OLR Bill Analysis

SB 1202 (as amended by House "A," House “G,” House “H,” and Senate "A")*

Emergency Certification

AN ACT CONCERNING PROVISIONS RELATED TO REVENUE AND OTHER ITEMS TO IMPLEMENT THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2023.

TABLE OF CONTENTS:

SUMMARY

§ 1 — COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION ALLIANCE

Requires DOH to convert a loan made to the Community Development Financial Institution Alliance for a revolving loan fund to a grant-in-aid

§ 2 — USE OF BOND PREMIUM

Delays by two years, from July 1, 2021, to July 1, 2023, the requirement that the treasurer direct bond premiums on GO and credit revenue bonds to an account or fund to pay for previously authorized capital projects

§§ 3-5 — DOMESTIC WORKERS

Broadens the categories of written information that employers must provide to certain domestic workers when they are hired; requires the labor commissioner to establish a domestic workers education and training grant program

§ 6 — CALL CENTERS

Establishes (1) notice requirements for call centers that relocate from Connecticut to another country and makes them ineligible to receive state financial support for five years and (2) in-state requirements for state contractors who perform state-business-related call center and customer service work

§ 7 — PAID FAMILY MEDICAL LEAVE BOND REPAYMENT

Requires the Paid Family and Medical Leave Insurance Authority, starting in FY 23, to begin repaying any funds from bond authorizations allocated to it under a plan established by the OPM secretary

§ 8 — BOARD OF REGENTS REPORTING ON SYSTEM OFFICE STAFF AND FINANCES

Requires BOR to annually report on its system office staff and finances

§ 9 — GRANTS TO DISTRESSED MUNICIPALITIES FOR VOLUNTEER FIRE DEPARTMENT TRAINING

Requires the state fire administrator to annually award a grant to distressed municipalities to cover the cost of certification and recruit training for their volunteer fire departments

§ 10 — STATE EMPLOYEES RETIREMENT SYSTEM CONTRIBUTION

Requires the state's required contribution to SERS to account for the surplus funds transferred from the budget reserve fund to SERS

§§ 11-14 — JUDICIAL COMPENSATION

Increases the salary for judges and certain other judicial officials by approximately 4.5% for FY 22

§§ 15-19 — COVERED CONNECTICUT

Establishes the Covered Connecticut program to provide fully subsidized health insurance coverage for eligible individuals, including dental benefits and non-emergency transport to certain people; allows the Office of Health Strategy to apply for a 1332 waiver to advance the program's purpose; requires DSS to apply for a 1115 Medicaid demonstration waiver to support the program

§§ 20 & 21 — LOCAL HEALTH DISTRICT FUNDING

Requires the Department of Public Health to increase payments to municipal and district health departments starting in FY 22

§§ 22-27 — INSTITUTE FOR MUNICIPAL AND REGIONAL POLICY

Transfers the IMRP from Central Connecticut State University to UConn; makes related conforming changes

§ 28 — PRIMARY CARE DIRECT SERVICES PROGRAM

Requires, rather allows, DPH to establish a program providing grants to community-based primary care providers, and requires DPH to do so within available resources

§§ 29-31 — SOLNIT CHILDREN'S CENTER LICENSURE

Requires Solnit Children's Center's hospital and psychiatric residential treatment facility units to obtain DPH licensure and the DPH commissioner to adopt regulations regarding the facilities' licensure

§ 32 — OFFICE OF THE UNEMPLOYED WORKERS' ADVOCATE

Requires the labor commissioner to establish the Office of the Unemployed Workers' Advocate within DOL to assist unemployed people

§ 33 — BROWNFIELD REMEDIATION GRANT FOR PRESTON

Requires DECD to pay Preston a $7 million grant for brownfield remediation

§ 34 — OPEN EDUCATIONAL RESOURCE (OER) COORDINATING COUNCIL CARRYFORWARDS

Exempts unexpended operating funds of the OER Coordinating Council from lapsing at the end of each fiscal year

§ 35 — AMERICAN RESCUE PLAN ACT REPORTING

Requires OPM to collect data on ARPA funds use and submit to the Appropriations Committee the interim and quarterly reports due to the federal government; requires separate quarterly reports to the Appropriations Committee on funds for higher education constituent units, UConn, and the judicial branch

§§ 36 & 37 — COMMUNITY HEALTH WORKER GRANT PROGRAM

Requires DPH to establish a program providing grants, through FY 23, to community action agencies that employ community health workers who provide services to people adversely affected by COVID-19; directs $6 million of the state's federal ARPA funding to the program

§ 38 — CEMETERY RETORT AIR POLLUTION EXCEPTION

Temporarily prohibits the DEEP commissioner from requiring retort relocation or installation of air pollutant control technology on certain cemetery property

§ 39 — STATEWIDE OPIOID CLAIM

Authorizes the attorney general to enter into agreements concerning any statewide opioid claim

§§ 40-50 — RADIATION & RADIOACTIVE MATERIAL REGULATION

Expands DEEP's authority to regulate radiation sources

§ 51 — REDDING SPECIAL TAXING DISTRICT

Specifies how district voting is handled when (1) a municipality is eligible to cast a vote or (2) a vote is tied

§§ 52-53 — FREE PHONE CALLS FOR INMATES

Moves up the implementation date, from October 1, 2022, to July 1, 2022, for requiring DOC to provide free telephone services to inmates and generally makes inmates eligible to use telephone services for at least 90 minutes a day

§§ 54-57 — PUBLIC HIGHER EDUCATION INSTITUTION GRADUATION FEE BAN

Prohibits assessing or charging a graduation fee to students enrolled in a regional community-technical college, the CSUS, Charter Oak State College, or UConn

§ 58 — CONNECTICUT FOUNDATION SOLUTIONS INDEMNITY COMPANY (CFSIC) BOARD OF DIRECTORS

Specifies that one of the governor's board appointees required under a recently passed bill is considered an ex-officio member under CFSIC's bylaws

§ 59 — GEOLOGICAL SOURCE REPORT (GSR) FOR AGGREGATE QUARRIES

Specifies the type of core sample analysis that must be done as part of the GSR requirement established in a recently passed bill

§ 60 — ANNUAL CONCRETE AGGREGATE TESTING

Changes the standards applicable to concrete aggregate testing, a requirement established in a recently passed bill

§ 61 — LEGISLATIVE COMMISSIONERS' OFFICE AUTHORITY TO MAKE TECHNICAL CHANGES

Authorizes LCO to make necessary technical, grammatical, and punctuation changes when codifying the bill

§ 62 — ANALYSIS OF HOUSING FUNDING ALLOCATION AND SEGREGATION

Requires the OPM secretary to collect, analyze, and report on data related to existing state and federal housing programs and economic and racial segregation

§ 63 — MASHANTUCKET PEQUOT AND MOHEGAN FUND GRANTS TO MUNICIPALITIES

Generally prohibits municipalities from receiving Mashantucket Pequot and Mohegan Fund grants if a public school or associated athletic team under its school board's jurisdiction uses Native American names, symbols, or images without tribal consent

§ 64 — SHORT-TERM INVESTMENT FUND (STIF)

Allows the state treasurer to modify or suspend the contribution to the designated surplus reserve of the STIF in certain circumstances

§ 65 — BEVERAGE CONTAINER RECYCLING GRANT PROGRAM

Establishes a grant program for new beverage container redemption locations in urban centers and environmental justice communities

§§ 66-77 — DELETED BY HOUSE AMENDMENT "A"

§ 78 — EXEMPTION TO FLOODPLAIN REQUIREMENTS FOR CERTAIN NORWICH PROPERTIES

Authorizes certain building spaces on three Norwich properties to be used for commercial or residential purposes regardless of requirements governing floodplains

§ 79 — DDS WAITING LIST REPORT

Requires the DDS commissioner to annually report specified waiting list information to the Public Health and Appropriations committees

§ 80 — LEVEL OF NEED ASSESSMENT SYSTEM ADVISORY COMMITTEE

Establishes a 19-member committee to advise the DDS commissioner on the level of need assessment system

§§ 81-86 — DEBT-FREE COMMUNITY COLLEGE

Expands funding for the state's debt-free community college program from online lottery ticket sales revenue

§§ 87-88 — CRISIS INITIATIVE EXPANSION

Expands the CRISIS Initiative pilot program to Troop D and establishes a task force to study expanding it throughout the state

§ 89 — FEE-FREE DAY

Requires BOR and BOT to jointly establish an annual "Fee-Free" Day

§§ 90-92 — AN ACT CONCERNING GEOGRAPHIC INFORMATION SYSTEMS

Creates a new GIS office within OPM and establishes a GIS information officer to oversee the office and its staff; and establishes a GIS Council to consult with the new information officer on matters regarding free and public GIS data

§ 93 — STUDY OF EQUITY IN STATE GOVERNMENT PROGRAMS AND ACTIONS

Requires CHRO to oversee a study of equity in state government programs and actions; DAS must, in consultation with CHRO and OPM, hire a consultant to conduct the study on equity in state government with respect to race, national origin, ethnicity, religion, income, geography, sex, gender identity, sexual orientation, and disability; specifies the study's required components and requires its submission to the GAE Committee by February 15, 2023

§ 94 — PA 21-43 EXEMPTION

Exempts from PA 21-43's requirements renewable energy projects that are under contract with another entity and approved by the relevant regulatory authority before January 1, 2022

§ 95 — DELETED BY SENATE AMENDMENT "A"

§ 96 — CONTRACTS BETWEEN HEALTH CARRIERS AND PARTICIPATING HEALTHCARE PROVIDERS

Requires health carriers to provide 90-days' notice before changing certain participating provider contracts and allows providers to appeal any changes

§ 97 — BACKGROUND CHECK FEE WAIVER FOR CERTAIN VOLUNTEER FIRE AND AMBULANCE COMPANIES AND INDIGENT PARDON APPLICANTS

Exempts volunteer firefighters and volunteer ambulance providers from background check fees and prohibits the DESPP commissioner from requiring proof of insurance as a condition of the fee waiver; allows DESPP to waive certain fees for indigent individuals applying for a pardon

§ 98 — DELETED BY HOUSE AMENDMENT "G"

§ 99 — ELECTION MONITOR

Requires the secretary of the state to contract with an individual to serve as an election monitor in any municipality with a population of at least 140,000 (i.e., Bridgeport) for the 2021 municipal election and 2022 state election

§ 100 — LEGISLATIVE ARPA ALLOCATIONS

Specifies that requirement for legislature to approve ARPA allocations applies to both partial and final allocations; requires OPM to notify the Appropriations Committee when it is determined that such an approval is not allowable under federal guidance

§§ 101-105 — ELECTRONIC SYSTEM FOR TRANSMITTING VOTER REGISTRATION APPLICATIONS

Requires DMV, voter registration agencies, and public higher education institutions to use a secretary of the state-approved and NVRA-compliant electronic system to automatically transmit voter registration applications for qualified applicants to registrars of voters unless an applicant declines to apply for admission

§ 106 — E-SIGNATURE SYSTEM FOR ELECTIONS FORMS

Requires the secretary of the state to implement an e-signature system for most elections-related forms and applications

§ 107 — DISTRIBUTING VOTER REGISTRATION INFORMATION AT HIGH SCHOOLS

Requires registrars of voters to annually distribute voter registration information at public high schools

§ 108 — TIME OFF TO VOTE

Requires employers to give an employee two hours of unpaid time off for state elections and certain special elections if he or she requests it in advance

§ 109 — VOTERS WITH DEVELOPMENTAL DISABILITIES

Eliminates the prohibition on mentally incompetent people being admitted as electors

§§ 110-112 — VOTING RIGHTS FOR INDIVIDUALS CONVICTED OF A FELONY

Eliminates the forfeiture of convicted felons' electoral privileges (i.e., voting rights) if they are committed to confinement in an in-state or out-of-state community residence; restores these privileges to convicted felons who are on parole or special parole or who are confined in a community residence

§§ 113 & 114 — ELECTION NOTICES

Requires town clerks to post notices for state and municipal elections on the town website

§§ 113-114 & 141-157 — EXPANDED ABSENTEE VOTING AUTHORIZATION AND UPDATED FORMS FOR ELECTIONS OCCURRING BEFORE NOVEMBER 3, 2021

Extends to November 2, 2021, certain changes affecting absentee voting eligibility and procedures implemented for the 2020 state election as a result of COVID-19, including by (1) expanding the reasons for which electors may vote by absentee ballot to include the COVID-19 sickness; (2) allowing municipalities to conduct certain absentee ballot pre-counting procedures; and (3) extending, generally by 48 hours, numerous deadlines and timeframes associated with processing absentee ballots and canvassing and reporting the returns

§ 115 — ONLINE SYSTEM FOR ABSENTEE BALLOT APPLICATIONS

Allows people to apply to the secretary of the state for an absentee ballot using an online system, which the secretary must establish and maintain

§ 116 — DROP BOXES FOR RETURNING ABSENTEE BALLOTS

Makes permanent the use of drop boxes for returning absentee ballots

§ 116 — ABSENTEE BALLOT RETURN BY SIBLINGS AND DESIGNEES

Expands who is eligible to return absentee ballots on behalf of a voter as an immediate family member or designee

§ 117 — PERMANENT ABSENTEE BALLOT STATUS

Makes electors suffering from a long-term illness eligible for permanent absentee ballot status, among other things

§ 118 — VOTER REGISTRATION INFORMATION

Generally limits disclosure of certain voter registration information

§§ 119 & 120 — DEADLINE TO CHALLENGE CERTAIN CANDIDATES

Moves up the deadline by which a challenger must file a candidacy for nomination against the party-endorsed candidate in a special election for (1) judge of probate in a multi-town district or (2) a member of Congress

§ 121 — POST-ELECTION AUDITS

Subjects centrally counted absentee ballots to post-election audits

§ 122 — SUPERVISED ABSENTEE VOTING

Authorizes the secretary of the state to suspend supervised absentee voting or mandatory supervised absentee voting in recognition of a public health or civil preparedness emergency

§ 123 — ABSENTEE BALLOTS FOR ELECTORS WITH A VISUAL IMPAIRMENT

Requires the secretary of the state to provide electors who are unable to appear at their polling place because of a visual impairment with an electronic absentee ballot

§ 124 — ASSISTANCE IN VOTING BOOTHS AT EDR LOCATIONS

Specifies that electors may receive voting assistance in voting booths at designated EDR locations

§§ 125-128 — POLLING PLACE CHALLENGERS

Conforms the law with current practice by eliminating provisions authorizing registrars of voters to appoint challengers as polling place officials

§ 129 — STUDY ON DISTRIBUTION OF MAIL VOTER REGISTRATION APPLICATIONS BY AGENCIES

Requires the secretary of the state and various agencies to study the capabilities of state agencies in providing an electronic system that distributes mail voter registration applications

§§ 130-135 & 542 — MUNICIPAL ELECTION DATE

Generally requires each municipality to hold its biennial municipal election on the Tuesday after the first Monday in November of odd-numbered years; extends existing provisions on transitioning and deferring terms of office to, and establishes new provisions for, municipalities that change their election date

§ 136 — TASK FORCE ON ABSENTEE BALLOT ENVELOPES

Establishes a task force to study the feasibility of implementing procedures under which absentee ballot applicants return absentee ballots using one envelope instead of two

§ 137 — WORKING GROUP ON RISK-LIMITING AUDITS

Establishes a working group to examine risk-limiting audits and oversee a related pilot program, within available appropriations, in five to 10 municipalities for the 2021 municipal elections

§ 138 — MINOR PARTY RULES

Increases the time period that minor party rules must be on file with the secretary of the state before the party's candidates may appear on the ballot

§ 139 — COUNCIL ON SEXUAL MISCONDUCT CLIMATE ASSESSMENTS

Adds the Higher Education and Employment Advancement Committee's ranking members to the Council on Sexual Misconduct Climate Assessments

§ 140 — TOWN COMMITTEE PRIMARIES

Establishes circumstances under which town committee members who are chosen in a direct primary in certain municipalities are deemed elected without a primary

§ 158 — ABSENTEE BALLOT SIGNATURE VERIFICATION PILOT PROGRAM

Requires the secretary of the state to establish a pilot program to manually or electronically verify signatures on the inner envelopes for returned absentee ballots at the 2022 state election

§ 159 — COVID-19 VACCINATION STATUS INFORMATION

Requires DPH, upon request, to provide to a person (or parent or guardian of a minor) information confirming that the person received the COVID-19 vaccination, but otherwise not disclose this information without consent

§ 160 — STUDENT ATHLETE COMPENSATION

Modifies provisions in HB 6402, extending the date by which (1) student athletes may begin earning compensation through an endorsement contract or employment in an activity unrelated to any intercollegiate athletic program and (2) higher education institutions must adopt or update their related policies; prohibits student athletes from receiving compensation for the use or their name, image, or likeness, as an incentive to attend a specific institution or athletic program

§§ 161 & 163 — PUBLIC AGENCY MEETINGS USING ELECTRONIC EQUIPMENT

Authorizes public agencies to conduct meetings using electronic equipment until April 30, 2022, and establishes requirements and procedures for doing so

§§ 162, 164 & 165 — MEETING NOTICES GENERALLY

Allows public agencies to provide meeting notice by electronic transmission; requires agencies to post certain notices of adjournment on their websites

§ 162 — FREEDOM OF INFORMATION COMMISSION APPEALS

Allows FOIC to electronically send certain documents to parties in an appeal before the commission

§§ 166 & 167 — ORDERLY CONDUCT AT MEETINGS

Allows public agencies and town meetings to deny disorderly individuals access to meetings by electronic equipment

§ 168 — ACIR STUDY

Requires ACIR to study the implementation of the bill's provisions

§§ 169 & 170 — PAYING FEES ELECTRONICALLY

Allows town clerks to designate websites for paying recording fees and vital records fees

§§ 171-189 — ELECTRONIC TRANSACTIONS BY MUNICIPAL PROGRAMS AND ENTITIES

Makes numerous changes allowing municipal entities and other public agencies to conduct business electronically; generally, the changes allow specified (1) notices and

applications to be sent electronically and (2) hearings or meetings to be held using electronic equipment

§ 182 — RENTERS' REBATE APPLICATIONS

Requires municipalities to grant relief to renters from certain notarization requirements imposed by the municipality for program applications

§§ 190 & 192-195 — REGIONAL COUNCILS OF GOVERNMENTS BYLAWS, SERVICES, AND FUNDING

Makes minor changes to Regional Councils of Governments (COG) bylaw and procedural requirements and modifies, beginning FY22, the COG grant funding calculation

§ 191 — REGIONAL PERFORMANCE INCENTIVE PROGRAM

Modifies the entities and projects that are eligible for Regional Performance Incentive Program (RPIP) funding and the application requirements and selection criteria

§ 196 — OUTDOOR DINING ALLOWED AS-OF-RIGHT NEAR FOOD ESTABLISHMENTS

Beginning April 1, 2022, requires municipalities to allow outdoor food and beverage service as an accessory use to a licensed food establishment

§ 197 — GREENHOUSE GAS REDUCTION FEE CHANGES

Makes several changes related to the greenhouse gas reduction fee charged on vehicle registrations, principally to establish proportional fees for triennial registrations

§ 198 — COLUMBIA CHARTER REVISION PROCESS

Validates the initiation of Columbia's charter revision process

§§ 199-200 — DESIGNATION OF VARIOUS DAYS, WEEKS, AND MONTHS

Requires the governor to annually proclaim various days, weeks, and months

§§ 201 & 202 — ROAD NAME CHANGES

Corrects two road naming provisions that passed in regular session

§ 203 — TASK FORCE ON THE STATE WORKFORCE AND RETIRING EMPLOYEES

Establishes a task force to study issues related to managerial and exempt state employees' retirements and barriers to recruitment

§ 204 — STATE AGENCY PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT (PPE)

Generally requires state agencies to make reasonable efforts to buy PPE from companies that changed their business model to respond to the COVID-19 pandemic

§ 205 — REMOTE AUTHORIZATION FOR LICENSED BANKING ACTIVITIES

Allows the Banking Commissioner to establish a process allowing licensed activities to be conducted from locations other than a registered office

§ 206 — ENERGY AND ENVIRONMENTAL LEASE FINANCING

Imposes an aggregate cap of $15 million on the principal amount of energy consumption and environmental impact leases for improvements to state-owned buildings

§§ 207-220 — DELETED BY SENATE AMENDMENT "A"

§ 221 — DELETED BY HOUSE AMENDMENT "A"

§ 222 — GREEN BUILDING CONSTRUCTION STANDARDS

Requires DEEP to adopt regulations that establish construction standards for certain state-funded building projects by reference to a nationally recognized model for sustainable construction codes that promotes constructing high-performance green buildings

§ 223 — NON-UNION STATE EMPLOYEES

Requires, rather than allows, the DAS commissioner to give unclassified or non-union state employees in the executive and judicial branches the same rights and benefits provided by state employee collective bargaining agreements

§ 224 — DELETED BY SENATE AMENDMENT "A"

§ 225 — HARBOR MASTERS

Gives the governor more discretion in appointing harbor masters in municipalities in which a local harbor management commission has not submitted at least three nominees

§§ 226-229 — DELETED BY SENATE AMENDMENT "A"

§§ 230-231 — ELIMINATION OF THE HIGHER EDUCATION COORDINATING COUNCIL

Eliminates the Higher Education Coordinating Council

§ 232 — ROBERTA B. WILLIS SCHOLARSHIP PROGRAM ADMINISTRATIVE ALLOWANCE INCREASE

Increases the Roberta B. Willis Scholarship program administrative allowance, from $100,000 to $350,000, for one fiscal year

§§ 233 & 234 — PHYSICIAN ASSISTANT LICENSE FEE

Reinstitutes the previous $155 PA licensure fee by eliminating an inadvertent $5 decrease

§ 235 — STATE CONTRACTING STANDARDS BOARD FUNDING LAPSE

Requires that a portion of the biennial budget bill's appropriation for SCSB lapse on July 1 in both FYs 22 and 23

§ 236 — YOUTH SERVICES PREVENTION GRANTS

Changes two allocations for Youth Services Prevention grants under the FY 22-23 budget

§§ 237 & 287-288 — OFFICE OF WORKFORCE STRATEGY

Eliminates OWC and replaces it with a new OWS, headed by a chief workforce officer; generally transfers to the chief workforce officer the workforce development-related functions and duties currently assigned to the labor commissioner and OWC; and establishes additional duties and reporting requirements

§ 238 — STATE WORKFORCE STRATEGY UPDATES

Requires the chief workforce officer to submit to the governor recommendations for updates to the state workforce strategy relating to certain individuals' needs and Two-Generational Advisory Board recommendations

§ 239 — OFFICE OF WORKFORCE STRATEGY ACCOUNT

Establishes a new OWS account in the General Fund to fund workforce training programs and the office's administrative expenses; requires the chief workforce officer to report to the legislature and governor on these programs and the individuals they served

§ 240 — CREDENTIALS OF VALUE

Requires OWS, in consultation with other state entities, to establish standards to designate certain credentials as "credentials of value"

§ 241 — CREDENTIALS AND SKILLS REPORT

Requires the chief workforce officer to submit a biennial report on certain credentials, skills, and associate degree programs, starting by September 1, 2022

§ 242 — CONNECTICUT APPRENTICESHIP AND EDUCATION COMMITTEE

Makes the committee's annual reporting requirement under current law optional; adds an OWS representative to the committee's membership

§ 243 — TECHNICAL EDUCATION AND CAREER SYSTEM BOARD

Adds the OWS chief workforce officer to the board; makes a conforming change to the board's appointing authorities

§ 244 — EMPLOYMENT SERVICES FOR TANF RECIPIENTS

Removes CETC as an optional administration and services provider for contracts for employment services delivery for TANF recipients

§§ 245, 248-249 & 258 — GOVERNOR'S WORKFORCE COUNCIL

Creates the Governor's Workforce Council as a successor council to Connecticut Employment and Training Commission removes some duties from the council and adds others, making conforming changes regarding the council's duties

§§ 246 & 247 — LABOR COMMISSIONER'S POWERS AND DUTIES

Removes certain employment-related statistical reporting requirements from the commissioner's report to the governor; removes certain powers and duties related to employment training programs

§§ 250-256 & 317 — REGIONAL WORKFORCE DEVELOPMENT BOARDS

Makes several changes to laws on regional workforce development boards, such as requiring that they undertake their responsibilities in accordance with specified other related initiatives and guidance

§ 257 — STATEWIDE NETWORK OF JOB CENTERS

Requires DOL to (1) participate in, rather than maintain, a statewide network of job centers and (2) consult and collaborate with the chief workforce officer when undertaking related responsibilities

§ 259 — WIOA FUNDS

Limits the amount of the state's WIOA allotment that the governor may reserve for statewide investment activities; eliminates provisions in current law specifying how funds must be used

§ 260 — STATEWIDE WORKFORCE DEVELOPMENT BOARD

Recognizes the Governor's Workforce Council as the statewide workforce development board for WIOA purposes

§ 261 — STATE WORKFORCE DEVELOPMENT PLAN

Requires the governor's workforce development council to develop a four-year state workforce development plan; eliminates obsolete references to a single state plan

§ 262 — ADULT WORKFORCE DEVELOPMENT ACTIVITY FUNDS

Requires the Governor's Workforce Council, rather than CETC, to annually recommend WIOA fund appropriations for adult workforce development; eliminates certain required components for the recommendation

§ 263 — TECS AND CTC ALIGNMENT WITH BUSINESS AND INDUSTRY

Requires the TECS board, in consultation with specified entities, to assess TECS and CTC alignment with business and industry

§ 264 — COUNCIL OF ADVISORS ON STRATEGIES FOR THE KNOWLEDGE ECONOMY

Adds the chief workforce officer to the council

§ 265 — INTEGRATED SYSTEM OF STATEWIDE INDUSTRY ADVISORY COMMITTEES

Requires the TECS board to create an integrated system of statewide industry advisory committees

§§ 266-267 & 270-271 — OWS DUTIES TRANSFER

Transfers various duties from OWC to OWS

§ 268 — EARLY CHILDHOOD PRESERVICE AND MINIMUM TRAINING REQUIREMENTS

Adds OWS and OEC to the list of entities under current law who must consult with the CSCU president to define early childhood preservice and minimum training requirements

§ 269 — CETC CONFORMING CHANGE

Makes a conforming change regarding CETC

§§ 272-277 — CHIEF WORKFORCE OFFICER PLACEMENT ON BOARDS

Adds the state chief workforce officer (CWO) to six existing state boards or commissions including the State Board of Education (SBE) and the Board of Regents (BOR) and makes various related changes to these entities' membership

§ 278-280 — OWS MEMBERSHIP ON COMMITTEES AND BOARDS

Adds OWS to the membership of various economic development committees and boards

§ 281 — MUNICIPAL REDEVELOPMENT AUTHORITY ASSISTANCE

Requires businesses that receive assistance from MRDA to enter into an agreement with OWS for assistance with the training and recruitment of local employees

§ 282 — MILITARY TO MACHINISTS PROGRAM

Removes Workforce Training Authority Fund expenditures as a program funding source

§ 283 — APPRENTICESHIP CONNECTICUT

Makes changes to the labor commissioner's administration of this initiative, including the RFP's timing, proposal requirements, and selection and funding requirements

§ 284 — CONNECTICUT PRESCHOOL THROUGH TWENTY AND WORKFORCE INFORMATION NETWORK

Makes changes to the CP20 WIN data sharing agreement for participating agencies; requires an annual data request be made to CP20WIN about the state's workforce system

§ 285 — TECHNICAL CHANGE

Removes a citation to a statute that does not contain a relevant term

§ 286 — DECD BONDING FUNDS

Removes a cap on the appropriation of DECD bond funds to a DOL program

§ 289 — FY 22-23 APPROPRIATION FOR OWS

Rescinds appropriations to DECD for OWS and replaces them with appropriations to the Governor's Office for OWS

§ 290 — OWS EXPENDITURE OF ARPA FUNDS

Allows OWS to spend federal ARPA funds received by the state

§ 291 — CONNECTICUT AUTOMATIC ADMISSIONS PROGRAM

Requires BOR to establish an automatic admissions program for the CSUs' bachelor's degree programs and other in-state participating institutions

§ 292 — AUTOMATIC ADMISSIONS PROGRAM ELIGIBILITY

Requires boards of education to calculate and notify students of their eligibility for the automatic admissions program using a standardized method

§ 293 — CTPASS PROGRAM

Requires the DOT commissioner to establish the CTpass program to allow certain individuals of eligible organizations to use specified public transit services for free or at a reduced cost

§ 294 — EDUCATION ASSISTANCE PROGRAMS

Requires certain employers to notify employees about education assistance programs they may offer

§ 295 — UCONN EARLY COLLEGE EXPERIENCE COURSES

Requires UConn to remove Early College Experience (ECE) course prerequisites as much as possible and report to the education commissioner and legislative committees on these efforts and related topics

§ 296 — COLLEGE CREDIT FOR HIGH SCHOOL COURSEWORK

Requires the governing boards of public state colleges and universities to report on their policies for awarding college credit for exam scores earned in advanced high school courses

§ 297 — STUDENT INFORMATION PROTECTION

Exempts specified student information from disclosure under FOIA; prohibits the sharing of higher education student applications and immigration status with federal immigration authorities except under specified conditions

§ 298 — CREDENTIALS DATABASE

Requires OHE to create a database of the credentials offered in Connecticut; beginning by July 1, 2024, requires specified institutions and training providers to submit information about the credentials they offer to be included in the database; creates an advisory council to advise OHE on the database's implementation; establishes council membership

§§ 299-302 — HIGHER EDUCATION PROGRAM APPROVAL

Decreases, and in some cases eliminates, reporting requirements for independent institutions, BOR, and BOT on new programs and program changes they approve for their respective institutions; requires OHE to report on recommendations for program approval and modification requirements to the Higher Education Committee

§ 303 — STUDENT AND TRAINEE DATA COLLECTION

Requires private occupational schools and certain postsecondary training providers to submit specific data to OHE on each of their enrolled students or trainees; prohibits OHE from releasing any of this identifiable student information to the public but allows data-sharing under limited circumstances

§ 304 — QUARTERLY REPORTING REQUIREMENTS FOR EMPLOYERS

Requires employers subject to the state's unemployment law to report certain data about each employee in their quarterly wage reports to DOL, with a waiver option; exempts employers' identifying information and employees' personally identifying information from disclosure under FOIA, with certain exceptions

§ 305 — DATA SHARING AGREEMENTS

Allows state instrumentalities to enter into a data sharing agreement with non-state entities when allowed under state and federal law

§ 306 — DISCLOSURE OF TAX RETURN INFORMATION FOR RESEARCH OR CP20 WIN DATA REQUESTS

Authorizes DRS to release tax return information for evaluation or research purposes under specified conditions

§§ 307-308 — CHESLA LOAN AND AWARD ELIGIBILITY FOR CERTIFICATE PROGRAM ENROLLMENT

Allows students enrolled in a Connecticut high-value certificate program or their parents to take out student loans and receive certain financial aid with CHESLA; requires CHESLA to establish an account to fund and operate these loans

§§ 309-310 — PAID FAMILY AND MEDICAL LEAVE APPEALS

Allows, rather than requires, the labor commissioner to conduct a hearing for people aggrieved by a denial of paid family and medical leave benefits or the imposition of certain anti-fraud penalties; removes a requirement that appeals in these cases proceed under the UAPA

§§ 311-312 — THE STATE AS AN EMPLOYER UNDER CT FMLA

Removes a provision that explicitly excludes the state from being an employer covered by the FMLA

§§ 313-315 — CT FMLA HEARINGS

Requires complaints for FMLA violations to go through additional procedural steps before proceeding to a hearing

§ 316 — CONNECTICUT STATE GUARD

Allows the governor to raise and maintain the Connecticut State Guard volunteer troops at any time, rather than only when the Connecticut National Guard is, or likely will be, activated for federal service

§§ 317-320 — SMALL BUSINESS EXPRESS PROGRAM

Makes various changes to DECD's Small Business Express (EXP) program, generally increasing flexibility in the department's administration of the program and allowing for increased participation by private lenders; eliminates certain EXP administrative provisions and modifies the program's components; makes changes to DECD's EXP and annual reporting requirements and the legislative hearing requirements related to the department's audit and annual report

§§ 321 & 538 — VISITATION RIGHTS OF INCARCERATED INDIVIDUALS

Delays the implementation of the visitation requirements under sSB 1059, as amended by Senate "A", from October 1, 2021, to January 1, 2022, and exempts the contact visits before July 1, 2022, if a DOC facility is unable to accommodate the visits; requires DOC to report on the facilities that are unable to accommodate visits and a plan for implementing the visitation requirements

§ 322 — SOLID WASTE REDUCTION PROGRAM

Requires DEEP, within available resources, to develop and implement a program to support strategies for reducing solid waste

§ 323 — ESSENTIAL WORKERS COVID-19 ASSISTANCE PROGRAM

Establishes the Essential Workers COVID-19 Assistance Program to provide benefits through June 30, 2024, for lost wages, out-of-pocket medical expenses, and burial expenses to qualifying essential employees who could not work due to contracting COVID-19

§ 324 — PROHIBITION AGAINST EMPLOYEE DISCIPLINE AND MISINFORMATION FOR WORKERS' COMPENSATION CLAIMS

Prohibits employers from deliberately misinforming employees about or dissuading them from filing a claim for benefits from workers' compensation or the Connecticut Essential Workers COVID-19 Assistance Program

§ 325 — WORKERS' COMPENSATION BURIAL EXPENSES

Increases the worker's compensation benefit for burial expenses from $4,000 to $12,000, with future annual adjustments for inflation

§§ 326 & 327 — INVESTMENT OF CERTAIN MUNICIPAL RETIREMENT FUNDS

Allows certain municipalities to invest their retirement system assets with trust funds that are administered, held, or invested by the state treasurer.

§ 328 — HEALTH INSURANCE EXCHANGE ASSESSMENTS AND ALL-PAYER CLAIMS DATABASE

Allows the state's health insurance exchange to (1) impose assessments on health carriers to cover the costs of the all-payer claims database (APCD) and (2) with OPM's approval, enter into an agreement with OHS to use these funds for the APCD

§ 329 — INSURANCE FUND AND OHS

Requires the amount annually appropriated from the Insurance Fund to OHS, including the cost of fringe benefits for personnel, to be reduced by the amount of Medicaid reimbursement the state received for allowable administrative expenses

§§ 330-339 — WORK ZONE SPEED CAMERA PILOT PROGRAM

Allows DOT to establish a two-year pilot program beginning January 1, 2022, to operate speed cameras at up to three highway work zones; establishes conditions and procedures for camera operation, violation enforcement, and data collection and retention

§§ 340 & 341 — ARPA ALLOCATIONS

Adjusts ARPA allocations made in the biennial budget bill; allocates ARPA funds for specified broadband and technology projects

§§ 342 & 352 — CARRYFORWARDS

Adjusts certain carryforwards from the biennial budget bill

§ 343 — STATE CONTRACTING STANDARDS BOARD (SCSB) OVERSIGHT OF CONNECTICUT PORT AUTHORITY

Subjects the Connecticut Port Authority to SCSB oversight until July 1, 2026

§ 344 — MEDICARE SUPPLEMENT PLANS

Allows insurers and related entities to offer Medigap plan D and makes related changes

§ 345 — FLEX RATING LAW

Delays the sunset date for the personal risk insurance "flex rating" law until July 1, 2025

§ 346 — INSURANCE REPORT CONCERNING CLIMATE CHANGE

Requires the insurance commissioner to report biennially on the Insurance Department's regulatory and supervisory actions to bolster insurers' resiliency to climate change impacts, among other things

§ 347 — HEALTH CARE COVERAGE IDENTIFICATION CARDS

Requires that health care coverage ID cards note whether the coverage is fully- or self-insured

§§ 348 & 349 — DELETED BY HOUSE AMENDMENT "A"

§ 350 — TEACHERS' RETIREMENT DEATH BENEFIT CALCULATION

Changes the death benefit for Teachers Retirement System (TRS) members based on accumulated years of service rather than retirement date

§ 351 — FANTASY CONTESTS PROVISIONAL LICENSE

Requires DCP to issue provisional licenses to the Mashantucket Pequot and Mohegan tribes and the Connecticut Lottery Corporation to operate off-reservation fantasy contests

§§ 353 & 354 — PERSONAL NEEDS ALLOWANCE INCREASE

Increases from $60 to $75 per month, the personal needs allowance provided to certain long-term care facility residents

§ 355 — ACUITY-BASED NURSING HOME RATES

Requires DSS to establish acuity-based rates for nursing homes beginning with FY 23 and establishes related requirements; requires DSS to determine a facility's certified bed utilization at a minimum of 90% of capacity for computing minimum allowable patient

days; prohibits inflationary rate increases for nursing homes for FYs 22 and 23 unless authorized under DSS's case-mix adjustments

§§ 356 & 381 — COST-BASED RATEMAKING FOR FACILITIES

Makes several changes to cost-based ratemaking provisions that apply to (1) nursing homes for FY 22 and (2) residential care homes and ICF-IDs; allows certain fair rent increases for residential care homes and ICF-IDs for FYs 22 and 23

§ 357 — NURSING HOME TEMPORARY FINANCIAL ASSISTANCE

Requires DSS to issue one-time grants to nursing homes within its $10 million ARPA allocation

§ 358 — PRIVATE PROVIDER GRANT PROGRAM

Requires the DMHAS commissioner to establish grant programs to assist private providers

(1) Requires the DSS commissioner, within available appropriations, to provide a 4.5% increase to nursing home rates in FYs 22 and 23 for employee wages and (2) appropriates $15.4 million in FY 23 to provide rate increases for nursing homes that provide enhanced employee health care and pension benefits

§ 361 — ICF-ID MINIMUM PER DIEM, PER BED RATE INCREASE

Requires the DSS commissioner to increase the minimum per diem, per bed rates for ICF-IDs to $501 for FYs 22 and 23

§ 362 — CONNECTICUT HOME CARE PROGRAM FOR THE ELDERLY

Reduces CHCPE copays from 9% to 4.5% and requires DSS to collect program data and report to committees of cognizance

§ 363 — TEMPORARY FAMILY ASSISTANCE

Excludes benefits received during a public emergency from the program's time limit; eliminates penalties for children born after program enrollment; requires lapsed funds to be used for cost of living adjustments if certain conditions are met

§§ 364-366 — REFUND DISREGARDS IN CERTAIN ASSISTANCE PROGRAMS

Requires DSS to disregard tax refunds when calculating income eligibility under certain assistance programs

§ 367 — MEDICAID PAYMENTS FOR ACUPUNCTURISTS AND CHIROPRACTORS

Requires Medicaid to cover acupuncture and chiropractic services

§ 368 — MEDICAID PAYMENTS FOR METHADONE MAINTENANCE

Eliminates performance-based rate reductions for methadone maintenance providers

§ 369 — MEDICAID RATE PARITY FOR CERTAIN PROVIDERS

Requires Medicaid rates for (1) nurse-midwives to equal obstetrician-gynecologist rates and (2) podiatrists to equal physician rates

§ 370 — THIRD PARTY LIABILITY FOR MEDICAL ASSISTANCE PAYMENTS

Establishes deadlines for insurers and other legally liable third parties to (1) act on claims DSS submits for covered health care items and services and (2) request refunds from DSS when they determine they are not liable for a claim for which they reimbursed DSS

§ 371 — POSTPARTUM CARE EXTENDED TO 12 MONTHS

Extends Medicaid coverage for postpartum care for 12 months after birth to a woman otherwise eligible for Medicaid, to the extent permissible under federal law

§ 372 — POSTPARTUM CHILDREN'S HEALTH INSURANCE PROGRAM (CHIP) COVERAGE

Extends CHIP coverage for postpartum care for 12 months after birth to a HUSKY B beneficiary, beginning April 1, 2022, to the extent permissible under federal law

§ 373 — NONPROFIT LOAN FORGIVENESS PROTECTIONS

Prohibits state agencies from reducing future contract amounts with, or demanding reimbursement from, nonprofit providers that obtain or retain funds through certain federal loan forgiveness programs

§ 374 — HOME & COMMUNITY-BASED RATE INCREASES

Allocates $5 million for FYs 22 and 23 to fund an increase in the reimbursement rate for certain Medicaid-funded home and community-based programs and services and the state-funded Connecticut Home Care Program for the Elderly

§ 375 — NONPROFIT SAVINGS INCENTIVE PROGRAM

Expands and makes permanent an incentive program for nonprofit human services providers that realize savings in the state-contracted services they deliver

§ 376 — EMERGENCY & NON-EMERGENCY AMBULANCE RATES

Increases Medicaid reimbursement rates by 10% for emergency and nonemergency ambulance services and by $3 for transports beginning in FY 22

§ 377 — STATE-CONTRACTED PROVIDERS FOR ID SERVICES

Requires OPM to allocate funds to increase DDS-contracted service providers' wages and benefits for FYs 22 and 23

§ 378 — CHRONIC DISEASE HOSPITAL PER DIEM RATE INCREASE

Requires DSS, within available appropriations, to increase the per diem rate for chronic disease hospitals by 4%

§ 379 — NATCHAUG HOSPITAL

For FY 22, increases the inpatient Medicaid reimbursement rate for Natchaug Hospital to at least $975 per day

§ 380 — UNBORN CHILD OPTION FOR PRENATAL CARE UNDER HUSKY B

Amends HB 6687 to limit eligibility for prenatal care to households with incomes at or below 258% of FPL

§§ 382 & 383 — MINIMUM BUDGET REQUIREMENT (MBR)

Renews the MBR with all the current waivers or flexibilities (e.g., for a decrease in student population or in ECS funding); adds additional MBR exclusions for federal funds and for state school security grants; makes the MBR law permanent by removing the

sunset date; renews and makes permanent the method to determine whether a town's education aid has decreased or increased compared to the prior year

§§ 384–386 — EDUCATION COST SHARING (ECS) GRANT REVISIONS

Suspends, for two years, scheduled decreases in ECS grants for certain towns; extends the phase-in period for grant increases and decreases until FY 29; revises the ECS formula by changing several formula components including the weighting for need students; expands the regional per-student bonus to include endowed academies that function as public high schools

§ 387 — FEDERAL FUNDS FOR OTHERWISE UNENTITLED SCHOOLS

Requires SDE to distribute federal funds to certain otherwise unentitled schools, only to the extent federal law allows

§ 388 — STATE CHARTER SCHOOL FUNDING FORMULA

Creates a new, foundation-based funding formula to replace the uniform per-pupil state charter school operating grant in current law

§ 389 — MATERIAL CHANGES TO CHARTER SCHOOL OPERATIONS

Requires SDE to review and recommend approval of charter school material change requests; creates new submission and review procedures for material change requests seeking to increase charter school enrollment capacity by a certain percentage

§§ 390-392 — RESIDENCY-BASED MAGNET SCHOOL GRANT CONDITIONS

Reauthorizes prohibition on SDE awarding certain magnet school grants to schools that fail to meet certain residency-based enrollment conditions, but also allows the commissioner to waive certain conditions

§ 393 — MAGNET SCHOOL OPERATING GRANTS

Requires the state to fully fund per-pupil magnet school operating grants

§ 394 — SUPPLEMENTAL TRANSPORTATION GRANT FOR MAGNET SCHOOLS

Changes the payment schedule and number of payments for a supplemental transportation grant for Sheff magnet schools

§ 395 — PRIORITY SCHOOL DISTRICT GRANTS

Allocates $5 million in both FY 22 & 23 for PSDs

§ 396 — YOUTH SERVICE BUREAU GRANTS

Allows FY 21 YSB applicants to be eligible for a state grant

§ 397 — TECHNICAL EDUCATION AND CAREER SYSTEM WORLD LANGUAGE REQUIREMENT

Requires the TECS board or superintendent to waive the world language high school graduation requirement for the class of 2023 and 2024

§ 398 – MANUFACTURING PROGRAM TUITION AND FEE WAIVER

Requires BOR to waive tuition and fees for Ansonia High School students who participate in certain manufacturing programs

§ 399 — REGIONAL BOARD OF EDUCATION RESERVE FUNDS

Increases the amount a regional board of education may deposit in a capital and nonrecurring expenditures reserve fund

§ 400 — CT GROWN FOR CT KIDS GRANT

Requires DoAg to administer a new CT Grown for CT Kids Grant Program to assist boards of education in developing farm-to-school programs; specifies what groups can apply for a grant; requires DoAg to convene an advisory committee to assist the agency in awarding grants

§ 401 — OPEN CHOICE PROGRAM EXPANSION

Expands the Open Choice Program for the 2022-23 school year under a pilot program for up to 50 students from Danbury and Norwalk

§§ 402-408 — EDUCATION PROGRAM GRANT CAPS

Extends to FYs 22 and 23 the current grant caps for seven programs; renews the bilingual education grant for FYs 22 and 23

§ 409 — OFFICE OF FISCAL ANALYSIS MODELING OF THE EDUCATION FUNDING PROPOSAL

Requires OFA to conduct an independent modeling of the education funding proposal described in SB 948 of the 2021 regular legislative session, as reported out of the Education Committee

§§ 410-411 — MODEL CURRICULUM FOR GRADES K-8

Requires SDE, in collaboration with SERC, to develop a K-8 model curriculum that boards of education may use

§§ 412-413 — NATIVE AMERICAN STUDIES IN PUBLIC SCHOOLS

Adds Native American studies to the public school social studies curriculum beginning in the 2023-24 school year

§§ 414 & 415 — MINORITY TEACHER CANDIDATE CERTIFICATION, RETENTION AND RESIDENCY YEAR PROGRAM

Creates the candidate certification, retention, or residency year program for teacher certification candidates; requires each alliance district to partner with a residency program operator to enroll minority candidates; requires SDE to (1) withhold from each alliance district 10% of any increase in alliance aid and (2) use the funds for grants to cover costs related to the residency program

§ 416 — PLAN TO PROMOTE TEACHING AS A CAREER

Requires the education commissioner and certain higher education officials to jointly develop a plan to help school boards promote teaching as a career option to high school students; requires SDE to distribute to school boards information that promotes the teaching profession

§§ 417-419 — IMPLICIT BIAS AND ANTI-BIAS TRAINING VIDEO MODULE

Requires SDE, in consultation with two other groups, to develop an implicit-bias video training module for school district personnel who hire teachers; training module must be completed and available by July 1, 2022; requires any board of education employee who is involved in, or responsible for, hiring teachers to complete the training

§ 420 — STUDY OF MULTIPLE MEASURES TO DEMONSTRATE CONTENT MASTERY FOR TEACHER CERTIFICATION

Requires SDE to study a multiple-measures approach to demonstrate content-area mastery of the content assessment requirement for teacher certification; requires SDE to submit a report with any recommendations to the Education Committee by January 1, 2023

§ 421 — BLACK AND LATINO STUDIES COURSE

Requires the high school course in Black and Latino studies, which by law must be offered in the 2022-2023 school year, to also be offered in each following school year

§ 422 — SOCIAL-EMOTIONAL LEARNING ASSESSMENTS

Allows each board of education to administer a social-emotional learning assessment to students for the upcoming school year and the following years; requires parents and guardians to be given prior notice of the assessment and grant permission before the assessment can be administered

§ 423 — CONNECTICUT REMOTE LEARNING COMMISSION

Requires SDE to establish a commission to analyze and provide recommendations about remote learning for K-12 public school students

§ 424 — STATEWIDE REMOTE LEARNING SCHOOL

Requires SDE to develop a plan to create and implement a K-12 statewide remote learning school

§ 425 — REMOTE LEARNING AUDIT

Requires SDE to audit public school boards' provision of remote learning during the COVID-19 pandemic

§§ 426-429 — TECHNICAL & CONFORMING CHANGES

Makes technical and conforming changes mostly related to remote learning terminology

§§ 430, 431 & 438 — READING CURRICULUM MODELS OR PROGRAMS AND CENTER FOR LITERACY

Creates a new Center for Literacy Research and Reading Success with the authority to recommend reading curriculum models or programs that school districts must use; creates a waiver process to allow districts to use other curriculum models or programs; modifies the definition of reading

§ 432 — READING AND MATH CURRICULA DEVELOPED BY SDE

Eliminates the requirement that the SDE make reading model curricula and frameworks available for grades K-4

§ 433 — DEFINING READING IN THE REQUIRED PROGRAM OF INSTRUCTION FOR SCHOOLS

Modifies definition of reading in the required program of instruction for all schools

§ 434 — READING ASSESSMENTS

Requires the literacy center, rather than the State Department of Education (SDE), to compile a list of approved reading assessments for use by boards of education to identify children reading below proficiency

§ 435 — INTENSIVE READING INSTRUCTION PROGRAM

Broadens the intensive reading instruction program by requiring the literacy center to provide the program to any alliance district board of education that requests it; modifies aspects of related reading programs by placing them under the literacy center

§ 436 — STATEWIDE READING PLAN

Transfers the responsibility of developing the existing statewide reading plan from SDE to the literacy center

§ 437 — READING READINESS PROGRAM

Requires the literacy center, rather than SDE, to operate the reading readiness program

§ 439 — DIRECTOR OF READING INITIATIVES

Requires director of reading initiatives to improve literacy and close the achievement gaps that result from opportunity gaps; specifies that the director's administration of the incentive program is within available appropriations

§ 440 — SDE EVALUATION OF LITERACY CENTER

Requires SDE to submit an evaluation of the literacy center to the Education Committee

§ 441 — ANTI-DISCRIMINATION LAW

Changes the education anti-discrimination law by adding "disability" to the protected student groups; modifies the definition of race in the same law by conforming it to state human rights law, thus adding hair and hairstyles

§§ 442 & 443 — PROFESSIONAL DEVELOPMENT FOR BLACK AND LATINO STUDIES COURSE

Requires the State Education Resource Center (SERC) to provide technical assistance for teacher professional development and in-service regarding the teaching of the black and Latino studies course; allows school districts to accept grants and gifts for the professional development and training

§§ 402 & 444-453 — SHEFF V. O'NEILL TECHNICAL CHANGES

Makes a number of technical changes to conform the education statutes with Sheff v. O'Neill settlement agreements

§ 454 — PER-STUDENT GRANT FOR REGIONAL VOCATIONAL AGRICULTURAL (VO-AG) CENTERS

Increases, by $1,000, the state per-student grant for vo-ag centers

§§ 455-457 — BIRTH-TO-THREE PROGRAM

Generally expands the birth-to-three program by changing the definition of eligible children to include certain children who turn age three during the summer break to conform with PA 21-46, § 28; makes conforming changes to extend certain group and individual health insurance coverage to such children

§§ 458-461 — CORPORATION BUSINESS TAX

Extends the 10% corporation business tax surcharge for two additional years, to the 2021 and 2022 income years; delays the start date of the capital base tax phase out by three years and extends the phase out period

§§ 462 & 463 — R&D TAX CREDITS

Increases the cap on the amount of R&D tax credits corporations may claim each year from 50.01% to 70% of their annual tax liability, phased in over two years, and limits the number of years that taxpayers may carry forward unused R&D tax credits

§ 464 — INVEST CT TAX CREDIT CAP

Increases the aggregate cap on Invest CT tax credits by $200 million

§ 465 — FILM AND DIGITAL MEDIA PRODUCTION TAX CREDIT

Allows film and digital media production tax credits to be claimed against the sales and use tax under certain conditions

§ 466 — EARNED INCOME TAX CREDIT

Increases the EITC from 23% to 30.5% of the federal credit

§ 467 — CHILD TAX CREDIT PLAN

Requires the OPM secretary to create a plan to establish a state-level child tax credit if certain changes to the federal child tax credit occur

§ 468 — PROPERTY TAX CREDIT AGAINST THE INCOME TAX

Extends, to the 2021 and 2022 tax years, the limits on eligibility for the property tax credit against the personal income tax

§ 469 — INCOME TAX EXEMPTIONS FOR CERTAIN RETIREMENT INCOME

Phases out, over four years, the income tax on income from IRAs, other than Roth IRAs, for taxpayers with qualifying incomes, starting with the 2023 tax year; clarifies that teachers who qualify for the general pension and annuity exemption may take either the teacher pension exemption or the general pension and annuity exemption, whichever is greater

§ 470 — ADMISSIONS TAX

Eliminates the admissions tax beginning July 1, 2021, for all places of amusement, entertainment, or recreation except movie theaters

§ 471 — SALES AND USE TAX EXEMPTION FOR BREASTFEEDING SUPPLIES

Exempts breast pumps and certain related parts, supplies, kits, and repair services from the sales and use tax beginning July 1, 2021

§ 472 — REVENUE FROM SALES AND USE TAX ON MEALS

Allows certain businesses to keep the sales tax they collect on sales of meals during one of three specified weeks in FY 22

§ 473 — ALCOHOLIC BEVERAGES TAX ON BEER

Beginning July 1, 2023, decreases the excise tax on beer (other than beer for off-premises consumption sold on the premises covered by a manufacturer's permit) from $7.20 per barrel to $6 per barrel

§§ 474-479 — CREDIT CARD SERVICE FEES

Generally requires state agencies accepting credit, debit, or charge card payments to charge payors a service fee for doing so and disclose the fee before imposing it

§§ 480-485 — MUNICIPAL REVENUE SHARING ACCOUNT PROGRAM

For FYs 22 and 23, requires (1) motor vehicle property tax grants to be paid from appropriations, rather than from MRSA; (2) PILOTs to be paid from appropriations any remaining part due from MRSA; and (3) specified amounts to be transferred from MRSA to the General Fund; expands the PILOTs paid from MRSA to include existing payments to specified municipalities; modifies the statutory formula for calculating motor vehicle property tax grants

§ 481 — PILOT PROGRAM

Makes taxing districts eligible for state, municipal, and tribal property PILOTs; increases, from 45% to 100%, the reimbursement rate for Connecticut Port Authority property and certain tribal property; modifies the minimum PILOT grant amounts municipalities and districts must receive beginning in FY 22

§ 486 — DRS TAX AMNESTY PROGRAM

Requires DRS to establish a tax amnesty program for individuals, businesses, or other taxpayers that owe Connecticut state taxes that gives eligible taxpayers a 75% reduction in the interest that would otherwise be due

§ 487 — TRANSFER FROM THE GENERAL FUND TO THE TOURISM FUND

Requires the comptroller to transfer specified amounts from the General Fund to the Tourism Fund for FYs 21 and 22

§ 488 — GAAP DEFICIT

Deems that $1 is appropriated in FYs 22-23 to pay off the state's GAAP deficit for FYs 13 and 14

§ 489 — TRANSFER OF AMERICAN RESCUE PLAN ACT FUNDS TO GENERAL FUND

Requires the comptroller to transfer specified federal ARPA funds to the General Fund for FYs 22 and 23

§§ 490-495 — DELETED BY SENATE AMENDMENT "A"

§§ 496-500 — PUBLIC ASSISTANCE LIENS

Expands restrictions for placing liens to recover public assistance and deems additional previously filed claims released as of FY 22; adds a notification requirement and filing deadline to the process of administering certain small estates to recover state claims

§§ 501-512 — DELETED BY SENATE AMENDMENT "A"

§ 513 — SALES AND USE TAX EXEMPTIONS FOR BEER MANUFACTURERS

Extends specified manufacturing-related sales and use tax exemptions to beer manufacturers that are not currently eligible because they manufacture beer at a facility that also makes substantial retail sales

§§ 514 & 515 — SUPPLEMENTAL COLLAPSING FOUNDATION LOAN PROGRAM

Allows banks without a physical presence in Connecticut to make program loans and allows banks to charge higher closing costs for program loans made to condominium or common interest ownership associations

§§ 516-522 — AMBULATORY SURGICAL CENTERS

Beginning July 1, 2023, replaces the current 6% gross receipts tax on ASCs with a 3% net revenue tax on ASC services, subject to certain exclusions; eliminates the current exemption for the first $1 million of ASC gross receipts but retains the exemption for Medicaid and Medicare payments

§§ 523-531 — CHANGES TO FY 22-23 BOND AUTHORIZATIONS

Modifies various state general obligation bond authorizations for FYs 22 and 23 that were included in HB 6690 of the regular session

§§ 532 & 533 — CONNECTICUT BABY BOND PROGRAM

Modifies the Connecticut Baby Bond Trust program established in HB 6690 of the regular session by, among other things, eliminating the carryforward provision allowing unallocated bonds to be used in subsequent fiscal years

§§ 534 & 537 — CHANGES TO SCHOOL CONSTRUCTION GRANTS

Makes changes to the school construction grant waivers provided by HB 6690; repeals waivers for three projects and modifies the waiver for another

§ 535 — ECONOMIC ACTION PLAN

Allows the DECD commissioner, for FYs 22 to 24 and in coordination with the OPM secretary, to use bond funds, ARPA funds, and available resources to provide grants for selected major projects to implement the state's Economic Action Plan

§ 536 — AWARDING SCHOOL CONSTRUCTION CONTRACTS FOR CONSTRUCTION MANAGEMENT SERVICES

Delays, until July 1, 2022, changes to the law addressing the awarding of contracts for construction management services and instead maintains the selection criteria required by current law until that date

§ 539 — REPEALER

Repeals a provision requiring SDE to develop a plan for a grade K-12 statewide virtual school

§ 540 — REPEALER

Repeals laws that (1) establish the Higher Education Coordinating Council and require the state's higher education system to use the council's accountability measures and (2) require DSS and DOL to implement a pilot program for people receiving temporary family assistance program benefits and participating in the Jobs First program

§§ 541 & 544 — REPEALERS

Repeals certain laws relating to the Tax-Exempt Proceeds Fund; certificate and workforce programs; DOL, Office of Workforce Competitiveness, and Connecticut Employment and Training Commission duties; and the Workforce Training Authority

§ 543 — NOTIFICATION REQUIREMENT FOR SMALL ESTATES

Eliminates a new notification requirement and filing deadline to the process of administering certain small estates to recover state claims when a person supported or cared for by the state dies

§ 601 — COMMUNITY INVESTMENT FUND 2030 REVIEW OF ECONOMIC ACTION PLAN PROJECTS

Eliminates provisions in HB 6690 requiring that a portion of the funds available for the state's Economic Action Plan be reserved for projects meeting specified criteria; requires the Community Investment Fund 2030 board established in HB 6690 to review and provide comments to DECD on projects to implement the state's Economic Action Plan (see § 535)

§§ 601-603 — UCONN 2000 INFRASTRUCTURE PROGRAM

Reduces bond authorizations in HB 6690 by $55.1 million for two existing UConn 2000 Phase III projects at the UConn Health Center

§ 602 — TRS EXEMPTION FOR REEMPLOYED TEACHERS

Extends, until June 30, 2024, an exemption that allows certain retirees receiving a TRS pension to return to teaching without salary limits

§ 603 — RESIDENTIAL FACILITIES FOR PEOPLE WITH CERTAIN DISABILITIES AND FACILITIES RECEIVING FLAT RATES

Requires DSS to base FY 22 and 23 rates on FY 21 rates adjusted for inflation for (1) private residential facilities and other facilities serving individuals with certain disabilities and (2) community living arrangements and residential care homes that have their rates determined on a flat rate basis; allows DSS to provide fair rent increases in certain circumstances

§ 604 — BRIDGE NAME CHANGE

Corrects a bridge naming provision that passed in regular session

SUMMARY

A section-by-section analysis follows.

