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## OLR Bill Analysis

### SJ 35

#### ***RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO PROTECT REAL PROPERTY HELD OR CONTROLLED BY THE STATE.***

#### **SUMMARY**

This resolution proposes a constitutional amendment that, with limited exceptions, prohibits the legislature from enacting legislation requiring a state agency to sell, transfer, or otherwise dispose of real property or interest in real property to non-state entities.

Under the resolution, the legislature may require an agency to take such actions only if the legislature (1) holds a public hearing on the sale, transfer, or disposition of the subject property or interest and (2) passes an act whose subject matter is limited to the same. In addition to complying with these requirements, for real property or interest in real property under the custody or control of the departments of agriculture or energy and environmental protection, or their successor agencies, passage must be by at least a two-thirds roll call vote of the membership of each chamber.

The ballot designation to be used when the amendment is presented at the general election is:

"Shall the Constitution of the State be amended to require (1) a public hearing and the enactment of legislation limited in subject matter to the transfer, sale or disposition of state-owned or state-controlled real property or interests in real property in order for the General Assembly to require a state agency to sell, transfer or dispose of any real property or interest in real property that is under the custody or control of the agency, and (2) if such property is under the custody or control of the Department of Agriculture or the Department of Energy and Environmental Protection, that such enactment of legislation be

passed by a two-thirds vote of the total membership of each house of the General Assembly?"

EFFECTIVE DATE: If the resolution passes by at least three-fourths of the membership of each house of the General Assembly, it will appear on the November 6, 2018 general election ballot. If it passes by a majority of the membership of each house but less than three-fourths, it will be referred to the 2019 session of the legislature. If it passes in that session by a majority of each house, it will appear on the 2020 general election ballot. If a majority of those voting on the amendment in the general election approves it, the amendment will become part of the state constitution.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 17    Nay 0    (03/23/2018)