



Senate

General Assembly

File No. 301

January Session, 2017

Substitute Senate Bill No. 806

Senate, March 29, 2017

The Committee on Public Safety and Security reported through SEN. LARSON of the 3rd Dist. and SEN. GUGLIELMO of the 35th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING THE CRUMBLING FOUNDATION ASSISTANCE PROGRAM AND ASSISTING HOMEOWNERS WITH CRUMBLING FOUNDATIONS.

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

1 Section 1. (NEW) (*Effective July 1, 2018*) (a) Each insurance company
2 that issues, renews, amends or endorses a homeowners insurance
3 policy, a renters insurance policy or a master policy that is required to
4 be purchased by a condominium association pursuant to section 47-83
5 of the general statutes or by a unit owners' association pursuant to
6 section 47-255 of the general statutes on or after July 1, 2018, shall remit
7 to the Insurance Commissioner a surcharge, not later than March
8 fifteenth annually, of twelve dollars from such policies written on
9 property or risks located or resident in this state. Any such remittances
10 collected shall be deposited in the Crumbling Foundation Assistance
11 Fund established pursuant to section 2 of this act.

12 (b) Each such insurance company shall include with such

13 remittance, in a form and manner prescribed by the commissioner,
14 documentation to substantiate the surcharge amount remitted.

15 (c) Any insurance company aggrieved because of the surcharge
16 levied under this section may appeal therefrom to the superior court
17 for the judicial district of New Britain.

18 (d) The surcharge required under subsection (a) of this section shall
19 terminate on October 1, 2025.

20 Sec. 2. (NEW) (*Effective July 1, 2017*) (a) For the purposes of this
21 section, "residential building" means a one-family, two-family, three-
22 family or four-family dwelling or a condominium unit constructed on
23 or after January 1, 1983.

24 (b) There is established an account to be known as the "Crumbling
25 Foundation Assistance Fund" which shall be a separate, nonlapsing
26 account within the General Fund. The account shall contain any
27 moneys required by law to be deposited in the account, any moneys as
28 may be available from federal, state or other sources, except any
29 money from the Federal Emergency Management Agency, and any
30 voluntary contributions. Moneys in the account shall be expended by
31 the Capitol Region Council of Governments organized under the
32 provision of sections 4-124i to 4-124p, inclusive, of the general statutes
33 in amounts necessary to fund the program established by subsections
34 (c) and (d) of this section.

35 (c) There is established the crumbling foundation assistance
36 program, administered by the Capitol Region Council of Governments,
37 for the purposes of providing grants to eligible owners of residential
38 buildings to repair or replace the concrete foundations of such
39 residential buildings that have deteriorated due to the presence of
40 pyrrhotite. Each grant may be in an amount not exceeding one
41 hundred fifty thousand dollars or seventy five per cent of the total cost
42 to repair the concrete foundation, whichever is less. The Capitol
43 Region Council of Governments shall (1) establish eligibility
44 requirements for such grants, which shall include, but need not be

45 limited to, (A) a requirement that the owner of the residential building
46 obtain qualified test results indicating that the foundation of such
47 residential building is deteriorating due to the presence of pyrrhotite,
48 (B) a requirement that the owner complete and file a consumer
49 statement regarding the concrete foundation with the Department of
50 Consumer Protection, and (C) a requirement that the owner submit
51 proof of a homeowners insurance policy, a renters insurance policy or
52 a master policy purchased by a condominium association or by a unit
53 owners' association and proof of the denial of liability, in whole or in
54 part, by the insurance company issuing such policy concerning the
55 concrete foundation, and (2) establish grant procedures and processes
56 as the Capitol Region Council of Governments deems appropriate.
57 Any owner who receives financial assistance from the Federal
58 Emergency Management Agency to repair or replace such owner's
59 concrete foundation may be entitled to receive a grant pursuant to
60 such program, provided the amount of the financial assistance
61 received shall be deducted from the amount of the grant.

62 (d) The Capitol Region Council of Governments may enter into a
63 contract with the Connecticut Housing Finance Authority created
64 under section 8-244 of the general statutes or any lending institution to
65 develop and implement a long-term low-interest loan program to
66 assist eligible owners obtain financing to repair or replace concrete
67 foundations that have deteriorated due to the presence of pyrrhotite.

68 Sec. 3. (NEW) (*Effective July 1, 2017*) (a) There is established a
69 Crumbling Foundation Oversight Committee. The committee shall (1)
70 assess the development and implementation of programs to assist
71 owners of buildings with concrete foundations deteriorating due to the
72 presence of pyrrhotite, (2) review the use of the Crumbling Foundation
73 Assistance Fund and the crumbling foundation assistance program,
74 established under section 2 of this act, and (3) make recommendations
75 for the improvement of programs to assist such owners in an efficient,
76 cost effective and timely manner.

77 (b) The committee shall consist of the following members:

78 (1) One appointed by the speaker of the House of Representatives,
79 who shall be a chief elected official from a municipality impacted by
80 buildings with faulty or failing concrete foundations;

81 (2) One appointed by the president pro tempore of the Senate, who
82 shall be a chief elected official from a municipality impacted by
83 buildings with faulty or failing concrete foundations;

84 (3) One appointed by the majority leader of the House of
85 Representatives;

86 (4) One appointed by the majority leader of the Senate;

87 (5) One appointed by the minority leader of the House of
88 Representatives;

89 (6) One appointed by the minority leader of the Senate;

90 (7) The Commissioner of Administrative Service, or the
91 commissioner's designee;

92 (8) The Commissioner of Consumer Protection, or the
93 commissioner's designee;

94 (9) The Banking Commissioner, or the commissioner's designee;

95 (10) The Insurance Commissioner, or the commissioner's designee;

96 (11) The Secretary of the Office of Policy and Management, or the
97 secretary's designee;

98 (12) The executive director of the Capitol Region Council of
99 Governments, or the executive director's designee;

100 (13) The executive director of the Northeastern Connecticut Council
101 of Governments, or the executive director's designee; and

102 (14) Such other members as the committee may prescribe.

103 (c) Any member of the committee appointed under subdivision (1),

104 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
105 of the General Assembly.

106 (d) All appointments to the committee shall be made not later than
107 thirty days after the effective date of this section. Any vacancy shall be
108 filled by the appointing authority.

109 (e) The speaker of the House of Representatives and the president
110 pro tempore of the Senate shall select the chairpersons of the
111 committee from among the members of the committee. Such
112 chairpersons shall schedule the first meeting of the committee, which
113 shall be held not later than sixty days after the effective date of this
114 section.

115 (f) Members of the committee shall serve without compensation.

116 (g) Not later than January 1, 2018, and annually thereafter, the
117 committee shall submit a report on its findings and recommendations
118 to the joint standing committees of the General Assembly having
119 cognizance of matters relating to banks, insurance, public safety and
120 security and planning and development, in accordance with the
121 provisions of section 11-4a of the general statutes, recommending
122 measures to assist owners of buildings with concrete foundations
123 deteriorating due to the presence of pyrrhotite.

124 Sec. 4. Section 10a-178 of the general statutes is repealed and the
125 following is substituted in lieu thereof (*Effective July 1, 2017*):

126 As used in this chapter, the following words and terms shall have
127 the following meanings unless the context indicates another or
128 different meaning or intent:

129 (a) "Authority" means the State of Connecticut Health and
130 Educational Facilities Authority created by section 10a-179 or any
131 board, body, commission, department or officer succeeding to the
132 principal functions thereof or to whom the powers conferred upon the
133 authority by this chapter shall be given by law;

134 (b) "Project", in the case of a participating institution for higher
135 education, means a structure suitable for use as a dormitory or other
136 housing facility, including housing for staff members, employees or
137 students at such institution of higher education, dining hall, student
138 union, administration building, academic building, library, laboratory,
139 research facility, classroom, athletic facility, health care facility, and
140 maintenance, storage or utility facility and other structures or facilities
141 related thereto or required or useful for the instruction of students or
142 the conducting of research or the operation of an institution for higher
143 education, including parking and other facilities or structures essential
144 or convenient for the orderly conduct of such institution for higher
145 education, also including equipment and machinery and other similar
146 items necessary or convenient for the operation of a particular facility
147 or structure in the manner for which its use is intended or for the
148 operation of a participating institution for higher education, or any
149 combination thereof, but shall not include such items as books, fuel,
150 supplies or other items the purchase of which is customarily deemed
151 to result in a current operating charge; in the case of a participating
152 health care institution, means a structure suitable for use as a hospital,
153 clinic, or other health care facility, laboratory, laundry, residence
154 facility, including housing for nurses, interns, staff members,
155 employees or students at such health care institution and their
156 immediate families and for physically or mentally handicapped
157 persons, administration building, research facility, and maintenance,
158 storage or utility facility and other structures or facilities related
159 thereto or required or useful for the operation of the project, including
160 parking and other facilities or structures essential or convenient for the
161 orderly operation of such project, also including equipment and
162 machinery and other similar items necessary or convenient for the
163 operation of the project in the manner for which its use is intended or
164 for the operation of a participating health care institution, or any
165 combination thereof, but shall not include such items as fuel, supplies
166 or other items the purchase of which is customarily deemed to result in
167 a current operating charge; in the case of a participating qualified
168 nonprofit organization, means a structure or facility owned in its