*Senate Amendment "A" (a) delays, from FY 22 to FY 23, a provision that generally makes municipalities ineligible for Mashantucket Pequot and Mohegan Fund grants if a public school or associated athletic team uses Native American names, symbols, or images without tribal consent and (b) extends the corresponding grace period from FY 23 to FY 24 (§ 63). It also eliminates provisions:

1. (a) allowing manufacturer permittees for spirits to blend and sell spirit-based beverages and (b) eliminating a permittee's ability to receive a permit to ship from its own out-of-state facilities into Connecticut (§ 95);

2. limiting the Municipal Redevelopment Authority's bonding authority (§§ 207 & 208);

3. requiring state agencies, boards, and commissions to give the treasurer prior notice of reportable financial obligations that exceed $1 million or encumber property or rights material to state operations (§ 209);

4. eliminating obsolete references to the Tax-Exempt Proceeds Fund (§§ 210-217 & 219-220);

5. subjecting certain property sales, leases, or other dispositions to the state treasurer's approval (§ 218);

6. eliminating the requirement that the Office of Policy and Management secretary submit a monthly deficiency letter to the governor, comptroller, and Appropriations Committee (§ 224);

7. authorizing the governor to deliver writs of election electronically for certain vacancies (§§ 226-229);

8. requiring additional regional service grants to councils of government to be paid from MRSA for FYs 22 and 23 (§ 484);

9. (a) generally prohibiting e-cigarette dealers from selling e-cigarettes and vapor products with more than a specified nicotine content or a flavoring agent other than tobacco; (b) increasing the penalties for e-cigarette or cigarette sales to people under age 21 and extending these penalties to e-cigarette dealers who violate the flavor ban or nicotine content requirements; and (c) increasing the penalties on owners of establishments with cigarette vending machines for sales to people under age 21 (§§ 490-495); and

10. concerning captive insurers, including (a) allowing a foreign captive to open a branch in Connecticut; (b) creating a tax amnesty program for insureds that open a branch captive in, or transfer an alien or foreign captive to, Connecticut by July 1, 2022; and (c) reducing the minimum capital and surplus requirement for certain captive insurers (§§ 501-512).

*<u>House Amendment "A"</u>:

1. specifies that one of the governor's appointees to the Connecticut Foundation Solutions Indemnity Company's voluntary board of directors required under a recently passed bill is considered an ex-officio member under the company's bylaws (§ 58);

2. delays, from July 1, 2021, to July 1, 2022, provisions that (a) add the Office of Workforce Strategy's chief workforce officer to the state's Technical Education and Career System board and (b) make the Governor's Workforce Council an appointing authority for two board members (§ 243);

3. makes the speed camera pilot program effective for two years rather than one, revises the camera operator requirements, and eliminates one of the underlying bill's defenses to an alleged violation (§§ 330-339);

4. prohibits master wagering licensees and online gaming operators providing services to them from offering or operating fantasy contests under this section without a provisional license or a contract with a provisional licensee (§ 351);

5. requires DSS to base FY 22 and 23 rates on FY 21 rates adjusted for inflation for (1) private residential facilities and other facilities serving individuals with certain disabilities and community living arrangements and residential care homes that have their rates determined on a flat rate basis (§ 603) and (2) residential care homes (§ 356);

6. removes in-person instruction on Internet-based software from the definition of "remote learning" for grades kindergarten through 12 (§§ 423-429);

7. makes clarifying changes to provisions on public assistance recovery (§§ 498-500);

8. removes provisions relating to the state treasurer's Tax Exempt Proceeds Fund (§ 541);

9. (a) eliminates provisions in the bond bill (HB 6690) requiring that a portion of the funds available for the state's Economic Action Plan be reserved for projects meeting specified criteria and (b) requires the Community Investment Fund 2030 board to review and provide comments to DECD on projects to implement the plan, pursuant to the underlying bill (§ 601);

10. allows certain retirees receiving a TRS pension to return to teaching without salary limits until June 30, 2024 (§ 602); and

11. corrects a bridge naming provision that passed in the 2021 regular session (§ 604).

It also eliminates provisions:

1. establishing a framework for controlling and processing personal data, including establishing standards for data controllers and processors; allowing consumers the right to correct and delete personal data and opt out of personal data processing for certain purposes; deeming violations CUTPA violations; and establishing a working group to further study consumer data privacy (§§ 66-77);

2. expanding department heads' contracting authority by allowing them to enter into contracts with other states (§ 221); and

3. extending the time period within which an insured person must notify their health carrier of a newborn's birth and pay any required premium or fee to continue the newborn's coverage beyond that period (§§ 348 & 349);

*House Amendment "G" eliminates a provision narrowing the requirement for attorneys to conduct a real estate closing to residential real estate closings (§ 98).

*House Amendment "H" adds the UConn 2000 infrastructure program provisions (§§ 601-603).

EFFECTIVE DATE: Various, see below.

§ 1 — COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION ALLIANCE

Requires DOH to convert a loan made to the Community Development Financial Institution Alliance for a revolving loan fund to a grant-in-aid

The bill requires the Department of Housing (DOH) to convert a loan made to the Community Development Financial Institution Alliance for a revolving loan fund to a grant-in-aid. The loan was made with funds the State Bond Commission authorized on September 27, 2002.

The law authorizing the state to assist community housing development corporations in creating revolving loan funds to assist developers construct, rehabilitate, or renovate existing or planned low- and moderate-income housing requires such funds to be created from the proceeds of a loan (CGS § 8-218(b)). But the law allows community housing development corporations to use state grants-in-aid for various other purposes, including (1) planning and financing costs and (2) making, or creating a revolving loan fund to finance making, units accessible to people with disabilities.

EFFECTIVE DATE: Upon passage

§ 2 — USE OF BOND PREMIUM

Delays by two years, from July 1, 2021, to July 1, 2023, the requirement that the treasurer direct bond premiums on GO and credit revenue bonds to an account or fund to pay for previously authorized capital projects

The bill delays by two years, from July 1, 2021, to July 1, 2023, the requirement that the treasurer direct bond premiums on general obligation (GO) and credit revenue bond issuances to an account or fund to pay for previously authorized capital projects. (A bond premium is the extra, up-front payment investors make in exchange for a higher interest rate on the bonds.) Current law requires the treasurer to direct the bonds premiums as follows:

1. until July 1, 2021, bond premiums (as well as accrued interest and net investment earnings on bond proceed investments) are directed into the General Fund after paying bond issuance costs and interest on state debt and

2. beginning July 1, 2021, bond premiums, net of any original issue discount, and after paying the issuance costs, are directed to an account or fund to pay for previously authorized capital projects.

The bill delays this requirement to July 1, 2023, thus requiring the treasurer to continue directing bond premiums to the General Fund (after paying bond issuance costs and interest on state debt) until then. PA 19-117, § 78, previously delayed this requirement from July 1, 2019, to July 1, 2021.

EFFECTIVE DATE: July 1, 2021

§§ 3-5 — DOMESTIC WORKERS

Broadens the categories of written information that employers must provide to certain domestic workers when they are hired; requires the labor commissioner to establish a domestic workers education and training grant program

This bill broadens the categories of written information that employers must provide to certain domestic workers when they are hired to include things such as their job duties and whether the employer will charge fees for room and board.

It also requires the labor commissioner to establish a domestic workers education and training grant program to provide grants to qualified organizations to, among other things, educate domestic workers about various labor laws.

"Domestic workers" under the bill are employees who are paid or told they will be paid to perform work of a domestic nature in or about a private dwelling. This includes housekeeping; home management; child care; laundering; meal preparation; home companion services; caretaking of sick, convalescing, or elderly individuals; and other household services for the dwelling's occupants or their guests. They do not include irregular or intermittent babysitters or personal care attendants providing personal care assistance to consumers in state-funded programs, including the:

1. acquired brain injury Medicaid waiver program,

2. personal care assistance Medicaid waiver program,

3. Connecticut Home Care Program for the Elderly,

4. pilot program to provide home care services to disabled persons, and

5. Department of Developmental Services' individual and family support waiver program and comprehensive waiver program.

EFFECTIVE DATE: October 1, 2021

Employer Notice Requirement

Existing law requires employers to advise their employees, when they are hired and in writing, about their pay rate, hours of employment, and pay schedule (CGS § 31-71f). The bill requires employers to additionally provide domestic workers, when they are hired, with written information about (1) their job duties and responsibilities; (2) the availability of sick leave, rest days, vacation, personal days, and holidays, whether paid or unpaid, and the accrual rate of those days; (3) whether the employer may charge fees or costs for board and lodging and, if so, their amount; and (4) how to file a complaint about a violation of the worker's rights.

Existing law also requires employers to make available to all employees, either in writing or through a posted notice, employment practices and policies, or changes to them, on the following topics: wages, vacation pay, sick leave, health and welfare benefits, and comparable matters.

Grant Program

The bill requires the labor commissioner to establish a domestic workers education and training grants program to provide grants to qualified organizations to provide:

1. education and training for domestic workers and employers about the laws on minimum wage, overtime, sick leave, recordkeeping, wage adjudication, retaliation, and the bill's

notice requirement;

2. online resources for domestic workers and their employers on state laws and regulations related to domestic workers; and

3. technical and legal assistance to domestic workers and employers through legal service providers.

Under the bill, a "qualified organization" eligible for the grants must be either (1) a nonprofit organization that has at least five years of experience working with domestic workers or (2) an organization that works with a nonprofit organization that has at least five years of experience advocating for domestic workers or other low-wage workers. A nonprofit organization is a 501(c)(3) tax-exempt organization.

The bill allows the commissioner to enter into an agreement, under the state's laws for state consultants and personal service agreements, with a third-party person, firm, or corporation to administer the grant program. It also requires the commissioner to create guidelines needed to administer the grants, in consultation with the third-party it contracts with, if applicable.

§ 6 — CALL CENTERS

Establishes (1) notice requirements for call centers that relocate from Connecticut to another country and makes them ineligible to receive state financial support for five years and (2) in-state requirements for state contractors who perform state-business-related call center and customer service work

The bill establishes notice requirements for certain call centers that relocate from Connecticut to a foreign country and makes them ineligible to receive state financial support for five years after the relocation. They must also remit the value of any state financial support they received over the previous five years. The bill applies to call centers that employ at least 50 employees to staff a call center who (1) work at least 20 hours per week or have been employed by the center for at least six months or (2) work at least 1,500 hours in the aggregate (excluding overtime) per week. "Call centers" are facilities or operations through which employees receive phone calls or

electronic communications to provide customer assistance or service.

The bill also establishes certain in-state requirements for state contractors who perform state-business-related call center and customer service work.

EFFECTIVE DATE: October 1, 2021

Call Center Relocations

Notice Requirement. The bill requires call centers that intend to relocate to another country to notify the labor commissioner at least 100 days before doing so. This applies to relocations of call center facilities or operations that comprise at least 30% of a call center's or operating unit's average total call volume over the previous 12 months.

The bill subjects violators of the notice requirement to a civil penalty of up to $10,000 per day for each violation but allows the commissioner to reduce the penalty for just cause.

Loss of State Financial Support. The bill requires the labor commissioner to compile an annual list of each call center whose relocation was subject to the bill's notice requirement. He must make the list publicly available and prominently display a link to it on the Department of Labor website.

Under the bill, a call center on the list:

1. is ineligible for direct or indirect state grants, state guaranteed loans, state tax benefits, or other state financial support for five years after the list's publish date and

2. must remit the unamortized value of any state grant, guaranteed loan, state tax benefit, or other state financial support it received in the five-year period before it was placed on the list.

The bill allows the commissioner, in consultation with the appropriate agency, to waive the ineligibility for state financial

support and the remittance requirement if the call center shows that imposing them would threaten state or national security, result in substantial job loss in the state, or harm the environment.

State Contractor Requirements

The bill requires each state agency head to ensure that for all new contracts or agreements entered into on or after October 1, 2021, all state-business-related call center and customer service work is performed by state contractors, or other agents or subcontractors, entirely within the state. If any of these entities perform work outside the state and add customer service employees who will perform work under the new contracts or agreements, the bill requires the new employees to be immediately employed within Connecticut. In addition, a business subject to a contract or agreement before October 1, 2021, with terms that extend beyond October 1, 2023, must meet these in-state requirements for renewal of its contract.

Other Provisions

The bill also specifies that it does not:

1. prevent an employer from receiving a grant to provide training or other employment assistance to people who particularly need training or employment assistance due to the call center's relocation;

2. allow withholding or denying payments or other compensation or benefits provided by law (e.g., unemployment benefits, disability payments, or worker retraining or readjustment funds) to workers of employers that relocate to a foreign country; or

3. create a private cause of action against a call center that violates the bill's provisions.

§ 7 — PAID FAMILY MEDICAL LEAVE BOND REPAYMENT

Requires the Paid Family and Medical Leave Insurance Authority, starting in FY 23, to begin repaying any funds from bond authorizations allocated to it under a plan established by the OPM secretary

The bill requires that any funds from bond authorizations allocated to the Paid Family and Medical Leave Insurance Authority to administer the Family and Medical Leave Insurance program be reimbursed to the General Fund under a plan to be established by the Office of Policy and Management (OPM) secretary in consultation with the treasurer.

Under the bill, the plan must have a repayment schedule that provides for the authority's repayment of the debt service deemed attributable to the bond authorizations. The repayment must start during FY 23 and continue until it is complete, according to the plan's terms. The bill allows the authority to repay the unpaid amounts earlier.

EFFECTIVE DATE: Upon passage

§ 8 — BOARD OF REGENTS REPORTING ON SYSTEM OFFICE STAFF AND FINANCES

Requires BOR to annually report on its system office staff and finances

The bill requires the Board of Regents for Higher Education (BOR), by January 1, 2022, and annually thereafter, to submit a report to the Higher Education and Employment Advancement and Appropriations committees on its system office staff and finances. The report must include a list of the institutional staff or faculty members that were temporarily stationed at the system office during the prior fiscal year, including which budget (i.e., institutional or system office) accounted for each member's personal services costs and the member's (1) title at the institution and the system office; (2) system office duties; and (3) total time stationed at or reassigned to the system office.

The report must also include the:

1. methods used to allocate the current fiscal year's General Fund block grants to institutions and the total amount each institution will receive over the fiscal year; and

2. amount of non-General Fund revenues transferred from each institution to the system office for any purpose for the prior

fiscal year, including the methods used to determine the transferred amounts and a description of each purpose.

EFFECTIVE DATE: October 1, 2021

§ 9 — GRANTS TO DISTRESSED MUNICIPALITIES FOR VOLUNTEER FIRE DEPARTMENT TRAINING

Requires the state fire administrator to annually award a grant to distressed municipalities to cover the cost of certification and recruit training for their volunteer fire departments

The bill requires the state fire administrator to annually award a grant, beginning in FY 22, to any distressed municipality with a volunteer fire department to cover the cost of providing Firefighter I certification and recruit training at regional fire schools. The grant amount must equal the product of the (1) average number of enrolled volunteer firefighters in the distressed municipality and (2) average cost of the certification and training program at a regional fire school. (Presumably, the average cost is for the preceding four years, as described below.)

Additionally, the bill imposes two reporting requirements relating to the grant. First, it requires each distressed municipality's volunteer fire department chief to report to the state fire administrator by January 1, 2022, and each year after, on the yearly average number of volunteer firefighters who enrolled in Firefighter I certification and recruit training during the preceding four years, excluding 2020. Second, it requires the state fire administrator to report to the Appropriations Committee, by February 1, 2022, and each year after, on the (1) chiefs' annual reports on enrolled firefighters and (2) average certification and training program cost at a regional fire school.

EFFECTIVE DATE: July 1, 2021

§ 10 — STATE EMPLOYEES RETIREMENT SYSTEM CONTRIBUTION

Requires the state's required contribution to SERS to account for the surplus funds transferred from the budget reserve fund to SERS

By law, the State Retirement Commission, which oversees the State

Employees Retirement System (SERS), must annually certify the actuarially determined amount that the state must contribute to maintain the pension fund on an actuarial reserve basis. This contribution is based on an actuarial valuation of the system's assets and liabilities that the commission must prepare at least once every two years.

Regardless of these requirements, the bill prohibits the commission from finalizing the valuation or certifying the amount needed to maintain the pension fund until the valuation and certification account for the funds deemed appropriated to the fund under the budget reserve fund (BRF) surplus law. Under this law, once the BRF reaches the 15% statutory maximum, the treasurer must transfer any remaining General Fund surplus, as he determines to be in the state's best interests, for reducing either the State Employee Retirement Fund's or Teachers' Retirement Fund's unfunded liability by up to 5% (CGS § 4-30a(c)).

EFFECTIVE DATE: July 1, 2021

§§ 11-14 — JUDICIAL COMPENSATION

Increases the salary for judges and certain other judicial officials by approximately 4.5% for FY 22

For FY 22, the bill increases the following by approximately 4.5%: (1) salaries for judges, family support magistrates, family support referees, and judge trial referees; (2) additional amounts that certain judges receive for performing administrative duties; and (3) salaries of certain officials whose compensation, by law, is determined in relation to a Superior Court judge's salary or state referee's per-diem rate.

EFFECTIVE DATE: Upon passage

Judicial Salaries

The table below shows the bill's changes to judicial salaries for FY 22.

Table: Judicial Salaries

Position	*Current Salary*	*Salary Starting*

		July 1, 2021 (FY 22)
Supreme Court chief justice	$206,617	$215,915
Chief court administrator (if a judge)	198,545	207,480
Supreme Court associate judge	191,178	199,781
Appellate Court chief judge	189,063	197,571
Appellate Court judge	179,552	187,663
Deputy chief court administrator (if a Superior Court judge)	176,277	184,209
Superior Court judge	172,663	180,460
Chief family support magistrate	150,314	157,078
Family support magistrate	143,060	149,498
Family support referee	223/day*	233/day*
Judge trial referee	259/day*	271/day*

* Plus expenses, mileage, and retirement pay

Administrative Judges

The law provides judges extra compensation in addition to their annual salaries for taking on certain administrative duties. The judges who receive this additional amount are (1) the appellate system's administrative judge; (2) each judicial district's administrative judge; and (3) each chief administrative judge for (a) facilities, administrative appeals, the judicial marshal service, or judge trial referees, and (b) the Superior Court's family, juvenile, criminal, or civil divisions. The bill increases these additional annual payments from $1,177 to $1,230 starting July 1, 2021 (i.e., FY 22).

Related Increases

The bill's provisions also result in salary, rate, or maximum compensation increases for other officials or judges whose compensation is tied to those of Superior Court judges or judge trial referees. Specifically:

1. the salaries of workers' compensation commissioners vary depending on experience and are tied to those of Superior Court judges (CGS § 31-277);

2. the salaries of probate court judges vary depending on probate district classification, and range from 45% to 75% of a Superior Court judge's salary (CGS § 45a-95a);

3. senior judges receive the same per-diem rates as judge trial referees (CGS §§ 51-47b(a) & 52-434b);

4. the probate court administrator's salary is the same as that of a Superior Court judge (CGS § 45a-75); and

5. the maximum compensation a retired judge may receive is equal to the highest annual salary during the fiscal year for the judicial office the judge held at retirement (CGS § 51-47b(b)).

§§ 15-19 — COVERED CONNECTICUT

Establishes the Covered Connecticut program to provide fully subsidized health insurance coverage for eligible individuals, including dental benefits and non-emergency transport to certain people; allows the Office of Health Strategy to apply for a 1332 waiver to advance the program's purpose; requires DSS to apply for a 1115 Medicaid demonstration waiver to support the program

The bill establishes the Covered Connecticut program within the Office of Health Strategy (OHS) to reduce the state's uninsured rate by providing premium and cost sharing subsidies. OHS must administer the program in consultation with the Department of Social Services (DSS) commissioner, the Insurance Department commissioner, and the Connecticut Health Insurance Exchange (i.e., Access Health CT).

EFFECTIVE DATE: Upon passage

Covered Connecticut Program (§ 16)

As part of the program, OHS must provide premium and cost sharing subsidies that are sufficient to ensure fully subsidized coverage for the following eligible individuals:

1. on and after July 1, 2021, parents and needy caretaker relatives, and their tax dependents that are 26 or younger, who are eligible for premium and cost sharing subsidies for a qualified health plan (QHP) but ineligible for Medicaid due to income and who (a) have household income up to 175% of the federal

poverty level (FPL), and (b) are covered by a silver-level health plan offered on the exchange; and

2. on and after July 1, 2022, all parents and needy caretaker relatives, as well as nonpregnant low-income adults between ages 18 and 64, who are eligible for QHP premium and costs sharing but ineligible for Medicaid due to income and who (a) have household income up to 175% of FPL, and (b) are covered by a silver-level health plan offered on the exchange.

No earlier than July 1, 2022, OHS must also provide dental benefits and non-emergency medical transportation services, as those services are provided under Medicaid, for the individuals described in (2) above.

OHS must establish procedures to reimburse health carriers quarterly for the premium and cost-sharing subsidies described above.

The bill specifies that any benefits or subsidies provided to individuals through the Covered Connecticut program are not considered income for state income tax purposes.

Beginning by January 1, 2022, OHS must report every six months to the Appropriations, Human Services, and Insurance and Real Estate committees a description of Covered Connecticut's operations, finances, and progress made for the preceding six months.

1332 Waiver (§ 16)

Subject to legislative approval, the bill allows OHS to seek a Section 1332 waiver to advance the Covered Connecticut program purposes, and if approved by the federal government, it must implement it. (A 1332 waiver is named after an authorizing section of the federal Affordable Care Act (ACA) and allows a state to waive certain ACA requirements that might otherwise prohibit it from implementing certain programs.)

Before seeking a 1332 waiver, the bill requires OHS to submit a report to the Appropriations, Human Services, and Insurance and Real

Estate committees with the proposed waiver. Within 30 days after OHS submits the report, these committees must hold a joint public hearing on the proposed waiver, separately vote to approve or reject it, and advise OHS of their decisions. If any committee takes no action within 30 days, the waiver is deemed rejected. (The bill does not contemplate a process for if the committees disagree).

Medicaid Demonstration Waiver (§§ 17 & 18)

The bill requires the DSS commissioner to seek a Section 1115 Medicaid demonstration waiver to seek federal funds to support the Covered Connecticut program. The bill requires her to (1) consult with the insurance commissioner and OHS to seek the waiver and (2) implement the waiver once the federal Centers for Medicare and Medicaid Services (CMS) approves it.

By law, before submitting a waiver application to CMS, DSS must submit the waiver application to the Appropriations and Human Services committees. For the Section 1115 waiver required under the bill, the bill requires DSS to also submit the application to the Insurance and Real Estate Committee. By law, and under the bill, the committees must hold a public hearing and advise the DSS commissioner of their approval, disapproval, or modifications of the waiver application.

§§ 20 & 21 — LOCAL HEALTH DISTRICT FUNDING

Requires the Department of Public Health to increase payments to municipal and district health departments starting in FY 22

The bill increases funding to local and district health departments as follows: (1) from $1.18 to $1.93 per capita for full-time municipal health departments and (2) from $1.85 to $2.60 per capita for district health departments.

By law, to qualify for this funding, among other things, (1) municipalities must have a full-time health department and a population of at least 50,000 and (2) health districts must have a total population of at least 50,000 or serve three or more municipalities.

EFFECTIVE DATE: July 1, 2021

§§ 22-27 — INSTITUTE FOR MUNICIPAL AND REGIONAL POLICY

Transfers the IMRP from Central Connecticut State University to UConn; makes related conforming changes

The bill transfers the financial assets, records, files, and intellectual property and copyright rights of the Institute for Municipal and Regional Policy (IMRP) from Central Connecticut State University (CCSU) to UConn.

It makes related conforming changes by adding the IMRP's director at UConn to the membership of the following committees and boards in place of the IMRP director at CCSU:

1. the Results First Policy Oversight Committee, which advises on development and implementation of the Pew-MacArthur Results First cost-benefit analysis model to promote cost-effective state policies and programming;

2. the Neighborhood Revitalization Zone Advisory Board, which promotes neighborhood self-sufficiency and economic development;

3. the Racial Profiling Prohibition Project Advisory Board, which advises the Office of Policy and Management on the adoption of standardized methods and guidelines for law enforcement to use when conducting traffic stops; and

4. the Council on the Collateral Consequences of a Criminal Record, which studies discrimination faced by Connecticut residents living with a criminal record.

The bill also makes several other conforming changes.

EFFECTIVE DATE: October 1, 2021

§ 28 — PRIMARY CARE DIRECT SERVICES PROGRAM

Requires, rather allows, DPH to establish a program providing grants to community-based primary care providers, and requires DPH to do so within available resources

The bill requires, rather than allows, the Department of Public Health (DPH) to establish a program providing three-year grants to

community-based primary care providers to expand access to care for the uninsured. DPH must do so by January 1, 2022. The bill requires DPH to establish the program within available resources; current law allows DPH to establish the program within available appropriations.

Under existing law, the grants may be used for, among other things, (1) funding for direct services and (2) providing loan repayment to primary care clinicians (e.g., family practice physicians, pediatricians, advanced practice registered nurses, and physician assistants) and registered nurses who meet program requirements.

EFFECTIVE DATE: July 1, 2021

§§ 29-31 — SOLNIT CHILDREN'S CENTER LICENSURE

Requires Solnit Children's Center's hospital and psychiatric residential treatment facility units to obtain DPH licensure and the DPH commissioner to adopt regulations regarding the facilities' licensure

The bill requires the (1) Albert J. Solnit Children's Center's hospital and psychiatric residential treatment facility units ("South Campus") to obtain licensure from DPH and (2) DPH commissioner to adopt regulations regarding the licensure of psychiatric residential treatment facilities. Under the bill, a "psychiatric residential treatment facility" is a nonhospital facility with a provider agreement with the Department of Social Services to provide inpatient services to Medicaid-eligible individuals under age 21.

The bill allows the DPH commissioner to implement policies and procedures about the licensure of the Solnit Center's psychiatric residential treatment facilities while it adopts the regulations, so long as (1) notice of intent to adopt regulations is published on the eRegulations System within 20 days after the implementation date and (2) the policies and procedures are consistent with the proposed regulations. Under the bill, these policies and procedures are valid until the final regulations are adopted.

EFFECTIVE DATE: April 1, 2022

§ 32 — OFFICE OF THE UNEMPLOYED WORKERS' ADVOCATE

Requires the labor commissioner to establish the Office of the Unemployed Workers' Advocate within DOL to assist unemployed people

The bill requires the labor commissioner, within available appropriations, to establish the Office of the Unemployed Workers' Advocate within the Department of Labor (DOL) to assist unemployed people.

It requires the commissioner, by October 1, 2021, to designate an "unemployed workers' advocate," who serves at the pleasure of the commissioner, to manage the office's daily activities and duties. The advocate must have the qualifications needed to perform the office's duties, including expertise and experience in unemployment benefits and advocacy for unemployed people's rights. The advocate must, within available appropriations, appoint and employ the assistants, employees, and personnel needed to effectively and efficiently administer the office's activities.

The bill allows the Office of the Unemployed Workers' Advocate to:

1. help unemployed people seeking unemployment benefits;

2. help unemployed people understand their rights and responsibilities related to unemployment benefits;

3. provide information to the public, agencies, legislators, and others about unemployed people's problems and concerns, and make recommendations for resolving them;

4. help unemployed people file unemployment benefit appeals;

5. analyze and monitor the development and implementation of federal, state, and local laws, regulations, and policies related to unemployed people, and recommend changes the office deems necessary to the appropriate governmental entity;

6. receive and review unemployed people's complaints and make recommendations to the labor commissioner for resolving them;

7. access an unemployed person's prior employment records to

the extent that state and federal law allows;

8. establish and maintain a website and a toll-free number, or other free calling option, that allows unemployed people to access the office's services and information; and

9. take any other actions needed to fulfill the bill's purposes.

EFFECTIVE DATE: Upon passage

§ 33 — BROWNFIELD REMEDIATION GRANT FOR PRESTON

Requires DECD to pay Preston a $7 million grant for brownfield remediation

The bill requires the Department of Economic and Community Development (DECD) to pay Preston a $7 million grant for brownfield remediation. DECD must pay the grant from the Brownfield Remediation Program grants authorized under the FY 20-21 bond act.

The bond act (PA 20-1) earmarked $7 million of the total $30 million authorization for a grant to Preston. The State Bond Commission allocated the funds at its July 2020 meeting but required that they be held in escrow and used only for pending remediation work after a cost-efficient remediation plan is instituted.

EFFECTIVE DATE: Upon passage

§ 34 — OPEN EDUCATIONAL RESOURCE (OER) COORDINATING COUNCIL CARRYFORWARDS

Exempts unexpended operating funds of the OER Coordinating Council from lapsing at the end of each fiscal year

Unless specifically authorized, all unexpended state appropriations lapse at the end of the fiscal year. The bill exempts from this requirement Connecticut Open Educational Resource Coordinating Council operating funds. By law, the council must establish a program to lower the cost of textbooks and course materials for high-impact courses (i.e., with high (1) student enrollment or (2) prices for required materials) at state higher education institutions.

EFFECTIVE DATE: July 1, 2021

§ 35 — AMERICAN RESCUE PLAN ACT REPORTING

Requires OPM to collect data on ARPA funds use and submit to the Appropriations Committee the interim and quarterly reports due to the federal government; requires separate quarterly reports to the Appropriations Committee on funds for higher education constituent units, UConn, and the judicial branch

The bill requires the Office of Policy and Management (OPM) secretary to collect data on the use of funds by each executive branch agency and each private entity that receives an allocation under the bill for funds the state received under the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (P.L. 117-2).

It requires the OPM secretary to submit to the Appropriations Committee the (1) interim report due on August 31, 2021, and (2) quarterly Project and Expenditure Reports, that must be submitted to the United States Treasury.

The bill also requires reporting by the:

1. Board of Regents for Higher Education (as to the regional community-technical colleges, the Connecticut State University System, and Charter Oak College);

2. UConn Board of Trustees (as to UConn); and

3. Chief Court Administrator (as to judicial branch state agencies).

In each case, they must report quarterly to the Appropriations Committee beginning by October 1, 2021, through April 1, 2024, on a full accounting of funding allocated under the bill. The reports must include (for each constituent Unit, UConn, or each judicial branch agency, as appropriate), the (1) total amount of funds received, (2) programmatic or other permitted purposes for which they were used, and (3) amount of funds used for each program or purpose.

EFFECTIVE DATE: Upon passage

§§ 36 & 37 — COMMUNITY HEALTH WORKER GRANT PROGRAM

Requires DPH to establish a program providing grants, through FY 23, to community action agencies that employ community health workers who provide services to people

adversely affected by COVID-19; directs $6 million of the state's federal ARPA funding to the program

The bill requires DPH to establish a community health worker grant program to provide grants, through FY 23, to community action agencies that employ community health workers who provide services to people adversely affected by the COVID-19 pandemic. The bill allows DPH to enter into a personal service agreement with an outside person, firm, corporation, or other entity to operate the program.

The 2021 budget bill allocated $3 million per year in FYs 22 and 23 to DPH for community health workers, from the state's federal funding under the American Rescue Plan Act of 2021. This bill specifies that these funds are for the community health worker grant program. It limits each grant to $30,000 annually and total program grants to $6 million.

Among other related provisions, the bill requires DPH to:

1. establish criteria for grant eligibility;

2. publish on its website a notice of grant availability, including the eligibility criteria, for the period from the bill's passage until June 30, 2023; and

3. report on the program by January 1, 2022, and again by January 1, 2024, to the Public Health and Human Services committees.

EFFECTIVE DATE: Upon passage

Application and Review Process

Under the bill, each community action agency applying for a program grant must apply in a form and manner as the DPH commissioner prescribes. The application must include:

1. the location of the applicant's principal place of business,

2. the number of community health workers the applicant employs or seeks to employ and their range of services,

3. an explanation of the grant's intended use, and

4. other information that the commissioner deems necessary.

DPH must review all applications and determine which are eligible for funding, using criteria the department establishes.

DPH Reporting

Under the bill, by January 1, 2022, the DPH commissioner must report to the Public Health and Human Services committees on the program's progress and any required legislative proposals to accomplish the program's goals.

By January 1, 2024, the commissioner must report again to the same committees on:

1. the number and amount of grants provided;

2. which community action agencies received grants;

3. the intended use of each grant, as described in the applications; and

4. the number of community health workers employed by each grant recipient and information on the workers' services, (a) when the agency received the grant and (b) upon the program's conclusion.

Definitions

The bill defines a "community action agency," as under existing law, as a public or private nonprofit agency that has previously been designated by, and authorized to accept funds from, the federal Community Services Administration for community action agencies under the Economic Opportunity Act of 1964 or a successor agency established under law.

A "community health worker" is public health outreach professional with an in-depth understanding of a community's experience, language, culture, and socioeconomic needs. These

workers provide a range of services, including outreach, engagement, education, coaching, informal counseling, social support, advocacy, care coordination, research related to social determinants of health, and basic screenings and assessments of any risks associated these determinants.

§ 38 — CEMETERY RETORT AIR POLLUTION EXCEPTION

Temporarily prohibits the DEEP commissioner from requiring retort relocation or installation of air pollutant control technology on certain cemetery property

The bill prohibits the DEEP commissioner, notwithstanding state air pollution control law and regulation, from requiring a permittee to relocate an associated stack or install best available control technology for any hazardous air pollutant for a retort (i.e., chamber where cremation occurs) that constitutes or is part of a stationary air emission source located on certain cemetery property. The restriction applies to a property that (1) has at least 250 acres, (2) is on the National Register of Historic Places, and (3) was established before 1865. The permittee must also replace the retort by October 1, 2023.

EFFECTIVE DATE: Upon passage

§ 39 — STATEWIDE OPIOID CLAIM

Authorizes the attorney general to enter into agreements concerning any statewide opioid claim

The bill authorizes the attorney general to enter into agreements concerning claims the state asserts or could assert concerning opioid manufacturing, marketing, distributing, selling, or related activities (i.e., "statewide opioid claim"). Under the bill, these agreements may include an agreement to compromise, release, waive, or otherwise settle such claim, on behalf of the state and any political subdivisions. The bill prohibits claimants from asserting any statewide opioid claim for which the state has entered into such an agreement.

EFFECTIVE DATE: Upon passage

§§ 40-50 — RADIATION & RADIOACTIVE MATERIAL REGULATION

Expands DEEP's authority to regulate radiation sources

The bill expands the Department of Energy and Environmental Protection (DEEP) commissioner's authority to regulate radiation sources. It does so by requiring her to adopt specific regulations on sources of ionizing radiation and radioactive materials, instead of only general regulations needed to carry out current law's ionizing radiation sources provisions. Under the bill, "radioactive materials" means any solid, liquid, or gas that emits ionizing radiation spontaneously.

By requiring the commissioner to adopt regulations on radioactive materials sources, the bill allows for the state to pursue "agreement state status" from the U.S. Nuclear Regulatory Commission (NRC). "Agreement state status" authorizes states to assume NRC responsibility for regulating and licensing byproduct materials (radioisotopes), source materials (uranium and thorium), and certain amounts of special nuclear materials. NRC remains responsible for regulating nuclear power plants (e.g., Millstone); uses of nuclear material, such as in nuclear medicine; and nuclear waste.

Among other things, to hold agreement state status, there must be an agreement between the governor of the state and the NRC chairman and supporting legislation and regulations. (Governor Lamont submitted a letter of intent to become an agreement state to the NRC in December 2020.)

Under the bill, the required regulations must include provisions on such things as (1) regulating ionizing radiation and radioactive materials sources; (2) planning for and responding to emergency events; (3) recognizing other state or NRC licenses; and (4) setting fees, which must be deposited into the General Fund. The bill also requires the commissioner to review other state agency regulations and procedures on radiation sources for consistency purposes.

The bill prohibits certain actions with respect to radioactive materials and extends existing penalties to those actions. It authorizes the commissioner to act to address exposure hazards and contamination from radiation and makes those responsible for the

contamination liable for cleanup costs and expenses.

The bill also makes many minor, conforming, and technical changes, including several to effectuate the transition to agreement state status. Some of these changes include (1) updating the state's atomic energy policy to include cooperation with NRC and other states for uniformity of radiation laws and regulations, and in administering and enforcing them (§ 49) and (2) generally aligning definitions with corresponding federal law (§§ 40 & 46; see 42 U.S.C. § 2014).

EFFECTIVE DATE: October 1, 2021

DEEP Regulatory Authority (§§ 40-42 & 50)

General Regulations. The bill requires the commissioner to adopt regulations on sources of both ionizing radiation and radioactive materials. Under the bill, the regulations she must adopt are those that are:

1. needed to (a) secure "agreement state status," pursuant to § 274 of the Atomic Energy Act of 1954, 42 U.S.C. § 2021, and (b) carry out the state radiation and radioactive materials law;

2. related to (a) constructing, operating, controlling, tracking, securing, or decommissioning ionizing radiation sources, including modifying or altering them, and (b) producing, transporting, using, storing, possessing, managing, treating, disposing of, or remediating radioactive materials;

3. related to planning for and responding to terrorist or other emergency events, or potential ones, that involve or may include radioactive materials (see "Guidelines," below);

4. for reciprocating recognition of specific licenses issued by NRC or another "agreement state status" state; and

5. concerning fees to license ionizing radiation sources that, with certain existing registration fees, are enough to administer, implement, and enforce an ionizing radiation program.

Other Agency Regulations. The bill requires the commissioner to consult with and review the regulations and procedures of other state agencies on radiation sources to for consistency and to prevent unneeded duplication, inconsistencies, or gaps in the requirements.

Licensing. Current law authorizes the commissioner to, through regulation, use general or specific licenses for ionizing radiation sources. The bill requires her to adopt regulations to license these sources, either through general or specific licenses. It allows her to (1) issue, deny, renew, modify, suspend, or revoke a license and (2) include terms and conditions in licenses as she deems necessary.

Ionizing radiation includes gamma rays, x-rays, alpha and beta particles, neutrons, protons, high-speed electrons, and other atomic or nuclear particles, but not sound or radio waves, or visible, infrared, or ultraviolet light.

Guidelines. The bill allows the commissioner to establish radiation exposure guidelines for first responders and the public to manage emergencies involving radioactive materials, which shall be compatible with recommendations from the federal government and the National Council on Radiation Protection and Measurements.

Outside Experts. The bill allows the commissioner, in addition to the governor as allowed under current law, to hire necessary consultants, experts, and technicians to investigate and report on matters related to implementing the state's radiation and radioactive materials law.

Prohibited Acts (§§ 43 & 45)

Current law prohibits the following actions related to ionizing radiation sources unless the source is exempt or properly licensed or registered: using, manufacturing, producing, transporting, transferring, receiving, acquiring, owning, or possessing. The bill expands the prohibited actions to include constructing, operating, or decommissioning. It explicitly prohibits failing to register a source.

The bill prohibits the following actions with respect to radioactive

materials, unless done in compliance with the law and any associated regulation, regulation, or license: producing, transporting, storing, possessing, managing, treating, remediating, distributing, selling, installing, repairing, or disposition.

The bill extends existing penalties for violations of the state's radioactive materials laws to these prohibited acts. By law, unchanged by the bill, the commissioner may, among other things, issue cease and desist orders. She may also, through the attorney general, seek injunctive relief related to violations or probable violations. Someone who knowingly commits certain actions or commits certain actions with criminal negligence is subject to fines, imprisonment, or both (CGS §§ 22a-158a to -158c).

The bill also makes anyone who negligently or knowingly violates the radiation and radioactive materials law's prohibited acts; requirements for registration, licensing, and record keeping; and requirements tied to the new regulations, including any associated regulation or order, liable to the state for reasonable costs. This includes to (1) detect, investigate, control, and abate the violation and (2) restore natural resources to their former condition, if practicable and reasonable. If restoration is not practicable or reasonable, the person is liable for damage caused by the violation. By law, a lawsuit to recover damages, costs, and expenses, does not prevent other remedies.

Radiation Contamination Remediation (§ 44)

Commissioner Actions. The bill authorizes the DEEP commissioner to take actions she deems necessary to protect human health and the environment if someone (1) causes or is responsible for certain exposures or contamination related to radioactive material and (2) does not immediately act to prevent, stop, or remedy it to the commissioner's satisfaction. She may investigate, monitor, abate, contain, mitigate, or remove the hazard, pollution, contamination, or potential hazard, pollution, or contamination. The bill allows her to contract with anyone to address the hazards, pollution, or contamination.

This applies to the following:

1. an exposure hazard, or potential one, from radioactive materials, radioactive waste, or an ionizing radiation source or

2. pollution, contamination, or potential pollution or contamination of natural resources (e.g., land, air, water) due to a discharge, spill, uncontrolled loss, release, leak, seep, or filtration of radioactive material or radioactive waste.

The bill allows the commissioner to take the same actions if the responsible person is unknown and the hazard, pollution, or contamination (or potential ones) is not being addressed by the federal government, a state agency, a municipality, or a regional or interstate authority.

Liability to the State. The bill makes anyone who causes or is responsible for the exposure hazards, pollution, or contamination (or potential ones) described above, liable for the costs and expenses incurred by the commissioner to address the situation. It includes the costs and expenses for restoring the natural resources, attorney's fees, court costs, and other legal expenses. The bill allows the commissioner to seek additional compensation or other relief from the court, including punitive damages.

Under the bill, if the hazard, pollution, or contamination (or potential ones) is due to the action of or failure to act by more than one person, each person is jointly and severally liable. If the commissioner requests it, the bill requires the attorney general to bring a civil action to recover costs and expenses, including those from related contractual obligations, from the responsible person.

If the responsible party is unknown, the bill requires the commissioner to ask the federal government to assume the contractual obligations to the extend allowed under federal law.

Liability to an Individual. Under certain circumstances, the bill entitles individuals who prevent, abate, contain, remove, or mitigate

an exposure hazard, pollution, or contamination (or potential ones), as described above, to reimbursement of the reasonable costs they incur or spend for their actions. This applies when the exposure, pollution, or contamination (or potential ones) was due to someone's negligent, reckless, knowing, or intentional action or failing to act. If more than one person is responsible, each person is jointly severally liable.

§ 51 — REDDING SPECIAL TAXING DISTRICT

Specifies how district voting is handled when (1) a municipality is eligible to cast a vote or (2) a vote is tied

The bill amends the governing special act for a special taxing district in Redding, established to clean up and redevelop contaminated property and provide municipal services.

Under existing law, people and entities that own land in the district may vote at district meetings, among other eligible voters. The bill specifies who casts the vote in situations where a municipality is an eligible voter.

Under the bill, a municipality's vote is cast by the person authorized to vote by:

1. the board of selectmen in a town that does not have a charter, special act, or home rule ordinance relating to its form of government;

2. the council, board of aldermen, representative town meeting, board of selectmen, or other elected legislative body described in a charter, special act, consolidation ordinance, or home rule ordinance relating to the form of government in a city, consolidated town and city, consolidated town and borough, or town; or

3. the board of burgesses or other elected legislative body in a borough.

The bill also stipulates how tied votes are handled. Under the bill, the deciding vote is cast by the property owner holding the greatest

share of real property in the district, calculated by land mass area.

EFFECTIVE DATE: Upon passage

§§ 52-53 — FREE PHONE CALLS FOR INMATES

Moves up the implementation date, from October 1, 2022, to July 1, 2022, for requiring DOC to provide free telephone services to inmates and generally makes inmates eligible to use telephone services for at least 90 minutes a day

PA 21-54 requires the Department of Correction (DOC) to provide telephone services for inmates in correctional facilities. It allows the commissioner to supplement phone services with other telecommunications services, including video communication and email. Any communication service the commissioner must be free of charge to the inmates and to the people who initiate or receive the communication. The bill moves up the implementation date, from October 1, 2022, to July 1, 2022.

The bill also makes the corresponding date change for (1) prohibiting the state from receiving revenue for these phone or telecommunications services and (2) repealing the laws requiring the Department of Administrative Services to transfer the revenue derived from inmate phone calls to certain programs, services, and initiatives.

Under the bill, each inmate is eligible to use telephone services for at least 90 minutes each day he or she is confined as long as providing these services does not interfere with the facility's standard operations.

EFFECTIVE DATE: Upon passage

§§ 54-57 — PUBLIC HIGHER EDUCATION INSTITUTION GRADUATION FEE BAN

Prohibits assessing or charging a graduation fee to students enrolled in a regional community-technical college, the CSUS, Charter Oak State College, or UConn

The bill prohibits BOR from assessing or charging a graduation fee to students enrolled in (1) a regional community-technical college, (2) the CSUS, or (3) Charter Oak State College. The bill extends the same prohibition on these fees to the UConn Board of Trustees for UConn enrolled students.

EFFECTIVE DATE: July 1, 2021

§ 58 — CONNECTICUT FOUNDATION SOLUTIONS INDEMNITY COMPANY (CFSIC) BOARD OF DIRECTORS

Specifies that one of the governor's board appointees required under a recently passed bill is considered an ex-officio member under CFSIC's bylaws

HB 6646, as amended by House "A" and passed in concurrence by both chambers, requires the governor to appoint two members to CFSIC's volunteer board of directors, one of whom must be a nonvoting ex-officio member. The bill specifies that the individual is considered an ex-officio member under CFSIC's adopted bylaws.

CFSIC is the captive insurance company created by law to distribute money to homeowners with concrete foundations that are deteriorating due to the presence of pyrrhotite.

EFFECTIVE DATE: July 1, 2021

§ 59 — GEOLOGICAL SOURCE REPORT (GSR) FOR AGGREGATE QUARRIES

Specifies the type of core sample analysis that must be done as part of the GSR requirement established in a recently passed bill

HB 6646, as amended by House "A" and passed in concurrence by both chambers, requires the operator of each Connecticut quarry that produces concrete aggregate to prepare and quadrennially update a GSR and submit it to the state geologist and DEEP commissioner. It also specifies the GSR's minimum contents. One of the requirements is that the GSR include core sample analyses completed by a qualified geologist, unless the commissioner waives the requirement.

The bill requires the core sample analyses to be representative core sample analyses evaluated through petrography.

EFFECTIVE DATE: July 1, 2021

§ 60 — ANNUAL CONCRETE AGGREGATE TESTING

Changes the standards applicable to concrete aggregate testing, a requirement established in a recently passed bill

Third-Party Testing

HB 6646, as amended by House "A" and passed in concurrence by both chambers, requires the operator of each quarry that sells or provides aggregate intended for use in concrete, to provide a written report to the state containing the results of a third-party test of the aggregate's sulfur content (total S) and further testing for pyrrhotite, if applicable. HB 6646, as amended, requires the third-party tester to be certified or accredited to conduct testing in accordance with the American Society for Testing Materials standard C33/C33M, Standard Specification for Concrete Aggregates (§ 9).

The bill changes the required testing standard to the society's standard E1621, Standard Guide for Elemental Analysis by Wavelength Dispersive X-ray Fluorescence Spectrometry.

Additional Testing for Samples With Pyrrhotite

Under HB 6646, as amended, if sample testing shows that pyrrhotite is present and the total S by mass is 0.1% or more but less than 1%, then DEEP's commissioner, in consultation with the state geologist, may require additional testing, including a mortar bar expansion test pursuant to American Society for Testing and Materials standard C1293, Standard Test Method for Determination of Length Change of Concrete Due to Alkali-Silica Reaction, or C227, Standard Test Method for Potential Alkali Reactivity of Cement-Aggregate Combinations (§ 9).

The bill eliminates the provision specifying the tests the commissioner may require and instead authorizes the commissioner to require additional petrographic and materials testing. The bill correspondingly eliminates a requirement that any adopted regulations define "mortar bar expansion test."

EFFECTIVE DATE: July 1, 2021

§ 61 — LEGISLATIVE COMMISSIONERS' OFFICE AUTHORITY TO MAKE TECHNICAL CHANGES

Authorizes LCO to make necessary technical, grammatical, and punctuation changes when codifying the bill

The bill authorizes the Legislative Commissioners' Office (LCO) to

make technical, grammatical, and punctuation changes as necessary when codifying the bill to carry out its purposes, including correcting inaccurate internal refences.

EFFECTIVE DATE: Upon passage

§ 62 — ANALYSIS OF HOUSING FUNDING ALLOCATION AND SEGREGATION

Requires the OPM secretary to collect, analyze, and report on data related to existing state and federal housing programs and economic and racial segregation

The bill requires the OPM secretary, within available appropriations, to collect and analyze data on existing state and federal housing programs to determine how they impact economic and racial segregation. Under the bill, the analysis must review data on:

1. housing development programs,
2. housing affordability initiatives,
3. communities where low-income housing tax credits and rental assistance are spent, and
4. specific neighborhood racial and economic demographics.

Additionally, the bill requires the OPM secretary to (1) include measures such as the dissimilarity index and the five dimensions of segregation (these are used by the U.S. Census Bureau) in the analysis and (2) submit a report with findings and recommendations from the analysis to the Housing Committee by January 1, 2022, and then biennially.

EFFECTIVE DATE: Upon passage

§ 63 — MASHANTUCKET PEQUOT AND MOHEGAN FUND GRANTS TO MUNICIPALITIES

Generally prohibits municipalities from receiving Mashantucket Pequot and Mohegan Fund grants if a public school or associated athletic team under its school board's jurisdiction uses Native American names, symbols, or images without tribal consent

Beginning in FY 23, the bill generally makes municipalities ineligible for grants from the Mashantucket Pequot and Mohegan

Fund if a school or associated intramural or interscholastic athletic team under its board of education's jurisdiction uses any of the following in its mascot, nickname, logo, or team name: a name, symbol, or image that depicts, refers to, or is associated with a Native American individual, custom, tradition, or state- or federally-recognized tribe.

