]** (7) a description of all improvements to be constructed, installed or made; **[**(h)**]** (8) the plan's relationship to definite local objectives; **[**(i)**]** (9) financial aspects of the project; and **[**(j)**]** (10) a ratio of the costs of the project to the benefits to be derived therefrom.

(d) After approval of the harbor improvement plan by the harbor improvement agency, the plan shall be submitted to the **[**Commissioner of Transportation**]** Connecticut Port Authority and the Commissioner of Energy and Environmental Protection and, if approved by **[**each**]** the authority and the commissioner, may be adopted by the governing body of the municipality. A harbor development plan may be modified at any time by a harbor

885 improvement agency, provided such modification is consented to in
886 writing by each purchaser or lessee of land in the harbor improvement
887 project affected by such modification, and such modification does not
888 substantially change the plan; otherwise any modification to such plan
889 shall be approved in the same manner as the plan. Any municipality
890 and its harbor improvement agency may exercise, for the purposes of
891 undertaking a harbor improvement project, all the powers and
892 authority granted to a municipality and to a redevelopment agency for
893 the purposes of a redevelopment or urban renewal project pursuant to
894 chapter 130.

895 Sec. 17. Section 13b-57 of the general statutes is repealed and the
896 following is substituted in lieu thereof (*Effective July 1, 2016*):

897 The state, acting by and in the discretion of the **[**Commissioner of
898 Transportation**]** Connecticut Port Authority, may enter into a contract
899 with a municipality, or any federal or state agency acting on behalf of
900 such municipality, for state financial assistance in the form of a state
901 grant-in-aid for a harbor improvement project pursuant to section 13b-
902 55a, provided such project is approved by the **[**Commissioner of
903 Transportation**]** authority. Any such application for state financial
904 assistance under this section shall be submitted by the **[**Commissioner
905 of Transportation**]** authority to the Commissioner of Energy and
906 Environmental Protection for **[**his**]** said commissioner's review. Said
907 **[**Commissioner of Energy and Environmental Protection**]**
908 commissioner shall submit a written report to the **[**Commissioner of
909 Transportation**]** authority, setting forth **[**his**]** said commissioner's
910 findings regarding such application.

911 Sec. 18. Section 15-1 of the general statutes is repealed and the
912 following is substituted in lieu thereof (*Effective July 1, 2016*):

913 The Governor shall appoint a harbor master, and may appoint a
914 deputy harbor master, for each of the harbors of New Haven, Norwich,
915 Bridgeport, Stamford, Norwalk, Stonington, New London and

Branford, and may appoint a suitable number of harbor masters and deputy harbor masters in any town in this state which has navigable waters within its limits, provided the appointment of a harbor master or deputy harbor master for the harbor of any municipality which has adopted a harbor management plan, pursuant to chapter 444a, shall be made by the Governor from a list of not less than three nominees submitted by the municipality's harbor management commission. Appointments shall be for terms of three years from July first in the year of the appointment and until a successor is appointed and qualified except the term of office of any person appointed before or after July first in any year to a newly created office of harbor master or deputy harbor master shall begin on the day of the appointment and expire on July first next succeeding the completion of the person's third full year in office. Any appointment to fill a vacancy shall be for the remainder of the term of the original appointee and until a successor is appointed and qualified. Harbor masters shall have the general care and supervision of the harbors and navigable waterways over which they have jurisdiction, subject to the direction and control of the Commissioner of **[**Transportation**]** Energy and Environmental Protection, and shall be responsible to the commissioner for the safe and efficient operation of such harbors and navigable waterways in accordance with the provisions of this chapter. The harbor masters or deputy harbor masters shall exercise their duties in a manner consistent with any harbor management plan adopted pursuant to section 22a-113m for a harbor over which they have jurisdiction. The commissioner may delegate any of his powers and duties under this chapter to such harbor masters or to any existing board of harbor commissioners, but shall at all times be vested with responsibility for the overall supervision of the harbors and navigable waterways of the state.

Sec. 19. Section 15-7 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) The harbor master shall have the general care and supervision of

Bridgeport Harbor and its tidewaters and its rivers and of all the flats and lands flowed thereby, and all other tidewaters, flats and rivers which are within the city limits of said city but are not adjacent to said harbor in order to limit, prevent and abate sources of water pollution, to prevent or remove any unauthorized encroachment and other obstruction which is likely to interfere with the full navigation of said harbor, or in any way injure its channels or cause any reduction in its tidewaters, or prevent, abate or remove any unauthorized landfills upon or affecting the tidewaters located within the city limits of Bridgeport. The harbor master shall exercise his responsibility in a manner consistent with any harbor management plan for the Bridgeport Harbor adopted pursuant to section 22a-113m.

(b) Each person who contemplates the building over said harbor and tidewaters of any bridge, wharf, pier dam or bulkheads, or the dredging or filling in of any flats or tidewaters, or the driving or placement of any piles, dolphins or bumpers below high-water mark shall, before beginning such work, give written notice upon forms provided by said master of his intention to do such work to the Commissioner of **[**Transportation**]** Energy and Environmental Protection and to said harbor master and shall submit plans or drawings of any proposed wharf or any other structure, and of the flats to be dredged or filled, and of the mode in which the work is to be performed; and no such work shall be commenced until the plan or drawing and the mode of performing the same is approved in writing by the commissioner. The commissioner may reject or alter such plans at his discretion and prescribe the direction, limits and mode of building of the wharf and other structures, and all such works shall be executed under the supervision of the commissioner and the harbor master.

(c) Any erection made or work done in any manner not sanctioned by said commissioner, when his direction is required as hereinbefore provided, shall be deemed a public nuisance. Said commissioner may order suits in the name of the city and prevent or stop or abate, by

982 injunction or otherwise, any such erection or other nuisance and such
983 suits shall be conducted by and at the expense of the city of Bridgeport.

984 (d) Any person aggrieved by any action taken or order issued by
985 said commissioner under authority of this section may within thirty
986 days appeal to the superior court for the judicial district of Fairfield
987 and said court shall take such action in the premises as equity may
988 require.

989 (e) Any person who violates or assists in violating any of the
990 provisions of subsection (b) of this section or any direction or order of
991 the commissioner made pursuant thereto shall be guilty of a class C
992 misdemeanor.

993 Sec. 20. Section 15-9 of the general statutes is repealed and the
994 following is substituted in lieu thereof (*Effective July 1, 2016*):

995 (a) When the master or owner of any vessel lying within the
996 navigable waters of this state, or the person having the same in charge,
997 wilfully neglects or refuses to obey the order of any harbor master
998 performing his duties under the provisions of this chapter, such harbor
999 master may cause such vessel to be removed at the expense of the
1000 owner. Any such master, owner or person in violation of this section
1001 shall be deemed to have committed an infraction and shall be fined
1002 eighty-five dollars.

1003 (b) A harbor master may notify any officer attached to an organized
1004 police department or any state police officer that a master or owner of
1005 a vessel is in violation of the provisions of subsection (a) of this section.
1006 Any such officer may remove and take such vessel into custody and
1007 shall give written notice by certified mail to the owner or master of
1008 such vessel, if known, which notice shall state (1) that the vessel has
1009 been taken into custody and stored, (2) the location of storage of the
1010 vessel, (3) that such vessel may be sold after fifteen days if the market
1011 value of such vessel does not exceed five hundred dollars or after
1012 ninety days if the value of such vessel exceeds five hundred dollars,

1013 and (4) that the owner has a right to contest the validity of such taking
1014 by application, on a form prescribed by the Commissioner of
1015 [Transportation] Energy and Environmental Protection, to the hearing
1016 officer named in such notice within ten days from the date of such
1017 notice. Such application forms shall be made readily available to the
1018 public at all offices of the Department of [Transportation] Energy and
1019 Environmental Protection and at all state and local police departments.

1020 (c) The chief executive officer of each town may appoint a suitable
1021 person, who shall not be a member of any state or local police
1022 department, to be a hearing officer to hear applications to determine
1023 whether or not the taking was authorized under the provisions of this
1024 section. Two or more towns may join in appointing such officer;
1025 provided any such hearing shall be held at a location which is as near
1026 to the town where such vessel was located as is reasonable and
1027 practicable. The commissioner shall establish by regulation the
1028 qualifications necessary for hearing officers and procedures for the
1029 holding of such hearings. If it is determined at such hearing that the
1030 owner or master was in violation of subsection (a) of this section, the
1031 owner or master of such vessel shall be liable for any expenses
1032 incurred as a result of such removal, or the costs and expenses incident
1033 to such removal, including legal expenses and court costs incurred in
1034 such recovery. If it is determined at such hearing that the owner or
1035 master was not in violation of subsection (a) of this section, the owner
1036 or master of such vessel shall not be liable for any expenses incurred as
1037 a result of such removal or for the costs and expenses incident to such
1038 removal, including legal expenses and court costs incurred in such
1039 recovery. Any person aggrieved by the decision of such hearing officer
1040 may, within fifteen days of the notice of such decision, appeal to the
1041 superior court for the judicial district wherein such hearing was held.

1042 (d) The state or local police department which has custody of the
1043 removed vessel shall have the power to sell such vessel at public
1044 auction in accordance with the provisions of this section. The state or
1045 local police department shall apply the avails of such sale toward the

payment of its charges, any storage charges and the payment of any debt or obligation incurred by the officer who placed the same in storage. Such sale shall be advertised in a newspaper published or having a circulation in the town where such vessel is stored or other place is located three times, commencing at least five days before such sale; and, if the last place of abode of the owner of such vessel is known to or may be ascertained by the state or local police by the exercise of reasonable diligence, notice of the time and place of sale shall be given him by mailing such notice to him in a registered or certified letter, postage paid, at such last usual place of abode, at least five days before the time of sale. The state or local police department shall report the sales price, storing and towing charges, if any; buyer's name and address; identification of the vessel and such other information as may be required in regulations which shall be adopted by the Commissioner of **[**Transportation**]** Energy and Environmental Protection in accordance with the provisions of chapter 54, to the commissioner within fifteen days after the sale of the vessel. The proceeds of such sale, after deducting the amount due for any storage and all expenses connected with such sale, including the expenses of the officer who placed such vessel in storage, shall be paid to the owner of such vessel or his legal representatives, if claimed by him or them at any time within one year from the date of such sale. If such balance is not claimed within said period, it shall escheat to the municipality from which the vessel was removed. If the expenses incurred by the municipality for such removal and towing and the sale of such vessel and any fines exceed the proceeds of such sale, the owner of the vessel shall be liable for such excess amount. A vessel may not be sold in accordance with the provisions of this section until: (1) The expiration of the time period under subdivision (3) of subsection (b) of this section and (2) a final decision has been rendered in connection with an application filed pursuant to subdivision (4) of subdivision (b) of this section.

(e) The Commissioner of **[**Transportation**]** Energy and

Environmental Protection shall adopt regulations in accordance with the provisions of chapter 54, to carry out the provisions of this section.

Sec. 21. Section 15-11a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) A duly authorized harbor master shall determine whether a vessel is a derelict vessel. Upon such determination, the Commissioner of **[**Transportation**]** Energy and Environmental Protection, such harbor master or a duly authorized representative of a municipality may cause such derelict vessel to be removed at the expense of any owner, agent or operator of such derelict vessel and may recover the expense of such removal, together with the costs and expenses incident to such removal, including legal expenses and court costs incurred in such recovery, from the owner, agent or operator of such vessel in an action founded upon this section. The last owner of record of such vessel shall be responsible for such vessel. **[**After consultation with the Commissioner of Transportation, the**]** The Commissioner of Energy and Environmental Protection may consider any such vessel to be an encroachment subject to the provisions of sections 22a-359 to 22a-363f, inclusive.

(b) Prior to removing and taking such derelict vessel into custody, the Commissioner of **[**Transportation**]** Energy and Environmental Protection, a duly authorized harbor master or a duly authorized representative of a municipality shall make a reasonable attempt to notify the owner, agent or operator of the vessel and shall allow such owner, agent or operator to make arrangements for removal of the vessel. Such notification shall inform the owner, agent or operator that, pursuant to this section, if the vessel is not removed within twenty-four hours of notification, it shall be removed, taken into custody and stored at the owner's, agent's or operator's expense.

(c) Prior to removing a derelict vessel, the Commissioner of **[**Transportation**]** Energy and Environmental Protection, a duly

authorized harbor master or a duly authorized representative of a municipality shall affix to such vessel a readily visible notification sticker. The notification sticker shall contain the following information: (1) The date and time the notification sticker was affixed to the vessel, (2) a statement that, pursuant to this section, if the vessel is not removed within twenty-four hours of the time the sticker was affixed, it shall be taken into custody and stored at the owner's expense, (3) the location and telephone number where additional information may be obtained, and (4) the identity of the person who affixed the sticker.

(d) If the derelict vessel is not removed by the owner, agent or operator within the time period provided in subsection (c) of this section, the Commissioner of **[**Transportation**]** Energy and Environmental Protection, a duly authorized harbor master or a duly authorized representative of a municipality may direct that such vessel be removed and taken into custody and may cause the same to be stored in a suitable place.

(e) If a derelict vessel is removed and taken into custody pursuant to subsection (d) of this section, the Commissioner of **[**Transportation**]** Energy and Environmental Protection, a duly authorized harbor master or a duly authorized representative of a municipality shall give written notice, by certified mail, return receipt requested, to the owner, agent or operator of such vessel, if known, which notice shall state: (1) The vessel has been removed, taken into custody and stored, (2) the location from which the vessel was removed, and (3) that the vessel may be disposed of after fifteen days if the market value of such vessel, as determined by a certified marine surveyor, does not exceed two thousand dollars or that the vessel may be sold after ninety days, pursuant to the provisions of subsection (f) of this section.

(f) Ninety days or more after written notice has been given pursuant to subsection (e) of this section, the Commissioner of **[**Transportation**]** Energy and Environmental Protection, a duly authorized harbor master or a duly authorized representative of a municipality may sell a

1142 derelict vessel at public auction in accordance with the provisions of
1143 this section. The commissioner, harbor master or authorized agent of a
1144 municipality shall apply the proceeds of such sale toward the payment
1145 of its charges, any storage charges and the payment of any debt or
1146 obligation incurred by the commissioner, harbor master or agent who
1147 placed the vessel in storage. Such sale shall be advertised twice in a
1148 newspaper published or having a circulation in the town where such
1149 vessel is stored or is located, commencing at least five days before such
1150 sale; and, if the last place of abode of the owner, agent or operator of
1151 such vessel is known to or ascertained by the commissioner, harbor
1152 master or agent by the exercise of reasonable diligence, notice of the
1153 time and place of sale shall be given to such owner, agent or operator
1154 by sending such notice to the owner, agent or operator, by certified
1155 mail, return receipt requested, at such last place of abode at least five
1156 days before the day of the sale. The proceeds of such sale, after
1157 deducting any amount due for removal and storage charges and all
1158 expenses connected with such sale, shall be paid to the owner, agent or
1159 operator of such vessel or the owner's, agent's or operator's legal
1160 representatives, if claimed by the owner, agent or operator or the
1161 owner's, agent's or operator's legal representative at any time within
1162 one year from the date of such sale. If such balance is not claimed
1163 within said period, it shall escheat to the municipality from which the
1164 vessel was removed. If the expenses incurred by the commissioner,
1165 harbor master or agent for such removal and storage and sale of such
1166 vessel and any fines exceed the proceeds of such sale, the owner, agent
1167 or operator of the vessel shall be liable for such excess expenses.

1168 (g) The Commissioner of **[**Transportation**]** <u>Energy and</u>
1169 <u>Environmental Protection</u> may require the owner, agent or operator to
1170 furnish a performance bond in an amount sufficient to cover the
1171 estimated costs of removal as determined by the commissioner.

1172 Sec. 22. Section 15-13 of the general statutes is repealed and the
1173 following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) The [Commissioner of Transportation] Connecticut Port Authority shall license as many residents of this state and any other state as said [commissioner] authority deems necessary and finds qualified to act as pilots for one year in any of the ports and waters of this state including the Connecticut waters of Long Island Sound. A license shall be denied to any person holding a license or authority under the laws of any other state [which] that does not issue a license or authority to pilots licensed by the [Connecticut Department of Transportation] authority. Except as [hereinafter] provided in this section, no person shall be so licensed unless [he] such person possesses a federal masters license and has procured a federal first class pilot's license of unlimited tonnage issued by the United States Coast Guard covering the sections of the waters of this state for which application is being made to said [commissioner] authority. Each applicant for a license to act as a pilot for any port or waterway of the state including the Connecticut waters of Long Island Sound shall document that [he] such applicant has made the following passages on ocean-going vessels of not less than four thousand gross tons, through the port or waterway for which application is being made during the thirty-six months immediately preceding [his] such application: (1) Twelve round trips on American vessels under enrollment as pilot of record, on which the applicant is not a crew member; or (2) twenty-four round trips as observing pilot on foreign or registered vessels during which the applicant does the piloting work under the supervision and authority of a pilot licensed by this state, provided the applicant possesses a first class pilot's license issued by the United States Coast Guard for the port or waterway; or (3) any combination of the above requirements for trips, substituting two observer trips for each trip as pilot of record.

(b) An extension of route for waters of this state including the Connecticut waters of Long Island Sound, for which application is being made by a pilot currently licensed by the authority for eastern Long Island Sound and at least one of the ports of New London, New

Haven or Bridgeport, shall be granted provided the applicant (1) has procured a federal first class pilot's license of unlimited tonnage issued by the United States Coast Guard covering the sections of the waters of this state including the Connecticut waters of Long Island Sound, for which application for an extension of route is being made, and (2) can document that, within the thirty-six months immediately preceding such application, the applicant has made six round trips through the port or waterway for which application is being made as observing pilot on vessels under enrollment or vessels under register subject to compulsory pilotage under sections 15-15 and 15-15c, during which the applicant does the piloting work under the supervision and authority of a pilot licensed by this state.

[(b)] (c) Each pilot shall, upon the granting of [his] a license, pay a fee of thirty dollars to said [commissioner] authority and shall give a bond of one thousand dollars to the [State] Treasurer and [his] the Treasurer's successors in office, with surety, to the acceptance of the [commissioner] authority, conditioned for the faithful performance of his or her duties as a pilot, upon which bond suit may be brought in the name of said Treasurer for the benefit of any person who may suffer loss or damage, by reason of the ignorance, neglect or misconduct of such pilot in the discharge of [his] such pilot's duties. The [commissioner] authority shall increase such fee by fifty per cent July 1, 1985, by an additional fifty per cent effective July 1, 1989, by an additional twenty-five per cent effective July 1, 1991, and by an additional twenty-five per cent effective July 1, 1993.

[(c)] (d) Each license shall expire on the last day of December following its issuance and may be renewed upon application and payment of the fee required by subsection [(b)] (c) of this section, renewal of the bond required under subsection [(b)] (c) of this section and proof of current federal licensure as required in subsection (a) of this section.

[(d)] (e) The [Commissioner of Transportation] authority shall keep

a record of each license and, if requested, shall furnish a certificate of such license.

[(e)] (f) Said [commissioner] authority may suspend or revoke any pilot's license for (1) incompetence, (2) neglect of duty, (3) misconduct or (4) using a vessel owned or operated by a person who has not obtained a certificate of compliance under the provisions of section 15-15e, as amended by this act, for the purpose of embarking or disembarking another vessel in open and unprotected waters. Any person aggrieved by the action of said [commissioner] authority under the provisions of this subsection may appeal therefrom in accordance with the provisions of section 4-183.

[(f)] (g) Any pilot who has been away from duty for a period of not less than six months, or who has not completed a passage through any port or waterway for which [he] such pilot is licensed during such period, shall be placed on inactive status. [Said] Such pilot shall complete at least one round trip over the port or waterway for which [he] such pilot is licensed before resuming his or her duties as a pilot. The refresher passages shall be made in the company of an active pilot licensed by the state. [Said] Such pilot, before resuming [his] pilotage duties, shall submit to the [commissioner] authority a list of completed refresher passages, including the name, gross tons and draft of each vessel involved, a description and date of each passage and the name of the attending pilot.

[(g)] (h) The [commissioner] authority may issue limited licenses pursuant to this section. Such licenses may be limited according to a pilot's qualifications for operating a vessel, which shall include, but not be limited to, the type, size, gross tonnage or draft of a vessel.

[(h)] (i) The [commissioner shall adopt regulations, in accordance with the provisions of chapter 54] authority shall adopt written procedures, in accordance with section 1-121, to carry out the purposes of this section.

Sec. 23. Section 15-13c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) There is created within the **[**Department of Transportation**]** Connecticut Port Authority, for administrative purposes only, the Connecticut Pilot Commission to assist and advise the **[**Commissioner of Transportation**]** authority on matters relating to the licensure of pilots, the safe conduct of vessels and the protection of the ports and waters of the state, including the waters of Long Island Sound.

(b) The commission shall consist of nine members, one of whom shall be the **[**Commissioner of Transportation or the commissioner's**]** executive director of the authority or the executive director's designee and one of whom shall be an active licensed pilot in this state operating on the Connecticut side of the rotation system for the assignment of pilots. The pilot member shall be designated by a simple majority vote of pilots operating on the Connecticut side of the rotation system for the assignment of pilots. The remaining seven members shall be appointed as follows: The Governor shall appoint one member representing a maritime-related industry, which industry shall not include a recreational industry; the president pro tempore of the Senate shall appoint one member representing the public with an interest in the environment who does not have an economic interest in the subject matters of the commission; the majority leader of the Senate shall appoint one member representing the public with an interest in the environment who does not have an economic interest in the subject matters of the commission; the minority leader of the Senate shall appoint one member who shall be a retired ship's master or captain; the speaker of the House of Representatives shall appoint one member representing a maritime-related industry, which industry shall not include a recreational industry; the majority leader of the House of Representatives shall appoint one member representing a maritime-related industry from a shipping agent perspective; the minority leader of the House of Representatives shall appoint one member with an expertise in the area of admiralty law. Each member shall be a resident

1303 of the state, provided no member shall be an active licensed pilot,
1304 except the one active Connecticut licensed pilot operating in and
1305 designated by a simple majority of pilots operating on the Connecticut
1306 side of the rotation system for the assignment of pilots. Members shall
1307 receive no compensation for the performance of their duties.

1308 (c) On or before July 1, 1992, in accordance with the provisions of
1309 subsection (b) of this section (1) the Governor, the speaker of the
1310 House of Representatives and the majority leader of the Senate shall
1311 each appoint one member who shall serve until July 1, 1996; (2) the
1312 president pro tempore of the Senate, the majority leader of the House
1313 of Representatives and the minority leader of the House of
1314 Representatives shall each appoint one member who shall serve until
1315 July 1, 1995; and (3) the minority leader of the Senate shall appoint one
1316 member who shall serve until July 1, 1994. Thereafter, members shall
1317 serve for a term of four years and any vacancies on the commission
1318 shall be filled for the remainder of the term in the same manner as the
1319 original appointment.

1320 (d) The Governor shall appoint the chairperson of the commission
1321 who shall not be an employee of the **[**Department of Transportation**]**
1322 Connecticut Port Authority. The commission shall elect a vice-
1323 chairperson and any other officers that it deems necessary from among
1324 its membership. The powers of the commission shall be vested in and
1325 exercised by not less than five members serving on the commission.
1326 This number shall constitute a quorum and the affirmative vote of five
1327 members present at a meeting of the commission shall be necessary for
1328 any action taken by the commission.

1329 (e) The commission shall, subject to the approval of the
1330 **[**commissioner in his**]** authority in such authority's sole discretion, set:
1331 (1) The required qualifications of pilots for eligibility for licensure,
1332 including background, training, length of service and apprenticeship;
1333 (2) examination requirements for obtaining a pilot's or other type of
1334 operating license; and (3) the appropriate number of state-licensed

1335 pilots necessary for the safe, efficient and proper operations in the
1336 ports and waters of the state, including the waters of Long Island
1337 Sound. In setting these requirements, the commission may not
1338 consider the licenses of pilots by other jurisdictions as a disqualifying
1339 factor.

1340 (f) The commission shall advise the **[**commissioner**]** authority on (1)
1341 the establishment of fair and reasonable rates of pilotage, pursuant to
1342 section 15-14, as amended by this act, including establishment of a
1343 hearing process for the setting of fair and reasonable rates of pilotage
1344 and licensure fees; (2) the policy of the state on the establishment of a
1345 rotation system for the assignment of pilots; (3) the policy of the state
1346 on the issuance of reciprocal licenses to pilots licensed in other states;
1347 (4) the enhancement of safety and protection of the marine
1348 environment during the operation of vessels and the prevention of oil
1349 spills and other marine incidents; (5) the proper equipment required
1350 on a vessel and the operation of vessels used by pilots for embarkation
1351 and disembarkation; (6) the designation of pilot boarding stations; (7)
1352 the proper safety equipment provided by vessels to enable pilots to
1353 safely board vessels; (8) the state's policy relative to matters of
1354 interstate pilotage; and (9) any other matter requested by the
1355 **[**commissioner**]** authority.

1356 (g) The commission shall: (1) Assist in the preparation of
1357 examinations for pilot licensure and other operating certificates; (2)
1358 evaluate the examination results of applicants for a pilot license and
1359 make appropriate recommendations concerning such applicants'
1360 qualifications; (3) assist in the review and monitoring of the
1361 performance of pilots, including compliance with state policies,
1362 procedures and regulations; (4) review applications for reciprocal
1363 licensure and make appropriate recommendations concerning such
1364 pilots' qualifications; (5) recommend the duties of pilots for the
1365 reporting of faulty pilot boarding and disembarkation systems and of
1366 violations of any state laws; (6) review and investigate any marine
1367 incident or casualty and conduct hearings to determine the causes of

any such incident; (7) investigate and make recommendations on disciplinary measures, including such measures as letters of caution, admonition or reprimand and licensure suspension or forfeiture, including disciplinary matters relative to alcohol or drug abuse; (8) retain an independent investigator to compile a comprehensive factual record of any marine incident or casualty; (9) assist in the review of complaints filed with the **[**commissioner**]** authority; and (10) assist in the preparation of any report or matter relative to pilotage.

(h) Nothing in this section shall supersede the authority of the **[**commissioner**]** Connecticut Port Authority with respect to licensing marine pilots as specified in section 15-13, as amended by this act.

Sec. 24. Section 15-14 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The **[**Commissioner of Transportation**]** Connecticut Port Authority shall establish the rates of pilotage for all vessels which use a licensed pilot in the ports and waters of this state including the Connecticut waters of Long Island Sound.

Sec. 25. Section 15-15a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

[The Commissioner of Transportation shall promulgate such regulations respecting the conduct and duties of licensed pilots and the piloting, docking and undocking of vessels, as he**]** All existing regulations of the Department of Transportation respecting the conduct and duties of licensed pilots and the piloting, docking and undocking of vessels shall become duly written procedures of the Connecticut Port Authority, effective July 1, 2016. After said date, any modification to the written procedures or additional written procedures respecting the conduct and duties of licensed pilots and the piloting, docking and undocking of vessels shall be adopted by the authority in accordance with the provisions of section 1-121, as the authority deems necessary for the protection of property, public safety

1399 and the effective administration of sections 15-13, as amended by this
1400 act, 15-14, as amended by this act, 15-15 and 15-15b, as amended by
1401 this act.

1402 Sec. 26. Section 15-15b of the general statutes is repealed and the
1403 following is substituted in lieu thereof (*Effective July 1, 2016*):

1404 Once every three months, each licensed pilot shall render to the
1405 [Commissioner of Transportation] Connecticut Port Authority an
1406 accurate account of all vessels piloted by [him] such pilot. Any pilot
1407 who makes a false return shall be subject to suspension or revocation
1408 of his or her license as provided in section 15-13, as amended by this
1409 act.

1410 Sec. 27. Section 15-15d of the general statutes is repealed and the
1411 following is substituted in lieu thereof (*Effective July 1, 2016*):

1412 (a) Pilotage on Long Island Sound shall be concurrent with the state
1413 of New York.

1414 (b) The [Commissioner of Transportation] Connecticut Port
1415 Authority may execute an agreement with the pilot commission of any
1416 other state for the establishment of a rotation system for the
1417 assignment of pilots for the conduct of vessels in the ports and waters
1418 of the state, including the waters of Long Island Sound.

1419 Sec. 28. Section 15-15e of the general statutes is repealed and the
1420 following is substituted in lieu thereof (*Effective July 1, 2016*):

1421 (a) An owner or operator of a vessel used to transport a pilot
1422 licensed under the provisions of section 15-13, as amended by this act,
1423 for the purpose of embarking or disembarking another vessel in open
1424 and unprotected waters shall obtain a certificate of insurance from an
1425 insurance carrier based on a survey conducted and documented by a
1426 qualified marine surveyor. Marine surveyors shall be guided by
1427 applicable United States Coast Guard regulations, if any, and

standards set by insurance companies for the insurability of such vessel. [The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, that specify (1) the procedures for embarkation and disembarkation of pilots, and (2) the operation of and equipment required on each such vessel. Such regulations] All existing regulations of the Department of Transportation that specify procedures for embarkation and disembarkation of pilots and the operation of and equipment required on each such vessel, shall become duly adopted written procedures of the Connecticut Port Authority, effective July 1, 2016. After said date, any modification to the written procedures or additional written procedures that specify (1) the procedures for embarkation and disembarkation of pilots, and (2) the operation of and equipment required on each such vessel shall be adopted by the authority in accordance with the provisions of section 1-121. Such written procedures may establish standard rates for the use of each such vessel for such purpose. For the purposes of this subsection, "open and unprotected waters" means waters located east of the area depicted on the National Oceanic and Atmospheric Administration charts of the eastern portion of Long Island Sound as "The Race".

(b) Any person who fails to comply with subsection (a) of this section or any [regulation] written procedures adopted thereunder shall be fined not less than five hundred dollars nor more than one thousand dollars.

Sec. 29. Section 15-25 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

Any person who removes, damages or destroys any buoy, beacon, channel marker or floating guide placed in the waters of this state by the proper exercise of the authority of the [Commissioner of Transportation] state or the harbor master of any harbor, or moors or in any manner attaches any boat, vessel or raft of any kind to such buoy, beacon, channel marker or floating guide, unless his life, or the

safety of the vessel in which he is, is endangered, or cuts down, removes, damages or destroys any beacon or navigational aid erected on land in this state, shall be fined not more than one thousand dollars.

Sec. 30. Section 15-140d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

No person shall place or cause to be placed any marker, raft, dockslip, ski jump or similar structure upon the state's waters so as to create an obstruction or menace to navigation or a hindrance to the public use of such waters. If the Commissioner of **[**Transportation**]** Energy and Environmental Protection determines that any such structure constitutes a hazard in tidal waters, **[**he**]** the commissioner may order the owner to dismantle or remove the structure or to take other measures to eliminate the danger. If the **[**Commissioner of Energy and Environmental Protection**]** commissioner determines that any such structure constitutes such a hazard in the state's waters other than tidal waters, **[**he**]** the commissioner may order the owner to dismantle or remove the structure or to take other measures to eliminate the danger.

Sec. 31. Section 22a-113m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The commission, in consultation with the **[**Commissioners**]** Commissioner of Energy and Environmental Protection and **[**Transportation**]** the Connecticut Port Authority, shall prepare or cause to be prepared a management plan for the most desirable use of the harbor for recreational, commercial, industrial and other purposes. For those towns in the coastal area, as defined in section 22a-94, the plan shall provide for the preservation and use of the coastal resources of the harbor in a manner consistent with the provisions of sections 22a-90 to 22a-111, inclusive, and any municipal coastal plan adopted pursuant to section 22a-101 by any municipality that is a member of the commission. A copy of the plan shall be forwarded to the U.S.

1491 Army Corps of Engineers for review, comments and
1492 recommendations. Such plan shall be submitted for approval to the
1493 [Commissioners of Energy and Environmental Protection and
1494 Transportation] commissioner and the authority. Said [commissioners]
1495 commissioner and authority shall act on the plan not more than sixty
1496 days after submission of such plan. Upon approval by said
1497 [commissioners] commissioner and authority, the plan may be
1498 adopted by ordinance by the legislative body of each municipality
1499 establishing the commission. The ordinance shall specify the effective
1500 date of the plan. A modification to the plan may be proposed at any
1501 time and shall be approved in the same manner as the plan. The plan
1502 shall be reviewed annually by the commission, [and] the
1503 [Commissioners of Energy and Environmental Protection and
1504 Transportation] commissioner and the authority.

1505 Sec. 32. Subsection (a) of section 22a-337 of the general statutes is
1506 repealed and the following is substituted in lieu thereof (*Effective July*
1507 *1, 2016*):

1508 (a) The Commissioner of Energy and Environmental Protection, in
1509 consultation with the Commissioner of Public Health, is authorized, as
1510 the representative of the state of Connecticut, to negotiate, cooperate
1511 and enter into agreements or compacts with authorized agencies
1512 representing any one or more states or commonwealths, or the United
1513 States, or any combination thereof, relative to flood control, river and
1514 harbor improvements or obstructions, navigation, pollution of
1515 interstate waters, diversion of interstate waters, and the use of such
1516 interstate waters by any agency of the United States, or any one or
1517 more states or commonwealths, which will tend to increase the hazard
1518 of damage to persons or property located or situated in this state by
1519 reason of flood waters or which will in any way interfere adversely
1520 with the navigability of any stream or river located wholly or partially
1521 within this state during periods of low flow in the main stream or any
1522 of its tributaries. With respect to matters relating to river and harbor
1523 improvements and the navigability of streams or rivers, the

Commissioner of Energy and Environmental Protection [shall] may, as appropriate, request and consider recommendations of the Commissioner of Transportation and the board of directors of the Connecticut Port Authority.

Sec. 33. Section 22a-340 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The commissioner shall have the power and authority, after a public hearing, subject to the issuance of a permit by the corps of engineers of the United States army, to designate and lay out channels and boat basins in lands under tidal and coastal waters for the purpose of providing access to and from deep water to uplands adjacent to or bordering on tidal and coastal waters and for the improvement of coastal and inland navigation by vessels, including small craft for recreational purposes with due regard for the recreational, commercial and navigational needs of the state. The commissioner shall promptly give written notice to the [Commissioner of Transportation] Connecticut Port Authority of any proceeding under this section, and shall consider such recommendations as the [Commissioner of Transportation] authority may submit to [him within] the commissioner not later than thirty days after the conclusion of public hearings thereon. The [Commissioner of Transportation] board of directors of the Connecticut Port Authority is authorized to initiate proceedings under this section.

Sec. 34. Subsection (b) of section 22a-359 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) After consultation with the [Commissioner of Transportation] Connecticut Port Authority, the Commissioner of Energy and Environmental Protection may consider any sunken or grounded vessel, scow, lighter or similar structure lying within the tidal, coastal or navigable waters of the state to be an encroachment subject to the

1555 provisions of this section and sections 22a-360 to 22a-363, inclusive.

1556 Sec. 35. Subsection (b) of section 22a-361 of the general statutes is
1557 repealed and the following is substituted in lieu thereof (*Effective July*
1558 *1, 2016*):

1559 (b) The commissioner, at least thirty days before approving or
1560 denying an application for a permit, shall provide or require the
1561 applicant to provide notice by certified mail, return receipt requested,
1562 or by electronic means to the applicant, to the **[**Commissioner of
1563 Transportation**]** Connecticut Port Authority, as appropriate, the
1564 Attorney General and the Commissioner of Agriculture and to the
1565 chief executive officer, the chairmen of the planning, zoning, harbor
1566 management and shellfish commissions of each town in which such
1567 structure, fill, obstruction, encroachment or dredging is to be located
1568 or work to be performed, and to the owner of each franchised oyster
1569 ground and the lessee of each leased oyster ground within which such
1570 work is to be performed and shall publish such notice once in a
1571 newspaper having a substantial circulation in the area affected. Such
1572 notice shall contain (1) the name of the applicant; (2) the location and
1573 nature of the proposed activities; (3) the tentative decision regarding
1574 the application; and (4) any additional information the commissioner
1575 deems necessary. There shall be a comment period following the
1576 public notice during which interested persons may submit written
1577 comments. The commissioner may hold a public hearing prior to
1578 approving or denying an application if, in the commissioner's
1579 discretion, the public interest will best be served by holding such
1580 hearing. The commissioner shall hold a public hearing if the
1581 commissioner receives: (A) A written request for such public hearing
1582 from the applicant, or (B) a petition, signed by twenty-five or more
1583 persons requesting such public hearing on an application. Following
1584 such notice and comment period and public hearing, if applicable, the
1585 commissioner may, in whole or in part, approve, modify and approve
1586 or deny the application. The commissioner shall provide to the
1587 applicant and the persons set forth above, by certified mail, return

1588 receipt requested, or by electronic means, notice of the commissioner's
1589 decision. If the commissioner requires the applicant to provide the
1590 notice specified in this subsection, the applicant shall certify to the
1591 commissioner, not later than twenty days after providing such notice,
1592 that such notice has been provided in accordance with this subsection.
1593 Any person who is aggrieved by the commissioner's final decision on
1594 such application may appeal such decision to the Superior Court in
1595 accordance with section 4-183.

1596 Sec. 36. Subdivision (12) of section 1-79 of the general statutes is
1597 repealed and the following is substituted in lieu thereof (*Effective July*
1598 *1, 2015*):

1599 (12) "Quasi-public agency" means Connecticut Innovations,
1600 Incorporated, the Connecticut Health and Education Facilities
1601 Authority, the Connecticut Higher Education Supplemental Loan
1602 Authority, the Connecticut Student Loan Foundation, the Connecticut
1603 Housing Finance Authority, the State Housing Authority, the Materials
1604 Innovation and Recycling Authority, the Capital Region Development
1605 Authority, the Connecticut Lottery Corporation, the Connecticut
1606 Airport Authority, the Connecticut Health Insurance Exchange, the
1607 Connecticut Green Bank, the Connecticut Port Authority, and the State
1608 Education Resource Center.

1609 Sec. 37. Subdivision (1) of section 1-120 of the general statutes is
1610 repealed and the following is substituted in lieu thereof (*Effective July*
1611 *1, 2015*):

1612 (1) "Quasi-public agency" means Connecticut Innovations,
1613 Incorporated, the Connecticut Health and Educational Facilities
1614 Authority, the Connecticut Higher Education Supplemental Loan
1615 Authority, the Connecticut Student Loan Foundation, the Connecticut
1616 Housing Finance Authority, the Connecticut Housing Authority, the
1617 Materials Innovation and Recycling Authority, the Capital Region
1618 Development Authority, the Connecticut Lottery Corporation, the

1619 Connecticut Airport Authority, the Connecticut Health Insurance
1620 Exchange, the Connecticut Green Bank, the Connecticut Port Authority
1621 and the State Education Resource Center.

1622 Sec. 38. Section 1-124 of the general statutes is repealed and the
1623 following is substituted in lieu thereof (*Effective July 1, 2015*):

1624 (a) Connecticut Innovations, Incorporated, the Connecticut Health
1625 and Educational Facilities Authority, the Connecticut Higher
1626 Education Supplemental Loan Authority, the Connecticut Student
1627 Loan Foundation, the Connecticut Housing Finance Authority, the
1628 Connecticut Housing Authority, the Materials Innovation and
1629 Recycling Authority, the Connecticut Airport Authority, the Capital
1630 Region Development Authority, the Connecticut Health Insurance
1631 Exchange, the Connecticut Green Bank, the Connecticut Port Authority
1632 and the State Education Resource Center shall not borrow any money
1633 or issue any bonds or notes which are guaranteed by the state of
1634 Connecticut or for which there is a capital reserve fund of any kind
1635 which is in any way contributed to or guaranteed by the state of
1636 Connecticut until and unless such borrowing or issuance is approved
1637 by the State Treasurer or the Deputy State Treasurer appointed
1638 pursuant to section 3-12. The approval of the State Treasurer or said
1639 deputy shall be based on documentation provided by the authority
1640 that it has sufficient revenues to (1) pay the principal of and interest on
1641 the bonds and notes issued, (2) establish, increase and maintain any
1642 reserves deemed by the authority to be advisable to secure the
1643 payment of the principal of and interest on such bonds and notes, (3)
1644 pay the cost of maintaining, servicing and properly insuring the
1645 purpose for which the proceeds of the bonds and notes have been
1646 issued, if applicable, and (4) pay such other costs as may be required.

1647 (b) To the extent Connecticut Innovations, Incorporated, the
1648 Connecticut Higher Education Supplemental Loan Authority, the
1649 Connecticut Housing Finance Authority, the Connecticut Housing
1650 Authority, the Materials Innovation and Recycling Authority, the

1651 Connecticut Health and Educational Facilities Authority, the
1652 Connecticut Student Loan Foundation, the Connecticut Airport
1653 Authority, the Capital Region Development Authority, the
1654 Connecticut Health Insurance Exchange, the Connecticut Green Bank,
1655 the Connecticut Port Authority or the State Education Resource Center
1656 is permitted by statute and determines to exercise any power to
1657 moderate interest rate fluctuations or enter into any investment or
1658 program of investment or contract respecting interest rates, currency,
1659 cash flow or other similar agreement, including, but not limited to,
1660 interest rate or currency swap agreements, the effect of which is to
1661 subject a capital reserve fund which is in any way contributed to or
1662 guaranteed by the state of Connecticut, to potential liability, such
1663 determination shall not be effective until and unless the State
1664 Treasurer or his or her deputy appointed pursuant to section 3-12 has
1665 approved such agreement or agreements. The approval of the State
1666 Treasurer or his or her deputy shall be based on documentation
1667 provided by the authority that it has sufficient revenues to meet the
1668 financial obligations associated with the agreement or agreements.

1669 Sec. 39. Section 1-125 of the general statutes is repealed and the
1670 following is substituted in lieu thereof (*Effective July 1, 2015*):

1671 The directors, officers and employees of Connecticut Innovations,
1672 Incorporated, the Connecticut Higher Education Supplemental Loan
1673 Authority, the Connecticut Housing Finance Authority, the
1674 Connecticut Housing Authority, the Materials Innovation and
1675 Recycling Authority, including ad hoc members of the Materials
1676 Innovation and Recycling Authority, the Connecticut Health and
1677 Educational Facilities Authority, the Connecticut Student Loan
1678 Foundation, the Capital Region Development Authority, the
1679 Connecticut Airport Authority, the Connecticut Lottery Corporation,
1680 the Connecticut Health Insurance Exchange, the Connecticut Green
1681 Bank, the Connecticut Port Authority and the State Education
1682 Resource Center and any person executing the bonds or notes of the
1683 agency shall not be liable personally on such bonds or notes or be

1684 subject to any personal liability or accountability by reason of the
1685 issuance thereof, nor shall any director or employee of the agency,
1686 including ad hoc members of the Materials Innovation and Recycling
1687 Authority, be personally liable for damage or injury, not wanton,
1688 reckless, wilful or malicious, caused in the performance of his or her
1689 duties and within the scope of his or her employment or appointment
1690 as such director, officer or employee, including ad hoc members of the
1691 Materials Innovation and Recycling Authority. The agency shall
1692 protect, save harmless and indemnify its directors, officers or
1693 employees, including ad hoc members of the Materials Innovation and
1694 Recycling Authority, from financial loss and expense, including legal
1695 fees and costs, if any, arising out of any claim, demand, suit or
1696 judgment by reason of alleged negligence or alleged deprivation of any
1697 person's civil rights or any other act or omission resulting in damage
1698 or injury, if the director, officer or employee, including ad hoc
1699 members of the Materials Innovation and Recycling Authority, is
1700 found to have been acting in the discharge of his or her duties or
1701 within the scope of his or her employment and such act or omission is
1702 found not to have been wanton, reckless, wilful or malicious.

1703 Sec. 40. Subsection (b) of section 13b-69 of the general statutes is
1704 repealed and the following is substituted in lieu thereof (*Effective July*
1705 *1, 2015*):

1706 (b) The remaining resources of the Special Transportation Fund
1707 shall, pursuant to appropriation thereof in accordance with chapter 50
1708 and subject to approval by the Governor of allotment thereof, be
1709 applied and expended for (1) payment of the principal of and interest
1710 on "general obligation bonds of the state issued for transportation
1711 purposes", as defined in subsection (c) of this section, or any
1712 obligations refunding the same, (2) payment of state budget
1713 appropriations made to or for the Department of Transportation and
1714 the Department of Motor Vehicles, **[**and**]** (3) payment of state budget
1715 appropriations made to or for the Department of Emergency Services
1716 and Public Protection for members of the Division of State Police

1717 designated by the Commissioner of Emergency Services and Public
1718 Protection for motor patrol work pursuant to section 29-4, except that
1719 (A) for the fiscal years commencing on or after July 1, 1998, excluding
1720 the highway motor patrol budgeted expenses, and (B) for the fiscal
1721 years commencing on or after July 1, 1999, excluding the highway
1722 motor patrol fringe benefits, (4) payment to the Department of Energy
1723 and Environmental Protection for purposes of regulation and
1724 enforcement of chapter 268, and (5) payment to the Department of
1725 Social Services for purposes of the transportation for employment
1726 independence program.

1727 Sec. 41. Subsection (a) of section 4-66aa of the general statutes, as
1728 amended by section 93 of public act 15-244, is repealed and the
1729 following is substituted in lieu thereof (*Effective January 1, 2016*):

1730 (a) There is established, within the General Fund, a separate,
1731 nonlapsing account to be known as the "community investment
1732 account". The account shall contain any moneys required by law to be
1733 deposited in the account. The funds in the account shall be distributed
1734 every three months as follows: (1) Ten dollars of each fee credited to
1735 said account shall be deposited into the agriculture sustainability
1736 account established pursuant to section 4-66cc and, then, of the
1737 remaining funds, (2) twenty-five per cent to the Department of
1738 Economic and Community Development to use as follows: (A) **[**Two
1739 hundred**]** Three hundred eighty thousand dollars, annually, to
1740 supplement the technical assistance and preservation activities of the
1741 Connecticut Trust for Historic Preservation, established pursuant to
1742 special act 75-93, and (B) the remainder to supplement historic
1743 preservation activities as provided in sections 10-409 to 10-415,
1744 inclusive; (3) twenty-five per cent to the Department of Housing to
1745 supplement new or existing affordable housing programs; (4) twenty-
1746 five per cent to the Department of Energy and Environmental
1747 Protection for municipal open space grants; and (5) twenty-five per
1748 cent to the Department of Agriculture to use as follows: (A) Five
1749 hundred thousand dollars annually for the agricultural viability grant

1750 program established pursuant to section 22-26j; (B) five hundred
1751 thousand dollars annually for the farm transition program established
1752 pursuant to section 22-26k; (C) one hundred thousand dollars annually
1753 to encourage the sale of Connecticut-grown food to schools,
1754 restaurants, retailers and other institutions and businesses in the state;
1755 (D) seventy-five thousand dollars annually for the Connecticut farm
1756 link program established pursuant to section 22-26*l*; (E) forty-seven
1757 thousand five hundred dollars annually for the Seafood Advisory
1758 Council established pursuant to section 22-455; (F) forty-seven
1759 thousand five hundred dollars annually for the Connecticut Farm
1760 Wine Development Council established pursuant to section 22-26c; (G)
1761 twenty-five thousand dollars annually to the Connecticut Food Policy
1762 Council established pursuant to section 22-456; and (H) the remainder
1763 for farmland preservation programs pursuant to chapter 422. Each
1764 agency receiving funds under this section may use not more than ten
1765 per cent of such funds for administration of the programs for which
1766 the funds were provided.

1767 Sec. 42. Section 32-4*l* of the general statutes is repealed and the
1768 following is substituted in lieu thereof (*Effective July 1, 2015*):

1769 (a) (1) The Department of Economic and Community Development
1770 shall establish a first five plus program to encourage business
1771 expansion and job creation. As part of said program, the department
1772 may provide substantial financial assistance to up to fifteen eligible
1773 business development projects by June 30, **[**2015**]** 2016.

1774 (2) A business development project eligible for financial assistance
1775 under the first five plus program shall commit, in the manner
1776 prescribed by the Commissioner of Economic and Community
1777 Development, to (A) create not less than two hundred new jobs within
1778 twenty-four months from the date such application is approved; or (B)
1779 invest not less than twenty-five million dollars and create not less than
1780 two hundred new jobs not later than five years after the date such
1781 application is approved.

1782 (3) The Commissioner of Economic and Community Development
1783 may give preference to a business development project that (A)
1784 involves the relocation of an out-of-state or international manufacturer
1785 or corporate headquarters, (B) involves the relocation of jobs that are
1786 outside the United States to the state, or (C) is a redevelopment project
1787 if the commissioner believes such redevelopment project will create
1788 jobs sooner than the schedule set forth in subdivision (2) of this
1789 subsection.

1790 (4) The Commissioner of Economic and Community Development
1791 may, in awarding financial assistance to an eligible business
1792 development project, work with Connecticut Innovations,
1793 Incorporated, to secure financing for such project.

1794 (5) The Commissioner of Economic and Community Development
1795 shall certify to the Governor for his or her approval that a business
1796 development project applicant has satisfied all the eligibility criteria in
1797 the program. Financial assistance awarded through the first five plus
1798 program shall be with the written consent of the Governor.

1799 (b) Financial assistance for the first five plus program for eligible
1800 business development projects shall be exempt from the provisions of
1801 subsection (c) of section 32-223, section 32-462, subsection (q) of section
1802 32-9t and, at the commissioner's discretion, section 12-211a for the
1803 fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, **[**and**]**
1804 June 30, 2015<u>, June 30, 2016, and June 30, 2017</u>.

1805 (c) The commissioner may take such action as the commissioner
1806 deems necessary or appropriate to enforce such commitment,
1807 including, but not limited to, establishing terms and conditions for the
1808 repayment of any financial assistance awarded pursuant to the
1809 provisions of this section.

1810 (d) On or before September 1, 2013, January 1, 2014, September 1,
1811 2014, January 1, 2015, **[**and**]** September 1, 2015, <u>January 1, 2016, and</u>
1812 <u>September 1, 2016,</u> the Commissioner of Economic and Community

1813 Development shall report in accordance with the provisions of section
1814 11-4a to the joint standing committees of the General Assembly having
1815 cognizance of matters relating to commerce and finance, revenue and
1816 bonding on the projects funded through the first five plus program,
1817 the number of jobs created and the impact on the economy of this state.

1818 Sec. 43. Subsection (b) of section 38a-488a of the general statutes, as
1819 amended by section 1 of public act 15-226, is repealed and the
1820 following is substituted in lieu thereof (*Effective January 1, 2016*):

1821 (b) Each individual health insurance policy providing coverage of
1822 the type specified in subdivisions (1), (2), (4), (11) and (12) of section
1823 38a-469 delivered, issued for delivery, renewed, amended or continued
1824 in this state shall provide benefits for the diagnosis and treatment of
1825 mental or nervous conditions. Benefits payable include, but need not
1826 be limited to:

1827 (1) General inpatient hospitalization, including in state-operated
1828 facilities;

1829 (2) Medically necessary acute treatment services and medically
1830 necessary clinical stabilization services;

1831 (3) General hospital outpatient services, including at state-operated
1832 facilities;

1833 (4) Psychiatric inpatient hospitalization, including in state-operated
1834 facilities;

1835 (5) Psychiatric outpatient hospital services, including at state-
1836 operated facilities;

1837 (6) Intensive outpatient services, including at state-operated
1838 facilities;

1839 (7) Partial hospitalization, including at state-operated facilities;

1840 (8) Evidence-based maternal, infant and early childhood home
1841 visitation services, as described in Section 2951 of the Patient
1842 Protection and Affordable Care Act, P.L. 111-148, as amended from
1843 time to time, that are designed to improve health outcomes for
1844 pregnant women, postpartum mothers and newborns and children,
1845 including, but not limited to, for maternal substance use disorders or
1846 depression and relationship-focused interventions for children with
1847 mental or nervous conditions or substance use disorders;

1848 (9) Intensive, home-based services designed to address specific
1849 mental or nervous conditions in a child while remediating problematic
1850 parenting practices and addressing other family and educational
1851 challenges that affect the child's and family's ability to function;

1852 **[**(10) Intensive, family-based and community-based treatment
1853 programs that focus on addressing environmental systems that impact
1854 chronic and violent juvenile offenders;**]**

1855 **[**(11)**]** (10) Evidence-based family-focused therapy that specializes in
1856 the treatment of juvenile substance use disorders and delinquency;

1857 **[**(12)**]** (11) Short-term family therapy intervention and juvenile
1858 diversion programs that target at-risk children to address adolescent
1859 behavior problems, conduct disorders, substance use disorders and
1860 delinquency;

1861 **[**(13) Other home-based therapeutic interventions for children;

1862 (14) Chemical maintenance treatment, as defined in section 19a-495-
1863 570 of the regulations of Connecticut state agencies;**]**

1864 **[**(15)**]** (12) Nonhospital inpatient detoxification;

1865 **[**(16)**]** (13) Medically monitored detoxification;

1866 **[**(17)**]** (14) Ambulatory detoxification;

1867 **[**(18)**]** (15) Inpatient services at psychiatric residential treatment
1868 facilities;

1869 **[**(19) Extended day treatment programs, as described in section 17a-
1870 22;**]**

1871 **[**(20)**]** (16) Rehabilitation services provided in residential treatment
1872 facilities, general hospitals, psychiatric hospitals or psychiatric
1873 facilities;

1874 **[**(21)**]** (17) Observation beds in acute hospital settings;

1875 **[**(22)**]** (18) Psychological and neuropsychological testing conducted
1876 by an appropriately licensed health care provider;

1877 **[**(23)**]** (19) Trauma screening conducted by a licensed behavioral
1878 health professional;

1879 **[**(24)**]** (20) Depression screening, including maternal depression
1880 screening, conducted by a licensed behavioral health professional; and

1881 **[**(25)**]** (21) Substance use screening conducted by a licensed
1882 behavioral health professional.

1883 Sec. 44. Subsection (b) of section 38a-488a of the general statutes, as
1884 amended by section 1 of public act 15-226 and section 44 of this act, is
1885 repealed and the following is substituted in lieu thereof (*Effective*
1886 *January 1, 2017*):

1887 (b) Each individual health insurance policy providing coverage of
1888 the type specified in subdivisions (1), (2), (4), (11) and (12) of section
1889 38a-469 delivered, issued for delivery, renewed, amended or continued
1890 in this state shall provide benefits for the diagnosis and treatment of
1891 mental or nervous conditions. Benefits payable include, but need not
1892 be limited to:

1893 (1) General inpatient hospitalization, including in state-operated

1894 facilities;

1895 (2) Medically necessary acute treatment services and medically
1896 necessary clinical stabilization services;

1897 (3) General hospital outpatient services, including at state-operated
1898 facilities;

1899 (4) Psychiatric inpatient hospitalization, including in state-operated
1900 facilities;

1901 (5) Psychiatric outpatient hospital services, including at state-
1902 operated facilities;

1903 (6) Intensive outpatient services, including at state-operated
1904 facilities;

1905 (7) Partial hospitalization, including at state-operated facilities;

1906 (8) Evidence-based maternal, infant and early childhood home
1907 visitation services, as described in Section 2951 of the Patient
1908 Protection and Affordable Care Act, P.L. 111-148, as amended from
1909 time to time, that are designed to improve health outcomes for
1910 pregnant women, postpartum mothers and newborns and children,
1911 including, but not limited to, for maternal substance use disorders or
1912 depression and relationship-focused interventions for children with
1913 mental or nervous conditions or substance use disorders;

1914 (9) Intensive, home-based services designed to address specific
1915 mental or nervous conditions in a child while remediating problematic
1916 parenting practices and addressing other family and educational
1917 challenges that affect the child's and family's ability to function;

1918 (10) Evidence-based family-focused therapy that specializes in the
1919 treatment of juvenile substance use disorders and delinquency;

1920 (11) Short-term family therapy intervention and juvenile diversion

1921 programs that target at-risk children to address adolescent behavior
1922 problems, conduct disorders, substance use disorders and
1923 delinquency;

1924 (12) Nonhospital inpatient detoxification;

1925 (13) Medically monitored detoxification;

1926 (14) Ambulatory detoxification;

1927 (15) Inpatient services at psychiatric residential treatment facilities;

1928 (16) Rehabilitation services provided in residential treatment
1929 facilities, general hospitals, psychiatric hospitals or psychiatric
1930 facilities;

1931 (17) Observation beds in acute hospital settings;

1932 (18) Psychological and neuropsychological testing conducted by an
1933 appropriately licensed health care provider;

1934 (19) Trauma screening conducted by a licensed behavioral health
1935 professional;

1936 (20) Depression screening, including maternal depression screening,
1937 conducted by a licensed behavioral health professional; **[**and**]**

1938 (21) Substance use screening conducted by a licensed behavioral
1939 health professional; **[.]**

1940 (22) Intensive, family-based and community-based treatment
1941 programs that focus on addressing environmental systems that impact
1942 chronic and violent juvenile offenders;

1943 (23) Other home-based therapeutic interventions for children;

1944 (24) Chemical maintenance treatment, as defined in section 19a-495-
1945 570 of the regulations of Connecticut state agencies; and

1946 (25) Extended day treatment programs, as described in section 17a-
1947 22.

1948 Sec. 45. Subsection (b) of section 38a-514 of the general statutes, as
1949 amended by section 2 of public act 15-226, is repealed and the
1950 following is substituted in lieu thereof (*Effective January 1, 2016*):

1951 (b) Except as provided in subsection (j) of this section, each group
1952 health insurance policy providing coverage of the type specified in
1953 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 delivered,
1954 issued for delivery, renewed, amended or continued in this state shall
1955 provide benefits for the diagnosis and treatment of mental or nervous
1956 conditions. Benefits payable include, but need not be limited to:

1957 (1) General inpatient hospitalization, including in state-operated
1958 facilities;

1959 (2) Medically necessary acute treatment services and medically
1960 necessary clinical stabilization services;

1961 (3) General hospital outpatient services, including at state-operated
1962 facilities;

1963 (4) Psychiatric inpatient hospitalization, including in state-operated
1964 facilities;

1965 (5) Psychiatric outpatient hospital services, including at state-
1966 operated facilities;

1967 (6) Intensive outpatient services, including at state-operated
1968 facilities;

1969 (7) Partial hospitalization, including at state-operated facilities;

1970 (8) Evidence-based maternal, infant and early childhood home
1971 visitation services, as described in Section 2951 of the Patient
1972 Protection and Affordable Care Act, P.L. 111-148, as amended from

1973 time to time, that are designed to improve health outcomes for
1974 pregnant women, postpartum mothers and newborns and children,
1975 including, but not limited to, for maternal substance use disorders or
1976 depression and relationship-focused interventions for children with
1977 mental or nervous conditions or substance use disorders;

1978 (9) Intensive, home-based services designed to address specific
1979 mental or nervous conditions in a child while remediating problematic
1980 parenting practices and addressing other family and educational
1981 challenges that affect the child's and family's ability to function;

1982 **[**(10) Intensive, family-based and community-based treatment
1983 programs that focus on addressing environmental systems that impact
1984 chronic and violent juvenile offenders;**]**

1985 **[**(11)**]** (10) Evidence-based family-focused therapy that specializes in
1986 the treatment of juvenile substance use disorders and delinquency;

1987 **[**(12)**]** (11) Short-term family therapy intervention and juvenile
1988 diversion programs that target at-risk children to address adolescent
1989 behavior problems, conduct disorders, substance use disorders and
1990 delinquency;

1991 **[**(13) Other home-based therapeutic interventions for children;

1992 (14) Chemical maintenance treatment, as defined in section 19a-495-
1993 570 of the regulations of Connecticut state agencies;**]**

1994 **[**(15)**]** (12) Nonhospital inpatient detoxification;

1995 **[**(16)**]** (13) Medically monitored detoxification;

1996 **[**(17)**]** (14) Ambulatory detoxification;

1997 **[**(18)**]** (15) Inpatient services at psychiatric residential treatment
1998 facilities;

1999 **[**(19) Extended day treatment programs, as described in section 17a-

2000 22;]

2001 [(20)] (16) Rehabilitation services provided in residential treatment
2002 facilities, general hospitals, psychiatric hospitals or psychiatric
2003 facilities;

2004 [(21)] (17) Observation beds in acute hospital settings;

2005 [(22)] (18) Psychological and neuropsychological testing conducted
2006 by an appropriately licensed health care provider;

2007 [(23)] (19) Trauma screening conducted by a licensed behavioral
2008 health professional;

2009 [(24)] (20) Depression screening, including maternal depression
2010 screening, conducted by a licensed behavioral health professional; and

2011 [(25)] (21) Substance use screening conducted by a licensed
2012 behavioral health professional.

2013 Sec. 46. Subsection (b) of section 38a-514 of the general statutes, as
2014 amended by section 2 of public act 15-226 and section 46 of this act, is
2015 repealed and the following is substituted in lieu thereof (*Effective*
2016 *January 1, 2017*):

2017 (b) Except as provided in subsection (j) of this section, each group
2018 health insurance policy providing coverage of the type specified in
2019 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 delivered,
2020 issued for delivery, renewed, amended or continued in this state shall
2021 provide benefits for the diagnosis and treatment of mental or nervous
2022 conditions. Benefits payable include, but need not be limited to:

2023 (1) General inpatient hospitalization, including in state-operated
2024 facilities;

2025 (2) Medically necessary acute treatment services and medically
2026 necessary clinical stabilization services;

2027 (3) General hospital outpatient services, including at state-operated
2028 facilities;

2029 (4) Psychiatric inpatient hospitalization, including in state-operated
2030 facilities;

2031 (5) Psychiatric outpatient hospital services, including at state-
2032 operated facilities;

2033 (6) Intensive outpatient services, including at state-operated
2034 facilities;

2035 (7) Partial hospitalization, including at state-operated facilities;

2036 (8) Evidence-based maternal, infant and early childhood home
2037 visitation services, as described in Section 2951 of the Patient
2038 Protection and Affordable Care Act, P.L. 111-148, as amended from
2039 time to time, that are designed to improve health outcomes for
2040 pregnant women, postpartum mothers and newborns and children,
2041 including, but not limited to, for maternal substance use disorders or
2042 depression and relationship-focused interventions for children with
2043 mental or nervous conditions or substance use disorders;

2044 (9) Intensive, home-based services designed to address specific
2045 mental or nervous conditions in a child while remediating problematic
2046 parenting practices and addressing other family and educational
2047 challenges that affect the child's and family's ability to function;

2048 (10) Evidence-based family-focused therapy that specializes in the
2049 treatment of juvenile substance use disorders and delinquency;

2050 (11) Short-term family therapy intervention and juvenile diversion
2051 programs that target at-risk children to address adolescent behavior
2052 problems, conduct disorders, substance use disorders and
2053 delinquency;

2054 (12) Nonhospital inpatient detoxification;

2055 (13) Medically monitored detoxification;

2056 (14) Ambulatory detoxification;

2057 (15) Inpatient services at psychiatric residential treatment facilities;

2058 (16) Rehabilitation services provided in residential treatment
2059 facilities, general hospitals, psychiatric hospitals or psychiatric
2060 facilities;

2061 (17) Observation beds in acute hospital settings;

2062 (18) Psychological and neuropsychological testing conducted by an
2063 appropriately licensed health care provider;

2064 (19) Trauma screening conducted by a licensed behavioral health
2065 professional;

2066 (20) Depression screening, including maternal depression screening,
2067 conducted by a licensed behavioral health professional; **[**and**]**

2068 (21) Substance use screening conducted by a licensed behavioral
2069 health professional; **[**.**]**

2070 (22) Intensive, family-based and community-based treatment
2071 programs that focus on addressing environmental systems that impact
2072 chronic and violent juvenile offenders;

2073 (23) Other home-based therapeutic interventions for children;

2074 (24) Chemical maintenance treatment, as defined in section 19a-495-
2075 570 of the regulations of Connecticut state agencies; and

2076 (25) Extended day treatment programs, as described in section 17a-
2077 22.

2078 Sec. 47. Subsection (a) of section 12-158 of the general statutes, as
2079 amended by section 6 of public act 15-156, is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) The deed given by any collector for real estate sold by him for taxes shall be in substance in the form following:

Know all men by these presents, that, whereas the (here insert the name of the taxing authority) did on the .... day of ...., 20.., lay a tax on its grand list next to be (or last) perfected, a rate bill for which and for a personal tax (if such be the fact), in all respects made out according to law with a warrant thereto attached, was placed in my hands, I being the duly appointed and qualified collector thereof, for collection, which tax became due on the .... day of ...., 20..; and, whereas A.B., upon demand made, neglected and refused to pay the tax set opposite his name in said rate bill, and thereupon, on the .... day of ...., 20.., I levied upon the parcel of real estate hereinafter described for that portion of said tax which was assessed thereon, to wit: $.... and accrued interest (or if the levy was for the whole tax, for the amount of said tax, to wit: $.... and accrued interest) and gave due notice thereof to said taxpayer and to .... as by law provided, which real estate so levied upon is situated in .... and bounded ...., and on the .... day of ...., 20.., no one having previously tendered me said tax with interest and my fees, in pursuance of said levy, and in accordance with the terms of said notice, I sold at public auction the whole of (or the following portion of) said real estate of .... (to wit) to C.D., for the sum of $..... Now, therefore, in consideration of the premises, and of said sum of money, received to my full satisfaction, of said C.D., I hereby bargain and sell unto him the premises last above described, with the appurtenances, to have and to hold the same to him and his heirs forever, subject only to taxes laid by such municipality which were not yet due and payable when I first published notice of levy and sale and any other liens in favor of such municipality, [or the state,] easements, covenants and restrictions in favor of other parcels of land, interests exempt from levy and sale under the Constitution and laws of the United States and such other interests, if any, hereinafter described, to wit ..... And also, I, the said collector, acting in the name of and for (name of municipality), do

2113 by these presents bind (name of municipality), forever, to warrant and
2114 defend the above granted and bargained premises to the said grantee,
2115 his heirs and assigns, against all claims and demands arising from any
2116 necessary act omitted or unlawful act done by me in connection with
2117 the aforesaid levy or sale which impairs the same. In witness whereof I
2118 have hereunto set my hand and seal this .... day of ...., 20...

2119 E. F., (Seal).
2120 Collector as aforesaid.
2121 Signed, sealed, and delivered
2122 in the presence of
2123
2124 (Usual form of acknowledgment).

2125 Sec. 48. Subsection (c) of section 4-86 of the general statutes is
2126 repealed and the following is substituted in lieu thereof (*Effective July*
2127 *1, 2015*):

2128 (c) The Comptroller shall keep an account in connection with each
2129 appropriation and shall not issue any warrant, draft or order on the
2130 Treasurer in payment of any obligation in excess of the available
2131 balance of the appropriation for the purpose or purposes for which
2132 such obligation was incurred, until the General Assembly has passed a
2133 deficiency bill for the purpose and allotments have been made by the
2134 Governor, or such appropriation has been increased as provided in
2135 **[**sections 4-84 and**]** section 4-87.

2136 Sec. 49. Subsection (a) of section 28-9a of the general statutes is
2137 repealed and the following is substituted in lieu thereof (*Effective July*
2138 *1, 2015*):

2139 (a) Whenever the Governor proclaims a disaster emergency under
2140 the laws of this state, or the President declares an emergency or a
2141 major disaster to exist in this state, the Governor is authorized: (1) To
2142 enter into purchase, lease, or other arrangements with any agency of
2143 the United States for temporary housing units to be occupied by

2144 disaster victims and to make such units available to any political
2145 subdivision of the state; (2) to assist any political subdivision of this
2146 state which is the locus of such housing to acquire sites necessary for
2147 such housing and to do all things required to prepare such sites to
2148 receive and utilize such housing units by: (A) Advancing or lending
2149 funds available to the Governor from any appropriation made by the
2150 legislature, **[**the contingency fund established by section 4-84,**]** or from
2151 any other source, (B) "passing through" funds made available by any
2152 agency, public or private, or (C) becoming a copartner with the
2153 political subdivision for the execution and performance of any
2154 temporary housing for disaster victims' project and for such purposes
2155 to pledge the credit of the state on such terms as he deems appropriate,
2156 having due regard for current debt transactions of the state; (3) under
2157 such regulations as he shall prescribe, to temporarily suspend or
2158 modify for not to exceed sixty days any public health, safety, zoning,
2159 transportation or other requirement of law or regulation within this
2160 state when by proclamation he deems such suspension or modification
2161 essential to provide temporary housing for disaster victims.

2162 Sec. 50. (NEW) (*Effective from passage*) (a) For the purposes of this
2163 section:

2164 (1) "Over-the-counter drug" means any drug that is a personal care
2165 product that contains a label that identifies such product as a drug, as
2166 required by 21 CFR 201.66, as amended from time to time;

2167 (2) "Personal care product" means any (A) article intended to be
2168 rubbed, poured, sprinkled, sprayed on, introduced into or otherwise
2169 applied to the human body or any part thereof for cleansing,
2170 beautifying, promoting attractiveness or altering the appearance of, (B)
2171 article intended for use as a component of any such article described in
2172 subparagraph (A) of this subdivision, or (C) over-the-counter drug.
2173 "Personal care product" does not include any product for which a
2174 prescription is required for distribution or dispensation, as determined
2175 by the Commissioner of Consumer Protection; and

2176 (3) "Microbead" means any intentionally added synthetic solid
2177 plastic particle measured to be five millimeters or less in size that is
2178 used to exfoliate or cleanse and is intended to be rinsed off or washed
2179 off the body and consequently deposited into a sink, shower or
2180 bathtub drain.

2181 (b) On and after December 31, 2017, no person shall manufacture for
2182 sale any personal care product, except for an over-the-counter drug,
2183 that contains any intentionally added microbead.

2184 (c) On and after December 31, 2018, no person shall import, sell or
2185 offer for sale any personal care product, except for an over-the-counter
2186 drug, that contains any intentionally added microbead.

2187 (d) On and after December 31, 2018, no person shall manufacture for
2188 sale any over-the-counter drug that contains an intentionally added
2189 microbead.

2190 (e) On and after December 31, 2019, no person shall import, sell or
2191 offer for sale any over-the-counter drug that contains any intentionally
2192 added microbead.

2193 (f) The Commissioner of Energy and Environmental Protection, in
2194 consultation with the Commissioner of Consumer Protection, may
2195 adopt regulations, in accordance with the provisions of chapter 54 of
2196 the general statutes, to implement the provisions of this section.

2197 (g) (1) On or before August 15, 2016, the Commissioner of Energy
2198 and Environmental Protection shall accept an application on behalf of
2199 a manufacturer of a personal care product for the performance of a
2200 study, at the request of said commissioner, by the Connecticut
2201 Academy of Science and Engineering to determine if a biodegradable
2202 microbead is available for use in such personal care product that does
2203 not adversely impact the environment or publicly owned treatment
2204 works in this state. Any such application shall require the
2205 manufacturer of such biodegradable microbead to disclose the

2206 chemical constituents or composition of such microbead. Upon receipt
2207 of any such application, in a format as prescribed by the commissioner,
2208 the commissioner shall request the Connecticut Academy of Science
2209 and Engineering to perform such study. Said academy may establish a
2210 fee for the performance of such study and such fee shall be remitted by
2211 the applicant to the Department of Energy and Environmental
2212 Protection. Upon receipt of such request and fee from the
2213 commissioner, said academy shall commence such study. Such study
2214 shall, at a minimum, consist of: (A) A study committee appointed by
2215 said academy to oversee such study, (B) the use of an academy-
2216 selected research team with expertise in matters relating to
2217 biodegradable microbeads to conduct relevant research for such study,
2218 including, but not limited to, the fate and transport of microbeads, and
2219 author a study report, and (C) study committee meetings that afford
2220 the opportunity for such applicant, department and interested persons
2221 to obtain information concerning the study's process. The academy
2222 shall complete any such study and issue a final study report for such
2223 study to the commissioner not later than December 15, 2017. Upon
2224 receipt of such final study report, the commissioner shall review such
2225 final study report and, not later than February 1, 2018, forward such
2226 final study report and any recommendations of said academy for
2227 legislation concerning the use of biodegradable microbeads in personal
2228 care products to the joint standing committee of the General Assembly
2229 having cognizance of matters relating to the environment.

2230 (2) Any information or materials submitted by an applicant to the
2231 Department of Energy and Environmental Protection or the
2232 Connecticut Academy of Science and Engineering in connection with
2233 the performance of the study described in subdivision (1) of this
2234 subsection shall not be subject to disclosure pursuant to chapter 14 of
2235 the general statutes provided such applicant indicates to the
2236 department or academy, at the time of submission, information or
2237 materials that such applicant deems a trade secret or privileged in any
2238 manner.

2239 (3) In the event that the study described in subdivision (1) of this
2240 subsection is not completed on or before December 15, 2017, the
2241 manufacturing, selling, importing or offering for sale of any personal
2242 care product that contains an intentionally added biodegradable
2243 microbead shall be prohibited on and after July 1, 2018.

2244 (h) Any person who violates any of the provisions of subsections (b)
2245 to (e), inclusive, of this section or any regulation adopted pursuant to
2246 subsection (f) of this section shall be fined not more than five thousand
2247 dollars for the first violation and not more than ten thousand dollars
2248 for any subsequent violation.

2249 Sec. 51. Section 38a-135 of the general statutes is amended by adding
2250 subsection (o) as follows (*Effective October 1, 2015*):

2251 (NEW) (o) (1) As used in this subsection: (A) "Group-wide
2252 supervisor" means the regulatory official (i) authorized by such
2253 official's jurisdiction to conduct and coordinate group-wide
2254 supervisory activities, and (ii) who is determined or acknowledged to
2255 be the group-wide supervisor of an internationally active insurance
2256 group pursuant to this subsection; and (B) "internationally active
2257 insurance group" means any insurance holding company system that
2258 (i) includes an insurance company registered pursuant to this section,
2259 and (ii) meets the following criteria: (I) Premiums are written in at least
2260 three countries; (II) the percentage of gross premiums written without
2261 the United States is at least ten per cent of the insurance holding
2262 company system's total gross written premiums; and (III) based on a
2263 three-year rolling average, the total assets of the insurance holding
2264 company system are at least fifty billion dollars or the total gross
2265 written premiums of the insurance holding company system are at
2266 least ten billion dollars.

2267 (2) (A) The commissioner, in cooperation with other state, federal
2268 and international regulatory agencies of the jurisdictions where
2269 members of the internationally active insurance group are domiciled,

2270 shall determine a single group-wide supervisor for an internationally
2271 active insurance group. An insurance holding company system that
2272 does not qualify as an internationally active insurance group may
2273 request that the commissioner make a determination or
2274 acknowledgment of a group-wide supervisor as set forth in this
2275 subsection.

2276 (B) The commissioner may determine that the commissioner is the
2277 appropriate group-wide supervisor for an internationally active
2278 insurance group that conducts substantial insurance business
2279 operations in this state and may act as a group-wide supervisor for any
2280 internationally active insurance group in accordance with the
2281 provisions of this subsection.

2282 (C) The commissioner may acknowledge that the regulatory official
2283 of another jurisdiction is an appropriate group-wide supervisor for an
2284 internationally active insurance group that (i) does not conduct
2285 substantial insurance business operations in the United States, (ii)
2286 conducts substantial insurance business operations in the United States
2287 but not in this state, or (iii) conducts substantial insurance business
2288 operations in the United States and in this state but the commissioner
2289 has determined, pursuant to the factors set forth in subdivision (3) of
2290 this subsection, that the regulatory official of another jurisdiction is the
2291 appropriate group-wide supervisor.

2292 (D) When another regulatory official is acting as the group-wide
2293 supervisor of an internationally active insurance group, the
2294 commissioner shall acknowledge such official as the group-wide
2295 supervisor, except that the commissioner shall make a determination
2296 or acknowledgement of a group-wide supervisor for such insurance
2297 group if a material change in such insurance group results in (i) the
2298 largest share of such insurance group's premiums, assets or liabilities
2299 being held by member insurance companies domiciled in this state, or
2300 (ii) this state being the place of domicile of the top-tiered insurance
2301 company or companies in such insurance group.

2302 (E) A regulatory official determined or acknowledged to be a group-
2303 wide supervisor of an internationally active insurance group may
2304 determine, after considering the factors set forth in subdivision (3) of
2305 this subsection, that it is appropriate to acknowledge another
2306 regulatory official to serve as the group-wide supervisor of such
2307 insurance group. Such acknowledgment shall be made (i) in
2308 cooperation with and subject to the acknowledgment of other
2309 regulatory officials of the jurisdictions where members of such
2310 insurance group are domiciled, and (ii) in consultation with such
2311 insurance group.

2312 (3) The commissioner shall consider the following factors in making
2313 a determination or acknowledgment under subdivision (2) of this
2314 subsection:

2315 (A) The place of domicile of the member insurance companies of the
2316 internationally active insurance group that hold the largest share of
2317 such insurance group's premiums, assets or liabilities;

2318 (B) The place of domicile of the top-tiered insurance company or
2319 companies in the internationally active insurance group;

2320 (C) The locations of the executive offices or the largest operational
2321 offices of the internationally active insurance group; and

2322 (D) Whether (i) a regulatory official of another jurisdiction is acting
2323 or seeking to act as the group-wide supervisor under a regulatory
2324 system the commissioner determines to be substantially similar to that
2325 provided under the laws of this state or is otherwise sufficient in terms
2326 of group-wide supervision, enterprise risk analysis and cooperation
2327 with other regulatory officials, and (ii) such regulatory official acting
2328 or seeking to act as the group-wide supervisor provides the
2329 commissioner with reasonably reciprocal recognition and cooperation.

2330 (4) The commissioner may collect, pursuant to section 38a-14a, from
2331 any insurance company registered pursuant to this section any

2332 information necessary for the commissioner to determine whether the
2333 commissioner may act as the group-wide supervisor of an
2334 internationally active insurance group of which such company is a
2335 member or whether the commissioner may acknowledge that a
2336 regulatory official of another jurisdiction should act as the group-wide
2337 supervisor of such insurance group.

2338 (5) Prior to issuing any determination or acknowledgment under
2339 this subsection, the commissioner shall notify the member insurance
2340 company registered pursuant to this section and the ultimate
2341 controlling person of the internationally active insurance group of such
2342 pending determination or acknowledgment. The commissioner shall
2343 provide the internationally active insurance group at least thirty
2344 calendar days to submit any additional information pertinent to such
2345 determination or acknowledgment that is requested by the
2346 commissioner or that such insurance group chooses to submit. The
2347 commissioner shall publish in the Connecticut Law Journal and post
2348 on the Insurance Department's Internet web site a current list of
2349 internationally active insurance groups that the commissioner has
2350 determined are subject to group-wide supervision by the
2351 commissioner.

2352 (6) The commissioner may conduct and coordinate the following
2353 group-wide supervision activities for an internationally active
2354 insurance group for which the commissioner is determined to be the
2355 group-wide supervisor:

2356 (A) Assess the enterprise risks within the internationally active
2357 insurance group to ensure that material financial conditions of and
2358 liquidity risks to the members of such insurance group that are
2359 engaged in the business of insurance are identified by management
2360 and that reasonable and effective mitigation measures are in place;

2361 (B) Request from members of such insurance group information
2362 necessary and appropriate to assess enterprise risk, including, but not

2363 limited to, information about governance, risk assessment and
2364 management, capital adequacy and material intercompany
2365 transactions;

2366 (C) Coordinate and, through the authority of the regulatory officials
2367 of the jurisdictions where members of the internationally active
2368 insurance group are domiciled, compel the development and
2369 implementation of reasonable measures designed to ensure the
2370 internationally active insurance group is able to timely recognize and
2371 mitigate material enterprise risks to the members of such insurance
2372 group that are engaged in the business of insurance;

2373 (D) Communicate with other state, federal and international
2374 regulatory agencies of the jurisdictions where members of the
2375 internationally active insurance group are domiciled and share
2376 relevant information, subject to the confidentiality provisions of
2377 section 38a-137, through a supervisory college, as set forth in
2378 subsection (n) of this section;

2379 (E) Enter into agreements with or obtain documentation from any
2380 member insurance company registered under this section, any other
2381 member of the internationally active insurance group and any other
2382 state, federal and international regulatory agencies of the jurisdictions
2383 where members of the internationally active insurance group are
2384 domiciled, to establish or clarify the commissioner's role as group-
2385 wide supervisor and that may include provisions for resolving
2386 disputes with other regulatory officials. No such agreement or
2387 documentation shall serve as evidence that an insurance company or
2388 person within an insurance company holding system that is not
2389 domiciled or incorporated in this state is doing business in this state or
2390 is otherwise subject to the jurisdiction of this state; and

2391 (F) Other activities necessary to effectuate the group-wide
2392 supervisory purposes of this section and sections 38a-129 to 38a-140,
2393 inclusive, and within the authority granted in said sections.

2394 (7) If the commissioner acknowledges that a regulatory official of a
2395 jurisdiction not accredited by NAIC is the group-wide supervisor of an
2396 internationally active insurance group, the commissioner shall
2397 reasonably cooperate through a supervisory college or otherwise with
2398 group supervision undertaken by such group-wide supervisor,
2399 provided such cooperation is in compliance with the laws of this state
2400 and such group-wide supervisor recognizes and cooperates with the
2401 commissioner's activities as a group-wide supervisor for other
2402 internationally active insurance groups, where applicable. The
2403 commissioner may refuse to cooperate if the commissioner determines
2404 such recognition and cooperation are not reasonably reciprocated. The
2405 commissioner may enter into agreements with or obtain
2406 documentation from any member insurance company registered
2407 pursuant to this section, any affiliate of such insurance company and
2408 any other state, federal and international regulatory agencies of the
2409 jurisdictions where members of the internationally active insurance
2410 group are domiciled, to establish or clarify such official's role as group-
2411 wide supervisor.

2412 (8) The commissioner may adopt regulations, in accordance with the
2413 provisions of chapter 54, to carry out the provisions of this subsection.

2414 (9) Each insurance company registered pursuant to this section shall
2415 be liable for and shall pay the reasonable expenses of the
2416 commissioner's administration of this subsection, including the
2417 engagement of the services of attorneys, actuaries and other
2418 professionals and all reasonable travel expenses.

2419 Sec. 52. Subsection (a) of section 31-294d of the general statutes is
2420 repealed and the following is substituted in lieu thereof (*Effective July*
2421 *1, 2015*):

2422 (a) (1) The employer, as soon as the employer has knowledge of an
2423 injury, shall provide a competent physician or surgeon to attend the
2424 injured employee and, in addition, shall furnish any medical and

2425 surgical aid or hospital and nursing service, including medical
2426 rehabilitation services and prescription drugs, as the physician or
2427 surgeon deems reasonable or necessary. The employer, any insurer
2428 acting on behalf of the employer, or any other entity acting on behalf of
2429 the employer or insurer shall be responsible for paying the cost of such
2430 prescription drugs directly to the provider. If the employer utilizes an
2431 approved providers list, when an employee reports a work-related
2432 injury or condition to the employer the employer shall provide the
2433 employee with such approved providers list within two business days
2434 of such reporting.

2435 (2) If the injured employee is a local or state police officer, state
2436 marshal, judicial marshal, correction officer, emergency medical
2437 technician, paramedic, ambulance driver, firefighter, or active member
2438 of a volunteer fire company or fire department engaged in volunteer
2439 duties, who has been exposed in the line of duty to blood or bodily
2440 fluids that may carry blood-borne disease, the medical and surgical aid
2441 or hospital and nursing service provided by the employer shall include
2442 any relevant diagnostic and prophylactic procedure for and treatment
2443 of any blood-borne disease.

2444 Sec. 53. Section 32-41aa of the general statutes, as amended by
2445 section 5 of public act 15-222, is repealed and the following is
2446 substituted in lieu thereof (*Effective upon the effective date of section 5 of*
2447 *public act 15-222*):

2448 For the purpose of this section and sections 32-41bb to 32-41dd,
2449 inclusive:

2450 (1) "Administrative costs" means the costs paid or incurred by the
2451 administrator, including, but not limited to, peer review costs,
2452 professional fees, allocated staff costs and other out-of-pocket costs
2453 attributable to the administration and operation of the Connecticut
2454 Bioscience Innovation Fund.

2455 **[**(1)**]** (2) "Administrator" means Connecticut Innovations,

2456 Incorporated, in its capacity as administrator of the Connecticut
2457 Bioscience Innovation Fund established pursuant to section 32-41cc, as
2458 amended by this act.

2459 [(2)] (3) "Advisory committee" means the Bioscience Innovation
2460 Advisory Committee established pursuant to section 32-41bb.

2461 [(3)] (4) "Early-stage business" means a business that has been in
2462 operation for not more than seven years and is developing or testing a
2463 product or service that is (A) not yet available for commercial release,
2464 or (B) commercially available in a limited manner, including, but not
2465 limited to, market testing of prototypes and clinical trials that have not
2466 begun phase II evaluation.

2467 [(4)] (5) "Eligible recipient" means a duly accredited college or
2468 university, a nonprofit corporation or a for-profit start-up or early-
2469 stage business.

2470 [(5)] (6) "Financial assistance" means any and all forms of grants,
2471 extensions of credit, loans or loan guarantees, equity investments or
2472 other forms of financing.

2473 [(6)] (7) "Return on investment" means any and all forms of
2474 principal or interest payments, guarantee fees, returns on equity
2475 investments, royalties, options, warrants and debentures and all other
2476 forms of remuneration to the administrator in return for any financial
2477 assistance offered or provided.

2478 [(7)] (8) "Phase II evaluation" means a phase II clinical trial
2479 conducted under the auspices of an independent peer-reviewed
2480 protocol that has been reviewed and approved by one of the National
2481 Institutes of Health or the federal Food and Drug Administration.

2482 Sec. 54. Subsections (d) and (e) of section 32-41cc of the general
2483 statutes are repealed and the following is substituted in lieu thereof
2484 (*Effective upon the effective date of section 5 of public act 15-222*):

(d) The Connecticut Bioscience Innovation Fund shall be used (1) to provide financial assistance to eligible recipients as may be approved by the advisory committee pursuant to subsection (e) of this section, **[**and**]** (2) for the repayment of state bonds in such amounts as may be required by the State Bond Commission, and (3) to pay or reimburse the administrator for administrative costs pursuant to subsection (j) of this section. Such financial assistance shall be awarded to further the development of bioscience, biomedical engineering, health information management, medical care, medical devices, medical diagnostics, pharmaceuticals, personalized medicine and other related disciplines that are likely to lead to an improvement in or development of services, therapeutics, diagnostics or devices that are commercializable and designed to advance the coordination, quality or efficiency of health care and lower health care costs, and that promise, directly or indirectly, to lead to job growth in the state in these or related fields.

(e) All expenditures from the Connecticut Bioscience Innovation Fund, except for administrative costs reimbursed to the administrator pursuant to subsection (j) of this section and amounts required for the repayment of state bonds in such amounts as may be required by the State Bond Commission, shall be approved by the advisory committee. Any such approval shall be (1) specific to an individual expenditure to be made, (2) for budgeted expenditures with such variations as the advisory committee may authorize at the time of such budget approval, or (3) for a financial assistance program to be administered by staff of the administrator, subject to limits, eligibility requirements and other conditions established by the advisory committee at the time of such program approval.

Sec. 55. Subsection (j) of section 32-41cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon the effective date of section 5 of public act 15-222*):

(j) Administrative costs shall be paid or reimbursed to the administrator from the Connecticut Bioscience Innovation Fund,

2517 provided the total of such administrative costs in any fiscal year shall
2518 not exceed five per cent of the total amount of the allotted funding for
2519 such fiscal year as determined in the operating budget prepared
2520 pursuant to subsection (i) of this section. Nothing in section 32-41aa, as
2521 amended by public act 15-222 and this act, 32-41bb or this section shall
2522 require the administrator to risk or expend the funds of Connecticut
2523 Innovations, Incorporated in connection with the administration of the
2524 Connecticut Bioscience Innovation Fund.

2525 **[**(j)**]** (k) Not later than April 15, 2014, and annually thereafter, the
2526 administrator shall provide a report of the activities of the Connecticut
2527 Bioscience Innovation Fund to the advisory committee for its review
2528 and approval. Upon its approval, the advisory committee shall provide
2529 such report, in accordance with the provisions of section 11-4a, to the
2530 joint standing committees of the General Assembly having cognizance
2531 of matters relating to finance, revenue and bonding, appropriations,
2532 commerce, public health and higher education. Such report shall
2533 contain available information on the status and progress of the
2534 operations and funding of the Connecticut Bioscience Innovation Fund
2535 and the types, amounts and recipients of financial assistance awarded
2536 and any returns on investment.

2537 Sec. 56. (NEW) (*Effective October 1, 2015*) (a) A public service
2538 company, as defined in section 16-1 of the general statutes, that
2539 requires the disclosure of a potential customer's Social Security
2540 number in order to open a new customer account shall verify the
2541 validity of the Social Security number prior to opening a new customer
2542 account to ensure that such number does not belong to a minor, as
2543 defined in section 1-1d of the general statutes. Such public service
2544 company shall cross reference the Social Security number provided
2545 with such customer's legal name, aliases, date of birth, age, current
2546 address and phone number. A public service company may use a
2547 third-party company to carry out the purpose of this subsection.

2548 (b) A minor shall not be liable for payment of an unpaid bill to a

2549 public service company for services fraudulently obtained by an adult
2550 using such minor's Social Security number.

2551 Sec. 57. (NEW) (*Effective October 1, 2015*) (a) As used in this section,
2552 "fire sprinkler system" means a system of piping and appurtenances
2553 designed and installed in accordance with generally accepted
2554 standards so that heat from a fire will automatically cause water to be
2555 discharged over the fire area to extinguish or prevent its further
2556 spread.

2557 (b) When renting any dwelling unit, the landlord of such dwelling
2558 unit shall include notice in the rental agreement as to the existence or
2559 nonexistence of an operative fire sprinkler system in such dwelling
2560 unit and shall be printed in not less than twelve-point boldface type of
2561 uniform font.

2562 (c) If there is an operative fire sprinkler system in the dwelling unit,
2563 the rental agreement shall provide further notice as to the last date of
2564 maintenance and inspection and shall be printed in not less than
2565 twelve-point boldface type of uniform font.

2566 Sec. 58. Subsections (a) to (d), inclusive, of section 4a-60g of the
2567 general statutes are repealed and the following is substituted in lieu
2568 thereof (*Effective October 1, 2015*):

2569 (a) As used in this section and sections 4a-60h to 4a-60j, inclusive,
2570 the following terms have the following meanings:

2571 (1) "Small contractor" means any contractor, subcontractor,
2572 manufacturer, service company or nonprofit corporation (A) that
2573 maintains its principal place of business in the state, (B) that had gross
2574 revenues not exceeding fifteen million dollars in the most recently
2575 completed fiscal year prior to such application, and (C) that is
2576 independent. "Small contractor" does not include any person who is
2577 affiliated with another person if both persons considered together have
2578 a gross revenue exceeding fifteen million dollars.

2579 (2) "Independent" means the viability of the enterprise of the small
2580 contractor does not depend upon another person, as determined by an
2581 analysis of the small contractor's relationship with any other person in
2582 regards to the provision of personnel, facilities, equipment, other
2583 resources and financial support, including bonding.

2584 (3) "State agency" means each state board, commission, department,
2585 office, institution, council or other agency with the power to contract
2586 for goods or services itself or through its head.

2587 (4) "Minority business enterprise" means any small contractor (A)
2588 fifty-one per cent or more of the capital stock, if any, or assets of which
2589 are owned by a person or persons who (i) exercise operational
2590 authority over the daily affairs of the enterprise, (ii) have the power to
2591 direct the management and policies and receive the beneficial interest
2592 of the enterprise, (iii) possess managerial and technical competence
2593 and experience directly related to the principal business activities of
2594 the enterprise, and (iv) are members of a minority, as such term is
2595 defined in subsection (a) of section 32-9n, or are individuals with a
2596 disability, or (B) which is a nonprofit corporation in which fifty-one
2597 per cent or more of the persons who (i) exercise operational authority
2598 over the enterprise, (ii) possess managerial and technical competence
2599 and experience directly related to the principal business activities of
2600 the enterprise, (iii) have the power to direct the management and
2601 policies of the enterprise, and (iv) are members of a minority, as
2602 defined in this subsection, or are individuals with a disability.

2603 (5) "Affiliated" means the relationship in which a person directly, or
2604 indirectly through one or more intermediaries, controls, is controlled
2605 by or is under common control with another person.

2606 (6) "Control" means the power to direct or cause the direction of the
2607 management and policies of any person, whether through the
2608 ownership of voting securities, by contract or through any other direct
2609 or indirect means. Control shall be presumed to exist if any person,

2610 directly or indirectly, owns, controls, holds with the power to vote, or
2611 holds proxies representing, twenty per cent or more of any voting
2612 securities of another person.

2613 (7) "Person" means any individual, corporation, limited liability
2614 company, partnership, association, joint stock company, business trust,
2615 unincorporated organization or other entity.

2616 (8) "Individual with a disability" means an individual (A) having a
2617 physical or mental impairment that substantially limits one or more of
2618 the major life activities of the individual, which mental impairment
2619 may include, but is not limited to, having one or more mental
2620 disorders, as defined in the most recent edition of the American
2621 Psychiatric Association's "Diagnostic and Statistical Manual of Mental
2622 Disorders", or (B) having a record of such an impairment.

2623 (9) "Nonprofit corporation" means a nonprofit corporation
2624 incorporated pursuant to chapter 602 or any predecessor statutes
2625 thereto.

2626 (10) "Municipality" means any town, city, borough, consolidated
2627 town and city or consolidated town and borough.

2628 (11) "Quasi-public agency" means the Connecticut Health and
2629 Educational Facilities Authority, the Connecticut Higher Education
2630 Supplemental Loan Authority, the Connecticut Student Loan
2631 Foundation, the Connecticut Housing Finance Authority, the
2632 Connecticut Housing Authority, the Materials Innovation and
2633 Recycling Authority, the Connecticut Lottery Corporation, the
2634 Connecticut Airport Authority, the Connecticut Health Insurance
2635 Exchange, the Connecticut Green Bank, the Connecticut Port Authority
2636 and the State Education Resource Center.

2637 (12) "Awarding agency" means a state agency or political
2638 subdivision of the state other than a municipality.

2639 (13) "Public works contract" has the same meaning as provided in
2640 section 46a-68b, as amended by this act.

2641 (14) "Municipal public works contract" means that portion of an
2642 agreement entered into on or after October 1, 2015, between any
2643 individual, firm or corporation and a municipality for the construction,
2644 rehabilitation, conversion, extension, demolition or repair of a public
2645 building, highway or other changes or improvements in real property,
2646 which is financed in whole or in part by the state, including, but not
2647 limited to, matching expenditures, grants, loans, insurance or
2648 guarantees but excluding any project of an alliance district, as defined
2649 in section 10-262u, financed by state funding in an amount equal to
2650 fifty thousand dollars or less.

2651 (15) "Quasi-public agency project" means the construction,
2652 rehabilitation, conversion, extension, demolition or repair of a building
2653 or other changes or improvements in real property pursuant to a
2654 contract entered into on or after October 1, 2015, which is financed in
2655 whole or in part by a quasi-public agency using state funds, including,
2656 but not limited to, matching expenditures, grants, loans, insurance or
2657 guarantees.

2658 (b) (1) It is found and determined that there is a serious need to help
2659 small contractors, minority business enterprises, nonprofit
2660 organizations and individuals with disabilities to be considered for
2661 and awarded state contracts for **[**the construction, reconstruction or
2662 rehabilitation of public buildings, the construction and maintenance of
2663 highways and**]** the purchase of goods and services, public works
2664 contracts, municipal public works contracts and contracts for quasi-
2665 public agency projects. Accordingly, the necessity **[**, in the public
2666 interest and for the public benefit and good,**]** of awarding such
2667 contracts in compliance with the provisions of this section, sections 4a-
2668 60h to 4a-60j, inclusive, and sections 32-9i to 32-9p, inclusive, for
2669 advancement of the public benefit and good, is declared as a matter of
2670 legislative determination.

2671 (2) Notwithstanding any provisions of the general statutes, [to the
2672 contrary,] and except as set forth [herein] in this section, the head of
2673 each [state] awarding agency [and each political subdivision of the
2674 state other than a municipality] shall set aside in each fiscal year, for
2675 award to small contractors, on the basis of competitive bidding
2676 procedures, contracts or portions of contracts for the construction,
2677 reconstruction or rehabilitation of public buildings, the construction
2678 and maintenance of highways and the purchase of goods and services.
2679 [Eligibility of nonprofit corporations under the provisions of this
2680 section shall be limited to predevelopment contracts awarded by the
2681 Commissioner of Housing for housing projects.] The total value of
2682 such contracts or portions thereof to be set aside by each such agency
2683 shall be at least twenty-five per cent of the total value of all contracts
2684 let by the head of such agency in each fiscal year, provided [that
2685 neither: (1) A contract that may not be set aside due to a conflict with a
2686 federal law or regulation; or (2)] a contract for any goods or services
2687 which have been determined by the Commissioner of Administrative
2688 Services to be not customarily available from or supplied by small
2689 contractors shall not be included. Contracts or portions thereof having
2690 a value of not less than twenty-five per cent of the total value of all
2691 contracts or portions thereof to be set aside shall be reserved for
2692 awards to minority business enterprises.

2693 (3) Notwithstanding any provision of the general statutes, and
2694 except as provided in this section, on and after October 1, 2015, each
2695 municipality when awarding a municipal public works contract shall
2696 state in its notice of solicitation for competitive bids or request for
2697 proposals or qualifications for such contract that the general or trade
2698 contractor shall be required to comply with the provisions of this
2699 section and the requirements concerning nondiscrimination and
2700 affirmative action under sections 4a-60 and 4a-60a, as amended by this
2701 act. Any such contractor awarded a municipal public works contract
2702 shall, on the basis of competitive bidding procedures, (A) set aside at
2703 least twenty-five per cent of the total value of the state's financial

2704 assistance for such contract for award to subcontractors who are small
2705 contractors, and (B) of that portion to be set aside in accordance with
2706 subparagraph (A) of this subdivision, reserve a portion equivalent to
2707 twenty-five per cent of the total value of the contract or portion thereof
2708 to be set aside for awards to subcontractors who are minority business
2709 enterprises. The provisions of this section shall not apply to any
2710 municipality that has established a set-aside program pursuant to
2711 section 7-148u where the percentage of contracts set aside for minority
2712 business enterprises is equivalent to or exceeds the percentage set forth
2713 in this subsection.

2714 (4) Notwithstanding any provision of the general statutes, and
2715 except as provided in this section, on and after October 1, 2015, any
2716 individual, firm or corporation that enters into a contract for a quasi-
2717 public agency project shall, prior to awarding such contract, notify the
2718 contractor to be awarded such project of the requirements of this
2719 section and the requirements concerning nondiscrimination and
2720 affirmative action under sections 4a-60 and 4a-60a, as amended by this
2721 act. Any such contractor awarded a contract for a quasi-public agency
2722 project shall, on the basis of competitive bidding procedures, (A) set
2723 aside at least twenty-five per cent of the total value of the state's
2724 financial assistance for such contract for award to subcontractors who
2725 are small contractors, and (B) of that portion to be set aside in
2726 accordance with subparagraph (A) of this subdivision, reserve a
2727 portion equivalent to twenty-five per cent of the total value of the
2728 contract or portions thereof to be set aside for awards to subcontractors
2729 who are minority business enterprises.

2730 (5) Eligibility of nonprofit corporations under the provisions of this
2731 section shall be limited to predevelopment contracts awarded by the
2732 Commissioner of Housing for housing projects.

2733 (6) In calculating the percentage of contracts to be set aside under
2734 subdivisions (2) to (4), inclusive, of this subsection, the awarding
2735 agency or contractor shall exclude any contract that may not be set

2736 aside due to a conflict with a federal law or regulation.

2737 (c) The head of any [state] awarding agency [or political subdivision
2738 of the state other than a municipality] may, in lieu of setting aside any
2739 contract or portions thereof, require any general or trade contractor or
2740 any other entity authorized by such agency to award contracts, to set
2741 aside a portion of any contract for subcontractors who are eligible for
2742 set-aside contracts under this section. Nothing in this subsection shall
2743 be construed to diminish the total value of contracts which are
2744 required to be set aside by any [state] awarding agency [or political
2745 subdivision of the state other than a municipality] pursuant to this
2746 section.

2747 (d) The [heads of all state agencies and of each political subdivision
2748 of the state other than a municipality] head of each awarding agency
2749 shall notify the Commissioner of Administrative Services of all
2750 contracts to be set aside pursuant to subdivision (2) of subsection (b) or
2751 subsection (c) of this section at the time that bid documents for such
2752 contracts are made available to potential contractors.

2753 Sec. 59. Subsection (h) of section 4a-60g of the general statutes is
2754 repealed and the following is substituted in lieu thereof (*Effective*
2755 *October 1, 2015*):

2756 (h) The provisions of this section shall not apply to (1) any [state]
2757 awarding agency [or political subdivision of the state other than a
2758 municipality] for which the total value of all contracts or portions of
2759 contracts of the types enumerated in subdivision (2) of subsection (b)
2760 of this section is anticipated to be equal to ten thousand dollars or less,
2761 or (2) any municipal public works contract or contract for a quasi-
2762 public agency project for which the total value of the contract is
2763 anticipated to be equal to fifty thousand dollars or less.

2764 Sec. 60. Subsection (j) of section 4a-60g of the general statutes is
2765 repealed and the following is substituted in lieu thereof (*Effective*
2766 *October 1, 2015*):

2767 (j) (1) Whenever the awarding [authority] agency has reason to
2768 believe that any contractor or subcontractor awarded a state set-aside
2769 contract has wilfully violated any provision of this section, the
2770 awarding [authority] agency shall send a notice to such contractor or
2771 subcontractor by certified mail, return receipt requested. Such notice
2772 shall include: (A) A reference to the provision alleged to be violated;
2773 (B) a short and plain statement of the matter asserted; (C) the
2774 maximum civil penalty that may be imposed for such violation; and
2775 (D) the time and place for the hearing. Such hearing shall be fixed for a
2776 date not earlier than fourteen days after the notice is mailed. The
2777 awarding [authority] agency shall send a copy of such notice to the
2778 Commission on Human Rights and Opportunities.

2779 (2) The awarding [authority] agency shall hold a hearing on the
2780 violation asserted unless such contractor or subcontractor fails to
2781 appear. The hearing shall be held in accordance with the provisions of
2782 chapter 54. If, after the hearing, the awarding [authority] agency finds
2783 that the contractor or subcontractor has wilfully violated any provision
2784 of this section, the awarding [authority] agency shall suspend all set-
2785 aside contract payments to the contractor or subcontractor and may, in
2786 its discretion, order that a civil penalty not exceeding ten thousand
2787 dollars per violation be imposed on the contractor or subcontractor. If
2788 such contractor or subcontractor fails to appear for the hearing, the
2789 awarding [authority] agency may, as the facts require, order that a civil
2790 penalty not exceeding ten thousand dollars per violation be imposed
2791 on the contractor or subcontractor. The awarding [authority] agency
2792 shall send a copy of any order issued pursuant to this subsection by
2793 certified mail, return receipt requested, to the contractor or
2794 subcontractor named in such order. The awarding [authority] agency
2795 may cause proceedings to be instituted by the Attorney General for the
2796 enforcement of any order imposing a civil penalty issued under this
2797 subsection.

2798 Sec. 61. Subsections (l) and (m) of section 4a-60g of the general
2799 statutes are repealed and the following is substituted in lieu thereof

2800 (*Effective October 1, 2015*):

2801 (l) On or before [August 30, 2007, and annually thereafter] August
2802 first of each year, each [state] awarding agency [and each political
2803 subdivision of the state other than a municipality] setting aside
2804 contracts or portions of contracts under subdivision (2) of subsection
2805 (b) of this section shall prepare a report establishing small and
2806 minority business state set-aside program goals for the twelve-month
2807 period beginning July first in the same year. Each such report shall be
2808 submitted to the Commissioner of Administrative Services, the
2809 Commission on Human Rights and Opportunities and the
2810 cochairpersons and ranking members of the joint standing committees
2811 of the General Assembly having cognizance of matters relating to
2812 planning and development and government administration. [and
2813 elections.]

2814 (m) On or before [November 1, 1995, and] November first of each
2815 year and on a quarterly basis thereafter, each [state] awarding agency
2816 [and each political subdivision of the state other than a municipality]
2817 setting aside contracts or portions of contracts under subdivision (2) of
2818 subsection (b) of this section shall prepare a status report on the
2819 implementation and results of its small business and minority business
2820 enterprise state set-aside program goals during the three-month period
2821 ending one month before the due date for the report. Each report shall
2822 be submitted to the Commissioner of Administrative Services and the
2823 Commission on Human Rights and Opportunities. Any [state]
2824 awarding agency [or political subdivision of the state, other than a
2825 municipality,] that achieves less than fifty per cent of its small
2826 contractor and minority business enterprise state set-aside program
2827 goals by the end of the second reporting period in any twelve-month
2828 period beginning on July first shall provide a written explanation to
2829 the Commissioner of Administrative Services and the Commission on
2830 Human Rights and Opportunities detailing how the awarding agency
2831 [or political subdivision] will achieve its goals in the final reporting
2832 period. The Commission on Human Rights and Opportunities shall: (1)

2833 Monitor the achievement of the annual goals established by each
2834 [state] awarding agency; [and political subdivision of the state other
2835 than a municipality;] and (2) prepare a quarterly report concerning
2836 such goal achievement. The report shall be submitted to each [state]
2837 awarding agency that submitted a report, the Commissioner of
2838 Economic and Community Development, the Commissioner of
2839 Administrative Services and the cochairpersons and ranking members
2840 of the joint standing committees of the General Assembly having
2841 cognizance of matters relating to planning and development and
2842 government administration. [and elections.] Failure by any [state]
2843 awarding agency [or political subdivision of the state other than a
2844 municipality] to submit any reports required by this section shall be a
2845 violation of section 46a-77.

2846 Sec. 62. Section 4a-60h of the general statutes is repealed and the
2847 following is substituted in lieu thereof (*Effective October 1, 2015*):

2848 (a) The Commissioner of Administrative Services shall be
2849 responsible for the administration of the set-aside program for public
2850 works contracts and state contracts for goods and services, as
2851 described in subdivision (2) of subsection (b) of section 4a-60g, as
2852 amended by this act. The commissioner shall conduct regular training
2853 sessions, as often as the commissioner deems necessary, for state
2854 agencies to explain the state set-aside program and to specify the
2855 factors that must be addressed in calculating awarding agency goals
2856 under the program. The commissioner shall conduct informational
2857 workshops to inform businesses of state set-aside opportunities and
2858 responsibilities.

2859 (b) The Commission on Human Rights and Opportunities shall be
2860 responsible for the administration of the set-aside program for
2861 municipal public works contracts and contracts for quasi-public
2862 agency projects, as described in subdivisions (3) and (4) of subsection
2863 (b) of section 4a-60g, as amended by this act. The commission shall
2864 conduct regular training sessions, as often as the commission deems

2865 necessary, for municipalities, quasi-public agencies and contractors to
2866 explain the municipal and quasi-public agency project set-aside
2867 program. The commission may adopt regulations in accordance with
2868 the provisions of chapter 54, to carry out the purposes of sections 4a-
2869 60g to 4a-60j, inclusive, as amended by this act, in regard to the
2870 municipal and quasi-public agency project set-aside program.

2871 (c) In any case where an individual contract is both a public works
2872 contract of an awarding agency and a quasi-public agency project
2873 contract, the provisions of this chapter governing awarding agency
2874 public works contracts shall apply to such contract.

2875 **[**(b)**]** (d) The **[**commissioner**]** Commissioner of Administrative
2876 Services shall adopt regulations in accordance with the provisions of
2877 chapter 54 to carry out the purposes of sections 4a-60g to 4a-60j,
2878 inclusive, as amended by this act, in regard to the state set-aside
2879 program. Such regulations shall include (1) provisions concerning the
2880 application of the program to individuals with a disability; (2)
2881 guidelines for a legally acceptable format for, and content of, letters of
2882 credit authorized under subsection (j) of section 4a-60g, as amended by
2883 this act; (3) procedures for random site visits to the place of business of
2884 an applicant for certification at the time of application and at
2885 subsequent times, as necessary, to ensure the integrity of the
2886 application process; and (4) time limits for approval or disapproval of
2887 applications.

2888 **[**(c)**]** (e) On or before January 1, 1994, the Commissioner of
2889 Administrative Services shall, by regulations adopted in accordance
2890 with chapter 54, establish a process to ensure that small contractors,
2891 small businesses and minority business enterprises have fair access to
2892 all competitive state contracts outside of the state set-aside program.

2893 Sec. 63. Section 4a-60 of the general statutes is repealed and the
2894 following is substituted in lieu thereof (*Effective October 1, 2015*):

2895 (a) Every contract to which **[**the state or any political subdivision of

2896 the state other than a municipality] an awarding agency is a party,
2897 every quasi-public agency project contract and every municipal public
2898 works contract shall contain the following provisions:

2899 (1) The contractor agrees and warrants that in the performance of
2900 the contract such contractor will not discriminate or permit
2901 discrimination against any person or group of persons on the grounds
2902 of race, color, religious creed, age, marital status, national origin,
2903 ancestry, sex, gender identity or expression, intellectual disability,
2904 mental disability or physical disability, including, but not limited to,
2905 blindness, unless it is shown by such contractor that such disability
2906 prevents performance of the work involved, in any manner prohibited
2907 by the laws of the United States or of the state of Connecticut; and the
2908 contractor further agrees to take affirmative action to insure that
2909 applicants with job-related qualifications are employed and that
2910 employees are treated when employed without regard to their race,
2911 color, religious creed, age, marital status, national origin, ancestry, sex,
2912 gender identity or expression, intellectual disability, mental disability
2913 or physical disability, including, but not limited to, blindness, unless it
2914 is shown by such contractor that such disability prevents performance
2915 of the work involved;

2916 (2) The contractor agrees, in all solicitations or advertisements for
2917 employees placed by or on behalf of the contractor, to state that it is an
2918 "affirmative action-equal opportunity employer" in accordance with
2919 regulations adopted by the [commission] Commission on Human
2920 Rights and Opportunities;

2921 (3) The contractor agrees to provide each labor union or
2922 representative of workers with which such contractor has a collective
2923 bargaining agreement or other contract or understanding and each
2924 vendor with which such contractor has a contract or understanding, a
2925 notice to be provided by the [commission] Commission on Human
2926 Rights and Opportunities advising the labor union or workers'
2927 representative of the contractor's commitments under this section, and

to post copies of the notice in conspicuous places available to employees and applicants for employment;

(4) The contractor agrees to comply with each provision of this section and sections 46a-68e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to sections 46a-56, as amended by this act, 46a-68e, [and] 46a-68f and 46a-86; and

(5) The contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor as relate to the provisions of this section and section 46a-56, as amended by this act.

(b) If the contract is a public works contract, municipal public works contract or contract for a quasi-public agency project, the contractor agrees and warrants that he or she will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works or quasi-public agency project.

(c) (1) Any contractor who has one or more contracts with [the state or a political subdivision of the state that] an awarding agency or who is a party to a municipal public works contract or a contract for a quasi-public agency project, where any such contract is valued at less than fifty thousand dollars for each year of the contract, shall provide the [state or such political subdivision of the state] awarding agency, or in the case of a municipal public works or quasi-public agency project contract, the Commission on Human Rights and Opportunities, with a written or electronic representation that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section, provided if there is any change in such representation, the contractor shall provide the updated representation to the [state or such political subdivision] awarding agency or commission not later than thirty days after such change.

(2) Any contractor who has one or more contracts with [the state or a political subdivision of the state that] an awarding agency or who is a party to a municipal public works contract or a contract for a quasi-public agency project, where any such contract is valued at fifty thousand dollars or more for any year of the contract, shall provide the [state or such political subdivision of the state] awarding agency, or in the case of a municipal public works or quasi-public agency project contract, the Commission on Human Rights and Opportunities, with any one of the following:

(A) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section;

(B) Documentation in the form of a company or corporate policy adopted by a prior resolution of the board of directors, shareholders, managers, members or other governing body of such contractor if (i) the prior resolution is certified by a duly authorized corporate officer of such contractor to be in effect on the date the documentation is submitted, and (ii) the head of the awarding agency, [of the state or such political subdivision,] or a designee, or in the case of a municipal public works or quasi-public agency project contract, the executive director of the Commission on Human Rights and Opportunities or a designee, certifies that the prior resolution complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section; or

(C) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson or other corporate officer duly authorized to adopt company or corporate policy that certifies that the company or corporate policy of the contractor complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section and is

in effect on the date the affidavit is signed.

(3) [Neither the state nor any political subdivision] No awarding agency, or in the case of a municipal public works contract, no municipality, or in the case of a quasi-public agency project contract, no entity, shall award a contract to a contractor who has not provided the representation or documentation required under subdivisions (1) and (2) of this subsection, as applicable. After the initial submission of such representation or documentation, the contractor shall not be required to resubmit such representation or documentation unless there is a change in the information contained in such representation or documentation. If there is any change in the information contained in the most recently filed representation or updated documentation, the contractor shall submit an updated representation or documentation, as applicable, either (A) not later than thirty days after the effective date of such change, or (B) upon the execution of a new contract with the [state or a political subdivision of the state] awarding agency, municipality or entity, as applicable, whichever is earlier. Such contractor shall also certify, in accordance with subparagraph (B) or (C) of subdivision (2) of this subsection, to the [state or political subdivision] awarding agency or commission, as applicable, not later than fourteen days after the twelve-month anniversary of the most recently filed representation, documentation or updated representation or documentation, that the representation on file with the [state or political subdivision] awarding agency or commission, as applicable, is current and accurate.

(d) For the purposes of this section, "contract" includes any extension or modification of the contract, "contractor" includes any successors or assigns of the contractor, "marital status" means being single, married as recognized by the state of Connecticut, widowed, separated or divorced, and "mental disability" means one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", or a record of or regarding a person as having one or more

3024 such disorders. For the purposes of this section, "contract" does not
3025 include a contract where each contractor is (1) a political subdivision of
3026 the state, including, but not limited to, a municipality, [(2) a quasi-
3027 public agency, as defined in section 1-120, (3)] unless the contract is a
3028 municipal public works contract or quasi-public agency project
3029 contract, (2) any other state, as defined in section 1-267, [(4)] (3) the
3030 federal government, [(5)] (4) a foreign government, or [(6)] (5) an
3031 agency of a subdivision, [agency,] state or government described in
3032 [subparagraph] subdivision (1), (2), (3) [,] or (4) [or (5)] of this
3033 subsection.

3034 (e) For the purposes of this section, "minority business enterprise"
3035 means any small contractor or supplier of materials fifty-one per cent
3036 or more of the capital stock, if any, or assets of which is owned by a
3037 person or persons: (1) Who are active in the daily affairs of the
3038 enterprise, (2) who have the power to direct the management and
3039 policies of the enterprise, and (3) who are members of a minority, as
3040 such term is defined in subsection (a) of section 32-9n; and "good faith"
3041 means that degree of diligence which a reasonable person would
3042 exercise in the performance of legal duties and obligations. "Good faith
3043 efforts" shall include, but not be limited to, those reasonable initial
3044 efforts necessary to comply with statutory or regulatory requirements
3045 and additional or substituted efforts when it is determined that such
3046 initial efforts will not be sufficient to comply with such requirements.

3047 (f) Determination of the contractor's good faith efforts shall include,
3048 but shall not be limited to, the following factors: The contractor's
3049 employment and subcontracting policies, patterns and practices;
3050 affirmative advertising, recruitment and training; technical assistance
3051 activities and such other reasonable activities or efforts as the
3052 [commission] Commission on Human Rights and Opportunities may
3053 prescribe that are designed to ensure the participation of minority
3054 business enterprises in public works projects.

3055 (g) The contractor shall develop and maintain adequate

3056 documentation, in a manner prescribed by the [commission]
3057 Commission on Human Rights and Opportunities, of its good faith
3058 efforts.

3059 (h) The contractor shall include the provisions of subsections (a) and
3060 (b) of this section in every subcontract or purchase order entered into
3061 in order to fulfill any obligation of a contract with the state, and in
3062 every subcontract entered into in order to fulfill any obligation of a
3063 municipal public works contract or contract for a quasi-public agency
3064 project, and such provisions shall be binding on a subcontractor,
3065 vendor or manufacturer, unless exempted by regulations or orders of
3066 the [commission] Commission on Human Rights and Opportunities.
3067 The contractor shall take such action with respect to any such
3068 subcontract or purchase order as the commission may direct as a
3069 means of enforcing such provisions, including sanctions for
3070 noncompliance in accordance with section 46a-56; provided, if such
3071 contractor becomes involved in, or is threatened with, litigation with a
3072 subcontractor or vendor as a result of such direction by the
3073 commission regarding a state contract, the contractor may request the
3074 state of Connecticut to enter into any such litigation or negotiation
3075 prior thereto to protect the interests of the state and the state may so
3076 enter.

3077 Sec. 64. Section 4a-60a of the general statutes is repealed and the
3078 following is substituted in lieu thereof (*Effective October 1, 2015*):

3079 (a) Every contract to which [the state or any political subdivision of
3080 the state other than a municipality] an awarding agency is a party,
3081 every contract for a quasi-public agency project and every municipal
3082 public works contract shall contain the following provisions:

3083 (1) The contractor agrees and warrants that in the performance of
3084 the contract such contractor will not discriminate or permit
3085 discrimination against any person or group of persons on the grounds
3086 of sexual orientation, in any manner prohibited by the laws of the

United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation;

(2) The contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment;

(3) The contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said commission pursuant to section 46a-56; and

(4) The contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor which relate to the provisions of this section and section 46a-56.

(b) (1) Any contractor who has one or more contracts with **[**the state or a political subdivision of the state that**]** <u>an awarding agency or who is a party to a municipal public works contract or a contract for a quasi-public agency project, where any such contract</u> is valued at less than fifty thousand dollars for each year of the contract<u>,</u> shall provide the **[**state or such political subdivision of the state**]** <u>awarding agency, or in the case of a municipal public works or quasi-public agency project contract, the Commission on Human Rights and Opportunities,</u> with a written representation that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section.

(2) Any contractor who has one or more contracts with [the state or a political subdivision of the state that] an awarding agency or who is a party to a municipal public works contract or a contract for a quasi-public agency project, where any such contract is valued at fifty thousand dollars or more for any year of the contract, shall provide [the state or such political subdivision of the state] such awarding agency, or in the case of a municipal public works or quasi-public agency project contract, the Commission on Human Rights and Opportunities, with any of the following:

(A) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section;

(B) Documentation in the form of a company or corporate policy adopted by a prior resolution of the board of directors, shareholders, managers, members or other governing body of such contractor if (i) the prior resolution is certified by a duly authorized corporate officer of such contractor to be in effect on the date the documentation is submitted, and (ii) the head of the [agency of the state or such political subdivision] awarding agency, or a designee, or in the case of a municipal public works or quasi-public agency project contract, the executive director of the Commission on Human Rights and Opportunities or a designee, certifies that the prior resolution complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section; or

(C) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson or other corporate officer duly authorized to adopt company or corporate policy that certifies that the company or corporate policy of the contractor complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section and is

in effect on the date the affidavit is signed.

(3) [Neither the state nor any political subdivision] No awarding agency, or in the case of a municipal public works contract, no municipality, or in the case of a quasi-public agency project contract, no entity, shall award a contract to a contractor who has not provided the representation or documentation required under subdivisions (1) and (2) of this subsection, as applicable. After the initial submission of such representation or documentation, the contractor shall not be required to resubmit such representation or documentation unless there is a change in the information contained in such representation or documentation. If there is any change in the information contained in the most recently filed representation or updated documentation, the contractor shall submit an updated representation or documentation, as applicable, either (A) not later than thirty days after the effective date of such change, or (B) upon the execution of a new contract with the [state or a political subdivision of the state] awarding agency, municipality, or entity, as applicable, whichever is earlier. Such contractor shall also certify, in accordance with subparagraph (B) or (C) of subdivision (2) of this subsection, to the [state or political subdivision] awarding agency or commission, as applicable, not later than fourteen days after the twelve-month anniversary of the most recently filed representation, documentation or updated representation or documentation, that the representation on file with the [state or political subdivision] awarding agency or commission, as applicable, is current and accurate.

(4) For the purposes of this section, "contract" includes any extension or modification of the contract, and "contractor" includes any successors or assigns of the contractor. For the purposes of this section, "contract" does not include a contract where each contractor is (A) a political subdivision of the state, including, but not limited to, a municipality, [(B) a quasi-public agency, as defined in section 1-120, (C)] unless the contract is a municipal public works contract or quasi-public agency project contract, (B) any other state, as defined in section

1-267, [(D)] (C) the federal government, [(E)] (D) a foreign government, or [(F)] (E) an agency of a subdivision, [agency,] state or government described in subparagraph (A), (B), (C) [,] or (D) [or (E)] of this subdivision.

(c) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state, and in every subcontract entered into in order to fulfill any obligation of a municipal public works contractor contract for a quasi-public agency project, and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the [commission] Commission on Human Rights and Opportunities. The contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions, including sanctions for noncompliance in accordance with section 46a-56, as amended by this act; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission regarding a state contract, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

Sec. 65. Section 4a-62 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) There is established a Minority Business Enterprise Review Committee. The committee shall consist of two members of the House of Representatives appointed by the speaker of the House, two members of the House appointed by the minority leader of the House, two members of the Senate appointed by the president pro tempore of the Senate, and two members of the Senate appointed by the minority leader of the Senate. The committee shall conduct an ongoing study of contract awards, loans and bonds made or guaranteed by [the state or

3215 any political subdivision of the state other than a municipality]
3216 awarding agencies and of municipal public works contracts and
3217 contracts for quasi-public agency projects for the purpose of
3218 determining the extent of compliance with the provisions of the
3219 general statutes concerning contract awards, loans and bonds for
3220 minority business enterprises, including the set-aside program for such
3221 business enterprises.

3222 (b) The committee may request (1) any awarding agency [of the
3223 state] authorized to award public works contracts or to enter into
3224 purchase of goods or services contracts, or (2) in the case of a
3225 municipal public works contract or contract for a quasi-public agency
3226 project, the Commission on Human Rights and Opportunities, to
3227 submit such information on compliance with sections 4a-60, as
3228 amended by this act, and 4a-60g, as amended by this act, and at such
3229 times as the committee may require. The committee shall consult with
3230 the Departments of Administrative Services, Transportation and
3231 Economic and Community Development and the Commission on
3232 Human Rights and Opportunities concerning compliance with the
3233 state programs for minority business enterprises. The committee shall
3234 report annually on or before February first to the Joint Committee on
3235 Legislative Management on the results of its ongoing study and
3236 include its recommendations, if any, for legislation.

3237 Sec. 66. Section 46a-68b of the general statutes is repealed and the
3238 following is substituted in lieu thereof (*Effective October 1, 2015*):

3239 As used in this section and sections 4a-60, as amended by this act,
3240 4a-60a, as amended by this act, [4a-60g,] 4a-62, as amended by this act,
3241 46a-56, as amended by this act, and 46a-68c to 46a-68k, inclusive, as
3242 amended by this act: "Public works contract" means any agreement
3243 between any individual, firm or corporation and the state or any
3244 political subdivision of the state other than a municipality for
3245 construction, rehabilitation, conversion, extension, demolition or repair
3246 of a public building, highway or other changes or improvements in

3247 real property, or which is financed in whole or in part by the state,
3248 including, but not limited to, matching expenditures, grants, loans,
3249 insurance or guarantees and "municipal public works contract", "quasi-
3250 public agency project" and "awarding agency" have the same meanings
3251 as provided in section 4a-60g, as amended by this act.

3252 Sec. 67. Section 46a-68c of the general statutes is repealed and the
3253 following is substituted in lieu thereof (*Effective October 1, 2015*):

3254 In addition to the provisions of section 4a-60, as amended by this
3255 act, each contractor with fifty or more employees awarded a public
3256 works contract, municipal public works contract or contract for a
3257 quasi-public agency project in excess of fifty thousand dollars in any
3258 fiscal year, but not subject to the provisions of section 46a-68d, as
3259 amended by this act, shall develop and file with the **[**commission**]**
3260 Commission on Human Rights and Opportunities an affirmative
3261 action plan which shall comply with regulations adopted by **[**said**]** the
3262 commission. Failure to develop an approved affirmative action plan
3263 pursuant to this section shall act as a bar to bidding on or the award of
3264 future contracts until such requirement has been met. When the
3265 commission approves an affirmative action plan pursuant to this
3266 section, it shall issue a certificate of compliance to the contractor. This
3267 certificate shall be prima facie proof of the contractor's eligibility to bid
3268 or be awarded contracts for a period of two years from the date of the
3269 certificate. Such certificate shall not excuse the contractor from
3270 monitoring by the commission or from the reporting and record-
3271 keeping requirements of sections 46a-68e and 46a-68f. The commission
3272 may revoke the certificate of a contractor if the contractor does not
3273 implement its affirmative action plan in compliance with this section
3274 and sections 4a-60, as amended by this act, 4a-60g, as amended by this
3275 act, 4a-62, as amended by this act, 46a-56, as amended by this act, 46a-
3276 68b, as amended by this act, 46a-68d, as amended by this act, and 46a-
3277 68e to 46a-68k, inclusive, as amended by this act.

3278 Sec. 68. Section 46a-68d of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective October 1, 2015*):

In addition to the provisions of section 4a-60, as amended by this act, every public works contract, municipal public works contract or contract for a quasi-public agency project subject to the provisions of part II of chapter 60 shall also be subject to the provisions of this section. After a bid has been accepted but before a contract is awarded, the successful bidder shall file with and have **[**approved by the commission**]** obtained the approval of the commission for an affirmative action plan. The commission may provide for conditional acceptance of an affirmative action plan provided written assurances are given by the contractor that it will amend its plan to conform to affirmative action requirements. **[**The**]** In the case of a public works contract, the state shall withhold two per cent of the total contract price per month from any payment made to such contractor until such time as the contractor has developed an affirmative action plan, and received the approval of the commission. In the case of a municipal public works contract or contract for a quasi-public agency project, the municipality or entity, as applicable, shall withhold two per cent of the total contract price per month from any payment made to such contractor until such time as the contractor has developed an affirmative action plan and received the approval of the commission. Notwithstanding the provisions of this section, a contractor subject to the provisions of this section may file a plan in advance of or at the same time as its bid. The commission shall review plans submitted pursuant to this section within sixty days of receipt and either approve, approve with conditions or reject such plan. When the commission approves an affirmative action plan pursuant to this section, it shall issue a certificate of compliance to the contractor as provided in section 46a-68c, as amended by this act.

Sec. 69. Section 46a-68g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

[Contracting agencies**]** No awarding agency, or in the case of a

3311 municipal public works contract, no municipality, or in the case of a
3312 quasi-public agency project contract, no entity, shall [not] enter into
3313 [contracts] a contract with any bidder or prospective contractor unless
3314 the bidder or prospective contractor has satisfactorily complied with
3315 the provisions of sections 4a-60, as amended by this act, 4a-60g, as
3316 amended by this act, 46a-56, as amended by this act, and 46a-68c to
3317 46a-68f, inclusive, as amended by this act, or submits a program for
3318 compliance acceptable to the commission.

3319 Sec. 70. Section 46a-68k of the general statutes is repealed and the
3320 following is substituted in lieu thereof (*Effective October 1, 2015*):

3321 (a) If the commission determines an awarding agency [of the state]
3322 or in the case of a municipal public works contract, a municipality, has
3323 a contract compliance program which is at least equivalent to the
3324 requirements and responsibilities of sections 4a-60, as amended by this
3325 act, and 46a-68c to 46a-68f, inclusive, as amended by this act, such
3326 agency or municipality, subject to the approval of the commission,
3327 may use its own compliance program. Any contractor who is a party to
3328 a public works contract with such agency or municipality may be
3329 relieved of the requirements and responsibilities of said sections,
3330 provided such contractor complies with the requirements of such
3331 agency's or municipality's contract compliance program.

3332 (b) The commission shall adopt regulations in accordance with
3333 chapter 54 to carry out the purposes of this section, including, but not
3334 limited to, establishing a procedure for such determination and
3335 approval.

3336 Sec. 71. Subsections (c) and (d) of section 46a-56 of the general
3337 statutes are repealed and the following is substituted in lieu thereof
3338 (*Effective October 1, 2015*):

3339 (c) If the commission determines through its monitoring and
3340 compliance procedures that a contractor or subcontractor is not
3341 complying with antidiscrimination statutes or contract provisions

3342 required under section 4a-60, as amended by this act, or 4a-60a, as
3343 amended by this act, or [the provisions of] sections 46a-68c to 46a-68f,
3344 inclusive, as amended by this act, the commission may issue a
3345 complaint pursuant to subsection (c) of section 46a-82. Such complaint
3346 shall be scheduled for a hearing before a [hearing officer or] human
3347 rights referee appointed by the chief referee to act as a presiding
3348 officer. Such hearing shall be held in accordance with chapter 54 and
3349 section 46a-84, as amended by this act. If, after such hearing, the
3350 presiding officer makes a finding of noncompliance with
3351 antidiscrimination statutes or contract provisions required under
3352 section 4a-60, as amended by this act, or 4a-60a, as amended by this
3353 act, or [the provisions of] sections 46a-68c to 46a-68f, inclusive, as
3354 amended by this act, the presiding officer shall order such relief as is
3355 necessary to achieve full compliance with any antidiscrimination
3356 statute and required contract provisions. The presiding officer may: (1)
3357 [Order] (A) In the case of a state contract, order the state to retain two
3358 per cent of the total contract price per month on any existing contract
3359 with such contractor that the state withheld pursuant to section 46a-
3360 68d and transfer the funds to the State Treasurer for deposit in the
3361 special fund described in subsection (e) of this section, or (B) in the
3362 case of a municipal public works or quasi-public agency contract,
3363 order the municipality or entity to retain two per cent of the total
3364 contract price per month on any existing contract with such contractor;
3365 (2) prohibit the contractor from participation in any further contracts
3366 with state agencies or any further municipal public works contracts or
3367 quasi-public agency project contracts, as applicable until: (A) The
3368 expiration of a period of two years from the date of the finding of
3369 noncompliance, or (B) the presiding officer determines that the
3370 contractor has adopted policies consistent with such statutes, provided
3371 the presiding officer shall make such determination [within] not later
3372 than forty-five days [of] after such finding of noncompliance; (3)
3373 publish, or cause to be published, the names of contractors or unions
3374 that the presiding officer has found to be in noncompliance with such
3375 provisions; (4) notify the Attorney General that, in cases in which there

3376 is substantial [or material] violation or the threat of substantial [or
3377 material] violation of [the contractual provisions set forth in] section
3378 4a-60, as amended by this act, or 4a-60a, as amended by this act,
3379 appropriate proceedings should be brought to enforce such provisions,
3380 including the enjoining [, within the limitations of applicable law,] of
3381 organizations, individuals or groups [who] that prevent, [directly or
3382 indirectly,] or seek to prevent, [directly or indirectly,] compliance with
3383 [the provisions of] section 4a-60, as amended by this act, or 4a-60a, as
3384 amended by this act; (5) recommend to the Equal Employment
3385 Opportunity Commission or the Department of Justice that
3386 appropriate proceedings be instituted under Title VII of the Civil
3387 Rights Act of 1964 [,] or related laws when necessary; (6) recommend
3388 to the appropriate prosecuting authority that criminal proceedings be
3389 brought for the furnishing of false information to any [contracting]
3390 awarding agency or to the commission; [as the case may be;] (7) order
3391 the contractor to bring itself into compliance with antidiscrimination
3392 statutes or contract provisions required under section 4a-60, as
3393 amended by this act, or 4a-60a, as amended by this act, or sections 46a-
3394 68c to 46a-68f, inclusive, as amended by this act, [within] not later than
3395 a period of thirty days after the issuance of such order or, for good
3396 cause shown, within an additional period of thirty days, and, if such
3397 contractor fails to bring itself into such compliance within such time
3398 period and such noncompliance is substantial [or material] or there is a
3399 pattern of noncompliance, recommend to the [contracting] awarding
3400 agency that such agency declare the contractor to be in breach of the
3401 contract and that such agency pursue all available remedies or, in the
3402 case of a municipal public works or quasi-public agency project
3403 contract, recommend the municipality or entity to make such a
3404 declaration and pursue all available remedies; [or] (8) order the
3405 [contracting] awarding agency or, in the case of a municipal public
3406 works or quasi-public agency project contract, the municipality or
3407 entity, to refrain from entering into further contracts, or extensions or
3408 other modifications of existing contracts, with any noncomplying
3409 contractor, until such contractor has satisfied the commission that such

contractor has established and will carry out personnel and employment policies in compliance with antidiscrimination statutes and [the provisions of] section 4a-60, as amended by this act, or 4a-60a, as amended by this act, and sections 46a-68c to 46a-68f, inclusive, as amended by this act; or (9) order two or more remedies or other relief designed to achieve full compliance with antidiscrimination statutes and required contract provisions. The commission shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

(d) If the commission determines, through its monitoring and compliance procedures, [and after a complaint is filed and a hearing is held pursuant to subsection (c) of this section,] that, with respect to a state contract, municipal public works contract or quasi-public agency project contract, a contractor, subcontractor, service provider or supplier of materials has (1) fraudulently qualified as a minority business enterprise, or (2) performed services or supplied materials on behalf of another contractor, subcontractor, service provider or supplier of materials knowing (A) that such other contractor, subcontractor, service provider or supplier has fraudulently qualified as a minority business enterprise in order to appear to comply with antidiscrimination statutes or contract provisions required under section 4a-60, as amended by this act, or 4a-60a, as amended by this act, and (B) that such services or materials are to be used in connection with a contract entered into pursuant to subsection (b) of section 4a-60g, as amended by this act, [the hearing officer or human rights referee before whom such hearing was held] the commission may issue a complaint pursuant to subsection (c) of section 46a-82. Such complaint shall be scheduled for a hearing before a referee assigned by the chief referee to act as a presiding officer. Such hearing shall be held in accordance with chapter 54 and section 46a-84, as amended by this act. If, after such hearing, the presiding officer makes a finding that a contractor, subcontractor, service provider or supplier of materials has violated this subsection, the presiding officer shall assess a civil

3443 penalty of not more than ten thousand dollars upon such contractor,
3444 subcontractor, service provider or supplier of materials.

3445 (e) The Attorney General, upon complaint of the commission, shall
3446 institute a civil action in the superior court for the judicial district of
3447 Hartford to recover [such] any penalty assessed pursuant to subsection
3448 (d) of this section. Any penalties recovered pursuant to this subsection
3449 shall be deposited in a special fund and shall be held by the State
3450 Treasurer separate and apart from all other moneys, funds and
3451 accounts. The resources in such fund shall, pursuant to regulations
3452 adopted by the commission in accordance with the provisions of
3453 chapter 54, be used to assist minority business enterprises. As used in
3454 this section, "minority business enterprise" means any contractor,
3455 subcontractor or supplier of materials fifty-one per cent or more of the
3456 capital stock, if any, or assets of which is owned by a person or
3457 persons: [(i)] (1) Who are active in the daily affairs of the enterprise;
3458 [(ii)] (2) who have the power to direct the management and policies of
3459 the enterprise; and [(iii)] (3) who are members of a minority, as defined
3460 in subsection (a) of section 32-9n.

3461 Sec. 72. Subsection (d) of section 46a-57 of the general statutes is
3462 repealed and the following is substituted in lieu thereof (*Effective*
3463 *October 1, 2015*):

3464 (d) When serving as a presiding officer as provided in section 46a-
3465 84, as amended by this act, each human rights referee [or hearing
3466 officer] shall have the same subpoena powers as are granted to
3467 commissioners by subdivision (9) of section 46a-54. Each presiding
3468 officer shall also have the power to determine a reasonable fee to be
3469 paid to an expert witness [, including, but not limited to, any
3470 practitioner of the healing arts, as defined in section 20-1, dentist,
3471 registered nurse or licensed practical nurse, as defined in section 20-
3472 87a, and real estate appraiser when any such expert witness is
3473 summoned by the commission to give expert testimony, in person or
3474 by deposition, in any contested case proceeding, pursuant to section

46a-84. Such fee shall be paid to the expert witness in lieu of all other witness fees] called by the commission to give expert testimony in person or by deposition pursuant to section 46a-84, as amended by this act. Such fee shall be paid to the expert witness in lieu of all other witness fees.

Sec. 73. Subsection (a) of section 46a-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) It shall be a discriminatory practice in violation of this section for any person to subject, or cause to be subjected, any other person to the deprivation of any rights, privileges or immunities, secured or protected by the Constitution or laws of this state or of the United States, on account of religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness, mental disability or physical disability.

Sec. 74. Subsection (a) of section 46a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) Any person claiming to be aggrieved by an alleged discriminatory practice, except for an alleged violation of section 4a-60g or 46a-68 or the provisions of sections 46a-68c to 46a-68f, inclusive, may, by himself or herself or by such person's attorney, [make, sign and] file with the commission a complaint in writing under oath, [which] except that a complaint that alleges a violation of section 46a-64c need not be notarized. The complaint shall state the name and address of the person alleged to have committed the discriminatory practice, [and which shall set forth the particulars thereof] provide a short and plain statement of the allegations upon which the claim is based and contain such other information as may be required by the commission. After the filing of a complaint, [pursuant to this subsection,] the commission shall [serve upon the person claiming to

3506 be aggrieved] provide the complainant with a notice that: (1)
3507 Acknowledges receipt of the complaint; and (2) advises of the time
3508 frames and choice of forums available under this chapter.

3509 Sec. 75. Section 46a-82e of the general statutes is repealed and the
3510 following is substituted in lieu thereof (*Effective October 1, 2015*):

3511 (a) Notwithstanding the failure of the [Commission on Human
3512 Rights and Opportunities] commission to comply with the time
3513 requirements of [sections] section 46a-83 [and] or 46a-84, as amended
3514 by this act, [with respect to a complaint before the commission,] the
3515 jurisdiction of the commission or the superior court over any such
3516 complaint shall be retained.

3517 (b) The commission shall report annually to the judiciary committee
3518 of the General Assembly and the Governor: (1) The number of cases in
3519 the previous fiscal year that exceeded the time frame, including
3520 authorized extensions, set forth in subsection [(e)] (g) of section 46a-83;
3521 (2) the reasons for the failure to comply with the time frame; (3) the
3522 number of actions brought pursuant to subsection (d) of this section
3523 and the results thereof; and (4) the commission's recommendations for
3524 legislative action, if any, necessary for the commission to meet the
3525 statutory time frame.

3526 (c) If a complaint has been pending for more than twenty-one
3527 months from the date of filing and the commission has not issued a
3528 finding of reasonable cause or no reasonable cause, the executive
3529 director shall notify the complainant [by first class mail, facsimile
3530 machine, electronic mail or a file transfer protocol site] as provided in
3531 section 46a-86a, that the complainant has the right to request a release
3532 of jurisdiction in accordance with section 46a-101, as amended by this
3533 act. The executive director or the executive director's designee shall
3534 investigate the cause for the delay in issuing a finding. After such
3535 investigation, the executive director may, given the facts and
3536 circumstances of the case, [schedule] set a date [certain] for issuance of

3537 a finding. [of reasonable cause or no reasonable cause.]

3538 (d) (1) If a complaint has been pending for more than two years after
3539 the date of filing pursuant to section 46a-82, as amended by this act,
3540 and if the investigator fails to issue a finding of reasonable cause or no
3541 reasonable cause by the date ordered by the executive director [of the
3542 commission] pursuant to subsection (c) of this section, the complainant
3543 or respondent may petition the superior court for the judicial district of
3544 Hartford for an order requiring the commission to issue a finding [of
3545 reasonable cause or no reasonable cause by a date certain] by a
3546 specified date. The petitioner shall submit the petition on forms
3547 prescribed by the Office of the Chief Court Administrator.

3548 (2) The clerk, upon receipt of the petition and if the clerk finds it to
3549 be in the proper form, shall fix a date for the hearing and sign the
3550 notice of hearing. The hearing date shall be no more than thirty days
3551 after the clerk signs the notice. Service shall be made on the
3552 commission and all persons named in the discriminatory practice
3553 complaint at least twenty days prior to the date of hearing by United
3554 States mail, certified or registered, postage prepaid, return receipt
3555 requested, without the use of a state marshal or other officer. Service
3556 on the commission shall be made on the executive director. [of the
3557 commission or a commission legal counsel. Within] Not later than five
3558 days after the date of service, the petitioner shall file with the court an
3559 affidavit stating the date and manner in which a copy of the petition
3560 was served and attach to the affidavit the return receipts indicating
3561 delivery of the petition.

3562 (3) [Within] Not later than ten days after the date of receipt of the
3563 petition, any party, including the commission, may file an answer. The
3564 commission and all persons named in the discriminatory practice
3565 complaint shall have the right to appear and be heard at the hearing.

3566 (4) If the commission and parties agree on a date, [certain,] the court
3567 shall order the commission to issue a finding by [said] such date. If the

allegations of the petition are contested, the court shall hold a hearing [on the petition] and issue an appropriate order. [Hearing of oral argument on the petition] Hearings held pursuant to this subdivision shall take precedence over other matters in the court, as provided in section 46a-96. The court shall award court costs and attorney's fees to the petitioner, provided [such party] the petitioner is a "person", as defined in section 4-184a, unless the commission shows good cause for not issuing the finding of reasonable cause or no reasonable cause [within two years of the date of filing or] by the date ordered by the executive director for the investigator to issue such finding. [, whichever is later.] An award of court costs and attorney's fees shall be subject to the court's discretion, but shall not exceed a total of five hundred dollars.

(5) This subsection shall not apply to complaints initiated by the commission or to pattern or practice or systemic cases.

Sec. 76. Section 46a-83a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

[If (1) a complainant requests a release of jurisdiction pursuant to subsection (b) of section 46a-83, (2) a commission legal counsel denies reinstatement of a complaint pursuant to subsection (b) of said section, or (3)] If a complaint is dismissed for failure to accept full relief pursuant to subsection [(c) of said section] (m) of section 46a-83, and the complainant does not request reconsideration of such dismissal as provided in subsection [(f) of said section] (h) of section 46a-83, the executive director shall issue a release of jurisdiction and the complainant may, within ninety days of receipt of the release from the commission, bring an action in accordance with sections 46a-100, as amended by this act, and 46a-102 to 46a-104, inclusive.

Sec. 77. Section 46a-84 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) If the investigator fails to eliminate a discriminatory practice

complained of pursuant to subsection (a) or (b) of section 46a-82, as amended by this act, within fifty days of a finding of reasonable cause, the investigator shall, within ten days, certify the complaint and the results of the investigation to the executive director of the commission and to the Attorney General. The investigator's conclusion that conciliation has failed shall be conclusive on the issue.