169 entirety by, or suitable for use in accordance with the charitable or
170 nonprofit status of the qualified nonprofit organization, also including
171 equipment and machinery and other similar items necessary or
172 convenient for the operation of the project in the manner for which its
173 use is intended or for the operation of a participating qualified
174 nonprofit corporation; [and,] in the case of a participating nursing
175 home, means a structure or facility suitable for use as a nursing home,
176 residential care home, rest home, health care facility for the
177 handicapped, mental health facility or independent living facility
178 subject to the licensing requirements of chapter 368v and appurtenant
179 facilities, equipment and machinery and other similar items necessary
180 or convenient for the operation of a particular facility or structure in
181 the manner for which its use is intended or for the operation of a
182 participating nursing home; and, in the case of participating
183 municipalities engaged in the abatement of an actual or potential
184 nuisance, means the development and deployment of financial
185 assistance, including, but not limited to, credit enhancements, loan
186 guarantees or procurement of construction equipment or materials to
187 aid in the abatement of such nuisances;

188 (c) "Cost" as applied to a project or any portion thereof financed
189 under the provisions of this chapter embraces all or any part of the cost
190 of construction and acquisition of all lands, structures, real or personal
191 property, rights, rights-of-way, franchises, easements and interests
192 acquired or used for a project, the cost of demolishing or removing any
193 buildings or structures on land so acquired, including the cost of
194 acquiring any lands to which such buildings or structures may be
195 moved, the cost of all machinery and equipment, financing charges,
196 interest prior to, during and for a period after completion of such
197 construction, provisions for working capital, reserves for principal and
198 interest and for extensions, enlargements, additions, replacements,
199 renovations and improvements, cost of engineering, financial and legal
200 services, plans, specifications, studies, surveys, estimates of cost and of
201 revenues, administrative expenses, expenses necessary or incident to
202 determining the feasibility or practicability of constructing the project
203 and such other expenses as may be necessary or incident to the

204 construction and acquisition of the project, the financing of such
205 construction and acquisition and the placing of the project in
206 operation;

207 (d) "Bonds" means bonds of the authority issued under the
208 provisions of this chapter, including refunding bonds,
209 notwithstanding that the same may be secured by mortgage or the full
210 faith and credit of the authority or the full faith and credit of a
211 participating institution for higher education, a participating health
212 care institution, a participating corporation, a participating nursing
213 home, [or] a participating qualified nonprofit organization,
214 participating municipalities or any other lawfully pledged security of a
215 participating institution for higher education, a participating health
216 care institution, a participating corporation, a participating nursing
217 home, [or] a participating qualified nonprofit organization or
218 participating municipalities;

219 (e) "Institution for higher education" means (1) an educational
220 institution situated within this state which by virtue of law or charter
221 is a nonprofit educational institution empowered to provide a program
222 of education beyond the high school level; or (2) a public educational
223 institution, which, shall be any constituent unit, as defined in section
224 10a-1;

225 (f) "Participating institution for higher education" means an
226 institution for higher education which, pursuant to the provisions of
227 this chapter, shall undertake the financing and construction or
228 acquisition of a project or shall undertake the refunding or refinancing
229 of obligations or of a mortgage, or advances made or given for the
230 costs of a project, as provided in and permitted by this chapter;

231 (g) "Health care institution" means (1) any nonprofit, state-aided
232 hospital or other health care institution, including The University of
233 Connecticut Health Center, which is entitled, under the laws of the
234 state, to receive assistance from the state by means of a grant made
235 pursuant to a budgetary appropriation made by the General
236 Assembly, (2) any other hospital or other health care institution which

237 is licensed, or any nonprofit, nonstock corporation which shall receive
238 financing or shall undertake to construct or acquire a project which is
239 or will be eligible to be licensed, as an institution under the provisions
240 of sections 19a-490 to 19a-503, inclusive, or any nonprofit, nonstock,
241 nonsectarian facility which is exempt from taxation under the
242 provisions of section 12-81 or 38a-188 and which is a health care center
243 under the provisions of sections 38a-175 to 38a-191, inclusive, or (3)
244 any nonprofit corporation wholly owned by two or more hospitals or
245 other health care institutions which operates for and on behalf of such
246 hospitals or other health care institutions a project, as defined in
247 subsection (b) of this section, or is a nursing home;

248 (h) "Nursing home" means any institution which is or will be
249 eligible to be licensed as an institution under sections 19a-490 to 19a-
250 503, inclusive, or a facility which (1) provides chronic and convalescent
251 nursing care, (2) is a rest home with nursing facilities, (3) provides
252 health care facilities for the handicapped, (4) is a home for elderly
253 persons or physically handicapped or mentally handicapped persons
254 or (5) is a continuing care facility registered with the Department of
255 Social Services, pursuant to chapter 319f;

256 (i) "Participating nursing home" means a nursing home which,
257 pursuant to the provisions of this chapter, undertakes the financing
258 and construction or acquisition of a project or undertakes the
259 refunding or refinancing of obligations or of a mortgage, loans or
260 advances made or given for the costs of a project as provided in and
261 permitted by this chapter;

262 (j) "Participating health care institution" means a health care
263 institution which, pursuant to the provisions of this chapter,
264 undertakes the financing and construction or acquisition of a project or
265 undertakes the refunding or refinancing of obligations or of a
266 mortgage, loan or advances made or given for the cost of a project as
267 provided in and permitted by this chapter;

268 (k) "Participating corporation" means any nonprofit corporation
269 created by a participating health care institution or a participating

270 institution for higher education, or by one or more of them in
271 combination, and to which there has been or will be transferred all
272 right, title and interest in a project for the sole purpose of operating
273 such project on behalf of such participating institution or institutions
274 for the life of the bonds issued to finance such project, provided upon
275 retirement of all of such bonds, all right, title and interest in the project
276 shall revert to and vest in the participating institution for higher
277 education or the participating health care institution or jointly in both
278 such institutions;

279 (l) "Federally guaranteed security" means any security, investment
280 or evidence of indebtedness which is either directly or indirectly
281 insured or guaranteed, in whole or in part, as to the payment of
282 principal and interest, by the United States of America or any agency
283 or instrumentality thereof;

284 (m) "Federally insured mortgage loan" means any loan secured by a
285 mortgage from any participating institution for higher education or
286 participating health care institution or participating nursing home
287 which is either directly or indirectly insured or guaranteed, in whole
288 or in part, as to the repayment of principal and interest, by the United
289 States of America or any agency or instrumentality thereof, or by any
290 commitment by the United States of America or any agency or
291 instrumentality thereof to so insure or guarantee;

292 (n) "Qualified nonprofit organization" means any private, nonprofit
293 organization qualified under Section 501(c)(3) of the Internal Revenue
294 Code of 1986, as the same may be amended from time to time, other
295 than a health care institution, nursing home or institution for higher
296 education;

297 (o) "Participating qualified nonprofit organization" means a
298 qualified nonprofit organization which, pursuant to the provisions of
299 this chapter, shall undertake the financing and construction or
300 acquisition of a project or shall undertake the refunding or refinancing
301 of obligations, or of a mortgage, loan or advances made or given to it
302 to finance, in anticipation of permanent financing or donation from an

303 outside source, the cost of a project, as provided in and permitted by
304 this chapter;

305 (p) "Connecticut Higher Education Supplemental Loan Authority"
306 means the Connecticut Higher Education Supplemental Loan
307 Authority established as a subsidiary of the authority with powers
308 granted pursuant to chapter 187b;

309 (q) "Connecticut Student Loan Foundation" means the Connecticut
310 Student Loan Foundation established pursuant to chapter 187a that is a
311 subsidiary of the authority as provided in section 10a-203a, and that is
312 deemed a quasi-public agency for purposes of chapter 12;

313 (r) "Participating municipalities" means two or more municipalities
314 that, pursuant to subsection (h) of section 10a-185, as amended by this
315 act, jointly undertake the financing and construction or acquisition of a
316 project or undertake the refunding or refinancing of obligations or a
317 mortgage, a loan or advances made or given for the cost of a project
318 pursuant to section 10a-185, as amended by this act.

319 Sec. 5. Section 10a-180 of the general statutes is repealed and the
320 following is substituted in lieu thereof (*Effective July 1, 2017*):

321 The purpose of the authority shall be to assist institutions for higher
322 education, health care institutions, nursing homes, child care or child
323 development facilities, [and] qualified nonprofit organizations, and
324 participating municipalities in the construction, financing and
325 refinancing of projects or in any other manner provided in this chapter,
326 and for this purpose the authority is authorized and empowered:

327 (a) To have perpetual succession as a body politic and corporate and
328 to adopt bylaws for the regulation of its affairs and the conduct of its
329 business;

330 (b) To adopt an official seal and alter the same at pleasure;

331 (c) To maintain an office at such place or places as it may designate;

332 (d) To sue and be sued in its own name, and plead and be
333 impleaded;

334 (e) To determine the location and character of any project to be
335 financed under the provisions of this chapter, and to construct,
336 reconstruct, renovate, replace, maintain, repair, operate, lease, as lessee
337 or lessor, and regulate the same, to enter into contracts for any or all of
338 such purposes, to enter into contracts for the management and
339 operation of a project, and to designate a participating institution for
340 higher education, a participating health care institution, a participating
341 corporation, a participating nursing home, [or] a participating
342 qualified nonprofit organization or participating municipalities as its
343 agent to determine the location and character of a project undertaken
344 by such participating institution for higher education, by such
345 participating health care institution, by such participating corporation,
346 by such participating nursing home, [or] by such participating
347 qualified nonprofit organization or by such participating
348 municipalities under the provisions of this chapter and as the agent of
349 the authority, to construct, reconstruct, renovate, replace, maintain,
350 repair, operate, lease, as lessee or lessor, and regulate the same, and, as
351 the agent of the authority, to enter into contracts for any or all of such
352 purposes, including contracts for the management and operation of
353 such project;