However, the bill allows these municipalities to retain their grant eligibility if the school or athletic team uses a name, symbol, or image that:

1. depicts or refers to a state- or federally-recognized tribe, and the specific tribe consents to it; or

2. is associated with a Native American individual, custom, or tradition, with the consent of a tribe that is either (a) historically associated with the school or team or (b) located in or associated with the school's geographic region.

The bill additionally provides a grace period until FY 24 for municipalities that provide timely notification to the Office of Policy and Management (OPM), in a form and manner the secretary determines, that (1) a covered school or team uses an otherwise-disqualifying name, symbol, or image that they intend to change or seek tribal consent to use and (2) includes the reason why the school or team has not changed it or sought such consent already.

The bill requires that the tribe's consent be demonstrated in a form and manner determined by the OPM secretary. The consent must be in writing and include a tribal council resolution, an agreement between a tribal government and municipality, or a consent statement endorsed by a tribal government.

EFFECTIVE DATE: July 1, 2021

§ 64 — SHORT-TERM INVESTMENT FUND (STIF)

Allows the state treasurer to modify or suspend the contribution to the designated surplus reserve of the STIF in certain circumstances

The bill allows the state treasurer to modify or suspend the contribution to the designated surplus reserve of the short-term investment fund when, in his discretion, market conditions warrant doing so for the fund's investors' best interests. Under the bill, he may do so regardless of any other state law. The Office of the State Treasurer manages the STIF as an investment pool for money market instruments for state and municipal funds.

EFFECTIVE DATE: Upon passage

§ 65 — BEVERAGE CONTAINER RECYCLING GRANT PROGRAM

Establishes a grant program for new beverage container redemption locations in urban centers and environmental justice communities

The bill requires DEEP to implement a beverage container recycling grant program to provide forgivable grants for new beverage container redemption centers in urban centers and environmental justice communities lacking access to redemption locations. It establishes a beverage container recycling grant program account and DEEP must use all funds in it for the program's purpose.

Under the bill, the DEEP commissioner must issue a grant application process by December 1, 2021. The bill requires grant proceed distribution to occur on a rolling basis. It (1) caps the amount of an awarded grant at $150,000 in any fiscal year and (2) limits the use of grant funds to (a) infrastructure, technology, and other costs associated with establishing a redemption center and (b) initial operational expenses.

Under the bill, grant recipients must provide DEEP with annual financial audits of their grant expenditures. If the DEEP commissioner finds that a grant was used for a purpose other than allowed under the bill, she may require its repayment.

EFFECTIVE DATE: Upon passage

Program Recipients

Under the bill, grant recipients must be from either an urban center (i.e., a municipality classified as a "regional center" under the state

plan of conservation and development) or an environmental justice community. Under the state's environmental justice law, an environmental justice community is a (1) distressed municipality or (2) U.S. census block group for which at least 30% of the population consists of low-income people who are not institutionalized and have an income of less than 200% of the federal poverty level (CGS § 22a-20a).

The bill requires that the program prioritize grants to (1) first-time redemption center owners and (2) centers that are locally-owned, minority-owned, or women-owned businesses. The DEEP commissioner or her designee, when awarding the grants, must also consider the following:

1. current access to beverage container redemption locations,
2. walking distances to these locations,
3. public access to reliable transportation,
4. population density,
5. customer convenience,
6. redemption center technology used at a proposed center, and
7. volume of beverage containers sold in the applicable community.

Audit and Reporting

The bill requires grant recipients to, by October 1 annually and until their grant funds are expended, provide the DEEP commissioner with a financial audit of their grant expenditures prepared by an independent auditor.

§§ 66-77 — DELETED BY HOUSE AMENDMENT "A"

§ 78 — EXEMPTION TO FLOODPLAIN REQUIREMENTS FOR CERTAIN NORWICH PROPERTIES

Authorizes certain building spaces on three Norwich properties to be used for commercial or residential purposes regardless of requirements governing floodplains

The bill authorizes certain building spaces on three properties in Norwich (601, 603, and 609 Norwich Avenue) to be used for commercial or residential purposes regardless of (1) local zoning regulations and ordinances governing floodplains and (2) a statutory requirement that these regulations comply with National Flood Insurance Program (NFIP) requirements. (Under federal law, municipalities that fail to maintain or enforce regulations meeting the NFIP's minimum floodplain management requirements may be suspended from the federal flood insurance program (44 C.F.R. 59).)

EFFECTIVE DATE: Upon passage

§ 79 — DDS WAITING LIST REPORT

Requires the DDS commissioner to annually report specified waiting list information to the Public Health and Appropriations committees

The bill requires the Department of Developmental Services (DDS) commissioner to annually report to the Public Health and Appropriations committees on the number of individuals the department determines as eligible for DDS funding or services and who (1) have unmet residential care or employment opportunity and day service needs or (2) are eligible for DDS's behavioral services program and are waiting for funding.

As under existing law, the commissioner must also annually report this information on the department's website.

EFFECTIVE DATE: Upon passage

§ 80 — LEVEL OF NEED ASSESSMENT SYSTEM ADVISORY COMMITTEE

Establishes a 19-member committee to advise the DDS commissioner on the level of need assessment system

The bill establishes a level of need assessment system advisory committee to advise the DDS commissioner on matters relating to the system.

The committee includes the DDS commissioner or his designee and

18 appointed members, as follows:

1. two each appointed by the House speaker and Senate president pro tempore;

2. one each appointed by the House and Senate majority and minority leaders; and

3. 10 appointed by the DDS commissioner, including (a) one each representing CT DDS Families First and The Arc Connecticut and (b) eight who represent families with firsthand experience with individuals with composite scores of one to eight on DDS's level of need assessment and screening tool.

Under the bill, DDS must appoint a member to fill any vacancy of one year or more. When doing so, the commissioner must notify the appointing authority of his selection at least 30 days before making the appointment.

The bill requires the committee to (1) meet at least quarterly and (2) starting by January 1, 2022, annually report on its activities to the Public Health Committee.

The bill (1) allows DDS to provide the committee with administrative support and (2) requires DDS to post the committee's meeting dates and minutes on the department's website.

EFFECTIVE DATE: Upon passage

§§ 81-86 — DEBT-FREE COMMUNITY COLLEGE

Expands funding for the state's debt-free community college program from online lottery ticket sales revenue

The bill makes several changes affecting the state's debt-free community college program and online lottery ticket sales by the Connecticut Lottery Corporation (CLC). The 2019 state budget implementer established a debt-free community college program for certain Connecticut high school graduates who enroll as first-time, full-time regional community-technical college students (PA 19-117, § 362). The bill establishes a "debt-free community college account" as a

separate, nonlapsing account within the General Fund.

Public Act 21-23 established a framework by which CLC may, under a master wagering license, sell lottery tickets for lottery draw games through CLC's website, online service, or mobile application. (This gaming activity is defined as "online lottery ticket sales" for the purposes of the bill and other specific lottery statutes.) If CLC is so licensed, the bill requires all revenue from its online lottery ticket sales to be deposited into an "online lottery ticket sales fund" CLC must establish to specifically collect that revenue, separate from all other CLC revenues.

The bill requires the CLC president, on a weekly basis, to estimate and certify to the state treasurer the portion of the balance in this fund that exceeds CLC's current needs for paying prizes and current operating expenses and funding approved CLC reserves. Under the bill, CLC must transfer the certified amount to the General Fund or debt-free community college account after being notified that the state treasurer received the certification. For FYs 22 and 23, CLC must transfer the certified amounts to the General Fund. For FY 24 and each fiscal year after, CLC must first transfer the certified amounts to the debt-free community college account up to $14 million and then any amounts above that figure must be transferred to the General Fund.

In addition to CLC's transfers, the bill requires the debt-free community college account to contain any money required by law to be deposited into it, including state appropriations for the debt-free community college program. The bill also requires BOR to spend the money in the debt-free community college account on the debt-free community college program. Additionally, by January 1, 2023, July 1, 2023, January 1, 2024, and on each January 1 thereafter, the CLC president must report to BOR (1) the amount of revenue received by CLC from online lottery ticket sales during the current fiscal year and (2) an estimate of the amount to be deposited in the account from those sales during the next fiscal year.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2021

§§ 87-88 — CRISIS INITIATIVE EXPANSION

Expands the CRISIS Initiative pilot program to Troop D and establishes a task force to study expanding it throughout the state

The bill requires the State Police, in conjunction with the Department of Mental Health and Addiction Services (DMHAS), to expand the Connection to Recovery through Intervention, Support, and Initiating Services Initiative pilot program (i.e., CRISIS Initiative) to Troop D.

Additionally, the bill establishes a task force to study the costs and benefits of expanding the pilot program throughout the state. This expanded program would include at least the components of the pilot program that require state police officer training, coordination between state police officers and mental health professionals, and referrals to mental health services facilities. The task force must consider input and recommendations from the pilot program's participants at Troop E, community stakeholders, and other interested parties.

Under the bill, the task force must consist of:

1. the Department of Emergency Services and Public Protection (DESPP) and DMHAS commissioners, or their respective designees;

2. a member of the mental health services community, appointed by the House speaker;

3. a sworn member of the State Police, appointed by the Senate president;

4. a representative of the Connecticut Police Chiefs Association, appointed by the House majority leader;

5. a member of a board of directors at a hospital in the state, appointed by the Senate majority leader;

6. an emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic (as those are defined in state law), appointed by the House minority leader; and

7. a representative of Griswold PRIDE, appointed by the Senate minority leader.

The bill authorizes any member of the task force other than the commissioners, or their respective designees, to be a member of the General Assembly. All initial task force appointments must be made within 30 days after the bill's passage. Any vacancy must be filled by the appointing authority.

The bill requires the House speaker and the Senate president to select the task force's chairpersons from among its members. The chairpersons must schedule the task force's first meeting within 60 days after the bill's passage. The Public Safety and Security Committee's administrative staff must serve as the task force's administrative staff.

By January 1, 2022, the task force must submit a report on its findings and recommendations to the Public Safety and Security Committee. The bill requires the task force to terminate on the date that it submits its report or January 1, 2022, whichever is later.

EFFECTIVE DATE: Upon passage

§ 89 — FEE-FREE DAY

Requires BOR and BOT to jointly establish an annual "Fee-Free" Day

The bill requires BOR and the UConn Board of Trustees (BOT) to jointly establish on November 1, or another date the boards jointly choose, an annual "Fee-Free Day."

Under the bill, BOR and BOT cannot charge an application fee to any high school student who applies for admission to any public higher education institution governed by the boards on the established day. The student must have already completed the Free Application

for Federal Student Aid (FAFSA).

EFFECTIVE DATE: Upon passage

§§ 90-92 — AN ACT CONCERNING GEOGRAPHIC INFORMATION SYSTEMS

Creates a new GIS office within OPM and establishes a GIS information officer to oversee the office and its staff; and establishes a GIS Council to consult with the new information officer on matters regarding free and public GIS data

This bill establishes a:

1. Geographic Information Systems Office within OPM and a geographic information officer position to oversee the new office and its staff and

2. Geographic Information Systems Advisory Council (GIS Council) to consult with the information officer on geographic information system (GIS) matters, including making GIS data free and publicly available.

The officer is generally responsible for coordinating the collection, analysis, and accessibility of GIS data. The bill additionally makes the officer, or the officer's designee, a nonvoting member of the Connecticut Data Analysis Technology Advisory Board.

EFFECTIVE DATE: October 1, 2021

Geographic Information Office and Officer

The bill requires the OPM secretary to designate an employee to serve as a geographic information officer and to oversee a new Geographic Information Systems Office (GISO) and its staff.

The bill requires the information officer to have (1) extensive knowledge of GIS and spatial data, analysis, and related technology and (2) experience in project management, administration, policy development, coordinating services, and planning.

Under the bill, the information officer must establish goals for the office in conjunction with the GIS Council established by the bill. The goals must be within the scope of the officer's powers and duties,

which are to:

1. coordinate the collection and compilation of GIS data and disseminate it to state, local, and regional governmental entities and others across the state;

2. manage a geospatial data clearinghouse that is publicly accessible online through the Connecticut Open Data Portal;

3. support economic development efforts by making its data accessible;

4. provide training and outreach on its data;

5. administer the creation and acquisition of geospatial data, including aerial imagery and elevation and parcel information;

6. adopt geospatial data standards, guidelines, and procedures to ensure data consistency and quality; and

7. aggregate and organize existing data sets and create new ones.

Geographic Information Systems Advisory Council

Purpose. The bill establishes a GIS Council to consult with the GISO information officer on matters regarding free and public GIS data (e.g., its procurement, storage, and distribution) and OPM's powers and duties regarding geospatial information systems under existing law (CGS § 4d-90).

The council must also (1) develop priorities, (2) annually create a five-year plan, and (3) make recommendations on the priorities and plan to the GISO information officer.

Membership. Under the bill, the task force consists of fourteen members:

1. the GISO information officer, or the officer's designee, who serves as the task force's chairperson;

2. the chief data officer, or the officer's designee;

3. four representatives with GIS expertise, one each appointed by the Department of Energy and Environmental Protection, Department of Transportation, Department of Emergency Services and Public Protection, and Department of Public Health commissioners;

4. two representatives from different regional councils of government who have GIS and certain related expertise, appointed by the Connecticut Association of Councils of Governments chairperson;

5. two representatives from different municipalities who are members of the Connecticut GIS network and have GIS expertise, appointed by the Connecticut Conference of Municipalities president;

6. one University of Connecticut representative who has certain experience providing the state's geospatial information to various constituencies, appointed by the university president;

7. one public utility company representative, appointed by the Public Utility Regulatory Authority chairperson; and

8. two representatives from private companies (other than public utility companies) who have commercial mapping expertise, one jointly appointed by the Planning and Development Committee chairpersons and one by the ranking members.

The bill sets members' terms at two years, or until a qualified successor is appointed. Appointing authorities must make initial appointments by January 1, 2022, subsequent appointments biannually, and fill vacancies. By March 1, 2022, and at least every two years thereafter, the chairperson must convene an advisory council meeting.

Connecticut Data Analysis Technology Advisory Board

The bill makes the GISO information officer, or the officer's designee, a non-voting member of the Connecticut Data Analysis

Technology Board (a board within the Legislative Department that may, among other things, advise the three branches of state government and municipalities on data policy). Existing law specifies that the eight voting members must have professional experiences or academic qualifications in data analysis, management, or policy or related fields. The bill adds that they may qualify based on their experience or qualification in GIS.

§ 93 — STUDY OF EQUITY IN STATE GOVERNMENT PROGRAMS AND ACTIONS

Requires CHRO to oversee a study of equity in state government programs and actions; DAS must, in consultation with CHRO and OPM, hire a consultant to conduct the study on equity in state government with respect to race, national origin, ethnicity, religion, income, geography, sex, gender identity, sexual orientation, and disability; specifies the study's required components and requires its submission to the GAE Committee by February 15, 2023

- Requires the Commission on Human Rights and Opportunities (CHRO) to oversee a study of equity in state government programs and actions

- Requires the Department of Administrative Services (DAS), in consultation with CHRO and OPM to (1) issue a request for proposals, by October 1, 2021, to hire a national consultant to conduct an equity-related study and make recommendations (see below)

- Requires CHRO, in consultation with DAS and OPM, to (1) develop criteria for evaluating proposals and (2) evaluate the submitted proposals and select a consultant by February 1, 2022, to conduct the study

- Requires the selected consultant, in consultation with DAS, CHRO, and OPM, to (1) examine certain methods to assist state agencies in assessing equity; (2) identify methods to assist state agencies in assessing existing barriers to equity for underserved communities experiencing negative COVID-19-related economic and health impacts; and (3) consider recommending pilot program legislation

- Requires the selected consultant, in consultation with CHRO, DAS, OPM, and each executive branch department head, to (1) evaluate certain key programs and policies of each state agency to identify and assess any systemic barriers underserved communities face; (2) analyze potential barriers underserved communities and individuals may face in enrolling in and accessing benefits and services in state programs; and (3) evaluate existing inequities and barriers in department programs or policies revealed or worsened by COVID-19 and whether new policies, regulations, or guidance documents are necessary to advance equity in state agency actions or programs

- Requires the consultant and executive branch department heads to work with CHRO to consult with members of communities that are historically underrepresented in state government and underserved, or subject to discrimination in, state policies and programs

- Requires department heads to evaluate opportunities to increase coordination, communication, and engagement with community-based and civil rights organizations

- Requires CHRO, in consultation with DAS and OPM, to submit the study's findings and any recommendation for legislative action to the Government Administration and Elections Committee by February 15, 2023

- Defines "equity" and "equitable" for these purposes as efforts, regulations, policies, programs, standards, processes, and any other government functions or principles of law and governance intended to:

    - identify and remedy past and present patterns of discrimination and disparities of race, ethnicity, gender, and sexual orientation;

    - ensure that these intentional or unintentional patterns are not reinforced or perpetuated; and

- prevent the emergence and persistence of foreseeable future patterns of discrimination or disparities on these bases

- Defines "underserved communities" for these purposes populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, such as (1) Black, Latino, and Indigenous and Native American persons; (2) Asian Americans and Pacific Islander and other persons of color; (3) members of religious minorities; (4) lesbian, gay, bisexual, transgender, and queer persons; (5) persons with disabilities; (6) persons who live in rural areas; and (7) persons otherwise adversely affected by persistent poverty or inequality

- EFFECTIVE DATE: Upon passage

§ 94 — PA 21-43 EXEMPTION

Exempts from PA 21-43's requirements renewable energy projects that are under contract with another entity and approved by the relevant regulatory authority before January 1, 2022

PA 21-43 requires renewable energy project developers to meet certain requirements if their project (1) begins construction after July 1, 2021; (2) has a total nameplate (i.e., generating) capacity of at least two megawatts (MW); and (3) meets certain other criteria. The bill exempts from these requirements projects that are under contract with another entity and approved by the relevant regulatory authority, as applicable, before January 1, 2022.

Developers of projects covered by PA 21-43 must generally (1) establish a workforce development program; (2) enter into a community benefits agreement with a community organization representing the host community's residents, if the project has a nameplate capacity of at least five MW; and (3) ensure that the contractors and subcontractors on the project meet certain criteria.

The act also requires that (1) construction workers on covered

projects be paid wages and benefits at least equal to those required under the state's prevailing wage law and (2) operations, maintenance, and security employees in any building or facility created in the project be paid wages and benefits that are at least equal to those required under the state's standard wage law.

EFFECTIVE DATE: July 1, 2021

§ 95 — DELETED BY SENATE AMENDMENT "A"

§ 96 — CONTRACTS BETWEEN HEALTH CARRIERS AND PARTICIPATING HEALTHCARE PROVIDERS

Requires health carriers to provide 90-days' notice before changing certain participating provider contracts and allows providers to appeal any changes

Under current law and for contracts entered into, renewed, or amended before July 1, 2022, health carriers must notify participating healthcare providers of any material change to the contract between them. Additionally, each contract must define "material change" and what is considered timely notice of one.

For contracts entered into, renewed, or amended on or after July 1, 2022, the bill requires the:

1. health carrier or its intermediary to disclose all provider manuals and policies incorporated by reference, and

2. health carrier to provide 90-days' written notice of any change to these documents or of a material change to the contract or policies a provider must follow under it.

Additionally, these contracts must include provisions:

1. disclosing the 90-day advance written notice requirement;

2. disclosing what is considered a material change; and

3. affording participating providers a right to appeal proposed changes to contract provisions or other documents, provider manuals, or policies that are required to be disclosed.

EFFECTIVE DATE: October 1, 2021

§ 97 — BACKGROUND CHECK FEE WAIVER FOR CERTAIN VOLUNTEER FIRE AND AMBULANCE COMPANIES AND INDIGENT PARDON APPLICANTS

Exempts volunteer firefighters and volunteer ambulance providers from background check fees and prohibits the DESPP commissioner from requiring proof of insurance as a condition of the fee waiver; allows DESPP to waive certain fees for indigent individuals applying for a pardon

The bill exempts volunteer fire companies or departments, as well as volunteer ambulance services or companies, from the fees that the law requires DESPP to charge for certain services. Existing law already exempts federal, state, and municipal agencies from these fees.

The bill also prohibits the DESPP commissioner from requiring these volunteer fire and ambulance organizations to provide proof of insurance as a condition of receiving the fee waivers.

Under the bill, the fees DESPP must waive are as follows:

1. name search, $36;
2. fingerprint search, $75;
3. personal record search, $75;
4. letters of good conduct search, $75;
5. bar association search, $75;
6. fingerprinting, $15; and
7. criminal history record information search, $75.

Additionally, the bill allows the DESPP commissioner to waive the $75 fee for criminal history record information search for indigent individuals applying for a pardon from the Board of Pardons and Paroles. The applicant must complete a DESPP-prescribed form representing that he or she is indigent.

EFFECTIVE DATE: July 1, 2021

§ 98 — DELETED BY HOUSE AMENDMENT "G"

§ 99 — ELECTION MONITOR

Requires the secretary of the state to contract with an individual to serve as an election monitor in any municipality with a population of at least 140,000 (i.e., Bridgeport) for the 2021 municipal election and 2022 state election

PA 20-4, September Special Session, required the secretary of the state to contract with an individual to serve as an election monitor in Bridgeport for the 2020 state election. For the 2021 municipal election and the 2022 state election, the bill requires the secretary of the state to contract with an individual to serve as an election monitor in any municipality with a population of at least 140,000, according to the most recent State Register and Manual (i.e., Bridgeport). The election monitor's purpose is to detect and prevent irregularity and impropriety within the municipality in managing election administration procedures and conducting the election.

Specifically, the monitor must (1) conduct inspections, inquiries, and investigations of any duty or responsibility required by state election law and carried out by a municipal official or his or her appointee and (2) immediately report to the secretary of the state any irregularity or impropriety discovered. Toward that end, the bill requires that the election monitor have access to all records, data, and material maintained by, or available to, any such municipal official or appointee.

The bill (1) specifies that the election monitor is not a state employee and (2) requires the secretary of the state to contract with an individual to serve in this capacity until December 31, 2022, unless the secretary terminates the contract for any reason before that date. The election monitor must be compensated in accordance with the contract and reimbursed for necessary expenses. Costs related to the election monitor's service must be paid from funds appropriated to the secretary of the state for that purpose. The municipality must provide the monitor with office space, supplies, equipment, and services necessary to properly carry out his or her duties.

The bill specifies that it does not prohibit the State Elections Enforcement Commission (SEEC) from exercising its authority. By law, SEEC, among other things, investigates alleged election law violations, inspects campaign finance records and reports, refers evidence of violations to the chief state's attorney or the attorney general, and levies civil penalties for elections violations.

EFFECTIVE DATE: Upon passage

§ 100 — LEGISLATIVE ARPA ALLOCATIONS

Specifies that requirement for legislature to approve ARPA allocations applies to both partial and final allocations; requires OPM to notify the Appropriations Committee when it is determined that such an approval is not allowable under federal guidance

SA 21-1 requires that allocations of funding from the federal American Rescue Plan Act of 2021 (ARPA) be authorized by a public or special act of the legislature. The bill specifies that this requirement applies to both partial and final allocations of ARPA funds.

The bill also requires the OPM secretary to immediately notify the Appropriations Committee whenever it is determined that a legislative ARPA allocation is not allowable under guidance from the federal government. The secretary's notice must include the reason for the determination and the allocation's specific amount and recipient.

EFFECTIVE DATE: Upon passage

§§ 101-105 — ELECTRONIC SYSTEM FOR TRANSMITTING VOTER REGISTRATION APPLICATIONS

Requires DMV, voter registration agencies, and public higher education institutions to use a secretary of the state-approved and NVRA-compliant electronic system to automatically transmit voter registration applications for qualified applicants to registrars of voters unless an applicant declines to apply for admission

By law, the Department of Motor Vehicles (DMV) commissioner must include a voter registration application as part of each motor vehicle driver's license application or renewal or each identity card application. Similarly, voter registration agencies (see BACKGROUND) must include a voter registration application with each service or assistance application, recertification, renewal, or change of address. Public higher education institutions must distribute

mail voter registration application forms.

The bill requires DMV, voter registration agencies, and public higher education institutions to use a secretary of the state-approved electronic system to automatically transmit voter registration applications for qualified applicants to registrars of voters unless the applicants decline to apply for admission. The system must also comply with the National Voter Registration Act (NVRA) (see BACKGROUND). (In practice, DMV must already do this under a memorandum of understanding (MOU) between the agencies (see BACKGROUND).)

The bill also makes several technical and conforming changes.

EFFECTIVE DATE: Upon passage, except that the changes affecting voter registration agencies and public higher education institutions are effective January 1, 2022.

Eligibility Verification

By law, voter registration forms include a statement that specifies each eligibility requirement and an attestation that the applicant meets each requirement (CGS § 9-20). The bill allows DMV, voter registration agencies, and public higher education institutions to waive attestation for any requirement for which they can verify an applicant's eligibility independently through a federally approved identity verification program or through other acceptable evidence. The electronic system may provide for transmittal of applicants' signatures on file with DMV, a voter registration agency, or public higher education institution, as applicable, to the secretary of the state.

The bill prohibits DMV, voter registration agencies, and public higher education institutions from processing voter registration applications using the electronic system if they determine that an individual applying for a credential, service, or assistance is not a U.S. citizen. If they cannot determine whether the individual is a U.S. citizen, then the applicant must attest to his or her citizenship prior to DMV, a voter registration agency, or a public higher institution may

process the voter registration application through the electronic system.

Transmittal

Under the bill, if DMV determines that an applicant for a motor vehicle driver's license or renewal, or for an identity card (i.e., "DMV credential"), meets each eligibility requirement for admission as an elector, then the commissioner must use an electronic system to immediately transmit a voter registration application for that individual unless he or she declines to apply for admission. Similarly, if a voter registration agency or public higher education institution determines that an applicant for assistance or services meets each eligibility requirement for admission as an elector, then the agency or institution must use an electronic system to immediately transmit a voter registration application for that individual unless he or she declines to apply for admission. In all cases, the application must be transmitted to the registrar of voters in the municipality where the individual resides.

Address Changes

The bill additionally requires DMV to use a secretary of the state-approved electronic system to notify registrars of voters of address changes for voter registration purposes. Under the bill, the electronic system (1) may provide for the transmittal of an applicant's signature, on file with DMV, to the secretary of the state and (2) must comply with NVRA requirements.

If DMV uses such a system, the secretary of the state may (1) prescribe alternative procedures for sending required information to electors who are removed from the registry list because they have moved out of town and (2) waive the requirement that registrars send the mail-in voter registration form to these electors.

Background — Voter Registration Agencies

The NVRA requires covered states to designate as voter registration agencies (1) all offices that provide federal or state public assistance, (2) all offices that provide state-funded programs primarily engaged in

providing services to individuals with disabilities, and (3) Armed Forces recruitment offices. States must also designate additional voter registration agencies, which may include (1) state or local offices like public libraries or schools, fishing and hunting license bureaus, or unemployment compensation offices or (2) with their agreement, federal or nongovernmental offices (52 U.S.C. § 20506).

Generally, all voter registration agencies must:

1. distribute the National Mail Voter Registration Form;

2. provide an "information form" on the voter-registration process;

3. help applicants complete the registration application unless they refuse assistance; and

4. accept completed voter registration applications and transmit them to the appropriate state election official within a prescribed timeframe.

Those agencies that provide public assistance or services to individuals with disabilities must include the National Mail Voter Registration Form, or an equivalent form that they design, with each application, recertification, renewal, or change of address form related to the assistance or services. Those providing in-home services to individuals with disabilities must provide the above-listed registration services in the individual's home.

Background — NVRA

The NVRA (P.L. 103-31) generally requires states to offer eligible citizens the opportunity to register to vote by:

1. applying as part of a motor vehicle driver's license application or renewal;

2. sending a mail-in application; or

3. applying in person at a designated voter registration agency,

including offices providing public assistance or services to individuals with disabilities.

The requirements apply to federal elections; however, in practice, states such as Connecticut have extended the procedures to state and local elections.

Background — MOU

Connecticut began implementing an automatic voter registration (AVR) system under a May 16, 2016, MOU between the Office of the Secretary of the State and DMV. The MOU established a method, process, and timeline for developing the system and required that it be fully implemented by August 7, 2018.

Under the MOU, Connecticut's AVR system must, among other things:

1. establish a schedule and method for DMV to electronically provide registrars of voters with the records of individuals who apply for or renew a DMV credential (i.e., driver's license or identity card);

2. allow individuals who submit DMV credential applications to change their voter registration status or record;

3. provide a way for records transmitted by the AVR system to constitute a completed voter registration application, and for registrars of voters to register applicants to vote unless an applicant is ineligible to vote, declines registration, or does not attest to meeting all voter eligibility requirements;

4. designate party preference as "unaffiliated" for a registrant who does not provide a preference; and

5. provide a way for applicants, as part of their voter registration application, to swear or affirm that they are U.S. citizens and meet all other voter eligibility requirements.

The AVR system must enable DMV to provide registrars of voters

with certain information about applicants, including name; birthdate; driver's license or identification card number, or last four digits of the Social Security number; whether the individual affirmatively declined to register to vote; and political party preference.

The MOU prohibits DMV from electronically transmitting through the AVR system the records of individuals who (1) were issued a DMV credential but were not U.S. citizens at the time of issuance or (2) have a "drive only" license, indicating that they cannot establish their legal presence in the U.S. or may not have a Social Security number.

§ 106 — E-SIGNATURE SYSTEM FOR ELECTIONS FORMS

Requires the secretary of the state to implement an e-signature system for most elections-related forms and applications

The bill requires the secretary of the state to develop and implement one or more systems through which she may allow individuals to submit an electronic signature to sign elections-related forms and applications, other than those for campaign finance purposes. It gives the secretary the discretion to determine the forms or applications included in the system. Under the bill, any form or application with such an electronic signature appearing on it is deemed to have the original signature.

The bill requires a state agency to provide any information to the secretary, upon her request, that she deems necessary to maintain the system or systems. The bill prohibits the secretary from using the information obtained from any state agency except for purposes of the elections-related e-signature system.

EFFECTIVE DATE: Upon passage

§ 107 — DISTRIBUTING VOTER REGISTRATION INFORMATION AT HIGH SCHOOLS

Requires registrars of voters to annually distribute voter registration information at public high schools

By law, registrars of voters must hold a voter registration session between January 1 and the last day of school in each public high school in the municipality. In regional school districts, registrars of each

member municipality hold the sessions on a rotating basis.

The bill requires registrars of voters to annually distribute information, on the fourth Tuesday in September, at each public high school about the qualifications and procedures for registering to vote. Under the bill, registrars and the principal of any public high school must determine the best distribution method. (Presumably, in regional school districts, registrars would distribute information on a rotating basis.)

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

§ 108 — TIME OFF TO VOTE

Requires employers to give an employee two hours of unpaid time off for state elections and certain special elections if he or she requests it in advance

The bill requires employers, through June 30, 2024, to give an employee two hours of unpaid time off from his or her regularly-scheduled work on the day of a regular state election to vote, if the employee requests it in advance. In the case of a special election for a U.S. Senator, U.S. Representative, state senator, or state representative, the requirement applies only to employees who are already electors.

In both cases, the time off must occur during regular voting hours (i.e., from 6:00 a.m. to 8:00 p.m.), and the employee must make the request at least two working days before the election. (The bill does not specify what happens if employers deny time-off requests.)

By law, Connecticut conducts Election Day Registration (EDR) during regular, but not special, elections (see BACKGROUND). Therefore, under the bill, it appears that employees who are not yet electors may take time off to register to vote through EDR for a regular state election, if qualified, and then vote.

EFFECTIVE DATE: Upon passage

Background — EDR

Connecticut conducts EDR during regular state and municipal

elections. Under EDR, a person may register to vote and cast a ballot on election day if he or she meets the eligibility requirements for voting in Connecticut and is (1) not already an elector or (2) registered in one municipality but wants to change his or her registration because he or she currently resides in another municipality (CGS § 9-19j).

§ 109 — VOTERS WITH DEVELOPMENTAL DISABILITIES

Eliminates the prohibition on mentally incompetent people being admitted as electors

The bill eliminates the prohibition on mentally incompetent people being admitted as electors.

It retains existing law's procedure for determining voting competency at the request of a person's guardian or conservator. Under this procedure, a person's guardian or conservator may file a petition in probate court to determine his or her competency to vote in a primary, election, or referendum. The court must hold a hearing no later than 15 days after the filing date, and the hearing must receive priority for trial (CGS § 45a-703).

EFFECTIVE DATE: Upon passage

§§ 110-112 — VOTING RIGHTS FOR INDIVIDUALS CONVICTED OF A FELONY

Eliminates the forfeiture of convicted felons' electoral privileges (i.e., voting rights) if they are committed to confinement in an in-state or out-of-state community residence; restores these privileges to convicted felons who are on parole or special parole or who are confined in a community residence

Forfeiture of Electoral Privileges (§ 111)

Under current law, an individual forfeits his or her right to be an elector, and all accompanying electoral privileges (i.e., the right to vote, run for public office, and hold an office), upon conviction of a felony and commitment to any state or federal prison (CGS § 9-46). Effective July 1, 2021, the bill eliminates a requirement that such individuals forfeit their electoral privileges if they are committed to Department of Correction (DOC) custody (or a state or county correction department outside of Connecticut) for confinement in a community residence (e.g., halfway house, group home, or mental health facility).

The bill also specifies that if an individual regains his or her electoral privileges after forfeiture, he or she must again forfeit them upon returning to confinement in a correctional institution or facility from the following:

1. parole or special parole;

2. release to (a) an educational program or work, (b) a community residence, (c) a zero-tolerance drug supervision program, (d) home confinement for certain motor vehicle and drug offenses, or (e) a community-based nursing home for palliative and end-of-life care; or

3. specified furloughs granted at the commissioner's discretion (e.g., to permit attendance at a relative's funeral or to obtain medical services not otherwise available).

Notice to Secretary of the State and Registrars of Voters (§ 110)

Effective July 1, 2021, the bill makes conforming changes to monthly reports that the (1) DOC commissioner must send to the secretary of the state and (2) secretary must transmit to registrars of voters. Under current law, the commissioner must send the secretary a list by the 15th of each month of all individuals convicted of a felony and committed to DOC custody in the previous calendar month for confinement in a correctional institution, facility, or community residence. The secretary must then send the list to the registrars of voters in towns where (1) these individuals resided at the time of their conviction or (2) she believes they may be electors.

The bill (1) eliminates the requirement that the DOC commissioner's report include a list of these individuals committed for confinement in a community residence and (2) additionally requires that it include a list of individuals returned to confinement in a correctional institution or facility for violating the terms of their parole, special parole, release, or furlough (see above). It must also include the date and nature of these violations. The bill makes conforming changes to the information the secretary must provide registrars of voters by similarly requiring

her to notify registrars in towns where (1) individuals returned to confinement resided at the time of their parole, special parole, release, or furlough violation (as applicable) or (2) she believes they may be electors.

Under existing law, after sending a written notice by certified mail to the individual's last known address, the registrars must remove his or her name from the registry list (CGS § 9-45).

Restoration of Electoral Privileges (§ 112)

Under current law, an individual imprisoned for a felony regains the right to vote and accompanying electoral privileges after paying all fines and completing any required prison and parole time.

Effective July 1, 2021, the bill allows convicted felons to regain their electoral privileges upon release from confinement in a correctional institution or facility. It eliminates current law's requirements that such individuals also, as applicable, (1) be released from a community residence, (2) be discharged from parole, and (3) pay all felony conviction-related fines. The bill specifies that any convicted felon who forfeited his or her electoral privileges and is confined in a community residence must have his or her electoral privileges restored.

Under the bill, the DOC commissioner must, within available appropriations, inform people who are on parole, special parole, or confined in a community residence of their right to become electors and the process for having their privileges restored.

The bill also makes conforming changes to a monthly report that the DOC commissioner must send to the secretary of the state. Under current law, the commissioner must send the secretary a list by the 15th of each month of all individuals convicted of a felony who were released in the previous calendar month from a correctional institution or facility or a community residence and, if applicable, discharged from parole.

The bill eliminates current law's requirement that the list include

community residence releases and parole discharges and instead requires that it include individuals who have begun confinement in a community residence. By law, unchanged by the bill, the secretary must send this list to the registrars in the towns where (1) the individuals lived at the time of their conviction or (2) she believes they may be electors.

EFFECTIVE DATE: July 1, 2021

§§ 113 & 114 — ELECTION NOTICES

Requires town clerks to post notices for state and municipal elections on the town website

The bill requires town clerks to post notices of state and municipal elections on their municipal website, in addition to placing them in a town or general circulation newspaper as required under existing law. Just as the law requires for newspaper notices, the online notices must appear not more than 15 days, nor less than 5 days, before an election. (For certain elections that occur before November 3, 2021, the bill delays the period during which clerks must provide the notices (see below).) It also requires that the notices include the time and location for each EDR location, as well as each polling place as under existing law.

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

§§ 113-114 & 141-157 — EXPANDED ABSENTEE VOTING AUTHORIZATION AND UPDATED FORMS FOR ELECTIONS OCCURRING BEFORE NOVEMBER 3, 2021

Extends to November 2, 2021, certain changes affecting absentee voting eligibility and procedures implemented for the 2020 state election as a result of COVID-19, including by (1) expanding the reasons for which electors may vote by absentee ballot to include the COVID-19 sickness; (2) allowing municipalities to conduct certain absentee ballot pre-counting procedures; and (3) extending, generally by 48 hours, numerous deadlines and timeframes associated with processing absentee ballots and canvassing and reporting the returns

The bill extends to November 2, 2021, certain changes affecting absentee voting eligibility and procedures implemented for the 2020 state election as a result of COVID-19. For a state or municipal election, primary, or referendum occurring before November 3, 2021 (hereafter,

"covered election, primary, or referendum"), the bill does the following, among other things:

1. expands the reasons for which electors may vote by absentee ballot to include the COVID-19 sickness;

2. gives the secretary of the state broad authority to change absentee voting forms and materials to conform to the expanded eligibility;

3. authorizes town clerks to mail absentee voting sets using a third-party vendor that the secretary of the state approves and selects;

4. authorizes municipalities to conduct certain absentee ballot pre-counting procedures;

5. authorizes the secretary of the state, subject to certain conditions, to waive requirements under the mandatory supervised absentee voting law;

6. moves up the deadline by which an elector who has returned a completed absentee ballot but later finds he or she is able to vote in person must go to the town clerk's office to request that the ballot be withdrawn; and

7. extends, generally by 48 hours, numerous deadlines and timeframes associated with processing absentee ballots and canvassing and reporting the returns.

The bill also makes several technical changes.

EFFECTIVE DATE: Upon passage

Expanded Authorization and Updated Forms (§§ 141-143)

For a covered state or municipal election, primary, or referendum, the bill expands the reasons for which electors may vote by absentee ballot to include the COVID-19 sickness (see BACKGROUND).

The bill requires that absentee ballots be updated for a covered election, primary, or referendum by inserting on the inner envelope's statement, "the sickness of COVID-19" as a reason for which electors may vote absentee. As with other types of absentee voters, those who vote by absentee ballot due to the COVID-19 sickness must sign the ballot under penalties of false statement in absentee balloting.

The bill also gives the secretary of the state broad authority to make changes to absentee voting forms and materials for a covered election, primary, or referendum when, in her opinion, changes are necessary to conform to law. The authorization applies to prescribed absentee voting forms and printed, recorded, or electronic materials.

Delivery of Absentee Ballots to Voters (§ 144)

The bill, with certain exceptions, authorizes town clerks to mail absentee voting sets for a covered election, primary, or referendum using a third-party vendor that the secretary of the state approves and selects. It also requires (1) town clerks to mail the absentee voting sets within 48 hours, rather than within 24 hours, after receiving an application and (2) that any contract between the secretary and a third-party vendor require the vendor to mail each set within 72 hours after receiving the application from the clerk.

The bill's provisions on mailing absentee ballot sets do not apply when a referendum is held with fewer than three weeks' notice since, by law, town clerks may provide absentee ballots for these referenda only to people who apply in person (CGS § 9-369c(a)).

Delivery of Returned Absentee Ballots to Registrars (§ 145)

As discussed below, for a covered election, primary, or referendum, the bill moves up the timeframe for absentee ballot sorting and checking procedures so that registrars of voters may begin certain pre-counting procedures.

By law, town clerks must sort any absentee ballots received by the day before an election, primary, or referendum into voting districts, and they may begin doing so seven days prior. For a covered election,

primary, or referendum, the bill authorizes clerks to begin sorting ballots 14 days prior.

For ballots received by 11:00 a.m. on the day before an election, primary, or referendum, the law requires registrars of voters to check the names of applicants returning absentee ballots on the official registry list with "A" or "Absentee." This sorting and checking must be completed by the day before, and the clerk must deliver the sorted and checked ballots to the registrars on the day of the election, primary, or referendum. For a covered election, primary, or referendum, the bill requires the town clerk to deliver these ballots at 6:00 a.m. unless a later time is mutually agreed upon.

The bill allows town clerks to deliver sorted and checked ballots to the registrars before the day of a covered election, primary, or referendum to begin certain pre-counting procedures (see below). Specifically, it allows any ballots received, sorted, and checked by 5:00 p.m. on the fourth day before the election, primary, or referendum to be delivered to the registrars at that time. It similarly allows ballots received, sorted, and checked by 5:00 p.m. on the third and second days before the election, primary, or referendum to be delivered to the registrars at those times.

In each case, the bill allows the clerk to deliver the ballots at a later time that he or she mutually agrees upon with the registrars. The bill also requires the (1) clerk to include with the ballots an up-to-date copy of the duplicate checklist and (2) clerk and registrars to execute an affidavit of delivery and receipt stating the number of ballots delivered. Existing law applies these requirements to ballots delivered on the day of an election, primary, or referendum.

Requirements for Opting in to Pre-Counting (§ 146)

Under the bill, any municipality opting to conduct pre-counting procedures for a covered election, primary, or referendum, must do so at a central location. The registrars of voters must designate the location in writing to their respective town clerks at least 10 days before the election, primary, or referendum, and the location must be

published in the warning for the election, primary, or referendum (see below).

If a municipality opts to use the pre-counting procedures, the bill requires the registrars of voters and town clerk to jointly certify this decision to the secretary of the state, in writing, at least 10 days before the election, primary, or referendum. The certification must include the (1) name, street address, and relevant contact information for the designated central location and (2) name and address of each absentee ballot counter.

The secretary must approve or disapprove the certification within two days after receiving it. The bill also allows her to require the municipality to appoint one or more additional absentee ballot counters.

By law, municipalities must count absentee ballots at a central location unless the registrars of voters agree to count them in each polling place. The bill specifies that any ballots delivered to the registrars on the day of a covered election, primary, or referendum (i.e., those not delivered for pre-counting procedures) may still be counted in the polling places.

Notifying the Public of Covered Elections and Primaries (§§ 113-114 & 147-148)

By law, the town clerk must notify the municipality's electors of a state or municipal election or primary by publishing the warning in a newspaper. The bill generally delays the period during which municipalities must publish these warnings, as shown in the table below.

Table: Notice Requirements

Bill §	*Requirement*	*Deadline or Timeframe Under Current Law*	*Deadline or Timeframe Under the Bill*
§ 113	Town clerk or assistant town clerk must notify electors of a vacancy election for member of Congress, probate judge, or state legislator by	From five to 15 days before the election	From four to seven days before the election

	publishing the warning in a general circulation newspaper		
§ 114	Town clerk or assistant town clerk must notify electors of a municipal election by publishing the warning in a general circulation newspaper	From five to 15 days before the election	From four to seven days before the election
§ 147	Town clerk must notify electors of a primary for state or district office by publishing the warning in a general circulation newspaper	• 14 days after the close of the convention for major party candidates who receive at least 15% of a roll call vote at the convention • 63 days before the election for major party candidates who petition onto the primary ballot	From four to seven days before the primary
§ 148	Town clerk must notify electors of a primary for municipal office, or for election as town committee member, by publishing the warning in a general circulation newspaper	• 34 days before the primary for municipal offices voted on at a municipal election, or for election as town committee member • 63 days before the primary for municipal offices voted on at a state election	From four to seven days before the election or primary

Authorized Pre-Counting Procedures (§ 149)

By law, absentee ballot sets consist of an outer envelope, which contains information about the elector (e.g., name and address), and an inner envelope, which contains the elector's marked ballot and a statement signed by the elector under penalty of false statement in absentee balloting. (By law, false statement in absentee balloting is a class D felony.)

The law sets out numerous absentee ballot counting steps, which are generally completed by absentee ballot counters or moderators. It requires that each of these steps be completed beginning on election day.

For municipalities that opt to use pre-counting procedures, the bill authorizes them to complete the following steps, beginning at 5:00 p.m. on the fourth day before the covered election, primary, or referendum:

1. remove the inner envelopes from the outer envelopes;

2. report to the moderator separately the total number of absentee ballots received; and

3. reject ballots for which the inner envelope statement is improperly executed.

Under the bill, once the above steps are completed, the absentee ballots must be counted beginning on the election, primary, or referendum day in accordance with existing law.

Securing the Absentee Ballots Until Election Day. The bill requires that absentee ballots be secured throughout any pre-counting process. Specifically, the ballots must be secured according to (1) instructions from the secretary of the state and (2) existing statutory requirements on securing absentee ballots and related materials. Under the bill, the secretary must issue these instructions at least 10 days before the covered election, primary, or referendum.

Mandatory Supervised Absentee Voting (§ 150)

The bill authorizes the secretary of the state to waive any requirements under the mandatory supervised absentee voting law for a covered election or primary (see BACKGROUND). To waive a requirement, she must do so in recognition of the governor's March 10, 2020, declaration of public health and civil preparedness emergencies.

Before any waiver, the secretary must do the following:

1. consult with the public health commissioner, or the commissioner's designee;

2. give written notice to the town clerk and registrars of voters in each affected municipality; and

3. submit a report to the Government Administration and Elections Committee, advising of the waiver and specifying alternative actions that will be taken to provide any affected electors with absentee voting opportunities.

Deadline for Withdrawing a Submitted Absentee Ballot (§ 151)

By law, electors who submit an absentee ballot must go to the town clerk's office and request to withdraw it if they later find they can vote in person. For a covered election, primary, or referendum, the bill moves up this deadline from 10:00 a.m. on the election, primary, or referendum day to 5:00 p.m. on the fourth day before it, which is the same time that municipalities may begin pre-counting procedures.

Extension of Certain Deadlines & Timeframes (§§ 152-157)

The bill extends, generally by 48 hours, numerous deadlines and timeframes associated with processing absentee ballots and canvassing and reporting returns for a covered election, primary, or referendum (see CGS §§ 9-369c(f) and 9-381a) (see BACKGROUND). The changes also generally apply to a referendum held in conjunction with a covered election.

The table below lists, in chronological order, the deadlines and timeframes under current law and the bill.

Table: Changes to the 2021 Election Calendar

Bill §	*Requirement*	*Deadline or Timeframe Under Current Law*	*Deadline or Timeframe Under the Bill*
§ 154	After submitting the preliminary list of returns, moderator completes the canvass, which includes announcing (1) each candidate's name and absentee vote count and (2) the results for any ballot	48 hours after the polls close	96 hours after the polls close

	questions		
§ 156	Moderator submits to the secretary of the state the duplicate list of returns (1) by electronic means and (2) in sealed, hard copy	• 48 hours after the polls close for the electronic submission • Three days after the election, primary, or referendum for the sealed, hard copy	• 96 hours after the polls close for the electronic submission • Five days after the election, primary, or referendum for the sealed, hard copy
§ 153	Moderator deposits certificate (from the official checkers) with town clerk indicating the total number of names on the official checklist and the number checked as having voted	48 hours after the polls close	96 hours after the polls close
§ 153	Registrars deposit signed registry list with town clerk	48 hours after the polls close	96 hours after the polls close
§ 157	Registrars provide town clerk with results of votes cast	48 hours after the polls close	96 hours after the polls close
§ 157	For municipalities divided into voting districts, the (1) head moderators, town clerk, and registrars meet to identify any errors in the election or primary night returns and (2) moderators correct any errors and file an amended return with the secretary of the state, town clerk, and registrars	• 9:00 a.m. on the third day after the election, primary, or referendum for the meeting • 1:00 p.m. on the third day after the election, primary, or referendum for any amended return	• 9:00 a.m. on the fifth day after the election, primary, or referendum for the meeting • 1:00 p.m. on the fifth day after the election, primary, or referendum for any amended return
§ 155	If there appears to be a discrepancy, tie vote, or close vote, including a close vote in a referendum, the head moderator calls for a recanvass (CGS §§ 9-311a, -311b, & -370a)	Three days after the election, primary, or referendum	Five days after the election, primary, or referendum
§ 155	When a recanvass is required due to a discrepancy, tie vote, or close vote, including a close vote in a referendum, the recanvass officials meet to recanvass the returns (CGS §§ 9-311a, -311b, & -370a)	Five business days after the election, primary, or referendum	Seven business days after the election, primary, or referendum
§ 152	In the event of a recanvass, absentee ballot depository	Five business days after the election,	Seven business days after the

	envelopes may be unsealed by court order or State Elections Enforcement Commission subpoena	primary, or referendum	election, primary, or referendum
§ 155	If a discrepancy, close vote, or tie vote recanvass results in a correction to the original returns, the moderator files one copy of the corrected recanvass return with the secretary of the state and another with the town clerk	10 days after the election, primary, or referendum	12 days after the election, primary, or referendum

Background — Permitted Reasons for Voting by Absentee Ballot

The state constitution authorizes the General Assembly to pass a law allowing eligible voters to cast their votes by absentee ballot if they are unable to appear at a polling place on election day because of (1) absence from their city or town, (2) sickness or physical disability, or (3) the tenets of their religion prohibit secular activity (Art. VI, § 7). The General Assembly exercised this authority and passed laws codified at CGS § 9-135.

CGS § 9-135 permits eligible voters to vote by absentee ballot if:

1. they are absent from the municipality in which they reside during all hours of voting;

2. they are ill or have a physical disability;

3. the tenets of their religion forbid secular activity on the day of the primary, election, or referendum;

4. they are in active service in the U.S. Armed Forces; or

5. their duties as a primary, election, or referendum official outside of their voting district will keep them away during all hours of voting.

Background — Issuing Absentee Ballot Sets

By law, town clerks begin issuing absentee voting sets 31 days before an election and 21 days before a primary, or if that day falls on a

weekend or holiday, the next preceding business day. Generally, clerks begin issuing the sets 19 days before a referendum or when an elector applies for an absentee ballot, whichever is later. However, when a referendum is held with fewer than three weeks' notice, clerks must make the sets available no later than four business days after the question is finalized (CGS §§ 9-140(f) and 9-369c(a) & (e)).

Background — Mandatory Supervised Absentee Voting

Under the mandatory supervised absentee voting law, registrars of voters or their designees must supervise absentee voting at "institutions" (e.g., nursing homes and other residential care and mental health facilities) in which at least 20 patients are registered voters (including patients who are registered in a municipality other than the one where the institution is located). During these voting sessions, registrars or their designees deliver absentee ballots to the institution and jointly supervise voters while they fill out the ballots. Voters have the right to complete their ballots in secret, but registrars observe the process and are available to assist upon request.

Background — Application of Election Procedures to Primaries and Referenda

By law, unless otherwise provided, procedures for regular elections apply to primaries as nearly as possible (CGS § 9-381a). Similarly, absentee ballot procedures for elections (e.g., issuing and returning the ballots and declaring the count) also apply to referenda as nearly as possible (CGS § 9-369c(f)).

§ 115 — ONLINE SYSTEM FOR ABSENTEE BALLOT APPLICATIONS

Allows people to apply to the secretary of the state for an absentee ballot using an online system, which the secretary must establish and maintain

The bill allows individuals to apply to the secretary of the state for an absentee ballot using an online system, which she must establish and maintain for that purpose. To use the system, an applicant's signature must be obtained from a state or federal agency's database, another state's voter registration database, or the e-signature system established by the bill (see Section 6) and imported into the online

system.

By law, unchanged by the bill, people may also apply for an absentee ballot with the town clerk in the municipality where they are eligible to vote or have applied to register to vote.

The bill also makes technical changes.

EFFECTIVE DATE: July 1, 2021

Procedure

Under the bill, an applicant using the online system must, on a secretary-prescribed form, type his or her name and indicate the municipality in which he or she is eligible to vote or has applied to register to vote. No later than 24 hours after receiving an application through the system, the secretary must transmit it to the applicable town clerk.

Required Affirmation

Applicants must swear or affirm the following under penalty of false statement in absentee balloting:

1. I am the person whose name is provided, and I desire to apply for an absentee ballot.

2. I am eligible to vote in the municipality indicated or have applied for such eligibility.

3. I authorize the Department of Motor Vehicles or other Connecticut state agency to transmit to the Connecticut Secretary of the State my signature that is on file with such agency and understand that such signature will be used by the Secretary for an absentee ballot as if I had signed this form personally.

By law, making a false statement in absentee balloting is a class D felony, punishable by up to 5 years in prison, a fine of up to $5,000, or both (CGS § 9-359a).

§ 116 — DROP BOXES FOR RETURNING ABSENTEE BALLOTS

Makes permanent the use of drop boxes for returning absentee ballots

By law, voters may return completed absentee ballots via mail (e.g., the U.S. Postal Service) or in person at the town clerk's office. Under the bill, for a state or municipal election, primary, or referendum, they may also deposit them in secure drop boxes designated for that purpose by their town clerk. Town clerks must designate the drop boxes following instructions that the secretary of the state prescribes. (Drop boxes were first implemented for the 2020 state election as a result of COVID-19.)

Beginning 29 days before a primary, election, or referendum, and each weekday thereafter until the polls close, the bill requires town clerks to retrieve absentee ballots from the secure drop boxes. (Presumably, for primaries and referenda, the requirement applies only after town clerks begin issuing absentee ballot sets (see BACKGROUND).) The bill eliminates a requirement that applied during the 2020 state election under which a police officer had to escort the town clerk in retrieving absentee ballots from any drop box located outside of a building other than the clerk's office building.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage

Background — Issuing Absentee Ballot Sets

By law, town clerks begin issuing absentee voting sets 31 days before an election and 21 days before a primary; or, if that day falls on a weekend or holiday, on the next preceding business day. Generally, clerks begin issuing the sets 19 days before a referendum or when an elector applies for an absentee ballot, whichever is later. However, when a referendum is held with fewer than three weeks' notice, clerks must make the sets available no later than four business days after the question is finalized (CGS §§ 9-140(f) and 9-369c(a) & (e)).