(b) Upon (1) certification of a complaint filed pursuant to subsection (a) or (b) of section 46a-82, as amended by this act, [or upon] (2) the filing of a complaint pursuant to subsection (c) of said section, [the Chief Human Rights Referee shall appoint, for a complaint filed pursuant to said subsection (a) or (b), a hearing officer, hearing adjudicator or human rights referee, and for a complaint filed pursuant to said subsection (c), a hearing officer] or (3) a decision to hear a complaint, which is made pursuant to subsection (e) of section 46a-83, the Chief Human Rights Referee shall appoint a human rights referee [,] to act as a presiding officer to hear the complaint. [or] The chief referee shall also appoint an individual authorized by subsection (e) of this section or a referee, other than the referee appointed to hear the complaint, to conduct settlement negotiations. [and shall cause to be issued and served] The chief referee shall serve in the name of the commission [a written notice, together with] a copy of the complaint, as the same may have been amended, requiring the respondent to answer the charges of the complaint, [at a hearing before the presiding officer or hearing adjudicator at a time and place to be specified in the notice] together with a written notice requiring the respondent to appear at a hearing or settlement conference at a date and time specified in the notice. A hearing on a complaint filed pursuant to subsection (a) or (b) of section 46a-82, as amended by this act, shall be commenced by convening a hearing conference not later than forty-five days after the certification of the complaint. Such hearing shall be a de novo hearing on the merits of the complaint and not an appeal of the commission's processing of the complaint prior to its certification. A hearing on a complaint filed pursuant to subsection (c) of section

3632 46a-82 shall be commenced by convening a hearing conference not
3633 later than twenty days after the date of notice of such complaint.
3634 Hearings shall proceed with reasonable dispatch and be concluded in
3635 accordance with the provisions of section 4-180.

3636 (c) **[**The place of any hearing may be the office of the commission or
3637 another place designated by the commission.**]** The place of any
3638 hearing, hearing conference or settlement conference shall be the
3639 commission's administrative office in Hartford, unless all parties
3640 mutually agree to an alternate location.

3641 (d) The case in support of the complaint shall be presented at the
3642 hearing by the Attorney General, who shall be counsel for the
3643 commission, or by a commission legal counsel as provided in section
3644 46a-55, as amended by this act. **[**, as the case may be.**]** If the Attorney
3645 General or the commission legal counsel determines that a material
3646 mistake of law or fact has been made in the finding of reasonable cause
3647 on a complaint filed pursuant to subsection (a) or (b) of section 46a-82,
3648 as amended by this act, or the commission legal counsel determines
3649 that a complaint to be heard pursuant to subsection (e) of section 46a-
3650 83, should be further investigated, the Attorney General or the
3651 commission legal counsel may withdraw the certification of the
3652 complaint or the decision to hear the complaint and remand the file to
3653 the investigator for further action. The investigator shall complete any
3654 required action not later than ninety days after receipt of such file. The
3655 complainant may be represented by an attorney of the complainant's
3656 own choice. If the Attorney General or the commission legal counsel **[**,
3657 as the case may be,**]** determines that the interests of the state will not
3658 be adversely affected, the complainant or the attorney for the
3659 complainant shall present all or part of the case in support of the
3660 complaint. No commissioner may participate in the deliberations of
3661 the presiding officer in the case.

3662 (e) A **[**hearing officer, hearing adjudicator,**]** human rights referee or
3663 attorney who volunteers service pursuant to subdivision (18) of section

3664 46a-54 may supervise settlement endeavors. [, or, in] In employment
3665 discrimination cases only, the complainant and respondent, with the
3666 permission of the [commission] chief referee, may engage in alternate
3667 dispute resolution endeavors for not more than three months. The cost
3668 of such alternate dispute resolution endeavors shall be borne by the
3669 complainant or the respondent, or both, and not by the commission.
3670 Any endeavors or negotiations for conciliation, settlement or alternate
3671 dispute resolution shall not be received in evidence.

3672 (f) The respondent [may] shall file a written answer to the complaint
3673 under oath and appear at the hearing in person or otherwise, with or
3674 without counsel, and submit testimony and be fully heard. If the
3675 respondent fails to file a written answer [prior to the hearing within
3676 the time limits established by regulation adopted by the commission in
3677 accordance with chapter 54] not later than fifteen days after the date of
3678 service of the complaint, or fails to appear at the hearing, hearing
3679 conference or settlement conference after notice in accordance with
3680 section 4-177, the presiding officer or [hearing adjudicator] a referee or
3681 an attorney who volunteers services pursuant to subsection (e) of this
3682 section may enter an order of default and order such relief as is
3683 necessary to eliminate the discriminatory practice and make the
3684 complainant whole, except that if the default was entered by an
3685 attorney who volunteers services pursuant to subsection (e) of this
3686 section, the chief referee shall appoint a referee to act as a presiding
3687 officer to award relief. The commission or the complainant may
3688 petition the Superior Court for enforcement of any such order for relief
3689 pursuant to [the provisions of] section 46a-95.

3690 (g) The presiding officer [or hearing adjudicator] conducting any
3691 hearing shall permit reasonable amendment to any complaint or
3692 answer and the testimony taken at the hearing shall be under oath and
3693 be transcribed at the request of any party.

3694 Sec. 78. Section 46a-86 of the general statutes is repealed and the
3695 following is substituted in lieu thereof (*Effective October 1, 2015*):

3696 (a) If, upon all the evidence presented at the hearing conducted
3697 pursuant to section 46a-84, as amended by this act, the presiding
3698 officer finds that a respondent has engaged in any discriminatory
3699 practice, the presiding officer shall [state the presiding officer's] make
3700 written findings of fact and [shall issue and] file with the commission
3701 and [cause to be served] serve on the complainant and respondent an
3702 order requiring the respondent to cease and desist from the
3703 discriminatory practice and [further requiring the respondent] to take
3704 such affirmative action as [in the judgment of the presiding officer will
3705 effectuate] is necessary to achieve the purpose of this chapter.

3706 (b) In addition to any other action taken under this section, upon a
3707 finding of a discriminatory employment practice, the presiding officer
3708 may order the hiring or reinstatement of [employees] any individual,
3709 with or without back pay, or restoration to membership in any
3710 respondent labor organization. [, provided, liability] Liability for back
3711 pay shall not accrue from a date more than two years prior to the filing
3712 or issuance of the complaint. [and, provided further, interim] Interim
3713 earnings, including unemployment compensation and welfare
3714 assistance or amounts which could have been earned with reasonable
3715 diligence on the part of the person to whom back pay is awarded shall
3716 be deducted from the amount of back pay to which such person is
3717 otherwise entitled. The amount of any [such] deduction for interim
3718 unemployment compensation or welfare assistance shall be paid by
3719 the respondent to the commission which shall transfer such amount to
3720 the appropriate state or local agency.

3721 (c) In addition to any other action taken under this section, upon a
3722 finding of a discriminatory practice prohibited by section 46a-58, as
3723 amended by this act, 46a-59, 46a-64, 46a-64c, 46a-81b, 46a-81d or 46a-
3724 81e, the presiding officer shall determine the damage suffered by the
3725 complainant, which damage shall include, but not be limited to, the
3726 expense incurred by the complainant for obtaining alternate housing
3727 or space, storage of goods and effects, moving costs and other costs
3728 actually incurred by the complainant as a result of such discriminatory

3729 practice and shall allow reasonable attorney's fees and costs. The
3730 amount of attorney's fees allowed shall not be contingent upon the
3731 amount of damages requested by or awarded to the complainant.

3732 (d) In addition to any other action taken under this section, upon a
3733 finding of a discriminatory practice prohibited by section 46a-66 or
3734 46a-81f, the presiding officer shall [issue and] file with the commission
3735 and [cause to be served] serve on the respondent an order requiring
3736 the respondent to pay the complainant the damages resulting from the
3737 discriminatory practice.

3738 (e) In addition to any other action taken under this section, upon a
3739 finding of noncompliance with antidiscrimination statutes or contract
3740 provisions required under section 4a-60 or 4a-60a or the provisions of
3741 sections 46a-68c to 46a-68f, inclusive, the presiding officer shall [issue
3742 and] file with the commission and [cause to be served] serve on the
3743 respondent an order with respect to any remedial action imposed [by
3744 the presiding officer] pursuant to subsection (c) or (d) of section 46a-56,
3745 as amended by this act.

3746 (f) If, upon all the evidence and after a complete hearing, the
3747 presiding officer finds that the respondent has not engaged in any
3748 alleged discriminatory practice, the presiding officer shall [state the
3749 presiding officer's] make written findings of fact and shall [issue and]
3750 file with the commission and [cause to be served] serve on the
3751 complainant and respondent an order dismissing the complaint.

3752 (g) Any payment received by a complainant under this chapter or
3753 under any equivalent federal antidiscrimination law, either as a
3754 settlement of a claim or as an award made in a judicial or
3755 administrative proceeding, shall not be considered as income,
3756 resources or assets for the purpose of determining the eligibility of or
3757 amount of assistance to be received by such person in the month of
3758 receipt or the three months following receipt under the state
3759 supplement program, Medicaid or any other medical assistance

program, temporary family assistance program, state-administered general assistance program, or the temporary assistance for needy families program. After such time period, any remaining funds shall be subject to state and federal laws governing such programs, including, but not limited to, provisions concerning an individual development [accounts] account, as defined in section 31-51ww.

Sec. 79. Section 46a-89 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) (1) Whenever a complaint [is filed with or by the commission] filed pursuant to section 46a-82, as amended by this act, [alleging] alleges a violation of section 46a-60 or 46a-81c, and [a commissioner] the executive director believes [, upon review and the recommendation of the investigator assigned,] that equitable relief is required to prevent irreparable harm to the complainant, the [commissioner] commission may bring a petition [in equity] in the superior court for the judicial district of Hartford, the judicial district in which the discriminatory practice which is the subject of the complaint occurred or the judicial district in which the respondent resides, provided this subdivision shall not apply to complaints against employers with less than fifty employees.

(2) The petition shall seek appropriate temporary injunctive relief against the respondent pending final disposition of the complaint pursuant to the procedures set forth in this chapter. The injunctive relief may include an order temporarily restraining the respondent from doing any act that would render ineffectual any order a presiding officer may render with respect to the complaint.

(3) Upon service on the respondent of notice pursuant to section 46a-89a, the respondent shall be temporarily restrained from taking any action that would render ineffectual the temporary injunctive relief [prayed for] requested in the petition, provided nothing in this section shall be construed to prevent the respondent from having any

employment duties [,] enjoined under this section and section 46a-89a, from being carried out by another employee and the notice shall so provide.

(b) (1) Whenever a complaint filed pursuant to section 46a-82, as amended by this act, alleges a violation of section 46a-64, 46a-64c, 46a-81d or 46a-81e, and [a commissioner] the commission believes that injunctive relief is required or that the imposition of punitive damages or a civil penalty would be appropriate, the commission may bring a petition in the superior court for the judicial district in which the discriminatory practice which is the subject of the complaint occurred or the judicial district in which the respondent resides.

(2) The petition shall seek: (A) Appropriate injunctive relief, including temporary or permanent orders or decrees restraining and enjoining the respondent from selling or renting to anyone other than the complainant or otherwise making unavailable to the complainant any dwelling or commercial property with respect to which the complaint is made, pending the final determination of such complaint by the commission or such petition by the court; (B) an award of damages based on the remedies available under subsection (c) of section 46a-86, as amended by this act; (C) an award of punitive damages payable to the complainant, not to exceed fifty thousand dollars; (D) a civil penalty payable to the state against the respondent to vindicate the public interest: (i) In an amount not exceeding ten thousand dollars if the respondent has not been adjudged to have committed any prior discriminatory housing practice; (ii) in an amount not exceeding twenty-five thousand dollars if the respondent has been adjudged to have committed one other discriminatory housing practice during the five-year period prior to the date of the filing of this complaint; and (iii) in an amount not exceeding fifty thousand dollars if the respondent has been adjudged to have committed two or more discriminatory housing practices during the seven-year period prior to the date of the filing of the complaint; except that if the acts constituting the discriminatory housing practice that is the object of the

3824 complaint are committed by the same natural person who has been
3825 previously adjudged to have committed acts constituting a
3826 discriminatory housing practice, then the civil penalties set forth in
3827 clauses (ii) and (iii) of this subparagraph may be imposed without
3828 regard to the period of time within which any subsequent
3829 discriminatory housing practice occurred; or (E) two or more of such
3830 remedies.

3831 (3) Upon service on the respondent of notice pursuant to section
3832 46a-89a, the respondent shall be temporarily restrained from selling or
3833 renting the dwelling or commercial property which is the subject of the
3834 complaint to anyone other than the complainant, or from otherwise
3835 making such dwelling or commercial property unavailable to the
3836 complainant, until the court or judge has decided the petition for
3837 temporary injunctive relief and the notice shall so provide.

3838 Sec. 80. Section 46a-90a of the general statutes is repealed and the
3839 following is substituted in lieu thereof (*Effective October 1, 2015*):

3840 (a) The **[**chairperson of the commission**]** chief referee shall schedule
3841 a date for a hearing pursuant to section 46a-84, as amended by this act,
3842 to be held within forty-five days of any temporary injunctive relief or
3843 restraining order issued pursuant to section 46a-89a. Such temporary
3844 injunctive relief or restraining order shall remain in effect until the
3845 presiding officer renders **[**his**]** a decision on the complaint. If the
3846 commission does not conduct its hearing procedure with reasonable
3847 **[**dispatch**]** speed, the court, on the motion of the respondent and for
3848 good cause shown, shall remove such temporary injunction and
3849 assume jurisdiction of all civil proceedings arising out of the complaint
3850 and shall set the matter for hearing on the merits. The presiding officer
3851 shall render **[**his**]** a decision within twenty days after the close of
3852 evidence and the filing of briefs.

3853 (b) When the presiding officer finds that the respondent has
3854 engaged in any discriminatory practice prohibited by section 46a-60,

3855 46a-64, 46a-64c, 46a-81c, 46a-81d or 46a-81e and grants relief on the
3856 complaint, [which relief requires that such] requiring that a temporary
3857 injunction remain in effect, the [commission chairperson] executive
3858 director may, through the procedure outlined in subsection (a) of
3859 section 46a-95, petition the court which granted the original temporary
3860 injunction to make the injunction permanent.

3861 (c) Upon issuance of a permanent injunction, the case shall be
3862 returned to the commission for such further action as is authorized by
3863 this chapter.

3864 (d) Any temporary injunction issued under [the provisions of]
3865 section 46a-89a shall remain in effect during any appeal under section
3866 46a-94a, as amended by this act, or any enforcement procedure under
3867 section 46a-95, unless removed by the court. [or a judge thereof.]

3868 Sec. 81. Section 46a-94a of the general statutes is repealed and the
3869 following is substituted in lieu thereof (*Effective October 1, 2015*):

3870 (a) The [Commission on Human Rights and Opportunities]
3871 commission, any respondent or any complainant, aggrieved by a final
3872 order of a presiding officer, [or any complainant] may appeal to the
3873 Superior Court in accordance with section 4-183. Any complainant
3874 may appeal to the Superior Court in accordance with section 4-183 if
3875 the complainant is aggrieved by (1) the dismissal of his or her
3876 complaint by the commission for failure to attend a mandatory
3877 mediation session as provided in subsection [(c)] (m) of section 46a-83,
3878 (2) a finding of no reasonable cause as provided in subsection [(e) of
3879 said] (g) of section 46a-83, or (3) rejection of reconsideration [of any
3880 dismissal] as provided in subsection [(f) of said] (h) of section 46a-83. [,
3881 may appeal therefrom in accordance with section 4-183. The court on
3882 appeal shall also have jurisdiction to grant to the commission,
3883 respondent or complainant such temporary relief or restraining order
3884 as it deems just and suitable, and in like manner to make and enter a
3885 decree enforcing or modifying and enforcing as so modified or setting

3886 aside, in whole or in part, the order sought to be reviewed.]

3887 (b) Notwithstanding the provisions of subsection (a) of this section,
3888 a complainant may not appeal the dismissal of his or her complaint if
3889 he or she has been granted a release pursuant to section 46a-101, as
3890 amended by this act.

3891 (c) The commission on its own motion may, whenever justice so
3892 requires, reopen any matter previously closed, [by the commission in
3893 accordance with the provisions of this subsection,] provided such
3894 matter has not been appealed to the Superior Court pursuant to
3895 [section 4-183] subsection (a) of this section. Notice of such reopening
3896 shall be given to all parties. A complainant or respondent may, for
3897 good cause shown, in the interest of justice, apply in writing for the
3898 reopening of a previously closed proceeding, provided such
3899 application is filed with the executive director of the commission
3900 within two years of the commission's final decision and the
3901 complainant has (1) not been issued a release of jurisdiction pursuant
3902 to section 46a-83a, as amended by this act, and filed a civil action, or (2)
3903 requested and received a release of jurisdiction from the commission
3904 pursuant to section 46a-101, as amended by this act.

3905 (d) The standards for reopening a matter may include, but are not
3906 limited to: (1) A material mistake of fact or law has occurred; (2) the
3907 finding is arbitrary or capricious; (3) the finding is clearly erroneous in
3908 view of the reliable, probative and substantial evidence on the whole
3909 record; and (4) new evidence has been discovered which materially
3910 affects the merits of the case and which, for good reasons, was not
3911 presented during the investigation.

3912 Sec. 82. Subsection (a) of section 46a-98 of the general statutes is
3913 repealed and the following is substituted in lieu thereof (*Effective*
3914 *October 1, 2015*):

3915 (a) In lieu of, but not in addition to, filing a complaint with the
3916 [Commission on Human Rights and Opportunities] commission

3917 pursuant to section 46a-82, as amended by this act, any person
3918 claiming to be aggrieved by a violation of section 46a-66 or 46a-81f
3919 may bring an action under this section against a creditor, as defined in
3920 section 46a-65, in the superior court for the judicial district in which
3921 such aggrieved person resides or in which the alleged violation took
3922 place.

3923 Sec. 83. Section 46a-98a of the general statutes is repealed and the
3924 following is substituted in lieu thereof (*Effective October 1, 2015*):

3925 Any person claiming to be aggrieved by a violation of section 46a-
3926 64c or 46a-81e or by a breach of a conciliation agreement entered into
3927 pursuant to this chapter, may bring an action in the Superior Court, or
3928 the housing session of said court if appropriate within one year of the
3929 date of the alleged discriminatory practice or of a breach of a
3930 conciliation agreement entered into pursuant to this chapter. No action
3931 pursuant to this section may be brought in the Superior Court
3932 regarding the alleged discriminatory practice after the commission has
3933 obtained a conciliation agreement pursuant to section 46a-83 or
3934 commenced a hearing pursuant to section 46a-84, as amended by this
3935 act, except for an action to enforce the conciliation agreement. The
3936 court shall have the power to grant relief, by injunction or otherwise,
3937 as it deems just and suitable. **[**In addition to the penalties provided for
3938 under subsection (g) of section 46a-64c or subsection (f) of section 46a-
3939 81e, the**]** The court may grant any relief which a presiding officer may
3940 grant in a proceeding under section 46a-86, as amended by this act, or
3941 which the court may grant in a proceeding under section 46a-89, as
3942 amended by this act. The commission, through commission legal
3943 counsel or the Attorney General, may intervene as a matter of right in
3944 any action brought pursuant to this section without permission of the
3945 court or the parties.

3946 Sec. 84. Section 46a-100 of the general statutes is repealed and the
3947 following is substituted in lieu thereof (*Effective October 1, 2015*):

3948 Any person who has [timely] filed a complaint with the
3949 [Commission on Human Rights and Opportunities] the commission in
3950 accordance with section 46a-82, as amended by this act, and who has
3951 obtained a release [from the commission] of jurisdiction in accordance
3952 with section 46a-83a, as amended by this act, or 46a-101, as amended
3953 by this act, may [also] bring an action in the superior court for the
3954 judicial district in which the discriminatory practice is alleged to have
3955 occurred, [or] the judicial district in which the respondent transacts
3956 business or the judicial district in which the complainant resides,
3957 except any action involving a state agency or official may be brought in
3958 the superior court for the judicial district of Hartford.

3959 Sec. 85. Section 46a-101 of the general statutes is repealed and the
3960 following is substituted in lieu thereof (*Effective October 1, 2015*):

3961 (a) No action may be brought in accordance with section 46a-100, as
3962 amended by this act, unless the complainant has received a release
3963 from the commission in accordance with the provisions of this section.

3964 (b) The complainant and the respondent, by themselves or their
3965 attorneys, may jointly request that the complainant receive a release
3966 from the commission at any time from the date of filing the complaint.
3967 The complainant or the complainant's attorney may request a release
3968 from the commission if the complaint is still pending after the
3969 expiration of one hundred eighty days from the date of its filing or
3970 after a [merit] case assessment review in accordance with subsection
3971 [(b)] (c) of section 46a-83, whichever is earlier. The executive director
3972 or the executive director's designee shall conduct an expedited [merit]
3973 case assessment review in accordance with subsection (b) of section
3974 46a-83 if the commission receives a request for a release of jurisdiction
3975 from the complainant [or the complainant's attorney] prior to one
3976 hundred eighty days from the date a complaint is filed.

3977 (c) The executive director of the commission shall grant a release,
3978 allowing the complainant to bring a civil action, [within] not later than

3979 ten business days after the date of receipt of the request for the release,
3980 except that if a case is scheduled for public hearing, the executive
3981 director may decline to issue a release. The commission may defer
3982 acting on a request for a release for thirty days if the executive director
3983 of the commission, or [his] the executive director's designee, certifies
3984 that [he has] there is reason to believe that the complaint may be
3985 resolved within that period.

3986 (d) Upon granting a release, the commission shall dismiss or
3987 otherwise administratively dispose of the discriminatory practice
3988 complaint pending with the commission without cost or penalty
3989 assessed to any party.

3990 (e) Any action brought by the complainant in accordance with
3991 section 46a-100, as amended by this act, shall be brought [within] not
3992 later than ninety days after the date of the receipt of the release from
3993 the commission.

3994 Sec. 86. Subsection (b) of section 46a-82c of the general statutes is
3995 repealed and the following is substituted in lieu thereof (*Effective*
3996 *October 1, 2015*):

3997 (b) The time frame contained in subsection [(b)] (c) of section 46a-83
3998 to conduct a [merit] case assessment review shall be tolled if an answer
3999 is not timely received from the date the respondent's answer is due
4000 pursuant to subsection (a) of section 46a-83 until the date the answer is
4001 actually received by the commission.

4002 Sec. 87. Subsection (b) of section 46a-55 of the general statutes, as
4003 amended by section 11 of public act 15-18, is repealed and the
4004 following is substituted in lieu thereof (*Effective October 1, 2015*):

4005 (b) The executive director, through the supervising attorney, may
4006 assign a commission legal counsel to represent the commission in any
4007 hearing or appeal under subparagraph (A) of subdivision (2) of
4008 subsection (e) of section 4-61dd. Commission legal counsel may

4009 intervene as a matter of right in any such hearing or appeal without
4010 permission of the parties, a hearing officer or the court.

4011 Sec. 88. Subdivision (11) of subsection (a) of section 4a-60g of the
4012 general statutes, as amended by section 59 of this act, is repealed and
4013 the following is substituted in lieu thereof (*Effective January 1, 2016*):

4014 (11) "Quasi-public agency" **[**means the Connecticut Health and
4015 Educational Facilities Authority, the Connecticut Higher Education
4016 Supplemental Loan Authority, the Connecticut Student Loan
4017 Corporation, the Connecticut Housing Finance Authority, the
4018 Connecticut Housing Authority, the Materials Innovation and
4019 Recycling Authority, the Connecticut Lottery Corporation, the
4020 Connecticut Airport Authority, the Health Information Technology
4021 Exchange of Connecticut, the Connecticut Health Insurance Exchange,
4022 the Connecticut Green Bank, the Connecticut Port Authority and the
4023 State Education Resource Center**]** has the same meaning as provided in
4024 section 1-120.

4025 Sec. 89. (*Effective July 1, 2015*) (a) (1) Up to $100,000 of the amount
4026 appropriated in section 1 of public act 13-247, as amended by public
4027 act 14-47, to the Department of Energy and Environmental Protection,
4028 for Other Expenses, for the fiscal year ending June 30, 2015, shall not
4029 lapse on June 30, 2015, and such funds shall be available for the
4030 purposes specified in subsection (b) of this section for the fiscal year
4031 ending June 30, 2016.

4032 (2) Up to $205,000 of the amount appropriated in section 1 of public
4033 act 13-247, as amended by public act 14-47, to the Department of
4034 Energy and Environmental Protection, for Solid Waste, for the fiscal
4035 year ending June 30, 2015, shall not lapse on June 30, 2015, and such
4036 funds shall be transferred to Other Expenses, and shall be available for
4037 the purposes specified in subsection (b) of this section for the fiscal
4038 year ending June 30, 2016.

4039 (3) Up to $200,000 of the amount appropriated in section 1 of public

4040 act 13-247, as amended by public act 14-47, to the Department of
4041 Energy and Environmental Protection, for Environmental
4042 Conservation, for the fiscal year ending June 30, 2015, shall not lapse
4043 on June 30, 2015, and such funds shall be transferred to Other
4044 Expenses, and shall be available for the purposes specified in
4045 subsection (b) of this section for the fiscal year ending June 30, 2016.

4046 (4) Up to $200,000 of the amount appropriated in section 1 of public
4047 act 13-247, as amended by public act 14-47, to the Department of
4048 Energy and Environmental Protection, for Environmental Quality, for
4049 the fiscal year ending June 30, 2015, shall not lapse on June 30, 2015,
4050 and such funds shall be transferred to Other Expenses, and shall be
4051 available for the purposes specified in subsection (b) of this section for
4052 the fiscal year ending June 30, 2016.

4053 (b) For the fiscal year ending June 30, 2016, the Department of
4054 Energy and Environmental Protection shall make the following grants:
4055 $40,000 to the New London County 4-H Camp in North Franklin;
4056 $135,000 for the West River Watershed Plan; $300,000 to Action for
4057 Bridgeport Community Development, Inc. for its weatherization
4058 program; $50,000 to provide drinking water for certain residents
4059 affected by contaminated groundwater and $180,000 for the aquatic
4060 invasive species management program established in section 22a-339i
4061 of the general statutes.

4062 Sec. 90. (*Effective July 1, 2015*) Up to $40,000 of the amount
4063 appropriated in section 1 of public act 13-247, as amended by public
4064 act 14-47, to the Department of Energy and Environmental Protection,
4065 for Solid Waste, for the fiscal year ending June 30, 2015, shall not lapse
4066 on June 30, 2015, and such funds shall be transferred to Dam
4067 Maintenance, and shall be available during the fiscal year ending June
4068 30, 2016, as follows: $20,000 for a hydrology study in the town of
4069 Ledyard and $20,000 for a hydrology study in the town of East
4070 Hampton.

4071 Sec. 91. (*Effective July 1, 2015*) Up to $250,000 of the amount
4072 appropriated in section 1 of public act 13-247, as amended by public
4073 act 14-47, to the Judicial Department, for Juvenile Alternative
4074 Incarceration, for the fiscal year ending June 30, 2015, shall not lapse
4075 on June 30, 2015, and such funds shall be available during the fiscal
4076 year ending June 30, 2016, for a grant to the COMPASS Youth
4077 Collaborative, Inc. Peacebuilders program.

4078 Sec. 92. (*Effective July 1, 2015*) Up to $1,100,000 of the amount
4079 appropriated in section 1 of public act 14-47 to the Office of Policy and
4080 Management, for Tax Relief for Elderly Renters, shall not lapse on June
4081 30, 2015, and such funds shall be transferred to the
4082 litigation/settlement account.

4083 Sec. 93. (*Effective July 1, 2015*) Notwithstanding sections 7-127d to 7-
4084 127g, inclusive, of the general statutes, the sum of $1,000,000
4085 appropriated in section 1 of public act 15-244 to the Department of
4086 Education, for Neighborhood Youth Centers, for each of the fiscal
4087 years ending June 30, 2016, and June 30, 2017, shall be made available
4088 in each such fiscal year for grants to the Boys and Girls Clubs of
4089 America located within the state.

4090 Sec. 94. (*Effective July 1, 2015*) The following amounts appropriated
4091 in section 1 of public act 15-244 to the Judicial Department, for Youth
4092 Services Prevention, for each of the fiscal years ending June 30, 2016,
4093 and June 30, 2017, shall be made available in each of said fiscal years
4094 for the following grants: $113,110 to Boys and Girls Club of Stamford;
4095 $35,000 to Archipelago Inc. - Project Music; $148,110 to Faith
4096 Tabernacle Baptist Church; $16,788 to Prudence Crandall Center, Inc.;
4097 $16,788 to Family Enrichment Center of the Hospital of Central
4098 Connecticut; $50,000 to OIC of New Britain Inc. - Project G.R.E.A.T;
4099 $50,000 to Pathways/Senderos; $100,000 to Human Resources Agency
4100 of New Britain, Inc.; $35,000 to Mi Casa, Hispanic Health Council;
4101 $30,000 to Charter Oak Amateur Boxing Academy and Youth
4102 Development Program (COBA); $30,000 to Southwest Boys and Girls

4103 Club/ 1 Chandler Street, Hartford; $34,000 to Youth Challenge; $30,662
4104 to BSL Educational Foundation of Alpha Phi Alpha, Inc.; $31,000 to
4105 Town of Windsor - Collaborative; $31,000 to Supreme Being, Inc.;
4106 $25,000 to Phillips Metropolitan Christian Methodist Episcopal
4107 Church; $5,000 to Windsor Troop 49; $156,700 to North End Action
4108 Team; $111,975 to The Village Initiative Project, Inc. - VIP College Prep
4109 and Life Skills; $80,000 to Bridgeport Caribe Youth League Inc.; $31,975
4110 to McGivney Community Center Inc.; $211,151 to Serving All Vessels
4111 Equally; $60,394 to Walnut Orange Walsh Neighborhood; $60,394 to St.
4112 Margaret Willow Plaza NRZ, Assoc., Inc.; $60,394 to Hispanic
4113 Coalition of Greater Waterbury; $60,394 to The Boys and Girls Club of
4114 Greater Waterbury; $60,394 to Waterbury Police Activity League, Inc.;
4115 $60,394 to Rivera Memorial Foundation, Inc.; $124,004 to Dixwell
4116 Children's Creative Arts Center; $50,000 to Police Athletic League of
4117 New Haven; $174,004 to Arte Inc.; $50,000 to 'r Kids Family Center;
4118 $74,004 to Guns Down, Books Up; $50,000 to EIR Urban Youth Boxing,
4119 Inc.; $45,986 to Foster Buddies Network/Hartford Boxing Center;
4120 $30,000 to Police Athletic League of Hartford; $40,000 to Compass
4121 Youth Collaborative Peacebuilders Program; $111,975 to Walter E.
4122 Luckett, Jr. Foundation; $40,538 to Little League Baseball, Inc.; $40,539
4123 to New London Youth Football League; $85,150 to East Hartford Youth
4124 Services; $85,150 to Manchester Youth Service Bureau; $61,975 to Boys
4125 and Girls Club of Bridgeport, Inc.; $50,000 to Bridgeport Caribe Youth
4126 League Inc.; $32,662 to Upper Albany Collaborative; $20,000 to
4127 C.U.R.E.T; $50,000 to Hartford Knights; $20,000 to Blue Hill Civic
4128 Association; $35,000 to Artists Collective; $35,000 to Ebony
4129 Horsewomen; $25,000 to Youth Challenge; $27,662 to Goodworks, Inc.;
4130 $62,000 to M.G.L.L, Inc.; $15,000 to City of Hartford Southend Boys
4131 Scouts; $45,000 to Department of Families, Children, Youth and
4132 Recreation/City of Hartford; $111,975 to Kenneth R. Jacksons
4133 Mentoring Services, Inc.; $111,975 to Mount Aery Development
4134 Corporation; $16,712 to Girls, Inc.; $16,712 to Boys and Girls Club of
4135 Meriden; $16,712 to Beat the Street Community Center; $16,712 to
4136 Meriden YMCA; $16,712 to Women and Families Center; $16,712 to

4137 City of Meriden/Youth Services Division; $16,712 to City of
4138 Meriden/Police Cadets; $16,712 to Rushford Hospital Youth Program;
4139 $16,712 to New Opportunities of Greater Meriden/Boys to Men
4140 Program.

4141 Sec. 95. (*Effective July 1, 2015*) For the biennium ending June 30, 2017,
4142 the Department of Social Services shall provide grants under the
4143 Fatherhood Initiative Program proportionately to the same providers
4144 that received funding for said program in the fiscal year ending June
4145 30, 2015.

4146 Sec. 96. (*Effective July 1, 2015*) The amounts appropriated in section 1
4147 of public act 15-244 to the Labor Department, for Cradle to Career, for
4148 the fiscal years ending June 30, 2016, and June 30, 2017, shall be
4149 available for the following grants: $50,000 to the United Way of Coastal
4150 Fairfield County in Bridgeport; $50,000 to the Stepping Stones
4151 Museum for Children in Norwalk on behalf of Norwalk ACTS; $50,000
4152 to United Way of Western Connecticut in Danbury; and $50,000 to the
4153 Bridge to Success Community Partnership in Waterbury, for the
4154 purpose of establishing a public-private partnership with community
4155 organizations to improve the Cradle to Career Network.

4156 Sec. 97. Subsection (d) of section 10-183t of the general statutes is
4157 repealed and the following is substituted in lieu thereof (*Effective July*
4158 *1, 2015*):

4159 (d) The Treasurer shall establish a separate retired teachers' health
4160 insurance premium account within the Teachers' Retirement Fund.
4161 Commencing July 1, 1989, and annually thereafter all health benefit
4162 plan contributions withheld under this chapter in excess of five
4163 hundred thousand dollars shall, upon deposit in the Teachers'
4164 Retirement Fund, be credited to such account. Interest derived from
4165 the investment of funds in the account shall be credited to the account.
4166 Funds in the account shall be used for (1) payments to boards of
4167 education pursuant to subsection (c) of this section and for payment of

premiums on behalf of members, spouses of members, surviving spouses of members or disabled dependents of members participating in one or more health insurance plans pursuant to subsection (a) of this section in an amount equal to the difference between the amount paid pursuant to subsection (a) of this section and the amount paid pursuant to subsection (c) of this section, and (2) payments for professional fees associated with the administration of the health benefit plans offered pursuant to this section. [of not more than one hundred fifty thousand dollars annually.] If, during any fiscal year, there are insufficient funds in the account for the purposes of all such payments, the General Assembly shall appropriate sufficient funds to the account for such purpose.

Sec. 98. Section 10-183r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

The system shall be funded as follows:

(1) Except as provided in subdivision (3) of this [subsection] section, all expenses of the administration of the system, exclusive of payment of benefits, shall be paid for out of amounts appropriated by the General Assembly on certifications and recommendations submitted by the board.

(2) The cost of all benefits payable from the system shall be paid out of the retirement fund which shall consist of contributions paid by members, appropriations by the General Assembly based upon certifications and recommendations submitted by the board, the proceeds of bonds held by the system under section 10-183m, the proceeds of bonds issued pursuant to section 10-183qq and earnings of the system.

(3) Professional fees associated with the administration of the health benefit plans offered pursuant to section 10-183t, as amended by this act, [of not more than one hundred fifty thousand dollars annually] may be paid for out of the retired teachers' health insurance premium

account established pursuant to said section 10-183t.

Sec. 99. Section 2-71p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) As used in this section, unless the context indicates a different meaning, "supplies", "materials" and "equipment" mean any and all articles of personal property furnished to or used by the Legislative Department, including all printing, binding, publication of laws, stationery, forms and reports; "contractual services" means any and all laundry and cleaning service, pest control service, janitorial service, security service, the rental and repair, or maintenance, of equipment, machinery and other state-owned personal property, advertising and photostating, mimeographing, data entry, data processing and other similar service arrangements where the services are provided by persons other than state employees; "competitive bidding" means the submission of prices by persons, firms or corporations competing for a contract to provide supplies, materials, equipment or contractual services, under a procedure in which the contracting authority does not negotiate prices; "competitive negotiation" means a procedure for contracting for supplies, materials, equipment or contractual services, in which (1) proposals are solicited from qualified suppliers by a request for proposals, and (2) changes may be negotiated in proposals and prices after being submitted; "bidder" means a person, firm or corporation submitting a competitive bid in response to a solicitation; and "proposer" means a person, firm or corporation submitting a proposal in response to a request for proposals.

(b) (1) All purchases of, and contracts for, supplies, materials, equipment and contractual services required by the Legislative Department, except purchases made pursuant to subsection (c) of this section and public utility services as provided in subsection (e) of this section, and (2) all sales by said department of such personal property which has become obsolete, unserviceable or unusable, shall be based, when possible, on competitive bids or competitive negotiation,

4231 provided in the case of such sales, the Joint Committee on Legislative
4232 Management may, in its discretion, sell the property at public auction.
4233 The committee shall solicit competitive bids or proposals by sending
4234 notices to prospective suppliers and by posting notice on a public
4235 bulletin board in a building under the supervision and control of the
4236 Joint Committee on Legislative Management. Each bid and proposal
4237 shall be kept sealed or secured until opened publicly at the time stated
4238 in the notice soliciting such bid. If the amount of the expenditure or
4239 sale is estimated to exceed fifty thousand dollars, competitive bids or
4240 proposals shall be solicited by public notice, inserted at least once in
4241 not fewer than three daily newspapers published in the state, and at
4242 least five calendar days before the final date for submitting bids. All
4243 purchases or sales of ten thousand dollars or less in amount shall be
4244 made in the open market, but shall be based, when possible, on at least
4245 three competitive quotations.

4246 (c) The committee may waive the requirement of competitive
4247 bidding or competitive negotiation in the case of minor nonrecurring
4248 and emergency purchases of ten thousand dollars or less in amount.
4249 The committee shall adopt guidelines establishing (1) standards and
4250 procedures for using competitive negotiation for purchases and
4251 contracts, including but not limited to, criteria which shall be
4252 considered in making purchases by competitive negotiation and the
4253 weight which shall be assigned to each such criterion, and (2)
4254 standards and procedures under which additional purchases may be
4255 made under existing contracts.

4256 (d) Whenever an emergency exists by reason of extraordinary
4257 conditions or contingencies that could not reasonably be foreseen and
4258 guarded against, or because of unusual trade or market conditions, the
4259 committee may, if it is for the best interest of the state, waive the
4260 requirement that purchases be based on competitive bids or
4261 competitive negotiation as provided in this section. A statement of all
4262 such purchases and sales made under the provisions of this subsection
4263 shall be set forth in the annual report of the committee.

4264 (e) The purchase of or contract for the following public utility
4265 services shall not be subject to competitive bidding or competitive
4266 negotiation: (A) Electric distribution services; (B) water services; (C)
4267 gas distribution services; (D) electric generation services until the date
4268 such services are competitive pursuant to the schedule set forth in
4269 section 16-244b, provided electric generation services shall be exempt
4270 from competitive bidding and competitive negotiation after said date if
4271 such services are provided by an electric municipal utility other than
4272 by a participating electric municipal utility, as defined in section 16-1,
4273 in the service area of said electric municipal utility; and (E) gas supply
4274 services until the date such services are competitive pursuant to
4275 legislative act or order of the Public Utilities Regulatory Authority,
4276 provided gas supply services shall be exempt from competitive
4277 bidding and competitive negotiation after said date if such services are
4278 provided by a gas municipal utility in the service area of said gas
4279 municipal utility.

4280 (f) As used in this section, (1) "lowest responsible qualified bidder"
4281 means the bidder whose bid is the lowest of those bidders possessing
4282 the skill, ability and integrity necessary to faithful performance of the
4283 work based on objective criteria considering past performance and
4284 financial responsibility, and (2) "highest scoring bidder in a multiple
4285 criteria bid" means the bidder whose bid receives the highest score for
4286 a combination of attributes, including, but not limited to, price, skill,
4287 ability and integrity necessary for the faithful performance of the work,
4288 based on multiple criteria considering quality of product, warranty,
4289 life-cycle cost, past performance, financial responsibility and other
4290 objective criteria that are established in the bid solicitation for the
4291 contract. Bidders shall submit with their bids essential information
4292 concerning their qualifications, in such form as the committee may
4293 require by specification in the bid documents. The committee may
4294 waive minor irregularities in bids and proposals if it determines that
4295 such a waiver would be in the best interest of the state. As used in this
4296 subsection, the term "minor irregularities" **[**shall**]** does not include

payment of less than the wage required under subsection (i) of this section, variations in the quality, unit price or date of delivery or completion of supplies, materials, equipment or contractual services, or exceptions to programs required under the general statutes. The committee shall state the reasons for any such waiver in writing and include such statement in the contract file.

(g) All open market orders or contracts shall be awarded to (1) the lowest responsible qualified bidder, the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the state government and the delivery terms being taken into consideration and, at the discretion of the committee, life-cycle costs and trade-in or resale value of the articles may be considered where it appears to be in the best interest of the department, (2) the highest scoring bidder in a multiple criteria bid, in accordance with the criteria set forth in the bid solicitation, or (3) the proposer whose proposal is deemed by the committee to be the most advantageous to the department, in accordance with the criteria set forth in the request for proposals, including price and evaluation factors. In considering past performance of a bidder for the purpose of determining the "lowest responsible qualified bidder" or the "highest scoring bidder in a multiple criteria bid", the committee shall evaluate the skill, ability and integrity of the bidder in terms of the bidder's fulfillment of past contract obligations and the bidder's experience or lack of experience in delivering supplies, materials, equipment or contractual services of the size or amount for which bids have been solicited. If any such bidder refuses to accept, within ten days, a contract awarded to such bidder, such contract may be awarded to the next lowest responsible qualified bidder or the next highest scoring bidder in a multiple criteria bid, whichever is applicable, and so on until such contract is awarded and accepted. If any such proposer refuses to accept, within ten days, a contract awarded to such proposer, such contract shall be awarded to the next most advantageous proposer, and so on until the contract is awarded and

accepted. There shall be a written evaluation made of each bid. This evaluation shall: Identify the vendors and their respective costs and prices; document the reason why any vendor is deemed to be nonresponsive; and recommend a vendor for award. The committee shall submit to the Auditors of Public Accounts an annual report of all awards made pursuant to the provisions of this section.

(h) When, in the opinion of the committee, the best interest of the state will be served thereby, it may order that any or all bids or proposals may be rejected. If all bids or proposals are so rejected, the committee shall advertise again for bids or proposals and such bids or proposals shall be opened, awarded and approved in like manner as provided in this section. If all bids or proposals received on a pending contract are for the same unit price or total amount, the committee may order the rejection of all bids or proposals and purchase of the required supplies, materials, equipment or contractual services in the open market, provided the price paid in the open market shall not exceed the bid price. Each bid or proposal, with the name of the bidder or proposer, shall be entered on a record, and each record, with the successful bid or proposal indicated thereon, shall, after the award of the order or contract, be open to public inspection.

(i) Each contract for contractual services entered into by the committee on and after July 1, 2015, shall require the contractor awarded such contract, and each subcontractor of such contractor, to pay each of the contractor's or subcontractor's employees providing services under such contract a wage of at least (1) fifteen dollars per hour, or (2) if applicable, the amount required to be paid under subsection (b) of section 31-57f, whichever is greater. The provisions of this subsection shall not apply to any employee providing services under such contract who receives services from the Department of Developmental Services.

[(i)**]** (j) Any purchase or contract for supplies, materials, equipment or contractual services contrary to the provisions of this section shall

4362 be void and of no effect.

4363 Sec. 100. Section 2-71t of the general statutes is amended by adding
4364 subsection (g) as follows (*Effective July 1, 2015*):

4365 (NEW) (g) Each personal service agreement executed by the
4366 committee under this section on and after July 1, 2015, regardless of
4367 whether such agreement was based on competitive negotiation or
4368 competitive quotations, shall require each personal service contractor,
4369 and each subcontractor of such contractor, to pay each of the
4370 contractor's or subcontractor's employees providing services under
4371 such agreement a wage of at least (1) fifteen dollars per hour, or (2) if
4372 applicable, the amount required to be paid under subsection (b) of
4373 section 31-57f, whichever is greater. The provisions of this subsection
4374 shall not apply to any employee providing services under such
4375 agreement who receives services from the Department of
4376 Developmental Services.

4377 Sec. 101. Section 2-71u of the general statutes is repealed and the
4378 following is substituted in lieu thereof (*Effective July 1, 2015*):

4379 **[**The**]** (a) Except as provided in subsection (b) of this section, the
4380 committee may extend a personal service agreement, as defined in
4381 subsection (a) of section 2-71t, or a contract based on competitive
4382 negotiation, as defined in subsection (a) of section 2-71p, without
4383 complying with the requirements of said sections, if the committee
4384 finds that an extension is in the best interests of the state. Such finding
4385 shall be based on a written determination that: (1) Issuing a request for
4386 proposals would cause a hardship for the state; (2) issuing a request for
4387 proposals would result in a major increase in the cost of such service;
4388 (3) the contractor is the sole source for such service; (4) the expiring
4389 contract is for a specific project, rather than an ongoing need for a
4390 service, which is still in progress; or (5) the expiring contract is for no
4391 more than three years and a change in contractors would entail
4392 substantial cost or disruption. No agreement or contract may be

4393 extended more than one time under this section.

4394 (b) On and after July 1, 2015, the committee shall not extend any
4395 personal service agreement or contract based on competitive
4396 negotiation under subsection (a) of this section unless such agreement
4397 or contract requires, or is modified to require, the personal service
4398 contractor or contractor, and each subcontractor of such personal
4399 service contractor or contractor, to pay each of the personal service
4400 contractor's, contractor's or subcontractor's employees providing
4401 services under such agreement or contract a wage of at least (1) fifteen
4402 dollars per hour, or (2) if applicable, the amount required to be paid
4403 under subsection (b) of section 31-57f, whichever is greater. The
4404 provisions of this subsection shall not apply to any employee
4405 providing services under such agreement or contract who receives
4406 services from the Department of Developmental Services.

4407 Sec. 102. Subsection (a) of section 16-1 of the general statutes, as
4408 amended by sections 2 and 3 of public act 15-107, is amended by
4409 adding subdivisions (49) and (50) as follows (*Effective July 1, 2015*):

4410 (NEW) (49) "Distributed energy resource" means any (A) customer-
4411 side distributed resource or grid-side distributed resource that
4412 generates electricity from a Class I renewable energy source or Class III
4413 source, and (B) customer-side distributed resource that reduces
4414 demand for electricity through conservation and load management,
4415 energy storage system which is located on the customer-side of the
4416 meter or is connected to the distribution system or microgrid.

4417 (NEW) (50) "Grid-side system enhancement" means an investment
4418 in distribution system infrastructure, technology and systems designed
4419 to enable the deployment of distributed energy resources and allow for
4420 grid management and system balancing, including, but not limited to,
4421 energy storage systems, distribution system automation and controls,
4422 intelligent field systems, advanced distribution system metering, and
4423 communication and systems that enable two-way power flow.

4424 Sec. 103. (NEW) (*Effective July 1, 2015*) (a) Notwithstanding
4425 subsection (a) of section 16-244e of the general statutes, each electric
4426 distribution company, as defined in section 16-1 of the general statutes,
4427 as amended by this act, shall submit a proposal or proposals to the
4428 Department of Energy and Environmental Protection for a pilot
4429 program to build, own or operate grid-side system enhancements,
4430 including, but not limited to, energy storage systems, as defined in
4431 section 16-1 of the general statutes, as amended by this act, for the
4432 purpose of demonstrating and investigating how distributed energy
4433 resources, as defined in said section 16-1, can be reliably and efficiently
4434 integrated into the operation of the electric distribution system in a
4435 manner that maximizes the value provided to the electric grid, electric
4436 ratepayers and the public from such resources. Such proposal shall
4437 complement and enhance the programs, products and incentives
4438 available through the Connecticut Green Bank and the Connecticut
4439 Energy Efficiency Fund, pursuant to sections 16-244r, 16-244s and 16-
4440 244t of the general statutes, and other similar programs that support
4441 the deployment of distributed energy resources.

4442 (b) The department shall evaluate such proposals and may approve
4443 such proposals if such proposals demonstrate: (1) How grid-side
4444 system enhancements, including, but not limited to, energy storage
4445 systems, can be reliably and cost-effectively integrated into the electric
4446 distribution system; and (2) that such proposals maximize the value
4447 provided to ratepayers. Any proposal that is approved by the
4448 department shall be subject to review and approval by the Public
4449 Utilities Regulatory Authority, and shall be approved by the authority
4450 if the authority concludes that investment in such grid-side system
4451 enhancement is reasonable, prudent and provides value to ratepayers.

4452 (c) Each electric distribution company may enter into joint
4453 ownership agreements, partnerships or other contractual agreements
4454 for services with private entities to carry out the provisions of this
4455 section. The costs incurred by the electric distribution companies
4456 pursuant to this section shall be recovered from all customers of the

4457 contracting electric distribution company through a fully reconciling
4458 component of electric rates for all customers of electric distribution
4459 companies, until the electric distribution company's next rate case, at
4460 which time such costs and investments shall be recoverable through
4461 base distribution rates.

4462 (d) Not later than January 1, 2017, the department shall evaluate
4463 such approved proposals pursuant to this section and submit a report,
4464 in accordance with the provisions of section 11-4a of the general
4465 statutes, to the joint standing committee of the General Assembly
4466 having cognizance of matters relating to energy, regarding the
4467 performance, costs and benefits associated with grid-side system
4468 enhancements, including, but not limited to, energy storage systems
4469 procured pursuant to this section.

4470 Sec. 104. Subdivision (57) of section 12-81 of the general statutes is
4471 amended by adding subparagraph (F) as follows (*Effective from*
4472 *passage*):

4473 (NEW) (F) For assessment years commencing on and after October
4474 1, 2015, any municipality may, by vote of its legislative body or, in a
4475 municipality where the legislative body is a town meeting, by vote of
4476 the board of selectmen, abate up to one hundred per cent of the
4477 property taxes due for any tax year, for not longer than the term of the
4478 power purchase agreement, with respect to any Class I renewable
4479 energy source, as defined in section 16-1, as amended by this act, that
4480 is the subject of such power purchase agreement approved by the
4481 Public Utilities Regulatory Authority pursuant to section 16a-3f.

4482 Sec. 105. (NEW) (*Effective July 1, 2015*) (a) As used in this section:

4483 (1) "Residential fixed charge" means any fixed fee charged to
4484 residential electric customers, including, but not limited to, (A) a fixed
4485 charge for distribution basic service, (B) a distribution customer service
4486 charge, (C) a customer charge, or (D) a basic service fee which is
4487 separate and distinct from any distribution charge per kilowatt-hour.

4488 (2) "Electric distribution company" has the same meaning as
4489 provided in section 16-1 of the general statutes, as amended by this act.

4490 (b) The Public Utilities Regulatory Authority shall adjust each
4491 electric distribution company's residential fixed charge upon such
4492 company's filing with the authority an amendment of rate schedules
4493 pursuant to section 16-19 of the general statutes to recover only the
4494 fixed costs and operation and maintenance expenses directly related to
4495 metering, billing, service connections and the provision of customer
4496 service.

4497 (c) The provisions in subsection (b) of this section shall not permit or
4498 enable the authority to cause a cost shift to other rate classes.

4499 (d) This section shall not apply to electric customers that subscribe
4500 to a residential electric heating service rate class.

4501 Sec. 106. (NEW) (*Effective July 1, 2015, and applicable to assessment*
4502 *years commencing on or after October 1, 2015*) Any municipality may, by
4503 vote of its legislative body or, in a municipality where the legislative
4504 body is a town meeting, by vote of the board of selectmen, abate up to
4505 one hundred per cent of the property taxes due for any tax year, for
4506 not more than twenty-five tax years, with respect to personal property
4507 of any gas company, as defined in section 16-1 of the general statutes,
4508 as amended by this act, in order to facilitate natural gas expansion
4509 projects in such municipality. The gas company shall include the
4510 amount of such abatement when calculating the hurdle rate pursuant
4511 to section 16-19ww of the general statutes for gas expansion projects
4512 within such municipality.

4513 Sec. 107. Section 16a-41b of the general statutes is amended by
4514 adding subsection (e) as follows (*Effective October 1, 2015*):

4515 (NEW) (e) The Low-Income Energy Advisory Board shall convene
4516 and devise recommendations to improve the implementation of
4517 heating assistance programs, particularly those created to benefit low-

4518 income households, through coordination and optimization of existing
4519 energy efficiency and energy assistance programs. Such
4520 recommendations shall consider: (1) How the Department of Energy
4521 and Environmental Protection, Department of Social Services,
4522 community action agencies, as defined by section 17b-885, electric
4523 distribution companies, as defined by section 16-1, as amended by this
4524 act, and municipal electric utilities, as defined by section 7-233b, can
4525 securely share heating assistance program applicant data, with respect
4526 to customer energy usage levels, past participation and eligibility for
4527 energy assistance and energy efficiency programs, and other data
4528 deemed relevant to improve coordination among such programs and
4529 program administrators; (2) the costs and benefits of current energy
4530 assistance and energy efficiency programs and how to maximize
4531 customer benefits through such customers' participation in any
4532 combination of energy assistance and energy efficiency programs; (3)
4533 how to streamline the application process for energy assistance and
4534 energy efficiency program applicants and the possible development of
4535 joint electronic applications; (4) how to make energy assistance and
4536 energy efficiency programs more accessible and feasible for tenants in
4537 rental housing units, including, but not limited to, how to best secure
4538 landlord permission for such services; and (5) coordination efforts to
4539 best improve boiler and furnace replacement programs. Not later than
4540 January 1, 2016, the Low-Income Energy Advisory Board shall report
4541 such recommendations, in accordance with section 11-4a, to the joint
4542 standing committees of the General Assembly having cognizance of
4543 matters relating to energy, appropriations and human services.

4544 Sec. 108. Subsection (o) of section 16-245o of the general statutes, as
4545 amended by section 2 of public act 15-90, is repealed and the following
4546 is substituted in lieu thereof (*Effective from passage*):

4547 (o) On or before October 1, 2015, the Public Utilities Regulatory
4548 Authority shall initiate a proceeding to develop recommendations and
4549 guidance regarding (1) what type of generation services rate structure
4550 is best suited for residential customers who allow a fixed contract with

4551 an electric supplier to expire and begin paying a month-to-month rate
4552 for generation services from such supplier; and (2) what [rate increase
4553 is just and reasonable if a generation services rate increase is necessary]
4554 change to the generation services rate and to the terms and conditions
4555 of such service that customers may experience after the expiration of a
4556 fixed contract [and] when such [customer begins] customers begin
4557 paying a month-to-month rate. The authority shall report, in
4558 accordance with the provisions of section 11-4a, the findings of such
4559 proceeding to the joint standing committee of the General Assembly
4560 having cognizance of matters relating to energy, on or before January
4561 1, 2016.

4562 Sec. 109. Section 7-222 of the general statutes is repealed and the
4563 following is substituted in lieu thereof (*Effective October 1, 2015*):

4564 (a) The price to be charged to persons or corporations for gas or
4565 electricity shall be fixed and shall not be changed more often than once
4566 in three months. Any change shall take effect on the first day of the
4567 month, and the new price adopted shall, before the change takes effect,
4568 be advertised at least one month in some newspaper published in the
4569 municipality where the plant is located and, if none is published
4570 therein, in some newspaper published in the county where the plant is
4571 situated. Such price shall be fixed on a basis of not less than a net profit
4572 per year of five per cent on the cost of the investment in plant made by
4573 the municipality and also depreciation of the plant at not less than five
4574 per cent per annum of its cost, and the price shall not be greater than to
4575 allow a net profit of eight per cent per annum to the municipality on
4576 such cost. In fixing such basis on which to establish the price to be
4577 charged to persons and corporations, the gas and electricity used by
4578 the municipality shall be charged to it at cost. A sufficient deposit to
4579 cover the payment for gas or electricity for three months may be
4580 required in advance from any taker, and the supply may be shut off
4581 from any premises until all arrearages for gas or electricity furnished
4582 thereon are paid. Such deposit may be made by cash, letter of credit or
4583 surety bond. After three months' default in payment of such

arrearages, all appliances for distribution on such premises belonging to the municipality may be removed and after such removal shall not be restored, except on payment of all such arrearages and a sufficient sum to cover all expenses incurred by the removal and restoration, with the penalty which the municipality may impose in such cases.

(b) The provisions of this section shall not apply to the sale of compressed natural gas.

(c) Each member municipal electric utility of a municipal electric energy cooperative, as defined in section 7-233b, may return fifty per cent of the deposit, as described in subsection (a) of this section, to each nonresidential electric customer if such customer's account remains in good standing for two years.

Sec. 110. Subdivision (5) of subsection (b) of section 4-66*l* of the general statutes, as amended by section 207 of public act 15-244, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(5) (A) For the fiscal year ending June 30, 2017, three million dollars shall be expended by the secretary for the purposes of the regional services grants pursuant to subsection (e) of this section to the regional councils of governments, **[**on a per capita basis, as determined by the most recent population estimate of the Department of Public Health**]** and (B) for the fiscal year ending June 30, 2018, and each fiscal year thereafter, seven million dollars shall be expended for the purposes of the regional services grants pursuant to subsection (e) of this section to the regional councils of governments; **[**on a per capita basis, as determined by the most recent population estimate of the Department of Public Health;**]** and

Sec. 111. Subsection (e) of section 4-66*l* of the general statutes, as amended by section 207 of public act 15-244, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

4614 (e) For the fiscal year ending June 30, 2017, and each fiscal year
4615 thereafter, each regional council of governments shall receive a
4616 regional services grant, the amount of which will be based on a
4617 formula to be determined by the secretary. No such council shall
4618 receive a grant for the fiscal year ending June 30, 2018, or any fiscal
4619 year thereafter, unless the secretary approves a spending plan for such
4620 grant moneys submitted by such council to the secretary on or before
4621 July 1, 2017, and annually thereafter. The regional councils of
4622 governments shall use such grants for planning purposes and to
4623 achieve efficiencies in the delivery of municipal services by
4624 regionalizing such services, including, but not limited to, region-wide
4625 consolidation of such services. Such efficiencies shall not diminish the
4626 quality of such services. A unanimous vote of the representatives of
4627 such council shall be required for approval of any expenditure from
4628 such grant. On or before October 1, 2017, and biennially thereafter,
4629 each such council shall submit a report, in accordance with section 11-
4630 4a, to the joint standing committees of the General Assembly having
4631 cognizance of matters relating to planning and development and
4632 finance, revenue and bonding. Such report shall summarize
4633 expenditure of such grants and provide recommendations concerning
4634 the expansion, reduction or modification of such grants.

4635 Sec. 112. (NEW) (*Effective October 1, 2015*) (a) For the purposes of this
4636 section, "employee welfare fund" shall have the same meaning as
4637 provided in subsection (i) of section 31-53 of the general statutes.

4638 (b) Any payment to an employee welfare fund that is past due
4639 under the terms of a written contract or rules and regulations adopted
4640 by the trustees of such funds shall be considered wages for the
4641 purpose of section 31-72 of the general statutes.

4642 (c) (1) Any sole proprietor or general partner, or officer, director or
4643 member of a corporation or limited liability company, who fails to
4644 make such payment when due to an employee welfare fund under the
4645 terms of a written contract or rules and regulations adopted by the

4646 trustees of such fund, or (2) any employee of a corporation or limited
4647 liability company who has been designated by the corporation or
4648 limited liability company to make such payment and who fails to make
4649 such payment when due to an employee welfare fund shall be
4650 personally liable in a civil action for payment of the amount due such
4651 fund, as well as court costs and reasonable attorney's fees.

4652 Sec. 113. (NEW) (*Effective January 1, 2016*) (a) As used in this section,
4653 the following terms shall have the following meanings:

4654 (1) "Capital project" means any acquisition, construction,
4655 rehabilitation or remodeling of any structure used or intended to be
4656 used for commercial purposes that is financed in whole or in part with
4657 funds or property from or arranged by the state, including, but not
4658 limited to, grants, loans, bonds, revenue bonds, tax increment
4659 financing, conveyance of real property or other means;

4660 (2) "Concession area" means a space or privilege granted within or
4661 upon a premises that is used for the purpose of a subsidiary business
4662 or service;

4663 (3) "Contractor" means a business entity or individual who is
4664 awarded a hospitality project contract;

4665 (4) "Hospitality project" means any (A) capital project involving a
4666 restaurant, bar, club, cafeteria or other food and beverage operation
4667 within or upon the premises of a hotel, or (B) concession area used to
4668 provide food and beverage or news or gift services within or upon the
4669 premises of a state-owned or operated facility that is financed or
4670 contracted for by the state;

4671 (5) "Hotel" means a commercial establishment where sleeping
4672 accommodations are offered for pay to transient guests;

4673 (6) "Labor peace agreement" means an agreement between a
4674 contractor, and any subcontractor thereof, and a labor organization

4675 representing hotel or concession area employees in the state that
4676 requires the labor organization and its members to refrain from
4677 engaging in labor activity that may disrupt the operations of the hotel
4678 or concession area, including, but not limited to, strikes, boycotts,
4679 work stoppages and picketing;

4680 (7) "State" means the state of Connecticut; and

4681 (8) "Substantial proprietary interest" means (A) a financial
4682 investment by the state of not less than six million dollars in any
4683 hospitality project, or twenty per cent of the cost of such project,
4684 whichever is less, in which the state shall be reimbursed under the
4685 terms of a finance agreement, or (B) any contract, lease or license
4686 entered into or issued pursuant to a hospitality project in which the
4687 state is entitled to receive rents, royalties or other payments in
4688 connection with a property provided by the state and based on the
4689 revenue of such hospitality project.

4690 (b) For any hospitality project entered into on or after January 1,
4691 2016, in which the state holds a substantial proprietary interest, the
4692 state shall require any contract for hotel or concession area operation
4693 or management services pursuant to such project to include a labor
4694 peace agreement between the contractor and any subcontractor, tenant
4695 or licensee thereof providing such operation or services and the labor
4696 organization representing or seeking to represent the employees of
4697 such hotel or concession area. Such labor peace agreement shall remain
4698 in effect until such time as the state's financial investment has been
4699 fully repaid.

4700 Sec. 114. (NEW) (*Effective July 1, 2015*) (a) For purposes of this
4701 section:

4702 (1) "Youth athletic activity" means an organized athletic activity
4703 involving participants of not less than seven years of age and not more
4704 than nineteen years of age, who (A) (i) engage in an organized athletic
4705 game or competition against another team, club or entity or in practice

4706 or preparation for an organized game or competition against another
4707 team, club or entity, or (ii) attend an organized athletic camp or clinic
4708 the purpose of which is to train, instruct or prepare such participants
4709 to engage in an organized athletic game or competition, and (B) (i) pay
4710 a fee to participate in such organized athletic game or competition or
4711 attend such camp or clinic, or (ii) whose cost to participate in such
4712 athletic game or competition or attend such camp or clinic is
4713 sponsored by a municipality, business or nonprofit organization.
4714 "Youth athletic activity" does not include any college or university
4715 athletic activity, or an athletic activity that is incidental to a nonathletic
4716 program or lesson; and

4717 (2) "Operator" means any municipality, business or nonprofit
4718 organization that conducts, coordinates, organizes or otherwise
4719 oversees any youth athletic activity but shall not include any
4720 municipality, business or nonprofit organization solely providing
4721 access to, or use of, any field, court or other recreational area, whether
4722 for compensation or not.

4723 (b) Not later than January 1, 2016, and annually thereafter, each
4724 operator of a youth athletic activity shall make available a written or
4725 electronic statement regarding concussions to each youth athlete and a
4726 parent or legal guardian of each youth athlete participating in the
4727 youth athletic activity. Such written or electronic statement shall be
4728 made available upon registration of each youth athlete and shall be
4729 consistent with the most recent information provided by the National
4730 Centers for Disease Control and Prevention regarding concussions.
4731 Such written or electronic statement shall include educational content
4732 addressing, at a minimum: (1) The recognition of signs or symptoms of
4733 a concussion, (2) the means of obtaining proper medical treatment for a
4734 person suspected of sustaining a concussion, (3) the nature and risks of
4735 concussions, including the danger of continuing to engage in youth
4736 athletic activity after sustaining a concussion, and (4) the proper
4737 procedures for allowing a youth athlete who has sustained a
4738 concussion to return to athletic activity.

4739 (c) No operator, or designee of such operator, shall be subject to civil
4740 liability for failing to make available the written or electronic statement
4741 regarding concussions pursuant to subsection (b) of this section.

4742 Sec. 115. Subsection (a) of section 10-149b of the general statutes is
4743 repealed and the following is substituted in lieu thereof (*Effective July*
4744 *1, 2015*):

4745 (a) (1) For the school year commencing July 1, 2010, and each school
4746 year thereafter, any person who holds or is issued a coaching permit
4747 by the State Board of Education and is a coach of intramural or
4748 interscholastic athletics shall complete an initial training course
4749 regarding concussions, **[**which are a type of brain injury,**]** developed or
4750 approved pursuant to subdivision (1) of subsection (b) of this section,
4751 prior to commencing the coaching assignment for the season of such
4752 school athletics.

4753 (2) For the school year commencing July 1, 2014, and each school
4754 year thereafter, any coach who has completed the initial training
4755 course described in subdivision (1) of this subsection shall annually
4756 review current and relevant information regarding concussions,
4757 prepared or approved pursuant to subdivision (2) of subsection (b) of
4758 this section, prior to commencing the coaching assignment for the
4759 season of such school athletics. Such annual review shall not be
4760 required in any year when such coach is required to complete the
4761 refresher course, pursuant to subdivision (3) of this subsection, for
4762 reissuance of his or her coaching permit.

4763 (3) For the school year commencing July 1, 2015, and each school
4764 year thereafter, a coach shall complete a refresher course, developed or
4765 approved pursuant to subdivision (3) of subsection (b) of this section,
4766 not later than five years after completion of the initial training course,
4767 as a condition of the reissuance of a coaching permit to such coach.
4768 Such coach shall thereafter retake such refresher course at least once
4769 every five years as a condition of the reissuance of a coaching permit to

4770 such coach.

4771 Sec. 116. (NEW) (*Effective July 1, 2015*) (a) There is established the
4772 Aquaculture Advisory Council. Such council shall be composed of the
4773 following members: (1) Three appointed by the Governor, one of
4774 whom shall be a representative of the shellfisheries industry who is
4775 licensed to operate less than one thousand acres of shellfish beds, one
4776 of whom shall be a representative from a marine habitat conservation
4777 organization and one of whom shall be a scholar in marine studies; (2)
4778 two appointed by the speaker of the House of Representatives, one of
4779 whom shall be a chief executive officer of a coastal municipality that is
4780 located west of the Connecticut River; (3) one appointed by the
4781 president pro tempore of the Senate who shall be a recreational
4782 shellfisherman; (4) one appointed by the majority leader of the House
4783 of Representatives who shall be a chief executive officer of a coastal
4784 municipality that is located east of the Connecticut River; (5) one
4785 appointed by the majority leader of the Senate who shall be a
4786 representative of the shellfisheries industry who is licensed to operate
4787 two thousand five hundred acres or more of shellfish beds; (6) one
4788 appointed by the minority leader of the House of Representatives who
4789 shall be a representative of a shellfish commission; (7) one appointed
4790 by the minority leader of the Senate who shall be a representative of
4791 the shellfisheries industry who is licensed to operate one thousand or
4792 more but less than two thousand five hundred acres of shellfish beds;
4793 (8) the Commissioner of Agriculture, or the commissioner's designee;
4794 (9) the Commissioner of Public Health, or the commissioner's designee;
4795 and (10) the Commissioner of Energy and Environmental Protection,
4796 or the commissioner's designee. Appointments shall be made not later
4797 than October 1, 2015. The Governor shall designate the chairperson of
4798 the council and the council shall elect a vice-chairperson from among
4799 its members. The council shall be located in the Agricultural
4800 Experiment Station for administrative purposes only.

4801 (b) The Aquaculture Advisory Council shall: (1) Develop a
4802 recommended plan to expand the shellfish industry in Connecticut; (2)

4803 provide recommendations on procedures for the public availability of
4804 maps indicating the names of state shellfish bed lessees; (3) review the
4805 state shellfish leasing process and make recommendations to the
4806 Governor and to the joint standing committee of the General Assembly
4807 having cognizance of matters relating to the environment for any
4808 recommended changes to such leases or lease processes; (4) review
4809 health and safety standards pertaining to the state's shellfish industry;
4810 (5) review existing laws and procedures pertaining to recreational
4811 shellfishing in Connecticut; (6) review other coastal states' laws and
4812 regulations pertaining to shellfish sizes and make recommendations
4813 for changes to Connecticut's shellfish size law; (7) coordinate with
4814 other states to inform recommendations on how to further develop the
4815 state's shellfish industry; and (8) provide recommendations on policies
4816 of the Department of Agriculture's Bureau of Aquaculture.

4817 (c) The advisory council shall meet quarterly. Not later than July 1,
4818 2016, and annually thereafter, the council shall submit a report on the
4819 status of the state's shellfish industry and any attendant
4820 recommendations to the Governor and the joint standing committee of
4821 the General Assembly having cognizance of matters relating to the
4822 environment, in accordance with the provisions of section 11-4a of the
4823 general statutes.

4824 Sec. 117. Section 4-61dd of the general statutes is amended by
4825 adding subsection (l) as follows (*Effective July 1, 2015*):

4826 (NEW) (l) (1) No officer or employee of a state shellfish grounds
4827 lessee shall take or threaten to take any personnel action against any
4828 employee of a state shellfish grounds lessee in retaliation for (A) such
4829 employee's disclosure of information to an employee of the leasing
4830 agency concerning information involving the state shellfish grounds
4831 lease, or (B) such employee's testimony or assistance in any proceeding
4832 under this section.

4833 (2) (A) Not later than ninety days after learning of the specific

4834 incident giving rise to a claim that a personnel action has been
4835 threatened or has occurred in violation of subdivision (1) of this
4836 subsection, an employee of a state shellfish grounds lessee or the
4837 employee's attorney may file a complaint against the state shellfish
4838 grounds lessee concerning such personnel action with the Chief
4839 Human Rights Referee designated under section 46a-57. Such
4840 complaint may be amended if an additional incident giving rise to a
4841 claim under this subdivision occurs subsequent to the filing of the
4842 original complaint. The Chief Human Rights Referee shall assign the
4843 complaint to a human rights referee appointed under section 46a-57,
4844 who shall conduct a hearing and issue a decision concerning whether
4845 the officer or employee taking or threatening to take the personnel
4846 action violated any provision of this subsection. The human rights
4847 referee may order a state shellfish grounds lessee to produce (i) an
4848 employee of such lessee to testify as a witness in any proceeding under
4849 this subdivision, or (ii) books, papers or other documents relevant to
4850 the complaint, without issuing a subpoena. If such state shellfish
4851 grounds lessee fails to produce such witness, books, papers or
4852 documents, not later than thirty days after such order, the human
4853 rights referee may consider such failure as supporting evidence for the
4854 complainant. If, after the hearing, the human rights referee finds a
4855 violation, the referee may award the aggrieved employee
4856 reinstatement to the employee's former position, back pay and
4857 reestablishment of any employee benefits for which the employee
4858 would otherwise have been eligible if such violation had not occurred,
4859 reasonable attorneys' fees, and any other damages. For the purposes of
4860 this subsection, such human rights referee shall act as an independent
4861 hearing officer. The decision of a human rights referee under this
4862 subsection may be appealed by any person who was a party at such
4863 hearing, in accordance with the provisions of section 4-183.

4864 (B) The Chief Human Rights Referee shall adopt regulations, in
4865 accordance with the provisions of chapter 54, establishing the
4866 procedure for filing complaints and noticing and conducting hearings

4867 under subparagraph (A) of this subdivision.

4868 (3) As an alternative to the provisions of subdivision (2) of this
4869 subsection, an employee of a state shellfish grounds lessee who alleges
4870 that a personnel action has been threatened or taken may, after
4871 exhausting all available administrative remedies, bring a civil action in
4872 accordance with the provisions of subsection (c) of section 31-51m.

4873 (4) In any proceeding under subdivision (2) or (3) of this subsection
4874 concerning a personnel action taken or threatened against any
4875 employee of a state shellfish grounds lessee, which personnel action
4876 occurs not later than two years after the employee first transmits facts
4877 and information to an employee of the leasing agency concerning the
4878 state shellfish grounds lease, there shall be a rebuttable presumption
4879 that the personnel action is in retaliation for the action taken by the
4880 employee under subdivision (1) of this subsection.

4881 Sec. 118. (*Effective from passage*) Not later than January 1, 2016, the
4882 Commissioner of Agriculture, in accordance with the provisions of
4883 section 11-4a of the general statutes, and after consultation with the
4884 Commissioner of Public Health, shall submit to the joint standing
4885 committee of the General Assembly having cognizance of matters
4886 relating to the environment a report concerning the need for and
4887 viability of establishing a laboratory located east of the Connecticut
4888 River for the testing of shellfish. Such report shall include, but not be
4889 limited to, a description of the requisite laboratory testing for shellfish
4890 as prescribed by the Department of Public Health, the Department of
4891 Agriculture, federal law and any other provision of law, an
4892 explanation of any standards that any such laboratory is required to
4893 meet, a description of any requisite equipment and facilities required
4894 to perform such testing, a listing of the qualifications that any person
4895 who performs such testing is required to possess, an assessment of the
4896 adequacy of existing state facilities to perform such testing for the
4897 state's shellfish industry, the volume of such testing that could occur at
4898 a facility established at a location east of the Connecticut River and

identification of any existing privately owned facilities, state resources or state facilities that could adequately and appropriately provide a location for such testing at a location east of the Connecticut River, including, but not limited to, a cost-benefit analysis for modifying any such existing state resources or facilities to provide for such testing at a location east of the Connecticut River.

Sec. 119. Section 22-4b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

The Commissioner of Agriculture may designate as **[**his**]** an agent of the commissioner: (1) **[**any**]** Any deputy commissioner or any employee of the department to exercise all or part of the authority, powers and duties of said commissioner in **[**his**]** the absence **[**or**]** of the commissioner, (2) any deputy commissioner or any employee, assistant or agent employed by the Department of Agriculture to exercise such authority of the Commissioner of Agriculture as **[**he**]** the commissioner delegates for the administration or enforcement of any applicable statute, regulation, permit or order, (3) any deputy commissioner, employee, assistant or agent employed by the Department of Agriculture who is deemed qualified by the commissioner to act as a hearing officer in administrative hearings, (4) two or more qualified persons, one of whom shall be designated as the presiding officer to conduct administrative hearings, and (5) any qualified person to serve as a hearing officer for contested cases who may be compensated for such service. Any such hearing officer appointed by the commissioner shall render a proposed final decision or the final decision as directed by the commissioner except that the commissioner or deputy commissioner shall consider and make the final decision when modification or reconsideration of a contested case is requested by a party pursuant to section 4-181a.

Sec. 120. Section 22-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

The Commissioner of Agriculture shall be the administrative head of the Department of Agriculture. [He] The commissioner shall encourage and promote the development of agriculture within the state and collect and publish information and statistics in regard to the agricultural and animal industries and interests of the state and submit the same to the Governor in [his] an annual report. [He] The commissioner shall, annually, visit different sections of the state and investigate the methods and wants of practical husbandry, the adaptation of agricultural products to soil, climate and markets, and, as far as practicable, visit agricultural fairs within the state, encourage the establishment of farmers' clubs, agricultural libraries and reading rooms and disseminate agricultural information by lectures or otherwise. In cooperation with The University of Connecticut, [he] the commissioner may prepare and publish bulletins containing information concerning the cost of production of farm products. [He] The commissioner is authorized to hold an annual state exhibit at the Eastern States Exposition at West Springfield, Massachusetts. [He] The commissioner is authorized to enter into an agreement with the United States Department of Agriculture for cooperative work in the collection and publication of agricultural statistics. The commissioner shall have the authority to charge such fees as [he] the commissioner may deem reasonable for publications of information by any of the component agencies of the Department of Agriculture. The commissioner shall review any proposed capital project [which] that would convert twenty-five or more acres of prime farmland or one acre or more of shellfish grounds to a nonagricultural use and if such project promotes agriculture or the goal of agricultural land preservation or if there is no reasonable alternative site for the project [he] the commissioner shall file a statement with the Bond Commission so indicating. The commissioner shall file a statement with the Bond Commission for any proposed capital project [which] that would convert or impair any shellfish grounds and shall include in such statement any comments [he] the commissioner deems appropriate for the protection of such grounds. The commissioner shall administer those provisions of

4964 sections 12-107a, 12-107b, 12-107c and 12-107e **[**which**]** that address the
4965 assessment of farmland and open space. The commissioner may
4966 request the Attorney General to bring an action in the Superior Court
4967 for injunctive relief requiring compliance with any statute, regulation,
4968 order or permit administered, adopted or issued by **[**him**]** the
4969 commissioner. **[**The Commissioner of Agriculture may designate as his
4970 agent (1) any deputy commissioner to exercise all or part of the
4971 authority, powers and duties of the commissioner in his absence and
4972 (2) any deputy commissioner or any employee to exercise such
4973 authority of the commissioner as he delegates for the administration or
4974 enforcement of any applicable statute, regulation, permit or order,
4975 except the authority to render a final decision after a hearing.**]**

4976 Sec. 121. Subsection (c) of section 22-6c of the general statutes, as
4977 amended by section 1 of public act 15-22, is repealed and the following
4978 is substituted in lieu thereof (*Effective October 1, 2015*):

4979 (c) For purposes of this section, "farmer" includes, but is not limited
4980 to, any lessee or franchise holder of a state or town shellfish bed and
4981 "farmland restoration plan" means a conservation plan of the United
4982 States Department of Agriculture's Natural Resources Conservation
4983 Service, a conservation plan of a soil and water conservation district
4984 established pursuant to section 22a-315 or a conservation plan
4985 approved by the Commissioner of Agriculture. "Farmland restoration
4986 plan" includes "agricultural restoration purposes", as defined in section
4987 22-6d, as amended by **[**this act**]** public act 15-22 and conservation and
4988 restoration plans for leased or franchised shellfish beds.

4989 Sec. 122. Section 10a-173 of the general statutes is amended by
4990 adding subsection (j) as follows (*Effective July 1, 2015*):

4991 (NEW) (j) Notwithstanding any provisions of subsections (a) to (i),
4992 inclusive, of this section, on and after July 1, 2015, any independent
4993 institution of higher education located in a municipality with a
4994 population of not less than fifty thousand but not more than fifty-two

4995 thousand, as enumerated in the 2010 federal decennial census, shall
4996 not receive an allocation of the annual appropriation made under
4997 subsection (e) of this section in excess of six hundred seventy-three
4998 thousand dollars.

4999 Sec. 123. Subsection (b) of section 12-2 of the general statutes is
5000 repealed and the following is substituted in lieu thereof (*Effective from*
5001 *passage*):

5002 (b) Notwithstanding any provision of the general statutes to the
5003 contrary, the commissioner may issue administrative pronouncements
5004 providing his interpretation of the tax laws. **[**Within one hundred
5005 eighty days from the issuance of any administrative pronouncement
5006 the commissioner shall publish notice of intent to adopt regulations in
5007 accordance with the provisions of chapter 54 to implement the
5008 provisions of any administrative pronouncement issued on or after
5009 August 22, 1991, and such regulations shall be presented to the
5010 legislative regulation review committee within six months from the
5011 date of the issuance of any such pronouncement.**]** Such
5012 pronouncements shall not have the force and effect of regulations and
5013 shall carry a notice stating that the administrative pronouncements do
5014 not have the force and effect of law, provided taxpayers shall be
5015 entitled to rely on such pronouncements. For the purpose of this
5016 subsection "administrative pronouncement" means a statement by the
5017 Commissioner of Revenue Services which provides his interpretation
5018 of the tax laws and which is published and made available to the
5019 public. The commissioner shall, with respect to any provision of the
5020 general statutes which authorizes the issuance of rules, file with the
5021 legislative regulation review committee, within six months after the
5022 issuance of such rules, regulations which implement the provisions of
5023 such rules.

5024 Sec. 124. Section 12-7c of the general statutes is repealed and the
5025 following is substituted in lieu thereof (*Effective from passage*):

5026 (a) The Commissioner of Revenue Services shall, on or before
5027 **[**December 31, 2014**]** February 15, 2017, and biennially thereafter,
5028 submit to the joint standing committee of the General Assembly
5029 having cognizance of matters relating to finance, revenue and bonding,
5030 and post on said department's Internet web site a report on the overall
5031 incidence of the income tax, sales and excise taxes, the corporation
5032 business tax and property tax. The report shall present information on
5033 the distribution of the tax burden as follows:

5034 (1) For individuals:

5035 (A) Income classes, including income distribution expressed for
5036 every ten percentage points; and

5037 (B) Other appropriate taxpayer characteristics, as determined by
5038 said commissioner.

5039 (2) For businesses:

5040 (A) Business size as established by gross receipts;

5041 (B) Legal organization; and

5042 (C) Industry by NAICS code.

5043 (b) The Commissioner of Revenue Services may enter into a contract
5044 with any public or private entity for the purpose of preparing the
5045 report required pursuant to subsection (a) of this section.

5046 Sec. 125. Subsection (a) of section 12-702a of the general statutes is
5047 repealed and the following is substituted in lieu thereof (*Effective from*
5048 *passage*):

5049 (a) Any individual who has made a joint return under this chapter
5050 may elect to seek relief under the provisions of subsection (b) of this
5051 section and if such individual is eligible to elect the application of
5052 subsection (c) of this section, such individual may, in addition to any

5053 election under subsection (b) of this section, elect to limit such
5054 individual's liability for any deficiency with respect to such joint return
5055 in the manner prescribed under subsection (c) of this section. Any
5056 individual who has made a joint return under this chapter may elect to
5057 seek relief under the provisions of subsection (f) of this section, even if
5058 such individual is not eligible to seek relief under subsection (b) or (c)
5059 of this section.

5060 Sec. 126. Subsections (f) to (h), inclusive, of section 12-702a of the
5061 general statutes are repealed and the following is substituted in lieu
5062 thereof (*Effective from passage*):

5063 (f) Under procedures prescribed by the commissioner, if taking into
5064 account all the facts and circumstances, it is inequitable to hold such
5065 individual liable for any unpaid tax or any deficiency, or any portion
5066 of **[**either**]** such unpaid tax or deficiency, and relief is not otherwise
5067 available to such individual under this section, the commissioner may
5068 relieve such individual of such liability.

5069 (g) The commissioner **[**shall**]** may adopt regulations, in accordance
5070 with chapter 54, as are necessary to carry out the provisions of this
5071 section, including regulations providing the opportunity for an
5072 individual to have notice of, and an opportunity to participate in, any
5073 administrative proceeding with respect to an election made under this
5074 section by the other individual filing the joint return.

5075 (h) The provisions of this section shall be applicable with respect to
5076 any liability arising after May 27, 1999, and any liability arising on or
5077 before May 27, 1999, if such liability remains unpaid as of said date,
5078 provided the two-year period to make an election under subsection (b)
5079 or (c) of this section shall not expire before the date that is two years
5080 after the date of the first collection activity after May 27, 1999.

5081 Sec. 127. Subsection (b) of section 12-706 of the general statutes is
5082 repealed and the following is substituted in lieu thereof (*Effective from*
5083 *passage*):

5084 (b) [Every] Each employer required to deduct and withhold tax
5085 under this chapter from the wages of an employee shall furnish to each
5086 such employee [in] with respect to the wages paid by such employer to
5087 such employee during the calendar year, on or before January thirty-
5088 first of the next succeeding year, a written statement as prescribed by
5089 the [commissioner of revenue services] Commissioner of Revenue
5090 Services showing the amount of wages paid by the employer to the
5091 employee, the amount deducted and withheld as tax, and such other
5092 information as said commissioner shall prescribe. Each such employer
5093 shall file a copy of such written statement with the Commissioner of
5094 Revenue Services on or before said January thirty-first date.

5095 Sec. 128. Section 29-18b of the general statutes is repealed and the
5096 following is substituted in lieu thereof (*Effective from passage*):

5097 The Commissioner of Emergency Services and Public Protection
5098 may appoint persons nominated by the Commissioner of Revenue
5099 Services to act as special policemen in [the special investigation section
5100 of] the Department of Revenue Services. Such appointees shall serve at
5101 the pleasure of the Commissioner of Emergency Services and Public
5102 Protection and, during such tenure, shall have all the powers conferred
5103 on state policemen. [They] Such special policemen shall, in addition to
5104 their duties with said [special investigation section] department, be
5105 subject to call by the Commissioner of Emergency Services and Public
5106 Protection for such emergency service as [said commissioner] the
5107 Commissioner of Emergency Services and Public Protection may
5108 prescribe.

5109 Sec. 129. Subsection (a) of section 53-394 of the general statutes is
5110 repealed and the following is substituted in lieu thereof (*Effective from*
5111 *passage*):

5112 (a) "Racketeering activity" means to commit, to attempt to commit,
5113 to conspire to commit, or to intentionally aid, solicit, coerce or
5114 intimidate another person to commit any crime which, at the time of its

5115 commission, was a felony chargeable by indictment or information
5116 under the following provisions of the general statutes then applicable:
5117 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;
5118 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter
5119 952, part IV, relating to homicide; (4) chapter 952, part V, relating to
5120 assault, except assault with a motor vehicle as defined in section 53a-
5121 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)
5122 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,
5123 relating to burglary, arson and related offenses; (8) chapter 952, part
5124 IX, relating to larceny, robbery and related offenses; (9) chapter 952,
5125 part X, relating to forgery and related offenses; (10) chapter 952, part
5126 XI, relating to bribery and related offenses; (11) chapter 952, part XX,
5127 relating to obscenity and related offenses; (12) chapter 952, part XIX,
5128 relating to coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212,
5129 relating to weapons and firearms; (14) section 53-80a, relating to the
5130 manufacture of bombs; (15) sections 36b-2 to 36b-34, inclusive, relating
5131 to securities fraud and related offenses; (16) sections 21a-277, 21a-278
5132 and 21a-279, relating to drugs; (17) section 22a-131a, relating to
5133 hazardous waste; (18) chapter 952, part XXIII, relating to money
5134 laundering; **[**or**]** (19) section 53a-192a, relating to trafficking in persons;
5135 or (20) subdivision (1) of subsection (b) of section 12-304 or section 12-
5136 308, relating to cigarettes.

5137 Sec. 130. (*Effective from passage*) Notwithstanding the provision of
5138 subsection (j) of section 45a-82 of the general statutes, any balance in
5139 the Probate Court Administration Fund on June 30, 2015, shall remain
5140 in said fund and shall not be transferred to the General Fund,
5141 regardless of whether such balance is in excess of an amount equal to
5142 fifteen per cent of the total expenditures authorized pursuant to
5143 subsection (a) of section 45a-84 of the general statutes for the
5144 immediately succeeding fiscal year.

5145 Sec. 131. Subdivision (1) of subsection (b) of section 172 of public act
5146 15-244 is repealed and the following is substituted in lieu thereof
5147 (*Effective October 1, 2016*):

5148 (b) (1) For each calendar quarter commencing on or after October 1,
5149 2015, there is hereby imposed a tax on each ambulatory surgical center
5150 in this state to be paid each calendar quarter. The tax imposed by this
5151 section shall be at the rate of six per cent of the gross receipts of each
5152 ambulatory surgical center, except that such tax shall not be imposed
5153 on any amount of such gross receipts that constitutes net patient
5154 revenue of a hospital that is subject to the tax imposed under chapter
5155 211a of the general statutes. Nothing in this section shall prohibit an
5156 ambulatory surgical center from seeking remuneration for the tax
5157 imposed by this section.

5158 Sec. 132. (*Effective July 1, 2015*) Notwithstanding the provisions of
5159 section 9-701 of the general statutes, on or after July 1, 2016, the sum of
5160 $7,750,000 shall be transferred from the Citizens' Election Fund and
5161 credited to the resources of the General Fund for the fiscal year ending
5162 June 30, 2017.

5163 Sec. 133. Subdivision (1) of section 12-408 of the general statutes, as
5164 amended by sections 72 and 74 of public act 15-244, is repealed and the
5165 following is substituted in lieu thereof (*Effective from passage and*
5166 *applicable to sales occurring on or after October 1, 2015*):

5167 (1) (A) For the privilege of making any sales, as defined in
5168 subdivision (2) of subsection (a) of section 12-407, at retail, in this state
5169 for a consideration, a tax is hereby imposed on all retailers at the rate
5170 of six and thirty-five-hundredths per cent of the gross receipts of any
5171 retailer from the sale of all tangible personal property sold at retail or
5172 from the rendering of any services constituting a sale in accordance
5173 with subdivision (2) of subsection (a) of section 12-407, except, in lieu
5174 of said rate of six and thirty-five-hundredths per cent, the rates
5175 provided in subparagraphs (B) to (H), inclusive, of this subdivision;

5176 (B) At a rate of fifteen per cent with respect to each transfer of
5177 occupancy, from the total amount of rent received for such occupancy
5178 of any room or rooms in a hotel or lodging house for the first period

not exceeding thirty consecutive calendar days;

(C) With respect to the sale of a motor vehicle to any individual who is a member of the armed forces of the United States and is on full-time active duty in Connecticut and who is considered, under 50 App USC 574, a resident of another state, or to any such individual and the spouse thereof, at a rate of four and one-half per cent of the gross receipts of any retailer from such sales, provided such retailer requires and maintains a declaration by such individual, prescribed as to form by the commissioner and bearing notice to the effect that false statements made in such declaration are punishable, or other evidence, satisfactory to the commissioner, concerning the purchaser's state of residence under 50 App USC 574;

(D) (i) With respect to the sales of computer and data processing services occurring on or after July 1, 1997, and prior to July 1, 1998, at the rate of five per cent, on or after July 1, 1998, and prior to July 1, 1999, at the rate of four per cent, on or after July 1, 1999, and prior to July 1, 2000, at the rate of three per cent, on or after July 1, 2000, and prior to July 1, 2001, at the rate of two per cent, on or after July 1, 2001, **[**and prior to October 1, 2015,**]** at the rate of one per cent, **[**on or after October 1, 2015, and prior to July 1, 2016, at the rate of two per cent, on or after July 1, 2016, at the rate of three per cent,**]** <u>and</u> (ii) with respect to sales of Internet access services, on and after July 1, 2001, such services shall be exempt from such tax<u>;</u> **[**, and (iii) with respect to the sales of computer and data processing services occurring on or after October 1, 2015, such services performed by an entity for an affiliate of such entity shall be exempt from such tax, where "affiliate" means a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person, and "owns", "is owned" and "ownership" mean ownership of an equity interest, or the equivalent thereof, of fifty per cent or more;**]**

(E) (i) With respect to the sales of labor that is otherwise taxable under subparagraph (C) or (G) of subdivision (2) of subsection (a) of

5211 section 12-407 on existing vessels and repair or maintenance services
5212 on vessels occurring on and after July 1, 1999, such services shall be
5213 exempt from such tax;

5214 (ii) With respect to the sale of a vessel, such sale shall be exempt
5215 from such tax provided such vessel is docked in this state for sixty or
5216 fewer days in a calendar year;

5217 (F) With respect to patient care services for which payment is
5218 received by the hospital on or after July 1, 1999, and prior to July 1,
5219 2001, at the rate of five and three-fourths per cent and on and after July
5220 1, 2001, such services shall be exempt from such tax;

5221 (G) With respect to the rental or leasing of a passenger motor
5222 vehicle for a period of thirty consecutive calendar days or less, at a rate
5223 of nine and thirty-five-hundredths per cent;

5224 (H) With respect to the sale of (i) a motor vehicle for a sales price
5225 exceeding fifty thousand dollars, at a rate of seven and three-fourths
5226 per cent on the entire sales price, (ii) jewelry, whether real or imitation,
5227 for a sales price exceeding five thousand dollars, at a rate of seven and
5228 three-fourths per cent on the entire sales price, and (iii) an article of
5229 clothing or footwear intended to be worn on or about the human body,
5230 a handbag, luggage, umbrella, wallet or watch for a sales price
5231 exceeding one thousand dollars, at a rate of seven and three-fourths
5232 per cent on the entire sales price. For purposes of this subparagraph,
5233 "motor vehicle" has the meaning provided in section 14-1, but does not
5234 include a motor vehicle subject to the provisions of subparagraph (C)
5235 of this subdivision, a motor vehicle having a gross vehicle weight
5236 rating over twelve thousand five hundred pounds, or a motor vehicle
5237 having a gross vehicle weight rating of twelve thousand five hundred
5238 pounds or less that is not used for private passenger purposes, but is
5239 designed or used to transport merchandise, freight or persons in
5240 connection with any business enterprise and issued a commercial
5241 registration or more specific type of registration by the Department of

5242 Motor Vehicles;

5243 (I) The rate of tax imposed by this chapter shall be applicable to all
5244 retail sales upon the effective date of such rate, except that a new rate
5245 which represents an increase in the rate applicable to the sale shall not
5246 apply to any sales transaction wherein a binding sales contract without
5247 an escalator clause has been entered into prior to the effective date of
5248 the new rate and delivery is made within ninety days after the effective
5249 date of the new rate. For the purposes of payment of the tax imposed
5250 under this section, any retailer of services taxable under subparagraph
5251 (I) of subdivision (2) of subsection (a) of section 12-407, who computes
5252 taxable income, for purposes of taxation under the Internal Revenue
5253 Code of 1986, or any subsequent corresponding internal revenue code
5254 of the United States, as from time to time amended, on an accounting
5255 basis which recognizes only cash or other valuable consideration
5256 actually received as income and who is liable for such tax only due to
5257 the rendering of such services may make payments related to such tax
5258 for the period during which such income is received, without penalty
5259 or interest, without regard to when such service is rendered; **[**and**]**

5260 (J) For calendar quarters ending on or after September 30, 2011,
5261 except for calendar quarters ending on or after July 1, 2016, but prior to
5262 July 1, 2017, the commissioner shall deposit into the regional planning
5263 incentive account, established pursuant to section 4-66k, six and seven-
5264 tenths per cent of the amounts received by the state from the tax
5265 imposed under subparagraph (B) of this subdivision and ten and
5266 seven-tenths per cent of the amounts received by the state from the tax
5267 imposed under subparagraph (G) of this subdivision;

5268 (K) (i) Notwithstanding the provisions of this section, for calendar
5269 **[**quarters ending on or after December 31, 2015, but prior to July 1,
5270 2016**]** <u>months commencing on or after January 1, 2016, but prior to</u>
5271 <u>May 1, 2017</u>, the commissioner shall deposit into the municipal
5272 revenue sharing account established pursuant to section 4-66*l*, as
5273 amended by <u>public act 15-244 and</u> this act, four and seven-tenths per

cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision;

(ii) For calendar [quarters ending on or after July 1, 2016] months commencing on or after May 1, 2017, but prior to July 1, 2017, the commissioner shall deposit into the municipal revenue sharing account established pursuant to section 4-66*l*, as amended by public act 15-244 and this act, six and three-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision;

(iii) For calendar [quarters ending] months commencing on or after July 1, 2017, the commissioner shall deposit into the municipal revenue sharing account established pursuant to section 4-66*l*, as amended by public act 15-244 and this act, seven and nine-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision; and

(L) (i) Notwithstanding the provisions of this section, for calendar [quarters ending on or after December 31, 2015, but prior to July 1, 2016] months commencing on or after October 1, 2015, but prior to October 1, 2016, the commissioner shall deposit into the Special Transportation Fund established under section 13b-68 four and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision;

(ii) For calendar [quarters ending] months commencing on or after [July 1, 2016] October 1, 2016, but prior to July 1, 2017, the commissioner shall deposit into the Special Transportation Fund established under section 13b-68 six and three-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision; and

(iii) For calendar [quarters ending] months commencing on or after July 1, 2017, the commissioner shall deposit into the Special Transportation Fund established under section 13b-68 seven and nine-

tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision.

Sec. 134. Subparagraph (A) of subdivision (37) of subsection (a) of section 12-407, as amended by section 75 of public act 15-244, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015, and applicable to sales occurring on or after said date*):

(A) Computer and data processing services, including, but not limited to, time, programming, code writing, modification of existing programs, feasibility studies and installation and implementation of software programs and systems even where such services are rendered in connection with the development, creation or production of canned or custom software or the license of custom software<u>, and exclusive of services rendered in connection with the creation, development, hosting or maintenance of all or part of a web site which is part of the graphical, hypertext portion of the Internet, commonly referred to as the World Wide Web</u>;

Sec. 135. Subparagraph (A) of subdivision (37) of subsection (a) of section 12-407, as amended by section 75 of public act 15-244 and section 2 of this act, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015, and applicable to sales occurring on or after said date*):

(A) Computer and data processing services, including, but not limited to, time, programming, code writing, modification of existing programs, feasibility studies and installation and implementation of software programs and systems even where such services are rendered in connection with the development, creation or production of canned or custom software or the license of custom software; **[**, and exclusive of services rendered in connection with the creation, development, hosting or maintenance of all or part of a web site which is part of the graphical, hypertext portion of the Internet, commonly referred to as the World Wide Web;**]**

Sec. 136. Subparagraph (N) of subdivision (37) of subsection (a) of section 12-407 of the general statutes, as amended by section 75 of public act 15-244, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015, and applicable to sales occurring on or after said date*):

(N) Motor vehicle parking, including the provision of space, other than metered space, in a lot having thirty or more spaces, excluding (i) space in a parking lot owned or leased under the terms of a lease of not less than ten years' duration and operated by an employer for the exclusive use of its employees, and (ii) space in municipally-operated railroad parking facilities in municipalities located within an area of the state designated as a severe nonattainment area for ozone under the federal Clean Air Act or space in a railroad parking facility in a municipality located within an area of the state designated as a severe nonattainment area for ozone under the federal Clean Air Act owned or operated by the state on or after April 1, 2000;

Sec. 137. Subparagraph (OO) of subdivision (37) of subsection (a) of section 12-407 of the general statutes, as amended by section 75 of public act 15-244, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015, and applicable to sales occurring on or after said date*):

(OO) Car wash services, **[**excluding**]** including coin-operated car washes.

Sec. 138. Subsections (a) and (b) of section 12-414 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2015, and applicable to periods ending on or after December 31, 2015*):

(a) The taxes imposed by this chapter are due and payable to the commissioner monthly on or before the **[**twentieth**]** last day of the month next succeeding each monthly period except that (1) every person whose total tax liability for the twelve-month period ending on

5367 the preceding June thirtieth was less than four thousand dollars shall
5368 remit tax on a quarterly basis, and (2) every person described in
5369 subdivision (2) of subsection (e) of this section shall remit tax as
5370 prescribed by the commissioner under said subdivision (2).
5371 "Quarterly" means a period of three calendar months commencing on
5372 the first day of January, April, July or October of each year or, if any
5373 seller commences business on a date other than the first day of
5374 January, April, July or October, a period beginning on the date of
5375 commencement of business and ending on March thirty-first, June
5376 thirtieth, September thirtieth or December thirty-first, respectively.

5377 (b) On or before the **[**twentieth**]** last day of the month following each
5378 monthly or quarterly period, as the case may be, or on the date or
5379 dates prescribed by the commissioner under subsection (e) of this
5380 section, a return for the preceding period shall be filed with the
5381 commissioner in such form as the commissioner may prescribe. For
5382 purposes of the sales tax a return shall be filed by every seller. For
5383 purposes of the use tax a return shall be filed by every retailer engaged
5384 in business in the state and by every person purchasing services or
5385 tangible personal property, the storage, acceptance, consumption or
5386 other use of which is subject to the use tax, who has not paid the use
5387 tax due a retailer required to collect the tax, except that every person
5388 making such purchases for personal use or consumption in this state,
5389 and not for use or consumption in carrying on a trade, occupation,
5390 business or profession, need file only one use tax return covering
5391 purchases during a calendar year. Such return shall be filed and the tax
5392 due thereon paid on or before the fifteenth day of the fourth month
5393 succeeding the end of the calendar year for which such return is filed.
5394 Returns shall be signed by the person required to file the return or by
5395 his or her authorized agent but need not be verified by oath, provided
5396 a return required to be filed by a corporation shall be signed by an
5397 officer of such corporation.

5398 Sec. 139. Section 105 of public act 15-244 is repealed and the
5399 following is substituted in lieu thereof (*Effective July 1, 2015*):

5400 Notwithstanding the provisions of section 3-6c of the general
5401 statutes, the Secretary of the Office of Policy and Management, on
5402 behalf of the state of Connecticut, may enter into separate agreements
5403 with the Mashantucket Pequot Tribe and the Mohegan Tribe of Indians
5404 of Connecticut concerning the operation of keno by the Connecticut
5405 Lottery Corporation in the state of Connecticut. Any such agreement
5406 shall provide that the state of Connecticut shall distribute to each tribe
5407 a sum not to exceed a twelve and one-half per cent share of the gross
5408 operating revenue received by the state from the operation of keno.
5409 The corporation may not operate keno until such separate agreements
5410 are effective. For the purposes of this section, "gross operating
5411 revenues" means the total amounts wagered, less amounts paid out as
5412 prizes.

5413 Sec. 140. (*Effective June 30, 2015*) Sections 83, 84 and 138 to 163,
5414 inclusive, of public act 15-244 shall take effect January 1, 2016, and
5415 shall be applicable to income years commencing on or after said date.

5416 Sec. 141. Subdivisions (7) and (8) of subsection (b) of section 12-214
5417 of the general statutes, as amended by section 83 of public act 15-244,
5418 are repealed and the following is substituted in lieu thereof (*Effective*
5419 *January 1, 2016, and applicable to income years commencing on or after said*
5420 *date*):

5421 (7) (A) With respect to income years commencing on or after
5422 January 1, 2012, and prior to January 1, 2018, any company subject to
5423 the tax imposed in accordance with subsection (a) of this section shall
5424 pay, for each such income year, except when the tax so calculated is
5425 equal to two hundred fifty dollars, an additional tax in an amount
5426 equal to twenty per cent of the tax calculated under said subsection (a)
5427 for such income year, without reduction of the tax so calculated by the
5428 amount of any credit against such tax. The additional amount of tax
5429 determined under this subsection for any income year shall constitute
5430 a part of the tax imposed by the provisions of said subsection (a) and
5431 shall become due and be paid, collected and enforced as provided in

this chapter.

(B) Any company whose gross income for the income year was less than one hundred million dollars shall not be subject to the additional tax imposed under subparagraph (A) of this subdivision. With respect to income years commencing on or after January 1, 2012, and prior to January 1, [2015] 2016, this exception shall not apply to companies filing a combined return for the income year under section 12-223a, as amended by public act 15-244 and this act, or a unitary return under subsection (d) of section 12-218d, as amended by public act 15-244 and this act. With respect to income years commencing on or after January 1, [2015] 2016, and prior to January 1, 2018, this exception shall not apply to taxable members of a combined group that files a combined unitary tax return.

(8) (A) With respect to [the income year] income years commencing on or after January 1, 2018, and prior to January 1, 2019, any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, for such income year, except when the tax so calculated is equal to two hundred fifty dollars, an additional tax in an amount equal to ten per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The additional amount of tax determined under this subsection for any income year shall constitute a part of the tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(B) Any company whose gross income for the income year was less than one hundred million dollars shall not be subject to the additional tax imposed under subparagraph (A) of this subdivision. This exception shall not apply to taxable members of a combined group that files a combined unitary tax return.

Sec. 142. Subdivisions (7) and (8) of subsection (b) of section 12-219

5463 of the general statutes, as amended by section 84 of public act 15-244,
5464 are repealed and the following is substituted in lieu thereof (*Effective*
5465 *January 1, 2016, and applicable to income years commencing on or after said*
5466 *date*):

5467 (7) (A) With respect to income years commencing on or after
5468 January 1, 2012, and prior to January 1, 2018, the additional tax
5469 imposed on any company and calculated in accordance with
5470 subsection (a) of this section shall, for each such income year, except
5471 when the tax so calculated is equal to two hundred fifty dollars, be
5472 increased by adding thereto an amount equal to twenty per cent of the
5473 additional tax so calculated for such income year, without reduction of
5474 the tax so calculated by the amount of any credit against such tax. The
5475 increased amount of tax payable by any company under this section,
5476 as determined in accordance with this subsection, shall become due
5477 and be paid, collected and enforced as provided in this chapter.

5478 (B) Any company whose gross income for the income year was less
5479 than one hundred million dollars shall not be subject to the additional
5480 tax imposed under subparagraph (A) of this subdivision. With respect
5481 to income years commencing on or after January 1, 2012, and prior to
5482 January 1, **[**2015**]** 2016, this exception shall not apply to companies
5483 filing a combined return for the income year under section 12-223a, as
5484 amended by public act 15-244 and this act, or a unitary return under
5485 subsection (d) of section 12-218d, as amended by public act 15-244 and
5486 this act. With respect to income years commencing on or after January
5487 1, **[**2015**]** 2016, and prior to January 1, 2018, this exception shall not
5488 apply to taxable members of a combined group that files a combined
5489 unitary tax return.

5490 (8) (A) With respect to **[**the income year**]** income years commencing
5491 on or after January 1, 2018, and prior to January 1, 2019, the additional
5492 tax imposed on any company and calculated in accordance with
5493 subsection (a) of this section shall, for such income year, except when
5494 the tax so calculated is equal to two hundred fifty dollars, be increased

5495 by adding thereto an amount equal to ten per cent of the additional tax
5496 so calculated for such income year, without reduction of the tax so
5497 calculated by the amount of any credit against such tax. The increased
5498 amount of tax payable by any company under this section, as
5499 determined in accordance with this subsection, shall become due and
5500 be paid, collected and enforced as provided in this chapter.

5501 (B) Any company whose gross income for the income year was less
5502 than one hundred million dollars shall not be subject to the additional
5503 tax imposed under subparagraph (A) of this subdivision. This
5504 exception shall not apply to taxable members of a combined group that
5505 files a combined unitary tax return.

5506 Sec. 143. Subsection (d) of section 139 of public act 15-244 is repealed
5507 and the following is substituted in lieu thereof (*Effective January 1, 2016,*
5508 *and applicable to income years commencing on or after said date*):

5509 (d) After calculating its net income or loss apportioned to this state,
5510 pursuant to subsection (c) of this section, each taxable member of a
5511 combined group required to file a combined unitary tax return
5512 pursuant to section 12-222 of the general statutes, as amended by
5513 public act 15-244 and this act, may deduct a net operating loss from its
5514 net income apportioned to this state as follows:

5515 (1) For income years beginning on or after January 1, **[**2015**]** 2016, if
5516 the computation of a combined group's net income results in a net
5517 operating loss, a taxable member of such group may carry over its net
5518 loss apportioned to this state, as calculated under subsection (c) of this
5519 section, derived from the unitary business in a future income year to
5520 the extent that the carryover and deduction is otherwise consistent
5521 with subparagraph (A) of subdivision (4) of subsection (a) of section
5522 12-217 of the general statutes, as amended by **[**this act**]** public act 15-
5523 244. Any taxable member that has more than one operating loss
5524 carryover shall apply the carryovers in the order that the operating
5525 loss was incurred, with the oldest carryover to be deducted first.

5526 (2) Where a taxable member of a combined group has an operating
5527 loss carryover derived from a loss incurred by a combined group in an
5528 income year beginning on or after January 1, **[**2015**]** 2016, then the
5529 taxable member may share the operating loss carryover with other
5530 taxable members of the combined group if such other taxable members
5531 were members of the combined group in the income year that the loss
5532 was incurred. Any amount of operating loss carryover that is deducted
5533 by another taxable member of the combined group shall reduce the
5534 amount of operating loss carryover that may be carried over by the
5535 taxable member that originally incurred the loss.

5536 (3) Where a taxable member of a combined group has an operating
5537 loss carryover derived from a loss incurred in an income year
5538 beginning prior to January 1, **[**2015**]** 2016, or derived from an income
5539 year during which the taxable member was not a member of such
5540 combined group, the carryover shall remain available to be deducted
5541 by that taxable member or other group members that, in the year the
5542 loss was incurred, were part of the same combined group as such
5543 taxable member under section 12-223a of the general statutes, as
5544 amended by public act 15-244 and this act, or same unitary group as
5545 such taxable member under subsection (d) of section 12-218d of the
5546 general statutes, revision of 1958, revised to January 1, 2015. Such
5547 carryover shall not be deductible by any other members of the
5548 combined group.

5549 Sec. 144. Subsection (j) of section 139 of public act 15-244 is repealed
5550 and the following is substituted in lieu thereof (*Effective January 1, 2016,*
5551 *and applicable to income years commencing on or after said date*):

5552 (j) (1) Each taxable member of a combined group required to file a
5553 combined unitary tax return pursuant to section 12-222 of the general
5554 statutes, as amended by public act 15-244 and this act, shall separately
5555 apply the provisions of sections 12-217ee and 12-217zz of the general
5556 statutes, as amended by **[**this act**]** public act 15-244, in determining the
5557 amount of tax credit available to such member.

5558 (2) If a taxable member of a combined group earns a tax credit in an
5559 income year beginning on or after January 1, **[**2015**]** 2016, then the
5560 taxable member may share the credit with other taxable members of
5561 the combined group. Any amount of credit that is utilized by another
5562 taxable member of the combined group shall reduce the amount of
5563 credit carryover that may be carried over by the taxable member that
5564 originally earned the credit. If a taxable member of a combined group
5565 has a tax credit carryover derived from an income year beginning on
5566 or after January 1, **[**2015**]** 2016, then the taxable member may share the
5567 carryover credit with other taxable members of the combined group, if
5568 such other taxable members were members of the combined group in
5569 the income year in which the credit was earned.

5570 (3) If a taxable member of a combined group has a tax credit
5571 carryover derived from an income year beginning prior to January 1,
5572 **[**2015**]** 2016, or derived from an income year during which the taxable
5573 member was not a member of such combined group, the credit
5574 carryover shall remain available to be utilized by such taxable member
5575 or other group members which, in the year the credit was earned, were
5576 part of the same combined group as such taxable member under
5577 section 12-223a of the general statutes, as amended by public act 15-244
5578 and this act, or the same unitary group as such taxable member under
5579 subsection (d) of section 12-218d of the general statutes, revision of
5580 1958, revised to January 1, 2015.

5581 (4) To the extent a taxable member has more than one corporation
5582 business tax credit that it may utilize in an income year, whether such
5583 credits were earned by said member or are available to said member in
5584 accordance with subdivisions (2) and (3) of this subsection, the credits
5585 shall be claimed in the same order as provided in section 12-217aa of
5586 the general statutes.

5587 Sec. 145. Section 140 of public act 15-244 is repealed and the
5588 following is substituted in lieu thereof (*Effective January 1, 2016, and*
5589 *applicable to income years commencing on or after said date*):

5590 (a) For purposes of this section, "affiliated group" means an
5591 affiliated group as defined in Section 1504 of the Internal Revenue
5592 Code, except such affiliated group shall include all domestic
5593 corporations that are commonly owned, directly or indirectly, by any
5594 member of such affiliated group, without regard to whether the
5595 affiliated group includes (1) corporations included in more than one
5596 federal consolidated return, (2) corporations engaged in one or more
5597 unitary businesses, or (3) corporations that are not engaged in a
5598 unitary business with any other member of the affiliated group. Such
5599 affiliated group shall also include any member of the combined group,
5600 determined on a world-wide basis, incorporated in a tax haven as
5601 determined by the commissioner in accordance with subdivision **[**(4)**]**
5602 (5) of subsection (b) of this section, unless it is proven to the
5603 satisfaction of the commissioner that such member is incorporated in a
5604 tax haven for a legitimate business purpose.

5605 (b) The designated taxable member of a combined group may elect
5606 to have the combined group determined on a world-wide basis or an
5607 affiliated group basis. If no such election is made, the combined group
5608 shall be determined on a water's-edge basis and will include only
5609 taxable members and those nontaxable members described in any one
5610 or more of the categories set forth in subdivisions (1) to **[**(3)**]** (4),
5611 inclusive, of this subsection:

5612 (1) Any member incorporated in the United States, or formed under
5613 the laws of the United States, any state, the District of Columbia, or
5614 any territory or possession of the United States, excluding such a
5615 member if eighty per cent or more of both its property and payroll
5616 during the income year are located outside the United States, the
5617 District of Columbia, and any territory or possession of the United
5618 States;

5619 (2) Any member, wherever incorporated or formed, if twenty per
5620 cent or more of both its property and payroll during the income year
5621 are located in the United States, the District of Columbia, or any

5622 territory or possession of the United States; [or]

5623 (3) Any member that earns more than twenty per cent of its gross
5624 income, directly or indirectly, from intangible property or service-
5625 related activities, the costs of which generally are deductible for federal
5626 income tax purposes, whether currently or over a period of time,
5627 against the income of other members of the group, but only to the
5628 extent of that income and the apportionment factors related thereto; or

5629 [(3)] (4) Any member that is incorporated in a jurisdiction that is
5630 determined by the commissioner to be a tax haven as that term is
5631 defined in subdivision [(4)] (5) of this subsection, unless it is proven to
5632 the satisfaction of the commissioner that such member is incorporated
5633 in a tax haven for a legitimate business purpose.

5634 [(4)] (5) For purposes of subsection (a) of this section and
5635 subdivision [(3)] (4) of this subsection, "tax haven" means a jurisdiction
5636 that (A) has laws or practices that prevent effective exchange of
5637 information for tax purposes with other governments on taxpayers
5638 benefiting from the tax regime; (B) has a tax regime which lacks
5639 transparency; (C) facilitates the establishment of foreign-owned
5640 entities without the need for a local substantive presence or prohibits
5641 these entities from having any commercial impact on the local
5642 economy; (D) explicitly or implicitly excludes the jurisdiction's
5643 resident taxpayers from taking advantage of the tax regime benefits or
5644 prohibits enterprises that benefit from the regime from operating in the
5645 jurisdiction's domestic market; or (E) has created a tax regime which is
5646 favorable for tax avoidance, based upon an overall assessment of
5647 relevant factors, including whether the jurisdiction has a significant
5648 untaxed offshore financial or services sector relative to its overall
5649 economy. Not later than September 30, [2015] 2016, the commissioner
5650 shall publish a list of jurisdictions that the commissioner determines to
5651 be tax havens. The list shall be applicable to income years commencing
5652 on or after January 1, [2015] 2016, and shall remain in effect until
5653 superseded by the publication of a revised list by the commissioner.

5654 (c) A world-wide election or an affiliated group election is effective
5655 only if made on a timely-filed, original return for an income year by
5656 the designated taxable member of the combined group. Such election is
5657 binding for, and applicable to, the income year for which it is made
5658 and for the ten immediately succeeding income years.

5659 (d) If the designated taxable member elects to determine the
5660 members of a combined group on an affiliated group basis, the taxable
5661 members shall take into account the net income or loss and
5662 apportionment factors of all of the members of its affiliated group,
5663 regardless of whether such members are engaged in a unitary
5664 business, that are subject to tax or would be subject to tax under
5665 chapter 208 of the general statutes, if doing business in this state.

5666 Sec. 146. Section 141 of public act 15-244 is repealed and the
5667 following is substituted in lieu thereof (*Effective January 1, 2016, and*
5668 *applicable to income years commencing on or after said date*):

5669 (a) For purposes of this section, "net deferred tax liability" means
5670 deferred tax liabilities that exceed the deferred tax assets of the
5671 combined group, as computed in accordance with generally accepted
5672 accounting principles, and "net deferred tax asset" means that deferred
5673 tax assets exceed the deferred tax liabilities of the **[**unitary**]** combined
5674 group, as computed in accordance with generally accepted accounting
5675 principles.

5676 (b) Only publicly traded companies, including affiliated
5677 corporations participating in the filing of a publicly traded company's
5678 financial statements prepared in accordance with generally accepted
5679 accounting principles, as of the effective date of this section, shall be
5680 eligible for this deduction.

5681 (c) If the provisions of sections 139 and 140 of public act 15-244, as
5682 amended by this act result in an aggregate increase to the members'
5683 net deferred tax liability or an aggregate decrease to the members' net
5684 deferred tax asset, or an aggregate change from a net deferred tax asset

to a net deferred tax liability, the [unitary] combined group shall be entitled to a deduction, as determined in this section.

(d) For the seven-year period beginning with the [unitary] combined group's first income year that begins in 2018, a [unitary] combined group shall be entitled to a deduction from [unitary] combined group net income equal to one-seventh of the amount necessary to offset the increase in the net deferred tax liability or decrease in the net deferred tax asset, or the aggregate change thereof, [if the net income of the unitary group changes] from a net deferred tax asset to a net deferred tax liability, as computed in accordance with generally accepted accounting principles, that would result from the imposition of the unitary reporting requirements under sections 139 and 140 of public act 15-244, as amended by this act, but for the deduction provided under this section. Such increase in the net deferred tax liability or decrease in the net deferred tax asset or the aggregate change thereof shall be computed based on the change that would result from the imposition of the unitary reporting requirements under sections 139 and 140 of public act 15-244, as amended by this act, but for the deduction provided under this section as of the effective date of this section.

(e) The deduction calculated under this section shall not be reduced as a result of any events happening subsequent to such calculation, including, but not limited to, any disposition or abandonment of assets. Such deduction shall be calculated without regard to the federal tax effect and shall not alter the tax basis of any asset. If the deduction under this section is greater than [unitary] combined group net income, any excess deduction shall be carried forward and applied as a deduction to [unitary] combined group net income in future income years until fully utilized.

(f) Any combined group intending to claim a deduction under this section shall file a statement with the commissioner on or before July 1, [2016] 2017, specifying the total amount of the deduction which the

5717 combined group claims. The statement shall be made on such form
5718 and in such manner as prescribed by the commissioner and shall
5719 contain such information or calculations as the commissioner may
5720 specify. No deduction shall be allowed under this section for any
5721 income year except to the extent claimed on or before July 1, **[**2016**]**
5722 2017, in the manner prescribed. Nothing in this subsection shall limit
5723 the authority of the commissioner to review or redetermine the proper
5724 amount of any deduction claimed, whether on the statement required
5725 under this subsection or on a tax return for any income year.

5726 Sec. 147. Subsection (e) of section 12-217t of the general statutes, as
5727 amended by section 145 of public act 15-244, is repealed and the
5728 following is substituted in lieu thereof (*Effective January 1, 2016, and*
5729 *applicable to income years commencing on or after said date*):

5730 (e) In the case of taxpayers filing a combined unitary tax return
5731 pursuant to section 12-222, as amended by public act 15-244 and this
5732 act, the credit provided by this section shall be allowed on a combined
5733 basis, such that the amount of personal property taxes paid by such
5734 taxpayers with respect to such equipment may be claimed as a tax
5735 credit against the combined unitary tax liability of such taxpayers as
5736 determined under this chapter. Credits available to taxpayers which
5737 are subject to tax under this chapter but not subject to tax under
5738 chapter 207, 208a, 209, 210, 211 or 212 or the tax imposed on health care
5739 centers under the provisions of section 12-202a shall be used prior to
5740 credits of companies included in such combined unitary tax return
5741 which are also subject to tax under said chapter 207, 208a, 209, 210, 211
5742 or 212 or the tax imposed upon health centers pursuant to the
5743 provisions of section 12-202a.

5744 Sec. 148. Subdivision (3) of subsection (d) of section 12-218d of the
5745 general statutes, as amended by section 152 of public act 15-244, is
5746 repealed and the following is substituted in lieu thereof (*Effective*
5747 *January 1, 2016, and applicable to income years commencing on or after said*
5748 *date*):

5749 (3) The corporation elects, on forms authorized for such purpose by
5750 the commissioner, to calculate its tax on a unitary basis including all
5751 members of the unitary group provided there are substantial
5752 intercorporate business transactions among such included
5753 corporations. Such election to file on a unitary basis shall be
5754 irrevocable for and applicable for five successive income years, but
5755 shall not be applicable to income years commencing on or after
5756 January 1, **[**2015**]** 2016. Nothing in this subdivision shall be construed
5757 to limit or negate the commissioner's authority to otherwise enter into
5758 agreements and compromises otherwise allowed by law.

5759 Sec. 149. Subdivision (1) of subsection (b) of section 12-219a of the
5760 general statutes is repealed and the following is substituted in lieu
5761 thereof (*Effective January 1, 2016, and applicable to income years*
5762 *commencing on or after said date*):

5763 (b) (1) Any company that is (A) a limited partner in a partnership,
5764 other than an investment partnership, that does business, owns or
5765 leases property or maintains an office within this state and (B) not
5766 otherwise carrying on or doing business in this state shall apportion
5767 the average value of its partnership interest within and without this
5768 state under the provisions of subsection (a) of this section, except that
5769 the numerator and the denominator of its apportionment fraction shall
5770 be its proportionate part of the partnership's apportionment factors.
5771 For purposes of this section, the partnership shall compute its
5772 apportionment fraction and the numerator and the denominator of its
5773 apportionment factors as if it were a company taxable both within and
5774 without this state. However, if the commissioner determines that the
5775 company and the partnership are, in substance, parts of a unitary
5776 business engaged in a single business enterprise, or, if the company is
5777 a member of a combined group that files a combined unitary tax
5778 return, the company shall be taxed in accordance with the provisions
5779 of subdivision (3) of this subsection and not in accordance with the
5780 provisions of this subdivision.

5781 Sec. 150. Subdivision (2) of subsection (g) of section 12-222 of the
5782 general statutes, as amended by section 156 of public act 15-244, is
5783 repealed and the following is substituted in lieu thereof (*Effective*
5784 *January 1, 2016, and applicable to income years commencing on or after said*
5785 *date*):

5786 (2) If a member of a combined group has a different income year
5787 than the group income year, such member with a different income year
5788 shall report amounts from its return for its income year that ends
5789 during the group income year, provided no such reporting of amounts
5790 shall be required of such member until its first income year beginning
5791 on or after January 1, **[**2015**]** 2016.

5792 Sec. 151. Subsection (e) of section 12-223a of the general statutes, as
5793 amended by section 157 of public act 15-244, is repealed and the
5794 following is substituted in lieu thereof (*Effective January 1, 2016, and*
5795 *applicable to income years commencing on or after said date*):

5796 (e) The provisions of this section shall not apply to income years
5797 commencing on or after January 1, **[**2015**]** 2016.

5798 Sec. 152. Subsection (b) of section 12-223f of the general statutes, as
5799 amended by section 161 of public act 15-244, is repealed and the
5800 following is substituted in lieu thereof (*Effective January 1, 2016, and*
5801 *applicable to income years commencing on or after said date*):

5802 (b) The provisions of this section shall not apply to income years
5803 commencing on or after January 1, **[**2015**]** 2016.

5804 Sec. 153. Subsection (j) of section 12-242d of the general statutes, as
5805 amended by section 162 of public act 15-244, is repealed and the
5806 following is substituted in lieu thereof (*Effective January 1, 2016, and*
5807 *applicable to income years commencing on or after said date*):

5808 (j) (1) The provisions of this section shall apply to taxable members
5809 of a combined group required to file a combined unitary tax return

5810 pursuant to section 12-222, as amended by public act 15-244 and this
5811 act. [, except as otherwise provided in subdivisions (3) and (4) of this
5812 subsection.]

5813 (2) The designated taxable member of a combined group shall be
5814 responsible for paying estimated tax installments, at the times and in
5815 the amounts specified in this section, on behalf of the taxable members
5816 of the combined group and in the form and manner prescribed by the
5817 Commissioner of Revenue Services.

5818 [(3) For combined groups whose 2015 group income year
5819 commences in January, February or March, the due date of the first
5820 required installment is extended to the due date of the second required
5821 installment. The due date for the first and second required installments
5822 of estimated tax for a combined group whose 2015 group income year
5823 commences in January or February shall be July 15, 2015, and the
5824 amount of the first and second required installments shall be seventy
5825 per cent of the required annual payment. The due date for the first and
5826 second required installments of estimated tax for a combined group
5827 whose 2015 group income year commences in March shall be August
5828 15, 2015, and the amount of the first and second required installments
5829 shall be seventy per cent of the required annual payment.

5830 (4) Notwithstanding the provisions of subsection (e) of this section,
5831 where the preceding income year, as the term is used in said
5832 subsection, is an income year commencing on or after January 1, 2014,
5833 but prior to January 1, 2015, the required annual payment of a
5834 combined group is the lesser of (A) ninety per cent of the tax shown on
5835 the combined unitary tax return for the group income year
5836 commencing on or after January 1, 2015, but prior to January 1, 2016,
5837 or, if no return is filed, ninety per cent of the tax for such year
5838 computed in accordance with section 139 of this act, or (B) (i) if such
5839 preceding income year was an income year of twelve months and if the
5840 taxable members filed separate returns for such preceding income year
5841 showing a liability for tax, the sum of one hundred per cent of the tax

shown on each such return for such preceding income year of each such taxable member, without regard to any credit under chapter 208, or (ii) if the preceding income year was an income year of twelve months and if the taxable members filed a return pursuant to section 12-223a, as amended by this act, for such preceding income year showing a liability for tax, one hundred per cent of the tax shown on such return for such preceding income year, without regard to any credit under chapter 208.**]**

Sec. 154. Subdivision (1) of subsection (f) of section 38a-88a of the general statutes, as amended by sections 163 and 171 of public act 15-244, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2016, and applicable to income years commencing on or after said date*):

(f) (1) The Commissioner of Revenue Services may treat one or more corporations that are properly included in a combined unitary tax return under section **[**12-223**]** 12-222, as amended by this act, as one taxpayer in determining whether the appropriate requirements under this section are met. Where corporations are treated as one taxpayer for purposes of this subsection, then the credit shall be allowed only against the amount of the combined unitary tax for all corporations properly included in a combined unitary tax return that, under the provisions of subdivision (2) of this subsection, is attributable to the corporations treated as one taxpayer.

Sec. 155. Subsection (b) of section 12-263m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(b) (1) There shall be paid to the Commissioner of Revenue Services by each dry cleaning establishment a surcharge of one per cent of its gross receipts at retail for any dry cleaning service performed on or after January 1, 1995. Each **[**such**]** dry cleaning establishment shall register with the Commissioner of Revenue Services on forms

5873 prescribed by [him.] the commissioner. Each dry cleaning
5874 establishment that is registered with the commissioner shall renew its
5875 registration with the commissioner on October 1, 2015, and annually
5876 thereafter, in such manner as the commissioner may prescribe. The
5877 commissioner shall send a nonrenewal notice by first class mail to each
5878 dry cleaning establishment that fails to renew its registration in
5879 accordance with the provisions of this subsection. No dry cleaning
5880 establishment may engage in or transact business as a dry cleaning
5881 establishment unless it is registered with the commissioner in
5882 accordance with the provisions of this subsection.

5883 (2) (A) Any dry cleaning establishment that fails to register with the
5884 commissioner in accordance with the provisions of this subsection
5885 shall pay a penalty of one thousand dollars, which penalty shall not be
5886 subject to waiver.

5887 (B) Any dry cleaning establishment that fails to renew its
5888 registration within forty-five days after a nonrenewal notice was sent
5889 pursuant to subdivision (1) of this subsection shall pay a penalty of
5890 two hundred dollars, which the commissioner may waive in the
5891 manner set forth in section 12-3a, when it is proven to the
5892 commissioner's satisfaction that the failure to register was due to
5893 reasonable cause and was not intentional or due to neglect. No penalty
5894 may be assessed under this subparagraph more than once during any
5895 registration period.

5896 (3) Each [such] dry cleaning establishment shall submit a return
5897 quarterly to the Commissioner of Revenue Services, applicable with
5898 respect to the calendar quarter beginning January 1, 1995, and each
5899 calendar quarter thereafter, on or before the last day of the month
5900 immediately following the end of each such calendar quarter, on a
5901 form prescribed by the commissioner, together with payment of the
5902 quarterly surcharge determined and payable in accordance with the
5903 provisions of this section. Whenever such surcharge is not paid when
5904 due, a penalty of ten per cent of the amount due or fifty dollars,

5905 whichever is greater, shall be imposed, and such surcharge shall bear
5906 interest at the rate of one per cent per month or fraction thereof until
5907 the same is paid. The Commissioner of Revenue Services shall cause
5908 copies of a form prescribed for submitting returns as required under
5909 this section to be distributed to persons subject to the surcharge.
5910 Failure to receive such form shall not be construed to relieve anyone
5911 subject to the surcharge under this section from the obligations of
5912 submitting a return, together with payment of such surcharge within
5913 the time required. The provisions of sections 12-548 to 12-554,
5914 inclusive, and sections 12-555a and 12-555b shall apply to the
5915 provisions of this section in the same manner and with the same force
5916 and effect as if the language of said sections 12-548 to 12-554, inclusive,
5917 and sections 12-555a and 12-555b had been incorporated in full into
5918 this section and had expressly referred to the surcharge imposed under
5919 this section, except to the extent that any such provision is inconsistent
5920 with a provision of this section and except that the term "tax" shall be
5921 read as "dry cleaning establishment surcharge".

5922 (4) Any moneys received by the state pursuant to this section shall
5923 be deposited into the account established pursuant to subsection (c) of
5924 this section.

5925 Sec. 156. (*Effective July 1, 2015*) (a) The amounts appropriated from
5926 the GENERAL FUND to the following accounts in section 1 of public
5927 act 15-244, are reduced by the following amounts for the fiscal years
5928 indicated:

T1		2015-2016	2016-2017
T2	DEPARTMENT OF SOCIAL SERVICES		
T3	Medicaid	1,500,000	1,500,000
T4			
T5	RESERVE FOR SALARY ADJUSTMENTS		
T6	Reserve for Salary Adjustments		13,000,000

5929 (b) The following reductions from TOTAL - GENERAL FUND
5930 appropriations in section 1 of public act 15-244, are included for the

5931 fiscal years indicated:

T7		2015-2016	2016-2017
T8	Targeted Savings	-12,500,000	-12,500,000

5932 (c) The NET – GENERAL FUND appropriations in section 1 of
5933 public act 15-244, are reduced by the following amounts for the fiscal
5934 years indicated:

T9		2015-2016	2016-2017
T10	NET – GENERAL FUND	-14,000,000	-27,000,000

5935 Sec. 157. (*Effective July 1, 2015*) The Secretary of the Office of Policy
5936 and Management may make reductions in allotments in the following
5937 accounts of the GENERAL FUND in the following amounts for the
5938 fiscal years indicated in order to achieve targeted savings in each said
5939 fiscal year:

T11		2015-2016	2016-2017
T12	LEGISLATIVE MANAGEMENT		
T13	Other Expenses	255,127	276,683
T14	Equipment	5,626	7,126
T15	Flag Restoration	1,054	1,068
T16	Minor Capital Improvements	5,700	3,375
T17	Interim Salary/Caucus Offices	9,629	7,408
T18	Old State House	8,545	8,843
T19	Interstate Conference Fund	5,914	6,150
T20	New England Board of Higher Education	2,696	2,777
T21			
T22	AUDITORS OF PUBLIC ACCOUNTS		
T23	Other Expenses	6,001	6,074
T24	Equipment	150	150
T25			
T26	COMMISSION ON AGING		
T27	Other Expenses	573	573
T28			
T29	PERMANENT COMMISSION ON THE STATUS OF WOMEN		

T30	Other Expenses	1,257	1,137
T31	Equipment	15	15
T32			
T33	COMMISSION ON CHILDREN		
T34	Other Expenses	1,513	1,513
T35			
T36	LATINO AND PUERTO RICAN AFFAIRS COMMISSION		
T37	Other Expenses	409	409
T38			
T39	AFRICAN AMERICAN AFFAIRS COMMISSION		
T40	Other Expenses	421	421
T41			
T42	ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION		
T43	Other Expenses	214	214
T44			
T45	GOVERNOR'S OFFICE		
T46	Other Expenses	3,008	3,048
T47	New England Governors' Conference	1,593	1,614
T48	National Governors' Association	1,897	1,922
T49			
T50	SECRETARY OF THE STATE		
T51	Other Expenses	27,307	27,641
T52	Commercial Recording Division	84,880	85,302
T53	Board of Accountancy	4,456	4,529
T54			
T55	LIEUTENANT GOVERNOR'S OFFICE		
T56	Other Expenses	1,029	1,043
T57			
T58	STATE TREASURER		
T59	Other Expenses	2,309	2,339
T60			
T61	STATE COMPTROLLER		
T62	Other Expenses	87,020	77,694
T63			
T64	STATE COMPTROLLER - MISCELLANEOUS		
T65	Adjudicated Claims	366,552	132,330

T66			
T67	DEPARTMENT OF REVENUE SERVICES		
T68	Other Expenses	125,928	115,832
T69			
T70	OFFICE OF GOVERNMENTAL ACCOUNTABILITY		
T71	Other Expenses	858	895
T72	Child Fatality Review Panel	1,615	1,618
T73	Information Technology Initiatives	473	473
T74	Elections Enforcement Commission	54,363	55,131
T75	Office of State Ethics	23,709	24,006
T76	Freedom of Information Commission	25,894	26,031
T77	Contracting Standards Board	4,715	4,543
T78	Judicial Review Council	2,193	2,224
T79	Judicial Selection Commission	1,396	1,399
T80	Office of the Child Advocate	10,719	10,688
T81	Office of the Victim Advocate	6,938	6,914
T82	Board of Firearms Permit Examiners	1,919	1,926
T83			
T84	OFFICE OF POLICY AND MANAGEMENT		
T85	Other Expenses	17,853	18,246
T86	Automated Budget System and Data Base Link	699	708
T87	Justice Assistance Grants	15,131	15,333
T88	Criminal Justice Information System		14,760
T89			
T90	DEPARTMENT OF VETERANS' AFFAIRS		
T91	Other Expenses	75,890	75,890
T92			
T93	DEPARTMENT OF ADMINISTRATIVE SERVICES		
T94	Other Expenses	490,769	492,115
T95	Management Services	69,348	66,431
T96	Loss Control Risk Management	1,722	1,722
T97	Employees' Review Board	312	316
T98	Surety Bonds for State Officials and Employees	2,127	1,104
T99	Refunds Of Collections	385	385
T100	Rents and Moving		77,274
T101	W. C. Administrator	75,000	75,000

T102	State Insurance and Risk Mgmt Operations	205,245	209,935
T103	IT Services	214,726	216,814
T104			
T105	WORKERS' COMPENSATION CLAIMS - ADMINISTRATIVE SERVICES		
T106	Workers' Compensation Claims	129,931	129,931
T107			
T108	ATTORNEY GENERAL		
T109	Other Expenses	15,935	16,183
T110			
T111	DIVISION OF CRIMINAL JUSTICE		
T112	Other Expenses	38,420	38,420
T113	Witness Protection	2,700	2,700
T114	Training And Education	847	847
T115	Expert Witnesses	4,950	4,950
T116	Medicaid Fraud Control	19,851	19,876
T117	Criminal Justice Commission	7	7
T118			
T119	DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION		
T120	Other Expenses	436,495	435,503
T121	Equipment	1,409	1,409
T122	Fleet Purchase	92,750	103,165
T123	Workers' Compensation Claims	68,433	68,433
T124			
T125	MILITARY DEPARTMENT		
T126	Other Expenses	38,927	39,050
T127			
T128	DEPARTMENT OF CONSUMER PROTECTION		
T129	Other Expenses	20,193	21,960
T130			
T131	LABOR DEPARTMENT		
T132	Other Expenses	19,028	16,928
T133	CETC Workforce	10,304	10,608
T134			
T135	COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES		
T136	Other Expenses	5,538	5,538
T137	Martin Luther King, Jr. Commission	94	94

T138			
T139	PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES		
T140	Other Expenses	2,919	2,919
T141			
T142	DEPARTMENT OF AGRICULTURE		
T143	Other Expenses	11,746	11,746
T144			
T145	DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION		
T146	Other Expenses	44,999	44,999
T147	State Superfund Site Maintenance	7,228	7,325
T148	Laboratory Fees	2,275	2,305
T149	Dam Maintenance	2,144	2,147
T150	Emergency Spill Response	109,174	109,903
T151	Solid Waste Management	50,770	51,721
T152	Underground Storage Tank	15,604	15,718
T153	Clean Air	66,826	68,156
T154	Interstate Environmental Commission	731	731
T155	New England Interstate Water Pollution Commission	432	432
T156			
T157	COUNCIL ON ENVIRONMENTAL QUALITY		
T158	Other Expenses	26	26
T159			
T160	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT		
T161	Other Expenses	16,080	15,780
T162			
T163	DEPARTMENT OF HOUSING		
T164	Elderly Rental Registry and Counselors	17,942	17,942
T165			
T166	AGRICULTURAL EXPERIMENT STATION		
T167	Other Expenses	17,010	17,010
T168	Equipment	150	150
T169			
T170	DEPARTMENT OF PUBLIC HEALTH		
T171	Other Expenses	107,442	112,176
T172			

T173	OFFICE OF THE CHIEF MEDICAL EXAMINER		
T174	Other Expenses	20,102	20,102
T175	Equipment	288	288
T176	Medicolegal Investigations	385	390
T177			
T178	DEPARTMENT OF DEVELOPMENTAL SERVICES		
T179	Other Expenses	309,291	313,415
T180			
T181	DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES		
T182	Other Expenses	430,748	431,292
T183	Workers' Compensation Claims	176,884	176,884
T184			
T185	PSYCHIATRIC SECURITY REVIEW BOARD		
T186	Other Expenses	437	442
T187			
T188	DEPARTMENT OF SOCIAL SERVICES		
T189	Other Expenses	2,226,527	2,334,290
T190	Refunds Of Collections	1,659	1,687
T191			
T192	STATE DEPARTMENT ON AGING		
T193	Other Expenses	3,289	3,333
T194			
T195	DEPARTMENT OF REHABILITATION SERVICES		
T196	Other Expenses	23,643	23,643
T197			
T198	DEPARTMENT OF EDUCATION		
T199	Other Expenses	58,892	58,742
T200	Development of Mastery Exams Grades 4, 6, and 8	227,236	234,153
T201	New or Replicated Schools	5,085	6,300
T202	Talent Development	139,532	139,645
T203	Common Core	88,593	89,775
T204	Special Master	22,258	15,155
T205	Health and Welfare Services Pupils Private Schools	58,016	58,016
T206			
T207	OFFICE OF EARLY CHILDHOOD		

T208	Other Expenses	5,249	5,249
T209			
T210	CONNECTICUT STATE LIBRARY		
T211	Other Expenses	9,661	9,790
T212			
T213	OFFICE OF HIGHER EDUCATION		
T214	Other Expenses	2,609	1,504
T215			
T216	UNIVERSITY OF CONNECTICUT		
T217	Workers' Compensation Claims	46,380	46,380
T218			
T219	UNIVERSITY OF CONNECTICUT HEALTH CENTER		
T220	Workers' Compensation Claims	105,240	105,240
T221			
T222	TEACHERS' RETIREMENT BOARD		
T223	Other Expenses	7,990	8,097
T224			
T225	BOARD OF REGENTS FOR HIGHER EDUCATION		
T226	Workers' Compensation Claims	58,161	58,161
T227			
T228	DEPARTMENT OF CORRECTION		
T229	Other Expenses	1,166,052	1,146,498
T230	Workers' Compensation Claims	385,574	385,574
T231	Inmate Medical Services	1,376,135	1,393,161
T232			
T233	DEPARTMENT OF CHILDREN AND FAMILIES		
T234	Other Expenses	530,757	513,624
T235	Workers' Compensation Claims	158,100	158,100
T236	No Nexus Special Education	29,000	30,249
T237			
T238	JUDICIAL DEPARTMENT		
T239	Other Expenses	1,009,378	1,032,205
T240	Workers' Compensation Claims	98,390	98,390
T241			
T242	PUBLIC DEFENDER SERVICES COMMISSION		
T243	Other Expenses	22,377	22,377

T244	Training And Education	1,950	1,950
T245			
T246	TOTAL - GENERAL FUND	12,500,000	12,500,000

Sec. 158. Subsection (c) of section 4a-59 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) All open market orders or contracts shall be awarded to (1) the lowest responsible qualified bidder, the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the state government and the delivery terms being taken into consideration and, at the discretion of the Commissioner of Administrative Services, life-cycle costs and trade-in or resale value of the articles may be considered where it appears to be in the best interest of the state, (2) the highest scoring bidder in a multiple criteria bid, in accordance with the criteria set forth in the bid solicitation for the contract, or (3) the proposer whose proposal is deemed by the awarding authority to be the most advantageous to the state, in accordance with the criteria set forth in the request for proposals, including price and evaluation factors. Notwithstanding any provision of the general statutes to the contrary, each state agency awarding a contract through competitive negotiation shall include price as an explicit factor in the criteria in the request for proposals and for the contract award. In considering past performance of a bidder for the purpose of determining the "lowest responsible qualified bidder" or the "highest scoring bidder in a multiple criteria bid", the commissioner shall evaluate the skill, ability and integrity of the bidder in terms of the bidder's fulfillment of past contract obligations and the bidder's experience or lack of experience in delivering supplies, materials, equipment or contractual services of the size or amount for which bids have been solicited. In determining the lowest responsible qualified bidder for the purposes of this section, the commissioner may give a price preference of up to ten per cent for (A) the purchase of goods made with recycled materials or the purchase of

5970 recyclable or remanufactured products if the commissioner determines
5971 that such preference would promote recycling or remanufacturing. As
5972 used in this subsection, "recyclable" means able to be collected,
5973 separated or otherwise recovered from the solid waste stream for
5974 reuse, or for use in the manufacture or assembly of another package or
5975 product, by means of a recycling program which is reasonably
5976 available to at least seventy-five per cent of the state's population,
5977 "remanufactured" means restored to its original function and thereby
5978 diverted from the solid waste stream by retaining the bulk of
5979 components that have been used at least once and by replacing
5980 consumable components and "remanufacturing" means any process by
5981 which a product is remanufactured; (B) the purchase of motor vehicles
5982 powered by a clean alternative fuel; (C) the purchase of motor vehicles
5983 powered by fuel other than a clean alternative fuel and conversion
5984 equipment to convert such motor vehicles allowing the vehicles to be
5985 powered by either the exclusive use of clean alternative fuel or dual
5986 use of a clean alternative fuel and a fuel other than a clean alternative
5987 fuel. As used in this subsection, "clean alternative fuel" means natural
5988 gas, electricity, hydrogen or propane when used as a motor vehicle
5989 fuel; or (D) the purchase of goods or services from micro businesses.
5990 As used in this subsection, "micro business" means a business with
5991 gross revenues not exceeding three million dollars in the most recently
5992 completed fiscal year. All other factors being equal, preference shall be
5993 given to supplies, materials and equipment produced, assembled or
5994 manufactured in the state and services originating and provided in the
5995 state. **[**If**]** Except with regard to contracts that may be paid for with
5996 United States Department of Transportation funds, if any such bidder
5997 refuses to accept, within ten days, a contract awarded to such bidder,
5998 such contract may be awarded to the next lowest responsible qualified
5999 bidder or the next highest scoring bidder in a multiple criteria bid,
6000 whichever is applicable, and so on until such contract is awarded and
6001 accepted. **[**If**]** Except with regard to contracts that may be paid for with
6002 United States Department of Transportation funds, if any such
6003 proposer refuses to accept, within ten days, a contract awarded to such

6004 proposer, such contract shall be awarded to the next most
6005 advantageous proposer, and so on until the contract is awarded and
6006 accepted. There shall be a written evaluation made of each bid. This
6007 evaluation shall identify the vendors and their respective costs and
6008 prices, document the reason why any vendor is deemed to be
6009 nonresponsive and recommend a vendor for award. A contract valued
6010 at one million dollars or more shall be awarded to a bidder other than
6011 the lowest responsible qualified bidder or the highest scoring bidder in
6012 a multiple criteria bid, whichever is applicable, only with written
6013 approval signed by the Commissioner of Administrative Services and
6014 by the Comptroller. The commissioner shall post on the department's
6015 Internet web site all awards made pursuant to the provisions of this
6016 section.