354 (f) To issue bonds, bond anticipation notes and other obligations of
355 the authority for any of its corporate purposes, and to fund or refund
356 the same, all as provided in this chapter;

357 (g) Generally, to fix and revise from time to time and charge and
358 collect rates, rents, fees and charges for the use of and for the services
359 furnished or to be furnished by a project or any portion thereof and to
360 contract with any person, partnership, association or corporation or
361 other body public or private in respect thereof;

362 (h) To establish rules and regulations for the use of a project or any
363 portion thereof and to designate a participating institution for higher
364 education, a participating health care institution, a participating

365 corporation, a participating nursing home, [or] a qualified nonprofit
366 organization or participating municipalities as its or their agent to
367 establish rules and regulations for the use of a project undertaken by
368 such participating institution for higher education, by such
369 participating health care institution, by such participating corporation,
370 [or] by such participating nursing home, [or] by such [participating]
371 qualified nonprofit organization or by such participating
372 municipalities;

373 (i) To employ consulting engineers, architects, attorneys,
374 accountants, construction and financial experts, superintendents,
375 managers, and such other employees and agents as may be necessary
376 in its judgment, and to fix their qualifications, duties and
377 compensation;

378 (j) To receive and accept from any public agency insurance, loans or
379 grants for or in aid of the construction of a project or any portion
380 thereof, and to receive and accept loans, grants, aid or contributions
381 from any source of either money, property, labor or other things of
382 value, to be held, used and applied only for the purposes for which
383 such loans, grants, aid and contributions are made;

384 (k) To mortgage any project and the site thereof for the benefit of the
385 holders of bonds issued to finance such project;

386 (l) To make loans to any participating institution for higher
387 education, to any participating health care institution, to any
388 participating corporation, to any participating nursing home and to
389 any participating qualified nonprofit organization for the cost of a
390 project in accordance with an agreement between the authority and
391 such participating institution for higher education, such participating
392 health care institution, such participating corporation, such
393 participating nursing home or such participating qualified nonprofit
394 organization and to utilize the services of an agent in making such
395 loans or to agree to purchase federally guaranteed securities from any
396 third parties making such loans; provided no such loan shall exceed
397 the total cost of the project as determined by the participating

398 institution for higher education, the participating health care
399 institution, the participating corporation, the participating nursing
400 home or the participating qualified nonprofit organization, and
401 approved by the authority;

402 (m) To make loans to a participating institution for higher
403 education, to a participating health care institution, to a participating
404 corporation, to a participating nursing home or to a participating
405 qualified nonprofit organization, to refinance or refund outstanding
406 obligations or mortgages on the project, or advances issued for the cost
407 of a project, made or given by such participating institution for higher
408 education, such participating health care institution, such participating
409 corporation, such participating nursing home or such participating
410 qualified nonprofit organization, to utilize the services of an agent in
411 making such loans or to agree to purchase federally guaranteed
412 securities from any third parties making such loans and to create a
413 security interest in revenues to be pledged to the authority;

414 (n) To charge to and equitably apportion among participating
415 institutions for higher education, participating health care institutions,
416 participating corporations, participating nursing homes, [and]
417 participating qualified nonprofit organizations and participating
418 municipalities its administrative costs and expenses incurred in the
419 exercise of the powers and duties conferred by this chapter;

420 (o) To acquire and to agree to acquire any federally guaranteed
421 security and to pledge or otherwise use any such federally guaranteed
422 security in such manner as the authority deems in its best interest to
423 secure or otherwise provide a source of repayment on any of its bonds
424 or notes or to agree to make a loan to any participating institution for
425 higher education, participating health care institution, participating
426 corporation, participating nursing home or participating qualified
427 nonprofit organization for the purpose of acquiring and entering into
428 commitments to acquire any federally guaranteed security; provided
429 that any agreement entered into pursuant to this subdivision may
430 contain such provisions as are deemed necessary or desirable by the

431 authority for the security or protection of the authority or the holders
432 of its bonds or notes; provided further that the authority, prior to
433 making any such acquisition, commitment or loan, shall agree with
434 any such participating institution for higher education, participating
435 health care institution, participating corporation, participating nursing
436 home or participating qualified nonprofit organization or any other
437 appropriate institution or corporation to require that the proceeds
438 derived from the acquisition of any such federally guaranteed security
439 will be used for the purpose of financing or refinancing any project for
440 such participating institution for higher education, participating health
441 care institution, participating corporation, participating nursing home
442 or participating qualified nonprofit organization;

443 (p) To do all things necessary or convenient to carry out the
444 purposes of this chapter. In carrying out the purposes of this chapter,
445 the authority may undertake a project for two or more participating
446 institutions for higher education jointly, two or more participating
447 health care institutions jointly, two or more participating corporations
448 jointly, two or more participating nursing homes jointly, [or] two or
449 more participating qualified nonprofit organizations jointly [.] or
450 participating municipalities or for any combination thereof of
451 participating institutions for higher education, participating health
452 care institutions, participating corporations, participating nursing
453 homes or participating qualified nonprofit organizations, and,
454 thereupon, all other provisions of this chapter shall apply to and for
455 the benefit of the authority and such joint participants;

456 (q) To make loans to any participating health care institution, to any
457 participating institution for higher education, to any participating
458 corporation, or to any participating qualified nonprofit organization
459 which is organized, controlled or supervised by a health care
460 institution or an institution of higher education to finance or refinance
461 the cost of a project to be used to provide housing and auxiliary
462 facilities for staff members, employees or students of any such health
463 care institution or institution of higher education and their immediate
464 families, for physically or mentally handicapped persons or for any

465 one or more of the above purposes;

466 (r) To make and enter into all contracts and agreements necessary or
467 incidental to the performance of its duties and the execution of its
468 powers under its enabling legislation, including contracts and
469 agreements for such professional services as financial consultants,
470 bond counsel, underwriters, technical specialists, as the board of
471 directors shall deem necessary;

472 (s) To invest any funds not needed for immediate use or
473 disbursement, including reserve funds, in obligations issued or
474 guaranteed by the United States of America or the state of Connecticut,
475 including the state's Short-Term or Long-Term Investment Fund, and
476 in other securities or obligations which are legal investments for banks
477 in this state, or in investment agreements with financial institutions
478 whose short-term obligations are rated within the top two rating
479 categories of any nationally recognized rating service or of any rating
480 service recognized by the Banking Commissioner, or investment
481 agreements fully secured by obligations of, or guaranteed by, the
482 United States or agencies or instrumentalities of the United States or in
483 securities or obligations which are legal investments for savings banks
484 in this state, subject to repurchase agreements in the manner in which
485 such agreements are negotiated in sales of securities in the market
486 place, provided that the authority shall not enter into any such
487 agreement with any securities dealer or bank acting as a securities
488 dealer unless such dealer or bank is included in the list of primary
489 dealers, effective at the time of such agreement, as prepared by the
490 Federal Reserve Bank of New York, provided the investment of
491 escrowed proceeds of refunding bonds shall be governed by section
492 10a-192, and further provided nothing in this subsection shall limit the
493 investment of reserve funds of the authority, or of any moneys held in
494 trust or otherwise for the payment of bonds or notes of the authority,
495 pursuant to section 10a-190a;

496 (t) To adopt regular procedures for exercising its power under its
497 enabling legislation not in conflict with existing statutes;

498 (u) To make grants or provide other forms of financial assistance to
499 any institution for higher education, to any health care institution, to
500 any nursing home, to any child care or child development facility,
501 [and] to any qualified nonprofit organization and to participating
502 municipalities in such amounts, for such purposes and subject to such
503 eligibility and other requirements as are established pursuant to
504 written procedures adopted by the board of directors pursuant to
505 subsection (h) of section 10a-179;

506 (v) (1) In connection with, or incidental to, the issuance or carrying
507 of bonds, notes or other obligations of the authority, or acquisition or
508 carrying of any investment or program of investment, to enter into any
509 contract which the authority determines to be necessary or appropriate
510 to place the obligation or investment of the authority, as represented
511 by the bonds, notes or other obligations, investment or program of
512 investment and the contract or contracts, in whole or in part, on the
513 interest rate, currency, cash flow or other basis desired by the
514 authority, including, without limitations, contracts commonly known
515 as interest rate swap agreements, currency swap agreements, forward
516 payment conversion agreements, futures or contracts providing for
517 payments based on levels of, or changes in, interest rates, currency
518 exchange rates, stock or other indices, or contracts to exchange cash
519 flows or a series of payments, or contracts, including, without
520 limitation, interest rate floors or caps, options, puts or calls to hedge
521 payment, currency, rate, spread or similar exposure or, contracts for
522 the purchase of option rights with respect to the mandatory tender for
523 purchase of bonds, notes or other obligations of the authority, which
524 are subject to mandatory tender or redemption, including the issuance
525 of certificates evidencing the right of the owner to exercise such option
526 rights. Such contracts or arrangements may also be entered into by the
527 authority in connection with, or incidental to, entering into or
528 maintaining any agreement which secures its bonds, notes or other
529 obligations, subject to the terms and conditions thereof respecting
530 outstanding obligations. (2) Bonds, notes and other obligations issued
531 by the authority may be payable in accordance with their terms, in
532 whole or in part, in currency other than lawful money of the United

