General Assembly

Amendment

January Session, 2019

LCO No. 8121

Offered by:
SEN. FASANO, 34th Dist.

To: Subst. Senate Bill No. 1062 File No. 661 Cal. No. 320

"AN ACT AUTHORIZING MUNICIPAL CLIMATE CHANGE AND COASTAL RESILIENCY RESERVE FUNDS."

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. (NEW) (Effective July 1, 2019) (a) Upon the recommendation of the chief executive officer of a municipality and approval of the budget-making authority of the municipality, the legislative body of any municipality, as defined in section 7-369 of the general statutes, may, by a majority vote, create a Climate Change and Coastal Resiliency Reserve Fund.

(b) Upon the recommendation of the chief executive officer and approval of the budget-making authority and the legislative body in accordance with subsection (a) of this section, there shall be paid into such reserve fund: (1) Amounts authorized to be transferred into such Climate Change and Coastal Resiliency Reserve Fund from the general fund cash surplus available at the end of any fiscal year, (2) amounts raised by the annual levy of a tax for the benefit of such fund, and for
no other purpose, provided such tax shall be levied and collected in
the same manner and at the same time as the regular annual taxes of
such municipality, and (3) the proceeds of bonds, notes or other
obligations issued pursuant to subsection (b) of section 7-374b of the
general statutes.

(c) The budget-making authority of such municipality may, from
time to time, direct the treasurer to invest a portion of such Climate
Change and Coastal Reserve Fund as in the opinion of such authority
is advisable, provided: (1) Not more than forty per cent, or with
respect to such a reserve fund for which the budget-making authority
has adopted an asset allocation and investment policy, fifty per cent, of
the total amount of such reserve fund shall be invested in equity
securities, and (2) any portion of such reserve fund not invested
pursuant to subdivision (1) of this subsection may be invested in: (A)
Bonds or obligations of, or guaranteed by, the state or the United
States, or agencies or instrumentalities of the United States, (B)
certificates of deposit, commercial paper, savings accounts and bank
acceptances, (C) the obligations of any state of the United States or any
political subdivision thereof or the obligations of any instrumentality,
authority or agency of any state or political subdivision thereof, if, at
the time of investment, such obligations are rated in the top rating
categories of any nationally recognized rating service or of any rating
service recognized by the Banking Commissioner, and applicable to
such obligations, (D) the obligations of any regional school district in
this state, of any municipality in this state or any metropolitan district
in this state, if, at the time of investment, such obligations of such
government entity are rated in one of the top two rating categories of
any nationally recognized rating service or of any rating service
recognized by the Banking Commissioner, and applicable to such
obligations, (E) in any fund in which a trustee may invest pursuant to
section 36a-353 of the general statutes, (F) investment agreements with
financial institutions whose long-term obligations are rated in the top
two rating categories of any nationally recognized rating service or of
any rating service recognized by the Banking Commissioner or whose
short-term obligations are rated in the top rating category of any
nationally recognized rating service or of any rating service recognized
by the Banking Commissioner, or (G) investment agreements fully
secured by obligations of, or guaranteed by, the United States or
agencies or instrumentalities of the United States.

(d) The municipal treasurer shall submit, annually, a complete and
detailed report of the condition of such Climate Change and Coastal
Resiliency Reserve Fund to the chief elected official, budget-making
authority and legislative body of such municipality. Such report shall
be made a part of such municipality's annual report.

(e) Upon the recommendation of the chief elected official and
budget-making authority of such municipality and the approval of the
legislative body of such municipality, any part, or the whole, of such
reserve fund may be used and appropriated to pay for capital projects
and studies related to mitigating hazards and vulnerabilities of climate
change including, but not limited to, land acquisition.

(f) Such reserve fund may be discontinued, after recommendation
by the chief elected official and budget-making authority of such
municipality to the legislative body and upon approval of such
discontinuation by such legislative body. Following any such vote to
discontinue such reserve fund, any remaining portion of such fund
shall be converted into, or added to, a sinking fund to provide for the
retirement of the bonded indebtedness of such municipality. If the
municipality has no bonded indebtedness, the remainder of such fund
shall be transferred to the general fund of such municipality."

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

| Section 1 | July 1, 2019 | New section |