OLR Bill Analysis
sSB 1010 (File 726, as amended by Senate "A")*

AN ACT CONCERNING THE DISCLOSURE OF DAMS AND SIMILAR STRUCTURES BY OWNERS OF REAL PROPERTY.

SUMMARY

This bill adds questions about dams or similar structures to the written residential disclosure report that the law generally requires a seller of residential property to provide to a potential buyer before the transaction occurs.

Under the bill, the written residential disclosure report for residential property sales must include information about dams or similar structures on the property that are capable of impounding or controlling water flow. These structures include stormwater or detention dams, flood control structures, dikes, or incompletely breached dams, among others.

The bill requires the seller to disclose the hazard classification for any dam or similar structure on the property, if known (see BACKGROUND). In addition, the seller must disclose if (1) a dam or similar structure was inspected or has an emergency action plan, if required by law, and (2) there are any obligations relating to the dam or structure that would pass to the buyer.

*Senate Amendment “A” eliminates provisions in the underlying bill that would have required (1) sellers to disclose information about dams or similar structures to prospective buyers and (2) buyers to register or record dams or similar structures.

EFFECTIVE DATE: July 1, 2019

BACKGROUND

Dam Classifications

State regulations classify dams by the hazards they would pose if
they fail.

A high hazard dam is one whose failure would result in (1) probable loss of life; (2) major damage to habitable structures, homes, hospitals, convalescent homes, or schools; (3) damage to utility facilities that causes widespread service interruption; (4) damage to main highways; or (5) great economic loss.

A significant hazard dam is one whose failure would result in (1) possible loss of life; (2) minor damage to habitable structures, homes, hospitals, convalescent homes, or schools; (3) damage to utility facilities that causes localized service interruption; (4) damage to primary roadways or railroads; or (5) significant economic loss.

A moderate hazard dam is one whose failure would result in (1) damage to normally unoccupied storage structures or paved local roads or (2) minimal economic loss.

A low hazard dam is one whose failure would result in (1) damage to agricultural land or unpaved local roads or (2) negligible economic loss.

A negligible hazard dam is one whose failure would result in (1) no measurable damage to roadways, land, and structures and (2) negligible economic loss (Conn. Agencies Regs. § 22a-409-2).

**COMMITTEE ACTION**
Planning and Development Committee

Joint Favorable Substitute
Yea 21  Nay 0  (03/29/2019)