533 States of America, provided the authority enters into a currency swap
534 or similar agreement for payments in lawful money of the United
535 States of America, which covers the entire amount of the debt service
536 payment obligation of the authority with respect to the bonds, notes or
537 other obligations payable in other currency, and further provided if the
538 term of that agreement is less than the term of the bonds, notes or
539 other obligations, the authority shall include a best efforts covenant to
540 enter into additional agreements as may be necessary to cover the
541 entire amount of the debt service payment obligation. (3) In connection
542 with, or incidental to, the issuance or carrying of bonds, notes or other
543 obligations or entering into any of the contracts or agreements referred
544 to in subdivision (1) of this subsection, the authority may enter into
545 credit enhancement or liquidity agreements, with payment, interest
546 rate, currency, security, default, remedy and other terms and
547 conditions as the authority determines;

548 (w) To make grants or provide other forms of financial assistance to
549 any institution of higher education, to any health care institution, to
550 any nursing home, to any child care or child development facility,
551 [and] to any qualified nonprofit organization and to participating
552 municipalities in such amounts, for energy efficient construction or
553 renovation projects or renewable energy construction or renovation
554 projects subject to such eligibility and other requirements the board of
555 directors establishes pursuant to written procedures adopted by the
556 board pursuant to subsection (h) of section 10a-179;

557 (x) To provide and be compensated for such services to or on behalf
558 of the Connecticut Higher Education Supplemental Loan Authority as
559 are appropriate for the operation and management of said authority,
560 including, without limitation, to provide to said authority and to be
561 reimbursed for costs associated with such space, equipment, supplies
562 and employees as are necessary and appropriate for the operations of
563 said authority;

564 (y) To provide and be compensated for such services to or on behalf
565 of the Connecticut Student Loan Foundation as are appropriate for the

566 operation and management of said foundation, including, without
567 limitation, to provide to said foundation and to be reimbursed for costs
568 associated with such space, equipment, supplies and employees as are
569 necessary and appropriate for the operations of said foundation.

570 Sec. 6. Section 10a-182 of the general statutes is repealed and the
571 following is substituted in lieu thereof (*Effective July 1, 2017*):

572 The authority is authorized and empowered, directly or by and
573 through a participating institution for higher education, a participating
574 health care institution, a participating corporation, [or] a participating
575 nursing home, [or] a participating qualified nonprofit organization or
576 participating municipalities, as its or their agent, to acquire by
577 purchase or by gift or devise such lands, structures, property, real or
578 personal, rights-of-way, franchises, easements and other interests in
579 lands, including lands lying under water and riparian rights, which are
580 located within or without the state as it may deem necessary or
581 convenient for the construction or operation of a project, upon such
582 terms and at such prices as may be considered by it to be reasonable
583 and can be agreed upon between it and the owner thereof, and to take
584 title thereto in the name of the authority or in the name of a
585 participating institution for higher education, a participating health
586 care institution, a participating corporation, [or] a participating
587 nursing home, [or] a participating qualified nonprofit organization or
588 participating municipalities as its or their agent.

589 Sec. 7. Section 10a-185 of the general statutes is repealed and the
590 following is substituted in lieu thereof (*Effective July 1, 2017*):

591 (a) The authority is authorized from time to time to issue its
592 negotiable bonds for any corporate purpose. In anticipation of the sale
593 of such bonds the authority may issue negotiable bond anticipation
594 notes and may renew the same from time to time. Such notes shall be
595 paid from any revenues of the authority or other moneys available
596 therefor and not otherwise pledged, or from the proceeds of sale of the
597 bonds of the authority in anticipation of which they were issued. The
598 notes shall be issued in the same manner as the bonds. Such notes and

599 the resolution or resolutions authorizing the same may contain any
600 provisions, conditions or limitations which a bond resolution of the
601 authority may contain.

602 (b) Except as may otherwise be expressly provided by the authority,
603 every issue of its bonds, notes or other obligations shall be general
604 obligations of the authority payable from any revenues or moneys of
605 the authority available therefor and not otherwise pledged, subject
606 only to any agreements with the holders of particular bonds, notes or
607 other obligations pledging any particular revenues or moneys and
608 subject to any agreements with any participating institution for higher
609 education, any participating health care institution, [or] any
610 participating corporation or participating municipalities.
611 Notwithstanding that such bonds, notes or other obligations may be
612 payable from a special fund, they shall be and be deemed to be for all
613 purposes negotiable instruments, subject only to the provisions of such
614 bonds, notes or other obligations for registration.

615 (c) The bonds may be issued as serial bonds or as term bonds, or the
616 authority, in its discretion, may issue bonds of both types. The bonds
617 shall be authorized by resolution of the members of the board of
618 directors of the authority and shall bear such date or dates, mature at
619 such time or times, not exceeding fifty years from their respective
620 dates, bear interest at such rate or rates, be payable at such time or
621 times, be in such denominations, be in such form, either coupon or
622 registered, carry such registration privileges, be executed in such
623 manner, be payable in lawful money of the United States of America at
624 such place or places, and be subject to such terms of redemption, as
625 such resolution or resolutions may provide. The bonds or notes may be
626 sold at public or private sale for such price or prices as the authority
627 shall determine. The power to fix the date of sale of bonds, to receive
628 bids or proposals, to award and sell bonds, and to take all other
629 necessary action to sell and deliver bonds may be delegated to the
630 chairman or vice-chairman of the board or the executive director or
631 other officers of the authority by resolution of the board. The exercise
632 of such delegated powers may be made subject to the approval of a

633 majority of the members of the board which approval may be given in
634 the manner provided in the bylaws of the authority. Pending
635 preparation of the definitive bonds, the authority may issue interim
636 receipts or certificates which shall be exchanged for such definitive
637 bonds.

638 (d) Any resolution or resolutions authorizing any bonds or any
639 issue of bonds may contain provisions, which shall be a part of the
640 contract with the holders of the bonds to be authorized, as to: (1)
641 Pledging the full faith and credit of the authority, the full faith and
642 credit of a participating institution for higher education, a participating
643 health care institution, a participating corporation, [or of] a
644 participating nursing home or participating municipalities, all or any
645 part of the revenues of a project or any revenue-producing contract or
646 contracts made by the authority with any individual, partnership,
647 corporation or association or other body, public or private, any
648 federally guaranteed security and moneys received therefrom
649 purchased with bond proceeds or any other property, revenues, funds
650 or legally available moneys to secure the payment of the bonds or of
651 any particular issue of bonds, subject to such agreements with
652 bondholders as may then exist; (2) the rentals, fees and other charges
653 to be charged, and the amounts to be raised in each year thereby, and
654 the use and disposition of the revenues; (3) the setting aside of reserves
655 or sinking funds, and the regulation and disposition thereof; (4)
656 limitations on the right of the authority or its agent to restrict and
657 regulate the use of the project; (5) the purpose and limitations to which
658 the proceeds of sale of any issue of bonds then or thereafter to be
659 issued may be applied, including as authorized purposes, all costs and
660 expenses necessary or incidental to the issuance of bonds, to the
661 acquisition of or commitment to acquire any federally guaranteed
662 security and to the issuance and obtaining of any federally insured
663 mortgage note, and pledging such proceeds to secure the payment of
664 the bonds or any issue of the bonds; (6) limitations on the issuance of
665 additional bonds, the terms upon which additional bonds may be
666 issued and secured and the refunding of outstanding bonds; (7) the
667 procedure, if any, by which the terms of any contract with

668 bondholders may be amended or abrogated, the amount of bonds the
669 holders of which must consent thereto, and the manner in which such
670 consent may be given; (8) limitations on the amount of moneys derived
671 from the project to be expended for operating, administrative or other
672 expenses of the authority; (9) defining the acts or omissions to act
673 which shall constitute a default in the duties of the authority to holders
674 of its obligations and providing the rights and remedies of such
675 holders in the event of a default; and (10) the mortgaging of a project
676 and the site thereof for the purpose of securing the bondholders.

677 (e) Neither the members of the board of directors of the authority
678 nor any person executing the bonds, notes or other obligations shall be
679 liable personally on the bonds, notes or other obligations or be subject
680 to any personal liability or accountability by reason of the issuance
681 thereof.

682 (f) The authority shall have power out of any funds available
683 therefor to purchase its bonds, notes or other obligations. The
684 authority may hold, pledge, cancel or resell such bonds, notes or other
685 obligations, subject to and in accordance with agreements with
686 bondholders.

687 (g) The authority is further authorized and empowered to issue
688 bonds, notes or other obligations under this section the interest on
689 which may be includable in the gross income of the holder or holders
690 thereof under the Internal Revenue Code of 1986, or any subsequent
691 corresponding internal revenue code of the United States, as from time
692 to time amended, to the same extent and in the same manner that
693 interest on bills, notes, bonds or other obligations of the United States
694 is includable in the gross income of the holder or holders thereof under
695 any such internal revenue code, and to issue bonds, notes or other
696 obligations under this section that may be eligible for tax credits or
697 exemptions or payments from the federal government, or any other
698 desired federal income tax treatment of such bonds, notes or other
699 obligations. Any such bonds, notes or other obligations may be issued
700 only upon a finding by the authority that such issuance is necessary, is

701 in the public interest, and is in furtherance of the purposes and powers
702 of the authority. The state hereby consents to such inclusion only for
703 the bonds, notes or other obligations of the authority so authorized.

704 (h) In accordance with the provisions of section 10a-180, as
705 amended by this act, and subject to the provisions of chapter 187, the
706 authority may issue bonds at the request of participating
707 municipalities, subject to the approval of the legislative body of each
708 municipality, for the purpose of paying all or part of the cost of any
709 project undertaken by such participating municipalities to abate an
710 actual or potential nuisance that constitutes a deleterious condition on
711 real property that, if left unabated, would cause the collapse of a
712 concrete foundation and damage the housing stock in such
713 participating municipalities to such an extent that a significant
714 negative impact on such participating municipalities' economies
715 would result.