6017 Sec. 159. Subsections (a) to (c), inclusive, of section 13a-73 of the
6018 general statutes are repealed and the following is substituted in lieu
6019 thereof (*Effective from passage*):

6020 (a) "Real property", as used in this section, includes land and
6021 buildings and any estate, interest or right in land.

6022 (b) The commissioner may take any land **[**he**]** <u>the commissioner</u>
6023 finds necessary for the layout, alteration, extension, widening, change
6024 of grade or other improvement of any state highway or for a highway
6025 maintenance storage area or garage and the owner of such land shall
6026 be paid by the state for all damages, and the state shall receive from
6027 such owner the amount or value of all benefits **[**,**]** resulting from such
6028 taking, layout, alteration, extension, widening, change of grade or
6029 other improvement. The use of any site acquired for highway
6030 maintenance storage area or garage purposes by condemnation shall
6031 conform to any zoning ordinance or development plan in effect for the
6032 area in which such site is located, provided the commissioner may be
6033 granted any variance or special exception as may be made pursuant to
6034 the zoning ordinances and regulations of the town in which any such
6035 site is to be acquired. The assessment of such damages and of such

6036 benefits shall be made by the commissioner and filed by [him] the
6037 commissioner with the clerk of the superior court for the judicial
6038 district in which the land affected is located. The commissioner shall
6039 give notice of such assessment to each person having an interest of
6040 record therein by mailing to each a copy of the same, postage prepaid,
6041 and, at any time after such assessment has been made by the
6042 commissioner, the physical construction of such layout, alteration,
6043 extension, widening, maintenance storage area or garage, change of
6044 grade or other improvement may be made. If notice cannot be given to
6045 any person entitled thereto because [his] such person's whereabouts or
6046 existence is unknown, notice may be given by publishing a notice at
6047 least twice in a newspaper published in the judicial district and having
6048 a daily or weekly circulation in the town in which the property
6049 affected is located. Any such published notice shall state that it is a
6050 notice to the last owner of record or [his] such owner's surviving
6051 spouse, heirs, administrators, assigns, representatives or creditors if he
6052 or she is deceased, and shall contain a brief description of the property
6053 taken. Notice shall also be given by mailing to each such person at his
6054 or her last-known address, by registered or certified mail, a copy of
6055 such notice. If, after a search of the land and probate records, the
6056 address of any interested party cannot be found, an affidavit stating
6057 such facts and reciting the steps taken to establish the address of any
6058 such person shall be filed with the clerk of the court and accepted in
6059 lieu of service of such notice by mailing the same to the last known
6060 address of such person. Upon filing an assessment with the clerk of the
6061 court, the commissioner shall forthwith sign and file for record with
6062 the town clerk of the town in which such real property is located a
6063 certificate setting forth the fact of such taking, a description of the real
6064 property so taken and the names and residences of the owners from
6065 whom it was taken. Upon the filing of such certificate, title to such real
6066 property in fee simple shall vest in the state of Connecticut, except
6067 that, if it is so specified in such certificate, a lesser estate, interest or
6068 right shall vest in the state. The commissioner shall permit the last
6069 owner of record of such real property upon which [a residence] an

owner-occupied residence or owner-operated business is situated to remain in such residence or operate such business, rent free, for a period of [one hundred twenty] ninety days after the filing of such certificate.

(c) The commissioner may purchase any land and take a deed thereof in the name of the state when such land is needed in connection with the layout, construction, repair, reconstruction or maintenance of any state highway or bridge, and any land or buildings or both, necessary, in the commissioner's opinion, for the efficient accomplishment of the foregoing purpose, and may further, when the commissioner determines that it is in the best interests of the state, purchase, lease or otherwise arrange for the acquisition or exchange of land or buildings or both, [for use as a highway maintenance storage area or garage,] provided any purchase of such land or land and buildings in an amount in excess of the sum of one hundred thousand dollars shall be approved by a state referee. The commissioner, with the advice and consent of the Attorney General, may settle and compromise any claim by any person, firm or corporation claiming to be aggrieved by such layout, construction, reconstruction, repair or maintenance by the payment of money, the transfer of other land acquired for or in connection with highway purposes, or otherwise. The commissioner shall permit the last owner of record of such real property upon which an owner-occupied residence or owner-operated business is situated to remain in such residence or operate such business, rent free, for a period of ninety days from the filing of such deed.

Sec. 160. Subsection (b) of section 13a-80 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The Department of Transportation shall obtain a full appraisal on excess property prior to its sale and shall hold a public bid or auction for all properties determined to be legal lots of record. If the

department does not receive any bids at the initial public bid or auction, the department may continue to market the property and accept offers for sale or hold another bid or auction. Transfers to other state agencies and municipalities for purposes specified by the department shall be exempt from the appraisal requirement. The department shall offer parcels that are legal lots of record to other state agencies **[**, and to any municipality in which any such parcel is located, before holding**]** prior to a public bid or auction and shall offer parcels that are not legal lots of record to all abutting landowners in accordance with department regulations. If the sale or transfer of property pursuant to this section results in the existing property of an abutting landowner becoming a nonconforming use, pursuant to local zoning requirements, the commissioner may sell or transfer the property to such abutting landowner without public bid or auction. The department shall obtain a second appraisal if the value of such property is more than two hundred fifty thousand dollars and is to be sold to an abutting landowner or in accordance with the provisions of subsection (c) of this section. Any appraisals shall be obtained prior to the determination of a sale price of the excess property.

Sec. 161. Section 13a-95b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Transportation may, as an alternative to using a design-bid-build contract, designate specific projects to be completed using a (1) construction-manager-at-risk contract with a guaranteed maximum price, or (2) design-build contract.

(b) If the commissioner designates a project to use a construction-manager-at-risk contract with a guaranteed maximum price, the commissioner may have the project designed by department personnel or enter into a **[**single**]** contract with an architect or engineer for the project design, **[**as well as a single**]** and may also enter into a contract with a construction-manager-at-risk contractor who will provide input during the design process and may be responsible for the construction

of the project. [by selecting trade subcontractors using a low sealed bid process.] The commissioner may permit the contractor to self-perform a portion of the construction work if the commissioner determines that the construction manager general contractor can perform the work more cost-effectively than a subcontractor. All work not performed by the construction manager general contractor shall be performed by trade subcontractors selected by a process approved by the commissioner. The construction-manager-at-risk contract shall have an established guaranteed maximum price. In the event that a guaranteed maximum price cannot be agreed upon, the commissioner may elect to call for bids on the project as provided for pursuant to section 13a-95. The commissioner may select the architect, engineer or contractor from among the contractors selected and recommended by a selection panel. Any such contract for such project shall be based upon competitive proposals received by the commissioner, who shall give notice of the project, by advertising at least once, in a newspaper having a substantial circulation in the area in which the project is located, and may give notice on the Department of Administrative Services State Contracting Portal, or use other advertising methods likely to reach qualified construction manager general contractors. Award of any such contract shall be based upon the general conditions and staff costs plus qualitative criteria. The commissioner shall establish all criteria, requirements and conditions of such proposals and award and shall have sole responsibility for all other aspects of the project. Any contract shall clearly state the responsibilities of the contractor to deliver a completed and acceptable project on a date certain, the maximum cost of the project, and, if applicable, as a separate item, the cost of property acquisition.

(c) If the commissioner designates a project to use a design-build contract, the commissioner may enter into a single contract with the design-builder, who the commissioner may select from among the design-builders selected and recommended by a selection panel. The contract shall (1) include, but not be limited to, such project elements

6167 as site acquisition, permitting, engineering design and construction,
6168 and (2) be based on competitive proposals received by the
6169 commissioner, who shall give notice of the project and specifications
6170 for the project, by advertising, at least once, in a newspaper having a
6171 substantial circulation in the area in which the project is located, and,
6172 at the commissioner's discretion, on the Department of Administrative
6173 Services State Contracting Portal, and may use other advertising
6174 methods likely to reach qualified design-build contractors. Award of
6175 the design-build contract shall be based on a predetermined metric
6176 provided to proposers in advance of technical proposal development.
6177 This metric may be unique to each project, but shall consist of a
6178 combined score of qualifications and past performance of the proposer,
6179 technical merit of the proposal and cost. The commissioner shall
6180 establish a selection panel for each project to score the qualifications
6181 and past performance and technical portion of the proposal using the
6182 predefined scoring metric. The sealed cost portion of the proposal shall
6183 be opened in a public ceremony only after the qualifications and past
6184 performance and technical portions of the proposals have been scored.
6185 The commissioner shall determine all criteria, requirements and
6186 conditions for such proposals and award and shall have sole
6187 responsibility for all other aspects of the contract. Such contract shall
6188 state clearly the responsibilities of the design-builder to deliver a
6189 completed and acceptable project on a date certain, the maximum cost
6190 of the project, and, if applicable, as a separate item, the cost of property
6191 acquisition.

6192 Sec. 162. Section 13a-95c of the general statutes is repealed and the
6193 following is substituted in lieu thereof (*Effective from passage*):

6194 (a) For any contract entered into pursuant to section 13a-95b, as
6195 amended by this act, the Commissioner of Transportation shall: (1)
6196 Perform project development services. Such services may include, but
6197 need not be limited to, the size, type and desired design character of
6198 the project, performance specifications, quality of materials,
6199 equipment, workmanship, preliminary plans or any other information

6200 necessary for the department to issue a [bid package] request for
6201 proposals, and (2) perform oversight of projects and provide
6202 inspection services, which shall include, but need not be limited to,
6203 inspection of construction, surveying, testing, monitoring of
6204 environmental compliance, quality control inspection and quality
6205 assurance audits.

6206 (b) (1) After the first two projects performed with contracts
6207 authorized pursuant to section 13a-95b, as amended by this act, the
6208 Commissioner of Transportation shall perform all development and
6209 inspection work, as described in subsection (a) of this section, using
6210 department employees. The commissioner may utilize consultants to
6211 perform the design of the project, if the commissioner determines, after
6212 conducting an assessment of project delivery schedule, staffing
6213 capacity and the technical expertise required, that the department
6214 lacks the capacity and technical expertise required to perform the
6215 design of a project designated to be constructed by a construction-
6216 manager-at-risk. For projects designated to be constructed using the
6217 design-build contracting method, the responsibility to perform
6218 detailed design work shall remain with the contractor. The
6219 Commissioner of Administrative Services shall place the positions
6220 required for this work on continuous recruitment pursuant to the
6221 provisions of section 5-216. In addition, employees may be appointed
6222 to durational positions to reduce the need for inspection or
6223 development work to be performed by consultants. Such employees
6224 may be appointed as engineers if they have met the education,
6225 knowledge and training requirements required by the Department of
6226 Administrative Services job classification to durational positions
6227 without examination to reduce the need for inspection or development
6228 work to be performed by consultants. Any contract entered into with a
6229 consultant for the initial project bid in accordance with section 13a-95b,
6230 as amended by this act, shall contain a provision that provides for
6231 training the employees of the Department of Transportation in the
6232 process for bidding and managing projects entered into in accordance

6233 with section 13a-95b, as amended by this act.

6234 (2) Notwithstanding the provisions of subdivision (1) of this
6235 subsection, there shall be a transition period during which the
6236 Commissioner of Transportation may authorize the continued use of
6237 consultants if necessary to complete contracts authorized pursuant to
6238 section 13a-95b, as amended by this act. During this period, the
6239 commissioner shall make all reasonable efforts to perform
6240 development and inspection work as described in subsection (a) of this
6241 section using, where such employees are available, department
6242 employees and reducing, and where possible eliminating, the
6243 dependency on outside consultants. The commissioner shall establish a
6244 program to train department employees to support alternative project
6245 delivery methods. Such training program may be provided in projects
6246 utilizing consultants, as provided for in this section. The commissioner
6247 shall report, on or before October first annually, to the Governor of the
6248 progress made in training employees in alternative project delivery
6249 methods, improving the diversity of technical expertise of employees
6250 and building internal project delivery capacity. The authority granted
6251 by this **[**subsection**]** subdivision to use consultants on contracts entered
6252 into pursuant to section 13a-95b, as amended by this act, shall be
6253 subject to a termination date which shall be **[**the earlier of (A) the date
6254 that the Governor transmits to the joint standing committee of the
6255 General Assembly having cognizance of matters relating to
6256 transportation a letter certifying**]** January 1, 2022, unless the Governor
6257 certifies that the use of consultants is **[**no longer**]** necessary to complete
6258 projects authorized pursuant to section 13a-95b, as amended by this
6259 act, which shall extend such termination date to a date not later than
6260 January 1, 2025. **[**or (B) January 1, 2019. This authority shall not
6261 continue beyond such termination date unless affirmatively
6262 reauthorized by the action of both houses of the General Assembly.**]**

6263 Sec. 163. Section 13b-34 of the general statutes is amended by
6264 adding subsections (j) and (k) as follows (*Effective from passage*):

6265 (NEW) (j) If the commissioner deems it to be in the best interest of
6266 the state, the commissioner may indemnify and hold harmless the
6267 Metro-North Commuter Railroad Company for claims brought by the
6268 National Railroad Passenger Corporation or other third parties against
6269 the Metro-North Commuter Railroad Company relative to the
6270 operation of M-8 rail cars on National Railroad Passenger Corporation
6271 property, provided such indemnification does not relieve the Metro-
6272 North Commuter Railroad Company from liability for its wilful or
6273 negligent acts or omissions.

6274 (NEW) (k) The commissioner may indemnify and hold harmless
6275 any operator selected pursuant to section 13b-79u to operate on the
6276 New Haven-Hartford-Springfield rail line if the commissioner finds
6277 that (1) it is in the best interest of the state to do so, and (2) the
6278 National Rail Passenger Corporation requires such operator to
6279 indemnify and hold harmless said corporation.

6280 Sec. 164. Section 13b-283 of the general statutes is repealed and the
6281 following is substituted in lieu thereof (*Effective from passage*):

6282 (a) Railroad companies shall keep in repair all structures under their
6283 tracks at any highway crossing. The state shall maintain and repair any
6284 structure (1) which spans a railroad and which supports a municipal
6285 road or (2) which spans any rail right-of-way which has been
6286 purchased by any state agency. The Commissioner of Transportation
6287 shall adopt regulations in accordance with the provisions of chapter
6288 54, <u>and may enter into an agreement with any municipality, as</u>
6289 <u>provided in subsection (f) of this section,</u> establishing a method by
6290 which the cost of repairing and maintaining any structure provided for
6291 in subdivision (1) of this subsection shall be apportioned between the
6292 state and the municipality in which such structure is located. Any
6293 **[**town, city or borough**]** <u>municipality</u> may repair such structures over
6294 the tracks of a railroad company located within such **[**town, city or
6295 borough**]** <u>municipality</u>. For the purpose of obtaining liability insurance
6296 coverage insuring against any losses or injuries suffered during the

performance of such repairs, such [town, city or borough] municipality may, in lieu of purchasing a separate policy of insurance naming such railroad company as an additional insured, purchase a rider to be attached to any existing insurance policy providing such liability coverage, naming such railroad company as an additional insured. The state shall maintain and repair the structures over any railroad on state-maintained highways constructed after January 1, 1955.

(b) The Commissioner of Transportation may expend up to the amount available annually from funds provided by specific appropriation from the Special Transportation Fund or other state funds in addition to any available federal funds to reconstruct, repair or replace with a new structure, together with the minimum approach work required for replacement, any existing structure carrying a town-maintained road or highway over a railroad when such structure is deemed critical from a traffic safety or load-carrying standpoint. The expense of any roadway construction on the approaches beyond what is required to build the new structure shall be paid by the [town] municipality, if the work is done by or approved by the [town] municipality.

(c) The Commissioner of Transportation may expend up to the amount made available from funds provided by specific appropriations from the Special Transportation Fund or other state funds in addition to any available federal funds to eliminate highway-railroad grade crossings by construction of grade separation structures and necessary approaches or by relocation of [town-maintained] roads or highways maintained by a municipality to provide access to existing grade separation structures.

(d) The Commissioner of Transportation, as [he] said commissioner deems necessary, may acquire land or rights of ingress to and egress from land abutting any project which he or she undertakes pursuant to this section in the same manner and with like powers as authorized and exercised by said commissioner in acquiring land for state

6329 highway purposes.

6330 (e) The Commissioner of Transportation, as **[**he**]** said commissioner
6331 deems necessary, may issue an order to any utility, as defined in
6332 section 13a-98f, to readjust, relocate or remove its facility, at its own
6333 expense, from any structure or road abutting a structure in order to
6334 perform maintenance or repairs pursuant to this section and such
6335 utility shall readjust, relocate or remove its facility promptly in
6336 accordance with such order, except that the cost of readjusting,
6337 relocating, or removing any municipal utility shall be apportioned on
6338 the same basis as the cost of constructing such structure or road
6339 abutting such structure. The cost of readjusting, relocating or removing
6340 any public service facility which abuts or is within, on, over or under
6341 any state highway shall be apportioned in accordance with the
6342 provisions of section 13a-126.

6343 (f) The Commissioner of Transportation may enter into an
6344 agreement with the authorized official or officials of a municipality for
6345 the maintenance and removal of snow and ice from a footpath or
6346 sidewalk on any structure provided for in subdivisions (1) and (2) of
6347 subsection (a) of this section.

6348 Sec. 165. Section 14-66 of the general statutes is repealed and the
6349 following is substituted in lieu thereof (*Effective October 1, 2015*):

6350 (a) (1) No person, firm or corporation shall engage in the business of
6351 operating a wrecker for the purpose of towing or transporting motor
6352 vehicles, including motor vehicles which are disabled, inoperative or
6353 wrecked or are being removed in accordance with the provisions of
6354 section 14-145, 14-150 or 14-307, unless such person, firm or
6355 corporation is a motor vehicle dealer or repairer licensed under the
6356 provisions of subpart (D) of this part. (2) The commissioner shall
6357 establish and publish a schedule of uniform rates and charges for the
6358 nonconsensual towing and transporting of motor vehicles and for the
6359 storage of motor vehicles which shall be just and reasonable. Upon

6360 petition of any person, firm or corporation licensed in accordance with
6361 the provisions of this section, but not more frequently than once every
6362 two years, the commissioner shall reconsider the established rates and
6363 charges and shall amend such rates and charges if the commissioner,
6364 after consideration of the factors stated in this subdivision, determines
6365 that such rates and charges are no longer just and reasonable. In
6366 establishing and amending such rates and charges, the commissioner
6367 may consider factors, including, but not limited to, the Consumer Price
6368 Index, rates set by other jurisdictions, charges for towing and
6369 transporting services provided pursuant to a contract with an
6370 automobile club or automobile association licensed under the
6371 provisions of section 14-67 and rates published in standard service
6372 manuals. The commissioner shall hold a public hearing for the purpose
6373 of obtaining additional information concerning such rates and charges.
6374 (3) With respect to the nonconsensual towing or transporting and the
6375 storage of motor vehicles, no such person, firm or corporation shall
6376 charge more than the rates and charges published by the
6377 commissioner. Any person aggrieved by any action of the
6378 commissioner under the provisions of this section may take an appeal
6379 therefrom in accordance with section 4-183, except venue for such
6380 appeal shall be in the judicial district of New Britain.

6381 (b) The commissioner, or an inspector authorized by the
6382 commissioner, shall examine each wrecker, including its number,
6383 equipment and identification, and shall determine the mechanical
6384 condition of such wrecker and whether or not it is properly equipped
6385 to do the work intended. A wrecker shall be deemed properly
6386 equipped if there are two flashing yellow lights installed and mounted
6387 on such wrecker that (1) show in all directions at all times, and (2)
6388 indicate the full width of such wrecker. Such lights shall be mounted
6389 not less than eight feet above the road surface and as close to the back
6390 of the cab of such wrecker as practicable. Such lights shall be in
6391 operation when such wrecker is towing a vehicle and when such
6392 wrecker is at the scene of an accident or the location of a disabled

motor vehicle. In addition, each wrecker shall be equipped with a spot light mounted so that its beam of light is directed toward the hoisting equipment in the rear of such wrecker. The hoisting equipment of each wrecker shall be of sufficient capacity to perform the service intended and shall be securely mounted to the frame of such vehicle. A fire extinguisher shall be carried at all times on each wrecker which shall be in proper working condition, mounted in a permanent bracket on each wrecker and have a minimum rating of eight bc. A set of three flares in operating condition shall be carried at all times on each wrecker and shall be used between the periods of one-half hour after sunset and one-half hour before sunrise when the wrecker is parked on a highway while making emergency repairs or preparing to pick up a disabled vehicle to remove it from a highway or adjoining property. No registrant or operator of any wrecker shall offer to give any gratuities or inducements of any kind to any police officer or other person in order to obtain towing business or recommendations for towing or storage of, or estimating repairs to, disabled vehicles. No licensee shall require the owner to sign a contract for the repair of such owner's damaged vehicle as part of the towing consideration or to sign an order for the repair of, or authorization for estimate until the tow job has been completed. No licensee shall tow a vehicle in such a negligent manner as to cause further damage to the vehicle being towed.

(c) Each wrecker used for towing or transporting motor vehicles shall be registered as a wrecker by the commissioner for a fee of one hundred twenty-five dollars. Each such registration shall be renewed biennially according to renewal schedules established by the commissioner so as to effect staggered renewal of all such registrations. If the adoption of a staggered system results in the expiration of any registration more or less than two years from its issuance, the commissioner may charge a prorated amount for such registration fee.

(d) An owner of a wrecker may apply to the commissioner for a

6426 general distinguishing number and number plate for the purpose of
6427 displaying such number plate on a motor vehicle temporarily in the
6428 custody of such owner and being towed or transported by such owner.
6429 The commissioner shall issue such number and number plate to an
6430 owner of a wrecker (1) who has complied with the requirements of this
6431 section, and (2) whose wrecker is equipped in accordance with
6432 subsection (b) of this section. The commissioner shall charge a fee to
6433 cover the cost of issuance and renewal of such number plates.

6434 (e) With respect to the nonconsensual towing or transporting of a
6435 motor vehicle, no licensee may tow or transport a vehicle to the
6436 premises of any person, firm or corporation engaged in the storage of
6437 vehicles for compensation unless such person, firm or corporation
6438 adheres to the storage charges published by the commissioner.

6439 (f) The provisions of this section shall not apply to any person, firm,
6440 corporation or association: (1) Towing or transporting a motor vehicle,
6441 provided such person, firm, corporation or association is licensed as a
6442 motor vehicle dealer pursuant to the provisions of subpart (D) of this
6443 part and does not offer direct towing or transporting to the public or
6444 engage in nonconsensual towing or transporting; (2) operating as an
6445 automobile club or automobile association licensed under section 14-
6446 67; (3) operating as a motor vehicle recycler licensed under section 14-
6447 67*l* or any contractor of such recycler, provided such recycler or its
6448 contractor does not offer towing or transporting to the public or
6449 engage in nonconsensual towing or transporting; (4) engaging in the
6450 business of repossession of motor vehicles for lending institutions,
6451 provided it does not offer direct towing or transporting unless licensed
6452 as a motor vehicle dealer under the provisions of subpart (D) of this
6453 part; (5) towing motor vehicles owned or leased by such person, firm,
6454 association or corporation; (6) towing or transporting motor vehicles
6455 for hire, with the appropriate operating authority, as defined in 49 CFR
6456 390.5, as amended from time to time, provided such person, firm,
6457 corporation or association does not offer towing or transporting to the
6458 public or engage in nonconsensual towing or transporting; or (7)

6459 towing motor vehicles to or from an auction conducted by a dealer
6460 licensed pursuant to the provisions of subpart (D) of this part,
6461 provided such person, firm, corporation or association does not offer
6462 direct towing or transporting to the public or engage in nonconsensual
6463 towing or transporting.

6464 (g) Any law enforcement officer or traffic authority, as defined in
6465 section 14-297, may determine that a vehicle blocking a travel lane on a
6466 limited access highway constitutes an emergency and a threat to public
6467 safety. Upon such determination, such law enforcement officer or
6468 traffic authority may direct the operator of a wrecker to remove such
6469 vehicle. Any such operator of a wrecker shall be held harmless from
6470 liability or causes of action for property damages incurred to such
6471 vehicle or to its contents or the surrounding area caused by such
6472 emergency removal, provided such removal measures are taken under
6473 the direction of such officer or authority and all reasonable care is
6474 taken by the operator of the wrecker to limit any further damage to
6475 such vehicle, such vehicle's contents or the surrounding area.

6476 **[**(g)**]** (h) For the purposes of this section, "nonconsensual towing or
6477 transporting" means the towing or transporting of a motor vehicle in
6478 accordance with the provisions of section 14-145 or for which
6479 arrangements are made by order of a law enforcement officer or traffic
6480 authority, as defined in section 14-297.

6481 **[**(h)**]** (i) Any person, firm, corporation or association that violates the
6482 provisions of this section shall, for a first offense, be deemed to have
6483 committed an infraction and for a second or subsequent offense, shall
6484 be guilty of a class D misdemeanor.

6485 Sec. 166. (NEW) (*Effective from passage*) On or before January 1, 2017,
6486 the Commissioner of Transportation, in cooperation with the
6487 Commissioners of Emergency Services and Public Protection and
6488 Energy and Environmental Protection, shall report, in accordance with
6489 the provisions of section 11-4a of the general statutes, to the joint

standing committees of the General Assembly having cognizance of matters relating to transportation, public safety and environment, on the development and implementation of an enhanced accident response plan. Such report shall include, but need not be limited to, a description of (1) existing programs and policies regarding the state's accident response plan, (2) ongoing steps being taken to implement such programs and policies throughout the state, (3) interagency initiatives to ensure a prompt, coordinated and efficient response to accidents or other traffic incidents, (4) outreach efforts to include in such programs and policies other individuals and groups critical to the state's plan for responding to accidents or traffic incidents, (5) any federal programs designed to improve accident or traffic incident response, including the availability of federal funding for implementation of such programs, and (6) the goals set for the coming year in improving the accident response plan.

Sec. 167. Section 15-13 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Transportation shall license as many residents of this state and any other state as said commissioner deems necessary and finds qualified to act as pilots for one year in any of the ports and waters of this state including the Connecticut waters of Long Island Sound. A license shall be denied to any person holding a license or authority under the laws of any other state **[**which**]** <u>that</u> does not issue a license or authority to pilots licensed by the Connecticut Department of Transportation. Except as **[**hereinafter**]** provided <u>in this section</u>, no person shall be so licensed unless **[**he**]** <u>such person</u> possesses a federal masters license and has procured a federal first class pilot's license of unlimited tonnage issued by the United States Coast Guard covering the sections of the waters of this state for which application is being made to said commissioner. Each applicant for a license to act as a pilot for any port or waterway of the state<u>,</u> including the Connecticut waters of Long Island Sound<u>,</u> shall document that **[**he**]** <u>such person</u> has made the following passages on ocean-going vessels

6523 of not less than four thousand gross tons, through the port or
6524 waterway for which application is being made during the thirty-six
6525 months immediately preceding [his] such application: (1) Twelve
6526 round trips on American vessels under enrollment as pilot of record,
6527 on which the applicant is not a crew member; or (2) twenty-four round
6528 trips as observing pilot on foreign or registered vessels during which
6529 the applicant does the piloting work under the supervision and
6530 authority of a pilot licensed by this state, provided the applicant
6531 possesses a first class pilot's license issued by the United States Coast
6532 Guard for the port or waterway; or (3) any combination of the above
6533 requirements for trips, substituting two observer trips for each trip as
6534 pilot of record.

6535 (b) An extension of route for waters of this state including the
6536 Connecticut waters of Long Island Sound, for which application is
6537 being made by a pilot currently licensed by the commissioner for
6538 eastern Long Island Sound and at least one of the ports of New
6539 London, New Haven or Bridgeport, shall be granted provided the
6540 applicant (1) has procured a federal first class pilot's license of
6541 unlimited tonnage issued by the United States Coast Guard covering
6542 the sections of the waters of this state including the Connecticut waters
6543 of Long Island Sound, for which application for an extension of route
6544 is being made, and (2) can document that, within the thirty-six months
6545 immediately preceding such application, the applicant has made six
6546 round trips through the port or waterway for which application is
6547 being made as observing pilot on vessels under enrollment or vessels
6548 under register subject to compulsory pilotage under sections 15-15 and
6549 15-15c, during which the applicant does the piloting work under the
6550 supervision and authority of a pilot licensed by this state.

6551 [(b)] (c) Each pilot shall, upon the granting of [his] a license, pay a
6552 fee of thirty dollars to said commissioner and shall give a bond of one
6553 thousand dollars to the [State] Treasurer and [his] the Treasurer's
6554 successors in office, with surety, to the acceptance of the commissioner,
6555 conditioned for the faithful performance of his or her duties as a pilot,

upon which bond suit may be brought in the name of said Treasurer for the benefit of any person who may suffer loss or damage, by reason of the ignorance, neglect or misconduct of such pilot in the discharge of [his] such pilot's duties. The commissioner shall increase such fee by fifty per cent July 1, 1985, by an additional fifty per cent effective July 1, 1989, by an additional twenty-five per cent effective July 1, 1991, and by an additional twenty-five per cent effective July 1, 1993.

[(c)] (d) Each license shall expire on the last day of December following its issuance and may be renewed upon application and payment of the fee required by subsection [(b)] (c) of this section, renewal of the bond required under subsection [(b)] (c) of this section and proof of current federal licensure as required in subsection (a) of this section.

[(d)] (e) The Commissioner of Transportation shall keep a record of each license and, if requested, shall furnish a certificate of such license.

[(e)] (f) Said commissioner may suspend or revoke any pilot's license for (1) incompetence, (2) neglect of duty, (3) misconduct, or (4) using a vessel owned or operated by a person who has not obtained a certificate of compliance under the provisions of section 15-15e for the purpose of embarking or disembarking another vessel in open and unprotected waters. Any person aggrieved by the action of said commissioner under the provisions of this subsection may appeal therefrom in accordance with the provisions of section 4-183.

[(f)] (g) Any pilot who has been away from duty for a period of not less than six months, or who has not completed a passage through any port or waterway for which [he] such pilot is licensed during such period, shall be placed on inactive status. [Said] Such pilot shall complete at least one round trip over the port or waterway for which [he] such pilot is licensed before resuming his or her duties as a pilot. The refresher passages shall be made in the company of an active pilot licensed by the state. [Said] Such pilot, before resuming [his] pilotage

duties, shall submit to the commissioner a list of completed refresher passages, including the name, gross tons and draft of each vessel involved, a description and date of each passage and the name of the attending pilot.

[(g)**]** (h) The commissioner may issue limited licenses pursuant to this section. Such licenses may be limited according to a pilot's qualifications for operating a vessel, which shall include, but not be limited to, the type, size, gross tonnage or draft of a vessel.

[(h)**]** (i) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes of this section.

Sec. 168. Subsection (d) of section 13b-59 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) "License, permit and fee revenues" means (1) all fees and other charges required by, or levied pursuant to sections 12-487, 13b-80, as amended by this act, and 13b-97, subsection (b) of section 14-12, sections 14-16a, 14-21c, 14-44h and 14-44i, subsection (v) of section 14-49, subsections (b) and (f) of section 14-50, subdivisions (7) to (9), inclusive, of subsection (a) of section 14-50a, sections 14-52, 14-58, 14-67*l* and 14-69, subsection (e) of section 14-73, sections 14-96q and 14-103a, subsection (a) of section 14-164a, subsection (a) of section 14-192, subsection (d) of section 14-270, sections 14-319 and 14-320 and sections 13b-410a to 13b-410c, inclusive; (2) all aeronautics, waterways, and other fees and charges required by, or levied pursuant to sections 13a-80, as amended by this act, and 13a-80a, subsection (b) of section 13b-42 and subsections **[**(b) and**]** (c) and (d) of section 15-13, as amended by this act; and (3) all motor vehicle related fines, penalties or other charges as defined in subsection (g) of this section;

Sec. 169. (*Effective from passage*) The Department of Transportation shall take all steps necessary to cover the deteriorated Amtrak

6618 overpass that is next to a bridge on the Hartford-New Britain busway
6619 project in the town of West Hartford. Such steps shall include, on the
6620 east side of the Amtrak overpass, design, construction and installation
6621 of an overhead sign that spans state Route 529, New Britain Avenue,
6622 and covers the Amtrak overpass.

6623 Sec. 170. (NEW) (*Effective October 1, 2015*) The Department of
6624 Transportation shall continue planning efforts for improvements to the
6625 New Canaan, Norwalk, Danbury and Waterbury branch rail lines,
6626 including, but not limited to, upgrades and electrification of such rail
6627 lines. Not later than January 6, 2017, the department shall provide a
6628 report on the progress of such planning efforts to the joint standing
6629 committee of the General Assembly having cognizance of matters
6630 relating to transportation, and shall provide updates thereafter, as
6631 requested by said committee.

6632 Sec. 171. (*Effective from passage*) (a) The Commissioner of
6633 Transportation shall conduct a study of options for operation of the
6634 state rail lines. Such study shall include: (1) Research of companies that
6635 operate rail lines, including Metro North Commuter Railroad, to
6636 ascertain, for each company, such company's (A) past experience in the
6637 field of rail line operation, (B) terms of the contracts under which such
6638 companies operate and mechanisms used to enforce such terms, (C)
6639 performance standards for quality of service and safety provided, and
6640 (D) experience in working with other stakeholders to respond
6641 promptly and effectively to concerns about the operation of a rail line;
6642 (2) outreach to the contracting agencies that employ such companies
6643 for their lessons learned, best practices and a summary of the structure
6644 and governance of the rail lines subject to these contracts; and (3) the
6645 feasibility of, legal and labor issues of, procurement models and
6646 schedules for, and costs involved in, a competitive procurement of one
6647 or more new contracts to operate the state rail lines. Such study shall
6648 be conducted in a manner so as not to interfere with any actual
6649 commuter rail service procurements the department is conducting or
6650 plans to conduct, including the Hartford line service provider

6651 procurement.

6652 (b) Not later than January 1, 2017, the commissioner shall report, in
6653 accordance with the provisions of section 11-4a of the general statutes,
6654 to the joint standing committee of the General Assembly having
6655 cognizance of matters relating to transportation, on the results of the
6656 study required pursuant to subsection (a) of this section.

6657 Sec. 172. (*Effective from passage*) Route 272 in Torrington from the
6658 intersection of Route 4 traveling in a northerly direction to the
6659 intersection of Hodges Hill Road shall be designated the "Richard W.
6660 Nardine Memorial Highway".

6661 Sec. 173. (*Effective from passage*) Route 173 in Newington from the
6662 intersection of Richard Street traveling in a northerly direction to the
6663 intersection of Route 174 shall be designated the "Robert J. Seiler
6664 Memorial Highway".

6665 Sec. 174. (*Effective from passage*) Route 106 in Wilton from the New
6666 Canaan-Wilton town line traveling in an easterly direction to the
6667 intersection of Route 53 shall be designated the "Air Force First
6668 Lieutenant Charles M. Baffo Memorial Highway".

6669 Sec. 175. (*Effective from passage*) The access driveway to the
6670 Department of Transportation's Colchester Repair and Electrical
6671 Facility located at 80 New London Road shall be designated the "Lisa
6672 Maynard Memorial Access Road".

6673 Sec. 176. (*Effective from passage*) Route 63 in Watertown from the
6674 intersection of Bunker Hill Road traveling in a northerly direction to
6675 the intersection of Route 6 shall be designated the "Guy E. Buzzannco
6676 Memorial Highway".

6677 Sec. 177. (*Effective from passage*) Route 35, located in Ridgefield,
6678 running in a generally northerly direction from the intersection of
6679 Limestone Road to the intersection with Route 7 shall be designated

6680 the "Maurice Sendak Memorial Highway".

6681 Sec. 178. (*Effective from passage*) Route 160 in Rocky Hill from the
6682 intersection of Route 3 traveling in an easterly direction to the
6683 intersection of Gilbert Avenue shall be designated the "James Vicino
6684 Memorial Highway".

6685 Sec. 179. (*Effective from passage*) Route 127, East Main Street, in
6686 Bridgeport, from the intersection of Route 130 traveling in a northerly
6687 direction to the intersection of Route 1 shall be designated the "65th
6688 U.S. Infantry Regiment, 'The Borinqueneers' Memorial Highway".

6689 Sec. 180. (*Effective from passage*) Route 196 from Route 66 to Main
6690 Street in the town of East Hampton shall be designated the "Russell
6691 Oakes Memorial Highway".

6692 Sec. 181. (*Effective from passage*) Bridge number 00649 on Interstate 84
6693 westbound overpassing Route 10 in Southington shall be designated
6694 the "Lieutenant Michael J. Shanley Memorial Bridge".

6695 Sec. 182. (*Effective from passage*) Bridge number 05349 on Route 82
6696 eastbound over the Yantic River in Norwich shall be designated the
6697 "Benjamin Demond Memorial Bridge".

6698 Sec. 183. (*Effective from passage*) Bridge number 0429 on Route 4 in
6699 Farmington overpassing the Farmington River shall be designated the
6700 "Albert M. Glenn Memorial Bridge".

6701 Sec. 184. (*Effective from passage*) Bridge number 00049 on Interstate 95
6702 over Richards Avenue in the town of Norwalk shall be designated the
6703 "Army Specialist David R. Fahey, Jr. Memorial Bridge".

6704 Sec. 185. (*Effective from passage*) Route 243 in Woodbridge shall be
6705 designated the "Joseph Anastasio Memorial Highway".

6706 Sec. 186. (*Effective from passage*) Bridge number 00638 in Middletown
6707 shall be designated the "Major General Maurice Rose Memorial

6708 Bridge".

6709 Sec. 187. (*Effective from passage*) Route 1 Mianus River Bridge
6710 between the Cos Cob and Riverside sections of Greenwich shall be
6711 designated the "Honorable David N. Theis Memorial Bridge".

6712 Sec. 188. (*Effective from passage*) Route 138 in Lisbon shall be
6713 designated the "Aaron Dwight Stevens Memorial Highway".

6714 Sec. 189. (*Effective from passage*) Bridge number 01752 on Interstate 84
6715 westbound in the town of West Hartford shall be designated the "Lt.
6716 Col. George W. Tule Memorial Bridge".

6717 Sec. 190. (*Effective from passage*) Route 194 in South Windsor, running
6718 in a generally northerly direction from U.S. Route 5 to Troy Road shall
6719 be designated the "Thomas F. Howe Memorial Highway".

6720 Sec. 191. (*Effective from passage*) Route 10 in Cheshire running in a
6721 northerly direction from the entrance of Bartlem Park to the Cheshire
6722 Police Station shall be designated the "Medal of Honor Highway".

6723 Sec. 192. (*Effective from passage*) Route 83 in Glastonbury, from the
6724 intersection of Howe Street travelling in a northerly direction to the
6725 Glastonbury-Manchester town line shall be designated the "Thomas P.
6726 Sheridan Memorial Highway".

6727 Sec. 193. (*Effective from passage*) Bridge number 00488 on Route 66 in
6728 Windham shall be designated the "James Carey DeVivo Memorial
6729 Bridge".

6730 Sec. 194. (*Effective from passage*) The Department of Transportation
6731 shall attach to existing signage at exit 21, eastbound and westbound,
6732 on Interstate 84 in Waterbury, or at another location in the vicinity, as
6733 determined by the department, indicating the location of a monument
6734 in honor of Father Michael J. McGivney.

6735 Sec. 195. Section 21 of public act 11-256 is repealed and the

following is substituted in lieu thereof (*Effective from passage*):

The portion of State Road 702 from Exit 13 of I-91 westerly to the junction of Route 5 in Wallingford shall be designated the [("Major Raoul Lufbery Highway")] "Major Gervais Raoul Lufbery Memorial Highway".

Sec. 196. Section 46 of public act 11-256 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[A portion of I-84] Bridge number 3372 A and B on Interstate 84 in Hartford shall be designated the [("Tuskegee Airmen Highway")] "Tuskegee Airmen Memorial Bridge".

Sec. 197. Section 44 of public act 13-277 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Bridge number 00648 on Interstate 84 eastbound in Southington overpassing Route 10 shall be designated the [("John A. Dolan Memorial Bridge")] "Trooper John A. Dolan Memorial Bridge".

Sec. 198. Subsection (a) of section 14-11b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There shall be within the Department of Rehabilitation Services a unit for the purpose of evaluating and training persons with disabilities in the operation of motor vehicles. There shall be assigned to the driver training unit for persons with disabilities such staff as is necessary for the orderly administration of the driver training program for persons with disabilities. The personnel assigned to the driver training unit for persons with disabilities shall, while engaged in the evaluation or instruction of a person with disabilities, have the authority and immunities with respect to such activities as are granted under the general statutes to motor vehicle inspectors. The Commissioner of Motor Vehicles may permit a person whose license

has been withdrawn as a result of a condition that makes such person eligible for evaluation and training under this section to operate a motor vehicle while accompanied by personnel assigned to the driver training unit for persons with disabilities. When a person with disabilities has successfully completed the driver training program for persons with disabilities, the [department] Department of Rehabilitation Services shall certify such completion in writing to the Commissioner of Motor Vehicles and shall recommend any license restrictions or limitations to be placed on the license of such person. The Commissioner of Motor Vehicles may accept such certification in lieu of the driving skills portion of the examination prescribed under subsection (e) of section 14-36. If such person with disabilities has met all other requirements for obtaining a license, the Commissioner of Motor Vehicles shall issue a license with such restrictions recommended by the [department] Department of Rehabilitation Services.

Sec. 199. Subsection (b) of section 14-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Each person, firm or corporation licensed under the provisions of subsection (a) of this section that in the opinion of the commissioner is qualified and holds a current registration certificate for a motor vehicle used in connection with its business may issue a sixty-day temporary transfer of such registration to any other vehicle used in connection with its business. [with an official stamp issued by the commissioner to such licensee.] The licensee, within five days from the issuance of such temporary registration, shall submit to the commissioner an application together with all necessary documents for a permanent registration for the vehicle transferred. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this subsection.

6797 Sec. 200. Section 14-36a of the general statutes is repealed and the
6798 following is substituted in lieu thereof (*Effective from passage*):

6799 (a) A commercial driver's license issued in accordance with section
6800 14-44c, as amended by this act, shall be designated as class A, B or C, in
6801 accordance with the provisions of subsection (b) of section 14-44d. All
6802 other operators' licenses shall be designated as class D. A license of any
6803 class that also authorizes the operation of a motorcycle shall contain
6804 the designation "M".

6805 (b) **[**A commercial driver's license which contains the endorsement
6806 "S" evidences that the holder meets the requirements of section 14-44 to
6807 operate a school bus or any vehicle described in subsection (c) of this
6808 section.**]** A commercial driver's license may contain any of the
6809 following **[**additional**]** endorsements:

6810 "P"- authorizes the operation of commercial motor vehicles designed
6811 to carry passengers;

6812 "S"- in combination with "P", authorizes the operation of a school
6813 bus or any vehicle described in subsection (c) of this section;

6814 "H"- authorizes the operation of vehicles transporting hazardous
6815 materials;

6816 "N"- authorizes the operation of tank vehicles;

6817 "X"- authorizes both hazardous materials and tank vehicles; and

6818 "T"- authorizes the operation of vehicles with up to three trailing,
6819 nonpower units.

6820 The commissioner may establish one or more restrictions on
6821 commercial driver's licenses of any class, in regulations adopted in
6822 accordance with the provisions of chapter 54. Subject to the provisions
6823 of subsection (b) of section 14-44d, a commercial driver's license of any
6824 class authorizes the holder of such license to operate any motor vehicle

6825 that may be operated by the holder of a class D operator's license.

6826 (c) A commercial driver's license or a class D license that contains
6827 any of the following public passenger endorsements, as defined in
6828 section 14-1, evidences that the holder meets the requirements of
6829 section 14-44, as amended by this act:

6830 "V"- authorizes the transportation of passengers in a student
6831 transportation vehicle, as defined in section 14-212, or any vehicle that
6832 requires an "A" or "F" endorsement;

6833 "A"- authorizes the transportation of passengers in an activity
6834 vehicle, as defined in section 14-1, or any vehicle that requires an "F"
6835 endorsement; and

6836 "F"- authorizes the transportation of passengers in a taxicab, motor
6837 vehicle in livery service, service bus or motor bus.

6838 The commissioner may establish one or more endorsements or
6839 restrictions on class D licenses, in accordance with regulations adopted
6840 in accordance with the provisions of chapter 54.

6841 (d) A license of any class that contains the designation "Q" indicates
6842 eligibility to operate fire apparatus. A "Q" endorsement shall signify
6843 that the holder has been trained to operate fire apparatus in
6844 accordance with standards established by the Commission on Fire
6845 Prevention and Control. No such endorsement shall be issued to any
6846 person until he or she demonstrates personally to the commissioner, or
6847 the commissioner's designee, including the Connecticut Fire Academy,
6848 any regional fire school or the chief local fire official of any
6849 municipality as defined in section 7-323j, by means of testing in a
6850 representative vehicle that such person possesses the skills necessary
6851 for operation of fire apparatus.

6852 (e) No person shall operate a motor vehicle in violation of the
6853 classification of the license issued to such person.

6854 (f) No employer shall knowingly require or permit an employee
6855 who is acting within the scope of such employee's employment to
6856 operate a motor vehicle in violation of the classification of such
6857 employee's license.

6858 (g) (1) Any person who violates any provision of subsection (e) of
6859 this section shall, for a first offense, be deemed to have committed an
6860 infraction and be fined fifty dollars and, for a subsequent offense, be
6861 guilty of a class D misdemeanor.

6862 (2) Any employer who violates subsection (f) of this section shall be
6863 subject to a civil penalty of not more than one thousand dollars for a
6864 first violation and not more than two thousand five hundred dollars
6865 for a second or subsequent violation.

6866 (h) The revocation, suspension or withdrawal of, or refusal to issue
6867 or renew an "S" endorsement, or any endorsement described in
6868 subsection (c) of this section, shall prohibit the licensee from operating
6869 any public service passenger vehicle for which a public passenger
6870 endorsement is required under this section. During the period of such
6871 revocation, suspension or withdrawal of, or after a refusal to issue or
6872 renew an "S" endorsement, or any endorsement described in
6873 subsection (c) of this section, the commissioner shall not issue any
6874 other public passenger endorsement to such licensee.

6875 Sec. 201. Section 14-36d of the general statutes is repealed and the
6876 following is substituted in lieu thereof (*Effective from passage*):

6877 (a) The commissioner may acquire, by lease or purchase, and install
6878 at offices of the Department of Motor Vehicles and at such other
6879 locations where operator's licenses are issued or renewed, such
6880 equipment as may be necessary to carry out the provisions of this
6881 chapter.

6882 (b) The commissioner may provide for the renewal of any motor
6883 vehicle operator's license, commercial driver's license or identity card

6884 without personal appearance of the license or card holder, in
6885 circumstances where the holder is a member of the armed forces, is
6886 temporarily residing outside of this state for business or educational
6887 purposes, or in other circumstances where, in the judgment of the
6888 commissioner, such personal appearance would be impractical or pose
6889 a significant hardship. The commissioner shall decline to issue any
6890 such renewal without personal appearance if the commissioner is not
6891 satisfied as to the reasons why the applicant cannot personally appear,
6892 if the commissioner does not have the applicant's color photograph or
6893 digital image on file, if satisfactory evidence of the identity of the
6894 applicant has not been presented, or if the commissioner has reason to
6895 believe that the applicant is no longer a legal resident of this state.

6896 (c) The commissioner may issue or renew any license, any
6897 instruction permit or an identity card issued or renewed pursuant to
6898 this title or section 1-1h by any method that the commissioner deems
6899 to be secure and efficient. If the commissioner determines that an
6900 applicant has met all conditions for such issuance or renewal, the
6901 commissioner may require that such license, instruction permit or
6902 identity card be produced at a centralized location and mailed to the
6903 applicant. The commissioner may issue a temporary license,
6904 instruction permit or identity card for use by the applicant for the
6905 period prior to the applicant's receipt of the permanent license,
6906 instruction permit or identity card. Such temporary license, instruction
6907 permit or identity card shall have an expiration date not later than
6908 thirty days after the date of issuance and shall remain valid until the
6909 earlier of such expiration date or the date the applicant receives such
6910 license, instruction permit or identity card.

6911 **[**(c)**]** (d) The commissioner may adopt regulations to provide for the
6912 renewal of the motor vehicle operator's license, commercial driver's
6913 license or identity card of any person not identified in subsection (b) of
6914 this section by mail or by electronic communication with the
6915 Department of Motor Vehicles.

Sec. 202. Section 14-44 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) No person shall operate a commercial motor vehicle used for passenger transportation on any public highway of this state until such person has obtained a commercial driver's license with a public passenger endorsement, as defined in section 14-1, from the Commissioner of Motor Vehicles, except a nonresident who holds such license with such endorsement issued by another state. (2) No person shall operate a school bus until such person has obtained a commercial driver's license with a school bus endorsement, except that a person who holds such a license without such endorsements may operate a school bus without passengers for the purpose of road testing or moving the vehicle. (3) No person shall operate a student transportation vehicle, as defined in section 14-212, taxicab, motor vehicle in livery service, motor bus or service bus until such person has obtained an operator's license of the proper classification bearing an appropriate public passenger endorsement from the Commissioner of Motor Vehicles, issued in accordance with the provisions of this section and section 14-36a, as amended by this act, except that a person who holds an operator's license without such endorsement may operate any such vehicle without passengers for the purpose of road testing or moving the vehicle.

(b) No operator's license bearing **[**an**]** a public passenger endorsement shall be issued or renewed in accordance with the provisions of this section or section 14-36a, as amended by this act, until the Commissioner of Motor Vehicles, or the commissioner's authorized representative, is satisfied that the applicant is a proper person to receive such an operator's license bearing an endorsement, holds a valid motor vehicle operator's license, or, if necessary for the class of vehicle operated, a commercial driver's license and is at least eighteen years of age. Each applicant for an operator's license bearing **[**an**]** a public passenger endorsement or the renewal of such a license shall furnish the Commissioner of Motor Vehicles, or the

6949 commissioner's authorized representative, with satisfactory evidence,
6950 under oath, to prove that such person has no criminal record and has
6951 not been convicted of a violation of subsection (a) of section 14-227a
6952 within five years of the date of application and that no reason exists for
6953 a refusal to grant or renew such an operator's license bearing [an] a
6954 public passenger endorsement. Each applicant for such an operator's
6955 license bearing [an] a public passenger endorsement shall submit with
6956 the application proof satisfactory to the Commissioner of Motor
6957 Vehicles that such applicant has passed a physical examination
6958 administered not more than ninety days prior to the date of
6959 application, and which is in compliance with safety regulations
6960 established from time to time by the United States Department of
6961 Transportation. Each applicant for renewal of such license shall
6962 present evidence that such applicant is in compliance with the medical
6963 qualifications established in 49 CFR 391, as amended, provided an
6964 applicant for a Class D operator's license bearing an endorsement
6965 described in subsection (c) of section 14-36a, as amended by this act,
6966 shall be deemed medically qualified if such applicant (1) controls with
6967 medication, as certified by a licensed physician, a medical condition
6968 that would otherwise deem such applicant not medically qualified,
6969 and (2) would qualify for a waiver or exemption under 49 CFR 391, as
6970 amended. Each applicant for such an operator's license bearing [an] a
6971 public passenger endorsement shall be fingerprinted before the license
6972 bearing [an] a public passenger endorsement is issued.

6973 (c) The Commissioner of Motor Vehicles may issue, withhold,
6974 renew, suspend, cancel or revoke any public passenger endorsement
6975 required to operate a motor vehicle that transports passengers, as
6976 provided in subsection (c) of section 14-36a, as amended by this act.
6977 The Commissioner of Motor Vehicles may, in making his or her
6978 decision, consider the age, accident and criminal record, moral
6979 character and physical condition of any such applicant or public
6980 passenger endorsement holder and such other matters as the
6981 commissioner may determine. The Commissioner of Motor Vehicles

6982 may require any such applicant or public passenger endorsement
6983 holder to furnish the statements of two or more reputable citizens,
6984 which may be required to be under oath, vouching for the good
6985 character or other qualifications of the applicant or public passenger
6986 endorsement holder.

6987 (d) Upon the arrest of any person who holds an operator's license
6988 bearing a public passenger endorsement, as defined in section 14-1,
6989 and who is charged with a felony or violation of section 53a-73a, the
6990 arresting officer or department, within forty-eight hours, shall cause a
6991 report of such arrest to be made to the Commissioner of Motor
6992 Vehicles. The report shall be made on a form approved by said
6993 commissioner containing such information as the commissioner
6994 prescribes. The Commissioner of Motor Vehicles may adopt
6995 regulations, in accordance with chapter 54, to implement the
6996 provisions of this subsection.

6997 (e) Prior to issuing an operator's license bearing a school
6998 endorsement or bearing the appropriate type of public passenger
6999 endorsement for operation of a student transportation vehicle
7000 pursuant to subdivision (4) of subsection (a) of this section, the
7001 Commissioner of Motor Vehicles shall require each applicant to submit
7002 to state and national criminal history records checks, conducted in
7003 accordance with section 29-17a, and a check of the state child abuse
7004 and neglect registry established pursuant to section 17a-101k. The
7005 Commissioner of Emergency Services and Public Protection shall
7006 complete such state and national criminal history records checks
7007 required pursuant to this section within sixty days of receiving such a
7008 request for a check of such records. If notice of a state or national
7009 criminal history record is received, the Commissioner of Motor
7010 Vehicles may, subject to the provisions of section 46a-80, refuse to issue
7011 an operator's license bearing such public passenger endorsement and,
7012 in such case, shall immediately notify the applicant, in writing, of such
7013 refusal. If notification that the applicant is listed as a perpetrator of
7014 abuse on the state child abuse and neglect registry established

7015 pursuant to section 17a-101k is received, the Commissioner of Motor
7016 Vehicles may refuse to issue an operator's license bearing such [an]
7017 public passenger endorsement and, in such case, shall immediately
7018 notify the applicant, in writing, of such refusal. The Commissioner of
7019 Motor Vehicles shall not issue a temporary operator's license bearing a
7020 school endorsement or bearing the appropriate type of public
7021 passenger endorsement for operation of a student transportation
7022 vehicle.

7023 (f) Notwithstanding any other provision of this section, the
7024 commissioner shall not issue an operator's license bearing [an] a public
7025 passenger endorsement to transport passengers who are students, and
7026 shall suspend any such public passenger endorsement that has been
7027 issued, to any person who has been convicted of a serious criminal
7028 offense, as determined by the Commissioner of Motor Vehicles, or
7029 convicted of any provision of federal law or the law of any other state,
7030 the violation of which involves conduct that is substantially similar to
7031 a violation determined by the Commissioner of Motor Vehicles to be a
7032 serious criminal offense, if any part of the sentence of such conviction
7033 has not been completed, or has been completed during the preceding
7034 five years. The Commissioner of Motor Vehicles shall adopt
7035 regulations, in accordance with chapter 54, to implement the
7036 provisions of this subsection.

7037 (g) Any applicant who is refused an operator's license bearing [an] a
7038 public passenger endorsement or the renewal of such a license, or
7039 whose operator's license bearing [an] a public passenger endorsement
7040 or the renewal of such a license is withdrawn or revoked on account of
7041 a criminal record, shall be entitled to a hearing if requested in writing
7042 within twenty days. The hearing shall be conducted in accordance
7043 with the requirements of chapter 54 and the applicant may appeal
7044 from the final decision rendered therein in accordance with section 4-
7045 183.

7046 (h) Notwithstanding the provisions of section 14-10, the

7047 commissioner shall furnish to any board of education or to any public
7048 or private organization that is actively engaged in providing public
7049 transportation, including the transportation of school children, a report
7050 containing the names and motor vehicle operator license numbers of
7051 each person who has been issued an operator's license with one or
7052 more public passenger endorsements, authorizing such person to
7053 transport passengers in accordance with the provisions of section 14-
7054 36a, as amended by this act, but whose license or any such public
7055 passenger endorsement has been withdrawn, suspended or revoked
7056 by the Commissioner of Motor Vehicles in accordance with the
7057 provisions of this section, or any other provision of this title. The
7058 report shall be issued and updated periodically in accordance with a
7059 schedule to be established by the Commissioner of Motor Vehicles.
7060 Such report may be transmitted or otherwise made available to
7061 authorized recipients by electronic means.

7062 (i) Violation of any provision of this section shall be an infraction.

7063 Sec. 203. Section 14-44c of the general statutes is repealed and the
7064 following is substituted in lieu thereof (*Effective from passage*):

7065 (a) The application for a commercial driver's license or commercial
7066 driver's instruction permit, shall include the following:

7067 (1) The full name and current mailing and residence address of the
7068 person;

7069 (2) A physical description of the person, including sex, height and
7070 eye color;

7071 (3) Date of birth;

7072 (4) The applicant's Social Security number;

7073 (5) The person's statement, under oath, that **[**he**]** such person meets
7074 the requirements for qualification contained in 49 CFR 391, as
7075 amended, or does not expect to operate in interstate or foreign

7076 commerce;

7077 (6) The person's statement, under oath, that the type of vehicle in
7078 which the person has taken or intends to take the driving skills test is
7079 representative of the type of motor vehicle the person operates or
7080 intends to operate;

7081 (7) The person's statement, under oath, that **[**he**]** such person is not
7082 subject to disqualification, suspension, revocation or cancellation of
7083 operating privileges in any state, and that he or she does not hold an
7084 operator's license in any other state;

7085 (8) The person's identification of all states in which such person has
7086 been licensed to drive any type of motor vehicle during the last ten
7087 years, and the person's statement, under oath that he or she does not
7088 hold an operator's license in any other state; and

7089 (9) The person's signature, and certification of the accuracy and
7090 completeness of the application, subject to the penalties of false
7091 statement under section 53a-157b. The application shall be
7092 accompanied by the fee prescribed in section 14-44h.

7093 (b) No person who has been a resident of this state for thirty days
7094 may drive a commercial motor vehicle under the authority of a
7095 commercial driver's license issued by another jurisdiction.

7096 (c) At the time of application for a commercial driver's license, the
7097 applicant shall make the applicable certification, as required by 49 CFR
7098 383.71(b), regarding the type of commerce in which such person shall
7099 engage. No commercial driver's license shall be issued to a person who
7100 fails to make such certification.

7101 **[**(c)**]** (d) In addition to other penalties provided by law, any person
7102 who knowingly falsifies information or certifications required under
7103 subsection (a) of this section shall have **[**his**]** such person's operator's
7104 license or privilege to operate a motor vehicle in this state suspended

7105 for sixty days.

7106 Sec. 204. Subsection (b) of section 14-44e of the general statutes is
7107 repealed and the following is substituted in lieu thereof (*Effective from*
7108 *passage*):

7109 (b) The commissioner shall not issue a commercial driver's license or
7110 a commercial driver's instruction permit to any **[**person who has a
7111 physical or psychobehavioral impairment that affects such person's
7112 ability to operate a commercial motor vehicle safely. In determining
7113 whether to issue a commercial driver's license in any individual case,
7114 the commissioner shall apply the standards set forth in 49 CFR 391.41,
7115 as amended.**]** applicant who is not physically qualified and medically
7116 certified in accordance with the standards in 49 CFR 391.41. As
7117 required by 49 CFR 383.71(h), each applicant for a commercial driver's
7118 license or commercial driver's instruction permit shall provide to the
7119 commissioner a copy of a medical examiner's certificate, prepared by a
7120 medical examiner, as defined in 49 CFR 390.5, indicating that such
7121 applicant is medically certified to operate a commercial motor vehicle.
7122 For each applicant who has submitted such medical certification and
7123 who has also certified, in accordance with 49 CFR 383.71(b) and
7124 subsection (c) of section 14-44c, as amended by this act, that such
7125 applicant operates in nonexcepted interstate commerce, the
7126 commissioner shall post a medical certification status of "certified" on
7127 the Commercial Driver's License Information System driver record for
7128 such applicant. The holder of a commercial driver's license who has
7129 not been examined and certified as qualified to operate a commercial
7130 motor vehicle during the preceding twenty-four months, or a shorter
7131 period as indicated by the medical examiner submitting such
7132 certificate, shall be required to submit a new medical certificate. The
7133 commissioner shall not issue a commercial driver's license or
7134 commercial driver's instruction permit to any applicant or holder who
7135 fails to submit the medical certification required by this section. If the
7136 holder of a commercial driver's license or commercial driver's
7137 instruction permit fails to submit a new medical examiner's certificate

7138 before the expiration of twenty-four months or the period specified by
7139 the medical examiner, whichever is shorter, the commissioner shall,
7140 not later than sixty days after the date that such holder's medical status
7141 becomes uncertified: (1) Downgrade the commercial driver's license to
7142 a Class D operator's license; or (2) cancel the commercial driver's
7143 instruction permit. Any [person] applicant or holder who is denied a
7144 commercial driver's license or a commercial driver's instruction
7145 permit, or whose license or permit is disqualified, suspended, revoked
7146 or cancelled pursuant to this subsection shall be granted an
7147 opportunity for a hearing in accordance with the provisions of chapter
7148 54.

7149 Sec. 205. Subsection (h) of section 14-44e of the general statutes is
7150 repealed and the following is substituted in lieu thereof (*Effective from*
7151 *passage*):

7152 (h) (1) The commissioner shall deny or disqualify for a period of
7153 sixty days a commercial driver's instruction permit or commercial
7154 driver's license if it is determined that an applicant or holder has
7155 provided false information on any certification the applicant or holder
7156 is required to give relative to such permit or license application.

7157 (2) If an applicant or holder is suspected of fraud related to the
7158 issuance of a commercial driver's instruction permit or commercial
7159 driver's license, such applicant or holder shall be required to schedule
7160 the commercial driver's license knowledge test and driving skills test
7161 not later than thirty days after notification by the commissioner of the
7162 suspected fraud. Failure to schedule both such tests or failure to pass
7163 both such tests shall result in disqualification of such permit or license
7164 and the applicant or holder shall be required to reapply for the permit
7165 or license.

7166 (3) Any applicant or holder convicted of fraud related to the
7167 issuance of a commercial driver's instruction permit or commercial
7168 driver's license shall have such applicant's or holder's permit or license

7169 disqualified for one year from the date of conviction and shall be
7170 required to retake such tests.

7171 Sec. 206. Subsection (d) of section 14-44g of the general statutes is
7172 repealed and the following is substituted in lieu thereof (*Effective from*
7173 *passage*):

7174 (d) Each person applying for the renewal of a commercial driver's
7175 license shall complete a renewal application form providing an update
7176 and, if necessary, corrections to the information required on the
7177 original application, pursuant to section 14-44c, as amended by this
7178 act. If an applicant for renewal wishes to retain a hazardous materials
7179 endorsement, he or she must pass the written test for such
7180 endorsement, and must meet the requirements of subsection (d) of
7181 section 14-44e. Upon renewal of a commercial driver's license, and at
7182 such other times as required in 49 CFR 383.71, the holder of a
7183 commercial driver's license shall make the applicable certification, as
7184 required by 49 CFR 383.71(b), regarding the type of commerce in
7185 which such holder is engaged. The commissioner shall refuse to renew
7186 the commercial driver's license of any holder who fails to make such
7187 certification, and shall downgrade the commercial driver's license to a
7188 Class D operator's license not later than sixty days after the failure of
7189 such holder to so certify.

7190 Sec. 207. Section 14-46b of the general statutes is repealed and the
7191 following is substituted in lieu thereof (*Effective from passage*):

7192 (a) There is established within the department a Motor Vehicle
7193 Operator's License Medical Advisory Board which shall advise the
7194 commissioner on the medical aspects and concerns of licensing
7195 operators of motor vehicles. The board shall consist of not less than
7196 eight members or more than fifteen members appointed by the
7197 commissioner from a list of nominees submitted by the Connecticut
7198 State Medical Society, [and] the Connecticut Association of
7199 Optometrists, and such other professional medical associations or

7200 organizations that have as members physician assistants or advanced
7201 practice registered nurses. The Connecticut State Medical Society and
7202 such other organizations shall submit nominees representing the
7203 specialties of (1) general medicine or surgery, (2) internal medicine, (3)
7204 cardiovascular medicine, (4) neurology or neurological surgery, (5)
7205 ophthalmology, (6) orthopedics, [and] (7) psychiatry, and (8)
7206 occupational medicine. The Connecticut Association of Optometrists
7207 shall submit nominees representing the specialty of optometry.

7208 (b) Initially, three members shall be appointed for a two-year term,
7209 three members for a three-year term and the remainder of the
7210 members for a four-year term. Appointments thereafter shall be for
7211 four-year terms. Any vacancy shall be filled by the commissioner for
7212 the unexpired portion of a term. The commissioner shall designate the
7213 chairman of the board.

7214 (c) Board members shall serve without compensation but shall be
7215 reimbursed for necessary expenses or services incurred in performing
7216 their duties, including the giving of testimony at any administrative
7217 hearing when requested by the commissioner. [Physicians] Medical
7218 professionals who are not members of the board and conduct
7219 examinations at the request of the board shall be compensated for
7220 these examinations.

7221 (d) The board shall meet at the call of the commissioner at least
7222 [twice a year] annually. Special meetings may be held to fulfill the
7223 responsibilities specified in section 14-46c, as amended by this act.

7224 (e) Any meeting of the board in which the medical condition of any
7225 individual is discussed for purposes of making a recommendation on
7226 his or her fitness to operate a motor vehicle shall be held in executive
7227 session.

7228 (f) As used in this section and section 14-46c, as amended by this act,
7229 "medical professional" means a licensed physician, physician assistant,
7230 advanced practice registered nurse or optometrist.

7231 Sec. 208. Section 14-46c of the general statutes is repealed and the
7232 following is substituted in lieu thereof (*Effective from passage*):

7233 The board shall have the following responsibilities: (1) To advise the
7234 commissioner on health standards relating to the safe operation of
7235 motor vehicles; (2) to recommend to the commissioner procedures and
7236 guidelines for licensing individuals with impaired health; (3) to assist
7237 in developing medically acceptable standardized report forms; (4) to
7238 recommend a training course for motor vehicle examiners on the
7239 medical aspects of operator licensure; (5) to undertake any programs
7240 and activities the commissioner may request relating to the medical
7241 aspects of motor vehicle operator licensure; and (6) to make
7242 recommendations and offer advice on individual health problem cases
7243 referred by the commissioner not later than sixty days from the date of
7244 such reference and to establish guidelines for dealing with such
7245 individual cases. In making such recommendations, the board may
7246 rely on medical or optometric records and reports, personally
7247 interview such individual or require a physical examination of such
7248 individual and a written medical report by a **[**physician or a report by
7249 an optometrist**]** medical professional, as defined in section 14-46b, as
7250 amended by this act, designated by the board who shall not be a
7251 member of the board. Such individual may obtain a medical report by
7252 a **[**physician or a report by an optometrist of his choice, licensed to
7253 practice in this state**]** licensed medical professional of such individual's
7254 choice, which shall be given due consideration by the board in making
7255 any such recommendations.

7256 Sec. 209. Section 14-46e of the general statutes is repealed and the
7257 following is substituted in lieu thereof (*Effective from passage*):

7258 (a) The commissioner shall give due consideration to any
7259 recommendations of the board and to any reports, records or opinions
7260 submitted pursuant to sections 14-46a to 14-46g, inclusive, but such
7261 recommendations, reports, records or opinions shall be merely
7262 advisory and not binding on the commissioner.

7263 (b) The commissioner may authorize a person whose license is
7264 withdrawn under sections 14-46a to 14-46g, inclusive, to operate a
7265 motor vehicle on a limited basis provided the following conditions are
7266 met: (1) The commissioner, after a hearing held in accordance with
7267 chapter 54, determines that such person does not have a health
7268 problem that affects such person's ability to safely operate a motor
7269 vehicle and has ordered that such person submit to and pass a road
7270 skills test as a condition of license reinstatement; and (2) such
7271 operation occurs only while the person is under the instruction of and
7272 accompanied by a driving instructor licensed under section 14-73, or is
7273 in a vehicle with a motor vehicle testing agent who is administering a
7274 road skills test.

7275 **[**(b)**]** (c) Any person who is the subject of any inquiry under sections
7276 14-46a to 14-46g, inclusive, who refuses to submit to a physical
7277 examination or provide other information requested by the
7278 commissioner or board shall be considered unfit to operate a motor
7279 vehicle until he or she complies with such request.

7280 Sec. 210. Subsection (a) of section 14-47 of the general statutes is
7281 repealed and the following is substituted in lieu thereof (*Effective from*
7282 *passage*):

7283 (a) The commissioner shall determine the gross weight of each
7284 motor vehicle which is eligible for commercial registration, including
7285 each tractor equipped with rubber tires and, for the purpose of
7286 computing fees, gross weight shall be the weight of the vehicle in
7287 pounds plus the rated load capacity in pounds as determined by the
7288 commissioner. **[**, provided, in the case of a tractor restricted for use
7289 with a trailer, registered as a heavy duty trailer, the fee shall be based
7290 on the gross weight of the tractor which shall be the light weight of
7291 such tractor; and said**]** The commissioner shall collect fees for
7292 registration based on such gross weight, as follows: When all surfaces
7293 in contact with the ground are equipped with pneumatic tires, the fee
7294 for such motor vehicle or tractor of gross weight not exceeding twenty

7295 thousand pounds shall be eleven dollars and sixty cents, for each one
7296 thousand pounds or fraction thereof; from twenty thousand one
7297 pounds up to and including thirty thousand pounds, fourteen dollars
7298 and twenty cents, for each one thousand pounds or fraction thereof;
7299 from thirty thousand one pounds up to and including seventy-three
7300 thousand pounds, seventeen dollars and seventy cents, for each one
7301 thousand pounds or fraction thereof; and seventy-three thousand one
7302 pounds or more, nineteen dollars and twenty cents, for each one
7303 thousand pounds or fraction thereof. In addition to any other fee
7304 required under this subsection, a fee of ten dollars shall be collected for
7305 the registration of each motor vehicle subject to this subsection.

7306 Sec. 211. Subdivision (9) of subsection (a) of section 14-50a of the
7307 general statutes is repealed and the following is substituted in lieu
7308 thereof (*Effective from passage*):

7309 (9) Certified transcripts of hearing held <u>and transcribed</u> by the
7310 commissioner, three dollars and fifty cents per page with a minimum
7311 charge of twenty dollars.

7312 Sec. 212. Subdivision (5) of subsection (b) of section 14-52 of the
7313 general statutes is repealed and the following is substituted in lieu
7314 thereof (*Effective from passage*):

7315 (5) The commissioner shall assess **[**a**]** <u>an administrative</u> fee of fifty
7316 dollars against any licensee for failing to **[**continuously maintain the
7317 bond requirements of this subsection**]** <u>provide proof of bond renewal
7318 or replacement on or before the date of the expiration of the existing
7319 bond</u>. Such fee shall be in addition to the license suspension or
7320 revocation penalties and the civil penalties to which the licensee is
7321 subject pursuant to section 14-64.

7322 Sec. 213. Subsection (c) of section 14-58 of the general statutes is
7323 repealed and the following is substituted in lieu thereof (*Effective from
7324 passage*):

7325 (c) Registration certificates issued under the provisions of this
7326 section shall not be required to be carried upon such motor vehicles
7327 when upon the public highways as required under subsection (a) of
7328 section 14-13, except that the licensee shall issue to each person driving
7329 such motor vehicle a document indicating that such person is validly
7330 entrusted with such vehicle which document shall be carried in the
7331 motor vehicle. The commissioner shall determine the form and
7332 contents of this document. Legible photostatic copies of such
7333 registration certificates may be carried in such vehicles as proof of
7334 ownership. The licensee shall furnish financial responsibility
7335 satisfactory to the commissioner as defined in section 14-112, as
7336 amended by this act, provided such financial responsibility shall not be
7337 required from a licensee when the commissioner finds that the licensee
7338 is of sufficient financial responsibility to meet such legal liability. The
7339 commissioner may issue such license upon presentation of evidence of
7340 such financial responsibility satisfactory to the commissioner. The
7341 commissioner shall assess [a] an administrative fee of fifty dollars
7342 against any licensee for failing to [continuously maintain the financial
7343 responsibility requirements of this subsection] provide proof of policy
7344 or bond renewal or replacement on or before the expiration date of the
7345 existing policy or bond. Such fee shall be in addition to the license
7346 suspension or revocation penalties and the civil penalties to which the
7347 licensee is subject pursuant to section 14-64.

7348 Sec. 214. Subsection (a) of section 14-61 of the general statutes is
7349 repealed and the following is substituted in lieu thereof (*Effective from*
7350 *passage*):

7351 (a) Any dealer licensed under the provisions of this subpart who in
7352 the opinion of the commissioner is qualified and sells or trades a
7353 passenger motor vehicle, motorcycle, camper, camp trailer, commercial
7354 trailer, service bus, school bus or truck to a transferee who holds a
7355 current registration certificate for a passenger motor vehicle,
7356 motorcycle, camper, camp trailer, commercial trailer, service bus,
7357 school bus or truck registered in this state may issue a sixty-day

7358 temporary transfer of such registration to the vehicle transferred. [with
7359 an official stamp issued by the commissioner, under regulations
7360 adopted by the commissioner, to such dealer.] The commissioner shall
7361 charge such dealer a fee of ten dollars for each new temporary dealer
7362 transfer form furnished for the purposes of this section. No dealer may
7363 make such temporary transfer of a registration unless the transferee
7364 surrenders the current registration certificate to the dealer indicating
7365 the disposition of the vehicle described thereon in the space provided
7366 on the reverse side of such certificate and unless the transferee is
7367 eighteen years of age or older. The dealer shall, within five days from
7368 the issuance of such temporary registration, submit to the
7369 commissioner an application together with all necessary documents
7370 for a permanent registration for the vehicle transferred. No such
7371 temporary registration may be issued if (1) the transferred passenger
7372 motor vehicle, motorcycle, camper, camp trailer, commercial trailer,
7373 service bus, school bus or truck is used and was not previously
7374 registered in this state, unless the inspection requirements of section
7375 14-12 have been met, (2) such motor vehicle is ten or more years old,
7376 unless the inspection requirements of section 14-16a have been met, or
7377 (3) such motor vehicle has been declared a total loss by an insurance
7378 company, unless the inspection requirements of section 14-103a have
7379 been met.

7380 Sec. 215. Section 14-96p of the general statutes is repealed and the
7381 following is substituted in lieu thereof (*Effective from passage*):

7382 [(a) (1) No person shall display upon any motor vehicle any light
7383 visible from the front thereof other than white, yellow or amber, or any
7384 light other than red, yellow, amber or white visible from the rear
7385 thereof, except a light used with any school bus, without a special
7386 permit from the commissioner, in accordance with the provisions of
7387 subsection (c) of section 14-96q. Notwithstanding this subsection, no
7388 permit shall be required for motor vehicles that are (A) equipped with
7389 lights in accordance with this section and section 14-96q, (B) owned or
7390 leased by the federal government, the state of Connecticut or a

7391 Connecticut municipality, (C) registered to such governmental entity,
7392 and (D) displaying government plates.

7393 (2) Any vehicle accommodating fifteen or fewer students with
7394 disabilities may use a flashing red light or lights during the time such
7395 vehicle is stopped for the purpose of receiving or discharging such
7396 students with disabilities, any motor bus may carry a purple light or
7397 lights, any interstate public service vehicle may carry a green light or
7398 lights, any taxicab may carry a lunar white light or lights, and any
7399 interstate commercial motor vehicle may display green identification
7400 lights, in front thereof, as the commissioner may permit.

7401 (3) A vehicle being operated by the chief executive officer of an
7402 emergency medical service organization, as defined in section 19a-175,
7403 the first or second deputies, or if there are no deputies, the first or
7404 second assistants, of such an organization that is a municipal or
7405 volunteer or licensed organization, an ambulance, as defined in section
7406 19a-175, a vehicle being operated by a local fire marshal or a local
7407 director of emergency management may use a flashing red light or
7408 lights or flashing white head lamps and a flashing amber light while
7409 on the way to the scene of an emergency, except that an ambulance
7410 may use flashing lights of other colors specified by federal
7411 requirements for the manufacture of such vehicle. The chief executive
7412 officer of each such organization shall provide annually during the
7413 month of January, on forms provided by the commissioner, such
7414 officer's name and address and the registration number on the number
7415 plate or plates of the vehicle on which the authorized red light is or
7416 white head lamps and amber light are to be used. A vehicle being
7417 operated by a member of a volunteer fire department or company or a
7418 volunteer emergency medical technician may use flashing white head
7419 lamps, provided such member or emergency medical technician is on
7420 the way to the scene of a fire or medical emergency and has received
7421 written authorization from the chief law enforcement officer of the
7422 municipality to use such head lamps. Such head lamps shall only be
7423 used within the municipality granting such authorization or from a

7424 personal residence or place of employment, if located in an adjoining
7425 municipality. Such authorization may be revoked for use of such head
7426 lamps in violation of this subdivision.

7427 (4) Flashing or revolving white lights may not be displayed upon a
7428 motor vehicle except (A) on fire emergency apparatus, (B) on motor
7429 vehicles of paid fire chiefs and their deputies and assistants, up to a
7430 total of five individuals per department, and may be displayed in
7431 combination with flashing or revolving red lights, (C) on motor
7432 vehicles of volunteer fire chiefs and their deputies and assistants, up to
7433 a total of five individuals per department, and may be displayed in
7434 combination with flashing or revolving red lights, (D) as a means of
7435 indicating a right or left turn, (E) in conjunction with flashing red
7436 lights on an ambulance responding to an emergency call, or (F) on the
7437 top rear of any school bus. For the purpose of this subsection, the term
7438 "students with disabilities" means students who have intellectual
7439 disability, autism spectrum disorder, mental disability, visual
7440 impairment, blindness, hearing impairment, deafness, speech
7441 impairment, orthopedic impairment, or another health-impairment,
7442 who by reason thereof, require special education and related services;
7443 and the term "flashing white lights" shall not include the simultaneous
7444 flashing of head lamps.

7445 (b) A blue light may not be illuminated upon a motor vehicle, except
7446 that a vehicle being operated by an active member of a volunteer fire
7447 department or company or an active member of an organized civil
7448 preparedness auxiliary fire company who has been authorized in
7449 writing by the chief executive officer of such department or company
7450 may use such a light, including a flashing blue light, while on the way
7451 to the scene of a fire or other emergency requiring his or her services.
7452 Such authorization may be revoked by such officer or his or her
7453 successor. The chief executive officer of each volunteer fire department
7454 or company or organized civil preparedness auxiliary fire company
7455 shall certify annually during the month of January, on forms provided
7456 by the commissioner, the names and addresses of members whom he

7457 or she has authorized to use a blue light as provided in this subsection.
7458 Such listing shall also designate the registration number on the
7459 number plate or plates of the vehicle on which the authorized blue
7460 light is to be used.

7461 (c) A flashing green light may not be used upon a motor vehicle,
7462 except that a vehicle being operated by an active member of a
7463 volunteer ambulance association or company who has been authorized
7464 in writing by the chief executive officer of such association or company
7465 may use such a light while on the way to the scene of an emergency
7466 requiring his or her services. Such authorization may be revoked by
7467 such officer or his or her successor. The chief executive officer of each
7468 volunteer ambulance association or company shall certify annually
7469 during the month of January, on forms provided by the commissioner,
7470 the names and addresses of members whom he or she has authorized
7471 to use a green light as provided in this subsection. Such listing shall
7472 also designate the registration number on the number plate or plates of
7473 the vehicle on which the authorized green light is to be used.

7474 (d) Use of lights except as authorized by this section shall be an
7475 infraction.**]**

7476 (a) Except as provided in section 14-96q, as amended by this act, no
7477 person shall display upon any motor vehicle or equipment: (1) Any
7478 light visible from the front of such motor vehicle or equipment other
7479 than white, yellow or amber; (2) any light visible from the rear of such
7480 motor vehicle or equipment other than red, yellow, amber or white; or
7481 (3) any red light visible from directly in front of the center of such
7482 motor vehicle or equipment. Notwithstanding the provisions of this
7483 subsection, a taxicab shall display the dome light or lights required by
7484 regulations that have been adopted by the Commissioner of
7485 Transportation under the authority of section 13b-96.

7486 (b) Except as provided in section 14-96q, as amended by this act,
7487 flashing lights are prohibited on motor vehicles, except: (1) Red and

7488 yellow lights when used for the purpose of receiving or discharging
7489 students on school buses; (2) white lights that are located on the top
7490 rear of school buses; (3) when such lights are used as a means for
7491 indicating a right or left turn; or (4) when such lights are used in any
7492 manner to indicate (A) a disabled vehicle that is stopped in a
7493 hazardous location on the highway, or in close proximity thereto, (B) a
7494 motor vehicle that is unable to maintain the minimum speed of forty
7495 miles per hour on a limited access divided highway because of the
7496 grade of such highway, (C) a motor vehicle that is operating at such
7497 slow speed as to obstruct or endanger following traffic on any
7498 highway, or (D) a student transportation vehicle, as defined in section
7499 14-212, accommodating fifteen or fewer students with disabilities that
7500 is receiving or discharging such students. For the purpose of this
7501 subsection, the term "students with disabilities" means students who
7502 have intellectual disability, autism spectrum disorder, mental
7503 disability, visual impairment, blindness, hearing impairment, deafness,
7504 speech impairment, orthopedic impairment or another health
7505 impairment who, by reason thereof, require special education and
7506 related services.

7507 (c) Any lighted lamp or illuminating device upon a motor vehicle,
7508 other than head lamps, spot lamps or auxiliary driving lamps, that
7509 projects a beam of light of an intensity greater than three hundred
7510 candle power shall be so directed that no part of the beam strikes the
7511 level of the roadway on which the vehicle stands at a distance of more
7512 than seventy-five feet from the vehicle.

7513 (d) Use of lights except as authorized by this section shall be an
7514 infraction.

7515 Sec. 216. Section 14-96q of the general statutes is repealed and the
7516 following is substituted in lieu thereof (*Effective from passage*):

7517 **[**(a) Any lighted lamp or illuminating device upon a motor vehicle,
7518 other than head lamps, spot lamps or auxiliary driving lamps, which

7519 projects a beam of light of an intensity greater than three hundred
7520 candle power shall be so directed that no part of the beam will strike
7521 the level of the roadway on which the vehicle stands at a distance of
7522 more than seventy-five feet from the vehicle.

7523 (b) No person shall drive or move any vehicle or equipment upon
7524 any highway with any lamp or device thereon displaying a red light
7525 visible from directly in front of the center thereof. The provisions of
7526 this subsection and subsection (c) shall not apply to authorized
7527 emergency and maintenance vehicles.

7528 (c) Flashing lights are prohibited on motor vehicles other than
7529 school buses, except (1) as a means for indicating a right or left turn, (2)
7530 flashing blue lights used by members of volunteer or civil
7531 preparedness fire companies, as provided by subsection (b) of section
7532 14-96p, (3) on certain emergency and maintenance vehicles by special
7533 permit from the commissioner, (4) flashing or revolving yellow lights
7534 on (A) wreckers registered pursuant to section 14-66, or (B) vehicles of
7535 carriers in rural mail-delivery service or vehicles transporting or
7536 escorting any vehicle or load or combinations of vehicles or vehicles
7537 and load which is or are either oversize or overweight, or both, and
7538 operated or traveling under a permit issued by the Commissioner of
7539 Transportation pursuant to section 14-270, (5) flashing red lights (A) on
7540 a motor vehicle accommodating fifteen or fewer handicapped students
7541 used only during the time such vehicle is stopped for the purpose of
7542 receiving or discharging such handicapped students, (B) used by
7543 members of the fire police on a stationary vehicle as a warning signal
7544 during traffic directing operations at the scene of a fire, (C) on rescue
7545 vehicles, (D) used by chief executive officers of emergency medical
7546 service organizations as provided in subsection (a) of section 14-96p,
7547 (E) ambulances, as defined in section 19a-175, or (F) used by local fire
7548 marshals or directors of emergency management, (6) flashing green
7549 lights used by members of volunteer ambulance associations or
7550 companies as provided in subsection (c) of section 14-96p, or (7)
7551 flashing white lights or flashing lights of other colors specified by

7552 federal requirements for the manufacture of an ambulance used in
7553 conjunction with flashing red lights or flashing head lamps and a
7554 flashing amber light on an ambulance responding to an emergency
7555 call. The prohibitions in this section shall not prevent the operator of a
7556 motor vehicle who while traveling on a limited access divided
7557 highway, because of the grade, is unable to maintain the minimum
7558 speed of forty miles per hour, or who while traveling on any other
7559 highway is operating such motor vehicle at such slow speed as to
7560 obstruct or endanger following traffic, or the operator of a disabled
7561 vehicle stopped on a hazardous location on the highway, or in close
7562 proximity thereto, from flashing lights, installed on the vehicle
7563 primarily for other purposes, in any manner that the operator selects
7564 so as to indicate that such vehicle is traveling slowly, obstructing
7565 traffic or is disabled and is a hazard to be avoided. The commissioner
7566 is authorized, at such commissioner's discretion, to issue special
7567 permits for the use of flashing or revolving lights on emergency
7568 vehicles, on escort vehicles, on maintenance vehicles and on other
7569 vehicles that display lights for which a permit is required, in
7570 accordance with the provisions of subsection (a) of section 14-96p,
7571 provided any person, firm or corporation other than the state or any
7572 metropolitan district, town, city or borough shall pay an annual permit
7573 fee for each such vehicle, provided vehicles not registered in this state
7574 used for transporting or escorting any vehicle or load or combinations
7575 of vehicles or vehicles and load which is or are either oversize or
7576 overweight, or both, when operating under a permit issued by the
7577 Commissioner of Transportation pursuant to section 14-270, shall not
7578 require such permit. Such annual permit fee shall be twenty dollars. If
7579 the commissioner issues a special permit to any ambulance, such
7580 permit shall be issued at the time of registration and of each renewal of
7581 registration.

7582 (d) Use of lamps and flashing lights except as authorized by this
7583 section shall be an infraction.**]**

7584 <u>(a) A permit is required for the use of colored or flashing lights on</u>

7585 all motor vehicles or equipment specified in this section except: (1)
7586 Motor vehicles not registered in this state used for transporting or
7587 escorting any vehicle or load, or combinations thereof, which is either
7588 oversize or overweight, or both, when operating under a permit issued
7589 by the Commissioner of Transportation pursuant to section 14-270; or
7590 (2) motor vehicles or equipment that are (A) equipped with lights in
7591 accordance with this section, (B) owned or leased by the federal
7592 government, the state of Connecticut, or any other state,
7593 commonwealth or local municipality, and (C) registered to such
7594 governmental entity. When used in this section the term "flashing"
7595 shall be considered to include the term "revolving".

7596 (b) The Commissioner of Motor Vehicles, or such other person
7597 specifically identified in this section, is authorized to issue permits for
7598 the use of colored or flashing lights on vehicles in accordance with this
7599 section, at the commissioner's or such person's discretion. Any person,
7600 firm or corporation other than the state or any metropolitan district,
7601 town, city or borough shall pay an annual permit fee of twenty dollars
7602 to the commissioner for each such vehicle. Such fee shall apply only to
7603 permits issued by the commissioner.

7604 (c) A blue light or lights, including flashing blue lights, may be used
7605 on a motor vehicle operated by an active member of a volunteer fire
7606 department or company or an active member of an organized civil
7607 preparedness auxiliary fire company who has been issued a permit by
7608 the chief executive officer of such department or company to use such
7609 a light while on the way to or at the scene of a fire or other emergency
7610 requiring such member's services. Such permit shall be on a form
7611 provided by the commissioner and may be revoked by such chief
7612 executive officer or successor. The chief executive officer of each
7613 volunteer fire department or company or organized civil preparedness
7614 auxiliary fire company shall keep on file the forms provided by the
7615 commissioner, the names and addresses of members who have been
7616 authorized to use flashing blue lights as provided in this subsection.
7617 Such listing shall also designate the registration number of the motor

7618 vehicle on which authorized flashing blue lights are to be used.

7619 (d) A green light or lights, including flashing green lights, may be
7620 used on a motor vehicle operated by an active member of a volunteer
7621 ambulance association or company who has been issued a permit by
7622 the chief executive officer of such association or company to use such a
7623 light, while on the way to or at the scene of an emergency requiring
7624 such member's services. Such permit shall be on a form provided by
7625 the commissioner and may be revoked by such chief executive officer
7626 or successor. The chief executive officer of each volunteer ambulance
7627 association or company shall keep on file on forms provided by the
7628 commissioner, the names and addresses of members who have been
7629 authorized to use flashing green lights as provided in this subsection.
7630 Such listing shall also designate the registration number of the vehicle
7631 on which the authorized flashing green lights are to be used.

7632 (e) The commissioner may issue a permit for a red light or lights,
7633 including flashing red lights, which may be used on a motor vehicle or
7634 equipment (1) used by paid fire chiefs and their deputies and
7635 assistants, up to a total of five individuals per department, (2) used by
7636 volunteer fire chiefs and their deputies and assistants, up to a total of
7637 five individuals per department, (3) used by members of the fire police
7638 on a stationary vehicle as a warning signal during traffic directing
7639 operations at the scene of a fire or emergency, (4) used by chief
7640 executive officers of emergency medical service organizations, as
7641 defined in section 19a-175, the first or second deputies, or if there are
7642 no deputies, the first or second assistants, of such an organization that
7643 is a municipal or volunteer or licensed organization, (5) used by local
7644 fire marshals, or (6) used by directors of emergency management.

7645 (f) The commissioner may issue a permit for a yellow or amber light
7646 or lights, including flashing yellow or amber lights, which may be
7647 used on motor vehicles or equipment that are (1) specified in
7648 subsection (e) of this section, (2) maintenance vehicles as defined in
7649 section 14-1, or (3) vehicles transporting or escorting any vehicle or

7650 load or combinations thereof, which is or are either oversize or
7651 overweight, or both, and being operated or traveling under a permit
7652 issued by the Commissioner of Transportation pursuant to section 14-
7653 270. A yellow or amber light or lights, including flashing yellow or
7654 amber lights, may be used without obtaining a permit from the
7655 Commissioner of Motor Vehicles on wreckers registered pursuant to
7656 section 14-66, or on vehicles of carriers in rural mail delivery service.

7657 (g) The Commissioner of Motor Vehicles may issue a permit for a
7658 white light or lights, including flashing white lights, which may be
7659 used on a motor vehicle or equipment as specified in subdivision (1),
7660 (2), (4), (5) or (6) of subsection (e) of this section. A vehicle being
7661 operated by a member of a volunteer fire department or company or a
7662 volunteer emergency medical technician may use flashing white head
7663 lamps, provided such member or emergency medical technician is on
7664 the way to the scene of a fire or medical emergency and has received
7665 written authorization from the chief law enforcement officer of the
7666 municipality to use such head lamps. Such head lamps shall only be
7667 used within the municipality granting such authorization or from a
7668 personal residence or place of employment, if located in an adjoining
7669 municipality. Such authorization may be revoked for use of such head
7670 lamps in violation of this subdivision. For the purposes of this
7671 subsection, the term "flashing white lights" shall not include the
7672 simultaneous flashing of head lamps.

7673 (h) The commissioner may issue a permit for emergency vehicles, as
7674 defined in subsection (a) of section 14-283, to use a blue, red, yellow, or
7675 white light or lights, including flashing lights or any combination
7676 thereof.

7677 (i) The commissioner may issue a permit for ambulances, as defined
7678 in section 19a-175, which may, in addition to the flashing lights
7679 allowed in subsection (h) of this section, use flashing lights of other
7680 colors specified by federal requirements for the manufacture of an
7681 ambulance. If the commissioner issues a permit for any ambulance,

7682 such permit shall be issued at the time of registration and upon each
7683 renewal of such registration.

7684 (j) Use of colored and flashing lights except as authorized by this
7685 section shall be an infraction.

7686 Sec. 217. Subsection (f) of section 14-112 of the general statutes is
7687 repealed and the following is substituted in lieu thereof (*Effective from*
7688 *passage*):

7689 (f) Any operator or any registrant whose operator's license or
7690 certificate of registration has been suspended as herein provided or
7691 whose policy of liability insurance or surety bond has been cancelled
7692 or who fails to furnish additional evidence of financial responsibility
7693 upon request of the commissioner, shall immediately return to the
7694 commissioner **[**his operator's license or**]** such operator's certificate of
7695 registration and the number plate or plates issued thereunder. **[**If any
7696 person fails to return to the commissioner the operator's license or
7697 certificate of registration and the number plate or plates issued
7698 thereunder as provided herein, the commissioner shall forthwith direct
7699 any motor vehicle inspector, state policeman or other police officer to
7700 secure possession thereof and to return the same to the office of the
7701 commissioner.**]** Failure to return such **[**operator's license or such**]**
7702 certificate and such number plate or plates shall be an infraction.

7703 Sec. 218. Section 14-178 of the general statutes is repealed and the
7704 following is substituted in lieu thereof (*Effective from passage*):

7705 (a) If a certificate of title is lost, stolen, mutilated or destroyed or
7706 becomes illegible, the first lienholder or, if none, the owner or legal
7707 representative of the owner named in the certificate, as shown by the
7708 records of the commissioner, shall promptly make application for and
7709 may obtain a replacement upon furnishing information, including
7710 personal identification acceptable and satisfactory to the
7711 commissioner. The replacement certificate of title shall contain the
7712 legend "This is a replacement **[**certificate**]** title and may be subject to

the rights of a person under the original certificate." Except as provided in subsection (b) of section 14-175, the commissioner shall present or mail the replacement certificate to the first lienholder named in the replacement certificate or, if none, to the owner.

[(b) The commissioner shall not issue a new certificate of title to a transferee upon application made on a replacement until fifteen days after receipt of the application.]

[(c)] (b) A person recovering an original certificate of title for which a replacement has been issued shall promptly surrender the original certificate to the commissioner.

Sec. 219. Section 14-293b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) [The Commissioner of Motor Vehicles shall adopt regulations in accordance with the provisions of chapter 54 specifying the responsibilities of an operator of a vehicle when] When an operator of a motor vehicle is approaching a person riding a horse on a public highway, [which responsibilities shall include, but not be limited to, the obligation to] such operator shall reduce speed appropriately or [to] stop, if necessary, to avoid endangering the equestrian or frightening or striking the horse.

(b) No operator of a motor vehicle in the vicinity of an equestrian and horse may blow a horn or cause loud or unusual noises, in a manner to startle or frighten the horse.

(c) A statement concerning such responsibilities shall be [printed in the] included in the agency's instruction manual for motor vehicle operation. [at the time of the next revision of such manual.]

Sec. 220. Section 14-300g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The traffic authority of any city, town or borough is authorized

7742 to permit the operation of golf carts, during daylight hours only, on
7743 any street or highway within the limits of, and under the jurisdiction
7744 of, such traffic authority, provided: (1) Each such golf cart shall be
7745 equipped with an operable horn in accordance with the requirements
7746 of subsection (e) of section 14-80; (2) each such golf cart shall be
7747 equipped with a flag that is positioned to assist operators of motor
7748 vehicles in observing the location and operation of such golf cart; (3)
7749 no such authorization shall be granted for operation on any street or
7750 highway the posted speed limit of which is more than twenty-five
7751 miles per hour; and (4) the operator of any such golf cart shall carry a
7752 valid **[**Connecticut**]** motor vehicle operator's license while operating
7753 such golf cart. Any person who operates a golf cart in violation of any
7754 provision of this subsection, any insurance requirement established in
7755 accordance with subsection (b) of this section, or any other conditions
7756 or limitations established by the traffic authority for the operation of
7757 golf carts shall have committed an infraction.

7758 (b) The Commissioner of Motor Vehicles may establish, by
7759 regulations adopted in accordance with the provisions of chapter 54,
7760 insurance requirements for the operation of golf carts in accordance
7761 with subsection (a) of this section.

7762 Sec. 221. (*Effective from passage*) (a) The Commissioner of Motor
7763 Vehicles shall conduct a review of the department's issuance of limited
7764 operator's licenses pursuant to subdivision (4) of subsection (e) of
7765 section 14-36 of the general statutes. Such review shall include, but
7766 need not be limited to, consideration of the criteria used by the
7767 department to issue or renew limited licenses, compilation of data
7768 regarding the driving records of persons with limited licenses, and
7769 consideration of whether the limitations imposed ensure the safety of
7770 the public, while recognizing the needs of the limited license holders.

7771 (b) Not later than February 1, 2016, the commissioner shall report on
7772 the results of the review required pursuant to subsection (a) of this
7773 section, in accordance with the provisions of section 11-4a of the

7774 general statutes, to the joint standing committee of the General
7775 Assembly having cognizance of matters relating to transportation.
7776 Such report shall provide information about the issuance of limited
7777 licenses, data on driving records of holders of limited licenses, and
7778 recommendations, if any, for administrative or legislative changes to
7779 the process of issuing limited licenses.

7780 Sec. 222. Section 14-36g of the general statutes is repealed and the
7781 following is substituted in lieu thereof (*Effective from passage*):

7782 (a) Each person who holds a motor vehicle operator's license issued
7783 on and after August 1, 2008, and who is sixteen or seventeen years of
7784 age shall comply with the following requirements:

7785 (1) Except as provided in subsection (b) of this section, for the
7786 period of six months after the date of issuance of such license, such
7787 person shall not transport more than (A) such person's parents or legal
7788 guardian, at least one of whom holds a motor vehicle operator's
7789 license, or (B) one passenger who is a driving instructor licensed by the
7790 Department of Motor Vehicles, or a person twenty years of age or
7791 older who has been licensed to operate, for at least four years
7792 preceding the time of being transported, a motor vehicle of the same
7793 class as the motor vehicle being operated and who has not had his or
7794 her motor vehicle operator's license suspended by the commissioner
7795 during such four-year period;

7796 (2) Except as provided in subsection (b) of this section, for the
7797 period beginning six months after the date of issuance of such license
7798 and ending one year after the date of issuance of such license, such
7799 person shall not transport any passenger other than as permitted
7800 under subdivision (1) of this subsection and any additional member or
7801 members of such person's immediate family;

7802 (3) No such person shall operate any motor vehicle for which a
7803 public passenger endorsement, as defined in section 14-1, is required
7804 in accordance with the provisions of section 14-44 or a vanpool vehicle,

7805 as defined in section 14-1;

7806 (4) No such person shall transport more passengers in a motor
7807 vehicle than the number of seat safety belts permanently installed in
7808 such motor vehicle;

7809 (5) No such person issued a motorcycle endorsement shall transport
7810 any passenger on a motorcycle for a period of six months after the date
7811 of issuance; and

7812 (6) Except as provided in subsection (b) of this section, no such
7813 person shall operate a motor vehicle on any highway, as defined in
7814 section 14-1, at or after 11:00 p.m. until and including 5:00 a.m. of the
7815 following day unless (A) such person is traveling for his or her
7816 employment or school or religious activities, or (B) there is a medical
7817 necessity for such travel.

7818 (b) A person who holds a motor vehicle operator's license and who
7819 is sixteen or seventeen years of age shall not be subject to the
7820 restrictions on the number or type of passengers specified in
7821 subdivision (1) or (2) of subsection (a) of this section, or to the
7822 restrictions specified in subdivision (6) of said subsection (a), if such
7823 person is: An active member of a volunteer fire company or
7824 department, a volunteer ambulance service or company or an
7825 emergency medical service organization and such person is
7826 responding to<u>, or returning from,</u> an emergency or is carrying out such
7827 person's duties as such active member; or an assigned driver in a Safe
7828 Ride program sponsored by the American Red Cross, the Boy Scouts of
7829 America or other national public service organization.

7830 (c) The Commissioner of Motor Vehicles may adopt regulations, in
7831 accordance with chapter 54, to implement the provisions of subsection
7832 (a) of this section. Such regulations may provide exceptions to the
7833 provisions of subdivision (1) of subsection (a) of this section for a
7834 single parent under the age of eighteen for the purposes of
7835 transporting the child of such parent to day care, child care and

7836 education facilities, medical appointments, and for such other
7837 purposes as may be determined by the commissioner.

7838 (d) Any person who violates any provision of subsection (a) of this
7839 section shall be deemed to have committed an infraction. The
7840 Commissioner of Motor Vehicles shall suspend the motor vehicle
7841 operator's license of any person who violates the provisions of
7842 subsection (a) of this section for a period of thirty days for a first
7843 violation, and for a period of six months or until such person attains
7844 the age of eighteen years, whichever is longer, for a second violation.

7845 (e) Notwithstanding the provisions of this section, the provisions of
7846 this section in effect July 31, 2008, shall be applicable to any person
7847 who is sixteen or seventeen years of age and who has been issued a
7848 motor vehicle operator's license prior to August 1, 2008.

7849 Sec. 223. (*Effective from passage*) The Commissioner of Motor Vehicles
7850 shall study the feasibility of establishing a lottery program based on
7851 license plate numbers and permitting the sale of license plate numbers
7852 through an auction conducted on the Department of Motor Vehicle's
7853 Internet web site. The commissioner shall identify and assess options
7854 for conducting such lottery and sales and the associated costs and
7855 benefits. Not later than January 1, 2017, the commissioner shall submit
7856 a report, in accordance with section 11-4a of the general statutes, to the
7857 joint standing committees of the General Assembly having cognizance
7858 of matters relating to transportation and finance, revenue and bonding,
7859 concerning the commissioner's findings and recommendations.

7860 Sec. 224. Subsection (a) of section 14-37a of the general statutes is
7861 repealed and the following is substituted in lieu thereof (*Effective from*
7862 *passage*):

7863 (a) Any person whose operator's license has been suspended
7864 pursuant to any provision of this chapter or chapter 248, except
7865 pursuant to section 14-215 for operating under suspension or pursuant
7866 to section 14-140 for failure to appear for any scheduled court

7867 appearance, and any person identified in subsection (g) of this section
7868 may make application to the Commissioner of Motor Vehicles for (1) a
7869 special "work" permit to operate a motor vehicle to and from such
7870 person's place of employment or, if such person is not employed at a
7871 fixed location, to operate a motor vehicle only in connection with, and
7872 to the extent necessary, to properly perform such person's business or
7873 profession, [or] (2) a special "education" permit to operate a motor
7874 vehicle to and from an institution of higher education or a private
7875 occupational school, as defined in section 10a-22a, in which such
7876 person is enrolled, [. No] provided no such special "education" permit
7877 shall be issued to any student enrolled in a high school under the
7878 jurisdiction of a local or regional board of education, a high school
7879 under the jurisdiction of a regional educational service center, a charter
7880 school, a regional agricultural science and technology education center
7881 or a technical high school, or (3) a special "medical" permit to operate a
7882 motor vehicle to and from any ongoing medically necessary treatment,
7883 available upon adoption by the commissioner of regulations pursuant
7884 to chapter 54, that describe qualifications for such permit. Such
7885 application shall be accompanied by an application fee of one hundred
7886 dollars.

7887 Sec. 225. Subsection (c) of section 14-37a of the general statutes is
7888 repealed and the following is substituted in lieu thereof (*Effective from*
7889 *passage*):

7890 (c) A special operator's permit issued pursuant to this section shall
7891 be of a distinctive format and shall include the expiration date and the
7892 legend "work only" or "education only" or, upon adoption of the
7893 regulations as provided in subsection (a) of this section, "medical
7894 only".

7895 Sec. 226. Section 14-253a of the general statutes is repealed and the
7896 following is substituted in lieu thereof (*Effective October 1, 2015*):

7897 (a) For the purposes of this section:

7898 (1) "Special license plate" means a license plate displaying the
7899 international symbol of access in a size identical to that of the letters or
7900 numerals on the plate and in a color that contrasts with the
7901 background color of the plate;

7902 (2) "Removable windshield placard" means a two-sided, hanger-
7903 style placard which bears on both of its sides: (A) The international
7904 symbol of access in a height of three inches or more centered on such
7905 placard and colored white on a blue background; (B) a unique
7906 identification number; (C) a date of expiration; and (D) a statement
7907 indicating that the Connecticut Department of Motor Vehicles issued
7908 such placard;

7909 (3) "Temporary removable windshield placard" means a placard
7910 that is the same as a removable windshield placard except that the
7911 international symbol of access appears on a red background; and

7912 (4) "Person with disabilities" means a person with disabilities which
7913 limit or impair the ability to walk, as defined in 23 CFR Section 1235.2.

7914 (b) The Commissioner of Motor Vehicles shall accept applications
7915 and renewal applications for removable windshield placards from (1)
7916 any person who is blind, as defined in section 1-1f; (2) any person with
7917 disabilities; (3) any parent or guardian of any person who is blind or
7918 any person with disabilities, if such person is under eighteen years of
7919 age at the time of application; (4) any parent or guardian of any person
7920 who is blind or any person with disabilities, if such person is unable to
7921 request or complete an application; and (5) any organization which
7922 meets criteria established by the commissioner and which certifies to
7923 the commissioner's satisfaction that the vehicle for which a placard is
7924 requested is primarily used to transport persons who are blind or
7925 persons with disabilities. Except as provided in subsection (c) of this
7926 section, on and after October 1, 2011, the commissioner shall not accept
7927 applications for special license plates, but shall accept renewal
7928 applications for such plates that were issued prior to October 1, 2011.

7929 No person shall be issued a placard in accordance with this section
7930 unless such person is the holder of a valid motor vehicle operator's
7931 license, or identification card issued in accordance with the provisions
7932 of section 1-1h. The commissioner is authorized to adopt regulations
7933 for the issuance of placards to persons who, by reason of hardship, do
7934 not hold or cannot obtain an operator's license or identification card.
7935 The commissioner shall maintain a record of each placard issued to
7936 any such person. Such applications and renewal applications shall be
7937 on a form prescribed by the commissioner. In the case of persons with
7938 disabilities, the application and renewal application shall include: (A)
7939 Certification by a licensed physician, a physician assistant, or an
7940 advanced practice registered nurse licensed in accordance with the
7941 provisions of chapter 378, that the applicant is disabled; (B)
7942 certification by a licensed physician, a physician assistant, an advanced
7943 practice registered nurse licensed in accordance with the provisions of
7944 chapter 378, or a member of the driver training unit for persons with
7945 disabilities established pursuant to section 14-11b, that the applicant
7946 meets the definition of a person with a disability which limits or
7947 impairs the ability to walk, as defined in 23 CFR Section 1235.2. In the
7948 case of persons who are blind, the application or renewal application
7949 shall include certification of legal blindness made by the Department
7950 of Rehabilitation Services, an ophthalmologist or an optometrist. Any
7951 person who makes a certification required by this subsection shall sign
7952 the application or renewal application under penalty of false statement
7953 pursuant to section 53a-157b. The commissioner, in said
7954 commissioner's discretion, may accept the discharge papers of a
7955 disabled veteran, as defined in section 14-254, in lieu of such
7956 certification. The Commissioner of Motor Vehicles may require
7957 additional certification at the time of the original application or at any
7958 time thereafter. If a person who has been requested to submit
7959 additional certification fails to do so within thirty days of the request,
7960 or if such additional certification is deemed by the Commissioner of
7961 Motor Vehicles to be unfavorable to the applicant, the commissioner
7962 may refuse to issue or, if already issued, suspend or revoke such

7963 special license plate or placard. The commissioner shall not issue more
7964 than one placard per applicant. The fee for the issuance of a temporary
7965 removable windshield placard shall be five dollars. Any person whose
7966 application has been denied or whose special license plate or placard
7967 has been suspended or revoked shall be afforded an opportunity for a
7968 hearing in accordance with the provisions of chapter 54.

7969 (c) Any person who meets the requirements to obtain a removable
7970 windshield placard pursuant to subsection (b) of this section and who
7971 has a motorcycle registered in such person's name shall be issued,
7972 upon approval of the application, number plates in accordance with
7973 the provisions of subsection (a) of section 14-21b, which shall bear
7974 letters or numerals or any combination thereof followed by the
7975 international access symbol. The registration of any motorcycle for
7976 which a special license plate is issued shall expire and be renewed as
7977 provided in section 14-22 and be subject to the fee provisions of section
7978 14-49. No person shall be issued such number plates for the
7979 registration of more than two motorcycles. Any person eligible to
7980 obtain a special license plate pursuant to this section who transfers the
7981 expired registration of a motorcycle owned by such person and
7982 replaces such number plate with a special license plate shall be exempt
7983 from payment of any fee for such transfer or replacement. A person
7984 who obtains a special plate or plates under this subsection may also
7985 obtain a removable windshield placard in accordance with subsection
7986 (b) of this section.

7987 (d) Any placard issued pursuant to this section shall be displayed
7988 by hanging it from the front windshield rearview mirror of the vehicle
7989 when utilizing a parking space reserved for persons who are blind and
7990 persons with disabilities. If there is no rearview mirror in such vehicle,
7991 the placard shall be displayed in clear view on the dashboard of such
7992 vehicle.

7993 (e) Vehicles displaying a special license plate or a placard issued
7994 pursuant to this section or by authorities of other states or countries for

7995 the purpose of identifying vehicles permitted to utilize parking spaces
7996 reserved for persons who are blind and persons with disabilities, shall
7997 be allowed to park in an area where parking is legally permissible, for
7998 an unlimited period of time without penalty, notwithstanding the
7999 period of time indicated as lawful by any (1) parking meter, or (2) sign
8000 erected and maintained in accordance with the provisions of chapter
8001 249, provided the operator of or a passenger in such motor vehicle is a
8002 person who is blind or a person with disabilities. A placard shall not be
8003 displayed on any motor vehicle when such vehicle is not being
8004 operated by or carrying as a passenger a person who is blind or a
8005 person with disabilities to whom the placard was issued. Vehicles
8006 bearing a special license plate shall not utilize parking spaces reserved
8007 for persons who are blind and persons with disabilities when such
8008 vehicles are not being operated by or carrying as a passenger a person
8009 who is blind or a person with disabilities to whom such special license
8010 plate was issued.

8011 (f) Only those motor vehicles displaying a plate or placard issued
8012 pursuant to this section shall be authorized to park in public or private
8013 areas reserved for exclusive use by persons who are blind or persons
8014 with disabilities, except that any ambulance, as defined in section 19a-
8015 175, which is transporting a patient may park in such area for a period
8016 not to exceed fifteen minutes while assisting such patient. Any motor
8017 vehicle parked in violation of the provisions of this subsection for the
8018 third or subsequent time shall be subject to being towed from such
8019 designated area. Such vehicle shall be impounded until payment of
8020 any fines incurred is received. No person, firm or corporation engaged
8021 in the business of leasing or renting motor vehicles without drivers in
8022 this state may be held liable for any acts of the lessee constituting a
8023 violation of the provisions of this subsection. Any municipal police
8024 officer who observes a motor vehicle parked in violation of this
8025 subsection shall issue a written warning or a summons for such
8026 violation.

8027 (g) The Office of the State Traffic Administration, on any state

8028 highway, or local traffic authority, on any highway or street under its
8029 control, shall establish parking spaces in parking areas for twenty or
8030 more cars in which parking shall be prohibited to all motor vehicles
8031 except vehicles displaying a special license plate or a placard issued
8032 pursuant to this section. Parking spaces in which parking shall be
8033 prohibited to all motor vehicles except vehicles displaying such special
8034 plate or placard shall be established in private parking areas for two
8035 hundred or more cars according to the following schedule:

Total Number Of Parking Lot Spaces	Number of Special Parking Spaces Required
0 – 200	Exempt
201 – 1000	1.0%
1001 – 2000	10 plus 0.8% of spaces over 1000
2001 – 3000	18 plus 0.6% of spaces over 2000
3001 – 4000	24 plus 0.4% of spaces over 3000
4001 or more	28 plus 0.2% of spaces over 4000

8036 All such spaces shall be designated as reserved for exclusive use by
8037 persons who are blind and persons with disabilities and identified by
8038 the use of signs in accordance with subsection (h) of this section. Such
8039 parking spaces shall be adjacent to curb cuts or other unobstructed
8040 methods permitting sidewalk access to a person who is blind or a
8041 person with disabilities and shall be fifteen feet wide, including three
8042 feet of cross hatch, or be parallel to a sidewalk. The provisions of this
8043 subsection shall not apply (1) in the event the State Building Code
8044 imposes more stringent requirements as to the size of the private
8045 parking area in which special parking spaces are required or as to the
8046 number of special parking spaces required, or (2) in the event a
8047 municipal ordinance imposes more stringent requirements as to the

8048 size of existing private parking areas in which special parking spaces
8049 are required or as to the number of special parking spaces required.

8050 (h) Parking spaces designated for persons who are blind and
8051 persons with disabilities on or after October 1, 1979, and prior to
8052 October 1, 2004, shall be as near as possible to a building entrance or
8053 walkway and shall be fifteen feet wide including three feet of cross
8054 hatch, or parallel to a sidewalk on a public highway. On and after
8055 October 1, 2004, parking spaces for passenger motor vehicles
8056 designated for persons who are blind and persons with disabilities
8057 shall be as near as possible to a building entrance or walkway and
8058 shall be fifteen feet wide including five feet of cross hatch. On and after
8059 October 1, 2004, parking spaces for passenger vans designated for
8060 persons who are blind and persons with disabilities shall be as near as
8061 possible to a building entrance or walkway and shall be sixteen feet
8062 wide including eight feet of cross hatch. Such spaces shall be
8063 designated by above grade signs with white lettering against a blue
8064 background and shall bear the words "handicapped parking permit
8065 required" and "violators will be fined". Such sign shall also bear the
8066 international symbol of access. When such a sign is replaced, repaired
8067 or erected it shall indicate the minimum fine for a violation of
8068 subsection (f) of this section. Such indicator may be in the form of a
8069 notice affixed to such a sign.

8070 (i) Any public parking garage or terminal, as defined in the State
8071 Building Code, constructed under a building permit application filed
8072 on or after October 1, 1985, and prior to October 1, 2004, shall have
8073 nine feet six inches' vertical clearance at a primary entrance and along
8074 the route to at least two parking spaces which conform with the
8075 requirements of subsection (h) of this section and which have nine feet
8076 six inches' vertical clearance unless an exemption has been granted
8077 pursuant to the provisions of subsection (b) of section 29-269. Each
8078 public parking garage or terminal, as defined in the State Building
8079 Code, constructed under a building permit application filed on or after
8080 October 1, 2004, shall have eight feet two inches' vertical clearance at a

8081 primary entrance and along the route to at least two parking spaces for
8082 passenger vans which conform with the requirements of subsection (h)
8083 of this section and which have eight feet two inches' vertical clearance
8084 unless an exemption has been granted pursuant to the provisions of
8085 subsection (b) of section 29-269.

8086 (j) The commissioner may suspend or revoke any plate or placard
8087 issued pursuant to this section when, after affording the person to
8088 whom such plate or placard was issued an opportunity for a hearing in
8089 accordance with chapter 54, the commissioner or his representative
8090 determines that such person has used or permitted the use of such
8091 plate or placard in a manner which violates the provisions of this
8092 section.

8093 (k) Nothing in this section may be construed to allow a person who
8094 is blind or a person with disabilities who is a bona fide resident of the
8095 state to park in a public or private area reserved for the exclusive use
8096 of persons who are blind and persons with disabilities as provided in
8097 this section if such person does not display upon or within his vehicle
8098 a plate or placard issued pursuant to this section.

8099 (l) (1) Any person who violates any provision of this section for
8100 which a penalty or fine is not otherwise provided shall, for a first
8101 violation, be subject to a fine of one hundred fifty dollars, and for a
8102 subsequent violation, be subject to a fine of two hundred fifty dollars.

8103 (2) No owner or lessee of a private parking area subject to the
8104 requirements of this section, or an agent of such owner or lessee, shall
8105 dump, or allow any other person to dump, or otherwise place
8106 accumulated snow in a special parking space reserved as required in
8107 this section. Any owner, lessee or agent who violates the provisions of
8108 this subdivision shall, for a first violation, be subject to a fine of one
8109 hundred fifty dollars, and for a subsequent violation, be subject to a
8110 fine of two hundred fifty dollars.

8111 (m) Any placard or special license plate issued pursuant to this

8112 section shall be returned to the commissioner upon the subsequent
8113 change of residence to another state or death of the person to whom
8114 such placard or license plate was issued. Any person who uses a
8115 placard or a special license plate issued pursuant to this section after
8116 the death of the person to whom such placard or special license plate
8117 was issued shall be fined five hundred dollars.

8118 (n) The commissioner shall develop a procedure for the renewal of
8119 existing placards. The procedure may be implemented over a period of
8120 several years. Any renewal of such placards shall require the issuance
8121 of a new placard in accordance with the provisions of this section.

8122 (o) The commissioner shall periodically check the Department of
8123 Public Health's state registration of deaths and shall cancel any placard
8124 issued to an individual identified in such registry as deceased.

8125 (p) The Commissioner of Motor Vehicles shall adopt regulations in
8126 accordance with the provisions of chapter 54, to carry out the
8127 provisions of this chapter and to establish a uniform system for the
8128 issuance, renewal and regulation of special license plates, removable
8129 windshield placards and temporary removable windshield placards.
8130 Such plates and placards shall be used only by persons to whom such
8131 plates and placards are issued.

8132 Sec. 227. Section 14-325b of the general statutes is repealed and the
8133 following is substituted in lieu thereof (*Effective October 1, 2015*):

8134 (a) Each retail dealer as defined in section 14-318 that offers self-
8135 service and full-service facilities for the sale of gasoline or motor fuel
8136 shall provide, at a self-service pump, upon request, refueling service to
8137 a handicapped driver of a vehicle that bears a special international
8138 symbol of access license plate <u>or a removable windshield placard</u>
8139 issued pursuant to section 14-253a, at a price no greater than that
8140 which such dealer would charge the public to purchase gasoline or
8141 motor fuel without any refueling service.

8142 (b) Each retail dealer that is required to provide refueling service to
8143 a handicapped driver pursuant to subsection (a) of this section shall
8144 publicly display and maintain on or near each self-service pump a
8145 clearly legible sign informing the public that such retail dealer will
8146 provide refueling service to such handicapped driver upon request.
8147 Such sign shall be displayed in a location and manner that is clearly
8148 visible to handicapped drivers and shall contain instructions indicating
8149 how a handicapped driver may contact or notify the retail dealer or
8150 cashier, if applicable, if the handicapped driver requires refueling
8151 service.

8152 (c) The provisions of this section shall not apply to dealers that sell
8153 gasoline or motor fuel and that (1) have remotely controlled pumps, or
8154 (2) are operated by a single cashier.

8155 Sec. 228. (NEW) (*Effective from passage*) Notwithstanding the
8156 provisions of sections 14-145 and 14-145b of the general statutes, and
8157 subparagraph (B) of subdivision (7) of subsection (c) of section 7-148 of
8158 the general statutes, an owner or lessee of private commercial property
8159 or such owner or lessee's agent may tow any motor vehicle left without
8160 authorization on such property and no signage warning of such
8161 towing shall be required to be installed by such owner or lessee if such
8162 motor vehicle is left (1) in a space reserved, as required in section 14-
8163 253a of the general statutes, for exclusive use by persons who are blind
8164 and persons with disabilities, (2) in an area reserved for authorized
8165 emergency vehicles, (3) within ten feet of a fire hydrant, as provided in
8166 section 14-251 of the general statutes, (4) blocking building access, (5)
8167 blocking entry or exit from such property, or (6) for forty-eight or more
8168 hours.

8169 Sec. 229. (NEW) (*Effective from passage*) Not later than January 1,
8170 2016, and annually thereafter, each local and regional board of
8171 education shall review the transportation arrangements of their special
8172 needs students, both in and out of district, and make the appropriate
8173 changes to ensure the safe transportation of the students, which may

8174 involve placing school bus monitors or cameras on the vehicles used
8175 for such transportation.

8176 Sec. 230. Subsection (b) of section 14-296aa of the general statutes is
8177 repealed and the following is substituted in lieu thereof (*Effective from*
8178 *passage*):

8179 (b) (1) Except as otherwise provided in this subsection and
8180 subsections (c) and (d) of this section, no person shall operate a motor
8181 vehicle upon a highway, as defined in section 14-1, while using a
8182 hand-held mobile telephone to engage in a call or while using a mobile
8183 electronic device. An operator of a motor vehicle who types, sends or
8184 reads a text message with a hand-held mobile telephone or mobile
8185 electronic device while operating a motor vehicle shall be in violation
8186 of this section, except that if such operator is driving a commercial
8187 motor vehicle, as defined in section 14-1, such operator shall be
8188 charged with a violation of subsection (e) of this section.

8189 (2) An operator of a motor vehicle who holds a hand-held mobile
8190 telephone to, or in the immediate proximity of, his or her ear while
8191 operating a motor vehicle is presumed to be engaging in a call within
8192 the meaning of this section. The presumption established by this
8193 subdivision is rebuttable by evidence tending to show that the
8194 operator was not engaged in a call.

8195 (3) The provisions of this subsection shall not be construed as
8196 authorizing the seizure or forfeiture of a hand-held mobile telephone
8197 or a mobile electronic device, unless otherwise provided by law.

8198 (4) Subdivision (1) of this subsection shall not apply to: (A) The use
8199 of a hand-held mobile telephone for the sole purpose of
8200 communicating with any of the following regarding an emergency
8201 situation: An emergency response operator; a hospital, physician's
8202 office or health clinic; an ambulance company; a fire department; or a
8203 police department, or (B) any of the following persons while in the
8204 performance of their official duties and within the scope of their

employment: A peace officer, as defined in subdivision (9) of section 53a-3, a firefighter or an operator of an ambulance or authorized emergency vehicle, as defined in section 14-1, **[**or**]** a member of the armed forces of the United States, as defined in section 27-103, while operating a military vehicle, or a sworn motor vehicle inspector acting under the authority of section 14-8, or (C) the use of a hand-held radio by a person with an amateur radio station license issued by the Federal Communications Commission in emergency situations for emergency purposes only, or (D) the use of a hands-free mobile telephone.

Sec. 231. (NEW) (*Effective from passage*) (a) On and after January 1, 2016, the Commissioner of Motor Vehicles may issue, within available appropriations, Men's Health commemorative number plates of a design to enhance public awareness of efforts to treat and cure prostate cancer. The design shall be determined by agreement between the Commissioner of Public Health and the Commissioner of Motor Vehicles. No use shall be made of such plates except as official registration marker plates.

(b) A fee of sixty dollars shall be charged for Men's Health commemorative number plates, in addition to the regular fee or fees prescribed for the registration of a motor vehicle. Fifteen dollars of such fee shall be deposited in an account controlled by the Department of Motor Vehicles to be used for the cost of producing, issuing, renewing and replacing such number plates and forty-five dollars of such fee shall be deposited in the account established under subsection (d) of this section. No additional fee shall be charged in connection with the renewal of such number plates. No transfer fee shall be charged for transfer of an existing registration to or from a registration with Men's Health commemorative number plates. Such number plates shall have letters and numbers selected by the Commissioner of Motor Vehicles. The commissioner may establish a higher fee for: (1) Number plates that contain the numbers and letters from a previously issued number plate; (2) number plates that contain letters in place of numbers, as authorized by section 14-49 of the general statutes, in

8238 addition to the fee or fees prescribed for registration under said
8239 section; and (3) number plates that are low number plates issued in
8240 accordance with section 14-160 of the general statutes, in addition to
8241 the fee or fees prescribed for registration under said section. All fees
8242 established and collected pursuant to this section, except moneys
8243 designated for administrative costs of the Department of Motor
8244 Vehicles, shall be deposited in the Men's Health account established
8245 under subsection (d) of this section.

8246 (c) The Commissioner of Motor Vehicles, in consultation with the
8247 Commissioner of Public Health, may adopt regulations, in accordance
8248 with the provisions of chapter 54 of the general statutes, to establish
8249 standards and procedures for the issuance, renewal and replacement
8250 of Men's Health commemorative number plates.

8251 (d) There is established a Men's Health account which shall be a
8252 separate, nonlapsing account within the General Fund. The account
8253 shall contain any moneys required by law to be deposited in the
8254 account. The funds in the account shall be expended by the
8255 Department of Public Health to enhance public awareness of efforts to
8256 treat and cure prostate cancer and to support research into treatment
8257 for prostate cancer. The Commissioner of Public Health may receive
8258 private donations to the account and any such receipts shall be
8259 deposited in the account.

8260 (e) The Commissioner of Motor Vehicles may provide for the
8261 reproduction and marketing of the Men's Health commemorative
8262 number plate image for use on clothing, recreational equipment,
8263 posters, mementoes or other products or programs deemed by the
8264 commissioner to be suitable as a means of supporting the Men's Health
8265 account established under subsection (d) of this section. Any moneys
8266 received by the commissioner from such marketing shall be deposited
8267 in said account.

8268 Sec. 232. (NEW) (*Effective from passage*) (a) As used in this section:

8269 (1) "Commissioner" means the Commissioner of Motor Vehicles;

8270 (2) "Database" means the database supported by the Online
8271 Insurance Verification System;

8272 (3) "Department" means the Department of Motor Vehicles;

8273 (4) "Insurer" means an insurance company that is authorized to
8274 issue motor vehicle liability insurance policies in this state; and

8275 (5) "System" means the Online Insurance Verification System.

8276 (b) The department shall establish the Online Insurance Verification
8277 System for the purposes of (1) verifying that a motor vehicle owner or
8278 operator has procured and maintained the security coverage required
8279 pursuant to sections 14-112 and 38a-371 of the general statutes, (2)
8280 providing the commissioner and insurers with an effective method for
8281 complying with chapters 246, 248 and 700 of the general statutes, and
8282 (3) reducing the number of uninsured motor vehicles on the highways
8283 of the state. The system shall be available, at all times and in the
8284 manner prescribed by the department, to allow state and local law
8285 enforcement agencies and any government agency authorized for
8286 system access by the commissioner to verify the security coverage of
8287 any motor vehicle.

8288 (c) (1) The system shall include (A) the owner and vehicle
8289 information for all active registrations, provided by the department,
8290 and (B) a record of each motor vehicle insurance policy in effect,
8291 provided by each insurer in accordance with subdivision (2) of this
8292 subsection.

8293 (2) Each insurer shall, each month on a date specified by the
8294 commissioner, submit to the department a record of each motor
8295 vehicle insurance policy in effect for vehicles registered or garaged in
8296 the state as of the date of such submission. Each insurer that issues
8297 commercial fleet policies may satisfy this requirement by providing

8298 the fleet policy number that covers the vehicles of its insured. The
8299 record provided by an insurer shall be in a format and contain the data
8300 as specified by the department. Such record shall be provided by
8301 electronic means or by another form approved by the department. An
8302 insurer may submit more frequent reports than once monthly, if it so
8303 chooses.

8304 (3) With the information provided pursuant to this subsection, the
8305 department shall, at least monthly: (A) Update the database with the
8306 records provided by insurers pursuant to section 38a-343a of the
8307 general statutes, as amended by this act, and subdivision (2) of this
8308 subsection; (B) match the department information of owner and
8309 vehicle information for all active registrations with the records
8310 submitted by insurers; and (C) compare all current motor vehicle
8311 registrations against the records submitted by insurers.

8312 (d) Each insurer shall be required to establish an online web service,
8313 accessible through the system, to verify the insurance of a vehicle in
8314 real time. At its discretion, the department may establish alternate
8315 methods for verifying commercial vehicle liability insurance policies or
8316 liability policies issued by insurers who write fewer than a threshold
8317 number of policies, as established by the commissioner in consultation
8318 with the Insurance Commissioner and insurers.

8319 (e) The system shall (1) be capable of sending requests to insurers
8320 for verification of motor vehicle liability insurance, using online web
8321 services established by insurers as required pursuant to subsection (d)
8322 of this section, (2) allow state and local law enforcement agencies to
8323 access the database in real time, and (3) generate reports that may be
8324 useful for the implementation of the purposes of this section, as
8325 determined by the commissioner.

8326 (f) The commissioner may enter into an agreement with a private
8327 third-party vendor to develop and maintain the system established
8328 pursuant to this section, under the direction and management of the

8329 department, provided such vendor has entered into an agreement to
8330 protect the confidentiality of the information and data contained
8331 within the system.

8332 (g) (1) The Department of Motor Vehicles may use the information
8333 contained in the database for the administration and enforcement of
8334 chapters 246, 248 and 700 of the general statutes.

8335 (2) All information contained in the database shall be treated as a
8336 motor vehicle record, as defined in section 14-10 of the general
8337 statutes, and shall not be disclosed except as permitted under section
8338 14-10 of the general statutes, and 18 USC 2721 et seq., as amended from
8339 time to time.

8340 (h) (1) An insurer shall not be liable to any person for information
8341 the insurer provides to the department or to a third-party vendor in
8342 compliance with this section, including information an insurer may
8343 provide or omit erroneously in good faith.

8344 (2) The state, the department and a third-party vendor shall not be
8345 liable to any person for gathering, managing or using the information
8346 in the database, provided such actions are in compliance with this
8347 section.

8348 Sec. 233. Section 14-12c of the general statutes is repealed and the
8349 following is substituted in lieu thereof (*Effective from passage*):

8350 The commissioner may at any time require any owner of a private
8351 passenger motor vehicle or a vehicle with a commercial registration, as
8352 defined in section 14-1, to submit further information to verify the
8353 required security coverage within the time specified by the
8354 commissioner. If the commissioner is unable to verify the insurance
8355 information furnished, the commissioner shall, unless such registrant
8356 has been reported as cancelled in accordance with sections 38a-343,
8357 38a-343a, <u>as amended by this act,</u> 14-12c<u>, as amended by this act,</u> and
8358 14-12f to 14-12i, inclusive, afford such owner an opportunity for a

8359 hearing in accordance with chapter 54 to determine whether such
8360 owner's application for registration contains a material false statement
8361 or whether [he] such owner has failed to continuously maintain the
8362 security required under section 38a-371. If the commissioner finds that
8363 [the] such owner did not have the required security in effect on the
8364 date of registration, or that such owner presented a false or fraudulent
8365 insurance identification card to the commissioner, the application for
8366 registration shall be deemed to contain a material false statement. Any
8367 registration issued as a result of such application shall be void from the
8368 date of issue and the registration number plates shall be surrendered
8369 to the commissioner or the commissioner shall issue a notice of
8370 suspension of the registration in accordance with the provisions of
8371 section 14-12g. If the commissioner finds that the owner had the
8372 required security in effect at the time such application was submitted
8373 but failed to maintain it continuously during the registration period,
8374 the commissioner shall issue a notice of the suspension of the
8375 registration in accordance with the provisions of section 14-12g. The
8376 commissioner may use information contained in the Online Insurance
8377 Verification System established in accordance with section 232 of this
8378 act to verify or enforce security coverage requirements or impose
8379 sanctions in accordance with any provision in this chapter or chapter
8380 700.

8381 Sec. 234. Subsection (a) of section 14-213b of the general statutes is
8382 repealed and the following is substituted in lieu thereof (*Effective from*
8383 *passage*):

8384 (a) No owner of any private passenger motor vehicle or a vehicle
8385 with a combination or commercial registration, as defined in section
8386 14-1, registered or required to be registered in this state may operate or
8387 permit the operation of such vehicle without the security required by
8388 section 38a-371 or with security insufficient to meet the minimum
8389 requirements of said section, or without any other security
8390 requirements imposed by law, as the case may be. Failure of the
8391 operator to produce an insurance identification card as required by

8392 section 14-217 shall constitute prima facie evidence that the owner has
8393 not maintained the security required by section 38a-371 and this
8394 section. A law enforcement officer may access the Online Insurance
8395 Verification System established in accordance with section 232 of this
8396 act to determine whether an owner or operator has the required
8397 security.

8398 Sec. 235. Section 38a-343a of the general statutes is repealed and the
8399 following is substituted in lieu thereof (*Effective from passage*):

8400 (a) (1) **[**Each**]** The Commissioner of Motor Vehicles may require each
8401 insurance company **[**which**]** that issues private passenger motor
8402 vehicle liability insurance policies in this state **[**shall, each month, on a
8403 date specified by the commissioner, notify the Commissioner of Motor
8404 Vehicles**]** to notify the commissioner monthly, on a date specified by
8405 the commissioner, of the cancellation by the insurance company of all
8406 such policies which occurred during the preceding month. **[**The notice
8407 required**]** Such notice shall include the name of the named insured in
8408 the policy, the policy number, the vehicle identification number of
8409 each automobile covered by the policy and the effective date of the
8410 policy's cancellation. The commissioner shall specify an acceptable
8411 method of notification. The method of notification specified may
8412 include computer tapes or electronic transmission.

8413 (2) The commissioner may require each insurance company that
8414 issues private passenger motor vehicle liability insurance policies in
8415 this state to provide monthly, on a date specified by the commissioner,
8416 the policy information required for purposes of the Online Insurance
8417 Verification System, as provided in section 232 of this act.

8418 (3) The failure of an insurance company to comply with the
8419 requirements of this section shall not affect the cancellation of any
8420 private passenger motor vehicle liability insurance policy.

8421 (b) The Commissioner of Motor Vehicles shall receive or accept all
8422 notices of policy cancellation or all policy information from private

8423 passenger motor vehicle liability insurance companies, as required
8424 pursuant to subsection (a) of this section. The commissioner shall
8425 review and analyze the cancellation data or policy information
8426 submitted, together with such other information as [he] the
8427 commissioner may obtain from the private passenger motor vehicle
8428 liability insurance companies, from the records of the Department of
8429 Motor Vehicles, or from any other public or private agency or firm in
8430 possession of relevant information, for the purpose of determining
8431 whether any registered owner identified in any such notice has failed
8432 to continuously maintain insurance coverage in violation of sections
8433 14-12c, as amended by this act, and 38a-371. In conducting such an
8434 inquiry to determine insured status, the commissioner may contact
8435 registered vehicle owners by mail and require that such mail inquiries
8436 be answered in not less than thirty days, in a satisfactory manner
8437 containing such information and verification of insurance coverage as
8438 the commissioner shall deem necessary and acceptable.

8439 Sec. 236. Subsection (a) of section 14-145 of the general statutes, as
8440 amended by section 1 of public act 15-42, is repealed and the following
8441 is substituted in lieu thereof (*Effective October 1, 2015*):

8442 (a) (1) An owner or lessee of private property, or his or her agent,
8443 may remove or cause to be removed, or may use a wheel-locking
8444 device to render immovable, any motor vehicle left without
8445 authorization on such property in accordance with the provisions of
8446 this section and sections 14-145a to 14-145c, inclusive, as amended by
8447 [this act] public act 15-42, provided any owner or lessee of private
8448 commercial property, or his or her agent, shall install conspicuous
8449 signage stating that motor vehicles left without authorization on such
8450 private commercial property may be removed or rendered immovable
8451 and indicating where such motor vehicle will be stored, how the
8452 vehicle may be redeemed and any costs or fees that may be charged.

8453 (2) Notwithstanding the provisions of subdivision (1) of this
8454 subsection, an owner or lessee of private commercial property or such

owner or lessee's agent may tow any motor vehicle left without authorization on such property and no signage warning of such towing shall be required to be installed by such owner or lessee if such motor vehicle is left (A) in a space reserved, as required in section 14-253a, for exclusive use by persons who are blind and persons with disabilities and such vehicle does not bear a removable windshield placard or special license plate, as defined in section 14-253a, (B) in an area reserved for authorized emergency vehicles, (C) within ten feet of a fire hydrant, as provided in section 14-251, (D) blocking building access, (E) blocking entry or exit from such property, or (F) for forty-eight or more hours.

[(2)**]** (3) A lending institution may repossess any motor vehicle, in accordance with the provisions of section 36a-785, as amended by **[**this act**]** public act 15-42, by contracting with a wrecker licensed under section 14-66 or an entity exempt from such licensure, as provided in subsection (f) of section 14-66, to tow or otherwise remove such motor vehicle in accordance with the provisions of this section and sections 14-145a to 14-145c, inclusive, as amended by **[**this act**]** public act 15-42. In the case of a repossession, no signage as described in subdivision (1) of this subsection shall be required.

[(3)**]** (4) This section shall not apply to law enforcement, fire-fighting, rescue, ambulance or emergency vehicles which are marked as such, or to motor vehicles left without authorization on property leased by any governmental agency.

Sec. 237. Subsection (a) of section 14-145a of the general statutes, as amended by section 2 of public act 15-42, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

(a) No vehicle shall be towed or removed from private property **[**or rendered immovable on private property through use of a wheel-locking device**]** except (1) upon express instruction of the owner or lessee, or his or her agent, of the property upon which the vehicle is

8486 trespassing, or (2) for the purpose of repossession of the motor vehicle
8487 by a lending institution. No vehicle shall be rendered immovable on
8488 private property through the use of a wheel-locking device except
8489 upon express instruction of the owner or lessee, or his or her agent.
8490 Nothing in this subsection shall be construed to limit the right of a
8491 municipality or the state to remove an abandoned motor vehicle in
8492 accordance with the provisions of section 14-150.

8493 Sec. 238. Subdivision (82) of section 12-412 of the general statutes, as
8494 amended by section 10 of public act 15-46, is repealed and the
8495 following is substituted in lieu thereof (*Effective from passage*):

8496 (82) (A) The sale of and the storage, use or other consumption of any
8497 commercial motor vehicle, as defined in subparagraphs (A) and (B) of
8498 subdivision (15) of section 14-1, **[**as amended by this act,**]** that is
8499 operating pursuant to the provisions of section 13b-88 or 13b-89,
8500 during the period commencing upon its purchase and ending one year
8501 after the date of purchase, provided seventy-five per cent of its
8502 revenue from its days in service is derived from out-of-state trips or
8503 trips crossing state lines.

8504 (B) Each purchaser of a commercial motor vehicle exempt from tax
8505 pursuant to the provisions of this subsection shall, in order to qualify
8506 for said exemption, present to the retailer a certificate, in such form as
8507 the commissioner may prescribe, certifying that seventy-five per cent
8508 of such vehicle's revenue from its days in service will be derived from
8509 out-of-state trips or trips crossing state lines. The purchaser of the
8510 motor vehicle shall be liable for the tax otherwise imposed if, during
8511 the period commencing upon its purchase and ending one year after
8512 the date of purchase, seventy-five per cent of the vehicle's revenue
8513 from its days in service is not derived from out-of-state trips or trips
8514 crossing state lines.

8515 Sec. 239. Subsection (e) of section 14-36m of the general statutes, as
8516 amended by section 2 of house bill 6366 of the current session, as

8517 amended by House Amendment Schedule "A", is repealed and the
8518 following is substituted in lieu thereof (*Effective from passage*):

8519 (e) No motor vehicle operator's license issued pursuant to this
8520 section shall be used as identification for voting purposes. **[**, and shall
8521 contain language on the back of such license indicating that it cannot
8522 be used for voting purposes**]** The back of such license shall contain
8523 language indicating that it cannot be used for voting purposes. For any
8524 such license issued prior to July 1, 2016, the language required by this
8525 subsection shall be added upon renewal of such license.

8526 Sec. 240. Subsection (c) of section 14-33 of the general statutes, as
8527 amended by section 1 of public act 14-19, is repealed and the following
8528 is substituted in lieu thereof (*Effective July 1, 2015*):

8529 (c) On and after March 1, 1989, any municipality may participate in
8530 a program administered by the Commissioner of Motor Vehicles to
8531 facilitate the payment of fines for parking violations. If any such
8532 municipality elects to participate in such program, it shall provide for a
8533 notice of violation to be served personally upon the operator of a
8534 motor vehicle who is present at the time of service. If the operator is
8535 not present, the notice shall be served upon the owner of the motor
8536 vehicle by affixing notice to said vehicle in a conspicuous place, or, in
8537 the case of the city of Hartford Parking Authority, by regular or
8538 certified mail to the registered owner of the vehicle, which shall have
8539 the same effect as if the notice of violation was personally served on
8540 the owner or operator of the vehicle. In the case of any motor vehicle
8541 that is leased or rented by the owner, not more than thirty days after
8542 the initial notice of a parking violation for which a fine remains unpaid
8543 at such time, a second notice of violation shall be mailed to the address
8544 of record of the owner leasing or renting the motor vehicle to such
8545 operator. No fines or penalties shall accrue to the owner of such rented
8546 or leased vehicle for the violation for a period of sixty days after the
8547 second notice is mailed. Upon receipt of such notification, the owner of
8548 such rented or leased vehicle may notify the municipality as to whom

8549 the lessee was at the time of such issuance of the notice of violation, the
8550 lessee's address, motor vehicle operator's license number and state of
8551 issuance, and the municipality shall issue such notice of violation to
8552 such lessee. A participating municipality shall notify the commissioner
8553 of every owner of a registered motor vehicle who has unpaid fines for
8554 more than five parking violations committed within such municipality
8555 on and after March 1, 1989. Upon receipt of such notification, the
8556 commissioner shall not issue or renew the motor vehicle registration of
8557 such person until he receives notification from such municipality that
8558 the delinquent fines have been paid.

