



Senate

General Assembly

File No. 312

February Session, 2016

Substitute Senate Bill No. 235

Senate, March 30, 2016

The Committee on Public Safety and Security reported through SEN. LARSON of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE CONSTRUCTION OF A FIREARMS TRAINING FACILITY.

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

1 Section 1. (NEW) (*Effective July 1, 2016*) (a) For the purposes of this
2 section, "state agency" has the same meaning as provided in section 1-
3 79 of the general statutes, and "firearms training facility" means an
4 indoor or outdoor training facility designed and designated for
5 training with firearms.

6 (b) On and after July 1, 2016, any state agency that constructs a
7 firearms training facility shall purchase (1) thirty acres of land for the
8 construction of such firearms training facility, and (2) a minimum of
9 three hundred acres of land that is contiguous to the land purchased
10 for the construction of such firearms training facility.

11 (c) Notwithstanding any provision of the general statutes, the
12 commissioner of any state agency that constructs a firearms training

13 facility shall convey the parcel of land purchased pursuant to
14 subdivision (2) of subsection (b) of this section to the municipality in
15 which such parcel of land is located, at a cost equal to the
16 administrative costs of making such conveyance. The conveyance shall
17 be subject to the approval of the State Properties Review Board.

18 (d) The municipality shall use such parcel of land for open space
19 purposes.

20 (e) If the municipality: (1) Does not use such parcel of land for such
21 purposes; (2) does not retain ownership of all of such parcel of land; or
22 (3) leases all or any portion of such parcel of land, the parcel of land
23 shall revert to the state of Connecticut.

24 (f) The State Properties Review Board shall complete its review of
25 the conveyance of such parcel of land not later than thirty days after it
26 receives a proposed agreement from the state agency. The parcel of
27 land shall remain under the care and control of such agency until a
28 conveyance is made in accordance with the provisions of this section.
29 The State Treasurer shall execute and deliver any deed or instrument
30 necessary for a conveyance under this section, which deed or
31 instrument shall include provisions to carry out the purposes set forth
32 in subsection (d) of this section. Such agency shall have the sole
33 responsibility for all other incidents of such conveyance.

34 (g) Any state agency that constructs a firearms training facility shall
35 design such firearms training facility to incorporate noise reducing
36 methods, including the installation of baffles in such a manner to
37 reduce or redirect sound waves. The Department of Administrative
38 Services, in consultation with the Department of Energy and
39 Environmental Protection, may adopt regulations, in accordance with
40 chapter 54 of the general statutes, to implement the provisions of this
41 subsection. Such regulations may include, but need not be limited to,
42 the size, location, construction and type of baffles in a firearms training
43 facility.

44 Sec. 2. Subsection (b) of section 12-18b of the 2016 supplement to the

45 general statutes is repealed and the following is substituted in lieu
46 thereof (*Effective July 1, 2016*):

47 (b) Notwithstanding the provisions of sections 12-19a and 12-20a, all
48 funds appropriated for state grants in lieu of taxes shall be payable to
49 municipalities and districts pursuant to the provisions of this section.
50 On or before January first, annually, the Secretary of the Office of
51 Policy and Management shall determine the amount due, as a state
52 grant in lieu of taxes, to each municipality and district in this state
53 wherein college and hospital property is located and to each
54 municipality in this state wherein state, municipal or tribal property,
55 except that which was acquired and used for highways and bridges,
56 but not excepting property acquired and used for highway
57 administration or maintenance purposes, is located.

58 (1) The grant payable to any municipality for state, municipal or
59 tribal property under the provisions of this section in the fiscal year
60 ending June 30, 2017, and each fiscal year thereafter shall be equal to
61 the total of:

62 (A) One hundred per cent of the property taxes that would have
63 been paid with respect to any facility designated by the Commissioner
64 of Correction, on or before August first of each year, to be a
65 correctional facility administered under the auspices of the
66 Department of Correction or a juvenile detention center under
67 direction of the Department of Children and Families that was used for
68 incarcerative purposes during the preceding fiscal year. If a list
69 containing the name and location of such designated facilities and
70 information concerning their use for purposes of incarceration during
71 the preceding fiscal year is not available from the Secretary of the State
72 on August first of any year, the Commissioner of Correction shall, on
73 said date, certify to the Secretary of the Office of Policy and
74 Management a list containing such information;