716 Sec. 8. Section 10a-186a of the general statutes is repealed and the
717 following is substituted in lieu thereof (*Effective July 1, 2017*):

718 (a) In connection with the issuance of bonds to finance a project at a
719 participating nursing home or to refund bonds previously issued by
720 the authority to finance a project at a participating nursing home, or in
721 connection with the issuance of bonds to effect a refinancing or other
722 restructuring with respect to one or more participating nursing homes
723 as permitted by subsection (b) of this section, to finance dormitories,
724 residential facilities, student centers, food service facilities and other
725 auxiliary service facilities and related buildings and improvements at a
726 public educational institution, to finance The University of Connecticut
727 Health Center clinical services projects, as defined in subsection (g) of
728 section 10a-114a, [or] to finance up to one hundred million dollars, in
729 the aggregate, for equipment, including installation and any necessary
730 building renovations or alterations for the installation and operation of
731 such equipment, for participating health care institutions at the
732 discretion of the Secretary of the Office of Policy and Management and
733 the Treasurer or to finance a project undertaken by participating

734 municipalities at the discretion of the Secretary of the Office of Policy
735 and Management, the authority may create and establish one or more
736 reserve funds to be known as special capital reserve funds and may
737 pay into such special capital reserve funds (1) any moneys
738 appropriated and made available by the state for the purposes of such
739 funds, (2) any proceeds of the sale of notes or bonds for a project, to the
740 extent provided in the resolution of the authority authorizing the
741 issuance thereof, and (3) any other moneys which may be made
742 available to the authority for the purpose of such funds from any other
743 source or sources. The moneys held in or credited to any special capital
744 reserve fund established under this section, except as hereinafter
745 provided, shall be used solely for the payment of the principal of and
746 interest, when due, whether at maturity or by mandatory sinking fund
747 installments, on bonds of the authority secured by such capital reserve
748 fund as the same become due, the purchase of such bonds of the
749 authority, the payment of any redemption premium required to be
750 paid when such bonds are redeemed prior to maturity, including in
751 any such case by way of reimbursement of a provider of bond
752 insurance or of a credit or liquidity facility that has paid such amounts;
753 provided the authority shall have power to provide that moneys in
754 any such fund shall not be withdrawn therefrom at any time in such
755 amount as would reduce the amount of such funds to less than the
756 maximum amount of principal and interest becoming due by reasons
757 of maturity or a required sinking fund installment in the then current
758 or any succeeding calendar year on the bonds of the authority then
759 outstanding or the maximum amount permitted to be deposited in
760 such fund by the Internal Revenue Code of 1986, or any subsequent
761 corresponding internal revenue code of the United States, as from time
762 to time amended, to permit the interest on such bonds to be excluded
763 from gross income for federal tax purposes and secured by such
764 special capital reserve fund, such amount being herein referred to as
765 the "required minimum capital reserve", except for the purpose of
766 paying such principal of, redemption premium and interest on such
767 bonds of the authority secured by such special capital reserve
768 becoming due and for the payment of which other moneys of the

769 authority are not available. The authority may provide that it shall not
770 issue bonds secured by a special capital reserve fund at any time if the
771 required minimum capital reserve on the bonds outstanding and the
772 bonds then to be issued and secured by the same special capital
773 reserve fund at the time of issuance, unless the authority, at the time of
774 the issuance of such bonds, shall deposit in such special capital reserve
775 fund from the proceeds of the bonds so to be issued, or otherwise, an
776 amount which, together with the amount then in such special capital
777 reserve fund, will be not less than the required minimum capital
778 reserve. On or before December first, annually, there is deemed to be
779 appropriated from the state General Fund such sums, if any, as shall be
780 certified by the chairman or vice-chairman of the authority to the
781 Secretary of the Office of Policy and Management and the Treasurer of
782 the state, as necessary to restore each such special capital reserve fund
783 to the amount equal to the required minimum capital reserve of such
784 fund, and such amounts shall be allotted and paid to the authority. For
785 the purpose of evaluation of any such special capital reserve fund,
786 obligations acquired as an investment for any such fund shall be
787 valued at market. Nothing contained in this section shall preclude the
788 authority from establishing and creating other debt service reserve
789 funds in connection with the issuance of bonds or notes of the
790 authority which are not special capital reserve funds. Subject to any
791 agreement or agreements with holders of outstanding notes and bonds
792 of the authority, any amount or amounts allotted and paid to the
793 authority pursuant to this section shall be repaid to the state from
794 moneys of the authority at such time as such moneys are not required
795 for any other of its corporate purposes and in any event shall be repaid
796 to the state on the date one year after all bonds and notes of the
797 authority theretofore issued on the date or dates such amount or
798 amounts are allotted and paid to the authority or thereafter issued,
799 together with interest on such bonds and notes, with interest on any
800 unpaid installments of interest and all costs and expenses in
801 connection with any action or proceeding by or on behalf of the
802 holders thereof, are fully met and discharged. No bonds secured by a
803 special capital reserve fund shall be issued to pay project costs unless

804 the authority is of the opinion and determines that the revenues from
805 the project shall be sufficient (A) to pay the principal of and interest on
806 the bonds issued to finance the project, (B) to establish, increase and
807 maintain any reserves deemed by the authority to be advisable to
808 secure the payment of the principal of and interest on such bonds, (C)
809 to pay the cost of maintaining the project in good repair and keeping it
810 properly insured, and (D) to pay such other costs of the project as may
811 be required.

812 (b) Notwithstanding the provisions of subsection (a) of this section,
813 after June 4, 1998, no bonds secured by such a special capital reserve
814 fund shall be issued by the authority to finance a project at a
815 participating nursing home, or to refund, refinance or otherwise
816 restructure bonds issued to finance a project at a participating nursing
817 home, except for bonds that meet the following requirements: (1) Such
818 bonds, which may be bonds issued on a pooled or obligated group
819 basis with respect to more than one participating nursing home, must,
820 at least in part, refund, refinance or otherwise restructure bonds which
821 are already secured by a special capital reserve fund pursuant to this
822 section; (2) the state [must] shall be released from any obligation to
823 restore any special capital reserve fund for the bonds being refunded,
824 refinanced or otherwise restructured; and (3) the authority and the
825 State Treasurer and the Secretary of the Office of Policy and
826 Management [must] shall approve such bonds and must determine
827 that the aggregate liability of the state with respect to such bonds will
828 be less than the aggregate liability of the state with respect to the bonds
829 being refunded, refinanced or otherwise restructured and that such
830 refunding, refinancing or restructuring is in the best interest of the
831 state. Any approval and determination by the authority, the State
832 Treasurer and the secretary under subdivision (3) of this subsection
833 shall be in lieu of (A) the otherwise required opinion of sufficiency by
834 the authority set forth in subsection (a) of this section, and (B) the
835 approval of the State Treasurer and the documentation of the authority
836 otherwise required under subsection (a) of section 1-124, and may
837 provide for the waiver or modification of such other requirements of
838 subsection (a) of this section as the authority, the State Treasurer and

839 the secretary determine to be necessary or appropriate in order to
840 effectuate such refunding, refinancing or restructuring, subject to all
841 applicable tax covenants of the authority and the state.

842 Sec. 9. Section 10a-187 of the general statutes is repealed and the
843 following is substituted in lieu thereof (*Effective July 1, 2017*):

844 [Bonds] (a) Except as provided in subsection (b) of this section,
845 bonds issued under the provisions of this chapter shall not be deemed
846 to constitute a debt or liability of the state or of any political
847 subdivision thereof other than the authority or a pledge of the full faith
848 and credit of the state or of any such political subdivision other than
849 the authority, but shall be payable solely from the funds herein
850 provided therefor. All such bonds shall contain on the face thereof a
851 statement to the effect that neither the state of Connecticut nor any
852 political subdivision thereof other than the authority or any
853 participating municipality, as provided in subsection (b) of this section,
854 shall be obligated to pay the same or the interest thereon except from
855 revenues of the project or the portion thereof for which they are issued
856 and that neither the faith and credit nor the taxing power of the state of
857 Connecticut or of any political subdivision thereof other than the
858 authority or any participating municipality, as provided in subsection
859 (b) of this section, is pledged to the payment of the principal of or the
860 interest on such bonds. The issuance of bonds under the provisions of
861 this chapter shall not directly or indirectly or contingently obligate the
862 state or any political subdivision thereof to levy or to pledge any form
863 of taxation whatever therefor or to make any appropriation for their
864 payment except as provided in subsection (d) of section 10a-185, as
865 amended by this act, and section 10a-186a, as amended by this act.
866 Nothing contained in this section shall prevent nor be construed to
867 prevent the authority from pledging its full faith and credit or the full
868 faith and credit of a participating institution for higher education, the
869 full faith and credit of a participating health care institution, the full
870 faith and credit of a participating corporation, the full faith and credit
871 of a participating nursing home, [or] the full faith and credit of a
872 participating qualified nonprofit organization or the full faith and

873 credit of a participating municipality to the payment of bonds or issue
874 of bonds authorized pursuant to this chapter.

875 (b) Bonds issued under the provisions of this chapter for projects
876 undertaken by participating municipalities may, subject to the
877 approval of the Secretary of the Office of Policy and Management,
878 constitute debts, liabilities or pledges of the full faith and credit of such
879 participating municipalities jointly, severally or in any ratio as such
880 participating municipalities may have agreed. The provisions of this
881 subsection shall not be construed to prevent the authority from
882 pledging its full faith and credit or the full faith and credit of such
883 participating municipalities to the payment or issue of bonds
884 authorized pursuant to this chapter.