8559 Sec. 241. (NEW) (*Effective from passage and applicable to assessment*
8560 *years commencing on and after October 1, 2015*) Notwithstanding any
8561 provision of chapter 201, 203 or 204 of the general statutes or any
8562 special act that provides an exemption from taxation of real or
8563 personal property held by or on behalf of a health system, as defined
8564 in section 19a-508c of the general statutes, the following real and
8565 personal property shall be taxable by a municipality in accordance
8566 with the provisions of chapters 201, 203 and 204 of the general statutes:
8567 (1) Real property that is acquired by a health system on or after
8568 October 1, 2015, that, at the time of such acquisition, is subject to
8569 taxation under the provisions of chapters 201, 203 and 204 of the
8570 general statutes, provided such acquiring health system had, for the
8571 fiscal year ending September 30, 2013, net patient revenue from
8572 facilities located within the state of one billion five hundred million
8573 dollars or more, and (2) any personal property incident to the
8574 rendering of health care services at the real property described in
8575 subdivision (1) of this section. The provisions of this section shall not
8576 apply to any real or personal property that is within a campus, as
8577 defined in subparagraph (A) of subdivision (2) of subsection (a) of
8578 section 19a-508c of the general statutes. All taxes on real and personal
8579 property imposed pursuant to this section shall be liabilities of, and
8580 paid by, the health system, and shall not be paid by a hospital or other
8581 entity affiliated with such health system.

8582 Sec. 242. (*Effective from passage*) Notwithstanding any provision of
8583 the general statutes or any special act, charter or ordinance, all acts and
8584 proceedings of the officers and officials of a municipality pertaining to
8585 the treatment as taxable or not taxable, as the case may be, by the
8586 municipality of any real or personal property held by, or held in trust
8587 for, a health system, as defined in section 19a-508c of the general
8588 statutes, on its October 1, 2014, grand list or earlier grand list, are
8589 validated and the municipality shall continue to treat such real or
8590 personal property as taxable or not taxable, as the case may be, in
8591 subsequent tax years.

8592 Sec. 243. Section 12-65b of the general statutes is repealed and the
8593 following is substituted in lieu thereof (*Effective from passage*):

8594 (a) Any municipality may, by affirmative vote of its legislative body,
8595 enter into a written agreement with any party owning or proposing to
8596 acquire an interest in real property in such municipality, or with any
8597 party owning or proposing to acquire an interest in air space in such
8598 municipality, or with any party who is the lessee of, or who proposes
8599 to be the lessee of, air space in such municipality in such a manner that
8600 the air space leased or proposed to be leased shall be assessed to the
8601 lessee pursuant to section 12-64, fixing the assessment of the real
8602 property or air space which is the subject of the agreement, and all
8603 improvements thereon or therein and to be constructed thereon or
8604 therein, subject to the provisions of subsection (b) of this section, (1) for
8605 a period of not more than seven years, provided the cost of such
8606 improvements to be constructed is not less than three million dollars,
8607 (2) for a period of not more than two years, provided the cost of such
8608 improvements to be constructed is not less than five hundred
8609 thousand dollars, (3) to the extent of not more than fifty per cent of
8610 such increased assessment, for a period of not more than three years,
8611 provided the cost of such improvements to be constructed is not less
8612 than ten thousand dollars, or (4) for a period of years specified in an
8613 ordinance, for improvements to be constructed on land used or to be
8614 used for any retail business in an area designated in such ordinance.

8615 For purposes of this section, "improvements to be constructed"
8616 includes the rehabilitation of existing structures for retail business use.

8617 (b) The provisions of subsection (a) of this section shall only apply if
8618 the improvements are for at least one of the following: (1) Office use;
8619 (2) retail use; (3) permanent residential use; (4) transient residential
8620 use; (5) manufacturing use; (6) warehouse, storage or distribution use;
8621 (7) structured multilevel parking use necessary in connection with a
8622 mass transit system; (8) information technology; (9) recreation
8623 facilities; (10) transportation facilities; **[**or**]** (11) mixed-use
8624 development, as defined in section 8-13m; or (12) use by or on behalf of
8625 a health system, as defined in section 19a-508c.

8626 Sec. 244. (NEW) (*Effective from passage and applicable to assessment*
8627 *years commencing on and after October 1, 2015*) Notwithstanding any
8628 provision of chapter 201, 203 or 204 of the general statutes or any
8629 special act, except subdivision (8) of section 12-81 of the general
8630 statutes, which provides an exemption from taxation of real or
8631 personal property held by or on behalf of a private nonprofit
8632 institution of higher learning, as defined in section 12-20a of the
8633 general statutes, any residential real property intended for use or used
8634 as student housing, except a dormitory, that is held by or on behalf of
8635 such entity, shall be taxable by a municipality in accordance with the
8636 provisions of chapters 201, 203 and 204 of the general statutes. For
8637 purposes of this subsection: (1) "Residential real property" means any
8638 house or building, or portion thereof, which is rented, leased or hired
8639 out to be occupied as a home or residence of one or more students, and
8640 (2) "dormitory" means a building containing living or sleeping facilities
8641 consisting of twenty or more beds intended for use or used as student
8642 housing and maintained by a private nonprofit institution of higher
8643 learning, as defined in section 12-20a of the general statutes.

8644 Sec. 245. (NEW) (*Effective July 1, 2015*) (a) As used in this section:

8645 (1) "District heating system" means a thermal loop natural gas

8646 demand reduction system that is located in a designated area and is
8647 designed to capture an annual minimum of thirty million British
8648 thermal units of waste heat and transmits and distributes at least
8649 seventy-five per cent of such waste heat directly to the premises of end
8650 use customers that are located in such system's service area.

8651 (2) "Gas company" has the same meaning as provided in section 16-
8652 1 of the general statutes.

8653 (b) After the effective date of this section, each gas company shall
8654 develop an incentive program for district heating systems for the
8655 purpose of reducing natural gas demand in the state. As part of the
8656 conservation and load management plan, pursuant to section 16-245m
8657 of the general statutes, each gas company shall submit such program
8658 plan for approval to the Energy Conservation Management Board and
8659 the Department of Energy and Environmental Protection. Said board
8660 and department have discretion to jointly approve or disapprove such
8661 plan. Such program shall, on or after March 1, 2016, provide an
8662 incentive payment to end use customers who connect on or after
8663 March 1, 2016, to a district heating system for heating purposes. Such
8664 incentive payment shall be based on such customer's projected natural
8665 gas demand reduction for the period of time that such customer
8666 commits to utilize the services of such heating system. The projected
8667 natural gas demand reduction shall be based on such customer's
8668 weather-adjusted historical usage data from the previous three years.
8669 The amount of the incentive payment made to such end use customer
8670 shall not exceed the incentive payment made for equivalent natural
8671 gas demand reductions through the state's conservation and load
8672 management plan.

8673 (c) An owner or operator of a district heating system may charge
8674 each end use customer a connection charge up to an amount equal to
8675 the incentive payment received by such end use customer.

8676 (d) The Public Utilities Regulatory Authority shall ensure that the

8677 revenues required to fund such incentive payments made pursuant to
8678 this section are provided through a fully reconciling conservation
8679 adjustment mechanism, which shall not exceed more than nine million
8680 dollars in total for the program established under this section,
8681 provided (1) such revenues shall be in addition to the revenues
8682 authorized to fund the conservation and load management fund
8683 pursuant to section 16-245m of the general statutes, and (2) such
8684 revenues exceeding two million dollars required to fund such
8685 incentive payments shall be paid over a period of not less than two
8686 years. Such revenues shall only be collected from the gas customers of
8687 the company in whose service area such district heating system is
8688 located.

8689 Sec. 246. (NEW) (*Effective July 1, 2015*) (a) The Commissioner of
8690 Education shall administer, within available appropriations and in
8691 consultation with the Commissioner of Children and Families, a
8692 surrogate parent program. The Commissioner of Children and
8693 Families shall select any foster child, as defined in section 17a-110 of
8694 the general statutes, who resides in the area identified as Region 3 by
8695 the Department of Children and Families for participation in the
8696 program, and the Commissioner of Education shall appoint a
8697 surrogate parent for such child. The surrogate parent shall represent
8698 the foster child in the educational decision-making process, provided
8699 the parent or guardian of the foster child: (1) Agrees or fails to object to
8700 the appointment of a surrogate parent; (2) receives identical notices as
8701 the surrogate parent; and (3) may revoke the appointment of a
8702 surrogate parent at any time.

8703 (b) Not later than January 1, 2016, and annually thereafter, the
8704 Commissioners of Education and Children and Families shall jointly
8705 submit a report, in accordance with section 11-4a of the general
8706 statutes, to the joint standing committees of the General Assembly
8707 having cognizance of matters relating to children and education on the
8708 surrogate parent program.

Sec. 247. Section 10-94f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

As used in sections 10-94f to 10-94k, inclusive, and section 246 of this act:

(1) "Surrogate parent" means the person appointed by the Commissioner of Education as a child's advocate in the educational decision-making process in place of the child's parents or guardian and such person shall be deemed to be an "other employee" for purposes of section 10-235;

(2) "The educational decision-making process" includes the identification, evaluation, placement, hearing, mediation and appeal procedures provided for in this chapter and the evaluation and planning procedures provided for in Section 504 of the Rehabilitation Act of 1973, as amended from time to time, which may be available to a child subsequent to the receipt of special education and related services pursuant to this chapter.

Sec. 248. Subsection (i) of section 10-217a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(i) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2008, to June 30, **[**2015**]** 2017, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this section.

Sec. 249. Subsection (b) of section 10-281 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(b) Notwithstanding the provisions of this section, for the fiscal

8738 years ending June 30, 2004, to June 30, [2015] 2017, inclusive, the
8739 amount of the grants payable to local or regional boards of education
8740 in accordance with this section shall be reduced proportionately if the
8741 total of such grants in such year exceeds the amount appropriated for
8742 purposes of this section.

8743 Sec. 250. Subsection (d) of section 10-71 of the general statutes is
8744 repealed and the following is substituted in lieu thereof (*Effective July*
8745 *1, 2015*):

8746 (d) Notwithstanding the provisions of this section, for the fiscal
8747 years ending June 30, 2004, to June 30, [2015] 2017, inclusive, the
8748 amount of the grants payable to towns, regional boards of education or
8749 regional educational service centers in accordance with this section
8750 shall be reduced proportionately if the total of such grants in such year
8751 exceeds the amount appropriated for the purposes of this section for
8752 such year.

8753 Sec. 251. Subsection (e) of section 10-66j of the general statutes is
8754 repealed and the following is substituted in lieu thereof (*Effective July*
8755 *1, 2015*):

8756 (e) Notwithstanding the provisions of this section, for the fiscal
8757 years ending June 30, 2004, to June 30, [2015] 2017, inclusive, the
8758 amount of grants payable to regional educational service centers shall
8759 be reduced proportionately if the total of such grants in such year
8760 exceeds the amount appropriated for such grants for such year.

8761 Sec. 252. Subdivision (2) of subsection (e) of section 10-76d of the
8762 general statutes is repealed and the following is substituted in lieu
8763 thereof (*Effective July 1, 2015*):

8764 (2) For purposes of this subdivision, "public agency" includes the
8765 offices of a government of a federally recognized Native American
8766 tribe. Notwithstanding any other provisions of the general statutes, for
8767 the fiscal year ending June 30, 1987, and each fiscal year thereafter,

8768 whenever a public agency, other than a local or regional board of
8769 education, the State Board of Education or the Superior Court acting
8770 pursuant to section 10-76h, places a child in a foster home, group
8771 home, hospital, state institution, receiving home, custodial institution
8772 or any other residential or day treatment facility, and such child
8773 requires special education, the local or regional board of education
8774 under whose jurisdiction the child would otherwise be attending
8775 school or, if no such board can be identified, the local or regional board
8776 of education of the town where the child is placed, shall provide the
8777 requisite special education and related services to such child in
8778 accordance with the provisions of this section. Within one business day
8779 of such a placement by the Department of Children and Families or
8780 offices of a government of a federally recognized Native American
8781 tribe, said department or offices shall orally notify the local or regional
8782 board of education responsible for providing special education and
8783 related services to such child of such placement. The department or
8784 offices shall provide written notification to such board of such
8785 placement within two business days of the placement. Such local or
8786 regional board of education shall convene a planning and placement
8787 team meeting for such child within thirty days of the placement and
8788 shall invite a representative of the Department of Children and
8789 Families or offices of a government of a federally recognized Native
8790 American tribe to participate in such meeting. (A) The local or regional
8791 board of education under whose jurisdiction such child would
8792 otherwise be attending school shall be financially responsible for the
8793 reasonable costs of such special education and related services in an
8794 amount equal to the lesser of one hundred per cent of the costs of such
8795 education or the average per pupil educational costs of such board of
8796 education for the prior fiscal year, determined in accordance with the
8797 provisions of subsection (a) of section 10-76f. The State Board of
8798 Education shall pay on a current basis, except as provided in
8799 subdivision (3) of this subsection, any costs in excess of such local or
8800 regional board's basic contributions paid by such board of education in
8801 accordance with the provisions of this subdivision. (B) Whenever a

8802 child is placed pursuant to this subdivision, on or after July 1, 1995, by
8803 the Department of Children and Families and the local or regional
8804 board of education under whose jurisdiction such child would
8805 otherwise be attending school cannot be identified, the local or
8806 regional board of education under whose jurisdiction the child
8807 attended school or in whose district the child resided at the time of
8808 removal from the home by said department shall be responsible for the
8809 reasonable costs of special education and related services provided to
8810 such child, for one calendar year or until the child is committed to the
8811 state pursuant to section 46b-129 or 46b-140 or is returned to the child's
8812 parent or guardian, whichever is earlier. If the child remains in such
8813 placement beyond one calendar year the Department of Children and
8814 Families shall be responsible for such costs. During the period the local
8815 or regional board of education is responsible for the reasonable cost of
8816 special education and related services pursuant to this subparagraph,
8817 the board shall be responsible for such costs in an amount equal to the
8818 lesser of one hundred per cent of the costs of such education and
8819 related services or the average per pupil educational costs of such
8820 board of education for the prior fiscal year, determined in accordance
8821 with the provisions of subsection (a) of section 10-76f. The State Board
8822 of Education shall pay on a current basis, except as provided in
8823 subdivision (3) of this subsection, any costs in excess of such local or
8824 regional board's basic contributions paid by such board of education in
8825 accordance with the provisions of this subdivision. The costs for
8826 services other than educational shall be paid by the state agency which
8827 placed the child. The provisions of this subdivision shall not apply to
8828 the school districts established within the Department of Children and
8829 Families, pursuant to section 17a-37 or the Department of Correction,
8830 pursuant to section 18-99a, provided in any case in which special
8831 education is being provided at a private residential institution,
8832 including the residential components of regional educational service
8833 centers, to a child for whom no local or regional board of education
8834 can be found responsible under subsection (b) of this section, Unified
8835 School District #2 shall provide the special education and related

8836 services and be financially responsible for the reasonable costs of such
8837 special education instruction for such children. Notwithstanding the
8838 provisions of this subdivision, for the fiscal years ending June 30, 2004,
8839 to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010,
8840 to June 30, **[**2015**]** 2017, inclusive, the amount of the grants payable to
8841 local or regional boards of education in accordance with this
8842 subdivision shall be reduced proportionately if the total of such grants
8843 in such year exceeds the amount appropriated for the purposes of this
8844 subdivision for such year.

8845 Sec. 253. Subsection (d) of section 10-76g of the general statutes is
8846 repealed and the following is substituted in lieu thereof (*Effective July*
8847 *1, 2015*):

8848 (d) Notwithstanding the provisions of this section, for the fiscal
8849 years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal
8850 years ending June 30, 2010, to June 30, **[**2015**]** 2017, inclusive, the
8851 amount of the grants payable to local or regional boards of education
8852 in accordance with this section, except grants paid in accordance with
8853 subdivision (2) of subsection (a) of this section, for the fiscal years
8854 ending June 30, 2006, and June 30, 2007, and for the fiscal years ending
8855 June 30, 2010, to June 30, **[**2015**]** 2017, inclusive, shall be reduced
8856 proportionately if the total of such grants in such year exceeds the
8857 amount appropriated for the purposes of this section for such year.

8858 Sec. 254. Subsection (b) of section 10-253 of the general statutes is
8859 repealed and the following is substituted in lieu thereof (*Effective July*
8860 *1, 2015*):

8861 (b) The board of education of the school district under whose
8862 jurisdiction a child would otherwise be attending school shall be
8863 financially responsible for the reasonable costs of education for a child
8864 placed out by the Commissioner of Children and Families or by other
8865 agencies, including, but not limited to, offices of a government of a
8866 federally recognized Native American tribe, in a private residential

8867 facility when such child requires educational services other than
8868 special education services. Such financial responsibility shall be the
8869 lesser of one hundred per cent of the costs of such education or the
8870 average per pupil educational costs of such board of education for the
8871 prior fiscal year, determined in accordance with subsection (a) of
8872 section 10-76f. Any costs in excess of the board's basic contribution
8873 shall be paid by the State Board of Education on a current basis. The
8874 costs for services other than educational shall be paid by the state
8875 agency which placed the child. Application for the grant to be paid by
8876 the state for costs in excess of the local or regional board of education's
8877 basic contribution shall be made in accordance with the provisions of
8878 subdivision (5) of subsection (e) of section 10-76d. Notwithstanding the
8879 provisions of this subsection, for the fiscal years ending June 30, 2004,
8880 to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010,
8881 to June 30, **[**2015**]** 2017, inclusive, the amount of the grants payable to
8882 local or regional boards of education in accordance with this
8883 subsection shall be reduced proportionately if the total of such grants
8884 in such year exceeds the amount appropriated for the purposes of this
8885 subsection for such year.

8886 Sec. 255. Subdivision (4) of subsection (a) of section 10-266m of the
8887 general statutes is repealed and the following is substituted in lieu
8888 thereof (*Effective July 1, 2015*):

8889 (4) Notwithstanding the provisions of this section, for the fiscal
8890 years ending June 30, 2004, to June 30, **[**2015**]** 2017, inclusive, the
8891 amount of transportation grants payable to local or regional boards of
8892 education shall be reduced proportionately if the total of such grants in
8893 such year exceeds the amount appropriated for such grants for such
8894 year.

8895 Sec. 256. Subsection (a) of section 10-65 of the general statutes, as
8896 amended by section 8 of public act 15-215, is repealed and the
8897 following is substituted in lieu thereof (*Effective July 1, 2015*):

8898 (a) Each local or regional school district operating an agricultural
8899 science and technology education center approved by the State Board
8900 of Education for program, educational need, location and area to be
8901 served shall be eligible for the following grants: (1) In accordance with
8902 the provisions of chapter 173, through progress payments in
8903 accordance with the provisions of section 10-287i, (A) for projects for
8904 which an application was filed prior to July 1, 2011, ninety-five per
8905 cent, and (B) for projects for which an application was filed on or after
8906 July 1, 2011, eighty per cent of the net eligible costs of constructing,
8907 acquiring, renovating and equipping approved facilities to be used
8908 exclusively for such agricultural science and technology education
8909 center, for the expansion or improvement of existing facilities or for the
8910 replacement or improvement of equipment therein, and (2) subject to
8911 the provisions of section 10-65b and within available appropriations, in
8912 an amount equal to three thousand two hundred dollars per student
8913 for every secondary school student who was enrolled in such center on
8914 October first of the previous year.

8915 Sec. 257. Subsection (g) of section 10-65 of the general statutes is
8916 repealed and the following is substituted in lieu thereof (*Effective July*
8917 *1, 2015*):

8918 (g) Notwithstanding the provisions of sections 10-51 and 10-222, for
8919 the fiscal **[**year**]** years ending June 30, 2015, to June 30, 2017, inclusive,
8920 any amount received by a local or regional board of education
8921 pursuant to subdivision (2) of subsection (a) of this section that exceeds
8922 the amount appropriated for education by the municipality or the
8923 amount in the budget approved by such regional board of education
8924 for purposes of said subdivision (2) of subsection (a) of this section,
8925 shall be available for use by such local or regional board of education,
8926 provided such excess amount is spent in accordance with the
8927 provisions of subdivision (2) of subsection (a) of this section.

8928 Sec. 258. Subsection (f) of section 10-266aa of the general statutes is
8929 repealed and the following is substituted in lieu thereof (*Effective July*

8930 *1, 2015*):

8931 (f) The Department of Education shall provide grants to regional
8932 educational service centers or local or regional boards of education for
8933 the reasonable cost of transportation for students participating in the
8934 program. For the fiscal **[**year**]** years ending June 30, **[**2003, and each
8935 fiscal year thereafter**]** 2015, to June 30, 2017, inclusive, the department
8936 shall provide such grants within available appropriations, provided
8937 the state-wide average of such grants does not exceed an amount equal
8938 to three thousand two hundred fifty dollars for each student
8939 transported, except that the Commissioner of Education may grant to
8940 regional educational service centers or local or regional boards of
8941 education additional sums from funds remaining in the appropriation
8942 for such transportation services if needed to offset transportation costs
8943 that exceed such maximum amount. The regional educational service
8944 centers shall provide reasonable transportation services to high school
8945 students who wish to participate in supervised extracurricular
8946 activities. For purposes of this section, the number of students
8947 transported shall be determined on September first of each fiscal year.

8948 Sec. 259. (*Effective July 1, 2015*) (a) For the fiscal year ending June 30,
8949 2016, the distribution of priority school district grants, pursuant to
8950 subsection (a) of section 10-266p of the general statutes, shall be as
8951 follows: (1) For priority school districts in the amount of $37,252,757,
8952 (2) for extended school building hours in the amount of $2,994,752, and
8953 (3) for school accountability in the amount of $3,499,699.

8954 (b) For the fiscal year ending June 30, 2017, the distribution of
8955 priority school district grants, pursuant to subsection (a) of section 10-
8956 266p of the general statutes, shall be as follows: (1) For priority school
8957 districts in the amount of $38,342,720, (2) for extended school building
8958 hours in the amount of $2,994,752, and (3) for school accountability in
8959 the amount of $3,499,699.

8960 Sec. 260. Subsection (a) of section 10-19o of the general statutes is

8961 repealed and the following is substituted in lieu thereof (*Effective July*
8962 *1, 2015*):

8963 (a) The Commissioner of Education shall establish a program to
8964 provide grants to youth service bureaus in accordance with this
8965 section. Only youth service bureaus which were eligible to receive
8966 grants pursuant to this section for the fiscal year ending June 30, 2007,
8967 or which applied for a grant by June 30, 2012, with prior approval of
8968 the town's contribution pursuant to subsection (b) of this section, <u>or</u>
8969 <u>which applied for a grant during the fiscal year ending June 30, 2015,</u>
8970 shall be eligible for a grant pursuant to this section for any fiscal year
8971 commencing on or after July 1, 2012. Each such youth service bureau
8972 shall receive a grant of fourteen thousand dollars. The Department of
8973 Education may expend an amount not to exceed two per cent of the
8974 amount appropriated for purposes of this section for administrative
8975 expenses. If there are any remaining funds, each such youth service
8976 bureau that was awarded a grant in excess of fifteen thousand dollars
8977 in the fiscal year ending June 30, 1995, shall receive a percentage of
8978 such funds. The percentage shall be determined as follows: For each
8979 such grant in excess of fifteen thousand dollars, the difference between
8980 the amount of the grant awarded to the youth service bureau for the
8981 fiscal year ending June 30, 1995, and fifteen thousand dollars shall be
8982 divided by the difference between the total amount of the grants
8983 awarded to all youth service bureaus that were awarded grants in
8984 excess of fifteen thousand dollars for said fiscal year and the product of
8985 fifteen thousand dollars and the number of such grants for said fiscal
8986 year.

8987 Sec. 261. Subsection (a) of section 10-223h of the general statutes is
8988 repealed and the following is substituted in lieu thereof (*Effective July*
8989 *1, 2015*):

8990 (a) The Commissioner of Education shall establish<u>, within available</u>
8991 <u>appropriations,</u> a commissioner's network of schools to improve
8992 student academic achievement in low-performing schools. **[**On or

8993 before July 1, 2014, the] The commissioner may select not more than
8994 twenty-five schools in any single school year that have been classified
8995 as a category four school or a category five school pursuant to section
8996 10-223e to participate in the commissioner's network of schools. The
8997 commissioner shall issue guidelines regarding the development of
8998 turnaround plans, and such guidelines shall include, but not be limited
8999 to, annual deadlines for the submission or nonsubmission of a
9000 turnaround plan and annual deadlines for approval or rejection of
9001 turnaround plans. The commissioner shall give preference for selection
9002 in the commissioner's network of schools to such schools (1) that
9003 volunteer to participate in the commissioner's network of schools,
9004 provided the local or regional board of education for such school and
9005 the representatives of the exclusive bargaining unit for certified
9006 employees chosen pursuant to section 10-153b mutually agree to
9007 participate in the commissioner's network of schools, (2) in which an
9008 existing collective bargaining agreement between the local or regional
9009 board of education for such school and the representatives of the
9010 exclusive bargaining unit for certified employees chosen pursuant to
9011 section 10-153b will have expired for the school year in which a
9012 turnaround plan will be implemented, or (3) that are located in school
9013 districts that (A) have experience in school turnaround reform, or (B)
9014 previously received a school improvement grant pursuant to Section
9015 1003(g) of Title I of the Elementary and Secondary Education Act, 20
9016 USC 6301 et seq. The commissioner [shall not] may select not more
9017 than [two] five schools in any single school year from a single school
9018 district [in a single school year and shall not select more than four
9019 schools in total from a single district] to participate in the
9020 commissioner's network of schools. Each school so selected shall begin
9021 implementation of a turnaround plan, as described in subsection (d) of
9022 this section. [, not later than the school year commencing July 1, 2014.]
9023 Each school so selected shall participate in the commissioner's network
9024 of schools for three school years, and may continue such participation
9025 for an additional year, not to exceed two additional years, upon
9026 approval from the State Board of Education in accordance with the

9027 provisions of subsection (h) of this section. The commissioner shall
9028 provide funding, technical assistance and operational support to
9029 schools participating in the commissioner's network of schools and
9030 may provide financial support to teachers and administrators working
9031 at a school that is participating in the commissioner's network of
9032 schools. All costs attributable to developing and implementing a
9033 turnaround plan in excess of the ordinary operating expenses for such
9034 school shall be paid by the State Board of Education.

9035 Sec. 262. Section 17a-248 of the general statutes is repealed and the
9036 following is substituted in lieu thereof (*Effective July 1, 2015*):

9037 As used in this section and sections 17a-248b to 17a-248g, inclusive,
9038 38a-490a and 38a-516a, unless the context otherwise requires:

9039 (1) "Commissioner" means the Commissioner of **[**Developmental
9040 Services**]** Early Childhood.

9041 (2) "Council" means the State Interagency Birth-to-Three
9042 Coordinating Council established pursuant to section 17a-248b.

9043 (3) "Early intervention services" means early intervention services,
9044 as defined in 34 CFR Part 303.13, as from time to time amended.

9045 (4) "Eligible children" means children from birth to thirty-six months
9046 of age, who are not eligible for special education and related services
9047 pursuant to sections 10-76a to 10-76h, inclusive, and who need early
9048 intervention services because such children are:

9049 (A) Experiencing a significant developmental delay as measured by
9050 standardized diagnostic instruments and procedures, including
9051 informed clinical opinion, in one or more of the following areas: (i)
9052 Cognitive development; (ii) physical development, including vision or
9053 hearing; (iii) communication development; (iv) social or emotional
9054 development; or (v) adaptive skills; or

9055 (B) Diagnosed as having a physical or mental condition that has a

9056 high probability of resulting in developmental delay.

9057 (5) "Evaluation" means a multidisciplinary professional, objective
9058 assessment conducted by appropriately qualified personnel in order to
9059 determine a child's eligibility for early intervention services.

9060 (6) "Individualized family service plan" means a written plan for
9061 providing early intervention services to an eligible child and the child's
9062 family.

9063 (7) "Lead agency" means the **[**Department of Developmental
9064 Services**]** Office of Early Childhood, the public agency responsible for
9065 the administration of the birth-to-three system in collaboration with
9066 the participating agencies.

9067 (8) "Parent" means (A) a biological, adoptive or foster parent of a
9068 child; (B) a guardian, except for the Commissioner of Children and
9069 Families; (C) an individual acting in the place of a biological or
9070 adoptive parent, including, but not limited to, a grandparent,
9071 stepparent, or other relative with whom the child lives; (D) an
9072 individual who is legally responsible for the child's welfare; or (E) an
9073 individual appointed to be a surrogate parent.

9074 (9) "Participating agencies" includes, but is not limited to, the
9075 Departments of Education, Social Services, Public Health, Children
9076 and Families and Developmental Services, the Office of Early
9077 Childhood, the Insurance Department, the Department of
9078 Rehabilitation Services and the Office of Protection and Advocacy for
9079 Persons with Disabilities.

9080 (10) "Qualified personnel" means persons who meet the standards
9081 specified in 34 CFR Part 303.31, as from time to time amended, and
9082 who are licensed physicians or psychologists or persons holding a
9083 state-approved or recognized license, certificate or registration in one
9084 or more of the following fields: (A) Special education, including
9085 teaching of the blind and the deaf; (B) speech and language pathology

9086 and audiology; (C) occupational therapy; (D) physical therapy; (E)
9087 social work; (F) nursing; (G) dietary or nutritional counseling; and (H)
9088 other fields designated by the commissioner that meet requirements
9089 that apply to the area in which the person is providing early
9090 intervention services, provided there is no conflict with existing
9091 professional licensing, certification and registration requirements.

9092 (11) "Service coordinator" means a person carrying out service
9093 coordination services, as defined in 34 CFR Part 303.34, as from time to
9094 time amended.

9095 (12) "Primary care provider" means physicians and advanced
9096 practice registered nurses, licensed by the Department of Public
9097 Health, who are responsible for performing or directly supervising the
9098 primary care services for children enrolled in the birth-to-three
9099 program.

9100 Sec. 263. Subsection (e) of section 17a-248g of the general statutes is
9101 repealed and the following is substituted in lieu thereof (*Effective July*
9102 *1, 2015*):

9103 (e) The commissioner shall establish and periodically revise, in
9104 accordance with this section, a schedule of fees based on a sliding scale
9105 for early intervention services. The schedule of fees shall consider the
9106 cost of such services relative to the financial resources of the state and
9107 the parents or legal guardians of eligible children, provided that on
9108 and after October 6, 2009, the commissioner shall (1) charge fees to
9109 such parents or legal guardians that are sixty per cent greater than the
9110 amount of the fees charged on the date prior to October 6, 2009; and (2)
9111 charge fees for all services provided, including those services provided
9112 in the first two months following the enrollment of a child in the
9113 program. Fees may be charged to any such parent or guardian,
9114 regardless of income, and shall be charged to any such parent or
9115 guardian with a gross annual family income of forty-five thousand
9116 dollars or more, except that no fee may be charged to the parent or

9117 guardian of a child who is eligible for Medicaid. Notwithstanding the
9118 provisions of subdivision (8) of section 17a-248, as used in this
9119 subsection, "parent" means the biological or adoptive parent or legal
9120 guardian of any child receiving early intervention services. The
9121 **[**Department of Developmental Services**]** lead agency may assign its
9122 right to collect fees to a designee or provider participating in the early
9123 intervention program and providing services to a recipient in order to
9124 assist the provider in obtaining payment for such services. The
9125 commissioner may implement procedures for the collection of the
9126 schedule of fees while in the process of adopting or amending such
9127 criteria in regulation, provided the commissioner **[**prints**]** posts notice
9128 of intention to adopt or amend the regulations **[**in the Connecticut Law
9129 Journal**]** on the eRegulations System, established pursuant to section 4-
9130 173b, within twenty days of implementing the policy. Such collection
9131 procedures and schedule of fees shall be valid until the time the final
9132 regulations or amendments are effective.

9133 Sec. 264. Section 17a-248h of the general statutes is repealed and the
9134 following is substituted in lieu thereof (*Effective July 1, 2015*):

9135 The birth-to-three program, established under section 17a-248b and
9136 administered by the **[**Department of Developmental Services**]** Office of
9137 Early Childhood, shall provide mental health services to any child
9138 eligible for early intervention services pursuant to Part C of the
9139 Individuals with Disabilities Education Act, 20 USC 1431 et seq., as
9140 amended from time to time. Any child not eligible for services under
9141 said act shall be referred by the program to a licensed mental health
9142 care provider for evaluation and treatment, as needed.

9143 Sec. 265. (NEW) (*Effective July 1, 2015*) (a) Not later than October 1,
9144 2015, the Commissioner of Early Childhood shall require, as part of the
9145 birth-to-three program, established under section 17a-248b of the
9146 general statutes, that the parent or guardian of a child who is (1)
9147 receiving services under the birth-to-three program, and (2) exhibiting
9148 delayed speech, language or hearing development, be notified of the

9149 availability of hearing testing for such child. Such notification may
9150 include, but not be limited to, information regarding (A) the benefits of
9151 hearing testing for children, (B) the resources available to the parent or
9152 guardian for hearing testing and treatment, and (C) any financial
9153 assistance that may be available for such testing.

9154 (b) The Commissioner of Early Childhood may adopt regulations, in
9155 accordance with chapter 54 of the general statutes, to implement the
9156 provisions of subsection (a) of this section.

9157 Sec. 266. (*Effective July 1, 2015*) (a) There is established a Planning
9158 Commission for Education to develop and recommend the
9159 implementation of a strategic master plan for public education in
9160 Connecticut.

9161 (1) The commission shall consist of the following voting members:
9162 (A) Five members appointed by the speaker of the House of
9163 Representatives, one of whom shall be a current or former
9164 superintendent of schools for a rural school district, one of whom shall
9165 be a certified teacher who is currently employed as a teacher in a
9166 public school or has retired from teaching in a public school not less
9167 than one year prior to appointment, one of whom shall be a person
9168 with knowledge and experience with students with special education
9169 needs, one of whom shall be a person with knowledge and experience
9170 in systems building and one of whom shall be a representative of an
9171 organization representing boards of education; (B) five members
9172 appointed by the president pro tempore of the Senate, one of whom
9173 shall be a current or former superintendent of schools for an urban
9174 school district in which a charter school and interdistrict magnet
9175 school are located, one of whom shall be a certified teacher who is
9176 currently employed as a teacher in a public school or has retired from
9177 teaching in a public school not less than one year prior to appointment,
9178 one of whom shall be a person with knowledge and experience
9179 regarding early childhood education, one of whom shall be a person
9180 with knowledge and experience in civil rights relating to equity, access

9181 and the quality of education and one of whom shall be a person with
9182 knowledge and experience regarding adult education; (C) two
9183 members appointed by the majority leader of the House of
9184 Representatives, one of whom shall be a current or former
9185 superintendent of schools for a regional school district and one of
9186 whom shall be a student who is enrolled in a public high school in the
9187 state; (D) two members appointed by the majority leader of the Senate,
9188 one of whom shall be a current or former superintendent of schools for
9189 a suburban school district and one of whom shall be a parent or
9190 guardian of a student who is enrolled in a public school in the state; (E)
9191 two members appointed by the minority leader of the House of
9192 Representatives, one of whom shall be a representative of a state-wide
9193 business organization and one of whom shall be a scholar who has
9194 experience and expertise in the field of education from
9195 prekindergarten to grade twelve, inclusive; (F) two members
9196 appointed by the minority leader of the Senate, one of whom shall be
9197 an entrepreneur and one of whom shall be a scholar who has
9198 experience and expertise in the field of higher education; (G) nine
9199 members appointed by the Governor, one of whom shall be a certified
9200 teacher who is currently employed as a teacher in a public school or
9201 has retired from teaching in a public school not less than one year prior
9202 to appointment, one of whom shall be a parent or guardian of a
9203 student who is enrolled in a public school in the state, one of whom
9204 shall be a person with knowledge and experience in civil rights
9205 relating to equity, access and the quality of education and one of
9206 whom shall be a person with knowledge and experience in
9207 academically advanced curriculum development; (H) the
9208 Commissioner of Education; and (I) the Commissioner of Early
9209 Childhood. The commission membership shall reflect the state's
9210 geographic, racial and ethnic diversity.

9211 (2) The commission shall elect cochairpersons of the commission at
9212 its first meeting. Any vacancies shall be filled by the appointing
9213 authority. The commission members shall serve without compensation

9214 except for necessary expenses incurred in the performance of their
9215 duties. The commission may seek the advice and participation of any
9216 person, organization or state or federal agency it deems necessary to
9217 carry out the provisions of this section. The commission may, within
9218 available appropriations, retain consultants to assist in carrying out its
9219 duties. The commission may receive funds from any public or private
9220 sources to carry out its activities.

9221 (b) The commission shall articulate a clear vision and mission for
9222 developing a sustainable, equitable and high-quality public education
9223 system that coordinates the components of education reform, clarifies
9224 how such components of education reform work together and
9225 provides every child with access to an educational experience that
9226 meets such child's needs. The commission shall develop and
9227 recommend the implementation of a strategic master plan to carry out
9228 such vision and mission.

9229 (1) In developing the strategic master plan, the commission shall
9230 address the following issues: (A) How to better organize the state
9231 public education system to streamline various and disparate mandates,
9232 initiatives and reforms that may compete with the articulated vision
9233 and mission; (B) the manner in which the public education system
9234 utilizes data and supports to inform and improve the provision of
9235 education in the state; (C) the extent to which the accountability
9236 system assesses the most worthy outcomes of public education; and
9237 (D) the identification and analysis of the most significant factors that
9238 effect and support the most worthy outcomes of public education for
9239 all students, including, but not limited to, poverty, socioeconomic and
9240 racial isolation, language barriers and parental engagement in a
9241 student's education.

9242 (2) In addressing the issues described in subdivision (1) of this
9243 subsection, the commission shall consider: (A) What are the most
9244 worthy outcomes of public education and what means can be taken to
9245 achieve such outcomes; (B) the extent to which the public education

9246 system prepares students to meet the challenges of work, citizenship
9247 and life upon graduation; (C) strategies to develop state-wide
9248 education leadership goals and to enhance education leadership in
9249 conformance with such goals; (D) ways to ensure effective
9250 communication and partnership between school districts and the
9251 families of children who attend public school in such school district,
9252 with particular focus on diversity; (E) ways to share best practices
9253 within the public education system, including, but not limited to,
9254 learning across methodologies, models and structures of educational
9255 excellence; (F) what innovations are necessary to excel in both
9256 competitiveness and character; (G) the extent to which the public
9257 education system empowers students and educators to excel, innovate
9258 and build on strengths; and (H) best practices that ensure high quality
9259 instruction and promote continuous systemic improvement.

9260 (3) The commission shall also examine and recommend changes to
9261 funding policies, practices and accountability in order to (A) align such
9262 funding policies, practices and accountability with the strategic master
9263 plan, (B) ensure that all school districts receive equitable funding from
9264 the state, and (C) determine and recommend measures to promote the
9265 adoption of ways in which resources can be most effectively utilized.

9266 (c) (1) Not later than April 15, 2016, the commission shall submit a
9267 preliminary report on the development of the strategic master plan
9268 together with any recommendations for appropriate legislation and
9269 funding to the Governor and the joint standing committees of the
9270 General Assembly having cognizance of matters relating to education
9271 and appropriations, in accordance with the provisions of section 11-4a
9272 of the general statutes.

9273 (2) Not later than February 15, 2017, the commission shall submit
9274 the strategic master plan, including specific goals and benchmarks for
9275 implementation, together with any recommendations for appropriate
9276 legislation and funding to the Governor and the joint standing
9277 committees of the General Assembly having cognizance of matters

9278 relating to education and appropriations, in accordance with the
9279 provisions of section 11-4a of the general statutes. The commission
9280 shall terminate on the date that it submits the strategic master plan or
9281 February 15, 2017, whichever is later.

9282 Sec. 267. (NEW) (*Effective July 1, 2015*) For the fiscal year ending June
9283 30, 2016, and each fiscal year thereafter, the Department of Education
9284 shall submit an annual report regarding federal funds received
9285 pursuant to the federal Individuals with Disabilities Education Act, 20
9286 USC 1400 et seq., as amended from time to time, to the joint standing
9287 committee of the General Assembly having cognizance of matters
9288 relating to education, in accordance with the provisions of section 11-
9289 4a of the general statutes. Such report shall include, but need not be
9290 limited to: (1) The total amount of federal funds received pursuant to
9291 said Individuals with Disabilities Education Act, (2) the total amount
9292 of such federal funds paid by the department to local and regional
9293 boards of education, (3) the total amount of such federal funds paid by
9294 the department to each local or regional board of education, and (4) a
9295 description of how such federal funds are being spent, including, but
9296 not limited to, which programs are receiving such federal funds from
9297 the department.

9298 Sec. 268. (*Effective July 1, 2015*) The Department of Social Services
9299 shall conduct a study of the feasibility of compiling an annual report
9300 regarding federal funds received through the Medicaid program for
9301 the purpose of funding special education and related services. The
9302 study shall examine how the department would include the following
9303 components in such annual report: (1) The total amount of federal
9304 funds received through the Medicaid School Based Child Health
9305 Program for the purpose of funding special education and related
9306 services, (2) the total amount of such Medicaid School Based Child
9307 Health Program funds paid by the department for the purpose of
9308 funding special education and related services, (3) the total amount of
9309 such Medicaid School Based Child Health Program funds paid by the
9310 department to each provider of special education and related services,

9311 and (4) a description of how such Medicaid School Based Child Health
9312 Program funds are being spent, including, but not limited to, a
9313 description of which programs are receiving such Medicaid School
9314 Based Child Health Program funds from the department. Not later
9315 than January 1, 2016, the department shall submit such study to the
9316 joint standing committee of the General Assembly having cognizance
9317 of matters relating to education, in accordance with the provisions of
9318 section 11-4a of the general statutes.

9319 Sec. 269. (NEW) (*Effective July 1, 2015*) (a) The State Board of
9320 Education, in collaboration with the Bureau of Rehabilitation Services,
9321 the Department of Developmental Services and the Office of
9322 Workforce Competitiveness, shall: (1) Coordinate the provision of
9323 transition resources, services and programs to children requiring
9324 special education and related services, (2) create, and update as
9325 necessary, a fact sheet that lists the state agencies that provide
9326 transition resources, services and programs and a brief description of
9327 such transition resources, services and programs and disseminate such
9328 fact sheet to local and regional boards of education for distribution to
9329 parents, teachers, administrators and boards of education, and (3)
9330 annually collect information related to transition resources, programs
9331 and services provided by other state agencies and make such
9332 information available to parents, teachers, administrators and boards
9333 of education.

9334 (b) For the school year commencing July 1, 2016, and each school
9335 year thereafter, the State Board of Education shall distribute the
9336 information described in subdivision (2) of subsection (a) of this
9337 section to each local or regional board of education. Each local or
9338 regional board of education shall annually distribute such information
9339 to the parent of a child requiring special education and related services
9340 in grades six to twelve, inclusive, at a planning and placement team
9341 meeting for such child. As used in this section, "parent" means the
9342 parent or guardian of a child requiring special education or the
9343 surrogate parent or, in the case of a pupil who is an emancipated

9344 minor or eighteen years of age or older, the pupil.

9345 Sec. 270. (*Effective July 1, 2015*) (a) The Commissioner of Education,
9346 in consultation with the Individualized Education Program Advisory
9347 Council established pursuant to section 271 of this act, shall develop a
9348 new individualized education program form that is easier for
9349 practitioners to use and easier for parents and students to understand.
9350 Such individualized education program form shall include a brief
9351 description of, and contact information for, the parent training and
9352 information center for Connecticut established pursuant to the
9353 Individuals with Disabilities Education Act, 20 USC 1400 et seq., as
9354 amended from time to time, and the Bureau of Special Education
9355 within the Department of Education in a conspicuous place on the first
9356 page of the individualized education program form using at least
9357 twelve-point Times New Roman font.

9358 (b) Not later than January 1, 2017, the commissioner shall submit the
9359 new individualized education program form developed pursuant to
9360 this section to the joint standing committee of the General Assembly
9361 having cognizance of matters relating to education, in accordance with
9362 the provisions of section 11-4a of the general statutes.

9363 Sec. 271. (*Effective July 1, 2015*) (a) There is established an
9364 Individualized Education Program Advisory Council that shall assist
9365 the Commissioner of Education in the development of a new
9366 individualized education program form that is easier for practitioners
9367 to use and easier for parents and students to understand, pursuant to
9368 section 270 of this act.

9369 (b) The advisory council shall consist of the following members:

9370 (1) Two members appointed by the speaker of the House of
9371 Representatives, one of whom shall be an advocate for parents or
9372 guardians of children requiring special education and related services
9373 and one of whom shall be a special education teacher in a public school
9374 who is a member of the American Federation of Teachers-Connecticut;

9375 (2) Two members appointed by the president pro tempore of the
9376 Senate, one of whom shall be a superintendent of schools and one of
9377 whom shall be a representative of the Connecticut State Advisory
9378 Committee on Special Education;

9379 (3) Two members appointed by the majority leader of the House of
9380 Representatives, one of whom shall be a principal of a public school
9381 and one of whom shall be a teacher in a public school who is a member
9382 of the Connecticut Education Association;

9383 (4) Two members appointed by the majority leader of the Senate,
9384 one of whom shall be an advocate for parents or guardians of children
9385 requiring special education and related services and one of whom shall
9386 be a representative of the RESC Alliance;

9387 (5) Two members appointed by the minority leader of the House of
9388 Representatives, one of whom shall be a director of pupil personnel
9389 and one of whom shall be a representative of the State Education
9390 Resource Center, established pursuant to section 10-357a of the general
9391 statutes;

9392 (6) Two members appointed by the minority leader of the Senate,
9393 one of whom shall be a representative of the Connecticut Association
9394 of Boards of Education and one of whom shall be a representative of
9395 the American School for the Deaf; and

9396 (7) The Commissioner of Education, or the commissioner's designee.

9397 (c) All appointments to the advisory council, pursuant to subsection
9398 (b) of this section, shall be made not later than thirty days after the
9399 effective date of this section. Any vacancy shall be filled by the
9400 appointing authority.

9401 (d) The Commissioner of Education may appoint any employee of
9402 the Department of Education with expertise in special education to
9403 serve as a nonvoting member of the council.

9404 (e) The speaker of the House of Representatives and the president
9405 pro tempore of the Senate shall select the chairpersons of the advisory
9406 council from among the members of the advisory council. Such
9407 chairpersons shall schedule the first meeting of the advisory council,
9408 which shall be held not later than sixty days after the effective date of
9409 this section.

9410 (f) The State Education Resource Center, established pursuant to
9411 section 10-357a of the general statutes, shall provide administrative
9412 support to the advisory council.

9413 (g) The advisory council shall terminate on the date that the
9414 Commissioner of Education submits the new individualized education
9415 program form to the joint standing committee of the General Assembly
9416 having cognizance of matters relating to education, in accordance with
9417 the provisions of section 270 of this act, or January 1, 2017, whichever
9418 is later.

9419 Sec. 272. (*Effective July 1, 2015*) (a) Except as otherwise provided in
9420 subsection (e) of this section, the Department of Education shall (1)
9421 purchase, in accordance with the provisions of section 4a-57 of the
9422 general statutes, a digital individualized education program form
9423 software for purposes of creating, submitting and sharing digital
9424 copies of a student's individualized education program and related
9425 documents among authorized users, and (2) provide such digital
9426 individualized education program form software at no cost to local
9427 and regional boards of education and the technical high school system.

9428 (b) On or before October 1, 2015, the department shall issue a
9429 request for proposals to eligible software companies for the purchase
9430 of the digital individualized education program form software. Such
9431 request for proposals shall require that the digital individualized
9432 education program form software: (1) Allow authorized users to create
9433 and submit a complete digital copy of a student's individualized
9434 education program and related documents to the portal and share such

9435 digital copy with (A) the department for purposes of conducting a
9436 remote audit; and (B) a local or regional board of education or the
9437 technical high school system in a case where the student may transfer,
9438 (2) provide twenty-four-hour access for an unlimited number of
9439 authorized users to use the digital individualized education program
9440 form software, (3) provide an electronic catalog of goals and objectives
9441 aligned with the curriculum standards adopted by the State Board of
9442 Education, (4) allow local and regional boards of education and the
9443 technical high school system to purchase additional programs to
9444 supplement the digital individualized education program form
9445 software, and (5) protect a student's individual education program and
9446 related documents that are created, submitted and shared using the
9447 digital individualized education program form software from
9448 unauthorized access, destruction, use, modification or disclosure in
9449 accordance with current industry standards.

9450 (c) When evaluating the responses to the request for proposals and
9451 selecting a digital individualized education program form software,
9452 the department shall consider the types of digital individualized
9453 education program form software currently used and successfully
9454 implemented by local and regional boards of education and the
9455 technical high school system.

9456 (d) For the school year commencing July 1, 2016, and each school
9457 year thereafter, if the department purchases a digital individualized
9458 education program under this section, the department shall provide
9459 such digital individualized education program form software to fifty
9460 per cent of the local and regional boards of education and to fifty per
9461 cent of the technical high schools under the jurisdiction of the technical
9462 high school system. For the school year commencing July 1, 2017, and
9463 each school year thereafter, the department shall provide the digital
9464 individualized education program form software to the remaining fifty
9465 per cent of the local and regional boards of education and to the
9466 remaining fifty per cent of the technical high schools under the
9467 jurisdiction of the technical high school system.

9468 (e) The department shall not be required to purchase a digital
9469 individualized education program form software under this section if
9470 the department is unable to select a digital individualized education
9471 program form software because (1) none of the digital individualized
9472 education program form software included in the responses to the
9473 request for proposals satisfy the requirements described in subsection
9474 (b) of this section, or (2) the cost of a digital individualized education
9475 program form software included in the responses to the request for
9476 proposals exceeds the amount appropriated for the purchase of a
9477 digital individualized education program form software. If the
9478 department does not purchase a digital individualized education
9479 program form software, then the department shall conduct a study of
9480 the feasibility of the department creating and administering its own
9481 digital individualized education form software for the purposes
9482 described in subsection (a) of this section. Not later than April 1, 2016,
9483 the department shall submit such study to the joint standing
9484 committee of the General Assembly having cognizance of matters
9485 relating to education, in accordance with the provisions of section 11-
9486 4a of the general statutes.

9487 Sec. 273. (NEW) (*Effective July 1, 2015*) (a) The Department of
9488 Education shall provide a digital individualized education program
9489 form software at no cost to local and regional boards of education and
9490 the technical high school system in accordance with section 272 of this
9491 act. Such digital individualized education program form software shall
9492 permit local and regional boards of education and the technical high
9493 school system to create and submit a complete digital copy of a
9494 student's individualized education program and related documents to
9495 (1) the department for purposes of conducting a remote audit, and (2) a
9496 local or regional board of education or the technical high school system
9497 in which such student has transferred to.

9498 (b) A local and regional board of education and the technical high
9499 school system shall use the digital individualized education program
9500 form software when such software is provided by the department,

9501 except as otherwise provided in subsection (c) of this section.

9502 (c) Nothing in this section shall affect or impair any agreement
9503 entered into between a local or regional board of education or the
9504 technical high school system and a software company for purposes of
9505 creating and sharing digital copies of a student's individualized
9506 education program and related documents prior to the department
9507 providing a digital individualized education program form software to
9508 such local or regional board of education or such technical high school
9509 system pursuant to subsection (a) of this section. When any such
9510 agreement terminates or expires, the local or regional board of
9511 education or the technical high school system, as applicable, shall use
9512 the digital individualized education program form software provided
9513 by the department.

9514 Sec. 274. (*Effective July 1, 2015*) The State Education Resource Center,
9515 established pursuant to section 10-357a of the general statutes, shall
9516 conduct a study regarding assistive technology equipment sharing
9517 programs. Such study shall examine (1) existing assistive technology
9518 equipment sharing programs in the state, (2) the effectiveness and
9519 capacity of such existing assistive technology equipment sharing
9520 programs, (3) whether local and regional boards of education have
9521 access to at least one assistive technology equipment sharing program,
9522 and (4) how to create a plan that would make assistive technology
9523 equipment sharing programs available to local and regional boards of
9524 education who do not have access to assistive technology equipment
9525 sharing programs. Not later than January 1, 2016, the State Education
9526 Resource Center shall submit a report on its findings and
9527 recommendations to the joint standing committee of the General
9528 Assembly having cognizance of matters relating to education, in
9529 accordance with the provisions of section 11-4a of the general statutes.

9530 Sec. 275. (NEW) (*Effective July 1, 2015*) The Department of Education
9531 shall provide, upon request, complete and accurate information
9532 regarding special education programs and services offered by the state,

9533 local and regional boards of education, regional educational service
9534 centers and other providers, provided such information is not
9535 otherwise prohibited from disclosure under state or federal law, to
9536 organizations that represent and provide services to parents and
9537 guardians of children requiring special education and related services.

9538 Sec. 276. (NEW) (*Effective July 1, 2015*) (a) The State Education
9539 Resource Center, established pursuant to section 10-357a of the general
9540 statutes, shall accept notices of events submitted to the center by
9541 special education advocacy groups, local and regional boards of
9542 education, regional education service centers and other providers of
9543 special education services for the purpose of maintaining a calendar of
9544 learning and training opportunities for the public regarding the
9545 provision of special education programs and services, except the center
9546 may exclude any notice of an event that the center determines is not a
9547 legitimate learning or training opportunity for the public. Such
9548 calendar may be made available on the center's Internet web site.

9549 (b) The Connecticut Parent Advocacy Center may reproduce and
9550 share the calendar described in subsection (a) of this section.

9551 (c) The Department of Education shall post a link to the calendar
9552 described in subsection (a) of this section in a conspicuous location on
9553 the department's Internet web site.

9554 Sec. 277. (*Effective July 1, 2015*) (a) There is established a regional
9555 educational service center special education funding working group.
9556 The working group shall: (1) Study the funding provided to and
9557 expenditures of regional educational service centers for the provision
9558 of special education and related services, including, but not limited to,
9559 the sources of special education funds received by regional educational
9560 service centers and the ways in which regional educational service
9561 centers use such funds to provide special education and related
9562 services, and (2) make recommendations regarding how regional
9563 educational service centers can access additional special education

9564 funding and use such funds more efficiently and in ways that expand
9565 the provision of special education services, such as transportation,
9566 training and therapeutic services.

9567 (b) The working group shall consist of the following members:

9568 (1) Two members appointed by the speaker of the House of
9569 Representatives, one of whom shall be a member of the joint standing
9570 committee of the General Assembly having cognizance of matters
9571 relating to appropriations and one of whom shall be a representative of
9572 the Capitol Region Education Council;

9573 (2) Two members appointed by the president pro tempore of the
9574 Senate, one of whom shall be a chief executive officer of a town, city or
9575 borough in this state and one of whom shall be a representative of the
9576 Area Cooperative Educational Services;

9577 (3) Two members appointed by the majority leader of the House of
9578 Representatives, one of whom shall be a director of pupil personnel
9579 and one of whom shall be a representative of Education Connection;

9580 (4) Two members appointed by the majority leader of the Senate,
9581 one of whom shall be a superintendent of schools and one of whom
9582 shall be a representative of LEARN;

9583 (5) Two members appointed by the minority leader of the House of
9584 Representatives, one of whom shall be a representative of the
9585 Connecticut Association of School Business Officials and one of whom
9586 shall be a representative of EASTCONN;

9587 (6) Two members appointed by the minority leader of the Senate,
9588 one of whom shall be a representative from the Connecticut
9589 Association of Boards of Education and one of whom shall be a
9590 representative of Cooperative Educational Services;

9591 (7) The Secretary of the Office of Policy and Management, or the
9592 secretary's designee; and

9593 (8) The Commissioner of Education, or the commissioner's designee.

9594 (c) All appointments to the working group shall be made not later
9595 than thirty days after the effective date of this section. Any vacancy
9596 shall be filled by the appointing authority.

9597 (d) The chairpersons of the working group shall be (1) a member of
9598 the working group jointly selected by the speaker of the House of
9599 Representatives and the president pro tempore of the Senate, and (2)
9600 the Commissioner of Education, or the commissioner's designee. Such
9601 chairpersons shall schedule the first meeting of the working group,
9602 which shall be held not later than sixty days after the effective date of
9603 this section.

9604 (e) The RESC Alliance shall provide administrative support to the
9605 working group.

9606 (f) Not later than July 1, 2016, the working group shall submit a
9607 report on its findings and recommendations related to special
9608 education funding for and expenditures of regional educational service
9609 centers, as described in subdivision (1) of subsection (a) of this section,
9610 to the joint standing committees of the General Assembly having
9611 cognizance of matters relating to education and appropriations, in
9612 accordance with the provisions of section 11-4a of the general statutes.
9613 The working group shall terminate on the date that it submits such
9614 report or July 1, 2016, whichever is later.

9615 Sec. 278. (*Effective July 1, 2015*) (a) Each regional educational service
9616 center shall develop, in consultation with the Department of
9617 Education, a regional model for the provision of special education
9618 services related to transportation, training and therapeutic services to
9619 be used for the provision of such special education services to all
9620 school districts served by such regional educational service center.
9621 Each regional model shall take into account the least restrictive
9622 environment for students receiving special education and related
9623 services and include (1) a regional transportation plan, developed in

9624 consultation with public transit districts, that provides transportation
9625 to children requiring special education and related services, (2) a
9626 regional educator training plan that provides special education
9627 training to teachers, school paraprofessionals and administrators that
9628 includes, but need not be limited to, instruction regarding classroom
9629 techniques to improve the provision of special education and related
9630 services to children and the implementation of scientific research-
9631 based interventions, (3) a regional plan for the provision of therapeutic
9632 services, including, but not limited to, speech therapy, physical
9633 therapy and occupational therapy, and (4) a plan for the provision of
9634 transportation, training and therapeutic services in a manner that
9635 makes such services readily available to each school district served by
9636 the regional educational service center rather than by request of a
9637 school district.

9638 (b) Not later than October 1, 2016, each regional educational service
9639 center shall submit such model to the State Board of Education and the
9640 joint standing committee of the General Assembly having cognizance
9641 of matters relating to education, in accordance with the provisions of
9642 section 11-4a of the general statutes.

9643 Sec. 279. Subsection (d) of section 10-145b of the general statutes is
9644 repealed and the following is substituted in lieu thereof (*Effective July*
9645 *1, 2015*):

9646 <u>(d) (1) On and after July 1, 2016, in order to be eligible to obtain an</u>
9647 <u>initial educator certificate, each person shall be required to complete</u>
9648 <u>(A) a course of study in special education comprised of not fewer than</u>
9649 <u>thirty-six hours, which shall include an understanding of the growth</u>
9650 <u>and development of exceptional children, including handicapped and</u>
9651 <u>gifted and talented children and children who may require special</u>
9652 <u>education, and methods for identifying, planning for and working</u>
9653 <u>effectively with special needs children in a regular classroom, and (B) a</u>
9654 <u>course or courses of study in special education relating to instruction</u>
9655 <u>on classroom techniques in reading, differentiated instruction, social-</u>

9656 emotional learning, cultural competencies and assistive technology.
9657 The provisions of this subdivision shall not apply to any person who
9658 has been issued an initial educator certificate prior to July 1, 2016.

9659 [(d) In] (2) On and after July 1, 2016, in order to be eligible to obtain
9660 a [provisional teaching certificate, a] provisional educator certificate,
9661 [or an initial educator certificate,] each person shall be required to
9662 complete a course of study in special education comprised of not fewer
9663 than thirty-six hours, which shall include an understanding of the
9664 growth and development of exceptional children, including
9665 handicapped and gifted and talented children and children who may
9666 require special education, and methods for identifying, planning for
9667 and working effectively with special needs children in a regular
9668 classroom.

9669 (3) Notwithstanding the provisions of this subsection to the
9670 contrary, each applicant for such certificates who has met all
9671 requirements for certification except the completion of the course in
9672 special education shall be entitled to a certificate [(1)] (A) for a period
9673 not to exceed one year, provided the applicant completed a teacher
9674 preparation program either in the state prior to July 1, 1987, or outside
9675 the state, or completed the necessary combination of professional
9676 experience or coursework as required by the State Board of Education
9677 or [(2)] (B) for a period not to exceed two years if the applicant applies
9678 for certification in an area for which a bachelor's degree is not
9679 required.

9680 Sec. 280. Subsection (a) of section 10-76d of the general statutes, as
9681 amended by section 8 of public act 15-141 and section 1 of public act
9682 15-209, is repealed and the following is substituted in lieu thereof
9683 (*Effective July 1, 2015*):

9684 (a) (1) In accordance with the regulations and procedures
9685 established by the Commissioner of Education and approved by the
9686 State Board of Education, each local or regional board of education

9687 shall provide the professional services requisite to identification of
9688 children requiring special education, identify each such child within its
9689 jurisdiction, determine the eligibility of such children for special
9690 education pursuant to sections 10-76a to 10-76h, inclusive, prescribe
9691 appropriate educational programs for eligible children, maintain a
9692 record thereof and make such reports as the commissioner may
9693 require. No child may be required to obtain a prescription for a
9694 substance covered by the Controlled Substances Act, 21 USC 801 et
9695 seq., as amended from time to time, as a condition of attending school,
9696 receiving an evaluation under section 10-76ff or receiving services
9697 pursuant to sections 10-76a to 10-76h, inclusive, or the Individuals with
9698 Disabilities Education Act, 20 USC 1400 et seq., as amended from time
9699 to time.

9700 (2) Any local or regional board of education, through the planning
9701 and placement team established in accordance with regulations
9702 adopted by the State Board of Education under this section, may
9703 determine a child's Medicaid enrollment status. In determining
9704 Medicaid enrollment status, the planning and placement team shall:
9705 (A) Inquire of the parents or guardians of each such child whether the
9706 child is enrolled in or may be eligible for Medicaid; and (B) if the child
9707 may be eligible for Medicaid, request that the parent or guardian of the
9708 child apply for Medicaid. For the purpose of determining Medicaid
9709 rates for Medicaid eligible special education and related services based
9710 on a representative cost sampling method, the board of education shall
9711 make available documentation of the provision and costs of Medicaid
9712 eligible special education and related services for any students
9713 receiving such services, regardless of an individual student's Medicaid
9714 enrollment status, to the Commissioner of Social Services or to the
9715 commissioner's authorized agent at such time and in such manner as
9716 prescribed. For the purpose of determining Medicaid rates for
9717 Medicaid eligible special education and related services based on an
9718 actual cost method, the local or regional board of education shall
9719 submit documentation of the costs and utilization of Medicaid eligible

9720 special education and related services for all students receiving such
9721 services to the Commissioner of Social Services or to the
9722 commissioner's authorized agent at such time and in such manner as
9723 prescribed. The commissioner or such agent may use information
9724 received from local or regional boards of education for the purposes of
9725 (i) ascertaining students' Medicaid eligibility status, (ii) submitting
9726 Medicaid claims, (iii) complying with state and federal audit
9727 requirements, and (iv) determining Medicaid rates for Medicaid
9728 eligible special education and related services. No child shall be denied
9729 special education and related services in the event the parent or
9730 guardian refuses to apply for Medicaid.

9731 (3) Beginning with the fiscal year ending June 30, 2004, the
9732 Commissioner of Social Services shall make grant payments to local or
9733 regional boards of education in amounts representing fifty per cent of
9734 the federal portion of Medicaid claims processed for Medicaid eligible
9735 special education and related services provided to Medicaid eligible
9736 students in the school district. Beginning with the fiscal year ending
9737 June 30, 2009, the commissioner shall exclude any enhanced federal
9738 medical assistance percentages in calculating the federal portion of
9739 such Medicaid claims processed. Such grant payments shall be made
9740 on at least a quarterly basis and may represent estimates of amounts
9741 due to local or regional boards of education. Any grant payments
9742 made on an estimated basis, including payments made by the
9743 Department of Education for the fiscal years prior to the fiscal year
9744 ending June 30, 2000, shall be subsequently reconciled to grant
9745 amounts due based upon filed and accepted Medicaid claims and
9746 Medicaid rates. If, upon review, it is determined that a grant payment
9747 or portion of a grant payment was made for ineligible or disallowed
9748 Medicaid claims, the local or regional board of education shall
9749 reimburse the Department of Social Services for any grant payment
9750 amount received based upon ineligible or disallowed Medicaid claims.

9751 (4) Pursuant to federal law, the Commissioner of Social Services, as
9752 the state's Medicaid agent, shall determine rates for Medicaid eligible

9753 special education and related services pursuant to subdivision (2) of
9754 this subsection. The Commissioner of Social Services may request and
9755 the Commissioner of Education and towns and regional school
9756 districts shall provide information as may be necessary to set such
9757 rates.

9758 (5) Based on school district special education and related services
9759 expenditures, the state's Medicaid agent shall report and certify to the
9760 federal Medicaid authority the state match required by federal law to
9761 obtain Medicaid reimbursement of eligible special education and
9762 related services costs.

9763 (6) Payments received pursuant to this section shall be paid to the
9764 local or regional board of education which has incurred such costs in
9765 addition to the funds appropriated by the town to such board for the
9766 current fiscal year.

9767 (7) The planning and placement team shall, in accordance with the
9768 provisions of the Individuals With Disabilities Education Act, 20 USC
9769 1400, et seq., as amended from time to time, develop and update
9770 annually a statement of transition service needs for each child
9771 requiring special education.

9772 (8) (A) Each local and regional board of education responsible for
9773 providing special education and related services to a child or pupil
9774 shall notify the parent or guardian of a child who requires or who may
9775 require special education, a pupil if such pupil is an emancipated
9776 minor or eighteen years of age or older who requires or who may
9777 require special education or a surrogate parent appointed pursuant to
9778 section 10-94g, in writing, at least five school days before such board
9779 proposes to, or refuses to, initiate or change the child's or pupil's
9780 identification, evaluation or educational placement or the provision of
9781 a free appropriate public education to the child or pupil.

9782 (B) Upon request by a parent, guardian, pupil or surrogate parent,
9783 the responsible local or regional board of education shall provide such

9784 parent, guardian, pupil or surrogate parent an opportunity to meet
9785 with a member of the planning and placement team designated by
9786 such board prior to the referral planning and placement team meeting
9787 at which the assessments and evaluations of the child or pupil who
9788 requires or may require special education is presented to such parent,
9789 guardian, pupil or surrogate parent for the first time. Such meeting
9790 shall be for the sole purpose of discussing the planning and placement
9791 team process and any concerns such parent, guardian, pupil or
9792 surrogate parent has regarding the child or pupil who requires or may
9793 require special education.

9794 (C) Such parent, guardian, pupil or surrogate parent shall (i) be
9795 given at least five school days' prior notice of any planning and
9796 placement team meeting conducted for such child or pupil, **[**and shall**]**
9797 (ii) have the right to be present at and participate in all portions of such
9798 meeting at which an educational program for such child or pupil is
9799 developed, reviewed or revised, and (iii) have the right to have
9800 advisors of such person's own choosing and at such person's own
9801 expense, and to have the school paraprofessional assigned to such
9802 child or pupil, if any, to be present at and to participate in all portions
9803 of such meeting at which an educational program for such child or
9804 pupil is developed, reviewed or revised.

9805 (D) Immediately upon the formal identification of any child as a
9806 child requiring special education and at each planning and placement
9807 team meeting for such child, the responsible local or regional board of
9808 education shall inform the parent or guardian of such child or
9809 surrogate parent or, in the case of a pupil who is an emancipated
9810 minor or eighteen years of age or older, the pupil of (i) the laws
9811 relating to special education, (ii) the rights of such parent, guardian,
9812 surrogate parent or pupil under such laws and the regulations adopted
9813 by the State Board of Education relating to special education, including
9814 the right of a parent, guardian or surrogate parent to (I) withhold from
9815 enrolling such child in kindergarten, in accordance with the provisions
9816 of section 10-184, and (II) have advisors and the school

9817 paraprofessional assigned to such child or pupil to be present at, and
9818 to participate in, all portions of such meeting at which an educational
9819 program for such child or pupil is developed, reviewed or revised, in
9820 accordance with the provisions of subparagraph (C) of this
9821 subdivision, and (iii) any relevant information and resources relating
9822 to individualized education programs created by the Department of
9823 Education, including, but not limited to, information relating to
9824 transition resources and services for high school students. If such
9825 parent, guardian, surrogate parent or pupil does not attend a planning
9826 and placement team meeting, the responsible local or regional board of
9827 education shall mail such information to such person.

9828 (E) Each local and regional board of education shall have in effect at
9829 the beginning of each school year an educational program for each
9830 child or pupil who has been identified as eligible for special education.

9831 (F) At each initial planning and placement team meeting for a child
9832 or pupil, the responsible local or regional board of education shall
9833 inform the parent, guardian, surrogate parent or pupil of the laws
9834 relating to physical restraint and seclusion pursuant to section 1 of
9835 **[**this act**]** public act 15-141 and the rights of such parent, guardian,
9836 surrogate parent or pupil under such laws and the regulations adopted
9837 by the State Board of Education relating to physical restraint and
9838 seclusion.

9839 (G) Upon request by a parent, guardian, pupil or surrogate parent,
9840 the responsible local or regional board of education shall provide the
9841 results of the assessments and evaluations used in the determination of
9842 eligibility for special education for a child or pupil to such parent,
9843 guardian, surrogate parent or pupil at least three school days before
9844 the referral planning and placement team meeting at which such
9845 results of the assessments and evaluations will be discussed for the
9846 first time.

9847 (9) Notwithstanding any provision of the general statutes, for

9848 purposes of Medicaid reimbursement, when recommended by the
9849 planning and placement team and specified on the individualized
9850 education program, a service eligible for reimbursement under the
9851 Medicaid program shall be deemed to be authorized by a practitioner
9852 of the healing arts under 42 CFR 440.130, provided such service is
9853 recommended by an appropriately licensed or certified individual and
9854 is within the individual's scope of practice. Certain items of durable
9855 medical equipment, recommended pursuant to the provisions of this
9856 subdivision, may be subject to prior authorization requirements
9857 established by the Commissioner of Social Services. Diagnostic and
9858 evaluation services eligible for reimbursement under the Medicaid
9859 program and recommended by the planning and placement team shall
9860 also be deemed to be authorized by a practitioner of the healing arts
9861 under 42 CFR 440.130 provided such services are recommended by an
9862 appropriately licensed or certified individual and are within the
9863 individual's scope of practice.

9864 (10) The Commissioner of Social Services shall implement the
9865 policies and procedures necessary for the purposes of this subsection
9866 while in the process of adopting such policies and procedures in
9867 regulation form, provided notice of intent to adopt the regulations is
9868 published in the Connecticut Law Journal within twenty days of
9869 implementing the policies and procedures. Such policies and
9870 procedures shall be valid until the time final regulations are effective.

9871 Sec. 281. (NEW) (*Effective July 1, 2015*) (a) As used in this section and
9872 sections 282 and 284 of this act, "private provider of special education
9873 services" means any private school or private agency or institution,
9874 including a group home, that receives any state or local funds as a
9875 result of providing special education services to any student with an
9876 individualized education program or for whom an individual services
9877 plan has been written by the local or regional board of education
9878 responsible for educating such student.

9879 (b) In accomplishing their duties as set forth in section 7-396a of the

9880 general statutes and in accordance with the authority granted under
9881 chapter 111 of the general statutes, the Auditors of Public Accounts
9882 shall act as an agent of a local or regional board of education for the
9883 purposes of conducting an audit to examine the records and accounts
9884 of any private provider of special education services that (1) has
9885 entered into an agreement with a local or regional board of education,
9886 pursuant to section 10-76d of the general statutes, as amended by this
9887 act, or (2) receives any state or local funds to provide special education
9888 and related services, in connection with any grant made by any state
9889 agency pursuant to any section of the general statutes or any public or
9890 special act. Such examination shall include a compliance audit of
9891 whether such state or local funds to provide special education and
9892 related services have been expended for allowable costs, in accordance
9893 with state and federal law and the individualized education program
9894 or individual services plan for each child receiving special education
9895 and related services from such private provider of special education
9896 services.

9897 (c) The Auditors of Public Accounts shall conduct the audit
9898 described in subsection (b) of this section as follows: (1) At least once
9899 for each private provider of special education services during a period
9900 of seven years, except that no private provider of special education
9901 services shall have its records and accounts so examined more than
9902 once during such five-year period, unless the auditors have found a
9903 problem with the records and accounts of such private provider of
9904 special education services during such five-year period; (2) as practical,
9905 approximately half of such audits conducted in a year shall be of
9906 private providers of special education services approved by the
9907 Department of Education and approximately half of such audits
9908 conducted in such year shall be of private providers of special
9909 education services not approved by the Department of Education; and
9910 (3) priority of conducting such audits, as practical, shall be given to
9911 those private providers of special education services (A) that receive
9912 the greatest total amount of state or local funds for the provision of

9913 special education services to students, (B) that provide special
9914 education services to the highest number of students for whom an
9915 individual services plan has been written by a local or regional board
9916 of education, and (C) that have a highest proportion of state and local
9917 funds for the provision of special education services in relation to their
9918 total operational expenses.

9919 (d) The Auditors of Public Accounts may (1) consult the Department
9920 of Education during the course of an audit described in subsection (b)
9921 of this section for the purposes of conducting such audit, and (2) share
9922 any preliminary audit findings with the department.

9923 (e) The Auditors of Public Accounts shall report their findings to (1)
9924 the local or regional board of education that has entered into an
9925 agreement with the private provider of special education services,
9926 pursuant to section 10-76d of the general statutes, as amended by this
9927 act, or that has completed an individualized education program or
9928 individual services plan for a student receiving special education and
9929 related services from a private provider of special education services,
9930 (2) the Commissioner of Education, and (3) the joint standing
9931 committee of the General Assembly having cognizance of matters
9932 relating to education, in accordance with the provisions of section 11-
9933 4a of the general statutes.

9934 Sec. 282. (NEW) (*Effective July 1, 2015*) Each local and regional board
9935 of education shall annually provide to the Auditors of Public Accounts
9936 (1) the number of students under the jurisdiction of such board of
9937 education who receive special education and related services from a
9938 private provider of special education services, as defined in section 281
9939 of this act, and (2) the amount of money paid to such private providers
9940 of special education services by the board during the previous fiscal
9941 year.

9942 Sec. 283. Section 2-90 of the general statutes is repealed and the
9943 following is substituted in lieu thereof (*Effective July 1, 2015*):

9944 (a) The Auditors of Public Accounts shall organize the work of their
9945 office in such manner as they deem most economical and efficient and
9946 shall determine the scope and frequency of any audit they conduct.

9947 (b) Said auditors, with the Comptroller, shall, at least annually and
9948 as frequently as they deem necessary, audit the books and accounts of
9949 the Treasurer, including, but not limited to, trust funds, as defined in
9950 section 3-13c, and certify the results to the Governor. The auditors
9951 shall, at least annually and as frequently as they deem necessary, audit
9952 the books and accounts of the Comptroller and certify the results to the
9953 Governor. They shall examine and prepare certificates of audit with
9954 respect to the financial statements contained in the annual reports of
9955 the Treasurer and Comptroller, which certificates shall be made part of
9956 such annual reports. In carrying out their responsibilities under this
9957 section, said auditors may retain independent auditors to assist them.

9958 (c) Said auditors shall audit, on a biennial basis if deemed most
9959 economical and efficient, or as frequently as they deem necessary, the
9960 books and accounts of each officer, department, commission, board
9961 and court of the state government, all institutions supported by the
9962 state and all public and quasi-public bodies, politic and corporate,
9963 created by public or special act of the General Assembly and not
9964 required to be audited or subject to reporting requirements, under the
9965 provisions of chapter 111. Each such audit may include an examination
9966 of performance in order to determine effectiveness in achieving
9967 expressed legislative purposes. The auditors shall report their findings
9968 and recommendations to the Governor, the State Comptroller, the joint
9969 standing committee of the General Assembly having cognizance of
9970 matters relating to appropriations and the budgets of state agencies,
9971 and the Legislative Program Review and Investigations Committee.

9972 (d) The Auditors of Public Accounts may enter into such contractual
9973 agreements as may be necessary for the discharge of their duties. Any
9974 audit or report which is prepared by a person, firm or corporation
9975 pursuant to any contract with the Auditors of Public Accounts shall

9976 bear the signature of the person primarily responsible for the
9977 preparation of such audit or report. As used in this subsection, the
9978 term "person" means a natural person.

9979 (e) If the Auditors of Public Accounts discover, or if it should come
9980 to their knowledge, that any unauthorized, illegal, irregular or unsafe
9981 handling or expenditure of state funds or any breakdown in the
9982 safekeeping of any resources of the state has occurred or is
9983 contemplated, they shall forthwith present the facts to the Governor,
9984 the State Comptroller, the clerk of each house of the General Assembly,
9985 the Legislative Program Review and Investigations Committee and the
9986 Attorney General. Any Auditor of Public Accounts neglecting to make
9987 such a report, or any agent of the auditors neglecting to report to the
9988 Auditors of Public Accounts any such matter discovered by him or
9989 coming to his knowledge shall be fined not more than one hundred
9990 dollars or imprisoned not more than six months or both.

9991 (f) All reports issued or made pursuant to this section shall be
9992 retained in the offices of the Auditors of Public Accounts for a period
9993 of not less than five years. The auditors shall file one copy of each such
9994 report with the State Librarian.

9995 (g) Each state agency shall keep its accounts in such form and by
9996 such methods as to exhibit the facts required by said auditors and, the
9997 provisions of any other general statute notwithstanding, shall make all
9998 records and accounts available to them or their agents, upon demand.

9999 (h) Where there are statutory requirements of confidentiality with
10000 regard to such records and accounts or examinations of
10001 nongovernmental entities which are maintained by a state agency,
10002 such requirements of confidentiality and the penalties for the violation
10003 thereof shall apply to the auditors and to their authorized
10004 representatives in the same manner and to the same extent as such
10005 requirements of confidentiality and penalties apply to such state
10006 agency. In addition, the portion of (1) any audit or report prepared by

10007 the Auditors of Public Accounts that concerns the internal control
10008 structure of a state information system or the identity of an employee
10009 who provides information regarding alleged fraud or weaknesses in
10010 the control structure of a state agency that may lead to fraud, or (2) any
10011 document that may reveal the identity of such employee, shall not be
10012 subject to disclosure under the Freedom of Information Act, as defined
10013 in section 1-200.

10014 (i) Said auditors shall audit, in accordance with the provisions of
10015 section 281 of this act, the records and accounts of any private provider
10016 of special education services, as defined in said section.

10017 Sec. 284. (NEW) (*Effective July 1, 2015*) Each private provider of
10018 special education services, as defined in section 281 of this act, shall
10019 submit to an audit conducted by the Auditors of Public Accounts
10020 pursuant to section 281 of this act and provide access to all records and
10021 accounts necessary to said auditors for purposes of conducting such
10022 audit.

10023 Sec. 285. (NEW) (*Effective July 1, 2015*) (a) The Department of
10024 Education shall enter into memoranda of understanding with the
10025 Bureau of Rehabilitation Services, the Office of Early Childhood and
10026 the Departments of Developmental Services, Children and Families,
10027 Social Services and Correction regarding the provision of special
10028 education and related services to children, including, but not limited
10029 to, education, healthcare and transition services. Such memoranda of
10030 understanding shall account for current programs and services, utilize
10031 best practices and be updated or renewed at least every five years.

10032 (b) The Bureau of Rehabilitation Services, the Office of Early
10033 Childhood and the Departments of Developmental Services, Children
10034 and Families, Social Services and Correction shall, as necessary, enter
10035 into memoranda of understanding regarding the provision of special
10036 education and related services to children as such services relate to one
10037 another. Such memoranda of understanding shall account for current

10038 programs and services, utilize best practices and be updated or
10039 renewed at least every five years.

10040 Sec. 286. (*Effective July 1, 2015*) The State Education Resource Center,
10041 established pursuant to section 10-357a of the general statutes, shall
10042 conduct a study regarding the collection, assimilation and reporting on
10043 longitudinal student data related to special education outcomes. Such
10044 study shall include:

10045 (1) An examination of the feasibility of (A) expanding the Preschool
10046 through 20 and Workforce Information Network to include the
10047 participation of the Department of Developmental Services and the
10048 Bureau of Rehabilitation Services, and (B) utilizing the Preschool
10049 through 20 and Workforce Information Network to create an annual
10050 report regarding data related to students who received special
10051 education and who have exited the public school system, including
10052 data related to subsequent employment and participation in state
10053 programs, at regular intervals over a ten-year period following such
10054 students' exit from the public school system, and (2) a projection of the
10055 costs related to such expansion of the Preschool through 20 and
10056 Workforce Information Network to include the Department of
10057 Developmental Services and the Bureau of Rehabilitation Services and
10058 creating such annual report. Not later than January 1, 2016, the center
10059 shall submit a report on its findings to the joint standing committee of
10060 the General Assembly having cognizance of matters relating to
10061 education, in accordance with the provisions of section 11-4a of the
10062 general statutes.

10063 Sec. 287. (NEW) (*Effective July 1, 2015*) Not later than July 1, 2016,
10064 each regional educational service center shall conduct, in consultation
10065 with the Department of Education, a survey of special education
10066 services and programs provided in the region serviced by the regional
10067 educational service center for the purpose of identifying the need for
10068 enhanced or new special education services and programs provided by
10069 the regional educational service center. Such survey shall include, but

10070 need not be limited to, (1) an inventory of special education services
10071 and programs provided by local and regional boards of education and
10072 private providers to public school students, (2) the number of students
10073 receiving special education services or in special education programs
10074 provided by a local or regional board of education or private provider,
10075 (3) the total cost incurred by each school district for all such special
10076 education services and programs, and (4) the cost incurred by each
10077 school district for each such special education service and program.
10078 Each regional educational service center shall develop and maintain its
10079 own survey procedure and may conduct subsequent surveys as
10080 necessary.

10081 Sec. 288. (*Effective July 1, 2015*) Each regional educational service
10082 center shall study the feasibility of such regional educational service
10083 center providing and administering new special education services
10084 and programs that are of equal or greater quality than those currently
10085 provided by local or regional boards of education or private providers
10086 in the region serviced by such regional educational service center. The
10087 feasibility study shall (1) identify new and current special education
10088 services and programs provided by the regional educational service
10089 center, (2) take into account (A) the least restrictive environment for
10090 students receiving special education and related services, and (B) the
10091 areas of need identified in the survey conducted pursuant to section
10092 287 of this act, (3) include a consideration of the infrastructure,
10093 planning, personnel, funding and additional needs required to initiate
10094 and maintain special education services and programs provided by the
10095 regional educational service center, and (4) include recommendations
10096 for sites for future special education services and programs provided
10097 by the regional education service center and a timeline for the
10098 implementation of such special education services and programs. Not
10099 later than October 1, 2016, each regional educational service center
10100 shall submit such feasibility study to the State Board of Education and
10101 the joint standing committees of the General Assembly having
10102 cognizance of matters relating to education and appropriations, in

10103 accordance with the provisions of section 11-4a of the general statutes.

10104 Sec. 289. Section 10-17f of the general statutes is repealed and the
10105 following is substituted in lieu thereof (*Effective July 1, 2015*):

10106 (a) Annually, the board of education for each local and regional
10107 school district shall ascertain, in accordance with regulations adopted
10108 by the State Board of Education, the eligible students in such school
10109 district and shall classify such students according to their dominant
10110 language.

10111 (b) Whenever it is ascertained that there are in any public school
10112 within a local or regional school district twenty or more eligible
10113 students classified as dominant in any one language other than
10114 English, the board of education of such district shall provide a
10115 program of bilingual education for such eligible students for the school
10116 year next following. Eligible students shall be placed in such program
10117 in accordance with subsection (e) of this section.

10118 (c) On or before July 1, 2000, the State Board of Education, within
10119 available appropriations, shall develop a state English mastery
10120 standard to assess the linguistic and academic progress of students in
10121 programs of bilingual education. On and after September 1, 2000, each
10122 local and regional board of education shall assess, annually, the
10123 progress made by each student toward meeting the state standard. If a
10124 student is not making sufficient progress toward meeting the state
10125 standard based on the assessment, the local or regional board of
10126 education shall provide language support services to the student in
10127 consultation with the parent or guardian of the student to allow the
10128 student to meet the state standard. Such services may include, but
10129 need not be limited to, summer school, after-school assistance and
10130 tutoring. If a student meets the state standard based on the assessment,
10131 the student shall leave the program. Each local and regional board of
10132 education shall document on a student's permanent record the date the
10133 student begins in a program of bilingual education and the date and

10134 results of the assessments required pursuant to this subsection.

10135 (d) Each local and regional board of education shall limit the time
10136 an eligible student spends in a program of bilingual education to thirty
10137 months, whether or not such months are consecutive, except that such
10138 time period may be extended in accordance with this section and
10139 summer school and any two-way language programs established
10140 pursuant to subsection (i) of this section shall not be counted. An
10141 eligible student may spend up to an additional thirty months in a
10142 program of bilingual education if (1) the local or regional board of
10143 education responsible for educating such student requests an
10144 extension of such bilingual education for such student to the
10145 Department of Education, or (2) the Department of Education makes a
10146 determination that an extension of such bilingual education for such
10147 student is necessary. The department shall use the standards
10148 developed pursuant to section 293 of this act in determining whether
10149 to grant a request by a local or regional board of education for an
10150 extension of such bilingual education for an eligible student or
10151 whether an extension of a bilingual education program for an eligible
10152 student is necessary. If an eligible student does not meet the English
10153 mastery standard at the end of the initial thirty months or at the end of
10154 an extension of the bilingual education program for such student, the
10155 local or regional board of education shall provide language transition
10156 and academic support services to such student. Such services may
10157 include, but need not be limited to, English as a second language
10158 programs, sheltered English programs, English immersion programs,
10159 **[**tutoring and homework assistance, provided such services may not
10160 include a program of bilingual education**]** or other research-based
10161 language development programs. Families may also receive guidance
10162 from school professionals to help their children make progress in their
10163 native language. If an eligible student enrolls in a secondary school
10164 when the student has fewer than thirty months remaining before
10165 graduation, the local or regional board of education shall assign the
10166 student to an English as a second language program and may provide

10167 intensive services to the student to enable the student to speak, write
10168 and comprehend English by the time the student graduates and to
10169 meet the course requirements for graduation.

10170 (e) Each local and regional board of education shall hold a meeting
10171 with the parents and legal guardians of eligible students to explain the
10172 benefits of the language program options available in the school
10173 district, including an English language immersion program, and any
10174 native language accommodations that may be available for the mastery
10175 examination, administered pursuant to section 10-14n, as amended by
10176 this act. The parents and legal guardians may bring an interpreter or
10177 an advisor to the meeting. If the parent or legal guardian of an eligible
10178 student opts to have such student placed in a program of bilingual
10179 education, the local or regional board of education shall place the child
10180 in such program.

10181 (f) The board of education for each local and regional school district
10182 which is required to provide a program of bilingual education shall
10183 initially endeavor to implement the provisions of subsection (b) of this
10184 section through in-service training for existing certified professional
10185 employees, and thereafter, shall give preference in hiring to such
10186 certified professional employees as are required to maintain the
10187 program.

10188 (g) The State Board of Education shall adopt regulations, in
10189 accordance with the provisions of chapter 54, to establish requirements
10190 for: (1) Such programs, which may be modeled after policy established
10191 by the Department of Education for bilingual education programs; (2)
10192 local and regional boards of education to integrate bilingual and
10193 English as a second language program faculty in all staff, planning and
10194 curriculum development activities; and (3) all bilingual education
10195 teachers employed by a local or regional board of education, on and
10196 after July 1, 2001, to meet all certification requirements, including
10197 completion of a teacher preparation program approved by the State
10198 Board of Education, or to be certified through an alternate route to

10199 certification program.

10200 (h) Each board of education for a local and regional school district
10201 which is required to provide for the first time a program of bilingual
10202 education shall prepare and submit to the Commissioner of Education
10203 for review a plan to implement such program, in accordance with
10204 regulations adopted by the State Board of Education.

10205 (i) Each local and regional board of education that is required to
10206 provide a program of bilingual education pursuant to this section shall
10207 investigate the feasibility of establishing two-way language programs
10208 starting in kindergarten.

10209 Sec. 290. Section 10-17g of the general statutes is repealed and the
10210 following is substituted in lieu thereof (*Effective July 1, 2015*):

10211 **[**Annually**]** For the fiscal years ending June 30, 2016, and June 30,
10212 2017, the board of education for each local and regional school district
10213 that is required to provide a program of bilingual education, pursuant
10214 to section 10-17f, as amended by this act, may make application to the
10215 State Board of Education and shall **[**thereafter**]** annually receive a grant
10216 in an amount equal to the product obtained by multiplying **[**the total
10217 appropriation available for such purpose**]** one million nine hundred
10218 sixteen thousand one hundred thirty by the ratio which the number of
10219 eligible children in the school district bears to the total number of such
10220 eligible children state-wide. The board of education for each local and
10221 regional school district receiving funds pursuant to this section shall
10222 annually, on or before September first, submit to the State Board of
10223 Education a progress report which shall include (1) measures of
10224 increased educational opportunities for eligible students, including
10225 language support services and language transition support services
10226 provided to such students, (2) program evaluation and measures of the
10227 effectiveness of its bilingual education and English as a second
10228 language programs, including data on students in bilingual education
10229 programs and students educated exclusively in English as a second

10230 language programs, and (3) certification by the board of education
10231 submitting the report that any funds received pursuant to this section
10232 have been used for the purposes specified. The State Board of
10233 Education shall annually evaluate programs conducted pursuant to
10234 section 10-17f, as amended by this act. For purposes of this section,
10235 measures of the effectiveness of bilingual education and English as a
10236 second language programs include, but need not be limited to, mastery
10237 examination results, under section 10-14n, as amended by this act, and
10238 graduation and school dropout rates. Any amount appropriated under
10239 this section in excess of one million nine hundred sixteen thousand one
10240 hundred thirty dollars shall be spent in accordance with the provisions
10241 of sections 293, 297 and 300 of this act. Any unexpended funds, as of
10242 November first, appropriated to the Department of Education for
10243 purposes of providing a grant to a local or regional board of education
10244 for the provision of a program of bilingual education, pursuant to
10245 section 10-17f, as amended by this act, shall be distributed on a pro rata
10246 basis to each local and regional board of education receiving a grant
10247 under this section. Notwithstanding the provisions of this section, for
10248 the fiscal years ending June 30, 2009, to June 30, **[**2015**]** 2017, inclusive,
10249 the amount of grants payable to local or regional boards of education
10250 for the provision of a program of bilingual education under this
10251 section shall be reduced proportionately if the total of such grants in
10252 such year exceeds the amount appropriated for such grants for such
10253 year.

10254 Sec. 291. Section 10-17j of the general statutes is repealed and the
10255 following is substituted in lieu thereof (*Effective July 1, 2015*):

10256 (a) If a local or regional board of education is not able to hire a
10257 sufficient number of certified bilingual education teachers for a school
10258 year, the board of education **[**may**]** shall apply to the Commissioner of
10259 Education for permission to use a certified teacher of English as a
10260 second language to fill its need and the commissioner may grant such
10261 request for good cause shown.

10262 (b) The Department of Education shall promote and encourage
10263 teacher exchange programs and provide information to local and
10264 regional boards of education on such programs in order to increase
10265 foreign language proficiency and cultural understanding.

10266 Sec. 292. (*Effective July 1, 2015*) The Department of Education shall
10267 study the feasibility of using regional educational service centers to
10268 assist local and regional boards of education with a low enrollment of
10269 eligible students under subsection (b) of section 10-17f of the general
10270 statutes, as amended by this act, in the provision of programs of
10271 bilingual education and language transition and academic support
10272 services. Such programs and services may include, but need not be
10273 limited to, English as second language programs, sheltered English
10274 programs, English immersion programs or other research-based
10275 language development programs, as described in section 10-17f of the
10276 general statutes, as amended by this act. Not later than January 1, 2016,
10277 the department shall submit a report on its findings and
10278 recommendations to the joint standing committee of the General
10279 Assembly having cognizance of matters relating to education, in
10280 accordance with the provisions of section 11-4a of the general statutes.

10281 Sec. 293. (NEW) (*Effective July 1, 2015*) Not later than July 1, 2016, the
10282 Department of Education, in consultation with public institutions of
10283 higher education, persons with expertise in bilingual education
10284 programming and bilingual education teachers, shall develop
10285 standards for determining whether an extension of a bilingual
10286 education program is necessary for an eligible student, as described in
10287 section 10-17f of the general statutes, as amended by this act, following
10288 thirty months in such bilingual education program, pursuant to
10289 subsection (d) of section 10-17f of the general statutes, as amended by
10290 this act.

10291 Sec. 294. (NEW) (*Effective July 1, 2015*) Not later than July 1, 2016, the
10292 Department of Education shall provide information to local and
10293 regional boards of education about (1) research-based practices on how

10294 to involve parents and legal guardians of eligible students in the
10295 language acquisition process, and (2) native language accommodations
10296 for students on the state-wide mastery examination, administered
10297 pursuant to section 10-14n of the general statutes, as amended by this
10298 act.

10299 Sec. 295. Subsection (a) of section 10-220a of the general statutes, as
10300 amended by section 3 of public act 15-97, section 10 of public act 15-108
10301 and section 1 of public act 15-232, is repealed and the following is
10302 substituted in lieu thereof (*Effective July 1, 2015*):

10303 (a) Each local or regional board of education shall provide an in-
10304 service training program for its teachers, administrators and pupil
10305 personnel who hold the initial educator, provisional educator or
10306 professional educator certificate. Such program shall provide such
10307 teachers, administrators and pupil personnel with information on (1)
10308 the nature and the relationship of drugs, as defined in subdivision (17)
10309 of section 21a-240, and alcohol to health and personality development,
10310 and procedures for discouraging their abuse, (2) health and mental
10311 health risk reduction education that includes, but need not be limited
10312 to, the prevention of risk-taking behavior by children and the
10313 relationship of such behavior to substance abuse, pregnancy, sexually
10314 transmitted diseases, including HIV-infection and AIDS, as defined in
10315 section 19a-581, violence, teen dating violence, domestic violence, child
10316 abuse and youth suicide, (3) the growth and development of
10317 exceptional children, including handicapped and gifted and talented
10318 children and children who may require special education, including,
10319 but not limited to, children with attention-deficit hyperactivity
10320 disorder or learning disabilities, and methods for identifying, planning
10321 for and working effectively with special needs children in a regular
10322 classroom, including, but not limited to, implementation of student
10323 individualized education programs, (4) school violence prevention,
10324 conflict resolution, the prevention of and response to youth suicide
10325 and the identification and prevention of and response to bullying, as
10326 defined in subsection (a) of section 10-222d, except that those boards of

10327 education that implement any evidence-based model approach that is
10328 approved by the Department of Education and is consistent with
10329 subsection (d) of section 10-145a, sections 10-222d, 10-222g and 10-
10330 222h, subsection (g) of section 10-233c and sections 1 and 3 of public
10331 act 08-160, shall not be required to provide in-service training on the
10332 identification and prevention of and response to bullying, (5)
10333 cardiopulmonary resuscitation and other emergency life saving
10334 procedures, (6) computer and other information technology as applied
10335 to student learning and classroom instruction, communications and
10336 data management, (7) the teaching of the language arts, reading and
10337 reading readiness for teachers in grades kindergarten to three,
10338 inclusive, (8) second language acquisition in districts required to
10339 provide a program of bilingual education pursuant to section 10-17f, as
10340 amended by this act, (9) the requirements and obligations of a
10341 mandated reporter, (10) the teacher evaluation and support program
10342 adopted pursuant to subsection (b) of section 10-151b, (11) the
10343 detection and recognition of, and evidence-based structured literacy
10344 interventions for, students with dyslexia, as defined in section 1 of **[**this
10345 act**]** public act 15-97, and (12) cultural competency, consistent with the
10346 training in cultural competency described in subsection (i) of section
10347 10-145a, as amended by **[**this act**]** public act 15-108. Each local and
10348 regional board of education may allow any paraprofessional or
10349 noncertified employee to participate, on a voluntary basis, in any in-
10350 service training program provided pursuant to this section. The State
10351 Board of Education, within available appropriations and utilizing
10352 available materials, shall assist and encourage local and regional
10353 boards of education to include: (A) Holocaust and genocide education
10354 and awareness; (B) the historical events surrounding the Great Famine
10355 in Ireland; (C) African-American history; (D) Puerto Rican history; (E)
10356 Native American history; (F) personal financial management; (G)
10357 domestic violence and teen dating violence; (H) mental health first aid
10358 training; (I) trauma-informed practices for the school setting to enable
10359 teachers, administrators and pupil personnel to more adequately
10360 respond to students with mental, emotional or behavioral health

10361 needs; (J) second language acquisition, including, but not limited to,
10362 language development and culturally responsive pedagogy; and [(J)]
10363 (K) topics approved by the state board upon the request of local or
10364 regional boards of education as part of in-service training programs
10365 pursuant to this subsection.

10366 Sec. 296. (NEW) (*Effective July 1, 2015*) The Department of Education
10367 shall annually collect and disaggregate student data on the mastery
10368 examination, conducted pursuant to section 10-14n of the general
10369 statutes, as amended by this act, for students in bilingual education
10370 programs for the purposes of monitoring (1) the academic progress of
10371 students in bilingual education programs, and (2) the quality of
10372 bilingual education programs offered by local and regional boards of
10373 education. Not later than July 1, 2016, and annually thereafter, the
10374 Department of Education shall submit a report on its findings
10375 regarding such student data to the joint standing committee of the
10376 General Assembly having cognizance of matters relating to education,
10377 in accordance with the provisions of section 11-4a of the general
10378 statutes.

10379 Sec. 297. (*Effective July 1, 2015*) (a) For the school years commencing
10380 July 1, 2015, and July 1, 2016, the Department of Education, in
10381 consultation with public institutions of higher education and persons
10382 with expertise in language acquisition, shall administer an English
10383 language learner pilot program. The department shall select the
10384 following participants for inclusion in the pilot program: (1) The three
10385 school districts with the highest total number of English language
10386 learner students, and (2) the school district with the highest percentage
10387 of English language learner students to total student population.
10388 Participants in the pilot program shall develop language acquisition
10389 plans for English language learner students that (A) are research-
10390 based, (B) are developed in consultation with the department, public
10391 institutions of higher education or persons with expertise in language
10392 acquisition, and (C) take into consideration such things as the size of
10393 the school district or region, the characteristics of the English language

10394 learner student population, the geography and demography of the
10395 school district or region, the number of bilingual education teachers
10396 and the native languages of the student population. The regional
10397 educational service center that serves the region in which each
10398 participant is located shall provide administrative support to such
10399 participant in the implementation of the pilot program.

10400 (b) The Department of Education shall contract with an independent
10401 evaluator from an institution of higher education or a professional
10402 evaluator with expertise in language acquisition to evaluate the
10403 English language learner pilot program. Not later than October 1, 2017,
10404 such evaluation shall be submitted to the Department of Education
10405 and the joint standing committee of the General Assembly having
10406 cognizance of matters relating to education, in accordance with the
10407 provisions of section 11-4a of the general statutes.

10408 Sec. 298. Section 10-14n of the general statutes, as amended by
10409 section 3 of public act 15-238, is repealed and the following is
10410 substituted in lieu thereof (*Effective July 1, 2015*):

10411 (a) As used in this section, "mastery examination" means (1) for
10412 students enrolled in grades three to eight, inclusive, an examination or
10413 examinations, approved by the State Board of Education, that
10414 measures essential and grade-appropriate skills in reading, writing or
10415 mathematics, (2) for students enrolled in grades five, eight and ten, an
10416 examination, approved by the State Board of Education, that measures
10417 essential and grade-appropriate skills in science, and (3) for students
10418 enrolled in grade eleven, a nationally recognized college readiness
10419 assessment, approved by the State Board of Education, that measures
10420 essential and grade-appropriate skills in reading, writing and
10421 mathematics.

10422 (b) (1) For the school year commencing July 1, 2015, and each school
10423 year thereafter, each student enrolled in grades three to eight,
10424 inclusive, and grade eleven in any public school shall, annually, take a

10425 mastery examination in reading, writing and mathematics during the
10426 regular school day.

10427 (2) For the school year commencing July 1, 2013, and each school
10428 year thereafter, each student enrolled in grades five, eight and ten in
10429 any public school shall, annually, in March or April, take a state-wide
10430 mastery examination in science during the regular school day.

10431 (c) (1) Mastery examinations, as defined in subdivision (1) of
10432 subsection (a) of this section, given to students enrolled in grades three
10433 to eight, inclusive, pursuant to subdivision (1) of subsection (b) of this
10434 section, shall be provided by and administered under the supervision
10435 of the State Board of Education.

10436 (2) Mastery examinations, as defined in subdivision (2) of subsection
10437 (a) of this section, given to students enrolled in grades five, eight and
10438 ten, pursuant to subdivision (2) of subsection (b) of this section, shall
10439 be provided by and administered under the supervision of the State
10440 Board of Education.

10441 (3) Mastery examinations, as defined in subdivision (3) of subsection
10442 (a) of this section, given to students enrolled in grade eleven, pursuant
10443 to subdivision (1) of subsection (b) of this section, shall be paid for by
10444 the State Board of Education and administered by the provider of such
10445 nationally recognized college readiness assessment in accordance with
10446 the provisions of the agreement between the state board and such
10447 provider, pursuant to section 2 of **[**this act**]** public act 15-238.

10448 (d) The scores on each component of the mastery examination, as
10449 defined in subdivision (3) of subsection (a) of this section, for each
10450 eleventh grade student may be included on the permanent record and
10451 transcript of each such student who takes such examination. For each
10452 eleventh grade student who meets or exceeds the state-wide mastery
10453 goal level on any component of the mastery examination, a
10454 certification of having met or exceeded such goal level shall be made
10455 on the permanent record and the transcript of each such student and

10456 such student shall be issued a certificate of mastery for such
10457 component.

10458 (e) No public school may require achievement of a satisfactory score
10459 on a mastery examination, or any subsequent retest on a component of
10460 such examination as the sole criterion of promotion or graduation.

10461 (f) (1) For the school year commencing July 1, 2015, and each school
10462 year thereafter, the scores on each component of the mastery
10463 examination for students who are English language learners, as
10464 defined in section 10-76kk, and who have been enrolled in a school in
10465 this state or another state for fewer than twenty school months, shall
10466 not be used for purposes of calculating the school performance index,
10467 pursuant to section 10-223e, or the district performance index,
10468 pursuant to section 10-262u, as amended by this act.

10469 (2) For the school year commencing July 1, 2015, and each school
10470 year thereafter, mastery examinations pursuant to subsection (b) of
10471 this section shall be offered in the most common native language of
10472 students who are English language learners taking such mastery
10473 examinations and any additional native languages of such students
10474 when mastery examinations in such native languages are developed
10475 and have been approved by the United States Department of
10476 Education.

10477 Sec. 299. Subsection (d) of section 10-262u of the general statutes, as
10478 amended by section 8 of public act 15-108, is repealed and the
10479 following is substituted in lieu thereof (*Effective July 1, 2015*):

10480 (d) The local or regional board of education for a town designated
10481 as an alliance district may apply to the Commissioner of Education, at
10482 such time and in such manner as the commissioner prescribes, to
10483 receive any increase in funds received over the amount the town
10484 received for the prior fiscal year pursuant to subsection (a) of section
10485 10-262i. Applications pursuant to this subsection shall include
10486 objectives and performance targets and a plan that may include, but

10487 not be limited to, the following: (1) A tiered system of interventions for
10488 the schools under the jurisdiction of such board based on the needs of
10489 such schools, (2) ways to strengthen the foundational programs in
10490 reading, through the intensive reading instruction program pursuant
10491 to section 10-14u, to ensure reading mastery in kindergarten to grade
10492 three, inclusive, with a focus on standards and instruction, proper use
10493 of data, intervention strategies, current information for teachers,
10494 parental engagement, and teacher professional development, (3)
10495 additional learning time, including extended school day or school year
10496 programming administered by school personnel or external partners,
10497 (4) a talent strategy that includes, but is not limited to, teacher and
10498 school leader recruitment and assignment, career ladder policies that
10499 draw upon guidelines for a model teacher evaluation program
10500 adopted by the State Board of Education, pursuant to section 10-151b,
10501 as amended by this act, and adopted by each local or regional board of
10502 education. Such talent strategy may include provisions that
10503 demonstrate increased ability to attract, retain, promote and bolster the
10504 performance of staff in accordance with performance evaluation
10505 findings and, in the case of new personnel, other indicators of
10506 effectiveness, (5) training for school leaders and other staff on new
10507 teacher evaluation models, (6) provisions for the cooperation and
10508 coordination with early childhood education providers to ensure
10509 alignment with district expectations for student entry into
10510 kindergarten, including funding for an existing local Head Start
10511 program, (7) provisions for the cooperation and coordination with
10512 other governmental and community programs to ensure that students
10513 receive adequate support and wraparound services, including
10514 community school models, (8) provisions for implementing and
10515 furthering state-wide education standards adopted by the State Board
10516 of Education and all activities and initiatives associated with such
10517 standards, (9) strategies for attracting and recruiting minority teachers
10518 and administrators, (10) provisions for the enhancement of bilingual
10519 education programs, pursuant to section 10-17f, as amended by this
10520 act, or other language acquisition services to English language

10521 learners, including, but not limited to, participation in the English
10522 language learner pilot program, established pursuant to section 297 of
10523 this act, and [(10)] (11) any additional categories or goals as
10524 determined by the commissioner. Such plan shall demonstrate
10525 collaboration with key stakeholders, as identified by the commissioner,
10526 with the goal of achieving efficiencies and the alignment of intent and
10527 practice of current programs with conditional programs identified in
10528 this subsection. The commissioner may (A) require changes in any
10529 plan submitted by a local or regional board of education before the
10530 commissioner approves an application under this subsection, and (B)
10531 permit a local or regional board of education, as part of such plan, to
10532 use a portion of any funds received under this section for the purposes
10533 of paying tuition charged to such board pursuant to subdivision (1) of
10534 subsection (k) of section 10-264*l* or subsection (b) of section 10-264o.

10535 Sec. 300. (NEW) (*Effective July 1, 2015*) Not later than July 1, 2016,
10536 each regional educational service center shall conduct a survey of
10537 English language learner services and bilingual education programs
10538 provided in the region serviced by the regional educational service
10539 center for the purpose of identifying the need for enhanced or new
10540 English language learner services and bilingual education programs
10541 provided by the regional educational service center. Such survey shall
10542 include, but need not be limited to, (1) an inventory of English
10543 language learner services and bilingual education programs provided
10544 by local and regional boards of education to public school students, (2)
10545 the number of students receiving English language learner services or
10546 enrolled in bilingual education programs provided by a local or
10547 regional board of education, (3) the total cost incurred by each school
10548 district for all such English language learner services and bilingual
10549 education programs and the cost incurred by each school district for
10550 each such English language learner service and bilingual education
10551 program. Each regional educational service center shall develop and
10552 maintain its own survey procedure and may conduct subsequent
10553 surveys as necessary.

10554 Sec. 301. (*Effective July 1, 2015*) Each regional educational service
10555 center shall study the feasibility of such regional educational service
10556 center providing and administering new English language learner
10557 services and bilingual education programs that are of equal or greater
10558 quality than those currently provided by local or regional boards of
10559 education in the region serviced by such regional educational service
10560 center. The feasibility study shall (1) identify new and current English
10561 language learner services and bilingual education programs provided
10562 by the regional educational service center, (2) take into account the
10563 areas of need identified in the survey conducted pursuant to section
10564 300 of this act, (3) include a consideration of the infrastructure,
10565 planning, personnel, funding and additional needs required to initiate
10566 and maintain English language learner services and bilingual
10567 education programs provided by the regional educational service
10568 center, and (4) include recommendations for sites for future English
10569 language learner services and bilingual education programs provided
10570 by the regional education service center and a timeline for the
10571 implementation of such English language learner services and
10572 bilingual education programs. Not later than October 1, 2016, each
10573 regional educational service center shall submit such feasibility study
10574 to the State Board of Education and the joint standing committee of the
10575 General Assembly having cognizance of matters relating to education,
10576 in accordance with the provisions of section 11-4a of the general
10577 statutes.

10578 Sec. 302. Subsection (a) of section 2 of public act 15-237 is repealed
10579 and the following is substituted in lieu thereof (*Effective upon the*
10580 *effective date of section 2 of public act 15-237*):

10581 (a) There is established a task force to study the following issues
10582 related to the high school graduation requirements, described in
10583 section 10-221a of the general statutes, as amended by **[**this act**]** public
10584 act 15-237: (1) The alignment of the changes to the high school
10585 graduation requirements commencing with classes graduating in 2021,
10586 pursuant to subsection (c) of section 10-221a of the general statutes, as

10587 amended by [this act] public act 15-237, with the Common Core State
10588 Standards, adopted by the State Board of Education on July 7, 2010,
10589 pursuant to section 10-4 of the general statutes, [and] (2) the feasibility
10590 of including training in cardiopulmonary resuscitation as part of the
10591 high school graduation requirements, and (3) the feasibility of
10592 substituting a student's participation in an interscholastic athletic
10593 program for the physical education credit to satisfy the high school
10594 graduation requirements.

10595 Sec. 303. (NEW) (*Effective July 1, 2015*) (a) On and after July 1, 2015,
10596 the Commissioner of Education shall submit any application for a
10597 federal waiver of the Elementary and Secondary Education Act of
10598 1965, 20 USC 6301, et seq., as amended from time to time, to the joint
10599 standing committee of the General Assembly having cognizance of
10600 matters relating to education prior to the submission of any such
10601 application to the federal government. Not later than thirty days after
10602 the date of its receipt of such application, said joint standing committee
10603 shall hold a public hearing on the waiver application. At the
10604 conclusion of a public hearing held in accordance with the provisions
10605 of this section, said joint standing committee shall advise the
10606 commissioner of its recommendations, if any, with regards to the
10607 commissioner's waiver application.

10608 (b) If in developing the budget for the Department of Education for
10609 the next fiscal year, the commissioner contemplates applying for a
10610 federal waiver to the federal government, the commissioner shall
10611 notify the joint standing committee of the General Assembly having
10612 cognizance of matters relating to education of the possibility of such
10613 application.

10614 (c) Prior to submission of an application for a waiver from said
10615 Elementary and Secondary Education Act of 1965 to the joint standing
10616 committee of the General Assembly having cognizance of matters
10617 relating to education under subsection (a) of this section, the
10618 commissioner shall publish a notice that the commissioner intends to

10619 seek such a waiver to the federal government in the Connecticut Law
10620 Journal, along with a summary of the provisions of the waiver
10621 application and the manner in which individuals may submit
10622 comments. The commissioner shall allow fifteen days for written
10623 comments on the waiver application prior to submission of the
10624 application for a waiver to the joint standing committee of the General
10625 Assembly having cognizance of matters relating to education under
10626 subsection (a) of this section and shall include all written comments
10627 with the waiver application submitted to said joint standing
10628 committee.

10629 (d) The commissioner shall include with any waiver application
10630 submitted to the federal government pursuant to this section: (1) Any
10631 written comments received pursuant to subsection (c) of this section;
10632 and (2) the recommendations of the joint standing committee of the
10633 General Assembly having cognizance of matters relating to education
10634 issued pursuant to subsection (a) of this section, including any
10635 additional written comments submitted to said joint standing
10636 committee at such proceedings. Said joint standing committee shall
10637 transmit any such materials to the commissioner for inclusion with any
10638 such waiver application.

10639 Sec. 304. (NEW) (*Effective July 1, 2015*) (a) Not later than September
10640 15, 2015, the Commissioner of Education shall develop a process to
10641 invite innovation waiver requests from local and regional boards of
10642 education for waivers of the provisions of title 10 of the general
10643 statutes over which the State Board of Education has jurisdiction, or
10644 any regulation adopted by the state board, except a local or regional
10645 board of education shall not request or be granted a waiver of the
10646 provisions of chapters 169 and 172 of the general statutes, part I of
10647 chapter 166 of the general statutes, sections 10-14n to 10-14w, inclusive,
10648 10-15, 10-16, 10-16b, 10-76d, as amended by this act, 10-186, 10-221a,
10649 10-223e, as amended by this act, 10-226a to 10-226h, inclusive, 10-233c
10650 and 10-281 of the general statutes or any requirement of federal law.
10651 Any such innovation waiver request shall be made in a manner and

10652 form prescribed by the commissioner and shall demonstrate (1) how
10653 the granting of an innovation waiver would stimulate innovation or
10654 improve administration of school district operations or student
10655 academic performance, (2) that the local or regional board of education
10656 can address the intent of the statute or regulation for which an
10657 innovation waiver is being sought in a more effective, efficient or
10658 economical manner, and (3) how the granting of an innovation waiver
10659 would ensure the protection of sound educational practices, the health
10660 and safety of students and school personnel, and equal opportunities
10661 for learning.

10662 (b) The commissioner shall review each innovation waiver request
10663 and may recommend approval of up to ten innovation waivers. The
10664 commissioner shall submit to the State Board of Education a report
10665 that includes the innovation waiver requests for which the
10666 commissioner is recommending approval and the goals or benchmarks
10667 of success for such requests to the State Board of Education.

10668 (c) (1) The State Board of Education shall review the report
10669 submitted by the commissioner pursuant to subsection (b) of this
10670 section and make a written recommendation for approval or rejection
10671 of each innovation waiver request. Such written recommendation shall
10672 include an explanation of the reasons why the state board is suggesting
10673 approval or rejection of such innovation waiver request. In considering
10674 whether to approve or reject an innovation waiver request under this
10675 subsection, the state board may (A) recommend approval of such
10676 request if the state board determines that such request sufficiently
10677 demonstrates (i) how the granting of an innovation waiver would
10678 stimulate innovation or improve administration of school district
10679 operations or student academic performance, and (ii) that the local or
10680 regional board of education submitting such request can address the
10681 intent of the statute or regulation for which an innovation waiver is
10682 being sought in a more effective, efficient or economical manner, or (B)
10683 recommend rejection of an innovation waiver request if such request is
10684 not based on sound educational practices, endangers the health or

10685 safety of students or school personnel, or compromises equal
10686 opportunities for learning.

10687 (2) The state board shall compile its recommendations for approval
10688 of innovation waiver requests into a report and, not later than March
10689 fifteenth of each school year, submit such report to the General
10690 Assembly, in accordance with the provisions of section 11-4a of the
10691 general statutes.

10692 (3) The state board shall compile its recommendations for rejection
10693 of innovation waiver requests into a report and, not later than March
10694 fifteenth of each school year, submit such report to the General
10695 Assembly, in accordance with the provisions of section 11-4a of the
10696 general statutes.

10697 (d) Not later than thirty days following receipt of the report
10698 submitted by the State Board of Education, pursuant to subdivision (2)
10699 of subsection (c) of this section, the General Assembly may, by joint
10700 resolution, disapprove any recommendations of the state board for
10701 approval of an innovation waiver request. If the General Assembly
10702 fails to disapprove such recommendations, in whole or in part, within
10703 such thirty-day period, such recommendations shall be deemed
10704 approved and the innovation waiver request shall be deemed granted.

10705 (e) The commissioner shall notify the local or regional board of
10706 education whether a submitted innovation waiver request was granted
10707 or rejected. If an innovation waiver is granted, the commissioner shall
10708 prescribe the period of time that such innovation waiver shall be valid,
10709 provided such term is not more than two school years.

10710 (f) A local or regional board of education may seek an innovation
10711 waiver renewal in the manner and form prescribed by the
10712 commissioner. Any innovation waiver renewal request shall include
10713 how the implementation of the original innovation waiver has been
10714 successful in achieving the goals or benchmarks established by the
10715 commissioner pursuant to subsection (b) of this section. An innovation

10716 waiver renewal may be granted in accordance with the provisions of
10717 subsections (c) and (d) of this section and, if granted, shall be valid for
10718 up to two school years. A local or regional board of education shall not
10719 be granted an innovation waiver renewal more than one time.

10720 (g) The commissioner may revoke an innovation waiver or an
10721 innovation waiver renewal if the commissioner finds that the
10722 implementation of such innovation waiver or innovation waiver
10723 renewal is not a sound educational practice, endangers health or safety
10724 of students or school personnel, or compromises equal opportunities
10725 for learning.

10726 (h) In recommending approval of innovation requests and
10727 innovation waiver renewal requests under this section, the
10728 commissioner and state board shall ensure that not more than twenty
10729 innovation waivers or innovation waiver renewals are in effect at any
10730 one time.

10731 (i) Any local or regional board of education granted an innovation
10732 waiver or innovation waiver renewal under this section shall (1)
10733 submit to the State Board of Education (A) annual progress reports
10734 relating to the implementation of the innovation waiver or innovation
10735 waiver renewal, and (B) a final report relating to the results of such
10736 innovation waiver or innovation waiver renewal, including whether
10737 such innovation waiver or innovation waiver renewal has achieved the
10738 goals or benchmarks established by the commissioner, at the
10739 conclusion of the innovation waiver or the innovation waiver renewal.
10740 (2) make such results available on the Internet web site of such local or
10741 regional board, (3) share, upon request, such results with other local or
10742 regional boards of education, and (4) if such innovation waiver or
10743 innovation waiver renewal is successful, provide instruction and
10744 training, upon request, to other local and regional boards of education
10745 regarding the implementation of such innovation waiver or innovation
10746 waiver renewal.

10747 (j) Not later than March 15, 2018, and annually thereafter, the
10748 commissioner shall submit a report, in accordance with the provisions
10749 of section 11-4a of the general statutes, to the General Assembly
10750 containing any recommendations for legislation and a description of
10751 the process developed pursuant to subsection (a) of this section.

10752 Sec. 305. (*Effective July 1, 2015*) (a) On or before August 1, 2015, the
10753 Commissioner of Education shall appoint a receiver for the school
10754 district for the town of Winchester. Such receiver shall be the chief
10755 executive officer of said school district and shall be vested with the
10756 duties, rights and responsibilities of the board of education for the
10757 town of Winchester, as prescribed in chapter 170 of the general statutes
10758 and as otherwise established in any provision of law, except as
10759 provided in this section and sections 306 to 308, inclusive, of this act.
10760 The receiver shall report to and serve at the pleasure of the
10761 commissioner and shall be retained and compensated by the
10762 Department of Education.

10763 (b) All contracts and agreements, including collective bargaining
10764 agreements, made in the name of the board of education for the town
10765 of Winchester shall be assigned to the receiver, who shall be deemed
10766 the successor party in interest and deemed to be in privity of contract
10767 for all lawful purposes. In addition to those duties, rights and
10768 responsibilities otherwise prescribed by law, the receiver shall: (1) Be
10769 responsible for all aspects of school district governance and
10770 management; (2) develop the budget for the school district and deliver
10771 the same to the town manager for the town of Winchester in
10772 accordance with the town charter for the town of Winchester; (3)
10773 provide a mechanism for parent, teacher and community involvement
10774 in the schools; (4) supervise and direct the day-to-day operations of the
10775 school district and school district staff and employees, including the
10776 superintendent and all school administrators, and shall have the
10777 power to reprimand, suspend or terminate all such staff, employees
10778 and administrators consistent with any applicable collective
10779 bargaining agreements or employment contracts; (5) review and

10780 analyze the fiscal practices of the school district and implement
10781 improvements to such practices, if necessary; (6) identify and apply for
10782 any grants for which the school district may be eligible; and (7) report
10783 to the commissioner as soon as practicable any evidence of criminal or
10784 fraudulent activity discovered.

10785 (c) The receiver shall provide the commissioner with periodic
10786 reports on the receiver's activities, the financial condition of the school
10787 district, recommendations on further state involvement in the
10788 operation of the school district, including amendments to this section
10789 and sections 306 to 308, inclusive, of this act, and any other
10790 information required by the commissioner. Such reports shall be
10791 provided on a timeframe and in such form as prescribed by the
10792 commissioner. The commissioner shall provide copies of all such
10793 reports to the State Board of Education and the board of education for
10794 the town of Winchester.

10795 (d) The receiver may be provided additional responsibilities by the
10796 commissioner not inconsistent with this section and sections 306 to
10797 308, inclusive, of this act.

10798 (e) The receiver's term shall expire two years from the date of the
10799 receiver's appointment pursuant to subsection (a) of this section,
10800 except the State Board of Education may extend the term of the
10801 receiver for a period not to exceed two additional years.

10802 (f) The receiver may, upon approval of the commissioner, retain up
10803 to two other persons to assist the receiver in the exercise of the
10804 receiver's duties. Such persons shall report to, and serve at the pleasure
10805 of, the receiver and be retained and compensated by the Department of
10806 Education.

10807 Sec. 306. (*Effective July 1, 2015*) There shall be a board of advisors for
10808 the school district for the town of Winchester. The board shall have
10809 seven members appointed by the Commissioner of Education who
10810 shall serve at the pleasure of the commissioner. Not fewer than three of

10811 the members of the board shall be residents of the town of Winchester.
10812 No employee of the town of Winchester or the school district for the
10813 town of Winchester and no immediate family, as defined in
10814 subdivision (6) of section 1-79 of the general statutes, of such employee
10815 shall be eligible to serve on the board. The board shall provide advice
10816 to the receiver in the performance of his or her duties and
10817 responsibilities, as described in section 305 of this act.

10818 Sec. 307. (*Effective July 1, 2015*) (a) Notwithstanding section 10-263 of
10819 the general statutes, the commissioner shall enter into a repayment
10820 agreement with the town of Winchester or the school district for the
10821 town of Winchester, as applicable, for reimbursement of any
10822 overpayments made by the state pursuant to section 10-76g of the
10823 general statutes during the fiscal years ending June 30, 2013, to June 30,
10824 2015, inclusive. Such agreement shall be documented in writing
10825 providing the first payment, or adjustment to future payments by the
10826 department, shall be received or debited, on or before April 30, 2016,
10827 and that the balance shall be satisfied on or before April 30, 2020.

10828 (b) The town of Winchester may apply for a waiver of repayment as
10829 specified in subsection (a) of this section, if the town demonstrates
10830 significant improvement in the fiscal and financial practices of its
10831 school district, that structural changes have been implemented to
10832 ensure the school district is properly handling taxpayer funds, and
10833 satisfies such other criteria as required by the commissioner. Such
10834 application shall be in a form prescribed by the commissioner. Any
10835 such waiver submitted pursuant to this subsection may be approved
10836 only by majority vote of the State Board of Education and upon the
10837 recommendation of the commissioner.

10838 Sec. 308. (*Effective July 1, 2015*) For the school years commencing July
10839 1, 2016, to July 1, 2018, inclusive, notwithstanding the provisions of
10840 section 10-223h of the general statutes, as amended by this act, relating
10841 to the application and selection of schools for participation in the
10842 commissioner's network of schools, the schools under the jurisdiction

10843 of the school district for the town of Winchester shall participate in the
10844 commissioner's network of schools and otherwise comply with the
10845 provisions of section 10-223h of the general statutes, as amended by
10846 this act.

10847 Sec. 309. Section 10-266p of the general statutes is amended by
10848 adding subsection (j) as follows (*Effective July 1, 2015*):

10849 (NEW) (j) Notwithstanding the provisions of this section, for the
10850 fiscal year ending June 30, 2016, and each fiscal year thereafter, the
10851 amount of the grants payable to local or regional boards of education
10852 in accordance with this section shall be reduced proportionately if the
10853 total of such grants in such year exceeds the amount appropriated for
10854 the purposes of this section for such year.

10855 Sec. 310. Section 10-264*l* of the general statutes, as amended by
10856 section 3 of public act 15-63, section 2 of public act 15-143, section 1 of
10857 public act 15-177 and section 9 of public act 15-215, is repealed and the
10858 following is substituted in lieu thereof (*Effective July 1, 2015*):

10859 (a) The Department of Education shall, within available
10860 appropriations, establish a grant program (1) to assist (A) local and
10861 regional boards of education, (B) regional educational service centers,
10862 (C) the Board of Trustees of the Community-Technical Colleges on
10863 behalf of Quinebaug Valley Community College and Three Rivers
10864 Community College, and (D) cooperative arrangements pursuant to
10865 section 10-158a, and (2) in assisting the state in meeting the goals of the
10866 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
10867 al., as extended, or the goals of the 2013 stipulation and order for Milo
10868 Sheff, et al. v. William A. O'Neill, et al., <u>as extended,</u> as determined by
10869 the Commissioner of Education, to assist (A) the Board of Trustees of
10870 the Community-Technical Colleges on behalf of a regional community-
10871 technical college, (B) the Board of Trustees of the Connecticut State
10872 University System on behalf of a state university, (C) the Board of
10873 Trustees of The University of Connecticut on behalf of the university,

10874 (D) the board of governors for an independent institution of higher
10875 education, as defined in subsection (a) of section 10a-173, or the
10876 equivalent of such a board, on behalf of the independent institution of
10877 higher education, and (E) any other third-party not-for-profit
10878 corporation approved by the commissioner with the operation of
10879 interdistrict magnet school programs. All interdistrict magnet schools
10880 shall be operated in conformance with the same laws and regulations
10881 applicable to public schools. For the purposes of this section "an
10882 interdistrict magnet school program" means a program which (i)
10883 supports racial, ethnic and economic diversity, (ii) offers a special and
10884 high quality curriculum, and (iii) requires students who are enrolled to
10885 attend at least half-time. An interdistrict magnet school program does
10886 not include a regional agricultural science and technology school, a
10887 technical high school or a regional special education center. On and
10888 after July 1, 2000, the governing authority for each interdistrict magnet
10889 school program that is in operation prior to July 1, 2005, shall restrict
10890 the number of students that may enroll in the program from a
10891 participating district to eighty per cent of the total enrollment of the
10892 program. The governing authority for each interdistrict magnet school
10893 program that begins operations on or after July 1, 2005, shall restrict
10894 the number of students that may enroll in the program from a
10895 participating district to seventy-five per cent of the total enrollment of
10896 the program, and maintain such a school enrollment that at least
10897 twenty-five per cent but not more than seventy-five per cent of the
10898 students enrolled are pupils of racial minorities, as defined in section
10899 10-226a. The governing authority of an interdistrict magnet school that
10900 the commissioner determines will assist the state in meeting the goals
10901 of the 2008 stipulation and order for Milo Sheff, et al. v. William A.
10902 O'Neill, et al., as extended, or the goals of the 2013 stipulation and
10903 order for Milo Sheff, et al. v. William A. O'Neill, et al., <u>as extended,</u>
10904 shall restrict the number of students that may enroll in the program
10905 from a participating district in accordance with the provisions of this
10906 subsection, provided such enrollment is in accordance with the
10907 reduced-isolation setting standards of such 2013 stipulation and order.

10908 (b) (1) Applications for interdistrict magnet school program
10909 operating grants awarded pursuant to this section shall be submitted
10910 annually to the Commissioner of Education at such time and in such
10911 manner as the commissioner prescribes, except that on and after July 1,
10912 2009, applications for such operating grants for new interdistrict
10913 magnet schools, other than those that the commissioner determines
10914 will assist the state in meeting the goals of the 2008 stipulation and
10915 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or
10916 the goals of the 2013 stipulation and order for Milo Sheff, et al. v.
10917 William A. O'Neill, et al., as extended, shall not be accepted until the
10918 commissioner develops a comprehensive state-wide interdistrict
10919 magnet school plan. The commissioner shall submit such
10920 comprehensive state-wide interdistrict magnet school plan on or
10921 before October 1, 2016, to the joint standing [committee] committees of
10922 the General Assembly having cognizance of matters relating to
10923 education and appropriations.

10924 (2) In determining whether an application shall be approved and
10925 funds awarded pursuant to this section, the commissioner shall
10926 consider, but such consideration shall not be limited to: (A) Whether
10927 the program offered by the school is likely to increase student
10928 achievement; (B) whether the program is likely to reduce racial, ethnic
10929 and economic isolation; (C) the percentage of the student enrollment in
10930 the program from each participating district; and (D) the proposed
10931 operating budget and the sources of funding for the interdistrict
10932 magnet school. For a magnet school not operated by a local or regional
10933 board of education, the commissioner shall only approve a proposed
10934 operating budget that, on a per pupil basis, does not exceed the
10935 maximum allowable threshold established in accordance with this
10936 subdivision. The maximum allowable threshold shall be an amount
10937 equal to one hundred twenty per cent of the state average of the
10938 quotient obtained by dividing net current expenditures, as defined in
10939 section 10-261, by average daily membership, as defined in said
10940 section, for the fiscal year two years prior to the fiscal year for which

10941 the operating grant is requested. The Department of Education shall
10942 establish the maximum allowable threshold no later than December
10943 fifteenth of the fiscal year prior to the fiscal year for which the
10944 operating grant is requested. If requested by an applicant that is not a
10945 local or regional board of education, the commissioner may approve a
10946 proposed operating budget that exceeds the maximum allowable
10947 threshold if the commissioner determines that there are extraordinary
10948 programmatic needs. In the case of an interdistrict magnet school that
10949 will assist the state in meeting the goals of the 2008 stipulation and
10950 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or
10951 the goals of the 2013 stipulation and order for Milo Sheff, et al. v.
10952 William A. O'Neill, et al., as extended, as determined by the
10953 commissioner, the commissioner shall also consider whether the
10954 school is meeting the reduced-isolation setting standards set forth in
10955 such 2013 stipulation and order. If such school has not met the
10956 reduced-isolation setting standards prescribed in such 2013 stipulation
10957 and order, it shall not be entitled to receive a grant pursuant to this
10958 section unless the commissioner finds that it is appropriate to award a
10959 grant for an additional year or years for purposes of compliance with
10960 such 2013 stipulation and order. If requested by the commissioner, the
10961 applicant shall meet with the commissioner or the commissioner's
10962 designee to discuss the budget and sources of funding.

10963 (3) Except as provided in this section, section **[**197**]** 116 of public act
10964 **[**11-48**]** 14-217 and the 2013 stipulation and order for Milo Sheff, et al.
10965 v. William A. O'Neill, et al., as extended, the commissioner shall not
10966 award a grant to (A) a program that is in operation prior to July 1,
10967 2005, if more than eighty per cent of its total enrollment is from one
10968 school district, except that the commissioner may award a grant for
10969 good cause, for any one year, on behalf of an otherwise eligible magnet
10970 school program, if more than eighty per cent of the total enrollment is
10971 from one district, and (B) a program that begins operations on or after
10972 July 1, 2005, if more than seventy-five per cent of its total enrollment is
10973 from one school district or if less than twenty-five or more than

10974 seventy-five per cent of the students enrolled are pupils of racial
10975 minorities, as defined in section 10-226a, except that the commissioner
10976 may award a grant for good cause, for one year, on behalf of an
10977 otherwise eligible interdistrict magnet school program, if more than
10978 seventy-five per cent of the total enrollment is from one district or less
10979 than twenty-five or more than seventy-five per cent of the students
10980 enrolled are pupils of racial minorities. The commissioner may not
10981 award grants pursuant to the exceptions described in subparagraphs
10982 (A) and (B) of this subdivision for an additional consecutive year or
10983 years, except as provided for in section **[**197**]** 116 of public act **[**11-48**]**
10984 14-217, the 2008 stipulation for Milo Sheff, et al. v. William A. O'Neill,
10985 et al., as extended, or the 2013 stipulation and order for Milo Sheff, et
10986 al. v. William A. O'Neill, et al., as extended, as determined by the
10987 commissioner.

10988 (c) (1) The maximum amount each interdistrict magnet school
10989 program, except those described in subparagraphs (A) to (G),
10990 inclusive, of subdivision (3) of this subsection, shall be eligible to
10991 receive per enrolled student who is not a resident of the town
10992 operating the magnet school shall be (A) six thousand sixteen dollars
10993 for the fiscal year ending June 30, 2008, (B) six thousand seven
10994 hundred thirty dollars for the fiscal years ending June 30, 2009, to June
10995 30, 2012, inclusive, and (C) seven thousand eighty-five dollars for the
10996 fiscal year ending June 30, 2013, and each fiscal year thereafter. The per
10997 pupil grant for each enrolled student who is a resident of the town
10998 operating the magnet school program shall be three thousand dollars
10999 for the fiscal year ending June 30, 2008, and each fiscal year thereafter.

11000 (2) For the fiscal year ending June 30, 2003, and each fiscal year
11001 thereafter, the commissioner may, within available appropriations,
11002 provide supplemental grants for the purposes of enhancing
11003 educational programs in such interdistrict magnet schools, as the
11004 commissioner determines. Such grants shall be made after the
11005 commissioner has conducted a comprehensive financial review and
11006 approved the total operating budget for such schools, including all

11007 revenue and expenditure estimates.

11008 (3) (A) Except as otherwise provided in subparagraphs (C) to (G),
11009 inclusive, of this subdivision, each interdistrict magnet school operated
11010 by a regional educational service center that enrolls less than fifty-five
11011 per cent of the school's students from a single town shall receive a per
11012 pupil grant in the amount of (i) six thousand two hundred fifty dollars
11013 for the fiscal year ending June 30, 2006, (ii) six thousand five hundred
11014 dollars for the fiscal year ending June 30, 2007, (iii) seven thousand
11015 sixty dollars for the fiscal year ending June 30, 2008, (iv) seven
11016 thousand six hundred twenty dollars for the fiscal years ending June
11017 30, 2009, to June 30, 2012, inclusive, and (v) seven thousand nine
11018 hundred dollars for the fiscal year ending June 30, 2013, and each fiscal
11019 year thereafter.

11020 (B) Except as otherwise provided in subparagraphs (C) to (G),
11021 inclusive, of this subdivision, each interdistrict magnet school operated
11022 by a regional educational service center that enrolls at least fifty-five
11023 per cent of the school's students from a single town shall receive a per
11024 pupil grant for each enrolled student who is not a resident of the
11025 district that enrolls at least fifty-five per cent of the school's students in
11026 the amount of (i) six thousand sixteen dollars for the fiscal year ending
11027 June 30, 2008, (ii) six thousand seven hundred thirty dollars for the
11028 fiscal years ending June 30, 2009, to June 30, 2012, inclusive, and (iii)
11029 seven thousand eighty-five dollars for the fiscal year ending June 30,
11030 2013, and each fiscal year thereafter. The per pupil grant for each
11031 enrolled student who is a resident of the district that enrolls at least
11032 fifty-five per cent of the school's students shall be three thousand
11033 dollars.

11034 (C) For the fiscal year ending June 30, 2015, and each fiscal year
11035 thereafter, each interdistrict magnet school operated by a regional
11036 educational service center that began operations for the school year
11037 commencing July 1, 2001, and that for the school year commencing
11038 July 1, 2008, enrolled at least fifty-five per cent, but no more than

11039 eighty per cent of the school's students from a single town shall receive
11040 a per pupil grant (i) for each enrolled student who is a resident of the
11041 district that enrolls at least fifty-five per cent, but no more than eighty
11042 per cent of the school's students, up to an amount equal to the total
11043 number of such enrolled students as of October 1, 2013, using the data
11044 of record, in the amount of eight thousand one hundred eighty dollars,
11045 (ii) for each enrolled student who is a resident of the district that
11046 enrolls at least fifty-five per cent, but not more than eighty per cent of
11047 the school's students, in an amount greater than the total number of
11048 such enrolled students as of October 1, 2013, using the data of record,
11049 in the amount of three thousand dollars, (iii) for each enrolled student
11050 who is not a resident of the district that enrolls at least fifty-five per
11051 cent, but no more than eighty per cent of the school's students, up to an
11052 amount equal to the total number of such enrolled students as of
11053 October 1, 2013, using the data of record, in the amount of eight
11054 thousand one hundred eighty dollars, and (iv) for each enrolled
11055 student who is not a resident of the district that enrolls at least fifty-
11056 five per cent, but not more than eighty per cent of the school's
11057 students, in an amount greater than the total number of such enrolled
11058 students as of October 1, 2013, using the data of record, in the amount
11059 of seven thousand eighty-five dollars.

11060 (D) **[**Each**]** <u>(i) Except as otherwise provided in subparagraph (D)(ii)</u>
11061 <u>of this subparagraph, each</u> interdistrict magnet school operated by **[**(i)**]**
11062 <u>(I)</u> a regional educational service center, **[**(ii)**]** <u>(II)</u> the Board of Trustees
11063 of the Community-Technical Colleges on behalf of a regional
11064 community-technical college, **[**(iii)**]** <u>(III)</u> the Board of Trustees of the
11065 Connecticut State University System on behalf of a state university,
11066 **[**(iv)**]** <u>(IV)</u> the Board of Trustees for The University of Connecticut on
11067 behalf of the university, **[**(v)**]** <u>(V)</u> the board of governors for an
11068 independent institution of higher education, as defined in subsection
11069 (a) of section 10a-173, or the equivalent of such a board, on behalf of
11070 the independent institution of higher education, except as otherwise
11071 provided in subparagraph (E) of this subdivision, **[**(vi)**]** <u>(VI)</u>

11072 cooperative arrangements pursuant to section 10-158a, [(vii)] (VII) any
11073 other third-party not-for-profit corporation approved by the
11074 commissioner, and [(viii)] (VIII) the Hartford school district for the
11075 operation of Great Path Academy on behalf of Manchester Community
11076 College, that enrolls less than sixty per cent of its students from
11077 Hartford pursuant to the 2008 stipulation and order for Milo Sheff, et
11078 al. v. William A. O'Neill, et al., as extended, or the 2013 stipulation and
11079 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended,
11080 shall receive a per pupil grant in the amount of [(I)] nine thousand six
11081 hundred ninety-five dollars for the fiscal year ending June 30, 2010,
11082 and [(II)] ten thousand four hundred forty-three dollars for the fiscal
11083 years ending June 30, 2011, to June 30, [2015] 2017, inclusive.

11084 (ii) For the fiscal year ending June 30, 2016, and each fiscal year
11085 thereafter, any interdistrict magnet school described in subparagraph
11086 (D)(i) of this subparagraph that enrolls less than fifty per cent of its
11087 incoming students from Hartford shall receive a per pupil grant in the
11088 amount of seven thousand nine hundred dollars for one-half of the
11089 total number of non-Hartford students enrolled in the school over fifty
11090 per cent of the total school enrollment and shall receive a per pupil
11091 grant in the amount of ten thousand four hundred forty-three dollars
11092 for the remainder of the total school enrollment.

11093 (E) [Each] For the fiscal year ending June 30, 2015, and each fiscal
11094 year thereafter, each interdistrict magnet school operated by the board
11095 of governors for an independent institution of higher education, as
11096 defined in subsection (a) of section 10a-173, or the equivalent of such a
11097 board, on behalf of the independent institution of higher education,
11098 that (i) began operations for the school year commencing July 1, 2014,
11099 (ii) enrolls less than sixty per cent of its students from Hartford
11100 pursuant to the 2008 stipulation and order for Milo Sheff, et al. v.
11101 William A. O'Neill, et al., as extended, or the 2013 stipulation and
11102 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, and
11103 (iii) enrolls students [on a trimester basis] at least half-time, shall be
11104 eligible to receive a per pupil grant (I) equal to sixty-five per cent of the

11105 grant amount determined pursuant to subparagraph (D) of this
11106 subdivision for each student who is enrolled at such school for at least
11107 two [of the three trimesters in the amount of ten thousand four
11108 hundred forty-three dollars for the fiscal year ending June 30, 2015]
11109 semesters in each school year, and (II) equal to thirty-two and one-half
11110 per cent of the grant amount determined pursuant to subparagraph
11111 (D) of this subdivision for each student who is enrolled at such school
11112 for one semester in each school year.

11113 (F) Each interdistrict magnet school operated by a local or regional
11114 board of education, pursuant to the 2008 stipulation and order for Milo
11115 Sheff, et al. v. William A. O'Neill, et al., as extended, or the 2013
11116 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
11117 shall receive a per pupil grant for each enrolled student who is not a
11118 resident of the district in the amount of (i) twelve thousand dollars for
11119 the fiscal year ending June 30, 2010, and (ii) thirteen thousand fifty-
11120 four dollars for the fiscal years ending June 30, 2011, to June 30, [2015]
11121 2017, inclusive.

11122 (G) In addition to the grants described in subparagraph (E) of this
11123 subdivision, for the fiscal year ending June 30, 2010, the commissioner
11124 may, subject to the approval of the Secretary of the Office of Policy and
11125 Management and the Finance Advisory Committee, established
11126 pursuant to section 4-93, provide supplemental grants to the Hartford
11127 school district of up to one thousand fifty-four dollars for each student
11128 enrolled at an interdistrict magnet school operated by the Hartford
11129 school district who is not a resident of such district.

11130 (H) For the fiscal year ending June 30, 2016, and each fiscal year
11131 thereafter, the half-day Greater Hartford Academy of the Arts
11132 interdistrict magnet school operated by the Capital Region Education
11133 Council shall be eligible to receive a per pupil grant equal to sixty-five
11134 per cent of the per pupil grant specified in subparagraph (A) of this
11135 subdivision.

11136 (I) For the fiscal years ending June 30, 2016, to June 30, 2018,
11137 inclusive, the half-day Greater Hartford Academy of Mathematics and
11138 Science interdistrict magnet school operated by the Capitol Region
11139 Education Council shall be eligible to receive a per pupil grant equal to
11140 six thousand seven hundred eighty-seven dollars for (i) students
11141 enrolled in grades ten to twelve, inclusive, for the fiscal year ending
11142 June 30, 2016, (ii) students enrolled in grades eleven and twelve for the
11143 fiscal year ending June 30, 2017, and (iii) students enrolled in grade
11144 twelve for the fiscal year ending June 30, 2018. For the fiscal year
11145 ending June 30, 2016, and each fiscal year thereafter, the half-day
11146 Greater Hartford Academy of Mathematics and Science interdistrict
11147 magnet school shall not be eligible for any additional grants pursuant
11148 to subsection (c) of this section.

11149 (4) The amounts of the grants determined pursuant to this
11150 subsection shall be proportionately adjusted, if necessary, within
11151 available appropriations, and in no case shall any grant pursuant to
11152 this section exceed the reasonable operating budget of the interdistrict
11153 magnet school program, less revenues from other sources. For the
11154 fiscal [year] years ending June 30, 2015, to June 30, 2017, inclusive, the
11155 department may limit payment to an interdistrict magnet school
11156 operator to an amount equal to the grant that such magnet school
11157 operator was eligible to receive based on the enrollment level of the
11158 interdistrict magnet school program on October 1, 2013. Approval of
11159 funding for enrollment above such enrollment level shall be prioritized
11160 by the department as follows: (A) Increases in enrollment in an
11161 interdistrict magnet school program that is adding planned new grade
11162 levels [; (B)] for the school years commencing July 1, 2015, and July 1,
11163 2016; (B) increases in enrollment in an interdistrict magnet school
11164 program that added planned new grade levels for the school year
11165 commencing July 1, 2014, and was funded during the fiscal year
11166 ending June 30, 2015; (C) increases in enrollment in an interdistrict
11167 magnet school program that is moving into a permanent facility for the
11168 school [year] years commencing July 1, 2014, [; (C)] to July 1, 2016,

11169 inclusive; (D) increases in enrollment in an interdistrict magnet school
11170 program to ensure compliance with subsection (a) of this section; and
11171 [(D)] (E) new enrollments for a new interdistrict magnet school
11172 program commencing operations on or after July 1, 2014, pursuant to
11173 the 2013 stipulation and order for Milo Sheff, et al. v. William A.
11174 O'Neill, et al, as extended. Any interdistrict magnet school program
11175 operating less than full-time, but at least half-time, shall be eligible to
11176 receive a grant equal to sixty-five per cent of the grant amount
11177 determined pursuant to this subsection.