75 (B) One hundred per cent of the property taxes that would have
76 been paid with respect to that portion of the John Dempsey Hospital
77 located at The University of Connecticut Health Center in Farmington

78 that is used as a permanent medical ward for prisoners under the
79 custody of the Department of Correction. Nothing in this section shall
80 be construed as designating any portion of The University of
81 Connecticut Health Center John Dempsey Hospital as a correctional
82 facility;

83 (C) One hundred per cent of the property taxes that would have
84 been paid on any land designated within the 1983 Settlement
85 boundary and taken into trust by the federal government for the
86 Mashantucket Pequot Tribal Nation on or after June 8, 1999;

87 (D) Subject to the provisions of subsection (c) of section 12-19a,
88 sixty-five per cent of the property taxes that would have been paid
89 with respect to the buildings and grounds comprising Connecticut
90 Valley Hospital in Middletown;

91 (E) With respect to any municipality in which more than fifty per
92 cent of the property is state-owned real property, one hundred per cent
93 of the property taxes that would have been paid with respect to such
94 state-owned property;

95 (F) Forty-five per cent of the property taxes that would have been
96 paid with respect to all municipally owned airports; except for the
97 exemption applicable to such property, on the assessment list in such
98 municipality for the assessment date two years prior to the
99 commencement of the state fiscal year in which such grant is payable.
100 The grant provided pursuant to this section for any municipally
101 owned airport shall be paid to any municipality in which the airport is
102 located, except that the grant applicable to Sikorsky Airport shall be
103 paid one-half to the town of Stratford and one-half to the city of
104 Bridgeport;

105 (G) Forty-five per cent of the property taxes that would have been
106 paid with respect to any land designated within the 1983 Settlement
107 boundary and taken into trust by the federal government for the
108 Mashantucket Pequot Tribal Nation prior to June 8, 1999, or taken into
109 trust by the federal government for the Mohegan Tribe of Indians of

110 Connecticut, provided the real property subject to this subparagraph
111 shall be the land only, and shall not include the assessed value of any
112 structures, buildings or other improvements on such land; [and]

113 (H) Sixty per cent of the property taxes that would have been paid
114 with respect to the property purchased pursuant to subdivision (2) of
115 subsection (b) of section 1 of this act; and

116 ~~[(H)]~~ (I) Forty-five per cent of the property taxes that would have
117 been paid with respect to all other state-owned real property.

118 (2) (A) The grant payable to any municipality or district for college
119 and hospital property under the provisions of this section in the fiscal
120 year ending June 30, 2017, and each fiscal year thereafter shall be equal
121 to the total of seventy-seven per cent of the property taxes that, except
122 for any exemption applicable to any institution of higher education or
123 general hospital facility under the provisions of section 12-81, would
124 have been paid with respect to college and hospital property on the
125 assessment list in such municipality or district for the assessment date
126 two years prior to the commencement of the state fiscal year in which
127 such grant is payable; and

128 (B) Notwithstanding the provisions of subparagraph (A) of this
129 subdivision, the grant payable to any municipality or district with
130 respect to a campus of the United States Department of Veterans
131 Affairs Connecticut Healthcare Systems shall be one hundred per cent.

132 Sec. 3. (NEW) (*Effective July 1, 2016*) In any fiscal year in which a
133 grant is awarded to a municipality pursuant to subparagraph (H) of
134 subdivision (1) of subsection (b) of section 12-18b of the general
135 statutes, as amended by this act, the appropriation to the Department
136 of Emergency Services and Public Protection for the following fiscal
137 year shall be reduced by an amount equal to the grant awarded
138 pursuant to said subparagraph.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2016</i>	New section
Sec. 2	<i>July 1, 2016</i>	12-18b(b)
Sec. 3	<i>July 1, 2016</i>	New section

PS *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:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$	The Out Years
Various	GF - Cost	Potential Significant	Potential Significant	Potential Significant
Department of Emergency Services and Public Protection	GF - Cost	None	None	Potential
Policy & Mgmt., Off.	GF - Cost	None	None	Potential

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 17 \$	FY 18 \$	The Out Years
Various Municipalities	Revenue Gain	None	None	Potential

Explanation

The bill requires the State, when acquiring land to be used as a firearms training facility, to purchase at least 30 acres for the facility, and also purchase 300 acres of land surrounding the facility. It is unclear which state agency would be responsible for purchasing this land.