885 Sec. 10. Subdivision (7) of subsection (c) of section 7-148 of the
886 general statutes is repealed and the following is substituted in lieu
887 thereof (*Effective July 1, 2017*):

888 (7) (A) (i) Make rules relating to the maintenance of safe and
889 sanitary housing;

890 (ii) Regulate the mode of using any buildings when such regulations
891 seem expedient for the purpose of promoting the safety, health, morals
892 and general welfare of the inhabitants of the municipality;

893 (iii) Regulate and prohibit the moving of buildings upon or through
894 the streets or other public places of the municipality, and cause the
895 removal and demolition of unsafe buildings and structures;

896 (iv) Regulate and provide for the licensing of parked trailers when
897 located off the public highways, and trailer parks or mobile
898 manufactured home parks, except as otherwise provided by special act
899 and except where there exists a local zoning commission so
900 empowered;

901 (v) Establish lines beyond which no buildings, steps, stoop, veranda,
902 billboard, advertising sign or device or other structure or obstruction
903 may be erected;

904 (vi) Regulate and prohibit the placing, erecting or keeping of signs,
905 awnings or other things upon or over the sidewalks, streets and other
906 public places of the municipality;

907 (vii) Regulate plumbing and house drainage;

908 (viii) Prohibit or regulate the construction of dwellings, apartments,
909 boarding houses, hotels, commercial buildings, youth camps or
910 commercial camps and commercial camping facilities in such
911 municipality unless the sewerage facilities have been approved by the
912 authorized officials of the municipality;

913 (B) (i) Regulate and prohibit, in a manner not inconsistent with the
914 general statutes, traffic, the operation of vehicles on streets and
915 highways, off-street parking and on-street residential neighborhood
916 parking areas in which on-street parking is limited to residents of a
917 given neighborhood, as determined by the municipality;

918 (ii) Regulate the speed of vehicles, subject to the provisions of the
919 general statutes relating to the regulation of the speed of motor
920 vehicles and of animals, and the driving or leading of animals through
921 the streets;

922 (iii) Require that conspicuous signage be posted in any area where a
923 motor vehicle may be subject to towing or to the use of a wheel-locking
924 device that renders such motor vehicle immovable, and that such
925 signage indicate where the motor vehicle will be stored, how the
926 vehicle may be redeemed and any costs or fees that may be charged;

927 (C) Regulate and prohibit the construction or use, and require the
928 removal of sinks, cesspools, drains, sewers, privies, barns, outhouses
929 and poultry pens and houses;

930 (D) (i) Regulate and prohibit the going at large of dogs and other
931 animals in the streets and public places of the municipality and
932 prevent cruelty to animals and all inhuman sports, except that no
933 municipality shall adopt breed-specific dog ordinances;

934 (ii) Regulate and prohibit the keeping of wild or domestic animals,
935 including reptiles, within the municipal limits or portions thereof;

936 (E) (i) Define, prohibit and abate within the municipality all
937 nuisances and causes thereof, and all things detrimental to the health,
938 morals, safety, convenience and welfare of its inhabitants; [and cause]

939 (ii) Effect the abatement of any nuisance at the expense of the owner
940 or owners of the premises on which such nuisance exists;

941 (F) (i) Keep streets, sidewalks and public places free from undue
942 noise and nuisances, and prohibit loitering thereon;

943 (ii) Regulate loitering on private property with the permission of the
944 owner thereof;

945 (iii) Prohibit the loitering in the nighttime of minors on the streets,
946 alleys or public places within its limits;

947 (iv) Prevent trespassing on public and private lands and in
948 buildings in the municipality;

949 (G) Prevent vice and suppress gambling houses, houses of ill-fame
950 and disorderly houses;

951 (H) (i) Secure the safety of persons in or passing through the
952 municipality by regulation of shows, processions, parades and music;

953 (ii) Regulate and prohibit the carrying on within the municipality of
954 any trade, manufacture, business or profession which is, or may be, so
955 carried on as to become prejudicial to public health, conducive to fraud
956 and cheating, or dangerous to, or constituting an unreasonable
957 annoyance to, those living or owning property in the vicinity;

958 (iii) Regulate auctions and garage and tag sales;

959 (iv) Prohibit, restrain, license and regulate the business of peddlers,
960 auctioneers and junk dealers in a manner not inconsistent with the
961 general statutes;

962 (v) Regulate and prohibit swimming or bathing in the public or
963 exposed places within the municipality;

964 (vi) Regulate and license the operation of amusement parks and
965 amusement arcades including, but not limited to, the regulation of
966 mechanical rides and the establishment of the hours of operation;

967 (vii) Prohibit, restrain, license and regulate all sports, exhibitions,
968 public amusements and performances and all places where games may
969 be played;

970 (viii) Preserve the public peace and good order, prevent and quell
971 riots and disorderly assemblages and prevent disturbing noises;

972 (ix) Establish a system to obtain a more accurate registration of
973 births, marriages and deaths than the system provided by the general
974 statutes in a manner not inconsistent with the general statutes;

975 (x) Control insect pests or plant diseases in any manner deemed
976 appropriate;

977 (xi) Provide for the health of the inhabitants of the municipality and
978 do all things necessary or desirable to secure and promote the public
979 health;

980 (xii) Regulate the use of streets, sidewalks, highways, public places
981 and grounds for public and private purposes;

982 (xiii) Make and enforce police, sanitary or other similar regulations
983 and protect or promote the peace, safety, good government and
984 welfare of the municipality and its inhabitants;

985 (xiv) Regulate, in addition to the requirements under section 7-282b,
986 the installation, maintenance and operation of any device or
987 equipment in a residence or place of business which is capable of
988 automatically calling and relaying recorded emergency messages to
989 any state police or municipal police or fire department telephone
990 number or which is capable of automatically calling and relaying

991 recorded emergency messages or other forms of emergency signals to
992 an intermediate third party which shall thereafter call and relay such
993 emergency messages to a state police or municipal police or fire
994 department telephone number. Such regulations may provide for
995 penalties for the transmittal of false alarms by such devices or
996 equipment;

997 (xv) Make and enforce regulations for the prevention and
998 remediation of housing blight, including regulations reducing
999 assessments and authorizing designated agents of the municipality to
1000 enter property during reasonable hours for the purpose of remediating
1001 blighted conditions, provided such regulations define housing blight
1002 and require such municipality to give written notice of any violation to
1003 the owner and occupant of the property and provide a reasonable
1004 opportunity for the owner and occupant to remediate the blighted
1005 conditions prior to any enforcement action being taken, and further
1006 provided such regulations shall not authorize such municipality or its
1007 designated agents to enter any dwelling house or structure on such
1008 property, and including regulations establishing a duty to maintain
1009 property and specifying standards to determine if there is neglect;
1010 prescribe civil penalties for the violation of such regulations of not less
1011 than ten or more than one hundred dollars for each day that a
1012 violation continues and, if such civil penalties are prescribed, such
1013 municipality shall adopt a citation hearing procedure in accordance
1014 with section 7-152c;

1015 (xvi) Regulate, on any property owned by the municipality, any
1016 activity deemed to be deleterious to public health, including the
1017 lighting or carrying of a lighted cigarette, cigar, pipe or similar device;

1018 Sec. 11. (NEW) (*Effective July 1, 2017*) A municipality may waive any
1019 application fee that would otherwise be required for a building permit
1020 to repair or replace a concrete foundation that has deteriorated due to
1021 the presence of pyrrhotite.

1022 Sec. 12. Subdivision (2) of subsection (b) of section 29-252a of the
1023 general statutes is repealed and the following is substituted in lieu

1024 thereof (*Effective July 1, 2017*):

1025 (2) On and after July 1, 1999, the State Building Inspector shall
1026 assess an education fee on each building permit application. During
1027 the fiscal year commencing July 1, 1999, the amount of such fee shall be
1028 sixteen cents per one thousand dollars of construction value as
1029 declared on the building permit application, and the State Building
1030 Inspector shall remit such fees, quarterly, to the Department of
1031 Administrative Services, for deposit in the General Fund. Upon
1032 deposit in the General Fund, the amount of such fees shall be credited
1033 to the appropriation to the Department of Administrative Services and
1034 shall be used for the code training and educational programs
1035 established pursuant to section 29-251c. On and after July 1, 2000, the
1036 assessment shall be made in accordance with regulations adopted
1037 pursuant to subsection (d) of section 29-251c. The State Building
1038 Inspector shall waive such fee on an application for a building permit
1039 to repair or replace a concrete foundation that has deteriorated due to
1040 the presence of pyrrhotite, provided the municipality waived the
1041 application fee for such building permit pursuant to section 11 of this
1042 act.

1043 Sec. 13. (NEW) (*Effective July 1, 2017*) Two or more municipalities
1044 may, subject to the provisions of section 10a-185 of the general statutes,
1045 as amended by this act, and chapter 187 of the general statutes and the
1046 approval of the legislative body of each municipality, jointly borrow
1047 for the purpose of paying for all or part of the cost of any project
1048 entered into jointly to abate an actual or potential nuisance that
1049 constitutes a deleterious condition on real property that, if left
1050 unabated, would cause the collapse of a concrete foundation and
1051 damage the housing stock in such participating municipalities to such
1052 an extent that a significant negative impact on such participating
1053 municipalities' economies would result.