§ 116 — ABSENTEE BALLOT RETURN BY SIBLINGS AND DESIGNEES

Expands who is eligible to return absentee ballots on behalf of a voter as an immediate family member or designee

The bill expands who is eligible to return absentee ballots on behalf of absentee voters. First, the bill authorizes the siblings of absentee voters to return absentee ballots on their behalf, in person to the town clerk, by expanding the definition of "immediate family member" for this purpose. Similarly, it authorizes the siblings of absentee voters who are students to mail absentee ballots on their behalf. Existing law also applies this eligibility to the following immediate family members: a dependent relative living with the voter or a spouse, child, or parent.

The bill also expands who is eligible to be a "designee" for purposes of mailing or returning in person to the town clerk an absentee ballot on behalf of a person with an illness or physical disability. Under the bill, a designee includes a police officer, registrar of voters, or deputy or assistant registrar under any circumstance, not just when another designee is unavailable or does not consent. Under existing law, "designee" also means (1) a person who cares for the applicant because of an illness or physical disability (e.g., physician or nurse) or (2) a designated family member who consents to the designation.

EFFECTIVE DATE: Upon passage

§ 117 — PERMANENT ABSENTEE BALLOT STATUS

Makes electors suffering from a long-term illness eligible for permanent absentee ballot status, among other things

The bill makes electors suffering from a long-term illness eligible for permanent absentee ballot status, in addition to those with a permanent physical disability as under existing law. By law, electors with permanent absentee ballot status receive an absentee ballot for each election, primary, and referendum in which they are eligible to vote.

The law requires registrars of voters to send an annual address confirmation notice to determine if those with the status continue to reside at the address on their permanent absentee ballot application. Under current law, registrars must remove electors from permanent

status if (1) the notice is returned as undeliverable or (2) the elector fails to return it to the registrars within 30 days after it is sent. The bill instead gives electors up to 60 days to return the notice.

The bill also makes a technical change.

EFFECTIVE DATE: Upon passage

§ 118 — VOTER REGISTRATION INFORMATION

Generally limits disclosure of certain voter registration information

The bill limits disclosure of a voter's date of birth maintained under state election law to year and month of birth unless the information is requested and used for a governmental purpose, as determined by the secretary of the state. In that case, the complete birth date must be provided. The bill specifies that "a governmental purpose" must at least include jury administration. (The bill does not specify a process for making this determination.)

The bill makes a voter's name and address confidential and prohibits their disclosure from the voter registry list if the voter submits a statement signed under penalty of false statement to the secretary of the state indicating that nondisclosure is necessary for the safety of the voter or his or her family. It requires that the statement be signed under penalty of false statement. By law, giving a false statement is a class A misdemeanor, punishable by up to one year in prison, up to a $2,000 fine, or both (CGS § 53a-157b). Under the bill, primary, election, or referendum officials may view the voter's information on the official registry list at the polling place during any primary, election, or referendum.

The bill conforms the law to current practice by making confidential unique identifiers that generate voter registration records or are added to these records pursuant to the federal Help America Vote Act, as well as by prohibiting their disclosure (see BACKGROUND). Under the bill, "unique identifiers" include motor vehicle license numbers, identity card numbers, and Social Security numbers.

EFFECTIVE DATE: Upon passage

Background — Unique Identifiers

The Freedom of Information Commission has consistently declined to order disclosure of Social Security numbers, employee identification numbers, and drivers' license numbers (see for example Docket #FIC 2014-032 and Docket #FIC 2014-438).

§§ 119 & 120 — DEADLINE TO CHALLENGE CERTAIN CANDIDATES

Moves up the deadline by which a challenger must file a candidacy for nomination against the party-endorsed candidate in a special election for (1) judge of probate in a multi-town district or (2) a member of Congress

The law establishes procedures that major political parties must follow when nominating candidates to run in a special election (i.e., an election to fill a vacancy) (see BACKGROUND). For vacancies in the offices of judge of probate in a multi-town district and U.S. representative and U.S. senator, it generally allows the party's endorsed candidate to be challenged in a primary unless the vacancy occurs between the 125th day and 63rd day before a regular November state or municipal election (in which case the endorsed candidate becomes the nominee).

Under current law, a person who seeks a primary against an endorsed candidate for these offices must file a candidacy for nomination with the secretary of the state within 14 days after the party's endorsement. The bill moves up this filing deadline to the day after the endorsement and makes conforming changes. As under existing law, a person may file a candidacy for nomination to these offices if he or she (1) receives at least 15% of the convention delegates on any roll-call vote taken on the endorsement or (2) submits a petition with a specified number of signatures from enrolled party members (i.e., 2% of statewide members for U.S. senator; 2% of district members for U.S. representative; and 5% of district members for judge of probate) (CGS § 9-400).

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

Background — Major Parties

By law, a "major party" is one whose (1) candidate for governor received, under the party's designation, at least 20% of the votes cast for governor in the preceding gubernatorial election or (2) enrolled membership comprises at least 20% of the total number of enrolled members of all political parties in the state (as of the most recent gubernatorial election) (CGS § 9-372(5)).

§ 121 — POST-ELECTION AUDITS

Subjects centrally counted absentee ballots to post-election audits

The law requires registrars of voters to audit at least 5% of the state's voting districts after a federal, state, or municipal regular election or primary. The secretary of the state selects the voting districts to be audited in a random drawing that is open to the public.

The bill subjects centrally counted absentee ballots to post-election audits by designating central-count locations as voting districts for this purpose. Currently, centrally counted absentee ballots are excluded from post-election audits because they are not counted in a voting district.

EFFECTIVE DATE: Upon passage

§ 122 — SUPERVISED ABSENTEE VOTING

Authorizes the secretary of the state to suspend supervised absentee voting or mandatory supervised absentee voting in recognition of a public health or civil preparedness emergency

The bill authorizes the secretary of the state to suspend supervised absentee voting that happens upon request, or mandatory supervised absentee voting (see BACKGROUND), so long as she does so in recognition of a public health or civil preparedness emergency declared by the governor. It requires the secretary to submit a report to the Government Administration and Elections (GAE) Committee advising of the suspension and specifying alternative actions that will be taken to provide absentee voting opportunities for the affected electors.

It also eliminates registrars' current discretionary authority to

conduct supervised absentee voting sessions in locations where the town clerk receives at least 20 absentee ballot applications from the same street address in town, such as an apartment building.

(The secretary may also waive requirements for mandatory supervised absentee voting for a state or municipal election, primary, or referendum occurring before November 3, 2021 (see below).)

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

Background — Supervised Absentee Voting

Under supervised absentee voting, registrars of voters or their designees supervise absentee voting at certain "institutions" (e.g., nursing homes and other residential care and mental health facilities). During these voting sessions, registrars or their designees deliver absentee ballots to the institution and jointly supervise voters while they fill out the ballots. Voters have the right to complete their ballots in secret, but registrars observe the process and are available to assist upon request.

Registrars must conduct a session in an institution in which at least 20 patients are registered voters (including patients who are registered in a municipality other than the one where the institution is located). For institutions with fewer than 20 residents, registrars generally conduct a session upon request by the institution's administrator or a registrar of voters of the town in which the residents are electors (CGS §§ 9-159q & 9-159r).

§ 123 — ABSENTEE BALLOTS FOR ELECTORS WITH A VISUAL IMPAIRMENT

Requires the secretary of the state to provide electors who are unable to appear at their polling place because of a visual impairment with an electronic absentee ballot

The bill requires the secretary of the state to electronically provide an absentee ballot to an elector who is unable to appear at his or her polling place because of a visual impairment. The absentee ballot must be in a format capable of being read by a computer-related device and

printed. It also requires that the ballot, if signed by the elector, be counted if it otherwise satisfies all the requirements for returned absentee ballots (e.g., returned no later than the close of the polls).

EFFECTIVE DATE: Upon passage

§ 124 — ASSISTANCE IN VOTING BOOTHS AT EDR LOCATIONS

Specifies that electors may receive voting assistance in voting booths at designated EDR locations

By law, electors may receive voting assistance from anyone other than their employer, employer's agent, union representative, or with one exception, candidates whose names appear on the ballot. (A candidate may provide assistance if the elector making the request is an immediate family member.)

Currently, a person assisting an elector may accompany that person into the voting booth. The bill specifies that this authorization applies at both polling places and designated EDR locations.

EFFECTIVE DATE: Upon passage

§§ 125-128 — POLLING PLACE CHALLENGERS

Conforms the law with current practice by eliminating provisions authorizing registrars of voters to appoint challengers as polling place officials

Current law authorizes each municipality's registrar of voters to appoint up to two challengers per polling place who may challenge the right of anyone attempting to vote if the challenger knows, suspects, or reasonably believes that there is some doubt as to the voter's identity, residence, or disenfranchisement status. The moderator decides any challenge.

The bill conforms the law with current practice by eliminating registrar-appointed challengers as authorized poll workers during a primary or election. Existing law, unchanged by the bill, authorizes any elector to act as a challenger.

EFFECTIVE DATE: Upon passage

§ 129 — STUDY ON DISTRIBUTION OF MAIL VOTER REGISTRATION APPLICATIONS BY AGENCIES

Requires the secretary of the state and various agencies to study the capabilities of state agencies in providing an electronic system that distributes mail voter registration applications

The bill requires the secretary of the state to study the technological and staffing capabilities of various state agencies in providing an electronic system that distributes mail voter registration applications. In conducting the study, the secretary must consult with department heads, including at least the commissioners of consumer protection, emergency services and public protection, energy and environmental protection, and veterans affairs.

The bill requires the secretary, by February 1, 2023, to submit a report to the GAE Committee that includes the study's findings and legislative recommendations for authorizing a state agency to provide such an electronic system.

EFFECTIVE DATE: Upon passage

§§ 130-135 & 542 — MUNICIPAL ELECTION DATE

Generally requires each municipality to hold its biennial municipal election on the Tuesday after the first Monday in November of odd-numbered years; extends existing provisions on transitioning and deferring terms of office to, and establishes new provisions for, municipalities that change their election date

Starting January 1, 2022, the bill requires each municipality to hold its biennial municipal election on the Tuesday after the first Monday in November of odd-numbered years unless its legislative body votes by a three-fourths majority to hold the election on the first Monday in May of odd-numbered years. Under the bill, a municipality that opts for a May election date using this procedure may subsequently move its election date to November through a majority vote of its legislative body. The bill eliminates provisions in current law that (1) allow municipalities to change the date of their biennial municipal election by vote of their legislative body approved at a referendum or by charter and (2) prohibit municipalities from changing an upcoming election's date within six months before its occurrence.

The bill generally extends, to municipalities that change their

election date, existing law's provisions on transitioning and deferring terms of office. It also makes several technical and conforming changes, including repealing an obsolete statute on transitioning terms of office.

EFFECTIVE DATE: January 1, 2022

Transitioning and Deferring Terms of Office

The table below summarizes existing law's transition provisions and their application under the bill.

Table: Transitioning and Deferring Terms of Office

§	*Municipalities to Which Provision Applies*	*Requirement or Authorization*
130	Any municipality that changes its election date	The terms of any elected officials that are set to expire before the next regular election because of an election date change must be extended to the date of that election.
131	Any municipality that changes its election date	For boards or commissions with a rotating membership and some members elected before the election date change to terms beginning approximately one year after that election, the legislative body may defer the terms in order to continue the rotation. (For certain bodies, such as zoning boards of appeals, this may be done by ordinance.)
132	A municipality that changes its election date from November to May on or after January 1, 2022	The terms of incumbent municipal elected officials must be reduced to conform to the change, but by no more than nine months.
132	A municipality that changes its election date from May to November on or after January 1, 2022	The terms of incumbent municipal elected officials must be extended to conform to the change, but by no more than nine months.

Background — Municipalities and Boroughs Holding May Municipal Elections

According to the Office of the Secretary of the State, the following five municipalities hold biennial municipal elections on the first Monday in May in odd-numbered years: Andover, Bethany, Union,

Woodbridge, and the City of Groton. The remaining municipalities (including the Town of Groton) hold their elections in November.

In addition, the following eight boroughs hold biennial municipal elections on the first Monday in May in odd-numbered years:

1. Bantam (Litchfield)
2. Danielson (Killingly)
3. Fenwick (Old Saybrook)
4. Jewett City (Griswold)
5. Litchfield
6. Newtown
7. Stonington
8. Woodmont (Milford)

§ 136 — TASK FORCE ON ABSENTEE BALLOT ENVELOPES

Establishes a task force to study the feasibility of implementing procedures under which absentee ballot applicants return absentee ballots using one envelope instead of two

The bill establishes a 12-member task force to study the feasibility of implementing procedures under which absentee ballot applicants return absentee ballots using one envelope instead of two. The study must examine and identify each section of the general statutes that requires amending to implement these procedures.

EFFECTIVE DATE: Upon passage

Membership

Under the bill, the task force consists of the following members:

1. the secretary of the state or her designee;
2. one member each appointed by the Senate president pro tempore, House speaker, and Senate and House minority leaders;

3. one member each appointed by the Government Administration and Elections (GAE) Committee chairpersons and ranking members;

4. two members, enrolled in different political parties, appointed by the president of the Registrars of Voters Association of Connecticut; and

5. one member appointed by the president of the Connecticut Town Clerks Association.

Initial appointments must be made no later than 30 days after the bill's passage. Legislative appointments may be legislators, and appointing authorities fill vacancies. The House speaker and Senate president pro tempore must select the task force chairpersons from among its members.

Meeting, Staff, and Reporting

The bill requires the chairpersons to hold the task force's first meeting no later than 60 days after the bill's passage. The GAE Committee's administrative staff must serve as the task force's administrative staff.

By January 1, 2022, the task force must report its findings and recommendations to the GAE Committee. It terminates on that date or when it submits the report, whichever is later.

§ 137 — WORKING GROUP ON RISK-LIMITING AUDITS

Establishes a working group to examine risk-limiting audits and oversee a related pilot program, within available appropriations, in five to 10 municipalities for the 2021 municipal elections

The bill establishes a 12-member working group on risk-limiting audits. The group's purpose is to (1) consider risk-limiting audits for determining election results' accuracy and (2) oversee a pilot program, within available appropriations, in five to 10 municipalities on one or more risk-limiting audit methods for the 2021 municipal elections.

As part of its work, the working group must at least examine the following:

1. the feasibility of implementing risk-limiting audits;

2. different methods used in these audits and the practical considerations for implementing each method within Connecticut's existing statutory framework; and

3. procedures, potential equipment, and changes to the statutory framework necessary to implement one or more of these methods.

EFFECTIVE DATE: Upon passage

Membership

Under the bill, the working group consists of the following members:

1. the secretary of the state, or her designee;

2. one member each appointed by the Senate president pro tempore, House speaker, and Senate and House minority leaders;

3. two members, enrolled in different political parties, appointed by the GAE Committee chairpersons and ranking members;

4. two members appointed by the secretary of the state, one with election law expertise and admitted to practice law in Connecticut, and the other a statistician;

5. two members, enrolled in different political parties, appointed by the president of the Registrars of Voters Association of Connecticut; and

6. the director of UConn's Center for Voting Technology Research, or the director's designee.

Initial appointments must be made no later than 30 days after the bill's passage. Legislative appointments may be legislators, and appointing authorities fill vacancies. The secretary of the state, or her

designee, serves as the chairperson.

Meeting, Staff, and Reporting

The bill requires the secretary of the state, or her designee, to hold the task force's first meeting no later than 60 days after the bill's passage. The GAE Committee's administrative staff must serve as the task force's administrative staff.

By January 31, 2022, the working group must report its findings and recommendations to the GAE Committee and to the secretary of the state. It terminates on that date or when it submits the report, whichever is later.

§ 138 — MINOR PARTY RULES

Increases the time period that minor party rules must be on file with the secretary of the state before the party's candidates may appear on the ballot

By law, minor parties must nominate candidates and certify the list of candidates no later than 62 days before the election (e.g., September 20, 2020) (CGS § 9-452). Under current law, a copy of the party rules must be on file with the secretary of the state for at least 60 days before the nomination in order for a nominated candidate's name to appear on the official ballot. The bill extends this time period to at least 180 days before the nomination. "Party rules" includes any amendments to them.

EFFECTIVE DATE: Upon passage

§ 139 — COUNCIL ON SEXUAL MISCONDUCT CLIMATE ASSESSMENTS

Adds the Higher Education and Employment Advancement Committee's ranking members to the Council on Sexual Misconduct Climate Assessments

The bill adds the Higher Education and Employment Advancement Committee's ranking members to the Council on Sexual Misconduct Climate Assessments, thus increasing the council's size to 22 members. The council is established within the Legislative Department by sHB 6374 of the 2021 regular session (File 748, passed by both chambers) and must, among other things, develop a list of data points for higher education institutions to collect using sexual misconduct climate

assessments and recommend guidelines for implementing the assessments.

EFFECTIVE DATE: July 1, 2021

§ 140 — TOWN COMMITTEE PRIMARIES

Establishes circumstances under which town committee members who are chosen in a direct primary in certain municipalities are deemed elected without a primary

The bill establishes circumstances under which town committee members who are chosen in a direct primary in certain municipalities are deemed elected to the committee without a primary. Under the bill, in municipalities with a population of 100,000 or more as estimated by the most recent version of the State Register and Manual, no direct primary is held if, by 4:00 p.m. on the 49th day before the primary (i.e., 15 days before the deadline for filing candidacy petitions), the number of people who have requested petition forms and filed a statement consenting to be a candidate (1) does not exceed the number of town committee members being elected but (2) is at least 25% of that number.

The bill instead exempts these candidates from the law's primary petition deadline and signature requirements and deems them elected to the town committee without a direct primary. (Generally, the law requires that these petitions be (1) filed with the registrar of voters by 4:00 p.m. on the 34th day before the primary; (2) signed by at least 5% of the enrolled party members in the town, or a lesser number if provided in the party rules; and (3) certified by the registrar of voters (CGS §§ 9-405 to -406 and -412).)

EFFECTIVE DATE: Upon passage

Background — Town Committees

Under existing law, major political parties must select a town committee in each town. They must choose party-endorsed candidates at a caucus unless the party rules provide for a direct primary (CGS §§ 9-390(c) and -392).

By law, a party's endorsed candidates for town committee are

deemed elected to the committee unless candidates numbering at least 25% of the seats to be filled on the committee successfully petition for a primary (CGS §§ 9-415(d) & -417). If the party rules provide for a direct primary, then the party does not make any endorsements. Rather, all committee members are elected in the primary (CGS § 9-390(g)). Town committee primaries are held on the first Tuesday in March in even-numbered years (CGS § 9-425).

By law, a "major party" is one whose (1) candidate for governor received, under the party's designation, at least 20% of the votes cast for governor in the preceding gubernatorial election or (2) enrolled membership comprises at least 20% of the total number of enrolled members of all political parties in the state (as of the most recent gubernatorial election) (CGS § 9-372(5)).

§ 158 — ABSENTEE BALLOT SIGNATURE VERIFICATION PILOT PROGRAM

Requires the secretary of the state to establish a pilot program to manually or electronically verify signatures on the inner envelopes for returned absentee ballots at the 2022 state election

The bill requires the secretary of the state to establish a pilot program to manually or electronically verify signatures on the inner envelopes for returned absentee ballots at the 2022 state election. She must randomly select five municipalities to participate in the program, based on their population according to the most recent version of the state register and manual, as follows:

1. one municipality with a population of less than 10,000;
2. one municipality with a population between 10,000 and 24,999;
3. one municipality with a population between 25,000 and 49,999;
4. one municipality with a population between 50,000 and 99,999; and
5. one municipality with a population of 100,000 or greater.

By January 1, 2023, the secretary must submit a report on the

program's findings and recommendations for legislation to the Government Administration and Elections Committee.

EFFECTIVE DATE: Upon passage

§ 159 — COVID-19 VACCINATION STATUS INFORMATION

Requires DPH, upon request, to provide to a person (or parent or guardian of a minor) information confirming that the person received the COVID-19 vaccination, but otherwise not disclose this information without consent

Under the bill, if a person has received a COVID-19 vaccination, DPH must provide to that person information on the person's COVID-19 vaccination status, as provided to DPH by the vaccination provider. This same requirement applies if a parent or guardian requests this information for a minor child.

The bill prohibits DPH from disclosing a person's COVID-19 vaccination status to anyone else unless the person, parent, or guardian authorizes it, in a form and manner the commissioner prescribes.

EFFECTIVE DATE: Upon passage

§ 160 — STUDENT ATHLETE COMPENSATION

Modifies provisions in HB 6402, extending the date by which (1) student athletes may begin earning compensation through an endorsement contract or employment in an activity unrelated to any intercollegiate athletic program and (2) higher education institutions must adopt or update their related policies; prohibits student athletes from receiving compensation for the use or their name, image, or likeness, as an incentive to attend a specific institution or athletic program

The bill modifies a provision from HB 6402 (which passed both chambers) on student athlete compensation in higher education institutions. Specifically, it:

1. extends, from September 1, 2021, to January 1, 2022, the date by which (a) student athletes may earn compensation through an endorsement contract or employment in an activity unrelated to any intercollegiate athletic program and (b) each higher education institution's governing board must adopt or update its related policies and

2. prohibits student athletes from receiving compensation for the use of their name, image, or likeness, as an incentive to attend, enroll in, or continue attending a specific higher education institution or intercollegiate athletic program.

EFFECTIVE DATE: July 1, 2021

§§ 161 & 163 — PUBLIC AGENCY MEETINGS USING ELECTRONIC EQUIPMENT

Authorizes public agencies to conduct meetings using electronic equipment until April 30, 2022, and establishes requirements and procedures for doing so

Under the Freedom of Information Act (FOIA), public agencies must make their meetings, other than executive sessions, open to the public. The bill allows public agencies, until April 30, 2022, to hold public meetings that are accessible to the public through electronic equipment, or through electronic equipment in conjunction with an in-person meeting.

The bill establishes several requirements for meetings held using electronic equipment, including that votes generally be conducted by roll call and that members of the public have the same participation opportunities as they would for an in-person meeting.

EFFECTIVE DATE: July 1, 2021, except that certain definitions are effective upon passage.

Electronic Equipment (§§ 161 & 163(a))

Under current law, FOIA's definition of "meeting" includes those held by electronic equipment, but it does not explicitly authorize, or establish procedures for, telephone or other remotely held meetings (see BACKGROUND).

The bill defines "electronic equipment" for purposes of FOIA as any technology facilitating real-time access to meetings, including telephone, video, or other conferencing platforms.

Notice and Agenda (§ 163(a) & 163(c))

Regular Meetings. The bill requires public agencies, other than the

legislature, to provide at least 48 hours' notice before conducting a regular meeting by electronic equipment. The agency must notify its members in writing or by electronic equipment and post a notice in its regular office or place of business and on its website, if available. Additionally, (1) state and quasi-public agencies must post a notice on the secretary of the state's website and in her office and (2) public agencies of political subdivisions, other than quasi-public agencies, must post notice in the (a) subdivision's clerk's office or (b) clerk's office for each municipal member of a multi-town district or agency.

The bill requires that the agenda for any regular meeting held by electronic equipment be posted at least 24 hours before the meeting in the same manner described above. Both the notice and agenda must include instructions for the public to attend and provide comment or otherwise participate in the meeting through electronic equipment or in person, as applicable and permitted by law. Under the bill, both the notice and agenda must comply with FOIA.

Special Meetings. The bill requires public agencies, other than the legislature, to include in the notice of a special meeting whether it will be held solely or in part by electronic equipment. The agency must post the notice and agenda at least 24 hours before the meeting in accordance with FOIA's existing requirements.

The bill also requires that the above instructions for meeting attendance and participation be included in any notice and agenda of a special meeting that will be held by electronic equipment. (A special meeting is one held to consider business that (1) was unforeseen when scheduling regular meetings and (2) should be addressed before the next regular meeting.)

Conducting Meetings (§ 163(b), 163(d), 163(e) & 163(g))

Under the bill, if a public agency holds a meeting (other than an executive session or emergency special meeting) solely by electronic equipment, then it must provide any member of the public with (1) a physical location and electronic equipment needed to attend the meeting in real-time, if requested in writing at least 24 hours before the

meeting, and (2) the same opportunities to comment, testify, or otherwise participate that he or she would have for an in-person meeting. However, the bill specifies that it does not require public agencies to offer any of these participation opportunities to members of the public attending electronically if they are not legally required to do so for members of the public attending in person.

Under the bill, if a quorum of a public agency's members attend a meeting by electronic equipment from the same physical location, then the agency must allow the public to attend the meeting at that location. Additionally, any public agency that holds a meeting must provide its members with the opportunity to participate by electronic equipment.

For meetings that agencies conduct by electronic equipment, the bill requires participants (both agency members and the public) to make a good-faith effort to state their name and title each time before speaking during an uninterrupted dialogue or series of questions and answers. For meetings in which at least one member participates electronically, it requires that agencies conduct all votes by roll call unless the vote is unanimous.

Recording and Transcript (§ 163(b))

Under the bill, if a public agency holds a meeting (other than an executive session or emergency special meeting) solely by electronic equipment, then it must ensure that the meeting is recorded or transcribed (other than the parts in executive session). The agency must post the recording or transcript on its website and make it available to the public to view, listen, and copy within seven days after the meeting and for at least 45 days thereafter.

Meeting Minutes (§ 163(d))

FOIA requires public agencies to make meeting minutes available no later than seven days after a meeting. Among other things, they must record all votes taken at the meeting. The bill requires that the minutes of a meeting during which any member participated by electronic equipment also list the agency members who attended in-person, as well as those who attended electronically.

Electronic Equipment Interruptions (§ 163(b) & 163(f))

The bill establishes conditions under which a public agency may resume an interrupted meeting being held by electronic equipment. It applies to meetings interrupted by (1) the equipment's failure, disconnection, or degradation (as determined by the chairperson), or (2) losing a quorum because a member's connection by electronic equipment is interrupted, fails, or becomes degraded.

The bill allows the agency to resume the meeting between 30 minutes to two hours after the interruption or chairperson's determination. The agency may do so in person if a quorum is present in person, or by electronic means solely or in part if a quorum is restored by electronic means. It must also restore electronic access to the public if this capability has been restored.

The bill also requires the public agency, if practicable, to post a notice on its website and inform attendees by electronic means of the expected resumption time or of the meeting's adjournment or postponement. The agency may also announce at the beginning of the meeting preplanned procedures for resuming an interrupted meeting.

The bill specifies that it does not require a public agency to adjourn or postpone a meeting if a member of the agency or the public experiences an electronic equipment connection interruption, failure, or degradation, unless the agency member's participation is needed for a quorum.

Background: Telephone Meetings Under FOIA

Although FOIA currently does not explicitly authorize telephone or other remotely held meetings, its definition of "meeting" includes those held by electronic equipment (CGS § 1-200(2)).

In its only advisory opinion on the subject, FOIC advised that public agencies conducting business over the phone must comply with FOIA's open meeting requirements. According to FOIC, agencies must make sure that the public has "access to the entire proceedings taking place during the course of a meeting."

Specifically, the commission advised that the meeting must comply with at least the following:

1. members of the public who want to attend the meeting must be accommodated at a place where the greatest number of participating agency members are located;

2. people attending the meeting, including members of the public, must be able to see and inspect copies of any physical or demonstrable materials presented or used; and

3. all those attending the meeting, at whatever location, must be able to hear and identify adequately all participants in the proceedings, including individual remarks and votes (Advisory Opinion 41, 1980).

§§ 162, 164 & 165 — MEETING NOTICES GENERALLY

Allows public agencies to provide meeting notice by electronic transmission; requires agencies to post certain notices of adjournment on their websites

Electronic Meeting Notices to Interested Parties (§§ 162 & 164)

FOIA requires public agencies, where practicable, to give notice of each regular and special meeting at least seven days in advance to a person who makes a written request for this notice. The bill gives public agencies the option of providing this notice by electronic transmission. Under current law, agencies must provide the notice by mail. It defines "electronic transmission" as any communication form or process that (1) does not directly physically transfer paper or another tangible medium and (2) the recipient may retrieve (including in paper form, specifically), retain, or reproduce.

FOIA allows a person who does not receive proper notice of a meeting to appeal to the Freedom of Information Commission (FOIC). Existing law presumes that a political subdivision agency (e.g., a municipal agency) has given proper notice if it timely sends the notice by first-class mail to the address provided by the requestor. The bill additionally presumes proper notice if it is timely sent by electronic transmission to the requestor's information processing system (e.g., email account). (By law, an "information processing system" is an

electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.)

Notices of Adjournment (§ 165)

Existing law requires public agencies, when a meeting is adjourned because all members are absent, to post a notice of adjournment on or near the door of the meeting's location. The bill requires agencies to also post this notice on their websites, if applicable.

EFFECTIVE DATE: July 1, 2021

§ 162 — FREEDOM OF INFORMATION COMMISSION APPEALS

Allows FOIC to electronically send certain documents to parties in an appeal before the commission

By law, a person who is denied a right conferred by FOIA (e.g., inspecting or copying public records or attending a public agency's meeting) may file an appeal with FOIC. Existing law requires that specified documents and notices be provided to parties to the appeal.

The bill allows the following types of documents to be provided by electronic transmission:

1. service of the appeal notice by FOIC upon all parties (and any other commission notice or order);

2. notice by a public agency to an employee (and his or her collective bargaining representative, if any) of any appeal to FOIC involving the employee's personnel, medical, or similar file;

3. notice by FOIC to any person against whom the commission levies a civil penalty (by law, FOIC may levy a civil penalty of $20-$1,000 against (a) a complainant whom it finds acted frivolously or (b) a respondent whom it finds unreasonably denied a request); and

4. service by FOIC upon all parties of a public agency's petition for relief from a vexatious requestor (when the executive director determines that a hearing is warranted for the petition) and any

other commission notice or order.

EFFECTIVE DATE: July 1, 2021

§§ 166 & 167 — ORDERLY CONDUCT AT MEETINGS

Allows public agencies and town meetings to deny disorderly individuals access to meetings by electronic equipment

Under existing law, a town meeting moderator may order a proper officer to take a disorderly person into custody and remove him or her from the meeting if necessary. Additionally, FOIA allows a public agency's members, when order cannot be restored by removing disorderly individuals, to order the room cleared before continuing with the meeting.

The bill expands this authority to include disorderly individuals attending a meeting by electronic equipment. It allows town meeting moderators and public agency members to terminate these individuals' attendance by electronic equipment until they conform to order or, if necessary, until the meeting is over.

EFFECTIVE DATE: Upon passage for town meetings and July 1, 2021, for the FOIA provisions.

§ 168 — ACIR STUDY

Requires ACIR to study the implementation of the bill's provisions

The bill requires the Advisory Committee on Intergovernmental Relations (ACIR) to study the (1) implementation of the bill's remote meeting provisions and (2) feasibility of remote participation and voting during meetings, including through conference call, videoconference, or other technology. ACIR must conduct the study in consultation with FOIC, the Connecticut Association of Municipal Attorneys, and the state's chief information officer or his designee.

The bill requires ACIR to report to the Government Administration and Elections and Planning and Development committees by February 1, 2022. The report must include (1) findings, including any challenges encountered; (2) best practice recommendations for implementing the bill's remote participating and voting provisions; (3) a feasibility

analysis for remote participation and voting during meetings; and (4) funding sources to implement remote participation and voting during meetings using electronic equipment.

EFFECTIVE DATE: Upon passage

§§ 169 & 170 — PAYING FEES ELECTRONICALLY

Allows town clerks to designate websites for paying recording fees and vital records fees

The bill allows town clerks to designate a website for paying recording fees (e.g., recording documents on the land records) and accept payments for these fees through the website in a manner they prescribe. It allows registrars of vital statistics to similarly designate a website for paying vital records fees (e.g., birth certificates). (Typically, the town clerk serves as the registrar of vital statistics.)

EFFECTIVE DATE: October 1, 2021

§§ 171-189 — ELECTRONIC TRANSACTIONS BY MUNICIPAL PROGRAMS AND ENTITIES

Makes numerous changes allowing municipal entities and other public agencies to conduct business electronically; generally, the changes allow specified (1) notices and applications to be sent electronically and (2) hearings or meetings to be held using electronic equipment

The bill makes numerous changes allowing municipal entities or programs to conduct business or otherwise operate using electronic means, as shown in the table below. Generally, the changes allow specified (1) notices and applications to be sent electronically and (2) hearings or meetings to be held using electronic equipment.

The bill defines "electronic equipment" for these purposes as any technology facilitating real-time communication between two or more individuals, including telephone, video, or other conferencing platforms.

EFFECTIVE DATE: October 1, 2021, except that most provisions affecting property tax circuit breakers are effective July 1, 2021.

Table: Electronic Transactions Authorized by Bill

§	Municipal	Action	Electronic Option Allowed

	Entity or Program		***by Bill***
172-173	Discriminatory practices board	Hearing on alleged discriminatory practice	Allows hearing to be conducted by electronic equipment
174	Municipal revenue-sharing agreements	Opportunity for public participation in the negotiations between the municipalities	Specifies that public participation may be in person, writing, or by electronic equipment
175	Foreclosed residential property registration	Registration with municipal clerk of a residential property on which a plaintiff commences a foreclosure action	Allows registration to be completed electronically in a manner the clerk prescribes
		Notice to clerk by plaintiff of any change in the registration information	Allows plaintiff to provide this information by email
		Registration with clerk of a residential property by the person to whom title vests in a foreclosure action (or registration update if the person is the plaintiff in the action)	Allows registration or update to be sent by email
		Notice to clerk by registrant of any change in the registration information	Allows registrant to provide this information by email
176	Parking violation hearings	Notice to vehicle owner or operator of fines, penalties, costs, or fees for alleged parking violations	Allows notice to be sent to the owner's or operator's email address if known
		Request by owner or operator for a hearing before a parking violation hearing officer	Allows owners and operators to make this request by email
		Hearing	Allows hearing to be held in person or by electronic equipment
177-179	Municipal water pollution control authority	Public hearing on sewerage system connection and use charges	Allows hearing to be conducted by electronic equipment Requires that hearing notice be published on municipality's website, as well as in a newspaper as existing law requires

		Charges that are finalized or revised after the public hearing	Requires that copy of the charges be published on municipality's website, as well as in a newspaper as existing law requires (the bill retains existing law's requirement that it also be filed in the municipal clerk's office)
		Public hearings on orders issued to building owners to (1) connect the building to an available sewerage system or (2) construct and connect the building to an alternative sewage treatment system	Allows hearing to be conducted by electronic equipment
180	Boards of assessment appeals	Appeals to board by taxpayers aggrieved by a municipal assessor's actions	Allows taxpayers to file appeals by email in a manner the board prescribes
181	Tax assessors and boards of assessment appeals	Notice to Office of Policy and Management (OPM) of deadline extensions to assessors' or boards' duties granted by the municipal chief executive officer	Allows notice to be provided by email in a manner the OPM secretary prescribes
		Request by municipality to OPM for a revaluation delay	Eliminates requirement that supporting information provided by board of assessment appeals and chief executive officer be in writing
		Notice to taxpayers of assessment increases in municipalities for which OPM authorizes a revaluation delay	Allows notice to be sent by email
182-183	Renters' Rebate program	Rebate applications filed with municipal assessor	Allows applications to be filed electronically in a manner the OPM secretary prescribes
		Appeals filed with OPM by persons aggrieved by assessor's decision	Allows appeals to be filed electronically in a manner the secretary prescribes
184	Property tax freeze for seniors	Program applications	Requires that applications be made in writing or electronically in a manner the municipal assessor prescribes
		Applicants' income tax returns	Allows taxpayers to present

			an electronic copy of the return
		Biennial notice by municipal assessor to program participants of reapplication requirements (by law, program participants must reapply to the program biennially)	Allows assessors to provide notice electronically at the taxpayer's option
185-186	Property tax circuit breaker for seniors and homeowners with disabilities	Affidavit filed with municipal assessor stating applicant's income	Allows affidavit to be filed electronically in a manner the assessor prescribes
		Program application	Allows application to be submitted by email in a manner the OPM secretary or municipal assessor (as applicable) prescribes
		Biennial notice by municipal assessor to program participants of reapplication requirements (by law, program participants must reapply to the program biennially)	Allows assessors to provide notice electronically at the taxpayer's option
		Notice by grantee to municipal assessor of a property transfer by a grantor who was previously approved for the circuit breaker	Allows grantee to provide notice by email in a manner the assessor prescribes
		Notice by tax collector to grantee of any additional tax due	Allows tax collector to provide notice by email at the grantee's option
		Application to assessor for a grant in lieu of a property tax reduction	Allows applicant to submit application by email in a manner the assessor prescribes
		Appeal to the OPM secretary by a person aggrieved by an assessor's decision	Allows person to appeal by email in a manner the secretary prescribes
187-188	Municipal building permits	Permit application	Requires that applications be filed in person, by mail, or by email, in a manner the building official prescribes
		Permit applications containing plans and specifications previously approved by the state building inspector	Allows applications to be filed in person, by mail, or by email, in a manner the building official prescribes
189	Municipal	Appeals filed with municipal	Allows appeals by email in a

	building officials	board of appeals by persons aggrieved by the building official's decision	manner the board prescribes
		Appeals filed with municipal chief executive officer when there is no board of appeals	Allows appeals by email in a manner the chief executive officer prescribes

§ 182 — RENTERS' REBATE APPLICATIONS

Requires municipalities to grant relief to renters from certain notarization requirements imposed by the municipality for program applications

In practice, some municipalities require applicants for the Renters' Rebate program to provide a notarized landlord verification of property rental on their application. The bill requires these municipalities to exempt a renter from this requirement if a verification for the same property rental by the same renter was previously notarized. It also prohibits these municipalities from delaying an application's submission to the OPM secretary if the renter misses the notarization deadline but is otherwise qualified.

EFFECTIVE DATE: October 1, 2021

§§ 190 & 192-195 — REGIONAL COUNCILS OF GOVERNMENTS BYLAWS, SERVICES, AND FUNDING

Makes minor changes to Regional Councils of Governments (COG) bylaw and procedural requirements and modifies, beginning FY22, the COG grant funding calculation

COG Bylaws (§ 190)

The bill modifies COG bylaw requirements to: (1) allow COG representatives to serve more than two consecutive terms in the same position, (2) eliminate a requirement that a COG treasurer be bonded, and (3) allow, rather than require, COGs to establish an executive committee.

COGs' Provision of Regional Services (§ 192)

The bill requires a COG's member municipalities to affirmatively vote to approve the COG's provision and administration of regional services. It specifies that an interlocal agreement is not required for a COG to provide these regional services.

Regional Performance Incentive Account Grant Amounts (§§ 193-194)

Beginning in FY 22, the bill requires the OPM secretary to annually distribute a grant from the regional planning incentive account to each COG in the amount of $185,500 plus 68 cents per capita (in practice, this grant is referred to as a regional service grant-in-aid).

Current law requires the OPM secretary to distribute $4.1 million from this account to the COGs for each of FYs 20 and 21 (PA 19-117, § 29). From this amount, it requires the secretary to allocate to each COG $125,000 plus 50 cents per capita. COGs composed of one or more planning regions that voluntarily merged before 2014 receive an additional $125,000 for each merged region. Under current law, the secretary must also distribute an additional amount, within available appropriations, based on a formula the secretary establishes.

The regional planning incentive account is a separate, nonlapsing General Fund account funded by 6.7% of the revenue generated by the room occupancy tax and 10.7% of the revenue generated by the rental car tax (CGS § 12-411(1)(J)).

Grant Proposed Spending Plan

Under existing law and the bill, COGs must annually submit a proposed spending plan to OPM by July 1 to be eligible for a grant that fiscal year. The bill authorizes the secretary to establish an approval process for biennial submissions of these spending plans.

The bill specifies that the proposed spending plans may describe the following:

1. state or municipal functions, activities, or services that a COG, RESC, or similar entity may provide in a more efficient, cost-effective, responsive, or quality manner;

2. anticipated cost savings related to sharing government services (e.g., joint purchasing);

3. the standardization and alignment of the state's regions; and

4. other initiatives that may facilitate service delivery to the public in a more efficient, cost-effective, responsive, or quality manner.

Eliminated MRSA Grant Funding (§ 195)

The bill removes the requirement that $7 million from the municipal revenue sharing account (MRSA) be used to fund COG grants each year and makes conforming changes. It also eliminates obsolete provisions in the MRSA law.

EFFECTIVE DATE: July 1, 2021, except the provision requiring an affirmative vote to authorize a COG to provide and administer regional services (§ 34) is effective upon passage.

§ 191 — REGIONAL PERFORMANCE INCENTIVE PROGRAM

Modifies the entities and projects that are eligible for Regional Performance Incentive Program (RPIP) funding and the application requirements and selection criteria

Eligible Entities

The bill limits eligibility for RPIP grants to COGs and regional educational service centers (RESC), or any combination of them, thus making economic development districts, boards of education serving a population of more than 100,000, and municipalities applying through COGs no longer eligible.

Eligible Purposes

The bill expands the purposes for which OPM may award the grants to include:

1. redistributing specified state grants to municipalities according to regional priorities (specifically Small Town Economic Assistance Program, Main Street Investment Fund, Intertown Capital Equipment Purchase Incentive Program, and Local Capital Improvement Fund grants) and

2. revenue sharing among municipalities that have entered certain agreements to do so.

As under existing law, OPM may also award the grants for (1) the provision of a service that a member municipality or board of

education currently provides, but not on a regional basis, and (2) for regional special education initiatives to RESCs that serve more than 100,000 people.

The bill removes OPM's ability to award grants for (1) planning studies on joint services and (2) shared information technology services.

Application and Other Requirements

As under existing law, applicants must provide certain information to OPM about the proposal and its projected benefits. The bill expands the required information to include:

1. an acknowledgment from any employee organization potentially impacted by the proposal that it was informed of and consulted about the proposal (under the bill, an "employee organization" is a labor or other lawful organization whose primary purpose is to improve wages, hours, and other employment conditions);

2. a resolution from the impacted COG or COGs endorsing the proposal; and

3. a resolution from the applying COG or RESC stating that it will fund at least 25% of the proposal's first year costs and all of its costs by the fourth year.

Under current law, each participating municipality's legislative body must provide an endorsing resolution instead.

The bill also modifies the existing application requirements by specifying that the explanations about (1) economies of scale must pertain to participating members and (2) legal obstacles must also explain how the obstacles will be resolved.

Additionally, the bill specifies that COGs, RESCs, member municipalities, and boards of education are not required to execute an interlocal agreement to implement a proposal.

Selection Criteria

Current law requires OPM to prioritize certain grant proposals (e.g., proposals submitted by boards of education and economic development districts). Under the bill, the OPM secretary must instead award grants to proposals that she determines best meet specified criteria, specifically those that:

1. will be available to or benefit all COG or RESC members;

2. demonstrate, compared to existing service delivery, an increased capacity and efficiency; a cost benefit to members; increased cost savings; and a diminished need for state funding;

3. promote cooperation among members that may lead to a reduction in economic or social inequality;

4. were approved by a majority of members; and

5. comply with application requirements about employee labor organizations and COG or RESC proposal funding.

The bill allows boards of education that are awarded a grant (presumably through a RESC), and realize cost savings as a result, to deposit those cost savings into an unexpended education fund account.

Reporting Requirements

The bill requires applicants to send a copy of their applications to the legislators representing the participating local or regional boards of education. Existing law already requires that they send a copy to the participating municipalities' legislators.

Under existing law, the OPM secretary must annually submit to the governor and Finance, Revenue and Bonding Committee a report that lists the grant amounts, their potential to leverage other public and private investments, and property tax reductions achieved. The bill also requires the report to describe any service improvements due to the program.

EFFECTIVE DATE: Upon passage

§ 196 — OUTDOOR DINING ALLOWED AS-OF-RIGHT NEAR FOOD ESTABLISHMENTS

Beginning April 1, 2022, requires municipalities to allow outdoor food and beverage service as an accessory use to a licensed food establishment

The bill requires municipalities to allow outdoor food and beverage service ("dining") as an accessory use to a licensed food establishment (e.g., restaurant or food market). The bill's requirement is not time-limited and applies regardless of conflicting state laws or local ordinances or charters (see BACKGROUND).

Under the bill, food establishments may provide outdoor dining as-of-right unless the food establishment is a nonconforming use (i.e., if a food establishment does not comply with current zoning regulations, it is not allowed to offer outdoor dining as-of-right). Under the bill, a food establishment must seek an administrative site plan review to determine whether the proposed outdoor dining use conforms with zoning requirements not contemplated by the bill (e.g., regulations unrelated to providing pedestrian pathways and parking). If outdoor dining is approved, food establishments can offer it until 9:00 p.m. or later if allowed by the zoning commission (or, presumably, planning and zoning commission, if it is a combined commission). The bill does not specify an application, approval, or appeals procedure.

EFFECTIVE DATE: April 1, 2022

Dining in Pedestrian Pathways

The bill specifically allows outdoor dining on public sidewalks and other pedestrian pathways where vehicles are not allowed, if the area used abuts the business and a pathway is provided that meets the bill's requirements. Specifically, the pathway must:

1. be constructed in compliance with the federal Americans with Disabilities Act's (ADA) physical accessibility guidelines;

2. extend for the length of the lot (parcel);

3. be at least four feet wide (excluding any portion that is on a

street or highway); and

4. remain unobstructed for pedestrian use.

The municipal official or agency that issues right-of-way or obstruction permits may impose reasonable conditions on using a pedestrian pathway for outdoor dining.

Dining in Parking Areas and Other Open Areas

The bill also allows outdoor dining (1) in off-street parking spaces associated with the business and (2) on any lot, yard, court, or open space abutting the food establishment. The bill specifies that these non-parking areas can be used for outdoor dining if:

1. they are in a zoning district that allows food establishments;

2. the use complies with any applicable requirements for access or pathways under the ADA's physical accessibility guidelines; and

3. the owner of these non-parking areas gives written permission, a copy of which must be provided to the zoning commission (or, presumably, planning and zoning commission when applicable).

Background — Related Act

SA 21-3, signed by the governor on March 31, 2021, generally incorporates the outdoor dining and retail provisions contained in Executive Order (EO) 7MM (2020), as amended by subsequent EOs, and extends them until March 31, 2022.

§ 197 — GREENHOUSE GAS REDUCTION FEE CHANGES

Makes several changes related to the greenhouse gas reduction fee charged on vehicle registrations, principally to establish proportional fees for triennial registrations

By law, a greenhouse gas reduction fee is assessed on motor vehicles registered as passenger, motor home, combination, or antique vehicles. Current law sets the fee at $10 for two-year registrations of vehicles sold as new and $5 for two-year original or renewal registrations of used vehicles. Under existing law, however, the initial

registration term for vehicles is generally three years (e.g., CGS § 14-49(a)) and the Department of Motor Vehicles commissioner may, generally, renew most vehicle registrations for either two or three years (e.g., CGS § 14-22(a)).

The bill makes several changes to account for triennial registrations. It eliminates the $10 fee for two-year registrations of vehicles sold as new and replaces it with a $15 fee for three-year registrations. The bill also establishes a $7.50 fee for three-year original or renewal registrations on used vehicles.

Relatedly, current law also sets the greenhouse gas reduction fee at $5 for people age 65 or older for one-year registrations of passenger motor vehicles sold as new and $2.50 for any one-year original or renewal registrations of those vehicles that are used. However, state law only allows those individuals to obtain one-year renewal registrations (CGS § 14-49(a)). The bill eliminates the erroneous language of these fees on initial one-year registrations.

The bill also makes a technical change.

EFFECTIVE DATE: Upon passage

§ 198 — COLUMBIA CHARTER REVISION PROCESS

Validates the initiation of Columbia's charter revision process

The bill validates the initiation of Columbia's charter revision process, including the appointment and composition of the charter revision commission members. The bill deems legally valid any acts by the town's officers and officials (including the commission) taken in reliance on the board of selectmen's actions on September 1, 2020, and applies despite the statute on commission appointment and any other statute, special act, charter, or ordinance that may prescribe different processes or requirements.

EFFECTIVE DATE: Upon passage

§§ 199-200 — DESIGNATION OF VARIOUS DAYS, WEEKS, AND MONTHS

Requires the governor to annually proclaim various days, weeks, and months

The bill changes Advance Directive Awareness Day under current law to Advance Directive Awareness Week, designated as the week of April 16th each year. It also requires the governor to annually proclaim the following:

1. the second week of February to be Kindness Week, to promote acts of kindness among the residents of the state;

2. the month of March to be Peace Corps Month, in recognition of Peace Corps volunteers' service in supporting the global community;

3. May 13 to be Xeroderma Pigmentosum Awareness Day, to raise awareness of this genetic disorder characterized by an extreme sensitivity to ultraviolet rays;

4. the second Sunday of June to be Connecticut Race Amity Day, to reflect and affirm the dignity of the diverse racial, cultural, and religious backgrounds of the state's residents;

5. the last week of June to be Social Media Safety and Awareness Week, to raise awareness of social media usage's potential effect on mental health and social media safety; and

6. the month of September to be Brain Aneurysm Awareness Month, to raise public awareness of the associated presentation and available treatments for brain aneurysms.

Under the bill, suitable observance exercises may be held in the state capitol and elsewhere as the governor designates.

EFFECTIVE DATE: Upon passage, except that the provision on Advance Directive Awareness Week is effective October 1, 2021.

§§ 201 & 202 — ROAD NAME CHANGES

Corrects two road naming provisions that passed in regular session

The bill corrects two road naming provisions that passed as part of sHB 6484 in the 2021 regular session.

EFFECTIVE DATE: Upon passage

§ 203 — TASK FORCE ON THE STATE WORKFORCE AND RETIRING EMPLOYEES

Establishes a task force to study issues related to managerial and exempt state employees' retirements and barriers to recruitment

The bill establishes a task force to study the state workforce and retiring employees. The study must at least (1) examine adequate succession planning for state employees in order to recruit and maintain the best talent in the state workforce and (2) review barriers to managerial recruitment.

The task force must submit a report on its findings and recommendations to the Labor and Public Employees and Government Administration and Elections committees by January 1, 2022. This report must at least review:

1. the number of managerial and exempt employees eligible to retire from the task force's convening through the end of 2022;

2. executive branch agency succession planning to prepare for retirements; and

3. barriers to recruitment into the managerial and exempt workforce including, (a) parity in pay structure and health care insurance contributions compared to employees in collective bargaining units, (b) salary compression and inversion among managerial employees and employees in collective bargaining units, and (c) opportunities for professional development and continuing education.

Under the bill, the task force's 18 members are (1) the chairpersons and ranking members of the Labor and Public Employees and Government Administration and Elections committees; (2) one appointed by each of the six top legislative leaders; (3) and four appointed by the task force's chairpersons. Of the members appointed by the chairpersons, one must be an executive branch employee in the MP pay plan, one must be a judicial employee in the MP pay plan, one

must be a higher education employee in the MP pay plan, and one must represent an organization that advocates for the rights of managerial employees in the state.

The bill requires that all initial appointments to the task force be made within 30 days after the bill is enacted. Any of the appointed members may be a state legislator, and any vacancy must be filled by the appointing authority.

The bill makes the Labor and Public Employees Committee chairpersons the task force's chairpersons and requires them to schedule and hold the task force's first meeting within 60 days after the bill is enacted. The Labor and Public Employees Committee's administrative staff must serve as the task force's administrative staff.

The task force terminates when it submits its required report or on January 1, 2022, whichever is later.

EFFECTIVE DATE: Upon passage

§ 204 — STATE AGENCY PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT (PPE)

Generally requires state agencies to make reasonable efforts to buy PPE from companies that changed their business model to respond to the COVID-19 pandemic

- Requires the DAS commissioner to (1) by October 1, 2021, compile, periodically update, and post on the department's website, a list of Connecticut companies that changed their business model to produce personal protective equipment (PPE) to respond to the COVID-19 pandemic and (2) starting by July 31, 2021, annually report on the most recent list to the Appropriations and Commerce committees

- Beginning August 1, 2021, requires state agencies, when purchasing PPE, to make reasonable efforts to purchase at least 25% of it from the listed companies

- Specifies that the bill does not (1) require purchasing expired PPE or that which does not meet industry standards or (2) waive any required competitive bidding requirements

- EFFECTIVE DATE: Upon passage

§ 205 — REMOTE AUTHORIZATION FOR LICENSED BANKING ACTIVITIES

Allows the Banking Commissioner to establish a process allowing licensed activities to be conducted from locations other than a registered office

Current law generally requires individuals to conduct activities licensed or regulated by the Department of Banking at a registered office. The bill authorizes the commissioner to establish a process to allow individuals to conduct these activities from other locations as well.

EFFECTIVE DATE: July 1, 2021

§ 206 — ENERGY AND ENVIRONMENTAL LEASE FINANCING

Imposes an aggregate cap of $15 million on the principal amount of energy consumption and environmental impact leases for improvements to state-owned buildings

The bill caps at $15 million the aggregate principal amount of state agency energy consumption and environmental impact leases. The bill's cap applies to leases in effect on or after July 1, 2021, that are:

1. entered into by the state directly or through a state agency to improve state-owned buildings,

2. to reduce energy consumption or environmental impacts, and

3. not otherwise exempt by law from the cap.

Under the bill, state agencies include any office, department, board, council, commission, institution, higher education constituent unit, technical education and career school, and other agency in the executive, legislative, or judicial branch.

EFFECTIVE DATE: July 1, 2021

§§ 207-220 — DELETED BY SENATE AMENDMENT "A"

§ 221 — DELETED BY HOUSE AMENDMENT "A"

§ 222 — GREEN BUILDING CONSTRUCTION STANDARDS

Requires DEEP to adopt regulations that establish construction standards for certain state-funded building projects by reference to a nationally recognized model for sustainable construction codes that promotes constructing high-performance green buildings

The law requires DEEP to adopt regulations that establish construction standards for certain state-funded building projects. Under current law, these regulations must be based on a nationally recognized model for sustainable construction codes that promotes constructing high-performance green buildings that, among other things, (1) have reduced emissions; (2) are designed to conserve water resources and promote sustainable and regenerative materials cycles; and (3) provide enhanced resilience to natural, technological, and human-caused hazards.