There is a potentially significant cost to the State associated with purchasing 330 acres of land related to a firearms training facility. This cost will vary based on the location of the land and various other economic factors.

The bill also limits where a state agency may locate a firearms training facility and requires the State to make a payment in lieu of

taxes (PILOT) to the host municipality via the State Property PILOT grant.

The impact to a municipality that hosts a firing range depends on several factors. If the land purchased by the State is currently taxable, there will be a net revenue loss to the host municipality. If the land purchased is currently not taxable, then there will be a net revenue gain. This is because the bill requires the State to reimburse the municipality for 60% of the tax loss resulting from the presence of the firing range and surrounding land.¹

The extent of any net revenue loss or gain to a municipality would vary based on the value of the land purchased and the municipality's mill rate.

The bill results in a potential cost to the Office of Policy and Management (OPM) associated with fully funding the State Property PILOT grant. If the grant is not fully funded, the bill results in a revenue loss to all other municipalities. This is because payments to towns are proportionately reduced in years that the grant is not fully funded. The extent of any cost to OPM, or revenue loss to other municipalities, would vary based on the value of the grant provided to the municipality that hosts a firing range.

The bill also results in a reduction to the Department of Emergency Services and Public Protection's (DESPP) agency appropriation by an amount equal to any grant provided to a municipality that hosts a firing range. This appropriation reduction would vary based on the value of the grant provided to such a municipality.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ A town would only realize a 60% reimbursement if the State Property PILOT grant was fully funded. For the past several years, the grant has been funded at about half of the amount needed for full funding. If this trend continues, the host municipality under the bill's provisions would likely receive a grant equal to about 30% of taxes owed.

OLR Bill Analysis**sSB 235*****AN ACT CONCERNING THE CONSTRUCTION OF A FIREARMS TRAINING FACILITY.*****SUMMARY:**

This bill limits where a state agency may locate a firearms training facility (gun range) and requires the state to make a payment in lieu of taxes (PILOT) to the host municipality.

Specifically, the bill requires any state agency constructing a gun range after June 30, 2016 to buy 30 acres of land for the facility and at least 300 contiguous acres, which the agency must convey to the host municipality for open space use. The land reverts to the state if the municipality does not use it as open space, relinquishes ownership, or leases any of it. The state must provide a PILOT grant to the municipality for the 300-acre parcel equal to 60% of the tax that would have been paid on the property.

The bill requires a reduction in the appropriation to the Department of Emergency Services and Public Protection in the fiscal year following any fiscal year in which a municipality receives a PILOT grant, by an amount equal to the grant (see COMMENT).

The bill requires state gun ranges to incorporate noise reduction methods such as installing baffles to reduce or redirect sound waves. It allows the Department of Administrative Services, in consultation with the Department of Energy and Environmental Protection, to adopt implementing regulations that may address the size, location, construction, and type of baffles, among other things.

EFFECTIVE DATE: July 1, 2016

LAND CONVEYANCE TO MUNICIPALITY

Under the bill, the commissioner of the agency building the gun range must convey the 300-acre parcel to the host municipality at a cost equal to the administrative costs of the conveyance. The conveyance is subject to the State Properties Review Board's review and approval. The board must complete its review not later than 30 days after getting a proposed agreement from the agency, and the land must remain under the agency's care and control until conveyed.

The state treasurer must execute and deliver any deed or instrument necessary for a conveyance. The deed or instrument must include provisions to implement the requirement that the municipality use the property for open space. The agency has sole responsibility for all other incidents of the conveyance.

BACKGROUND

Related Bill

sSB 234, reported favorably by the Public Safety and Security Committee, prohibits the state from constructing any gun range unless specified conditions are met.

COMMENT

The bill applies to any state agency constructing a gun range. But the provision to withhold appropriation applies just to DESPP, even though DESPP may not be the agency that constructs the gun range.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/15/2016)