1054 Sec. 14. (NEW) (*Effective July 1, 2017*) (a) For the purposes of this
1055 section:

1056 (1) "Eligible borrower" means the owner of a one-family, two-

1057 family, three-family or four-family dwelling constructed on or after
1058 January 1, 1983, who (A) utilizes such dwelling as such owner's
1059 primary residence, (B) has obtained qualified test results
1060 demonstrating that the concrete foundation of such dwelling has
1061 deteriorated due to the presence of pyrrhotite, and (C) has completed
1062 and filed a consumer statement regarding the concrete foundation
1063 with the Department of Consumer Protection.

1064 (2) "Participating lender" means a bank or credit union that
1065 participates in the collapsing foundations interest rate reduction
1066 program established pursuant to this section.

1067 (3) "Qualifying loan" means any loan provided to an eligible
1068 borrower for the purpose of remediating a concrete foundation that
1069 shows evidence of pyrrhotite-related degradation and is (A) issued by
1070 a participating lender, (B) subject to such participating lender's
1071 applicable underwriting standards, and (C) subject to terms
1072 established by the Commissioner of Housing.

1073 (b) There is established a collapsing foundations interest rate
1074 reduction program, administered by the Department of Housing, for
1075 the purpose of assisting property owners through the utilization of
1076 interest rate subsidies when such owners experience difficulty
1077 obtaining financing for the repair of concrete foundations due to the
1078 high cost of such repair, failure to meet underwriting criteria,
1079 decreased market value of an affected home or personal financial
1080 circumstances. The Commissioner of Housing shall seek the
1081 participation of banks and credit unions to offer below market rate
1082 loans to eligible borrowers and develop additional terms for such
1083 loans, in consultation with the Lieutenant Governor and
1084 representatives of the banking and credit union industries, not later
1085 than thirty days before the program is made available to property
1086 owners. The commissioner shall publish such terms and any
1087 subsequent amendments to such terms in the Department of Banking
1088 news bulletin not later than fifteen days before the program is made
1089 available to property owners.

1090 (c) There is established an account to be known as the "collapsing
 1091 foundations interest rate reduction account" which shall be a separate,
 1092 nonlapsing account within the General Fund. The account shall
 1093 contain any moneys required by law to be deposited in the account.
 1094 Moneys in the account shall be expended by the Department of
 1095 Housing for the purpose of providing credit enhancements in the form
 1096 of interest rate subsidies for qualifying loans made to eligible
 1097 borrowers, thereby lowering said borrowers' monthly payments.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	New section
Sec. 2	July 1, 2017	New section
Sec. 3	July 1, 2017	New section
Sec. 4	July 1, 2017	10a-178
Sec. 5	July 1, 2017	10a-180
Sec. 6	July 1, 2017	10a-182
Sec. 7	July 1, 2017	10a-185
Sec. 8	July 1, 2017	10a-186a
Sec. 9	July 1, 2017	10a-187
Sec. 10	July 1, 2017	7-148(c)(7)
Sec. 11	July 1, 2017	New section
Sec. 12	July 1, 2017	29-252a(b)(2)
Sec. 13	July 1, 2017	New section
Sec. 14	July 1, 2017	New section

Statement of Legislative Commissioners:

In Section 1(a), "condominium association master policy" and "unit owners' association property insurance policy" were changed to "master policy that is required to be purchased by a condominium association pursuant to section 47-83 of the general statutes or by a unit owners' association pursuant to section 47-255 of the general statutes" for accuracy and clarity; in Section 2(c), "unit owners' association property insurance policy" was changed to "master policy purchased by a condominium association or by a unit owners' association" for consistency with provisions of Section 1 and "submit a complaint" was changed to "complete and file a consumer statement" for consistency with provisions of section 14; in Section 2(c) and (d), "homeowners" was changed to "owners" for consistency with other

provisions of the Section; in Section 12, the last sentence was rewritten for accuracy; in Section 13, "section 7 of this act" was changed to "section 10a-185 of the general statutes, as amended by this act," for accuracy; and Section 14(a)(1)(C), "complaint form" was changed to "regarding the concrete foundation" for consistency with provisions of Section 2.

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 18 \$	FY 19 \$
Insurance Dept.	GF - Restricted Account	11,800,000	11,800,000
Treasurer	GF - Potential Cost	See Below	See Below
Department of Housing	GF - Cost	100,000	100,000

Note: GF=General Fund

Municipal Impact: See below

Explanation

This bill establishes the Crumbling Foundation Assistance Program to assist homeowners with crumbling foundations. To the extent that the bill provides homeowners with a variety of funding sources to repair concrete foundations damaged by pyrrhotite, municipalities may/will avoid a significant loss in property tax revenue that may otherwise result from reduced property values related to damaged foundations. It is anticipated that a loss in property tax revenue would result in increased mill rates.

It is estimated that the potential revenue loss to all affected municipalities, over the course of 15 years as the problem develops, could range from \$40 million to \$80 million (\$2.7 million to \$5.3 million annually). This is based on a \$2,000 to \$4,000 loss in property tax revenue per home that several municipalities have already experienced. It is estimated that 20,000 homes could be affected. The specifics of the bill are below.

Section 1 and 2 of this bill will result in an annual revenue gain of \$11.8 million from the \$12 surcharge on each homeowner's insurance

policy, renter's insurance policy or a master policy that is required to be purchased by a condominium association. This funding will be deposited into the Crumbling Foundations Assistance Fund created by the bill.

The bill requires the Capital Regional Council of Governments (CROG) to administer the fund. There is no fiscal impact to administer the Fund.

To the extent that the Fund is used to make grants or loans to homeowners, there would be a cost to the fund that would vary based on the terms established by CROG.

Section 3 of the bill establishes a Crumbling Foundation Oversight Committee to assess the development and implementation of programs to assist owners of buildings with concrete foundations deteriorating due to the presence of pyrrhotite. This has no fiscal impact as the bill states that the members of the committee shall serve without compensation.

Sections 4-9 and 13 allow municipalities that opt-in to the program to obtain loans through the Connecticut Health and Educational Facilities Authority (CHEFA). Any cost to participating municipalities would vary based on the terms of the loans they enter into with CHEFA.

Under the provisions of the bill, these loans would be backed by the state's special capital reserve fund (SCRF). These bonds are ultimately backed by the General Fund, but can only be issued if it is demonstrated that the borrower has sufficient revenue to repay the loan. The state has previously allowed CHEFA to issue SCRF-backed bonds in order to assist the authority, and thus participant municipalities, in obtaining lower interest loans than it would otherwise.

The bill is unclear as to which entity or entities will hold primary liability for debt repayment on any CHEFA-issued loans to

municipalities, but does specify all potential municipal agreements must be approved by OPM prior to being issued by CHEFA. To the extent that OPM approves agreements in which there is a direct liability to the state, there is potential for the cost of debt service on that liability. If all primary liability for debt service is held by municipalities, the SCRF-backing creates a potential cost to the state if those municipalities are unable to pay their portion of the debt service.

Section 10 has no fiscal impact to the state or municipalities.

Sections 11-12 allow municipalities and the State Building Inspector to waive building permit fees to repair crumbling foundations. This could result in a revenue loss of up to \$100,000 annually to each municipality, depending on the number of homes that are repaired under the program. The revenue loss to the state is expected to be minimal.

Section 14 results in a cost of approximately \$100,000 annually to the Department of Housing (DOH) to establish and administer a collapsing foundations interest rate reduction program. It is anticipated that DOH would require a third party consultant to develop the parameters and administer the program.¹

It is presumed that the cost would be incurred beginning in FY 18 however, the bill does not specify the date by which the program must be developed.

The bill establishes a “collapsing foundations interest rate reduction account” to provide interest rate subsidies for the program. However, the bill does specifically appropriate any funds for the program.

It should be noted that HB 7027, the Governor’s FY 18-19 biennial budget, includes an appropriation of \$2.7 million in FY 18 and FY 19 from the Banking Fund to DOH for a new program to subsidize interest rates paid by impacted homeowners on loans that support the

¹ The Department’s two consumer loan programs, the Energy Conservation Loan Fund and Shore Up CT, are both administered by third party administrators.

remediation of crumbling foundation issues.

The bill results in no fiscal impact to the Department of Banking, as the department posts a news bulletin on its website as a normal course of operations.

The Out Years

The annualized ongoing fiscal impact in section 1 will continue for the upcoming five years. For all other sections, the annualized ongoing fiscal impact identified above would continue subject to municipal grand lists and loans and grants provided under the various programs established by the bill.

OLR Bill Analysis**sSB 806*****AN ACT ESTABLISHING THE CRUMBLING FOUNDATION ASSISTANCE PROGRAM AND ASSISTING HOMEOWNERS WITH CRUMBLING FOUNDATIONS.*****SUMMARY**

This bill provides a framework within which municipalities, the Department of Housing (DOH), the Connecticut Health and Education Facilities Authority (CHEFA), and the Capitol Region Council of Governments (CRCOG) can establish initiatives to assist owners of residential properties with concrete foundations damaged by the presence of pyrrhotite (“crumbling foundations”) (see BACKGROUND). Specifically, the bill:

1. establishes a Crumbing Foundations Assistance Fund (assistance fund) and requires CRCOG to use the fund to provide grants to eligible residential property owners to repair or replace crumbling foundations (§ 2);
2. authorizes CRCOG, using the assistance fund, to establish a low-interest loan program in collaboration with the Connecticut Housing Finance Authority (CHFA) or a lending institution (§ 2);
3. imposes, for seven years starting March 2019, an annual \$12 surcharge on certain residential property insurance policies, the proceeds of which must be deposited in the assistance fund (§ 1);
4. establishes a 13-member oversight committee to review the (a) use of the assistance fund and (b) administration of programs assisting property owners with crumbling foundations, including CRCOG’s program (§ 3);
5. authorizes CHEFA to issue bonds on behalf of two or more

- municipalities, the proceeds of which the municipalities may use to abate problems related to concrete foundations (§§ 4-9 & 13);
6. authorizes municipalities to waive building permit fees for eligible owners repairing or replacing crumbling foundations (§ 11);
 7. requires the state building inspector to waive the education fee applicable to certain building permits (§ 12);
 8. requires DOH to establish an interest rate reduction program for owner-occupants of one- to four-family homes who are repairing or replacing crumbling foundations (§ 14); and
 9. makes a technical change to the general municipal powers statute (§ 10).

