AN ACT CONCERNING HOUSING AUTHORITY JURISDICTION.

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

Section 1. Section 8-39 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

The following terms, wherever used or referred to in this chapter, shall have the following respective meanings, unless a different meaning clearly appears from the context:

(a) "Area of operation" includes the municipality in which a housing authority is created under the provisions of this chapter and may include a neighboring municipality, provided the governing body of such neighboring municipality agrees by proper resolution to the extension of the area of operation to include such neighboring municipality] means a municipal area of operation and, if adopted by a housing authority, includes an expanded area of operation.

(b) "Authority" or "housing authority" means any of the public corporations created by section 8-40, as amended by this act, and the Connecticut Housing Authority when exercising the rights, powers, duties or privileges of, or subject to the immunities or limitations of, housing authorities pursuant to section 8-121.

(c) "Bonds" means any bonds, including refunding bonds, notes, interim certificates, debentures or other obligations issued by the authority pursuant to this chapter.
(d) "Clerk" means the clerk of the particular city, borough or town for which a particular housing authority is created.

(e) "Eligible developer" or "developer" means (1) a nonprofit corporation; (2) any business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (3) any partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (4) a housing authority; (5) a family or person approved by the commissioner as qualified to own, construct, rehabilitate, manage and maintain housing under a mortgage loan made or insured under an agreement entered into pursuant to the provisions of this chapter; or (6) a municipal developer.

(f) "Expanded area of operation" means an area designated by the Department of Housing pursuant to section 8-348 as a high or very high opportunity census tract, provided any part of such census tract is located within thirty miles of the municipality in which the housing authority is located.

[(e) (g)] "Families of low income" means families who lack the amount of income which is necessary, as determined by the authority undertaking the housing project, to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

[(f) (h)] "Families of low and moderate income" means families who lack the amount of income which is necessary, as determined by the Commissioner of Housing, to enable them to rent or purchase moderate cost housing without financial assistance as provided by this part and parts II and III of this chapter.
(i) "Family" means a household consisting of one or more persons.

[(g)] (j) "Federal government" includes the United States of America, the federal emergency administration of public works or any other agency or instrumentality, corporate or otherwise, of the United States of America.

[(h)] (k) "Governing body" means, for towns having a town council, the council; for other towns, the selectmen; for cities, the common council or other similar body of officials; and for boroughs, the warden and burgesses.

[(i)] (l) "Housing project" means any work or undertaking (1) to demolish, clear or remove buildings from any slum area, which work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes; or (2) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for families of low or moderate income, which work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, recreational, commercial or welfare purposes and may include the acquisition and rehabilitation of existing dwelling units or structures to be used for moderate or low rental units; or (3) to accomplish a combination of the foregoing. The term "housing project" also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith and may include the reconstruction, rehabilitation, alteration, or major repair of existing buildings or improvements which were undertaken pursuant to parts II and VI of this chapter.

[(j)] (m) "Mayor" means, for cities, the mayor and, for boroughs, the warden.
"Moderate rental" means a rental which, as determined by an authority with the concurrence of the Commissioner of Housing, is below the level at which private enterprise is currently building a needed volume of safe and sanitary dwellings for rental in the locality involved; and "moderate rental housing project" means a housing project, receiving state aid in the form of loans or grants, for families unable to pay more than moderate rental. Such project may include the reconstruction, rehabilitation, alteration, or major repair of existing buildings or improvements which were undertaken pursuant to parts II or VI of this chapter.

"Mortgage" means a mortgage deed, deed of trust, or other instrument which shall constitute a lien, whether first or second, on real estate or on a leasehold under a lease having a remaining term, at the time such mortgage is acquired, which does not expire for at least that number of years beyond the maturity date of the obligation secured by such mortgage as is equal to the number of years remaining until the maturity date of such obligation.

"Municipal area of operation" includes the municipality in which a housing authority is created under the provisions of this chapter, and may include a neighboring municipality, as provided in section 8-40, as amended by this act.