The bill instead requires that these regulations adopt by reference the same nationally recognized model for sustainable construction codes, and it also extends the deadline for DEEP to do so from January 1, 2020, to January 1, 2022. It also limits amendments to the construction standards to (1) administrative matters; (2) geotechnical- and weather-related portions of the standards; (3) amendments necessitated by state statute; and (4) any other matter, based on substantial evidence, that necessitates an amendment to the standards.

By law, the regulations apply to the following types of projects:

1. new state facility construction projected to cost at least $5 million for which all budgeted project bond funds are allocated by the State Bond Commission on or after January 1, 2008;

2. state facility renovations projected to cost at least $2 million in state funding, approved and funded after January 1, 2008;

3. new public school building construction projected to cost at least $5 million, of which at least $2 million is state funding authorized by the legislature on or after January 1, 2009; and

4. public school facility renovations projected to cost at least $2 million in state funding authorized by the legislature on or after

January 1, 2009.

The law also requires the DEEP commissioner, in consultation with the DAS commissioner and the Institute for Sustainable Energy, to exempt facilities from the regulations if the DEEP commissioner, in consultation with the OPM secretary and DAS commissioner, finds that it would not be cost effective to comply.

EFFECTIVE DATE: July 1, 2021

§ 223 — NON-UNION STATE EMPLOYEES

Requires, rather than allows, the DAS commissioner to give unclassified or non-union state employees in the executive and judicial branches the same rights and benefits provided by state employee collective bargaining agreements

The bill requires the DAS commissioner to issue orders that grant executive or judicial branch employees who are exempt from the classified service or not covered by a collective bargaining agreement (CBA) at least the same rights and benefits as those granted to employees in the classified service or covered under those agreements. Current law allows the commissioner to do this.

It also requires, rather than allows, the commissioner to issue orders that adjust retirement benefits for state employees exempt from the classified service or not covered by a CBA to make the benefits the same as those most frequently provided under the terms of approved CBAs at the time of the adjustment.

As under current law, any of the above orders are also subject to the OPM secretary's approval.

Existing law, unchanged by the bill, allows the board of trustees of any constituent unit of the state higher education system (subject to OPM's approval) to issue orders that give the board's unclassified employees at least the same rights and benefits as those granted to board employees covered by a CBA.

EFFECTIVE DATE: July 1, 2021

§ 224 — DELETED BY SENATE AMENDMENT "A"

§ 225 — HARBOR MASTERS

Gives the governor more discretion in appointing harbor masters in municipalities in which a local harbor management commission has not submitted at least three nominees

Existing law (1) requires the governor to appoint a harbor master for Branford, Bridgeport, New Haven, New London, Norwalk, Norwich, Stamford, and Stonington harbors and (2) authorizes him to appoint harbor masters and deputy harbor masters for any municipality with navigable waters. Under current law, if the municipality has adopted a harbor management plan, the governor must choose from a list of at least three nominees submitted by the local harbor management commission when making these appointments. The bill provides an exception for cases in which a harbor management commission does not submit at least three nominees. Under the bill, the governor may, in such cases, appoint any of the commission's nominees or any other person the governor deems qualified.

By law, harbor masters are responsible for the general care and supervision of the harbors and navigable waterways over which they have jurisdiction and are subject to the direction and control of the DEEP commissioner.

EFFECTIVE DATE: July 1, 2021

§§ 226-229 — DELETED BY SENATE AMENDMENT "A"

§§ 230-231 — ELIMINATION OF THE HIGHER EDUCATION COORDINATING COUNCIL

Eliminates the Higher Education Coordinating Council

The bill repeals the statutes establishing the Higher Education Coordinating Council (HECC) and makes conforming statutory changes.

Under current law, the HECC is responsible for, among other things, developing accountability measures to be used by BOR and each constituent unit of the state system of higher education.

EFFECTIVE DATE: Upon passage

§ 232 — ROBERTA B. WILLIS SCHOLARSHIP PROGRAM ADMINISTRATIVE ALLOWANCE INCREASE

Increases the Roberta B. Willis Scholarship program administrative allowance, from $100,000 to $350,000, for one fiscal year

The Roberta B. Willis Scholarship program is a state-funded scholarship available to Connecticut residents who attend an in-state public or private higher education institution. By law, the scholarship program receives an administrative allowance of $100,000 or 0.25% of the annual appropriation, whichever is greater.

The bill increases the administrative allowance to $350,000 for the fiscal year ending June 30, 2022.

EFFECTIVE DATE: July 1, 2021

§§ 233 & 234 — PHYSICIAN ASSISTANT LICENSE FEE

Reinstitutes the previous $155 PA licensure fee by eliminating an inadvertent $5 decrease

The bill increases, from $150 to $155, the annual licensure fee for physician assistants (PAs). In doing so, it restores the fee to the level before an inadvertent $5 decrease in sHB 6666, as amended by the House (§§ 93 & 94) and passed by both chambers.

The bill also makes a conforming change.

EFFECTIVE DATE: July 1, 2021

§ 235 — STATE CONTRACTING STANDARDS BOARD FUNDING LAPSE

Requires that a portion of the biennial budget bill's appropriation for SCSB lapse on July 1 in both FYs 22 and 23

The bill requires that a portion of the biennial budget bill's (HB 6689, as amended by House "A" and passed by both chambers) appropriation for the State Contracting Standards Board (SCSB) lapse on July 1 in both FYs 22 and 23 (i.e., July 1, 2021, and July 1, 2022), as shown in the table below.

Table: SCSB Funding Lapse, FYs 22 & 23

FY	*Amount Appropriated in HB 6689*	*Amount That Lapses on July 1 of the Applicable FY*

22	$624,994	$449,124
23	637,029	454,355

EFFECTIVE DATE: July 1, 2021

§ 236 — YOUTH SERVICES PREVENTION GRANTS

Changes two allocations for Youth Services Prevention grants under the FY 22-23 budget

The bill makes the following changes to the Youth Services Prevention grants allocated under the FY 22-23 budget bill (HB 6689, § 31):

1. the amount allocated to Valley Save Our Youth ($75,000 in each fiscal year) must be awarded via TEAM, Inc. and

2. the amount allocated to CCSU ($50,000 in each fiscal year) must instead be awarded to UConn for the Institute for Municipal and Regional Policy.

EFFECTIVE DATE: July 1, 2021

§§ 237 & 287-288 — OFFICE OF WORKFORCE STRATEGY

Eliminates OWC and replaces it with a new OWS, headed by a chief workforce officer; generally transfers to the chief workforce officer the workforce development-related functions and duties currently assigned to the labor commissioner and OWC; and establishes additional duties and reporting requirements

The bill eliminates the Office of Workforce Competitiveness (OWC) within the Department of Labor (DOL) and replaces it with a new Office of Workforce Strategy (OWS). The bill places OWS within the Office of the Governor for administrative purposes only.

The bill establishes the position of chief workforce officer as a department head for OWS, making the officer subject to confirmation through the Executive and Legislative Nominations Committee and providing the officer powers and duties otherwise established under existing law for department heads (CGS §§ 4-5 to 4-8). The chief workforce officer is appointed by the governor. He or she must have knowledge of publicly funded workforce training programs and must possess the training and experience to perform the duties described

below. The bill transfers to the chief workforce officer the workforce development-related functions and duties that are currently assigned to the labor commissioner and OWC, including those described below.

Chief Workforce Officer's Functions and Duties

Lead Official and Principal Advisor on Workforce Policy. Under current law, DOL serves as the lead state agency for developing employment and training strategies and initiatives needed to support Connecticut's position in the knowledge economy. The DOL commissioner, with OWC's assistance, serves as the governor's principal workforce development policy advisor and the liaison with local, state, and federal workforce development agencies. He coordinates (1) the state's implementation of the federal Workforce Innovation and Opportunity Act of 2014 (WIOA) (see BACKGROUND) and (2) state agencies' workforce development activities.

The bill generally transfers these functions and duties to the chief workforce officer, designating him or her as the (1) lead state official for developing employment and training strategies and initiatives and (2) governor's principal advisor for workforce development policy, strategy, and coordination. The bill requires the chief workforce officer to coordinate the state's role in the implementation of WIOA and issue guidance to this effect. He or she must do so on behalf of the governor and Governor's Workforce Council (i.e., currently, also known as the Connecticut Employment and Training Commission (CETC)), and in consultation with the DOL commissioner, who must offer any resources he can make available for this purpose.

Under the bill, the chief workforce officer must additionally serve as the liaison with the Governor's Workforce Council and regional workforce development entities.

Workforce Cabinet. The bill requires the chief workforce officer to chair a Workforce Cabinet comprising the state agencies involved in employment and training. (Existing law requires the governor to designate these agencies and requires their department heads to

annually report specified information on the programs offered.) The bill requires the Workforce Cabinet to meet at the direction of the governor or chief workforce officer.

Governor's Workforce Council. OWS must (1) provide staff support, and any other resources the chief workforce officer can make available, to the Governor's Workforce Council and (2) coordinate all necessary support that the council may need and that other state agencies make available.

State Workforce Strategy. The bill requires the chief workforce officer to develop a state workforce strategy and update it as necessary. The strategy must be developed in consultation with the Governor's Workforce Council and the Workforce Cabinet and approved by the governor.

Under the bill, the chief workforce officer must submit the state workforce strategy to the Appropriations, Commerce, Education, Higher Education and Employment Advancement, and Labor and Public Employees committees at least 30 days before submitting it to the governor.

State and WIOA-Funded Programs. Under the bill, the chief workforce officer must coordinate workforce development activities (1) funded through state resources or WIOA funds or (2) administered in collaboration with a state agency to further the goals and outcomes of the state workforce strategy and the Governor's Workforce Council's workforce development plan.

Public, Legislative, and Local Official Involvement. The bill transfers to the chief workforce officer the requirement to establish systems to ensure the maximum involvement of the public, legislature, and local officials in workforce development policy, strategy, and coordination. In doing so, it eliminates the current requirement that this involvement extend to the state's implementation of WIOA.

Contractual Agreements. The bill transfers to the chief workforce officer the authorization to enter into contractual agreements to carry

out OWS's purposes, but it requires him or her to do so in conjunction with one or more state agencies and with the Office of Policy and Management (OPM) secretary's approval. It also allows the chief workforce officer to enter into agreements with other state agencies to perform OWS duties, including administrative, human resources, finance, and information technology functions.

Agency Guidance. The bill requires the chief workforce officer to (1) issue guidance to state agencies, the Governor's Workforce Council, and regional workforce development boards to further the state workforce strategy and the council's workforce development plan and (2) consult with these entities on the guidance's development and implementation. This guidance must (1) be approved by the OPM secretary, (2) allow for a reasonable implementation period, and (3) take effect at least 30 days after OPM approves it.

Other Duties. The chief workforce officer must also:

1. collaborate with the regional workforce development boards to adapt the best practices for workforce development for statewide implementation, if possible;

2. together with state agencies, including DOL, the State Department of Education (SDE), and OPM, coordinate the measurement and evaluation of education and workforce development program outcomes;

3. review the WIOA state plan (which outlines Connecticut's four-year workforce development strategy) for each of the workforce development system's core programs, before the plan is submitted to the governor;

4. market and communicate the state workforce strategy to ensure maximum engagement with students, trainees, job seekers, and businesses, and elevate the state's national workforce profile;

5. identify subject areas, courses, curriculum, content, and programs that may be offered to students in elementary and

high school to improve student outcomes and meet the state's workforce needs (for identifying academic programs for which private sector specialists may donate their teaching services under existing law);

6. in consultation with DOL, coordinate with regional workforce development boards to ensure compliance with state and federal laws in order to expand the service capabilities of programs offered under WIOA and the U.S. DOL's American Job Center system; and

7. coordinate, in consultation with the Department of Social Services, with community action agencies to further the state workforce strategy.

Workforce Data

Current law authorizes DOL, with OWC's assistance, to ask any state office, department, board, commission, or agency to provide reports, information, and assistance that is necessary or appropriate for DOL to carry out its duties and requirements. The bill (1) transfers this authorization to the chief workforce officer; (2) expands it by allowing him or her to request data, in addition to reports, information, and assistance, from these agencies and entities; and (3) explicitly allows the officer to make the requests to public colleges and universities. However, the bill requires that any data requests from an agency participating in CP20 WIN be submitted through CP20 WIN according to its established policies and procedures.

Annual Report to the Legislature

Each year, beginning by October 1, 2022, the bill requires the chief workforce officer to submit a report on the state's workforce development to the governor and the Appropriations, Higher Education and Employment Advancement, Education, Commerce, and Labor and Public Employees committees. At a minimum, the report must include information on OWS's programs and the number, demographics, and outcomes of people they serve.

The bill also eliminates the current requirement that DOL annually report to the legislature on its two- and five-year forecast of workforce shortages by occupation.

Background

Workforce Innovation and Opportunity Act (WIOA). WIOA provides federal funds to states for a range of career services, job training, education, and related services and supports. It authorizes six core programs, including the Adult, Dislocated Worker, and Youth programs. The law requires each state to submit a state plan that outlines a four-year strategy for the state's workforce development system.

EFFECTIVE DATE: July 1, 2021

§ 238 — STATE WORKFORCE STRATEGY UPDATES

Requires the chief workforce officer to submit to the governor recommendations for updates to the state workforce strategy relating to certain individuals' needs and Two-Generational Advisory Board recommendations

The bill requires the chief workforce officer, by January 1, 2022, to submit to the governor recommendations for updates to the state workforce strategy that address certain individuals' needs, including those who are disabled, have a criminal background, or were recently incarcerated; veterans; or the long-term unemployed.

These recommendations must include those advised by the Two-Generational Advisory Board, which, under existing law, advises the state, legislature, and OPM secretary on how to foster family economic self-sufficiency in low-income households through a comprehensive two-generational service delivery approach for early child care, education, and workforce readiness.

EFFECTIVE DATE: July 1, 2021

§ 239 — OFFICE OF WORKFORCE STRATEGY ACCOUNT

Establishes a new OWS account in the General Fund to fund workforce training programs and the office's administrative expenses; requires the chief workforce officer to report to the legislature and governor on these programs and the individuals they served

The bill establishes the OWS account as a separate, nonlapsing

General Fund account and requires OWS to use it to fund workforce training programs and support the office's administrative expenses. The bill requires the account to contain any moneys the law requires to be deposited in it, along with any funds received from public or private contributions, gifts, grants, donations, bequests, or devises.

Additionally, the bill allows OWS to enter into contracts or agreements with UConn, the Connecticut State Universities, the regional community-technical colleges, Charter Oak State College, and regional workforce development boards relating to the OWS account.

Under the bill, the chief workforce officer, in consultation with the DOL commissioner and regional workforce development boards, must do the following:

1. ensure that, as appropriate, participants in any workforce training program funded through the OWS account also enroll in additional workforce development programs to minimize duplication across existing programs and leverage federal funds and

2. establish funding eligibility criteria for workforce training programs to meet in-demand occupations' workforce needs.

Annually, beginning by October 1, 2022, and ending October 1, 2025, the chief workforce officer must report to the governor and the Finance, Revenue and Bonding, Higher Education and Employment Advancement, Education, Commerce, and Labor and Public Employees committees on the workforce training programs funded through this account. The report must, at a minimum, provide information on the number, demographics, and outcomes of the individuals served by these programs.

EFFECTIVE DATE: July 1, 2021

§ 240 — CREDENTIALS OF VALUE

Requires OWS, in consultation with other state entities, to establish standards to designate certain credentials as "credentials of value"

The bill requires OWS to establish standards to designate certain credentials as "credentials of value." OWS must establish these standards in consultation with the Chief Data Officer, UConn Board of Trustees, Board of Regents for Higher Education (BOR), labor and education commissioners, Office of Higher Education (OHE) executive director, or any other stakeholder identified by the chief workforce officer. These standards may include (1) meeting the workforce needs of Connecticut's employers, (2) completion rates, (3) net cost, (4) whether the credential transfers to or stacks onto another credential of value, (5) average time to completion, and (6) types of employment opportunities and earnings available upon completion.

The bill prohibits OWS from requiring credential providers to submit an application or any other information to be designated as a "credential of value."

EFFECTIVE DATE: July 1, 2021

§ 241 — CREDENTIALS AND SKILLS REPORT

Requires the chief workforce officer to submit a biennial report on certain credentials, skills, and associate degree programs, starting by September 1, 2022

By September 1, 2022, and biennially thereafter until September 1, 2028, the bill requires the chief workforce officer to submit a report to the governor, BOR, and the Commerce and Higher Education and Employment Advancement committees about the following:

1. in-demand credential and skills that lead to quality jobs and

2. models and examples of associate degree programs that result in students earning an industry-recognized credential in 12 months that is a pathway to one or more bachelor's degree programs.

EFFECTIVE DATE: July 1, 2021

§ 242 — CONNECTICUT APPRENTICESHIP AND EDUCATION COMMITTEE

Makes the committee's annual reporting requirement under current law optional; adds an OWS representative to the committee's membership

By law, the Connecticut Apprenticeship and Education Committee must coordinate and identify potential training integration among apprenticeship programs and funding sources for high school and higher education programs for careers in various industries. The bill makes the committee's annual report to legislative committees optional, rather than required. This report addresses whether current apprenticeship training programs for Connecticut residents are meeting workforce needs.

Additionally, the bill replaces the Connecticut Employment and Training Commission's committee representative with one from the Office of Workforce Strategy.

EFFECTIVE DATE: July 1, 2021

§ 243 — TECHNICAL EDUCATION AND CAREER SYSTEM BOARD

Adds the OWS chief workforce officer to the board; makes a conforming change to the board's appointing authorities

By law, an eleven-member board advises the state's Technical Education and Career System, the state's public high schools for vocational-technical education. The bill adds the OWS chief workforce officer to the board as an ex-officio member. Additionally, it replaces the Connecticut Employment and Training Commission (CETC) with the Governor's Workforce Council as an appointing authority for two board members who are executives of Connecticut-based employers. (Executive Order No. 4, signed by the governor on October 29, 2019, renames CETC the Governor's Workforce Council.)

EFFECTIVE DATE: July 1, 2022

§ 244 — EMPLOYMENT SERVICES FOR TANF RECIPIENTS

Removes CETC as an optional administration and services provider for contracts for employment services delivery for TANF recipients

By law, the Department of Labor (DOL) must negotiate, establish, modify, extend, suspend, or terminate contracts for the delivery of employment services to temporary assistance for needy families (TANF) recipients. Current law allows DOL to provide administration and services directly or through the CETC or regional workforce

development boards. The bill removes CETC as an optional provider.

EFFECTIVE DATE: July 1, 2021

§§ 245, 248-249 & 258 — GOVERNOR'S WORKFORCE COUNCIL

Creates the Governor's Workforce Council as a successor council to Connecticut Employment and Training Commission removes some duties from the council and adds others, making conforming changes regarding the council's duties

The bill creates the Governor's Workforce Council and makes it a successor council to the Connecticut Employment and Training Commission (CETC), aligning the statutes to Governor Lamont's Executive Order No. 4, signed on October 29, 2019. This executive order required CETC to also be known at the Governor's Workforce Council and, among other things, designated the council as the governor's principal advisor on workforce development issues.

The bill also locates the council within the Office of Workforce Strategy within the Office of the Governor for administrative purposes only, rather than within DOL, and specifies that the council must carry out the duties and responsibilities of a state workforce board pursuant to the WIOA along with related responsibilities the governor may direct.

Duties (§§ 245, 248 & 258)

The bill removes many duties from the council relating to employment training programs and replaces them with the following duties:

1. making recommendations to the legislature about allocation of federal WIOA funds and

2. convening state agencies, educational institutions, business leaders, and others to inform state workforce development policy, help state agencies and educational institutions align with employers' needs, and help businesses understand how to contribute to the state's workforce efforts.

It also transfers the following duties in current law from CETC to the council:

1. receiving DOL's employment services evaluation report and

2. collecting and analyzing data on state-supported training programs that measure the presence of gender or other systematic bias.

Council Membership (§ 249)

The bill establishes the Governor's Workforce Council's membership. The table below lists the appointing authorities and required expertise for this 51-member council.

Table: Governor's Workforce Council Membership

Appointing Authority	*Required Expertise*
N/A	Governor
House speaker	One member of the House of Representatives
Senate president pro tempore	One member of the Senate
Governor	24 members, at least one of whom must represent small businesses, who are: • business owners, chief executives or business operating officers, or other business executives or employers with optimum policymaking or hiring authority; • representatives of businesses or organizations providing high-quality training for in-demand industry sectors or occupations; or • have been nominated by state business organizations or business trade associations Four labor organization representatives nominated by state labor federations One person who is either (1) a labor organization member or (2) training director from a joint labor-management apprenticeship program or, if no program exists, an apprenticeship program representative

	Five representatives of community-based organizations with demonstrated experience in addressing employment, training, or education, including one from a community action agency and another from a philanthropic organization One representative from the Connecticut State Colleges and Universities One representative from UConn One representative from a nonprofit Connecticut higher education institution Two public school superintendents Two chief elected officials of municipalities Two members of the public who are enrolled in or have recently completed a nondegree workforce training program
N/A	Labor, Aging and Disability Services, Education, Economic and Community Development Commissioners or their designees
N/A	OWS's chief workforce officer or his or her designee

The bill requires the appointing authorities to appoint members in a way that reflects the state's diversity, including geographic, gender identity, racial, and ethnic diversity. It specifies that any appointments made before October 1, 2021, must expire on that date.

Additionally, the bill requires the governor to appoint the council's chairperson from among its members. It also specifies that OWS's chief workforce officer must serve as the council's vice-chairperson. The council must meet at least quarterly each year, and the governor must establish its bylaws according to federal regulations governing state workforce development boards. The bylaws must address, at a minimum, members' term limits and appointment processes.

The bill allows the council to establish its own executive committee composed of chairperson-appointed members. The council's vice-

chairperson (i.e., the chief workforce officer) must be a member of the executive committee. Under the bill, the council may delegate to the executive committee any council powers except those required by law to be exercised by the council itself.

Under the bill, the chairperson also (1) may appoint ad hoc committees, workgroups, or task forces to assist the council and (2) must consult with the vice-chairperson and legislative council members when making appointments to these bodies.

EFFECTIVE DATE: July 1, 2021, with the provisions establishing the council's membership taking effect on October 1, 2021.

§§ 246 & 247 — LABOR COMMISSIONER'S POWERS AND DUTIES

Removes certain employment-related statistical reporting requirements from the commissioner's report to the governor; removes certain powers and duties related to employment training programs

The bill removes many of the labor commissioner's powers and duties as conforming changes to reflect the transfer of duties to the Office of Workforce Strategy (OWS) and Governor's Workforce Council, created under the bill.

Specifically, it removes the requirement that the DOL commissioner include the following statistical details in his annual report to the governor: (1) population and employment data to project who is working, who is not working, and who will be entering the job market and (2) data about present job requirements and potential new industry needs.

Additionally, the bill removes the requirements that the DOL commissioner do the following:

1. administer the coordination of all employment training programs in the state;

2. implement the CETC plan;

3. develop and maintain a comprehensive inventory of all Connecticut employment and training programs;

4. provide staff and other resources to CETC as he can make available;

5. appoint a job training coordinator to develop and implement programs to provide job training, an incentive to establish apprentice programs in selected occupations, and work training and placement for the chronically unemployed; and

6. establish an interagency program coordinating committee to coordinate the application of all available resources for the job training coordinator's initiatives described above.

The bill instead allows the commissioner to adopt regulations for Connecticut employment and training programs.

§§ 250-256 & 317 — REGIONAL WORKFORCE DEVELOPMENT BOARDS

Makes several changes to laws on regional workforce development boards, such as requiring that they undertake their responsibilities in accordance with specified other related initiatives and guidance

Board Responsibilities (§ 251)

- Requires regional workforce development boards, when undertaking various responsibilities under the bill and existing law, to act in accordance with (1) the Governor's Workforce Council's workforce development plan, (2) the chief workforce officer's state workforce strategy, and (3) any guidance issued by the chief workforce officer or DOL commissioner

- Requires each regional workforce development board to be the lead agency for any local workforce development initiative

- Requires boards to submit to the DOL commissioner, chief workforce officer, or Governor's Workforce Council information that the commissioner, officer, or council deems essential for effective state planning; replaces current provisions specifying the information that boards must submit to the commissioner

- Requires boards, when annually reporting on performance measures for programs funded by the board, to do so in

accordance with federal law, and allows the DOL commissioner and chief workforce officer to jointly issue guidance on additional information that boards must report

- Eliminates certain board responsibilities, such as that they (1) annually prepare plans on their priorities and goals for regional employment and training programs and report on how well these programs met those goals and (2) establish worker training education committees

Board Membership (§§ 252 & 255)

- As under current law, requires board membership to satisfy the requirements of federal law (e.g., a majority of members must represent local businesses and at least 20% must represent the workforce), but otherwise eliminates specific membership criteria in state law

- Requires the Governor's Workforce Council to ensure that each board's membership, in addition to meeting the requirements under state law and regulations, meets any guidance by the chief workforce officer in accordance with federal law

Information Exchange (§§ 253 & 254)

- Requires the chief workforce officer, jointly with the DOL commissioner and Governor's Workforce Council, to facilitate communication and information exchange between the boards and state agencies involved in employment and training; current law requires the DOL commissioner to do this, acting through the CETC (i.e., the Governor's Workforce Council)

- Replaces current provisions listing certain matters for which state agencies involved in employment and training must provide information for distribution to the boards

Regulations and Oversight (§ 254)

- Allows, rather than requires, the DOL commissioner to adopt regulations to carry out the laws on regional workforce

development boards; if the commissioner adopts these regulations, he must consult with the chief workforce officer and Governor's Workforce Council when doing so

- Transfers, from the DOL commissioner to the governor, the authority to approve boards meeting the law's requirements, and allows the governor to do so upon the recommendation of the Governor's Workforce Council

General Provisions

- Makes several technical and conforming changes, such as (1) replacing references to CETC with the Governor's Workforce Council and (2) conforming to federal law by replacing references to the "Job Training Partnership Act" with the "Workforce Innovation and Opportunity Act"

- EFFECTIVE DATE: July 1, 2021

§ 257 — STATEWIDE NETWORK OF JOB CENTERS

Requires DOL to (1) participate in, rather than maintain, a statewide network of job centers and (2) consult and collaborate with the chief workforce officer when undertaking related responsibilities

- Requires DOL to participate in, rather than maintain, a statewide network of job centers and, as under current law, DOL must do so within available resources

- In carrying out job center-related responsibilities, requires the commissioner to collaborate and consult with the chief workforce officer, in addition to certain other entities or officials, as under current law

- EFFECTIVE DATE: July 1, 2021

§ 259 — WIOA FUNDS

Limits the amount of the state's WIOA allotment that the governor may reserve for statewide investment activities; eliminates provisions in current law specifying how funds must be used

Under existing law, the state may reserve, from its WIOA allotment, funds for statewide investment activities. The bill conforms to WIOA

by requiring that the governor limit this reservation to 15% of the allotment. It also requires the chief workforce officer to annually report to the Appropriations Committee on how the reserved funds will be used and whether any changes are made in how they will be used. (The bill does not specify a reporting date.)

The bill eliminates provisions in current law requiring that the reserved funds be used only for statewide (1) youth activities or (2) employment and training activities for adults and dislocated workers.

EFFECTIVE DATE: July 1, 2021

§ 260 — STATEWIDE WORKFORCE DEVELOPMENT BOARD

Recognizes the Governor's Workforce Council as the statewide workforce development board for WIOA purposes

The bill recognizes the Governor's Workforce Council, rather than CETC, as the statewide workforce development board for WIOA compliance purposes. (Executive Order No. 4, signed by the governor on October 29, 2019, renames CETC the Governor's Workforce Council.)

EFFECTIVE DATE: July 1, 2021

§ 261 — STATE WORKFORCE DEVELOPMENT PLAN

Requires the governor's workforce development council to develop a four-year state workforce development plan; eliminates obsolete references to a single state plan

The bill requires the governor's workforce council to develop a four-year state workforce development plan that meets WIOA requirements. The council must do so with the labor commissioner's assistance and in consultation with the regional workforce development boards. The bill eliminates obsolete references to a single state plan required by the Workforce Investment Act of 1998 (WIA) and that plan's required components.

Under the bill, the governor may submit the four-year plan and any modifications to the U.S. labor, health and human services, and education secretaries. Unlike current law for WIA, the bill does not require any legislative committee approval.

EFFECTIVE DATE: July 1, 2021

§ 262 — ADULT WORKFORCE DEVELOPMENT ACTIVITY FUNDS

Requires the Governor's Workforce Council, rather than CETC, to annually recommend WIOA fund appropriations for adult workforce development; eliminates certain required components for the recommendation

The bill requires the Governor's Workforce Council, rather than CETC, to annually make recommendations to the governor concerning the appropriation of WIOA funds received for adult workforce development activities. The bill changes the annual reporting date to October 1 (from February 9) and eliminates (1) the requirement that recommendations also be made to the legislature and (2) specified subjects that the recommendation must address (e.g., underemployed and at-risk workers).

The bill also eliminates a requirement that CETC annually make recommendations to the governor and legislature concerning WIOA funds for dislocated workers.

EFFECTIVE DATE: July 1, 2021

§ 263 — TECS AND CTC ALIGNMENT WITH BUSINESS AND INDUSTRY

Requires the TECS board, in consultation with specified entities, to assess TECS and CTC alignment with business and industry

The bill requires the Technical and Career Education System (TECS) board, in consultation with specified entities (see below), to do the following:

1. review, evaluate, and recommend improvements for certificate and degree programs at the TECS schools and regional community-technical colleges (CTCs) to make sure they meet business and industry's employment needs;

2. develop ways to strengthen ties between skill standards for education and training and business and industry's employment needs;

3. assess (a) employers' unmet demand for hiring TECS trade

program graduates and (b) students' unmet demand for enrolling in a TECS trade program; and

4. assess opportunities to increase TECS schools' use after school hours and on weekends.

The bill requires the TECS board to do so by January 1, 2022, and as needed thereafter. The board must work in consultation with the chief workforce officer; the commissioners of education, economic and community development, labor, and social services; OPM secretary; CSCU president; and one member of industry from each DECD-identified economic cluster.

The bill also requires the TECS superintendent, rather than the SDE commissioner, to submit an annual report to the Commerce, Education, Higher Education, and Labor committees on certificate or degree programs offered by TECS schools or CTCs that do not meet industry needs. It eliminates a requirement in current law that the report also include the implementation of recommended strategies within TECS or the CTCs to strengthen their linkage with business and industry's employment needs.

EFFECTIVE DATE: July 1, 2021

§ 264 — COUNCIL OF ADVISORS ON STRATEGIES FOR THE KNOWLEDGE ECONOMY

Adds the chief workforce officer to the council

The bill adds the chief workforce officer to the Council of Advisors on Strategies for the Knowledge Economy. Among other things, the council must promote the formation of university-industry partnerships and identify benchmarks for technology-based workforce innovation and competitiveness.

EFFECTIVE DATE: July 1, 2021

§ 265 — INTEGRATED SYSTEM OF STATEWIDE INDUSTRY ADVISORY COMMITTEES

Requires the TECS board to create an integrated system of statewide industry advisory committees

- Requires the TECS board, in consultation with the Labor Commissioner, to create an integrated system of statewide industry advisory committees for each career cluster offered as part of TECS and the CTC system (under current law, the labor commissioner had to do this by October 1, 2012 in consultation with the TECS superintendent and assistance from OWC)

- Committees must include industry representatives of the specified career cluster

- Each committee must establish specific skills standards, corresponding curriculum, and a career ladder for the cluster which must be implemented as part of the schools' core curriculum; committees must do so with support from OWS, DOL, TECS, SDE, and the CTC

- EFFECTIVE DATE: July 1, 2021

§§ 266-267 & 270-271 — OWS DUTIES TRANSFER

Transfers various duties from OWC to OWS

- Transfers from the DOL commissioner and OWC to the OWS chief workforce officer the duty to identify state workforce shortage areas to inform academic offerings to students

- Requires OWS, rather than OWC, to collaborate with the State Board of Education to provide transition resources, services, and programs to children requiring special education and related services

- Makes OWS, rather than OWC, responsible for establishing and updating the career ladder for jobs in the green technology industry

- EFFECTIVE DATE: July 1, 2021

§ 268 — EARLY CHILDHOOD PRESERVICE AND MINIMUM TRAINING REQUIREMENTS

Adds OWS and OEC to the list of entities under current law who must consult with the CSCU president to define early childhood preservice and minimum training requirements

- Requires OWS and the Office of Early Childhood, along with DOL, and other entities and individuals under current law, to consult with the Connecticut State Colleges and Universities president to define early childhood preservice and minimum training requirements

- EFFECTIVE DATE: July 1, 2021

§ 269 — CETC CONFORMING CHANGE

Makes a conforming change regarding CETC

- Makes a conforming change by eliminating a reference to a statute containing duties for CETC, which the bill renames and repurposes

- EFFECTIVE DATE: July 1, 2021

§§ 272-277 — CHIEF WORKFORCE OFFICER PLACEMENT ON BOARDS

Adds the state chief workforce officer (CWO) to six existing state boards or commissions including the State Board of Education (SBE) and the Board of Regents (BOR) and makes various related changes to these entities' membership

The bill places the state's CWO on the following six different existing state boards or commissions:

1. State Apprenticeship Council,
2. SBE,
3. Education Commission of the States,
4. BOR,
5. New England Board of Higher Education, and
6. Connecticut Higher Education Supplemental Loan Authority (CHESLA).

State Apprenticeship Council

The bill expands the council membership from 12 to 13 members and adds the CWO as one of the two members who must represent the

public on the council. Under current law, the labor commissioner is the only member designated to represent the public. The bill also allows both the CWO and the labor commissioner to be represented on the council by a designee.

The bill also allows, rather than requires as under current law, the council to annually prepare a report by August 1 to be included with the labor commissioner's report to the governor.

SBE

The bill adds the CWO to the SBE as an ex-officio member who serves without a vote. The Connecticut State Colleges and Universities (CSUS) president and the Technical Education and Career System board chairperson are also nonvoting ex-officio members.

Representatives to the Education Commission of the States

Under current law, the House speaker, House minority leader, Senate president pro tempore, and Senate minority leader each make an appointment to represent Connecticut as members of the Education Commissioner of the States. The bill creates four new appointments by the governor, two of whom are the education commissioner and the CWO. Also, the governor, or his designee, will serve as an ex-officio member of the commission.

BOR

By law, the BOR is the governing body for the regional community-technical college system, CSUS, and Charter Oak State College. The bill expands the number of ex-officio, nonvoting members to include the CWO. Currently the commissioners of education, economic and community development, labor, and public health are also ex-officio, nonvoting members.

New England Board of Higher Education

The bill revamps Connecticut's eight appointments to the New England Board of Higher Education. The boards oversees the New England Higher Education Compact that aims to provide greater educational opportunities and services throughout New England.

Under current law, the governor appoints two members, with the approval of the General Assembly. The bill changes the two appointments to the education commissioner and the CWO, or their designees, and removes the requirement for General Assembly approval.

Under current law, the Senate president pro tempore appoints three: one senator, and two state residents. The bill changes the resident appointments to one representing CSUS and one representing the regional community-technical colleges system (which is part of CSUS), who are each recommended by the CSUS president. The House speaker also appoints three under current law: one house member and two state residents. The bill changes the resident appointments to one representing UConn, recommended by the UConn president, and one representing the state's independent colleges and universities.

Also, the bill changes the terms of the governor's appointees from six years to four.

Those appointed before July 1, 2021, may continue to serve the remainder of their terms.

CHESLA

The bill expands the CHESLA board of directors from nine to 10 members by adding the CWO, or his or her designee, as an ex-officio voting member. By law, other members of the board include the state treasurer, the OPM secretary, and the CSUS president, or their designees.

CHESLA is a state quasi-public agency that assists borrowers, either student or parents, and Connecticut higher education institutions in financing or refinancing of the cost of higher education.

EFFECTIVE DATE: July 1, 2021

§ 278-280 — OWS MEMBERSHIP ON COMMITTEES AND BOARDS

Adds OWS to the membership of various economic development committees and boards

- Adds an OWS representative to the membership of DECD's

Technology Talent Advisory Committee (which is appointed by the commissioner) and repeals obsolete language (§ 278)

- Adds OWS's chief workforce officer, or his or her designee, to the Manufacturing Innovation Advisory Board, which is chaired by the DECD commissioner or his designee, and repeals obsolete language (§ 279)

- Adds OWS's chief workforce officer to the CTNext board of directors as an ex-officio member and requires that half of the board's membership, rather than a majority, be composed of serial entrepreneurs representing a diverse range of Connecticut growth sectors (§ 280)

- EFFECTIVE DATE: July 1, 2021

§ 281 — MUNICIPAL REDEVELOPMENT AUTHORITY ASSISTANCE

Requires businesses that receive assistance from MRDA to enter into an agreement with OWS for assistance with the training and recruitment of local employees

By law, the Municipal Redevelopment Authority (MRDA), its member municipalities, and joint member entities must encourage businesses to hire local employees as appropriate. Under the bill, any business that receives financial assistance from MRDA must enter into an agreement with OWS, rather than the Workforce Training Authority, for assistance with the training and recruitment of workers. This conforms to the bill's repeal of the Workforce Training Authority.

EFFECTIVE DATE: July 1, 2021

§ 282 — MILITARY TO MACHINISTS PROGRAM

Removes Workforce Training Authority Fund expenditures as a program funding source

By law, the Military to Machinists pilot program assists veterans in regions served by the program with earning an advanced manufacturing certificate from a qualified program. Pilot program liaisons must assist veterans with obtaining funding for the cost of attendance. The bill removes Workforce Training Authority Fund expenditures from the funding options listed in current law.

EFFECTIVE DATE: July 1, 2021

§ 283 — APPRENTICESHIP CONNECTICUT

Makes changes to the labor commissioner's administration of this initiative, including the RFP's timing, proposal requirements, and selection and funding requirements

By law, the Apprenticeship Connecticut initiative develops workforce pipeline initiatives to train qualified entry-level workers for job placement with manufacturers and other industry sectors experiencing workforce shortages.

As part of this initiative, the bill requires the labor commissioner to issue a request for proposals (RFP), rather than a request for qualifications to solicit proposals as under current law, from regional industry partnerships for a workforce pipeline program to serve the workforce needs of manufactures and other employers. The bill changes the deadline by which the commissioner may do this from January 1, 2019, to 60 days after he receives funding. Additionally, it removes the requirement that each regional workforce development board report to the legislature about the most pressing workforce needs within each board's region.

Current law requires that proposals be submitted through regional workforce development boards and specifies numerous core program components. The bill instead requires the commissioner to specify the program components required for each proposal and removes several of the core program components that must be included in the proposals under current law.

The bill requires the labor commissioner to review all qualifying responses to the RFP using the governor's approved state workforce strategy and any guidance from OWS's chief workforce officer. It also removes proposal selection and funding guidelines that the commissioner must follow under current law.

EFFECTIVE DATE: July 1, 2021

§ 284 — CONNECTICUT PRESCHOOL THROUGH TWENTY AND WORKFORCE INFORMATION NETWORK

Makes changes to the CP20 WIN data sharing agreement for participating agencies; requires an annual data request be made to CP20WIN about the state's workforce system

- Requires participating agencies in the CP20 WIN (Connecticut Preschool through Twenty and Workforce Information Network) to enter into an "enterprise memorandum of understanding (MOU)," rather than a "memorandum of agreement" in order to participate in the network

- Defines "enterprise MOU" as a foundational, multiparty agreement that sets forth details of how data is shared and the respective legal rights and responsibilities of each party to the process, which may also be used for new agencies to sign on to the data-sharing process without having to resign as agencies sign on or off the agreement

- Requires participating agencies to be approved for participation by the enterprise MOU, rather than by all other participating agencies as required under current law

- Expands CP20 WIN's purpose to also include informing policy and practice for education, workforce, and supportive service efforts

- Adds to CP20 WIN's executive board OWS's chief workforce officer or his or her designee

- Requires CP20 WIN executive board to advance a vision that includes a prioritized research agency with support from OPM, rather than from the Higher Education Planning Commission as under current law

- Requires CP20 WIN's data governing board to implement, rather than enforce, policies related to cross-agency data management

- Requires OWS's chief workforce officer, in consultation with the chief data officer and labor commissioner, to annually submit to CP20 WIN's administrator beginning by January 1, 2022, a

request for data and analysis to assess performance and outcomes of the state' workforce system; requires the administrator to complete this request by August 15, 2022, and annually thereafter

- EFFECTIVE DATE: July 1, 2021

§ 285 — TECHNICAL CHANGE

Removes a citation to a statute that does not contain a relevant term

- Removes a statutory citation from the law that defines the term "state college," since the cited statute does not contain the defined term

- EFFECTIVE DATE: July 1, 2021

§ 286 — DECD BONDING FUNDS

Removes a cap on the appropriation of DECD bond funds to a DOL program

- Removes the $5.25 million cap on the amount of bond money that DECD may allocate to the labor commissioner to assist employers with job training or retraining current employees or prospective employees in newly-created jobs, including meeting ISO 9000 quality standards (sSB 903, File 285, passed by both chambers, repeals the training program for ISO 9000 standards)

- EFFECTIVE DATE: July 1, 2021

§ 289 — FY 22-23 APPROPRIATION FOR OWS

Rescinds appropriations to DECD for OWS and replaces them with appropriations to the Governor's Office for OWS

The biennial budget bill (HB 6689, as amended by House "A" and passed by both chambers) appropriates $250,000 to DECD in both FYs 22 and 23 for OWS. This bill rescinds those appropriations and instead appropriates $250,000 each in FYs 22 and 23 to the Governor's Office for OWS. This conforms with the bill's placement of OWS within the Governor's Office for administrative purposes only.

EFFECTIVE DATE: July 1, 2021

§ 290 — OWS EXPENDITURE OF ARPA FUNDS

Allows OWS to spend federal ARPA funds received by the state

The bill allows OWS to spend federal American Rescue Plan Act (ARPA) funds to support workforce development initiatives under state and federal law.

EFFECTIVE DATE: July 1, 2021

§ 291 — CONNECTICUT AUTOMATIC ADMISSIONS PROGRAM

Requires BOR to establish an automatic admissions program for the CSUs' bachelor's degree programs and other in-state participating institutions

Program Establishment and Eligibility Criteria

The bill requires the Board of Regents for Higher Education (BOR) to establish the Connecticut Automatic Admissions Program by April 1, 2022. When establishing the program and adopting the rules, procedures, and forms to implement it, BOR must consult with the four Connecticut State Universities (CSUs) and any other in-state higher education institution that is eligible to participate in the program ("participating institutions"), as described below.

Under the bill, the program must require participating institutions to admit an applicant as a full-time, first-year student to a Connecticut in-person bachelor's degree program if he or she meets the following requirements:

1. meets or exceeds the academic threshold (see "Academic Threshold," below);

2. qualifies as an in-state student (see BACKGROUND);

3. is enrolled in his or her last school year before graduation in a Connecticut public or approved private high school; and

4. earns a high school diploma, an adult education diploma, or other equivalent credential, if required by a participating institution.

The bill specifies that (1) admission to an institution under the program does not guarantee admission to any specific bachelor's

degree program and (2) no participating institution may consider admission through the program when determining the student's need- or merit-based financial aid.

Under the bill, a participating institution may conduct a comprehensive review of an applicant who applies through the program. This review may entail requesting additional application materials or result in denying admission. However, the bill requires participating institutions to make an effort to minimize the number of students subjected to this review if the students meet the above four requirements.

Program Application Process

The bill requires BOR to create a simple, online application form for students to apply to the program's participating institutions. This application:

1. must require students to verify that they meet the qualifications;

2. may require students to provide their state-assigned student identifier, if they have one (although private school students do not have such a number; see BACKGROUND);

3. cannot require an application fee, an essay, or recommendation letters; and

4. must embed or link to information and resources about (a) college admissions and financial aid and (b) the net cost of completing a bachelor's degree program, graduation rates, average earnings for graduates of participating institutions, and, if possible, common majors at participating institutions.

Participating Institutions Outside of the Connecticut State University System (CSUS)

The bill allows a nonprofit higher education institution outside of CSUS to participate in the program if it enters a memorandum of agreement with BOR and meets the following qualifications:

1. has graduated at least 100 students with a bachelor's degree in

each of the prior four years;

2. maintains eligibility to participate in federal student financial aid programs;

3. has a financial responsibility score of at least 1.5 for the most recent fiscal year with available data, as determined by the U.S. Department of Education (see BACKGROUND); and

4. is accredited as a degree-granting institution in good standing for at least 10 years by a regional accrediting organization and maintains the accreditation.

Under the bill, each non-CSU participating institution must use the online application form (see "Program Application Process," above) and comply with the academic threshold requirements (see below). Additionally, the bill allows BOR to charge a reasonable fee to these institutions for program participation; however, it must not exceed BOR's cost for including the institution in the program, or $25,000, whichever is less. (It is unclear whether this fee must be a one-time fee or may be recurring.)

Academic Threshold

The bill requires BOR to establish (1) a minimum class rank percentile for program applicants to qualify for automatic admission to participating institutions and (2) a standardized grade point average (GPA) calculation method that must be used to determine class rank percentile.

The bill also requires each participating institution to establish an academic threshold for admission to the institution through the program.

For any non-CSU participating institution, the threshold must be based on one or more of the following:

1. the BOR-established minimum class rank percentile,

2. a minimum GPA calculated using the BOR-established

standardized method, or

3. a combination of (a) the BOR-established standardized method of minimum GPA calculation and (b) performance on a nationally recognized college readiness assessment administered to grade 11 students (i.e., the SAT).

Under the bill, CSU participating institutions (1) must establish an academic threshold using the BOR-established minimum class rank percentile and (2) may establish the other two academic thresholds available to participating institutions.

The bill considers any applicant who has satisfied any one of an institution's academic thresholds to have fulfilled the academic threshold for admission. Additionally, it prohibits participating institutions' governing boards from establishing policies or procedures that require additional academic qualifications beyond what is in the bill.

Nonpublic High School Participation

The bill allows a Connecticut nonpublic high school's supervisory agent to apply to BOR, in a BOR-prescribed form and manner, to participate in the program. BOR must approve any application, so long as the school (1) is accredited by a generally recognized organization or is operated by the U.S. Department of Defense and (2) complies with the bill's GPA and class rank percentile calculation requirements.

EFFECTIVE DATE: July 1, 2021

Background

In-State Student Classification. By law, with limited exceptions, eligibility for in-state student classification is based on an applicant's domicile, which is his or her "true, fixed and permanent home" and the place where he or she intends to remain and return to when he or she leaves (CGS §§ 10a-28 & 10a-29). One exception allows a person, except for certain nonimmigrant aliens (i.e., people with a visa permitting temporary entrance to the country for a specific purpose), to qualify for in-state tuition if he or she meets the following criteria:

1. resides in Connecticut (i.e., maintains a continuous and permanent physical presence, except for short, temporary absences);

2. attended an in-state educational institution and completed at least two years of high school in Connecticut;

3. graduated from a high school or the equivalent in Connecticut; and

4. is registered as an entering student, or is a student, at UConn, a Connecticut State University, a community-technical college, or Charter Oak State College.

Students without legal immigration status who meet the above criteria must file an affidavit with the institution stating that they have applied to legalize their immigration status or will do so as soon as they are eligible (CGS § 10a-29(9)).

State-Assigned Student Identifier. The State Department of Education assigns a unique student identifier to each student prior to tracking their performance in the public school information system. This system tracks and reports data relating to student, teacher, school, and district performance growth and makes this information available to boards of education for use in evaluating educational performance and growth of teachers and enrolled students (CGS § 10-10a).

Financial Responsibility Score. According to the U.S. Department of Education, this composite score reflects the overall relative financial health of higher education institutions along a scale from -1 to 3. A score of 1.5 or more indicates that the institution is considered financially responsible.

§ 292 — AUTOMATIC ADMISSIONS PROGRAM ELIGIBILITY

Requires boards of education to calculate and notify students of their eligibility for the automatic admissions program using a standardized method

The bill requires each local and regional board of education, starting in the 2022-23 school year, to make certain annual calculations

to determine which students qualify for the automatic admissions program. Specifically, each board must do the following:

1. calculate a GPA using the BOR-established standardized method for each student who completes grade 11;

2. determine whether these students' class rank percentile is above or below the BOR-established minimum; and

3. share a student's GPA, and whether the student is above or below the minimum class rank percentile, with the student; his or her parents or guardians; the State Department of Education (SDE); and, upon the student's request, a participating institution for purposes of the program.

The bill specifies that it does not require a board of education to (1) publish or provide any student's class ranking, (2) publish the BOR-established GPA calculation on a student's transcript, or (3) publish whether a student is above or below the BOR-established minimum class rank percentile for the automatic admissions program.

The bill requires each board of education, starting in the 2022-23 school year, to annually notify each student in his or her final year of high school, and their parent or guardian, about whether the student may be admitted to at least one participating institution under the automatic admissions program, based on the academic threshold described above.

EFFECTIVE DATE: July 1, 2021

§ 293 — CTPASS PROGRAM

Requires the DOT commissioner to establish the CTpass program to allow certain individuals of eligible organizations to use specified public transit services for free or at a reduced cost

The bill requires the Department of Transportation (DOT) commissioner to establish the CTpass program by January 1, 2022, to allow certain employees, clients, students, or customers of an approved class for an eligible organization to use certain public transit services without cost or at reduced cost. These eligible organizations

include::

1. a training program listed on the Department of Labor's Eligible Training Provider List,
2. an apprenticeship or pre-apprenticeship program sponsor,
3. a State Board of Education (SBE)-approved alternate route to certification (ARC) program provider,
4. a higher education institution,
5. a private occupational school,
6. an employer,
7. a state or municipal agency, and
8. a public or nonprofit social service provider.

The commissioner must post information about the program and its application process on the department's website in a manner that, in his view, will maximize awareness and participation by the greatest number of eligible organizations.

Under the bill, after an eligible organization submits an application to participate in CTpass, the commissioner may (1) negotiate terms and conditions and enter into a contract with the organization and (2) treat several eligible organizations as a single one for the contract.

The contract's terms and conditions must include (1) the amount of compensation or reimbursement required from the eligible organization, (2) the definition of approved class specific to the eligible organization, and (3) any limitations on times of use or types of public transit services available to the approved class. The compensation or reimbursement negotiated in the contract must be in an amount that the commissioner finds necessary or advisable, so long as it ensures that DOT's transit service expenditures do not increase due to administrative costs incurred operating the program.

The bill requires that a contract under the CTpass program be valid upon the Office of Policy and Management's (OPM's) approval for a maximum two-year term; however, the first contract with an eligible organization must not exceed 12 months. Before renewing a contract with an eligible operator, the DOT commissioner must consider the following to re-evaluate the required compensation or reimbursement amount: (1) prior pass usage information and (2) any transit services expenditure increases incurred by DOT.

By January 1, 2023, and annually thereafter, the bill requires the DOT commissioner to report to the OPM secretary on the financial data and pass usage information for each contract under the CTpass program.

EFFECTIVE DATE: July 1, 2021

§ 294 — EDUCATION ASSISTANCE PROGRAMS

Requires certain employers to notify employees about education assistance programs they may offer

The bill requires each Connecticut employer with 100 or more employees to notify their employees who live in the state by December 1, 2021, and annually for the next three years, about (1) whether the employer offers an education assistance program and (2) if one is offered, the benefits included and how an employee may enroll. Under the bill, as defined by federal law, an education assistance program is a separate written plan of an employer for the exclusive benefit of its employees to provide them with educational assistance such as payments for tuition, fees, books, supplies, equipment, and qualified education loans (26 U.S.C. § 127).

The bill prohibits an employee from having a cause of action against an employer for not offering this type of program or for failing to notify employees about the program. It requires the Department of Economic and Community Development (DECD) commissioner to make information and resources about these programs available to employers.

EFFECTIVE DATE: July 1, 2021

§ 295 — UCONN EARLY COLLEGE EXPERIENCE COURSES

Requires UConn to remove Early College Experience (ECE) course prerequisites as much as possible and report to the education commissioner and legislative committees on these efforts and related topics

The bill requires UConn to remove prerequisites, to the extent possible, from each UConn ECE course offered in the state and work with local and regional boards of education to increase access to these courses.

It also requires UConn to report to the education commissioner and the Higher Education and Employment Advancement and Education committees by October 1, 2022, about the following topics:

1. prerequisites for UConn ECE courses;

2. a comparison of UConn's ECE prerequisites to those of similar courses offered by other higher education institutions and for advanced placement, International Baccalaureate, and Cambridge International programs;

3. enrolled student demographics (presumably for ECE courses); and

4. UConn's actions taken to increase ECE course access.

EFFECTIVE DATE: July 1, 2021

§ 296 — COLLEGE CREDIT FOR HIGH SCHOOL COURSEWORK

Requires the governing boards of public state colleges and universities to report on their policies for awarding college credit for exam scores earned in advanced high school courses

The bill requires the UConn Board of Trustees and BOR to report to the education commissioner and the Education and Higher Education committees by February 1, 2022, about their institutions' policies for awarding course credit to undergraduate students for their score on an advanced placement, International Baccalaureate, Cambridge International, or UConn ECE exam taken while enrolled in high school.

EFFECTIVE DATE: July 1, 2021

§ 297 — STUDENT INFORMATION PROTECTION

Exempts specified student information from disclosure under FOIA; prohibits the sharing of higher education student applications and immigration status with federal immigration authorities except under specified conditions

FOIA Exemptions

The bill exempts from disclosure under the Freedom of Information Act (FOIA) (1) any information contained in a Free Application for Federal Student Aid or state application for student financial aid and (2) personally identifiable information in higher education institution admissions applications, including applications under the Connecticut Automatic Admissions Program (see § 1 above). This exemption applies to these records held by any department, board, commission, or public higher education institution, or any other agency of the state, as well as any local or regional board of education or state-administered school system.

Records Protection for Undocumented Students and Families

The bill generally prohibits several individuals and entities from disclosing to any federal immigration authority any confidential information about an individual, including information about his or her admission or financial application or immigration status. These individuals and entities are officers, employees, or agents of a local or regional board of education or Connecticut higher education institution. Under the bill, this information may be disclosed if it is:

1. authorized in writing by the individual or by his or her parent or guardian if the individual is a minor or not legally competent to consent to the disclosure;

2. necessary for a criminal terrorism investigation; or

3. otherwise required by state or federal law or to comply with a judicial warrant or court order issued by a state or federal judge or magistrate.