EFFECTIVE DATE: July 1, 2017, except the insurance policy surcharge is effective July 1, 2018.

§ 1 — INSURANCE POLICY SURCHARGE

The bill requires each insurance company that issues, renews, amends, or endorses certain residential property insurance policies on or after July 1, 2018 to remit \$12 annually, from 2019 until 2025, for each policy covering a property located in the state. The surcharge applies to the following policy types: homeowners insurance, renters insurance, condominium associations' master policies, and unit owners' associations' policies. Insurance companies must remit the surcharge to the commissioner by March 15, along with documentation substantiating the amount remitted, on a form the commissioner prescribes. The commissioner must deposit the remittances in the Crumbling Foundation Assistance Fund.

Insurance companies aggrieved by the surcharge may appeal to the New Britain Superior Court.

§ 2 — CRUMBLING FOUNDATIONS ASSISTANCE FUND

Monies in the Assistance Fund

The bill creates a Crumbling Foundation Assistance Fund as a separate, nonlapsing account in the General Fund. The account must contain funds available for CRCOG's program from state, federal, or other sources, including voluntary contributions. The assistance fund cannot contain money from the Federal Emergency Management Agency (FEMA).

CRCOG's Crumbling Foundation Assistance Program

The bill requires CRCOG to use the assistance fund to provide grants, and at its option, loans, to eligible owners with crumbling foundations.

Grants. CRCOG's grant program must provide help to eligible owners to repair or replace their foundations. Affected properties eligible for grants are one- to four-family homes and condominium units constructed after January 1, 1983. Grants cannot exceed \$150,000 or 75% of repair costs, whichever is less. The amount of FEMA assistance to an owner must be deducted from the owner's grant.

CRCOG must establish eligibility requirements and procedures for the program. At a minimum, the grantees must be required to (1) obtain qualified test results showing that their foundation has pyrrhotite-related damage, (2) submit a consumer statement regarding the concrete foundation to the Department of Consumer Protection (DCP), and (3) submit proof of insurance and claim denial.

Loans. CRCOG may enter into an agreement with CHFA or a lending institution to develop and implement a long-term, low-interest loan program to help owners obtain financing to repair or replace crumbling foundations. CRCOG may use the assistance fund to implement the loan program.

§ 3 — OVERSIGHT COMMITTEE

The bill establishes a 13-member Crumbling Foundation Oversight Committee to (1) assess the development and implementation of programs assisting owners of properties with crumbling foundations, (2) review the use of the assistance fund, and (3) recommend how

programs can be improved to assist property owners in an efficient, cost effective, and timely manner.

The committee must consist of:

1. two chief elected officials from municipalities impacted by crumbling foundations, one each appointed by the House speaker and Senate president pro tempore;
2. one each appointed by the House and Senate majority and minority leaders;
3. the administrative services, banking, consumer protection, and insurance commissioners, or their designees;
4. the Office of Policy and Management (OPM) secretary or his designee;
5. CRCOG and the Northeastern Connecticut Council of Governments' executive directors or their designees; and
6. anyone else the committee prescribes.

The individuals appointed by the legislative leaders may be legislators. The appointing authorities must make their appointments by July 31, 2017 and fill any vacancies. The House speaker and Senate president pro tempore must select the chairpersons from among the committee's members. The chairpersons must hold the first meeting by August 30, 2017. Committee members are not compensated.

The committee must annually report its findings and recommendations, beginning January 1, 2018, to the banking, insurance and real estate, planning and development, and public safety and security committees. The recommendations must include measures to assist property owners with crumbling foundations.

§§ 4-9 & 13 — CHEFA'S AUTHORITY TO BOND ON MUNICIPALITIES' BEHALF

Existing law authorizes CHEFA to issue bonds to finance capital

projects and equipment purchases for various entities, including higher education and health care institutions. The bill authorizes CHEFA, upon the request of “participating municipalities,” to use its bonding authority to finance a “project.” Additionally, the bill expands the purposes for which CHEFA may establish a special capital reserve fund (SCRF) to finance certain projects to include financing projects undertaken by participating municipalities, if the OPM secretary approves the SCRF (see BACKGROUND).

Under the bill:

1. a “project” is the development and deployment of financial assistance, including credit enhancements, loan guarantees, or equipment or materials purchases to abate nuisances caused by failing residential concrete foundations and
2. “participating municipalities” are two or more municipalities that act jointly to (a) finance and construct or acquire a project or (b) refund or refinance mortgage, loan, or advance obligations related to project costs.

The bill allows participating municipalities to jointly borrow to pay some or all of the project costs associated with abating an actual or potential nuisance that constitutes a deleterious condition on real property and that, if unabated, would cause concrete foundations’ collapse and damage to the municipalities’ housing stock, significantly negatively impacting the municipalities’ economies.

Subject to the OPM secretary’s approval, CHEFA’s bonds may constitute debts, liabilities, or pledges of the full faith and credit of the participating municipalities, jointly, severally, or in any ratio they agree. Municipalities may request CHEFA’s assistance only with their legislative bodies’ approval.

To implement this authorization, the bill makes a number of conforming changes, including:

1. specifying that CHEFA’s bonds may be backed by a project’s

- revenue, mortgages, the municipalities' or authority's full faith and credit, or any other security lawfully pledged by the municipalities;
2. authorizing CHEFA to establish rules and regulations related to participating municipalities' projects;
 3. allowing CHEFA to charge municipalities for its administrative costs;
 4. authorizing CHEFA to undertake a project on municipalities' behalf; and
 5. authorizing CHEFA to acquire property necessary for the construction or operation of a project.

§§ 11 & 12 — BUILDING PERMIT FEE WAIVERS

The bill authorizes municipalities to waive fees for building permit applications to repair or replace crumbling foundations.

Additionally, the bill requires the state building inspector to waive the education fee applicable to certain building permits if the municipality in which the permit is applied for waives its fee, as allowed by the bill. This education fee waiver applies only to building permits for certain state construction projects that do not require a municipal permit. (The effect of this provision is unclear because municipalities do not issue permits for these types of projects.)

By law, the education fee is used for code training and education programs for state and local officials and individuals in the construction industry (CGS § 29-251c).

§ 14 — DOH'S COLLAPSING FOUNDATIONS INTEREST RATE REDUCTION PROGRAM

The bill requires DOH to establish a collapsing foundations interest rate reduction program to provide certain property owners borrowing money to repair their crumbling foundations with credit enhancements in the form of interest rate subsidies. Thirty days before

the program begins, DOH, in consultation with the lieutenant governor and banking and credit union industry representatives, must develop the terms applicable to the low-interest loans. The DOH commissioner must publish these terms, and any changes to them, in the Department of Banking's news bulletin at least 15 days before the program begins. (Under the bill, the deadline for publishing terms updated after the program begins is unclear.)

Partnership with Lenders

DOH must seek the participation of banks and credit unions in the interest rate reduction program to offer below-market rate loans to eligible borrowers. Qualifying loans are subject to the lenders' underwriting standards and the loan terms the DOH commissioner establishes.

Eligible borrowers

The program is open to owner-occupants of one- to four-family homes constructed after January 1, 1983 who have difficulty obtaining financing for the repair of crumbling foundations due to high repair costs, unmet underwriting criteria, a home's decreased value, or personal financial circumstances. Borrowers under the program must (1) obtain qualified test results showing that their foundation has pyrrhotite-related damage and (2) file a consumer statement with DCP.

Collapsing Foundations Interest Rate Reduction Account

The bill establishes the collapsing foundations interest rate reduction account as a separate, nonlapsing account in the General Fund. DOH must use this money to provide interest rate subsidies for qualifying loans, as described above. The bill expressly states that by doing so, eligible borrowers' monthly payments will be lowered. (The bill does not specify how the account will be capitalized.)

BACKGROUND

Crumbling Foundation Problem in Northeastern Connecticut

An investigation by DCP and the Attorney General's office found that there is a crumbling foundation problem in northeastern

Connecticut that stems from the presence of a naturally occurring iron sulfide mineral, pyrrhotite, in the stone aggregate used to produce concrete poured for certain foundations in parts of the state, beginning in the early 1980s.

CHEFA and SCRF-Backed Bonds

CHEFA is a quasi-public agency that finances capital projects for health care institutions, higher education institutions, nursing homes, and other nonprofit organizations.

SCRF-backed bonds are contingent liabilities of the state; if a SCRF is exhausted, the General Fund automatically replenishes it, regardless of the state spending cap. By law, CHEFA cannot issue bonds secured by a SCRF unless it determines that project revenues are sufficient to (1) pay the bonds' principal and interest; (2) establish, increase, and maintain any reserves it deems advisable to secure principal and interest payments; (3) pay the project's maintenance and insurance costs; and (4) pay other required project costs.

Related Bills

sHB 7175 and SB 905, favorably reported by the Planning and Development Committee, contain provisions related to preventing, and helping property owners with, failing concrete foundations.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 19 Nay 6 (03/15/2017)