"Municipal developer" means a municipality which has not declared by resolution a need for a housing authority pursuant to section 8-40, as amended by this act, acting by and through its legislative body, except that in any town in which a town meeting or representative town meeting is the legislative body, "municipal developer" means the board of selectmen if such board is authorized to act as the municipal developer by the town meeting or representative town meeting.

"Municipality" means any city, borough or town. "The municipality" means the particular municipality for which a particular housing authority is created.
"Nonprofit corporation" means a nonprofit corporation incorporated pursuant to chapter 602 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing and having articles of incorporation approved by the Commissioner of Housing in accordance with regulations adopted pursuant to section 8-79a or 8-84.

"Obligee of the authority" or "obligee" includes any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the state or federal government when it is a party to any contract with the authority.

"Real property" includes all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

"Rent" means the entire amount paid to an authority for any dwelling unit.

"Shelter rent" means rent less any charges made by an authority for water, heat, gas and electricity.

"Slum" means any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals.

"State public body" means any city, borough, town, municipal corporation, district or other subdivision of the state.

"Veteran" has the meaning assigned by section 27-103 and includes any officer of the United States Public Health Service detailed
by proper authority to duty with any of the armed forces and the
spouse or widow or widower of such veteran, provided such veteran
shall have served for a period of ninety days or more in time of war
after December 7, 1941, and shall have resided in this state at any time
continuously for two years.

(t) "Family" means a household consisting of one or more persons.

(u) "Eligible developer" or "developer" means (1) a nonprofit
corporation; (2) any business corporation incorporated pursuant to
chapter 601 or any predecessor statutes thereto, having as one of its
purposes the construction, rehabilitation, ownership or operation of
housing, and having articles of incorporation approved by the
commissioner in accordance with regulations adopted pursuant to
section 8-79a or 8-84; (3) any partnership, limited partnership, joint
venture, trust, limited liability company or association having as one of
its purposes the construction, rehabilitation, ownership or operation of
housing, and having basic documents of organization approved by the
commissioner in accordance with regulations adopted pursuant to
section 8-79a or 8-84; (4) a housing authority; (5) a family or person
approved by the commissioner as qualified to own, construct,
rehabilitate, manage and maintain housing under a mortgage loan
made or insured under an agreement entered into pursuant to the
provisions of this chapter; or (6) a municipal developer.

(v) "Mortgage" means a mortgage deed, deed of trust, or other
instrument which shall constitute a lien, whether first or second, on
real estate or on a leasehold under a lease having a remaining term, at
the time such mortgage is acquired, which does not expire for at least
that number of years beyond the maturity date of the obligation
secured by such mortgage as is equal to the number of years remaining
until the maturity date of such obligation.

(w) "Nonprofit corporation" means a nonprofit corporation
incorporated pursuant to chapter 602 or any predecessor statutes
thereto, having as one of its purposes the construction, rehabilitation,
ownership or operation of housing and having articles of incorporation

approved by the Commissioner of Housing in accordance with
regulations adopted pursuant to section 8-79a or 8-84.

(x) "Municipal developer" means a municipality, as defined in
subsection (l) of this section, which has not declared by resolution a
need for a housing authority pursuant to section 8-40, acting by and
through its legislative body, except that in any town in which a town
meeting or representative town meeting is the legislative body,
"municipal developer" means the board of selectmen if such board is
authorized to act as the municipal developer by the town meeting or
representative town meeting.]

Sec. 2. Section 8-40 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2019):

(a) In each municipality of the state there is created a public body
corporate and politic to be known as the "housing authority" of the
municipality; provided such authority shall not transact any business
or exercise its powers [hereunder] under this section until the
governing body of the municipality by resolution declares that there is
need for a housing authority in the municipality, provided it shall find
(1) that insanitary or unsafe inhabited dwelling accommodations exist
in the municipality or (2) that there is a shortage of safe or sanitary
dwelling accommodations in the municipality available to families of
low income at rentals they can afford, or (3) that there is a shortage of
safe or sanitary dwelling accommodations in the municipality
available to families of moderate income at rentals they can afford. In
determining whether dwelling accommodations are unsafe or
insanitary, [said] such governing body may take into consideration the
degree of overcrowding, the percentage of land coverage, the light, air,
space and access available to the inhabitants of such dwelling
accommodations, the size and arrangement of the rooms, the sanitary
facilities and the extent to which conditions exist in such buildings
which endanger life or property by fire or other causes. The governing
bodies of two or more municipalities may create a regional housing
authority, which shall have all the powers, duties and responsibilities
conferred upon housing authorities by this chapter and chapter 130. The area of operation of such authority shall include the municipalities for which such authority is created, provided, in the case of a municipal area of operation that includes a neighboring municipality, the neighboring municipality agrees by proper resolution to the expansion of the area of operation to include such neighboring municipality. Such authority shall act through a board of commissioners composed of two representatives from each municipality appointed for terms of four years in the manner provided in section 8-41.