By law, "federal immigration authority" refers to any officer, employee, or other person otherwise paid by or acting as an agent of (1) U.S. Immigration and Customs Enforcement (ICE) or any division of ICE or (2) the U.S. Department of Homeland Security or any

successor agency charged with enforcing the civil provisions of the Immigration and Nationality Act.

EFFECTIVE DATE: July 1, 2021

§ 298 — CREDENTIALS DATABASE

Requires OHE to create a database of the credentials offered in Connecticut; beginning by July 1, 2024, requires specified institutions and training providers to submit information about the credentials they offer to be included in the database; creates an advisory council to advise OHE on the database's implementation; establishes council membership

Credentials Database

By January 1, 2023, OHE's executive director, in consultation with the advisory council described below, must create a database of the credentials offered in Connecticut. Under the bill, a "credential" is a documented award issued by an authorized body. It includes the following:

1. degrees or certificates awarded by colleges and universities, private occupational schools, or SBE-approved ARC program providers;

2. certifications awarded through an examination process designed to demonstrate that an individual has the knowledge, skill, and ability to perform a specific job;

3. government licenses that allow someone to practice a specific occupation based on predetermined qualifications; and

4. documented completion of an apprenticeship or job training program.

The database must explain the skills and competencies earned through a credential in uniform terms and plain language. In creating the database, the executive director must use the (1) minimum data policy established by the New England Board of Higher Education's (NEBHE's) High Value Credentials for New England initiative (see BACKGROUND) and (2) uniform terms, descriptions, and standards for comparing and linking credentials in Credential Engine's Credential Transparency Description Language-Achievement

Standards Network (see BACKGROUND).

The database must, at a minimum, include the following information for each credential:

1. name and type of credential being offered and its credential status type (i.e., active, deprecated, probationary, or superseded);

2. entity that owns or offers the credential;

3. a short description of the credential and the language in which it is offered;

4. a website that provides related information;

5. estimated cost and duration for completion;

6. the industry related to the credential, which may include its code under the North American Industry Classification System;

7. the occupation related to the credential (e.g., its code under the U.S. Bureau of Labor Statistics (BLS) standard occupational classification system or under The Occupational Information Network); and

8. a listing of online or physical locations where it is offered.

Advisory Council

The bill establishes a council to advise the OHE executive director on the database's implementation. The advisory council must include the state's chief data officer or his designee and representatives from OWS, OHE, OPM, the Department of Labor (DOL), SDE, the Connecticut State Colleges and Universities, UConn, and independent higher education institutions. The chief workforce officer, chief data officer, and OHE executive director, or their designees, must cochair the council and schedule its meetings.

Requirement to Submit Credential Information

Annually, beginning by July 1, 2024, the bill requires specified institutions and training providers to submit information about the credentials they offer to be included in the database. Specifically, this requirement applies to each regional workforce development board, community action agency, higher education institution, private occupational school, SBE-approved ARC program provider, and training program provider listed on DOL's Eligible Training Provider List, excluding any state agencies or departments.

Each of these entities must submit the information in the form and manner the OHE executive director prescribes, including the data described above. Higher education institutions, however, may omit the industry code data for any credentials for which it is not applicable.

The bill also authorizes DOL, in consultation with the advisory council, to require any pre-apprenticeship or apprenticeship program sponsor to submit information about its program to OHE for inclusion in the database.

EFFECTIVE DATE: July 1, 2021

§§ 299-302 — HIGHER EDUCATION PROGRAM APPROVAL

Decreases, and in some cases eliminates, reporting requirements for independent institutions, BOR, and BOT on new programs and program changes they approve for their respective institutions; requires OHE to report on recommendations for program approval and modification requirements to the Higher Education Committee

Independent Institutions

Current law exempts qualifying independent colleges and universities from OHE's approval process for up to 12 new higher education programs per academic year and any modifications to their existing programs. The bill (1) increases this exemption to an unlimited number of new programs or program modifications until June 30, 2023, but (2) reimposes an exemption limit of up to 15 new programs in any academic year or any proposed program modifications beginning July 1, 2023. Under existing law and the bill, institutions qualify for these exemptions if they:

1. are eligible to participate in the Federal Family Education Loan

program;

2. have a financial responsibility score of at least 1.5, as determined by the U.S. Department of Education (this score reflects the overall relative financial health of institutions); and

3. have been located in Connecticut and accredited as a degree-granting institution in good standing for at least 10 years by a federally recognized regional accrediting association.

Additionally, the bill terminates, on June 30, 2024, the requirement that these exempt institutions annually file with OHE a list and brief description of any new programs introduced, and any existing programs discontinued, in the preceding academic year. As under existing law, the institutions must continue to annually file their (1) program approval process and all actions their respective governing boards took concerning new program approvals and (2) financial responsibility composite score.

Public Institutions

The bill also terminates, as of June 30, 2024, the Board of Regents for Higher Education (BOR) and UConn Board of Trustees (BOT) reports to OHE on the new programs and approved program changes. By law, BOR reviews and approves recommendations to establish new academic programs for the universities within the Connecticut State University System, the community colleges, and Charter Oak State College, and BOT does so for UConn.

OHE Recommendations

The bill requires the OHE executive director to submit recommendations to the Higher Education and Employment Advancement Committee by October 1, 2023, about the program approval and modification requirements in state law.

EFFECTIVE DATE: July 1, 2021

§ 303 — STUDENT AND TRAINEE DATA COLLECTION

Requires private occupational schools and certain postsecondary training providers to submit specific data to OHE on each of their enrolled students or trainees; prohibits OHE from releasing any of this identifiable student information to the public but allows data-sharing under limited circumstances

By January 1, 2023, the bill requires each private occupational school, regional workforce development board, community action agency, and SBE-approved ARC program provider to submit to OHE specified data on each of their enrolled students or trainees who earns a credential offered by any of these entities. The data must include, at a minimum, gender identity; age; race; ethnicity; course enrollment; course and credential completion; fees and tuition charged; federal student loans received; federal student loan balances; and state-assigned student identifiers, if applicable. (By law, SDE assigns to each student a unique student identifier to track his or her performance in the public school information system.) The schools, boards, agencies, and providers must submit this data in the form and manner OHE prescribes. The bill specifies that it does not require a student or trainee to provide information about gender identity, age, race, or ethnicity if not otherwise required by law.

The bill specifies that any personally identifiable information provided by these entities is exempt from public release under FOIA. However, it allows OHE to share information that these entities provide with another state agency, another state or territory; the federal government; or to support a CP20 WIN data request for program administration, audit, evaluation, or research, so long as the data recipient agrees to a data sharing agreement if the recipient is not a state agency, another state or territory, or the federal government.

EFFECTIVE DATE: July 1, 2021

§ 304 — QUARTERLY REPORTING REQUIREMENTS FOR EMPLOYERS

Requires employers subject to the state's unemployment law to report certain data about each employee in their quarterly wage reports to DOL, with a waiver option; exempts employers' identifying information and employees' personally identifying information from disclosure under FOIA, with certain exceptions

Expanded Reporting Requirement

The bill requires most employers subject to the state's

unemployment law to include specified data about each employee in their quarterly wage reports to DOL. (The requirements do not apply to employers with 49 or fewer employees that have an electronic payroll system.)

Specifically, employers must also report the following data for each employee:

1. gender identity, age, race, ethnicity, veteran status, disability status, and highest education completed;

2. home address and address of primary work site;

3. occupational code under the Bureau of Labor Statistics standard occupational classification system;

4. hours and days worked and salary or hourly wage; and

5. employment start date in the current job title and, if applicable, employment end date.

The DOL commissioner may issue guidance defining each of these data fields. The bill phases in these reporting requirements, based on the employer's number of employees, as follows:

1. beginning with the third quarter of 2024 for employers with 100 or more employees;

2. beginning with the third quarter of 2026 for employers with 99 or fewer employees, except as provided below; and

3. beginning in the third quarter of 2028 for employers with 49 or fewer employees that do not have an electronic payroll system.

The bill specifies that these provisions may not be construed to require employees to provide information on their gender identity, age, race, ethnicity, or veteran or disability status, if these disclosures are not otherwise required by law.

Electronic Report Submissions and Waivers

The bill allows employers to request a waiver from the electronic reporting requirement for the employee data described above, just as existing law allows them to do for electronic wage reports and reimbursements. As under existing law, employers, or their agents, may submit a written request for a waiver on a DOL-prescribed form at least 30 days before the report is due. The DOL commissioner must grant the request if, based on the submitted information, he finds that the requirement would cause an undue hardship. The commissioner must promptly notify the employer or agent of his decision, which cannot be further reviewed or appealed. A waiver is good for one year.

Confidentiality of Employee Data

Under the bill, the following information is not considered a public record and is exempt from disclosure under FOIA: (1) an employer's name and identifying information and (2) an employee's personally identifying information provided to the DOL commissioner. But the bill allows the commissioner or the department to share this information (1) with another state agency, another state or territory, or the federal government or (2) to support a CP20 WIN data request, submitted according to CP20 WIN's policies and procedures, for program administration, audit, evaluation, or research purposes, so long as the data recipient agrees to a data sharing agreement if the recipient is not a state agency, another state or territory, or the federal government.

EFFECTIVE DATE: July 1, 2021

§ 305 — DATA SHARING AGREEMENTS

Allows state instrumentalities to enter into a data sharing agreement with non-state entities when allowed under state and federal law

The bill allows the following state instrumentalities to enter into a data sharing agreement (hereafter "agreement") with one or more individuals or organizations: any office, department, board, commission, public higher education institution, or other state instrumentality sharing data from (1) tax return information for research or CP20 WIN data requests (see § 306), (2) employers' quarterly filings with DOL (see § 304), or (3) student and trainee data

from private occupational schools and certain postsecondary training providers (see § 303). The agreement must be considered a public record, and any state instrumentality that enters into one must not release any information that may endanger data security or safety.

The agreement must include the following provisions:

1. the purpose for which the party entering into the agreement with a state instrumentality will use the data, and a restriction that this data may only be used for purposes authorized under the agreement;

2. the specific individuals from the parties to the agreement who may access or use the data;

3. data provided by the state instrumentality must not be shared with another party unless the other party has entered into an agreement with the instrumentality and has the instrumentality's approval;

4. data must not be copied or stored in any location by any party, unless approved by the state instrumentality in the agreement;

5. all data must be securely stored and accessed as prescribed in the agreement;

6. procedures for notifying the state instrumentality of any breach of the agreement;

7. if any provision in the agreement or its application is invalidated by a court, the invalidity does not affect other provisions or applications of the agreement that can be given effect without the invalid provision or application;

8. a party entering into an agreement must not (a) use records or information obtained under it to enforce federal immigration law or (b) share, disclose, or make these records or information accessible in any direct or indirect way to any federal or state agency, or its officer or agent, that enforces federal immigration

law, unless required under a judicial warrant or court order issued by a judge or magistrate on behalf of the state or federal judicial branches;

9. a data sharing agreement must have an explicit term of length; and

10. if personally identifying information is permitted or required to be shared under a data sharing agreement, a description of any methods used to de-identify the data.

Under the bill, any data or information shared with a third party under a data sharing agreement that is not subject to FOIA disclosure by a state instrumentality must not be subject to disclosure by the third party.

The bill also specifies that the above provisions do not apply to any contracts that a state agency enters into that complies with the state law governing state contractors who receive confidential information (CGS §4e-70).

EFFECTIVE DATE: July 1, 2021

§ 306 — DISCLOSURE OF TAX RETURN INFORMATION FOR RESEARCH OR CP20 WIN DATA REQUESTS

Authorizes DRS to release tax return information for evaluation or research purposes under specified conditions

The bill authorizes the Department of Revenue Services (DRS) commissioner, to the extent allowed by federal law, to disclose tax return information for evaluation or research purposes (1) to another state agency or (2) to support a data request submitted through CP20 WIN, in accordance with CP20 WIN's policies and procedures, so long as the data recipient enters into a data sharing agreement if the recipient is not a state agency.

By law, "return information" includes:

1. a taxpayer's identity;

2. the nature, source, or amount of the taxpayer's income, payments, receipts, deductions, exemptions, credits, assets, liabilities, net worth, tax liability, tax collected or withheld, tax under- or over-reportings, or tax payments;

3. whether the taxpayer's return was, is being, or will be examined or subjected to other investigation or processing; and

4. any other data received, recorded, prepared, or collected by or furnished to the DRS commissioner regarding (a) a return or (b) a determination of liability for a tax, penalty, interest, fine, forfeiture, or other imposition or offense (CGS § 12-15(h)(2)).

EFFECTIVE DATE: October 1, 2021

§§ 307-308 — CHESLA LOAN AND AWARD ELIGIBILITY FOR CERTIFICATE PROGRAM ENROLLMENT

Allows students enrolled in a Connecticut high-value certificate program or their parents to take out student loans and receive certain financial aid with CHESLA; requires CHESLA to establish an account to fund and operate these loans

The bill allows (1) students enrolled in a Connecticut "high-value certificate program," or their parent, to take out student loans with CHESLA to finance the student's enrollment and (2) these students to receive grants, scholarships, fellowships, or other non-repayable assistance from CHESLA. Under the bill, a "high-value certificate program" is a non-credit, subbaccalaureate certificate program offered by a higher education institution or a private occupational school that the chief workforce officer of the Office of Workforce Strategy determines to meet the needs of Connecticut employers. (The bill does not specify how or by when the officer must make these determinations.) Also under the bill, a "Connecticut high-value certificate program" is a high-value certificate program offered by a higher education institution or private occupational school in the state.

Additionally, the bill requires CHESLA to establish the Certificate Loan Loss Reserve and Funding account. This separate, nonlapsing account must contain any funds required by law to be deposited in it, including state appropriations or bonds sale proceeds. CHESLA must

spend these funds to (1) fund loans that it issues to a borrower to finance Connecticut high-value certificate program enrollment, (2) cover any losses CHESLA incurs from issuing these loans and reasonable and necessary expenses for administering them, and (3) cover any initial implementation expenses before the loans' origination.

EFFECTIVE DATE: October 1, 2022, for the loan provisions and July 1, 2021, for the CHESLA account provisions.

§§ 309-310 — PAID FAMILY AND MEDICAL LEAVE APPEALS

Allows, rather than requires, the labor commissioner to conduct a hearing for people aggrieved by a denial of paid family and medical leave benefits or the imposition of certain anti-fraud penalties; removes a requirement that appeals in these cases proceed under the UAPA

Current law allows someone to file a complaint with the labor commissioner if they are aggrieved by the Family and Medical Leave Insurance Authority's denial of Family and Medical Leave Insurance benefits or imposition of certain anti-fraud penalties. The bill refers to these complaints as "appeals," and requires that they be filed within 21 calendar days after the denial or penalty decision was issued, unless there is good cause for the late filing. Current law does not specify a deadline.

Current law requires the commissioner to hold a hearing upon receipt of these complaints. The bill instead requires the commissioner, or his designee, to decide the appeal based upon the file record and allows him to supplement the file record, conduct a hearing, or do both. The commissioner or designee may issue subpoenas and require the attendance of witnesses and the production of documents in connection with the appeal. The bill also requires the Department of Labor to adopt regulations on the procedural rules for disposing these appeals.

Under the bill, the "file record" includes any documents (1) submitted to the authority or to a private plan administrator, (2) that the authority or private plan administrator relied upon to make its determination, and (3) that the commissioner or designee needs to

dispose of the appeal.

Similar to current law, after determining the appeal (rather than after the hearing), the commissioner or his designee must send each party a written copy of the decision and may award all appropriate relief. Any party aggrieved by the decision may appeal to the Superior Court. The bill, however, removes a requirement that the appeal to court be made under the Uniform Administrative Procedure Act (UAPA) and specifies that it may be appealed to the judicial district of Hartford or the judicial district where the appellant resides. It also requires that the appeal be filed within 30 days after the decision was issued and makes conforming changes to the UAPA to exempt these appeals from it (§ 310).

EFFECTIVE DATE: Upon passage

§§ 311-312 — THE STATE AS AN EMPLOYER UNDER CT FMLA

Removes a provision that explicitly excludes the state from being an employer covered by the FMLA

The bill removes a provision in current law that explicitly excludes the state from being an employer covered by the state's Family and Medical Leave Act (FMLA). (It does not otherwise specify that the state is an employer covered by the act.)

The bill also makes an identical conforming change (§ 312) to the FMLA once the provisions of PA 19-25 become effective on January 1, 2022.

EFFECTIVE DATE: Upon passage, except that the conforming change is effective January 1, 2022.

§§ 313-315 — CT FMLA HEARINGS

Requires complaints for FMLA violations to go through additional procedural steps before proceeding to a hearing

The law allows an employee aggrieved by certain violations of the state's FMLA to file a complaint with the labor commissioner. Current law requires the commissioner to hold a hearing on these complaints, but the bill instead requires him or his designee to first investigate and

make a finding about jurisdiction and whether a violation occurred. The bill also requires that the complaints be filed within 180 days after the employer action that prompted the complaint, unless there is good cause for the late filing (current law does not specify a deadline).

Under the bill, if the commissioner or designee finds that DOL has no jurisdiction or no violation occurred, they must dismiss the complaint and issue a release of jurisdiction that allows the complainant to bring a civil action in Superior Court. The complainant must initiate the lawsuit within 90 days after the decision's release date. In the suit, the employee may be awarded all appropriate relief, including rehiring or reinstatement to the employee's previous job and any compensation or benefits for which he or she would have otherwise been eligible.

If the commissioner or designee finds that the agency has jurisdiction and a violation occurred, the bill allows them, in their sole discretion, to require a mandatory settlement conference with the parties. If there is no settlement, they must designate a hearing officer to hold a hearing and render a final decision. Unlike current law, the bill does not require that a written copy of the decision be provided to the parties after the hearing. But as under current law, the employee may be awarded all appropriate relief and any party aggrieved by the decision may appeal to the Superior Court under the UAPA.

The bill also allows an employee aggrieved by these violations to bring a civil action against an employer within 180 days after the employer's alleged violation. It allows an employee to bring this action without first filing an administrative complaint.

The bill also makes minor, technical, and conforming changes that, among other things, (1) make an identical conforming change (§ 314) to the FMLA once the provisions of PA 19-25 become effective on January 1, 2022, and (2) remove a provision that specifies that DOL's related regulations for hearing procedures be for employees who believe that their employer violated the FMLA (§ 315).

EFFECTIVE DATE: Upon passage, except that the (1) minor change

(§ 315) related to DOL's regulations for hearing procedures is effective July 1, 2021, and (2) conforming change related to PA 19-25 is effective January 1, 2022.

§ 316 — CONNECTICUT STATE GUARD

Allows the governor to raise and maintain the Connecticut State Guard volunteer troops at any time, rather than only when the Connecticut National Guard is, or likely will be, activated for federal service

This bill authorizes the governor, at any time, to raise, organize, maintain, and govern a body of volunteer troops for state military duty (i.e., the Connecticut State Guard). Current law requires the governor to take such action only when the Connecticut National Guard is called into the federal service or he believes that such a call is imminent.

EFFECTIVE DATE: October 1, 2021

§§ 317-320 — SMALL BUSINESS EXPRESS PROGRAM

Makes various changes to DECD's Small Business Express (EXP) program, generally increasing flexibility in the department's administration of the program and allowing for increased participation by private lenders; eliminates certain EXP administrative provisions and modifies the program's components; makes changes to DECD's EXP and annual reporting requirements and the legislative hearing requirements related to the department's audit and annual report

The bill makes changes to DECD's Small Business Express program (EXP), generally increasing flexibility in the department's administration of the program and allowing for increased participation by private lenders. The bill eliminates certain administrative provisions concerning participant eligibility criteria, application process, and funding priority. It also makes the following changes to the program's components:

1. expands the revolving loan fund's allowed uses and eliminates related requirements on the uses, amounts, rates and terms, and prioritization of these loans;

2. allows the DECD commissioner, in consultation with Connecticut Innovations (CI), to establish a new EXP component and eliminates the job creation incentive and matching grant components;

3. removes the requirement that there be no more than two minority business revolving loan funds (MBRLFs) and increases the maximum size of loans these funds can provide; and

4. makes changes to the administration and funding allocation of the EXP component operated in collaboration with Connecticut-based banks.

The bill also (1) creates a new requirement for loan loss reserve accounts under the Connecticut Capital Access Fund program; (2) makes changes to DECD's EXP and annual reporting requirements and the legislative hearing requirements related to the department's audit and annual report; and (3) makes it a goal of the department that by July 1, 2026, EXP (a) be self-funded and (b) have a default rate of 20% or less for small businesses receiving assistance.

Additionally, the bill eliminates (1) a requirement that the DECD commissioner work with eligible applicants to provide a package of EXP financial assistance, with the ability to refer these applicants to the Subsidized Training and Employment program or other appropriate state programs, and (2) the commissioner's ability to, at his discretion, partner with lenders in the Connecticut Credit Consortium to fulfill the program requirements.

It also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2021, except the provisions related to DECD's annual reporting requirements and the legislative hearing requirement are effective upon passage.

Eliminated Administrative Provisions

Eligibility Criteria. The bill changes eligibility criteria for a small business to receive assistance under the EXP program by (1) eliminating the requirement that a business have been registered for at least 12 months and (2) modifying the maximum employee requirement to simply require the business have no more than 100 employees. Under current law, to be eligible for EXP financial assistance, a business must: (1) have employed no more than 100

employees on at least half of the working days in the previous 12 months and (2) have been registered to conduct business for at least 12 months.

As is the case under existing law, to be eligible, a business must also (1) operate in Connecticut and (2) be in good standing with all state and local tax payments and with all state agencies.

Application Process and Funding Priority. The bill eliminates certain EXP provisions related to application process and funding priority, including those:

1. requiring the DECD commissioner to establish a streamlined application process;

2. requiring approved small businesses to receive funding within 30 days after submitting a completed application to DECD; and

3. requiring the DECD commissioner to prioritize funding for small businesses creating jobs and allowing him to do so for those (a) in Connecticut's economic base industries (e.g., precision manufacturing, business services, bioscience, green and sustainable technology, and information technology); (b) attempting to export products or services to foreign markets; and (c) located in CTNext-designated innovation places.

Changes to EXP Components

Currently, EXP funding is available to eligible businesses in the form of a loan or a grant through five components:

1. the revolving loan fund,

2. the job creation incentive component,

3. the matching grant component,

4. up to two MBRLFs, and

5. a private lender component operated in collaboration with

Connecticut-based banks.

Among other things, the bill eliminates the EXP program's job creation incentive and matching grant components and eliminates the cap on the number of MBRLFs. The bill also adds a new component, to be established in consultation with CI, and expands the revolving loan fund's allowed uses.

Revolving Loan Fund Purposes Expanded. Under current law, DECD can provide loans to eligible small businesses through the revolving loan fund. The bill expands this by allowing the department to also provide loan guarantees, loan portfolio guarantees, portfolio insurance, and grants under this EXP component.

The bill also eliminates provisions in current law addressing permissible loan uses; loan amounts, rates and terms; and prioritization of loans issued from this fund. (Currently, this component provides loans ranging from $10,000 to $100,000 for a term of up to 10 years and a maximum 4% interest rate. DECD must prioritize applicants that plan to create new jobs that will be maintained for at least a year.)

New Component in Collaboration With CI. The bill allows the DECD commissioner to establish and operate, in consultation and collaboration with CI, a new EXP component. The new component can provide financial assistance consistent with CI's powers and the provisions and purposes of the (1) Connecticut Works Fund and (2) Connecticut Capital Access Fund. CI may administer the component in collaboration with DECD.

The Connecticut Capital Access Fund program is designed to provide portfolio insurance to participating financial institutions to help them make loans that are somewhat riskier than conventional loans. The Connecticut Works Fund provides direct loans for eligible projects and includes a loan guarantee program to encourage participating lenders to provide additional credit on more favorable terms.

Eliminated Job Creation Incentive and Matching Grant Components. The bill eliminates the EXP program's job creation incentive and matching grant components.

Under current law, businesses that receive job creation incentive loans may use the funds for training, marketing, working capital, or other DECD-authorized business expenses that support job creation. Loans range from $10,000 to $300,000 and the DECD commissioner may allow deferred loan payments and forgive all or part of a loan.

Under current law, businesses that receive matching grants may use the funds for ongoing or new training, working capital, machinery and equipment purchases, construction, relocation costs, rent payments, and other DECD-authorized business expenses. This EXP component provides eligible businesses with grants ranging from $10,000 to $100,000. To receive a grant, a business must match the state award dollar-for-dollar, unless located in a distressed municipality.

Minimum MBRLF Requirement and Raised Loan Cap. The bill eliminates the requirement that there be no more than two MBRLFs, instead requiring a minimum of one. Additionally, it increases, from $100,000 to $500,000, the maximum size of loans these funds can provide.

Private Lender Component's Administration and Funding Cap. Existing law allows DECD to establish, in consultation with private lenders, a new EXP component comprised of (1) loan guarantees, (2) short-term loans used as a bridge to private sector financing, and (3) the transfer of loans issued under the revolving loan fund or job creation incentive fund. The bill requires CI to administer this component in collaboration with DECD, if the department establishes it.

The bill eliminates the requirement that no more than 10% of available EXP funding be allocated to this component.

Connecticut Capital Access Fund Participation

Under current law, participation agreements between CI and a

financial institution participating in the Connecticut Capital Access Fund program (see above) must establish a separate loan loss reserve account owned and controlled by CI but earmarked to cover losses on loans enrolled by a financial institution in the program. The bill requires that these loan loss reserve accounts be located within (1) the financial institution entering the participation agreement or (2) a third-party financial institution approved by CI.

DECD Reporting Requirements

The bill (1) reduces the frequency, from biannually to annually, of the DECD commissioner's report on the EXP program to the General Assembly and (2) makes the report due February 1, beginning in 2022.

The bill also requires this report, and DECD's annual report due on the same day under existing law, to include available data on (1) the default rate of small businesses that received EXP assistance and (2) participating lenders' progress in becoming self-sustainable. It removes the requirement that these reports include data on the number of small businesses that applied to the program.

Legislative Hearing Requirements

Under current law, within 60 days after the state auditors submit an audit of DECD or a stand-alone performance audit of the department's incentive programs, the Appropriations; Finance, Revenue and Bonding; and Commerce committees must hold, individually or jointly, one or more public hearings on these reports and certain analyses and data the department is required to include in its annual report. The bill eliminates the requirement that the DECD audits be subject to this particular hearing requirement and adds DECD's annual report data on the EXP program as a required component to be included in the hearing or hearings.

Under the bill, these hearings must be held annually, with the first held by April 1, 2022. (Existing law, unchanged by the bill, requires the legislature to hold hearings on state agency audit reports, unless the requirement is waived by the chairpersons of the committee of cognizance.)

§§ 321 & 538 — VISITATION RIGHTS OF INCARCERATED INDIVIDUALS

Delays the implementation of the visitation requirements under sSB 1059, as amended by Senate "A", from October 1, 2021, to January 1, 2022, and exempts the contact visits before July 1, 2022, if a DOC facility is unable to accommodate the visits; requires DOC to report on the facilities that are unable to accommodate visits and a plan for implementing the visitation requirements

sSB 1059 (§ 3), as amended by Senate "A" and passed by the Senate and House, among other things, establishes certain visitation rights for incarcerated individuals, including generally allowing at least one 60-minute contact visit. The bill (1) delays the implementation of the new visitation requirements, from October 1, 2021, to January 1, 2022, and (2) exempts the 60-minute contact visit requirement before July 1, 2022, if the incarcerated person resides in a facility with infrastructure that cannot physically accommodate contact visits and the DOC commissioner includes the facility in his legislative report that the bill requires.

By January 1, 2022, the commissioner must report to the governor and the Judiciary Committee on which facilities have infrastructure that cannot physically accommodate contact visits and what barriers prevent the facilities from accommodating these visits. By March 14, 2022, the commissioner must report to the governor and the Judiciary and Appropriations committees on a plan to implement the visitation provisions in sSB 1059 by July 1, 2022.

EFFECTIVE DATE: January 1, 2022, except a technical change is effective upon passage.

§ 322 — SOLID WASTE REDUCTION PROGRAM

Requires DEEP, within available resources, to develop and implement a program to support strategies for reducing solid waste

The bill requires the DEEP commissioner to, within available resources, develop and implement a program to support solid waste reduction strategies that are consistent with the state's Comprehensive Materials Management Strategy (CMMS). The strategies may include solid waste and organic materials diversion, unit-based pricing, and reuse and recycling strategies, among others.

The CCMS (i.e., the revised statewide Solid Waste Management Plan) includes a plan for diverting, through source reduction, reuse, and recycling, at least 60% of the solid waste generated in the state after January 1, 2024.

EFFECTIVE DATE: July 1, 2021

§ 323 — ESSENTIAL WORKERS COVID-19 ASSISTANCE PROGRAM

Establishes the Essential Workers COVID-19 Assistance Program to provide benefits through June 30, 2024, for lost wages, out-of-pocket medical expenses, and burial expenses to qualifying essential employees who could not work due to contracting COVID-19

The bill establishes the Connecticut Essential Workers COVID-19 Assistance Program to provide benefits for lost wages, out-of-pocket medical expenses, and burial expenses to certain essential employees who could not work due to contracting COVID-19 or symptoms that were later diagnosed as COVID-19. The program's benefits are available within available funds and on a first-come, first-served basis, and will only be paid through June 30, 2024.

EFFECTIVE DATE: October 1, 2021

Eligibility Criteria

Under the bill, an "affected person" eligible for program benefits is an "essential employee" who:

1. died or could not work due to contracting COVID-19, or symptoms that were later diagnosed as COVID-19, between March 10, 2020 and July 20, 2021;

2. contracted COVID-19 that was confirmed by a positive lab test or, if one was not available, diagnosed based on the employee's symptoms and documented by a licensed physician, physician assistant, or advanced practice registered nurse;

3. provides a copy of the test or diagnosis documentation to the program's administrator; and

4. did not, during the 14 consecutive days immediately before the

employee's death or inability to work, (a) work solely from home, with no physical interaction with other employees, or (b) receive an individualized written offer or directive to work solely from home, but otherwise chose to work at the employer's worksite.

An affected person does not include federal employees who qualify for benefits under the COVID-19 workers' compensation presumption included in the American Rescue Plan of 2021.

"Essential employees" are those employed in a category that the Centers for Disease Control and Prevention's (CDC's) Advisory Committee on Immunization Practices, as of February 20, 2021, recommended to receive a COVID-19 vaccination in phase 1a or 1b of the COVID-19 vaccination program. (These include health care personnel, firefighters, police officers, corrections officers, food and agricultural workers, manufacturing workers, grocery store workers, public transit workers, education sector workers, and child care workers.)

Program Administration

The bill requires the program's administrator (i.e., the Office of the Comptroller or a third-party administrator) to accept applications for program benefits starting on October 1, 2021. (It does not specify how a third-party administrator may be selected for the program.)

The bill authorizes the administrator to:

1. determine whether an affected person is eligible for benefits and if so, the benefit amount;

2. summon and examine under oath any witnesses that may provide relevant information about an affected person's eligibility;

3. direct the production of, and examine or cause to be produced or examined, any books, records, vouchers, memoranda, documents, letters, contracts, or other papers related to any

matter at issue that the administrator deems proper; and

4. take or cause to be taken affidavits or depositions within or outside of the state.

Program Fund

The bill establishes the "Connecticut Essential Workers COVID-19 Assistance Fund" as a separate, nonlapsing account within the General Fund. The account must contain any moneys that the law requires to be deposited in it. Account funds must be spent by the comptroller, at the administrator's discretion, for (1) providing the program's benefits and (2) the program's operating costs and expenses, including hiring necessary employees and spending for public outreach and education about the program and fund.

Under the bill, however, no more than 5% of the total moneys received by the fund can be used for administrative costs, including (1) hiring temporary or durational staff or contracting with a third-party administrator or (2) other costs and expenses incurred by the administrator or comptroller. The bill also requires the administrator to make all reasonable efforts to limit the program's operating costs and expenses without compromising affected persons' access to it.

Starting by January 1, 2022, the bill requires the comptroller to submit monthly reports to the administrator indicating the fund's value at the time of the report. He must also submit these reports upon the administrator's request.

Applications

To apply for program benefits, the bill requires an affected person to submit a claim to the program administrator by July 20, 2022, in a form that the administrator requires. An affected person may apply regardless of whether they have a pending workers' compensation claim related to COVID-19. But if the person does not have such a claim pending, he or she must submit a claim to the administrator, in a form the administrator requires, within one year after the person was initially unable to work due to contracting COVID-19 or symptoms

that were later diagnosed as COVID-19, or July 20, 2022, whichever is later.

The claim must include the following:

1. a certificate issued by a licensed medical professional documenting the laboratory test or diagnosis that the affected person contracted COVID-19 (a) requiring the person to isolate and quarantine from others, (b) preventing the affected person from working, or (c) requiring in-patient or outpatient medical treatment;

2. for requesting uncompensated leave benefits, evidence of (a) the affected person's weekly earnings during the eight weeks immediately preceding the diagnosis, or for an employee who had not yet worked for an eight-week period, for the time period the employee was employed, and (b) uncompensated leave due to contracting COVID-19 or symptoms that were later diagnosed as COVID-19;

3. for requesting benefits for out-of-pocket costs for medical and surgical aid or hospital or nursing services, evidence of these costs; and

4. any additional information the administrator requests or requires.

Under the bill, "uncompensated leave" is the wages or salary lost by an affected person unable to work due to contracting COVID-19 or symptoms that were later diagnosed as COVID-19, at any time during the public health and civil preparedness emergencies declared by the Governor on March 10, 2020, or any extensions of them. It does not include any employment leave for which the affected person received paid leave provided through an employer's paid leave plan or under a state or federal law.

Benefits

The bill generally requires the program to provide benefits for

uncompensated leave, out-of-pocket medical costs, and burial expenses. Benefits are subject to available funds, and payable on a retroactive basis from the date the person was initially unable to work due to contracting COVID-19 or symptoms that were later diagnosed as COVID-19, but no earlier than March 10, 2020, and no later than July 20, 2021.

Under the bill, any benefits provided through the program cannot be considered income under the state's personal income tax law, corporation tax, or any other tax laws.

Uncompensated Leave. The bill provides weekly benefits for all uncompensated leave, calculated as 75% of the affected person's average weekly earnings after they have been reduced by any deductions for (1) state and federal taxes and FICA deductions, as long as the benefits do not exceed the average weekly earnings of all workers in the state, and (2) any unemployment benefits received, and workers' compensation temporary total or temporary partial disability benefits provided, for the same days of claimed benefits.

Under the bill, a person's average weekly earnings are based on the eight weeks immediately preceding the date the person was initially unable to work due to contracting COVID-19, or symptoms that were later diagnosed as COVID-19. For someone who had not yet worked eight weeks for their employer, the average weekly earnings are based on the period that the person was employed.

Out-of-Pocket Medical Costs. The bill provides benefits for all documented out-of-pocket COVID-19-related costs for medical and surgical aid or hospital and nursing services incurred directly because the affected person contracted COVID-19, including medical rehabilitation services, mental health therapy services, and prescription drugs.

Burial Expenses. The bill provides $3,000 for burial expenses if an employee died due to contracting COVID-19 during the current COVID-19 declared public health and civil preparedness emergencies or any new ones declared by the governor because of a COVID-19

outbreak in the state.

Claim Determinations

The bill requires the administrator to promptly review the claims and evaluate each one to determine whether or not it should be approved and, if so, the benefit amount, based on the information the affected person provided, or additional information provided at the administrator's request. The administrator must provide a written determination to the affected person within 60 business days after receiving the notice of claim, or if the administrator requested additional information, within 10 business days after receiving the additional information. The administrator must direct the Comptroller to pay the program's benefits offered to the affected person in the amount and for the duration determined by the administrator, if applicable.

Interaction With Workers' Compensation Claims

Under the bill, a pending workers' compensation claim submitted by an affected person must not prevent the administrator from approving the person's claim for program benefits. However, any workers' compensation benefits the affected person receives for the workers' compensation claim must be offset by the amount of uncompensated leave benefits that the person receives from the program, as deemed appropriate by the presiding workers' compensation commissioner. In addition, any benefits available from the program must be offset by any workers' compensation benefits already paid to the affected person for the uncompensated leave or out-of-pocket medical costs, including payments made without prejudice. The bill makes the fund (presumably the program's) administrator responsible for notifying the Workers' Compensation Commission about an available offset.

Appeals

The bill allows an affected person to request that a claims determination be reconsidered by the administrator's designee by filing a request with the administrator, on a form it prescribes. The request must be filed within 20 business days after the determination

notice was mailed. Within three business days after receiving the request, the administrator must designate someone to conduct the reconsideration and give him or her all documents related to the affected person's claim. The designee must conduct the requested reconsideration, which must consist of a de novo review of all relevant evidence, within 20 business days after the designation.

The bill requires the designee to issue the decision affirming, modifying, or reversing the administrator's decision within 20 business days and submit it to the administrator and the affected person. The decision must include a short statement of findings that specifies any benefits to be paid to the affected person as required under the bill. An affected person cannot appeal a case beyond the administrator's designee.

Under the bill, any statement, document, information, or matter may be considered by the administrator or, on reconsideration, by the administrator's designee, if in their opinion, it contributes to a determination of the claim, whether or not the same would be admissible in a court of law.

Overpayments and Fraud

If a claim is paid to an affected person erroneously or due to the person's willful misrepresentation, the bill allows the administrator to seek repayment of benefits from the affected person and, in the case of willful misrepresentation, seek payment of a penalty equal to 50% of the benefits paid because of the misrepresentation.

Report

Starting by January 1, 2022, the bill requires the administrator to submit quarterly reports on the financial condition of the Connecticut Essential Workers COVID-19 Assistance Fund to the Labor and Public Employees Committee. The report must include (1) an estimate of the fund's value as of the date of the report; (2) the effect of scheduled payments on the fund's value; (3) an estimate of the monthly administrative costs necessary to operate the program and the fund; and (4) any legislative recommendations to improve the operation or

administration of the program and the fund.

§ 324 — PROHIBITION AGAINST EMPLOYEE DISCIPLINE AND MISINFORMATION FOR WORKERS' COMPENSATION CLAIMS

Prohibits employers from deliberately misinforming employees about or dissuading them from filing a claim for benefits from workers' compensation or the Connecticut Essential Workers COVID-19 Assistance Program

Current law prohibits employers from discharging or discriminating against an employee because the employee filed a workers' compensation claim or exercised his or her rights under the workers' compensation law. The bill expands this protection to also prohibit employers from (1) disciplining employees for filing a claim or exercising their rights and (2) deliberately misinforming or dissuading them from filing a claim for workers' compensation benefits or, starting October 1, 2021, a claim for benefits from the Connecticut Essential Workers COVID-19 Assistance Program.

As under current law, employees subjected to a violation may either bring a lawsuit in Superior Court or file a complaint with the Workers' Compensation Commission.

EFFECTIVE DATE: Upon passage

§ 325 — WORKERS' COMPENSATION BURIAL EXPENSES

Increases the worker's compensation benefit for burial expenses from $4,000 to $12,000, with future annual adjustments for inflation

The bill increases the workers' compensation benefit for burial expenses from $4,000 to $12,000 once the bill passes. Then, starting on January 1, 2022, the bill requires the benefit to be annually adjusted by the previous calendar year's percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers in the Northeast, with no seasonal adjustment, as calculated by the federal Bureau of Labor Statistics.

EFFECTIVE DATE: Upon passage

§§ 326 & 327 — INVESTMENT OF CERTAIN MUNICIPAL RETIREMENT FUNDS

Allows certain municipalities to invest their retirement system assets with trust funds that are administered, held, or invested by the state treasurer.

This bill allows a municipality that does not participate in the Connecticut Municipal Employees Retirement System (CMERS), the option to invest its retirement system's assets with the state's combined retirement plans and trust funds that are administered, held, or invested by the state treasurer (i.e., the Connecticut Retirement Plans and Trust Funds).

The bill authorizes the treasurer to adopt regulations to allow for the funds' investment. The investment and management of the trust's assets must comply with the prudent investor standard, as is required under existing law for municipalities managing their own pension, retirement or other postemployment health and life benefit systems.

The bill places retirement systems' trust funds that are invested by the state treasurer, pursuant to the bill, under the same oversight and requirements established in the trust statutes for funds that include the Teachers' Pension Fund, the State Employee Retirement Fund, and the Connecticut Municipal Employees' Retirement Fund.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage

BACKGROUND

Connecticut Municipal Employees Retirement System (CMERS)

CMERS is the optional municipal retirement system administered by the State Retirement Commission and the state treasurer is responsible for its investment (CGS chapter 113). Membership includes over 200 employee groups from more than 80 municipalities (e.g., a single town may have separate groups for police officers, firefighters, general town employees, and housing authority employees).

Prudent Investor Standard

Under Connecticut law, trustees must follow certain standards when investing and managing trust assets when the trust provisions are not explicit. For example, trustees must invest and manage assets

as "prudent investors" would and use any special skills or expertise they have (CGS § 45a-541 et seq.).

§ 328 — HEALTH INSURANCE EXCHANGE ASSESSMENTS AND ALL-PAYER CLAIMS DATABASE

Allows the state's health insurance exchange to (1) impose assessments on health carriers to cover the costs of the all-payer claims database (APCD) and (2) with OPM's approval, enter into an agreement with OHS to use these funds for the APCD

By law, the state's health insurance exchange (HIE) charges assessments or user fees to health carriers capable of offering a qualified health plan through the exchange to cover the exchange's costs. The bill allows the HIE to also charge these assessments or user fees to cover the costs of the state's all-payer claims database. As under current law, the HIE may impose interest and penalties on health carriers for delinquent payments of these assessments or fees.

The bill also authorizes the HIE to enter into an agreement with OHS to use the funds collected for the APCD's operation and to receive data from the ACPD database. Under the bill, the agreement must be approved by OPM and is not considered proprietary.

By law, OHS administers the APCD, which collects data relating to medical, pharmacy, dental, and other insurance claims information from public and private health insurers.

EFFECTIVE DATE: January 1, 2022

§ 329 — INSURANCE FUND AND OHS

Requires the amount annually appropriated from the Insurance Fund to OHS, including the cost of fringe benefits for personnel, to be reduced by the amount of Medicaid reimbursement the state received for allowable administrative expenses

Existing law requires insurance companies and hospital and medical service corporations to annually pay into the Insurance Fund an amount that covers OHS's appropriation, including fringe benefits and certain capital equipment purchases. The bill requires the appropriation amount to be reduced by the amount of federal Medicaid reimbursement the state receives for allowable Medicaid administrative expenses.

EFFECTIVE DATE: January 1, 2022

§§ 330-339 — WORK ZONE SPEED CAMERA PILOT PROGRAM

Allows DOT to establish a two-year pilot program beginning January 1, 2022, to operate speed cameras at up to three highway work zones; establishes conditions and procedures for camera operation, violation enforcement, and data collection and retention

Pilot Program Established (§§ 330, 331, 337 & 338)

- Allows DOT to establish a pilot program for two years beginning January 1, 2022, to operate work zone speed control systems (i.e., speed cameras) at up to three locations on state highways at any one time where construction, maintenance, or utility work is being performed (i.e., highway work zones)

- Allows DOT to establish implementing regulations and establish standards and procedures for speed cameras in work zones

- By January 1, 2024, requires DOT to assess the pilot program's efficacy and submit a report to the Transportation and Appropriations committees

Conditions for Camera Operation (§§ 330, 331 & 333)

- Allows camera operation only on roads with speed limits exceeding 45 mph

- Requires certain notice regarding camera locations, including (1) at least two signs placed ahead of the work zone notifying the driver about the operation of speed cameras in the zone, (2) a sign placed at the end of the zone, and (3) a notice on DOT's website identifying the location of a work zone speed camera

- Requires that cameras record images only of vehicles exceeding the posted work zone speed limit by 15 mph or more

- Requires that the cameras be operated by a person who is trained and certified; DOT may contract with a vendor to operate the cameras, but the contract cannot be not contingent on the number of violations issued or fines paid

- Imposes training and recordkeeping requirements on camera operators and requires that speed cameras be annually calibrated

Ticket Issuance and Processing (§§ 333, 334 & 339)

- Tasks sworn or authorized members of the State Police with reviewing recordings and issuing violation notices

- Requires that the violation notice include a copy of the recorded image; the vehicle's registration number and state of issuance; verification that the camera was operating correctly; and the alleged violation's date, time, and location

- Generally requires that violation notices be mailed within 30 days after identifying the vehicle's owner and makes notices invalid unless they are mailed within 90 days after the alleged violation

- Requires DMV to share information with DOT on owners of vehicles captured by speed cameras, including the owner's name and address

- Requires that violations and fines be processed by the Centralized Infractions Bureau

- Makes certain defenses available to alleged violators, including that the vehicle was stolen

Enforcement and Penalties (§§ 332, 333 & 335)

- Subjects drivers who exceed the posted work zone speed limit by 15 mph or more to (1) a warning for a first violation (2) a $75 fine for a second violation, and (3) $150 for any subsequent violation

- Requires that any fines received be deposited in the Special Transportation Fund

- Allows the DMV commissioner to refuse to register a vehicle, or

suspend its registration, if its owner does not pay the fine imposed by the bill

- Prohibits violations captured by speed cameras from being (1) included on a driver's driving record, (2) subject to merit rating for insurance purposes, and (3) used to impose surcharge points for auto insurance purposes

Data Collection and Privacy (§ 336)

- Prohibits the disclosure of personally identifiable information, except (1) in connection with charging, collecting, and enforcing fines; (2) pursuant to a judicial order (e.g., warrant or subpoena) in a criminal proceeding; and (3) to comply with state or federal laws or regulations

- Prohibits the storing of personally identifiable information unless it is necessary to collect and enforce fines and generally requires that any information that is stored be destroyed within one year after a fine is imposed or a trial conducted on the violation is resolved

- Allows the release of speed camera data for DOT-authorized research purposes, as long as it does not directly or indirectly identify a driver

- Specifies that personally identifiable information collected by speed cameras is not subject to disclosure under the Freedom of Information Act

- EFFECTIVE DATE: October 1, 2021

§§ 340 & 341 — ARPA ALLOCATIONS

Adjusts ARPA allocations made in the biennial budget bill; allocates ARPA funds for specified broadband and technology projects

Allocation Adjustments (§ 340)

- Adjusts ARPA allocations made in the biennial budget bill in FYs 22-24 (HB 6689, as amended by House "A" and passed by both chambers)

- Refer to the fiscal note for details

Broadband and Technology Projects (§ 341)

The bill allocates $39.5 million in ARPA funds in FY 22 and $25 million in FY 23 for specified broadband and technology projects, as shown in the table below.

Table: ARPA Allocations for Broadband and Technology Projects

Agency	*Project*	*FY 22*	*FY 23*
OPM	Statewide GIS capacity for broadband mapping/data and other critical services supporting remote work, health, and education	$9,532,000	N/A
	Connectivity for Health and Mental Health Centers/Organizations	N/A	$25,000,000
DEEP	Low-Income/Multi-family Curb-to-home Broadband infrastructure buildout	$10,000,000	N/A
	Underserved Area Broadband Infrastructure Grants	$10,000,000	N/A
DAS	Connecticut Education Network Wi-Fi connectivity and broadband for public spaces	$10,000,000	N/A

EFFECTIVE DATE: Upon passage

§§ 342 & 352 — CARRYFORWARDS

Adjusts certain carryforwards from the biennial budget bill

The biennial budget bill carries forward prior years' appropriations to FY 22 and requires that they be transferred for specified purposes in FYs 22 and 23. This bill modifies certain carryforwards in the budget bill and adds new ones, as shown in the table below.

Table: Adjustments to Carryforwards

Agency and Purpose	*Budget Bill*	*This Bill*
UConn: operating expenses	Up to $7,516,899 in FY 22 and $8,570,352 in FY 23	None in FY 22; up to $6,087,251 in FY 23
DECD: statewide marketing	Up to $15,000,000 in FY 22	Up to $7,893,000 in FY 22
Workers'	Up to $34 million in	None (transferred to comptroller instead,

Compensation Claims – DAS	FY 22	see below)
State comptroller: other expenses	N/A	Up to $34 million in FY 22
Insurance Department: other expenses	Up to $500,000 in FY 22 for technology funding	Up to $500,000 in FY 22 for technology upgrades (see § 352)
SDE: other expenses	N/A	Up to $1,100,000 in FY 22 for grant for Wilbur Cross Fields
DEEP: other expenses	N/A	Up to $11,000,000 in FY 22 for grants to (1) Batterson Park ($10 million), (2) Peat Meadow Park ($500,000), and (3) East Shore Park ($500,000)
DECD: other expenses	N/A	Up to $5,007,000 in FY 22 for grants to (1) Keney Golf Course ($3 million), (2) Elizabeth Park ($2 million), and (3) Joseph St. Germain American Legion Post 85 for Veterans Memorial Park ($7,000)

EFFECTIVE DATE: Upon passage

§ 343 — STATE CONTRACTING STANDARDS BOARD (SCSB) OVERSIGHT OF CONNECTICUT PORT AUTHORITY

Subjects the Connecticut Port Authority to SCSB oversight until July 1, 2026

The bill makes the Connecticut Port Authority (CPA) a "state contracting agency" under most of SCSB's authorizing statutes until July 1, 2026. In doing so, it subjects the CPA to the board's full authority, except for the state's privatization law (see BACKGROUND). The table below lists a selection of SCSB statutes applicable to state contracting agencies that the bill extends to CPA.

The bill also makes a conforming change so that CPA's property transactions are subject to SCSB's authority. (SCSB's authorizing statutes give the board authority over certain transactions involving interests in, and leases of, real property (CGS § 4e-1(22) & (30)).) Current law exempts most CPA property transactions from review or oversight under any state law.

Table: Selected SCSB Statutes Applicable to CPA Under the Bill

Statute	Description
CGS § 4e-3	SCSB may exercise CPA's contracting-related powers, rights, and duties
CGS § 4e-4	SCSB must review, certify, and periodically recertify CPA's procurement processes
CGS § 4e-5	CPA must appoint a procurement officer
CGS § 4e-6	SCSB must audit CPA's compliance with procurement laws and regulations every three years
CGS § 4e-7	SCSB may, under specified conditions, (1) review and terminate CPA's contracts and procurement agreements or (2) restrict or terminate its ability to enter into contracts
CGS § 4e-14	CPA's contracts must contain provisions ensuring accountability, transparency, and results-based outcomes, as prescribed by SCSB (It appears SCSB has not prescribed any such standards for state contracting agencies to date)
CGS § 4e-19	Requires SCSB to use specified procurement methods when purchasing goods and services (These provisions require SCSB to adopt implementing regulations before they become operative, but the board has not adopted any such implementing regulations to date)
CGS § 4e-39	Cancellation of a solicitation or proposed award when SCSB finds that a violation of the law has occurred
CGS § 4e-40	Contract termination when SCSB finds that the solicitation or award violated the law

Background

Privatization Law. By law, if a state contracting agency seeks to enter into a contract that privatizes services performed by state employees, it generally must conduct a cost-benefit analysis and submit a business case to SCSB for its approval. The business case must include, among other things, the cost-benefit analysis and 11 other analyses relating to the privatized service, such as its goals and their rationale, and options for achieving them (CGS § 4e-16(d)). An agency may publish notice soliciting bids for a privatization contract only after the board approves the business case.

For privatization contracts not subject to this requirement (i.e., contracts for services that are currently privatized), state contracting agencies must instead evaluate the contract, using a template prescribed by the OPM secretary, to determine if entering into or renewing it is the most cost-effective way of delivering the service.

EFFECTIVE DATE: Upon passage

§ 344 — MEDICARE SUPPLEMENT PLANS

Allows insurers and related entities to offer Medigap plan D and makes related changes

The bill allows insurers, HMOs, and other related entities to issue Medicare Supplement (i.e., Medigap) policies and certificates for plan D, in addition to plans A, B, and C as under existing law. (These are standardized plans for which the federal government sets the benefits. Medigap plans generally cover certain expenses that Medicare does not cover.)

By law, those entities that issue Medigap plans A, B, or C to people eligible for Medicare based on age must also offer them to people eligible for Medicare based on disability. The bill extends this requirement to entities that issue plan D.

The bill exempts entities from offering plan C to any person newly eligible for Medicare. (As of January 1, 2020, federal law restricts the sale of plan C to those eligible for Medicare before that date.)

EFFECTIVE DATE: July 1, 2021

§ 345 — FLEX RATING LAW

Delays the sunset date for the personal risk insurance "flex rating" law until July 1, 2025

The bill delays the sunset date for the personal risk insurance (e.g., home, auto, marine, or umbrella) "flex rating" law from July 1, 2021, to July 1, 2025. The flex rating law allows property and casualty insurers to file new personal risk insurance rates with the insurance commissioner and begin using them immediately, without prior approval, under certain circumstances.

Under the flex rating law, a personal risk insurance rate cannot (1) increase or decrease by more than 6% statewide or (2) increase by more than 15% in any individual territory. If the insurance commissioner determines rates are inadequate or unfairly discriminatory, he must order the insurer to stop using the flex rating rate change by a specified future date.

EFFECTIVE DATE: June 30, 2021

§ 346 — INSURANCE REPORT CONCERNING CLIMATE CHANGE

Requires the insurance commissioner to report biennially on the Insurance Department's regulatory and supervisory actions to bolster insurers' resiliency to climate change impacts, among other things

The bill requires the insurance commissioner to biennially submit a report to the Insurance and Real Estate Committee beginning by April 1, 2022, until April 1, 2032. The report must disclose, for the preceding two years, the Insurance Department's regulatory and supervisory actions to bolster insurers' resiliency to climate change's physical impacts. It must also disclose the department's progress toward the following:

1. addressing climate-related risks, including integrating climate-related risks into risk-based capital requirements, supervisory examinations, and own risk and solvency assessments and

2. incorporating the reduced levels of greenhouse gas emissions established in state law (CGS § 22a-200a) into the department's regulatory and supervisory actions by, at a minimum, addressing the impacts of thermal coal, tar sands, and Arctic oil and gas.

The bill authorizes the commissioner to engage the services of third-party actuaries, professionals, and specialists that he deems necessary to help him fulfill this reporting requirement.