11178 (5) Within available appropriations, the commissioner may make
11179 grants to the following entities that operate an interdistrict magnet
11180 school that assists the state in meeting the goals of the 2008 stipulation
11181 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended,
11182 or the goals of the 2013 stipulation and order for Milo Sheff, et al. v.
11183 William A. O'Neill, et al., as extended, as determined by the
11184 commissioner and that provide academic support programs and
11185 summer school educational programs approved by the commissioner
11186 to students participating in such interdistrict magnet school program:
11187 (A) Regional educational service centers, (B) local and regional boards
11188 of education, (C) the Board of Trustees of the Community-Technical
11189 Colleges on behalf of a regional community-technical college, (D) the
11190 Board of Trustees of the Connecticut State University System on behalf
11191 of a state university, (E) the Board of Trustees for The University of
11192 Connecticut on behalf of the university, (F) the board of governors for
11193 an independent institution of higher education, as defined in
11194 subsection (a) of section 10a-173, or the equivalent of such a board, on
11195 behalf of the independent institution of higher education, (G)
11196 cooperative arrangements pursuant to section 10-158a, and (H) any
11197 other third-party not-for-profit corporation approved by the
11198 commissioner.

11199 (6) Within available appropriations, the Commissioner of Education
11200 may make grants, in an amount not to exceed seventy-five thousand
11201 dollars, for start-up costs associated with the development of new

11202 interdistrict magnet school programs that assist the state in meeting
11203 the goals of the 2008 stipulation and order for Milo Sheff, et al. v.
11204 William A. O'Neill, et al., as extended, or the goals of the 2013
11205 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
11206 as extended, as determined by the commissioner, to the following
11207 entities that develop such a program: (A) Regional educational service
11208 centers, (B) local and regional boards of education, (C) the Board of
11209 Trustees of the Community-Technical Colleges on behalf of a regional
11210 community-technical college, (D) the Board of Trustees of the
11211 Connecticut State University System on behalf of a state university, (E)
11212 the Board of Trustees for The University of Connecticut on behalf of
11213 the university, (F) the board of governors for an independent
11214 institution of higher education, as defined in subsection (a) of section
11215 10a-173, or the equivalent of such a board, on behalf of the
11216 independent institution of higher education, (G) cooperative
11217 arrangements pursuant to section 10-158a, and (H) any other third-
11218 party not-for-profit corporation approved by the commissioner.

11219 (d) (1) Grants made pursuant to this section, except those made
11220 pursuant to subdivision (6) of subsection (c) of this section and
11221 subdivision (2) of this subsection, shall be paid as follows: Seventy per
11222 cent not later than September first and the balance not later than May
11223 first of each fiscal year. The May first payment shall be adjusted to
11224 reflect actual interdistrict magnet school program enrollment as of the
11225 preceding October first using the data of record as of the intervening
11226 March first, if the actual level of enrollment is lower than the projected
11227 enrollment stated in the approved grant application. The May first
11228 payment shall be further adjusted for the difference between the total
11229 grant received by the magnet school operator in the prior fiscal year
11230 and the revised total grant amount calculated for the prior fiscal year
11231 in cases where the aggregate financial audit submitted by the
11232 interdistrict magnet school operator pursuant to subdivision (1) of
11233 subsection (n) of this section indicates an overpayment by the
11234 department.

11235 (2) For the fiscal year ending June 30, [2015] 2016, and each fiscal
11236 year thereafter, grants made pursuant to subparagraph (E) of
11237 subdivision (3) of subsection (c) of this section shall be paid as follows:
11238 [Thirty] Fifty per cent of the amount not later than [August] September
11239 first based on estimated student enrollment [on July first, thirty per
11240 cent of the amount not later than October first based on estimated
11241 student enrollment] for the first semester on September first, and [the
11242 balance] another fifty per cent not later than May first of each fiscal
11243 year based on actual student enrollment for the second semester on
11244 February first. The May first payment shall be adjusted to reflect actual
11245 interdistrict magnet school program enrollment for those students who
11246 have been enrolled at such school for at least two [of three trimesters]
11247 semesters of the school year, using the data of record, and actual
11248 student enrollment for those students who have been enrolled at such
11249 school for only one semester, using data of record. The May first
11250 payment shall be further adjusted for the difference between the total
11251 grant received by the magnet school operator in the prior fiscal year
11252 and the revised total grant amount calculated for the prior fiscal year
11253 where the financial audit submitted by the interdistrict magnet school
11254 operator pursuant to subdivision (1) of subsection (n) of this section
11255 indicates an overpayment by the department.

11256 (e) The Department of Education may retain up to one-half of one
11257 per cent of the amount appropriated, in an amount not to exceed five
11258 hundred thousand dollars, for purposes of this section for program
11259 evaluation and administration.

11260 (f) Each local or regional school district in which an interdistrict
11261 magnet school is located shall provide the same kind of transportation
11262 to its children enrolled in such interdistrict magnet school as it
11263 provides to its children enrolled in other public schools in such local or
11264 regional school district. The parent or guardian of a child denied the
11265 transportation services required to be provided pursuant to this
11266 subsection may appeal such denial in the manner provided in sections
11267 10-186 and 10-187.

11268 (g) On or before October fifteenth of each year, the Commissioner of
11269 Education shall determine if interdistrict magnet school enrollment is
11270 below the number of students for which funds were appropriated. If
11271 the commissioner determines that the enrollment is below such
11272 number, the additional funds shall not lapse but shall be used by the
11273 commissioner for grants for interdistrict cooperative programs
11274 pursuant to section 10-74d.

11275 (h) In the case of a student identified as requiring special education,
11276 the school district in which the student resides shall: (1) Hold the
11277 planning and placement team meeting for such student and shall
11278 invite representatives from the interdistrict magnet school to
11279 participate in such meeting; and (2) pay the interdistrict magnet school
11280 an amount equal to the difference between the reasonable cost of
11281 educating such student and the sum of the amount received by the
11282 interdistrict magnet school for such student pursuant to subsection (c)
11283 of this section and amounts received from other state, federal, local or
11284 private sources calculated on a per pupil basis. Such school district
11285 shall be eligible for reimbursement pursuant to section 10-76g. If a
11286 student requiring special education attends an interdistrict magnet
11287 school on a full-time basis, such interdistrict magnet school shall be
11288 responsible for ensuring that such student receives the services
11289 mandated by the student's individualized education program whether
11290 such services are provided by the interdistrict magnet school or by the
11291 school district in which the student resides.

11292 (i) Nothing in this section shall be construed to prohibit the
11293 enrollment of nonpublic school students in an interdistrict magnet
11294 school program that operates less than full-time, provided (1) such
11295 students constitute no more than five per cent of the full-time
11296 equivalent enrollment in such magnet school program, and (2) such
11297 students are not counted for purposes of determining the amount of
11298 grants pursuant to this section and section 10-264i.

11299 (j) After accommodating students from participating districts in

11300 accordance with an approved enrollment agreement, an interdistrict
11301 magnet school operator that has unused student capacity may enroll
11302 directly into its program any interested student. A student from a
11303 district that is not participating in an interdistrict magnet school or the
11304 interdistrict student attendance program pursuant to section 10-266aa
11305 to an extent determined by the Commissioner of Education shall be
11306 given preference. The local or regional board of education otherwise
11307 responsible for educating such student shall contribute funds to
11308 support the operation of the interdistrict magnet school in an amount
11309 equal to the per student tuition, if any, charged to participating
11310 districts.

11311 (k) (1) For the fiscal year ending June 30, 2014, and each fiscal year
11312 thereafter, any tuition charged to a local or regional board of education
11313 by a regional educational service center operating an interdistrict
11314 magnet school or any tuition charged by the Hartford school district
11315 operating the Great Path Academy on behalf of Manchester
11316 Community College for any student enrolled in kindergarten to grade
11317 twelve, inclusive, in such interdistrict magnet school shall be in an
11318 amount equal to the difference between (A) the average per pupil
11319 expenditure of the magnet school for the prior fiscal year, and (B) the
11320 amount of any per pupil state subsidy calculated under subsection (c)
11321 of this section plus any revenue from other sources calculated on a per
11322 pupil basis. If any such board of education fails to pay such tuition, the
11323 commissioner may withhold from such board's town or towns a sum
11324 payable under section 10-262i in an amount not to exceed the amount
11325 of the unpaid tuition to the magnet school and pay such money to the
11326 fiscal agent for the magnet school as a supplementary grant for the
11327 operation of the interdistrict magnet school program. In no case shall
11328 the sum of such tuitions exceed the difference between (i) the total
11329 expenditures of the magnet school for the prior fiscal year, and (ii) the
11330 total per pupil state subsidy calculated under subsection (c) of this
11331 section plus any revenue from other sources. The commissioner may
11332 conduct a comprehensive financial review of the operating budget of a

11333 magnet school to verify such tuition rate.

11334 (2) (A) For the fiscal years ending June 30, 2013, and June 30, 2014, a
11335 regional educational service center operating an interdistrict magnet
11336 school offering a preschool program that is not located in the Sheff
11337 region may charge tuition to the Department of Education for a child
11338 enrolled in such preschool program in an amount not to exceed an
11339 amount equal to the difference between (i) the average per pupil
11340 expenditure of the preschool program offered at the magnet school for
11341 the prior fiscal year, and (ii) the amount of any per pupil state subsidy
11342 calculated under subsection (c) of this section plus any revenue from
11343 other sources calculated on a per pupil basis. The commissioner may
11344 conduct a comprehensive financial review of the operating budget of
11345 any such magnet school charging such tuition to verify such tuition
11346 rate. For purposes of this subdivision, "Sheff region" means the school
11347 districts for the towns of Avon, Bloomfield, Canton, East Granby, East
11348 Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby,
11349 Hartford, Manchester, Newington, Rocky Hill, Simsbury, South
11350 Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor and
11351 Windsor Locks.

11352 (B) For the fiscal year ending June 30, 2015, **[**and each fiscal year
11353 thereafter,**]** a regional educational service center operating an
11354 interdistrict magnet school offering a preschool program that is not
11355 located in the Sheff region may charge tuition to the parent or
11356 guardian of a child enrolled in such preschool program in an amount
11357 that is in accordance with the sliding tuition scale adopted by the State
11358 Board of Education pursuant to section 10-264p, as amended by this
11359 act. The Department of Education shall be financially responsible for
11360 any unpaid portion of the tuition not charged to such parent or
11361 guardian under such sliding tuition scale. Such tuition shall not exceed
11362 an amount equal to the difference between (i) the average per pupil
11363 expenditure of the preschool program offered at the magnet school for
11364 the prior fiscal year, and (ii) the amount of any per pupil state subsidy
11365 calculated under subsection (c) of this section plus any revenue from

11366 other sources calculated on a per pupil basis. The commissioner may
11367 conduct a comprehensive financial review of the operating budget of
11368 any such magnet school charging such tuition to verify such tuition
11369 rate.

11370 (C) For the fiscal year ending June 30, 2016, and each fiscal year
11371 thereafter, a regional educational service center operating an
11372 interdistrict magnet school offering a preschool program that is not
11373 located in the Sheff region shall charge tuition to the parent or
11374 guardian of a child enrolled in such preschool program in an amount
11375 up to four thousand fifty-three dollars, except such regional
11376 educational service center shall not charge tuition to such parent or
11377 guardian with a family income at or below seventy-five per cent of the
11378 state median income. The Department of Education shall, within
11379 available appropriations, be financially responsible for any unpaid
11380 tuition charged to such parent or guardian with a family income at or
11381 below seventy-five per cent of the state median income. The
11382 commissioner may conduct a comprehensive financial review of the
11383 operating budget of any such magnet school charging such tuition to
11384 verify such tuition rate.

11385 (l) A participating district shall provide opportunities for its
11386 students to attend an interdistrict magnet school in a number that is at
11387 least equal to the number specified in any written agreement with an
11388 interdistrict magnet school operator or in a number that is at least
11389 equal to the average number of students that the participating district
11390 enrolled in such magnet school during the previous three school years.

11391 (m) (1) On or before May 15, 2010, and annually thereafter, each
11392 interdistrict magnet school operator shall provide written notification
11393 to any school district that is otherwise responsible for educating a
11394 student who resides in such school district and will be enrolled in an
11395 interdistrict magnet school under the operator's control for the
11396 following school year. Such notification shall include the number of
11397 any such students, by grade, who will be enrolled in an interdistrict

11398 magnet school under the control of such operator, the name of the
11399 school in which such student has been placed and the amount of
11400 tuition to be charged to the local or regional board of education for
11401 such student. Such notification shall represent an estimate of the
11402 number of students expected to attend such interdistrict magnet
11403 schools in the following school year, but shall not be deemed to limit
11404 the number of students who may enroll in such interdistrict magnet
11405 schools for such year.

11406 (2) Not later than two weeks following an enrollment lottery for an
11407 interdistrict magnet school conducted by a magnet school operator, the
11408 parent or guardian of a student (A) who will enroll in such interdistrict
11409 magnet school in the following school year, or (B) whose name has
11410 been placed on a waiting list for enrollment in such interdistrict
11411 magnet school for the following school year, shall provide written
11412 notification of such prospective enrollment or waiting list placement to
11413 the school district in which such student resides and is otherwise
11414 responsible for educating such student.

11415 (n) (1) Each interdistrict magnet school operator shall annually file
11416 with the Commissioner of Education, at such time and in such manner
11417 as the commissioner prescribes, (A) a financial audit for each
11418 interdistrict magnet school operated by such operator, and (B) an
11419 aggregate financial audit for all of the interdistrict magnet schools
11420 operated by such operator.

11421 (2) Annually, the commissioner shall randomly select one
11422 interdistrict magnet school operated by a regional educational service
11423 center to be subject to a comprehensive financial audit conducted by
11424 an auditor selected by the commissioner. The regional educational
11425 service center shall be responsible for all costs associated with the
11426 audit conducted pursuant to the provisions of this subdivision.

11427 (o) For the school years commencing July 1, 2009, to July 1, **[**2014**]**
11428 2016, inclusive, any local or regional board of education operating an

interdistrict magnet school pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William O'Neill, et al., as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, shall not charge tuition for any student enrolled in a preschool program or in kindergarten to grade twelve, inclusive, in an interdistrict magnet school operated by such school district, except the Hartford school district may charge tuition for any student enrolled in the Great Path Academy.

(p) For the fiscal years ending June 30, 2016, and June 30, 2017, if the East Hartford school district has greater than seven per cent of its resident students, as defined in section 10-262f, enrolled in an interdistrict magnet school program, then the board of education for the town of East Hartford shall not be financially responsible for four thousand four hundred dollars of the portion of the per student tuition charged for each such student in excess of such seven per cent. The Department of Education shall, within available appropriations, be financially responsible for such excess per student tuition. Notwithstanding the provisions of this subsection, for the fiscal years ending June 30, 2016, and June 30, 2017, the amount of the grants payable to the board of education for the town of East Hartford in accordance with this subsection shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this subsection.

Sec. 311. Section 10-266ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) For the fiscal year ending June 30, 2015, **[**and each fiscal year thereafter,**]** the Department of Education shall award, within available appropriations, a grant in an amount not to exceed two hundred fifty thousand dollars to the Hartford school district for program development and expansion of the Dr. Joseph S. Renzulli Gifted and Talented Academy to assist the state in meeting the goals of the 2013 stipulation for Milo Sheff, et al. v. William O'Neill, et al. Application

11461 for such grant funds awarded pursuant to this section shall be
11462 submitted [annually] to the Commissioner of Education at such time
11463 and in such manner as the commissioner prescribes.

11464 (b) For the school year commencing July 1, 2014, [and each school
11465 year thereafter,] any student who is not a resident of the Hartford
11466 school district may apply for enrollment in the Dr. Joseph S. Renzulli
11467 Gifted and Talented Academy, provided such student is eligible for
11468 enrollment under the school's admissions policies. Any such student
11469 enrolled in the Dr. Joseph S. Renzulli Gifted and Talented Academy
11470 shall be so enrolled as a participant in the interdistrict public school
11471 attendance program pursuant to section 10-266aa.

11472 (c) Grants awarded under this section shall supplement other grant
11473 awards to which the Dr. Joseph S. Renzulli Gifted and Talented
11474 Academy is entitled and shall not reduce such academy's eligibility for
11475 any other grant that such academy may be entitled to receive.

11476 Sec. 312. Subsection (a) of section 10-266dd of the general statutes is
11477 repealed and the following is substituted in lieu thereof (*Effective July*
11478 *1, 2015*):

11479 (a) For purposes of this section, "Sheff Lighthouse School" has the
11480 same meaning as "Lighthouse Schools", as defined in the 2013
11481 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al,
11482 as extended.

11483 Sec. 313. Subdivision (1) of subsection (a) of section 10-264i of the
11484 general statutes is repealed and the following is substituted in lieu
11485 thereof (*Effective July 1, 2015*):

11486 (a) (1) (A) A local or regional board of education, (B) a regional
11487 educational service center, (C) the Board of Trustees of the
11488 Community-Technical Colleges on behalf of Quinebaug Valley
11489 Community College and Three Rivers Community College, (D) a
11490 cooperative arrangement pursuant to section 10-158a, or (E) to assist

11491 the state in meeting the goals of the 2008 stipulation and order for Milo
11492 Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the
11493 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
11494 al., as extended, as determined by the Commissioner of Education, (i)
11495 the Board of Trustees of the Community-Technical Colleges on behalf
11496 of a regional community-technical college, (ii) the Board of Trustees of
11497 the Connecticut State University System on behalf of a state university,
11498 (iii) the Board of Trustees for The University of Connecticut on behalf
11499 of the university, (iv) the board of governors for an independent
11500 institution of higher education, as defined in subsection (a) of section
11501 10a-173, or the equivalent of such a board, on behalf of the
11502 independent institution of higher education, and (v) any other third-
11503 party not-for-profit corporation approved by the commissioner which
11504 transports a child to an interdistrict magnet school program, as defined
11505 in section 10-264*l*, in a town other than the town in which the child
11506 resides shall be eligible pursuant to section 10-264e to receive a grant
11507 for the cost of transporting such child in accordance with this section.

11508 Sec. 314. Subdivision (3) of subsection (a) of section 10-264i of the
11509 general statutes is repealed and the following is substituted in lieu
11510 thereof (*Effective July 1, 2015*):

11511 (3) For districts assisting the state in meeting the goals of the 2008
11512 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
11513 as extended, or the goals of the 2013 stipulation and order for Milo
11514 Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by
11515 the commissioner, (i) for the fiscal year ending June 30, 2010, the
11516 amount of such grant shall not exceed an amount equal to the number
11517 of such children transported multiplied by one thousand four hundred
11518 dollars, and (ii) for the fiscal years ending June 30, 2011, to June 30,
11519 **[**2015**]** 2017, inclusive, the amount of such grant shall not exceed an
11520 amount equal to the number of such children transported multiplied
11521 by two thousand dollars.

11522 Sec. 315. Subsection (a) of section 10-264h of the general statutes is

11523 repealed and the following is substituted in lieu thereof (*Effective July*
11524 *1, 2015*):

11525 (a) For the fiscal year ending June 30, 2012, and each fiscal year
11526 thereafter, a local or regional board of education, a regional
11527 educational service center, a cooperative arrangement pursuant to
11528 section 10-158a, or any of the following entities that operate an
11529 interdistrict magnet school that assists the state in meeting the goals of
11530 the 2008 stipulation and order for Milo Sheff, et al. v. William A.
11531 O'Neill, et al., as extended, or the goals of the 2013 stipulation and
11532 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as
11533 determined by the Commissioner of Education: (1) The Board of
11534 Trustees of the Community-Technical Colleges on behalf of a regional
11535 community-technical college, (2) the Board of Trustees of the
11536 Connecticut State University System on behalf of a state university, (3)
11537 the Board of Trustees for The University of Connecticut on behalf of
11538 the university, (4) the board of governors for an independent
11539 institution of higher education, as defined in subsection (a) of section
11540 10a-173, or the equivalent of such a board, on behalf of the
11541 independent institution of higher education, and (5) any other third-
11542 party not-for-profit corporation approved by the Commissioner of
11543 Education, may be eligible for reimbursement, except as otherwise
11544 provided for, up to eighty per cent of the eligible cost of any capital
11545 expenditure for the purchase, construction, extension, replacement,
11546 leasing or major alteration of interdistrict magnet school facilities,
11547 including any expenditure for the purchase of equipment, in
11548 accordance with this section. To be eligible for reimbursement under
11549 this section a magnet school construction project shall meet the
11550 requirements for a school building project established in chapter 173,
11551 except that the Commissioner of Administrative Services, in
11552 consultation with the Commissioner of Education, may waive any
11553 requirement in said chapter for good cause. On and after July 1, 2011,
11554 the Commissioner of Administrative Services shall approve only
11555 applications for reimbursement under this section that the

11556 Commissioner of Education finds will reduce racial, ethnic and
11557 economic isolation. Applications for reimbursement under this section
11558 for the construction of new interdistrict magnet schools shall not be
11559 accepted until the Commissioner of Education develops a
11560 comprehensive state-wide interdistrict magnet school plan, in
11561 accordance with the provisions of subdivision (1) of subsection (b) of
11562 section 10-264*l*, unless the Commissioner of Education determines that
11563 such construction will assist the state in meeting the goals of the 2008
11564 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
11565 as extended, or the goals of the 2013 stipulation and order for Milo
11566 Sheff, et al. v. William A. O'Neill, et al., as extended.

11567 Sec. 316. (*Effective July 1, 2015*) (a) Notwithstanding the provisions of
11568 sections 10-285a and 10-264h of the general statutes or any regulation
11569 adopted by the State Board of Education or the Department of
11570 Administrative Services concerning the reimbursement rate for the
11571 construction of interdistrict magnet schools, the Capitol Region
11572 Education Council may use ninety-five per cent as the reimbursement
11573 rate for the construction of an interdistrict magnet facility on behalf of
11574 the town of Hartford for the Montessori Magnet at Moylan School,
11575 Hartford Prekindergarten Magnet School and Betances STEM Magnet
11576 School for the fiscal year beginning July 1, 2016, subject to a written
11577 contract between the town of Hartford and the Capitol Region
11578 Education Council, as approved by the Commissioner of Education,
11579 that outlines the roles, responsibilities, timelines and performance
11580 expectations for each party to the contract. The town of Hartford shall
11581 remain responsible for the local share of eligible project costs and any
11582 ineligible project costs for each project authorized in this section and
11583 shall file the notice of authorization of funding for the local share of the
11584 project costs for each project before authorization of any payment of
11585 the state share of eligible costs as required by section 10-287i of the
11586 general statutes and chapter 173 of the general statutes.

11587 (b) Notwithstanding the provisions of subsection (a) of this section
11588 and sections 10-285a and 10-264h of the general statutes or any

11589 regulation adopted by the State Board of Education or the Department
11590 of Administrative Services concerning the reimbursement rate for the
11591 construction of interdistrict magnet schools, the town of Hartford may
11592 use ninety-five per cent as the reimbursement rate for the construction
11593 of an interdistrict magnet facility for the Montessori Magnet at Moylan
11594 School, Hartford Prekindergarten Magnet School and Betances STEM
11595 Magnet School for the fiscal year beginning July 1, 2016, for any such
11596 school that it does not partner with the Capitol Region Education
11597 Council for the construction of said facility pursuant to subsection (a)
11598 of this section.

11599 Sec. 317. Subsections (a) to (c), inclusive, of section 10-264o of the
11600 general statutes are repealed and the following is substituted in lieu
11601 thereof (*Effective July 1, 2015*):

11602 (a) Notwithstanding any provision of this chapter, interdistrict
11603 magnet schools that begin operations on or after July 1, 2008, pursuant
11604 to the 2008 stipulation and order for Milo Sheff, et al. v. William A.
11605 O'Neill, et al., as extended, or the 2013 stipulation and order for Milo
11606 Sheff, et al. v. William A. O'Neill, et al., <u>as extended,</u> as determined by
11607 the Commissioner of Education, may operate without district
11608 participation agreements and enroll students from any district through
11609 a lottery designated by the commissioner.

11610 (b) For the fiscal year ending June 30, 2013, and each fiscal year
11611 thereafter, any tuition charged to a local or regional board of education
11612 by a regional educational service center operating an interdistrict
11613 magnet school assisting the state in meeting the goals of the 2008
11614 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
11615 as extended, or the goals of the 2013 stipulation and order for Milo
11616 Sheff, et al. v. William A. O'Neill, et al., <u>as extended,</u> as determined by
11617 the Commissioner of Education, for any student enrolled in
11618 kindergarten to grade twelve, inclusive, in such interdistrict magnet
11619 school shall be in an amount equal to the difference between (1) the
11620 average per pupil expenditure of the magnet school for the prior fiscal

11621 year, and (2) the amount of any per pupil state subsidy calculated
11622 under subsection (c) of section 10-264*l* plus any revenue from other
11623 sources calculated on a per pupil basis. If any such board of education
11624 fails to pay such tuition, the commissioner may withhold from such
11625 board's town or towns a sum payable under section 10-262i in an
11626 amount not to exceed the amount of the unpaid tuition to the magnet
11627 school and pay such money to the fiscal agent for the magnet school as
11628 a supplementary grant for the operation of the interdistrict magnet
11629 school program. In no case shall the sum of such tuitions exceed the
11630 difference between (A) the total expenditures of the magnet school for
11631 the prior fiscal year, and (B) the total per pupil state subsidy calculated
11632 under subsection (c) of section 10-264*l* plus any revenue from other
11633 sources. The commissioner may conduct a comprehensive review of
11634 the operating budget of a magnet school to verify such tuition rate.

11635 (c) (1) For the fiscal year ending June 30, 2013, a regional educational
11636 service center operating an interdistrict magnet school assisting the
11637 state in meeting the goals of the 2008 stipulation and order for Milo
11638 Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the
11639 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
11640 al., <u>as extended,</u> as determined by the Commissioner of Education, and
11641 offering a preschool program shall not charge tuition for a child
11642 enrolled in such preschool program.

11643 (2) For the fiscal year ending June 30, 2014, a regional educational
11644 service center operating an interdistrict magnet school assisting the
11645 state in meeting the goals of the 2008 stipulation and order for Milo
11646 Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the
11647 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et
11648 al., <u>as extended,</u> as determined by the Commissioner of Education, and
11649 offering a preschool program may charge tuition to the Department of
11650 Education for a child enrolled in such preschool program in an amount
11651 not to exceed an amount equal to the difference between (A) the
11652 average per pupil expenditure of the preschool program offered at the
11653 magnet school for the prior fiscal year, and (B) the amount of any per

11654 pupil state subsidy calculated under subsection (c) of section 10-264*l*
11655 plus any revenue from other sources calculated on a per pupil basis.
11656 The commissioner may conduct a comprehensive review of the
11657 operating budget of any such magnet school charging such tuition to
11658 verify such tuition rate.

11659 (3) For the fiscal year ending June 30, 2015, **[**and each fiscal year
11660 thereafter,**]** a regional educational service center operating an
11661 interdistrict magnet school assisting the state in meeting the goals of
11662 the 2008 stipulation and order for Milo Sheff, et al. v. William A.
11663 O'Neill, et al., as extended, or the goals of the 2013 stipulation and
11664 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as
11665 determined by the Commissioner of Education, and offering a
11666 preschool program may charge tuition to the parent or guardian of a
11667 child enrolled in such preschool program in an amount that is in
11668 accordance with the sliding tuition scale adopted by the State Board of
11669 Education pursuant to section 10-264p, as amended by this act. The
11670 Department of Education shall be financially responsible for any
11671 unpaid portion of the tuition not charged to such parent or guardian
11672 under such sliding tuition scale. Such tuition shall not exceed an
11673 amount equal to the difference between (A) the average per pupil
11674 expenditure of the preschool program offered at the magnet school for
11675 the prior fiscal year, and (B) the amount of any per pupil state subsidy
11676 calculated under subsection (c) of section 10-264*l* plus any revenue
11677 from other sources calculated on a per pupil basis. The commissioner
11678 may conduct a comprehensive review of the operating budget of any
11679 such magnet school charging such tuition to verify such tuition rate.

11680 (4) For the fiscal year ending June 30, 2016, and each fiscal year
11681 thereafter, a regional educational service center operating an
11682 interdistrict magnet school assisting the state in meeting the goals of
11683 the 2008 stipulation and order for Milo Sheff, et al. v. William A.
11684 O'Neill, et al., as extended, or the goals of the 2013 stipulation and
11685 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as
11686 determined by the Commissioner of Education, and offering a

11687 preschool program shall charge tuition to the parent or guardian of a
11688 child enrolled in such preschool program in an amount up to four
11689 thousand fifty-three dollars, except such regional educational service
11690 center shall not charge tuition to such parent or guardian with a family
11691 income at or below seventy-five per cent of the state median income.
11692 The Department of Education shall, within available appropriations,
11693 be financially responsible for any unpaid tuition charged to such
11694 parent or guardian with a family income at or below seventy-five per
11695 cent of the state median income. The commissioner may conduct a
11696 comprehensive financial review of the operating budget of any such
11697 magnet school charging such tuition to verify such tuition rate.

11698 Sec. 318. Subsection (l) of section 10-66ee of the general statutes is
11699 repealed and the following is substituted in lieu thereof (*Effective July*
11700 *1, 2015*):

11701 (l) Within available appropriations, the state may provide a grant in
11702 an amount not to exceed seventy-five thousand dollars to any newly
11703 approved state charter school that assists the state in meeting the goals
11704 of the 2008 stipulation and order for Milo Sheff, et al. v. William A.
11705 O'Neill, et al., as extended, or the goals of the 2013 stipulation and
11706 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as
11707 determined by the Commissioner of Education, for start-up costs
11708 associated with the new charter school program.

11709 Sec. 319. Section 10-262s of the general statutes is repealed and the
11710 following is substituted in lieu thereof (*Effective July 1, 2015*):

11711 The Commissioner of Education may, to assist the state in meeting
11712 the goals of the 2008 stipulation and order for Milo Sheff, et al. v.
11713 William A. O'Neill, et al., as extended, or the goals of the 2013
11714 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
11715 as extended, transfer funds appropriated for the Sheff settlement to the
11716 following: (1) Grants for interdistrict cooperative programs pursuant
11717 to section 10-74d, (2) grants for state charter schools pursuant to

11718 section 10-66ee, (3) grants for the interdistrict public school attendance
11719 program pursuant to section 10-266aa, (4) grants for interdistrict
11720 magnet schools pursuant to section 10-264*l*, and (5) to technical high
11721 schools for programming.

11722 Sec. 320. Subdivision (5) of subsection (a) of section 10-266m of the
11723 general statutes is repealed and the following is substituted in lieu
11724 thereof (*Effective July 1, 2015*):

11725 (5) Notwithstanding the provisions of this section, the
11726 Commissioner of Education may provide grants, within available
11727 appropriations, in an amount not to exceed two thousand dollars per
11728 pupil, to local and regional boards of education and regional
11729 educational service centers that transport (A) out-of-district students to
11730 technical high schools located in Hartford, or (B) Hartford students
11731 attending a technical high school or a regional agricultural science and
11732 technology education center outside of the district, to assist the state in
11733 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.
11734 v. William A. O'Neill, et al., as extended, or the goals of the 2013
11735 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
11736 <u>as extended,</u> as determined by the commissioner, for the costs
11737 associated with such transportation.

11738 Sec. 321. Subsection (o) of section 10-266aa of the general statutes is
11739 repealed and the following is substituted in lieu thereof (*Effective July*
11740 *1, 2015*):

11741 (o) Within available appropriations, the commissioner may make
11742 grants for academic student support for programs pursuant to this
11743 section that assist the state in meeting the goals of the 2008 stipulation
11744 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended,
11745 or the goals of the 2013 stipulation and order for Milo Sheff, et al. v.
11746 William A. O'Neill, et al., <u>as extended,</u> as determined by the
11747 commissioner.

11748 Sec. 322. Subdivisions (1) and (2) of subsection (a) of section 10-283

11749 of the general statutes, as amended by section 2 of public act 15-63, are
11750 repealed and the following is substituted in lieu thereof (*Effective July*
11751 *1, 2015*):

11752 (a) (1) Each town or regional school district shall be eligible to apply
11753 for and accept grants for a school building project as provided in this
11754 chapter. Any town desiring a grant for a public school building project
11755 may, by vote of its legislative body, authorize the board of education of
11756 such town to apply to the Commissioner of Administrative Services
11757 and to accept or reject such grant for the town. Any regional school
11758 board may vote to authorize the supervising agent of the regional
11759 school district to apply to the Commissioner of Administrative
11760 Services for and to accept or reject such grant for the district.
11761 Applications for such grants under this chapter shall be made by the
11762 superintendent of schools of such town or regional school district on
11763 the form provided and in the manner prescribed by the Commissioner
11764 of Administrative Services. The application form shall require the
11765 superintendent of schools to affirm that the school district considered
11766 the maximization of natural light, the use and feasibility of wireless
11767 connectivity technology and, on and after July 1, 2014, the school
11768 safety infrastructure standards, developed by the School Safety
11769 Infrastructure Council, pursuant to section 10-292r, in projects for new
11770 construction and alteration or renovation of a school building. The
11771 Commissioner of Administrative Services shall review each grant
11772 application for a school building project for compliance with
11773 educational requirements and on the basis of categories for building
11774 projects established by the Commissioner of Administrative Services in
11775 accordance with this section. The Commissioner of Education shall
11776 evaluate, if appropriate, whether the project will assist the state in
11777 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.
11778 v. William A. O'Neill, et al., as extended, or the goals of the 2013
11779 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al,
11780 as extended. The Commissioner of Administrative Services shall
11781 consult with the Commissioner of Education in reviewing grant

11782 applications submitted for purposes of subsection (a) of section 10-65
11783 or section 10-76e on the basis of the educational needs of the applicant.
11784 The Commissioner of Administrative Services shall review each grant
11785 application for a school building project for compliance with standards
11786 for school building projects pursuant to regulations, adopted in
11787 accordance with section 10-287c, and, on and after July 1, 2014, the
11788 school safety infrastructure standards, developed by the School Safety
11789 Infrastructure Council pursuant to section 10-292r. Notwithstanding
11790 the provisions of this chapter, the Board of Trustees of the
11791 Community-Technical Colleges on behalf of Quinebaug Valley
11792 Community College and Three Rivers Community College and the
11793 following entities that will operate an interdistrict magnet school that
11794 will assist the state in meeting the goals of the 2008 stipulation and
11795 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or
11796 the goals of the 2013 stipulation and order for Milo Sheff, et al. v.
11797 William A. O'Neill, et al., as extended, as determined by the
11798 Commissioner of Education, may apply for and shall be eligible to
11799 receive grants for school building projects pursuant to section 10-264h
11800 for such a school: (A) The Board of Trustees of the Community-
11801 Technical Colleges on behalf of a regional community-technical
11802 college, (B) the Board of Trustees of the Connecticut State University
11803 System on behalf of a state university, (C) the Board of Trustees for The
11804 University of Connecticut on behalf of the university, (D) the board of
11805 governors for an independent institution of higher education, as
11806 defined in subsection (a) of section 10a-173, or the equivalent of such a
11807 board, on behalf of the independent institution of higher education, (E)
11808 cooperative arrangements pursuant to section 10-158a, and (F) any
11809 other third-party not-for-profit corporation approved by the
11810 Commissioner of Education.

11811 (2) The Commissioner of Education shall assign each school
11812 building project to a category on the basis of whether such project is
11813 primarily required to: (A) Create new facilities or alter existing
11814 facilities to provide for mandatory instructional programs pursuant to

11815 this chapter, for physical education facilities in compliance with Title
11816 IX of the Elementary and Secondary Education Act of 1972 where such
11817 programs or such compliance cannot be provided within existing
11818 facilities or for the correction of code violations which cannot be
11819 reasonably addressed within existing program space; (B) create new
11820 facilities or alter existing facilities to enhance mandatory instructional
11821 programs pursuant to this chapter or provide comparable facilities
11822 among schools to all students at the same grade level or levels within
11823 the school district unless such project is otherwise explicitly included
11824 in another category pursuant to this section; and (C) create new
11825 facilities or alter existing facilities to provide supportive services,
11826 provided in no event shall such supportive services include swimming
11827 pools, auditoriums, outdoor athletic facilities, tennis courts,
11828 elementary school playgrounds, site improvement or garages or
11829 storage, parking or general recreation areas. All applications submitted
11830 prior to July first shall be reviewed promptly by the Commissioner of
11831 Administrative Services. The Commissioner of Administrative Services
11832 shall estimate the amount of the grant for which such project is
11833 eligible, in accordance with the provisions of section 10-285a, provided
11834 an application for a school building project determined by the
11835 Commissioner of Education to be a project that will assist the state in
11836 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.
11837 v. William A. O'Neill, et al., as extended, or the goals of the 2013
11838 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,
11839 <u>as extended,</u> shall have until September first to submit an application
11840 for such a project and may have until December first of the same year
11841 to secure and report all local and state approvals required to complete
11842 the grant application. The Commissioner of Administrative Services
11843 shall annually prepare a listing of all such eligible school building
11844 projects listed by category together with the amount of the estimated
11845 grants for such projects and shall submit the same to the Governor, the
11846 Secretary of the Office of Policy and Management and the General
11847 Assembly on or before the fifteenth day of December, except as
11848 provided in section 10-283a, with a request for authorization to enter

11849 into grant commitments. On or before December thirty-first annually,
11850 the Secretary of the Office of Policy and Management shall submit
11851 comments and recommendations regarding each eligible project on
11852 such listing of eligible school building projects to the school
11853 construction committee, established pursuant to section 10-283a. Each
11854 such listing submitted after December 15, 2005, until December 15,
11855 2010, inclusive, shall include a separate schedule of authorized projects
11856 which have changed in scope or cost to a degree determined by the
11857 Commissioner of Education once, and a separate schedule of
11858 authorized projects which have changed in scope or cost to a degree
11859 determined by said commissioner twice. Any such listing submitted
11860 after December 15, 2010, until December 15, 2011, inclusive, shall
11861 include a separate schedule of authorized projects which have changed
11862 in scope or cost to a degree determined by the Commissioner of
11863 Administrative Services once, and a separate schedule of authorized
11864 projects which have changed in scope or cost to a degree determined
11865 by said commissioner twice. For the period beginning July 1, 2011, and
11866 ending December 31, 2013, each such listing shall include a report on
11867 the review conducted by the Commissioner of Education of the
11868 enrollment projections for each such eligible project. On and after
11869 January 1, 2014, each such listing shall include a report on the review
11870 conducted by the Commissioner of Administrative Services of the
11871 enrollment projections for each such eligible project. For the period
11872 beginning July 1, 2006, and ending June 30, 2012, no project, other than
11873 a project for a technical high school, may appear on the separate
11874 schedule of authorized projects which have changed in cost more than
11875 twice. On and after July 1, 2012, no project, other than a project for a
11876 technical high school, may appear on the separate schedule of
11877 authorized projects which have changed in cost more than once, except
11878 the Commissioner of Administrative Services may allow a project to
11879 appear on such separate schedule of authorized projects a second time
11880 if the town or regional school district for such project can demonstrate
11881 that exigent circumstances require such project to appear a second time
11882 on such separate schedule of authorized projects. Notwithstanding any

11883 provision of this chapter, no projects which have changed in scope or
11884 cost to the degree determined by the Commissioner of Administrative
11885 Services, in consultation with the Commissioner of Education, shall be
11886 eligible for reimbursement under this chapter unless it appears on such
11887 list. The percentage determined pursuant to section 10-285a at the time
11888 a school building project on such schedule was originally authorized
11889 shall be used for purposes of the grant for such project. On and after
11890 July 1, 2006, a project that was not previously authorized as an
11891 interdistrict magnet school shall not receive a higher percentage for
11892 reimbursement than that determined pursuant to section 10-285a at the
11893 time a school building project on such schedule was originally
11894 authorized. The General Assembly shall annually authorize the
11895 Commissioner of Administrative Services to enter into grant
11896 commitments on behalf of the state in accordance with the
11897 commissioner's categorized listing for such projects as the General
11898 Assembly shall determine. The Commissioner of Administrative
11899 Services may not enter into any such grant commitments except
11900 pursuant to such legislative authorization. Any regional school district
11901 which assumes the responsibility for completion of a public school
11902 building project shall be eligible for a grant pursuant to subdivision (5)
11903 or (6), as the case may be, of subsection (a) of section 10-286 when such
11904 project is completed and accepted by such regional school district.

11905 Sec. 323. Subsection (c) of section 10-283 of the general statutes is
11906 repealed and the following is substituted in lieu thereof (*Effective July*
11907 *1, 2015*):

11908 (c) No school building project shall be added to the list prepared by
11909 the Commissioner of Administrative Services pursuant to subsection
11910 (a) of this section after such list is submitted to the committee of the
11911 General Assembly appointed pursuant to section 10-283a unless (1) the
11912 project is for a school placed on probation by the New England
11913 Association of Schools and Colleges and the project is necessary to
11914 preserve accreditation, (2) the project is necessary to replace a school
11915 building for which a state agency issued a written notice of its intent to

take the school property for public purpose, (3) it is a school building project determined by the Commissioner of Education to be a project that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended. The provisions of this subsection shall not apply to projects previously authorized by the General Assembly that require special legislation to correct procedural deficiencies.

Sec. 324. Section 10-264p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

For the fiscal year ending June 30, 2015, **[**and each fiscal year thereafter,**]** the Department of Education, in consultation with the Department of Social Services, shall develop a sliding tuition scale based on family income to be used in the calculation of the amount that a regional educational service center operating an interdistrict magnet school offering a preschool program may charge for tuition to the parent or guardian of a child enrolled in such preschool program pursuant to section 10-264*l* or 10-264o, as amended by this act.

Sec. 325. (NEW) (*Effective July 1, 2015*) Notwithstanding subdivision (3) of subsection (b) of section 10-264*l* of the general statutes, an interdistrict magnet school program that (1) does not assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the Commissioner of Education, and (2) is not in compliance with the enrollment requirements for students of racial minorities, pursuant to section 10-264*l* of the general statutes, following the submission of student information data of such interdistrict magnet school program to the state-wide public school information system, pursuant to section 10-10a of the general statutes, on or before October 1, 2015, shall remain eligible for an interdistrict

magnet school operating grant pursuant to section 10-264*l* of the general statutes, if such interdistrict magnet school program submits a compliance plan to the Commissioner of Education and the commissioner approves such plan.

Sec. 326. Section 5-198 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

The offices and positions filled by the following-described incumbents shall be exempt from the classified service:

(1) All officers and employees of the Judicial Department;

(2) All officers and employees of the Legislative Department;

(3) All officers elected by popular vote;

(4) All agency heads, members of boards and commissions and other officers appointed by the Governor;

(5) All persons designated by name in any special act to hold any state office;

(6) All officers, noncommissioned officers and enlisted men in the military or naval service of the state and under military or naval discipline and control;

(7) (A) All correctional wardens, as provided in section 18-82, and (B) all superintendents of state institutions, the State Librarian, the president of The University of Connecticut and any other commissioner or administrative head of a state department or institution who is appointed by a board or commission responsible by statute for the administration of such department or institution;

(8) The State Historian appointed by the State Library Board;

(9) Deputies to the administrative head of each department or institution designated by statute to act for and perform all of the duties

11975 of such administrative head during such administrative head's absence
11976 or incapacity;

11977 (10) Executive assistants to each state elective officer and each
11978 department head, as defined in section 4-5, provided (A) each position
11979 of executive assistant shall have been created in accordance with
11980 section 5-214, and (B) in no event shall the Commissioner of
11981 Administrative Services or the Secretary of the Office of Policy and
11982 Management approve more than four executive assistants for a
11983 department head;

11984 (11) One personal secretary to the administrative head and to each
11985 undersecretary or deputy to such head of each department or
11986 institution;

11987 (12) All members of the professional and technical staffs of the
11988 constituent units of the state system of higher education, as defined in
11989 section 10a-1, of all other state institutions of learning, of the Board of
11990 Regents for Higher Education, and of the agricultural experiment
11991 station at New Haven, professional and managerial employees of the
11992 Department of Education <u>and the Office of Early Childhood</u> and
11993 teachers certified by the State Board of Education and employed in
11994 teaching positions at state institutions;

11995 (13) Physicians, dentists, student nurses in institutions and other
11996 professional specialists who are employed on a part-time basis;

11997 (14) Persons employed to make or conduct a special inquiry,
11998 investigation, examination or installation;

11999 (15) Students in educational institutions who are employed on a
12000 part-time basis;

12001 (16) Forest fire wardens provided for by section 23-36;

12002 (17) Patients or inmates of state institutions who receive
12003 compensation for services rendered therein;

12004 (18) Employees of the Governor including employees working at the
12005 executive office, official executive residence at 990 Prospect Avenue,
12006 Hartford and the Washington D.C. office;

12007 (19) Persons filling positions expressly exempted by statute from the
12008 classified service;

12009 (20) Librarians employed by the State Board of Education or any
12010 constituent unit of the state system of higher education;

12011 (21) All officers and employees of the Division of Criminal Justice;

12012 (22) Professional employees in the education professions bargaining
12013 unit of the Department of Rehabilitation Services;

12014 (23) Lieutenant colonels in the Division of State Police within the
12015 Department of Emergency Services and Public Protection;

12016 (24) The Deputy State Fire Marshal within the Department of
12017 Administrative Services;

12018 (25) The chief administrative officer of the Workers' Compensation
12019 Commission;

12020 (26) Employees in the education professions bargaining unit;

12021 (27) Disability policy specialists employed by the Council on
12022 Developmental Disabilities; and

12023 (28) The director for digital media and motion picture activities in
12024 the Department of Economic and Community Development.

12025 Sec. 327. Subdivision (1) of subsection (b) of section 10-16q of the
12026 general statutes is repealed and the following is substituted in lieu
12027 thereof (*Effective July 1, 2015*):

12028 (b) (1) For the fiscal year ending June 30, 2015, and each fiscal year
12029 thereafter, the per child cost of the Office of Early Childhood school

12030 readiness program offered by a school readiness provider shall not
12031 exceed eight thousand [six] nine hundred [seventy] twenty-seven
12032 dollars.

12033 Sec. 328. Section 10-16n of the general statutes is repealed and the
12034 following is substituted in lieu thereof (*Effective July 1, 2015*):

12035 (a) The Commissioner of Early Childhood shall establish a
12036 competitive grant program to assist nonprofit agencies and local and
12037 regional boards of education, which are federal Head Start grantees, in
12038 (1) establishing extended-day and full-day, year-round, Head Start
12039 programs or expanding existing Head Start programs to extended-day
12040 or full-day, year-round programs, (2) enhancing program quality,
12041 [and] (3) increasing the number of children served in programs that are
12042 both a Head Start program and Early Head Start grantee or delegate,
12043 (4) increasing the number of Early Head Start children served above
12044 those who are federally funded, and (5) increasing the hours for
12045 children currently receiving Early Head Start services. The
12046 commissioner, after consultation with the committee established
12047 pursuant to subsection (c) of this section, shall establish criteria for the
12048 grants, provided at least twenty-five per cent of the funding for such
12049 grants shall be for the purpose of enhancing program quality.
12050 Nonprofit agencies or boards of education seeking grants pursuant to
12051 this section shall make application to the commissioner on such forms
12052 and at such times as the commissioner shall prescribe. All grants
12053 pursuant to this section shall be funded within the limits of available
12054 appropriations or otherwise from federal funds and private donations.
12055 All full-day, year-round Head Start programs funded pursuant to this
12056 section shall be in compliance with federal Head Start performance
12057 standards.

12058 (b) The Office of Early Childhood shall annually allocate to each
12059 town in which the number of children under the temporary family
12060 assistance program, as defined in subdivision (17) of section 10-262f,
12061 equals or exceeds nine hundred children, determined for the fiscal year

12062 ending June 30, 1996, an amount equal to one hundred fifty thousand
12063 dollars plus eight and one-half dollars for each child under the
12064 temporary family assistance program, provided such amount may be
12065 reduced proportionately so that the total amount awarded pursuant to
12066 this subsection does not exceed two million seven hundred thousand
12067 dollars. The office shall award grants to the local and regional boards
12068 of education for such towns and nonprofit agencies located in such
12069 towns which meet the criteria established pursuant to subsection (a) of
12070 this section to maintain the programs established or expanded with
12071 funds provided pursuant to this subsection in the fiscal years ending
12072 June 30, 1996, and June 30, 1997. Any funds remaining in the allocation
12073 to such a town after grants are so awarded shall be used to increase
12074 allocations to other such towns. Any funds remaining after grants are
12075 so awarded to boards of education and nonprofit agencies in all such
12076 towns shall be available to local and regional boards of education and
12077 nonprofit agencies in other towns in the state for grants for such
12078 purposes.

12079 (c) There is established a committee to advise the commissioner
12080 concerning the coordination, priorities for allocation and distribution,
12081 and utilization of funds for Head Start <u>and Early Head Start</u> and
12082 concerning the competitive grant program established under this
12083 section, and to evaluate programs funded pursuant to this section. The
12084 committee shall consist of the following members: (1) One member
12085 designated by the commissioner; (2) six members who are directors of
12086 Head Start programs, two from community action agency program
12087 sites or school readiness liaisons, one of whom shall be appointed by
12088 the president pro tempore of the Senate and one by the speaker of the
12089 House of Representatives, two from public school program sites, one
12090 of whom shall be appointed by the majority leader of the Senate and
12091 one by the majority leader of the House of Representatives, and two
12092 from other nonprofit agency program sites, one of whom shall be
12093 appointed by the minority leader of the Senate and one by the minority
12094 leader of the House of Representatives; (3) one member designated by

12095 the Commission on Children; (4) one member designated by the Early
12096 Childhood Cabinet, established pursuant to section 10-16z; (5) two
12097 members designated by the Head Start Association, one of whom shall
12098 be the parent of a present or former Head Start student; (6) one
12099 member designated by the Connecticut Association for Community
12100 Action who shall have expertise and experience concerning Head Start;
12101 (7) one member designated by the Region I Office of Head Start within
12102 the federal Administration of Children and Families of the Department
12103 of Health and Human Services; and (8) the director of the Head Start
12104 Collaboration Office.

12105 (d) The commissioner may adopt regulations, in accordance with
12106 the provisions of chapter 54, for purposes of this section.

12107 Sec. 329. Subsections (a) and (b) of section 10-223e of the general
12108 statutes are repealed and the following is substituted in lieu thereof
12109 (*Effective July 1, 2015*):

12110 (a) As used in this section:

12111 **[**(1) "School performance index" means the weighted sum of the
12112 subject performance indices for mathematics, reading, writing and
12113 science.

12114 (2) "School subject performance index for mathematics" means the
12115 sum of the school mastery test data of record, as defined in section 10-
12116 262f, for mathematics weighted based on: (A) The percentage of
12117 students scoring below basic, (B) the percentage of students scoring at
12118 basic, (C) the percentage of students scoring at proficient, (D) the
12119 percentage of students scoring at goal, and (E) the percentage of
12120 students scoring at advanced, except that the State Board of Education
12121 may authorize the use of alternative versions of this formula at grade
12122 levels other than elementary grade levels.

12123 (3) "School subject performance index for reading" means the sum of
12124 the school mastery test data of record, as defined in section 10-262f, for

12125 reading weighted based on: (A) The percentage of students scoring
12126 below basic, (B) the percentage of students scoring at basic, (C) the
12127 percentage of students scoring at proficient, (D) the percentage of
12128 students scoring at goal, and (E) the percentage of students scoring at
12129 advanced, except that the State Board of Education may authorize the
12130 use of alternative versions of this formula at grade levels other than
12131 elementary grade levels.

12132 (4) "School subject performance index for writing" means the sum of
12133 the school mastery test data of record, as defined in section 10-262f, for
12134 writing weighted based on: (A) The percentage of students scoring
12135 below basic, (B) the percentage of students scoring at basic, (C) the
12136 percentage of students scoring at proficient, (D) the percentage of
12137 students scoring at goal, and (E) the percentage of students scoring at
12138 advanced, except that the State Board of Education may authorize the
12139 use of alternative versions of this formula at grade levels other than
12140 elementary grade levels.

12141 (5) "School subject performance index for science" means the sum of
12142 the school mastery test data of record, as defined in section 10-262f, for
12143 science weighted based on: (A) The percentage of students scoring
12144 below basic, (B) the percentage of students scoring at basic, (C) the
12145 percentage of students scoring at proficient, (D) the percentage of
12146 students scoring at goal, and (E) the percentage of students scoring at
12147 advanced, except that the State Board of Education may authorize the
12148 use of alternative versions of this formula at grade levels other than
12149 elementary grade levels.**]**

12150 <u>(1) "Accountability index" means the score resulting from multiple</u>
12151 <u>student, school or district-level measures, as weighted by the</u>
12152 <u>Department of Education, that (A) shall include the performance index</u>
12153 <u>score and high school graduation rates, and (B) may include, but need</u>
12154 <u>not be limited to, academic growth over time, attendance and chronic</u>
12155 <u>absenteeism, postsecondary education and career readiness,</u>
12156 <u>enrollment in and graduation from institutions of higher education</u>

12157 and postsecondary education programs, civics and arts education and
12158 physical fitness.

12159 (2) "Performance index" means the score, as calculated by the
12160 Department of Education using the mastery test data of record,
12161 assigned to student subgroups, schools or districts.

12162 (3) "Mastery test data of record" has the same meaning as provided
12163 in section 10-262f, as amended by this act.

12164 [(6)] (4) "Category five schools" means schools with the lowest
12165 performance as indicated by factors set forth in the state-wide
12166 performance management and support plan, prepared pursuant to
12167 subsection (b) of this section, that may include, but are not limited to,
12168 the [school performance] accountability index. [, change in school
12169 performance index over time, growth in student achievement as
12170 measured by standardized assessments, and high school graduation
12171 and dropout rates for the entire student population and for subgroups
12172 of students.]

12173 [(7)] (5) "Category four schools" means schools with the lowest
12174 performance other than category five schools as indicated by factors
12175 set forth in the state-wide performance management and support plan,
12176 prepared pursuant to subsection (b) of this section, that may include,
12177 but are not limited to, the [school performance] accountability index. [,
12178 change in school performance index over time, growth in student
12179 achievement as measured by standardized assessments, and high
12180 school graduation and dropout rates for the entire student population
12181 and for subgroups of students.]

12182 [(8)] (6) "Category three schools" means schools with higher
12183 performance than category four and five schools, but lower
12184 performance than category one and two schools as indicated by factors
12185 set forth in the state-wide performance management and support plan,
12186 prepared pursuant to subsection (b) of this section, that may include,
12187 but are not limited to, the [school performance] accountability index. [,

12188 change in school performance index over time, growth in student
12189 achievement as measured by standardized assessments, and high
12190 school graduation and dropout rates for the entire student population
12191 and for subgroups of students.]

12192 [(9)] (7) "Category two schools" means schools that have higher
12193 performance than category three, category four and category five
12194 schools, but lower performance than category one schools as indicated
12195 by factors set forth in the state-wide performance management and
12196 support plan, prepared pursuant to subsection (b) of this section, that
12197 may include, but are not limited to, the [school performance]
12198 accountability index. [, change in school performance index over time,
12199 growth in student achievement as measured by standardized
12200 assessments, and high school graduation and dropout rates for the
12201 entire student population and for subgroups of students.]

12202 [(10)] (8) "Category one schools" means schools that have the highest
12203 performance as indicated by factors set forth in the state-wide
12204 performance management and support plan, prepared pursuant to
12205 subsection (b) of this section, that may include, but are not limited to,
12206 the [school performance] accountability index. [, change in school
12207 performance index over time, growth in student achievement as
12208 measured by standardized assessments, and high school graduation
12209 and dropout rates for the entire student population and for subgroups
12210 of students.]

12211 [(11)] (9) ["Focus schools" means schools that have a low performing
12212 subgroup of students using measures of student academic
12213 achievement and growth in the aggregate or for such subgroups over
12214 time, including any period of time prior to July 1, 2014] "Focus school"
12215 has the same meaning as "focus school" as described in the United
12216 States Department of Education's ESEA Flexibility policy document,
12217 updated June 7, 2012.

12218 (b) (1) For the school years commencing July 1, 2002, to July 1, 2011,

12219 inclusive, in conformance with the No Child Left Behind Act, P.L. 107-
12220 110, the Commissioner of Education shall prepare a state-wide
12221 education accountability plan, consistent with federal law and
12222 regulation. Such plan shall identify the schools and districts in need of
12223 improvement, require the development and implementation of
12224 improvement plans and utilize rewards and consequences.

12225 (2) For the school **[**year**]** years commencing July 1, 2012, **[**and each
12226 school year thereafter**]** to July 1, 2014, inclusive, the Department of
12227 Education shall prepare a state-wide performance management and
12228 support plan, consistent with federal law and regulation. Such plan
12229 shall (A) identify districts in need of improvement, (B) classify schools
12230 as category one, two, three, four or five schools based on their school
12231 performance index and other factors, and (C) identify focus schools.

12232 (3) For the school year commencing July 1, 2015, and each school
12233 year thereafter, the Department of Education shall prepare a state-wide
12234 performance management and support plan, consistent with federal
12235 law and regulation. Such plan shall (A) identify districts in need of
12236 improvement, (B) classify schools as category one, two, three, four or
12237 five schools based on the accountability index, and (C) identify focus
12238 schools.

12239 Sec. 330. Subsection (a) of section 10-262u of the general statutes is
12240 repealed and the following is substituted in lieu thereof (*Effective July*
12241 *1, 2015*):

12242 (a) As used in this section and section 10-262i:

12243 (1) "Alliance district" means a school district that is in a town that is
12244 among the towns with the lowest **[**district performance indices**]**
12245 accountability index scores.

12246 **[**(2) "District performance index" means the sum of the district
12247 subject performance indices for mathematics, reading, writing and
12248 science.

12249 (3) "District subject performance index for mathematics" means
12250 thirty per cent multiplied by the sum of the mastery test data of record,
12251 as defined in section 10-262f, for a district for mathematics weighted as
12252 follows: (A) Zero for the percentage of students scoring below basic,
12253 (B) twenty-five per cent for the percentage of students scoring at basic,
12254 (C) fifty per cent for the percentage of students scoring at proficient,
12255 (D) seventy-five per cent for the percentage of students scoring at goal,
12256 and (E) one hundred per cent for the percentage of students scoring at
12257 advanced.

12258 (4) "District subject performance index for reading" means thirty per
12259 cent multiplied by the sum of the mastery test data of record, as
12260 defined in section 10-262f, for a district for reading weighted as
12261 follows: (A) Zero for the percentage of students scoring below basic,
12262 (B) twenty-five per cent for the percentage of students scoring at basic,
12263 (C) fifty per cent for the percentage of students scoring at proficient,
12264 (D) seventy-five per cent for the percentage of students scoring at goal,
12265 and (E) one hundred per cent for the percentage of students scoring at
12266 advanced.

12267 (5) "District subject performance index for writing" means thirty per
12268 cent multiplied by the sum of the mastery test data of record, as
12269 defined in section 10-262f, for a district for writing weighted as
12270 follows: (A) Zero for the percentage of students scoring below basic,
12271 (B) twenty-five per cent for the percentage of students scoring at basic,
12272 (C) fifty per cent for the percentage of students scoring at proficient,
12273 (D) seventy-five per cent for the percentage of students scoring at goal,
12274 and (E) one hundred per cent for the percentage of students scoring at
12275 advanced.

12276 (6) "District subject performance index for science" means ten per
12277 cent multiplied by the sum of the mastery test data of record, as
12278 defined in section 10-262f, for a district for science weighted as follows:
12279 (A) Zero for the percentage of students scoring below basic, (B)
12280 twenty-five per cent for the percentage of students scoring at basic, (C)

12281 fifty per cent for the percentage of students scoring at proficient, (D)
12282 seventy-five per cent for the percentage of students scoring at goal,
12283 and (E) one hundred per cent for the percentage of students scoring at
12284 advanced.]

12285 (2) "Accountability index" has the same meaning as provided in
12286 section 10-223e, as amended by this act.

12287 (3) "Mastery test data of record" has the same meaning as provided
12288 in section 10-262f, as amended by this act.

12289 [(7)] (4) "Educational reform district" means a school district that is
12290 in a town that is among the ten lowest [district performance indices]
12291 accountability index scores when all towns are ranked highest to
12292 lowest in [district performance indices] accountability index scores.

12293 Sec. 331. Subdivision (16) of section 10-262f of the general statutes is
12294 repealed and the following is substituted in lieu thereof (*Effective July*
12295 *1, 2015*):

12296 (16) "Mastery test data of record" means for the school year
12297 commencing July 1, 2013, and each school year thereafter, the data of
12298 record [on the December thirty-first] subsequent to the administration
12299 of the mastery examinations pursuant to subsection (b) of section 10-
12300 14n, [or such data] as adjusted by the Department of Education
12301 pursuant to a request by a local or regional board of education [for an
12302 adjustment of the mastery test data from such examination] filed with
12303 the department not later than the [November] August thirtieth
12304 following the administration of such examination.

12305 Sec. 332. (*Effective July 1, 2015*) Not later than January 1, 2016, the
12306 Department of Education shall submit a report to the joint standing
12307 committee of the General Assembly having cognizance of matters
12308 relating to education, in accordance with the provisions of section 11-
12309 4a of the general statutes, explaining and comparing the formulas and
12310 scores of the school performance index, as defined in section 10-223e of

12311 the general statutes, revision of 1958, revised to January 1, 2015, the
12312 district performance index, as defined in section 10-262u of the general
12313 statutes, revision of 1958, revised to January 1, 2015, the accountability
12314 index, as defined in section 10-223e of the general statutes, as amended
12315 by this act, and the performance index, as defined in section 10-223e of
12316 the general statutes, as amended by this act. Such report shall include,
12317 but need not be limited to, (1) an explanation of the formula for the
12318 school performance index, district performance index, accountability
12319 index and performance index; (2) the categories of the data used in the
12320 computation of the school performance index, district performance
12321 index, accountability index and performance index; (3) an explanation
12322 of how such data is weighted in the school performance index, district
12323 performance index, accountability index and performance index; (4)
12324 the school performance index, district performance index,
12325 accountability index and performance index scores for each school
12326 district; (5) a comparison of such scores; and (6) an explanation for
12327 why the scores for the accountability index and performance index are
12328 different from the scores for the school performance index and district
12329 performance index.

12330 Sec. 333. Subdivision (2) of subsection (j) of section 10-66bb of the
12331 general statutes is repealed and the following is substituted in lieu
12332 thereof (*Effective July 1, 2015*):

12333 (2) An enrollment lottery described in subdivision (8) of subsection
12334 (d) of this section shall not be held for a local charter school that is
12335 established at a school that is among the schools with a percentage
12336 equal to or less than five per cent when all schools are ranked highest
12337 to lowest in **[**school performance**]** <u>accountability</u> index scores, as
12338 defined in section 10-223e<u>, as amended by this act</u>.

12339 Sec. 334. Subdivisions (1) and (2) of subsection (j) of section 10-223h
12340 of the general statutes are repealed and the following is substituted in
12341 lieu thereof (*Effective July 1, 2015*):

12342 (j) (1) The Commissioner of Education shall annually submit a
12343 report on the academic performance of each school participating in the
12344 commissioner's network of schools to the joint standing committee of
12345 the General Assembly having cognizance of matters relating to
12346 education, in accordance with the provisions of section 11-4a. Such
12347 report shall include, but not be limited to, (A) the [school performance]
12348 accountability index score, as defined in section 10-223e, as amended
12349 by this act, for such school, (B) trends for the [school performance]
12350 accountability index scores during the period that such school is
12351 participating in the commissioner's network of schools, (C)
12352 adjustments for subgroups of students at such school, including, but
12353 not limited to, students whose primary language is not English,
12354 students receiving special education services and students who are
12355 eligible for free or reduced price lunches, and (D) performance
12356 evaluation results in the aggregate for teachers and administrators at
12357 such school.

12358 (2) The Commissioner of Education shall annually submit a report
12359 comparing and analyzing the academic performance of all the schools
12360 participating in the commissioner's network of schools to the joint
12361 standing committee of the General Assembly having cognizance of
12362 matters relating to education, in accordance with the provisions of
12363 section 11-4a. Such report shall include, but not be limited to, (A) the
12364 [school performance] accountability index [scores] score, as defined in
12365 section 10-223e, as amended by this act, for the school, (B) trends for
12366 the [school performance] accountability indices during the period that
12367 such schools are participating in the commissioner's network of
12368 schools, (C) adjustments for subgroups of students at such schools,
12369 including, but not limited to, students whose primary language is not
12370 English, students receiving special education services and students
12371 who are eligible for free or reduced price lunches, and (D) performance
12372 evaluation results in the aggregate for teachers and administrators at
12373 such schools.

12374 Sec. 335. Section 10-223k of the general statutes is repealed and the

12375 following is substituted in lieu thereof (*Effective July 1, 2015*):

12376 The Department of Education shall annually publish and make
12377 available on the department's Internet web site (1) the state-wide
12378 performance management and support plan, as described in
12379 subsection (b) of section 10-223e, as amended by this act, (2) a list of
12380 schools ranked highest to lowest in **[**school performance**]**
12381 accountability index scores, as defined in section 10-223e, as amended
12382 by this act, (3) the formula and manner in which the **[**school
12383 performance**]** accountability index was calculated for each school, and
12384 (4) the alternative versions of the formula used to calculate the **[**school
12385 subject performance**]** accountability indices at grade levels other than
12386 elementary grade levels.

12387 Sec. 336. Subsection (a) of section 10-223f of the general statutes is
12388 repealed and the following is substituted in lieu thereof (*Effective July*
12389 *1, 2015*):

12390 (a) For the school year commencing July 1, **[**2013**]** 2015, and each
12391 school year thereafter, the Department of Education shall calculate the
12392 **[**district performance**]** accountability index, as defined in section **[**10-
12393 262u,**]** 10-223e, as amended by this act, for an alliance district, as
12394 defined in **[**said**]** section 10-262u, as amended by this act, with data
12395 from each school under the jurisdiction of the board of education for
12396 such alliance district and data from any state or local charter school, as
12397 defined in section 10-66aa, located in such alliance district, provided
12398 the local board of education for such alliance district and the state or
12399 local charter school reach mutual agreement for the inclusion of the
12400 data from the state or local charter schools and the terms of such
12401 agreement are approved by the State Board of Education.

12402 Sec. 337. (*Effective July 1, 2015*) Notwithstanding the provisions of
12403 subdivision (4) of subsection (c) of section 10-264*l* of the general
12404 statutes, as amended by this act, for the fiscal year ending June 30,
12405 2016, enrollment shall increase into a secondary permanent location as

12406 part of the expansion of the Rogers International School in the town of
12407 Stamford, as approved by the Commissioner of Education.

12408 Sec. 338. Subsection (e) of section 10-266p of the general statutes is
12409 repealed and the following is substituted in lieu thereof (*Effective July*
12410 *1, 2015*):

12411 (e) In addition to the amounts allocated pursuant to subsections (a),
12412 (c) and (d) of this section, for the fiscal year ending June 30, 2005, and
12413 each fiscal year thereafter, the State Board of Education shall allocate
12414 (1) one million five hundred thousand dollars to the town which ranks
12415 one in population pursuant to subdivision (1) of said subsection (a), (2)
12416 one million dollars to each town which ranks from two to four,
12417 inclusive, in population pursuant to said subdivision (1), (3) **[**six**]** eight
12418 hundred fifty thousand dollars to the town which ranks five in
12419 population pursuant to said subdivision (1), except for the fiscal year
12420 ending June 30, 2015, said town which ranks five in population
12421 pursuant to said subdivision (1) shall receive an allocation of eight
12422 hundred fifty thousand dollars, (4) five hundred thousand dollars to
12423 each town which ranks from six to eight, inclusive, in population
12424 pursuant to said subdivision (1), and (5) two hundred fifty thousand
12425 dollars to each of the towns described in subdivisions (2) and (3) of
12426 said subsection (a), except that the towns described in subdivision (1)
12427 of said subsection (a) shall not receive any additional allocation
12428 pursuant to subdivision (5) of this subsection if they are also described
12429 in subdivision (2) or (3) of said subsection (a).

12430 Sec. 339. (*Effective July 1, 2015*) Up to $250,000 of the unexpended
12431 balance of funds appropriated to the Department of Education, for
12432 Priority School Districts, in section 1 of public act 13-247, as amended
12433 by section 1 of public act 14-47, for the fiscal year ending June 30, 2015,
12434 shall not lapse on said date, and such funds shall continue to be
12435 available for a grant pursuant to subdivision (3) of subsection (e) of
12436 section 10-266p of the general statutes, as amended by this act, during
12437 the fiscal year ending June 30, 2016.

12438 Sec. 340. (*Effective July 1, 2015*) (a) (1) Up to $495,000 of the amount
12439 appropriated to the Department of Education, for Education
12440 Equalization Grants, in section 1 of public act 15-244, for the fiscal year
12441 ending June 30, 2016, shall be used for the purpose of funding up to
12442 forty-five seats at the Common Ground High School.

12443 (2) Up to $440,000 of the amount appropriated to the Department of
12444 Education, for Education Equalization Grants, in section 1 of public act
12445 15-244, for the fiscal year ending June 30, 2016, shall be used for the
12446 purpose of funding up to forty seats at the Highville Charter School.

12447 (b) (1) Up to $495,000 of the amount appropriated to the Department
12448 of Education, for Education Equalization Grants, in section 1 of public
12449 act 15-244, for the fiscal year ending June 30, 2017, shall be used for the
12450 purpose of funding up to forty-five seats at the Common Ground High
12451 School.

12452 (2) Up to $440,000 of the amount appropriated to the Department of
12453 Education, for Education Equalization Grants, in section 1 of public act
12454 15-244, for the fiscal year ending June 30, 2017, shall be used for the
12455 purpose of funding up to forty seats at the Highville Charter School.

12456 Sec. 341. Subsection (c) of section 10-145f of the general statutes is
12457 repealed and the following is substituted in lieu thereof (*Effective July*
12458 *1, 2015*):

12459 (c) Notwithstanding the provisions of this section and section 10-
12460 145b, the following persons shall be eligible for a nonrenewable
12461 temporary certificate: (1) A person who has resided in a state other
12462 than Connecticut during the year immediately preceding application
12463 for certification in Connecticut and meets the requirements for
12464 certification, excluding successful completion of the competency
12465 examination and subject matter assessment, if such person holds
12466 current teacher certification in a state other than Connecticut and has
12467 completed at least one year of successful teaching in another state in a
12468 public school or a nonpublic school approved by the appropriate state

12469 board of education, (2) a person who has graduated from a teacher
12470 preparation program at a college or university outside of the state and
12471 regionally accredited, and meets the requirements for certification,
12472 excluding successful completion of the competency examination and
12473 subject matter assessment, and (3) a person hired by a charter school
12474 after July first in any school year for a teaching position that school
12475 year, provided the person hired after said date could reasonably be
12476 expected to complete the requirements prescribed in subparagraphs
12477 (B) and (C) of subdivision (1) of subsection (c) of section 10-145b. The
12478 nonrenewable temporary certificate shall be valid for one year from
12479 the date it is issued, except the State Board of Education may extend a
12480 temporary certificate in the certification endorsement area of bilingual
12481 education issued under this subsection for an additional two years to a
12482 person who is employed by a local or regional board of education and
12483 providing instruction as part of a program of bilingual instruction, as
12484 defined in section 10-17e.

12485 Sec. 342. Section 10-145h of the general statutes is repealed and the
12486 following is substituted in lieu thereof (*Effective July 1, 2015*):

12487 (a) On and after July 1, **[**1999**]** 2015, the State Board of Education
12488 shall require an applicant for certification as a bilingual education
12489 teacher to demonstrate written competency in English and written and
12490 oral competency in the other language of instruction as a condition of
12491 certification. **[**Competency**]** Written competency in English shall be
12492 demonstrated by successful passage of the essential skills test
12493 approved by the State Board of Education. **[**Competency**]** Written
12494 competency in the other language shall be demonstrated on an
12495 examination, if available, of comparable difficulty as specified by the
12496 Department of Education. If such an examination is not available,
12497 competency shall be demonstrated by an appropriate alternative
12498 method as specified by the department. Oral competency in the other
12499 language shall be demonstrated by an appropriate method specified
12500 by the Department of Education.

12501 (b) On and after July 1, [2003] 2015, the State Board of Education
12502 shall require persons seeking to become (1) elementary level bilingual
12503 education teachers to [be certified] meet coursework requirements in
12504 elementary education and bilingual education, and (2) secondary level
12505 bilingual education teachers to [be certified] meet coursework
12506 requirements in both the subject area they will teach and in bilingual
12507 education. [Such dual certification requirement may be met by earning
12508 a bachelor's degree in one field and meeting the requirements for an
12509 endorsement in the other field.] The State Board of Education may
12510 issue an endorsement in bilingual education to an applicant who has
12511 (A) completed coursework requirements in (i) elementary education
12512 and bilingual education, or (ii) the subject area they will teach and
12513 bilingual education, and (B) successful passage of examination
12514 requirements for bilingual education, as approved by the State Board
12515 of Education.

12516 (c) On and after July 1, 2000, the State Board of Education shall
12517 require bilingual education teachers holding provisional educator
12518 certificates to meet the requirements of this subsection in order to
12519 qualify for a professional educator certificate to teach bilingual
12520 education. (1) Such bilingual education teachers who teach on the
12521 elementary level shall take fifteen credit hours in bilingual education
12522 and fifteen credit hours in language arts, reading and mathematics. (2)
12523 Such bilingual education teachers who teach on the middle or
12524 secondary level shall take fifteen credit hours in bilingual education
12525 and fifteen credit hours in the subject matter that they teach. Such
12526 professional educator certificate shall be valid for bilingual education
12527 and the grade level and content area of preparation.

12528 [(d) (1) Notwithstanding subsection (a) of this section, for the period
12529 from July 1, 2005, to June 30, 2010, inclusive, the State Board of
12530 Education shall require an applicant for certification as a bilingual
12531 education teacher to demonstrate competency in English and the other
12532 language of instruction as a condition of certification. Competency in
12533 English shall be demonstrated by successful passage of the oral

12534 proficiency test in English and an essential skills test approved by the
12535 State Board of Education. Oral and written competency in the other
12536 language shall be demonstrated by passage of an examination, if
12537 available, of comparable difficulty as specified by the Department of
12538 Education. If such an examination is not available, competency shall be
12539 demonstrated by an appropriate alternative method as specified by the
12540 department.

12541 (2) Notwithstanding subsection (b) of this section, for the period
12542 from July 1, 2005, to June 30, 2010, inclusive, the State Board of
12543 Education shall require persons seeking to become (A) elementary
12544 level bilingual education teachers to be certified in (i) bilingual
12545 education and achieve a satisfactory evaluation on the appropriate
12546 State Board of Education approved assessment for elementary
12547 education, or (ii) elementary education and have completed six
12548 semester hours of credit in English as a second language course work
12549 as approved by the State Board of Education, and (B) secondary level
12550 bilingual education teachers to be certified in (i) bilingual education
12551 and achieve a satisfactory evaluation on the appropriate State Board of
12552 Education approved subject area assessment, or (ii) the subject area
12553 they will teach and have completed six semester hours of credit in
12554 English as a second language course work as approved by the State
12555 Board of Education. Such certificates shall be valid for subject-specific
12556 bilingual education. Certification in elementary bilingual education
12557 shall be valid for grades kindergarten to eight, inclusive, and
12558 certification in secondary subject-specific bilingual education shall be
12559 valid for grades seven to twelve, inclusive.**]**

12560 Sec. 343. Section 10-145k of the general statutes is repealed and the
12561 following is substituted in lieu thereof (*Effective July 1, 2015*):

12562 (a) The State Board of Education shall, upon the request of a local or
12563 regional board of education, issue an international teacher permit in a
12564 subject shortage area pursuant to section 10-8b, provided the
12565 conditions for issuance of such permit pursuant to the provisions of

12566 subsections (b) and (c) of this section are met. Such permits shall be
12567 issued for one year and may be renewed for a period of up to one year,
12568 upon the request of the local or regional board of education, provided
12569 the teacher whose permit is to be renewed maintains, at the time of
12570 such renewal, a valid J-1 Visa issued by the United States Department
12571 of State at the time such permit is renewed.

12572 (b) The local or regional board of education requesting the issuance
12573 of an international teacher permit shall attest to the existence of a plan
12574 for the supervision of the teacher.

12575 (c) The teacher shall:

12576 (1) Hold a J-1 visa issued by the United States Department of State;

12577 (2) Be in the United States to teach (A) in accordance with a
12578 memorandum of understanding between Connecticut and the country
12579 from which the teacher is entering, or (B) as part of the Exchange
12580 Visitor Program administered by the United States Department of
12581 State Teacher Exchange Branch;

12582 (3) (A) Hold the equivalent of a bachelor's degree, from a regionally
12583 accredited institution of higher education, as determined by a foreign
12584 credentialing agency recognized by the Commissioner of Education,
12585 with a major in or closely related to the certification endorsement area
12586 in which the teacher is to teach, **[**or**]** (B) hold such a degree without
12587 such a major and have successfully completed the teacher assessment
12588 for the appropriate subject area, as approved by the State Board of
12589 Education<u>, or (C) have completed coursework or training prescribed</u>
12590 <u>by the State Board of Education to achieve proficiency deemed</u>
12591 <u>equivalent to a bachelor's degree, if such person will be providing</u>
12592 <u>instruction as part of a program of bilingual instruction, as defined in</u>
12593 <u>section 10-17e</u>;

12594 (4) Have completed, in the country from which the teacher is
12595 entering, the equivalent of a regionally accredited teacher preparation

program; and

(5) Have achieved the level of oral proficiency in English as determined by an examination approved by the Commissioner of Education.

Sec. 344. Subsection (a) of section 10-151b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) The superintendent of each local or regional board of education shall annually evaluate or cause to be evaluated each teacher, and for the school year commencing July 1, 2013, and each school year thereafter, such annual evaluations shall be the teacher evaluation and support program adopted pursuant to subsection (b) of this section. The superintendent may conduct additional formative evaluations toward producing an annual summative evaluation. An evaluation pursuant to this subsection shall include, but need not be limited to, strengths, areas needing improvement, strategies for improvement and multiple indicators of student academic growth. Claims of failure to follow the established procedures of such teacher evaluation and support program shall be subject to the grievance procedure in collective bargaining agreements negotiated subsequent to July 1, 2004. In the event that a teacher does not receive a summative evaluation during the school year, such teacher shall receive a "not rated" designation for such school year. The superintendent shall report (1) the status of teacher evaluations to the local or regional board of education on or before June first of each year, and (2) the status of the implementation of the teacher evaluation and support program, including the frequency of evaluations, aggregate evaluation ratings, the number of teachers who have not been evaluated and other requirements as determined by the Department of Education, to the Commissioner of Education on or before **[**June thirtieth**]** <u>September fifteenth</u> of each year. For purposes of this section, the term "teacher" shall include each professional employee of a board of education,

12628 below the rank of superintendent, who holds a certificate or permit
12629 issued by the State Board of Education.

12630 Sec. 345. Section 1 of public act 15-168 is repealed and the following
12631 is substituted in lieu thereof (*Effective July 1, 2015*):

12632 Each local or regional board of education that assigns a school
12633 resource officer to any school under the jurisdiction of such board shall
12634 enter into a memorandum of understanding with a local law
12635 enforcement agency **[**or the Division of State Police within the
12636 Department of Emergency Services and Public Protection**]** regarding
12637 the role and responsibility of such school resource officer. Such
12638 memorandum of understanding shall include provisions addressing
12639 daily interactions between students and school personnel with school
12640 resource officers and **[**may**]** shall include a graduated response model
12641 for student discipline. For the purposes of this section, "school resource
12642 officer" means a sworn police officer of a local law enforcement agency
12643 **[**or a sworn officer of the Division of State Police within the
12644 Department of Emergency Services and Public Protection**]** who has
12645 been assigned to a school pursuant to an agreement between the local
12646 or regional board of education and the chief of police of a local law
12647 enforcement agency. **[**or the commanding officer of the Division of
12648 State Police.**]**

12649 Sec. 346. (*Effective July 1, 2015*) Up to $220,818 of the amount
12650 appropriated to the Department of Education, for Magnet Schools, in
12651 section 1 of public act 15-244, for the fiscal years ending June 30, 2016,
12652 and June 30, 2017, shall be used for the purpose of defraying costs
12653 associated with interdistrict magnet school tuition charged to the town
12654 of East Hartford.

12655 Sec. 347. (*Effective from passage*) Notwithstanding the provisions of
12656 chapter 173 of the general statutes or any regulation adopted by the
12657 State Board of Education or the Department of Administrative
12658 Services, costs associated with construction-related professional

12659 service fees relating to site acquisition shall be reimbursed as eligible
12660 project costs for the new construction and purchase of site project
12661 (Project Number 027-0061 N/PS) at the Morgan School in the town of
12662 Clinton, provided such costs shall not exceed one million seven
12663 hundred thousand dollars.

12664 Sec. 348. (NEW) (*Effective July 1, 2015*) (a) Not later than September
12665 first, annually, the Secretary of the Office of Policy and Management,
12666 in consultation with the Commissioner of Public Health, shall (1)
12667 determine the amounts appropriated for the needle and syringe
12668 exchange program, AIDS services, breast and cervical cancer detection
12669 and treatment, x-ray screening and tuberculosis care, and venereal
12670 disease control; and (2) inform the Insurance Commissioner of such
12671 amounts.

12672 (b) (1) As used in this section: (A) "Health insurance" means health
12673 insurance of the types specified in subdivisions (1), (2), (4), (11) and
12674 (12) of section 38a-469 of the general statutes; and (B) "health care
12675 center" has the same meaning as provided in section 38a-175 of the
12676 general statutes.

12677 (2) Each domestic insurer or health care center doing health
12678 insurance business in this state shall annually pay to the Insurance
12679 Commissioner, for deposit in the Insurance Fund established under
12680 section 38a-52a of the general statutes, a public health fee assessed by
12681 the Insurance Commissioner pursuant to this section.

12682 (3) Not later than September first, annually, each such insurer or
12683 health care center shall report to the Insurance Commissioner, in the
12684 form and manner prescribed by said commissioner, the number of
12685 insured or enrolled lives in this state as of May first immediately
12686 preceding the date for which such insurer or health care center is
12687 providing health insurance that provides coverage of the types
12688 specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of
12689 the general statutes. Such number shall not include lives enrolled in

12690 Medicare, any medical assistance program administered by the
12691 Department of Social Services, workers' compensation insurance or
12692 Medicare Part C plans.

12693 (c) Not later than November first, annually, the Insurance
12694 Commissioner shall determine the fee to be assessed for the current
12695 fiscal year against each such insurer and health care center. Such fee
12696 shall be calculated by multiplying the number of lives reported to said
12697 commissioner pursuant to subdivision (3) of subsection (b) of this
12698 section by a factor, determined annually by said commissioner as set
12699 forth in this subsection, to fully fund the aggregate amount determined
12700 under subsection (a) of this section. The Insurance Commissioner shall
12701 determine the factor by dividing the aggregate amount by the total
12702 number of lives reported to said commissioner pursuant to subdivision
12703 (3) of subsection (b) of this section.

12704 (d) Not later than December first, annually, the Insurance
12705 Commissioner shall submit a statement to each such insurer and health
12706 care center that includes the proposed fee, identified on such statement
12707 as the "Public Health fee", for the insurer or health care center,
12708 calculated in accordance with this section. Not later than December
12709 twentieth, annually, any insurer or health care center may submit an
12710 objection to the Insurance Commissioner concerning the proposed
12711 public health fee. The Insurance Commissioner, after making any
12712 adjustment that said commissioner deems necessary, shall, not later
12713 than January first, annually, submit a final statement to each insurer
12714 and health care center that includes the final fee for the insurer or
12715 health care center. Each such insurer and health care center shall pay
12716 such fee to the Insurance Commissioner not later than February first,
12717 annually.

12718 (e) Any such insurer or health care center aggrieved by an
12719 assessment levied under this section may appeal therefrom in the same
12720 manner as provided for appeals under section 38a-52 of the general
12721 statutes.

12722 Sec. 349. Subsection (a) of section 19a-55 of the general statutes is
12723 repealed and the following is substituted in lieu thereof (*Effective July*
12724 *1, 2015*):

12725 (a) The administrative officer or other person in charge of each
12726 institution caring for newborn infants shall cause to have administered
12727 to every such infant in its care an HIV-related test, as defined in section
12728 19a-581, a test for phenylketonuria and other metabolic diseases,
12729 hypothyroidism, galactosemia, sickle cell disease, maple syrup urine
12730 disease, homocystinuria, biotinidase deficiency, congenital adrenal
12731 hyperplasia and such other tests for inborn errors of metabolism as
12732 shall be prescribed by the Department of Public Health. The tests shall
12733 be administered as soon after birth as is medically appropriate. If the
12734 mother has had an HIV-related test pursuant to section 19a-90 or 19a-
12735 593, the person responsible for testing under this section may omit an
12736 HIV-related test. The Commissioner of Public Health shall (1)
12737 administer the newborn screening program, (2) direct persons
12738 identified through the screening program to appropriate specialty
12739 centers for treatments, consistent with any applicable confidentiality
12740 requirements, and (3) set the fees to be charged to institutions to cover
12741 all expenses of the comprehensive screening program including
12742 testing, tracking and treatment. The fees to be charged pursuant to
12743 subdivision (3) of this subsection shall be set at a minimum of **[**fifty-
12744 six**]** <u>ninety-eight</u> dollars. The Commissioner of Public Health shall
12745 publish a list of all the abnormal conditions for which the department
12746 screens newborns under the newborn screening program, which shall
12747 include screening for amino acid disorders, organic acid disorders and
12748 fatty acid oxidation disorders, including, but not limited to, long-chain
12749 3-hydroxyacyl CoA dehydrogenase (L-CHAD) and medium-chain
12750 acyl-CoA dehydrogenase (MCAD).

12751 Sec. 350. Section 38a-514b of the general statutes is repealed and the
12752 following is substituted in lieu thereof (*Effective January 1, 2016*):

12753 (a) As used in this section:

12754 (1) "Applied behavior analysis" means the design, implementation
12755 and evaluation of environmental modifications, using behavioral
12756 stimuli and consequences, including the use of direct observation,
12757 measurement and functional analysis of the relationship between
12758 environment and behavior, to produce socially significant
12759 improvement in human behavior.

12760 (2) [("Autism services provider"] "Autism spectrum disorder services
12761 provider" means any person, entity or group that provides treatment
12762 for autism spectrum disorder pursuant to this section.

12763 (3) "Autism spectrum disorder" means [a pervasive developmental
12764 disorder] "autism spectrum disorder" as set forth in the most recent
12765 edition of the American Psychiatric Association's "Diagnostic and
12766 Statistical Manual of Mental Disorders". [, including, but not limited to,
12767 Autistic Disorder, Rett's Disorder, Childhood Disintegrative Disorder,
12768 Asperger's Disorder and Pervasive Developmental Disorder Not
12769 Otherwise Specified.]

12770 (4) "Behavioral therapy" means any interactive behavioral therapies
12771 derived from evidence-based research and consistent with the services
12772 and interventions designated by the Commissioner of Developmental
12773 Services pursuant to subsection (l) of section 17a-215c, as amended by
12774 this act, including, but not limited to, applied behavior analysis,
12775 cognitive behavioral therapy, or other therapies supported by
12776 empirical evidence of the effective treatment of individuals diagnosed
12777 with [an] autism spectrum disorder, that are: (A) Provided to children
12778 less than [fifteen] twenty-one years of age; and (B) provided or
12779 supervised by (i) a behavior analyst who is certified by the Behavior
12780 Analyst Certification Board, (ii) a licensed physician, or (iii) a licensed
12781 psychologist. For the purposes of this subdivision, behavioral therapy
12782 is "supervised by" such behavior analyst, licensed physician or licensed
12783 psychologist when such supervision entails at least one hour of face-to-
12784 face supervision of the autism spectrum disorder services provider by
12785 such behavior analyst, licensed physician or licensed psychologist for

12786 each ten hours of behavioral therapy provided by the supervised
12787 provider.

12788 (5) "Diagnosis" means the medically necessary assessment,
12789 evaluation or testing performed by a licensed physician, licensed
12790 psychologist or licensed clinical social worker to determine if an
12791 individual has [an] autism spectrum disorder.

12792 (b) Each group health insurance policy providing coverage of the
12793 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-
12794 469 that is delivered, issued for delivery, renewed, amended or
12795 continued in this state shall provide coverage for the diagnosis and
12796 treatment of autism spectrum disorder. [, except that coverage for an
12797 insured under such policy who has been diagnosed with autism
12798 spectrum disorder prior to the release of the fifth edition of the
12799 American Psychiatric Association's "Diagnostic and Statistical Manual
12800 of Mental Disorders" shall be provided in accordance with subsection
12801 (i) of this section.] For the purposes of this section and section 38a-513c,
12802 [an] autism spectrum disorder shall be considered an illness.

12803 (c) Such policy shall provide coverage for the following treatments,
12804 provided such treatments are (1) medically necessary, and (2)
12805 identified and ordered by a licensed physician, licensed psychologist
12806 or licensed clinical social worker for an insured who is diagnosed with
12807 [an] autism spectrum disorder, in accordance with a treatment plan
12808 developed by a behavior analyst who is certified by the Behavior
12809 Analyst Certification Board, licensed physician, licensed psychologist
12810 or licensed clinical social worker, pursuant to a comprehensive
12811 evaluation or reevaluation of the insured:

12812 (A) Behavioral therapy;

12813 (B) Prescription drugs, to the extent prescription drugs are a
12814 covered benefit for other diseases and conditions under such policy,
12815 prescribed by a licensed physician, a licensed physician assistant or an
12816 advanced practice registered nurse for the treatment of symptoms and

12817 comorbidities of autism spectrum disorder;

12818 (C) Direct psychiatric or consultative services provided by a
12819 licensed psychiatrist;

12820 (D) Direct psychological or consultative services provided by a
12821 licensed psychologist;

12822 (E) Physical therapy provided by a licensed physical therapist;

12823 (F) Speech and language pathology services provided by a licensed
12824 speech and language pathologist; and

12825 (G) Occupational therapy provided by a licensed occupational
12826 therapist.

12827 **[**(d) Such policy may limit the coverage for behavioral therapy to a
12828 yearly benefit of fifty thousand dollars for a child who is less than nine
12829 years of age, thirty-five thousand dollars for a child who is at least nine
12830 years of age and less than thirteen years of age and twenty-five
12831 thousand dollars for a child who is at least thirteen years of age and
12832 less than fifteen years of age.**]**

12833 **[**(e)**]** (d) Such policy shall not impose (1) any limits on the number of
12834 visits an insured may make to an autism spectrum disorder services
12835 provider pursuant to a treatment plan on any basis other than a lack of
12836 medical necessity, or (2) a coinsurance, copayment, deductible or other
12837 out-of-pocket expense for such coverage that places a greater financial
12838 burden on an insured for access to the diagnosis and treatment of **[**an**]**
12839 autism spectrum disorder than for the diagnosis and treatment of any
12840 other medical, surgical or physical health condition under such policy.

12841 **[**(f)**]** (e) (1) Except for treatments and services received by an insured
12842 in an inpatient setting, an insurer, health care center, hospital service
12843 corporation, medical service corporation or fraternal benefit society
12844 may review a treatment plan developed as set forth in subsection (c) of
12845 this section for such insured, in accordance with its utilization review

12846 requirements, not more than once every six months unless such
12847 insured's licensed physician, licensed psychologist or licensed clinical
12848 social worker agrees that a more frequent review is necessary or
12849 changes such insured's treatment plan.

12850 (2) For the purposes of this section, the results of a diagnosis shall be
12851 valid for a period of not less than twelve months, unless such insured's
12852 licensed physician, licensed psychologist or licensed clinical social
12853 worker determines a shorter period is appropriate or changes the
12854 results of such insured's diagnosis.

12855 **[**(g)**]** (f) Coverage required under this section may be subject to the
12856 other general exclusions and limitations of the group health insurance
12857 policy, including, but not limited to, coordination of benefits,
12858 participating provider requirements, restrictions on services provided
12859 by family or household members and case management provisions,
12860 except that any utilization review shall be performed in accordance
12861 with subsection **[**(f)**]** (e) of this section.

12862 **[**(h)**]** (g) (1) Nothing in this section shall be construed to limit or
12863 affect (A) any other covered benefits available to an insured under (i)
12864 such group health insurance policy, (ii) section 38a-514, as amended by
12865 this act, or (iii) section 38a-516a, as amended by this act, (B) any
12866 obligation to provide services to an individual under an individualized
12867 education program pursuant to section 10-76d, or (C) any obligation
12868 imposed on a public school by the Individual With Disabilities
12869 Education Act, 20 USC 1400 et seq., as amended from time to time.

12870 (2) Nothing in this section shall be construed to require such group
12871 health insurance policy to provide reimbursement for special
12872 education and related services provided to an insured pursuant to
12873 section 10-76d, unless otherwise required by state or federal law.

12874 **[**(i) Each such group health insurance policy shall maintain, for any
12875 insured diagnosed with autism spectrum disorder prior to the release
12876 of the fifth edition of the American Psychiatric Association's

12877 "Diagnostic and Statistical Manual of Mental Disorders", coverage as
12878 set forth in this section for the treatment of said disorder at the benefit
12879 levels, at a minimum, provided immediately preceding the release of
12880 the fifth edition of the American Psychiatric Association's "Diagnostic
12881 and Statistical Manual of Mental Disorders".]

12882 Sec. 351. Section 38a-488b of the general statutes is repealed and the
12883 following is substituted in lieu thereof (*Effective January 1, 2016*):

12884 (a) As used in this section:

12885 (1) "Applied behavior analysis" means the design, implementation
12886 and evaluation of environmental modifications, using behavioral
12887 stimuli and consequences, including the use of direct observation,
12888 measurement and functional analysis of the relationship between
12889 environment and behavior, to produce socially significant
12890 improvement in human behavior.

12891 (2) "Autism spectrum disorder services provider" means any person,
12892 entity or group that provides treatment for an autism spectrum
12893 disorder pursuant to this section.

12894 (3) "Autism spectrum disorder" means "autism spectrum disorder"
12895 as set forth in the most recent edition of the American Psychiatric
12896 Association's "Diagnostic and Statistical Manual of Mental Disorders".

12897 (4) "Behavioral therapy" means any interactive behavioral therapies
12898 derived from evidence-based research and consistent with the services
12899 and interventions designated by the Commissioner of Developmental
12900 Services pursuant to subsection (l) of section 17a-215c, as amended by
12901 this act, including, but not limited to, applied behavior analysis,
12902 cognitive behavioral therapy, or other therapies supported by
12903 empirical evidence of the effective treatment of individuals diagnosed
12904 with autism spectrum disorder, that are: (A) Provided to children less
12905 than twenty-one years of age; and (B) provided or supervised by (i) a
12906 behavior analyst who is certified by the Behavior Analyst Certification

12907 Board, (ii) a licensed physician, or (iii) a licensed psychologist. For the
12908 purposes of this subdivision, behavioral therapy is "supervised by"
12909 such behavior analyst, licensed physician or licensed psychologist
12910 when such supervision entails at least one hour of face-to-face
12911 supervision of the autism spectrum disorder services provider by such
12912 behavior analyst, licensed physician or licensed psychologist for each
12913 ten hours of behavioral therapy provided by the supervised provider.

12914 (5) "Diagnosis" means the medically necessary assessment,
12915 evaluation or testing performed by a licensed physician, licensed
12916 psychologist or licensed clinical social worker to determine if an
12917 individual has autism spectrum disorder.

12918 **[**(a)**]** (b) Each individual health insurance policy providing coverage
12919 of the type specified in subdivisions (1), (2), (4), (11) and (12) of section
12920 38a-469 that is delivered, issued for delivery, renewed, amended or
12921 continued in this state shall provide coverage **[**for physical therapy,
12922 speech therapy and occupational therapy services**]** for the diagnosis
12923 and treatment of autism spectrum disorder. **[**, as set forth in the most
12924 recent edition of the American Psychiatric Association's "Diagnostic
12925 and Statistical Manual of Mental Disorders", to the extent such services
12926 are a covered benefit for other diseases and conditions under such
12927 policy, except that coverage for an insured under such policy who has
12928 been diagnosed with autism spectrum disorder prior to the release of
12929 the fifth edition of the American Psychiatric Association's "Diagnostic
12930 and Statistical Manual of Mental Disorders" shall be provided in
12931 accordance with subsection (b) of this section.**]** For the purposes of this
12932 section and section 38a-482a, autism spectrum disorder shall be
12933 considered an illness.

12934 **[**(b) Each such policy shall maintain, for any insured diagnosed with
12935 autism spectrum disorder prior to the release of the fifth edition of the
12936 American Psychiatric Association's "Diagnostic and Statistical Manual
12937 of Mental Disorders", coverage for physical therapy, speech therapy
12938 and occupational therapy services for the treatment of said disorder at

12939 the benefit levels, at a minimum, provided immediately preceding the
12940 release of the fifth edition of the American Psychiatric Association's
12941 "Diagnostic and Statistical Manual of Mental Disorders".]

12942 (c) Such policy shall provide coverage for the following treatments,
12943 provided such treatments are (1) medically necessary, and (2)
12944 identified and ordered by a licensed physician, licensed psychologist
12945 or licensed clinical social worker for an insured who is diagnosed with
12946 autism spectrum disorder, in accordance with a treatment plan
12947 developed by a behavior analyst who is certified by the Behavior
12948 Analyst Certification Board, licensed physician, licensed psychologist
12949 or licensed clinical social worker, pursuant to a comprehensive
12950 evaluation or reevaluation of the insured:

12951 (A) Behavioral therapy;

12952 (B) Prescription drugs, to the extent prescription drugs are a
12953 covered benefit for other diseases and conditions under such policy,
12954 prescribed by a licensed physician, a licensed physician assistant or an
12955 advanced practice registered nurse for the treatment of symptoms and
12956 comorbidities of autism spectrum disorder;

12957 (C) Direct psychiatric or consultative services provided by a
12958 licensed psychiatrist;

12959 (D) Direct psychological or consultative services provided by a
12960 licensed psychologist;

12961 (E) Physical therapy provided by a licensed physical therapist;

12962 (F) Speech and language pathology services provided by a licensed
12963 speech and language pathologist; and

12964 (G) Occupational therapy provided by a licensed occupational
12965 therapist.

12966 (d) Such policy shall not impose (1) any limits on the number of

12967 visits an insured may make to an autism spectrum disorder services
12968 provider pursuant to a treatment plan on any basis other than a lack of
12969 medical necessity, or (2) a coinsurance, copayment, deductible or other
12970 out-of-pocket expense for such coverage that places a greater financial
12971 burden on an insured for access to the diagnosis and treatment of
12972 autism spectrum disorder than for the diagnosis and treatment of any
12973 other medical, surgical or physical health condition under such policy.

12974 (e) (1) Except for treatments and services received by an insured in
12975 an inpatient setting, an insurer, health care center, hospital service
12976 corporation, medical service corporation or fraternal benefit society
12977 may review a treatment plan developed as set forth in subsection (c) of
12978 this section for such insured, in accordance with its utilization review
12979 requirements, not more than once every six months unless such
12980 insured's licensed physician, licensed psychologist or licensed clinical
12981 social worker agrees that a more frequent review is necessary or
12982 changes such insured's treatment plan.

12983 (2) For the purposes of this section, the results of a diagnosis shall be
12984 valid for a period of not less than twelve months, unless such insured's
12985 licensed physician, licensed psychologist or licensed clinical social
12986 worker determines a shorter period is appropriate or changes the
12987 results of such insured's diagnosis.

12988 (f) Coverage required under this section may be subject to the other
12989 general exclusions and limitations of the individual health insurance
12990 policy, including, but not limited to, coordination of benefits,
12991 participating provider requirements, restrictions on services provided
12992 by family or household members and case management provisions,
12993 except that any utilization review shall be performed in accordance
12994 with subsection (e) of this section.

12995 (g) (1) Nothing in this section shall be construed to limit or affect (A)
12996 any other covered benefits available to an insured under (i) such
12997 individual health insurance policy, (ii) section 38a-488a, as amended

12998 by this act, or (iii) section 38a-490a, as amended by this act, (B) any
12999 obligation to provide services to an individual under an individualized
13000 education program pursuant to section 10-76d, or (C) any obligation
13001 imposed on a public school by the Individual With Disabilities
13002 Education Act, 20 USC 1400 et seq., as amended from time to time.

13003 (2) Nothing in this section shall be construed to require such
13004 individual health insurance policy to provide reimbursement for
13005 special education and related services provided to an insured pursuant
13006 to section 10-76d, unless otherwise required by state or federal law.

13007 Sec. 352. Section 38a-516a of the general statutes is repealed and the
13008 following is substituted in lieu thereof (*Effective January 1, 2016*):

13009 (a) Each group health insurance policy providing coverage of the
13010 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-
13011 469 delivered, issued for delivery, renewed, amended or continued in
13012 this state shall provide coverage for medically necessary early
13013 intervention services provided as part of an individualized family
13014 service plan pursuant to section 17a-248e. Such policy shall **[**(1)**]**
13015 provide coverage for such services provided by qualified personnel, as
13016 defined in section 17a-248, for a child from birth until the child's third
13017 birthday. **[**, and (2) maintain, for any insured diagnosed with autism
13018 spectrum disorder prior to the release of the fifth edition of the
13019 American Psychiatric Association's "Diagnostic and Statistical Manual
13020 of Mental Disorders", coverage for such services for the treatment of
13021 said disorder at the benefit levels, at a minimum, provided
13022 immediately preceding the release of the fifth edition of the American
13023 Psychiatric Association's "Diagnostic and Statistical Manual of Mental
13024 Disorders".**]**

13025 (b) No such policy shall impose a coinsurance, copayment,
13026 deductible or other out-of-pocket expense for such services, except that
13027 a high deductible health plan, as that term is used in subsection (f) of
13028 section 38a-520, shall not be subject to the deductible limits set forth in

13029 this section.

13030 **[**(c) Such policy shall provide a maximum benefit of six thousand
13031 four hundred dollars per child per year and an aggregate benefit of
13032 nineteen thousand two hundred dollars per child over the total three-
13033 year period, except that for a child with autism spectrum disorder, as
13034 defined in section 38a-514b, who is receiving early intervention
13035 services as defined in section 17a-248, the maximum benefit available
13036 through early intervention providers shall be fifty thousand dollars per
13037 child per year and an aggregate benefit of one hundred fifty thousand
13038 dollars per child over the total three-year period as provided for in
13039 section 38a-514b. Nothing in this section shall be construed to increase
13040 the amount of coverage required for autism spectrum disorder for any
13041 child beyond the amounts set forth in section 38a-514b. Any coverage
13042 provided for autism spectrum disorder through an individualized
13043 family service plan pursuant to section 17a-248e shall be credited
13044 toward the coverage amounts required under section 38a-514b.**]**

13045 **[**(d)**]** (c) No payment made under this section shall (1) **[**be applied
13046 by the insurer, health care center or plan administrator against or
13047 result in a loss of benefits due to any maximum lifetime or annual
13048 limits specified in the policy, (2)**]** adversely affect the availability of
13049 health insurance to the child, the child's parent or the child's family
13050 members insured under any such policy, or **[**(3)**]** (2) be a reason for the
13051 insurer, health care center or plan administrator to rescind or cancel
13052 such policy. Payments made under this section shall not be treated
13053 differently than other claim experience for purposes of premium
13054 rating.

13055 Sec. 353. Section 38a-490a of the general statutes is repealed and the
13056 following is substituted in lieu thereof (*Effective January 1, 2016*):

13057 (a) Each individual health insurance policy providing coverage of
13058 the type specified in subdivisions (1), (2), (4), (11) and (12) of section
13059 38a-469 delivered, issued for delivery, renewed, amended or continued

13060 in this state shall provide coverage for medically necessary early
13061 intervention services provided as part of an individualized family
13062 service plan pursuant to section 17a-248e. Such policy shall **[**(1)**]**
13063 provide coverage for such services provided by qualified personnel, as
13064 defined in section 17a-248, for a child from birth until the child's third
13065 birthday. **[**, and (2) maintain, for any insured diagnosed with autism
13066 spectrum disorder prior to the release of the fifth edition of the
13067 American Psychiatric Association's "Diagnostic and Statistical Manual
13068 of Mental Disorders", coverage for such services for the treatment of
13069 said disorder at the benefit levels, at a minimum, provided
13070 immediately preceding the release of the fifth edition of the American
13071 Psychiatric Association's "Diagnostic and Statistical Manual of Mental
13072 Disorders".**]**

13073 (b) No such policy shall impose a coinsurance, copayment,
13074 deductible or other out-of-pocket expense for such services, except that
13075 a high deductible health plan, as that term is used in subsection (f) of
13076 section 38a-493, shall not be subject to the deductible limits set forth in
13077 this section.

13078 **[**(c) Such policy shall provide a maximum benefit of six thousand
13079 four hundred dollars per child per year and an aggregate benefit of
13080 nineteen thousand two hundred dollars per child over the total three-
13081 year period.**]**

13082 **[**(d)**]** (c) No payment made under this section shall (1) **[**be applied
13083 by the insurer, health care center or plan administrator against or
13084 result in a loss of benefits due to any maximum lifetime or annual
13085 limits specified in the policy, (2)**]** adversely affect the availability of
13086 health insurance to the child, the child's parent or the child's family
13087 members insured under any such policy, or **[**(3)**]** (2) be a reason for the
13088 insurer, health care center or plan administrator to rescind or cancel
13089 such policy. Payments made under this section shall not be treated
13090 differently than other claim experience for purposes of premium
13091 rating.

13092 Sec. 354. Section 17a-215c of the general statutes is amended by
13093 adding subsection (l) as follows (*Effective from passage*):

13094 (NEW) (l) The Commissioner of Developmental Services, in
13095 consultation with the Autism Spectrum Disorder Advisory Council,
13096 shall designate services and interventions that demonstrate, in
13097 accordance with medically established and research-based best
13098 practices, empirical effectiveness for the treatment of autism spectrum
13099 disorder. The commissioner shall update such designations
13100 periodically and whenever the commissioner deems it necessary to
13101 conform to changes generally recognized by the relevant medical
13102 community in evidence-based practices or research.

13103 Sec. 355. Subdivision (3) of subsection (a) of section 38a-591c of the
13104 general statutes is repealed and the following is substituted in lieu
13105 thereof (*Effective July 1, 2015*):

13106 (3) (A) Notwithstanding subdivision (2) of this subsection, for any
13107 utilization review for the treatment of a substance use disorder, as
13108 described in section 17a-458, the clinical review criteria used shall be:
13109 (i) The most recent edition of the American Society of Addiction
13110 **[**Medicine's Patient Placement Criteria**]** Medicine Treatment Criteria
13111 for Addictive, Substance-Related, and Co-Occurring Conditions; or (ii)
13112 clinical review criteria that the health carrier demonstrates is consistent
13113 with the most recent edition of the American Society of Addiction
13114 **[**Medicine's Patient Placement Criteria**]** Medicine Treatment Criteria
13115 for Addictive, Substance-Related, and Co-Occurring Conditions, in
13116 accordance with subparagraph (B) of this subdivision.

13117 (B) A health carrier that uses clinical review criteria as set forth in
13118 subparagraph (A)(ii) of this subdivision shall create and maintain a
13119 document in an easily accessible location on such health carrier's
13120 Internet web site that (i) compares each aspect of such clinical review
13121 criteria with the American Society of Addiction **[**Medicine's Patient
13122 Placement Criteria**]** Medicine Treatment Criteria for Addictive,

13123 Substance-Related, and Co-Occurring Conditions, and (ii) provides
13124 citations to peer-reviewed medical literature generally recognized by
13125 the relevant medical community or to professional society guidelines
13126 that justify each deviation from the American Society of Addiction
13127 [Medicine's Patient Placement Criteria] Medicine Treatment Criteria
13128 for Addictive, Substance-Related, and Co-Occurring Conditions.

13129 Sec. 356. (*Effective from passage*) (a) Not later than October 1, 2015, the
13130 Insurance Commissioner shall convene a working group to develop
13131 recommendations for behavioral health utilization and quality
13132 measures data that should be collected uniformly from state agencies
13133 that pay health care claims, group hospitalization and medical and
13134 surgical insurance plans established pursuant to section 5-259 of the
13135 general statutes, the state medical assistance program and health
13136 insurance companies and health care centers that write health
13137 insurance policies and health care contracts in this state. The purposes
13138 of such recommendations include, but are not limited to, protecting
13139 behavioral health parity for youths and other populations.

13140 (b) The working group shall consist of the Insurance Commissioner,
13141 the Healthcare Advocate, the Commissioners of Social Services, Public
13142 Health, Mental Health and Addiction Services, Children and Families
13143 and Developmental Services and the Comptroller, or their designees,
13144 and may include representatives from health insurance companies or
13145 health care centers or any other members the Insurance Commissioner
13146 deems necessary and relevant to carry out the working group's duties
13147 under this section.

13148 (c) (1) The working group shall determine the data that should be
13149 collected to inform analysis on (A) coverage for behavioral health
13150 services, (B) the adequacy of coverage for behavioral health conditions,
13151 including, but not limited to, autism spectrum disorders and substance
13152 use disorders, (C) the alignment of medical necessity criteria and
13153 utilization management procedures across such agencies, plans,
13154 program, companies and centers, (D) the adequacy of health care

13155 provider networks, (E) the overall availability of behavioral health care
13156 providers in this state, (F) the percentage of behavioral health care
13157 providers in this state that are participating providers under a group
13158 hospitalization and medical and surgical insurance plan established
13159 pursuant to section 5-259 of the general statutes, the state medical
13160 assistance program, or a health insurance policy or health care contract
13161 delivered, issued for delivery, renewed, amended or continued in this
13162 state, and (G) the adequacy of services available for behavioral health
13163 conditions, including, but not limited to, autism spectrum disorders
13164 and substance use disorders.

13165 (2) The recommendations developed by the working group may
13166 include data such as (A) per member, per month claim expenses, (B)
13167 the median length of a covered treatment for an entire course of
13168 treatment by levels of care, (C) utilization review outcome data
13169 grouped by levels of care, age categories and levels of review as set
13170 forth in part VII of chapter 700c of the general statutes, (D) the number
13171 of in-network and out-of-network health care providers by location
13172 and provider type, (E) health care provider network management data
13173 by location and provider type, and (F) health care provider network
13174 fluctuations, the causes of such fluctuations and the decisions made by
13175 health insurance companies, health care centers and state agencies
13176 regarding the approval of health care providers to join a health care
13177 provider network.

13178 (d) Not later than January 1, 2016, the Insurance Commissioner shall
13179 submit a report of the recommendations of the working group as set
13180 forth in subsection (a) of this section, in accordance with the provisions
13181 of section 11-4a of the general statutes, to the Governor and the joint
13182 standing committees of the General Assembly having cognizance of
13183 matters relating to insurance, human services, public health and
13184 children.

13185 Sec. 357. Subsection (j) of section 21a-254 of the general statutes, as
13186 amended by section 5 of public act 15-198, is repealed and the

13187 following is substituted in lieu thereof (*Effective October 1, 2015*):

13188 (j) (1) The commissioner shall, within available appropriations,
13189 establish an electronic prescription drug monitoring program to
13190 collect, by electronic means, prescription information for schedules II,
13191 III, IV and V controlled substances that are dispensed by pharmacies,
13192 nonresident pharmacies, as defined in section 20-627, outpatient
13193 pharmacies in hospitals or institutions or by any other dispenser. The
13194 program shall be designed to provide information regarding the
13195 prescription of controlled substances in order to prevent the improper
13196 or illegal use of the controlled substances and shall not infringe on the
13197 legitimate prescribing of a controlled substance by a prescribing
13198 practitioner acting in good faith and in the course of professional
13199 practice.

13200 (2) The commissioner may identify other products or substances to
13201 be included in the electronic prescription drug monitoring program
13202 established pursuant to subdivision (1) of this subsection.

13203 (3) **[**Each**]** Prior to July 1, 2016, each pharmacy, nonresident
13204 pharmacy, as defined in section 20-627, outpatient pharmacy in a
13205 hospital or institution and dispenser shall report to the commissioner,
13206 at least weekly, by electronic means or, if a pharmacy or outpatient
13207 pharmacy does not maintain records electronically, in a format
13208 approved by the commissioner, the following information for all
13209 controlled substance prescriptions dispensed by such pharmacy or
13210 outpatient pharmacy: (A) Dispenser identification number; (B) the date
13211 the prescription for the controlled substance was filled; (C) the
13212 prescription number; (D) whether the prescription for the controlled
13213 substance is new or a refill; (E) the national drug code number for the
13214 drug dispensed; (F) the amount of the controlled substance dispensed
13215 and the number of days' supply of the controlled substance; (G) a
13216 patient identification number; (H) the patient's first name, last name
13217 and street address, including postal code; (I) the date of birth of the
13218 patient; (J) the date the prescription for the controlled substance was

13219 issued by the prescribing practitioner and the prescribing practitioner's
13220 Drug Enforcement Agency's identification number; and (K) the type of
13221 payment.

13222 (4) On and after July 1, 2016, each pharmacy, nonresident pharmacy,
13223 as defined in section 20-627, outpatient pharmacy in a hospital or
13224 institution, and dispenser shall report to the commissioner by
13225 electronic means, in a format approved by the commissioner, the
13226 following information for all controlled substance prescriptions
13227 dispensed by such pharmacy or outpatient pharmacy immediately
13228 upon, but in no event more than twenty-four hours after, dispensing
13229 such prescriptions: (A) Dispenser identification number; (B) the date
13230 the prescription for the controlled substance was filled; (C) the
13231 prescription number; (D) whether the prescription for the controlled
13232 substance is new or a refill; (E) the national drug code number for the
13233 drug dispensed; (F) the amount of the controlled substance dispensed
13234 and the number of days' supply of the controlled substance; (G) a
13235 patient identification number; (H) the patient's first name, last name
13236 and street address, including postal code; (I) the date of birth of the
13237 patient; (J) the date the prescription for the controlled substance was
13238 issued by the prescribing practitioner and the prescribing practitioner's
13239 Drug Enforcement Agency's identification number; and (K) the type of
13240 payment.

13241 **[**(4)**]** (5) The commissioner may contract with a vendor for purposes
13242 of electronically collecting such controlled substance prescription
13243 information. The commissioner and any such vendor shall maintain
13244 the information in accordance with the provisions of chapter 400j.

13245 **[**(5)**]** (6) The commissioner and any such vendor shall not disclose
13246 controlled substance prescription information reported pursuant to
13247 **[**subdivision (3)**]** subdivisions (3) and (4) of this subsection, except as
13248 authorized pursuant to the provisions of sections 21a-240 to 21a-283,
13249 inclusive. Any person who knowingly violates any provision of this
13250 subdivision or subdivision **[**(4)**]** (5) of this subsection shall be guilty of

13251 a class D felony.

13252 [(6)] (7) The commissioner shall provide, upon request, controlled
13253 substance prescription information obtained in accordance with
13254 [subdivision (3)] subdivisions (3) and (4) of this subsection to the
13255 following: (A) The prescribing practitioner, or such practitioner's
13256 authorized agent who is also a licensed health care professional, who is
13257 treating or has treated a specific patient, provided the information is
13258 obtained for purposes related to the treatment of the patient, including
13259 the monitoring of controlled substances obtained by the patient; (B) the
13260 prescribing practitioner with whom a patient has made contact for the
13261 purpose of seeking medical treatment, provided the request is
13262 accompanied by a written consent, signed by the prospective patient,
13263 for the release of controlled substance prescription information; or (C)
13264 the pharmacist who is dispensing controlled substances for a patient,
13265 provided the information is obtained for purposes related to the scope
13266 of the pharmacist's practice and management of the patient's drug
13267 therapy, including the monitoring of controlled substances obtained by
13268 the patient. The prescribing practitioner, such practitioner's authorized
13269 agent, or the pharmacist shall submit a written and signed request to
13270 the commissioner for controlled substance prescription information.
13271 Such prescribing practitioner or pharmacist shall not disclose any such
13272 request except as authorized pursuant to sections 20-570 to 20-630,
13273 inclusive, or sections 21a-240 to 21a-283, inclusive.

13274 [(7)] (8) No person or employer shall prohibit, discourage or impede
13275 a prescribing practitioner or pharmacist from requesting controlled
13276 substance prescription information pursuant to this subsection.

13277 [(8)] (9) Prior to prescribing greater than a seventy-two-hour supply
13278 of any controlled substance to any patient, the prescribing practitioner
13279 or such practitioner's authorized agent who is also a licensed health
13280 care professional shall review the patient's records in the electronic
13281 prescription drug monitoring program established pursuant to this
13282 subsection. Whenever a prescribing practitioner prescribes controlled

13283 substances for the continuous or prolonged treatment of any patient,
13284 such prescriber, or such prescriber's authorized agent who is also a
13285 licensed health care professional, shall review, not less than once every
13286 ninety days, the patient's records in such prescription drug monitoring
13287 program. If such electronic prescription drug monitoring program is
13288 not operational, such prescriber may prescribe greater than a seventy-
13289 two-hour supply of a controlled substance to a patient during the time
13290 of such program's inoperability, provided such prescriber or such
13291 authorized agent reviews the records of such patient in such program
13292 not more than twenty-four hours after regaining access to such
13293 program.

13294 **[**(9)**]** (10) The commissioner shall adopt regulations, in accordance
13295 with chapter 54, concerning the reporting, evaluation, management
13296 and storage of electronic controlled substance prescription
13297 information.

13298 **[**(10)**]** (11) The provisions of this section shall not apply to (A)
13299 samples of controlled substances dispensed by a physician to a patient,
13300 or (B) any controlled substances dispensed to hospital inpatients.

13301 **[**(11)**]** (12) The provisions of this section shall not apply to any
13302 institutional pharmacy or pharmacist's drug room operated by a
13303 facility, licensed under section 19a-495 and regulations adopted
13304 pursuant to said section 19a-495, that dispenses or administers directly
13305 to a patient an opioid agonist for treatment of a substance use disorder.

13306 Sec. 358. (NEW) (*Effective July 1, 2015*) (a) There is established within
13307 the Department of Mental Health and Addiction Services a grant
13308 program for the purposes of providing community-based behavioral
13309 health services, including (1) care coordination services, and (2) access
13310 to information on and referrals to, available health care and social
13311 service programs. Such services shall be provided by organizations
13312 that provide acute care and emergency behavioral health services. The
13313 Commissioner of Mental Health and Addiction Services shall establish

13314 eligibility criteria for grants under the program and an application
13315 process.

13316 (b) Grants shall be issued under the program for the purposes of
13317 providing community-based behavioral health services, including (1)
13318 care coordination services, and (2) access to information on, and
13319 referrals to, available health care and social service programs.

13320 Sec. 359. (*Effective July 1, 2015*) (a) The Commissioner of Mental
13321 Health and Addiction Services shall, in consultation with the
13322 Commissioners of Children and Families and Social Services and
13323 providers of behavioral health services, including, but not limited to,
13324 hospitals and advocacy agencies, study the current adequacy of
13325 psychiatric services. Such study shall include, but need not be limited
13326 to: (1) A determination of the number of short-term, intermediate and
13327 long-term psychiatric beds needed in each region of the state; (2) the
13328 average wait times for each type of psychiatric beds; (3) the impact of
13329 wait times on persons in need of inpatient psychiatric services, such
13330 persons' families and providers of such inpatient care; (4) identification
13331 of public and private funding sources to maintain the number of
13332 psychiatric beds needed in the state; (5) access to outpatient services
13333 including wait times for initial appointments; (6) available housing
13334 options; and (7) access to alternatives to hospitalization including, but
13335 not limited to, peer-operated respite programs.

13336 (b) Not later than January 1, 2017, the Commissioner of Mental
13337 Health and Addiction Services shall report, in accordance with the
13338 provisions of section 11-4a of the general statutes, to the joint standing
13339 committees of the General Assembly having cognizance of matters
13340 relating to appropriations, public health and human services
13341 concerning the results of the study described in subsection (a) of this
13342 section. Such report shall include, but need not be limited to,
13343 recommendations concerning: (1) Expansion of the utilization criteria
13344 to increase access to acute, inpatient psychiatric services throughout
13345 the state; (2) an increase in the number of long-term, inpatient

13346 hospitalization beds available for persons with recurring needs for
13347 inpatient behavioral health services; (3) funding to increase the
13348 number of psychiatric beds; (4) placement of additional psychiatric
13349 beds in health care facilities throughout the state; and (5) funding to
13350 increase alternatives to hospitalization, including, but not limited to,
13351 access to outpatient services, housing and peer-operated respite
13352 programs.

13353 Sec. 360. Subdivision (12) of subsection (g) of section 17a-28 of the
13354 general statutes is repealed and the following is substituted in lieu
13355 thereof (*Effective July 1, 2015*):

13356 (12) The Department of Developmental Services, to allow said
13357 department to determine eligibility, facilitate enrollment and plan for
13358 the provision of services to a child who is a client of said department
13359 and who is applying to enroll in or is enrolled in said department's
13360 **[**voluntary**]** behavioral services program. At the time that a parent or
13361 guardian completes an application for enrollment of a child in the
13362 Department of Developmental Services' **[**voluntary**]** behavioral
13363 services program, or at the time that said department updates a child's
13364 annual individualized plan of care, said department shall notify such
13365 parent or guardian that the Department of Children and Families may
13366 provide records to the Department of Developmental Services for the
13367 purposes specified in this subdivision without the consent of such
13368 parent or guardian;

13369 Sec. 361. Subsection (i) of section 17b-261 of the general statutes is
13370 repealed and the following is substituted in lieu thereof (*Effective July*
13371 *1, 2015*):

13372 (i) Medical assistance shall be provided, in accordance with the
13373 provisions of subsection (e) of section 17a-6, to any child under the
13374 supervision of the Commissioner of Children and Families who is not
13375 receiving Medicaid benefits, has not yet qualified for Medicaid benefits
13376 or is otherwise ineligible for such benefits. Medical assistance shall also

13377 be provided to any child in the [voluntary] behavioral services
13378 program operated by the Department of Developmental Services who
13379 is not receiving Medicaid benefits, has not yet qualified for Medicaid
13380 benefits or is otherwise ineligible for benefits. To the extent practicable,
13381 the Commissioner of Children and Families and the Commissioner of
13382 Developmental Services shall apply for, or assist such child in
13383 qualifying for, the Medicaid program.

13384 Sec. 362. (*Effective from passage*) (a) The Commissioner of Social
13385 Services and the Commissioner of Public Health shall study the
13386 effectiveness of providing community-based health care services in the
13387 state. Such study shall include, but not be limited to, a review of (1) the
13388 health care needs of persons who access the 9-1-1 system when the
13389 emergency department is not the most appropriate place for such
13390 persons to receive such services, (2) the feasibility of providing short-
13391 term follow-up home visits for persons who have recently been
13392 discharged from a hospital until such time as other health care
13393 providers are able to provide home visits or other follow-up health
13394 care services, (3) the need and feasibility of emergency medical
13395 services personnel to provide home visits to persons who are at a high
13396 risk of being frequent, repeat users of the emergency department to
13397 help such persons manage their chronic diseases and adhere to
13398 medication plans, (4) the need to provide ancillary primary care
13399 services for populations in areas where there is a high utilization of the
13400 9-1-1 system for nonemergency situations, (5) the current best practices
13401 in mobile integrated health care, (6) the scope of practice for
13402 emergency medical services personnel, (7) practice guidelines for
13403 community-based health care services, and (8) Medicaid authority
13404 under which community-based health care services may be covered.

13405 (b) Not later than February 1, 2016, the Commissioners of Social
13406 Services and Public Health shall submit a preliminary report, in
13407 accordance with the provisions of section 11-4a of the general statutes,
13408 on the study performed pursuant to subsection (a) of this section to the
13409 joint standing committees of the General Assembly having cognizance

13410 of matters relating to human services and public health.

13411 (c) Not later than June 1, 2016, the Commissioners of Social Services
13412 and Public Health shall submit a final report, in accordance with the
13413 provisions of section 11-4a of the general statutes, on the results of the
13414 study performed pursuant to subsection (a) of this section to the joint
13415 standing committees of the General Assembly having cognizance of
13416 matters relating to human services and public health.

13417 Sec. 363. (NEW) (*Effective October 1, 2015*) As used in this section,
13418 sections 364 to 367, inclusive, of this act and section 19a-14 of the
13419 general statutes, as amended by this act: (1) "Genetic counselor" means
13420 a person who has been licensed as a genetic counselor under the
13421 provisions of sections 365 and 366 of this act; and (2) "genetic
13422 counseling" means the provision of services to individuals, couples,
13423 families and organizations by an appropriately trained individual to
13424 address the physical and psychological issues associated with the
13425 occurrence or risk of occurrence of a genetic disorder, birth defect or
13426 genetically influenced condition or disease in an individual or a family.

13427 Sec. 364. (NEW) (*Effective October 1, 2015*) (a) No person may
13428 practice genetic counseling unless licensed or permitted pursuant to
13429 section 365 or 366 of this act.

13430 (b) No person may use the title "genetic counselor", "licensed genetic
13431 counselor", "gene counselor", "genetic consultant", "genetic associate",
13432 or the designation "LGC" or make use of any title, words, letters,
13433 abbreviations or insignia that may reasonably be confused with
13434 licensure as a genetic counselor unless such person is licensed
13435 pursuant to section 365 of this act or has been issued a temporary
13436 permit pursuant to section 366 of this act.

13437 (c) The provisions of this section shall not apply to a person who (1)
13438 is licensed under chapter 370 of the general statutes, (2) is an advanced
13439 practice registered nurse licensed under chapter 378 of the general
13440 statutes, (3) is a nurse-midwife licensed under chapter 377 of the

13441 general statutes, (4) provides genetic counseling while acting within
13442 the scope of practice of the person's license and training, provided the
13443 person does not hold himself or herself out to the public as a genetic
13444 counselor, (5) is employed by the federal government to provide
13445 genetic counseling while in the discharge of the person's official duties,
13446 or (6) is a student enrolled in (A) a genetic counseling educational
13447 program, (B) a medical genetics educational program accredited by the
13448 American Board of Genetic Counseling, or any successor of said board,
13449 or the American Board of Medical Genetics and Genomics, or (C) a
13450 graduate nursing or medical education program in genetics, and
13451 genetic counseling is an integral part of the student's course of study
13452 and such student is performing such counseling under the direct
13453 supervision of a licensed genetic counselor or physician.

13454 Sec. 365. (NEW) (*Effective from passage*) (a) On and after October 1,
13455 2015, the Commissioner of Public Health shall grant a license as a
13456 genetic counselor to any applicant who, except as provided in
13457 subsections (b) and (c) of this section, furnishes evidence satisfactory to
13458 the commissioner that such applicant has earned a certification as a
13459 genetic counselor from the American Board of Genetic Counseling, or
13460 any successor of said board, or the American Board of Medical
13461 Genetics and Genomics. The commissioner shall develop and provide
13462 application forms. The application fee shall be three hundred fifteen
13463 dollars.

13464 (b) An applicant for a license as a genetic counselor may, in lieu of
13465 the requirements set forth in subsection (a) of this section, submit
13466 evidence satisfactory to the commissioner of having, prior to October
13467 1, 2015: (1) Acquired eight years of experience in the practice of genetic
13468 counseling; (2) earned, from an accredited institution of higher
13469 education, a master's or doctoral degree in genetics or a related field;
13470 and (3) attended a continuing education program approved by the
13471 National Society of Genetic Counselors within the five-year period
13472 prior to the date of application.

13473 (c) An applicant for licensure by endorsement shall present
13474 evidence satisfactory to the commissioner that the applicant is licensed
13475 or certified as a genetic counselor, or as a person entitled to perform
13476 similar services under a different designation, in another state or
13477 jurisdiction that has requirements for practicing in such capacity that
13478 are substantially similar to, or higher than, those of this state and that
13479 there are no disciplinary actions or unresolved complaints pending in
13480 this state or any other state.

13481 (d) Licenses issued under this section shall be renewed annually
13482 pursuant to section 19a-88 of the general statutes, as amended by this
13483 act. The fee for such renewal shall be one hundred ninety dollars. Each
13484 licensed genetic counselor applying for license renewal shall furnish
13485 evidence satisfactory to the commissioner of having current
13486 certification with the American Board of Genetic Counseling, or any
13487 successor of said board, or the American Board of Medical Genetics
13488 and Genomics and having obtained continuing education units for
13489 certification as required by said boards.

13490 Sec. 366. (NEW) (*Effective October 1, 2015*) The Department of Public
13491 Health may issue a temporary permit to an applicant for licensure as a
13492 genetic counselor who holds a master's degree or higher in genetic
13493 counseling or a related field. Such temporary permit shall authorize
13494 the holder of the temporary permit to practice genetic counseling
13495 under the general supervision of a licensed genetic counselor or a
13496 licensed physician at all times during which the holder of the
13497 temporary permit performs genetic counseling. Such temporary permit
13498 shall be valid for a period not to exceed three hundred sixty-five
13499 calendar days after the date of attaining such master's degree or higher
13500 and shall not be renewable. No temporary permit shall be issued
13501 under this section to any applicant against whom professional
13502 disciplinary action is pending or who is the subject of an unresolved
13503 complaint in this state or any other state. The commissioner may
13504 revoke a temporary permit for good cause, as determined by the
13505 commissioner. The fee for a temporary permit shall be fifty dollars.

13506 Sec. 367. (NEW) (*Effective October 1, 2015*) The Commissioner of
13507 Public Health may take any disciplinary action set forth in section 19a-
13508 17 of the general statutes against a genetic counselor for any of the
13509 following reasons: (1) Failure to conform to the accepted standards of
13510 the profession; (2) conviction of a felony; (3) fraud or deceit in
13511 obtaining or seeking reinstatement of a license to practice genetic
13512 counseling; (4) fraud or deceit in the practice of genetic counseling; (5)
13513 negligent, incompetent or wrongful conduct in professional activities;
13514 (6) physical, mental or emotional illness or disorder resulting in an
13515 inability to conform to the accepted standards of the profession; (7)
13516 alcohol or substance abuse; or (8) wilful falsification of entries in any
13517 hospital, patient or other record pertaining to genetic counseling. The
13518 commissioner may order a license holder to submit to a reasonable
13519 physical or mental examination if his or her physical or mental
13520 capacity to practice safely is the subject of an investigation. The
13521 commissioner may petition the superior court for the judicial district of
13522 Hartford to enforce such order or any action taken pursuant to section
13523 19a-17 of the general statutes. The commissioner shall give notice and
13524 an opportunity to be heard on any contemplated action under section
13525 19a-17 of the general statutes.

13526 Sec. 368. (NEW) (*Effective October 1, 2015*) The Commissioner of
13527 Public Health may adopt regulations, in accordance with the
13528 provisions of chapter 54 of the general statutes, to implement the
13529 provisions of sections 363 to 367, inclusive, of this act.

13530 Sec. 369. Subsection (c) of section 19a-14 of the general statutes is
13531 repealed and the following is substituted in lieu thereof (*Effective*
13532 *October 1, 2015*):

13533 (c) No board shall exist for the following professions that are
13534 licensed or otherwise regulated by the Department of Public Health:

13535 (1) Speech and language pathologist and audiologist;

13536 (2) Hearing instrument specialist;

13537 (3) Nursing home administrator;

13538 (4) Sanitarian;

13539 (5) Subsurface sewage system installer or cleaner;

13540 (6) Marital and family therapist;

13541 (7) Nurse-midwife;

13542 (8) Licensed clinical social worker;

13543 (9) Respiratory care practitioner;

13544 (10) Asbestos contractor and asbestos consultant;

13545 (11) Massage therapist;

13546 (12) Registered nurse's aide;

13547 (13) Radiographer;

13548 (14) Dental hygienist;

13549 (15) Dietitian-Nutritionist;

13550 (16) Asbestos abatement worker;

13551 (17) Asbestos abatement site supervisor;

13552 (18) Licensed or certified alcohol and drug counselor;

13553 (19) Professional counselor;

13554 (20) Acupuncturist;

13555 (21) Occupational therapist and occupational therapist assistant;

13556 (22) Lead abatement contractor, lead consultant contractor, lead
13557 consultant, lead abatement supervisor, lead abatement worker,

13558 inspector and planner-project designer;

13559 (23) Emergency medical technician, advanced emergency medical
13560 technician, emergency medical responder and emergency medical
13561 services instructor;

13562 (24) Paramedic;

13563 (25) Athletic trainer;

13564 (26) Perfusionist;

13565 (27) Master social worker subject to the provisions of section 20-
13566 195v;

13567 (28) Radiologist assistant, subject to the provisions of section 20-74tt;

13568 (29) Homeopathic physician;

13569 (30) Certified water treatment plant operator, certified distribution
13570 system operator, certified small water system operator, certified
13571 backflow prevention device tester and certified cross connection
13572 survey inspector, including certified limited operators, certified
13573 conditional operators and certified operators in training; **[**and**]**

13574 (31) Tattoo technician; and

13575 (32) Genetic counselor.

13576 The department shall assume all powers and duties normally vested
13577 with a board in administering regulatory jurisdiction over such
13578 professions. The uniform provisions of this chapter and chapters 368v,
13579 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
13580 and 400c, including, but not limited to, standards for entry and
13581 renewal; grounds for professional discipline; receiving and processing
13582 complaints; and disciplinary sanctions, shall apply, except as otherwise
13583 provided by law, to the professions listed in this subsection.

13584 Sec. 370. (*Effective from passage*) The Commissioner of Public Health
13585 may implement, effective on or before July 15, 2015, an increase in the
13586 maximum allowable rates set by the commissioner for each licensed
13587 and certified ambulance service. Nothing in this section shall otherwise
13588 amend or abridge the commissioner's rate-setting authority for
13589 emergency medical services under section 19a-177 of the general
13590 statutes.

13591 Sec. 371. Subdivision (14) of subsection (b) of section 17a-408 of the
13592 general statutes is repealed and the following is substituted in lieu
13593 thereof (*Effective July 1, 2015*):

13594 (14) Implement and administer, **[**on and after July 1, 2014**]** within
13595 available appropriations, a pilot program that serves home and
13596 community-based care recipients in Hartford County; and

13597 Sec. 372. Subdivision (3) of subsection (b) of section 10-295 of the
13598 general statutes is repealed and the following is substituted in lieu
13599 thereof (*Effective July 1, 2015*):

13600 (3) The Commissioner of Rehabilitation Services may, within
13601 available appropriations, employ certified teachers of the visually
13602 impaired in sufficient numbers to meet the requests for services
13603 received from school districts. In responding to such requests, the
13604 commissioner shall utilize a formula for determining the number of
13605 teachers needed to serve the school districts, crediting six points for
13606 each Braille-learning child and one point for each other child, with one
13607 full-time certified teacher of the visually impaired assigned for every
13608 twenty-five points credited. The commissioner shall exercise due
13609 diligence to employ the needed number of certified teachers of the
13610 visually impaired, but shall not be liable for lack of resources. Funds
13611 appropriated to said account may also be utilized to employ
13612 **[**rehabilitation teachers, rehabilitation technologists and orientation
13613 and mobility teachers**]** additional staff in numbers sufficient to provide
13614 compensatory skills evaluations and training to blind and visually

13615 impaired children [. In addition, up to five per cent of such
13616 appropriation may also be utilized to employ] and special assistants to
13617 the blind and other support staff necessary to ensure the efficient
13618 operation of service delivery. Not later than October first of each year,
13619 the Commissioner of Rehabilitation Services shall determine the
13620 number of teachers needed based on the formula provided in this
13621 subdivision. Based on such determination, the Commissioner of
13622 Rehabilitation Services shall estimate the funding needed to pay such
13623 teachers' salaries [, benefits] and related expenses.

13624 Sec. 373. Subsection (a) of section 17b-261 of the general statutes, as
13625 amended by section 17 of public act 15-69, is repealed and the
13626 following is substituted in lieu thereof (*Effective August 1, 2015*):

13627 (a) Medical assistance shall be provided for any otherwise eligible
13628 person whose income, including any available support from legally
13629 liable relatives and the income of the person's spouse or dependent
13630 child, is not more than one hundred forty-three per cent, pending
13631 approval of a federal waiver applied for pursuant to subsection (e) of
13632 this section, of the benefit amount paid to a person with no income
13633 under the temporary family assistance program in the appropriate
13634 region of residence and if such person is an institutionalized
13635 individual as defined in Section 1917 of the Social Security Act, 42 USC
13636 1396p(h)(3), and has not made an assignment or transfer or other
13637 disposition of property for less than fair market value for the purpose
13638 of establishing eligibility for benefits or assistance under this section.
13639 Any such disposition shall be treated in accordance with Section
13640 1917(c) of the Social Security Act, 42 USC 1396p(c). Any disposition of
13641 property made on behalf of an applicant or recipient or the spouse of
13642 an applicant or recipient by a guardian, conservator, person
13643 authorized to make such disposition pursuant to a power of attorney
13644 or other person so authorized by law shall be attributed to such
13645 applicant, recipient or spouse. A disposition of property ordered by a
13646 court shall be evaluated in accordance with the standards applied to
13647 any other such disposition for the purpose of determining eligibility.

13648 The commissioner shall establish the standards for eligibility for
13649 medical assistance at one hundred forty-three per cent of the benefit
13650 amount paid to a household of equal size with no income under the
13651 temporary family assistance program in the appropriate region of
13652 residence. In determining eligibility, the commissioner shall not
13653 consider as income Aid and Attendance pension benefits granted to a
13654 veteran, as defined in section 27-103, or the surviving spouse of such
13655 veteran. Except as provided in [sections] section 17b-277, as amended
13656 by this act, and section 17b-292, as amended by [this act] public act 15-
13657 69 and this act, the medical assistance program shall provide coverage
13658 to persons under the age of nineteen with household income up to one
13659 hundred ninety-six per cent of the federal poverty level without an
13660 asset limit and to persons under the age of nineteen, who qualify for
13661 coverage under Section 1931 of the Social Security Act, with household
13662 income not exceeding one hundred ninety-six per cent of the federal
13663 poverty level without an asset limit, and their parents and needy
13664 caretaker relatives, who qualify for coverage under Section 1931 of the
13665 Social Security Act, with household income [up to] not exceeding one
13666 hundred [ninety-six] fifty per cent of the federal poverty level without
13667 an asset limit. Such levels shall be based on the regional differences in
13668 such benefit amount, if applicable, unless such levels based on regional
13669 differences are not in conformance with federal law. Any income in
13670 excess of the applicable amounts shall be applied as may be required
13671 by said federal law, and assistance shall be granted for the balance of
13672 the cost of authorized medical assistance. The Commissioner of Social
13673 Services shall provide applicants for assistance under this section, at
13674 the time of application, with a written statement advising them of (1)
13675 the effect of an assignment or transfer or other disposition of property
13676 on eligibility for benefits or assistance, (2) the effect that having income
13677 that exceeds the limits prescribed in this subsection will have with
13678 respect to program eligibility, and (3) the availability of, and eligibility
13679 for, services provided by the Nurturing Families Network established
13680 pursuant to section 17b-751b. For coverage dates on or after January 1,
13681 2014, the department shall use the modified adjusted gross income

13682 financial eligibility rules set forth in Section 1902(e)(14) of the Social
13683 Security Act and the implementing regulations to determine eligibility
13684 for HUSKY A, HUSKY B and HUSKY D applicants, as defined in
13685 section 17b-290, as amended by **[**this act**]** public act 15-69 and this act.
13686 Persons who are determined ineligible for assistance pursuant to this
13687 section shall be provided a written statement notifying such persons of
13688 their ineligibility and advising such persons of their potential
13689 eligibility for one of the other insurance affordability programs as
13690 defined in 42 CFR 435.4.

13691 Sec. 374. (NEW) (*Effective from passage*) (a) The Commissioner of
13692 Social Services shall review whether a parent or needy caretaker
13693 relative, who qualifies for Medicaid coverage under Section 1931 of the
13694 Social Security Act and is no longer eligible on and after August 1,
13695 2015, pursuant to section 17b-261 of the general statutes, as amended
13696 by this act, remains eligible for Medicaid under the same or a different
13697 category of coverage before terminating coverage.

13698 (b) The commissioner and the Connecticut Health Insurance
13699 Exchange, established pursuant to section 38a-1081 of the general
13700 statutes, shall ensure that such parent or needy caretaker relative is
13701 given an opportunity to enroll in a qualified health plan without a gap
13702 in coverage. The Connecticut Health Insurance Exchange shall enlist
13703 the assistance of health and social services community-based
13704 organizations to contact and advise such parent or needy caretaker
13705 relative of options for health insurance coverage.

13706 (c) Not later than November 1, 2015, and quarterly thereafter until
13707 December 1, 2017, the commissioner and the Connecticut Health
13708 Insurance Exchange shall report to the Council on Medical Assistance
13709 Program Oversight on the number of such parents and caretaker
13710 relatives who, due to changes in income eligibility effective August 1,
13711 2015, (1) were no longer eligible for Medicaid, (2) remained eligible
13712 after the commissioner's review pursuant to this section, (3) lost
13713 Medicaid coverage and enrolled in a qualified health plan without a

13714 gap in coverage, (4) lost Medicaid coverage and did not enroll in a
13715 qualified health plan immediately after such coverage loss, and (5)
13716 enrolled in a qualified health plan but were disenrolled for failure to
13717 pay premiums.

13718 Sec. 375. Section 17b-277 of the general statutes is repealed and the
13719 following is substituted in lieu thereof (*Effective July 1, 2015*):

13720 (a) The Commissioner of Social Services shall provide, in accordance
13721 with federal law and regulations, medical assistance under the
13722 Medicaid program to needy pregnant women whose families have an
13723 income not exceeding two hundred **[**fifty**]** fifty-eight per cent of the
13724 federal poverty level.

13725 (b) The commissioner shall implement presumptive eligibility for
13726 appropriate pregnant women applicants for the Medicaid program in
13727 accordance with Section 1920 of the Social Security Act. The
13728 commissioner shall designate qualified entities to receive and
13729 determine presumptive eligibility under this section consistent with
13730 the provisions of federal law and regulations.