(b) Any housing authority may adopt an expanded area of operation.

Sec. 3. Section 8-44b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(a) Any housing authority created by section 8-40, as amended by this act, shall have the power to establish and maintain a housing authority police force, except that no housing authority shall have the power to establish or maintain a housing authority police force in an expanded area of operation. The members of any such police force shall be employees of such housing authority and shall be known as housing authority police officers. Housing authority police officers shall be appointed by the local board, agency or person empowered to appoint municipal police officers, subject to approval of the housing authority. The requirements for appointment as a police officer in the municipality in which the housing authority is located, except for age and physical qualifications, shall be mandatory for housing authority police officers in such municipality. No person shall be appointed to such housing authority police force unless such person has been awarded a certificate attesting to such person's successful completion of an approved municipal police basic training program, as provided in section 7-294e. The initial appointment shall be for a probationary term upon completion of which the appointing authority may promote such probationary officers to permanent status;
provided such promotion shall be in accordance with procedures applicable to municipal police officers in the municipality and shall be made subject to the approval of the housing authority. Housing authority police officers shall have and exercise the powers and authority conferred upon municipal police officers and shall be subject to the ultimate supervision and control of the chief of police of the municipality in which the housing authority operates.

(b) Notwithstanding the provisions of subsection (a) of this section, any housing authority police force which existed prior to October 1, 1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the Demonstration Cities and Metropolitan Development Act of 1966, and which, for any reason, does not constitute a housing authority police force pursuant to subsection (a) of this section, shall constitute a housing authority police force pursuant to this subsection and the members of such police forces may exercise the powers granted to such members pursuant to this subsection. The members of such police force may act, at the expense of the municipality, as special police officers upon property owned or managed by any housing authority. Such special police officers: (1) May arrest, without previous complaint and warrant, any person for any offense in their jurisdiction, when such person is taken or apprehended in the act or on the speedy information of others; (2) when in the immediate pursuit of one who may be arrested under the provisions of this subsection, may pursue such offender outside of their jurisdiction into any part of the municipality to effect an arrest; (3) shall be peace officers as defined in subdivision (9) of section 53a-3; (4) shall have the authority to serve criminal process within their jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color from that worn by the police officers of the municipality; (6) shall, when on duty, wear in plain view a shield, distinct in shape from that worn by the police officers of the municipality which shall bear the words "special police"; (7) shall complete a forty-hour basic training program provided by the municipality within one hundred eighty days of June 27, 1983; and (8) shall take an oath of office.
Sec. 4. Section 8-50 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

An authority shall have the right to acquire by the exercise of the power of eminent domain any real property which it deems necessary for its purposes under this chapter, provided such real property is not located in an expanded area of operation, after the adoption by [it] such authority of a resolution declaring that the acquisition of such real property described [therein] in such resolution is necessary for such purposes. An authority, in its own name and at its own expense and cost, may prefer a petition and exercise the power of eminent domain in the manner provided in section 48-12 and acts supplementary thereto, except that a housing authority's power of eminent domain shall not extend to an expanded area of operation. Property already devoted to a public use may be acquired, provided no real property belonging to the municipality, the state or any political subdivision thereof may be acquired without its consent.

Sec. 5. Section 8-389 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

Upon the incorporation of a successfully negotiated regional fair housing compact into a regional plan of conservation and development by a regional planning agency pursuant to section 8-386, the Commissioner of Housing and the Connecticut Housing Authority may give priority to any application for financial or technical assistance made by a municipality, housing authority or eligible developer as defined in [subsection (u) of] section 8-39, as amended by this act, in connection with any project located in a municipality which has approved the regional fair housing compact pursuant to section 8-386.