EFFECTIVE DATE: October 1, 2021

§ 347 — HEALTH CARE COVERAGE IDENTIFICATION CARDS

Requires that health care coverage ID cards note whether the coverage is fully- or self-insured

The bill requires that each health carrier or third-party administrator that issues a health care coverage identification card in the state include a statement on the card identifying if the coverage is fully-insured or self-insured. The statement must be prominently displayed on the card in a readily understandable, standardized form that the insurance commissioner prescribes.

The bill authorizes the insurance commissioner to adopt implementing regulations.

EFFECTIVE DATE: January 1, 2022

§§ 348 & 349 — DELETED BY HOUSE AMENDMENT "A"

§ 350 — TEACHERS' RETIREMENT DEATH BENEFIT CALCULATION

Changes the death benefit for Teachers Retirement System (TRS) members based on accumulated years of service rather than retirement date

The bill changes the way the death benefit partial refund is determined for TRS members based on their accumulated years of service rather than their retirement date. The death benefit partial refund gives a member's designated beneficiary a partial refund of the member's pension contributions if the member dies while receiving benefits but has only collected a limited amount of benefits.

Current law uses two different thresholds for this calculation. For those who retire before July 1, 2019, if the aggregate benefits paid to a member prior to death were less than four times the member's accumulated contributions, the member's designated beneficiary is paid a lump sum amount equal to the difference between (1) the payments and (2) the contributions, plus interest. But for members who retire after July 1, 2019, the threshold is whether the aggregate benefits paid to the member were less than twice the member's accumulated contributions.

The bill replaces the existing calculation with one that establishes two different reduction amounts based on when a retiree accumulated 10 years of TRS service credit. The beneficiary is generally paid a lump sum equal to the sum of the member's accumulated regular contributions, including any 1% contributions withheld prior to July 1, 1989, any voluntary contributions, and credited interest accrued to the date benefits started. But the amount is reduced:

1. by 25% of the aggregate benefits paid to the member before death for those with 10 years of service before July 1, 2019, and

2. by 50% of the aggregate benefits paid to the member before death for those with 10 years of service after July 1, 2019.

EFFECTIVE DATE: Upon passage

§ 351 — FANTASY CONTESTS PROVISIONAL LICENSE

Requires DCP to issue provisional licenses to the Mashantucket Pequot and Mohegan tribes and the Connecticut Lottery Corporation to operate off-reservation fantasy contests

PA 17-2, June Special Session (JSS) (§§ 649-652) legalized and regulated fantasy contests once certain conditions are met, where, among other things, fantasy contest operators must register with the Department of Consumer Protection (DCP). These necessary conditions have not been met. Beginning July 1, 2021, PA 21-23 eliminates those provisions and instead authorizes master wagering licensees (i.e., the Mashantucket Pequot and Mohegan tribes, or a tribe's instrumentality or affiliate, and the Connecticut Lottery Corporation (CLC)) to operate fantasy contests.

Regardless of those or any other state laws, the bill requires the DCP commissioner to issue a provisional license to each tribe, or a tribe's instrumentality or affiliate wholly-owned by a tribe (hereinafter "tribe"), and CLC to operate fantasy contests outside the tribes' reservations but within the state under certain conditions. (In an attorney general opinion analyzing a similar bill, the attorney general concluded that passage of that bill could have substantially risked the state's revenue-sharing arrangements with the tribes (see *Background – Attorney General Opinion*).) (Additionally, PA 21-23, among other criminal law changes, exempts from the state's illegal gambling law, fantasy contests if done in accordance with the act's requirements (see § 40). The bill does not make a corresponding change for provisional licenses; thus, it is unclear whether fantasy contests under the bill would be considered illegal gambling.)

The bill also allows provisional license holders to contract with certain individuals or entities to operate fantasy contests. Additionally, the bill prohibits anyone from offering or operating fantasy contests pursuant to this section unless the person has a provisional license to operate fantasy contests or is operating pursuant to a contract with a

provisional licensee.

EFFECTIVE DATE: Upon passage

Fantasy Contests Defined

By law, a "fantasy contest" is any fantasy or simulated game or contest (excluding lottery games) conducted over the Internet, including through a website or mobile device, in which:

1. players pay an entry fee;

2. the value of all prizes and awards is established and made known to players before the game or contest;

3. all winning outcomes reflect player knowledge and skill and are determined predominantly by accumulated statistical results of participants' performance in events; and

4. the winning outcome is not based on the score, point spread, or any performance of any single team or combination of teams or solely on any single performance of a contestant or player in a single event.

Conditions for Issuing Provisional Licenses

Before the provisional licenses can be issued, the following requirements must be satisfied:

1. each tribe enters into a MOU with the governor on operating fantasy contests under the bill's provisional license, with each MOU deemed approved when the governor enters into it, without further action or following the legislative compact approval process (CGS § 3-6c);

2. the president or chief officer who is the top ranking official of each tribe and CLC certifies to the DCP commissioner that it will operate all fantasy contests in conformance with standards of operation and management that are substantially in compliance with the goals of PA 21-23 and remain in compliance with the bill's licensing provisions during any time

period that the provisional license is valid (it is not clear what standards from PA 21-23 apply); and

3. the DCP commissioner creates an application form for the provisional license, the entity applying for the license (i.e., each tribe, or a tribe's instrumentality or affiliate, and CLC) must complete that form, and the commissioner must receive the completed form.

Provisional License Terms and Contracting Conditions

The bill requires that all provisional licenses expire simultaneously on the earlier of September 30, 2021, or the date on which all master wagering licenses have been issued under PA 21-23. However, before expiration and if necessary, to continue operating fantasy contests under the provisional license, the bill allows provisional license holders to obtain a one-time extension of up to 150 days from the DCP commissioner. During the extension, the commissioner may require the holders to bring their fantasy contest operations into compliance with the department's regulations or proposed regulations published on the state's eRegulations System.

Regarding contractors, the bill allows provisional license holders to contract with individuals or entities that maintain a valid license to operate or offer fantasy contests under at least one other state's regulatory framework. However, if an individual or entity has operated fantasy contests in Connecticut before July 1, 2021, the bill requires each, before contracting with a provisional license holder, to pay the state treasurer 10.5% of the individual's or entity's gross receipts from July 1, 2019, to May 31, 2021. "Gross receipts" means the total of all entry fees collected from all players, less the total amount paid out as prizes to players, multiplied by the location percentage. "Location percentage" means the percentage rounded to the nearest tenth of a percent of the total entry fees collected from players located in Connecticut, divided by the total entry fees collected from all players in fantasy contests (CGS §§ 12-578aa & -578bb).

Background

Attorney General Opinion. In a 2016 opinion (Attorney General Opinion 2016-03), the attorney general analyzed legislation that would have authorized fantasy contests without requiring amending the procedures or compact (see below). He stated that it was unclear whether fantasy contests are a video facsimile or a game of chance. But he noted that if they are video facsimile games and if state law is amended to authorize them, then the procedures and compact permit the tribes to operate video facsimile games free of their payment obligations under the MOUs. He concluded that there was a high degree of uncertainty and a substantial risk that passing the legislation could jeopardize the state's revenue-sharing arrangements with the tribes.

Tribal-State Procedures and Compact. Under the federal Indian Gaming Regulatory Act (IGRA), the Mashantucket Pequot and Mohegan tribes currently operate the Foxwoods and Mohegan Sun casinos, respectively, on their reservations. Gambling at the Foxwoods Casino is conducted under federal procedures, which are a legal substitute for an IGRA-negotiated gaming compact. Gambling at the Mohegan Sun Casino is conducted under a legally negotiated IGRA tribal-state compact. Both the compact and procedures are like federal regulations. As such, they supersede state law.

Video Facsimiles. Under both the procedures and compact, "video facsimile" is any mechanical, electrical, or other device, contrivance, or machine, which, upon insertion of a coin, currency, token or similar object therein, or upon payment of any consideration whatsoever, is available to play or operate. The play or operation is a facsimile of a game of chance, which may deliver or entitle the person playing or operating the machine to receive cash or tokens to be exchanged for cash or to receive any merchandise or thing of value, whether the payoff is made automatically from the machine or in any other manner whatsoever. A common example of a video facsimile is a slot machine.

Moratorium on Video Facsimiles. The Mashantucket Pequot procedures and the Mohegan compact authorize the tribes to operate video facsimile machines only pursuant to (1) an agreement between

the tribe and state (e.g., MOU); (2) a court order; or (3) a change in state law that allows the operation of video facsimile machines by any person, organization, or entity. Currently, both tribes can operate video facsimile machines because of the MOU each has with the state.

Tribal-State MOUs. The Mashantucket Pequot and Mohegan tribes have separate, binding MOUs with the state that give them the exclusive right to operate video facsimile machines and other casino games in exchange for a monthly contribution of, generally, 25% of their gross video facsimile machine revenue to the state. Under the terms of the current MOUs, if the state enacts a law to permit any other person to operate video facsimile machines or other casino games, the tribes would no longer need to pay the state any of their video facsimile revenue.

§§ 353 & 354 — PERSONAL NEEDS ALLOWANCE INCREASE

Increases from $60 to $75 per month, the personal needs allowance provided to certain long-term care facility residents

The bill requires the DSS commissioner to increase, from $60 to $75 per month, the personal needs allowance (PNA) provided to long-term care facility residents who receive Medicaid or certain other federal or state assistance.

Covered facilities include nursing homes, chronic disease hospitals, and state humane institutions. Residents of these facilities who receive Medicaid apply their monthly income (e.g., Social Security) towards the cost of their care. But federal law allows them to keep a portion of this income (the PNA) to pay for incidental items, such as haircuts, telephone expenses, and newspapers, or hobbies. Facilities deposit the PNA into residents' personal fund accounts.

EFFECTIVE DATE: July 1, 2021

§ 355 — ACUITY-BASED NURSING HOME RATES

Requires DSS to establish acuity-based rates for nursing homes beginning with FY 23 and establishes related requirements; requires DSS to determine a facility's certified bed utilization at a minimum of 90% of capacity for computing minimum allowable patient days; prohibits inflationary rate increases for nursing homes for FYs 22 and 23 unless authorized under DSS's case-mix adjustments

Transition to Acuity-Based Rates

Current law requires DSS to annually determine cost-based rates for room, board, and services provided by nursing homes, residential care homes, and intermediate care facilities for individuals with intellectual disabilities (ICF-IDs) and allows DSS to establish acuity-based rates for nursing homes. Beginning FY 23 and each fiscal year afterwards, the bill requires, rather than allows, DSS to establish these acuity-based rates based on cost years ending September 30. (Generally, acuity-based rates refer to rates that vary based on, among other things, the facility's patient case mix.) The bill requires that the acuity-based rates DSS establishes comply with federal law and regulations.

When establishing these rates, DSS must make case-mix adjustments to the direct care rate component, effective beginning July 1, 2022, based on (1) "Minimum Data Set" resident assessment data and (2) cost data reported for the cost year ending September 30, 2019. The bill requires DSS to model the case-mix adjustments and evaluate their impact on each facility. The evaluation may review (1) inflationary allowances, (2) case mix and budget adjustment factors, (3) stop-loss and stop-gain corridors, and (4) the ability to make case-mix adjustments within available appropriations. By October 1, 2021, DSS must make recommendations to the OPM secretary and report to the Appropriations and Human Services committees on any needed adjustments to facilitate the transition to acuity-based methodology on July 1, 2022.

The bill requires nursing homes to comply with policies on collecting and reporting quality metrics beginning July 1, 2022. DSS must specify these policies after consulting with the nursing home industry, consumers, employees, and DPH. DSS must phase in rate adjustments based on performance on quality metrics beginning July 1, 2022, with a period of reporting only.

The bill establishes five cost components for allowable costs under the acuity-based rates. Current law establishes similar components for cost-based ratemaking. However, the bill's acuity-based provisions limit them as shown in the table below. The bill also requires DSS to

establish geographic peer groupings of facilities under regulations the department adopts.

Table: Cost Components for Acuity-Based Ratemaking Under the Bill

Component	*Included Costs*	*Limit*
Direct costs	Nursing personnel salaries and related fringe benefits and nursing pool costs	135% of the median allowable cost in the applicable peer grouping
Indirect costs	Professional fees, dietary expenses, housekeeping and laundry expenses, patient care supplies, and salaries and related fringe benefits for indirect care personnel	115% of the statewide median allowable cost
Fair rent	Defined in regulations adopted by the department	Calculated using the amount approved through DSS's certificate of need process
Capital-related costs	Property taxes, insurance expenses, equipment leases, and equipment depreciation	No maximum limit
Administrative and general costs	Plant maintenance and operation expenses, and salaries and related fringe benefits for administrative and maintenance personnel	State-wide median allowable cost

The bill requires DSS to determine a facility's certified bed utilization at a minimum of 90% of capacity for purposes of computing minimum allowable patient days. New facilities and facilities certified for additional beds may be permitted a lower occupancy rate for the first three months of operation after their licensure becomes effective.

Other Requirements

The bill prohibits inflationary rate increases to nursing homes for FYs 22 and 23 unless authorized for FY 23 as part of DSS's case-mix adjustments to the direct care rate component. However, it allows the DSS commissioner, in her discretion and within available appropriations, to provide proportional fair rent increases for FY 22 to nursing homes with documented fair rent additions placed in service in the cost report year ending September 30, 2020, that are not

otherwise included in the rates issued.

EFFECTIVE DATE: Upon passage

§§ 356 & 381 — COST-BASED RATEMAKING FOR FACILITIES

Makes several changes to cost-based ratemaking provisions that apply to (1) nursing homes for FY 22 and (2) residential care homes and ICF-IDs; allows certain fair rent increases for residential care homes and ICF-IDs for FYs 22 and 23

General Provisions

The bill requires DSS to set FY 22 rates for nursing homes in accordance with cost-based ratemaking provisions in existing law and under the bill as described below. Beginning with FY 23, DSS must set nursing home rates in accordance with acuity-based ratemaking provisions described above.

Under existing law for cost-based ratemaking, nursing homes, residential care homes, and ICF-IDs must submit annual reports to DSS on their costs, and, for nursing homes, information on certain related parties doing business with the facilities. The bill eliminates a requirement that DSS hold a public hearing before making its annual cost-based rate determinations. Current law requires DSS to report the data in facility reports to the Appropriations Committee annually by April 1. The bill instead requires DSS report this data on its website.

Current law requires DSS to adopt regulations to specify any other allowable services required by a medical assistance beneficiary living in a facility but not already covered in cost-based rates. The bill instead allows DSS to implement policies and procedures as necessary to carry out provisions on cost-based ratemaking broadly for facilities under existing law and under the bill. DSS must publish notice of intent to adopt regulations on the eRegulations System within 20 days after implementing the policy or procedure.

The bill also eliminates a provision in current law requiring the DSS commissioner to allow residential care homes to use debt service instead of allowable property costs if she determines that a loan to be issued to the home by the Connecticut Housing Finance Authority is reasonable.

ICF-ID Rates (FYs 22 and 23)

For ICF-IDs, the bill caps FY 22 rates at FY 21 amounts but allows the DSS commissioner to provide proportional fair rent increases to facilities with documented fair rent additions placed in service in the cost report year ending September 30, 2020. The bill similarly caps FY 23 rates at FY 22 amounts, with the same exception for fair rent additions placed in service in the cost report year ending September 30, 2021. In both years, fair rent increases are at the commissioner's discretion, within available appropriations, and for additions that are not otherwise included in issued rates.

Under the bill, for FYs 22 and 23 and within available appropriations, an ICF-ID may receive a rate increase for a capital improvement for residents' health and safety approved by the Department of Developmental Services (DDS) in consultation with DSS. The bill also extends, for FYs 22 and 23, a provision in current law allowing the DSS commissioner to provide fair rent increases to facilities that have undergone a material change in circumstances related to fair rent with an approved certificate of need.

Regardless of these and other provisions considering ICF-ID ratemaking, the bill requires the DSS commissioner to increase rates for employee wage and benefit enhancements, effective July 1, 2021, and July 1, 2022. Facilities that receive a rate increase for this purpose but do not increase employee salaries by July 31, 2021, or July 31, 2022, respectively, may be subject to a corresponding rate decrease.

Residential Care Home Rates (FYs 22 and 23)

For residential care homes, the bill requires DSS to base FY 22 and 23 rates on FY 21 rates inflated by the gross domestic product deflator applicable to each rate year. It allows the DSS commissioner, in her discretion and within available appropriations, to provide proportional fair rent increases for FY 22 to facilities with documented fair rent additions placed in service in the cost year ending September 30, 2020, that are not otherwise included in the rates. The bill allows the commissioner to do the same for FY 23 for documented fair rent additions placed in service in the cost year ending September 30, 2021.

The bill also presumably allows facilities to receive a rate increase for FYs 22 and 23, within available appropriations, for a capital improvement for residents' health or safety approved by DSS.

Additionally, the bill makes technical and conforming changes (§ 381).

EFFECTIVE DATE: July 1, 2021

§ 357 — NURSING HOME TEMPORARY FINANCIAL ASSISTANCE

Requires DSS to issue one-time grants to nursing homes within its $10 million ARPA allocation

The bill requires DSS to provide temporary financial assistance to nursing homes within the $10 million it received as Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act of 2021 (P.L. 117-2). The bill requires DSS to issue one-time grants (1) based on the percent difference between the issued and calculated nursing home reimbursement rates and (2) subject to proportional adjustments based on available funding.

EFFECTIVE DATE: July 1, 2021

§ 358 — PRIVATE PROVIDER GRANT PROGRAM

Requires the DMHAS commissioner to establish grant programs to assist private providers

The bill requires the DMHAS commissioner to establish grant programs to assist private providers of services authorized by the department. The commissioner must do so within available federal funds allocated to DMHAS as Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act of 2021 (P.L. 117-2) and in accordance with state laws on spending in accordance with the federal act. For the grant programs in FYs 22 and 23, DMHAS must use the following amounts of allocated funds each fiscal year: (1) $15 million to enhance employee wages and (2) $10 million for private providers' facility costs.

EFFECTIVE DATE: July 1, 2021

359 & 360 — NURSING HOME RATE INCREASES

(1) Requires the DSS commissioner, within available appropriations, to provide a 4.5% increase to nursing home rates in FYs 22 and 23 for employee wages and (2) appropriates $15.4 million in FY 23 to provide rate increases for nursing homes that provide enhanced employee health care and pension benefits

Employee Wages

The bill requires the DSS commissioner to provide a 4.5% increase to nursing home rates in both FYs 22 and 23, as long as the increases are used to enhance facility employee wages. She must do so within available appropriations and regardless of cost-based or acuity-based rate setting provisions in existing law and under the bill. Under the bill, if a facility receives a rate increase but does not enhance employee wages, the DSS commissioner may decrease the rate by the same amount as the rate increase.

Enhanced Employee Health Care and Pension Benefits

The bill allocates $15.4 million from the General Fund appropriation to DSS in FY 23 to adjust reimbursement rates for nursing homes that provide enhanced health care and pension benefits for employees. Under the bill, if a facility receives a rate increase but does not provide these enhanced benefits, the DSS commissioner may decrease its rate by the same amount as the rate increase.

EFFECTIVE DATE: Upon passage

§ 361 — ICF-ID MINIMUM PER DIEM, PER BED RATE INCREASE

Requires the DSS commissioner to increase the minimum per diem, per bed rates for ICF-IDs to $501 for FYs 22 and 23

For FYs 22 and 23, the bill requires the DSS commissioner to increase the minimum per diem, per bed rates for ICF-IDs to $501, regardless of other statutory ratemaking provisions.

EFFECTIVE DATE: Upon passage

§ 362 — CONNECTICUT HOME CARE PROGRAM FOR THE ELDERLY

Reduces CHCPE copays from 9% to 4.5% and requires DSS to collect program data and report to committees of cognizance

This bill reduces, from nine percent to four and one-half percent, the required co-payments for participants in the state-funded portion of

the Connecticut Home Care Program for Elders (CHCPE, see BACKGROUND) as shown in the table below.

Table: CHCPE Participant Copayments Under Current Law and the Bill

Participant Category	*Copayments Under Current Law*	*Copayments Under Bill*
Participants with income at or below 200% of the FPL* and Medicaid-ineligible	9% of care costs/month	4.5% of care costs/month
Participants with income greater than 200% of the FPL	9% of care costs/month and an applied income amount (calculated by subtracting certain personal needs allowances from their gross income)	4.5% of care costs/month and the applied income amount
Participants living in government-subsidized affordable housing programs	An applied income copay if their income exceeds 200% of the FPL	No change
*In 2021, 200% of the federal poverty level (FPL) is $25,760 for an individual and $34,840 for a family of two		

The bill also requires the DSS commissioner to collect data on CHCPE services including the: (1) number of participants before and after copayments are reduced under the bill, (2) average hours of care provided per participant, and (3) estimated cost savings to the state by providing home care to participants who may otherwise receive nursing home care. She must report the results to the Aging, Appropriations, and Human Services Committees by July 1, 2022.

Current law allows the DSS commissioner to implement revised criteria for CHCPE's operation while in the process of adopting them as regulations, provided she publishes notice of intent to adopt the regulations in the Connecticut Law Journal within 20 days of implementing the policy. The bill requires DSS to generally conform to the Uniform Administrative Procedure Act by instead posting the notice on the department's website and the state's eRegulations System.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2021

Background — Connecticut Home Care Program for Elders

CHCPE is a Medicaid-waiver and state-funded program that provides a range of home- and community-based services for eligible individuals age 65 or older who are at risk of inappropriate institutionalization (e.g., nursing home placement). In comparison to the Medicaid-waiver component, the program's state-funded portion has no income limit and has higher asset limits. The state has authority to limit program enrollment or establish wait lists based on available resources.

§ 363 — TEMPORARY FAMILY ASSISTANCE

Excludes benefits received during a public emergency from the program's time limit; eliminates penalties for children born after program enrollment; requires lapsed funds to be used for cost of living adjustments if certain conditions are met

The bill makes several changes to Temporary Family Assistance (TFA), the state's cash assistance program for low-income families administered by DSS. Principally, it (1) excludes benefits received during the declared COVID-19 public health emergency from the program's time limit; (2) eliminates penalties for families with children born after program enrollment; and (3) beginning in FY 24, requires benefit increases to be provided in years when the program lapses funds, if certain conditions are met.

EFFECTIVE DATE: November 1, 2021

Time Limit

TFA is funded in part by the federal Temporary Assistance for Needy Families (TANF) block grant. Federal law generally applies a 60-month lifetime limit for receiving TANF-funded cash assistance, though states may establish shorter time limits. Under current law, Connecticut generally applies a 21-month limit on receiving TFA benefits; however, families are exempt from these time limits under specified circumstances (e.g., a minor parent finishing high school). Families not exempt may apply for up to two 6-month time-limit extensions if they meet certain criteria.

The bill excludes from the 60-month limit any months a family received TFA cash benefits during the declared COVID-19 public health emergency. (Presumably, benefits beyond the federal limit are state-funded.)

TFA Child Cap

Under current law, Connecticut penalizes families with children born after their initial 10 months of TFA program participation by (1) reducing by 50% the additional cash benefit they would otherwise receive for a child and (2) prohibiting the family from qualifying for a time-limit exemption based on caring for such a "capped child" under one year of age. The bill eliminates both of these penalties.

TFA Cost of Living Adjustments

Under the bill, beginning in FY 24, whenever TFA appropriated funds lapse at the close of any fiscal year, the bill requires the DSS commissioner to provide a cost of living adjustment (COLA) in TFA benefits equal to the most recent percentage increase in the Consumer Price Index for Urban Consumers (CPI-U), if:

1. it has not otherwise been included in the program budget, and
2. the increase would not create a budget deficiency in following years.

Under the bill, if the available lapsed funds are insufficient to cover a COLA, the commissioner must provide a prorated benefit increase.

§§ 364-366 — REFUND DISREGARDS IN CERTAIN ASSISTANCE PROGRAMS

Requires DSS to disregard tax refunds when calculating income eligibility under certain assistance programs

Under current law, DSS must disregard certain veteran's benefits when calculating income for certain (1) means-tested state assistance programs and (2) federally funded assistance programs, to the extent allowed by federal law. The bill expands the income disregard to include any tax refund or advance payment with respect to a refundable credit, to the same extent it would be disregarded in any

federal program or state or local program financed in whole or in part with federal funds (26 U.S.C. § 6409). Under the bill, the income disregards apply to the following programs:

1. State Supplement Program (§ 364),

2. State Administered General Assistance (§ 365), and

3. Connecticut Home Care Program for Elders (§ 366).

EFFECTIVE DATE: July 1, 2021

§ 367 — MEDICAID PAYMENTS FOR ACUPUNCTURISTS AND CHIROPRACTORS

Requires Medicaid to cover acupuncture and chiropractic services

The bill requires the DSS commissioner to amend the Medicaid state plan by October 1, 2021, to include services provided by licensed acupuncturists and licensed chiropractors as covered Medicaid services.

EFFECTIVE DATE: Upon passage

§ 368 — MEDICAID PAYMENTS FOR METHADONE MAINTENANCE

Eliminates performance-based rate reductions for methadone maintenance providers

The bill eliminates a provision under current law requiring Medicaid payments for methadone maintenance to be contingent on providers meeting certain performance measures. Under current law, failure to meet department-identified standards on performance measures results in 5% rate reductions for the second half of 2020 and 10% rate reductions beginning January 1, 2021.

EFFECTIVE DATE: July 1, 2021

§ 369 — MEDICAID RATE PARITY FOR CERTAIN PROVIDERS

Requires Medicaid rates for (1) nurse-midwives to equal obstetrician-gynecologist rates and (2) podiatrists to equal physician rates

The bill requires the DSS commissioner to adjust Medicaid reimbursement rates so that (1) licensed nurse-midwives receive the

same rates as licensed obstetrician-gynecologists for performing the same services or procedures and (2) licensed podiatrists receive the same rates as licensed physicians for performing the same services or procedures. The commissioner must seek federal approval to amend the Medicaid state plan, if needed, to adjust the reimbursement rates for the nurse-midwives and podiatrists.

EFFECTIVE DATE: Upon passage

§ 370 — THIRD PARTY LIABILITY FOR MEDICAL ASSISTANCE PAYMENTS

Establishes deadlines for insurers and other legally liable third parties to (1) act on claims DSS submits for covered health care items and services and (2) request refunds from DSS when they determine they are not liable for a claim for which they reimbursed DSS

Existing law authorizes DSS to recover claims from an insurer or other legally liable third party when the state pays for a health care service for which the third party is legally responsible. The bill requires these entities to act on a claim submitted by DSS for payment for health care items or services covered by a state medical assistance program within the later of 90 days after receiving the claim or September 29, 2021. Within this timeframe, these entities must (1) make a payment on the claim, (2) request necessary information to determine its legal obligation to pay it, or (3) issue a written reason for denying the claim. If the entity fails to act on a claim within the later of 120 days of receiving a claim or October 29, 2021, the failure creates an uncontestable obligation to pay the claim. The bill applies these provisions to all DSS claims, including those submitted before July 1, 2021.

The bill also establishes a deadline for insurers and other legally liable third parties to request a refund from DSS if they determine they are not liable for the cost of a health care item or service for which they have reimbursed the department. It requires these entities to request refunds from DSS within 12 months after the reimbursement date.

EFFECTIVE DATE: July 1, 2021

§ 371 — POSTPARTUM CARE EXTENDED TO 12 MONTHS

Extends Medicaid coverage for postpartum care for 12 months after birth to a woman otherwise eligible for Medicaid, to the extent permissible under federal law

The bill requires the DSS commissioner, beginning April 1, 2022, to extend Medicaid coverage for postpartum care for 12 months after birth to a woman otherwise eligible for Medicaid, to the extent permissible under federal law. Under current practice, DSS provides post-partum coverage to these Medicaid beneficiaries for 60 days post-birth.

The bill requires the commissioner to (1) amend the Medicaid state plan in accordance with the American Rescue Plan Act of 2021 (P.L. 117-2) to provide federal reimbursement for extending postpartum care, (2) extend Medicaid coverage for this care following federal approval, and (3) take any other action necessary under federal law to maintain federal reimbursement for this coverage.

EFFECTIVE DATE: Upon passage

§ 372 — POSTPARTUM CHILDREN'S HEALTH INSURANCE PROGRAM (CHIP) COVERAGE

Extends CHIP coverage for postpartum care for 12 months after birth to a HUSKY B beneficiary, beginning April 1, 2022, to the extent permissible under federal law

Beginning April 1, 2022, the bill requires the DSS commissioner to (1) extend CHIP coverage (in Connecticut, HUSKY B) for postpartum care for 12 months after birth to a HUSKY B beneficiary and (2) amend the CHIP state plan in accordance with the American Rescue Plan of 2021 (P.L. 117-2) to provide federal reimbursement for such coverage. The bill requires her to (1) extend coverage following federal approval and (2) take any other necessary action under federal law to maintain federal reimbursement for this coverage.

The state provides CHIP coverage under HUSKY B, which covers children in families with household incomes between 196% and 318% of the federal poverty level.

EFFECTIVE DATE: Upon passage

§ 373 — NONPROFIT LOAN FORGIVENESS PROTECTIONS

Prohibits state agencies from reducing future contract amounts with, or demanding reimbursement from, nonprofit providers that obtain or retain funds through certain federal loan forgiveness programs

The bill prohibits a state agency that contracts with a nonprofit human services provider from recovering or otherwise offsetting funds obtained or retained by the provider through certain federal loan forgiveness programs (i.e., any paycheck protection program loan, in whole or in part, provided under the CARES Act, or the Paycheck Program Flexibility Act of 2020). Specifically, the bill prohibits a state agency from (1) reducing contracted amounts for the same or similar services in the next contract period or (2) demanding reimbursement of state funds from providers.

EFFECTIVE DATE: Upon passage

§ 374 — HOME & COMMUNITY-BASED RATE INCREASES

Allocates $5 million for FYs 22 and 23 to fund an increase in the reimbursement rate for certain Medicaid-funded home and community-based programs and services and the state-funded Connecticut Home Care Program for the Elderly

The bill allocates $4.625 million appropriated to DSS from the General Fund in FYs 22 and 23 to fund an increase in the Medicaid reimbursement rate for certain Medicaid-funded home and community-based waiver program services, and home health care. The Medicaid rate increase applies to the following programs: (1) pediatric skilled nursing services in home health programs, (2) the Money Follows the Person program, (3) autism home and community-based waiver services, (4) mental health home and community-based waiver services, (5) personal care assistant services in home and community-based waiver programs, (6) acquired brain injury waiver services, and (7) Connecticut home care program waiver services.

The bill also allocates $375,000 appropriated to DSS from the General Fund from FYs 22 and 23 to increase the reimbursement rate for the state-funded portion of the Connecticut Home Care Program for the Elderly.

EFFECTIVE DATE: July 1, 2021

§ 375 — NONPROFIT SAVINGS INCENTIVE PROGRAM

Expands and makes permanent an incentive program for nonprofit human services providers that realize savings in the state-contracted services they deliver

The bill requires the OPM secretary to expand and make permanent an incentive program for nonprofit human service providers that realize savings in the state-contracted services they deliver (current practice requires them to return any realized savings). Under the bill, the program must (1) allow providers to keep any savings they realize from the contracted service cost as long as they meet their contractual requirements and (2) prohibit future contracted amounts for the same type of service from being reduced solely on savings achieved in previous contracts by the providers. It also requires providers who are allowed to retain savings under the program to submit a report to the OPM secretary on how the funds were reinvested to strengthen quality, invest in deferred maintenance, and make asset improvements.

Current law requires OPM to establish a pilot program to allow eight participating nonprofit human service providers to keep a portion of any savings they realize, but it has not been implemented. The bill removes this eligibility criteria to allow participation by any contracted nonprofit providers of human services, which by law include providers to persons with intellectual, physical, or mental disabilities or autism spectrum disorder.

EFFECTIVE DATE: July 1, 2021

§ 376 — EMERGENCY & NON-EMERGENCY AMBULANCE RATES

Increases Medicaid reimbursement rates by 10% for emergency and nonemergency ambulance services and by $3 for transports beginning in FY 22

Beginning FY 22, the bill requires the DSS commissioner to increase the Medicaid reimbursement rates for emergency and nonemergency ambulance services by 10%, except that the mileage rate for ambulance transports must be increased by $3.

EFFECTIVE DATE: Upon passage

§ 377 — STATE-CONTRACTED PROVIDERS FOR ID SERVICES

Requires OPM to allocate funds to increase DDS-contracted service providers' wages and benefits for FYs 22 and 23

The bill requires the OPM secretary to allocate available funds for FYs 22 and 23 to increase rates to state-contracted providers for wage enhancements and related payroll taxes, workers compensation, and unemployment insurance expenses for employees who provide services to individuals with intellectual disability who receive supports and services through the DDS.

Under the bill, providers that receive a rate adjustment for wage enhancements but do not increase employee salaries by July 31, 2021, and July 31, 2022, respectively, may be subject to a rate decrease equal to this adjustment by the DDS commissioner.

In addition, the commissioner must, within available resources and at his discretion, make funds available to support enhanced benefits. Under the bill, the commissioner cannot distribute funding in a way that jeopardizes anticipated federal reimbursement.

EFFECTIVE DATE: July 1, 2021

§ 378 — CHRONIC DISEASE HOSPITAL PER DIEM RATE INCREASE

Requires DSS, within available appropriations, to increase the per diem rate for chronic disease hospitals by 4%

The bill requires the DSS commissioner, within available appropriations, to increase the per diem rate for chronic disease hospitals by 4%.

EFFECTIVE DATE: July 1, 2021

§ 379 — NATCHAUG HOSPITAL

For FY 22, increases the inpatient Medicaid reimbursement rate for Natchaug Hospital to at least $975 per day

The bill requires the DSS commissioner to provide an inpatient Medicaid reimbursement rate of at least $975 per day to Natchaug Hospital for FY 22. She must do so regardless of existing law's hospital rate setting provisions. Under federal law, state Medicaid provider payments must be consistent with efficiency, economy, and quality of

care and sufficient to enlist enough providers so that care and services are available under the plan to at least the extent that the care and services are available to the general population in the geographic area (42 U.S.C. § 1396a(a)(30)(A)).

EFFECTIVE DATE: Upon passage

§ 380 — UNBORN CHILD OPTION FOR PRENATAL CARE UNDER HUSKY B

Amends HB 6687 to limit eligibility for prenatal care to households with incomes at or below 258% of FPL

Among other things, HB 6687 as passed by the House and Senate during the 2021 regular legislative session requires the DSS commissioner to amend the Children's Health Insurance Program (CHIP) state plan to provide medical assistance for prenatal care through the "unborn child option." This is a state option that allows states to consider an unborn child a low-income child eligible for prenatal care coverage if other CHIP eligibility requirements are met. According to the federal Centers for Medicare and Medicaid Services, the requirement to meet other CHIP eligibility criteria applies to the child and not the mother.

Under HB 6687, this coverage is available to families with household incomes between 196% and 318% of the federal poverty level (FPL) (i.e., the same income eligibility as CHIP coverage generally). The bill instead limits eligibility to families with household incomes at or below 258% of FPL (i.e., the same income eligibility level for pregnant women under the state's Medicaid program).

EFFECTIVE DATE: October 1, 2021

§§ 382 & 383 — MINIMUM BUDGET REQUIREMENT (MBR)

Renews the MBR with all the current waivers or flexibilities (e.g., for a decrease in student population or in ECS funding); adds additional MBR exclusions for federal funds and for state school security grants; makes the MBR law permanent by removing the sunset date; renews and makes permanent the method to determine whether a town's education aid has decreased or increased compared to the prior year

The bill makes permanent the current prohibition against a town budgeting less for education than it did in the previous fiscal year (i.e.,

the MBR). Under current law, all MBR provisions will expire on June 30, 2021.

The bill (1) continues to exempt certain high-performing school districts from the MBR; (2) renews several MBR options in current law that allow a town to reduce its MBR in some circumstances; and (3) adds additional MBR exclusions for federal funds and for state school security grants for all school districts, including alliance districts. (Generally, alliance districts are barred from MBR reductions.)

The bill also makes conforming and technical changes.

EFFECTIVE DATE: July 1, 2021

MBR Exemptions (§ 382)

The bill renews and makes permanent MBR exemptions for the following: (1) any school district among the top 10% of districts as measured by the SDE's Accountability Index (AI) score (see BACKGROUND) and (2) member towns of a newly formed regional school district during the first full fiscal year following its establishment.

New or Modified MBR Exclusions (§ 382)

By law for FYs 20 and 21, a school district can exclude from its MBR calculation for the next fiscal year local supplemental appropriations or federal funds they received to cover costs associated with COVID-19. The law explicitly allows alliance districts to exclude these expenditures from their calculation, as well.

Local supplemental appropriations include those from the town's (1) board of finance, (2) board of selectmen for a town having no board of finance, or (3) authority making appropriations for the school district. Districts must use these local supplemental appropriations for COVID-19 expenditures that the school district's budgeted education appropriation for that fiscal year could not cover. This also applies to federal funds received under the CARES Act.

The bill extends this MBR exclusion to FY 24 and, in addition to the

CARES Act, specifically excludes the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act (P.L. 116-260), and the American Rescue Plan Act of 2021 (P.L. 117-2) funds from MBR.

The bill also adds a new MBR exclusion beginning in FY 22 for any school security infrastructure competitive grant received in the prior year. Under the bill, this grant does not have to be included in the school district's MBR calculation for the following fiscal year. Alliance districts are eligible for this exclusion.

Permitted MBR Reductions Renewed (§ 382)

The bill makes permanent the current allowances for MBR reductions under the circumstances described below.

Reductions in Enrollment. A school district may reduce its MBR if it has reduced student enrollment during any of the five years immediately prior to the fiscal year for which the MBR is being calculated. However, it cannot count the enrollment reductions from any year that was previously used for an MBR reduction. The bill additionally prohibits them from counting enrollment reductions from FY 21.

The district can reduce its MBR by 50% of the net current expenditure per resident student, multiplied by the net reduction in the number of enrolled students. By law, resident students are the number of students a school district must educate at the town's expense.

No High School. A town without a high school that pays tuition to other towns for its resident students to attend there and is paying for fewer students than it did in the previous year can reduce its MBR by the full amount of its lowered tuition payments. Except under the bill, for the fiscal year ending June 30, 2022, the number of resident students attending high school for a district with no high school for the prior school year will be the number of resident students attending high school for that district for October 1, 2019, using the data of record as of January 31, 2020. This essentially freezes the student count

for one year.

School Closures. A town may reduce its MBR if it has permanently closed a school due to declining enrollment at the school in the seven FYs immediately prior to the FY for which the MBR is being calculated.

Cost Savings. A town can reduce its MBR to reflect half of any new and documented savings from (a) increased efficiencies within its school district, as long as the education commissioner approves the savings, or (b) a regional collaboration or cooperative arrangement with at least one other district. This reduction is limited to a maximum of 0.5% of the budgeted appropriation for the prior year.

Catastrophic Events. When a self-insured school district experiences a loss due to one or more catastrophic events during the prior year and must increase the following year's education budget as a result, the increase due to the loss is not required to be counted for the following year's MBR. The catastrophic event must be declared as such by a nationally recognized catastrophe loss index provider.

ECS Reduction. A town that has a reduction in ECS aid (see below) when compared to the previous year can reduce its MBR by an amount that equals the amount of the reduction.

Revising Local Education Budgets

The bill supersedes any provision of a special act, municipal charter, local ordinance, home rule ordinance, or other ordinance that prohibits or otherwise limits a town from appropriating additional funds to its FY 2022 education budget after the budget is adopted. Specifically, it allows the town to appropriate additional funds to its education budget to satisfy the MBR requirements if the town's ECS grant is greater than what the town anticipated when it originally adopted its FY 2022 education budget.

Determining Aid Gains or Losses (§ 383)

Under current law, school districts must determine whether they have an FY 21 ECS aid increase or decrease in order to determine their

MBR. The bill makes this requirement permanent. As with current law, the bill requires districts to compare the ECS aid a town is entitled to with the amount the town received the prior year. If the current amount is greater than the prior year's amount, the difference between the two is the aid increase. Likewise, if the amount the town is entitled to is less than the amount the town received in the prior year, then the difference is the aid decrease.

BACKGROUND

Accountability Index Scores

"Accountability index" for a school district or an individual school means the score resulting from multiple weighted measures that (1) include the mastery test scores and, if appropriate, high school graduation rates and (2) may include academic growth over time, attendance and chronic absenteeism, postsecondary education and career readiness, enrollment in and graduation from institutions of higher education and postsecondary education programs, civics and arts education, and physical fitness (CGS § 10-223e(a)).

§§ 384–386 — EDUCATION COST SHARING (ECS) GRANT REVISIONS

Suspends, for two years, scheduled decreases in ECS grants for certain towns; extends the phase-in period for grant increases and decreases until FY 29; revises the ECS formula by changing several formula components including the weighting for need students; expands the regional per-student bonus to include endowed academies that function as public high schools

The bill (1) suspends, for two years until FY 23, scheduled decreases in Education Cost Sharing (ECS) grants for towns that are overfunded under the formula; (2) maintains scheduled increases in ECS aid for underfunded towns; (3) extends the scheduled phase-in of increases and decreases by two years until FY 29. The ECS grant is the largest form of state aid to towns.

The bill also changes several factors in the formula that is used to determine the ECS grant for each town, including by (1) increasing the weights for low-income and English language learner students and (2) expanding the per-student bonus for regional school districts to include towns sending students to one of the three endowed

academies that serve as public high schools (i.e., Norwich Free Academy, Woodstock Academy, and the Gilbert School in Winchester).

EFFECTIVE DATE: July 1, 2021

Scheduled Town Increases and Decreases (§ 384)

By law, the base grant amount is the ECS grant amount a town was entitled to for FY 17, minus authorized cuts implemented during FY 17. The base grant amount is used to determine whether a town will get an ECS increase or decrease.

A town is entitled to receive, for FYs 21 through 27, an ECS grant in an amount determined by comparing its base grant amount to its fully funded grant, with an exception for alliance districts. The fully funded grant is the amount a town would receive under the formula if there were no phase-ins.

Under current law:

1. If a town's fully funded ECS grant is less than the base grant amount, then the town is entitled to the prior year's amount, minus 8.33% of the difference; however, if the town is an alliance district, it is entitled to the base grant amount with no reduction.

2. If a town's fully funded ECS grant is greater than the base grant amount, then the town is entitled to the prior year's amount, plus 10.66% of the difference between fully funded and the base grant.

For FY 28 and all years following, current law requires that towns receive their fully funded amount, except alliance districts continue to receive their base grant amount if that is higher than the fully funded grant.

Held Harmless and Grant Reduction Towns. For FYs 22 and 23, the bill requires that, if a town's fully funded ECS grant is less than the

base grant amount, then the town will receive the same amount as it received for FY 21 (i.e., "held harmless"). The bill resumes annual 8.33% reductions in aid for FYs 24-29 for the towns where the fully funded grant amount is less than the town's base grant amount. As under existing law, the bill exempts alliance district towns from these reductions if their fully funded grant amount is less than the town's base grant amount.

Grant Increase Towns. For FYs 22 through 27, the bill maintains the scheduled increases for underfunded towns. It requires that, if a town's fully funded ECS grant is greater than its base grant amount, the town will receive a grant equal to the prior year's amount, plus 10.66% of the difference. In FY 28 and 29 the bill requires any town with a fully funded grant amount greater than its base to receive the fully funded grant amount.

FY 30 and Following Years. Under the bill for FY 30 and each year after that, towns are entitled to an ECS grant equal to their fully funded amount However, alliance district towns where the fully funded amount is less than the base grant will still be entitled to their base grant amount.

Formula Factor Changes (§§ 385 & 386)

The bill modifies one of the three key ECS formula factors for determining grant amounts. By law, these factors are as follows:

1. the foundation dollar amount ($11,525);

2. the student count with weighting for high need students, referred to as "total need students"; and

3. the base aid ratio, which is a measure of town wealth.

Under the formula, the foundation is multiplied by the number of need students, and the result is multiplied by the base aid ratio, to produce the grant amount. A small bonus is added for regional schools (if applicable), and this results in a town's fully-funded grant.

Total Need Student Count. The bill modifies the total need student count but leaves the foundation dollar amount and the base aid ratio unchanged. Currently the need student count includes the following weightings:

1. student poverty weighting, which adds 30% of students eligible for free or reduced priced meals or free milk (FRPM) plus an additional 5% of any FRPM-eligible students above 75% of the total number of resident students and

2. language weighting, which adds 15% of the number of students who are English language learners (ELL), as identified by the school district.

The bill keeps the main poverty weighting at 30% of students eligible for FRPM. However, it increases the additional poverty weighting from 5% to 15% of FRPM-eligible students above 60% (instead of 75%) of the total number of resident students for the school year. The bill also increases the ELL weighting from 15% to 25%.

Regional Bonus. Current law provides a per-student regional bonus for any town that is part of a regional district and has students who attend the regional school district.

Under the bill, for any town that pays tuition for its students to attend a State Board of Education-approved incorporated or endowed high school or academy, the state must provide an additional per-student grant. Currently there are three such institutions: Norwich Free Academy, Woodstock Academy, and the Gilbert School in Winchester.

For endowed academies, the bonus is $100 for each enrolled student on October first for the school year prior to the fiscal year in which the grant will be paid, multiplied by the number of grades for which students attend the district or academy. For example, this means that 10 students going to an endowed academy high school (four grades) would generate a regional bonus of $4,000.

The bill also changes the bonus for regional school districts so it matches the amount the bill gives to endowed academies. Under current law, the regional bonus is $100 per student multiplied by the ratio of the number of grades (kindergarten to grade 12, inclusive) in the regional school district, to 13.

§ 387 — FEDERAL FUNDS FOR OTHERWISE UNENTITLED SCHOOLS

Requires SDE to distribute federal funds to certain otherwise unentitled schools, only to the extent federal law allows

Beginning in FY 22, the bill requires the State Department of Education (SDE) to distribute, to the extent federal law allows, federal funding provided from the Elementary and Secondary School Emergency Relief (ESSER) Fund in response to the COVID-19 pandemic that would otherwise be unavailable to the following schools: (1) any school ineligible for federal Title I funding or (2) any State Board of Education-approved incorporated or endowed high school or academy (i.e., The Gilbert School, Norwich Free Academy, and Woodstock Academy). The bill specifies that the above provisions do not require SDE to distribute any state or federal funding in a way that conflicts with federal law, including U.S. Department of Education guidance, rules, or regulations about the ESSER Fund.

EFFECTIVE DATE: July 1, 2021

§ 388 — STATE CHARTER SCHOOL FUNDING FORMULA

Creates a new, foundation-based funding formula to replace the uniform per-pupil state charter school operating grant in current law

The bill creates a new, foundation-based funding formula to replace the uniform per-pupil operating grant for state charter schools in current law. The foundation-based formula weighs pupil counts with a school's "charter-grant adjustment," which is based on student needs, to arrive at a per-pupil cost for public education.

Under current law, the fiscal authority for a state charter school receives a uniform per-pupil operating grant of $11,250 per fiscal year. Under the bill, a state charter school's fiscal authority will receive a per-pupil grant determined by the new foundation-based formula

equal to:

1. for FY 22, the foundation plus 4.1% of its charter grant adjustment and

2. for FY 23, the foundation plus 14.76% of its charter grant adjustment.

Formula Components Defined

Total Charter Need Students. Under the bill, the number of "total charter need students" in the state charter school funding formula is a value calculated as the sum of the following:

1. enrolled students at the state charter schools controlled by the governing authority for the school year, plus

2. beginning in the 2021-22 school year, the following:

    a. 30% of the number of enrolled students eligible for free or reduced-price meals or free milk, plus;

    b. 15% of enrolled students eligible for free or reduced-price meals or free milk in excess of the number of these enrolled students with this eligibility that are equal to 60% of the total number of children enrolled in the school, plus;

    c. 25% of enrolled students who are English language learners.

Foundation. The bill defines "foundation" in the same way state law defines the Education Cost Sharing grant foundation: as a fixed dollar amount of $11,525.

Charter Full Weighted Funding Per Student. Under the bill, the "charter full weighted funding per student" is a value calculated as (1) the product of the total charter need students and the foundation, divided by (2) the number of enrolled students under the governing authority's control for the school year.

Charter Grant Adjustment. The bill defines "charter grant

adjustment" as the absolute value of the difference between the (1) foundation and (2) charter full weighted funding per student for the state charter schools under the governing authority's control for the school year.

Grant Payments

Under the bill, FY 22 and 23 payments under the new grant formula described above must be paid on the following schedule: (1) 25% of the grant amount by July 15 and September 1, based on May 1 estimated student enrollment; and (2) 25% of the amount by January 1 and the remaining 25% by April 1, both based on student enrollment on October 1. Under current law, the state makes grant payments to state charter schools' fiscal authority on the same schedule.

EFFECTIVE DATE: July 1, 2021

§ 389 — MATERIAL CHANGES TO CHARTER SCHOOL OPERATIONS

Requires SDE to review and recommend approval of charter school material change requests; creates new submission and review procedures for material change requests seeking to increase charter school enrollment capacity by a certain percentage

By law, a charter school's governing council must submit a written request to the State Board of Education (SBE) to amend its charter if it plans to make a material change to its operations. The law defines "material change" to mean one that fundamentally alters a school's mission, organizational structure, or educational program.

The bill requires the State Department of Education (SDE), rather than SBE, to review a charter school's request and solicit and review comments on it from the board of education in the town where the school is located. Current law requires SBE to vote on the request after this review process, but under the bill, SBE must receive from the department a recommendation to approve the request prior to voting on it. As under current law, the vote must occur within 60 days after receipt of the request or as part of the school's charter renewal process.

Additionally, if a charter school's material change request is to increase its student enrollment capacity by 20% or more, then the bill

requires the school to submit the request to SDE by April 1 of the fiscal year that is two years before the fiscal year when the change would take effect. Under the bill, the department must consider the following when determining whether to recommend that SBE approve the enrollment increase: (1) the financial feasibility of the enrollment increase; (2) the charter school's performance, stewardship, governance and management, student population, and legal compliance; and (3) any other factors the department finds relevant.

EFFECTIVE DATE: July 1, 2021

§§ 390-392 — RESIDENCY-BASED MAGNET SCHOOL GRANT CONDITIONS

Reauthorizes prohibition on SDE awarding certain magnet school grants to schools that fail to meet certain residency-based enrollment conditions, but also allows the commissioner to waive certain conditions

Conditions Applicable to All Magnet School Operators

The bill extends through the 2023-24 school year the requirement that (1) magnet schools comply with specific enrollment standards in existing law and (2) the education commissioner only award an operating grant to compliant schools. Specifically, the commissioner may only award a grant to schools that have (1) no more than 75% of the school enrollment from one school district and (2) a total school enrollment that meets the reduced-isolation setting standards developed by the commissioner. However, the bill allows the commissioner to award a grant for an additional year or years to a noncompliant program if she finds it appropriate and also approves a plan to bring the school into compliance with the residency standards, in addition to reduced-isolation setting standards as required under current law.

Conditions Applicable to Select Magnet School Operators

Under current law, certain magnet school operators, if they enroll less than half of their incoming students from Hartford, receive a per-pupil operating grant as follows:

1. $8,058 for half of the total number of non-Hartford students enrolled over 50% of the total school enrollment and

2. $10,652 for the remainder of the students.

The bill allows the education commissioner to waive the 50% enrollment requirement for good cause, upon their written request.

This provision applies to the following:

1. regional education service centers
2. the community colleges and Connecticut State Universities' board of trustees on behalf of the institutions,
3. the UConn Board of Trustees on behalf of the university,
4. an independent college's or university's governing board,
5. a cooperative arrangement,
6. any other third-party, non-profit corporation approved by the commissioner, and
7. the Hartford school district, specifically for the operation of Great Path Academy on behalf of Manchester Community College.

EFFECTIVE DATE: July 1, 2021

§ 393 — MAGNET SCHOOL OPERATING GRANTS

Requires the state to fully fund per-pupil magnet school operating grants

By law, the state awards per-pupil operating grants to interdistrict magnet school operators. The grant amount varies based upon (1) the number of enrolled students who live in the magnet school's host town and the number who are non-residents, (2) whether the magnet school is operated by a board of education or a regional education service center (RESC), and (3) whether the magnet school furthers the goals of the *Sheff* v. *O'Neill* settlement (i.e., is a *Sheff* magnet school).

Current law allows these per-pupil grant amounts to be prorated to reflect available appropriations. The bill removes this provision, thereby requiring the state to fully fund the grants. By law and

unchanged by the bill, the total per-pupil operating grant paid by the state to an interdistrict magnet school operator cannot exceed the aggregate total of the school's reasonable operating budget, minus revenue from other sources.

EFFECTIVE DATE: July 1, 2021

§ 394 — SUPPLEMENTAL TRANSPORTATION GRANT FOR MAGNET SCHOOLS

Changes the payment schedule and number of payments for a supplemental transportation grant for Sheff magnet schools

The bill changes the payment schedule and frequency for supplemental transportation grants to magnet schools that help the state meet its obligations under the *Sheff v. O'Neill* desegregation court decision.

Under current law's payment schedule, (1) up to 70% of the grant may be paid on or before June 30 in the current fiscal year and (2) the remainder must be paid by September 1 of the following fiscal year upon completion of a comprehensive financial review.

Starting with FY21, and for each fiscal year thereafter, the bill presumably requires these grants be paid as follows:

1. any unpaid balance of documented, eligible transportation costs (including vendor bills) incurred on or before December 31 must be paid on or before February 1;

2. any unpaid balance of documented, eligible transportation costs incurred on or before March 31 must be paid on or before May 1; and

3. the balance of the grant must be paid on or before September 1 of the following fiscal year after a comprehensive financial review.

EFFECTIVE DATE: July 1, 2021

§ 395 — PRIORITY SCHOOL DISTRICT GRANTS

Allocates $5 million in both FY 22 & 23 for PSDs

The bill allocates $5 million in FY 22 and again in FY 23 to the State Department of Education to provide grants to towns with school districts that are identified as priority school districts (PSDs). PSDs have students with low standardized test scores and high levels of poverty; there are 15 of these districts. PSDs must spend the grants for certain purposes specified in statute (e.g., dropout prevention, alternative and transitional programs, and elementary and middle school accreditation).

§ 396 — YOUTH SERVICE BUREAU GRANTS

Allows FY 21 YSB applicants to be eligible for a state grant

By law, the education commissioner must establish a youth service bureau (YSB) grant program that, within available appropriations, awards $14,000 grants to eligible bureaus that applied for grants during specific fiscal years, with prior approval of their town's contribution. Towns must contribute an amount equal to the state grant amount.

