



State of Connecticut

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COMMITTEE

Testimony

In support of
**H.B. No. 5655, AN ACT CONCERNING A PROPERTY OWNER'S LIABILITY
FOR THE EXPENSES OF REMOVING A FALLEN TREE OR LIMB**

Judiciary Committee

February 24, 2017

Dear Co-Chairs Doyle, Kissel, Tong, Ranking Member Rebimbas and distinguished members of the Judiciary Committee:

Thank you for the opportunity to submit testimony on **H.B. 5655, AN ACT CONCERNING A PROPERTY OWNER'S LIABILITY FOR THE EXPENSES OF REMOVING A FALLEN TREE OR LIMB.**

This is an improved version of a bill I introduced in 2014. It made it to the Governor's desk the first year it was introduced, but was vetoed when it was discovered that someone had removed the licensed arborist component of the legislation. The very next year, the omission was corrected and it has passed out of several committees unanimously for the **past several years, only to be placed on the House calendar without calling it for a vote.** A licensed arborist must be hired by the party seeking action on the owner of the property where the diseased, dead, or hazardous tree is located; several exemptions of real property owned by a political subdivision of the state, a water company as defined in section 25-32a of the general statutes, or a nonprofit organization qualified as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States; (2) real property that is subject to a conservation easement held by such nonprofit organization; (3) timber land as described in section 12-97 of the general statutes; or (4) forest land as described in section 12-107d of the general statutes; and the provision that the written notice shall not run with the land.

Again, thank you for considering this effort to protect property owners for damage caused by trees not belonging to them, after they have followed the process of proper certification and notification.