Sec. 6. Subsection (i) of section 12-631 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(i) "Families of low and moderate income" means families meeting
the criteria for designation as families of low and moderate income
established by the Commissioner of Housing pursuant to subsection
[(f)] (h) of section 8-39, as amended by this act.

Sec. 7. Section 8-113a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2019):

The following terms, wherever used or referred to in this part, shall
have the following respective meanings, unless a different meaning
clearly appears from the context:

(a) "Authority" or "housing authority" means any of the public
corporations created by section 8-40, as amended by this act.

(b) "Municipality" means any city, borough or town. "The
municipality" means the particular municipality for which a particular
housing authority is created.

c) "Governing body" means, for towns having a town council, the
council; for other towns, the selectmen; for cities, the common council
or other similar body of officials; and for boroughs, the warden and
burgesses.

(d) "Mayor" means, for cities, the mayor, and, for boroughs, the
warden. "Clerk" means the clerk of the particular city, borough or town
for which a particular housing authority is created.

e) "Area of operation" shall include the municipality in which a
housing authority is created under the provisions of this chapter, and
may include a neighboring municipality, provided the governing body
of such neighboring municipality shall agree by proper resolution to
the extension of the area of operation to include such neighboring
municipality.]

(b) "Bonds" means any bonds, notes, interim certificates, certificates
of indebtedness, debentures or other obligations issued by the
authority pursuant to this chapter.
(c) "Elderly persons" means persons sixty-two years of age and over who lack the amount of income which is necessary, as determined by the authority or nonprofit corporation, subject to approval by the Commissioner of Housing, to enable them to live in decent, safe and sanitary dwellings without financial assistance as provided under this part, or persons who have been certified by the Social Security Board as being totally disabled under the federal Social Security Act or certified by any other federal board or agency as being totally disabled.

(d) "Housing partnership" means any partnership, limited partnership, joint venture, trust or association consisting of (1) a housing authority, a nonprofit corporation or both, and (2) (A) a business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84, (B) a for-profit partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84, or (C) any combination of the entities included under subparagraphs (A) and (B) of this subdivision.

[f] (e) "Housing project" means any work or undertaking (1) to demolish, clear or remove buildings from any slum area, which work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes; (2) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for elderly persons, which work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, recreational or welfare purposes; (3) to provide a continuum of
housing comprising independent living accommodations, residential care, intermediate housing facilities and skilled nursing care and facilities with ready access to medical and hospital services; or (4) to accomplish a combination of the foregoing. The term "housing project" also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith.

[(g) "Bonds" means any bonds, notes, interim certificates, certificates of indebtedness, debentures or other obligations issued by the authority pursuant to this chapter.

(h) "Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(i) "Obligee of the authority" or "obligee" shall include any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the state government when it is a party to any contract with the authority.

(j) "State public body" means any city, borough, town, municipal corporation, district or other subdivision of the state.]

[(k) (f) "Rent" means the entire amount paid to a local authority, nonprofit corporation or housing partnership for any dwelling unit.

[(l)] (g) "Shelter rent" means ["rent" as defined herein] rent, less any charges made by a local authority, nonprofit corporation or housing partnership for water, heat, gas, electricity and sewer use charges.

[(m) "Elderly persons" means persons sixty-two years of age and
over who lack the amount of income which is necessary, as determined by the authority or nonprofit corporation, subject to approval by the Commissioner of Housing, to enable them to live in decent, safe and sanitary dwellings without financial assistance as provided under this part, or persons who have been certified by the Social Security Board as being totally disabled under the federal Social Security Act or certified by any other federal board or agency as being totally disabled.

(n) "Housing partnership" means any partnership, limited partnership, joint venture, trust or association consisting of (1) a housing authority, a nonprofit corporation or both and (2) (A) a business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84, (B) a for-profit partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84 or (C) any combination of the entities included under subparagraphs (A) and (B) of this subdivision.