13731 **[**(c) On or before September 30, 2007, the Commissioner of Social
13732 Services shall submit a state plan amendment or, if required by the
13733 federal government, seek a waiver under federal law to provide health
13734 insurance coverage to pregnant women, who do not otherwise have
13735 creditable coverage, as defined in 42 USC 300gg(c), and who have
13736 income above one hundred eighty-five per cent of the federal poverty
13737 level but not in excess of two hundred fifty per cent of the federal
13738 poverty level. Following approval of such state plan amendment or
13739 approval of such waiver application, the commissioner, on or before
13740 January 1, 2008, shall implement the provisions of subsections (a) and
13741 (b) of this section.**]**

13742 **[**(d)**]** (c) Presumptive eligibility for medical assistance shall be
13743 implemented for any uninsured newborn child born in a hospital in
13744 this state or a border state hospital, provided (1) the parent or

13745 caretaker relative of such child resides in this state, and (2) the parent
13746 or caretaker relative of such child authorizes enrollment in the
13747 program.

13748 Sec. 376. Section 17b-290 of the general statutes, as amended by
13749 section 20 of public act 15-69, is repealed and the following is
13750 substituted in lieu thereof (*Effective August 1, 2015*):

13751 As used in this section and sections 17b-292, as amended by **[**this
13752 act**]** public act 15-69 and this act, 17b-294a, as amended by **[**this act**]**
13753 public act 15-69, 17b-295, as amended by **[**this act**]** public act 15-69,
13754 17b-297a, as amended by **[**this act**]** public act 15-69, 17b-297b, as
13755 amended by **[**this act**]** public act 15-69, and 17b-300, as amended by
13756 **[**this act**]** public act 15-69:

13757 (1) "Applicant" means an individual over the age of eighteen years
13758 who is a natural or adoptive parent, **[**or**]** a legal guardian, **[**;**]** a
13759 caretaker relative, foster parent or stepparent with whom the child
13760 resides and shall include a child who is eighteen years of age or
13761 emancipated in accordance with the provisions of sections 46b-150 to
13762 46b-150e, inclusive, and who is applying on his own behalf or on
13763 behalf of a minor dependent for coverage under such plan;

13764 (2) "Child" means an individual under nineteen years of age;

13765 (3) "Coinsurance" means the sharing of health care expenses by the
13766 insured and an insurer in a specified ratio;

13767 (4) "Commissioner" means the Commissioner of Social Services;

13768 (5) "Copayment" means a payment made on behalf of a member for
13769 a specified service under HUSKY B;

13770 (6) "Cost sharing" means arrangements made on behalf of a member
13771 whereby an applicant pays a portion of the cost of health services,
13772 sharing costs with the state and includes copayments, premiums,
13773 deductibles and coinsurance;

13774 (7) "Deductible" means the amount of out-of-pocket expenses that
13775 would be paid for health services on behalf of a member before
13776 becoming payable by the insurer;

13777 (8) "Department" means the Department of Social Services;

13778 (9) "Durable medical equipment" means equipment that meets all of
13779 the following requirements:

13780 (A) Can withstand repeated use;

13781 (B) Is primarily and customarily used to serve a medical purpose;

13782 (C) Generally is not useful to a person in the absence of an illness or
13783 injury; and

13784 (D) Is nondisposable;

13785 (10) "Eligible beneficiary" means a child who meets the
13786 requirements in section 17b-292, as amended by **[**this act**]** public act 15-
13787 69 and this act, and the requirements specified in Section 2110(b)(2)(B)
13788 of the Social Security Act as amended by Section 10203(b)(2)(D) of the
13789 Affordable Care Act;

13790 (11) "Household" has the same meaning as provided in 42 CFR
13791 435.603;

13792 (12) "Household income" has the same meaning as provided in 42
13793 CFR 435.603;

13794 (13) "HUSKY A" means Medicaid provided to children, caretaker
13795 relatives and pregnant and postpartum women pursuant to section
13796 17b-261, as amended by **[**this act**]** public act 15-69 and this act, or 17b-
13797 277, as amended by this act;

13798 (14) "HUSKY B" means the health coverage for children established
13799 pursuant to the provisions of sections 17b-290, as amended by **[**this act**]**
13800 public act 15-69 and this act, 17b-292, as amended by **[**this act**]** public

13801 act 15-69 and this act, 17b-294a, as amended by [this act] public act 15-
13802 69, 17b-295, as amended by [this act] public act 15-69, 17b-297a, as
13803 amended by [this act] public act 15-69, 17b-297b as amended by [this
13804 act] public act 15-69, and 17b-300, as amended by [this act] public act
13805 15-69;

13806 (15) "HUSKY C" means Medicaid provided to individuals who are
13807 sixty-five years of age or older or who are blind or have a disability;

13808 (16) "HUSKY D" or "Medicaid Coverage for the Lowest Income
13809 Populations program" means Medicaid provided to nonpregnant low-
13810 income adults who are age eighteen to sixty-four, as authorized
13811 pursuant to section 17b-8a;

13812 (17) "HUSKY Health" means the combined HUSKY A, HUSKY B,
13813 HUSKY C and HUSKY D programs, that provide medical coverage to
13814 eligible children, parents, relative caregivers, persons age sixty-five or
13815 older, individuals with disabilities, low-income adults, and pregnant
13816 women;

13817 (18) "HUSKY Plus" means the supplemental health program
13818 established pursuant to section 17b-294a, as amended by [this act]
13819 public act 15-69, for medically eligible members of HUSKY B whose
13820 medical needs cannot be accommodated within the basic benefit
13821 package offered to members. HUSKY Plus shall supplement coverage
13822 for those medically eligible members with intensive physical health
13823 needs;

13824 (19) "Member" means an eligible beneficiary who receives services
13825 under HUSKY A, B, C or D;

13826 (20) "Parent" means a natural parent, stepparent, adoptive parent,
13827 guardian or custodian of a child;

13828 (21) "Premium" means any required payment made by an
13829 individual to offset [or pay in full] the cost under HUSKY B;

13830 (22) "Qualified entity" means any entity: (A) Eligible for payments
13831 under a state plan approved under Medicaid and which provides
13832 medical services under HUSKY A, or (B) that is a qualified entity, as
13833 defined in 42 USC 1396r-1a, as amended by Section 708 of Public Law
13834 106-554, and that is determined by the commissioner to be capable of
13835 making the determination of eligibility. The commissioner shall
13836 provide qualified entities with such forms or information on filing an
13837 application electronically as is necessary for an application to be made
13838 on behalf of a child under HUSKY A and information on how to assist
13839 parents, guardians and other persons in completing and filing such
13840 forms or electronic application;

13841 (23) "WIC" means the federal Special Supplemental Food Program
13842 for Women, Infants and Children administered by the Department of
13843 Public Health pursuant to section 19a-59c.

13844 Sec. 377. Section 17b-292 of the general statutes, as amended by
13845 section 25 of public act 15-69, is repealed and the following is
13846 substituted in lieu thereof (*Effective August 1, 2015*):

13847 (a) A child who resides in a household with household income
13848 which exceeds one hundred ninety-six per cent of the federal poverty
13849 level and does not exceed three hundred eighteen per cent of the
13850 federal poverty level may be eligible for **[**subsidized**]** benefits under
13851 HUSKY B.

13852 **[**(b) A child who resides in a household with household income
13853 over three hundred eighteen per cent of the federal poverty level may
13854 be eligible for unsubsidized benefits under HUSKY B.**]**

13855 **[**(c)**]** (b) Whenever a court or family support magistrate orders a
13856 noncustodial parent to provide health insurance for a child, such
13857 parent may provide for coverage under HUSKY B.

13858 **[**(d)**]** (c) To the extent allowed under federal law, the commissioner
13859 shall not pay for services or durable medical equipment under HUSKY

13860 B if the member has other insurance coverage for such services or
13861 equipment. If a HUSKY B member has limited benefit insurance
13862 coverage for services that are also covered under HUSKY B, the
13863 commissioner shall require such other coverage to pay for the goods or
13864 services prior to any payment under HUSKY B.

13865 [(e)] (d) A newborn child who otherwise meets the eligibility criteria
13866 for HUSKY B shall be eligible for benefits retroactive to his or her date
13867 of birth, provided an application is filed on behalf of the child not later
13868 than thirty days after such date. Any uninsured child born in a
13869 hospital in this state or in a border state hospital shall be enrolled on
13870 an expedited basis in HUSKY B, provided (1) the parent or caretaker
13871 relative of such child resides in this state, and (2) the parent or
13872 caretaker relative of such child authorizes enrollment in the program.
13873 The commissioner shall pay any premium cost such household would
13874 otherwise incur for the first four months of coverage.

13875 [(f)] (e) The commissioner shall implement presumptive eligibility
13876 for children applying for Medicaid and may, if cost effective,
13877 implement presumptive eligibility for children in households with
13878 income [under] not exceeding three hundred eighteen per cent of the
13879 federal poverty level applying for HUSKY B. Such presumptive
13880 eligibility determinations shall be in accordance with applicable
13881 federal law and regulations. The commissioner shall adopt regulations,
13882 in accordance with chapter 54, to establish standards and procedures
13883 for the designation of an organization as a qualified entity to grant
13884 presumptive eligibility. A qualified entity shall, at the time a
13885 presumptive eligibility determination is made, provide assistance to
13886 applicants with the completion and submission of an application for a
13887 full eligibility determination. In establishing such standards and
13888 procedures, the commissioner shall ensure the representation of state-
13889 wide and local organizations that provide services to children of all
13890 ages in each region of the state.

13891 [(g)] (f) In accordance with 42 CFR 435.1110, the commissioner shall

13892 provide Medicaid during a presumptive eligibility period to
13893 individuals who are determined presumptively eligible by a qualified
13894 hospital. A hospital making such a presumptive eligibility
13895 determination shall provide assistance to individuals in completing
13896 and submitting an application for full Medicaid benefits.

13897 **[**(h)**]** (g) The commissioner shall implement HUSKY B while in the
13898 process of adopting necessary policies and procedures in regulation
13899 form in accordance with the provisions of section 17b-10.

13900 Sec. 378. Subsection (b) of section 17b-104 of the general statutes is
13901 repealed and the following is substituted in lieu thereof (*Effective July*
13902 *1, 2015*):

13903 (b) On July 1, 2007, and annually thereafter, the commissioner shall
13904 increase the payment standards over those of the previous fiscal year
13905 under the temporary family assistance program and the
13906 state-administered general assistance program by the percentage
13907 increase, if any, in the most recent calendar year average in the
13908 consumer price index for urban consumers over the average for the
13909 previous calendar year, provided the annual increase, if any, shall not
13910 exceed five per cent, except that the payment standards for the fiscal
13911 years ending June 30, 2010, June 30, 2011, June 30, 2012, **[**and**]** June 30,
13912 2013, June 30, 2016, and June 30, 2017, shall not be increased.

13913 Sec. 379. Subsection (a) of section 17b-106 of the general statutes is
13914 repealed and the following is substituted in lieu thereof (*Effective July*
13915 *1, 2015*):

13916 (a) On January 1, 2006, and on each January first thereafter, the
13917 Commissioner of Social Services shall increase the unearned income
13918 disregard for recipients of the state supplement to the federal
13919 Supplemental Security Income Program by an amount equal to the
13920 federal cost-of-living adjustment, if any, provided to recipients of
13921 federal Supplemental Security Income Program benefits for the
13922 corresponding calendar year. On July 1, 1989, and annually thereafter,

13923 the commissioner shall increase the adult payment standards over
13924 those of the previous fiscal year for the state supplement to the federal
13925 Supplemental Security Income Program by the percentage increase, if
13926 any, in the most recent calendar year average in the consumer price
13927 index for urban consumers over the average for the previous calendar
13928 year, provided the annual increase, if any, shall not exceed five per
13929 cent, except that the adult payment standards for the fiscal years
13930 ending June 30, 1993, June 30, 1994, June 30, 1995, June 30, 1996, June
13931 30, 1997, June 30, 1998, June 30, 1999, June 30, 2000, June 30, 2001, June
13932 30, 2002, June 30, 2003, June 30, 2004, June 30, 2005, June 30, 2006, June
13933 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011, June
13934 30, 2012, **[**and**]** June 30, 2013, June 30, 2016, and June 30, 2017, shall not
13935 be increased. Effective October 1, 1991, the coverage of excess utility
13936 costs for recipients of the state supplement to the federal Supplemental
13937 Security Income Program is eliminated. Notwithstanding the
13938 provisions of this section, the commissioner may increase the personal
13939 needs allowance component of the adult payment standard as
13940 necessary to meet federal maintenance of effort requirements.

13941 Sec. 380. Subdivision (4) of subsection (f) of section 17b-340 of the
13942 general statutes is repealed and the following is substituted in lieu
13943 thereof (*Effective July 1, 2015*):

13944 (4) For the fiscal year ending June 30, 1992, (A) no facility shall
13945 receive a rate that is less than the rate it received for the rate year
13946 ending June 30, 1991; (B) no facility whose rate, if determined pursuant
13947 to this subsection, would exceed one hundred twenty per cent of the
13948 state-wide median rate, as determined pursuant to this subsection,
13949 shall receive a rate which is five and one-half per cent more than the
13950 rate it received for the rate year ending June 30, 1991; and (C) no
13951 facility whose rate, if determined pursuant to this subsection, would be
13952 less than one hundred twenty per cent of the state-wide median rate,
13953 as determined pursuant to this subsection, shall receive a rate which is
13954 six and one-half per cent more than the rate it received for the rate year
13955 ending June 30, 1991. For the fiscal year ending June 30, 1993, no

13956 facility shall receive a rate that is less than the rate it received for the
13957 rate year ending June 30, 1992, or six per cent more than the rate it
13958 received for the rate year ending June 30, 1992. For the fiscal year
13959 ending June 30, 1994, no facility shall receive a rate that is less than the
13960 rate it received for the rate year ending June 30, 1993, or six per cent
13961 more than the rate it received for the rate year ending June 30, 1993.
13962 For the fiscal year ending June 30, 1995, no facility shall receive a rate
13963 that is more than five per cent less than the rate it received for the rate
13964 year ending June 30, 1994, or six per cent more than the rate it received
13965 for the rate year ending June 30, 1994. For the fiscal years ending June
13966 30, 1996, and June 30, 1997, no facility shall receive a rate that is more
13967 than three per cent more than the rate it received for the prior rate
13968 year. For the fiscal year ending June 30, 1998, a facility shall receive a
13969 rate increase that is not more than two per cent more than the rate that
13970 the facility received in the prior year. For the fiscal year ending June
13971 30, 1999, a facility shall receive a rate increase that is not more than
13972 three per cent more than the rate that the facility received in the prior
13973 year and that is not less than one per cent more than the rate that the
13974 facility received in the prior year, exclusive of rate increases associated
13975 with a wage, benefit and staffing enhancement rate adjustment added
13976 for the period from April 1, 1999, to June 30, 1999, inclusive. For the
13977 fiscal year ending June 30, 2000, each facility, except a facility with an
13978 interim rate or replaced interim rate for the fiscal year ending June 30,
13979 1999, and a facility having a certificate of need or other agreement
13980 specifying rate adjustments for the fiscal year ending June 30, 2000,
13981 shall receive a rate increase equal to one per cent applied to the rate the
13982 facility received for the fiscal year ending June 30, 1999, exclusive of
13983 the facility's wage, benefit and staffing enhancement rate adjustment.
13984 For the fiscal year ending June 30, 2000, no facility with an interim rate,
13985 replaced interim rate or scheduled rate adjustment specified in a
13986 certificate of need or other agreement for the fiscal year ending June
13987 30, 2000, shall receive a rate increase that is more than one per cent
13988 more than the rate the facility received in the fiscal year ending June
13989 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a

13990 facility with an interim rate or replaced interim rate for the fiscal year
13991 ending June 30, 2000, and a facility having a certificate of need or other
13992 agreement specifying rate adjustments for the fiscal year ending June
13993 30, 2001, shall receive a rate increase equal to two per cent applied to
13994 the rate the facility received for the fiscal year ending June 30, 2000,
13995 subject to verification of wage enhancement adjustments pursuant to
13996 subdivision (14) of this subsection. For the fiscal year ending June 30,
13997 2001, no facility with an interim rate, replaced interim rate or
13998 scheduled rate adjustment specified in a certificate of need or other
13999 agreement for the fiscal year ending June 30, 2001, shall receive a rate
14000 increase that is more than two per cent more than the rate the facility
14001 received for the fiscal year ending June 30, 2000. For the fiscal year
14002 ending June 30, 2002, each facility shall receive a rate that is two and
14003 one-half per cent more than the rate the facility received in the prior
14004 fiscal year. For the fiscal year ending June 30, 2003, each facility shall
14005 receive a rate that is two per cent more than the rate the facility
14006 received in the prior fiscal year, except that such increase shall be
14007 effective January 1, 2003, and such facility rate in effect for the fiscal
14008 year ending June 30, 2002, shall be paid for services provided until
14009 December 31, 2002, except any facility that would have been issued a
14010 lower rate effective July 1, 2002, than for the fiscal year ending June 30,
14011 2002, due to interim rate status or agreement with the department shall
14012 be issued such lower rate effective July 1, 2002, and have such rate
14013 increased two per cent effective June 1, 2003. For the fiscal year ending
14014 June 30, 2004, rates in effect for the period ending June 30, 2003, shall
14015 remain in effect, except any facility that would have been issued a
14016 lower rate effective July 1, 2003, than for the fiscal year ending June 30,
14017 2003, due to interim rate status or agreement with the department shall
14018 be issued such lower rate effective July 1, 2003. For the fiscal year
14019 ending June 30, 2005, rates in effect for the period ending June 30, 2004,
14020 shall remain in effect until December 31, 2004, except any facility that
14021 would have been issued a lower rate effective July 1, 2004, than for the
14022 fiscal year ending June 30, 2004, due to interim rate status or
14023 agreement with the department shall be issued such lower rate

14024 effective July 1, 2004. Effective January 1, 2005, each facility shall
14025 receive a rate that is one per cent greater than the rate in effect
14026 December 31, 2004. Effective upon receipt of all the necessary federal
14027 approvals to secure federal financial participation matching funds
14028 associated with the rate increase provided in this subdivision, but in
14029 no event earlier than July 1, 2005, and provided the user fee imposed
14030 under section 17b-320 is required to be collected, for the fiscal year
14031 ending June 30, 2006, the department shall compute the rate for each
14032 facility based upon its 2003 cost report filing or a subsequent cost year
14033 filing for facilities having an interim rate for the period ending June 30,
14034 2005, as provided under section 17-311-55 of the regulations of
14035 Connecticut state agencies. For each facility not having an interim rate
14036 for the period ending June 30, 2005, the rate for the period ending June
14037 30, 2006, shall be determined beginning with the higher of the
14038 computed rate based upon its 2003 cost report filing or the rate in
14039 effect for the period ending June 30, 2005. Such rate shall then be
14040 increased by eleven dollars and eighty cents per day except that in no
14041 event shall the rate for the period ending June 30, 2006, be thirty-two
14042 dollars more than the rate in effect for the period ending June 30, 2005,
14043 and for any facility with a rate below one hundred ninety-five dollars
14044 per day for the period ending June 30, 2005, such rate for the period
14045 ending June 30, 2006, shall not be greater than two hundred seventeen
14046 dollars and forty-three cents per day and for any facility with a rate
14047 equal to or greater than one hundred ninety-five dollars per day for
14048 the period ending June 30, 2005, such rate for the period ending June
14049 30, 2006, shall not exceed the rate in effect for the period ending June
14050 30, 2005, increased by eleven and one-half per cent. For each facility
14051 with an interim rate for the period ending June 30, 2005, the interim
14052 replacement rate for the period ending June 30, 2006, shall not exceed
14053 the rate in effect for the period ending June 30, 2005, increased by
14054 eleven dollars and eighty cents per day plus the per day cost of the
14055 user fee payments made pursuant to section 17b-320 divided by
14056 annual resident service days, except for any facility with an interim
14057 rate below one hundred ninety-five dollars per day for the period

14058 ending June 30, 2005, the interim replacement rate for the period
14059 ending June 30, 2006, shall not be greater than two hundred seventeen
14060 dollars and forty-three cents per day and for any facility with an
14061 interim rate equal to or greater than one hundred ninety-five dollars
14062 per day for the period ending June 30, 2005, the interim replacement
14063 rate for the period ending June 30, 2006, shall not exceed the rate in
14064 effect for the period ending June 30, 2005, increased by eleven and one-
14065 half per cent. Such July 1, 2005, rate adjustments shall remain in effect
14066 unless (i) the federal financial participation matching funds associated
14067 with the rate increase are no longer available; or (ii) the user fee
14068 created pursuant to section 17b-320 is not in effect. For the fiscal year
14069 ending June 30, 2007, each facility shall receive a rate that is three per
14070 cent greater than the rate in effect for the period ending June 30, 2006,
14071 except any facility that would have been issued a lower rate effective
14072 July 1, 2006, than for the rate period ending June 30, 2006, due to
14073 interim rate status or agreement with the department, shall be issued
14074 such lower rate effective July 1, 2006. For the fiscal year ending June
14075 30, 2008, each facility shall receive a rate that is two and nine-tenths
14076 per cent greater than the rate in effect for the period ending June 30,
14077 2007, except any facility that would have been issued a lower rate
14078 effective July 1, 2007, than for the rate period ending June 30, 2007, due
14079 to interim rate status or agreement with the department, shall be
14080 issued such lower rate effective July 1, 2007. For the fiscal year ending
14081 June 30, 2009, rates in effect for the period ending June 30, 2008, shall
14082 remain in effect until June 30, 2009, except any facility that would have
14083 been issued a lower rate for the fiscal year ending June 30, 2009, due to
14084 interim rate status or agreement with the department shall be issued
14085 such lower rate. For the fiscal years ending June 30, 2010, and June 30,
14086 2011, rates in effect for the period ending June 30, 2009, shall remain in
14087 effect until June 30, 2011, except any facility that would have been
14088 issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal
14089 year ending June 30, 2011, due to interim rate status or agreement with
14090 the department, shall be issued such lower rate. For the fiscal years
14091 ending June 30, 2012, and June 30, 2013, rates in effect for the period

14092 ending June 30, 2011, shall remain in effect until June 30, 2013, except
14093 any facility that would have been issued a lower rate for the fiscal year
14094 ending June 30, 2012, or the fiscal year ending June 30, 2013, due to
14095 interim rate status or agreement with the department, shall be issued
14096 such lower rate. For the fiscal year ending June 30, 2014, the
14097 department shall determine facility rates based upon 2011 cost report
14098 filings subject to the provisions of this section and applicable
14099 regulations except: (I) A ninety per cent minimum occupancy standard
14100 shall be applied; (II) no facility shall receive a rate that is higher than
14101 the rate in effect on June 30, 2013; and (III) no facility shall receive a
14102 rate that is more than four per cent lower than the rate in effect on June
14103 30, 2013, except that any facility that would have been issued a lower
14104 rate effective July 1, 2013, than for the rate period ending June 30, 2013,
14105 due to interim rate status or agreement with the department, shall be
14106 issued such lower rate effective July 1, 2013. For the fiscal year ending
14107 June 30, 2015, rates in effect for the period ending June 30, 2014, shall
14108 remain in effect until June 30, 2015, except any facility that would have
14109 been issued a lower rate effective July 1, 2014, than for the rate period
14110 ending June 30, 2014, due to interim rate status or agreement with the
14111 department, shall be issued such lower rate effective July 1, 2014. For
14112 the fiscal years ending June 30, 2016, and June 30, 2017, rates shall not
14113 exceed those in effect for the period ending June 30, 2015, except the
14114 rate paid to a facility may be higher than the rate paid to the facility for
14115 the period ending June 30, 2015, if the commissioner provides, within
14116 available appropriations, pro rata fair rent increases, which may, at the
14117 discretion of the commissioner, include increases for facilities which
14118 have undergone a material change in circumstances related to fair rent
14119 additions or moveable equipment placed in service in cost report years
14120 ending September 30, 2014, and September 30, 2015, and not otherwise
14121 included in rates issued. For the fiscal years ending June 30, 2016, and
14122 June 30, 2017, and each succeeding fiscal year, any facility that would
14123 have been issued a lower rate, due to interim rate status, a change in
14124 allowable fair rent or agreement with the department, shall be issued
14125 such lower rate. The Commissioner of Social Services shall add fair

14126 rent increases to any other rate increases established pursuant to this
14127 subdivision for a facility which has undergone a material change in
14128 circumstances related to fair rent, except for the fiscal years ending
14129 June 30, 2010, June 30, 2011, and June 30, 2012, such fair rent increases
14130 shall only be provided to facilities with an approved certificate of need
14131 pursuant to section 17b-352, 17b-353, 17b-354, as amended by this act,
14132 or 17b-355. For the fiscal year ending June 30, 2013, the commissioner
14133 may, within available appropriations, provide pro rata fair rent
14134 increases for facilities which have undergone a material change in
14135 circumstances related to fair rent additions placed in service in cost
14136 report years ending September 30, 2008, to September 30, 2011,
14137 inclusive, and not otherwise included in rates issued. For the fiscal
14138 years ending June 30, 2014, and June 30, 2015, the commissioner may,
14139 within available appropriations, provide pro rata fair rent increases,
14140 which may include moveable equipment at the discretion of the
14141 commissioner, for facilities which have undergone a material change
14142 in circumstances related to fair rent additions or moveable equipment
14143 placed in service in cost report years ending September 30, 2012, and
14144 September 30, 2013, and not otherwise included in rates issued. The
14145 commissioner shall add fair rent increases associated with an
14146 approved certificate of need pursuant to section 17b-352, 17b-353, 17b-
14147 354, as amended by this act, or 17b-355. Interim rates may take into
14148 account reasonable costs incurred by a facility, including wages and
14149 benefits. Notwithstanding the provisions of this section, the
14150 Commissioner of Social Services may, subject to available
14151 appropriations, increase or decrease rates issued to licensed chronic
14152 and convalescent nursing homes and licensed rest homes with nursing
14153 supervision. Notwithstanding any provision of this section, the
14154 Commissioner of Social Services shall, effective July 1, 2015, within
14155 available appropriations, adjust facility rates in accordance with the
14156 application of standard accounting principles as prescribed by the
14157 commissioner, for each facility subject to subsection (a) of this section.
14158 Such adjustment shall provide a pro-rata increase based on direct and
14159 indirect care employee salaries reported in the 2014 annual cost report,

14160 and adjusted to reflect subsequent salary increases, to reflect
14161 reasonable costs mandated by collective bargaining agreements with
14162 certified collective bargaining agents, or otherwise provided by a
14163 facility to its employees. For purposes of this subsection, "employee"
14164 shall not include a person employed as a facility's manager, chief
14165 administrator, a person required to be licensed as a nursing home
14166 administrator or any individual who receives compensation for
14167 services pursuant to a contractual arrangement and who is not directly
14168 employed by the facility. The commissioner may establish an upper
14169 limit for reasonable costs associated with salary adjustments beyond
14170 which the adjustment shall not apply. Nothing in this section shall
14171 require the commissioner to distribute such adjustments in a way that
14172 jeopardizes anticipated federal reimbursement. Facilities that receive
14173 such adjustment but do not provide increases in employee salaries as
14174 described in this subsection on or before July 31, 2015, may be subject
14175 to a rate decrease in the same amount as the adjustment by the
14176 commissioner. Of the amount appropriated for this purpose, no more
14177 than nine million dollars shall go to increases based on reasonable
14178 costs mandated by collective bargaining agreements.

14179 Sec. 381. Subsection (g) of section 17b-340 of the general statutes is
14180 repealed and the following is substituted in lieu thereof (*Effective July*
14181 *1, 2015*):

14182 (g) For the fiscal year ending June 30, 1993, any intermediate care
14183 facility for individuals with intellectual disabilities with an operating
14184 cost component of its rate in excess of one hundred forty per cent of
14185 the median of operating cost components of rates in effect January 1,
14186 1992, shall not receive an operating cost component increase. For the
14187 fiscal year ending June 30, 1993, any intermediate care facility for
14188 individuals with intellectual disabilities with an operating cost
14189 component of its rate that is less than one hundred forty per cent of the
14190 median of operating cost components of rates in effect January 1, 1992,
14191 shall have an allowance for real wage growth equal to thirty per cent
14192 of the increase determined in accordance with subsection (q) of section

14193 17-311-52 of the regulations of Connecticut state agencies, provided
14194 such operating cost component shall not exceed one hundred forty per
14195 cent of the median of operating cost components in effect January 1,
14196 1992. Any facility with real property other than land placed in service
14197 prior to October 1, 1991, shall, for the fiscal year ending June 30, 1995,
14198 receive a rate of return on real property equal to the average of the
14199 rates of return applied to real property other than land placed in
14200 service for the five years preceding October 1, 1993. For the fiscal year
14201 ending June 30, 1996, and any succeeding fiscal year, the rate of return
14202 on real property for property items shall be revised every five years.
14203 The commissioner shall, upon submission of a request, allow actual
14204 debt service, comprised of principal and interest, in excess of property
14205 costs allowed pursuant to section 17-311-52 of the regulations of
14206 Connecticut state agencies, provided such debt service terms and
14207 amounts are reasonable in relation to the useful life and the base value
14208 of the property. For the fiscal year ending June 30, 1995, and any
14209 succeeding fiscal year, the inflation adjustment made in accordance
14210 with subsection (p) of section 17-311-52 of the regulations of
14211 Connecticut state agencies shall not be applied to real property costs.
14212 For the fiscal year ending June 30, 1996, and any succeeding fiscal year,
14213 the allowance for real wage growth, as determined in accordance with
14214 subsection (q) of section 17-311-52 of the regulations of Connecticut
14215 state agencies, shall not be applied. For the fiscal year ending June 30,
14216 1996, and any succeeding fiscal year, no rate shall exceed three
14217 hundred seventy-five dollars per day unless the commissioner, in
14218 consultation with the Commissioner of Developmental Services,
14219 determines after a review of program and management costs, that a
14220 rate in excess of this amount is necessary for care and treatment of
14221 facility residents. For the fiscal year ending June 30, 2002, rate period,
14222 the Commissioner of Social Services shall increase the inflation
14223 adjustment for rates made in accordance with subsection (p) of section
14224 17-311-52 of the regulations of Connecticut state agencies to update
14225 allowable fiscal year 2000 costs to include a three and one-half per cent
14226 inflation factor. For the fiscal year ending June 30, 2003, rate period, the

14227 commissioner shall increase the inflation adjustment for rates made in
14228 accordance with subsection (p) of section 17-311-52 of the regulations
14229 of Connecticut state agencies to update allowable fiscal year 2001 costs
14230 to include a one and one-half per cent inflation factor, except that such
14231 increase shall be effective November 1, 2002, and such facility rate in
14232 effect for the fiscal year ending June 30, 2002, shall be paid for services
14233 provided until October 31, 2002, except any facility that would have
14234 been issued a lower rate effective July 1, 2002, than for the fiscal year
14235 ending June 30, 2002, due to interim rate status or agreement with the
14236 department shall be issued such lower rate effective July 1, 2002, and
14237 have such rate updated effective November 1, 2002, in accordance with
14238 applicable statutes and regulations. For the fiscal year ending June 30,
14239 2004, rates in effect for the period ending June 30, 2003, shall remain in
14240 effect, except any facility that would have been issued a lower rate
14241 effective July 1, 2003, than for the fiscal year ending June 30, 2003, due
14242 to interim rate status or agreement with the department shall be issued
14243 such lower rate effective July 1, 2003. For the fiscal year ending June
14244 30, 2005, rates in effect for the period ending June 30, 2004, shall
14245 remain in effect until September 30, 2004. Effective October 1, 2004,
14246 each facility shall receive a rate that is five per cent greater than the
14247 rate in effect September 30, 2004. Effective upon receipt of all the
14248 necessary federal approvals to secure federal financial participation
14249 matching funds associated with the rate increase provided in
14250 subdivision (4) of subsection (f) of this section, but in no event earlier
14251 than October 1, 2005, and provided the user fee imposed under section
14252 17b-320 is required to be collected, each facility shall receive a rate that
14253 is four per cent more than the rate the facility received in the prior
14254 fiscal year, except any facility that would have been issued a lower rate
14255 effective October 1, 2005, than for the fiscal year ending June 30, 2005,
14256 due to interim rate status or agreement with the department, shall be
14257 issued such lower rate effective October 1, 2005. Such rate increase
14258 shall remain in effect unless: (1) The federal financial participation
14259 matching funds associated with the rate increase are no longer
14260 available; or (2) the user fee created pursuant to section 17b-320 is not

14261 in effect. For the fiscal year ending June 30, 2007, rates in effect for the
14262 period ending June 30, 2006, shall remain in effect until September 30,
14263 2006, except any facility that would have been issued a lower rate
14264 effective July 1, 2006, than for the fiscal year ending June 30, 2006, due
14265 to interim rate status or agreement with the department, shall be
14266 issued such lower rate effective July 1, 2006. Effective October 1, 2006,
14267 no facility shall receive a rate that is more than three per cent greater
14268 than the rate in effect for the facility on September 30, 2006, except any
14269 facility that would have been issued a lower rate effective October 1,
14270 2006, due to interim rate status or agreement with the department,
14271 shall be issued such lower rate effective October 1, 2006. For the fiscal
14272 year ending June 30, 2008, each facility shall receive a rate that is two
14273 and nine-tenths per cent greater than the rate in effect for the period
14274 ending June 30, 2007, except any facility that would have been issued a
14275 lower rate effective July 1, 2007, than for the rate period ending June
14276 30, 2007, due to interim rate status, or agreement with the department,
14277 shall be issued such lower rate effective July 1, 2007. For the fiscal year
14278 ending June 30, 2009, rates in effect for the period ending June 30, 2008,
14279 shall remain in effect until June 30, 2009, except any facility that would
14280 have been issued a lower rate for the fiscal year ending June 30, 2009,
14281 due to interim rate status or agreement with the department, shall be
14282 issued such lower rate. For the fiscal years ending June 30, 2010, and
14283 June 30, 2011, rates in effect for the period ending June 30, 2009, shall
14284 remain in effect until June 30, 2011, except any facility that would have
14285 been issued a lower rate for the fiscal year ending June 30, 2010, or the
14286 fiscal year ending June 30, 2011, due to interim rate status or
14287 agreement with the department, shall be issued such lower rate. For
14288 the fiscal year ending June 30, 2012, rates in effect for the period
14289 ending June 30, 2011, shall remain in effect until June 30, 2012, except
14290 any facility that would have been issued a lower rate for the fiscal year
14291 ending June 30, 2012, due to interim rate status or agreement with the
14292 department, shall be issued such lower rate. For the fiscal years ending
14293 June 30, 2014, and June 30, 2015, rates shall not exceed those in effect
14294 for the period ending June 30, 2013, except the rate paid to a facility

14295 may be higher than the rate paid to the facility for the period ending
14296 June 30, 2013, if a capital improvement approved by the Department of
14297 Developmental Services, in consultation with the Department of Social
14298 Services, for the health or safety of the residents was made to the
14299 facility during the fiscal year ending June 30, 2014, or June 30, 2015,
14300 only to the extent such rate increases are within available
14301 appropriations. Any facility that would have been issued a lower rate
14302 for the fiscal year ending June 30, 2014, or the fiscal year ending June
14303 30, 2015, due to interim rate status or agreement with the department,
14304 shall be issued such lower rate. For the fiscal years ending June 30,
14305 2016, and June 30, 2017, rates shall not exceed those in effect for the
14306 period ending June 30, 2015, except the rate paid to a facility may be
14307 higher than the rate paid to the facility for the period ending June 30,
14308 2015, if a capital improvement approved by the Department of
14309 Developmental Services, in consultation with the Department of Social
14310 Services, for the health or safety of the residents was made to the
14311 facility during the fiscal year ending June 30, 2016, or June 30, 2017,
14312 only to the extent such rate increases are within available
14313 appropriations. For the fiscal years ending June 30, 2016, and June 30,
14314 2017, and each succeeding fiscal year, any facility that would have
14315 been issued a lower rate, due to interim rate status, a change in
14316 allowable fair rent or agreement with the department, shall be issued
14317 such lower rate. Any facility that has a significant decrease in land and
14318 building costs shall receive a reduced rate to reflect such decrease in
14319 land and building costs. For the fiscal years ending June 30, 2012, June
14320 30, 2013, June 30, 2014, [and] June 30, 2015, June 30, 2016, and June 30,
14321 2017, the Commissioner of Social Services may provide fair rent
14322 increases to any facility that has undergone a material change in
14323 circumstances related to fair rent and has an approved certificate of
14324 need pursuant to section 17b-352, 17b-353, 17b-354, as amended by this
14325 act, or 17b-355. Notwithstanding the provisions of this section, the
14326 Commissioner of Social Services may, within available appropriations,
14327 increase or decrease rates issued to intermediate care facilities for
14328 individuals with intellectual disabilities to reflect a reduction in

14329 available appropriations as provided in subsection (a) of this section.
14330 For the fiscal years ending June 30, 2014, and June 30, 2015, the
14331 commissioner shall not consider rebasing in determining rates.

14332 Sec. 382. Subsection (a) of section 17b-244 of the general statutes is
14333 repealed and the following is substituted in lieu thereof (*Effective July*
14334 *1, 2015*):

14335 (a) The room and board component of the rates to be paid by the
14336 state to private facilities and facilities operated by regional education
14337 service centers which are licensed to provide residential care pursuant
14338 to section 17a-227, but not certified to participate in the Title XIX
14339 Medicaid program as intermediate care facilities for individuals with
14340 intellectual disabilities, shall be determined annually by the
14341 Commissioner of Social Services, except that rates effective April 30,
14342 1989, shall remain in effect through October 31, 1989. Any facility with
14343 real property other than land placed in service prior to July 1, 1991,
14344 shall, for the fiscal year ending June 30, 1995, receive a rate of return on
14345 real property equal to the average of the rates of return applied to real
14346 property other than land placed in service for the five years preceding
14347 July 1, 1993. For the fiscal year ending June 30, 1996, and any
14348 succeeding fiscal year, the rate of return on real property for property
14349 items shall be revised every five years. The commissioner shall, upon
14350 submission of a request by such facility, allow actual debt service,
14351 comprised of principal and interest, on the loan or loans in lieu of
14352 property costs allowed pursuant to section 17-313b-5 of the regulations
14353 of Connecticut state agencies, whether actual debt service is higher or
14354 lower than such allowed property costs, provided such debt service
14355 terms and amounts are reasonable in relation to the useful life and the
14356 base value of the property. In the case of facilities financed through the
14357 Connecticut Housing Finance Authority, the commissioner shall allow
14358 actual debt service, comprised of principal, interest and a reasonable
14359 repair and replacement reserve on the loan or loans in lieu of property
14360 costs allowed pursuant to section 17-313b-5 of the regulations of
14361 Connecticut state agencies, whether actual debt service is higher or

14362 lower than such allowed property costs, provided such debt service
14363 terms and amounts are determined by the commissioner at the time
14364 the loan is entered into to be reasonable in relation to the useful life
14365 and base value of the property. The commissioner may allow fees
14366 associated with mortgage refinancing provided such refinancing will
14367 result in state reimbursement savings, after comparing costs over the
14368 terms of the existing proposed loans. For the fiscal year ending June 30,
14369 1992, the inflation factor used to determine rates shall be one-half of
14370 the gross national product percentage increase for the period between
14371 the midpoint of the cost year through the midpoint of the rate year. For
14372 fiscal year ending June 30, 1993, the inflation factor used to determine
14373 rates shall be two-thirds of the gross national product percentage
14374 increase from the midpoint of the cost year to the midpoint of the rate
14375 year. For the fiscal years ending June 30, 1996, and June 30, 1997, no
14376 inflation factor shall be applied in determining rates. The
14377 Commissioner of Social Services shall prescribe uniform forms on
14378 which such facilities shall report their costs. Such rates shall be
14379 determined on the basis of a reasonable payment for necessary
14380 services. Any increase in grants, gifts, fund-raising or endowment
14381 income used for the payment of operating costs by a private facility in
14382 the fiscal year ending June 30, 1992, shall be excluded by the
14383 commissioner from the income of the facility in determining the rates
14384 to be paid to the facility for the fiscal year ending June 30, 1993,
14385 provided any operating costs funded by such increase shall not
14386 obligate the state to increase expenditures in subsequent fiscal years.
14387 Nothing contained in this section shall authorize a payment by the
14388 state to any such facility in excess of the charges made by the facility
14389 for comparable services to the general public. The service component
14390 of the rates to be paid by the state to private facilities and facilities
14391 operated by regional education service centers which are licensed to
14392 provide residential care pursuant to section 17a-227, but not certified
14393 to participate in the Title XIX Medicaid programs as intermediate care
14394 facilities for individuals with intellectual disabilities, shall be
14395 determined annually by the Commissioner of Developmental Services

14396 in accordance with section 17b-244a. For the fiscal year ending June 30,
14397 2008, no facility shall receive a rate that is more than two per cent
14398 greater than the rate in effect for the facility on June 30, 2007, except
14399 any facility that would have been issued a lower rate effective July 1,
14400 2007, due to interim rate status or agreement with the department,
14401 shall be issued such lower rate effective July 1, 2007. For the fiscal year
14402 ending June 30, 2009, no facility shall receive a rate that is more than
14403 two per cent greater than the rate in effect for the facility on June 30,
14404 2008, except any facility that would have been issued a lower rate
14405 effective July 1, 2008, due to interim rate status or agreement with the
14406 department, shall be issued such lower rate effective July 1, 2008. For
14407 the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect
14408 for the period ending June 30, 2009, shall remain in effect until June 30,
14409 2011, except that (1) the rate paid to a facility may be higher than the
14410 rate paid to the facility for the period ending June 30, 2009, if a capital
14411 improvement required by the Commissioner of Developmental
14412 Services for the health or safety of the residents was made to the
14413 facility during the fiscal years ending June 30, 2010, or June 30, 2011,
14414 and (2) any facility that would have been issued a lower rate for the
14415 fiscal **[**years**]** <u>year</u> ending June 30, 2010, or June 30, 2011, due to interim
14416 rate status or agreement with the department, shall be issued such
14417 lower rate. For the fiscal year ending June 30, 2012, rates in effect for
14418 the period ending June 30, 2011, shall remain in effect until June 30,
14419 2012, except that (A) the rate paid to a facility may be higher than the
14420 rate paid to the facility for the period ending June 30, 2011, if a capital
14421 improvement required by the Commissioner of Developmental
14422 Services for the health or safety of the residents was made to the
14423 facility during the fiscal year ending June 30, 2012, and (B) any facility
14424 that would have been issued a lower rate for the fiscal year ending
14425 June 30, 2012, due to interim rate status or agreement with the
14426 department, shall be issued such lower rate. Any facility that has a
14427 significant decrease in land and building costs shall receive a reduced
14428 rate to reflect such decrease in land and building costs. The rate paid to
14429 a facility may be increased if a capital improvement approved by the

14430 Department of Developmental Services, in consultation with the
14431 Department of Social Services, for the health or safety of the residents
14432 was made to the facility during the fiscal year ending June 30, 2014, or
14433 June 30, 2015, only to the extent such increases are within available
14434 appropriations. For the fiscal years ending June 30, 2016, and June 30,
14435 2017, rates shall not exceed those in effect for the period ending June
14436 30, 2015, except the rate paid to a facility may be higher than the rate
14437 paid to the facility for the period ending June 30, 2015, if a capital
14438 improvement approved by the Department of Developmental Services,
14439 in consultation with the Department of Social Services, for the health
14440 or safety of the residents was made to the facility during the fiscal year
14441 ending June 30, 2016, or June 30, 2017, only to the extent such rate
14442 increases are within available appropriations. For the fiscal years
14443 ending June 30, 2016, and June 30, 2017, and each succeeding fiscal
14444 year, any facility that would have been issued a lower rate, due to
14445 interim rate status, a change in allowable fair rent or agreement with
14446 the department, shall be issued such lower rate.

14447 Sec. 383. Subdivision (1) of subsection (h) of section 17b-340 of the
14448 general statutes is repealed and the following is substituted in lieu
14449 thereof (*Effective July 1, 2015*):

14450 (h) (1) For the fiscal year ending June 30, 1993, any residential care
14451 home with an operating cost component of its rate in excess of one
14452 hundred thirty per cent of the median of operating cost components of
14453 rates in effect January 1, 1992, shall not receive an operating cost
14454 component increase. For the fiscal year ending June 30, 1993, any
14455 residential care home with an operating cost component of its rate that
14456 is less than one hundred thirty per cent of the median of operating cost
14457 components of rates in effect January 1, 1992, shall have an allowance
14458 for real wage growth equal to sixty-five per cent of the increase
14459 determined in accordance with subsection (q) of section 17-311-52 of
14460 the regulations of Connecticut state agencies, provided such operating
14461 cost component shall not exceed one hundred thirty per cent of the
14462 median of operating cost components in effect January 1, 1992.

14463 Beginning with the fiscal year ending June 30, 1993, for the purpose of
14464 determining allowable fair rent, a residential care home with allowable
14465 fair rent less than the twenty-fifth percentile of the state-wide
14466 allowable fair rent shall be reimbursed as having allowable fair rent
14467 equal to the twenty-fifth percentile of the state-wide allowable fair
14468 rent. Beginning with the fiscal year ending June 30, 1997, a residential
14469 care home with allowable fair rent less than three dollars and ten cents
14470 per day shall be reimbursed as having allowable fair rent equal to
14471 three dollars and ten cents per day. Property additions placed in
14472 service during the cost year ending September 30, 1996, or any
14473 succeeding cost year shall receive a fair rent allowance for such
14474 additions as an addition to three dollars and ten cents per day if the
14475 fair rent for the facility for property placed in service prior to
14476 September 30, 1995, is less than or equal to three dollars and ten cents
14477 per day. Beginning with the fiscal year ending June 30, 2016, a
14478 residential care home shall be reimbursed the greater of the allowable
14479 accumulated fair rent reimbursement associated with real property
14480 additions and land as calculated on a per day basis or three dollars and
14481 ten cents per day if the allowable reimbursement associated with real
14482 property additions and land is less than three dollars and ten cents per
14483 day. For the fiscal year ending June 30, 1996, and any succeeding fiscal
14484 year, the allowance for real wage growth, as determined in accordance
14485 with subsection (q) of section 17-311-52 of the regulations of
14486 Connecticut state agencies, shall not be applied. For the fiscal year
14487 ending June 30, 1996, and any succeeding fiscal year, the inflation
14488 adjustment made in accordance with subsection (p) of section 17-311-
14489 52 of the regulations of Connecticut state agencies shall not be applied
14490 to real property costs. Beginning with the fiscal year ending June 30,
14491 1997, minimum allowable patient days for rate computation purposes
14492 for a residential care home with twenty-five beds or less shall be
14493 eighty-five per cent of licensed capacity. Beginning with the fiscal year
14494 ending June 30, 2002, for the purposes of determining the allowable
14495 salary of an administrator of a residential care home with sixty beds or
14496 less the department shall revise the allowable base salary to thirty-

14497 seven thousand dollars to be annually inflated thereafter in accordance
14498 with section 17-311-52 of the regulations of Connecticut state agencies.
14499 The rates for the fiscal year ending June 30, 2002, shall be based upon
14500 the increased allowable salary of an administrator, regardless of
14501 whether such amount was expended in the 2000 cost report period
14502 upon which the rates are based. Beginning with the fiscal year ending
14503 June 30, 2000, and until the fiscal year ending June 30, 2009, inclusive,
14504 the inflation adjustment for rates made in accordance with subsection
14505 (p) of section 17-311-52 of the regulations of Connecticut state agencies
14506 shall be increased by two per cent, and beginning with the fiscal year
14507 ending June 30, 2002, the inflation adjustment for rates made in
14508 accordance with subsection (c) of said section shall be increased by one
14509 per cent. Beginning with the fiscal year ending June 30, 1999, for the
14510 purpose of determining the allowable salary of a related party, the
14511 department shall revise the maximum salary to twenty-seven
14512 thousand eight hundred fifty-six dollars to be annually inflated
14513 thereafter in accordance with section 17-311-52 of the regulations of
14514 Connecticut state agencies and beginning with the fiscal year ending
14515 June 30, 2001, such allowable salary shall be computed on an hourly
14516 basis and the maximum number of hours allowed for a related party
14517 other than the proprietor shall be increased from forty hours to forty-
14518 eight hours per work week. For the fiscal year ending June 30, 2005,
14519 each facility shall receive a rate that is two and one-quarter per cent
14520 more than the rate the facility received in the prior fiscal year, except
14521 any facility that would have been issued a lower rate effective July 1,
14522 2004, than for the fiscal year ending June 30, 2004, due to interim rate
14523 status or agreement with the department shall be issued such lower
14524 rate effective July 1, 2004. Effective upon receipt of all the necessary
14525 federal approvals to secure federal financial participation matching
14526 funds associated with the rate increase provided in subdivision (4) of
14527 subsection (f) of this section, but in no event earlier than October 1,
14528 2005, and provided the user fee imposed under section 17b-320 is
14529 required to be collected, each facility shall receive a rate that is
14530 determined in accordance with applicable law and subject to

14531 appropriations, except any facility that would have been issued a
14532 lower rate effective October 1, 2005, than for the fiscal year ending June
14533 30, 2005, due to interim rate status or agreement with the department,
14534 shall be issued such lower rate effective October 1, 2005. Such rate
14535 increase shall remain in effect unless: (A) The federal financial
14536 participation matching funds associated with the rate increase are no
14537 longer available; or (B) the user fee created pursuant to section 17b-320
14538 is not in effect. For the fiscal year ending June 30, 2007, rates in effect
14539 for the period ending June 30, 2006, shall remain in effect until
14540 September 30, 2006, except any facility that would have been issued a
14541 lower rate effective July 1, 2006, than for the fiscal year ending June 30,
14542 2006, due to interim rate status or agreement with the department,
14543 shall be issued such lower rate effective July 1, 2006. Effective October
14544 1, 2006, no facility shall receive a rate that is more than four per cent
14545 greater than the rate in effect for the facility on September 30, 2006,
14546 except for any facility that would have been issued a lower rate
14547 effective October 1, 2006, due to interim rate status or agreement with
14548 the department, shall be issued such lower rate effective October 1,
14549 2006. For the fiscal years ending June 30, 2010, and June 30, 2011, rates
14550 in effect for the period ending June 30, 2009, shall remain in effect until
14551 June 30, 2011, except any facility that would have been issued a lower
14552 rate for the fiscal year ending June 30, 2010, or the fiscal year ending
14553 June 30, 2011, due to interim rate status or agreement with the
14554 department, shall be issued such lower rate, except (i) any facility that
14555 would have been issued a lower rate for the fiscal year ending June 30,
14556 2010, or the fiscal year ending June 30, 2011, due to interim rate status
14557 or agreement with the Commissioner of Social Services shall be issued
14558 such lower rate; and (ii) the commissioner may increase a facility's rate
14559 for reasonable costs associated with such facility's compliance with the
14560 provisions of section 19a-495a concerning the administration of
14561 medication by unlicensed personnel. For the fiscal year ending June 30,
14562 2012, rates in effect for the period ending June 30, 2011, shall remain in
14563 effect until June 30, 2012, except that (I) any facility that would have
14564 been issued a lower rate for the fiscal year ending June 30, 2012, due to

14565 interim rate status or agreement with the Commissioner of Social
14566 Services shall be issued such lower rate; and (II) the commissioner may
14567 increase a facility's rate for reasonable costs associated with such
14568 facility's compliance with the provisions of section 19a-495a
14569 concerning the administration of medication by unlicensed personnel.
14570 For the fiscal year ending June 30, 2013, the Commissioner of Social
14571 Services may, within available appropriations, provide a rate increase
14572 to a residential care home. Any facility that would have been issued a
14573 lower rate for the fiscal year ending June 30, 2013, due to interim rate
14574 status or agreement with the Commissioner of Social Services shall be
14575 issued such lower rate. For the fiscal years ending June 30, 2012, and
14576 June 30, 2013, the Commissioner of Social Services may provide fair
14577 rent increases to any facility that has undergone a material change in
14578 circumstances related to fair rent and has an approved certificate of
14579 need pursuant to section 17b-352, 17b-353, 17b-354, as amended by this
14580 act, or 17b-355. For the fiscal years ending June 30, 2014, and June 30,
14581 2015, for those facilities that have a calculated rate greater than the rate
14582 in effect for the fiscal year ending June 30, 2013, the commissioner may
14583 increase facility rates based upon available appropriations up to a stop
14584 gain as determined by the commissioner. No facility shall be issued a
14585 rate that is lower than the rate in effect on June 30, 2013, except that
14586 any facility that would have been issued a lower rate for the fiscal year
14587 ending June 30, 2014, or the fiscal year ending June 30, 2015, due to
14588 interim rate status or agreement with the commissioner, shall be issued
14589 such lower rate. For the fiscal year ending June 30, 2014, and each fiscal
14590 year thereafter, a residential care home shall receive a rate increase for
14591 any capital improvement made during the fiscal year for the health
14592 and safety of residents and approved by the Department of Social
14593 Services, provided such rate increase is within available
14594 appropriations. For the fiscal year ending June 30, 2015, and each
14595 succeeding fiscal year thereafter, costs of less than ten thousand dollars
14596 that are incurred by a facility and are associated with any land,
14597 building or nonmovable equipment repair or improvement that are
14598 reported in the cost year used to establish the facility's rate shall not be

14599 capitalized for a period of more than five years for rate-setting
14600 purposes. For the fiscal year ending June 30, 2015, subject to available
14601 appropriations, the commissioner may, at the commissioner's
14602 discretion: Increase the inflation cost limitation under subsection (c) of
14603 section 17-311-52 of the regulations of Connecticut state agencies,
14604 provided such inflation allowance factor does not exceed a maximum
14605 of five per cent; establish a minimum rate of return applied to real
14606 property of five per cent inclusive of assets placed in service during
14607 cost year 2013; waive the standard rate of return under subsection (f)
14608 of section 17-311-52 of the regulations of Connecticut state agencies for
14609 ownership changes or health and safety improvements that exceed one
14610 hundred thousand dollars and that are required under a consent order
14611 from the Department of Public Health; and waive the rate of return
14612 adjustment under subsection (f) of section 17-311-52 of the regulations
14613 of Connecticut state agencies to avoid financial hardship. For the fiscal
14614 years ending June 30, 2016, and June 30, 2017, rates shall not exceed
14615 those in effect for the period ending June 30, 2015, except the
14616 commissioner may, in the commissioner's discretion and within
14617 available appropriations, provide pro rata fair rent increases to
14618 facilities which have documented fair rent additions placed in service
14619 in cost report years ending September 30, 2014, and September 30,
14620 2015, that are not otherwise included in rates issued. For the fiscal
14621 years ending June 30, 2016, and June 30, 2017, and each succeeding
14622 fiscal year, any facility that would have been issued a lower rate, due
14623 to interim rate status, a change in allowable fair rent or agreement with
14624 the department, shall be issued such lower rate.

14625 Sec. 384. Subsection (a) of section 17b-280 of the general statutes is
14626 repealed and the following is substituted in lieu thereof (*Effective July*
14627 *1, 2015*):

14628 (a) The state shall reimburse for all legend drugs provided under
14629 medical assistance programs administered by the Department of Social
14630 Services at the lower of (1) the rate established by the Centers for
14631 Medicare and Medicaid Services as the federal acquisition cost, (2) the

14632 average wholesale price minus sixteen and one-half per cent, or (3) an
14633 equivalent percentage as established under the Medicaid state plan.
14634 The state shall pay a professional fee of one dollar and [seventy] forty
14635 cents to licensed pharmacies for each prescription dispensed to a
14636 recipient of benefits under a medical assistance program administered
14637 by the Department of Social Services in accordance with federal
14638 regulations. On and after September 4, 1991, payment for legend and
14639 nonlegend drugs provided to Medicaid recipients shall be based upon
14640 the actual package size dispensed. Effective October 1, 1991,
14641 reimbursement for over-the-counter drugs for such recipients shall be
14642 limited to those over-the-counter drugs and products published in the
14643 Connecticut Formulary, or the cross reference list, issued by the
14644 commissioner. The cost of all over-the-counter drugs and products
14645 provided to residents of nursing facilities, chronic disease hospitals,
14646 and intermediate care facilities for individuals with intellectual
14647 disabilities shall be included in the facilities' per diem rate.
14648 Notwithstanding the provisions of this subsection, no dispensing fee
14649 shall be issued for a prescription drug dispensed to a Medicaid
14650 recipient who is a Medicare Part D beneficiary when the prescription
14651 drug is a Medicare Part D drug, as defined in Public Law 108-173, the
14652 Medicare Prescription Drug, Improvement, and Modernization Act of
14653 2003.

14654 Sec. 385. Subsection (b) of section 17b-239e of the general statutes is
14655 repealed and the following is substituted in lieu thereof (*Effective July*
14656 *1, 2015*):

14657 (b) The commissioner may establish a blended inpatient hospital
14658 case rate that includes services provided to all Medicaid recipients and
14659 may exclude certain diagnoses, as determined by the commissioner, if
14660 the establishment of such rates is needed to ensure that the conversion
14661 to an administrative services organization is cost neutral to hospitals in
14662 the aggregate and ensures patient access. Utilization may be a factor in
14663 determining cost neutrality. The Department of Social Services [shall]
14664 may establish, within available appropriations, a supplemental

14665 inpatient pool for [low-cost] certain hospitals.

14666 Sec. 386. Subsection (i) of section 17b-342 of the general statutes is
14667 repealed and the following is substituted in lieu thereof (*Effective July*
14668 *1, 2015*):

14669 (i) (1) On and after July 1, [1992] 2015, the Commissioner of Social
14670 Services shall, within available appropriations, administer a state-
14671 funded portion of the program for persons (A) who are sixty-five years
14672 of age and older; (B) who are inappropriately institutionalized or at
14673 risk of inappropriate institutionalization; (C) whose income is less than
14674 or equal to the amount allowed under subdivision (3) of subsection (a)
14675 of this section; and (D) whose assets, if single, [do not exceed the
14676 minimum community spouse protected amount pursuant to Section
14677 4022.05 of the department's uniform policy manual or, if married, the
14678 couple's assets do not exceed one hundred fifty per cent of said
14679 community spouse protected amount and on and after April 1, 2007,
14680 whose assets, if single,] do not exceed one hundred fifty per cent of the
14681 federal minimum community spouse protected amount pursuant to
14682 [Section 4022.05 of the department's uniform policy manual] 42 USC
14683 1396r-5(f)(2) or, if married, the couple's assets do not exceed two
14684 hundred per cent of said community spouse protected amount. For
14685 program applications received by the Department of Social Services for
14686 the fiscal years ending June 30, 2016, and June 30, 2017, only persons
14687 who require the level of care provided in a nursing home shall be
14688 eligible for the state-funded portion of the program, except for persons
14689 residing in affordable housing under the assisted living demonstration
14690 project established pursuant to section 17b-347e who are otherwise
14691 eligible in accordance with this section.

14692 (2) Except for persons residing in affordable housing under the
14693 assisted living demonstration project established pursuant to section
14694 17b-347e, as provided in subdivision (3) of this subsection, any person
14695 whose income is at or below two hundred per cent of the federal
14696 poverty level and who is ineligible for Medicaid shall contribute

14697 [seven] nine per cent of the cost of his or her care. Any person whose
14698 income exceeds two hundred per cent of the federal poverty level shall
14699 contribute [seven] nine per cent of the cost of his or her care in
14700 addition to the amount of applied income determined in accordance
14701 with the methodology established by the Department of Social Services
14702 for recipients of medical assistance. Any person who does not
14703 contribute to the cost of care in accordance with this subdivision shall
14704 be ineligible to receive services under this subsection. Notwithstanding
14705 any provision of [the general statutes] sections 17b-60 and 17b-61, the
14706 department shall not be required to provide an administrative hearing
14707 to a person found ineligible for services under this subsection because
14708 of a failure to contribute to the cost of care.

14709 (3) Any person who resides in affordable housing under the assisted
14710 living demonstration project established pursuant to section 17b-347e
14711 and whose income is at or below two hundred per cent of the federal
14712 poverty level, shall not be required to contribute to the cost of care.
14713 Any person who resides in affordable housing under the assisted
14714 living demonstration project established pursuant to section 17b-347e
14715 and whose income exceeds two hundred per cent of the federal
14716 poverty level, shall contribute to the applied income amount
14717 determined in accordance with the methodology established by the
14718 Department of Social Services for recipients of medical assistance. Any
14719 person whose income exceeds two hundred per cent of the federal
14720 poverty level and who does not contribute to the cost of care in
14721 accordance with this subdivision shall be ineligible to receive services
14722 under this subsection. Notwithstanding any provision of [the general
14723 statutes] sections 17b-60 and 17b-61, the department shall not be
14724 required to provide an administrative hearing to a person found
14725 ineligible for services under this subsection because of a failure to
14726 contribute to the cost of care.

14727 (4) The annualized cost of services provided to an individual under
14728 the state-funded portion of the program shall not exceed fifty per cent
14729 of the weighted average cost of care in nursing homes in the state,

14730 except an individual who received services costing in excess of such
14731 amount under the Department of Social Services in the fiscal year
14732 ending June 30, 1992, may continue to receive such services, provided
14733 the annualized cost of such services does not exceed eighty per cent of
14734 the weighted average cost of such nursing home care. The
14735 commissioner may allow the cost of services provided to an individual
14736 to exceed the maximum cost established pursuant to this subdivision
14737 in a case of extreme hardship, as determined by the commissioner,
14738 provided in no case shall such cost exceed that of the weighted cost of
14739 such nursing home care.

14740 Sec. 387. Section 17b-131 of the general statutes is repealed and the
14741 following is substituted in lieu thereof (*Effective July 1, 2015*):

14742 When a person in any town, or sent from such town to any licensed
14743 institution or state humane institution, dies or is found dead therein
14744 and does not leave sufficient estate or has no legally liable relative able
14745 to pay the cost of a proper funeral and burial, or upon the death of any
14746 beneficiary under the state-administered general assistance program,
14747 the Commissioner of Social Services shall give to such person a proper
14748 funeral and burial, and shall pay a sum not exceeding one thousand
14749 **[**eight**]** <u>four</u> hundred dollars as an allowance toward the funeral
14750 expenses of such deceased, said sum to be paid, upon submission of a
14751 proper bill, to the funeral director, cemetery or crematory, as the case
14752 may be. Such payment for funeral and burial expenses shall be
14753 reduced by (1) the amount in any revocable or irrevocable funeral
14754 fund, (2) any prepaid funeral contract, (3) the face value of any life
14755 insurance policy owned by the decedent, and (4) contributions in
14756 excess of **[**two thousand eight**]** <u>three thousand two</u> hundred dollars
14757 toward such funeral and burial expenses from all other sources
14758 including friends, relatives and all other persons, organizations,
14759 veterans' and other benefit programs and other agencies.

14760 Sec. 388. Section 17b-84 of the general statutes is repealed and the
14761 following is substituted in lieu thereof (*Effective July 1, 2015*):

14762 Upon the death of any beneficiary under the state supplement or the
14763 temporary family assistance program, the Commissioner of Social
14764 Services shall order the payment of a sum not to exceed one thousand
14765 **[**eight**]** four hundred dollars as an allowance toward the funeral and
14766 burial expenses of such deceased. The payment for funeral and burial
14767 expenses shall be reduced by the amount in any revocable or
14768 irrevocable funeral fund, prepaid funeral contract or the face value of
14769 any life insurance policy owned by the recipient. Contributions may be
14770 made by any person for the cost of the funeral and burial expenses of
14771 the deceased over and above the sum established under this section
14772 without thereby diminishing the state's obligation.

14773 Sec. 389. Subsection (c) of section 17b-265d of the general statutes is
14774 repealed and the following is substituted in lieu thereof (*Effective July*
14775 *1, 2015*):

14776 (c) A full benefit dually eligible Medicare Part D beneficiary shall be
14777 responsible for any Medicare Part D prescription drug copayments
14778 imposed pursuant to Public Law 108-173, the Medicare Prescription
14779 Drug, Improvement, and Modernization Act of 2003. **[**, in amounts not
14780 to exceed fifteen dollars per month. The department shall be
14781 responsible for payment, on behalf of such beneficiary, of any
14782 Medicare Part D prescription drug copayments in any month in which
14783 such copayment amounts exceed fifteen dollars in the aggregate.**]**

14784 Sec. 390. Subsection (c) of section 17b-242 of the general statutes is
14785 repealed and the following is substituted in lieu thereof (*Effective July*
14786 *1, 2015*):

14787 (c) The home health services fee schedule shall include a fee for the
14788 administration of medication, which shall apply when the purpose of a
14789 nurse's visit is limited to the administration of medication.
14790 Administration of medication may include, but is not limited to, blood
14791 pressure checks, glucometer readings, pulse rate checks and similar
14792 indicators of health status. The fee for medication administration shall

14793 include administration of medications while the nurse is present, the
14794 pre-pouring of additional doses that the client will self-administer at a
14795 later time and the teaching of self-administration. The department
14796 shall not pay for medication administration in addition to any other
14797 nursing service at the same visit. The department may establish prior
14798 authorization requirements for this service. Before implementing such
14799 change, the Commissioner of Social Services shall consult with the
14800 chairpersons of the joint standing committees of the General Assembly
14801 having cognizance of matters relating to public health and human
14802 services. The commissioner shall monitor Medicaid home health care
14803 savings achieved through the implementation of nurse delegation of
14804 medication administration pursuant to section 19a-492e. If, by January
14805 1, 2016, the commissioner determines that the rate of savings is not
14806 adequate to meet the annualized savings assumed in the budget for the
14807 biennium ending June 30, 2017, the department may reduce rates for
14808 medication administration as necessary to achieve the savings
14809 assumed in the budget. Prior to any rate reduction, the department
14810 shall report to the joint standing committees of the General Assembly
14811 having cognizance of matters relating to appropriations and the
14812 budgets of state agencies and human services provider specific cost
14813 and utilization trend data for those patients receiving medication
14814 administration. Should the department determine it necessary to
14815 reduce medication administration rates under this section, it shall
14816 examine the possibility of establishing a separate Medicaid
14817 supplemental rate or a pay-for-performance program for those
14818 providers, as determined by the commissioner, who have established
14819 successful nurse delegation programs.

14820 Sec. 391. Subsection (d) of section 17b-265 of the general statutes is
14821 repealed and the following is substituted in lieu thereof (*Effective July*
14822 *1, 2015*):

14823 (d) When a recipient of medical assistance has personal health
14824 insurance in force covering care or other benefits provided under such
14825 program, payment or part-payment of the premium for such insurance

14826 may be made when deemed appropriate by the Commissioner of
14827 Social Services. Effective January 1, 1992, the commissioner shall limit
14828 reimbursement to medical assistance providers **[**, except those
14829 providers whose rates are established by the Commissioner of Public
14830 Health pursuant to chapter 368d,**]** for coinsurance and deductible
14831 payments under Title XVIII of the Social Security Act to assure that the
14832 combined Medicare and Medicaid payment to the provider shall not
14833 exceed the maximum allowable under the Medicaid program fee
14834 schedules.

14835 Sec. 392. Section 17b-273 of the general statutes is repealed and the
14836 following is substituted in lieu thereof (*Effective July 1, 2015*):

14837 On and after April 1, 1983, the Commissioner of Social Services shall
14838 increase the payment rate for ambulance rides eligible under the state
14839 medical assistance program. Subject to federal approval, beginning
14840 with the fiscal year commencing July 1, 2015, the Commissioner of
14841 Social Services shall, within available appropriations, revise the
14842 payment methodology for ambulance services under the Medicaid
14843 program to apply a relative value unit system similar to the payment
14844 methodology used in the Medicare program. The basic life support
14845 nonemergency transport shall be designated as the base rate with the
14846 relative value unit system applied to basic life support nonemergency
14847 transports, basic life support emergency transports, advanced life
14848 support nonemergency transports, advanced life support emergency
14849 transports and paramedic intercept services. For purposes of this
14850 section, "relative value unit" means a numeric value for ambulance
14851 services relative to the value of a base level ambulance service.

14852 Sec. 393. (NEW) (*Effective from passage*) The Department of Social
14853 Services shall cover orthodontic services for a Medicaid recipient
14854 under twenty-one years of age when the Salzmann Handicapping
14855 Malocclusion Index indicates a correctly scored assessment for the
14856 recipient of twenty-six points or greater, subject to prior authorization
14857 requirements. If a recipient's score on the Salzmann Handicapping

14858 Malocclusion Index is less than twenty-six points, the Department of
14859 Social Services shall consider additional substantive information when
14860 determining the need for orthodontic services, including (1)
14861 documentation of the presence of other severe deviations affecting the
14862 oral facial structures; and (2) the presence of severe mental, emotional
14863 or behavioral problems or disturbances, as defined in the most current
14864 edition of the Diagnostic and Statistical Manual of Mental Disorders,
14865 published by the American Psychiatric Association, that affects the
14866 individual's daily functioning. The commissioner may implement
14867 policies and procedures necessary to administer the provisions of this
14868 section while in the process of adopting such policies and procedures
14869 in regulation form, provided the commissioner publishes notice of
14870 intent to adopt regulations on the eRegulations System not later than
14871 twenty days after the date of implementation.

14872 Sec. 394. Subsection (a) of section 17b-354 of the general statutes is
14873 repealed and the following is substituted in lieu thereof (*Effective July*
14874 *1, 2015*):

14875 (a) **[**Except for applications deemed complete as of August 9, 1991,
14876 the**]** The Department of Social Services shall not accept or approve any
14877 requests for additional nursing home beds, **[**or modify the capital cost
14878 of any prior approval for the period from September 4, 1991, through
14879 June 30, 2016,**]** except (1) beds restricted to use by patients **[**with
14880 acquired immune deficiency syndrome or traumatic brain injury**]**
14881 requiring neurological rehabilitation; (2) beds associated with a
14882 continuing care facility which guarantees life care for its residents; (3)
14883 Medicaid certified beds to be relocated from one licensed nursing
14884 facility to another licensed nursing facility **[**, to a new facility**]** to meet a
14885 priority need identified in the strategic plan developed pursuant to
14886 subsection (c) of section 17b-369, as amended by this act; **[**, or to a small
14887 house nursing home, as defined in section 17b-372**]** and (4) Medicaid
14888 beds to be relocated from a licensed facility or facilities to a new
14889 licensed facility, provided at least one currently licensed facility is
14890 closed in the transaction, and the new facility bed total is not less than

14891 ten per cent lower than the total number of beds relocated. The
14892 facilities included in the bed relocation and closure shall be in
14893 accordance with the strategic plan developed pursuant to subsection
14894 (c) of section 17b-369, as amended by this act, provided (A) the
14895 availability of beds in an area of need will not be adversely affected;
14896 and (B) no such relocation shall result in an increase in state
14897 expenditures. [; and (C) the relocation results in a reduction in the
14898 number of nursing facility beds in the state; (4) a request for no more
14899 than twenty beds submitted by a licensed nursing facility that
14900 participates in neither the Medicaid program nor the Medicare
14901 program, admits residents and provides health care to such residents
14902 without regard to their income or assets and demonstrates its financial
14903 ability to provide lifetime nursing home services to such residents
14904 without participating in the Medicaid program to the satisfaction of
14905 the department, provided the department does not accept or approve
14906 more than one request pursuant to this subdivision; (5) a request for no
14907 more than twenty beds associated with a freestanding facility
14908 dedicated to providing hospice care services for terminally ill persons
14909 operated by an organization previously authorized by the Department
14910 of Public Health to provide hospice services in accordance with section
14911 19a-122b; and (6) new or existing Medicaid certified beds to be
14912 relocated from a licensed nursing facility in a municipality with a 2004
14913 estimated population of one hundred twenty-five thousand to a
14914 location within the same municipality, provided such Medicaid
14915 certified beds do not exceed sixty beds. Notwithstanding the
14916 provisions of this subsection, any provision of the general statutes or
14917 any decision of the Office of Health Care Access, (i) the date by which
14918 construction shall begin for each nursing home certificate of need in
14919 effect August 1, 1991, shall be December 31, 1992, (ii) the date by which
14920 a nursing home shall be licensed under each such certificate of need
14921 shall be October 1, 1995, and (iii) the imposition of such dates shall not
14922 require action by the Commissioner of Social Services. Except as
14923 provided in subsection (c) of this section, a nursing home certificate of
14924 need in effect August 1, 1991, shall expire if construction has not begun

14925 or licensure has not been obtained in compliance with the dates set
14926 forth in subparagraphs (i) and (ii) of this subsection.]

14927 Sec. 395. Subsection (a) of section 17b-340 of the general statutes, as
14928 amended by section 1 of public act 15-36, is repealed and the following
14929 is substituted in lieu thereof (*Effective July 1, 2015*):

14930 (a) For purposes of this subsection, (1) a "related party" includes, but
14931 is not limited to, any company related to a chronic and convalescent
14932 nursing home through family association, common ownership, control
14933 or business association with any of the owners, operators or officials of
14934 such nursing home; (2) "company" means any person, partnership,
14935 association, holding company, limited liability company or
14936 corporation; (3) "family association" means a relationship by birth,
14937 marriage or domestic partnership; and (4) "profit and loss statement"
14938 means the most recent annual statement on profits and losses finalized
14939 by a related party before the annual report mandated under this
14940 subsection. The rates to be paid by or for persons aided or cared for by
14941 the state or any town in this state to licensed chronic and convalescent
14942 nursing homes, to chronic disease hospitals associated with chronic
14943 and convalescent nursing homes, to rest homes with nursing
14944 supervision, to licensed residential care homes, as defined by section
14945 19a-490, and to residential facilities for persons with intellectual
14946 disability that are licensed pursuant to section 17a-227 and certified to
14947 participate in the Title XIX Medicaid program as intermediate care
14948 facilities for individuals with intellectual disabilities, for room, board
14949 and services specified in licensing regulations issued by the licensing
14950 agency shall be determined annually, except as otherwise provided in
14951 this subsection, after a public hearing, by the Commissioner of Social
14952 Services, to be effective July first of each year except as otherwise
14953 provided in this subsection. Such rates shall be determined on a basis
14954 of a reasonable payment for such necessary services, which basis shall
14955 take into account as a factor the costs of such services. Cost of such
14956 services shall include reasonable costs mandated by collective
14957 bargaining agreements with certified collective bargaining agents or

14958 other agreements between the employer and employees, provided
14959 "employees" shall not include persons employed as managers or chief
14960 administrators or required to be licensed as nursing home
14961 administrators, and compensation for services rendered by proprietors
14962 at prevailing wage rates, as determined by application of principles of
14963 accounting as prescribed by said commissioner. Cost of such services
14964 shall not include amounts paid by the facilities to employees as salary,
14965 or to attorneys or consultants as fees, where the responsibility of the
14966 employees, attorneys, or consultants is to persuade or seek to persuade
14967 the other employees of the facility to support or oppose unionization.
14968 Nothing in this subsection shall prohibit inclusion of amounts paid for
14969 legal counsel related to the negotiation of collective bargaining
14970 agreements, the settlement of grievances or normal administration of
14971 labor relations. The commissioner may, in the commissioner's
14972 discretion, allow the inclusion of extraordinary and unanticipated
14973 costs of providing services that were incurred to avoid an immediate
14974 negative impact on the health and safety of patients. The commissioner
14975 may, in the commissioner's discretion, based upon review of a facility's
14976 costs, direct care staff to patient ratio and any other related
14977 information, revise a facility's rate for any increases or decreases to
14978 total licensed capacity of more than ten beds or changes to its number
14979 of licensed rest home with nursing supervision beds and chronic and
14980 convalescent nursing home beds. <u>The commissioner may, in the</u>
14981 <u>commissioner's discretion, revise the rate of a facility that is closing.</u>
14982 <u>An interim rate issued for the period during which a facility is closing</u>
14983 <u>shall be based on a review of facility costs, the expected duration of the</u>
14984 <u>close-down period, the anticipated impact on Medicaid costs, available</u>
14985 <u>appropriations and the relationship of the rate requested by the facility</u>
14986 <u>to the average Medicaid rate for a close-down period.</u> The
14987 commissioner may so revise a facility's rate established for the fiscal
14988 year ending June 30, 1993, and thereafter for any bed increases,
14989 decreases or changes in licensure effective after October 1, 1989.
14990 Effective July 1, 1991, in facilities that have both a chronic and
14991 convalescent nursing home and a rest home with nursing supervision,

14992 the rate for the rest home with nursing supervision shall not exceed
14993 such facility's rate for its chronic and convalescent nursing home. All
14994 such facilities for which rates are determined under this subsection
14995 shall report on a fiscal year basis ending on September thirtieth. Such
14996 report shall be submitted to the commissioner by February fifteenth.
14997 Each for-profit chronic and convalescent nursing home that receives
14998 state funding pursuant to this section shall include in such annual
14999 report a profit and loss statement from each related party that receives
15000 from such chronic and convalescent nursing home fifty thousand
15001 dollars or more per year for goods, fees and services. No cause of
15002 action or liability shall arise against the state, the Department of Social
15003 Services, any state official or agent for failure to take action based on
15004 the information required to be reported under this subsection. The
15005 commissioner may reduce the rate in effect for a facility that fails to
15006 submit a complete and accurate report on or before February fifteenth
15007 by an amount not to exceed ten per cent of such rate. If a licensed
15008 residential care home fails to submit a complete and accurate report,
15009 the department shall notify such home of the failure and the home
15010 shall have thirty days from the date the notice was issued to submit a
15011 complete and accurate report. If a licensed residential care home fails
15012 to submit a complete and accurate report not later than thirty days
15013 after the date of notice, such home may not receive a retroactive rate
15014 increase, in the commissioner's discretion. The commissioner shall,
15015 annually, on or before April first, report the data contained in the
15016 reports of such facilities to the joint standing committee of the General
15017 Assembly having cognizance of matters relating to appropriations and
15018 the budgets of state agencies. For the cost reporting year commencing
15019 October 1, 1985, and for subsequent cost reporting years, facilities shall
15020 report the cost of using the services of any nursing pool employee by
15021 separating said cost into two categories, the portion of the cost equal to
15022 the salary of the employee for whom the nursing pool employee is
15023 substituting shall be considered a nursing cost and any cost in excess
15024 of such salary shall be further divided so that seventy-five per cent of
15025 the excess cost shall be considered an administrative or general cost

15026 and twenty-five per cent of the excess cost shall be considered a
15027 nursing cost, provided if the total nursing pool costs of a facility for
15028 any cost year are equal to or exceed fifteen per cent of the total nursing
15029 expenditures of the facility for such cost year, no portion of nursing
15030 pool costs in excess of fifteen per cent shall be classified as
15031 administrative or general costs. The commissioner, in determining
15032 such rates, shall also take into account the classification of patients or
15033 boarders according to special care requirements or classification of the
15034 facility according to such factors as facilities and services and such
15035 other factors as the commissioner deems reasonable, including
15036 anticipated fluctuations in the cost of providing such services. The
15037 commissioner may establish a separate rate for a facility or a portion of
15038 a facility for traumatic brain injury patients who require extensive care
15039 but not acute general hospital care. Such separate rate shall reflect the
15040 special care requirements of such patients. If changes in federal or state
15041 laws, regulations or standards adopted subsequent to June 30, 1985,
15042 result in increased costs or expenditures in an amount exceeding one-
15043 half of one per cent of allowable costs for the most recent cost
15044 reporting year, the commissioner shall adjust rates and provide
15045 payment for any such increased reasonable costs or expenditures
15046 within a reasonable period of time retroactive to the date of
15047 enforcement. Nothing in this section shall be construed to require the
15048 Department of Social Services to adjust rates and provide payment for
15049 any increases in costs resulting from an inspection of a facility by the
15050 Department of Public Health. Such assistance as the commissioner
15051 requires from other state agencies or departments in determining rates
15052 shall be made available to the commissioner at the commissioner's
15053 request. Payment of the rates established pursuant to this section shall
15054 be conditioned on the establishment by such facilities of admissions
15055 procedures that conform with this section, section 19a-533 and all other
15056 applicable provisions of the law and the provision of equality of
15057 treatment to all persons in such facilities. The established rates shall be
15058 the maximum amount chargeable by such facilities for care of such
15059 beneficiaries, and the acceptance by or on behalf of any such facility of

15060 any additional compensation for care of any such beneficiary from any
15061 other person or source shall constitute the offense of aiding a
15062 beneficiary to obtain aid to which the beneficiary is not entitled and
15063 shall be punishable in the same manner as is provided in subsection (b)
15064 of section 17b-97. For the fiscal year ending June 30, 1992, rates for
15065 licensed residential care homes and intermediate care facilities for
15066 individuals with intellectual disabilities may receive an increase not to
15067 exceed the most recent annual increase in the Regional Data Resources
15068 Incorporated McGraw-Hill Health Care Costs: Consumer Price Index
15069 (all urban)-All Items. Rates for newly certified intermediate care
15070 facilities for individuals with intellectual disabilities shall not exceed
15071 one hundred fifty per cent of the median rate of rates in effect on
15072 January 31, 1991, for intermediate care facilities for individuals with
15073 intellectual disabilities certified prior to February 1, 1991.
15074 Notwithstanding any provision of this section, the Commissioner of
15075 Social Services may, within available appropriations, provide an
15076 interim rate increase for a licensed chronic and convalescent nursing
15077 home or a rest home with nursing supervision for rate periods no
15078 earlier than April 1, 2004, only if the commissioner determines that the
15079 increase is necessary to avoid the filing of a petition for relief under
15080 Title 11 of the United States Code; imposition of receivership pursuant
15081 to sections 19a-542 and 19a-543; or substantial deterioration of the
15082 facility's financial condition that may be expected to adversely affect
15083 resident care and the continued operation of the facility, and the
15084 commissioner determines that the continued operation of the facility is
15085 in the best interest of the state. The commissioner shall consider any
15086 requests for interim rate increases on file with the department from
15087 March 30, 2004, and those submitted subsequently for rate periods no
15088 earlier than April 1, 2004. When reviewing an interim rate increase
15089 request the commissioner shall, at a minimum, consider: (A) Existing
15090 chronic and convalescent nursing home or rest home with nursing
15091 supervision utilization in the area and projected bed need; (B) physical
15092 plant long-term viability and the ability of the owner or purchaser to
15093 implement any necessary property improvements; (C) licensure and

15094 certification compliance history; (D) reasonableness of actual and
15095 projected expenses; and (E) the ability of the facility to meet wage and
15096 benefit costs. No interim rate shall be increased pursuant to this
15097 subsection in excess of one hundred fifteen per cent of the median rate
15098 for the facility's peer grouping, established pursuant to subdivision (2)
15099 of subsection (f) of this section, unless recommended by the
15100 commissioner and approved by the Secretary of the Office of Policy
15101 and Management after consultation with the commissioner. Such
15102 median rates shall be published by the Department of Social Services
15103 not later than April first of each year. In the event that a facility
15104 granted an interim rate increase pursuant to this section is sold or
15105 otherwise conveyed for value to an unrelated entity less than five years
15106 after the effective date of such rate increase, the rate increase shall be
15107 deemed rescinded and the department shall recover an amount equal
15108 to the difference between payments made for all affected rate periods
15109 and payments that would have been made if the interim rate increase
15110 was not granted. The commissioner may seek recovery of such
15111 payments from any facility with common ownership. With the
15112 approval of the Secretary of the Office of Policy and Management, the
15113 commissioner may waive recovery and rescission of the interim rate
15114 for good cause shown that is not inconsistent with this section,
15115 including, but not limited to, transfers to family members that were
15116 made for no value. The commissioner shall provide written quarterly
15117 reports to the joint standing committees of the General Assembly
15118 having cognizance of matters relating to aging, human services and
15119 appropriations and the budgets of state agencies, that identify each
15120 facility requesting an interim rate increase, the amount of the
15121 requested rate increase for each facility, the action taken by the
15122 commissioner and the secretary pursuant to this subsection, and
15123 estimates of the additional cost to the state for each approved interim
15124 rate increase. Nothing in this subsection shall prohibit the
15125 commissioner from increasing the rate of a licensed chronic and
15126 convalescent nursing home or a rest home with nursing supervision
15127 for allowable costs associated with facility capital improvements or

15128 increasing the rate in case of a sale of a licensed chronic and
15129 convalescent nursing home or a rest home with nursing supervision,
15130 pursuant to subdivision (15) of subsection (f) of this section, if
15131 receivership has been imposed on such home.

15132 Sec. 396. Section 17b-239 of the general statutes is repealed and the
15133 following is substituted in lieu thereof (*Effective July 1, 2015*):

15134 (a) (1) Until the time subdivision (2) of this subsection is effective,
15135 the rate to be paid by the state to hospitals receiving appropriations
15136 granted by the General Assembly and to freestanding chronic disease
15137 hospitals providing services to persons aided or cared for by the state
15138 for routine services furnished to state patients, shall be based upon
15139 reasonable cost to such hospital, or the charge to the general public for
15140 ward services or the lowest charge for semiprivate services if the
15141 hospital has no ward facilities, imposed by such hospital, whichever is
15142 lowest, except to the extent, if any, that the commissioner determines
15143 that a greater amount is appropriate in the case of hospitals serving a
15144 disproportionate share of indigent patients. Such rate shall be
15145 promulgated annually by the Commissioner of Social Services <u>within</u>
15146 <u>available appropriations</u>.

15147 (2) On or after July 1, 2013, Medicaid rates paid to acute care **[**and**]**
15148 <u>hospitals, including</u> children's hospitals<u>,</u> shall be based on diagnosis-
15149 related groups established and periodically rebased by the
15150 Commissioner of Social Services, provided the Department of Social
15151 Services completes a fiscal analysis of the impact of such rate payment
15152 system on each hospital. The commissioner shall, in accordance with
15153 the provisions of section 11-4a, file a report on the results of the fiscal
15154 analysis not later than six months after implementing the rate payment
15155 system with the joint standing committees of the General Assembly
15156 having cognizance of matters relating to human services and
15157 appropriations and the budgets of state agencies. **[**The**]** <u>Within</u>
15158 <u>available appropriations, the</u> commissioner shall annually determine
15159 in-patient **[**rates**]** <u>payments</u> for each hospital by multiplying

15160 [diagnostic-related] diagnosis-related group relative weights by a base
15161 rate. Over a period of up to four years beginning on or after January 1,
15162 2016, within available appropriations and at the discretion of the
15163 commissioner, the Department of Social Services shall transition
15164 hospital-specific, diagnosis-related group base rates to state-wide
15165 diagnosis-related group base rates by peer groups determined by the
15166 commissioner. For the purposes of this subsection, "peer group" means
15167 a group comprised of one of the following categories of acute care
15168 hospitals: Privately operated acute care hospitals, publicly operated
15169 acute care hospitals, or acute care children's hospitals licensed by the
15170 Department of Public Health. At the discretion of the Commissioner of
15171 Social Services, the peer group for privately operated acute care
15172 hospitals may be further subdivided into peer groups for privately
15173 operated acute care hospitals. Within available appropriations, the
15174 commissioner may, in his or her discretion, make additional payments
15175 to hospitals based on criteria to be determined by the commissioner.
15176 Upon the conversion to a hospital payment methodology based on
15177 diagnosis-related groups, the commissioner shall evaluate payments
15178 for all hospital services, including, but not limited to, a review of
15179 pediatric psychiatric inpatient units within hospitals. The
15180 commissioner may, within available appropriations, implement a pay-
15181 for-performance program for pediatric psychiatric inpatient care.
15182 Nothing contained in this section shall authorize Medicaid payment by
15183 the state to any such hospital in excess of the charges made by such
15184 hospital for comparable services to the general public.

15185 (b) Effective October 1, 1991, the rate to be paid by the state for the
15186 cost of special services rendered by such hospitals shall be established
15187 annually by the commissioner for each such hospital based on the
15188 reasonable cost to each hospital of such services furnished to state
15189 patients within available appropriations. Nothing contained in this
15190 subsection shall authorize a payment by the state for such services to
15191 any such hospital in excess of the charges made by such hospital for
15192 comparable services to the general public.

15193 (c) The term "reasonable cost" as used in this section means the cost
15194 of care furnished such patients by an efficient and economically
15195 operated facility, computed in accordance with accepted principles of
15196 hospital cost reimbursement. The commissioner may adjust the rate of
15197 payment established under the provisions of this section for the year
15198 during which services are furnished to reflect fluctuations in hospital
15199 costs within available appropriations. Such adjustment may be made
15200 prospectively to cover anticipated fluctuations or may be made
15201 retroactive to any date subsequent to the date of the initial rate
15202 determination for such year or in such other manner as may be
15203 determined by the commissioner. In determining "reasonable cost" the
15204 commissioner may give due consideration to allowances for fully or
15205 partially unpaid bills, reasonable costs mandated by collective
15206 bargaining agreements with certified collective bargaining agents or
15207 other agreements between the employer and employees, provided
15208 "employees" shall not include persons employed as managers or chief
15209 administrators, requirements for working capital and cost of
15210 development of new services, including additions to and replacement
15211 of facilities and equipment. The commissioner shall not give
15212 consideration to amounts paid by the facilities to employees as salary,
15213 or to attorneys or consultants as fees, where the responsibility of the
15214 employees, attorneys or consultants is to persuade or seek to persuade
15215 the other employees of the facility to support or oppose unionization.
15216 Nothing in this subsection shall prohibit the commissioner from
15217 considering amounts paid for legal counsel related to the negotiation
15218 of collective bargaining agreements, the settlement of grievances or
15219 normal administration of labor relations.

15220 (d) (1) Until such time as subdivision (2) of this subsection is
15221 effective, the state shall also pay to such hospitals for each outpatient
15222 clinic and emergency room visit a reasonable rate to be established
15223 annually by the commissioner for each hospital, such rate to be
15224 determined by the reasonable cost of such services and within
15225 available appropriations.

15226 (2) On or after July 1, 2013, with the exception of publicly operated
15227 psychiatric hospitals, hospitals shall be paid for outpatient and
15228 emergency room episodes of care based on prospective rates
15229 established by the commissioner within available appropriations and
15230 in accordance with the Medicare Ambulatory Payment Classification
15231 system in conjunction with a state conversion factor, provided the
15232 Department of Social Services completes a fiscal analysis of the impact
15233 of such rate payment system on each hospital. The Commissioner of
15234 Social Services shall, in accordance with the provisions of section 11-4a,
15235 file a report on the results of the fiscal analysis not later than six
15236 months after implementing the rate payment system with the joint
15237 standing committees of the General Assembly having cognizance of
15238 matters relating to human services and appropriations and the budgets
15239 of state agencies. The Medicare Ambulatory Payment Classification
15240 system shall be [modified] augmented to provide payment for services
15241 not generally covered [by] under the Medicare Ambulatory Payment
15242 Classification system, including, but not limited to, [pediatric,
15243 obstetric, neonatal and perinatal services] mammograms, durable
15244 medical equipment, physical, occupational and speech therapy.
15245 Nothing contained in this subsection shall authorize a payment by the
15246 state for such episodes of care to any hospital in excess of the charges
15247 made by such hospital for comparable services to the general public.
15248 [Those outpatient hospital services that do not have an established
15249 Medicare Ambulatory Payment Classification code shall be paid on the
15250 basis of a ratio of cost to charges, or the fixed fee in effect as of January
15251 1, 2013.] Effective upon implementation of the Ambulatory Payment
15252 Classification system, a covered outpatient hospital service that does
15253 not have an established Medicare Ambulatory Payment Classification
15254 code shall be paid in accordance with a fee schedule or an alternative
15255 payment methodology, as determined by the commissioner. Prior to
15256 the implementation of the Ambulatory Payment Classification system,
15257 each hospital's charges shall be based on the charge master in effect as
15258 of June 1, 2015. After implementation of such system, annual increases
15259 in each hospital's charge master shall not exceed, in the aggregate, the

15260 annual increase in the Medicare economic index. The Commissioner of
15261 Social Services shall establish a fee schedule for outpatient hospital
15262 services to be effective on and after January 1, 1995, and may annually
15263 modify such fee schedule if such modification is needed to ensure that
15264 the conversion to an administrative services organization is cost
15265 neutral to hospitals in the aggregate and ensures patient access.
15266 Utilization may be a factor in determining cost neutrality.

15267 (e) On and after January 1, 2015, and concurrent with the
15268 implementation of the diagnosis-related group methodology of
15269 payment to hospitals, an emergency department physician may enroll
15270 separately as a Medicaid provider and qualify for direct
15271 reimbursement for professional services provided in the emergency
15272 department of a hospital to a Medicaid recipient, including services
15273 provided on the same day the Medicaid recipient is admitted to the
15274 hospital. The commissioner shall pay to any such emergency
15275 department physician the Medicaid rate for physicians in accordance
15276 with the physician fee schedule in effect at that time. If the
15277 commissioner determines that payment to an emergency department
15278 physician pursuant to this subsection results in an additional cost to
15279 the state, the commissioner shall adjust such rate in consultation with
15280 the Connecticut Hospital Association and the Connecticut College of
15281 Emergency Physicians to ensure budget neutrality.

15282 (f) The commissioner shall adopt regulations, in accordance with the
15283 provisions of chapter 54, establishing criteria for defining emergency
15284 and nonemergency visits to hospital emergency rooms. All
15285 nonemergency visits to hospital emergency rooms shall be paid at the
15286 hospital's outpatient clinic services rate. Nothing contained in this
15287 subsection or the regulations adopted under this section shall
15288 authorize a payment by the state for such services to any hospital in
15289 excess of the charges made by such hospital for comparable services to
15290 the general public. To the extent permitted by federal law, the
15291 Commissioner of Social Services shall impose cost-sharing
15292 requirements under the medical assistance program for nonemergency

15293 use of hospital emergency room services.

15294 (g) The commissioner shall establish rates to be paid to freestanding
15295 chronic disease hospitals within available appropriations.

15296 (h) The Commissioner of Social Services may implement policies
15297 and procedures as necessary to carry out the provisions of this section
15298 while in the process of adopting the policies and procedures as
15299 regulations, provided notice of intent to adopt the regulations is
15300 published in accordance with the provisions of section 17b-10 not later
15301 than twenty days after the date of implementation.

15302 (i) In the event the commissioner is unable to implement the
15303 provisions of subsection (e) of this section by January 1, 2015, the
15304 commissioner shall submit written notice, not later than thirty-five
15305 days prior to January 1, 2015, to the joint standing committees of the
15306 General Assembly having cognizance of matters relating to human
15307 services and appropriations and the budgets of state agencies
15308 indicating that the department will not be able to implement such
15309 provisions on or before such date. The commissioner shall include in
15310 such notice (1) the reasons why the department will not be able to
15311 implement such provisions by such date, and (2) the date by which the
15312 department will be able to implement such provisions.

15313 (j) The Department of Social Services is not required to increase
15314 rates paid, or to set any rates to be paid to, any hospital based on
15315 inflation, including, but not limited to, any current payments or
15316 adjustments that are being made based on dates of service in previous
15317 years.

15318 Sec. 397. (NEW) (*Effective from passage*) (a) The Commissioner of
15319 Social Services may implement an acuity-based methodology for
15320 Medicaid reimbursement of nursing home services. In the course of
15321 developing such a system, the commissioner shall review the skilled
15322 nursing facility prospective payment system developed by the Centers
15323 for Medicare and Medicaid Services, as well as other methodologies

15324 used nationally, and shall consider recommendations from the nursing
15325 home industry.

15326 (b) The Commissioner of Social Services may implement policies as
15327 necessary to carry out the provisions of this section while in the
15328 process of adopting the policies as regulations, provided that prior to
15329 implementation the policies are posted on the eRegulations System
15330 established pursuant to section 4-173b of the general statutes and the
15331 Department of Social Services' Internet web site.

15332 Sec. 398. Section 17a-22f of the general statutes, as amended by
15333 section 4 of public act 14-62 and section 11 of public act 15-69, is
15334 repealed and the following is substituted in lieu thereof (*Effective July*
15335 *1, 2016*):

15336 (a) The Commissioner of Social Services may, with regard to the
15337 provision of behavioral health services provided pursuant to a state
15338 plan under Title XIX or Title XXI of the Social Security Act: (1) Contract
15339 with one or more administrative services organizations to provide
15340 clinical management, intensive **[**case**]** care management, provider
15341 network development and other administrative services; (2) delegate
15342 responsibility to the Department of Children and Families for the
15343 clinical management portion of such administrative contract or
15344 contracts that pertain to HUSKY A and B, and other children,
15345 adolescents and families served by the Department of Children and
15346 Families; and (3) delegate responsibility to the Department of Mental
15347 Health and Addiction Services for the clinical management portion of
15348 such administrative contract or contracts that pertain to Medicaid
15349 recipients who are not enrolled in HUSKY A.

15350 (b) For purposes of this section, the term "clinical management"
15351 describes the process of evaluating and determining the
15352 appropriateness of the utilization of behavioral health services and
15353 providing assistance to clinicians or beneficiaries to ensure appropriate
15354 use of resources and may include, but is not limited to, authorization,

15355 concurrent and retrospective review, discharge review, quality
15356 management, provider certification and provider performance
15357 enhancement. The Commissioners of Social Services, Children and
15358 Families, and Mental Health and Addiction Services shall jointly
15359 develop clinical management policies and procedures.

15360 [(c) The Commissioners of Social Services, Children and Families,
15361 and Mental Health and Addiction Services shall require that
15362 administrative services organizations managing behavioral health
15363 services for Medicaid clients develop intensive case management that
15364 includes, but is not limited to: (1) The identification by the
15365 administrative services organization of hospital emergency
15366 departments which may benefit from intensive case management
15367 based on the number of Medicaid clients who are frequent users of
15368 such emergency departments; (2) the creation of regional intensive
15369 case management teams to work with emergency department doctors
15370 to (A) identify Medicaid clients who would benefit from intensive case
15371 management, (B) create care plans for such Medicaid clients, and (C)
15372 monitor progress of such Medicaid clients; and (3) the assignment of at
15373 least one staff member from a regional intensive case management
15374 team to participating hospital emergency departments during hours
15375 when Medicaid clients who are frequent users visit the most and when
15376 emergency department use is at its highest.

15377 (d) The Commissioners of Social Services, Children and Families,
15378 and Mental Health and Addiction Services shall ensure that any
15379 contracts entered into with an administrative services organization
15380 require such organization to (1) conduct assessments of behavioral
15381 health providers and specialists to determine patient ease of access to
15382 services, including, but not limited to, the wait times for appointments
15383 and whether the provider is accepting new Medicaid clients; and (2)
15384 perform outreach to Medicaid clients to (A) inform them of the
15385 advantages of receiving care from a behavioral health provider, (B)
15386 help to connect such clients with behavioral health providers soon
15387 after they are enrolled in Medicaid, and (C) for frequent users of

15388 emergency departments, help to arrange visits by Medicaid clients
15389 with behavioral health providers after such clients are treated at an
15390 emergency department.

15391 (e) The Commissioners of Social Services, Children and Families,
15392 and Mental Health and Addiction Services, in consultation with the
15393 Secretary of the Office of Policy and Management, shall ensure that all
15394 expenditures for intensive case management eligible for Medicaid
15395 reimbursement are submitted to the Centers for Medicare and
15396 Medicaid Services.

15397 (f) The Department of Social Services may implement policies and
15398 procedures necessary to carry out the purposes of this section,
15399 including any necessary changes to procedures relating to the
15400 provision of behavioral health services and utilization management,
15401 while in the process of adopting such policies and procedures in
15402 regulation form, provided the Commissioner of Social Services
15403 publishes notice of intention to adopt the regulations in accordance
15404 with the provisions of section 17b-10 not later than twenty days after
15405 implementing such policies and procedures. Policies and procedures
15406 implemented pursuant to this subsection shall be valid until the time
15407 such regulations are adopted.**]**

15408 Sec. 399. Section 17a-476 of the general statutes, as amended by
15409 section 3 of public act 14-62, is repealed and the following is
15410 substituted in lieu thereof (*Effective July 1, 2016*):

15411 (a) Any general hospital, municipality or nonprofit organization in
15412 Connecticut may apply to the Department of Mental Health and
15413 Addiction Services for funds to establish, expand or maintain
15414 psychiatric or mental health services. The application for funds shall be
15415 submitted on forms provided by the Department of Mental Health and
15416 Addiction Services, and shall be accompanied by (1) a definition of the
15417 towns and areas to be served; (2) a plan by means of which the
15418 applicant proposes to coordinate its activities with those of other local

15419 agencies presently supplying mental health services or contributing in
15420 any way to the mental health of the area; (3) a description of the
15421 services to be provided, and the methods through which these services
15422 will be provided; and (4) indication of the methods that will be
15423 employed to effect a balance in the use of state and local resources so
15424 as to foster local initiative, responsibility and participation. In
15425 accordance with subdivision (4) of section 17a-480 and subdivisions (1)
15426 and (2) of subsection (a) of section 17a-484, the regional mental health
15427 board shall review each such application with the Department of
15428 Mental Health and Addiction Services and make recommendations to
15429 the department with respect to each such application.

15430 (b) Upon receipt of the application with the recommendations of the
15431 regional mental health board and approval by the Department of
15432 Mental Health and Addiction Services, the department shall grant such
15433 funds by way of a contract or grant-in-aid within the appropriation for
15434 any annual fiscal year. No funds authorized by this section shall be
15435 used for the construction or renovation of buildings.

15436 **[**(c) The Commissioner of Mental Health and Addiction Services
15437 shall require an administrative services organization with which it
15438 contracts to manage mental and behavioral health services to provide
15439 intensive case management. Such intensive case management shall
15440 include, but not be limited to: (1) The identification by the
15441 administrative services organization of hospital emergency
15442 departments which may benefit from intensive case management
15443 based on the number of Medicaid clients who are frequent users of
15444 such emergency departments; (2) the creation of regional intensive
15445 case management teams to work with emergency department doctors
15446 to (A) identify Medicaid clients who would benefit from intensive case
15447 management, (B) create care plans for such Medicaid clients, and (C)
15448 monitor progress of such Medicaid clients; and (3) the assignment of at
15449 least one staff member from a regional intensive case management
15450 team to participating hospital emergency departments during hours
15451 when Medicaid clients who are frequent users visit the most and when

15452 emergency department use is at its highest.]

15453 [(d)] (c) The Commissioner of Mental Health and Addiction Services
15454 may adopt regulations, in accordance with the provisions of chapter
15455 54, concerning minimum standards for eligibility to receive said state
15456 contracted funds and any grants-in-aid. Any such funds or grants-in-
15457 aid made by the Department of Mental Health and Addiction Services
15458 for psychiatric or mental health services shall be made directly to the
15459 agency submitting the application and providing such service or
15460 services.

15461 Sec. 400. Section 17b-261m of the general statutes, as amended by
15462 section 1 of public act 14-62 and section 23 of public act 15-69, is
15463 repealed and the following is substituted in lieu thereof (*Effective July*
15464 *1, 2016*):

15465 (a) The Commissioner of Social Services may contract with one or
15466 more administrative services organizations to provide care
15467 coordination, utilization management, disease management, customer
15468 service and review of grievances for recipients of assistance under the
15469 HUSKY Health program. Such organization may also provide network
15470 management, credentialing of providers, monitoring of copayments
15471 and premiums and other services as required by the commissioner.
15472 Subject to approval by applicable federal authority, the Department of
15473 Social Services shall utilize the contracted organization's provider
15474 network and billing systems in the administration of the program. In
15475 order to implement the provisions of this section, the commissioner
15476 may establish rates of payment to providers of medical services under
15477 this section if the establishment of such rates is required to ensure that
15478 any contract entered into with an administrative services organization
15479 pursuant to this section is cost neutral to such providers in the
15480 aggregate and ensures patient access. Utilization may be a factor in
15481 determining cost neutrality.

15482 (b) Any contract entered into with an administrative services

15483 organization, pursuant to subsection (a) of this section, shall include a
15484 provision to reduce inappropriate use of hospital emergency
15485 department services, which may include a cost-sharing requirement
15486 and intensive care management services. [Such provision shall require
15487 intensive case management services, including, but not limited to: (1)
15488 The identification by the administrative services organization of
15489 hospital emergency departments which may benefit from intensive
15490 case management based on the number of Medicaid clients who are
15491 frequent users of such emergency departments; (2) the creation of
15492 regional intensive case management teams to work with emergency
15493 department doctors to (A) identify Medicaid clients who would benefit
15494 from intensive case management, (B) create care plans for such
15495 Medicaid clients, and (C) monitor progress of such Medicaid clients;
15496 and (3) the assignment of at least one staff member from a regional
15497 intensive case management team to participating hospital emergency
15498 departments during hours when Medicaid clients who are frequent
15499 users visit the most and emergency department use is at its highest.
15500 For purposes of this section and sections 17a-22f and 17a-476, "frequent
15501 users" means a Medicaid client with ten or more annual visits to a
15502 hospital emergency department.

15503 (c) The commissioner shall ensure that any contracts entered into
15504 with an administrative services organization include a provision
15505 requiring such administrative services organization to (1) conduct
15506 assessments of primary care doctors and specialists to determine
15507 patient ease of access to services, including, but not limited to, the wait
15508 times for appointments and whether the provider is accepting new
15509 Medicaid clients, and (2) perform outreach to Medicaid clients to (A)
15510 inform them of the advantages of receiving care from a primary care
15511 provider, (B) help to connect such clients with primary care providers
15512 soon after they are enrolled in Medicaid, and (C) for frequent users of
15513 emergency departments, help to arrange visits by Medicaid clients
15514 with primary care providers after such clients are treated at an
15515 emergency department.

15516 (d) The Commissioner of Social Services shall require an
15517 administrative services organization with access to complete client
15518 claim adjudicated history to analyze and annually report, not later
15519 than February first, to the Department of Social Services and the
15520 Council on Medical Assistance Program Oversight, on Medicaid
15521 clients' use of hospital emergency departments. The report shall
15522 include, but not be limited to: (1) A breakdown of the number of
15523 unduplicated clients who visited an emergency department, and (2) for
15524 frequent users of emergency departments, (A) the number of visits
15525 categorized into specific ranges as determined by the Department of
15526 Social Services, (B) the time and day of the visit, (C) the reason for the
15527 visit, (D) whether hospital records indicate such user has a primary
15528 care provider, (E) whether such user had an appointment with a
15529 community provider after the date of the hospital emergency
15530 department visit, and (F) the cost of the visit to the hospital and to the
15531 state Medicaid program. The Department of Social Services shall
15532 monitor its reporting requirements for administrative services
15533 organizations to ensure all contractually obligated reports, including
15534 any emergency department provider analysis reports, are completed
15535 and disseminated as required by contract.

15536 (e) The Commissioner of Social Services shall use the report
15537 required pursuant to subsection (d) of this section to monitor the
15538 performance of an administrative services organization. Performance
15539 measures monitored by the commissioner shall include, but not be
15540 limited to, whether the administrative services organization helps to
15541 arrange visits by frequent users of emergency departments to primary
15542 care providers after treatment at an emergency department.**]**

15543 Sec. 401. Section 17b-241a of the general statutes, as amended by
15544 section 5 of public act 14-62, is repealed and the following is
15545 substituted in lieu thereof (*Effective July 1, 2016*):

15546 Notwithstanding any provision of the general statutes, the
15547 Commissioner of Social Services may reimburse the Department of

15548 Mental Health and Addiction Services for targeted case management
15549 services that it provides to its target population, which, for purposes of
15550 this section, shall include individuals with severe and persistent
15551 psychiatric illness and individuals with persistent substance
15552 dependence. The Commissioners of Social Services and Mental Health
15553 and Addiction Services, in consultation with the Secretary of the Office
15554 of Policy and Management, shall ensure that all expenditures for
15555 intensive **[**case**]** care management eligible for Medicaid reimbursement
15556 are submitted to the Centers for Medicare and Medicaid Services.

15557 Sec. 402. Section 17b-280 of the general statutes is amended by
15558 adding subsection (c) as follows (*Effective August 1, 2015*):

15559 (NEW) (c) The Department of Social Services shall pay for an
15560 original prescription that is otherwise eligible for payment and as
15561 many refills as ordered by a licensed authorized practitioner within
15562 twelve months, provided controlled substances as described in
15563 subsection (h) of section 21a-249 shall not be included in the provisions
15564 of this subsection. The department shall pay a professional license fee
15565 pursuant to subsection (a) of this section for each approved refill.

15566 Sec. 403. Subsection (d) of section 17b-99 of the general statutes is
15567 repealed and the following is substituted in lieu thereof (*Effective July*
15568 *1, 2015*):

15569 (d) (1) The Commissioner of Social Services, or any entity with
15570 which the commissioner contracts **[**,**]** for the purpose of conducting an
15571 audit of a service provider that participates as a provider of services in
15572 a program operated or administered by the department pursuant to
15573 this chapter or chapter 319t, 319v, 319y or 319ff, except a service
15574 provider for which rates are established pursuant to section 17b-340,
15575 shall conduct any such audit in accordance with the provisions of this
15576 subsection. For purposes of this subsection, (A) "clerical error" means
15577 an unintentional typographical, scrivener's or computer error, (B)
15578 "extrapolation" means the determination of an unknown value by

15579 projecting the results of the review of a sample to the universe from
15580 which the sample was drawn, [;] (C) "ninety-five per cent confidence
15581 level" means there is a probability of at least ninety-five per cent that
15582 the result is reliable, (D) "provider" means a person, public agency,
15583 private agency or proprietary agency that is licensed, certified or
15584 otherwise approved by the commissioner to supply services
15585 authorized by the programs set forth in said chapters, [;] (E) "stratified
15586 sampling" means a method of sampling that involves the division of a
15587 population into smaller groups known as strata based on shared
15588 attributes, characteristics or similar paid claim amounts, (F)
15589 "statistically valid sampling and extrapolation methodology" means a
15590 methodology that is (i) validated by a statistician who has completed
15591 graduate work in statistics and has significant experience developing
15592 statistically valid samples and extrapolating the results of such
15593 samples on behalf of government entities, (ii) provides for the
15594 exclusion of highly unusual claims that are not representative of the
15595 universe of paid claims, (iii) has a ninety-five per cent confidence level
15596 or greater, and (iv) includes stratified sampling when applicable, and
15597 (G) "universe" means a defined population of claims submitted by a
15598 provider during a specific time period.

15599 [(1)] (2) Not less than thirty days prior to the commencement of any
15600 such audit, the commissioner, or any entity with which the
15601 commissioner contracts to conduct an audit of a participating provider,
15602 shall provide written notification of the audit to such provider and the
15603 statistically valid sampling and extrapolation methodology to be used
15604 in conducting such audit, unless the commissioner, or any entity with
15605 which the commissioner contracts to conduct an audit of a
15606 participating provider makes a good faith determination that (A) the
15607 health or safety of a recipient of services is at risk; or (B) the provider is
15608 engaging in vendor fraud. [A copy of the regulations established
15609 pursuant to subdivision (11) of this subsection shall be appended to
15610 such notification.] At the commencement of the audit, the
15611 commissioner, or any entity with which the commissioner contracts to

15612 conduct an audit of a participating provider, shall disclose (i) the name
15613 and contact information of the assigned auditor or auditors, (ii) the
15614 audit location, including notice of whether such audit shall be
15615 conducted on-site or through record submission, and (iii) the manner
15616 by which information requested shall be submitted. No audit shall
15617 include claims paid more than thirty-six months from the date claims
15618 are selected for the audit. A scanned copy of documentation
15619 supporting a claim shall be acceptable when the original
15620 documentation is unavailable.

15621 **[**(2)**]** (3) Any clerical error **[**, including, but not limited to,
15622 recordkeeping, typographical, scrivener's or computer error,**]**
15623 discovered in a record or document produced for any such audit shall
15624 not of itself constitute a wilful violation of program rules unless proof
15625 of intent to commit fraud or otherwise violate program rules is
15626 established. In determining which providers shall be subject to audits,
15627 the Commissioner of Social Services may give consideration to the
15628 history of a provider's compliance in addition to other criteria used to
15629 select a provider for an audit.

15630 **[**(3)**]** (4) A finding of overpayment or underpayment to a provider in
15631 a program operated or administered by the department pursuant to
15632 this chapter or chapter 319t, 319v, 319y or 319ff, except a provider for
15633 which rates are established pursuant to section 17b-340, shall not be
15634 based on extrapolation unless **[**(A) there is a determination of
15635 sustained or high level of payment error involving the provider, (B)
15636 documented educational intervention has failed to correct the level of
15637 payment error, or (C) the value of the claims in aggregate exceeds two
15638 hundred thousand dollars on an annual basis**]** the total net amount of
15639 extrapolated overpayment calculated from a statistically valid
15640 sampling and extrapolation methodology exceeds one and three-
15641 quarters per cent of total claims paid to the provider for the audit
15642 period.

15643 **[**(4)**]** (5) A provider, in complying with the requirements of any such

15644 audit, shall be allowed not less than thirty days to provide
15645 documentation in connection with any discrepancy discovered and
15646 brought to the attention of such provider in the course of any such
15647 audit. Such documentation may include evidence that errors
15648 concerning payment and billing resulted from a provider's transition
15649 to a new payment or billing service or accounting system. The
15650 commissioner shall not calculate an overpayment based on
15651 extrapolation or attempt to recover such extrapolated overpayment
15652 when the provider presents credible evidence that an error by the
15653 commissioner, or any entity with which the commissioner contracts to
15654 conduct an audit pursuant to this subsection, caused the overpayment,
15655 provided the commissioner may recover the amount of the original
15656 overpayment.

15657 **[**(5)**]** (6) The commissioner, or any entity with which the
15658 commissioner contracts, for the purpose of conducting an audit of a
15659 provider of any of the programs operated or administered by the
15660 department pursuant to this chapter or chapter 319t, 319v, 319y or
15661 319ff, except a service provider for which rates are established
15662 pursuant to section 17b-340, shall produce a preliminary written report
15663 concerning any audit conducted pursuant to this subsection, and such
15664 preliminary report shall be provided to the provider that was the
15665 subject of the audit not later than sixty days after the conclusion of
15666 such audit.

15667 **[**(6)**]** (7) The commissioner, or any entity with which the
15668 commissioner contracts, for the purpose of conducting an audit of a
15669 provider of any of the programs operated or administered by the
15670 department pursuant to this chapter or chapter 319t, 319v, 319y or
15671 319ff, except a service provider for which rates are established
15672 pursuant to section 17b-340, shall, following the issuance of the
15673 preliminary report pursuant to subdivision **[**(5)**]** (6) of this subsection,
15674 hold an exit conference with any provider that was the subject of any
15675 audit pursuant to this subsection for the purpose of discussing the
15676 preliminary report. Such provider may present evidence at such exit

15677 conference refuting findings in the preliminary report.

15678 [(7)] (8) The commissioner, or any entity with which the
15679 commissioner contracts, for the purpose of conducting an audit of a
15680 service provider, shall produce a final written report concerning any
15681 audit conducted pursuant to this subsection. Such final written report
15682 shall be provided to the provider that was the subject of the audit not
15683 later than sixty days after the date of the exit conference conducted
15684 pursuant to subdivision [(6)] (7) of this subsection, unless the
15685 commissioner, or any entity with which the commissioner contracts [,]
15686 for the purpose of conducting an audit of a service provider, agrees to
15687 a later date or there are other referrals or investigations pending
15688 concerning the provider.

15689 [(8)] (9) Any provider aggrieved by a decision contained in a final
15690 written report issued pursuant to subdivision [(7)] (8) of this
15691 subsection may, not later than thirty days after the receipt of the final
15692 report, request, in writing, a [review on all items of aggrievement]
15693 contested case hearing in accordance with chapter 54. Such request
15694 shall contain a detailed written description of each specific item of
15695 aggrievement. The designee of the commissioner who presides over
15696 the [review] hearing shall be impartial and shall not be an employee of
15697 the Department of Social Services Office of Quality Assurance or an
15698 employee of an entity with which the commissioner contracts for the
15699 purpose of conducting an audit of a service provider. A provider shall
15700 be permitted to raise during such hearing that a negative audit finding
15701 was due to a provider's compliance with a state or federal law or
15702 regulation. Following review on all items of aggrievement, the
15703 designee of the commissioner who presides over the [review] hearing
15704 shall issue a final decision not later than ninety days following the
15705 close of evidence or the date on which final briefs are filed, whichever
15706 occurs later. When a provider requests a hearing pursuant to this
15707 subdivision, and the provider is contesting an overpayment amount
15708 based on extrapolation, the Department of Social Services shall not
15709 recoup the overpayment amount at issue until a final decision is issued

15710 after the hearing.

15711 [(9) A provider may appeal a final decision issued pursuant to
15712 subdivision (8) of this subsection to the Superior Court in accordance
15713 with the provisions of chapter 54.]

15714 (10) The provisions of this subsection shall not apply to any audit
15715 conducted by the Medicaid Fraud Control Unit established within the
15716 Office of the Chief State's Attorney.

15717 [(11) The commissioner shall adopt regulations, in accordance with
15718 the provisions of chapter 54, to carry out the provisions of this
15719 subsection and to ensure the fairness of the audit process, including,
15720 but not limited to, the sampling methodologies associated with the
15721 process.]

15722 (11) The commissioner shall provide free training to providers on
15723 how to enter claims to avoid [clerical] errors and shall post information
15724 on the department's Internet web site concerning the auditing process
15725 and methods to avoid clerical errors. Not later than February 1, 2015,
15726 the commissioner shall establish and publish on the department's
15727 Internet web site audit protocols to assist the Medicaid provider
15728 community in developing programs to improve compliance with
15729 Medicaid requirements under state and federal laws and regulations,
15730 provided audit protocols may not be relied upon to create a
15731 substantive or procedural right or benefit enforceable at law or in
15732 equity by any person, including a corporation. The commissioner shall
15733 establish audit protocols for specific providers or categories of service,
15734 including, but not limited to: (A) Licensed home health agencies, (B)
15735 drug and alcohol treatment centers, (C) durable medical equipment,
15736 (D) hospital outpatient services, (E) physician and nursing services, (F)
15737 dental services, (G) behavioral health services, (H) pharmaceutical
15738 services, [and] (I) emergency and nonemergency medical
15739 transportation services, and (J) not later than January 1, 2016,
15740 homemaker companion services. The commissioner shall ensure that

15741 the Department of Social Services, or any entity with which the
15742 commissioner contracts to conduct an audit pursuant to this
15743 subsection, has on staff or consults with, as needed, a medical or dental
15744 professional who is experienced in the treatment, billing and coding
15745 procedures used by the provider being audited.

15746 Sec. 404. (NEW) (*Effective July 1, 2015*) (a) There is established a two-
15747 generational school readiness and workforce development pilot
15748 program. The pilot program shall operate through June 30, 2017, and
15749 shall foster family economic self-sufficiency in low-income households
15750 by delivering academic and job readiness support services across two
15751 generations in the same household. The pilot program may be located
15752 in New Haven, Greater Hartford, Norwalk, Meriden, Colchester and
15753 Bridgeport. The pilot sites shall work together as a learning
15754 community, informed by technical assistance in best practices.

15755 (b) The two-generational school readiness and workforce
15756 development pilot program shall serve as a blueprint for a state-wide,
15757 two-generational school readiness and workforce development model
15758 and may include opportunities for statewide learning, in addition to
15759 the pilot sites, in two generational system building and policy
15760 development. The pilot program shall be funded by state and available
15761 private moneys and may include:

15762 (1) Early learning programs, adult education, child care, housing,
15763 job training, transportation, financial literacy and other related support
15764 services offered at one location, wherever possible;

15765 (2) Development of a long-term plan to adopt a two-generational
15766 model for the delivery of the services described in subdivision (1) of
15767 this subsection on a state-wide basis. Such plan shall include, but not
15768 be limited to, (A) the targeted use of Temporary Assistance for Needy
15769 Families (TANF) funds, to the extent permissible under federal law, to
15770 support two-generational programming, and (B) state grant incentives
15771 for private entities that develop such two-generational programming;

15772 (3) Partnerships between state and national philanthropic
15773 organizations, as available, to provide the pilot sites and interagency
15774 working group established pursuant to subsection (c) of this section
15775 with technical assistance in the phase-in and design of model two-
15776 generational programs and practices, an evaluation plan, state-wide
15777 replication and implementation of the program; and

15778 (4) A workforce liaison to gauge the needs of employers and
15779 households in each community and help coordinate the two-
15780 generational program to meet the needs of such employers and
15781 households.

15782 (c) The program shall be advised by an interagency working group
15783 that shall include, but not be limited to, the Commissioners of Social
15784 Services, Early Childhood, Education, Housing, Transportation, Public
15785 Health and Correction, or each commissioner's designee; the Labor
15786 Commissioner, or the Labor Commissioner's designee; the Chief Court
15787 Administrator, or the Chief Court Administrator's designee; one
15788 member of the joint standing committee of the General Assembly
15789 having cognizance of matters relating to appropriations and the
15790 budgets of state agencies, appointed by the speaker of the House of
15791 Representatives; one member of the joint standing committee of the
15792 General Assembly having cognizance of matters relating to human
15793 services, appointed by the president pro tempore of the Senate;
15794 representatives of nonprofit and philanthropic organizations and
15795 scholars who are experts in two-generational programs and policies;
15796 and other business and academic professionals as needed to achieve
15797 goals for two-generational systems planning, evaluations and
15798 outcomes. The staff of the Commission on Children shall serve as the
15799 organizing and administrative staff of the working group.

15800 (d) Coordinators of two-generational programs in each community
15801 in the pilot program and any organization serving as a fiduciary for
15802 the program shall report on a quarterly basis to the interagency
15803 working group.

15804 (e) Not later than January 1, 2017, the interagency working group
15805 shall submit a report, in accordance with the provisions of section 11-
15806 4a of the general statutes, to the joint standing committees of the
15807 General Assembly having cognizance of matters relating to human
15808 services and appropriations and the budgets of state agencies that
15809 details: (1) The number of families served in the program; (2) the
15810 number of adults who have obtained jobs since receiving services from
15811 the program; (3) the number of children who have improved
15812 academically, including, but not limited to, (A) achievement band
15813 increases, and (B) improvements in reading comprehension and math
15814 literacy; (4) the number of adults who have received job training,
15815 completed job training, enrolled in educational courses and obtained
15816 educational certificates or degrees; (5) the cost of the program in both
15817 state and private dollars; and (6) recommendations to expand the
15818 program to additional communities state-wide.

15819 Sec. 405. (*Effective June 30, 2015*) Sections 112 to 137, inclusive, of
15820 public act 15-244 shall take effect October 1, 2015, and shall be
15821 applicable to the renewal of a license or certificate that expires on or
15822 after said date.

15823 Sec. 406. Subsection (b) of section 19a-88 of the general statutes, as
15824 amended by section 112 of public act 15-244, is repealed and the
15825 following is substituted in lieu thereof (*Effective October 1, 2015, and*
15826 *applicable to the renewal of a license that expires on or after said date*):

15827 (b) Each person holding a license to practice medicine, surgery,
15828 podiatry, chiropractic or naturopathy shall, annually, during the
15829 month of such person's birth, register with the Department of Public
15830 Health, upon payment of the professional services fee for class I, as
15831 defined in section 33-182*l*, plus five dollars. Each person holding a
15832 license to practice medicine or surgery shall pay **[**ten**]** five dollars in
15833 addition to such professional services fee. Such registration shall be on
15834 blanks to be furnished by the department for such purpose, giving
15835 such person's name in full, such person's residence and business

15836 address and such other information as the department requests.

15837 Sec. 407. Section 20-74f of the general statutes, as amended by
15838 section 116 of public act 15-244, is repealed and the following is
15839 substituted in lieu thereof (*Effective October 1, 2015*):

15840 (a) The department shall issue a license to any person who meets the
15841 requirements of this chapter upon payment of a license fee of two
15842 hundred **[**five**]** dollars. Any person who is issued a license as an
15843 occupational therapist under the terms of this chapter may use the
15844 words "occupational therapist", "licensed occupational therapist", or
15845 "occupational therapist registered" or such person may use the letters
15846 "O.T.", "L.O.T.", or "O.T.R." in connection with such person's name or
15847 place of business to denote such person's registration hereunder. Any
15848 person who is issued a license as an occupational therapy assistant
15849 under the terms of this chapter may use the words "occupational
15850 therapy assistant", or such person may use the letters "O.T.A.",
15851 "L.O.T.A.", or "C.O.T.A." in connection with such person's name or
15852 place of business to denote such person's registration thereunder. No
15853 person shall practice occupational therapy or hold himself or herself
15854 out as an occupational therapist or an occupational therapy assistant,
15855 or as being able to practice occupational therapy or to render
15856 occupational therapy services in this state unless such person is
15857 licensed in accordance with the provisions of this chapter.

15858 (b) No person, unless registered under this chapter as an
15859 occupational therapist or an occupational therapy assistant or whose
15860 registration has been suspended or revoked, shall use, in connection
15861 with such person's name or place of business the words "occupational
15862 therapist", "licensed occupational therapist", "occupational therapist
15863 registered", "occupational therapy assistant", or the letters, "O.T.",
15864 "L.O.T.", "O.T.R.", "O.T.A.", "L.O.T.A.", or "C.O.T.A.", or any words,
15865 letters, abbreviations or insignia indicating or implying that such
15866 person is an occupational therapist or an occupational therapy
15867 assistant or in any way, orally, in writing, in print or by sign, directly

15868 or by implication, represent himself or herself as an occupational
15869 therapist or an occupational therapy assistant. Any person who
15870 violates the provisions of this section shall be guilty of a class D felony.
15871 For the purposes of this section, each instance of patient contact or
15872 consultation which is in violation of any provision of this chapter shall
15873 constitute a separate offense. Failure to renew a license in a timely
15874 manner shall not constitute a violation for the purposes of this section.

15875 Sec. 408. Section 20-74h of the general statutes is repealed and the
15876 following is substituted in lieu thereof (*Effective October 1, 2015, and*
15877 *applicable to the renewal of a license that expires on or after said date*):

15878 Licenses issued under this chapter shall be subject to renewal once
15879 every two years and shall expire unless renewed in the manner
15880 prescribed by regulation upon the payment of two times the
15881 professional services fee payable to the State Treasurer for class B as
15882 defined in section 33-182*l*, plus five dollars. The department shall
15883 notify any person or entity that fails to comply with the provisions of
15884 this section that **[**his**]** the person's or entity's license shall become void
15885 ninety days after the time for its renewal unless it is so renewed. Any
15886 such license shall become void upon the expiration of such ninety-day
15887 period. The commissioner shall establish additional requirements for
15888 licensure renewal which provide evidence of continued competency.
15889 The holder of an expired license may apply for and obtain a valid
15890 license only upon compliance with all relevant requirements for
15891 issuance of a new license. A suspended license is subject to expiration
15892 and may be renewed as provided in this section, but such renewal
15893 shall not entitle the licensee, while the license remains suspended and
15894 until it is reinstated, to engage in the licensed activity, or in any other
15895 conduct or activity in violation of the order or judgment by which the
15896 license was suspended. If a license revoked on disciplinary grounds is
15897 reinstated, the licensee, as a condition of reinstatement, shall pay the
15898 renewal fee.

15899 Sec. 409. Section 20-222a of the general statutes, as amended by

section 131 of public act 15-244, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015, and applicable to the renewal of a license that expires on or after said date*):

Each embalmer's license, funeral director's license and inspection certificate issued pursuant to the provisions of this chapter shall be renewed, except for cause, by the Department of Public Health upon the payment to said Department of Public Health by each applicant (1) for license renewal of the sum of one hundred fifteen dollars in the case of an embalmer [,] and two hundred thirty-five dollars in the case of a funeral director, and (2) for inspection certificate renewal of the sum of one hundred [ninety-five] ninety dollars for each certificate to be renewed. Fees for renewal of inspection certificates shall be given to the Department of Public Health on or before July first in each year and the renewal of inspection certificates shall begin on July first of each year and shall be valid for one calendar year. Licenses shall be renewed in accordance with the provisions of section 19a-88, as amended by [this act] public act 15-244 and this act.

Sec. 410. Section 136 of public act 15-244 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

On or before the last day of January, April, July and October in each year, the Commissioner of Public Health shall certify the amount of revenue received as a result of any fee increase in the amount of five dollars that took effect [July] October 1, 2015, pursuant to sections 19a-88, 19a-515, 20-65k, 20-74bb, [20-74f] 20-74h, 20-74s, 20-149, 20-162o, 20-162bb, 20-191a, 20-195c, 20-195o, 20-195cc, 20-201, 20-206b, 20-206n, 20-206r, 20-206bb, 20-206*ll*, 20-222a, 20-275, 20-395d, 20-398 and 20-412 of the general statutes, each as amended by [this act] public act 15-244 and this act, and transfer such amount to the professional assistance program account established in section 137 of [this act] public act 15-244.

Sec. 411. (*Effective from passage*) (a) The sum of $517,500 appropriated

15931 to the Department of Social Services for the Medicaid shared savings
15932 program for community health centers in the fiscal year beginning July
15933 1, 2015, shall not lapse on June 30, 2016. Such funds shall continue to
15934 be available for such purpose for the fiscal year ending June 30, 2017.

15935 (b) The sum of $422,327 appropriated in each year of the biennium
15936 ending June 30, 2017, to the community health services account of the
15937 General Fund, shall be used by the Commissioner of Public Health to
15938 provide grants to community health centers. In awarding such grants,
15939 the commissioner may consider the amount of funding received by
15940 such centers in grants disbursed by the Department of Public Health in
15941 fiscal year 2015 and the amount of uncompensated care provided by
15942 the centers.

15943 Sec. 412. Subsection (a) of section 17b-349 of the general statutes is
15944 repealed and the following is substituted in lieu thereof (*Effective July*
15945 *1, 2015*):

15946 (a) The rates paid by the state to community health centers and
15947 freestanding medical clinics participating in the Medicaid program
15948 may be adjusted annually on the basis of the cost reports submitted to
15949 the Commissioner of Social Services, except that rates effective July 1,
15950 1989, shall remain in effect through June 30, 1990. The Department of
15951 Social Services **[**shall distribute funding, within available
15952 appropriations, to federally qualified health centers based on cost
15953 reports submitted to the Commissioner of Social Services, until**]** may
15954 develop an alternative payment methodology **[**is**]** to replace the
15955 encounter-based reimbursement system. Such methodology shall be
15956 approved by the joint standing committees of the General Assembly
15957 having cognizance of matters relating to human services and
15958 appropriations and the budgets of state agencies. Until such
15959 methodology is implemented, the Department of Social Services shall
15960 distribute supplemental funding, within available appropriations, to
15961 federally qualified health centers based on quality and acuity measures
15962 as determined by the Commissioner of Social Services. (1) Beginning

15963 with the one-year rate period commencing on October 1, 2012, and
15964 annually thereafter, the Commissioner of Social Services may add to a
15965 community health center's rates, if applicable, a capital cost rate
15966 adjustment that is equivalent to the center's actual or projected year-to-
15967 year increase in total allowable depreciation and interest expenses
15968 associated with major capital projects divided by the projected service
15969 visit volume. For the purposes of this subsection, "capital costs" means
15970 expenditures for land or building purchases, fixed assets, movable
15971 equipment, capitalized financing fees and capitalized construction
15972 period interest and "major capital projects" means projects with costs
15973 exceeding two million dollars. The commissioner may revise such
15974 capital cost rate adjustment retroactively based on actual allowable
15975 depreciation and interest expenses or actual service visit volume for
15976 the rate period. (2) The commissioner shall establish separate capital
15977 cost rate adjustments for each Medicaid service provided by a center.
15978 (3) The commissioner shall not grant a capital cost rate adjustment to a
15979 community health center for any depreciation or interest expenses
15980 associated with capital costs that were disapproved by the federal
15981 Department of Health and Human Services or another federal or state
15982 government agency with capital expenditure approval authority
15983 related to health care services. (4) The commissioner may allow actual
15984 debt service in lieu of allowable depreciation and interest expenses
15985 associated with capital items funded with a debt obligation, provided
15986 debt service amounts are deemed reasonable in consideration of the
15987 interest rate and other loan terms. (5) The commissioner shall
15988 implement policies and procedures necessary to carry out the
15989 provisions of this subsection while in the process of adopting such
15990 policies and procedures in regulation form, provided notice of intent to
15991 adopt such regulations is published in the Connecticut Law Journal
15992 not later than twenty days after implementation. Such policies and
15993 procedures shall be valid until the time final regulations are effective.

15994 Sec. 413. Section 17b-369 of the general statutes is repealed and the
15995 following is substituted in lieu thereof (*Effective July 1, 2015*):

15996 (a) The Commissioner of Social Services, pursuant to Section 6071 of
15997 the Deficit Reduction Act of 2005, shall submit an application to the
15998 Secretary of Health and Human Services to establish a Money Follows
15999 the Person demonstration project. Such project shall serve not more
16000 than five thousand persons and shall be designed to achieve the
16001 objectives set forth in Section 6071(a) of the Deficit Reduction Act of
16002 2005. Services available under the demonstration project shall include,
16003 but not be limited to, personal care assistance services. The
16004 commissioner may apply for a Medicaid research and demonstration
16005 waiver under Section 1115 of the Social Security Act, if such waiver is
16006 necessary to implement the demonstration project. The commissioner
16007 may, if necessary, modify any existing Medicaid home or community-
16008 based waiver if such modification is required to implement the
16009 demonstration project.

16010 (b) (1) The Commissioner of Social Services shall submit, in
16011 accordance with this subdivision, a copy of any report on the Money
16012 Follows the Person demonstration project that the commissioner is
16013 required to submit to the Secretary of Health and Human Services and
16014 that pertains to (A) the status of the implementation of the Money
16015 Follows the Person demonstration project, (B) the anticipated date that
16016 the first eligible person or persons will be transitioned into the
16017 community, or (C) information concerning when and how the
16018 Department of Social Services will transition additional eligible
16019 persons into the community. The commissioner shall submit such copy
16020 to the joint standing committees of the General Assembly having
16021 cognizance of matters relating to aging and human services, in
16022 accordance with the provisions of section 11-4a. Copies of reports
16023 prepared prior to October 1, 2009, shall be submitted by said date and
16024 copies of reports prepared thereafter shall be submitted semiannually.

16025 (2) After October 1, 2009, if the commissioner has not prepared any
16026 new reports for submission to the Secretary of Health and Human
16027 Services for any six-month submission period under subdivision (1) of
16028 this subsection, the commissioner shall prepare and submit a written

16029 report in accordance with this subdivision to the joint standing
16030 committees of the General Assembly having cognizance of matters
16031 relating to aging and human services, in accordance with the
16032 provisions of section 11-4a. Such report shall include (A) the status of
16033 the implementation of the Money Follows the Person demonstration
16034 project, (B) the anticipated date that the first eligible person or persons
16035 will be transitioned into the community, and (C) information
16036 concerning when and how the Department of Social Services will
16037 transition additional eligible persons into the community.

16038 (c) The Commissioner of Social Services shall develop a strategic
16039 plan, consistent with the long-term care plan established pursuant to
16040 section 17b-337, to rebalance Medicaid long-term care supports and
16041 services, including, but not limited to, those supports and services
16042 provided in home, community-based settings and institutional
16043 settings. The commissioner shall include home, community-based and
16044 institutional providers in the development of the strategic plan. In
16045 developing the strategic plan the commissioner shall consider topics
16046 that include, but are not limited to: (1) Regional trends concerning the
16047 state's aging population; (2) trends in the demand for home,
16048 community-based and institutional services; (3) gaps in the provision
16049 of home and community-based services which prevent community
16050 placements; (4) gaps in the provision of institutional care; (5) the
16051 quality of care provided by home, community-based and institutional
16052 providers; (6) the condition of institutional buildings; (7) the state's
16053 regional supply of institutional beds; (8) the current rate structure
16054 applicable to home, community-based and institutional services; (9)
16055 the methods of implementing adjustments to the bed capacity of
16056 individual nursing facilities; and (10) a review of the provisions of
16057 subsection (a) of section 17b-354<u>, as amended by this act</u>.

16058 (d) The Commissioner of Social Services may contract with nursing
16059 facilities, as defined in section 17b-357, and home and community-
16060 based providers for the purpose of carrying out the strategic plan. In
16061 addition, the commissioner may revise a rate paid to a nursing facility

16062 pursuant to section 17b-340, as amended by this act, in order to
16063 effectuate the strategic plan. The commissioner may fund strategic
16064 plan initiatives with federal grant-in-aid resources available to the state
16065 pursuant to the Money Follows the Person demonstration project
16066 pursuant to Section 6071 of the Deficit Reduction Act, P.L. 109-171, and
16067 the State Balancing Incentive Payments Program under the Patient
16068 Protection and Affordable Care Act, P.L. 111-148.

16069 (e) If a nursing facility has reason to know that a resident is likely to
16070 become financially eligible for Medicaid benefits within one hundred
16071 eighty days, the nursing facility shall notify the resident or the
16072 resident's representative and the department. The department may (1)
16073 assess any such resident to determine if the resident prefers and is able
16074 to live appropriately at home or in some other community-based
16075 setting, and (2) develop a care plan and assist the resident in his or her
16076 transition to the community.

16077 **[**(e)**]** (f) The Commissioner of Public Health, or the commissioner's
16078 designee, may waive the requirements of sections 19-13-D8t, 19-13-D6
16079 and 19-13-D105 of the regulations of Connecticut state agencies, if a
16080 provider requires such a waiver for purposes of effectuating the
16081 strategic plan developed pursuant to subsection (c) of this section and
16082 the commissioner, or the commissioner's designee, determines that
16083 such waiver will not endanger the health and safety of the provider's
16084 residents or clients. The commissioner, or the commissioner's designee,
16085 may impose conditions on the granting of any waiver which are
16086 necessary to ensure the health and safety of the provider's residents or
16087 clients. The commissioner, or the commissioner's designee, may revoke
16088 any waiver granted pursuant to this subsection upon a finding that the
16089 health or safety of a resident or client of a provider has been
16090 jeopardized.

16091 Sec. 414. (NEW) (*Effective July 1, 2015*) (a) As used in this section, (1)
16092 "above-ground swimming pool" means any structure intended for
16093 swimming that is assembled above ground and is greater than twenty-

16094 four inches in depth, and (2) "swimming pool assembler" means a
16095 person, who for financial compensation, assembles an above-ground
16096 swimming pool.

16097 (b) On and after the adoption of regulations required pursuant to
16098 subsection (c) of this section, no person shall assemble an above-
16099 ground swimming pool unless such person holds a swimming pool
16100 assembler's license issued by the Commissioner of Consumer
16101 Protection.

16102 (c) Not later than April 1, 2016, the commissioner shall adopt
16103 regulations, in accordance with the provisions of chapter 54 of the
16104 general statutes, to implement the provisions of this section, including
16105 establishing the amount and type of experience and training, and
16106 continuing education and examination requirements for a person to
16107 obtain and renew a swimming pool assembler's license.

16108 (d) The holder of a swimming pool assembler's license issued
16109 pursuant to this section shall comply with the provisions of chapter
16110 400 of the general statutes regarding registration as a home
16111 improvement contractor.

16112 (e) A person licensed as a swimming pool assembler pursuant to
16113 this section shall not perform electrical work, plumbing and piping
16114 work or heating, piping and cooling work, as defined in section 20-330
16115 of the general statutes, unless such person is licensed to perform such
16116 work pursuant to chapter 393 of the general statutes.

16117 (f) On and after the adoption of regulations required pursuant to
16118 subsection (c) of this section, any person applying to the Department
16119 of Consumer Protection for a swimming pool assembler's license shall
16120 be issued such license without examination upon demonstration by the
16121 applicant of experience and training equivalent to the experience and
16122 training required to qualify for examination for such license, if such
16123 applicant makes such application to the department not later than
16124 January 1, 2017.

16125 (g) The initial fee for a swimming pool assembler's license shall be
16126 one hundred fifty dollars and the renewal fee for such license shall be
16127 one hundred dollars. Licenses shall be valid for a period of one year
16128 from the date of issuance.

16129 (h) Any holder of a swimming pool builder's license issued
16130 pursuant to section 20-340d of the general statutes or holder of a
16131 limited swimming pool maintenance and repair contractor's license
16132 issued pursuant to section 20-417aa of the general statutes applying to
16133 the department for a swimming pool assembler's license shall be
16134 issued such license without examination and shall not be required to
16135 complete any continuing education requirements established by the
16136 commissioner for a swimming pool assembler's license.

16137 (i) Any person who assembles an above-ground swimming pool on
16138 residential property owned by such person shall be exempt from the
16139 provisions of this section.

