



House of Representatives

General Assembly

File No. 46

February Session, 2016

Substitute House Bill No. 5176

House of Representatives, March 15, 2016

The Committee on Planning and Development reported through REP. MILLER, P. of the 36th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING COMMUNITY RESIDENCES.

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

1 Section 1. Section 8-3e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 (a) No zoning regulation shall treat the following in a manner
4 different from any single family residence: (1) Any community
5 residence that houses six or fewer persons with intellectual [disability]
6 disabilities and necessary staff persons and that is licensed under the
7 provisions of section 17a-227, (2) any child-care residential facility that
8 houses six or fewer children with mental or physical disabilities and
9 necessary staff persons and that is licensed under sections 17a-145 to
10 17a-151, inclusive, (3) any community residence that houses six or
11 fewer persons receiving mental health or addiction services and
12 necessary staff persons paid for or provided by the Department of
13 Mental Health and Addiction Services and that has been issued a
14 license by the Department of Public Health under the provisions of

15 section 19a-491, if a license is required, or (4) any hospice facility,
16 including a hospice residence, that provides inpatient hospice care and
17 services to six or fewer persons and is licensed to provide such services
18 by the Department of Public Health, provided such facility is (A)
19 managed by an organization that is tax exempt under Section 501(c)(3)
20 of the Internal Revenue Code of 1986, or any subsequent
21 corresponding internal revenue code of the United States, as from time
22 to time amended; (B) located in a city with a population of more than
23 one hundred thousand and within a zone that allows development on
24 one or more acres; and (C) served by public sewer and water.

25 (b) Any resident of a municipality in which such a community
26 residence or child-care residential facility is located may, with the
27 approval of the legislative body of such municipality, petition (1) the
28 Commissioner of Developmental Services to revoke the license of such
29 community residence on the grounds that such community residence
30 is not in compliance with the provisions of any statute or regulation
31 concerning the operation of such residences, (2) the Commissioner of
32 Children and Families to revoke the license of such child-care
33 residential facility on the grounds that such child-care residential
34 facility is not in compliance with the provision of any general statute
35 or regulation concerning the operation of such child-care residential
36 facility, or (3) the Commissioner of Mental Health and Addiction
37 Services to withdraw funding from such community residence on the
38 grounds that such community residence is not in compliance with the
39 provisions of any general statute or regulation adopted thereunder
40 concerning the operation of a community residence.

41 (c) At the request of a municipality, the Department of Public
42 Health, the Department of Developmental Services, the Department of
43 Mental Health and Addiction Services or the Department of Correction
44 shall (1) designate an employee to serve as a liaison between such
45 department and such municipality with respect to all matters
46 associated with existing or proposed community residences within
47 such municipality that are operated or funded by such department,
48 and (2) provide such municipality with notice that there are

49 community residences that are operated or funded by the relevant
50 department and located within such municipality.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	8-3e

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill requires the Departments of Public Health, Mental Health and Addiction Services, Developmental Services, and Correction, when requested by a municipality, to designate an employee to serve as liaison to the municipality for matters related to community residences.

The bill is not anticipated to result in a cost to the above mentioned agencies. The agency staff who currently act as informal liaisons to municipalities regarding such concerns would fill this role if requested by a municipality.

There is no fiscal impact to municipalities associated with requesting an agency liaison for matters related to community residences.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis

sHB 5176

AN ACT CONCERNING COMMUNITY RESIDENCES.

SUMMARY:

This bill requires the Public Health, Developmental Services, Mental Health and Addiction Services, and Correction departments, at a municipality's request, to:

1. designate a department employee to serve as liaison to the municipality with respect to matters related to existing or proposed community residences (i.e., group homes) the department funds or operates in the municipality and
2. notify the municipality that it funds or operates community residences in the municipality.

The bill also makes a technical change.

EFFECTIVE DATE: October 1, 2016

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/04/2016)