Sec. 8. Subsection (a) of section 8-116c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(a) An elderly person [l, as defined in subsection (m) of section 8-113a,] shall not be eligible to move into a housing project [l, as defined in subsection (f) of section 8-113a,] if the person (1) is currently using illegal drugs, (2) is currently abusing alcohol and has a recent history of disruptive or dangerous behavior and whose tenancy (A) would constitute a direct threat to the health or safety of another individual or (B) would result in substantial physical damage to the property of another, (3) has a recent history of disruptive or dangerous behavior
and whose tenancy (A) would constitute a direct threat to the health and safety of another individual or (B) would result in substantial physical damage to the property of another, or (4) was convicted of the illegal sale or possession of a controlled substance, as defined in section 21a-240, within the prior twenty-four-month period.

Sec. 9. Section 8-116d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

Any elderly person [, as defined in subsection (m) of section 8-113a,] who applies for and is accepted for admission to a housing project pursuant to this part or part VII of this chapter or pursuant to any other state or federal housing assistance program may terminate the lease or rental agreement for the dwelling unit that he or she occupies at the time of such acceptance, without the penalty or liability for the remaining term of the lease or rental agreement, upon giving thirty days' written notice to the landlord of such dwelling unit.

Sec. 10. Section 8-119h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

Upon preliminary approval by the State Bond Commission pursuant to the provisions of section 3-20, the state, acting by and through the Commissioner of Housing, may enter into a contract or contracts with an authority, a municipal developer, a nonprofit corporation or a housing partnership for state financial assistance for a congregate housing project, in the form of capital grants, interim loans, permanent loans, deferred loans or any combination thereof for application to the development cost of such project or projects. A contract with an authority, a municipal developer, a nonprofit corporation or a housing partnership may provide that in the case of any loan made in conjunction with any housing assistance funds provided by an agency of the United States government, if such housing assistance funds terminate prior to complete repayment of a loan made pursuant to this section, the remaining balance of such loan may be converted to a capital grant or decreased loan. Any such state assistance contract with an authority, a municipal developer, a
nonprofit corporation or a housing partnership for a capital grant or
loan entered into prior to the time housing assistance funds became
available from an agency of the United States government, may, upon
the mutual consent of the commissioner and the authority, municipal
developer, nonprofit corporation or housing partnership, be
renegotiated to provide for a loan or increased loan in the place of a
capital grant or loan or a part thereof, consistent with the above
conditions. Such capital grants or loans shall be in an amount not in
excess of the development cost of the project or projects, including, in
the case of grants or loans financed from the proceeds of the state's
general obligation bonds issued pursuant to any authorization,
allocation or approval of the State Bond Commission made prior to
July 1, 1990, administrative or other cost or expense to be incurred by
the state in connection therewith, as approved by said commissioner.
In anticipation of final payment of such capital grants or loans, the
state, acting by and through said commissioner and in accordance with
such contract, may make temporary advances to the authority,
municipal developer, nonprofit corporation or housing partnership for
preliminary planning expense or other development cost of such
project or projects. Any loan provided pursuant to this section shall
bear interest at a rate to be determined in accordance with subsection
(t) of section 3-20. Any such authority, municipal developer, nonprofit
corporation or housing partnership may, subject to the approval of the
Commissioner of Housing, contract with any other person approved
by the Commissioner of Housing for the operation of a project
undertaken pursuant to this part. As used in this section, "housing
partnership" has the same meaning as provided in [subsection (n) of]
section 8-113a, as amended by this act.

Sec. 11. Section 8-119l of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2019):

The state, acting by and through the Commissioner of Housing,
may enter into a contract or contracts with an authority, a municipal
developer, a nonprofit corporation or a housing partnership for state
financial assistance in the form of a grant-in-aid for an operating cost
subsidy for state-financed congregate housing projects developed pursuant to this part. In calculating the amount of the grant-in-aid, the commissioner shall use adjusted gross income of tenants. As used in this section, "adjusted gross income" means annual aggregate income from all sources minus fifty per cent of all unreimbursable medical expenses. As used in this section, "housing partnership" has the same meaning as provided in [subsection (n) of] section 8-113a, as amended by this act.

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

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