16140 Sec. 415. Subdivision (59) of section 12-81 of the general statutes is
16141 repealed and the following is substituted in lieu thereof (*Effective from*
16142 *passage*):

16143 (59) (a) With respect to assessment years commencing on or after
16144 October 1, 2012, any manufacturing facility, as defined in section 32-
16145 9p, acquired, constructed, substantially renovated or expanded on or
16146 after July 1, 1978, in a distressed municipality, as defined in said
16147 section, in a targeted investment community, as defined in section 32-
16148 222, in an enterprise zone designated pursuant to section 32-70 or in an
16149 airport development zone established pursuant to section 32-75d and
16150 for which an eligibility certificate has been issued by the Department
16151 of Economic and Community Development, and any manufacturing
16152 plant designated by the Commissioner of Economic and Community
16153 Development under subsection (a) of section 32-75c as follows: To the
16154 extent of eighty per cent of its valuation for purposes of assessment in
16155 each of the five full assessment years following the assessment year in

16156 which the acquisition, construction, renovation or expansion of the
16157 manufacturing facility is completed, except that a manufacturing
16158 facility having a North American Industrial Classification Code of
16159 325411 or 325412 and having at least one thousand full-time
16160 employees, as defined in subsection (f) of section 32-9j, shall be eligible
16161 to have the assessment period extended for five additional years upon
16162 approval of the commissioner, in accordance with all applicable
16163 regulations, provided such full-time employees have not been
16164 relocated from another facility in the state operated by the same
16165 eligible applicant;

16166 (b) Any service facility, as defined in section 32-9p, acquired,
16167 constructed, substantially renovated or expanded on or after July 1,
16168 1996, and for which an eligibility certificate has been issued by the
16169 Department of Economic and Community Development, as follows: (i)
16170 In the case of an investment of twenty million dollars or more but not
16171 more than thirty-nine million dollars in the service facility, to the
16172 extent of forty per cent of its valuation for purposes of assessment in
16173 each of the five full assessment years following the assessment year in
16174 which the acquisition, construction, renovation or expansion of the
16175 service facility is completed; (ii) in the case of an investment of more
16176 than thirty-nine million dollars but not more than fifty-nine million
16177 dollars in the service facility, to the extent of fifty per cent of its
16178 valuation for purposes of assessment in each of the five full assessment
16179 years following the assessment year in which the acquisition,
16180 construction, renovation or expansion of the service facility is
16181 completed; (iii) in the case of an investment of more than fifty-nine
16182 million dollars but not more than seventy-nine million dollars in the
16183 service facility, to the extent of sixty per cent of its valuation for
16184 purposes of assessment in each of the five full assessment years
16185 following the assessment year in which the acquisition, construction,
16186 renovation or expansion of the service facility is completed; (iv) in the
16187 case of an investment of more than seventy-nine million dollars but
16188 not more than ninety million dollars in the service facility, to the extent

of seventy per cent of its valuation for purposes of assessment in each of the five full assessment years following the assessment year in which the acquisition, construction, renovation or expansion of the service facility is completed; or (v) in the case of an investment of more than ninety million dollars in the service facility, to the extent of eighty per cent of its valuation for purposes of assessment in each of the five full assessment years following the assessment year in which the acquisition, construction, renovation or expansion of the service facility is completed, except that any financial institution, as defined in subsection (b) of section 32-236, having at least four thousand qualified employees, as determined in accordance with an agreement pursuant to subsection (b) of section 32-236, shall be eligible to have the assessment period extended for five additional years upon approval of the commissioner, in accordance with all applicable regulations, provided such full-time employees have not been relocated from another facility in the state operated by the same eligible applicant. In no event shall the definition of qualified employee be more favorable to the employer than the definition provided in subsection (b) of section 32-236;

(c) The completion date of a manufacturing facility, manufacturing plant or a service facility will be determined by the Department of Economic and Community Development taking into account the issuance of occupancy certificates and such other factors as it deems relevant. In the case of a manufacturing facility, manufacturing plant or a service facility which consists of a constructed, renovated or expanded portion of an existing plant, the assessed valuation of the facility or manufacturing plant is the difference between the assessed valuation of the plant prior to its being improved and the assessed valuation of the plant upon completion of the improvements. In the case of a manufacturing facility, manufacturing plant or a service facility which consists of an acquired portion of an existing plant, the assessed valuation of the facility or manufacturing plant is the assessed valuation of the portion acquired. This exemption shall be applicable

16222 during each such assessment year regardless of any change in the
16223 ownership or occupancy of the facility or manufacturing plant. If
16224 during any such assessment year, however, any facility for which an
16225 eligibility certificate has been issued ceases to qualify as a
16226 manufacturing facility, manufacturing plant or a service facility, the
16227 entitlement to the exemption allowed by this subdivision shall
16228 terminate for the assessment year following the date on which the
16229 qualification ceases, and there shall not be a pro rata application of the
16230 exemption. Any person who desires to claim the exemption provided
16231 in this subdivision shall file annually with the assessor or board of
16232 assessors in the distressed municipality, targeted investment
16233 community, enterprise zone designated pursuant to section 32-70 or in
16234 a town within an airport development zone established pursuant to
16235 section 32-75d in which the manufacturing facility or service facility is
16236 located, on or before the first day of November, a written application
16237 claiming such exemption on a form prescribed by the Secretary of the
16238 Office of Policy and Management. Failure to file such application in
16239 this manner and form within the time limit prescribed shall constitute
16240 a waiver of the right to such exemption for such assessment year,
16241 unless (i) an extension of time is allowed pursuant to section 12-81k,
16242 and upon payment of the required fee for late filing, or (ii) the person
16243 claiming such exemption received a certificate of eligibility on or after
16244 October 1, 2009, and is located in a municipality in New Haven County
16245 with a population of not less than eighteen thousand five hundred and
16246 not more than nineteen thousand five hundred, as enumerated in the
16247 2010 federal decennial census;

16248 Sec. 416. Subsection (b) of section 32-7h of the general statutes is
16249 repealed and the following is substituted in lieu thereof (*Effective July*
16250 *1, 2015*):

16251 (b) The Commissioner of Economic and Community Development
16252 may provide for the payment of any administrative expenses or other
16253 costs incurred by the department or its lender partners in carrying out
16254 the purposes of the Small Business Express program not to exceed

16255 **[**four**]** five per cent of funding from this program from the account
16256 established pursuant to subsection (a) of this section, provided one per
16257 cent shall be dedicated to develop capacity for capital construction
16258 projects for minority business enterprises.

16259 Sec. 417. Subsection (i) of section 32-9t of the general statutes is
16260 repealed and the following is substituted in lieu thereof (*Effective July*
16261 *1, 2015*):

16262 (i) (1) There shall be allowed as a credit against the tax imposed
16263 under chapters 207 to 212a, inclusive, or section 38a-743, or a
16264 combination of said taxes, an amount equal to the following
16265 percentage of approved investments made by or on behalf of a
16266 taxpayer with respect to the following income years of the taxpayer:
16267 (A) With respect to the income year in which the investment in the
16268 eligible project was made and the two next succeeding income years,
16269 zero per cent; (B) with respect to the third full income year succeeding
16270 the year in which the investment in the eligible project was made and
16271 the three next succeeding income years, ten per cent; (C) with respect
16272 to the seventh full income year succeeding the year in which the
16273 investment in the eligible project was made and the next two
16274 succeeding years, twenty per cent. The sum of all tax credits granted
16275 pursuant to the provisions of this section shall not exceed one hundred
16276 million dollars with respect to a single eligible urban reinvestment
16277 project or a single eligible industrial site investment project approved
16278 by the commissioner. The sum of all tax credits granted pursuant to
16279 the provisions of this section shall not exceed **[**eight hundred**]** nine
16280 hundred fifty million dollars.

16281 (2) Notwithstanding the provisions of subdivision (1) of this
16282 subsection, any applicant may, at the time of application, apply to the
16283 commissioner for a credit that exceeds the limitations established by
16284 this subsection. The commissioner shall evaluate the benefits of such
16285 application and make recommendations to the General Assembly
16286 relating to changes in the general statutes which would be necessary to

effect such application if the commissioner determines that the proposal would be of economic benefit to the state.

Sec. 418. Subsection (z) of section 3-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(z) Notwithstanding any provision of the general statutes or any public act or special act, upon the request of any proposed recipient for a grant for a program or project within the state to be financed by bonds issued pursuant to this section, and subject to the approval of the State Bond Commission and the Treasurer, such grant may be made to a qualified community development entity, or to a partnership, limited partnership, limited liability company or other business entity investing exclusively in a qualified community development entity, provided substantially all of the proceeds of such grant are made available to such proposed recipient to finance such project, or to any reinvestment in such project following a foreclosure brought against such proposed recipient or any affiliate of such proposed recipient on such project. For purposes of this subsection, "qualified community development entity" means an entity certified as a qualified community development entity pursuant to Section 45D(c)(1) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, that has received an allocation of new markets tax credits available for qualified low-income community investments in the state under Section 45D(f)(2) of said Internal Revenue Code.

Sec. 419. Section 13b-79v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

The Commissioner of Economic and Community Development **[**is authorized**]** and the Secretary of the Office of Policy and Management may each, in consultation with the Commissioner of Transportation, **[**to**]** use available funds, including bond funds made available

16318 pursuant to section 4-66c, to make grants or loans to (1) support
16319 transit-oriented development projects, as defined in section 13b-79o,
16320 and encourage the location of residential, commercial and employment
16321 centers near public transportation services; and (2) encourage the
16322 development and use of port and rail freight facilities and services,
16323 including trackage and related infrastructure. Nothing in this section
16324 shall be construed to limit the authority of the state to enter into
16325 agreements to facilitate transit-oriented development projects, as
16326 defined in section 13b-79o or 13b-79kk, on state property.

16327 Sec. 420. Subsection (a) of section 16-245*l* of the general statutes is
16328 repealed and the following is substituted in lieu thereof (*Effective from*
16329 *passage*):

16330 (a) The Public Utilities Regulatory Authority shall establish and
16331 each electric distribution company shall collect a systems benefits
16332 charge to be imposed against all end use customers of each electric
16333 distribution company beginning January 1, 2000. The authority shall
16334 hold a hearing that shall be conducted as a contested case in
16335 accordance with chapter 54 to establish the amount of the systems
16336 benefits charge. The authority may revise the systems benefits charge
16337 or any element of said charge as the need arises. Commencing on July
16338 1, **[**2014**]** 2015, and annually thereafter, the sum of **[**one**]** two million
16339 one hundred thousand dollars shall be transferred from the systems
16340 benefits charge to Operation Fuel, Incorporated, for energy assistance,
16341 provided **[**one**]** two hundred thousand dollars of such sum may be
16342 used for administrative purposes. The systems benefits charge shall
16343 also be used to fund (1) the expenses of the public education outreach
16344 program developed under section 16-244d other than expenses for
16345 authority staff, (2) the cost of hardship protection measures under
16346 sections 16-262c and 16-262d and other hardship protections,
16347 including, but not limited to, electric service bill payment programs,
16348 funding and technical support for energy assistance, fuel bank and
16349 weatherization programs and weatherization services, (3) the payment
16350 program to offset tax losses described in section 12-94d, (4) any sums

16351 paid to a resource recovery authority pursuant to subsection (b) of
16352 section 16-243e, (5) low income conservation programs approved by
16353 the Public Utilities Regulatory Authority, (6) displaced worker
16354 protection costs, (7) unfunded storage and disposal costs for spent
16355 nuclear fuel generated before January 1, 2000, approved by the
16356 appropriate regulatory agencies, (8) postretirement safe shutdown and
16357 site protection costs that are incurred in preparation for
16358 decommissioning, (9) decommissioning fund contributions, (10) costs
16359 associated with the Connecticut electric efficiency partner program
16360 established pursuant to section 16-243v, (11) reinvestments and
16361 investments in energy efficiency programs and technologies pursuant
16362 to section 16a-38*l*, costs associated with the electricity conservation
16363 incentive program established pursuant to section 119 of public act 07-
16364 242, (12) legal, appraisal and purchase costs of a conservation or land
16365 use restriction and other related costs as the authority in its discretion
16366 deems appropriate, incurred by a municipality on or before January 1,
16367 2000, to ensure the environmental, recreational and scenic preservation
16368 of any reservoir located within this state created by a pump storage
16369 hydroelectric generating facility, and (13) the residential furnace and
16370 boiler replacement program pursuant to subsection (k) of section 16-
16371 243v. As used in this subsection, "displaced worker protection costs"
16372 means the reasonable costs incurred, prior to January 1, 2008, (A) by an
16373 electric supplier, exempt wholesale generator, electric company, an
16374 operator of a nuclear power generating facility in this state or a
16375 generation entity or affiliate arising from the dislocation of any
16376 employee other than an officer, provided such dislocation is a result of
16377 (i) restructuring of the electric generation market and such dislocation
16378 occurs on or after July 1, 1998, or (ii) the closing of a Title IV source or
16379 an exempt wholesale generator, as defined in 15 USC 79z-5a, on or
16380 after January 1, 2004, as a result of such source's failure to meet
16381 requirements imposed as a result of sections 22a-197 and 22a-198 and
16382 this section or those Regulations of Connecticut State Agencies
16383 adopted by the Department of Energy and Environmental Protection,
16384 as amended from time to time, in accordance with Executive Order

16385 Number 19, issued on May 17, 2000, and provided further such costs
16386 result from either the execution of agreements reached through
16387 collective bargaining for union employees or from the company's or
16388 entity's or affiliate's programs and policies for nonunion employees,
16389 and (B) by an electric distribution company or an exempt wholesale
16390 generator arising from the retraining of a former employee of an
16391 unaffiliated exempt wholesale generator, which employee was
16392 involuntarily dislocated on or after January 1, 2004, from such
16393 wholesale generator, except for cause. "Displaced worker protection
16394 costs" includes costs incurred or projected for severance, retraining,
16395 early retirement, outplacement, coverage for surviving spouse
16396 insurance benefits and related expenses.

16397 Sec. 421. Subsection (b) of section 15-140f of the general statutes, as
16398 amended by section 2 of public act 15-25, is repealed and the following
16399 is substituted in lieu thereof (*Effective from passage*):

16400 (b) (1) The commissioner shall adopt regulations, in accordance with
16401 the provisions of chapter 54, setting forth the content of safe boating
16402 operation courses. Such regulations may include provisions for
16403 examinations, issuance of safe boating certificates and establishment of
16404 reasonable fees for the course and examination and for issuing
16405 certificates, temporary certificates and duplicate certificates.

16406 (2) The commissioner shall amend the regulations described in
16407 subdivision (1) of this subsection to set forth the content for instruction
16408 on safe water skiing, which shall be part of the course in safe boating
16409 operation. Such safe water skiing content shall include instruction on
16410 the safe operation of a vessel while engaged in water skiing. Such
16411 regulations <u>may include provisions establishing a fee for a safe water</u>
16412 <u>skiing endorsement and an alternative online course only for such safe</u>
16413 <u>water skiing endorsement and</u> shall include provisions for the issuance
16414 of a safe water skiing endorsement to be placed on a safe boating
16415 certificate or certificate of personal watercraft operation, including, but
16416 not limited to, provisions for including safe water skiing questions in

16417 the safe boating certificate examination and provisions for revoking
16418 any such endorsement. The commissioner shall make available on the
16419 department's Internet web site online information in safe water skiing
16420 that provides equivalent information on safe water skiing to such safe
16421 water skiing instruction provided as part of the course in safe boating
16422 operation.

16423 Sec. 422. (NEW) (*Effective from passage*) (a) The Labor Commissioner,
16424 in consultation with the State Treasurer, the State Comptroller and the
16425 Commissioner of Administrative Services, shall establish the
16426 procedures necessary to implement a paid family and medical leave
16427 program.

16428 (b) Not later than October 1, 2015, the Labor Commissioner shall
16429 contract with a consultant to create an implementation plan for the
16430 paid family and medical leave program. The implementation plan
16431 shall include, but not be limited to:

16432 (1) A process to evaluate and establish mechanisms, through
16433 consultation with the entities described in subsection (a) of this section
16434 and the Department of Revenue Services, by which employees shall
16435 contribute a portion of their salary or wages to a program of paid
16436 family and medical leave that shall include the possibility of utilizing
16437 existing technology and payroll deduction systems;

16438 (2) Identify and report on mechanisms for timely acceptance of
16439 claims, processing of claims, fraud prevention and any staffing,
16440 infrastructure and capital needs associated with administration of the
16441 program;

16442 (3) Identify and report on mechanisms for timely distribution of
16443 employee compensation and any associated staffing, infrastructure
16444 and capital needs; and

16445 (4) Identify and report on funding opportunities to assist with start-
16446 up costs and administration of the program, including, but not limited

16447 to, the availability of federal funds;

16448 (c) Not later than October 1, 2015, the Labor Commissioner, in
16449 consultation with the State Treasurer, shall contract with a consultant
16450 to perform an actuarial analysis and report of the level of employee
16451 contributions necessary to ensure sustainable funding and
16452 administration of a paid family and medical leave compensation
16453 program.

16454 (d) Not later than February 1, 2016, the Labor Commissioner shall
16455 submit a report, in accordance with section 11-4a of the general
16456 statutes, on the implementation plan described in subsection (b) of this
16457 section and the actuarial analysis described in subsection (c) of this
16458 section to the joint standing committees of the General Assembly
16459 having cognizance of matters relating to appropriations and labor.

16460 Sec. 423. (NEW) (*Effective July 1, 2015*) (a) For the purposes of this
16461 section, "appointee or nominee" means a person appointed or
16462 nominated as a department head, as defined in section 4-5 of the
16463 general statutes, or as Chief Justice or a judge of the Supreme Court,
16464 Appellate Court or Superior Court.

16465 (b) The Governor may, subject to the provisions of chapter 16 or 46
16466 of the general statutes, as applicable, require each appointee or
16467 nominee to be fingerprinted and submit to state and national criminal
16468 history records checks conducted in accordance with section 29-17a of
16469 the general statutes.

16470 Sec. 424. Section 17a-101q of the general statutes is repealed and the
16471 following is substituted in lieu thereof (*Effective from passage*):

16472 (a) Not later than July 1, **[**2015**]** 2016, the Department of Children
16473 and Families, in collaboration with the Department of Education and
16474 Connecticut Sexual Assault Crisis Services, Inc., or a similar entity,
16475 shall identify or develop a state-wide sexual abuse and assault
16476 awareness and prevention program for use by local and regional

16477 boards of education. Such program shall be implemented in each local
16478 and regional school district and shall include:

16479 (1) For teachers, instructional modules that may include, but not be
16480 limited to, (A) training regarding the prevention and identification of,
16481 and response to, child sexual abuse and assault, and (B) resources to
16482 further student, teacher and parental awareness regarding child sexual
16483 abuse and assault and the prevention of such abuse and assault;

16484 (2) For students, age-appropriate educational materials designed for
16485 children in grades kindergarten to twelve, inclusive, regarding child
16486 sexual abuse and assault awareness and prevention that may include,
16487 but not be limited to, (A) the skills to recognize (i) child sexual abuse
16488 and assault, (ii) boundary violations and unwanted forms of touching
16489 and contact, and (iii) ways offenders groom or desensitize victims, and
16490 (B) strategies to (i) promote disclosure, (ii) reduce self-blame, and (iii)
16491 mobilize bystanders; and

16492 (3) A uniform child sexual abuse and assault response policy and
16493 reporting procedure that may include, but not be limited to, (A)
16494 actions that child victims of sexual abuse and assault may take to
16495 obtain assistance, (B) intervention and counseling options for child
16496 victims of sexual abuse and assault, (C) access to educational resources
16497 to enable child victims of sexual abuse and assault to succeed in
16498 school, and (D) uniform procedures for reporting instances of child
16499 sexual abuse and assault to school staff members.

16500 (b) Not later than October 1, **[**2015**]** 2016, each local and regional
16501 board of education shall implement the sexual abuse and assault
16502 awareness and prevention program identified or developed pursuant
16503 to subsection (a) of this section.

16504 (c) No student in grades kindergarten to twelve, inclusive, shall be
16505 required by any local or regional board of education to participate in
16506 the sexual abuse and assault awareness and prevention program
16507 offered within the public schools. A written notification to the local or

16508 regional board of education by the student's parent or legal guardian
16509 shall be sufficient to exempt the student from such program in its
16510 entirety or from any portion thereof so specified by the parent or legal
16511 guardian.

16512 (d) If a student is exempted from the sexual abuse and assault
16513 awareness and prevention program pursuant to subsection (c) of this
16514 section, the local or regional board of education shall provide, during
16515 the period of time in which the student would otherwise be
16516 participating in such program, an opportunity for other study or
16517 academic work.

16518 Sec. 425. Section 3-123aaa of the general statutes is repealed and the
16519 following is substituted in lieu thereof (*Effective July 1, 2015*):

16520 As used in this section and sections 3-123bbb to 3-123hhh, inclusive:

16521 (1) "Health Care Cost Containment Committee" means the
16522 committee established in accordance with the ratified agreement
16523 between the state and the State Employees Bargaining Agent Coalition
16524 pursuant to subsection (f) of section 5-278.

16525 (2) "Nonprofit employee" means any employee of a nonprofit
16526 employer.

16527 (3) "Nonprofit employer" means (A) a nonprofit corporation,
16528 organized under 26 USC 501, as amended from time to time, that (i)
16529 has a purchase of service contract, as defined in section 4-70b, or (ii)
16530 receives fifty per cent or more of its gross annual revenue from grants
16531 or funding from the state, the federal government or a municipality or
16532 any combination thereof, or (B) an organization that is tax exempt
16533 pursuant to 26 USC 501(c)(5), as amended from time to time.

16534 (4) "Nonstate public employee" means any employee or elected
16535 officer of a nonstate public employer.

16536 (5) "Nonstate public employer" means a municipality or other

16537 political subdivision of the state, including a board of education, quasi-
16538 public agency or public library. A municipality and a board of
16539 education may be considered separate employers.

16540 (6) "Partnership plan" means a health care benefit plan offered by
16541 the Comptroller to (A) nonstate public employers or nonprofit
16542 employers **[**under**]** pursuant to section 3-123bbb, (B) graduate
16543 assistants at The University of Connecticut and The University of
16544 Connecticut Health Center, (C) postdoctoral trainees at The University
16545 of Connecticut and The University of Connecticut Health Center, (D)
16546 graduate fellows at The University of Connecticut and The University
16547 of Connecticut Health Center, and (E) graduate students of The
16548 University of Connecticut participating in university-funded
16549 internships as part of their graduate program.

16550 (7) "State employee plan" means a self-insured group health care
16551 benefits plan established under subsection (m) of section 5-259.

16552 Sec. 426. Section 10a-105 of the general statutes is repealed and the
16553 following is substituted in lieu thereof (*Effective July 1, 2015*):

16554 (a) Subject to the provisions of sections 10a-8 and 10a-26, the Board
16555 of Trustees of The University of Connecticut shall fix fees for tuition
16556 and shall fix fees for such other purposes as the board deems necessary
16557 at The University of Connecticut, and may make refunds of the same.

16558 (b) The Board of Trustees of The University of Connecticut shall
16559 establish and administer a fund to be known as The University of
16560 Connecticut Operating Fund, and in addition, may establish a Special
16561 External Gift Fund, and an endowment fund, as defined in section 10a-
16562 109c, and such other funds as may be established pursuant to
16563 subdivision (13) of subsection (a) of section 10a-109d. Appropriations
16564 from general revenues of the state and, upon request by the university
16565 and with an annual review and approval by the Secretary of the Office
16566 of Policy and Management, the amount of the appropriations for fringe
16567 benefits and workers' compensation applicable to the university

16568 pursuant to subsection (a) of section 4-73, shall be transferred from the
16569 Comptroller, and all tuition revenue received by the university in
16570 accordance with the provisions of subsection (a) of this section, income
16571 from student fees or related charges, the proceeds of auxiliary activities
16572 and business enterprises, gifts and donations, federal funds and grants
16573 for purposes other than research and all receipts derived from the
16574 conduct by The University of Connecticut of its education extension
16575 program and its summer school session, except funds received by The
16576 University of Connecticut Health Center, shall be deposited in said
16577 operating fund. If the Secretary of the Office of Policy and
16578 Management disapproves such transfer, he may require the amount of
16579 the appropriation for operating expenses to be used for personal
16580 services and fringe benefits to be excluded from said fund. The State
16581 Treasurer shall review and approve the transfer prior to such request
16582 by the university. All costs of waiving or remitting tuition pursuant to
16583 subsection (g) of this section, except the cost of waiving or remitting
16584 tuition for students enrolled in the schools of medicine or dental
16585 medicine, shall be charged to said fund. Repairs, alterations or
16586 additions to facilities supported by said fund costing one million
16587 dollars or more shall require the approval of the General Assembly, or
16588 when the General Assembly is not in session, of the Finance Advisory
16589 Committee. Any balance of receipts above expenditures shall remain
16590 in said fund, except such sums as may be required for deposit into a
16591 debt service fund or the General Fund for further payment by the
16592 Treasurer of debt service on general obligation bonds of the state
16593 issued for purposes of The University of Connecticut.

16594 (c) The Board of Trustees of The University of Connecticut shall
16595 establish and administer a fund to be known as The University of
16596 Connecticut Health Center Operating Fund. Appropriations from
16597 general revenues of the state except the amount of the appropriation
16598 for operating expenses to be used for personal services and the
16599 appropriations for fringe benefits pursuant to subsection (a) of section
16600 4-73, all tuition revenue received by the health center in accordance

16601 with the provisions of subsection (a) of this section, income from
16602 student fees or related charges, proceeds from auxiliary and business
16603 enterprises, gifts and donations, federal funds and grants for purposes
16604 other than research and other income relative to these activities shall
16605 be deposited in said fund. All costs of waiving or remitting tuition
16606 pursuant to subsection (g) of this section for students enrolled in the
16607 schools of medicine or dental medicine shall be charged to said fund.
16608 Repairs, alterations or additions to facilities supported by said fund
16609 costing one million dollars or more shall require the approval of the
16610 General Assembly, or when the General Assembly is not in session, of
16611 the Finance Advisory Committee. Any balance of receipts above
16612 expenditures shall remain in said fund, except such sums as may be
16613 required for deposit into a debt service fund or the General Fund for
16614 further payment by the Treasurer of debt service on general obligation
16615 bonds of the state issued for purposes of The University of Connecticut
16616 Health Center.

16617 (d) Commencing December 1, 1981, and thereafter not later than
16618 sixty days after the close of each quarter, the board of trustees shall
16619 submit to the joint standing committee of the General Assembly
16620 having cognizance of matters relating to appropriations and the
16621 budgets of state agencies, the Office of Higher Education and the
16622 Office of Policy and Management a report on the actual expenditures
16623 of The University of Connecticut Operating Fund and The University
16624 of Connecticut Health Center Operating Fund containing such relevant
16625 information as the Office of Policy and Management may require in
16626 the form prescribed by the board of regents in accordance with
16627 subsection (a) of section 10a-8.

16628 (e) Said board of trustees shall waive the payment of tuition fees at
16629 The University of Connecticut (1) for any dependent child of a person
16630 whom the armed forces of the United States has declared to be missing
16631 in action or to have been a prisoner of war while serving in such armed
16632 forces after January 1, 1960, which child has been accepted for
16633 admission to The University of Connecticut and is a resident of

16634 Connecticut at the time such child is accepted for admission to said
16635 institution, (2) subject to the provisions of subsection (f) of this section,
16636 for any veteran who performed service in time of war, as defined in
16637 subsection (a) of section 27-103, except that for purposes of this
16638 subsection, "service in time of war" shall not include time spent in
16639 attendance at a military service academy, who has been accepted for
16640 admission to said institution and is domiciled in this state at the time
16641 such veteran is accepted for admission to said institution, (3) for any
16642 resident of Connecticut sixty-two years of age or older who has been
16643 accepted for admission to said institution, provided (A) such person is
16644 enrolled in a degree-granting program, or (B) at the end of the regular
16645 registration period, there are enrolled in the course a sufficient number
16646 of students other than those persons eligible for waivers pursuant to
16647 this subdivision to offer the course in which such person intends to
16648 enroll and there is space available in such course after accommodating
16649 all such students, (4) for any active member of the Connecticut Army
16650 or Air National Guard who (A) has been certified by the Adjutant
16651 General or such Adjutant General's designee as a member in good
16652 standing of the guard, and (B) is enrolled or accepted for admission to
16653 said institution on a full-time or part-time basis in an undergraduate or
16654 graduate degree-granting program, (5) for any dependent child of a
16655 (A) police officer, as defined in section 7-294a, or supernumerary or
16656 auxiliary police officer, (B) firefighter, as defined in section 7-323j, or
16657 member of a volunteer fire company, (C) municipal employee, or (D)
16658 state employee, as defined in section 5-154, killed in the line of duty,
16659 (6) for any resident of the state who is the dependent child or surviving
16660 spouse of a specified terrorist victim who was a resident of the state,
16661 (7) for any dependent child of a resident of the state who was killed in
16662 a multivehicle crash at or near the intersection of Routes 44 and 10 and
16663 Nod Road in Avon on July 29, 2005, and (8) for any resident of the state
16664 who is a dependent child or surviving spouse of a person who was
16665 killed in action while performing active military duty with the armed
16666 forces of the United States on or after September 11, 2001, and who
16667 was a resident of this state. If any person who receives a tuition waiver

16668 in accordance with the provisions of this subsection also receives
16669 educational reimbursement from an employer, such waiver shall be
16670 reduced by the amount of such educational reimbursement. Veterans
16671 described in subdivision (2) of this subsection and members of the
16672 National Guard described in subdivision (4) of this subsection shall be
16673 given the same status as students not receiving tuition waivers in
16674 registering for courses at The University of Connecticut.
16675 Notwithstanding the provisions of section 10a-30, as used in this
16676 subsection, "domiciled in this state" includes domicile for less than one
16677 year.

16678 (f) (1) If any veteran described in subsection (e) of this section has
16679 applied for federal educational assistance under the Post-9/11
16680 Veterans Educational Assistance Act of 2008, the board of trustees shall
16681 waive the payment of tuition at The University of Connecticut for such
16682 veteran in accordance with subdivision (2) of this subsection. If any
16683 such veteran certifies to said board that such veteran's application for
16684 such federal educational assistance has been denied or withdrawn,
16685 said board of trustees shall waive the payment of tuition in accordance
16686 with subsection (d) of this section.

16687 (2) (A) For purposes of this subdivision, "veteran tuition benefit"
16688 means the portion of federal educational assistance under the Post-
16689 9/11 Veterans Educational Assistance Act of 2008 to be paid to The
16690 University of Connecticut on behalf of a veteran that represents
16691 payment for tuition. Such portion shall be calculated by multiplying (i)
16692 the total amount of such federal educational assistance to be paid to
16693 The University of Connecticut on behalf of such veteran by (ii) an
16694 amount obtained by dividing (I) the actual tuition charged by The
16695 University of Connecticut to such veteran by (II) the sum of the actual
16696 tuition and fees charged by The University of Connecticut to such
16697 veteran.

16698 (B) Said board of trustees shall waive the payment of tuition in
16699 excess of the veteran tuition benefit at The University of Connecticut

16700 for such veteran.

16701 (g) Said board of trustees shall set aside from its anticipated tuition
16702 revenue, an amount not less than that required by the board of
16703 governors' tuition policy established under subdivision (3) of
16704 subsection (a) of section 10a-6. Such funds shall be used to provide
16705 tuition waivers, tuition remissions, grants for educational expenses
16706 and student employment for any undergraduate, graduate or
16707 professional student who is enrolled as a full or part-time matriculated
16708 student in a degree-granting program, or enrolled in a precollege
16709 remedial program, and who demonstrates substantial financial need.
16710 Said board may also set aside from its anticipated tuition revenue an
16711 additional amount equal to one per cent of said tuition revenue for
16712 financial assistance for students who would not otherwise be eligible
16713 for financial assistance but who do have a financial need as determined
16714 by the university in accordance with this subsection. In determining
16715 such financial need, the university shall exclude the value of equity in
16716 the principal residence of the student's parents or legal guardians, or in
16717 the student's principal residence if the student is not considered to be a
16718 dependent of his parents or legal guardians and shall assess the
16719 earnings of a dependent student at the rate of thirty per cent.

16720 (h) The University of Connecticut Operating Fund shall be
16721 reimbursed for the amount by which tuition waivers granted under
16722 subsection (e) of this section exceed two and one-half per cent of
16723 tuition revenue through an annual state appropriation. The board of
16724 trustees shall request such an appropriation and said appropriation
16725 shall be based upon an estimate of tuition revenue loss using tuition
16726 rates in effect for the fiscal year in which such appropriation will
16727 apply.

16728 (i) Said board of trustees shall grant remission or waiver of tuition
16729 for graduate assistants at the university. Assistantship payments to
16730 graduate assistants shall not be considered salaries and wages under
16731 the provisions of section 3-119, and shall be paid according to a

16732 schedule prescribed by the university and approved by the State
16733 Comptroller.

16734 (j) Said board of trustees may provide health care coverage for
16735 graduate assistants, postdoctoral trainees, graduate fellows and
16736 graduate student interns identified in subdivision (6) of section 3-
16737 123aaa, as amended by this act, by enrolling such individuals in a
16738 partnership plan as defined in section 3-123aaa, as amended by this
16739 act. All premiums and expenses resulting from the participation of
16740 such individuals in the partnership plan shall be paid by the
16741 university. No such premiums or expenses shall be charged to the
16742 General Fund.

16743 **[**(j)**]** (k) Said board of trustees shall allow any student who is a
16744 member of the armed forces called to active duty during any semester
16745 to enroll in any course for which such student had remitted tuition but
16746 which was not completed due to active duty status. Such course
16747 reenrollment shall be offered to any qualifying student for a period not
16748 exceeding four years after the date of release from active duty without
16749 additional tuition, student fee or related charge, except if such student
16750 has been fully reimbursed for the tuition, fees and charges for the
16751 course that was not completed.

16752 Sec. 427. Section 17a-62a of the general statutes is repealed and the
16753 following is substituted in lieu thereof (*Effective July 1, 2017*):

16754 (a) As used in this section:

16755 (1) "Homeless youth" means a person **[**under twenty-one**]** twenty-
16756 three years of age or younger who is without shelter where
16757 appropriate care and supervision are available and who lacks a fixed,
16758 regular and adequate nighttime residence, including a youth under the
16759 age of eighteen whose parent or legal guardian is unable or unwilling
16760 to provide shelter and appropriate care;

16761 (2) "Fixed, regular and adequate nighttime residence" means a

16762 dwelling at which a person resides on a regular basis that adequately
16763 provides safe shelter, but does not include (A) a publicly or privately
16764 operated institutional shelter designed to provide temporary living
16765 accommodations; (B) transitional housing; (C) a temporary placement
16766 with a peer, friend or family member who has not offered a permanent
16767 residence, residential lease or temporary lodging for more than thirty
16768 days; or (D) a public or private place not designed for or ordinarily
16769 used as a regular sleeping place by human beings; and

16770 (3) "Aftercare services" means continued counseling, guidance or
16771 support for not more than six months following the provision of
16772 services.

16773 (b) The Department of Housing, in collaboration with the
16774 Department of Children and Families, within available appropriations,
16775 shall establish a program that provides one or more of the following
16776 services for homeless youth: Public outreach, respite housing, and
16777 transitional living services for homeless youth and youth at risk of
16778 homelessness. The **[**department**]** Department of Housing may enter
16779 into a contract with nonprofit organizations or municipalities to
16780 implement this section. Such program may have the following
16781 components:

16782 (1) A public outreach and drop-in component that provides youth
16783 drop-in centers with walk-in access to crisis intervention and ongoing
16784 supportive services, including one-to-one case management services
16785 on a self-referral basis and public outreach that locates, contacts and
16786 provides information, referrals and services to homeless youth and
16787 youth at risk of homelessness. Such component may include, but need
16788 not be limited to, information, referrals and services for (A) family
16789 reunification services, conflict resolution or mediation counseling; (B)
16790 respite housing, case management aimed at obtaining food, clothing,
16791 medical care or mental health counseling, counseling regarding
16792 violence, prostitution, substance abuse, sexually transmitted diseases,
16793 HIV and pregnancy, and referrals to agencies that provide support

16794 services to homeless youth and youth at risk of homelessness; (C)
16795 education, employment and independent living skills; (D) aftercare
16796 services; and (E) specialized services for highly vulnerable homeless
16797 youth, including teen parents, sexually exploited youth and youth
16798 with mental illness or developmental disabilities;

16799 (2) A respite housing component that provides homeless youth with
16800 referrals and walk-in access to respite care on an emergency basis that
16801 includes voluntary housing, with private shower facilities, beds and at
16802 least one meal each day, and assistance with reunification with family
16803 or a legal guardian when required or appropriate. Services provided at
16804 respite housing may include, but need not be limited to, (A) family
16805 reunification services or referral to safe housing; (B) individual, family
16806 and group counseling; (C) assistance in obtaining clothing; (D) access
16807 to medical and dental care and mental health counseling; (E) education
16808 and employment services; (F) recreational activities; (G) case
16809 management, advocacy and referral services; (H) independent living
16810 skills training; and (I) aftercare services and transportation; and

16811 (3) A transitional living component that (A) assists homeless youth
16812 in finding and maintaining safe housing, and (B) includes rental
16813 assistance and related supportive services. Such component may
16814 include, but need not be limited to, (i) educational assessment and
16815 referral to educational programs; (ii) career planning, employment, job
16816 skills training and independent living skills training; (iii) job
16817 placement; (iv) budgeting and money management; (v) assistance in
16818 securing housing appropriate to needs and income; (vi) counseling
16819 regarding violence, prostitution, substance abuse, sexually transmitted
16820 diseases and pregnancy, referral for medical services or chemical
16821 dependency treatment; and (vii) parenting skills, self-sufficiency
16822 support services or life skills training and aftercare services.

16823 (c) On or before February 1, **[**2012**]** 2018, and annually thereafter, the
16824 **[**Commissioner of Children and Families**]** Commissioners of Housing
16825 and Children and Families shall submit a report regarding the

16826 program established under subsection (b) of this section, in accordance
16827 with section 11-4a, to the joint standing [committee] committees of the
16828 General Assembly having cognizance of matters relating to housing
16829 and children. The report shall include recommendations for any
16830 changes to the program to ensure that the best available services are
16831 being delivered to homeless youth and youth at risk of homelessness.
16832 The report shall include key outcome indicators and measures and
16833 shall set benchmarks for evaluating progress in accomplishing the
16834 purposes of subsection (b) of this section.

16835 Sec. 428. Section 8-37r of the general statutes is repealed and the
16836 following is substituted in lieu thereof (*Effective July 1, 2017*):

16837 (a) There shall be a Department of Housing, which shall be within
16838 the Department of Economic and Community Development for
16839 administrative purposes only, which shall be the lead agency for all
16840 matters relating to housing. The department head shall be the
16841 Commissioner of Housing, who shall be appointed by the Governor in
16842 accordance with the provisions of sections 4-5 to 4-8, inclusive, with
16843 the powers and duties therein prescribed. Said commissioner shall be
16844 responsible at the state level for all aspects of policy, development,
16845 redevelopment, preservation, maintenance and improvement of
16846 housing and neighborhoods. Said commissioner shall be responsible
16847 for developing strategies to encourage the provision of housing in the
16848 state, including housing for very low, low and moderate income
16849 families.

16850 (b) The Department of Housing shall constitute a successor to the
16851 functions, powers and duties of the Department of Economic
16852 Development relating to housing, community development,
16853 redevelopment and urban renewal as set forth in chapters 128, 129,
16854 130, 135 and 136 in accordance with the provisions of sections 4-38d, 4-
16855 38e and 4-39. The Department of Housing is designated a public
16856 housing agency for the purpose of administering the Section 8 existing
16857 certificate program and the housing voucher program pursuant to the

16858 Housing Act of 1937.

16859 (c) The commissioner shall, in consultation with the interagency
16860 council on affordable housing established pursuant to section 8-37nnn,
16861 review the organization and delivery of state housing programs and
16862 submit a report with recommendations, in accordance with the
16863 provisions of section 11-4a, not later than January 15, 2013, to the joint
16864 standing committees of the General Assembly having cognizance of
16865 matters relating to housing and appropriations.

16866 (d) Any order or regulation of the Department of Housing or
16867 Department of Economic and Community Development that is in force
16868 on January 1, 2013, shall continue in force and effect as an order or
16869 regulation until amended, repealed or superseded pursuant to law.

16870 (e) On and after July 1, 2017, the Department of Housing shall
16871 constitute a successor department, in accordance with the provisions of
16872 sections 4-38d, 4-38e and 4-39, to the Department of Children and
16873 Families with respect to the homeless youth program as set forth in
16874 section 17a-62a, as amended by this act.

16875 Sec. 429. Section 16-2a of the general statutes is repealed and the
16876 following is substituted in lieu thereof (*Effective July 1, 2015*):

16877 (a) There shall be an independent Office of Consumer Counsel,
16878 within the Department of Energy and Environmental Protection, for
16879 administrative purposes only, to act as the advocate for consumer
16880 interests in all matters which may affect Connecticut consumers with
16881 respect to public service companies, electric suppliers and certified
16882 telecommunications providers, including, but not limited to, rates and
16883 related issues, ratepayer-funded programs and matters concerning the
16884 reliability, maintenance, operations, infrastructure and quality of
16885 service of such companies, suppliers and providers. The Office of
16886 Consumer Counsel is authorized to appear in and participate in any
16887 regulatory or judicial proceedings, federal or state, in which such
16888 interests of Connecticut consumers may be involved, or in which

matters affecting utility services rendered or to be rendered in this state may be involved. The Office of Consumer Counsel shall be a party to each contested case before the Public Utilities Regulatory Authority and shall participate in such proceedings to the extent it deems necessary. Said Office of Consumer Counsel may appeal from a decision, order or authorization in any such state regulatory proceeding notwithstanding its failure to appear or participate in said proceeding.

(b) Except as prohibited by the provisions of section 4-181, the Office of Consumer Counsel shall have access to the records of the Public Utilities Regulatory Authority and shall be entitled to call upon the assistance of the authority's and the department's experts, and shall have the benefit of all other facilities or information of the authority or department in carrying out the duties of the Office of Consumer Counsel, except for such internal documents, information or data as are not available to parties to the authority's proceedings. The department shall provide such space as necessary within the department's quarters for the operation of the Office of Consumer Counsel, and the department shall be empowered to set regulations providing for adequate compensation for the provision of such office space.

(c) There shall be established an Office of State Broadband within the Office of Consumer Counsel. The Office of State Broadband shall work to facilitate the availability of broadband access to every state citizen and to increase access to and the adoption of ultra-high-speed gigabit capable broadband networks. The Office of Consumer Counsel may work in collaboration with public and nonprofit entities and state agencies, and may provide advisory assistance to municipalities, local authorities and private corporations for the purpose of maximizing opportunities for the expansion of broadband access in the state and fostering innovative approaches to broadband in the state, including the procurement of grants for such purpose. The Office of State Broadband shall include a Broadband Policy Coordinator and such

16922 other staff as the Consumer Counsel deems necessary to perform the
16923 duties of the Office of State Broadband.

16924 [(c)] (d) The Office of Consumer Counsel shall be under the
16925 direction of a Consumer Counsel, who shall be appointed by the
16926 Governor with the advice and consent of either house of the General
16927 Assembly. The Consumer Counsel shall be an elector of this state and
16928 shall have demonstrated a strong commitment and involvement in
16929 efforts to safeguard the rights of the public. The Consumer Counsel
16930 shall serve for a term of five years unless removed pursuant to section
16931 16-5. The salary of the Consumer Counsel shall be equal to that
16932 established for management pay plan salary group seventy-one by the
16933 Commissioner of Administrative Services. No Consumer Counsel
16934 shall, for a period of one year following the termination of service as
16935 Consumer Counsel, accept employment by a public service company,
16936 a certified telecommunications provider or an electric supplier. No
16937 Consumer Counsel who is also an attorney shall in any capacity,
16938 appear or participate in any matter, or accept any compensation
16939 regarding a matter, before the Public Utilities Regulatory Authority,
16940 for a period of one year following the termination of service as
16941 Consumer Counsel.

16942 [(d)] (e) The Consumer Counsel shall hire such staff as necessary to
16943 perform the duties of said Office of Consumer Counsel and may
16944 employ from time to time outside consultants knowledgeable in the
16945 utility regulation field including, but not limited to, economists, capital
16946 cost experts and rate design experts. The salaries and qualifications of
16947 the individuals so hired shall be determined by the Commissioner of
16948 Administrative Services pursuant to section 4-40.

16949 [(e)] (f) Nothing in this section shall be construed to prevent any
16950 party interested in such proceeding or action from appearing in person
16951 or from being represented by counsel therein.

16952 [(f)] (g) As used in this section, "consumer" means any person, city,

borough or town that receives service from any public service company, electric supplier or from any certified telecommunications provider in this state whether or not such person, city, borough or town is financially responsible for such service.

[(g)] (h) The Office of Consumer Counsel shall not be required to post a bond as a condition to presenting an appeal from any state regulatory decision, order or authorization.

[(h)] (i) The expenses of the Office of Consumer Counsel shall be assessed in accordance with the provisions of section 16-49.

Sec. 430. Section 3-66a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) During the [1998] 2016 calendar year and every second year thereafter, the Treasurer shall cause notice to be [published] posted electronically on the Treasurer's Internet web site of all property having a value of fifty dollars or more reported and transferred to the Treasurer which was presumed abandoned during preceding calendar years and notice of which was not previously published or posted. [Such notice shall be published at least once in a newspaper having general circulation in each county in which is located the last-known address of each person appearing to be the owner of such property.] In addition to such [published] posted notice, the Treasurer may make such notice accessible to the public electronically [by means of the Internet's world wide web or] through additional telecommunications methods as the Treasurer deems cost effective and appropriate.

(b) [Such published] The posted notice required under subsection (a) of this section shall contain: (1) The names, in alphabetical order, and the last-known addresses, if any, of all persons reported as the apparent owners of unclaimed property, and (2) a statement that any person possessing an interest in such property may obtain from the Treasurer information concerning the amount and description of such property and the name and address of the holder thereof free of

16984 charge. The Treasurer may cause to be [published] posted at any time,
16985 in the manner prescribed in subsection (a) of this section, an additional
16986 notice stating that such list may be obtained from other specified
16987 sources.

16988 (c) The Treasurer may insert in any such notice such additional
16989 information as the Treasurer deems necessary for the proper
16990 administration of this part.

16991 (d) The provisions of this section shall not apply to items reported in
16992 the aggregate pursuant to subsection (h) of section 3-65a.

16993 Sec. 431. Subsection (c) of section 3-70a of the general statutes is
16994 repealed and the following is substituted in lieu thereof (*Effective July*
16995 *1, 2015*):

16996 (c) No agreement to locate property shall be valid if: (1) Such
16997 agreement is entered into (A) within two years after the date a report
16998 of unclaimed property is required to be filed under section 3-65a or (B)
16999 between the date such a report is required to be filed under said
17000 section and the date it is filed under said section, whichever period is
17001 longer, (2) such agreement is entered into within two years after the
17002 date of [publication] posting of the notice required by section 3-66a, as
17003 amended by this act, or (3) pursuant to such agreement, any person
17004 undertakes to locate property included in a report of unclaimed
17005 property that is required to be filed under section 3-65a for a fee or
17006 other compensation exceeding ten per cent of the value of the
17007 recoverable property. An agreement to locate property shall be valid
17008 only if it is in writing, signed by the owner, and discloses the nature
17009 and value of the property, and the owner's share after the fee or
17010 compensation has been subtracted is clearly stipulated. Nothing in this
17011 section shall be construed to prevent an owner from asserting, at any
17012 time, that any agreement to locate property is based upon excessive or
17013 unjust consideration.

17014 Sec. 432. (*Effective from passage*) The Secretary of the Office of Policy

17015 and Management, or the secretary's designee, shall review the reports
17016 of the Connecticut Institute for the 21st Century entitled "Framework
17017 for Connecticut's Fiscal Future" and, not later than February 1, 2016,
17018 the secretary shall, in accordance with section 11-4a of the general
17019 statutes, submit any recommendations concerning the findings
17020 contained in such reports to the Governor and the joint standing
17021 committees of the General Assembly having cognizance of matters
17022 relating to appropriations and finance, revenue and bonding.

17023 Sec. 433. Section 5-198 of the general statutes is repealed and the
17024 following is substituted in lieu thereof (*Effective July 1, 2015*):

17025 The offices and positions filled by the following-described
17026 incumbents shall be exempt from the classified service:

17027 (1) All officers and employees of the Judicial Department;

17028 (2) All officers and employees of the Legislative Department;

17029 (3) All officers elected by popular vote;

17030 (4) All agency heads, members of boards and commissions and
17031 other officers appointed by the Governor;

17032 (5) All persons designated by name in any special act to hold any
17033 state office;

17034 (6) All officers, noncommissioned officers and enlisted men in the
17035 military or naval service of the state and under military or naval
17036 discipline and control;

17037 (7) (A) All correctional wardens, as provided in section 18-82, and
17038 (B) all superintendents of state institutions, the State Librarian, the
17039 president of The University of Connecticut and any other
17040 commissioner or administrative head of a state department or
17041 institution who is appointed by a board or commission responsible by
17042 statute for the administration of such department or institution;

17043 (8) The State Historian appointed by the State Library Board;

17044 (9) Deputies to the administrative head of each department or
17045 institution designated by statute to act for and perform all of the duties
17046 of such administrative head during such administrative head's absence
17047 or incapacity;

17048 (10) Executive assistants to each state elective officer and each
17049 department head, as defined in section 4-5, provided (A) each position
17050 of executive assistant shall have been created in accordance with
17051 section 5-214, and (B) in no event shall the Commissioner of
17052 Administrative Services or the Secretary of the Office of Policy and
17053 Management approve more than four executive assistants for a
17054 department head;

17055 (11) One personal secretary to the administrative head and to each
17056 undersecretary or deputy to such head of each department or
17057 institution;

17058 (12) All members of the professional and technical staffs of the
17059 constituent units of the state system of higher education, as defined in
17060 section 10a-1, of all other state institutions of learning, of the Board of
17061 Regents for Higher Education, and of the agricultural experiment
17062 station at New Haven, professional and managerial employees of the
17063 Department of Education and teachers certified by the State Board of
17064 Education and employed in teaching positions at state institutions;

17065 (13) Physicians, dentists, student nurses in institutions and other
17066 professional specialists who are employed on a part-time basis;

17067 (14) Persons employed to make or conduct a special inquiry,
17068 investigation, examination or installation;

17069 (15) Students in educational institutions who are employed on a
17070 part-time basis;

17071 (16) Forest fire wardens provided for by section 23-36;

17072 (17) Patients or inmates of state institutions who receive
17073 compensation for services rendered therein;

17074 (18) Employees of the Governor including employees working at the
17075 executive office, official executive residence at 990 Prospect Avenue,
17076 Hartford and the Washington D.C. office;

17077 (19) Persons filling positions expressly exempted by statute from the
17078 classified service;

17079 (20) Librarians employed by the State Board of Education or any
17080 constituent unit of the state system of higher education;

17081 (21) All officers and employees of the Division of Criminal Justice;

17082 (22) Professional employees in the education professions bargaining
17083 unit of the Department of Rehabilitation Services;

17084 (23) Lieutenant colonels in the Division of State Police within the
17085 Department of Emergency Services and Public Protection;

17086 (24) The Deputy State Fire Marshal within the Department of
17087 Administrative Services;

17088 (25) The chief administrative officer of the Workers' Compensation
17089 Commission;

17090 (26) Employees in the education professions bargaining unit;

17091 (27) Disability policy specialists employed by the Council on
17092 Developmental Disabilities; **[**and**]**

17093 (28) The director for digital media and motion picture activities in
17094 the Department of Economic and Community Development; **[**.**]** and

17095 (29) Any Director of Communications 2, Director of
17096 Communications 2 (Rc), Legislative Program Manager,
17097 Communications and Legislative Program Manager, Director of

17098 Legislation, Regulation and Communication, Legislative and
17099 Administrative Advisor 1, or Legislative and Administrative Advisor 2
17100 as such positions are classified within the Executive Department.

17101 Sec. 434. (NEW) (*Effective July 1, 2015*) For purposes of this section,
17102 "state agency" has the same meaning as provided in section 9-612 of
17103 the general statutes and "interpreting" has the same meaning as
17104 provided in section 46a-33a of the general statutes. Any state agency
17105 that is unable to fulfill a request for interpreting services with its own
17106 interpreting staff shall first request such services from the Department
17107 of Rehabilitation Services and may seek such services elsewhere if (1)
17108 the department is unable to fulfill the request in two business days, or
17109 (2) the agency shows good cause that it needs such services
17110 immediately. The provisions of this section shall not (A) apply to the
17111 Department of Rehabilitation Services if the department needs
17112 interpreting services related to an internal matter and the use of
17113 department interpreters may raise confidentiality concerns, or (B)
17114 affect any preexisting contract for interpreting services. Interpreting
17115 services provided by a state agency shall be in accordance with the
17116 provisions of section 46a-33a of the general statutes.

17117 Sec. 435. Subsections (b) and (c) of section 14-62 of the general
17118 statutes are repealed and the following is substituted in lieu thereof
17119 (*Effective July 1, 2015*):

17120 (b) (1) The selling price quoted by any dealer to a prospective buyer
17121 shall include, separately stated, the amount of the dealer conveyance
17122 fee and that such fee is negotiable. No dealer conveyance fee shall be
17123 added to the selling price at the time the order is signed by the buyer.

17124 (2) No dealer shall include in the selling price a dealer preparation
17125 charge for any item or service for which **[**he**]** the dealer is reimbursed
17126 by the manufacturer or any item or service not specifically ordered by
17127 the buyer and itemized on the invoice.

17128 (c) Each dealer shall provide a written statement to the buyer **[**or**]**

17129 and prominently display a sign in the area of [his] such dealer's place
17130 of business in which sales are negotiated which shall specify the
17131 amount of any conveyance or processing fee charged by such dealer,
17132 the services performed by the dealer for such fee, that such fee is
17133 negotiable, that such fee is not payable to the state of Connecticut and
17134 that the buyer may elect, where appropriate, to submit the
17135 documentation required for the registration and transfer of ownership
17136 of the motor vehicle which is the subject of the sale to the
17137 Commissioner of Motor Vehicles, in which case the dealer shall reduce
17138 such fee by a proportional amount. The Commissioner of Motor
17139 Vehicles shall determine the size, typeface and arrangement of such
17140 information.

17141 Sec. 436. Section 14-62a of the general statutes is repealed and the
17142 following is substituted in lieu thereof (*Effective July 1, 2015*):

17143 (a) No dealer licensed under the provisions of section 14-52 shall
17144 advertise the price of any motor vehicle unless the stated price in such
17145 advertisement includes the federal tax, the cost of delivery, dealer
17146 preparation and any other charges of any nature, except that such
17147 advertisement shall (1) state in at least eight-point bold type that any
17148 state or local tax, registration fees or dealer conveyance fee or
17149 processing fee, as defined in subsection (a) of section 14-62, is excluded
17150 from such [stated] advertised price, and (2) separately state, in at least
17151 eight-point bold type, immediately next to the phrase "Dealer
17152 Conveyance Fee", the amount of such dealer conveyance fee or
17153 processing fee.

17154 (b) Any new or used car dealer violating the provisions of this
17155 section shall be fined not more than one thousand dollars. The
17156 Commissioner of Motor Vehicles may suspend or revoke, in
17157 accordance with section 14-64, the license of any such dealer violating
17158 the provisions of this section.

17159 Sec. 437. (*Effective July 1, 2015*) (a) Not later than November 1, 2015,

17160 each new car dealer and used car dealer licensed under section 14-52 of
17161 the general statutes, and continuously in business during the period
17162 from October 1, 2014, to September 30, 2015, inclusive, shall provide to
17163 the Legislative Program Review and Investigations Committee the
17164 following information: (1) The average amount charged by each dealer
17165 as a dealer conveyance fee or processing fee in each month of the year
17166 commencing October 1, 2014, and ending September 30, 2015; (2) a
17167 description of how such fee was calculated, and the reason for any
17168 month-to-month variations in such fee; and (3) the name and address
17169 of the dealer and whether such dealer is a new car dealer, a used car
17170 dealer or both. For purposes of this section, "dealer conveyance fee" or
17171 "processing fee" has the same meaning as provided in section 14-62 of
17172 the general statutes, as amended by this act.

17173 (b) The Legislative Program Review and Investigations Committee
17174 shall facilitate the submission of information described in subsection
17175 (a) of this section by (1) publicizing the requirements of this section, (2)
17176 developing and distributing a form for such submission, except there
17177 shall be no requirement that such form be used, provided, if such form
17178 is not used, the information is submitted in a manner and form that
17179 reasonably conforms to the requirements of subsection (a) of this
17180 section, (3) allowing such submission either by mail or electronic mail,
17181 and (4) taking any follow-up steps necessary to ensure complete and
17182 accurate reporting of such information.

17183 (c) The Legislative Program Review and Investigations Committee
17184 shall, not later than January 15, 2016, report, in accordance with the
17185 provisions of section 11-4a of the general statutes, to the joint standing
17186 committee of the General Assembly having cognizance of matters
17187 relating to transportation. Such report shall be a compilation of the
17188 information submitted pursuant to this section and shall include a
17189 description of the methodology used to collect and report such
17190 information.

17191 Sec. 438. (*Effective from passage*) The driveway running in front of the

State Armory from the Legislative Office Building to Broad Street shall be designated the "Chief Michael J. Fallon Way".

Sec. 439. Subsection (a) of section 10a-22u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) There shall be an account to be known as the private occupational school student protection account within the General Fund. Each private occupational school authorized in accordance with the provisions of sections 10a-22a to 10a-22o, inclusive, shall pay to the State Treasurer an amount equal to **[**one-half**]** <u>four-tenths</u> of one per cent of the tuition received by such school per calendar quarter exclusive of any refunds paid, except that correspondence and home study schools authorized in accordance with the provisions of sections 10a-22a to 10a-22o, inclusive, shall contribute to said account only for Connecticut residents enrolled in such schools. Payments shall be made by January thirtieth, April thirtieth, July thirtieth and October thirtieth in each year for tuition received during the three months next preceding the month of payment. In addition to amounts received based on tuition, the account shall also contain any amount required to be deposited into the account pursuant to sections 10a-22a to 10a-22o, inclusive. Said account shall be used for the purposes of section 10a-22v. Any interest, income and dividends derived from the investment of the account shall be credited to the account. All direct expenses for the maintenance of the account may be charged to the account upon the order of the State Comptroller. The executive director may assess the account **[**(1)**]** for all direct expenses incurred in the implementation of the purposes of this section which are in excess of the normal expenditures of the Office of Higher Education<u>.</u> **[**for accounting, auditing and clerical services, and (2) for the fiscal years ending June 30, 2000, and June 30, 2001, in an amount not to exceed one hundred seventy thousand dollars in each of such fiscal years for personnel and administrative expenses for the purposes of sections 10a-22a to 10a-22o, inclusive, provided such amount does not exceed

17225 the annual interest accrual, which shall be transferred to the
17226 appropriation of the Office of Higher Education for personal services
17227 and other expenses for positions and responsibilities relating to said
17228 sections, provided the office has expended all federal funds that may
17229 be available for personnel and administrative expenses for the
17230 purposes of said sections. After disbursements are made pursuant to
17231 subdivisions (1) and (2) of this subsection, if the resources of the
17232 private occupational school student protection account exceed two
17233 million five hundred thousand dollars, no additional school
17234 assessments shall be made.**]**

17235 Sec. 440. Subsection (f) of section 12-217jj of the general statutes is
17236 repealed and the following is substituted in lieu thereof (*Effective from*
17237 *passage*):

17238 (f) On and after July 1, 2006, and for income years commencing on
17239 or after January 1, 2006, all or part of any such credit allowed under
17240 this subsection shall be claimed against the tax imposed under chapter
17241 207 or this chapter for the income year in which the production
17242 expenses or costs were incurred, or in the three immediately
17243 succeeding income years. For tax credit vouchers issued on or after
17244 July 1, 2015, all or part of any such credit shall be claimed against the
17245 tax imposed under chapter 207 or this chapter for the income year in
17246 which the production expenses or costs were incurred, or in the five
17247 immediately succeeding income years. Any production tax credit
17248 allowed under this subsection shall be nonrefundable.

17249 Sec. 441. Section 13b-68 of the general statutes is repealed and the
17250 following is substituted in lieu thereof (*Effective from passage*):

17251 (a) There is established a fund to be known as the "Special
17252 Transportation Fund". The fund may contain any moneys required or
17253 permitted by law to be deposited in the fund and any moneys
17254 recovered by the state for overpayments, improper payments or
17255 duplicate payments made by the state relating to any transportation

17256 infrastructure improvements which have been financed by special tax
17257 obligation bonds issued pursuant to sections 13b-74 to 13b-77,
17258 inclusive, and shall be held by the [State] Treasurer separate and apart
17259 from all other moneys, funds and accounts. Investment earnings
17260 credited to the assets of said fund shall become part of the assets of
17261 said fund. Any balance remaining in said fund at the end of any fiscal
17262 year shall be carried forward in said fund for the fiscal year next
17263 succeeding.

17264 (b) The Special Transportation Fund shall be a perpetual fund, the
17265 resources of which shall be used solely for transportation purposes.
17266 Such purposes include the payment of debt service on obligations of
17267 the state incurred for transportation purposes. All sources of moneys,
17268 funds and receipts of the state required to be credited, deposited or
17269 transferred to said fund by state law on or after the effective date of
17270 this section shall continue to be credited, deposited or transferred to
17271 said fund, so long as the sources of such moneys, funds and receipts
17272 are collected or received by the state or any officer thereof. No law
17273 shall be enacted authorizing the resources of said fund to be expended
17274 other than for transportation purposes.

17275 [(b)] (c) There is established a fund to be known as the
17276 "Transportation Grants and Restricted Accounts Fund". Upon
17277 certification by the Comptroller and the Secretary of the Office of
17278 Policy and Management that the CORE-CT project for fiscal services is
17279 operational, the fund shall contain all transportation moneys that are
17280 restricted, not available for general use and previously accounted for
17281 in the Special Transportation Fund as "Federal and Other Grants". The
17282 Comptroller is authorized to make such transfers as are necessary to
17283 provide that, notwithstanding any provision of the general statutes, all
17284 transportation moneys that are restricted and not available for general
17285 use are in the Transportation Grants and Restricted Accounts Fund.

17286 Sec. 442. Section 13b-61 of the general statutes is repealed and the
17287 following is substituted in lieu thereof (*Effective from passage*):

17288 (a) On and after July 1, 1975, there shall be paid promptly to the
17289 [State] Treasurer and thereupon, unless required to be otherwise
17290 applied by the terms of any lien, pledge or obligation created by or
17291 pursuant to the 1954 declaration or part III (C) of chapter 240, credited
17292 to the General Fund:

17293 (1) All moneys received or collected by the state or any officer
17294 thereof on account of, or derived from, motor fuel taxes; provided on
17295 and after July 1, 1983, one cent of the amount imposed per gallon
17296 before July 1, 1984, and received or collected from any rate of such tax
17297 on motor fuels shall be credited by the [State] Treasurer to the Special
17298 Transportation Fund;

17299 (2) All moneys received or collected by the state or any officer
17300 thereof on account of, or derived from, motor vehicle taxes;

17301 (3) All moneys received or collected by the state or any officer
17302 thereof on account of, or derived from, expressway revenues;

17303 (4) All moneys becoming payable, under the terms of the 1954
17304 declaration and part III (C) of chapter 240, into the Highway or
17305 Additional Expressway Construction Funds mentioned in said
17306 declaration;

17307 (5) All moneys received or collected by the state or any officer
17308 thereof on account of, or derived from, highway tolls;

17309 (6) All other moneys received or collected by the [commissioner or
17310 his department] Commissioner or Department of Transportation; and

17311 (7) Any other receipts of the state required by law to be paid into the
17312 state Highway Fund or the Transportation Fund other than proceeds
17313 of bonds or other securities of the state or of federal grants under the
17314 provisions of federal law.

17315 (b) Notwithstanding any provision of subsection (a) of this section,
17316 there shall be paid promptly to the [State] Treasurer and thereupon,

17317 unless required to be applied by the terms of any lien, pledge or
17318 obligation created by or pursuant to the 1954 declaration, part III (C) of
17319 chapter 240, credited to the Special Transportation Fund:

17320 (1) On and after July 1, 1984, all moneys received or collected by the
17321 state or any officer thereof on account of, or derived from, sections 12-
17322 458 and 12-479, provided the State Comptroller is authorized to record
17323 as revenue to the General Fund for the fiscal year ending June 30, 1984,
17324 the amount of tax levied in accordance with said sections 12-458 and
17325 12-479, on all fuel sold or used prior to the end of said fiscal year and
17326 which tax is received no later than July 31, 1984;

17327 (2) On and after July 1, 1984, all moneys received or collected by the
17328 state or any officer thereof on account of, or derived from, motor
17329 vehicle receipts;

17330 (3) On and after July 1, 1984, all moneys received or collected by the
17331 state or any officer thereof on account of, or derived from, (A)
17332 subsection (a) of section 14-192, and (B) royalty payments for retail
17333 sales of gasoline pursuant to section 13a-80;

17334 (4) On and after July 1, 1985, all moneys received or collected by the
17335 state or any officer thereof on account of, or derived from, license,
17336 permit and fee revenues as defined in section 13b-59, except as
17337 provided under subdivision (3) of this subsection;

17338 (5) On or after July 1, 1989, all moneys received or collected by the
17339 state or any officer thereof on account of, or derived from, section 13b-
17340 70;

17341 (6) On and after July 1, 1984, all transportation-related federal
17342 revenues of the state;

17343 (7) On and after July 1, 1997, all moneys received or collected by the
17344 state or any officer thereof on account of, or derived from, fees for the
17345 relocation of a gasoline station under section 14-320;

17346 (8) On and after July 1, 1997, all moneys received or collected by the
17347 state or any officer thereof on account of, or derived from, section 14-
17348 319;

17349 (9) On and after July 1, 1997, all moneys received or collected by the
17350 state or any officer thereof on account of, or derived from, fees
17351 collected pursuant to section 14-327b for motor fuel quality registration
17352 of distributors;

17353 (10) On and after July 1, 1997, all moneys received or collected by
17354 the state or any officer thereof on account of, or derived from, annual
17355 registration fees for motor fuel dispensers and weighing or measuring
17356 devices pursuant to section 43-3;

17357 (11) On and after July 1, 1997, all moneys received or collected by
17358 the state or any officer thereof on account of, or derived from, fees for
17359 the issuance of identity cards pursuant to section 1-1h;

17360 (12) On and after July 1, 1997, all moneys received or collected by
17361 the state or any officer thereof on account of, or derived from, safety
17362 fees pursuant to subsection (w) of section 14-49;

17363 (13) On and after July 1, 1997, all moneys received or collected by
17364 the state or any officer thereof on account of, or derived from, late fees
17365 for the emissions inspection of motor vehicles pursuant to subsection
17366 (k) of section 14-164c;

17367 (14) On and after July 1, 1997, all moneys received or collected by
17368 the state or any officer thereof on account of, or derived from, the sale
17369 of information by the Commissioner of Motor Vehicles pursuant to
17370 subsection (b) of section 14-50a;

17371 (15) On and after October 1, 1998, all moneys received by the state
17372 or any officer thereof on account of, or derived from, section 14-212b;

17373 (16) On and after July 1, 2009, all moneys received or collected by
17374 the state or any officer thereof on account of, or derived from, any

17375 direct federal subsidy pursuant to Section 6431 of the Internal Revenue
17376 Code of 1986, or any subsequent corresponding internal revenue code
17377 of the United States, as amended from time to time, and relating to
17378 bonds or bond anticipation notes issued by the state pursuant to
17379 sections 13b-74 to 13b-77, inclusive;

17380 (17) On and after July 1, 2011, all moneys received or collected by
17381 the state or any officer thereof on account of, or derived from, sections
17382 13b-61a to 13b-61c, inclusive; **[**and**]**

17383 (18) On and after July 1, 2011, any other funds, moneys and receipts
17384 of the state required by law to be deposited, transferred or paid into
17385 the Special Transportation Fund other than proceeds of bonds or other
17386 securities of the state or of federal grants under the provisions of
17387 federal law¿ **[**.**]** <u>and</u>

17388 <u>(19) On and after July 1, 2015, all moneys received or collected by</u>
17389 <u>the state or any officer thereof on account of, or derived from, the use</u>
17390 <u>of highways, expressways and ferries, except as necessary for the</u>
17391 <u>direct payment of debt service on obligations of the state incurred for</u>
17392 <u>transportation purposes.</u>

17393 Sec. 443. (*Effective from passage*) (a) There shall be, in any
17394 municipality with a population of not less than one hundred twenty-
17395 four thousand and not greater than one hundred twenty-eight
17396 thousand, an election monitor to detect and prevent irregularity and
17397 impropriety in the management of election administration procedures
17398 and the conduct of elections in such municipality. The office of the
17399 Secretary of the State shall contract with an individual to serve in such
17400 capacity as election monitor until January 1, 2017, unless such contract
17401 is terminated for any reason by the Secretary of the State prior to said
17402 date. Such election monitor shall: (1) Not be considered a state
17403 employee; (2) be compensated in accordance with such contract; and
17404 (3) be reimbursed for necessary expenses incurred in the performance
17405 of his or her duties. Such municipality shall provide for such election

17406 monitor office space, supplies, equipment and services necessary to
17407 properly carry out the duties and responsibilities of the position. For
17408 purposes of this subsection, "population" means the number of persons
17409 according to the most recent federal decennial census.

17410 (b) An election monitor appointed under subsection (a) of this
17411 section shall: (1) Conduct inspections, inquiries and investigations
17412 relating to any duty or responsibility under title 9 of the general
17413 statutes to be carried out by any official of the municipality or
17414 appointee of such official; (2) have access to all records, data and
17415 material maintained by or available to any such official or appointee;
17416 and (3) immediately report to the Secretary of the State any irregularity
17417 or impropriety in the performance of any duty or responsibility
17418 described in subdivision (1) of this subsection. Nothing in this section
17419 shall be construed to prohibit the State Elections Enforcement
17420 Commission from taking any action authorized under section 9-7b of
17421 the general statutes.

17422 Sec. 444. (*Effective from passage*) Section 12-722 of the general statutes
17423 shall not apply with respect to the accrual of any interest, in the case of
17424 any underpayment of estimated tax by any individual, to the extent
17425 such underpayment was created by any provision of public act 15-244.

17426 Sec. 445. Subsections (c) to (e), inclusive, of section 10-231c of the
17427 general statutes are repealed and the following is substituted in lieu
17428 thereof (*Effective October 1, 2015*):

17429 (c) <u>(1)</u> On and after July 1, 2000, parents or guardians of children in
17430 any school and school staff may register for prior notice of pesticide
17431 application at their school. Each school shall maintain a registry of
17432 persons requesting such notice. Prior to providing for any application
17433 of pesticide within any building or on the grounds of any school, the
17434 local or regional board of education shall provide for the **[**mailing**]**
17435 <u>transmittal</u> of notice<u>, by electronic mail,</u> to parents and guardians who
17436 have registered for prior notice under this section such that **[**the**]** <u>such</u>

electronic mail notice is received no later than twenty-four hours prior to such application. Notice shall be given by any means practicable to school staff who have registered for such notice. Notice under this subsection shall include [(1)] (A) the name of the active ingredient of the pesticide being applied, [(2)] (B) the target pest, [(3)] (C) the location of the application on the school property, [(4)] (D) the date of the application, and [(5)] (E) the name of the school administrator, or a designee, who may be contacted for further information.

(2) On and after October 1, 2015, prior to providing for any application of pesticide within any building or on the grounds of any school, in addition to the requirements of subdivision (1) of this subsection, the local or regional board of education shall provide for notice of such application not less than twenty-four hours prior to such application by posting the notice required by subdivision (1) of this subsection either on or through: (A) The home page of the Internet web site for the school where such application will occur, or, in the event such school does not have a web site, on the home page of the Internet web site for such local or regional board of education, and (B) the primary social media account of such school or local or regional board of education. Each local or regional board of education shall indicate on the home page of such board of education how parents may register for prior notice of pesticide applications, as described in subdivision (1) of this subsection. Not later than March fifteenth of each year, the local or regional board of education shall send through the electronic mail notification or alert system or service of such school or local or regional board of education the notice required by subdivision (1) of this subsection for applications made since January first of such year and a listing of such notices for applications made during the March fifteenth through December thirty-first timeframe from the preceding calendar year. The local or regional board of education shall additionally print such electronic mail notification required by this subdivision in the applicable parent handbook or manual, provided nothing in this subdivision shall be construed to

17470 require the reprinting of such handbook or manual to provide such
17471 notification. Nothing in this subdivision shall require the development
17472 or use of an Internet web site, social media account or electronic mail
17473 notification or alert system that is not already in use or existence prior
17474 to the effective date of this section. For purposes of this section and
17475 section 10-231d, as amended by this act, "social media" means an
17476 electronic medium where users may create and view user-generated
17477 content, such as uploaded or downloaded videos or still photographs,
17478 blogs, video blogs, podcasts or instant messages.

17479 (d) On and after July 1, 2000, no application of pesticide may be
17480 made in any building or on the grounds of any school during regular
17481 school hours or during planned activities at any school except that an
17482 emergency application may be made to eliminate an immediate threat
17483 to human health if (1) it is necessary to make the application during
17484 such a period, and (2) such emergency application does not involve a
17485 restricted use pesticide, as defined in section 22a-47. No child may
17486 enter an area where such application has been made until it is safe to
17487 do so according to the provisions on the pesticide label.

17488 (e) On and after July 1, 2000, a local or regional board of education
17489 may make an emergency application of pesticide without prior notice
17490 under this section in the event of an immediate threat to human health
17491 provided the board provides for notice, by any means practicable, on
17492 or before the day that the application is to take place to any person
17493 who has requested prior notice under this section and concomitantly
17494 provides such notice in accordance with subdivision (2) of subsection
17495 (c) of this section.

17496 Sec. 446. Subsections (c) and (d) of section 10-231d of the general
17497 statutes are repealed and the following is substituted in lieu thereof
17498 (*Effective October 1, 2015*):

17499 (c) On and after July 1, 2000, parents or guardians of children in any
17500 school and school staff may register for notice of pesticide application

17501 at their school. Each school shall maintain a registry of persons
17502 requesting such notice. Notice under this subsection shall include (1)
17503 the name of the active ingredient of the pesticide being applied, (2) the
17504 target pest, (3) the location of the application on the school property,
17505 [(3)] (4) the date of the application, and [(4)] (5) the name of the school
17506 administrator, or a designee, who may be contacted for further
17507 information.

17508 (d) (1) On and after July 1, 2000, a local or regional board of
17509 education shall provide notice, by any means practicable, to any
17510 person who has requested notice under this section on or before the
17511 day that any application of pesticide is to take place at a school. No
17512 application of pesticide may be made in any building or on the
17513 grounds of any school during regular school hours or during planned
17514 activities at any school except that an emergency application may be
17515 made to eliminate an immediate threat to human health if [(1)] (A) it is
17516 necessary to make the application during such a period, and [(2)] (B)
17517 such emergency application does not involve a restricted use pesticide,
17518 as defined in section 22a-47. No child may enter an area of such
17519 application until it is safe to do so according to the provisions on the
17520 pesticide label.

17521 (2) On and after October 1, 2015, prior to providing for any
17522 application of pesticide within any building or on the grounds of any
17523 school, in addition to the requirements of subdivision (1) of this
17524 subsection, the local or regional board of education shall provide for
17525 notice of such application not less than twenty-four hours prior to such
17526 application by posting the notice required by subdivision (1) of this
17527 subsection either on or through: (A) The home page of the Internet
17528 web site for the school where such application will occur, or, in the
17529 event such school does not have a web site, on the home page of the
17530 Internet web site for such local or regional board of education, and (B)
17531 the primary social media account of such school or local or regional
17532 board of education. Each local or regional board of education shall
17533 indicate on the home page of such board of education how parents

17534 may register for prior notice of pesticide applications, as described in
17535 subdivision (1) of this subsection. Not later than March fifteenth of
17536 each year, the local or regional board of education shall send through
17537 the electronic mail notification or alert system or service of such school
17538 or local or regional board of education the notice required by
17539 subdivision (1) of this subsection for applications made since January
17540 first of such year and a listing of such notices for applications made
17541 during the March fifteenth through December thirty-first timeframe
17542 from the preceding calendar year. The local or regional board of
17543 education shall additionally print such electronic mail notification
17544 required by this subdivision in the applicable parent handbook or
17545 manual, provided nothing in this subdivision shall be construed to
17546 require the reprinting of such handbook or manual to provide such
17547 notification. Nothing in this subdivision shall require the development
17548 or use of an Internet web site, social media account or electronic mail
17549 notification or alert system that is not already in use or existence prior
17550 to the effective date of this section. For purposes of this section and
17551 section 10-231d, as amended by this act, "social media" means an
17552 electronic medium where users may create and view user-generated
17553 content, such as uploaded or downloaded videos or still photographs,
17554 blogs, video blogs, podcasts or instant messages.

17555 Sec. 447. Section 10-231a of the general statutes is repealed and the
17556 following is substituted in lieu thereof (*Effective from passage*):

17557 As used in sections 10-231b to 10-231d, inclusive, as amended by
17558 this act, **[**and section 19a-79a,**]** (1) "pesticide" means a fungicide used
17559 on plants, an insecticide, a herbicide or a rodenticide, but does not
17560 mean a sanitizer, disinfectant, antimicrobial agent or pesticide bait, (2)
17561 "lawn care pesticide" means a pesticide registered by the United States
17562 Environmental Protection Agency and labeled pursuant to the federal
17563 Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and
17564 ornamental sites or areas. **[**, and**]** "Lawn care pesticide" does not
17565 include (A) a microbial pesticide or biochemical pesticide that is
17566 registered with the United States Environmental Protection Agency,

17567 (B) a horticultural soap or oil that is registered with the United States
17568 Environmental Protection Agency and does not contain any synthetic
17569 pesticide or synergist, or (C) a pesticide classified by the United States
17570 Environmental Protection Agency as an exempt material pursuant to
17571 40 CFR 152.25, as amended from time to time, (3) "integrated pest
17572 management" means use of all available pest control techniques,
17573 including judicious use of pesticides, when warranted, to maintain a
17574 pest population at or below an acceptable level, while decreasing the
17575 use of pesticides, (4) "microbial pesticide" means a pesticide that
17576 consists of a microorganism as the active ingredient, and (5)
17577 "biochemical pesticide" means a naturally occurring substance that
17578 controls pests by nontoxic mechanisms.

17579 Sec. 448. (NEW) (*Effective October 1, 2015*) (a) As used in this section:

17580 (1) "Pesticide" means a fungicide used on plants, an insecticide, a
17581 herbicide or a rodenticide but does not mean a sanitizer, disinfectant,
17582 antimicrobial agent or a pesticide bait;

17583 (2) "Microbial pesticide" means a pesticide that consists of a
17584 microorganism as the active ingredient;

17585 (3) "Biochemical pesticide" means a naturally occurring substance
17586 that controls pests by nontoxic mechanisms;

17587 (4) "Lawn care pesticide" means a pesticide registered by the United
17588 States Environmental Protection Agency and labeled pursuant to the
17589 federal Insecticide, Fungicide and Rodenticide Act for use in lawn,
17590 garden and ornamental sites or areas. "Lawn care pesticide" does not
17591 include (A) a microbial pesticide or biochemical pesticide that is
17592 registered with the United States Environmental Protection Agency,
17593 (B) a horticultural soap or oil that is registered with the United States
17594 Environmental Protection Agency and does not contain any synthetic
17595 pesticide or synergist, or (C) a pesticide classified by the United States
17596 Environmental Protection Agency as an exempt material pursuant to
17597 40 CFR 152.25, as amended from time to time;

17598 (5) "Certified pesticide applicator" means a pesticide applicator with
17599 (A) supervisory certification under section 22a-54 of the general
17600 statutes, or (B) operational certification under section 22a-54 of the
17601 general statutes, who operates under the direct supervision of a
17602 pesticide applicator with such supervisory certification;

17603 (6) "Controlling authority" means the executive head of the
17604 municipal department responsible for the maintenance of a
17605 playground or such person's designee. "Controlling authority" does
17606 not include the executive head of any municipal department
17607 responsible for the maintenance of any school;

17608 (7) "Municipal playground" means an outdoor area owned or
17609 controlled by any town, city or borough, consolidated town and city or
17610 consolidated town and borough that is designated, dedicated and
17611 customarily used for playing by children, such as any such outdoor
17612 area that contains any swing set, slide, climbing structure, playset or
17613 device or object upon which children play. "Municipal playground"
17614 does not include any: (A) Playground located on the premises of any
17615 school, or (B) athletic field; and

17616 (8) "Athletic field" means any field or open space used primarily for
17617 sporting activities.

17618 (b) No person other than a certified pesticide applicator shall apply
17619 pesticide within any municipal playground except a person other than
17620 a certified pesticide applicator may make an emergency application of
17621 pesticide to eliminate an immediate threat to human health, including,
17622 but not limited to, the elimination of mosquitoes, ticks and stinging
17623 insects, provided (1) the controlling authority determines such
17624 emergency application of pesticide to be necessary, (2) the controlling
17625 authority deems it impractical to obtain the services of a certified
17626 pesticide applicator, and (3) such emergency application of pesticide
17627 does not involve a restricted use pesticide, as defined in section 22a-47
17628 of the general statutes.

17629 (c) No person shall apply a lawn care pesticide on the grounds of
17630 any municipal playground, except an emergency application of
17631 pesticide may be made to eliminate an immediate threat to human
17632 health, including, but not limited to, the elimination of mosquitoes,
17633 ticks and stinging insects, provided (1) the controlling authority
17634 determines such emergency application of pesticide to be necessary,
17635 and (2) such emergency application of pesticide does not involve a
17636 restricted use pesticide, as defined in section 22a-47 of the general
17637 statutes.

17638 (d) Prior to providing for any application of pesticide on the
17639 grounds of any municipal playground, the controlling authority shall,
17640 if the situation permits, within the existing budgetary resources
17641 available to the controlling authority, provide public notice of such
17642 application not later than twenty-four hours prior to such application
17643 of pesticide. Such public notice shall be posted on the Internet web site
17644 of the applicable municipality. If a controlling authority determines an
17645 emergency application of pesticide to be necessary pursuant to
17646 subsection (b) or (c) of this section, such notice shall be given as soon
17647 as practicable. Notice under this subsection shall include (1) the name
17648 of the active ingredient of the pesticide being applied, (2) the target
17649 pest, (3) the location of the application of pesticide on the grounds of
17650 the municipal playground, and (4) the date or proposed date of the
17651 application of pesticide. A copy of each notice of such application of
17652 pesticide at a municipal playground shall be maintained by the
17653 controlling authority for a period of five years from the date of
17654 application of the pesticide and available to members of the public.

17655 Sec. 449. Section 22a-66*l* of the general statutes is repealed and the
17656 following is substituted in lieu thereof (*Effective from passage*):

17657 (a) Each state department, agency or institution shall use integrated
17658 pest management at facilities under its control if the Commissioner of
17659 Energy and Environmental Protection has provided model pest control
17660 management plans pertinent to such facilities.

17661 (b) Each state agency or school which enters into a contract for
17662 services for pest control and pesticide application may revise and
17663 maintain its bidding procedures to require contractors to supply
17664 integrated pest management services.

17665 (c) The Commissioner of Energy and Environmental Protection
17666 shall, within available appropriations, annually review a sampling of
17667 state department, agency, school or institution pest control
17668 management plans required by regulations adopted under subsection
17669 (e) of this section or section 10-231b, and may review any application
17670 of pesticides to determine whether a state department, agency, school
17671 or institution acted in accordance with subsection (a) of this section.

17672 (d) The Commissioner of Energy and Environmental Protection may
17673 provide model pest control management plans which incorporate
17674 integrated pest management for each appropriate category of
17675 commercial pesticide certification which it offers. The commissioner
17676 shall, within available resources, notify municipalities, school boards,
17677 and other political subdivisions of the state of the availability of the
17678 model plans for their use. The Commissioner of Energy and
17679 Environmental Protection shall consult with any state agency head in
17680 the development of any such plan for properties in the custody or
17681 control of such agency head.

17682 (e) The Commissioner of Energy and Environmental Protection, in
17683 consultation with the Commissioner of Public Health, shall adopt
17684 regulations, in accordance with the provisions of chapter 54,
17685 establishing requirements for the application of pesticides by any state
17686 department, agency or institution. Such regulations shall include
17687 provisions: (1) **[**for**]** Requiring the use of integrated pest management
17688 methods **[**to**]** that reduce the amount of pesticides used if the
17689 Commissioner of Energy and Environmental Protection has provided
17690 model pest control management plans pertinent to such facilities, and
17691 (2) for the retention of records by each state department, agency or
17692 institution that applies any pesticide or implements an integrated pest

17693 management program that include, but are not limited to, the need
17694 that resulted in the use of pesticides, the location treated with such
17695 pesticide, the frequency of pesticide application at such location, the
17696 toxicity category and carcinogenic classification for any pesticide used,
17697 as established by the United States Environmental Protection Agency,
17698 and the cost for each pesticide application. Notwithstanding the
17699 provisions of this section and any regulations adopted under this
17700 section, a pesticide may be applied if the Commissioner of Public
17701 Health determines there is a public health emergency or the
17702 Commissioner of Energy and Environmental Protection determines
17703 that such application is necessary for control of mosquitoes.

17704 (f) The Commissioner of Energy and Environmental Protection shall
17705 develop and implement a program to inform the public of the
17706 principles of integrated pest management and to encourage its
17707 application in private properties.

17708 Sec. 450. Subsection (g) of section 46b-38c of the general statutes, as
17709 amended by section 21 of public act 15-211, is repealed and the
17710 following is substituted in lieu thereof (*Effective January 1, 2016*):

17711 (g) (1) In cases referred to the local family violence intervention unit,
17712 it shall be the function of the unit to (A) identify victim service needs,
17713 (B) assess offenders for the purpose of identifying appropriate services,
17714 **[**and**]** (C) monitor compliance with program requirements by offenders
17715 who are allowed to participate in the pretrial family violence education
17716 program described in subsection (h) of this section, and (D) monitor
17717 offenders who have been referred to pretrial services or programs.

17718 (2) The Judicial Department may contract with victim service
17719 providers to make available, either directly or through referral,
17720 appropriate services that include, but are not limited to, the provision
17721 of trauma-informed care, as defined in subsection (d) of section 46b-
17722 38b.

17723 (3) The Judicial Department may contract with service providers to

17724 provide domestic violence offender treatment programs for offenders
17725 referred by the court. Such treatment programs shall comply with the
17726 domestic violence offender program standards promulgated under
17727 section 19 of **[**this act**]** public act 15-211. The provisions of this
17728 subdivision shall not apply to the pretrial family violence education
17729 program described in subsection (h) of this section.

17730 Sec. 451. (NEW) (*Effective January 1, 2016*) (a) There shall be a
17731 regional election monitor within each planning region, as defined in
17732 section 4-124i of the general statutes, who shall represent, consult with
17733 and act on behalf of the Secretary of the State in preparations for and
17734 operations of any election, primary or recanvass, or any audit
17735 conducted pursuant to section 9-320f of the general statutes.

17736 (b) Not later than March first of the year of each regular election,
17737 each regional council of governments shall contract with an individual,
17738 in accordance with section 4-124p of the general statutes, to serve as
17739 the regional election monitor for such planning region. The regional
17740 election monitor shall (1) be an elector of this state, (2) perform the
17741 duties of the position in a nonpartisan manner, (3) have prior field
17742 experience in the conduct of elections, and (4) be certified by the
17743 Secretary of the State in accordance with subdivision (2) of subsection
17744 (b) of section 9-229 of the general statutes, as amended by this act, or as
17745 soon after execution of such contract as practicable. The regional
17746 election monitor shall not be considered a state employee and shall, in
17747 accordance with such contract, be compensated for the performance of
17748 any duty agreed upon by the parties and reimbursed for necessary
17749 expenses incurred in the performance of such duties. The regional
17750 council of governments shall, in accordance with such contract,
17751 provide the regional election monitor with any space, supplies,
17752 equipment and services necessary to properly carry out the duties of
17753 the position. The regional council of governments may terminate such
17754 contract for any reason.

17755 (c) Not later than March first of the year of each regular election,

17756 each regional council of governments shall enter into a memorandum
17757 of understanding with the Secretary of the State concerning the
17758 regional election monitor under contract pursuant to subsection (b) of
17759 this section. The regional council of governments shall confirm within
17760 such memorandum of understanding that (1) each requirement
17761 described in subsection (b) of this section is satisfied and the contract
17762 between the regional council of governments and the individual who
17763 shall serve as regional election monitor specifies minimum
17764 expectations of performance under such contract, (2) such regional
17765 election monitor is subject to the control and direction of the Secretary
17766 of the State, (3) revocation by the Secretary of the State of such regional
17767 election monitor's certification constitutes breach of such contract and
17768 results in immediate termination of such contract, and (4) such
17769 regional election monitor is retained, absent termination of such
17770 contract by the council, until at least thirty days after such regular
17771 election.

17772 Sec. 452. Subsections (b) and (c) of section 9-229 of the general
17773 statutes are repealed and the following is substituted in lieu thereof
17774 (*Effective January 1, 2016*):

17775 (b) (1) The Secretary of the State shall: **[**(1) request**]** (A) Request
17776 registrars of voters to volunteer to serve as instructors for moderators
17777 and alternate moderators; **[**, (2)**]** (B) select registrars from among such
17778 volunteers to serve as such instructors; **[**, (3)**]** (C) establish a curriculum
17779 for instructional sessions for moderators and alternate moderators; **[**,
17780 (4)**]** (D) establish the number of such instructional sessions to be held,
17781 provided at least one such instructional session shall be held in each
17782 congressional district in each calendar year; **[**, (5)**]** and (E) train the
17783 instructors for such sessions. **[**, and (6) certify moderators and alternate
17784 moderators.**]** The curriculum for such instructional sessions shall
17785 include, without limitation, procedures for counting and recording
17786 absentee ballots, "hands on" training in the use of voting tabulators,
17787 and the duties of a moderator in the conduct of a primary and election.
17788 The Secretary may employ assistants on a temporary basis within

existing budgetary resources for the purpose of implementing the provisions of this section. Such assistants shall not be subject to the provisions of chapter 67. The instructors shall conduct instructional sessions for moderators and alternate moderators in accordance with their training by the Secretary of the State and the curriculum for such sessions.

(2) The Secretary of the State shall also: (A) Coordinate with each regional election monitor under contract pursuant to section 451 of this act to hold regional instructional sessions for moderators and alternate moderators, in accordance with the curriculum established under subdivision (1) of this subsection; (B) establish the number of such regional instructional sessions to be held, provided at least one such regional instructional session shall be held within each planning region at the facilities of the regional council of governments prior to each regular election; and (C) train and certify each regional election monitor for purposes of performing the duties of the position. The Secretary shall certify as a regional election monitor each individual who successfully completes training under subparagraph (C) of this subdivision, except the Secretary shall not so certify any individual who has been convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, any (i) felony involving fraud, forgery, larceny, embezzlement or bribery, or (ii) criminal offense under this title. Any such initial certification granted under this subdivision shall expire two years after the date of its granting. Prior to expiration of the initial or any subsequent certification, a regional election monitor may undergo an abridged recertification process prescribed by the Secretary, and upon successful completion thereof, such certification shall be renewed for two years after the date of such completion. Only certification in accordance with this subdivision shall satisfy the requirement of subdivision (4) of subsection (b) of section 451 of this act, and the Secretary may revoke any such certification, with or without cause, at any time.

(3) The duties of each regional election monitor shall include, but

17822 not be limited to: (A) Holding the regional instructional sessions
17823 described in subdivision (2) of this subsection; (B) communicating with
17824 registrars of voters to assist, to the extent permitted under law, in
17825 preparations for and operations of any election, primary or recanvass,
17826 or any audit conducted pursuant to section 9-320f; and (C)
17827 transmitting any order issued by the Secretary of the State, pursuant to
17828 subsection (b) of section 9-3, as amended by this act.

17829 (4) Any elector may attend one or more of [such instructional
17830 sessions] the sessions held under subdivision (1) or (2) of this
17831 subsection. Each instructor or regional election monitor, as the case
17832 may be, shall provide the Secretary of the State with the name and
17833 address of each person who completes [such a] any such session.

17834 (c) The Secretary shall conduct certification sessions for moderators
17835 and alternate moderators each year at times and places to be
17836 determined by said Secretary, provided at least eight such sessions
17837 shall be held each calendar year and at least one such session shall be
17838 conducted prior to every primary. The Secretary shall certify each
17839 person who successfully completes an instructional session or regional
17840 instructional session, as the case may be, conducted in accordance with
17841 the provisions of subsection (b) of this section and an examination
17842 administered by the Secretary, as eligible to serve as moderator or
17843 alternate moderator at any election or primary held during the time
17844 such certification is effective, except the Secretary shall not certify any
17845 person as moderator or alternate moderator who has been convicted of
17846 or pled guilty or nolo contendere to, in a court of competent
17847 jurisdiction, any (1) felony involving fraud, forgery, larceny,
17848 embezzlement or bribery, or (2) criminal offense under this title. Any
17849 [such certification made on or after October 1, 2011, shall be effective
17850 for two years from the date of such certification] initial certification
17851 granted under this subsection shall expire two years after the date of
17852 its granting. Prior to expiration of the initial or any subsequent
17853 certification, a moderator or alternate moderator may undergo an
17854 abridged recertification process prescribed by the Secretary, and upon

17855 successful completion thereof, such certification shall be renewed for
17856 two years after the date of such completion. Only those persons who
17857 [attend and are thereby certified at such session] are certified in
17858 accordance with this subsection shall be eligible to serve as moderators
17859 on election or primary day, except as provided in subsection (d) of this
17860 section or section 9-436. The Secretary of the State may adopt
17861 regulations, in accordance with the provisions of chapter 54, as the
17862 Secretary deems necessary to implement the certification process
17863 under this section.

17864 Sec. 453. Subsection (b) of section 8-31b of the general statutes is
17865 repealed and the following is substituted in lieu thereof (*Effective*
17866 *January 1, 2016*):

17867 (b) A regional council of governments may accept or participate in
17868 any grant, donation or program available to any political subdivision
17869 of the state and may also accept or participate in any grant, donation or
17870 program made available to counties by any other governmental or
17871 private entity. Notwithstanding the provisions of any special or public
17872 act, any political subdivision of the state may enter into an agreement
17873 with a regional council of governments to perform jointly or to
17874 provide, alone or in cooperation with any other entity, any service,
17875 activity or undertaking that the political subdivision is authorized by
17876 law to perform. A regional council of governments established
17877 pursuant to this section may administer and provide regional services
17878 to municipalities and may delegate such authority to subregional
17879 groups of such municipalities. Regional services provided to member
17880 municipalities shall be determined by each regional council of
17881 governments, except as provided in section 451 of this act and
17882 subsection (b) of section 9-229, as amended by this act, and may
17883 include, without limitation, the following services: (1) Engineering; (2)
17884 inspectional and planning; (3) economic development; (4) public
17885 safety; (5) emergency management; (6) animal control; (7) land use
17886 management; (8) tourism promotion; (9) social; (10) health; (11)
17887 education; (12) data management; (13) regional sewerage; (14) housing;

17888 (15) computerized mapping; (16) household hazardous waste
17889 collection; (17) recycling; (18) public facility siting; (19) coordination of
17890 master planning; (20) vocational training and development; (21) solid
17891 waste disposal; (22) fire protection; (23) regional resource protection;
17892 (24) regional impact studies; and (25) transportation.

17893 Sec. 454. Section 9-3 of the general statutes, as amended by section 3
17894 of public act 15-224, is repealed and the following is substituted in lieu
17895 thereof (*Effective January 1, 2016*):

17896 (a) The Secretary of the State, by virtue of the office, shall be the
17897 Commissioner of Elections of the state, with such powers and duties
17898 relating to the conduct of elections as are prescribed by law and, unless
17899 otherwise provided by state statute, the secretary's regulations,
17900 declaratory rulings, instructions and opinions, if in written form, and
17901 any order issued under subsection (b) of this section, shall be
17902 presumed as correctly interpreting and effectuating the administration
17903 of elections and primaries under this title, except for **[**chapter 155**]**
17904 chapters 155 to 158, inclusive, and shall be executed, carried out or
17905 implemented, as the case may be, provided nothing in this section
17906 shall be construed to alter the right of appeal provided under the
17907 provisions of chapter 54. Any such written instruction or opinion shall
17908 be labeled as an instruction or opinion issued pursuant to this section,
17909 as applicable, and any such instruction or opinion shall cite any
17910 authority that is discussed in such instruction or opinion.

17911 (b) During any municipal, state or federal election, primary or
17912 recanvass, or any audit conducted pursuant to section 9-320f, the
17913 Secretary of the State may issue an order, whether orally or in writing,
17914 to any registrar of voters or moderator to correct any irregularity or
17915 impropriety in the conduct of such election, primary or recanvass or
17916 audit. Any such order shall be effective upon issuance. As soon as
17917 practicable after issuance of an oral order pursuant to this subsection,
17918 the secretary shall reduce such order to writing, cite within such order
17919 any applicable provision of law authorizing such order and cause a

17920 copy of such written order to be delivered to the individual who is the
17921 subject of such order or, in the case that such order was originally
17922 issued in writing, issue a subsequent written order that conforms to
17923 such requirements. The Superior Court, on application of the secretary
17924 or the Attorney General, may enforce by appropriate decree or process
17925 any such order issued pursuant to this subsection.

17926 Sec. 455. Subsection (i) of section 12-632 of the general statutes is
17927 repealed and the following is substituted in lieu thereof (*Effective July*
17928 *1, 2017*):

17929 (i) In no event shall the total amount of all tax credits allowed to all
17930 business firms pursuant to the provisions of this chapter exceed **[**five**]**
17931 ten million dollars in any one fiscal year. Three million dollars of the
17932 total amount of tax credits allowed shall be granted to business firms
17933 eligible for tax credits pursuant to section 12-635.

17934 Sec. 456. Section 45a-105 of the general statutes is repealed and the
17935 following is substituted in lieu thereof (*Effective July 1, 2015*):

17936 The fees charged by **[**probate courts**]** Probate Courts shall be
17937 uniform for all of the probate districts established by law. Fees shall be
17938 assessed in accordance with **[**sections 45a-106**]** section 45a-107, as
17939 amended by this act, and sections 45a-109 to 45a-112, inclusive, as
17940 amended by this act, and sections 458 and 459 of this act.

17941 Sec. 457. Section 45a-107 of the general statutes is repealed and the
17942 following is substituted in lieu thereof (*Effective July 1, 2015*):

17943 (a) The basic fees for all proceedings in the settlement of the estate
17944 of any deceased person, including succession and estate tax
17945 proceedings, shall be in accordance with the provisions of this section.

17946 (b) For estates in which proceedings were settled on or after
17947 September 1, 2015, fees shall be computed as follows:

17948 (1) The basis for fees shall be (A) the greatest of (i) the gross estate

17949 for succession tax purposes, as provided in section 12-349, (ii) the
17950 inventory, including all supplements thereto, (iii) the Connecticut
17951 taxable estate, as defined in section 12-391, or (iv) the gross estate for
17952 estate tax purposes, as provided in chapters 217 and 218, except as
17953 provided in subdivisions (5) and (6) of this subsection, plus (B) all
17954 damages recovered for injuries resulting in death, minus any hospital
17955 and medical expenses for treatment of such injuries resulting in death,
17956 minus any hospital and medical expenses for treatment of such injuries
17957 that are not reimbursable by medical insurance, and minus the
17958 attorney's fees and other costs and expenses of recovering such
17959 damages. Any portion of the basis for fees that is determined by
17960 property passing to the surviving spouse shall be reduced by fifty per
17961 cent. Except as provided in subdivisions (3) and (4) of this subsection,
17962 in no case shall the minimum fee be less than twenty-five dollars.

17963 (2) Except as provided in subdivisions (3) and (4) of this subsection,
17964 fees shall be assessed in accordance with the following table:

Basis for Computation Of Fees	Total Fee
0 to $500	$25
$501 to $1,000	$50
$1,000 to $10,000	$50, plus 1% of all in excess of $1,000
$10,000 to $500,000	$150, plus .35% of all in excess of $10,000
$500,000 to $2,000,000	$1,865, plus .25% of all in excess of $500,000
$2,000,000 and over	$5,615 plus .5% of all in excess of $2,000,000

17965 (3) Notwithstanding the provisions of subdivision (1) of this
17966 subsection, if the basis for fees is less than ten thousand dollars and a
17967 full estate is opened, the minimum fee shall be one hundred fifty

17968 dollars.

17969 (4) In any matter in which the Commissioner of Administrative
17970 Services is the legal representative of the estate pursuant to section 4a-
17971 16, the fee shall be the lesser of (A) the amount calculated under
17972 subdivisions (1) and (2) of this subsection, or (B) the amount collected
17973 by the Commissioner of Administrative Services after paying the
17974 expense of funeral and burial in accordance with section 17b-84.

17975 (5) In the case of a deceased person who was domiciled in this state
17976 on the date of his or her death, the gross estate for estate tax purposes
17977 shall, for the purpose of determining the basis for fees pursuant to
17978 subdivision (1) of this subsection, be reduced by the fair market value
17979 of any real property or tangible personal property of the deceased
17980 person situated outside of this state.

17981 (6) In the case of a deceased person who was not domiciled in this
17982 state on the date of his or her death but who owned real property or
17983 tangible personal property situated in this state on the date of his or
17984 her death, only the fair market value of such real property or tangible
17985 personal property situated in this state shall be included in the basis
17986 for fees pursuant to subdivision (1) of this subsection.

17987 **[**(b)**]** (c) For estates in which proceedings were **[**commenced**]** settled
17988 on or after January 1, 2011, and before September 1, 2015, fees shall be
17989 computed as follows:

17990 (1) The basis for fees shall be (A) the greatest of (i) the gross estate
17991 for succession tax purposes, as provided in section 12-349, (ii) the
17992 inventory, including all supplements thereto, (iii) the Connecticut
17993 taxable estate, as defined in section 12-391, or (iv) the gross estate for
17994 estate tax purposes, as provided in chapters 217 and 218, except as
17995 provided in subdivisions (5) and (6) of this subsection, plus (B) all
17996 damages recovered for injuries resulting in death, minus any hospital
17997 and medical expenses for treatment of such injuries resulting in death,
17998 minus any hospital and medical expenses for treatment of such injuries

17999 that are not reimbursable by medical insurance, and minus the
18000 attorney's fees and other costs and expenses of recovering such
18001 damages. Any portion of the basis for fees that is determined by
18002 property passing to the surviving spouse shall be reduced by fifty per
18003 cent. Except as provided in subdivisions (3) and (4) of this subsection,
18004 in no case shall the minimum fee be less than twenty-five dollars.

18005 (2) Except as provided in subdivisions (3) and (4) of this subsection,
18006 fees shall be assessed in accordance with the following table:

	Basis for Computation Of Fees	Total Fee
T271		
T272		
T273	0 to $500	$25
T274	$501 to $1,000	$50
T275	$1,000 to $10,000	$50, plus 1% of all
T276		in excess of $1,000
T277	$10,000 to $500,000	$150, plus .35% of all
T278		in excess of $10,000
T279	$500,000 to $4,754,000	$1,865, plus .25% of all
T280		in excess of $500,000
T281	$4,754,000 and over	$12,500

18007 (3) Notwithstanding the provisions of subdivision (1) of this
18008 subsection, if the basis for fees is less than ten thousand dollars and a
18009 full estate is opened, the minimum fee shall be one hundred fifty
18010 dollars.

18011 (4) In any matter in which the Commissioner of Administrative
18012 Services is the legal representative of the estate pursuant to section 4a-
18013 16, the fee shall be the lesser of (A) the amount calculated under
18014 subdivisions (1) and (2) of this subsection, or (B) the amount collected
18015 by the Commissioner of Administrative Services after paying the
18016 expense of funeral and burial in accordance with section 17b-84.

18017 (5) In the case of a deceased person who was domiciled in this state

18018 on the date of his or her death, the gross estate for estate tax purposes
18019 shall, for the purpose of determining the basis for fees pursuant to
18020 subdivision (1) of this subsection, be reduced by the fair market value
18021 of any real property or tangible personal property of the deceased
18022 person situated outside of this state.

18023 (6) In the case of a deceased person who was not domiciled in this
18024 state on the date of his or her death but who owned real property or
18025 tangible personal property situated in this state on the date of his or
18026 her death, only the fair market value of such real property or tangible
18027 personal property situated in this state shall be included in the basis
18028 for fees pursuant to subdivision (1) of this subsection.

18029 **[**(c)**]** (d) For estates in which proceedings were commenced on or
18030 after April 1, 1998, and prior to January 1, 2011, fees shall be computed
18031 as follows:

18032 (1) The basis for fees shall be (A) the gross estate for succession tax
18033 purposes, as provided in section 12-349, the inventory, including all
18034 supplements thereto, the Connecticut taxable estate, as defined in
18035 section 12-391, or the gross estate for estate tax purposes, as provided
18036 in chapters 217 and 218, whichever is greater, plus (B) all damages
18037 recovered for injuries resulting in death, minus any hospital and
18038 medical expenses for treatment of such injuries resulting in death,
18039 minus any hospital and medical expenses for treatment of such injuries
18040 that are not reimbursable by medical insurance and minus the
18041 attorney's fees and other costs and expenses of recovering such
18042 damages. Any portion of the basis for fees that is determined by
18043 property passing to the surviving spouse shall be reduced by fifty per
18044 cent. Except as provided in subdivision (3) of this subsection, in no
18045 case shall the minimum fee be less than twenty-five dollars.

18046 (2) Except as provided in subdivisions (3) and (4) of this subsection,
18047 fees shall be assessed in accordance with the following table:

Basis for Computation Of Fees	Total Fee
0 to $500	$25
$501 to $1,000	$50
$1,000 to $10,000	$50, plus 1% of all in excess of $1,000
$10,000 to $500,000	$150, plus .35% of all in excess of $10,000
$500,000 to $4,754,000	$1,865, plus .25% of all in excess of $500,000
$4,754,000 and over	$12,500

(3) Notwithstanding the provisions of subdivision (1) of this subsection, if the basis for fees is less than ten thousand dollars and a full estate is opened, the minimum fee shall be one hundred fifty dollars.

(4) In estates where the gross taxable estate is less than six hundred thousand dollars, in which no succession tax return is required to be filed, a probate fee of .1 per cent shall be charged against non-solely-owned real estate, in addition to any other fees computed under this section.

[(d)**]** (e) A fee of fifty dollars shall be payable to the court by any creditor applying to the Probate Court pursuant to section 45a-364 for consideration of a claim. If such claim is allowed by the court, the court may order the fiduciary to reimburse the amount of such fee from the estate.

[(e)**]** (f) A fee of fifty dollars, plus the actual expenses of rescheduling the adjourned hearing that are payable under section 45a-109, shall be payable to the court by any party who requests an adjournment of a scheduled hearing or whose failure to appear necessitates an adjournment, except that the court, for cause shown,

18067 may waive either the fifty-dollar fee or the actual expenses of
18068 rescheduling the adjourned hearing, or both.

18069 [(f)] (g) A fee of two hundred fifty dollars shall be payable to the
18070 Probate Court by a petitioner filing a motion to permit an attorney
18071 who has not been admitted as an attorney under the provisions of
18072 section 51-80 to appear pro hac vice in a matter in the Probate Court.

18073 (h) A fee of fifty dollars shall be payable to the Probate Court by a
18074 petitioner filing a petition to open a safe deposit box under section 45a-
18075 277 or 45a-284.

18076 (i) A fee of fifty dollars shall be payable to the Probate Court by a
18077 petitioner filing a petition for appointment of an estate examiner under
18078 section 45a-317a.

18079 (j) The fee for mediation conducted by a member of the panel
18080 established by the Probate Court Administrator is three hundred fifty
18081 dollars per day or part thereof.

18082 [(g)] (k) Except as provided in subsections (d) [, (e) and (f)] to (j),
18083 inclusive, of this section, in no event shall any fee exceed ten thousand
18084 dollars for any estate in which proceedings were commenced prior to
18085 April 1, 1998, and twelve thousand five hundred dollars for any estate
18086 in which proceedings were commenced on or after April 1, 1998, and
18087 settled before September 1, 2015.

18088 [(h)] (l) In the case of decedents who die on or after January 1, 2011:

18089 (1) Any fees assessed under this section that are not paid within
18090 thirty days of the date of an invoice from the Probate Court shall bear
18091 interest at the rate of one-half of one per cent per month or portion
18092 thereof until paid;

18093 (2) If a tax return or a copy of a tax return required under
18094 subparagraph (D) of subdivision (3) of subsection (b) of section 12-392
18095 is not filed with a [probate court] Probate Court by the due date for

18096 such return or copy under subdivision (1) of subsection (b) of section
18097 12-392 or by the date an extension under subdivision (4) of subsection
18098 (b) of section 12-392 expires, the fees that would have been due under
18099 this section if such return or copy had been filed by such due date or
18100 expiration date shall bear interest at the rate of one-half of one per cent
18101 per month or portion thereof from the date that is thirty days after
18102 such due date or expiration date, whichever is later, until paid. If a
18103 return or copy is filed with a **[**probate court**]** Probate Court on or
18104 before such due date or expiration date, whichever is later, the fees
18105 assessed shall bear interest as provided in subdivision (1) of this
18106 subsection;

18107 (3) A **[**probate court**]** Probate Court may extend the time for
18108 payment of any fees under this section, including interest, if it appears
18109 to the court that requiring payment by such due date or expiration
18110 date would cause undue hardship. No additional interest shall accrue
18111 during the period of such extension. A **[**probate court**]** Probate Court
18112 may not waive interest outside of any extension period;

18113 (4) The interest requirements in subdivisions (1) and (2) of this
18114 subsection shall not apply if:

18115 (A) The basis for fees for the estate does not exceed forty thousand
18116 dollars; or

18117 (B) The basis for fees for the estate does not exceed five hundred
18118 thousand dollars and any portion of the property included in the basis
18119 for fees passes to a surviving spouse.

18120 Sec. 458. (NEW) (*Effective January 1, 2016*) (a) The fees set forth in
18121 this section apply to each filing made in a Probate Court on or after
18122 January 1, 2016, in any matter other than a decedent's estate.

18123 (b) The fee to file each of the following motions, petitions or
18124 applications in a Probate Court is two hundred twenty-five dollars:

18125 (1) With respect to a minor child: (A) Appoint a temporary
18126 guardian, temporary custodian, guardian, coguardian, permanent
18127 guardian or statutory parent, (B) remove a guardian, including the
18128 appointment of another guardian, (C) reinstate a parent as guardian,
18129 (D) terminate parental rights, including the appointment of a guardian
18130 or statutory parent, (E) grant visitation, (F) make findings regarding
18131 special immigrant juvenile status, (G) approve an adoption, (H)
18132 validate a foreign adoption, (I) resolve a dispute concerning a standby
18133 guardian, (J) approve a plan for voluntary services provided by the
18134 Department of Children and Families, (K) conduct an in-court review
18135 to modify an order, (L) grant emancipation, (M) grant approval to
18136 marry, (N) transfer funds to a custodian under sections 45a-557 to 45a-
18137 560b, inclusive, of the general statutes, (O) appoint a successor
18138 custodian under section 45a-559c of the general statutes, and (P) grant
18139 authority to purchase real estate;

18140 (2) Determine paternity;

18141 (3) Determine the age and date of birth of an adopted person born
18142 outside the United States;

18143 (4) With respect to adoption records: (A) Appoint a guardian ad
18144 litem for a biological relative who cannot be located or appears to be
18145 incompetent, (B) appeal the refusal of an agency to release information,
18146 (C) release medical information when required for treatment, and (D)
18147 grant access to an original birth certificate;

18148 (5) Approve an adult adoption;

18149 (6) With respect to a conservatorship: (A) Appoint a temporary
18150 conservator, conservator or special limited conservator, (B) change
18151 residence, terminate a tenancy or lease, sell or dispose household
18152 furnishings, or place in a long-term care facility, (C) determine
18153 competency to vote, (D) approve a support allowance for a spouse, (E)
18154 grant authority to elect the spousal share, (F) grant authority to
18155 purchase real estate, (G) give instructions regarding administration of

18156 a joint asset or liability, (H) distribute gifts, (I) grant authority to
18157 consent to involuntary medication, (J) determine life sustaining
18158 medical treatment, (K) transfer to or from another state, (L) modify the
18159 conservatorship in connection with a periodic review, (M) terminate
18160 the conservatorship, and (N) grant a writ of habeas corpus;

18161 (7) Resolve a dispute concerning advance directives or life
18162 sustaining medical treatment when the individual does not have a
18163 conservator or guardian;

18164 (8) Enjoin an individual from interfering with the provision of
18165 protective services to an elderly person;

18166 (9) With respect to an adult with intellectual disability: (A) Appoint
18167 a temporary limited guardian, guardian or standby guardian, (B) grant
18168 visitation, (C) modify the guardianship in connection with a periodic
18169 review, (D) determine life sustaining medical treatment, (E) approve
18170 an involuntary placement, (F) review an involuntary placement, and
18171 (G) grant a writ of habeas corpus;

18172 (10) With respect to psychiatric disability: (A) Commit an individual
18173 for treatment, (B) issue a warrant for examination of an individual at a
18174 general hospital, (C) determine whether there is probable cause to
18175 continue an involuntary confinement, (D) review an involuntary
18176 confinement for possible release, (E) authorize shock therapy, (F)
18177 authorize medication for treatment of psychiatric disability, (G) review
18178 the status of an individual under the age of sixteen as a voluntary
18179 patient, and (H) recommit an individual under the age of sixteen for
18180 further treatment;

18181 (11) With respect to drug or alcohol dependency: (A) Commit an
18182 individual for treatment, (B) recommit an individual for further
18183 treatment, and (C) terminate an involuntary confinement;

18184 (12) With respect to tuberculosis: (A) Commit an individual for
18185 treatment, (B) issue a warrant to enforce an examination order, and (C)

18186 terminate an involuntary confinement;

18187 (13) Compel an account by the trustee of an inter vivos trust,
18188 attorney-in-fact, custodian under sections 45a-557 to 45a-560b,
18189 inclusive, of the general statutes or treasurer of an ecclesiastical society
18190 or cemetery association;

18191 (14) With respect to a testamentary or inter vivos trust: (A)
18192 Construe, divide, reform or terminate the trust, (B) appoint a trustee to
18193 fill a vacancy in the office of trustee, (C) determine title to property, (D)
18194 apply the doctrine of cy pres or approximation, (E) authorize the
18195 trustee to disclaim an interest in property, and (F) enforce the
18196 provisions of a pet trust;

18197 (15) Authorize a fiduciary to establish a trust;

18198 (16) Appoint a trustee for a missing person;

18199 (17) Change a person's name;

18200 (18) Issue an order to amend the birth certificate of an individual
18201 born in another state to reflect a gender change;

18202 (19) Require the Department of Public Health to issue a delayed
18203 birth certificate;

18204 (20) Compel the board of a cemetery association to disclose the
18205 minutes of the annual meeting;

18206 (21) Issue an order to protect a grave marker;

18207 (22) Restore rights to purchase, possess and transport firearms;

18208 (23) Issue an order permitting sterilization of an individual; and

18209 (24) With respect to any case in a Probate Court other than a
18210 decedent's estate: (A) Compel or approve an action by the fiduciary,
18211 (B) give advice or instruction to the fiduciary, (B) authorize a fiduciary

18212 to compromise a claim, (C) list, sell or mortgage real property, (D)
18213 determine title to property, (E) resolve a dispute between cofiduciaries
18214 or among fiduciaries, (F) remove a fiduciary, (G) appoint a successor
18215 fiduciary or fill a vacancy in the office of fiduciary, (H) approve
18216 fiduciary or attorney's fees, (I) apply the doctrine of cy pres or
18217 approximation, (J) reconsider, modify or revoke an order, and (K)
18218 decide an action on a probate bond.

18219 (c) The fee to file a petition for custody of the remains of a deceased
18220 person in a Probate Court is one hundred fifty dollars, except that the
18221 court shall waive the fee if the state is obligated to pay funeral and
18222 burial expenses under section 17b-84 of the general statutes.

18223 (d) The fee for a fiduciary to request the release of funds from a
18224 restricted account in a Probate Court is one hundred fifty dollars,
18225 except that the court shall waive the fee if the court approves the
18226 request without notice and hearing in accordance with the rules of
18227 procedure adopted by the Supreme Court under section 45a-78 of the
18228 general statutes.

18229 (e) The fee for mediation conducted by a member of the panel
18230 established by the Probate Court Administrator is three hundred fifty
18231 dollars per day or part thereof.

18232 (f) The fee to request a continuance in a Probate Court is fifty
18233 dollars, plus the actual expenses of rescheduling the hearing that are
18234 payable under section 45a-109 of the general statutes, as amended by
18235 this act, except that the court, for cause shown, may waive either the
18236 fifty-dollar fee or the actual expenses of rescheduling the hearing, or
18237 both. The fee shall be payable by the party who requests the
18238 continuance of a scheduled hearing or whose failure to appear
18239 necessitates the continuance.

18240 (g) The fee to file a motion to permit an attorney who has not been
18241 admitted as an attorney under the provisions of section 51-80 of the
18242 general statutes to appear pro hac vice in a matter in the Probate Court

18243 is two hundred fifty dollars.

18244 (h) Except as provided in subsection (d) of section 45a-111 of the
18245 general statutes, as amended by this act, fees imposed under this
18246 section shall be paid at the time of filing.

18247 (i) If a statute or rule of procedure approved by the Supreme Court
18248 under section 45a-78 of the general statutes specifies filings that may
18249 be combined into a single motion, petition or application, the fee under
18250 this section for the combined filing is the amount equal to the largest of
18251 the individual filing fees applicable to the underlying motions,
18252 petitions or applications.

18253 (j) No fee shall be charged under this section if exempted or waived
18254 under section 45a-111 of the general statutes, as amended by this act,
18255 or any other provision of the general statutes.

18256 Sec. 459. (NEW) (*Effective January 1, 2016*) (a) On or after January 1,
18257 2016, the basic fee for a fiduciary to file an account in the Probate Court
18258 in any matter other than a decedent's estate is the greater of:

18259 (1) The product of the number of one year periods or part thereof
18260 covered by the account times 0.05% of the greatest of: (A) The fiduciary
18261 acquisition value of assets on hand at the beginning of the accounting
18262 period; (B) the fiduciary acquisition value of assets on hand at the end
18263 of the accounting period; (C) the fair market value of assets on hand at
18264 the beginning of the accounting period; or (D) the fair market value of
18265 assets on hand at the end of the accounting period;

18266 (2) 0.05% of the total of all receipts during the accounting period; or

18267 (3) Notwithstanding the provisions of subdivisions (1) and (2) of
18268 this subsection, the minimum fee under this subsection shall be fifty
18269 dollars regardless of the period of time covered by the account and the
18270 maximum fee shall not exceed five hundred dollars per year or part
18271 thereof covered by the account.

18272 (b) The fees under this section apply to each account that covers a
18273 unique accounting period. No additional fee shall be charged for filing
18274 an amended or substitute account covering the same period as the
18275 original filing.

18276 (c) For the purposes of this section, "fiduciary acquisition value" has
18277 the meaning set forth in the rules of procedure approved by the
18278 Supreme Court under section 45a-78 of the general statutes.

18279 (d) The fee under subsection (a) of this section shall be due when the
18280 fiduciary files an account. The court shall issue an invoice for the fee
18281 and any expenses under section 45a-109 of the general statutes, as
18282 amended by this act, on receipt of the account and as necessary
18283 thereafter. The balance of any such fee that is not paid within thirty
18284 days of the date of an invoice from the court shall bear interest at the
18285 rate of one-half of one per cent per month or portion thereof until paid.
18286 The court may extend the time for payment of any fee under this
18287 subsection if it appears to the court that requiring payment by the due
18288 date would cause undue hardship. No additional interest shall accrue
18289 during the period of such extension. The court may not waive interest
18290 outside of any extension period.

18291 (e) No fee shall be charged under this section if exempted or waived
18292 under section 45a-111 of the general statutes or any other provision of
18293 the general statutes.

18294 Sec. 460. Section 45a-109 of the general statutes is repealed and the
18295 following is substituted in lieu thereof (*Effective January 1, 2016*):

18296 In addition to the basic fees specified in **[**sections 45a-106 to 45a-108,
18297 inclusive**]** <u>section 45a-107, as amended by this act, and sections 458 and</u>
18298 <u>459 of this act</u>, the following expenses shall be payable to the Probate
18299 Courts: (1) For recording each page or fraction thereof after the first
18300 five pages of any one document, three dollars; (2) for each notice in
18301 excess of two with respect to any hearing or continued hearing, two
18302 dollars; (3) for any expenses incurred by the Probate Court for

18303 newspaper publication of notices, certified or registered mailing of
18304 notices, or for service of process or notice, the actual amount of the
18305 expenses so incurred; (4) for providing copies of any document from a
18306 file in the court of any matter within the jurisdiction of the court, five
18307 dollars for a copy of any such document up to five pages in length and
18308 one dollar per copy for each additional page or fractional part thereof
18309 as the case may be, except that there shall be furnished without charge
18310 to the fiduciary or, if none, to the petitioner with respect to any probate
18311 matter one uncertified copy of each decree, certificate or other court
18312 order setting forth the action of the court on any proceeding in such
18313 matter; (5) for certifying copies of any document from a file in the
18314 court of any matter before the court, five dollars per each copy certified
18315 for the first two pages of a document, and two dollars for each copy
18316 certified for each page after the second page of such document, except
18317 that no charge shall be made for any copy certified or otherwise that
18318 the court is required by statute to make; (6) for retrieval of a file not
18319 located on the premises of the court, the actual expense or ten dollars,
18320 whichever is greater; (7) for copying probate records through the use
18321 of a hand-held scanner, as defined in section 1-212, twenty dollars per
18322 day; **[**and**]** (8) for providing a digital copy of an audio recording of a
18323 hearing, twenty-five dollars; and (9) for filing any document other than
18324 a will under any provision of the general statutes if the court is not
18325 required to take action, twenty-five dollars, in addition to any
18326 applicable recording fee.

18327 Sec. 461. Section 45a-110 of the general statutes is repealed and the
18328 following is substituted in lieu thereof (*Effective July 1, 2015*):

18329 (a) **[**The**]** With respect to a decedent's estate, the fees and expenses
18330 **[**provided for in connection with proceedings under section 45a-107
18331 with respect to a decedent's estate**]** under sections 45a-107, as amended
18332 by this act, and 45a-109, as amended by this act, shall be paid for by the
18333 executor or administrator, **[**or,**]** except that if there is no such fiduciary,
18334 **[**by the transferee**]** the fees and expenses shall be paid by the person
18335 filing the succession tax return under section 12-359 or **[**a**]** the estate tax

18336 return under section 12-392.

18337 **[**(b) The fees and expenses provided for in connection with
18338 proceedings under section 45a-108 with respect to an accounting shall
18339 be paid by the trustee, guardian, conservator or other fiduciary.

18340 (c) In the case of any proceeding under sections 45a-106 to 45a-112,
18341 inclusive, commenced on motion of the court, such fees and expenses
18342 shall be paid by the party against whom such fees and expenses are
18343 assessed by the court.

18344 (d) In all other cases, the petitioner shall pay the fees and expenses
18345 provided for by sections 45a-106 to 45a-112, inclusive, unless otherwise
18346 provided by law.**]**

18347 (b) In the case of any proceeding commenced on motion of the
18348 court, the court may assess the fees and expenses provided for under
18349 section 458 of this act and sections 45a-107, as amended by this act, and
18350 45a-109, as amended by this act, against one or more parties in such
18351 proportion as the court determines equitable.

18352 (c) Except as provided in subsection (a) of this section, the person
18353 filing the motion, petition, application or account shall pay the fees and
18354 expenses provided for by sections 458 and 459 of this act and section
18355 45a-109, as amended by this act, unless otherwise provided by law.
18356 The court may order the fiduciary of an estate to reimburse a party for
18357 any such fees and expenses if the court determines that reimbursement
18358 is equitable.

18359 Sec. 462. Subsection (f) of section 19a-131b of the general statutes is
18360 repealed and the following is substituted in lieu thereof (*Effective July*
18361 *1, 2015*):

18362 (f) An individual subject to a quarantine or isolation order under
18363 this section may appeal such order to the **[**probate court**]** Probate Court
18364 for the district in which such person is quarantined or isolated and, if

18365 such individual or such individual's representative asks the court, in
18366 writing, including, but not limited to, by means of first class mail,
18367 facsimile machine or the Internet, for a hearing, notwithstanding the
18368 form of such request, the court shall hold a hearing not later than
18369 seventy-two hours after receipt of such request, excluding Saturdays,
18370 Sundays and legal holidays. The court may extend the time for a
18371 hearing based on extraordinary circumstances. **[**Court fees for such
18372 hearing shall be paid from funds appropriated to the Judicial
18373 Department, but if funds have not been included in the budget of the
18374 Judicial Department for such purpose, such fees shall be waived by the
18375 court.**]** No fee shall be charged to file an appeal in the Probate Court
18376 under this section. If such individual cannot appear personally before
18377 the court, a hearing shall be conducted only if his or her representative
18378 is present. The commissioner shall be a party to the proceedings. Such
18379 hearing may be held via any means that allows all parties to fully
18380 participate in the event an individual may infect or contaminate others.
18381 A request for a hearing shall not stay the order of quarantine or
18382 isolation issued by the commissioner under this section. The hearing
18383 shall concern, but need not be limited to, a determination of whether
18384 (1) the individual ordered confined is infected with a communicable
18385 disease or is contaminated or has a reasonable risk of having a
18386 communicable disease or having been contaminated or passing a
18387 communicable disease or contamination to other individuals, (2) the
18388 individual poses a reasonable threat to the public health, and (3) the
18389 quarantine or isolation of the individual is necessary and the least
18390 restrictive alternative to prevent the spread of a communicable disease
18391 or contamination to others in order to protect and preserve the public
18392 health.

18393 Sec. 463. (NEW) (*Effective July 1, 2015*) (a) The fees imposed under
18394 subsections (b), (c) and (d) of section 45a-107 of the general statutes, as
18395 amended by this act, shall be a lien in favor of the state of Connecticut
18396 upon any real property located in this state that is included in the basis
18397 for fees of the estate of a deceased person, from the due date until paid,

18398 with interest that may accrue in addition thereto, except that such lien
18399 shall not be valid as against any lienor, mortgagee, judgment creditor
18400 or bona fide purchaser until notice of such lien is filed or recorded in
18401 the town clerk's office or place where mortgages, liens and
18402 conveyances of such property are required by statute to be filed or
18403 recorded.

18404 (b) The Probate Court for the district in which the decedent resided
18405 on the date of his or her death or, if the decedent died a nonresident of
18406 this state, for the district within which real estate or tangible personal
18407 property of the decedent is situated, shall issue a certificate of release
18408 of lien for any such real property not later than ten days after receipt of
18409 payment in full of such fee and interest thereon. The court may issue a
18410 certificate of release of lien for any such real property, or portion
18411 thereof, if the court finds that the fee and interest thereon has not been
18412 fully paid but that payment is adequately assured. A certificate of
18413 release of lien may be recorded in the office of the town clerk within
18414 which such real property is situated, and such certificate shall be
18415 conclusive proof that the fees have been paid and such lien discharged.

18416 Sec. 464. Section 45a-111 of the general statutes is repealed and the
18417 following is substituted in lieu thereof (*Effective January 1, 2016*):

18418 (a) No fee or expense shall be charged for any proceedings in the
18419 settlement of the estate of any member of the armed forces who died
18420 while in service in time of war as defined in section 27-103.

18421 (b) No fees or expenses shall be charged under sections **[**45a-106**]**
18422 45a-107 to 45a-112, inclusive, as amended by this act, or under section
18423 45a-727 for adoption proceedings involving special needs children.

18424 (c) If a petitioner or applicant to a **[**probate court**]** Probate Court
18425 claims that unless his or her obligation to pay the fees and the
18426 necessary expenses of the action, including the expense of service of
18427 process, is waived, such petitioner or applicant will be deprived by
18428 reason of his or her indigency of his or her right to bring a petition or

application to such court or that he or she is otherwise unable to pay the fees and necessary expenses of the action, he or she may file with the clerk of such [probate court] Probate Court an application for waiver of payment of such fees and necessary expenses. Such application shall be signed under penalty of false statement, shall state the applicant's financial circumstances, and shall identify the fees and expenses sought to be waived and the approximate amount of each. If the court finds that the applicant is unable to pay such fees and expenses, it shall order such fees and expenses waived. If such expenses include the expense of service of process, the court, in its order, shall indicate the method of service authorized and the expense of such service shall be paid from funds appropriated to the Judicial Department, except that, if funds have not been included in the budget of the Judicial Department for such expenses, such expenses shall be paid from the Probate Court Administration Fund.

(d) The court may, in its discretion, postpone payment of any entry fee or other fee or expense due under sections [45a-106] 45a-107 to 45a-112, inclusive, as amended by this act, and enter any matter if it appears to the court that to require such entry fee or other fee or expense to accompany submission of the matter would cause undue delay or hardship, but in such case the applicant, petitioner or moving party shall be liable for the entry fee and all other fees and expenses upon receipt of an invoice therefor from the court.

(e) Any fee or expense charged under the provisions of sections [45a-106] 45a-107 to 45a-112, inclusive, as amended by this act, shall not be subject to the tax imposed under chapter 219.

Sec. 465. Section 45a-112 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2016*):

When the state or any of its agencies is an applicant, petitioner or moving party commencing a matter in a [probate court] Probate Court, or is otherwise liable for the fees or expenses under sections [45a-106]

18460 45a-107 to 45a-112, inclusive, as amended by this act, the court shall
18461 accept such matter without the entry fee accompanying the filing
18462 thereof, and shall bill the entry fee or other fee or expense to the
18463 appropriate agency for subsequent payment, which payment shall be
18464 due and payable upon receipt of such bill.

18465 Sec. 466. Section 45a-113a of the general statutes is repealed and the
18466 following is substituted in lieu thereof (*Effective January 1, 2016*):

18467 Whenever a **[**probate court**]** Probate Court determines that a refund
18468 is due an applicant, petitioner, moving party or other person for any
18469 overpayment of costs, fees, charges or expenses incurred under the
18470 provisions of sections **[**45a-106**]** 45a-107 to 45a-112, inclusive, as
18471 amended by this act, the Probate Court Administrator shall, upon
18472 receipt of certification of such overpayment by the **[**probate court**]**
18473 Probate Court that issued the invoice for such costs, fees, charges or
18474 expenses, cause a refund of such overpayment to be issued from the
18475 Probate Court Administration Fund.

18476 Sec. 467. Section 45a-684 of the general statutes is repealed and the
18477 following is substituted in lieu thereof (*Effective January 1, 2016*):

18478 All fees and expenses incurred under sections 45a-669 to 45a-684,
18479 inclusive, except as otherwise provided, shall be paid pursuant to
18480 sections **[**45a-106**]** 45a-107, as amended by this act, and 45a-111, as
18481 amended by this act.

18482 Sec. 468. Subsection (d) of section 31-294d of the general statutes is
18483 repealed and the following is substituted in lieu thereof (*Effective from*
18484 *passage*):

18485 (d) (1) The pecuniary liability of the employer for the medical and
18486 surgical service required by this section shall be limited to the charges
18487 that prevail in the same community or similar communities for similar
18488 treatment of injured persons of a like standard of living when the
18489 similar treatment is paid for by the injured person. **[**Prior**]**

18490 Notwithstanding the provisions of chapter 368z, prior to the date the
18491 liability of the employer is established pursuant to subdivision (2) of
18492 this subsection, the liability of the employer for hospital service shall
18493 be determined exclusively by the provisions of this subdivision and
18494 shall remain the amount it actually costs the hospital to render the
18495 service, as determined by the commissioner, except in the case of state
18496 humane institutions, the liability of the employer shall be the per
18497 capita cost as determined by the Comptroller under the provisions of
18498 section 17b-223. All disputes concerning liability for hospital services
18499 in workers' compensation cases shall be filed not later than one year
18500 from the date the initial payment for services was remitted, regardless
18501 of the date such services were provided, unless any applicable law,
18502 rule or regulation establishes a shorter timeframe, and shall be settled
18503 by the commissioner in accordance with this chapter.

18504 (2) Commencing ninety days after the formulas established by the
18505 chairman of the Workers' Compensation Commission have been
18506 published pursuant to subsection (e) of this section, unless the
18507 employer and hospital or ambulatory surgical center have otherwise
18508 negotiated to determine the liability of the employer for hospital or
18509 ambulatory surgical center services required by this section, the
18510 liability of the employer for hospital or ambulatory surgical center
18511 services shall be: (A) If such services are covered by Medicare, limited
18512 to the reimbursements listed in such formulas published pursuant to
18513 subsection (e) of this section, or (B) if such services are not covered by
18514 Medicare, determined by the chairman, in consultation with employers
18515 and their insurance carriers, self-insured employers, hospitals,
18516 ambulatory surgical centers, third-party reimbursement organizations
18517 and other entities as deemed necessary by the Workers' Compensation
18518 Commission.

18519 Sec. 469. Subsections (a) and (b) of section 51-47 of the general
18520 statutes are repealed and the following is substituted in lieu thereof
18521 (*Effective July 1, 2015*):

18522 (a) The judges of the Superior Court, judges of the Appellate Court
18523 and judges of the Supreme Court shall receive annually salaries as
18524 follows:

18525 **[**(1) On and after July 1, 2013, (A) the Chief Justice of the Supreme
18526 Court, one hundred eighty-four thousand nine hundred fifty-four
18527 dollars; (B) the Chief Court Administrator if a judge of the Supreme
18528 Court, Appellate Court or Superior Court, one hundred seventy-seven
18529 thousand seven hundred twenty-eight dollars; (C) each associate judge
18530 of the Supreme Court, one hundred seventy-one thousand one
18531 hundred thirty-four dollars; (D) the Chief Judge of the Appellate
18532 Court, one hundred sixty-nine thousand two hundred forty dollars; (E)
18533 each judge of the Appellate Court, one hundred sixty thousand seven
18534 hundred twenty-seven dollars; (F) the Deputy Chief Court
18535 Administrator if a judge of the Superior Court, one hundred fifty-
18536 seven thousand seven hundred ninety-five dollars; (G) each judge of
18537 the Superior Court, one hundred fifty-four thousand five hundred
18538 fifty-nine dollars.**]**

18539 **[**(2)**]** (1) On and after July 1, 2014, (A) the Chief Justice of the
18540 Supreme Court, one hundred ninety-four thousand seven hundred
18541 fifty-seven dollars; (B) the Chief Court Administrator if a judge of the
18542 Supreme Court, Appellate Court or Superior Court, one hundred
18543 eighty-seven thousand one hundred forty-eight dollars; (C) each
18544 associate judge of the Supreme Court, one hundred eighty thousand
18545 two hundred four dollars; (D) the Chief Judge of the Appellate Court,
18546 one hundred seventy-eight thousand two hundred ten dollars; (E) each
18547 judge of the Appellate Court, one hundred sixty-nine thousand two
18548 hundred forty-five dollars; (F) the Deputy Chief Court Administrator if
18549 a judge of the Superior Court, one hundred sixty-six thousand one
18550 hundred fifty-eight dollars; (G) each judge of the Superior Court, one
18551 hundred sixty-two thousand seven hundred fifty-one dollars.

18552 (2) On and after July 1, 2015, (A) the Chief Justice of the Supreme
18553 Court, two hundred thousand five hundred ninety-nine dollars; (B) the

18554 Chief Court Administrator if a judge of the Supreme Court, Appellate
18555 Court or Superior Court, one hundred ninety-two thousand seven
18556 hundred sixty-three dollars; (C) each associate judge of the Supreme
18557 Court, one hundred eighty-five thousand six hundred ten dollars; (D)
18558 the Chief Judge of the Appellate Court, one hundred eighty-three
18559 thousand five hundred fifty-six dollars; (E) each judge of the Appellate
18560 Court, one hundred seventy-four thousand three hundred twenty-
18561 three dollars; (F) the Deputy Chief Court Administrator if a judge of
18562 the Superior Court, one hundred seventy-one thousand one hundred
18563 forty-three dollars; (G) each judge of the Superior Court, one hundred
18564 sixty seven thousand six hundred thirty-four dollars.

18565 (3) On and after July 1, 2016, (A) the Chief Justice of the Supreme
18566 Court, two hundred six thousand six hundred seventeen dollars; (B)
18567 the Chief Court Administrator if a judge of the Supreme Court,
18568 Appellate Court or Superior Court, one hundred ninety-eight
18569 thousand five hundred forty-five dollars; (C) each associate judge of
18570 the Supreme Court, one hundred ninety-one thousand one hundred
18571 seventy-eight dollars; (D) the Chief Judge of the Appellate Court, one
18572 hundred eighty-nine thousand sixty-three dollars; (E) each judge of the
18573 Appellate Court, one hundred seventy-nine thousand five hundred
18574 fifty-two dollars; (F) the Deputy Chief Court Administrator if a judge
18575 of the Superior Court, one hundred seventy-six thousand two hundred
18576 seventy-seven dollars; (G) each judge of the Superior Court, one
18577 hundred seventy-two thousand six hundred sixty-three dollars.

18578 **[**(b) (1) In addition to the salary such judge is entitled to receive
18579 under subsection (a) of this section, on and after July 1, 2013, a judge
18580 designated as the administrative judge of the appellate system shall
18581 receive one thousand fifty-three dollars in annual salary, each Superior
18582 Court judge designated as the administrative judge of a judicial district
18583 shall receive one thousand fifty-three dollars in annual salary and each
18584 Superior Court judge designated as the chief administrative judge for
18585 facilities, administrative appeals, judicial marshal service or judge trial
18586 referees or for the Family, Juvenile, Criminal or Civil Division of the

18587 Superior Court shall receive one thousand fifty-three dollars in annual
18588 salary.]

18589 [(2)] (b) (1) In addition to the salary such judge is entitled to receive
18590 under subsection (a) of this section, on and after July 1, 2014, a judge
18591 designated as the administrative judge of the appellate system shall
18592 receive one thousand one hundred nine dollars in annual salary, each
18593 Superior Court judge designated as the administrative judge of a
18594 judicial district shall receive one thousand one hundred nine dollars in
18595 annual salary and each Superior Court judge designated as the chief
18596 administrative judge for facilities, administrative appeals, judicial
18597 marshal service or judge trial referees or for the Family, Juvenile,
18598 Criminal or Civil Division of the Superior Court shall receive one
18599 thousand one hundred nine dollars in annual salary.

18600 (2) In addition to the salary such judge is entitled to receive under
18601 subsection (a) of this section, on and after July 1, 2015, a judge
18602 designated as the administrative judge of the appellate system shall
18603 receive one thousand one hundred forty-two dollars in additional
18604 compensation, each Superior Court judge designated as the
18605 administrative judge of a judicial district shall receive one thousand
18606 one hundred forty-two dollars in additional compensation and each
18607 Superior Court judge designated as the chief administrative judge for
18608 facilities, administrative appeals, judicial marshal service or judge trial
18609 referees or for the Family, Juvenile, Criminal or Civil Division of the
18610 Superior Court shall receive one thousand one hundred forty-two
18611 dollars in additional compensation.

18612 (3) In addition to the salary such judge is entitled to receive under
18613 subsection (a) of this section, on and after July 1, 2016, a judge
18614 designated as the administrative judge of the appellate system shall
18615 receive one thousand one hundred seventy-seven dollars in additional
18616 compensation, each Superior Court judge designated as the
18617 administrative judge of a judicial district shall one thousand one
18618 hundred seventy-seven dollars in additional compensation and each

18619 Superior Court judge designated as the chief administrative judge for
18620 facilities, administrative appeals, judicial marshal service or judge trial
18621 referees or for the Family, Juvenile, Criminal or Civil Division of the
18622 Superior Court shall receive one thousand one hundred seventy-seven
18623 dollars in additional compensation.

18624 Sec. 470. Subsection (h) of section 46b-231 of the general statutes, as
18625 amended by section 89 of public act 15-71, is repealed and the
18626 following is substituted in lieu thereof (*Effective July 1, 2015*):

18627 **[**(h) (1) On and after July 1, 2013, the Chief Family Support
18628 Magistrate shall receive a salary of one hundred thirty-four thousand
18629 five hundred fifty-four dollars, and other family support magistrates
18630 shall receive an annual salary of one hundred twenty-eight thousand
18631 sixty-one dollars.**]**

18632 **[**(2)**]** (h) (1) On and after July 1, 2014, the Chief Family Support
18633 Magistrate shall receive a salary of one hundred forty-one thousand six
18634 hundred eighty-six dollars, and other family support magistrates shall
18635 receive an annual salary of one hundred thirty-four thousand eight
18636 hundred forty-eight dollars.

18637 (2) On and after July 1, 2015, the Chief Family Support Magistrate
18638 shall receive a salary of one hundred forty-five thousand nine hundred
18639 thirty-six dollars, and other family support magistrates shall receive an
18640 annual salary of one hundred thirty-eight thousand eight hundred
18641 ninety-three dollars.

18642 (3) On and after July 1, 2016, the Chief Family Support Magistrate
18643 shall receive a salary of one hundred fifty thousand three hundred
18644 fourteen dollars, and other family support magistrates shall receive an
18645 annual salary of one hundred forty-three thousand sixty dollars.

18646 Sec. 471. Subsection (b) of section 46b-236 of the general statutes is
18647 repealed and the following is substituted in lieu thereof (*Effective July*
18648 *1, 2015*):

18649 [(b) (1) On and after July 1, 2013, each family support referee shall
18650 receive, for acting as a family support referee, in addition to the
18651 retirement salary, the sum of two hundred dollars and expenses,
18652 including mileage, for each day a family support referee is so
18653 engaged.]

18654 [(2)] (b) (1) On and after July 1, 2014, each family support referee
18655 shall receive, for acting as a family support referee, in addition to the
18656 retirement salary, the sum of two hundred eleven dollars and
18657 expenses, including mileage, for each day a family support referee is so
18658 engaged.

18659 (2) On and after July 1, 2015, each family support referee shall
18660 receive, for acting as a family support referee, in addition to the
18661 retirement salary, the sum of two hundred seventeen dollars and
18662 expenses, including mileage, for each day a family support referee is so
18663 engaged.

18664 (3) On and after July 1, 2016, each family support referee shall
18665 receive, for acting as a family support referee, in addition to the
18666 retirement salary, the sum of two hundred twenty-three dollars and
18667 expenses, including mileage, for each day a family support referee is so
18668 engaged.

18669 Sec. 472. Subsection (f) of section 52-434 of the general statutes is
18670 repealed and the following is substituted in lieu thereof (*Effective July*
18671 *1, 2015*):

18672 (f) Each judge trial referee shall receive, for acting as a referee or as a
18673 single auditor or committee of any court or for performing duties
18674 assigned by the Chief Court Administrator with the approval of the
18675 Chief Justice, for each day the judge trial referee is so engaged, in
18676 addition to the retirement salary: (1) (A) On and [after July 1, 2013, the
18677 sum of two hundred thirty-two dollars, and (B) on and] after July 1,
18678 2014, the sum of two hundred forty-four dollars; (B) on and after July
18679 1, 2015, the sum of two hundred fifty-one dollars, and (C) on and after

18680 July 1, 2016, the sum of two hundred fifty-nine dollars; and (2)
18681 expenses, including mileage. Such amounts shall be taxed by the court
18682 making the reference in the same manner as other court expenses.

18683 Sec. 473. (*Effective July 1, 2015*) Up to $375,250 appropriated in
18684 section 1 of public act 13-247, as amended by public act 14-47, to
18685 Legislative Management, for Connecticut Academy of Science and
18686 Engineering, for the fiscal years ending June 30, 2014, and June 30,
18687 2015, for the purpose of conducting a childhood discontinuity study
18688 shall not lapse on June 30, 2015, and such funds shall continue to be
18689 available for such purpose during the fiscal years ending June 30, 2016,
18690 and June 30, 2017.

18691 Sec. 474. Section 5-198 of the general statutes is repealed and the
18692 following is substituted in lieu thereof (*Effective July 1, 2015*):

18693 The offices and positions filled by the following-described
18694 incumbents shall be exempt from the classified service:

18695 (1) All officers and employees of the Judicial Department;

18696 (2) All officers and employees of the Legislative Department;

18697 (3) All officers elected by popular vote;

18698 (4) All agency heads, members of boards and commissions and
18699 other officers appointed by the Governor;

18700 (5) All persons designated by name in any special act to hold any
18701 state office;

18702 (6) All officers, noncommissioned officers and enlisted men in the
18703 military or naval service of the state and under military or naval
18704 discipline and control;

18705 (7) (A) All correctional wardens, as provided in section 18-82, and
18706 (B) all superintendents of state institutions, the State Librarian, the

18707 president of The University of Connecticut and any other
18708 commissioner or administrative head of a state department or
18709 institution who is appointed by a board or commission responsible by
18710 statute for the administration of such department or institution;

18711 (8) The State Historian appointed by the State Library Board;

18712 (9) Deputies to the administrative head of each department or
18713 institution designated by statute to act for and perform all of the duties
18714 of such administrative head during such administrative head's absence
18715 or incapacity;

18716 (10) Executive assistants to each state elective officer and each
18717 department head, as defined in section 4-5, provided (A) each position
18718 of executive assistant shall have been created in accordance with
18719 section 5-214, and (B) in no event shall the Commissioner of
18720 Administrative Services or the Secretary of the Office of Policy and
18721 Management approve more than four executive assistants for a
18722 department head;

18723 (11) One personal secretary to the administrative head and to each
18724 undersecretary or deputy to such head of each department or
18725 institution;

18726 (12) All members of the professional and technical staffs of the
18727 constituent units of the state system of higher education, as defined in
18728 section 10a-1, of all other state institutions of learning, of the Board of
18729 Regents for Higher Education, and of the agricultural experiment
18730 station at New Haven, professional and managerial employees of the
18731 Department of Education <u>and the Office of Early Childhood</u> and
18732 teachers certified by the State Board of Education and employed in
18733 teaching positions at state institutions;

18734 (13) Physicians, dentists, student nurses in institutions and other
18735 professional specialists who are employed on a part-time basis;

18736 (14) Persons employed to make or conduct a special inquiry,
18737 investigation, examination or installation;

18738 (15) Students in educational institutions who are employed on a
18739 part-time basis;

18740 (16) Forest fire wardens provided for by section 23-36;

18741 (17) Patients or inmates of state institutions who receive
18742 compensation for services rendered therein;

18743 (18) Employees of the Governor including employees working at the
18744 executive office, official executive residence at 990 Prospect Avenue,
18745 Hartford and the Washington D.C. office;

18746 (19) Persons filling positions expressly exempted by statute from the
18747 classified service;

18748 (20) Librarians employed by the State Board of Education or any
18749 constituent unit of the state system of higher education;

18750 (21) All officers and employees of the Division of Criminal Justice;

18751 (22) Professional employees in the education professions bargaining
18752 unit of the Department of Rehabilitation Services;

18753 (23) Lieutenant colonels in the Division of State Police within the
18754 Department of Emergency Services and Public Protection;

18755 (24) The Deputy State Fire Marshal within the Department of
18756 Administrative Services;

18757 (25) The chief administrative officer of the Workers' Compensation
18758 Commission;

18759 (26) Employees in the education professions bargaining unit;

18760 (27) Disability policy specialists employed by the Council on

18761 Developmental Disabilities; and

18762 (28) The director for digital media and motion picture activities in
18763 the Department of Economic and Community Development.

18764 Sec. 475. Section 16-2 of the general statutes is amended by adding
18765 subsection (n) as follows (*Effective from passage*):

18766 (NEW) (n) Two or more utility commissioners serving on a panel
18767 established pursuant to subsection (c) of this section may confer or
18768 communicate regarding the matter before such panel. Any such
18769 conference or communication that does not occur before the public at a
18770 hearing or proceeding shall not constitute a meeting as defined in
18771 section 1-200.

18772 Sec. 476. Section 16a-4d of the general statutes is repealed and the
18773 following is substituted in lieu thereof (*Effective October 1, 2015*):

18774 (a) If, in the exercise of the Commissioner of Energy and
18775 Environmental Protection's powers pursuant to this title, the
18776 commissioner finds that the use of a certain technology, product or
18777 process would promote energy conservation, energy efficiency or
18778 renewable energy technology, the commissioner may direct a state
18779 agency to test such technology, product or process by using it in the
18780 operations of such agency on a trial basis. The purpose of such test
18781 program shall be to validate the effectiveness of such technology,
18782 product or process in reducing energy usage and costs or reducing
18783 dependence on fossil fuels or green house gas emissions.

18784 <u>(b) (1) The Commissioner of Energy and Environmental Protection</u>
18785 <u>shall administer pilot test programs at state agencies for the use of</u>
18786 <u>technologies, products or processes that promote energy conservation,</u>
18787 <u>energy efficiency or renewable energy. The purpose of such test</u>
18788 <u>programs shall be to validate the effectiveness of such technologies,</u>
18789 <u>products or processes in reducing energy usage and costs or reducing</u>
18790 <u>dependence on fossil fuels or greenhouse gas emissions.</u>

(2) Applicants interested in participating in such program shall submit an application to the commissioner on forms prescribed by the commissioner. The commissioner shall review such application for completeness within thirty days of receiving such application. The commissioner shall make a determination on whether the application meets the requirements of this section within ninety days of receiving such application.

(c) (1) The Commissioner of Energy and Environmental Protection may direct a state agency to test any such technology, product or process identified by the commissioner. Alternatively, the commissioner of a state agency may file a request with the Commissioner of Energy and Environmental Protection for approval to test any such technology, product or process identified by such state agency commissioner. Not later than thirty days after receipt of any such request, the Commissioner of Energy and Environmental Protection shall evaluate the technology, product or process and approve or disapprove the state agency commissioner's request. A state agency that is directed to test, or receives approval to test, any such technology, product or process shall use it in the operations of such agency on a trial basis as prescribed by the commissioner.

(2) No agency shall undertake such testing of any technology, product or process unless the business manufacturing or marketing the technology, product or process demonstrates that **[**(1)**]** (A) the use of such technology, product or process by the state agency will not adversely affect safety, **[**(2)**]** (B) a certified independent third party or accredited laboratory has found that the technology, product or process reduces energy consumption and cost, and **[**(3)**]** (C) the technology, product or process is presently available for commercial sale and distribution or has potential for commercialization not later than two years following the completion of any test program by a state agency pursuant to this section.

(3) If the commissioner of the state agency testing such technology,

18823 product or process determines that the test program sufficiently
18824 demonstrates that the technology, product or process reduces energy
18825 usage and costs or reduces dependence on fossil fuels or greenhouse
18826 gas emissions, such testing agency may request that the Commissioner
18827 of Administrative Services (A) procure such technology for use by any
18828 or all state agencies, and (B) make such procurement pursuant to
18829 subsection (b) of section 4a-58.

18830 **[**(b)**]** (d) If the commissioner finds that using such technology,
18831 product or process would be feasible in the operations of a state
18832 agency and would not have any detrimental effect on such operations,
18833 the commissioner, notwithstanding the requirements of chapter 58,
18834 may direct a state agency to accept delivery of such technology,
18835 product or process and to undertake such a test program. Any costs
18836 associated with the acquisition and use of such technology, product or
18837 process by the testing agency for the test period shall be borne by the
18838 manufacturer, the marketer or any investor or participant in such
18839 business. The acquisition of any technology, product or process for
18840 purposes of the test program established pursuant to this section shall
18841 not be deemed to be a purchase under the provisions of state
18842 procurement law. The manufacturer, the marketer or any investor or
18843 participant in such business shall maintain records related to such test
18844 program, as required by the commissioner. All proprietary
18845 information derived from such test program shall be exempt from the
18846 provisions of subsection (a) of section 1-210.

18847 **[**(c) If the commissioner determines that the test program
18848 sufficiently demonstrates that the technology, product or process
18849 reduces energy usage and costs or reduces dependence on fossil fuels
18850 or green house gas emissions, the testing agency may request that the
18851 Commissioner of Administrative Services (1) procure such technology
18852 for use by any or all state agencies, and (2) make such procurement
18853 pursuant to subsection (b) of section 4a-58.**]**

18854 (e) The commissioner of a state agency may identify a technology,

18855 product or process that is procured, installed and tested by a
18856 municipality that meets the requirements of subsection (b) of this
18857 section. Such commissioner may file a request with the Commissioner
18858 of Energy and Environmental Protection. Not later than thirty days
18859 after receipt of such request, the commissioner shall evaluate such
18860 technology, product or process pursuant to subsection (b) of this
18861 section.

18862 Sec. 477. (NEW) (*Effective July 1, 2015*) Any public service company,
18863 as defined in section 16-1 of the general statutes, shall be permitted to
18864 defer for recovery in its next general rate case any increase in tax
18865 expense, pursuant to public act 15-244, which is not currently
18866 authorized in such company's rates.

18867 Sec. 478. Section 38a-492b of the general statutes is repealed and the
18868 following is substituted in lieu thereof (*Effective January 1, 2016*):

18869 (a) (1) Each individual health insurance policy delivered, issued for
18870 delivery, renewed, amended or continued in this state, that provides
18871 coverage for **[**prescribed**]** prescription drugs approved by the federal
18872 Food and Drug Administration for treatment of certain types of cancer
18873 or disabling or life-threatening chronic diseases, shall not exclude
18874 coverage of any such drug on the basis that such drug has been
18875 prescribed for the treatment of a type of cancer or a disabling or life-
18876 threatening chronic disease for which the drug has not been approved
18877 by the federal Food and Drug Administration, provided the drug is
18878 recognized for treatment of the specific type of cancer or a disabling or
18879 life-threatening chronic disease for which the drug has been prescribed
18880 in one of the following established reference compendia or in peer-
18881 reviewed medical literature generally recognized by the relevant
18882 medical community: **[**(1)**]** (A) The U.S. Pharmacopoeia Drug
18883 Information Guide for the Health Care Professional; **[**(USP DI); (2)**]** (B)
18884 The American Medical Association's Drug Evaluations; **[**(AMA DE); or
18885 (3)**]** or (C) The American Society of **[**Hospital**]** Health-System
18886 Pharmacists' American Hospital Formulary Service Drug Information.

18887 [(AHFS-DI).] As used in this section, "peer-reviewed medical
18888 literature" means a published study in a journal or other publication in
18889 which original manuscripts have been critically reviewed for scientific
18890 accuracy, validity and reliability by unbiased international experts,
18891 and that has been determined by the International Committee of
18892 Medical Journal Editors to have met its Uniform Requirements for
18893 Manuscripts Submitted to Biomedical Journals. "Peer-reviewed
18894 medical literature" does not include publications or supplements to
18895 publications that are sponsored to a significant extent by a
18896 pharmaceutical manufacturing company or any health insurer, health
18897 care center, hospital service corporation, medical service corporation
18898 or fraternal benefit society that delivers, issues for delivery, renews,
18899 amends or continues a health insurance policy in this state.

18900 (2) The coverage required under subdivision (1) of this subsection
18901 shall include medically necessary services associated with the
18902 administration of such drug.

18903 (3) A drug use covered under subdivision (1) of this subsection shall
18904 not be denied based on medical necessity except for reasons that are
18905 unrelated to the legal status of the drug use.

18906 (b) Nothing in subsection (a) of this section shall be construed to
18907 require coverage for (1) any [experimental or investigational drugs or]
18908 drug used in a research trial sponsored by a drug manufacturer or a
18909 government entity, (2) any drug or service furnished in a research trial
18910 if the research trial sponsor furnishes the drug or service to an insured
18911 participating in such trial without charge, or (3) any drug [which] that
18912 the federal Food and Drug Administration has determined to be
18913 contraindicated for treatment of the specific type of cancer or disabling
18914 or life-threatening chronic disease for which the drug has been
18915 prescribed.

18916 (c) Except as specified, nothing in this section shall be construed to
18917 create, impair, limit or modify authority to provide reimbursement for

18918 drugs used in the treatment of any other disease or condition.

18919 Sec. 479. Section 38a-518b of the general statutes is repealed and the
18920 following is substituted in lieu thereof (*Effective January 1, 2016*):

18921 (a) (1) Each group health insurance policy delivered, issued for
18922 delivery, renewed, amended or continued in this state, that provides
18923 coverage for **[**prescribed**]** prescription drugs approved by the federal
18924 Food and Drug Administration for treatment of certain types of cancer
18925 or disabling or life-threatening chronic diseases, shall not exclude
18926 coverage of any such drug on the basis that such drug has been
18927 prescribed for the treatment of a type of cancer or a disabling or life-
18928 threatening chronic disease for which the drug has not been approved
18929 by the federal Food and Drug Administration, provided the drug is
18930 recognized for treatment of the specific type of cancer or a disabling or
18931 life-threatening chronic disease for which the drug has been prescribed
18932 in one of the following established reference compendia or in peer-
18933 reviewed medical literature generally recognized by the relevant
18934 medical community: **[**(1)**]** (A) The U.S. Pharmacopoeia Drug
18935 Information Guide for the Health Care Professional; **[**(USP DI); (2)**]** (B)
18936 The American Medical Association's Drug Evaluations; **[**(AMA DE); or
18937 (3)**]** or (C) The American Society of **[**Hospital**]** Health-System
18938 Pharmacists' American Hospital Formulary Service Drug Information.
18939 **[**(AHFS-DI).**]** As used in this section, "peer-reviewed medical
18940 literature" means a published study in a journal or other publication in
18941 which original manuscripts have been critically reviewed for scientific
18942 accuracy, validity and reliability by unbiased international experts,
18943 and that has been determined by the International Committee of
18944 Medical Journal Editors to have met its Uniform Requirements for
18945 Manuscripts Submitted to Biomedical Journals. "Peer-reviewed
18946 medical literature" does not include publications or supplements to
18947 publications that are sponsored to a significant extent by a
18948 pharmaceutical manufacturing company or any health insurer, health
18949 care center, hospital service corporation, medical service corporation
18950 or fraternal benefit society that delivers, issues for delivery, renews,

18951 amends or continues a health insurance policy in this state.

18952 (2) The coverage required under subdivision (1) of this subsection
18953 shall include medically necessary services associated with the
18954 administration of such drug.

18955 (3) A drug use covered under subdivision (1) of this subsection shall
18956 not be denied based on medical necessity except for reasons that are
18957 unrelated to the legal status of the drug use.

18958 (b) Nothing in subsection (a) of this section shall be construed to
18959 require coverage for (1) any [experimental or investigational drugs or]
18960 drug used in a research trial sponsored by a drug manufacturer or a
18961 government entity, (2) any drug or service furnished in a research trial
18962 if the research trial sponsor furnishes the drug or service to an insured
18963 participating in such trial without charge, or (3) any drug [which] that
18964 the federal Food and Drug Administration has determined to be
18965 contraindicated for treatment of the specific type of cancer or a
18966 disabling or life-threatening chronic disease for which the drug has
18967 been prescribed.

18968 (c) Except as specified, nothing in this section shall be construed to
18969 create, impair, limit or modify authority to provide reimbursement for
18970 drugs used in the treatment of any other disease or condition.

18971 Sec. 480. (*Effective from passage*) The Legislative Commissioners'
18972 Office shall, in codifying the provisions of this act, make such
18973 technical, grammatical and punctuation changes as are necessary to
18974 carry out the purposes of this act, including, but not limited to,
18975 correcting inaccurate internal references.

18976 Sec. 481. (*Effective from passage*) For the purpose of final approval of
18977 a municipal land use application, including, but not limited to, the
18978 open space percentage allocation required for cluster developments, as
18979 defined in section 8-18 of the general statutes, where such municipality
18980 has a population of not less than eighty-two thousand and not more

18981 than ninety thousand residents and a total area of not less than thirty
18982 five square miles and not more than thirty seven square miles, any
18983 conservation easement purchased all, or in part, with state funds shall
18984 be excluded from the open space percentage allocation required for
18985 such an application by such municipality's zoning or planning
18986 commission.

18987 Sec. 482. (NEW) (*Effective July 1, 2015*) Notwithstanding the
18988 provisions of sections 17b-706 to 17b-706c of the general statutes,
18989 where authorized by a collective bargaining agreement negotiated
18990 pursuant to section 17b-706b of the general statutes, the parties may
18991 contract for the provision of training and related services to personal
18992 care attendants, as defined in section 17b-706 of the general statutes, at
18993 cost directly with a nonprofit labor management trust authorized by 29
18994 USC 186(c)(6).

18995 Sec. 483. (*Effective June 30, 2015*) Sections 112 to 137, inclusive, of
18996 public act 15-244 shall take effect October 1, 2015, and shall be
18997 applicable to the renewal of a license or certificate that expires on or
18998 after said date.

18999 Sec. 484. Subsection (b) of section 19a-88 of the general statutes, as
19000 amended by section 112 of public act 15-244, is repealed and the
19001 following is substituted in lieu thereof (*Effective October 1, 2015, and*
19002 *applicable to the renewal of a license that expires on or after said date*):

19003 (b) Each person holding a license to practice medicine, surgery,
19004 podiatry, chiropractic or naturopathy shall, annually, during the
19005 month of such person's birth, register with the Department of Public
19006 Health, upon payment of the professional services fee for class I, as
19007 defined in section 33-182*l*, plus five dollars. Each person holding a
19008 license to practice medicine or surgery shall pay **[**ten**]** five dollars in
19009 addition to such professional services fee. Such registration shall be on
19010 blanks to be furnished by the department for such purpose, giving
19011 such person's name in full, such person's residence and business

19012 address and such other information as the department requests.

19013 Sec. 485. Section 20-74f of the general statutes, as amended by
19014 section 116 of public act 15-244, is repealed and the following is
19015 substituted in lieu thereof (*Effective October 1, 2015*):

19016 (a) The department shall issue a license to any person who meets the
19017 requirements of this chapter upon payment of a license fee of two
19018 hundred **[**five**]** dollars. Any person who is issued a license as an
19019 occupational therapist under the terms of this chapter may use the
19020 words "occupational therapist", "licensed occupational therapist", or
19021 "occupational therapist registered" or such person may use the letters
19022 "O.T.", "L.O.T.", or "O.T.R." in connection with such person's name or
19023 place of business to denote such person's registration hereunder. Any
19024 person who is issued a license as an occupational therapy assistant
19025 under the terms of this chapter may use the words "occupational
19026 therapy assistant", or such person may use the letters "O.T.A.",
19027 "L.O.T.A.", or "C.O.T.A." in connection with such person's name or
19028 place of business to denote such person's registration thereunder. No
19029 person shall practice occupational therapy or hold himself or herself
19030 out as an occupational therapist or an occupational therapy assistant,
19031 or as being able to practice occupational therapy or to render
19032 occupational therapy services in this state unless such person is
19033 licensed in accordance with the provisions of this chapter.

19034 (b) No person, unless registered under this chapter as an
19035 occupational therapist or an occupational therapy assistant or whose
19036 registration has been suspended or revoked, shall use, in connection
19037 with such person's name or place of business the words "occupational
19038 therapist", "licensed occupational therapist", "occupational therapist
19039 registered", "occupational therapy assistant", or the letters, "O.T.",
19040 "L.O.T.", "O.T.R.", "O.T.A.", "L.O.T.A.", or "C.O.T.A.", or any words,
19041 letters, abbreviations or insignia indicating or implying that such
19042 person is an occupational therapist or an occupational therapy
19043 assistant or in any way, orally, in writing, in print or by sign, directly

19044 or by implication, represent himself or herself as an occupational
19045 therapist or an occupational therapy assistant. Any person who
19046 violates the provisions of this section shall be guilty of a class D felony.
19047 For the purposes of this section, each instance of patient contact or
19048 consultation which is in violation of any provision of this chapter shall
19049 constitute a separate offense. Failure to renew a license in a timely
19050 manner shall not constitute a violation for the purposes of this section.

19051 Sec. 486. Section 20-74h of the general statutes is repealed and the
19052 following is substituted in lieu thereof (*Effective October 1, 2015, and*
19053 *applicable to the renewal of a license that expires on or after said date*):

19054 Licenses issued under this chapter shall be subject to renewal once
19055 every two years and shall expire unless renewed in the manner
19056 prescribed by regulation upon the payment of two times the
19057 professional services fee payable to the State Treasurer for class B as
19058 defined in section 33-182*l*, plus five dollars. The department shall
19059 notify any person or entity that fails to comply with the provisions of
19060 this section that **[**his**]** the person's or entity's license shall become void
19061 ninety days after the time for its renewal unless it is so renewed. Any
19062 such license shall become void upon the expiration of such ninety-day
19063 period. The commissioner shall establish additional requirements for
19064 licensure renewal which provide evidence of continued competency.
19065 The holder of an expired license may apply for and obtain a valid
19066 license only upon compliance with all relevant requirements for
19067 issuance of a new license. A suspended license is subject to expiration
19068 and may be renewed as provided in this section, but such renewal
19069 shall not entitle the licensee, while the license remains suspended and
19070 until it is reinstated, to engage in the licensed activity, or in any other
19071 conduct or activity in violation of the order or judgment by which the
19072 license was suspended. If a license revoked on disciplinary grounds is
19073 reinstated, the licensee, as a condition of reinstatement, shall pay the
19074 renewal fee.

19075 Sec. 487. Section 20-222a of the general statutes, as amended by

19076 section 131 of public act 15-244, is repealed and the following is
19077 substituted in lieu thereof (*Effective October 1, 2015, and applicable to the*
19078 *renewal of a license that expires on or after said date*):

19079 Each embalmer's license, funeral director's license and inspection
19080 certificate issued pursuant to the provisions of this chapter shall be
19081 renewed, except for cause, by the Department of Public Health upon
19082 the payment to said Department of Public Health by each applicant (1)
19083 for license renewal of the sum of one hundred fifteen dollars in the
19084 case of an embalmer [,] and two hundred thirty-five dollars in the case
19085 of a funeral director, and (2) for inspection certificate renewal of the
19086 sum of one hundred [ninety-five] ninety dollars for each certificate to
19087 be renewed. Fees for renewal of inspection certificates shall be given to
19088 the Department of Public Health on or before July first in each year
19089 and the renewal of inspection certificates shall begin on July first of
19090 each year and shall be valid for one calendar year. Licenses shall be
19091 renewed in accordance with the provisions of section 19a-88, as
19092 amended by [this act] public act 15-244 and this act.

19093 Sec. 488. Section 136 of public act 15-244 is repealed and the
19094 following is substituted in lieu thereof (*Effective October 1, 2015*):

19095 On or before the last day of January, April, July and October in each
19096 year, the Commissioner of Public Health shall certify the amount of
19097 revenue received as a result of any fee increase in the amount of five
19098 dollars that took effect [July] October 1, 2015, pursuant to sections 19a-
19099 88, 19a-515, 20-65k, 20-74bb, [20-74f] 20-74h, 20-74s, 20-149, 20-162o, 20-
19100 162bb, 20-191a, 20-195c, 20-195o, 20-195cc, 20-201, 20-206b, 20-206n, 20-
19101 206r, 20-206bb, 20-206*ll*, 20-222a, 20-275, 20-395d, 20-398 and 20-412 of
19102 the general statutes, each as amended by [this act] public act 15-244
19103 and this act, and transfer such amount to the professional assistance
19104 program account established in section 137 of [this act] public act 15-
19105 244.

19106 Sec. 489. Section 137 of public act 15-244 is repealed and the

19107 following is substituted in lieu thereof (*Effective October 1, 2015*)

19108 (a) There is established an account to be known as the "professional
19109 assistance program account" which shall be a separate, nonlapsing
19110 account within the General Fund. The account shall contain any
19111 moneys required by law to be deposited in the account. Moneys in the
19112 account shall be paid by the Commissioner of Public Health to the
19113 assistance program for health care professionals established pursuant
19114 to section 19a-12a of the general statutes for the provision of education,
19115 prevention, intervention, referral assistance, rehabilitation or support
19116 services to health care professionals who have a chemical dependency,
19117 emotional or behavioral disorder or physical or mental illness.

19118 (b) **[**For**]** Notwithstanding the provisions of subsection (a) of this
19119 section, for the fiscal year ending June 30, 2016, up to **[**$311,225**]**
19120 $400,001 of the amount transferred to the professional assistance
19121 program account shall be available for use by the Department of Public
19122 Health to implement the provisions of section **[**68**]** 8 of this act. For the
19123 fiscal year ending June 30, 2017, up to **[**$451,822**]** $586,272 of the
19124 amount transferred to said account shall be available for use by the
19125 department for said purpose. Any remaining balance in said account
19126 shall be paid by the Commissioner of Public Health to the assistance
19127 program for health care professionals established pursuant to section
19128 19a-12a of the general statutes for the provision of education,
19129 prevention, intervention, referral assistance, rehabilitation or support
19130 services to health care professionals who have a chemical dependency,
19131 emotional or behavioral disorder or physical or mental illness.

19132 Sec. 490. (NEW) (*Effective October 1, 2015*) (a) As used in this section:

19133 (1) "Health care professional" means any person licensed or who
19134 holds a permit pursuant to chapter 372, 373, 375 to 378, inclusive, 379
19135 to 381a, inclusive, 383 to 385, inclusive, 398 or 399 of the general
19136 statutes;

19137 (2) "Assistance program" means the program established pursuant

19138 to section 19a-12a of the general statutes to provide education,
19139 prevention, intervention, referral assistance, rehabilitation or support
19140 services to health care professionals who have a chemical dependency,
19141 emotional or behavioral disorder or physical or mental illness; and

19142 (3) "Hospital" has the same meaning as provided in section 19a-490
19143 of the general statutes.

19144 (b) (1) Any health care professional or hospital shall, and any other
19145 person may, file a petition when such health care professional, hospital
19146 or person has any information that appears to show that a health care
19147 professional is, or may be, unable to practice his or her profession with
19148 reasonable skill or safety for any of the following reasons: (A) Physical
19149 illness or loss of motor skill, including, but not limited to, deterioration
19150 through the aging process; (B) emotional disorder or mental illness; (C)
19151 abuse or excessive use of drugs, including alcohol, narcotics or
19152 chemicals; (D) illegal, incompetent or negligent conduct in the practice
19153 of the profession of the health care professional; (E) possession, use,
19154 prescription for use or distribution of controlled substances or legend
19155 drugs, except for therapeutic or other medically proper purposes; (F)
19156 misrepresentation or concealment of a material fact in the obtaining or
19157 reinstatement of a license to practice the profession of the health care
19158 professional; or (G) violation of any provision of the chapter of the
19159 general statutes under which the health care professional is licensed or
19160 any regulation established under such chapter.

19161 (2) A health care professional or hospital shall, and any other person
19162 may, file a petition described in this subsection not later than thirty
19163 days after obtaining information to support such petition. Each
19164 petition shall be filed with the Department of Public Health on forms
19165 supplied by the department, shall be signed and sworn and shall set
19166 forth in detail the matters complained of.

19167 (c) Any health care professional or hospital that refers a health care
19168 professional for intervention to the assistance program shall be

19169 deemed to have satisfied the obligations imposed on the health care
19170 professional or hospital pursuant to this section with respect to a
19171 health care professional's inability to practice with reasonable skill or
19172 safety due to chemical dependency, emotional or behavioral disorder
19173 or physical or mental illness.

19174 (d) A health care professional who has been the subject of an arrest
19175 arising out of an allegation of the possession, use, prescription for use
19176 or distribution of a controlled substance or legend drug or alcohol or
19177 diagnosed with a mental illness or behavioral or emotional disorder
19178 shall, not less than thirty days after such arrest or diagnosis, notify the
19179 Department of Public Health. The health care professional shall be
19180 deemed to satisfy this obligation if the health care professional seeks
19181 intervention with the assistance program.

19182 (e) A health care professional shall report to the department any
19183 disciplinary action similar to an action specified in subsection (a) of
19184 section 19a-17 of the general statutes taken against the health care
19185 professional by a duly authorized professional disciplinary agency of
19186 any state, the District of Columbia, a United States possession or
19187 territory or a foreign jurisdiction, not later than thirty days after such
19188 action. Failure to report in accordance with the provisions of this
19189 subsection may constitute a ground for disciplinary action under
19190 section 19a-17 of the general statutes.

19191 (f) No health care professional, hospital or person filing a petition in
19192 accordance with the provisions of this section or providing
19193 information to the department or the assistance program shall, without
19194 a showing of malice, be liable for damage or injury to the health care
19195 professional. The assistance program shall not be liable for damage or
19196 injury to the health care professional without a showing of malice.

19197 (g) The department shall investigate each petition filed pursuant to
19198 this section in accordance with the provisions of subdivisions (10) and
19199 (11) of subsection (a) of section 19a-14 of the general statutes, to

19200 determine if probable cause exists to issue a statement of charges and
19201 to institute proceedings against the health care professional under
19202 subsection (j) of this section. Such investigation shall be concluded not
19203 later than eighteen months after the date the petition is filed with the
19204 department and, unless otherwise specified by this subsection, the
19205 record of such investigation shall be deemed a public record, in
19206 accordance with section 1-210 of the general statutes, at the conclusion
19207 of such eighteen-month period. Any such investigation shall be
19208 confidential prior to the conclusion of such eighteen-month period and
19209 no person shall disclose his or her knowledge of such investigation to a
19210 third party unless the health care professional requests that such
19211 investigation and disclosure be open, except the department shall
19212 provide information to the person who filed the petition as provided in
19213 subdivision (12) of subsection (a) of section 19a-14 of the general
19214 statutes. If the department determines that probable cause exists to
19215 issue a statement of charges, the entire record of such proceeding shall
19216 be public unless the department determines that the health care
19217 professional is an appropriate candidate for participation in the
19218 assistance program. If at any time subsequent to the filing of a petition
19219 and during the eighteen-month period following the filing of the
19220 petition, the department makes a finding of no probable cause, the
19221 petition and the entire record of such investigation shall remain
19222 confidential, except as provided in subdivision (12) of subsection (a) of
19223 section 19a-14 of the general statutes, unless the health care
19224 professional requests that such petition and record be open.

19225 (h) As part of an investigation of a petition filed pursuant to this
19226 section, the department may order the health care professional to
19227 submit to a physical or mental examination to be performed by a
19228 physician chosen from a list approved by the department. The
19229 department may seek the advice of established medical organizations
19230 or licensed health professionals in determining the nature and scope of
19231 any diagnostic examinations to be used as part of any such physical or
19232 mental examination. The chosen physician shall make a written

19233 statement of his or her findings.

19234 (i) If the health care professional fails to obey a department order to
19235 submit to examination or attend a hearing, the department may
19236 petition the superior court for the judicial district of Hartford to order
19237 such examination or attendance, and said court or any judge assigned
19238 to said court shall have jurisdiction to issue such order.

19239 (j) Subject to the provisions of section 4-182 of the general statutes,
19240 no license shall be restricted, suspended or revoked by the Department
19241 of Public Health, and no health care professional's right to practice
19242 shall be limited by the department, until the health care professional
19243 has been given notice and opportunity for hearing in accordance with
19244 said section.

19245 Sec. 491. Subsection (b) of section 4-85 of the general statutes, as
19246 amended by section 165 of public act 15-244, is repealed and the
19247 following is substituted in lieu thereof (*Effective from passage*):

19248 (b) Any allotment requisition and any allotment in force shall be
19249 subject to the following: (1) If the Governor determines that due to a
19250 change in circumstances since the budget was adopted certain
19251 reductions should be made in allotment requisitions or allotments in
19252 force or that estimated budget resources during the fiscal year will be
19253 insufficient to finance all appropriations in full, the Governor may
19254 modify such allotment requisitions or allotments in force to the extent
19255 the Governor deems necessary. Before such modifications are effected
19256 the Governor shall file a report with the joint standing committee
19257 having cognizance of matters relating to appropriations and the
19258 budgets of state agencies and the joint standing committee having
19259 cognizance of matters relating to state finance, revenue and bonding
19260 describing the change in circumstances which makes it necessary that
19261 certain reductions should be made or the basis for the Governor's
19262 determination that estimated budget resources will be insufficient to
19263 finance all appropriations in full. (2) If the cumulative monthly

financial statement issued by the Comptroller pursuant to section 3-115 as amended by [this act] public act 15-244 includes a projected General Fund deficit greater than one per cent of the total of General Fund appropriations, the Governor, within thirty days following the issuance of such statement, shall file a report with such joint standing committees, including a plan which the Governor shall implement to modify such allotments to the extent necessary to prevent a deficit. No modification of an allotment requisition or an allotment in force made by the Governor pursuant to this subsection shall result in a reduction of more than three per cent of the total appropriation from any fund or more than five per cent of any appropriation, except such limitations shall not apply in time of war, invasion or emergency caused by natural disaster. If the [Comptroller has projected a] cumulative monthly financial statement issued by the Comptroller pursuant to section 3-115 includes a projected General Fund deficit greater than one per cent of the total of General Fund appropriations and any funds have been transferred to the Restricted Grants Fund pursuant to section 4-30a, as amended by [this act] public act 15-244, the Governor may direct the Treasurer to transfer those funds to the General Fund as part of the Governor's plan to prevent a deficit pursuant to this section.

Sec. 492. Subdivision (4) of subsection (a) of section 12-217 of the general statutes, as amended by section 87 of public act 15-244, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) Notwithstanding any provision of this section to the contrary, (A) any excess of the deductions provided in this section for any income year commencing on or after January 1, 1973, over the gross income for such year or the amount of such excess apportioned to this state under the provisions of section 12-218, as amended by [this act] public act 15-244, shall be an operating loss of such income year and shall be deductible as an operating loss carry-over for operating losses incurred prior to income years commencing January 1, 2000, in each of the five income years following such loss year, and for operating losses

19297 incurred in income years commencing on or after January 1, 2000, in
19298 each of the twenty income years following such loss year, except that
19299 (i) for income years commencing prior to January 1, 2015, the portion
19300 of such operating loss which may be deducted as an operating loss
19301 carry-over in any income year following such loss year shall be limited
19302 to the lesser of (I) any net income greater than zero of such income
19303 year following such loss year, or in the case of a company entitled to
19304 apportion its net income under the provisions of section 12-218, as
19305 amended by **[**this act**]** public act 15-244, the amount of such net income
19306 which is apportioned to this state pursuant thereto, or (II) the excess, if
19307 any, of such operating loss over the total of such net income for each of
19308 any prior income years following such loss year, such net income of
19309 each of such prior income years following such loss year for such
19310 purposes being computed without regard to any operating loss carry-
19311 over from such loss year allowed under this subparagraph and being
19312 regarded as not less than zero, and provided further the operating loss
19313 of any income year shall be deducted in any subsequent year, to the
19314 extent available for such deduction, before the operating loss of any
19315 subsequent income year is deducted, **[**and**]** (ii) for income years
19316 commencing on or after January 1, 2015, the portion of such operating
19317 loss which may be deducted as an operating loss carry-over in any
19318 income year following such loss year shall be limited to the lesser of (I)
19319 fifty per cent of net income of such income year following such loss
19320 year, or in the case of a company entitled to apportion its net income
19321 under the provisions of section 12-218, as amended by **[**this act**]** public
19322 act 15-244, fifty per cent of such net income which is apportioned to
19323 this state pursuant thereto, or (II) the excess, if any, of such operating
19324 loss over the operating loss deductions allowable with respect to such
19325 operating loss under this subparagraph for each of any prior income
19326 years following such loss year, such net income of each of such prior
19327 income years following such loss year for such purposes being
19328 computed without regard to any operating loss carry-over from such
19329 loss year allowed under this subparagraph and being regarded as not
19330 less than zero, and provided further the operating loss of any income

19331 year shall be deducted in any subsequent year, to the extent available
19332 for such deduction, before the operating loss of any subsequent income
19333 year is deducted, and (iii) if a combined group so elects, the operating
19334 loss carry-over of said combined group, shall be limited to fifty per
19335 cent of unused operating losses incurred prior to the income year
19336 commencing on or after January 1, 2015, and before January 1, 2016.
19337 The portion of such operating loss carryover that may be deducted
19338 shall be limited to net income greater than zero in any income year
19339 commencing on or after January 1, 2017. Only after the combined
19340 group's operating loss carry-over for operating losses incurred prior to
19341 income years commencing January 1, 2015, has been fully utilized, will
19342 the limitations prescribed in subparagraph (A)(ii) apply. The combined
19343 group shall make such election on its return for the income year
19344 beginning on or after January 1, 2015, and before January 1, 2016, by
19345 the due date for such return, including any extensions. Only combined
19346 groups with unused operating losses in excess of six billion dollars
19347 from income years beginning prior to January 1, 2013, may make the
19348 election prescribed in this clause, and (B) any net capital loss, as
19349 defined in the Internal Revenue Code effective and in force on the last
19350 day of the income year, for any income year commencing on or after
19351 January 1, 1973, shall be allowed as a capital loss carry-over to reduce,
19352 but not below zero, any net capital gain, as so defined, in each of the
19353 five following income years, in order of sequence, to the extent not
19354 exhausted by the net capital gain of any of the preceding of such five
19355 following income years, and (C) any net capital losses allowed and
19356 carried forward from prior years to income years beginning on or after
19357 January 1, 1973, for federal income tax purposes by companies entitled
19358 to a deduction for dividends paid under the Internal Revenue Code
19359 other than companies subject to the gross earnings taxes imposed
19360 under chapters 211 and 212, shall be allowed as a capital loss carry-
19361 over.

19362 Sec. 493. Subparagraph (A) of subdivision (37) of subsection (a) of
19363 section 12-407, as amended by section 75 of public act 15-244, is

19364 repealed and the following is substituted in lieu thereof (*Effective July*
19365 *1, 2015, and applicable to sales occurring on or after said date, and to sales of*
19366 *services that are billed to customers for a period that includes said July 1,*
19367 *2015, date*):

19368 (A) Computer and data processing services, including, but not
19369 limited to, time, programming, code writing, modification of existing
19370 programs, feasibility studies and installation and implementation of
19371 software programs and systems even where such services are rendered
19372 in connection with the development, creation or production of canned
19373 or custom software or the license of custom software<u>, and exclusive of</u>
19374 <u>services rendered in connection with the creation, development</u>
19375 <u>hosting or maintenance of all or part of a web site which is part of the</u>
19376 <u>graphical, hypertext portion of the Internet, commonly referred to as</u>
19377 <u>the World Wide Web</u>;

19378 Sec. 494. Subparagraph (A) of subdivision (37) of subsection (a) of
19379 section 12-407, as amended by section 75 of public act 15-244 and
19380 section 78 of this act, is repealed and the following is substituted in lieu
19381 thereof (*Effective October 1, 2015, and applicable to sales occurring on or*
19382 *after said date, and to sales of services that are billed to customers for a period*
19383 *that includes said October 1, 2015, date*):

19384 (A) Computer and data processing services, including, but not
19385 limited to, time, programming, code writing, modification of existing
19386 programs, feasibility studies and installation and implementation of
19387 software programs and systems even where such services are rendered
19388 in connection with the development, creation or production of canned
19389 or custom software or the license of custom software; **[**, and exclusive
19390 of services rendered in connection with the creation, development
19391 hosting or maintenance of all or part of a web site which is part of the
19392 graphical, hypertext portion of the Internet, commonly referred to as
19393 the World Wide Web;**]**

19394 Sec. 495. (*Effective from passage*) (a) Notwithstanding the provisions

19395 of subparagraph (K) (i) of subdivision (1) of section 12-408 of the
19396 general statutes, as amended by this act, the Commissioner of Revenue
19397 Services shall transfer the first eight hundred thousand dollars
19398 scheduled to be deposited pursuant to said subparagraph into the
19399 municipal revenue sharing account established pursuant to section 4-
19400 66*l*, as amended by this act, to the State Treasurer for the purposes set
19401 forth in subsection (b) of this section.

19402 (b) For the fiscal year ending June 30, 2016, the following amounts
19403 shall be paid by the State Treasurer to the following towns and cities
19404 from the funds specified in subsection (a) of this section:

19405 (1) For education purposes: One hundred twenty-five thousand
19406 dollars to the town of Killingly, one hundred twenty-five thousand
19407 dollars to the town of Plainfield and two hundred fifty thousand
19408 dollars to the city of Stamford; and

19409 (2) For general municipal purposes: Forty-eight thousand one
19410 hundred dollars to the town of East Lyme, one hundred sixty-six
19411 thousand seven hundred ninety-one dollars to the town of
19412 Farmington, fifty thousand dollars to the city of Norwich and fifty
19413 thousand dollars to the town of Branford.

19414 (c) Any amount provided pursuant to subdivision (1) of subsection
19415 (b) of this section shall not be included in the applicable town or city's
19416 calculation of its budgeted appropriation for education for purposes of
19417 section 10-262j of the general statutes.

19418 Sec. 496. (*Effective July 1, 2015*) The sum of one million five hundred
19419 thousand dollars appropriated to the Office of Policy and Management
19420 in section 1 of public act 15-244, for the fiscal year ending June 30, 2017,
19421 shall be made available for a grant to the city of Middletown for
19422 general municipal purposes.

19423 Sec. 497. (NEW) (*Effective from passage*) (a) There is established the
19424 Connecticut Low Wage Employer Advisory Board. Such board shall

19425 advise the Labor Commissioner, the Departments of Social Services
19426 and Developmental Services and the Office of Early Childhood on
19427 matters related to: (1) The causes and effects of businesses paying low
19428 wages to residents of the state, (2) public assistance usage among
19429 working residents of the state, (3) minimum wage rates necessary to
19430 ensure working residents of the state may achieve an economically
19431 stable standard of living, (4) improvement of the quality of public
19432 assistance programs affecting such residents, (5) wages and working
19433 conditions for the workforce delivering services to low-wage working
19434 families, and (6) reliance of businesses on state-funded public
19435 assistance programs.

19436 (b) In advising the Labor Commissioner, the Departments of Social
19437 Services and Developmental Services and the Office of Early
19438 Childhood on the matters described in subdivisions (1) to (6),
19439 inclusive, of subsection (a) of this section, the board shall:

19440 (1) Study and monitor (A) the causes and effects of businesses
19441 paying low wages to residents of the state, including the impact of
19442 such labor practices on workers' need for public assistance, (B) the
19443 minimum wage rates necessary to enable working residents of the
19444 state to meet basic needs, such as food, housing, health care and child
19445 care without assistance from state-funded public assistance programs,
19446 and (C) the benefits received by employers from the provision of
19447 public assistance to the state workforce and solutions to associated
19448 problems;

19449 (2) Consider, suggest and review legislative and agency proposals
19450 and actions regarding the matters described in subdivisions (1) to (6),
19451 inclusive, of subsection (a) of this section;

19452 (3) Foster communication between working residents of the state
19453 who provide or receive public assistance and employers and state
19454 agencies for the purpose of improving the quality of state public
19455 assistance programs serving lower-income residents; and

19456 (4) Advise the Labor Commissioner, and other interested state
19457 agencies or officials, on policies and procedures related to the board's
19458 areas of study, including, but not limited to, public assistance usage
19459 among lower-income working residents, the impact of public
19460 assistance programs on workforce quality and stability, and the wages
19461 and benefits necessary to maintain a stable and qualified workforce to
19462 administer and provide services in connection with public assistance
19463 programs.

19464 (c) The board may form working groups, as necessary, to solicit
19465 feedback from stakeholders to enable the board to fulfill the duties and
19466 responsibilities set forth in subsections (a) and (b) of this section.

19467 (d) Not later than December 1, 2015, and annually thereafter, the
19468 board shall submit a report, in accordance with the provisions of
19469 section 11-4a of the general statutes, on its findings and
19470 recommendations to the joint standing committees of the General
19471 Assembly having cognizance of matters relating to labor, human
19472 services and education, and to the Labor Commissioner,
19473 Commissioner of Social Services and Director of the Office of Early
19474 Childhood. Such report shall be made available to the public in a form
19475 and manner prescribed by the board.

19476 (e) Notwithstanding the provisions of section 4-9a of the general
19477 statutes, the board shall consist of the following members, each of
19478 whom shall serve an initial term of four years following the date of
19479 appointment:

19480 (1) Five appointed by the Governor, (A) one of whom shall be an
19481 expert on the issues facing low wage workers, (B) one of whom shall
19482 be an expert on the labor force needs of the large business community,
19483 (C) one of whom shall be an expert on the labor force needs of the
19484 small business community, (D) one of whom shall be a recipient of
19485 consumer-directed Medicaid services, and (E) one of whom shall be a
19486 person enrolled in a state child care program;

19487 (2) One appointed by the president pro tempore of the Senate, who
19488 shall represent an organization whose principal purpose is advocacy
19489 for services funded by consumer-directed Medicaid programs;

19490 (3) One appointed by the speaker of the House of Representatives,
19491 who shall represent an organization whose principal purpose is
19492 advocacy for services funded by state child care programs;

19493 (4) One appointed by the majority leader of the Senate, who shall be
19494 an organized labor representative who represents workers who
19495 provide services funded by consumer-directed Medicaid programs;

19496 (5) One appointed by the majority leader of the House of
19497 Representatives, who shall be an organized labor representative who
19498 represents workers who provide child care services funded by state
19499 child care programs;

19500 (6) One appointed by the minority leader of the Senate, who shall be
19501 a person with experience in the labor force needs of the large business
19502 community;

19503 (7) One appointed by the minority leader of the House of
19504 Representatives, who shall be a person with experience in the labor
19505 force needs of the small business community;

19506 (8) The Labor Commissioner, or the commissioner's designee; and

19507 (9) The Secretary of the Office of Policy and Management, or the
19508 secretary's designee.

19509 (f) All appointments to the board shall be made not later than thirty
19510 days after the effective date of this section. Following the expiration of
19511 their initial terms, subsequent members shall serve three-year terms.
19512 Any vacancy shall be filled by the appointing authority not later than
19513 thirty calendar days after the office becomes vacant. Any member
19514 previously appointed to the board may be reappointed.

19515 (g) The members of the board shall elect two chairpersons of the
19516 board at the first meeting of the board, which shall be held not later
19517 than forty calendar days after the effective date of this section. The
19518 board shall meet at least quarterly.

19519 (h) Each member shall serve without compensation but shall, within
19520 available appropriations, be reimbursed in accordance with standard
19521 travel reimbursement for state employees for all necessary expenses
19522 that they may incur through service on the board.

19523 (i) Each member shall, not later than ten calendar days after the first
19524 meeting of the board, take an oath of office to diligently and honestly
19525 administer the affairs of the board, and will not knowingly violate or
19526 willingly permit to be violated any of the provisions of law applicable
19527 to their service on the board. The oath shall be administered by a
19528 chairperson of the board.

19529 (j) Each member shall be entitled to one vote on the board. A
19530 majority of the members who have been appointed to the board shall
19531 constitute a quorum for the transaction of any business, the exercise of
19532 any power or the performance of any duty authorized or imposed by
19533 law.

19534 (k) The board shall be within the Labor Department for
19535 administrative purposes only.

19536 Sec. 498. (NEW) (*Effective July 1, 2015*) For purposes of this section
19537 and sections 499 and 501 of this act:

19538 (1) "Cost-beneficial" means the cost savings and benefits realized
19539 over a reasonable period of time are greater than the costs of
19540 implementation;

19541 (2) "Program inventory" means the (A) compilation of the complete
19542 list of all agency programs and activities; (B) identification of those that
19543 are evidence-based, research-based and promising; and (C) inclusion

19544 of program costs and utilization data;

19545 (3) "Evidence-based" describes a program that (A) incorporates
19546 methods demonstrated to be effective for the intended population
19547 through scientifically based research, including statistically controlled
19548 evaluations or randomized trials; (B) can be implemented with a set of
19549 procedures to allow successful replication in the state; (C) achieves
19550 sustained, desirable outcomes; and (D) when possible, has been
19551 determined to be cost-beneficial;

19552 (4) "Research-based" describes a program or practice that has some
19553 research demonstrating effectiveness, such as one tested with a single
19554 randomized or statistically controlled evaluation, but does not meet all
19555 of the criteria of an evidence-based program; and

19556 (5) "Promising" describes a program or practice that, based on
19557 statistical analyses or preliminary research, shows potential for
19558 meeting the evidence-based or research-based criteria.

19559 Sec. 499. (NEW) (*Effective July 1, 2015*) (a) Not later than January 1,
19560 2016, and not later than October first in every even-numbered year
19561 thereafter, the Departments of Correction, Children and Families and
19562 Mental Health and Addiction Services, and the Court Support Services
19563 Division of the Judicial Branch shall compile a program inventory of
19564 each of said agency's criminal and juvenile justice programs and shall
19565 categorize them as evidence-based, research-based, promising or
19566 lacking any evidence. Each program inventory shall include a
19567 complete list of all agency programs, including the following
19568 information for each such program for the prior fiscal year: (1) A
19569 detailed description of the program, (2) the names of providers, (3) the
19570 intended treatment population, (4) the intended outcomes, (5) the
19571 method of assigning participants, (6) the total annual program
19572 expenditures, (7) a description of funding sources, (8) the cost per
19573 participant, (9) the annual number of participants, (10) the annual
19574 capacity for participants, and (11) the estimated number of persons

19575 eligible for, or needing, the program.

19576 (b) Each program inventory required by subsection (a) of this
19577 section shall be submitted in accordance with the provisions of section
19578 11-4a of the general statutes to the Criminal Justice Policy and
19579 Planning Division within the Office of Policy and Management, the
19580 joint standing committees of the General Assembly having cognizance
19581 of matters relating to appropriations and the budgets of state agencies
19582 and finance, revenue and bonding, the Office of Fiscal Analysis, and
19583 the Institute for Municipal and Regional Policy at Central Connecticut
19584 State University.

19585 (c) Not later than March 1, 2016, and annually thereafter by
19586 November first, the Institute for Municipal and Regional Policy at
19587 Central Connecticut State University shall submit a report containing a
19588 cost-benefit analysis of the programs inventoried in subsection (a) of
19589 this section to the Criminal Justice Policy and Planning Division of the
19590 Office of Policy and Management, the joint standing committees of the
19591 General Assembly having cognizance of matters relating to
19592 appropriations and the budgets of state agencies and finance, revenue
19593 and bonding, and the Office of Fiscal Analysis, in accordance with the
19594 provisions of section 11-4a of the general statutes.

19595 (d) The Office of Policy and Management and the Office of Fiscal
19596 Analysis may include the cost-benefit analysis provided by the
19597 Institute for Municipal and Regional Policy under subsection (c) of this
19598 section in their reports submitted to the joint standing committees of
19599 the General Assembly having cognizance of matters relating to
19600 appropriations and the budget of state agencies, and finance, revenue
19601 and bonding on or before November fifteenth annually, pursuant to
19602 subsection (b) of section 2-36b of the general statutes.

19603 Sec. 500. Subsection (b) of section 4-68m of the general statutes is
19604 repealed and the following is substituted in lieu thereof (*Effective July*
19605 *1, 2015*):

19606 (b) The division shall develop a plan to promote a more effective
19607 and cohesive state criminal justice system and, to accomplish such
19608 plan, shall:

19609 (1) Conduct an in-depth analysis of the criminal justice system;

19610 (2) Determine the long-range needs of the criminal justice system
19611 and recommend policy priorities for the system;

19612 (3) Identify critical problems in the criminal justice system and
19613 recommend strategies to solve those problems;

19614 (4) Assess the cost-effectiveness of the use of state and local funds in
19615 the criminal justice system;

19616 (5) Recommend means to improve the deterrent and rehabilitative
19617 capabilities of the criminal justice system;

19618 (6) Advise and assist the General Assembly in developing plans,
19619 programs and proposed legislation for improving the effectiveness of
19620 the criminal justice system;

19621 (7) Make computations of daily costs and compare interagency costs
19622 on services provided by agencies that are a part of the criminal justice
19623 system;

19624 (8) Review the program inventories and cost-benefit analyses
19625 submitted pursuant to section 20 of this act and consider incorporating
19626 such inventories and analyses in its budget recommendations to the
19627 General Assembly;

19628 **[**(8)**]** (9) Make population computations for use in planning for the
19629 long-range needs of the criminal justice system;

19630 **[**(9)**]** (10) Determine long-range information needs of the criminal
19631 justice system and acquire that information;

19632 **[**(10)**]** (11) Cooperate with the Office of the Victim Advocate by

19633 providing information and assistance to the office relating to the
19634 improvement of crime victims' services;

19635 **[**(11)**]** (12) Serve as the liaison for the state to the United States
19636 Department of Justice on criminal justice issues of interest to the state
19637 and federal government relating to data, information systems and
19638 research;

19639 **[**(12)**]** (13) Measure the success of community-based services and
19640 programs in reducing recidivism;

19641 **[**(13)**]** (14) Develop and implement a comprehensive reentry strategy
19642 as provided in section 18-81w; and

19643 **[**(14)**]** (15) Engage in other activities consistent with the
19644 responsibilities of the division.

19645 Sec. 501. (NEW) (*Effective July 1, 2016*) The Departments of
19646 Correction, Children and Families and Mental Health and Addiction
19647 Services, and the Court Support Services Division of the Judicial
19648 Branch may include in the estimates of expenditure requirements
19649 transmitted pursuant to section 4-77 of the general statutes, and the
19650 Governor may include in the Governor's recommended appropriations
19651 in the budget document transmitted to the General Assembly pursuant
19652 to section 4-71 of the general statutes, an estimate of the amount
19653 required by said agencies for expenditures related to the
19654 implementation of evidence-based programs.

19655 Sec. 502. Subsection (a) of section 10a-1a of the general statutes, as
19656 amended by section 1 of public act 15-228, is repealed and the
19657 following is substituted in lieu thereof (*Effective from passage*):

19658 (a) There shall be a Board of Regents for Higher Education who
19659 shall serve as the governing body for the regional community-technical
19660 college system, the Connecticut State University System and Charter
19661 Oak State College. The board shall consist of twenty-one members who

19662 shall be distinguished leaders of the community in Connecticut. The
19663 board shall reflect the state's geographic, racial and ethnic diversity.
19664 The voting members shall not be employed by or be a member of a
19665 board of trustees for any independent institution of higher education
19666 in this state or the Board of Trustees for The University of Connecticut
19667 nor shall they be [employed by or be elected officials of any public
19668 agency, as defined in subdivision (1) of section 1-200] public officials or
19669 state employees, as such terms are defined in section 1-79, during their
19670 term of membership on the Board of Regents for Higher Education.
19671 The Governor shall appoint nine members to the board as follows:
19672 Three members for a term of two years; three members for a term of
19673 four years; and three members for a term of six years. Thereafter, the
19674 Governor shall appoint members of the board to succeed such
19675 appointees whose terms expire and each member so appointed shall
19676 hold office for a period of six years from the first day of July in the year
19677 of his or her appointment. Four members of the board shall be
19678 appointed as follows: One appointment by the president pro tempore
19679 of the Senate, who shall be an alumnus of the regional community-
19680 technical college system, for a term of four years; one appointment by
19681 the minority leader of the Senate, who shall be a specialist in the
19682 education of children in grades kindergarten to twelve, inclusive, for a
19683 term of three years; one appointment by the speaker of the House of
19684 Representatives, who shall be an alumnus of the Connecticut State
19685 University System, for a term of four years; and one appointment by
19686 the minority leader of the House of Representatives, who shall be an
19687 alumnus of Charter Oak State College, for a term of three years.
19688 Thereafter, such members of the General Assembly shall appoint
19689 members of the board to succeed such appointees whose terms expire
19690 and each member so appointed shall hold office for a period of four
19691 years from the first day of July in the year of his or her appointment.
19692 The chairperson and vice-chairperson of the student advisory
19693 committee created under section 10a-3 shall serve as members of the
19694 board. The chairperson and vice-chairperson of the faculty advisory
19695 committee created under section 10a-3a shall serve as ex-officio,

19696 nonvoting members of the board for a term of two years and, in their
19697 respective roles as chairperson and vice-chairperson, may be invited to
19698 any executive session, as defined in section 1-200, of the board by the
19699 chairperson of the board. The Commissioners of Education, Economic
19700 and Community Development and Public Health and the Labor
19701 Commissioner shall serve as ex-officio, nonvoting members of the
19702 board.

19703 Sec. 503. Section 4a-19 of the general statutes is repealed and the
19704 following is substituted in lieu thereof (*Effective from passage*):

19705 There shall be a State Insurance and Risk Management Board
19706 consisting of **[**eleven**]** twelve persons whom the Governor shall
19707 appoint subject to the provisions of section 4-9a. Four of such
19708 appointees shall be public members and **[**seven**]** eight shall be
19709 qualified by training and experience to carry out their duties under the
19710 provisions of sections 4a-20 and 4a-21. The Comptroller shall be an ex-
19711 officio voting member of said board and may designate another person
19712 to act in his or her place. Not more than **[**six**]** eight appointed members
19713 of said board shall, at any time, be members of the same political party.
19714 Said appointed members shall receive no compensation for the
19715 performance of their duties as such but shall be reimbursed for their
19716 necessary expenses. **[**The Governor may fill any vacancy on said board
19717 for the unexpired portion of the term.**]** The board shall meet at least
19718 once during each calendar quarter and at such other times as the
19719 chairperson deems necessary. Special meetings shall be held on the
19720 request of a majority of the board after notice in accordance with the
19721 provisions of section 1-225. A majority of the members of the board
19722 shall constitute a quorum. Any member who fails to attend three
19723 consecutive meetings or who fails to attend fifty per cent of all
19724 meetings held during any calendar year shall be deemed to have
19725 resigned from office. **[**No member shall serve more than two full
19726 consecutive terms which commence on or after July 1, 1983.**]** Said
19727 board shall be within the Department of Administrative Services,
19728 provided the board shall have independent decision-making authority.

19729 Said department shall provide staff support for the board.

19730 Sec. 504. Section 46a-9 of the general statutes is repealed and the
19731 following is substituted in lieu thereof (*Effective from passage*):

19732 There is established a Board of Protection and Advocacy for Persons
19733 with Disabilities, **[**hereinafter**]** otherwise referred to in this section as
19734 the advocacy board. The advocacy board shall advise the executive
19735 director of the Office of Protection and Advocacy for Persons with
19736 Disabilities on matters relating to advocacy policy, client service
19737 priorities and issues affecting persons with disabilities. Said advocacy
19738 board shall consist of fifteen members appointed by the Governor and
19739 be comprised of ten persons with disabilities or a parent or guardian of
19740 a person with a disability, at least four of whom shall represent
19741 developmentally disabled persons, and five persons who are
19742 knowledgeable in the problems of persons with disabilities, including
19743 the state Americans with Disabilities Act coordinator and the
19744 chairperson for the advisory board of the protection and advocacy for
19745 individuals with mental illness program. The Governor or the
19746 Governor's designee shall serve on the board as a nonvoting member.
19747 No officer or employee of a state or private agency providing services
19748 to persons with disabilities other than the chairperson for the advisory
19749 board of the protection and advocacy for individuals with mental
19750 illness program, if applicable, may serve as a member of the advocacy
19751 board. **[**The initial terms of the members of said advocacy board shall
19752 terminate on July 1, 1979, and thereafter the terms of the members of
19753 said advocacy board shall be coterminous with the term of the
19754 Governor.**]** The Governor shall appoint one of the members of said
19755 board to serve as chairperson. All members of the advocacy board
19756 shall serve without compensation but shall be compensated for
19757 necessary expenses, incurred in the performance of their duties as
19758 board members.

19759 Sec. 505. Section 19a-14 of the general statutes is amended by adding
19760 subsection (f) as follows (*Effective from passage*):

19761 (NEW) (f) (1) Upon the issuance of a complaint under this chapter
19762 concerning any board or commission listed in subsection (b) of this
19763 section, or upon the filing of a petition for a declaratory ruling with, or
19764 the initiation of a proceeding for declaratory ruling by, any such board
19765 or commission pursuant to section 4-176, such board or commission
19766 shall notify the department of such complaint, petition or initiation of a
19767 proceeding.

19768 (2) The Commissioner of Public Health or his or her designee may,
19769 not later than fifteen calendar days after receipt of the notice described
19770 in subdivision (1) of this subsection, notify such board or commission
19771 that the decision rendered by such board or commission in such matter
19772 shall be a proposed decision and that the commissioner or his or her
19773 designee shall render the final determination of the matter. The board
19774 or commission in making any such proposed decision shall comply
19775 with the requirements set forth in section 4-179. The commissioner or
19776 his or her designee may approve, modify or reject the proposed
19777 decision or remand the proposed decision for further review or for the
19778 taking of additional evidence. Any party to the matter may file written
19779 exceptions to the proposed decision not later than thirty days after the
19780 proposed decision is issued by the board or commission. The decision
19781 of the commissioner or his or her designee shall be the final decision in
19782 accordance with section 4-180 and for purposes of reconsideration in
19783 accordance with section 4-181a or appeal to the Superior Court
19784 pursuant to section 4-183.

19785 Sec. 506. Section 4-66*l* of the general statutes, as amended by section
19786 207 of public act 15-244, is repealed and the following is substituted in
19787 lieu thereof (*Effective October 1, 2015*)

19788 (a) For the purposes of this section:

19789 (1) "FY 15 mill rate" means the mill rate a municipality uses during
19790 the fiscal year ending June 30, 2015;

19791 (2) "Mill rate" means the mill rate a municipality uses to calculate

19792 tax bills for motor vehicles;

19793 (3) "Municipality" means any town, city, consolidated town and city
19794 or consolidated town and borough;

19795 (4) "Municipal spending" means:

T293 Municipal
T294 spending for
T295 the fiscal year
T296 prior to the – Municipal
T297 current fiscal spending for
T298 year the fiscal year
T299 two years
T300 prior to the
T301 current year X 100 = Municipal spending
T302 Municipal spending for
T303 the fiscal year two years
T304 prior to the current year;

19796 (5) "Per capita distribution" means:

T305 Town population X Sales tax revenue = Per capita distribution;
T306 Total state population

19797 (6) "Pro rata distribution" means:

T307 Municipal weighted
T308 mill rate
T309 calculation X Sales tax revenue = Pro rata distribution;
T310 Sum of all
T311 municipal weighted
T312 mill rate
T313 calculations combined

19798 (7) "Regional council of governments" means any such council
19799 organized under the provisions of sections 4-124i to 4-124p, inclusive;

19800 (8) "Town population" means the number of persons in a
19801 municipality according to the most recent estimate of the Department
19802 of Public Health;

19803 (9) "Total state population" means the number of persons in this
19804 state according to the most recent estimate published by the
19805 Department of Public Health;

19806 (10) "Weighted mill rate" means a municipality's FY 15 mill rate
19807 divided by the average of all municipalities' FY 15 mill rate;

19808 (11) "Weighted mill rate calculation" means per capita distribution
19809 multiplied by a municipality's weighted mill rate; **[**and**]**

19810 (12) "Sales tax revenue" means the moneys in the account remaining
19811 for distribution pursuant to subdivision (6) of subsection (b) of this
19812 section; and

19813 (13) "District" means any district, as defined in section 7-324.

19814 (b) There is established an account to be known as the "municipal
19815 revenue sharing account" which shall be a separate, nonlapsing
19816 account within the General Fund. The account shall contain any
19817 moneys required by law to be deposited in the account. Moneys in the
19818 account shall be transferred or disbursed in the following order:

19819 (1) Ten million dollars for the fiscal year ending June 30, 2016, and
19820 ten million dollars for the fiscal year ending June 30, 2017, for the
19821 purposes of grants under section 10-262h, as amended by this act;

19822 (2) For the fiscal year ending June 30, 2017, and each fiscal year
19823 thereafter, moneys sufficient to make the grants payable from the
19824 select payment in lieu of taxes grant account established pursuant to
19825 section 184 of this act shall annually be transferred to the select
19826 payment in lieu of taxes account in the Office of Policy and
19827 Management;

19828 (3) For the fiscal year ending June 30, 2017, and each fiscal year
19829 thereafter, moneys sufficient to make motor vehicle property tax
19830 grants to municipalities pursuant to subsection (c) of this section shall
19831 be expended annually by the secretary;

19832 (4) For the fiscal [year] years ending June 30, 2017, and June 30,
19833 2018, moneys sufficient to make the municipal revenue sharing grants
19834 payable to municipalities pursuant to subsection (d) of this section;

19835 (5) (A) For the fiscal year ending June 30, 2017, three million dollars
19836 shall be expended by the secretary for the purposes of the regional
19837 services grants pursuant to subsection (e) of this section to the regional
19838 councils of governments on a per capita basis, as determined by the
19839 most recent population estimate of the Department of Public Health
19840 and (B) for the fiscal year ending June 30, 2018, and each fiscal year
19841 thereafter, seven million dollars shall be expended for the purposes of
19842 the regional services grants pursuant to subsection (e) of this section to
19843 the regional councils of governments on a per capita basis, as
19844 determined by the most recent population estimate of the Department
19845 of Public Health; and

19846 (6) For the fiscal year ending June 30, [2018] 2019, and each fiscal
19847 year thereafter, moneys in the account remaining shall be expended
19848 annually by the Secretary of the Office of Policy and Management for
19849 the purposes of the municipal revenue sharing grants established
19850 pursuant to subsection (f) of this section. Any such moneys deposited
19851 in the account for municipal revenue sharing grants between October
19852 first and June thirtieth shall be distributed to municipalities on the
19853 following October first and any such moneys deposited in the account
19854 between July first and September thirtieth shall be distributed to
19855 municipalities on the following January thirty-first. Any town may
19856 apply to the Office of Policy and Management on or after July first for
19857 early disbursement of a portion of such grant. The Office of Policy and
19858 Management may approve such an application if it finds that early
19859 disbursement is required in order for a town to meet its cash flow
19860 needs. No early disbursement approved by said office may be issued
19861 later than September thirtieth.

19862 (c) (1) For the fiscal year ending June 30, 2017, motor vehicle
19863 property tax grants to municipalities that impose mill rates greater

19864 than 32 mills on motor vehicles or that, when combined with the mill
19865 rate of any district located within the municipality, impose mill rates
19866 greater than 32 mills on motor vehicles, shall be made in an amount
19867 equal to the difference between the amount of property taxes levied by
19868 [a] the municipality and any district located within the municipality on
19869 motor vehicles for the assessment year commencing October 1, 2013,
19870 and the amount such levy would have been if the mill rate on motor
19871 vehicles for said assessment year was 32 mills; and (2) for the fiscal
19872 year ending June 30, 2018, and each fiscal year thereafter, motor
19873 vehicle property tax grants to municipalities that impose mill rates
19874 greater than 29.36 mills on motor vehicles or that, when combined
19875 with the mill rate of any district located within the municipality,
19876 impose mill rates greater than 29.36 mills on motor vehicles, shall be
19877 made in an amount equal to the difference between the amount of
19878 property taxes levied by [a] the municipality and any district located
19879 within the municipality on motor vehicles for the assessment year
19880 commencing October 1, 2013, and the amount such levy would have
19881 been if the mill rate on motor vehicles for said assessment year was
19882 29.36 mills. Not later than fifteen calendar days after receiving a
19883 property tax grant pursuant to this section, the municipality shall
19884 disburse to any district located within the municipality the amount of
19885 any such property tax grant that is attributable to the district.

19886 (d) For the fiscal [year] years ending June 30, 2017, and June 30,
19887 2018, each municipality shall receive a municipal revenue sharing
19888 grant. The total amount of the grant payable is as follows:

T311	[Municipality	Grant Amounts
T312	Andover	96,020
T313	Ansonia	643,519
T314	Ashford	125,591
T315	Avon	539,387
T316	Barkhamsted	109,867
T317	Beacon Falls	177,547
T318	Berlin	1,213,548

		Bill No.
T319	Bethany	164,574
T320	Bethel	565,146
T321	Bethlehem	61,554
T322	Bloomfield	631,150
T323	Bolton	153,231
T324	Bozrah	77,420
T325	Branford	821,080
T326	Bridgeport	9,758,441
T327	Bridgewater	22,557
T328	Bristol	1,836,944
T329	Brookfield	494,620
T330	Brooklyn	149,576
T331	Burlington	278,524
T332	Canaan	21,294
T333	Canterbury	84,475
T334	Canton	303,842
T335	Chaplin	69,906
T336	Cheshire	855,170
T337	Chester	83,109
T338	Clinton	386,660
T339	Colchester	475,551
T340	Colebrook	42,744
T341	Columbia	160,179
T342	Cornwall	16,221
T343	Coventry	364,100
T344	Cromwell	415,938
T345	Danbury	2,993,644
T346	Darien	246,849
T347	Deep River	134,627
T348	Derby	400,912
T349	Durham	215,949
T350	East Granby	152,904
T351	East Haddam	268,344
T352	East Hampton	378,798

T353	East Hartford	2,036,894
T354	East Haven	854,319
T355	East Lyme	350,852
T356	East Windsor	334,616
T357	Eastford	33,194
T358	Easton	223,430
T359	Ellington	463,112
T360	Enfield	1,312,766
T361	Essex	107,345
T362	Fairfield	1,144,842
T363	Farmington	482,637
T364	Franklin	37,871
T365	Glastonbury	1,086,151
T366	Goshen	43,596
T367	Granby	352,440
T368	Greenwich	527,695
T369	Griswold	350,840
T370	Groton	623,548
T371	Guilford	657,644
T372	Haddam	245,344
T373	Hamden	2,155,661
T374	Hampton	54,801
T375	Hartford	2,498,643
T376	Hartland	40,254
T377	Harwinton	164,081
T378	Hebron	300,369
T379	Kent	38,590
T380	Killingly	505,562
T381	Killingworth	122,744
T382	Lebanon	214,717
T383	Ledyard	442,811
T384	Lisbon	65,371
T385	Litchfield	244,464
T386	Lyme	31,470

T387	Madison	536,777
T388	Manchester	1,971,540
T389	Mansfield	756,128
T390	Marlborough	188,665
T391	Meriden	1,893,412
T392	Middlebury	222,109
T393	Middlefield	131,529
T394	Middletown	1,388,602
T395	Milford	2,707,412
T396	Monroe	581,867
T397	Montville	578,318
T398	Morris	40,463
T399	Naugatuck	1,251,980
T400	New Britain	3,131,893
T401	New Canaan	241,985
T402	New Fairfield	414,970
T403	New Hartford	202,014
T404	New Haven	114,863
T405	New London	917,228
T406	New Milford	814,597
T407	Newington	937,100
T408	Newtown	824,747
T409	Norfolk	28,993
T410	North Branford	421,072
T411	North Canaan	95,081
T412	North Haven	702,295
T413	North Stonington	155,222
T414	Norwalk	4,896,511
T415	Norwich	1,362,971
T416	Old Lyme	115,080
T417	Old Saybrook	146,146
T418	Orange	409,337
T419	Oxford	246,859
T420	Plainfield	446,742

T421	Plainville	522,783
T422	Plymouth	367,902
T423	Pomfret	78,101
T424	Portland	277,409
T425	Preston	84,835
T426	Prospect	283,717
T427	Putnam	109,975
T428	Redding	273,185
T429	Ridgefield	738,233
T430	Rocky Hill	584,244
T431	Roxbury	23,029
T432	Salem	123,244
T433	Salisbury	29,897
T434	Scotland	52,109
T435	Seymour	494,298
T436	Sharon	28,022
T437	Shelton	1,016,326
T438	Sherman	56,139
T439	Simsbury	775,368
T440	Somers	203,969
T441	South Windsor	804,258
T442	Southbury	582,601
T443	Southington	1,280,877
T444	Sprague	128,769
T445	Stafford	349,930
T446	Stamford	2,914,955
T447	Sterling	110,893
T448	Stonington	292,053
T449	Stratford	1,627,064
T450	Suffield	463,170
T451	Thomaston	228,716
T452	Thompson	164,939
T453	Tolland	437,559
T454	Torrington	1,133,394

T455	Trumbull	1,072,878
T456	Union	24,878
T457	Vernon	922,743
T458	Voluntown	48,818
T459	Wallingford	1,324,296
T460	Warren	15,842
T461	Washington	36,701
T462	Waterbury	5,595,448
T463	Waterford	372,956
T464	Watertown	652,100
T465	West Hartford	2,075,223
T466	West Haven	1,614,877
T467	Westbrook	116,023
T468	Weston	304,282
T469	Westport	377,722
T470	Wethersfield	853,493
T471	Willington	174,995
T472	Wilton	547,338
T473	Winchester	323,087
T474	Windham	739,671
T475	Windsor	854,935
T476	Windsor Locks	368,853
T477	Wolcott	490,659
T478	Woodbridge	274,418
T479	Woodbury	288,147
T480	Woodstock	140,648]

T481	Municipality	Grant Amounts
T482	Andover	96,020
T483	Ansonia	643,519
T484	Ashford	125,591
T485	Avon	539,387
T486	Barkhamsted	109,867
T487	Beacon Falls	177,547

T488	Berlin	1,213,548
T489	Bethany	164,574
T490	Bethel	565,146
T491	Bethlehem	61,554
T492	Bloomfield	631,150
T493	Bolton	153,231
T494	Bozrah	77,420
T495	Branford	821,080
T496	Bridgeport	9,758,441
T497	Bridgewater	22,557
T498	Bristol	1,836,944
T499	Brookfield	494,620
T500	Brooklyn	149,576
T501	Burlington	278,524
T502	Canaan	21,294
T503	Canterbury	84,475
T504	Canton	303,842
T505	Chaplin	69,906
T506	Cheshire	855,170
T507	Chester	83,109
T508	Clinton	386,660
T509	Colchester	475,551
T510	Colebrook	42,744
T511	Columbia	160,179
T512	Cornwall	16,221
T513	Coventry	364,100
T514	Cromwell	415,938
T515	Danbury	2,993,644
T516	Darien	246,849
T517	Deep River	134,627
T518	Derby	400,912
T519	Durham	215,949
T520	East Granby	152,904
T521	East Haddam	268,344

T522	East Hampton	378,798
T523	East Hartford	2,036,894
T524	East Haven	854,319
T525	East Lyme	350,852
T526	East Windsor	334,616
T527	Eastford	33,194
T528	Easton	223,430
T529	Ellington	463,112
T530	Enfield	1,312,766
T531	Essex	107,345
T532	Fairfield	1,144,842
T533	Farmington	482,637
T534	Franklin	37,871
T535	Glastonbury	1,086,151
T536	Goshen	43,596
T537	Granby	352,440
T538	Greenwich	527,695
T539	Griswold	350,840
T540	Groton	623,548
T541	Guilford	657,644
T542	Haddam	245,344
T543	Hamden	2,155,661
T544	Hampton	54,801
T545	Hartford	1,498,643
T546	Hartland	40,254
T547	Harwinton	164,081
T548	Hebron	300,369
T549	Kent	38,590
T550	Killingly	505,562
T551	Killingworth	122,744
T552	Lebanon	214,717
T553	Ledyard	442,811
T554	Lisbon	65,371
T555	Litchfield	244,464

T556	Lyme	31,470
T557	Madison	536,777
T558	Manchester	1,971,540
T559	Mansfield	756,128
T560	Marlborough	188,665
T561	Meriden	1,893,412
T562	Middlebury	222,109
T563	Middlefield	131,529
T564	Middletown	1,388,602
T565	Milford	2,707,412
T566	Monroe	581,867
T567	Montville	578,318
T568	Morris	40,463
T569	Naugatuck	1,251,980
T570	New Britain	3,131,893
T571	New Canaan	241,985
T572	New Fairfield	414,970
T573	New Hartford	202,014
T574	New Haven	114,863
T575	New London	917,228
T576	New Milford	814,597
T577	Newington	937,100
T578	Newtown	824,747
T579	Norfolk	28,993
T580	North Branford	421,072
T581	North Canaan	95,081
T582	North Haven	702,295
T583	North Stonington	155,222
T584	Norwalk	4,896,511
T585	Norwich	1,362,971
T586	Old Lyme	115,080
T587	Old Saybrook	146,146
T588	Orange	409,337
T589	Oxford	246,859

T590	Plainfield	446,742
T591	Plainville	522,783
T592	Plymouth	367,902
T593	Pomfret	78,101
T594	Portland	277,409
T595	Preston	84,835
T596	Prospect	283,717
T597	Putnam	109,975
T598	Redding	273,185
T599	Ridgefield	738,233
T600	Rocky Hill	584,244
T601	Roxbury	23,029
T602	Salem	123,244
T603	Salisbury	29,897
T604	Scotland	52,109
T605	Seymour	494,298
T606	Sharon	28,022
T607	Shelton	1,016,326
T608	Sherman	56,139
T609	Simsbury	775,368
T610	Somers	203,969
T611	South Windsor	804,258
T612	Southbury	582,601
T613	Southington	1,280,877
T614	Sprague	128,769
T615	Stafford	349,930
T616	Stamford	3,414,955
T617	Sterling	110,893
T618	Stonington	292,053
T619	Stratford	1,627,064
T620	Suffield	463,170
T621	Thomaston	228,716
T622	Thompson	164,939
T623	Tolland	437,559

T624	Torrington	1,133,394
T625	Trumbull	1,072,878
T626	Union	24,878
T627	Vernon	922,743
T628	Voluntown	48,818
T629	Wallingford	1,324,296
T630	Warren	15,842
T631	Washington	36,701
T632	Waterbury	5,595,448
T633	Waterford	372,956
T634	Watertown	652,100
T635	West Hartford	2,075,223
T636	West Haven	1,614,877
T637	Westbrook	116,023
T638	Weston	304,282
T639	Westport	377,722
T640	Wethersfield	1,353,493
T641	Willington	174,995
T642	Wilton	547,338
T643	Winchester	323,087
T644	Windham	739,671
T645	Windsor	854,935
T646	Windsor Locks	368,853
T647	Wolcott	490,659
T648	Woodbridge	274,418
T649	Woodbury	288,147
T650	Woodstock	140,648

19889 (e) For the fiscal year ending June 30, 2017, and each fiscal year
19890 thereafter, each regional council of governments shall receive a
19891 regional services grant. No such council shall receive a grant for the
19892 fiscal year ending June 30, 2018, or any fiscal year thereafter, unless the
19893 secretary approves a spending plan for such grant moneys submitted
19894 by such council to the secretary on or before July 1, 2017, and annually

thereafter. The regional councils of governments shall use such grants for planning purposes and to achieve efficiencies in the delivery of municipal services by regionalizing such services, including, but not limited to, region-wide consolidation of such services. Such efficiencies shall not diminish the quality of such services. A unanimous vote of the representatives of such council shall be required for approval of any expenditure from such grant. On or before October 1, 2017, and biennially thereafter, each such council shall submit a report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development and finance, revenue and bonding. Such report shall summarize expenditure of such grants and provide recommendations concerning the expansion, reduction or modification of such grants.

(f) For the fiscal year ending June 30, **[**2018**]** 2019, and each fiscal year thereafter, each municipality shall receive a municipal revenue sharing grant as follows:

(1) (A) A municipality having a mill rate at or above twenty-five shall receive the per capita distribution or pro rata distribution, whichever is higher for such municipality.

(B) Such grants shall be increased by a percentage calculated as follows:

$$\frac{\text{Sum of per capita distribution amount for all municipalities having a mill rate below twenty-five} - \text{pro rata distribution amount for all municipalities having a mill rate below twenty-five}}{\text{Sum of all grants to municipalities calculated pursuant to subparagraph (A) of subdivision (1) of this subsection.}}$$

(C) Notwithstanding the provisions of subparagraphs (A) and (B) of this subdivision, Hartford shall receive not more than 5.2 per cent of

the municipal revenue sharing grants distributed pursuant to this subsection; Bridgeport shall receive not more than 4.5 per cent of the municipal revenue sharing grants distributed pursuant to this subsection; New Haven shall receive not more than 2.0 per cent of the municipal revenue sharing grants distributed pursuant to this subsection and Stamford shall receive not more than 2.8 per cent of the equalization grants distributed pursuant to this subsection. Any excess funds remaining after such reductions in payments to Hartford, Bridgeport, New Haven and Stamford shall be distributed to all other municipalities having a mill rate at or above twenty-five on a pro rata basis according to the payment they receive pursuant to this subdivision; and

(2) A municipality having a mill rate below twenty-five shall receive the per capita distribution or pro rata distribution, whichever is less for such municipality.

(g) **[**A**]** <u>Except as provided in subsection (c) of this section, a</u> municipality may disburse any municipal revenue sharing grant funds to a district within such municipality.

(h) For the fiscal year ending June 30, 2018, and each fiscal year thereafter, the amount of the grant payable to a municipality in any year in accordance with subsection (f) of this section shall be reduced if such municipality increases its general budget expenditures for **[**any**]** <u>such</u> fiscal year above a cap equal to the amount of general budget expenditures authorized for the previous fiscal year by 2.5 per cent or more or the rate of inflation, whichever is greater. Such reduction shall be in an amount equal to fifty cents for every dollar expended over **[**this cap provided for municipalities with a mill rate imposed on motor vehicles of more than 32 mills for the assessment year commencing October 1, 2013, no grant shall be reduced by more than the portion of the grant that exceeds the difference between the amount of property taxes levied by a municipality on motor vehicles for the assessment year commencing October 1, 2013, and the amount

19950 such levy would have been if the mill rate on motor vehicles for said
19951 assessment year was 32 mills. Municipal spending shall] the cap set
19952 forth in this subsection. For the purposes of this section, "municipal
19953 spending" does not include expenditures for debt service, special
19954 education, implementation of court orders or arbitration awards,
19955 expenditures associated with a major disaster or emergency
19956 declaration by the President of the United States or a disaster
19957 emergency declaration issued by the Governor pursuant to chapter 517
19958 or any disbursement made to a district pursuant to subsection (c) or (g)
19959 of this section. [(1) in the fiscal year ending June 30, 2017, in an amount
19960 up to the difference between the amount of property taxes levied by
19961 the district on motor vehicles for the assessment year commencing
19962 October 1, 2013, and the amount such levy would have been if the mill
19963 rate on motor vehicles for said assessment year was 32 mills; or (2) in
19964 the fiscal year ending June 30, 2018, and each fiscal year thereafter, in
19965 an amount up to the difference between the amount of property taxes
19966 levied by the district on motor vehicles for the assessment year
19967 commencing October 1, 2013, and the amount such levy would have
19968 been if the mill rate on motor vehicles for said assessment year was
19969 29.36 mills.] Each municipality shall annually certify to the Secretary of
19970 the Office of Policy and Management, on a form prescribed by said
19971 secretary, whether such municipality has exceeded the cap set forth in
19972 this [section] subsection and if so the amount by which the cap was
19973 exceeded.

19974 (i) The amount of the grant payable to a municipality in any year in
19975 accordance with subsection (d) or (f) of this section shall be reduced
19976 proportionately in the event that the total of such grants in such year
19977 exceeds the amount available for such grants in the municipal revenue
19978 sharing account established pursuant to subsection (b) of this section.

19979 Sec. 507. (*Effective from passage*) For the period commencing upon the
19980 effective date of this section and ending June 30, 2016, each
19981 municipality shall waive any payment required pursuant to section 8-
19982 71 of the general statutes, except that no waiver shall be required in

19983 any case where funds are made available for such payment by an
19984 agency or department of the United States government.

19985 Sec. 508. Section 21a-408 of the general statutes is repealed and the
19986 following is substituted in lieu thereof (*Effective July 1, 2015*):

19987 As used in **[**sections 21a-408**]** this section, sections 21a-408a to 21a-
19988 408o, inclusive, as amended by this act, and sections 517 to 521,
19989 inclusive, of this act, unless the context otherwise requires:

19990 (1) "Cultivation" includes planting, propagating, cultivating,
19991 growing and harvesting;

19992 (2) "Debilitating medical condition" means (A) cancer, glaucoma,
19993 positive status for human immunodeficiency virus or acquired
19994 immune deficiency syndrome, Parkinson's disease, multiple sclerosis,
19995 damage to the nervous tissue of the spinal cord with objective
19996 neurological indication of intractable spasticity, epilepsy, cachexia,
19997 wasting syndrome, Crohn's disease, posttraumatic stress disorder,
19998 sickle cell disease, amyotrophic lateral sclerosis, severe psoriasis and
19999 psoriatic arthritis, Fabry disease, ulcerative colitis, post laminectomy
20000 syndrome with chronic radiculopathy, cerebral palsy or cystic fibrosis,
20001 except, if the qualifying patient is under eighteen years of age,
20002 "debilitating medical condition" means terminal cancer, terminal
20003 positive status for human immunodeficiency virus or acquired
20004 immune deficiency syndrome, irreversible spinal cord injury with
20005 objective neurological indication of intractable spasticity, cerebral
20006 palsy, cystic fibrosis, epilepsy or uncontrolled intractable seizure
20007 disorder, or (B) any medical condition, medical treatment or disease
20008 approved for qualifying patients eighteen years of age or older and
20009 approved for qualifying patients under the age of eighteen by the
20010 Department of Consumer Protection pursuant to regulations adopted
20011 under section 21a-408m;

20012 (3) "Institutional animal care and use committee" means a
20013 committee that oversees an organization's animal program, facilities

20014 and procedures to ensure compliance with federal policies, guidelines
20015 and principles related to the care and use of animals in research;

20016 (4) "Institutional review board" means a specifically constituted
20017 review body established or designated by an organization to protect
20018 the rights and welfare of persons recruited to participate in biomedical,
20019 behavioral or social science research;

20020 (5) "Laboratory" means a laboratory located in this state that is
20021 licensed to provide analysis of controlled substances pursuant to
20022 section 21a-246;

20023 (6) "Laboratory employee" means a person licensed as a laboratory
20024 employee pursuant to section 517 of this act or a person who holds a
20025 temporary certificate of registration issued pursuant to section 517 of
20026 this act;

20027 **[**(3)**]** (7) "Licensed dispensary" or "dispensary" means a person
20028 licensed as a dispensary pursuant to section 21a-408h, as amended by
20029 this act;

20030 **[**(4)**]** (8) "Licensed producer" or "producer" means a person licensed
20031 as a producer pursuant to section 21a-408i;

20032 **[**(5)**]** (9) "Marijuana" means marijuana, as defined in section 21a-240;

20033 (10) "Nurse" means a person who is licensed under chapter 378;

20034 **[**(6)**]** (11) "Palliative use" means the acquisition, distribution,
20035 transfer, possession, use or transportation of marijuana or
20036 paraphernalia relating to marijuana, including the transfer of
20037 marijuana and paraphernalia relating to marijuana from the patient's
20038 primary caregiver to the qualifying patient, to alleviate a qualifying
20039 patient's symptoms of a debilitating medical condition or the effects of
20040 such symptoms, but does not include any such use of marijuana by
20041 any person other than the qualifying patient;

20042 [(7)] (12) "Paraphernalia" means drug paraphernalia, as defined in
20043 section 21a-240;

20044 [(8)] (13) "Physician" means a person who is licensed under chapter
20045 370, but does not include a physician assistant, as defined in section 20-
20046 12a;

20047 [(9)] (14) "Primary caregiver" means a person, other than the
20048 qualifying patient and the qualifying patient's physician, who is
20049 eighteen years of age or older and has agreed to undertake
20050 responsibility for managing the well-being of the qualifying patient
20051 with respect to the palliative use of marijuana, provided (A) in the case
20052 of a qualifying patient under eighteen years of age or otherwise
20053 lacking legal capacity, such person shall be a parent, guardian or
20054 person having legal custody of such qualifying patient, and (B) in the
20055 case of a qualifying patient eighteen years of age or older lacking legal
20056 capacity, the need for such person shall be evaluated by the qualifying
20057 patient's physician and such need shall be documented in the written
20058 certification;

20059 [(10)] (15) "Qualifying patient" means a person who: [is eighteen
20060 years of age or older, is] (A) Is a resident of Connecticut, [and] (B) has
20061 been diagnosed by a physician as having a debilitating medical
20062 condition, and (C) (i) is eighteen years of age or older, or (ii) has
20063 written consent from a custodial parent, guardian or other person
20064 having legal custody of the qualifying patient that indicates that the
20065 qualifying patient has permission from such parent, guardian or other
20066 person for the palliative use of marijuana for a debilitating medical
20067 condition and that such parent, guardian or other person shall serve as
20068 a primary caregiver for the qualifying patient and controls the
20069 acquisition and possession of marijuana for palliative use and any
20070 related paraphernalia on behalf of the qualifying patient. "Qualifying
20071 patient" does not include an inmate confined in a correctional
20072 institution or facility under the supervision of the Department of
20073 Correction;

20074 (16) "Research program" means a study approved by the
20075 Department of Consumer Protection in accordance with this chapter
20076 and undertaken to increase information or knowledge with regard to
20077 the growth, processing, medical attributes, dosage forms,
20078 administration or use of marijuana to treat or alleviate symptoms of
20079 any medical condition or the effects of such symptoms;

20080 (17) "Research program employee" means a person licensed as a
20081 research program employee pursuant to section 519 of this act or a
20082 person who holds a temporary certificate of registration issued
20083 pursuant to section 519 of this act;

20084 (18) "Research program subject" means a person registered as a
20085 research program subject pursuant to section 521 of this act;

20086 **[**(11)**]** (19) "Usable marijuana" means the dried leaves and flowers of
20087 the marijuana plant, and any mixtures or preparations of such leaves
20088 and flowers, that are appropriate for the palliative use of marijuana,
20089 but does not include the seeds, stalks and roots of the marijuana plant;
20090 and

20091 **[**(12)**]** (20) "Written certification" means a written certification issued
20092 by a physician pursuant to section 21a-408c, as amended by this act.

20093 Sec. 509. Subsection (b) of section 21a-408a of the general statutes is
20094 repealed and the following is substituted in lieu thereof (*Effective July*
20095 *1, 2015*):

20096 (b) The provisions of subsection (a) of this section do not apply to:

20097 (1) Any palliative use of marijuana that endangers the health or
20098 well-being of a person other than the qualifying patient or the primary
20099 caregiver; or

20100 (2) The ingestion of marijuana (A) in a motor bus or a school bus or
20101 in any other moving vehicle, (B) in the workplace, (C) on any school
20102 grounds or any public or private school, dormitory, college or

20103 university property, unless such college or university is participating
20104 in a research program and such use is pursuant to the terms of the
20105 research program, (D) in any public place, or (E) in the presence of a
20106 person under the age of eighteen, unless such person is a qualifying
20107 patient or research program subject. For the purposes of this
20108 subdivision, (i) "presence" means within the direct line of sight of the
20109 palliative use of marijuana or exposure to second-hand marijuana
20110 smoke, or both; (ii) "public place" means any area that is used or held
20111 out for use by the public whether owned or operated by public or
20112 private interests; (iii) "vehicle" means a vehicle, as defined in section
20113 14-1; (iv) "motor bus" means a motor bus, as defined in section 14-1;
20114 and (v) "school bus" means a school bus, as defined in section 14-1.

20115 Sec. 510. Section 21a-408b of the general statutes is repealed and the
20116 following is substituted in lieu thereof (*Effective July 1, 2015*):

20117 (a) No person may serve as a primary caregiver for a qualifying
20118 patient (1) unless such qualifying patient has a valid registration
20119 certificate from the Department of Consumer Protection pursuant to
20120 subsection (a) of section 21a-408d, as amended by this act, and (2) if
20121 such person has been convicted of a violation of any law pertaining to
20122 the illegal manufacture, sale or distribution of a controlled substance.
20123 A primary caregiver may not be responsible for the care of more than
20124 one qualifying patient at any time, except that a primary caregiver may
20125 be responsible for the care of more than one qualifying patient if the
20126 primary caregiver and each qualifying patient have a parental,
20127 guardianship, conservatorship or sibling relationship.

20128 (b) A primary caregiver who has a valid registration certificate from
20129 the Department of Consumer Protection pursuant to subsection (a) of
20130 section 21a-408d, as amended by this act, and complies with the
20131 requirements of sections 21a-408 to 21a-408n, inclusive, as amended by
20132 this act, shall not be subject to arrest or prosecution, penalized in any
20133 manner, including, but not limited to, being subject to any civil
20134 penalty, or denied any right or privilege, including, but not limited to,

20135 being subject to any disciplinary action by a professional licensing
20136 board, for the acquisition, distribution, possession or transportation of
20137 marijuana or paraphernalia related to marijuana on behalf of such
20138 primary caregiver's qualifying patient, provided (1) the amount of any
20139 marijuana so acquired, distributed, possessed or transported, together
20140 with the combined amount of usable marijuana possessed by the
20141 qualifying patient and the primary caregiver, does not exceed an
20142 amount reasonably necessary to ensure uninterrupted availability for a
20143 period of one month, as determined by the Department of Consumer
20144 Protection pursuant to regulations adopted under section 21a-408m,
20145 and (2) such amount is obtained solely within this state from a licensed
20146 dispensary facility. Any person with a valid registration certificate
20147 who is found to be in possession of marijuana that did not originate
20148 from the selected dispensary facility may be subject to a hearing before
20149 the commissioner for possible enforcement action concerning the
20150 registration certificate issued by the department. For the purposes of
20151 this subsection, "distribution" or "distributed" means the transfer of
20152 marijuana and paraphernalia related to marijuana from the primary
20153 caregiver to the qualifying patient.

20154 (c) A dispensary facility shall not dispense any marijuana product in
20155 a smokable, inhalable or vaporizable form to a primary caregiver for a
20156 qualifying patient who is under eighteen years of age.

20157 Sec. 511. Section 21a-408c of the general statutes is repealed and the
20158 following is substituted in lieu thereof (*Effective July 1, 2015*):

20159 (a) A physician may issue a written certification to a qualifying
20160 patient that authorizes the palliative use of marijuana by the qualifying
20161 patient. Such written certification shall be in the form prescribed by the
20162 Department of Consumer Protection and shall include a statement
20163 signed and dated by the qualifying patient's physician stating that, in
20164 such physician's professional opinion, the qualifying patient has a
20165 debilitating medical condition and the potential benefits of the
20166 palliative use of marijuana would likely outweigh the health risks of

20167 such use to the qualifying patient.

20168 (b) Any written certification for the palliative use of marijuana
20169 issued by a physician under subsection (a) of this section shall be valid
20170 for a period not to exceed one year from the date such written
20171 certification is signed and dated by the physician. Not later than ten
20172 calendar days after the expiration of such period, or at any time before
20173 the expiration of such period should the qualifying patient no longer
20174 wish to possess marijuana for palliative use, the qualifying patient or
20175 the primary caregiver shall destroy all usable marijuana possessed by
20176 the qualifying patient and the primary caregiver for palliative use.

20177 (c) A physician shall not be subject to arrest or prosecution,
20178 penalized in any manner, including, but not limited to, being subject to
20179 any civil penalty, or denied any right or privilege, including, but not
20180 limited to, being subject to any disciplinary action by the Connecticut
20181 Medical Examining Board or other professional licensing board, for
20182 providing a written certification for the palliative use of marijuana
20183 under subdivision (1) of subsection (a) of section 21a-408a if:

20184 (1) The physician has diagnosed the qualifying patient as having a
20185 debilitating medical condition;

20186 (2) The physician has explained the potential risks and benefits of
20187 the palliative use of marijuana to the qualifying patient and, if the
20188 qualifying patient lacks legal capacity, to a parent, guardian or person
20189 having legal custody of the qualifying patient;

20190 (3) The written certification issued by the physician is based upon
20191 the physician's professional opinion after having completed a
20192 medically reasonable assessment of the qualifying patient's medical
20193 history and current medical condition made in the course of a bona
20194 fide physician-patient relationship; and

20195 (4) The physician has no financial interest in a dispensary licensed
20196 under section 21a-408h<u>, as amended by this act,</u> or a producer licensed

20197 under section 21a-408i.

20198 (d) A nurse shall not be subject to arrest or prosecution, penalized in
20199 any manner, including, but not limited to, being subject to any civil
20200 penalty, or denied any right or privilege, including, but not limited to,
20201 being subject to any disciplinary action by the Board of Examiners for
20202 Nursing or other professional licensing board, for administering
20203 marijuana to a qualifying patient or research program subject in a
20204 hospital or health care facility licensed by the Department of Public
20205 Health.

20206 Sec. 512. Section 21a-408d of the general statutes, as amended by
20207 section 99 of public act 15-244, is repealed and the following is
20208 substituted in lieu thereof (*Effective July 1, 2015*):

20209 (a) Each qualifying patient who is issued a written certification for
20210 the palliative use of marijuana under subdivision (1) of subsection (a)
20211 of section 21a-408a, and the primary caregiver of such qualifying
20212 patient, shall register with the Department of Consumer Protection.
20213 Such registration shall be effective from the date the Department of
20214 Consumer Protection issues a certificate of registration until the
20215 expiration of the written certification issued by the physician. The
20216 qualifying patient and the primary caregiver shall provide sufficient
20217 identifying information, as determined by the department, to establish
20218 the personal identity of the qualifying patient and the primary
20219 caregiver. If the qualifying patient is under eighteen years of age, the
20220 custodial parent, guardian or other person having legal custody of the
20221 qualifying patient shall also provide a letter from both the qualifying
20222 patient's pediatrician and a physician who is board certified in an area
20223 of medicine involved in the treatment of the debilitating condition for
20224 which the qualifying patient was certified, confirming that the
20225 palliative use of marijuana is in the qualifying patient's best interest. A
20226 physician may issue a written certification for the palliative use of
20227 marijuana by a qualifying patient who is under eighteen years of age,
20228 provided such written certification shall not be for marijuana in a

20229 dosage form that requires that the marijuana be smoked or vaporized.
20230 The qualifying patient or the primary caregiver shall report any
20231 change in [such] the identifying information to the department not
20232 later than five business days after such change. The department shall
20233 issue a registration certificate to the qualifying patient and to the
20234 primary caregiver and may charge a reasonable fee, not to exceed
20235 twenty-five dollars, for each registration certificate issued under this
20236 subsection. Any registration fees collected by the department under
20237 this subsection shall be paid to the State Treasurer and credited to the
20238 General Fund.

20239 (b) The qualifying patient shall select a licensed, in-state dispensary
20240 facility to obtain his or her palliative marijuana at the time of
20241 registration. Upon the issuance of the certificate of registration by the
20242 department, the patient shall purchase such palliative marijuana
20243 products from the dispensary facility selected, except that the patient
20244 may change dispensary facilities in accordance with regulations
20245 adopted by the department. Any person with a valid registration
20246 certificate who is found to be in possession of marijuana that did not
20247 originate from the selected licensed dispensary facility may be subject
20248 to a hearing before the commissioner, for possible enforcement action
20249 concerning the registration certificate issued by the department.

20250 (c) A dispensary facility shall not dispense any marijuana product in
20251 a smokable, inhalable or vaporizable form to a qualifying patient who
20252 is under eighteen years of age.

20253 [(b)] (d) Information obtained under this section shall be
20254 confidential and shall not be subject to disclosure under the Freedom
20255 of Information Act, as defined in section 1-200, except that reasonable
20256 access to registry information obtained under this section and
20257 temporary registration information obtained under section 21a-408n
20258 shall be provided to: (1) State agencies, federal agencies and local law
20259 enforcement agencies for the purpose of investigating or prosecuting a
20260 violation of law; (2) physicians and pharmacists for the purpose of

20261 providing patient care and drug therapy management and monitoring
20262 controlled substances obtained by the qualifying patient; (3) public or
20263 private entities for research or educational purposes, provided no
20264 individually identifiable health information may be disclosed; (4) a
20265 licensed dispensary for the purpose of complying with sections 21a-
20266 408 to 21a-408n, inclusive, as amended by this act; (5) a qualifying
20267 patient, but only with respect to information related to such qualifying
20268 patient or such qualifying patient's primary caregiver; or (6) a primary
20269 caregiver, but only with respect to information related to such primary
20270 caregiver's qualifying patient.

20271 Sec. 513. Section 21a-408h of the general statutes, as amended by
20272 section 100 of public act 15-244, is amended by adding subsection (d)
20273 as follows (*Effective July 1, 2015*):

20274 (NEW) (d) On or before January 1, 2016, and annually thereafter,
20275 each licensed dispensary shall report data to the Department of
20276 Consumer Protection relating to the types, mixtures and dosages of
20277 palliative marijuana dispensed by such dispensary. A report prepared
20278 pursuant to this subsection shall be in such form as may be prescribed
20279 by the Commissioner of Consumer Protection.

20280 Sec. 514. Section 21a-408j of the general statutes is repealed and the
20281 following is substituted in lieu thereof (*Effective July 1, 2015*):

20282 (a) No licensed dispensary or employee of the dispensary may: (1)
20283 Acquire marijuana from a person other than a licensed producer; (2)
20284 distribute or dispense marijuana to a person who is not (A) a
20285 qualifying patient registered under section 21a-408d, as amended by
20286 this act, or 21a-408n; **[**, or**]** (B) a primary caregiver of such qualifying
20287 patient; (C) a hospice or other inpatient care facility licensed by the
20288 Department of Public Health pursuant to chapter 368v that has a
20289 protocol for the handling and distribution of marijuana that has been
20290 approved by the Department of Consumer Protection; (D) a laboratory;
20291 or (E) an organization engaged in a research program; or (3) obtain or

20292 transport marijuana outside of this state in violation of state or federal
20293 law.

20294 (b) No licensed dispensary or employee of the dispensary acting
20295 within the scope of his or her employment shall be subject to arrest or
20296 prosecution, penalized in any manner, including, but not limited to,
20297 being subject to any civil penalty, or denied any right or privilege,
20298 including, but not limited to, being subject to any disciplinary action
20299 by a professional licensing board, for acquiring, possessing,
20300 distributing or dispensing marijuana pursuant to sections 21a-408 to
20301 21a-408n, as amended by this act, inclusive.

20302 Sec. 515. Section 21a-408k of the general statutes is repealed and the
20303 following is substituted in lieu thereof (*Effective July 1, 2015*):

20304 (a) No licensed producer or employee of the producer may: (1) Sell,
20305 deliver, transport or distribute marijuana to a person who is not (A) a
20306 licensed dispensary, (B) a laboratory, or (C) an organization engaged in
20307 a research program, or (2) obtain or transport marijuana outside of this
20308 state in violation of state or federal law.

20309 (b) No licensed producer or employee of the producer acting within
20310 the scope of his or her employment shall be subject to arrest or
20311 prosecution, penalized in any manner, including, but not limited to,
20312 being subject to any civil penalty, or denied any right or privilege,
20313 including, but not limited to, being subject to any disciplinary action
20314 by a professional licensing board, for cultivating marijuana or selling,
20315 delivering, transporting or distributing marijuana to licensed
20316 dispensaries under sections 21a-408 to 21a-408n, inclusive, as amended
20317 by this act.

20318 Sec. 516. Subsection (a) of section 21a-408*l* of the general statutes is
20319 repealed and the following is substituted in lieu thereof (*Effective July*
20320 *1, 2015*):

20321 (a) The Commissioner of Consumer Protection shall establish a

20322 Board of Physicians consisting of eight physicians or surgeons who are
20323 knowledgeable about the palliative use of marijuana. [and certified by
20324 the appropriate American board in one of the following specialties:
20325 Neurology, pain medicine, pain management, medical oncology,
20326 psychiatry, infectious disease, family medicine or gynecology.] Four of
20327 the members of the board first appointed shall serve for a term of three
20328 years and four of the members of the board first appointed shall serve
20329 for a term of four years. Thereafter, members of the board shall serve
20330 for a term of four years and shall be eligible for reappointment. Any
20331 member of the board may serve until a successor is appointed. The
20332 Commissioner of Consumer Protection shall serve as an ex-officio
20333 member of the board, and shall select a chairperson from among the
20334 members of the board.

20335 Sec. 517. (NEW) (*Effective July 1, 2015*) (a) Except as provided in
20336 subsection (b) of this section, no person may act as a laboratory
20337 employee or represent that such person is a licensed laboratory
20338 employee unless such person has obtained a license from the
20339 Commissioner of Consumer Protection pursuant to this section.

20340 (b) Prior to the effective date of regulations adopted under this
20341 section, the Commissioner of Consumer Protection may issue a
20342 temporary certificate of registration to a laboratory employee. The
20343 commissioner shall prescribe the standards, procedures and fees for
20344 obtaining a temporary certificate of registration as a laboratory
20345 employee.

20346 (c) The Commissioner of Consumer Protection shall adopt
20347 regulations, in accordance with chapter 54 of the general statutes, to (1)
20348 provide for the licensure of laboratories and laboratory employees; (2)
20349 establish standards and procedures for the revocation, suspension,
20350 summary suspension and nonrenewal of laboratory and laboratory
20351 employee licenses, provided such standards and procedures are
20352 consistent with the provisions of subsection (c) of section 4-182 of the
20353 general statutes; (3) establish a license and renewal fee for each

20354 licensed laboratory and licensed laboratory employee, provided the
20355 aggregate amount of such license and renewal fees shall not be less
20356 than the amount necessary to cover the direct and indirect cost of
20357 licensing and regulating laboratories and laboratory employees in
20358 accordance with the provisions of chapter 420f of the general statutes;
20359 and (4) establish other licensing, renewal and operational standards
20360 deemed necessary by the commissioner.

20361 (d) Any fees collected by the Department of Consumer Protection
20362 under this section shall be paid to the State Treasurer and credited to
20363 the General Fund.

20364 Sec. 518. (NEW) (*Effective July 1, 2015*) (a) No laboratory employee
20365 may: (1) Acquire marijuana from a person other than a licensed
20366 producer, licensed dispensary or organization engaged in a research
20367 program; (2) deliver, transport or distribute marijuana to: (A) A person
20368 who is not a licensed dispensary; (B) a person who is not a licensed
20369 producer; or (C) an organization not engaged in a research program; or
20370 (3) obtain or transport marijuana outside of this state in violation of
20371 state or federal law.

20372 (b) No laboratory or laboratory employee acting within the scope of
20373 his or her employment shall be subject to arrest or prosecution,
20374 penalized in any manner, including, but not limited to, being subject to
20375 any civil penalty, or denied any right or privilege, including, but not
20376 limited to, being subject to any disciplinary action by a professional
20377 licensing board, for acquiring, possessing, delivering, transporting or
20378 distributing marijuana to a licensed dispensary, a licensed producer or
20379 an organization engaged in an approved research program under the
20380 provisions of chapter 420f of the general statutes.

20381 Sec. 519. (NEW) (*Effective July 1, 2015*) (a) The Commissioner of
20382 Consumer Protection may approve a research program if such research
20383 program (1) is to be administered or overseen by (A) a hospital or
20384 health care facility licensed by the Connecticut Department of Public

20385 Health pursuant to chapter 368v of the general statutes, (B) an
20386 institution of higher education, as defined in section 10a-55 of the
20387 general statutes, (C) a licensed producer, or (D) a licensed dispensary,
20388 and (2) will have institutional review board oversight and, if the
20389 research program involves the use of animals, will have an
20390 institutional animal care and use committee.

20391 (b) Except as provided in subsection (c) of this section, no person
20392 may act as a research program employee or represent that such person
20393 is a licensed research program employee unless such person has
20394 obtained a license from the Commissioner of Consumer Protection
20395 pursuant to this section.

20396 (c) Prior to the effective date of regulations adopted under this
20397 section, the Commissioner of Consumer Protection may issue a
20398 temporary certificate of registration to a research program employee.
20399 The commissioner shall prescribe the standards, procedures and fees
20400 for obtaining a temporary certificate of registration as a research
20401 program employee.

20402 (d) The Commissioner of Consumer Protection shall adopt
20403 regulations, in accordance with chapter 54 of the general statutes, to (1)
20404 provide for the approval of research programs and licensure of
20405 research program employees, (2) establish standards and procedures
20406 for the termination or suspension of a research program, (3) establish
20407 standards and procedures for the revocation, suspension, summary
20408 suspension and nonrenewal of a research program employee license,
20409 provided such standards and procedures are consistent with the
20410 provisions of subsection (c) of section 4-182 of the general statutes, (4)
20411 establish a (A) fee for research program review and approval, and (B)
20412 license and renewal fee for each research program employee, provided
20413 the aggregate amount of such fees shall not be less than the amount
20414 necessary to cover the direct and indirect cost of approving research
20415 programs and licensing and regulating research program employees
20416 pursuant to the provisions of chapter 420f of the general statutes, and

20417 (5) establish other licensing, renewal and operational standards
20418 deemed necessary by the commissioner.

20419 (e) Any fees collected by the Department of Consumer Protection
20420 under this section shall be paid to the State Treasurer and credited to
20421 the General Fund.

20422 Sec. 520. (NEW) (*Effective July 1, 2015*) (a) No research program or
20423 research program employee may: (1) Acquire marijuana from a person
20424 other than a licensed producer, licensed dispensary or laboratory; (2)
20425 deliver, transport or distribute marijuana to a person who is not: (A) A
20426 licensed dispensary; (B) a licensed producer; or (C) a research program
20427 subject; (3) distribute or administer marijuana to an animal unless such
20428 animal is an animal research subject; or (4) obtain or transport
20429 marijuana outside of this state in violation of state or federal law.

20430 (b) No research program employee acting within the scope of his or
20431 her employment shall be subject to arrest or prosecution, penalized in
20432 any manner, including, but not limited to, being subject to any civil
20433 penalty, or denied any right or privilege, including, but not limited to,
20434 being subject to any disciplinary action by a professional licensing
20435 board, for acquiring, possessing, delivering, transporting or
20436 distributing marijuana to a licensed dispensary, a licensed producer or
20437 a research program subject or distributing or administering marijuana
20438 to an animal research subject under the provisions of chapter 420f of
20439 the general statutes.

20440 Sec. 521. (NEW) (*Effective from passage*) (a) Any person seeking to
20441 participate as a research program subject shall register with the
20442 Department of Consumer Protection prior to participating in an
20443 approved research program. The Commissioner of Consumer
20444 Protection shall prescribe the standards and procedures for obtaining a
20445 certificate of registration as a research program subject.

20446 (b) A research program subject who has a valid registration
20447 certificate from the Department of Consumer Protection and is acting

20448 within the scope of his or her involvement in an approved research
20449 program shall not be subject to arrest or prosecution, penalized in any
20450 manner, including, but not limited to, being subject to any civil penalty
20451 or denied any right or privilege, including, but not limited to, being
20452 subject to any disciplinary action by a professional licensing board, for
20453 the use of marijuana.

20454 (c) The provisions of subsection (b) of this section do not apply to:

20455 (1) Any use of marijuana that endangers the health or well-being of
20456 a person other than the research program subject or a research
20457 program employee; or

20458 (2) The ingestion of marijuana (A) in a motor bus or a school bus or
20459 in any other moving vehicle, (B) in the workplace, (C) on any school
20460 grounds or any public or private school, dormitory, college or
20461 university property unless such college or university is participating in
20462 a research program and such use is pursuant to the terms of the
20463 research program, (D) in any public place, or (E) in the presence of a
20464 person under eighteen years of age unless such person is a qualifying
20465 patient or research program subject. For purposes of this subdivision,
20466 (i) "presence" means within the direct line of sight of the palliative use
20467 of marijuana or exposure to second-hand marijuana smoke, or both; (ii)
20468 "public place" means any area that is used or held out for use by the
20469 public whether owned or operated by public or private interests; (iii)
20470 "vehicle" means a vehicle, as defined in section 14-1 of the general
20471 statutes; (iv) "motor bus" means a motor bus, as defined in section 14-1
20472 of the general statutes; and (v) "school bus" means a school bus, as
20473 defined in section 14-1 of the general statutes.

20474 (d) Information obtained under this section shall be confidential and
20475 shall not be subject to disclosure under the Freedom of Information
20476 Act, as defined in section 1-200 of the general statutes, except that
20477 reasonable access to registry information obtained under this section
20478 shall be provided to: (1) State agencies, federal agencies and local law

20479 enforcement agencies for the purpose of investigating or prosecuting a
20480 violation of law; (2) physicians and pharmacists for the purpose of
20481 providing patient care and drug therapy management and monitoring
20482 controlled substances obtained by the research program subject; (3)
20483 public or private entities for research or educational purposes,
20484 provided no individually identifiable health information may be
20485 disclosed; (4) a licensed dispensary for the purpose of complying with
20486 sections 21a-408 to 21a-408n, inclusive, of the general statutes, as
20487 amended by this act; or (5) a research program subject, but only with
20488 respect to information related to such research program subject.

20489 Sec. 522. Sections 14-154a and 14-211a of the general statutes are
20490 repealed. (*Effective from passage*)

20491 Sec. 523. Section 76 of public act 13-277 is repealed. (*Effective from*
20492 *passage*)

20493 Sec. 524. Section 3 of public act 15-226 is repealed. (*Effective from*
20494 *passage*)

20495 Sec. 525. Section 76 of public act 15-244 is repealed. (*Effective from*
20496 *passage*)

20497 Sec. 526. Section 217 of public act 15-244 is repealed. (*Effective June*
20498 *30, 2015*)

20499 Sec. 527. Section 4-84 of the general statutes is repealed. (*Effective*
20500 *July 1, 2015*)

20501 Sec. 528. Sections 13b-51a and 32-435 of the general statutes are
20502 repealed. (*Effective July 1, 2015*)

20503 Sec. 529. Sections 17b-278h and 19a-490t of the general statutes are
20504 repealed. (*Effective July 1, 2015*)

20505 Sec. 530. Section 1 of public act 15-81 is repealed. (*Effective July 1,*
20506 *2015*)

20507 Sec. 531. Sections 45a-106 and 45a-108 of the general statutes are
20508 repealed. (*Effective January 1, 2016*)

20509 Sec. 532. Sections 13b-51b and 13b-55 of the general statutes are
20510 repealed. (*Effective July 1, 2016*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2015*	New section
Sec. 2	*July 1, 2015*	New section
Sec. 3	*July 1, 2016*	New section
Sec. 4	*July 1, 2016*	New section
Sec. 5	*July 1, 2016*	New section
Sec. 6	*July 1, 2016*	New section
Sec. 7	*July 1, 2016*	New section
Sec. 8	*July 1, 2015*	New section
Sec. 9	*July 1, 2015*	New section
Sec. 10	*July 1, 2015*	PA 14-222, Sec. 2(a)
Sec. 11	*July 1, 2015*	PA 14-222, Sec. 3
Sec. 12	*July 1, 2016*	13b-51
Sec. 13	*July 1, 2016*	13b-53
Sec. 14	*July 1, 2016*	13b-55a
Sec. 15	*July 1, 2016*	13b-55b
Sec. 16	*July 1, 2016*	13b-56
Sec. 17	*July 1, 2016*	13b-57
Sec. 18	*July 1, 2016*	15-1
Sec. 19	*July 1, 2016*	15-7
Sec. 20	*July 1, 2016*	15-9
Sec. 21	*July 1, 2016*	15-11a
Sec. 22	*July 1, 2016*	15-13
Sec. 23	*July 1, 2016*	15-13c
Sec. 24	*July 1, 2016*	15-14
Sec. 25	*July 1, 2016*	15-15a
Sec. 26	*July 1, 2016*	15-15b
Sec. 27	*July 1, 2016*	15-15d
Sec. 28	*July 1, 2016*	15-15e
Sec. 29	*July 1, 2016*	15-25
Sec. 30	*July 1, 2016*	15-140d

Sec. 31	*July 1, 2016*	22a-113m
Sec. 32	*July 1, 2016*	22a-337(a)
Sec. 33	*July 1, 2016*	22a-340
Sec. 34	*July 1, 2016*	22a-359(b)
Sec. 35	*July 1, 2016*	22a-361(b)
Sec. 36	*July 1, 2015*	1-79(12)
Sec. 37	*July 1, 2015*	1-120(1)
Sec. 38	*July 1, 2015*	1-124
Sec. 39	*July 1, 2015*	1-125
Sec. 40	*July 1, 2015*	13b-69(b)
Sec. 41	*January 1, 2016*	4-66aa(a)
Sec. 42	*July 1, 2015*	32-4*l*
Sec. 43	*January 1, 2016*	38a-488a(b)
Sec. 44	*January 1, 2017*	38a-488a(b)
Sec. 45	*January 1, 2016*	38a-514(b)
Sec. 46	*January 1, 2017*	38a-514(b)
Sec. 47	*October 1, 2015*	12-158(a)
Sec. 48	*July 1, 2015*	4-86(c)
Sec. 49	*July 1, 2015*	28-9a(a)
Sec. 50	*from passage*	New section
Sec. 51	*October 1, 2015*	38a-135
Sec. 52	*July 1, 2015*	31-294d(a)
Sec. 53	*upon the effective date of section 5 of public act 15-222*	32-41aa
Sec. 54	*upon the effective date of section 5 of public act 15-222*	32-41cc(d) and (e)
Sec. 55	*upon the effective date of section 5 of public act 15-222*	32-41cc(j)
Sec. 56	*October 1, 2015*	New section
Sec. 57	*October 1, 2015*	New section
Sec. 58	*October 1, 2015*	4a-60g(a) to (d)
Sec. 59	*October 1, 2015*	4a-60g(h)
Sec. 60	*October 1, 2015*	4a-60g(j)
Sec. 61	*October 1, 2015*	4a-60g(l) and (m)
Sec. 62	*October 1, 2015*	4a-60h
Sec. 63	*October 1, 2015*	4a-60
Sec. 64	*October 1, 2015*	4a-60a

Sec. 65	*October 1, 2015*	4a-62
Sec. 66	*October 1, 2015*	46a-68b
Sec. 67	*October 1, 2015*	46a-68c
Sec. 68	*October 1, 2015*	46a-68d
Sec. 69	*October 1, 2015*	46a-68g
Sec. 70	*October 1, 2015*	46a-68k
Sec. 71	*October 1, 2015*	46a-56(c) and (d)
Sec. 72	*October 1, 2015*	46a-57(d)
Sec. 73	*October 1, 2015*	46a-58(a)
Sec. 74	*October 1, 2015*	46a-82(a)
Sec. 75	*October 1, 2015*	46a-82e
Sec. 76	*October 1, 2015*	46a-83a
Sec. 77	*October 1, 2015*	46a-84
Sec. 78	*October 1, 2015*	46a-86
Sec. 79	*October 1, 2015*	46a-89
Sec. 80	*October 1, 2015*	46a-90a
Sec. 81	*October 1, 2015*	46a-94a
Sec. 82	*October 1, 2015*	46a-98(a)
Sec. 83	*October 1, 2015*	46a-98a
Sec. 84	*October 1, 2015*	46a-100
Sec. 85	*October 1, 2015*	46a-101
Sec. 86	*October 1, 2015*	46a-82c(b)
Sec. 87	*October 1, 2015*	46a-55(b)
Sec. 88	*January 1, 2016*	4a-60g(a)(11)
Sec. 89	*July 1, 2015*	New section
Sec. 90	*July 1, 2015*	New section
Sec. 91	*July 1, 2015*	New section
Sec. 92	*July 1, 2015*	New section
Sec. 93	*July 1, 2015*	New section
Sec. 94	*July 1, 2015*	New section
Sec. 95	*July 1, 2015*	New section
Sec. 96	*July 1, 2015*	New section
Sec. 97	*July 1, 2015*	10-183t(d)
Sec. 98	*July 1, 2015*	10-183r
Sec. 99	*July 1, 2015*	2-71p
Sec. 100	*July 1, 2015*	2-71t
Sec. 101	*July 1, 2015*	2-71u
Sec. 102	*July 1, 2015*	16-1(a)
Sec. 103	*July 1, 2015*	New section

Sec. 104	*from passage*	12-81(57)
Sec. 105	*July 1, 2015*	New section
Sec. 106	*July 1, 2015, and applicable to assessment years commencing on or after October 1, 2015*	New section
Sec. 107	*October 1, 2015*	16a-41b
Sec. 108	*from passage*	16-245o(o)
Sec. 109	*October 1, 2015*	7-222
Sec. 110	*October 1, 2015*	4-66l(b)(5)
Sec. 111	*October 1, 2015*	4-66l(e)
Sec. 112	*October 1, 2015*	New section
Sec. 113	*January 1, 2016*	New section
Sec. 114	*July 1, 2015*	New section
Sec. 115	*July 1, 2015*	10-149b(a)
Sec. 116	*July 1, 2015*	New section
Sec. 117	*July 1, 2015*	4-61dd
Sec. 118	*from passage*	New section
Sec. 119	*October 1, 2015*	22-4b
Sec. 120	*October 1, 2015*	22-6
Sec. 121	*October 1, 2015*	22-6c(c)
Sec. 122	*July 1, 2015*	10a-173
Sec. 123	*from passage*	12-2(b)
Sec. 124	*from passage*	12-7c
Sec. 125	*from passage*	12-702a(a)
Sec. 126	*from passage*	12-702a(f) to (h)
Sec. 127	*from passage*	12-706(b)
Sec. 128	*from passage*	29-18b
Sec. 129	*from passage*	53-394(a)
Sec. 130	*from passage*	New section
Sec. 131	*October 1, 2016*	PA 15-244, Sec. 172(b)(1)
Sec. 132	*July 1, 2015*	New section
Sec. 133	*from passage and applicable to sales occurring on or after October 1, 2015*	12-408(1)
Sec. 134	*July 1, 2015, and applicable to sales occurring on or after said date*	12-407(a)(37)(A)

Sec. 135	*October 1, 2015, and applicable to sales occurring on or after said date*	12-407(a)(37)(A)
Sec. 136	*July 1, 2015, and applicable to sales occurring on or after said date*	12-407(a)(37)(N)
Sec. 137	*July 1, 2015, and applicable to sales occurring on or after said date*	12-407(a)(37)(OO)
Sec. 138	*October 1, 2015, and applicable to periods ending on or after December 31, 2015*	12-414(a) and (b)
Sec. 139	*July 1, 2015*	PA 15-244, Sec. 105
Sec. 140	*June 30, 2015*	New section
Sec. 141	*January 1, 2016, and applicable to income years commencing on or after said date*	12-214(b)(7) and (8)
Sec. 142	*January 1, 2016, and applicable to income years commencing on or after said date*	12-219(b)(7) and (8)
Sec. 143	*January 1, 2016, and applicable to income years commencing on or after said date*	PA 15-244, Sec. 139(d)
Sec. 144	*January 1, 2016, and applicable to income years commencing on or after said date*	PA 15-244, Sec. 139(j)
Sec. 145	*January 1, 2016, and applicable to income years commencing on or after said date*	PA 15-244, Sec. 140

Sec. 146	*January 1, 2016, and applicable to income years commencing on or after said date*	PA 15-244, Sec. 141
Sec. 147	*January 1, 2016, and applicable to income years commencing on or after said date*	12-217t(e)
Sec. 148	*January 1, 2016, and applicable to income years commencing on or after said date*	12-218d(d)(3)
Sec. 149	*January 1, 2016, and applicable to income years commencing on or after said date*	12-219a(b)(1)
Sec. 150	*January 1, 2016, and applicable to income years commencing on or after said date*	12-222(g)(2)
Sec. 151	*January 1, 2016, and applicable to income years commencing on or after said date*	12-223a(e)
Sec. 152	*January 1, 2016, and applicable to income years commencing on or after said date*	12-223f(b)
Sec. 153	*January 1, 2016, and applicable to income years commencing on or after said date*	12-242d(j)
Sec. 154	*January 1, 2016, and applicable to income years commencing on or after said date*	38a-88a(f)(1)
Sec. 155	*July 1, 2015*	12-263m(b)
Sec. 156	*July 1, 2015*	New section
Sec. 157	*July 1, 2015*	New section
Sec. 158	*from passage*	4a-59(c)
Sec. 159	*from passage*	13a-73(a) to (c)

Sec. 160	*from passage*	13a-80(b)
Sec. 161	*from passage*	13a-95b
Sec. 162	*from passage*	13a-95c
Sec. 163	*from passage*	13b-34
Sec. 164	*from passage*	13b-283
Sec. 165	*October 1, 2015*	14-66
Sec. 166	*from passage*	New section
Sec. 167	*from passage*	15-13
Sec. 168	*from passage*	13b-59(d)
Sec. 169	*from passage*	New section
Sec. 170	*October 1, 2015*	New section
Sec. 171	*from passage*	New section
Sec. 172	*from passage*	New section
Sec. 173	*from passage*	New section
Sec. 174	*from passage*	New section
Sec. 175	*from passage*	New section
Sec. 176	*from passage*	New section
Sec. 177	*from passage*	New section
Sec. 178	*from passage*	New section
Sec. 179	*from passage*	New section
Sec. 180	*from passage*	New section
Sec. 181	*from passage*	New section
Sec. 182	*from passage*	New section
Sec. 183	*from passage*	New section
Sec. 184	*from passage*	New section
Sec. 185	*from passage*	New section
Sec. 186	*from passage*	New section
Sec. 187	*from passage*	New section
Sec. 188	*from passage*	New section
Sec. 189	*from passage*	New section
Sec. 190	*from passage*	New section
Sec. 191	*from passage*	New section
Sec. 192	*from passage*	New section
Sec. 193	*from passage*	New section
Sec. 194	*from passage*	New section
Sec. 195	*from passage*	PA 11-256, Sec. 21
Sec. 196	*from passage*	PA 11-256, Sec. 46
Sec. 197	*from passage*	PA 13-277, Sec. 44
Sec. 198	*from passage*	14-11b(a)

Sec. 199	*from passage*	14-15(b)
Sec. 200	*from passage*	14-36a
Sec. 201	*from passage*	14-36d
Sec. 202	*from passage*	14-44
Sec. 203	*from passage*	14-44c
Sec. 204	*from passage*	14-44e(b)
Sec. 205	*from passage*	14-44e(h)
Sec. 206	*from passage*	14-44g(d)
Sec. 207	*from passage*	14-46b
Sec. 208	*from passage*	14-46c
Sec. 209	*from passage*	14-46e
Sec. 210	*from passage*	14-47(a)
Sec. 211	*from passage*	14-50a(a)(9)
Sec. 212	*from passage*	14-52(b)(5)
Sec. 213	*from passage*	14-58(c)
Sec. 214	*from passage*	14-61(a)
Sec. 215	*from passage*	14-96p
Sec. 216	*from passage*	14-96q
Sec. 217	*from passage*	14-112(f)
Sec. 218	*from passage*	14-178
Sec. 219	*from passage*	14-293b
Sec. 220	*from passage*	14-300g
Sec. 221	*from passage*	New section
Sec. 222	*from passage*	14-36g
Sec. 223	*from passage*	New section
Sec. 224	*from passage*	14-37a(a)
Sec. 225	*from passage*	14-37a(c)
Sec. 226	*October 1, 2015*	14-253a
Sec. 227	*October 1, 2015*	14-325b
Sec. 228	*from passage*	New section
Sec. 229	*from passage*	New section
Sec. 230	*from passage*	14-296aa(b)
Sec. 231	*from passage*	New section
Sec. 232	*from passage*	New section
Sec. 233	*from passage*	14-12c
Sec. 234	*from passage*	14-213b(a)
Sec. 235	*from passage*	38a-343a
Sec. 236	*October 1, 2015*	14-145(a)
Sec. 237	*October 1, 2015*	14-145a(a)

Sec. 238	*from passage*	12-412(82)
Sec. 239	*from passage*	14-36m(e)
Sec. 240	*July 1, 2015*	14-33(c)
Sec. 241	*from passage and applicable to assessment years commencing on and after October 1, 2015*	New section
Sec. 242	*from passage*	New section
Sec. 243	*from passage*	12-65b
Sec. 244	*from passage and applicable to assessment years commencing on and after October 1, 2015*	New section
Sec. 245	*July 1, 2015*	New section
Sec. 246	*July 1, 2015*	New section
Sec. 247	*July 1, 2015*	10-94f
Sec. 248	*July 1, 2015*	10-217a(i)
Sec. 249	*July 1, 2015*	10-281(b)
Sec. 250	*July 1, 2015*	10-71(d)
Sec. 251	*July 1, 2015*	10-66j(e)
Sec. 252	*July 1, 2015*	10-76d(e)(2)
Sec. 253	*July 1, 2015*	10-76g(d)
Sec. 254	*July 1, 2015*	10-253(b)
Sec. 255	*July 1, 2015*	10-266m(a)(4)
Sec. 256	*July 1, 2015*	10-65(a)
Sec. 257	*July 1, 2015*	10-65(g)
Sec. 258	*July 1, 2015*	10-266aa(f)
Sec. 259	*July 1, 2015*	New section
Sec. 260	*July 1, 2015*	10-19o(a)
Sec. 261	*July 1, 2015*	10-223h(a)
Sec. 262	*July 1, 2015*	17a-248
Sec. 263	*July 1, 2015*	17a-248g(e)
Sec. 264	*July 1, 2015*	17a-248h
Sec. 265	*July 1, 2015*	New section
Sec. 266	*July 1, 2015*	New section
Sec. 267	*July 1, 2015*	New section
Sec. 268	*July 1, 2015*	New section
Sec. 269	*July 1, 2015*	New section
Sec. 270	*July 1, 2015*	New section
Sec. 271	*July 1, 2015*	New section

Sec. 272	*July 1, 2015*	New section
Sec. 273	*July 1, 2015*	New section
Sec. 274	*July 1, 2015*	New section
Sec. 275	*July 1, 2015*	New section
Sec. 276	*July 1, 2015*	New section
Sec. 277	*July 1, 2015*	New section
Sec. 278	*July 1, 2015*	New section
Sec. 279	*July 1, 2015*	10-145b(d)
Sec. 280	*July 1, 2015*	10-76d(a)
Sec. 281	*July 1, 2015*	New section
Sec. 282	*July 1, 2015*	New section
Sec. 283	*July 1, 2015*	2-90
Sec. 284	*July 1, 2015*	New section
Sec. 285	*July 1, 2015*	New section
Sec. 286	*July 1, 2015*	New section
Sec. 287	*July 1, 2015*	New section
Sec. 288	*July 1, 2015*	New section
Sec. 289	*July 1, 2015*	10-17f
Sec. 290	*July 1, 2015*	10-17g
Sec. 291	*July 1, 2015*	10-17j
Sec. 292	*July 1, 2015*	New section
Sec. 293	*July 1, 2015*	New section
Sec. 294	*July 1, 2015*	New section
Sec. 295	*July 1, 2015*	10-220a(a)
Sec. 296	*July 1, 2015*	New section
Sec. 297	*July 1, 2015*	New section
Sec. 298	*July 1, 2015*	10-14n
Sec. 299	*July 1, 2015*	10-262u(d)
Sec. 300	*July 1, 2015*	New section
Sec. 301	*July 1, 2015*	New section
Sec. 302	*upon the effective date of section 2 of public act 15-237*	PA 15-237, Sec. 2(a)
Sec. 303	*July 1, 2015*	New section
Sec. 304	*July 1, 2015*	New section
Sec. 305	*July 1, 2015*	New section
Sec. 306	*July 1, 2015*	New section
Sec. 307	*July 1, 2015*	New section
Sec. 308	*July 1, 2015*	New section

Sec. 309	*July 1, 2015*	10-266p
Sec. 310	*July 1, 2015*	10-264*l*
Sec. 311	*July 1, 2015*	10-266ee
Sec. 312	*July 1, 2015*	10-266dd(a)
Sec. 313	*July 1, 2015*	10-264i(a)(1)
Sec. 314	*July 1, 2015*	10-264i(a)(3)
Sec. 315	*July 1, 2015*	10-264h(a)
Sec. 316	*July 1, 2015*	New section
Sec. 317	*July 1, 2015*	10-264o(a) to (c)
Sec. 318	*July 1, 2015*	10-66ee(l)
Sec. 319	*July 1, 2015*	10-262s
Sec. 320	*July 1, 2015*	10-266m(a)(5)
Sec. 321	*July 1, 2015*	10-266aa(o)
Sec. 322	*July 1, 2015*	10-283(a)(1) and (2)
Sec. 323	*July 1, 2015*	10-283(c)
Sec. 324	*July 1, 2015*	10-264p
Sec. 325	*July 1, 2015*	New section
Sec. 326	*July 1, 2015*	5-198
Sec. 327	*July 1, 2015*	10-16q(b)(1)
Sec. 328	*July 1, 2015*	10-16n
Sec. 329	*July 1, 2015*	10-223e(a) and (b)
Sec. 330	*July 1, 2015*	10-262u(a)
Sec. 331	*July 1, 2015*	10-262f(16)
Sec. 332	*July 1, 2015*	New section
Sec. 333	*July 1, 2015*	10-66bb(j)(2)
Sec. 334	*July 1, 2015*	10-223h(j)(1) and (2)
Sec. 335	*July 1, 2015*	10-223k
Sec. 336	*July 1, 2015*	10-223f(a)
Sec. 337	*July 1, 2015*	New section
Sec. 338	*July 1, 2015*	10-266p(e)
Sec. 339	*July 1, 2015*	New section
Sec. 340	*July 1, 2015*	New section
Sec. 341	*July 1, 2015*	10-145f(c)
Sec. 342	*July 1, 2015*	10-145h
Sec. 343	*July 1, 2015*	10-145k
Sec. 344	*July 1, 2015*	10-151b(a)
Sec. 345	*July 1, 2015*	PA 15-168, Sec. 1
Sec. 346	*July 1, 2015*	New section
Sec. 347	*from passage*	New section

Sec. 348	*July 1, 2015*	New section
Sec. 349	*July 1, 2015*	19a-55(a)
Sec. 350	*January 1, 2016*	38a-514b
Sec. 351	*January 1, 2016*	38a-488b
Sec. 352	*January 1, 2016*	38a-516a
Sec. 353	*January 1, 2016*	38a-490a
Sec. 354	*from passage*	17a-215c
Sec. 355	*July 1, 2015*	38a-591c(a)(3)
Sec. 356	*from passage*	New section
Sec. 357	*October 1, 2015*	21a-254(j)
Sec. 358	*July 1, 2015*	New section
Sec. 359	*July 1, 2015*	New section
Sec. 360	*July 1, 2015*	17a-28(g)(12)
Sec. 361	*July 1, 2015*	17b-261(i)
Sec. 362	*from passage*	New section
Sec. 363	*October 1, 2015*	New section
Sec. 364	*October 1, 2015*	New section
Sec. 365	*from passage*	New section
Sec. 366	*October 1, 2015*	New section
Sec. 367	*October 1, 2015*	New section
Sec. 368	*October 1, 2015*	New section
Sec. 369	*October 1, 2015*	19a-14(c)
Sec. 370	*from passage*	New section
Sec. 371	*July 1, 2015*	17a-408(b)(14)
Sec. 372	*July 1, 2015*	10-295(b)(3)
Sec. 373	*August 1, 2015*	17b-261(a)
Sec. 374	*from passage*	New section
Sec. 375	*July 1, 2015*	17b-277
Sec. 376	*August 1, 2015*	17b-290
Sec. 377	*August 1, 2015*	17b-292
Sec. 378	*July 1, 2015*	17b-104(b)
Sec. 379	*July 1, 2015*	17b-106(a)
Sec. 380	*July 1, 2015*	17b-340(f)(4)
Sec. 381	*July 1, 2015*	17b-340(g)
Sec. 382	*July 1, 2015*	17b-244(a)
Sec. 383	*July 1, 2015*	17b-340(h)(1)
Sec. 384	*July 1, 2015*	17b-280(a)
Sec. 385	*July 1, 2015*	17b-239e(b)
Sec. 386	*July 1, 2015*	17b-342(i)

Sec. 387	*July 1, 2015*	17b-131
Sec. 388	*July 1, 2015*	17b-84
Sec. 389	*July 1, 2015*	17b-265d(c)
Sec. 390	*July 1, 2015*	17b-242(c)
Sec. 391	*July 1, 2015*	17b-265(d)
Sec. 392	*July 1, 2015*	17b-273
Sec. 393	*from passage*	New section
Sec. 394	*July 1, 2015*	17b-354(a)
Sec. 395	*July 1, 2015*	17b-340(a)
Sec. 396	*July 1, 2015*	17b-239
Sec. 397	*from passage*	New section
Sec. 398	*July 1, 2016*	17a-22f
Sec. 399	*July 1, 2016*	17a-476
Sec. 400	*July 1, 2016*	17b-261m
Sec. 401	*July 1, 2016*	17b-241a
Sec. 402	*August 1, 2015*	17b-280
Sec. 403	*July 1, 2015*	17b-99(d)
Sec. 404	*July 1, 2015*	New section
Sec. 405	*June 30, 2015*	New section
Sec. 406	*October 1, 2015, and applicable to the renewal of a license that expires on or after said date*	19a-88(b)
Sec. 407	*October 1, 2015*	20-74f
Sec. 408	*October 1, 2015, and applicable to the renewal of a license that expires on or after said date*	20-74h
Sec. 409	*October 1, 2015, and applicable to the renewal of a license that expires on or after said date*	20-222a
Sec. 410	*October 1, 2015*	PA 15-244, Sec. 136
Sec. 411	*from passage*	New section
Sec. 412	*July 1, 2015*	17b-349(a)
Sec. 413	*July 1, 2015*	17b-369
Sec. 414	*July 1, 2015*	New section
Sec. 415	*from passage*	12-81(59)
Sec. 416	*July 1, 2015*	32-7h(b)
Sec. 417	*July 1, 2015*	32-9t(i)

Sec. 418	*July 1, 2015*	3-20(z)
Sec. 419	*July 1, 2015*	13b-79v
Sec. 420	*from passage*	16-245l(a)
Sec. 421	*from passage*	15-140f(b)
Sec. 422	*from passage*	New section
Sec. 423	*July 1, 2015*	New section
Sec. 424	*from passage*	17a-101q
Sec. 425	*July 1, 2015*	3-123aaa
Sec. 426	*July 1, 2015*	10a-105
Sec. 427	*July 1, 2017*	17a-62a
Sec. 428	*July 1, 2017*	8-37r
Sec. 429	*July 1, 2015*	16-2a
Sec. 430	*July 1, 2015*	3-66a
Sec. 431	*July 1, 2015*	3-70a(c)
Sec. 432	*from passage*	New section
Sec. 433	*July 1, 2015*	5-198
Sec. 434	*July 1, 2015*	New section
Sec. 435	*July 1, 2015*	14-62(b) and (c)
Sec. 436	*July 1, 2015*	14-62a
Sec. 437	*July 1, 2015*	New section
Sec. 438	*from passage*	New section
Sec. 439	*July 1, 2015*	10a-22u(a)
Sec. 440	*from passage*	12-217jj(f)
Sec. 441	*from passage*	13b-68
Sec. 442	*from passage*	13b-61
Sec. 443	*from passage*	New section
Sec. 444	*from passage*	New section
Sec. 445	*October 1, 2015*	10-231c(c) to (e)
Sec. 446	*October 1, 2015*	10-231d(c) and (d)
Sec. 447	*from passage*	10-231a
Sec. 448	*October 1, 2015*	New section
Sec. 449	*from passage*	22a-66*l*
Sec. 450	*January 1, 2016*	46b-38c(g)
Sec. 451	*January 1, 2016*	New section
Sec. 452	*January 1, 2016*	9-229(b) and (c)
Sec. 453	*January 1, 2016*	8-31b(b)
Sec. 454	*January 1, 2016*	9-3
Sec. 455	*July 1, 2017*	12-632(i)
Sec. 456	*July 1, 2015*	45a-105

Sec. 457	*July 1, 2015*	45a-107
Sec. 458	*January 1, 2016*	New section
Sec. 459	*January 1, 2016*	New section
Sec. 460	*January 1, 2016*	45a-109
Sec. 461	*July 1, 2015*	45a-110
Sec. 462	*July 1, 2015*	19a-131b(f)
Sec. 463	*July 1, 2015*	New section
Sec. 464	*January 1, 2016*	45a-111
Sec. 465	*January 1, 2016*	45a-112
Sec. 466	*January 1, 2016*	45a-113a
Sec. 467	*January 1, 2016*	45a-684
Sec. 468	*from passage*	31-294d(d)
Sec. 469	*July 1, 2015*	51-47(a) and (b)
Sec. 470	*July 1, 2015*	46b-231(h)
Sec. 471	*July 1, 2015*	46b-236(b)
Sec. 472	*July 1, 2015*	52-434(f)
Sec. 473	*July 1, 2015*	New section
Sec. 474	*July 1, 2015*	5-198
Sec. 475	*from passage*	16-2
Sec. 476	*October 1, 2015*	16a-4d
Sec. 477	*July 1, 2015*	New section
Sec. 478	*January 1, 2016*	38a-492b
Sec. 479	*January 1, 2016*	38a-518b
Sec. 480	*from passage*	New section
Sec. 481	*from passage*	New section
Sec. 482	*July 1, 2015*	New section
Sec. 483	*June 30, 2015*	New section
Sec. 484	*October 1, 2015, and applicable to the renewal of a license that expires on or after said date*	19a-88(b)
Sec. 485	*October 1, 2015*	20-74f
Sec. 486	*October 1, 2015, and applicable to the renewal of a license that expires on or after said date*	20-74h
Sec. 487	*October 1, 2015, and applicable to the renewal of a license that expires on or after said date*	20-222a

Sec. 488	*October 1, 2015*	PA 15-244, Sec. 136
Sec. 489	*October 1, 2015*	PA 15-244, Sec. 137
Sec. 490	*October 1, 2015*	New section
Sec. 491	*from passage*	4-85(b)
Sec. 492	*from passage*	12-217(a)(4)
Sec. 493	*July 1, 2015, and applicable to sales occurring on or after said date, and to sales of services that are billed to customers for a period that includes said July 1, 2015, date*	12-407(a)(37)(A)
Sec. 494	*October 1, 2015, and applicable to sales occurring on or after said date, and to sales of services that are billed to customers for a period that includes said October 1, 2015, date*	12-407(a)(37)(A)
Sec. 495	*from passage*	New section
Sec. 496	*July 1, 2015*	New section
Sec. 497	*from passage*	New section
Sec. 498	*July 1, 2015*	New section
Sec. 499	*July 1, 2015*	New section
Sec. 500	*July 1, 2015*	4-68m(b)
Sec. 501	*July 1, 2016*	New section
Sec. 502	*from passage*	10a-1a(a)
Sec. 503	*from passage*	4a-19
Sec. 504	*from passage*	46a-9
Sec. 505	*from passage*	19a-14
Sec. 506	*October 1, 2015*	4-66*l*
Sec. 507	*from passage*	New section
Sec. 508	*July 1, 2015*	21a-408
Sec. 509	*July 1, 2015*	21a-408a(b)
Sec. 510	*July 1, 2015*	21a-408b
Sec. 511	*July 1, 2015*	21a-408c
Sec. 512	*July 1, 2015*	21a-408d
Sec. 513	*July 1, 2015*	21a-408h

Sec. 514	*July 1, 2015*	21a-408j
Sec. 515	*July 1, 2015*	21a-408k
Sec. 516	*July 1, 2015*	21a-408l(a)
Sec. 517	*July 1, 2015*	New section
Sec. 518	*July 1, 2015*	New section
Sec. 519	*July 1, 2015*	New section
Sec. 520	*July 1, 2015*	New section
Sec. 521	*from passage*	New section
Sec. 522	*from passage*	Repealer section
Sec. 523	*from passage*	Repealer section
Sec. 524	*from passage*	Repealer section
Sec. 525	*from passage*	Repealer section
Sec. 526	*June 30, 2015*	Repealer section
Sec. 527	*July 1, 2015*	Repealer section
Sec. 528	*July 1, 2015*	Repealer section
Sec. 529	*July 1, 2015*	Repealer section
Sec. 530	*July 1, 2015*	Repealer section
Sec. 531	*January 1, 2016*	Repealer section
Sec. 532	*July 1, 2016*	Repealer section