The bill allows YSBs that applied for a grant during FY 21 to be eligible for such a grant through the program. Current law limits eligibility to applicants who applied for the grant during certain specified periods, most recently FY 19.

By law, YSBs coordinate community-based services that provide prevention and intervention programs for delinquent, pre-delinquent, pregnant, parenting, and troubled youths referred to them by schools, police, and juvenile courts, among others.

EFFECTIVE DATE: July 1, 2021

§ 397 — TECHNICAL EDUCATION AND CAREER SYSTEM WORLD LANGUAGE REQUIREMENT

Requires the TECS board or superintendent to waive the world language high school graduation requirement for the class of 2023 and 2024

The bill requires either the Technical Education and Career System's board or superintendent to allow any student in the class of 2023 or 2024 to graduate without fulfilling the one-credit world language high

school graduation requirement in state law.

EFFECTIVE DATE: Upon passage

§ 398 – MANUFACTURING PROGRAM TUITION AND FEE WAIVER

Requires BOR to waive tuition and fees for Ansonia High School students who participate in certain manufacturing programs

Since FY 20, state law has required the Board of Regents for Higher Education (BOR) to waive tuition and fees for Ansonia High School students to attend College Connections at Derby High School. The bill requires BOR to also waive tuition and fees for Ansonia High School students who participate in a manufacturing program offered in Ansonia or Derby that is not part of the College Connections program at Derby High School. The amount of this waiver each fiscal year equals the appropriation for this purpose, as it does for the College Connections waiver.

The College Connections program enables high school students to take community college courses in advanced manufacturing and receive both high school and college credit.

EFFECTIVE DATE: July 1, 2021

§ 399 — REGIONAL BOARD OF EDUCATION RESERVE FUNDS

Increases the amount a regional board of education may deposit in a capital and nonrecurring expenditures reserve fund

The bill increases the amount that a regional board of education can deposit in a capital and nonrecurring expenditures reserve fund from up to 1% to up to 2% of the district's budget for the fiscal year. As under existing law, this percentage is comprised of the aggregate amount of annual and supplemental district appropriations.

Existing law, unchanged by the bill, allows a regional board of education to create this account by a majority vote of its members. The law requires that annual appropriations to the fund be included in the share of net expenses paid by each member town of the regional district, and it allows supplemental appropriations to the fund using estimated fiscal year end surplus in operating funds. With the board's

approval, the district may use this account to partially or completely fund the planning, construction, reconstruction, or acquisition of any specific capital improvement or the acquisition of any specific equipment.

EFFECTIVE DATE: July 1, 2021

§ 400 — CT GROWN FOR CT KIDS GRANT

Requires DoAg to administer a new CT Grown for CT Kids Grant Program to assist boards of education in developing farm-to-school programs; specifies what groups can apply for a grant; requires DoAg to convene an advisory committee to assist the agency in awarding grants

The bill requires the Department of Agriculture (DoAg), in consultation with an advisory committee the bill also creates, to administer the new CT Grown for CT Kids Grant Program. The bill requires the program to assist local and regional boards of education in developing farm-to-school programs that will:

1. increase the availability of local foods in child nutrition programs,
2. allow educators to use hands-on techniques to teach students about nutrition and farm-to-school connections,
3. sustain relationships with local farmers and producers,
4. enrich the educational experience of students,
5. improve the health of Connecticut children, and
6. enhance the state's economy.

Eligible Applicants

The bill allows a local or regional board of education, regional educational service center, cooperative education arrangement, child care center, group child care home, family child care home, or any organization or entity administering or assisting in the development of a farm-to-school program, to apply for a grant. The agriculture commissioner must prescribe the grant application form and process.

The grant must be used to develop or implement a farm-to-school program, including:

1. purchasing equipment, resources, or materials, such as local food products, gardening supplies, field trips to farms, gleaning on farms (collecting leftover crops after the commercial harvest is completed), and stipends to visiting farmers;

2. providing professional development and skills training for educators, school nutrition professionals, parents, caregivers, child care providers, and employees and volunteers of organizations administering or assisting in the development and implementation of farm-to-school programs; and

3. piloting new purchasing systems and programs.

Advisory Committee

The bill requires DoAg to convene an advisory committee consisting of the education commissioner, or his designee, and representatives of stakeholder groups the agriculture commissioner selects who reflect the state's demographic and geographic diversity.

The advisory committee must (1) help the department review applications and award these grants and (2) provide technical assistance to grant recipients to develop and implement farm-to-school programs.

Grant Awarding Priority

The bill requires the department to prioritize grants to applicants (1) located in alliance districts or who are providers of school readiness programs and (2) who demonstrate broad commitment from school administrators, school nutrition professionals, educators, and community stakeholders.

Grant Limits

The bill prohibits DoAg from awarding a grant that is more than 10% of the total grant amount available for the fiscal year.

Donations and Gifts

The bill authorizes DoAg to accept gifts, grants, and donations, including in-kind donations, to administer the CT Grown for CT Kids Grant Program and implement the bill's provisions.

Reporting Requirement

Beginning by January 1, 2023, DoAg must annually submit a report on the program to the Education Committee. The report must include an accounting of the funds appropriated and received by the department, including descriptions of each grant awarded, how the recipient used the grant, and an evaluation of the program and the success of local farm-to-school programs that received grants through the program.

EFFECTIVE DATE: July 1, 2021

§ 401 — OPEN CHOICE PROGRAM EXPANSION

Expands the Open Choice Program for the 2022-23 school year under a pilot program for up to 50 students from Danbury and Norwalk

The bill expands the Open Choice Program for up to 50 students from Danbury and 50 from Norwalk in the 2022-23 school year.

Open Choice is a voluntary inter-district public school attendance program that allows students from urban districts to attend suburban schools and vice versa, on a space-available basis. Its purpose is to reduce racial, ethnic, and economic isolation; improve academic achievement; and provide public school choice. SDE provides a per-student grant for school districts that receive Open Choice students.

Danbury and Norwalk Student Participation

Under the bill, Danbury students may attend school in New Fairfield, Brookfield, Bethel, Ridgefield, and Redding school districts and Norwalk students may attend school in the Darien, New Canaan, Wilton, Weston, and Westport school districts. School districts that received students from Danbury or Norwalk under this pilot program must allow these students to attend until they graduate from high school.

For FY 23, the bill requires SDE to provide a $4,000 per-student grant to each district receiving Danbury or Norwalk students. For FY 24 and each year following, SDE must provide receiving districts with per-student grants based on existing law's Open Choice per-student grant schedule, which ranges from $3,000 to $8,000 per student.

Under the existing grant schedule, districts receive a larger grant if the number of Open Choice students reflects a greater amount of the district's student population. For example, a district receives $3,000 per student if Open Choice students are less than 2% of the district's total student population. The grant amount increases incrementally until, at the highest amount, a district receives $8,000 per student if Open Choice students are equal to or greater than 4% of the district's total student population.

The bill also extends the program's transportation aid component for FY 22 and each fiscal year thereafter.

Reporting Requirement

By January 1, 2025, the bill requires SDE to submit a report on the Danbury and Norwalk pilot program to the Education and Appropriations committees. The report must include the number of students participating in the pilot, the number of students from each participating town, the total amount of the grant paid under the pilot, and the grant paid to each participating town.

EFFECTIVE DATE: July 1, 2021

§§ 402-408 — EDUCATION PROGRAM GRANT CAPS

Extends to FYs 22 and 23 the current grant caps for seven programs; renews the bilingual education grant for FYs 22 and 23

The bill caps education grants to local or regional boards of education for FYs 22 and 23. The caps, which are currently set to expire on June 30, 2021, require that grants be proportionately reduced if the state budget appropriations do not fund the full amounts required by the respective statutory formulas. The caps apply to grants for the following programs:

1. bilingual education (CGS § 10-17g);

2. school districts' special education costs for public agency-placed students under an order of temporary custody (CGS § 10-76d);

3. school districts' excess special education costs (CGS § 10-76g);

4. excess regular education costs for state-placed children educated by private residential facilities (CGS § 10-253);

5. health grants for private nonprofit schools (CGS § 10-217a);

6. regional educational services centers (RESCs) (CGS § 10-66j); and

7. adult education programs (CGS § 10-71).

The bill also renews the bilingual education grant for the FYs 22 and 23.

EFFECTIVE DATE: July 1, 2021

§ 409 — OFFICE OF FISCAL ANALYSIS MODELING OF THE EDUCATION FUNDING PROPOSAL

Requires OFA to conduct an independent modeling of the education funding proposal described in SB 948 of the 2021 regular legislative session, as reported out of the Education Committee

The bill requires the Office of Fiscal Analysis (OFA) to conduct an independent modeling of the education funding proposal described in SB 948 of the 2021 regular legislative session, as favorably reported by the Education Committee on March 22, 2021. SB 948 proposes, among other education funding changes, a funding mechanism under which the per-student grants for magnet schools, charter schools, agricultural science and technology education centers ("vo-ag centers"), and the Open Choice program are merged into one grant program.

The bill requires the modeling to include an analysis of the estimated fiscal impact of the proposal on local and regional boards of education, magnet school operators, state and local charter schools and vo-ag centers, including the (1) receipt of grants, (2) receipt and

payment of tuition, and (3) estimated net impact to each local and regional board of education specific to each grant type of mentioned below. The grants are for the following programs: (1) education cost sharing (ECS), (2) magnet schools, (3) state and local charter schools, (4) vo-ag centers, and (5) the interdistrict public school attendance program known as Open Choice.

The modeling must also look at funding for the Technical Education and Career System (formerly known as the technical high school system), including the funding at a system-wide, school, and per-pupil level, and the effects of racial equity within the system based on the funding.

The bill establishes the following deadlines:

1. By December 15, 2021, OFA must submit the modeling and a draft report to the education commissioner for review and comment.

2. By January 3, 2022, the commissioner, or the commissioner's designee, must submit his or her comments and recommendations, if any, concerning the draft report to OFA.

3. By January 15, 2022, OFA must submit a report on the modeling to the Education and Appropriations committees. The report must include the modeling and any comments and recommendations the education commissioner submitted.

EFFECTIVE DATE: Upon passage

§§ 410-411 — MODEL CURRICULUM FOR GRADES K-8

Requires SDE, in collaboration with SERC, to develop a K-8 model curriculum that boards of education may use

The bill requires the State Department of Education (SDE), in collaboration with the State Education Resource Center (SERC, see *Background*), to develop a model curriculum by January 1, 2023, that local and regional boards of education may use for grades kindergarten through eight. The bill establishes several requirements

for the model curriculum, including what subject matter must be incorporated, and requires SDE to make the model available to those boards of education and on the department's website.

When developing the model curriculum, SDE and SERC must consult with people and organizations with subject matter expertise in creating these models. Additionally, they may (1) use existing and appropriate public or private materials, personnel, and other resources and (2) accept gifts, grants, and donations, including in-kind donations, designated for developing the model.

Lastly, by January 15, 2023, SDE, in consultation with SERC, must submit to the Education Committee a (1) description of the model curriculum that, presumably, includes the scope, sequence, and course objective for each course in the curriculum and (2) report on, presumably, each course's development and review.

Model Curriculum Requirements

The bill requires the model curriculum's content to be (1) rigorous, (2) age-appropriate, (3) aligned with SBE-approved curriculum guidelines, and (4) in accordance with the statewide subject matter content standards adopted by SBE.

The bill also requires the model curriculum to be in accordance with and include and integrate the subject matter requirements in the program of instruction established in state law that must be taught in public schools. The required subject matter is as follows:

1. the arts (including dance, music, art, and theater);

2. career education;

3. consumer education;

4. health and safety (including human growth and development; nutrition; first aid, including CPR training; disease prevention and cancer awareness, including age- and developmentally-appropriate instruction in performing self-examinations for

screening breast and testicular cancer; community and consumer health; physical, mental, and emotional health, including youth suicide prevention; substance abuse prevention, including opioid use and related disorders; safety, including the safe use of social media; and accident prevention);

5. language arts (including reading, writing, grammar, speaking, and spelling);

6. mathematics;

7. physical education;

8. science;

9. social studies (including citizenship, economics, geography, government, history, and Holocaust and genocide education and awareness);

10. African-American and Black studies;

11. Puerto Rican and Latino studies; and

12. computer programming instruction (CGS § 10-16b, as amended by PA 19-12, § 1).

(Presumably, the bill excludes from the model curriculum the program of instruction's subject matter that is only required for grades nine through 12, (i.e., world language, including American Sign Language; vocational education; and the Black and Latino studies course).)

Lastly, the bill requires the model curriculum to also include and integrate at least the following:

1. Native American studies;

2. Asian American and Pacific Islander studies;

3. lesbian, gay, bisexual, transgender, queer, and other sexual orientations and gender identities studies;

4. climate change;

5. personal financial management and financial literacy;

6. the military service and experience of American veterans; and

7. civics and leadership, including instruction in digital citizenship and media literacy to provide students with the necessary knowledge and skills to safely, ethically, responsibly, and effectively use digital technologies to create and consume digital content; communicate with others; and participate in social and civic activities;

8. the principles of social-emotional learning; and

9. racism.

Background

SERC. SERC is a quasi-public agency that is empowered to, among other things, provide (1) professional development services; (2) technical assistance and evaluation activities; and (3) policy analysis and other assistance to local and regional boards of education, SDE, and other educational entities and providers (CGS §§ 10-357a and -357g).

EFFECTIVE DATE: July 1, 2021

§§ 412-413 — NATIVE AMERICAN STUDIES IN PUBLIC SCHOOLS

Adds Native American studies to the public school social studies curriculum beginning in the 2023-24 school year

The bill adds Native American studies to public schools' required program of instruction as part of their social studies curriculum beginning in the 2023-24 school year. It requires the Native American studies curriculum to include a focus on the Northeastern Woodland Native American Tribes of Connecticut.

Under the bill, local and regional boards of education may use the following to develop and implement the curriculum: (1) materials that SBE makes available or (2) other existing and appropriate public or

private materials, personnel, and resources. The curriculum must also be in accordance with SBE's statewide subject matter content standards. Boards of education may also accept gifts, grants, and donations, including in-kind donations, to develop and implement the curriculum.

EFFECTIVE DATE: July 1, 2023, for provisions adding Native American studies to the program of instruction; July 1, 2021 for provisions about the social studies curriculum and curriculum materials.

§§ 414 & 415 — MINORITY TEACHER CANDIDATE CERTIFICATION, RETENTION AND RESIDENCY YEAR PROGRAM

Creates the candidate certification, retention, or residency year program for teacher certification candidates; requires each alliance district to partner with a residency program operator to enroll minority candidates; requires SDE to (1) withhold from each alliance district 10% of any increase in alliance aid and (2) use the funds for grants to cover costs related to the residency program

The bill creates the minority candidate certification, retention, or residency year program administered by the State Department of Education (SDE) and under the supervision of a regional educational service center (RESC) or a private, non-profit certification program (i.e., operators). It also requires each school district designated as an alliance district to partner with an operator of a residency program to enroll minority candidates and place them in the district for their 10-month residency. Alliance districts are the 33 lowest performing school districts based on the district's accountability index score (see BACKGROUND).

Under the bill "minority" means individuals whose race is defined as other than white, or whose ethnicity is defined as Hispanic or Latino as used by the U.S. Census Bureau. "Minority candidate" means a person who is a minority and is employed as a school paraprofessional or an associate instructor with a local or regional board of education.

It requires SDE to (1) withhold from each alliance district 10% of any increase in alliance aid and (2) use the funds for grant payments to cover costs related to the residency program.

The bill allows non-alliance districts to participate in the residency program.

The bill also makes conforming changes.

Residency Program State and Local Responsibilities

The bill requires, for FY 2022, and each subsequent year, SDE to administer the minority candidate certification, retention, or residency year program to assist (1) minority candidates in enrolling in a residency program for purposes of becoming full-time, certified teachers upon successful completion of the program and (2) local and regional boards of education in hiring and retaining the minority candidates.

Under the bill, the "residency program" is a State Board of Education (SBE)-approved certification program in which participants serve in (1) a position that otherwise would require professional certification and (2) a full-time position for 10 school months at a board of education under the supervision of (a) a certified administrator or teacher and (b) a supervisor from the regional educational service center (RESC) or a private, nonprofit teacher or administrator operating the certification program. By law, the SBE approves teacher preparation programs and alternate route to certification (ARC) programs. Also, there is a law that allows school support staff to obtain a teacher certification through an ARC program that includes a one-year residency, but that law is not specific to alliance districts or minority candidates (CGS 10-145b(a)).

Beginning with FY 2023 and in each year after, the bill also requires each board of education for an alliance district to partner with an operator of a residency program in order to enroll minority candidates and place them in the school district as part of the residency program.

Reserving Funding for the Residency Program

By law, an alliance district must submit a plan to SDE for approval before SDE will release the district's alliance funding. The plan must detail how it intends to use its alliance funding and how this will

increase student achievement. Alliance funds are a portion of the Education Cost Sharing (ECS) funds that alliance districts receive every year.

Under the bill, for FY 23 and each subsequent year, the education commissioner must withhold from an alliance district 10% of any increase in funds that the district receives for that fiscal year over the amount that it received for FY 20. The department must use the funds to make a payment to the alliance district and the district must expend the money for the residency program costs described in the bill.

Allowed Uses of Residency Grants

A participating board may apply to the education commissioner, at a time and in a manner the commissioner prescribes, to receive a payment as established in the bill to cover specified costs. The payments made or grants awarded under the bill may be used for costs associated with the:

1. enrollment of minority candidates in a residency program,
2. certification process for the minority candidates,
3. hiring of the minority candidates following the successful completion of a residency program, or
4. retention of minority candidates as certified employees of the school district.

The bill prevents any unexpended funds paid or awarded to a board of education under the bill from lapsing at the end of the fiscal year. These funds must be carried over and be available to spend for implementing the bill's purposes during the next fiscal year.

Potential Hires

The bill authorizes a board of education to hire a minority candidate who has successfully completed the residency program.

Non-Alliance School Districts May Participate

Beginning with FY 23, the bill allows non-alliance districts to

partner with a residency program operator to enroll minority candidates and place them in the school district as part of the residency program. Following a minority candidate's successful completion of the residency program, the participating board may hire the minority candidate.

The board may apply to the education commissioner, at a time and in a manner the commissioner determines, to receive a grant for any of the allowed costs described in the bill. The commissioner may, within available appropriations, award a grant to a non-alliance board of education for any of the allowed costs.

Program Guidelines

The bill requires SDE to develop guidelines and criteria for the implementation of the minority candidate certification, retention, or residency year program and the administration of the related funds.

Education Commissioner to Release Alliance Funds

Under the alliance district law, the education commissioner may only release alliance funding if it will be expended in accordance with (1) the school district's alliance plan, (2) the law requiring the funding only be spent for educational purposes and not to supplant local education dollars, and (3) any SBE guidelines regarding these funds. The bill allows the funds to also be released in accordance with the bill's residency program.

Background: Accountability Index Scores

The "accountability index" for a school district or an individual school means the score resulting from multiple weighted measures that (1) include the mastery test scores (i.e., performance index) and, if appropriate, high school graduation rates, and (2) may include academic growth over time, attendance and chronic absenteeism, postsecondary education and career readiness, enrollment in and graduation from institutions of higher education and postsecondary education programs, civics and arts education, and physical fitness (CGS § 10-223e(a)).

§ 416 — PLAN TO PROMOTE TEACHING AS A CAREER

Requires the education commissioner and certain higher education officials to jointly develop a plan to help school boards promote teaching as a career option to high school students; requires SDE to distribute to school boards information that promotes the teaching profession

The bill requires the education commissioner, the Connecticut State Colleges and Universities (CSCU) president, and UConn's Neag School of Education dean to jointly develop a plan to assist boards of education in promoting the teaching profession as a career option to high school students. The plan must include a way for local and regional boards of education to develop partnerships with educator preparation programs in the state, and the creation of counseling programs for high school students to inform them about, and recruit them to, the teaching profession. (The bill does not include a deadline for plan completion.)

It also requires SDE, by September 1, 2021, to distribute to boards of education information that promotes the teaching profession, including materials relating to educator preparation programs and alternative route to certification programs offered in the state, for school counselors and students. SDE must also make this information available on its website.

EFFECTIVE DATE: July 1, 2021

§§ 417-419 — IMPLICIT BIAS AND ANTI-BIAS TRAINING VIDEO MODULE

Requires SDE, in consultation with two other groups, to develop an implicit-bias video training module for school district personnel who hire teachers; training module must be completed and available by July 1, 2022; requires any board of education employee who is involved in, or responsible for, hiring teachers to complete the training

The bill requires SDE, in consultation with the Minority Teacher Recruitment Policy Oversight Council and the State Education Resource Center, to develop and make available the video training module for school district personnel involved in, or responsible for, hiring teachers. The training module must focus on implicit bias and anti-bias in the hiring process and be developed and available by July 1, 2022. For each school year beginning with the one starting on July 1, 2023, the bill requires any local board of education employee who is

involved in, or responsible for, hiring teachers in the school district to complete this training before participating in the teacher hiring process.

The bill also adds the video training module to the required in-service training program that school districts must offer for teachers. It is included as part of the culturally responsive pedagogy and practice training that is part of a statutory list of possible training topics.

EFFECTIVE DATE: July 1, 2021

§ 420 — STUDY OF MULTIPLE MEASURES TO DEMONSTRATE CONTENT MASTERY FOR TEACHER CERTIFICATION

Requires SDE to study a multiple-measures approach to demonstrate content-area mastery of the content assessment requirement for teacher certification; requires SDE to submit a report with any recommendations to the Education Committee by January 1, 2023

The bill requires SDE to study a multiple-measures approach to demonstrate content-area mastery of the content-area assessment requirement for teacher certification. The study must at least include (1) a review of current assessment requirements for educator certification, (2) candidate first-time pass rates, (3) best attempt pass rates, (4) candidate access to and use of the free-retake policy, and (4) alternative multiple-measure pathways to demonstrate content-area mastery for certification.

By January 1, 2023, SDE must submit a report on its findings and any recommendations to the Education Committee.

EFFECTIVE DATE: July 1, 2021

§ 421 — BLACK AND LATINO STUDIES COURSE

Requires the high school course in Black and Latino studies, which by law must be offered in the 2022-2023 school year, to also be offered in each following school year

The bill requires the high school course in Black and Latino studies, which under by law must be offered in the 2022-2023 school year, to also be offered in each following school year. The bill also specifies that the course offered must be the one approved by the State Board of Education under the law that required the course.

EFFECTIVE DATE: Upon passage

§ 422 — SOCIAL-EMOTIONAL LEARNING ASSESSMENTS

Allows each board of education to administer a social-emotional learning assessment to students for the upcoming school year and the following years; requires parents and guardians to be given prior notice of the assessment and grant permission before the assessment can be administered

The bill allows each local and regional board of education to administer, for the 2021-2022 school year, and each following year, a social-emotional learning assessment to students. Boards can choose between (1) an SDE-provided social-emotional learning assessment or (2) another social-emotional learning assessment or mental health and resiliency screening.

The bill's provisions supersede provisions in HB 6621 of the 2021 regular session, as amended by House "A," which passed both houses in concurrence. HB 6621 required each board of education to administer, for the 2021-2022 school year, a social-emotional learning assessment to students, and allowed them to do so for the following years.

The bill also allows SDE, beginning with the 2021-2022 school year, to assist boards in administering a social-emotional learning assessment to students as provided under the bill. HB 6621 required SDE to assist school districts with this if the district asked.

Under HB 6621 and unchanged by the bill, parents or guardians must (1) receive prior written notice of the upcoming assessment and (2) grant permission before a student can be given the screening.

EFFECTIVE DATE: July 1, 2021

§ 423 — CONNECTICUT REMOTE LEARNING COMMISSION

Requires SDE to establish a commission to analyze and provide recommendations about remote learning for K-12 public school students

The bill requires the State Department of Education to establish the Connecticut Remote Learning Commission to analyze and provide recommendations about remote learning for public school students in grades kindergarten to 12. Under the bill, "remote learning" means

instruction using one or more Internet-based software platforms as part of a remote learning model.

Commission Report

The bill requires the commission to create a report containing an analysis and recommendations about remote learning's impact on (1) elementary, middle, and high school students' educational attainment; (2) students' physical and emotional development, (3) students' access to special services, such as mental health, and to food security and nutrition; and (4) instructional delivery quality. This analysis must collect data disaggregated by student subgroups based on race, ethnicity, age, gender, free or reduced-price lunch eligibility, disabilities, and primary language other than English.

The report must also address the feasibility of creating a statewide remote learning school serving grades kindergarten to 12 that meets the following criteria:

1. is maintained by SBE, under its direction and control;

2. provides at least 180 days of actual school sessions and 900 hours of actual school work in a school year for grades kindergarten to 12, so long as no more than seven hours per day count toward the total annual hours requirement;

3. offers coursework and a curriculum that is rigorous, aligned with SBE-approved curriculum guidelines, and in accordance with SBE-adopted statewide subject matter content standards;

4. grants a diploma to any enrolled student who has satisfactorily completed the high school graduation requirements in state law; and

5. is created with consideration for best practices in remote learning, technological capabilities of students statewide, and equity.

Finally, the commission's report must address the following

financial and student-centric topics:

1. associated costs for establishing one or more statewide or regional remote learning schools, including an examination of other states that have used these schools;

2. various remote learning models' fiscal impact on local and regional school districts; and

3. options to ensure that participating students have adequate parental or adult supervision, educational support, technical assistance, continuity of attendance, and engagement.

Membership

Under the bill, the commission must consist of 17 members, appointed by the authorities and possessing the expertise described in the table below.

Table: Remote Learning Commission Membership

Appointing Authority	*Appointee*
House speaker	One Connecticut Association of Boards of Education representative One Connecticut Education Association representative
Senate president pro tempore	One RESC Alliance representative One UConn Neag School of Education representative
House majority leader	One Connecticut Association of Public School Superintendents representative One American Federation of Teachers – Connecticut representative
Senate majority leader	One Connecticut Commissioner for Educational Technology representative One Connecticut Council of Administrators of Special Education representative
House minority leader	One Connecticut Association of Schools representative

	One Connecticut Association of Latino Administrators and Superintendents representative
Senate minority leader	One Social and Emotional and School Climate Advisory Collaborative representative One State Education Resource Center representative
Education commissioner	One appointee
N/A	Charter Oak State College president or his designee
N/A	Education commissioner or her designee
N/A	Early childhood commissioner or her designee
N/A	Office of Higher Education executive director or his designee

Under the bill, all initial appointments to the commission must be made by August 30, 2021, and appointing authorities must fill any vacancies. The bill requires the Education Commissioner, or her designee, to serve as the commission's chairperson.

Report Submission and Due Date

The bill requires the commission to report its findings and recommendations to the governor, the SBE, and the Education and Children's committees by July 1, 2022.

EFFECTIVE DATE: July 1, 2021

§ 424 — STATEWIDE REMOTE LEARNING SCHOOL

Requires SDE to develop a plan to create and implement a K-12 statewide remote learning school

The bill requires the State Department of Education (SDE) to develop a plan to create and implement a statewide remote learning school for grades kindergarten to 12. Under the bill, "remote learning" means instruction through at least one Internet-based software platform, as part of a remote learning model.

When developing the plan, SDE must (1) consider the Connecticut Remote Learning Commission's reported findings and recommendations, (2) review other states' remote learning schools and models being implemented, and (3) estimate how many Connecticut students may be eligible to enroll in the school. The bill requires SDE to use federal funds, to the extent available under federal guidelines, received from the Coronavirus Response and Relief Supplemental Appropriations Act (P.L. 116-260) to develop the plan.

Under the bill, any statewide remote learning school created under the plan must meet the following criteria:

1. be maintained by and under the State Board of Education's (SBE) direction and control;

2. provide at least 180 days of actual school sessions and 900 hours of actual school work per school year for grades kindergarten to 12, so long as no more than seven hours daily count toward the total annual hours requirement;

3. offer coursework and a curriculum that is rigorous, aligned with SBE-approved curriculum guidelines, and in accordance with SBE-adopted statewide subject matter content standards;

4. grant a diploma to any enrolled student who satisfactorily completes the high school graduation requirements in state law; and

5. be created with consideration for best practices in remote learning, technological capabilities of students statewide, and equity.

The bill requires SDE to draft a request for proposals (RFP) for any items needed to create and implement the school. By July 1, 2023, SDE must submit the plan, the draft RFP, and any legislation recommendations for the plan's implementation to the Education and Appropriations committees.

EFFECTIVE DATE: July 1, 2022

§ 425 — REMOTE LEARNING AUDIT

Requires SDE to audit public school boards' provision of remote learning during the COVID-19 pandemic

The bill requires SDE to conduct a comprehensive audit of local and regional boards of education's remote learning provided in the 2019-20 and 2020-21 school years due to the COVID-19 pandemic. Under the bill, "remote learning" means instruction through one or more Internet-based software platforms as part of a remote learning model. SDE must use federal funds, to the extent available under federal guidelines, received from the Coronavirus Response and Relief Supplemental Appropriations Act (P.L. 116-260) to conduct the audit. The audit must include at least the following:

1. whether and how boards of education initially provided remote learning during the beginning of the pandemic, focusing on technological capabilities or limitations at that time;

2. curriculum used as part of remote learning and if students were able to complete the grade level curricula;

3. remote learning preparation or training levels that teachers received both before and during remote learning in these school years, including the nature of the training and whether it was offered as professional development or in-service training;

4. the improvement level, if any, of the remote learning provided from the 2019-20 school year to the 2020-21 school year; and

5. student absenteeism rates and academic performance during the pandemic relative to pre-pandemic rates and performance.

After the audit, SDE must develop a report using its results to do the following:

1. evaluate remote learning's efficacy, hybrid learning models, and the potential to leverage technology for teaching in other scenarios and rethinking instruction delivery;

2. identify a system of metrics to hold boards of education

accountable for remote learning access and equity; and

3. review and make recommendations about ongoing public education requirements, including how to define a "school day," by aligning technology and how to optimally integrate remote learning into the program of study and providing public education.

Under the bill, SDE must submit this comprehensive audit and report, along with any legislation recommendations, to the Education Committee by January 1, 2025.

EFFECTIVE DATE: Upon passage

§§ 426-429 — TECHNICAL & CONFORMING CHANGES

Makes technical and conforming changes mostly related to remote learning terminology

The bill makes technical and conforming changes to SB 2, as amended, (passed by both chambers), including renaming the term "virtual learning" as "remote learning." It also removes from the definition of "remote learning" instruction through one or more Internet-based software as part of an in-person learning model.

EFFECTIVE DATE: July 1, 2021

§§ 430, 431 & 438 — READING CURRICULUM MODELS OR PROGRAMS AND CENTER FOR LITERACY

Creates a new Center for Literacy Research and Reading Success with the authority to recommend reading curriculum models or programs that school districts must use; creates a waiver process to allow districts to use other curriculum models or programs; modifies the definition of reading

The bill makes many changes in state law regarding school reading programs and creates a new Center for Literacy Research and Reading Success (i.e., "literacy center") with the authority to recommend at least five reading curriculum models or programs that must be used by local and regional boards of education. The curriculum models or programs are for grades prekindergarten to three.

Under current law, the areas of reading for the intensive reading program are phonemic awareness, phonics, fluency, vocabulary, and

text comprehension. The bill adds "oral language" and "rapid automatic name or letter fluency," and replaces "text comprehension" with "reading comprehension." Additionally, the bill adds this definition of reading to a curriculum waiver provision (§ 49), the literacy center's approved reading curricula (§ 50), and the required program of instruction all school districts (§ 52).

Required Prekindergarten to Grade Three Reading Curriculum Model or Program (§ 430)

Beginning July 1, 2023, the bill requires each local and regional board of education to implement a reading curriculum model or program each school year for grades prekindergarten to three, inclusive, that has been reviewed and recommended by the literacy center, in consultation with the Reading Leadership Implementation Council.

It also requires each board, by July 1, 2023, and biennially thereafter, to notify the literacy center about which reading curriculum model or program the board is implementing.

Under the bill, if a board can demonstrate to the commissioner that it has insufficient resources or funding to implement the model or program, then the commissioner must grant extended time if she finds that the board shows continued efforts to commence implement a reading curriculum model or program. (The bill does not specify how much additional time the commissioner may grant.)

Curriculum Requirement Waiver (§ 430)

The bill sets criteria for the commissioner, in consultation with the literacy center's director, to grant a waiver from the requirement for a school district to use one of the literacy center-approved curriculum models or programs. A local or regional board of education can request a waiver to use an alternative reading curriculum model or program. The commissioner must grant the waiver if she finds that the alternative model or program is (1) evidenced- and scientifically-based and (2) focused on competency in the following areas of reading: oral language, phonemic awareness, phonics, fluency, vocabulary, rapid

automatic name or letter name fluency, and reading comprehension.

The bill requires waiver requests by boards to include the following:

1. reading assessment data that has been disaggregated by race, ethnicity, gender, eligibility for free or reduced-price lunches, students whose primary language is not English, and students with disabilities and

2. a strategy to address remaining achievement gaps as defined in state law.

Five Approved Reading Curriculum Models or Programs (§ 431)

The bill requires the literacy center director to review and approve by July 1, 2022, in consultation with the Reading Leadership Implementation Council, at least five reading curriculum models or programs to be implemented by boards of education according to the unique needs of their respective school districts. The models or programs approved must be (1) evidence- and scientifically-based and (2) focused on reading competency in same areas described above.

Center for Literacy Research and Reading Success (§ 438)

The bill requires the State Department of Education (SDE) to create the literacy center within the department and specifies its duties. In addition to approving at least five reading curriculum models or programs (as mentioned above), the center is responsible for the following:

1. receiving and publicly reporting, by September 1, 2023, and biennially thereafter, the reading curriculum model or program being implemented by each board of education as required under the bill;

2. conducting independent, random reviews of school districts' implementation of (a) a reading curriculum model or program required under the bill and (b) an approved reading assessment (see § 434);

3. implementing the statewide reading plan for students in kindergarten to grade three that is amended under the bill (see § 436);

4. researching and developing, in collaboration the Office of Early Childhood, a birth to grade 12 reading success strategy to be included in the alignment of reading instruction with the state's two-generational initiative established in state law;

5. providing direct support to schools and boards of education to improve reading outcomes for students in kindergarten to grade three, inclusive, and other reading initiatives;

6. supporting teachers, schools, and boards engaged in improvement through coaching, leadership training, professional development, parental engagement, and technical assistance that is consistent with the existing intensive reading instruction program (see § 435) and aligned with evidence-based practices;

7. developing and maintaining a website to disseminate tools and information associated with the intensive reading instruction program for student reading;

8. serving as a collaborative center for higher education institutions and making available to the faculty of teacher preparation programs (a) materials related to the science of teaching reading, (b) the intensive reading instruction program, and (c) samples of available reading curriculum models or programs reviewed and recommended under the bill; and

9. reviewing and publicly reporting on progress made by teacher preparation programs to include reading curriculum models or programs reviewed and recommended under the bill.

Center Director. The bill requires the literacy center's director, in consultation with the Reading Leadership Implementation Council (see below), to be responsible for (1) overseeing the center's activities;

(2) facilitating communication between the center, boards of education, and other center affiliates; and (3) coordinating the dissemination of information, tools, and services made available by the center.

Reading Leadership Implementation Council. The bill requires the literacy center's activities to be informed by the Reading Leadership Implementation Council. Under the bill, the council consists of the following members:

1. the center's director or the director's designee;

2. the Commission on Women, Children, Seniors, Equity and Opportunity's executive director or his designee;

3. an individual the governor chooses who has experience in literacy or education and is engaged in developing and implementing the intensive reading instruction program;

4. the House speaker, Senate president pro tempore, the House minority leader, and the Senate minority leader each choose one individual (total of four members) who haves experience in literacy or education;

5. two individuals the Black and Puerto Rican Caucus chairperson chooses, one of whom has experience with literacy or education and is engaged in the development and implementation of the intensive reading instruction program, so long as the individual is not a member of the General Assembly;

6. the dean of UConn's Neag School of Education or the dean's designee; and

7. three individuals chosen by the education commissioner.

The council must develop and publish the annual goals for the center and meet at least once every two months. The council may consult with representatives of public, private, and philanthropic organizations.

Reading Coaches. The bill requires the literacy center to engage external reading coaches who have experience and expertise in the science of teaching reading.

These coaches must:

1. provide training and professional development on the intensive reading instruction program, literacy leadership, and effective instruction to teachers;

2. work directly with teachers to support the implementation of the intensive reading instruction program;

3. provide coaching to teachers; and

4. participate in family engagement activities.

EFFECTIVE DATE: July 1, 2021

§ 432 — READING AND MATH CURRICULA DEVELOPED BY SDE

Eliminates the requirement that the SDE make reading model curricula and frameworks available for grades K-4

Current law requires SDE to approve and make available model curricula and frameworks in reading and math for prekindergarten to grade four, inclusive, to be used by school districts or individual schools that SDE has identified as having academic achievement gaps between and among racial groups, ethnic groups, socioeconomic groups, genders, and English learners and students whose primary language is English. The bill removes reading curricula and frameworks from this requirement.

EFFECTIVE DATE: July 1, 2022

§ 433 — DEFINING READING IN THE REQUIRED PROGRAM OF INSTRUCTION FOR SCHOOLS

Modifies definition of reading in the required program of instruction for all schools

By law, school districts must provide certain subjects and topics in the program of instruction they offer to their students. This includes language arts, including reading, writing, grammar, speaking, and

spelling. The bill adds the definition of "reading" as evidenced-based instruction that focuses on competency in the areas of reading as mentioned above.

EFFECTIVE DATE: July 1, 2022

§ 434 — READING ASSESSMENTS

Requires the literacy center, rather than the State Department of Education (SDE), to compile a list of approved reading assessments for use by boards of education to identify children reading below proficiency

The bill requires the literacy center, rather than SDE, to compile a list of approved reading assessments for use by boards of education beginning in the 2023-23 school year to identify children in grades kindergarten to three who are reading below proficiency. The assessments must consider the recommendations contained in the Dyslexia Task Force's report, Appendix G, which provide a list of kindergarten through grade three reading screeners. In addition to existing criteria for the assessments, the bill requires they (1) be brief; (2) be evidence-based, as defined in federal law, with proven psychometrics for validity; (3) measure the aspects of reading as defined in the bill, and (4) provide for formative assessment at least three times a year (fall, winter, and spring), rather than be general periodic assessments as under current law.

The bill also requires SDE to provide guidance to school districts by January 1, 2023, about (1) how to administer the assessments, including what grade level to use them and whether they should be combined to ensure measurement of the different aspects of reading, (2) how each board's goals, student body characteristics, and resources should inform the board's reading assessment choice, and (3) how the aggregate data from the assessments should be used by the district to guide early reading intervention strategies. The guidance will require the administration of assessments in both English and the student's native language, if available, for any student being instructed in literacy in his or her native language.

The bill also requires the commissioner to report, by February 1, 2023, the list of approved reading assessments and related guidance

that the department developed to the Education Committee.

Data Center Partnership

The bill allows SDE to enter into a partnership with a public higher education institution to establish a data center to guide SDE and boards of education in the use and effectiveness of reading assessments. The data center may include tracking (1) which reading assessments school district use and (2) student information, disaggregated by categories, including a student's demographic background, school district, reading assessment dates, and scores, so long as the disaggregation keeps student information personally nonidentifiable.

EFFECTIVE DATE: July 1, 2022

§ 435 — INTENSIVE READING INSTRUCTION PROGRAM

Broadens the intensive reading instruction program by requiring the literacy center to provide the program to any alliance district board of education that requests it; modifies aspects of related reading programs by placing them under the literacy center

By law, the intensive reading instruction program has several components, including (1) an intensive reading intervention strategy, (2) supplemental reading instruction, and (3) a summer reading program. Current law requires the education commissioner to choose five to 10 elementary schools that have been identified to participate in the intensive reading instruction program.

The bill broadens the intensive reading instruction program by (1) requiring the literacy center to provide the program to any alliance district board of education that requests it or (2) alternatively, choose to include the intensive reading program in the tiered supports in early literacy provided under the reading readiness program (see § 437). Alliance districts are the 33 lowest performing school districts based on the district's accountability index (AI) score (see BACKGROUND).

The bill also adds the term "opportunity gap" in the intensive reading instruction program law. Under the bill, "opportunity gap" means the ways in which race, ethnicity, socioeconomic status, English proficiency, community wealth, familial situations, or other factors

intersect with the unequal or inequitable distribution of resources and opportunities to contribute to or perpetuate lower educational expectations, achievement, or attainment.

Under the bill, for the school year beginning July 1, 2022, and each year after, the literacy center must oversee the intensive reading program for grades kindergarten to three, close achievement gaps that result from opportunity gaps, and provide the program to any alliance district that requests it. Under current law, the education commissioner creates the program to close achievement gaps.

Intensive Reading Program Components

The bill also modifies the intensive reading program components, including (1) the intensive reading intervention strategy for each participating school, including literacy coaches; (2) the supplemental reading instruction, including a reading remediation plan for each student identified with a reading deficiency; (3) summer school for any student whose reading level is below proficiency at the end of the school year; and (4) the required reporting to the Education Committee.

Intensive Reading Intervention Strategy. As part of the reading program, current law requires SDE to develop an intensive reading intervention strategy to ensure all students are reading proficiently by grade three. Under the bill, for the school year starting July 1, 2022, the literacy center must develop the strategy that will be used by an alliance district elementary school with students who are not reading at or above grade level to ensure the students are reading proficiently by grade three.

Under current law, the strategy must include one SDE-funded external literacy coach for each school and four SDE-funded reading interventionists for each school. The bill eliminates (1) the specific number of coaches and interventionists and instead says coaches and interventionists will be made available to the schools and (2) the current law's requirement that SDE funds the coaches and reading interventionists. The literacy coaches must have experience and

expertise in the science of teaching reading.

Other aspects are left unchanged, including that the strategy include:

1. rigorous assessments in reading skills,

2. scientifically-based reading research and instruction,

3. training for teachers and administrators in scientifically-based reading research and instruction, including, training for school administrators on how to assess a classroom to ensure that all children are proficient in reading.

Supplemental Reading Instruction. Starting with the 2022-23 school year, each alliance district board of education, in consultation with the literacy center, must provide supplemental reading instruction for students in kindergarten to grade three, inclusive, who are reading below proficiency as identified by a reading assessment. Under current law, only schools selected by the commissioner to participate in the intensive reading instruction program must provide the supplemental instruction.

The bill requires each alliance district board of education that provides supplemental reading instruction through the intensive reading program to report to the literacy center in a time and manner that SDE requires on reading progress for each student and the specific reading interventions and supports that were implemented.

Intensive Summer Reading Program. Under current law, any student of a priority school district who is in the intensive reading program and is reading below proficiency at the end of the school year must be enrolled in an intensive summer school reading program that includes required components, such as a comprehensive reading intervention and scientifically-based reading research and instruction strategies. The bill instead requires these students who are enrolled in alliance districts to enroll in the summer program. This expands this requirement, as there are 33 alliance districts compared to 15 priority

school districts.

The bill requires each alliance district board of education to, in consultation with the literacy center, provide any student in kindergarten to grade three, who is reading below proficiency at the end of the school year, the intensive summer reading instruction program.

Reporting Requirement

The bill requires, by October 1, 2022, and each year after, the education commissioner to report to the Education Committee on student reading levels in the intensive reading instruction program, including recommendations on model components of the school reading intervention strategy that may be replicated in other alliance districts.

EFFECTIVE DATE: July 1, 2022

Background

Accountability Index Scores. "Accountability index" for a school district or an individual school means the score resulting from multiple weighted measures that (1) include the mastery test scores (i.e., the performance index score) and high school graduation rates, and (2) may include academic growth over time, attendance and chronic absenteeism, postsecondary education and career readiness, enrollment in and graduation from higher education institutions and postsecondary education programs, civics and arts education, and physical fitness (CGS § 10-223e(a)).

§ 436 — STATEWIDE READING PLAN

Transfers the responsibility of developing the existing statewide reading plan from SDE to the literacy center

The bill transfers the responsibility of developing the existing statewide reading plan from SDE to the literacy center for students in grade kindergarten to three. By law, this plan must contain research-driven strategies and frameworks to produce effective reading instruction and improvement in student performance. The center must complete the plan by January 1, 2023.

EFFECTIVE DATE: July 1, 2022

§ 437 — READING READINESS PROGRAM

Requires the literacy center, rather than SDE, to operate the reading readiness program

The bill requires the literacy center, rather than SDE, to operate the reading readiness program, which, under existing law, provides tiered early literacy supports to alliance districts. Also, the literacy center, rather than SDE, must conduct reading readiness assessments for students in kindergarten to grade three in alliance districts. The bill specifies that, among other items, the assessment, must consider whether a school district has access to external literacy coaches with experience and expertise in the science of teaching reading.

EFFECTIVE DATE: July 1, 2022

§ 439 — DIRECTOR OF READING INITIATIVES

Requires director of reading initiatives to improve literacy and close the achievement gaps that result from opportunity gaps; specifies that the director's administration of the incentive program is within available appropriations

Under current law, the director of reading initiatives has many duties including administering the intensive reading instruction program and the statewide reading plan. Current law requires the director to improve student literacy in kindergarten to grade three and close the achievement gap. The bill modifies this to closing the achievement gaps that result from opportunity gaps.

Additionally, the bill specifies that the incentive program that the director must administer under current law must only be administered within available appropriations. By law, this program allows the education commissioner to include public recognition, financial awards, or operational flexibility to incentivize schools to improve student reading skills.

EFFECTIVE DATE: July 1, 2022

§ 440 — SDE EVALUATION OF LITERACY CENTER

Requires SDE to submit an evaluation of the literacy center to the Education Committee

The bill requires, by February 1, 2024, the SDE commissioner to

submit to the Education and Appropriation committees an evaluation report of the literacy center, including (1) whether student literacy has improved in alliance districts and (2) how resources and funding have been allocated and spent pursuant to the bill.

EFFECTIVE DATE: July 1, 2021

§ 441 — ANTI-DISCRIMINATION LAW

Changes the education anti-discrimination law by adding "disability" to the protected student groups; modifies the definition of race in the same law by conforming it to state human rights law, thus adding hair and hairstyles

The bill adds "disability" to the list of protected status groups in the education anti-discrimination law. It also modifies the education anti-discrimination law to conform the definition of race to the definition in the human rights statute as amended by PA 21-2 (HB 6515). Current education law states a child has equal opportunity to participate in school and related activities without discrimination based on race, color, sex, gender identity or expression, religion, national origin, or sexual orientation. PA 21-2 expands the definition of race to include ethnic traits historically associated with race, including hair texture and protective hairstyles. Under the act, protective hairstyles include wigs, headwraps, and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros, and afro puffs.

EFFECTIVE DATE: Upon passage

§§ 442 & 443 — PROFESSIONAL DEVELOPMENT FOR BLACK AND LATINO STUDIES COURSE

Requires the State Education Resource Center (SERC) to provide technical assistance for teacher professional development and in-service regarding the teaching of the black and Latino studies course; allows school districts to accept grants and gifts for the professional development and training

For each school year, beginning with the 2021-2022 year, the bill requires SERC to provide technical assistance to local boards of education for their professional development and in-service training regarding the teaching of the black and Latino studies course.

The bill also expands the law that allows school districts to accept gifts, grants, and donations to support the development and

implementation of the required African-American and black studies and Puerto Rican and Latino studies curriculum to allow them to accept gifts, grants, and donations for the related professional development and in-service training.

EFFECTIVE DATE: July 1, 2021

§§ 402 & 444-453 — SHEFF V. O'NEILL TECHNICAL CHANGES

Makes a number of technical changes to conform the education statutes with Sheff v. O'Neill settlement agreements

The bill makes a number of technical changes to conform the education statutes with *Sheff v. O'Neill* settlement agreements.

Sheff is the landmark school desegregation case in which the state Supreme Court ruled that Hartford school children were not being given an equal educational opportunity because of racial and economic segregation (238 Conn. 1 (1996)). Settlement agreements subsequent to the *Sheff* decision rely on voluntary desegregation methods with towns in the *Sheff* region.

EFFECTIVE DATE: Upon passage, except §§ 445 & 448 are effective on July 1, 2021.

§ 454 — PER-STUDENT GRANT FOR REGIONAL VOCATIONAL AGRICULTURAL (VO-AG) CENTERS

Increases, by $1,000, the state per-student grant for vo-ag centers

The act increases the annual state grant for each student enrolled in a vo-ag center from $4,200 to $5,200. As under existing law, the grants are within available appropriations.

The students receive agricultural education from the centers and regular comprehensive education from the high school where the vo-ag center is located or in their home district. By law, surrounding districts as well as the vo-ag host districts, may send students to a vo-ag center.

EFFECTIVE DATE: July 1, 2021

§§ 455-457 — BIRTH-TO-THREE PROGRAM

Generally expands the birth-to-three program by changing the definition of eligible children to include certain children who turn age three during the summer break to conform with PA 21-46, § 28; makes conforming changes to extend certain group and individual health insurance coverage to such children

Eligible Children (§ 455)

Under current law, "eligible children" are those from birth to age 36 months, who are not eligible for special education and related services under state law and who need early intervention services for the reasons specified below.

PA 21-46, § 28, requires the Early Childhood commissioner, by July 1, 2022, to develop and implement a plan to expand the birth-to-three program to provide early intervention services to any child who:

1. is enrolled in the program;

2. turns age three between May 1 and the first day of the next school year commencing July 1; and

3. is eligible to participate in preschool programs under Part B of the federal Individuals with Disabilities Act, however the services must end when the child starts participating in the preschool program.

This bill makes a conforming change by expanding the statutory definition of "eligible children" under the birth-to-three program to include those who:

1. are (a) more than 36 months old; (b) presently engaged in early intervention services; and (c) eligible or being evaluated for preschool services under the Individuals with Disabilities Education Act (IDEA) Part B, until they are enrolled in these preschool services; and

2. need early intervention services for the reasons specified below.

Early Intervention Services (§ 455)

Under existing law and the bill, eligible children includes those who need early intervention services because they are diagnosed as having

a physical or mental condition that has a high probability of resulting in developmental delay or experiencing a significant developmental delay as measured by standardized diagnostic instruments and procedures, including informed clinical opinion, in at least one of the following areas:

1. cognitive development;

2. physical development, including vision or hearing;

3. communication development;

4. social or emotional development; or

5. adaptive skills.

Group and Individual Health Insurance Policies (§§ 456 & 457)

The bill also makes conforming changes by expanding to eligible children, as defined by the bill, certain individual and group health insurance mandates already available to children from birth to age three. Under existing law and the bill, this applies to policies delivered, issued for delivery, renewed, amended, or continued in the state that provide coverage for medically necessary early intervention services provided by qualified personnel as part of an individualized family service plan.

EFFECTIVE DATE: July 1, 2021

§§ 458-461 — CORPORATION BUSINESS TAX

Extends the 10% corporation business tax surcharge for two additional years, to the 2021 and 2022 income years; delays the start date of the capital base tax phase out by three years and extends the phase out period

Surcharge (§§ 458 & 459)

The bill extends the 10% corporation business tax surcharge for two additional years, to the 2021 and 2022 income years.

As under existing law, the surcharge applies to companies that have more than $250 in corporation tax liability and either (1) have at least $100 million in annual gross income in those years or (2) are taxable

members of a combined group that files a combined unitary return, regardless of their annual gross income amount. Companies must calculate their surcharges based on their tax liability, excluding any credits.

Capital Base Tax Phase Out (§ 460)

Current law phases out the capital base tax on corporations over four years, from 2021 to 2024. As the following table shows, the bill (1) delays the start of the phase out by three years, from 2021 to 2024, and (2) extends the phase out period by four additional years.

Table: Capital Base Tax Phase Out Schedule

Income Year	*Capital Base Tax Rate (mils per dollar of capital base)*	
	Current Law	*Bill*
2021	2.6	3.1
2022	2.1	
2023	1.1	
2024	0	2.6
2025		2.1
2026		1.6
2027		1.1
2028+		0

Relief From Interest on Underpayments of Estimated Taxes (§ 461)

The bill provides that taxpayers are not subject to interest on underpayments of estimated tax for the 2021 income year for any additional tax due as a result of these corporation business tax changes for the period before these provisions take effect.

EFFECTIVE DATE: Upon passage

§§ 462 & 463 — R&D TAX CREDITS

Increases the cap on the amount of R&D tax credits corporations may claim each year from 50.01% to 70% of their annual tax liability, phased in over two years, and limits the number of years that taxpayers may carry forward unused R&D tax credits

Credit Cap (§ 462)

The bill increases the cap on the amount of R&D tax credits corporations may claim each year against the corporation business tax to 70%, phased in over two years.

Current law caps the total value of credits corporations may claim at 50.01% of their annual tax liability. The bill allows them to use credits for research and development expenditures to reduce up to (1) 60% of their liability for the 2022 income year and (2) 70% of their liability for the 2023 income year and for each income year after that.

Carryforward Period (§ 463)

The bill limits the number of years taxpayers may carry forward unused R&D tax credits. Under current law, taxpayers may carry forward unused R&D credits to successive income years until they are fully taken. The bill caps the carry forward period to 15 years for credits allowed beginning with the 2021 income year.

EFFECTIVE DATE: Upon passage, and the carryforward provision is applicable to income years beginning on or after January 1, 2021.

§ 464 — INVEST CT TAX CREDIT CAP

Increases the aggregate cap on Invest CT tax credits by $200 million

The bill increases the aggregate cap on Invest CT tax credits by $200 million, from $350 million to $550 million. It retains the program's existing $40 million annual cap. By law, the credits apply to the insurance premiums and surplus lines brokers tax, and investors qualify for them by investing in eligible businesses through state-certified business investment funds (i.e., Invest CT funds).

EFFECTIVE DATE: July 1, 2021

§ 465 — FILM AND DIGITAL MEDIA PRODUCTION TAX CREDIT

Allows film and digital media production tax credits to be claimed against the sales and use tax under certain conditions

Beginning January 1, 2022, the bill allows film and digital media production tax credits to be claimed against the sales and use tax under certain conditions.

Specifically, under the bill, eligible production companies or other taxpayers claiming the credit (i.e., transferees) may only claim 78% of the credit's value when using it against the sales and use tax, and transferees may claim the credit against the tax only if there is at least

50% common ownership between the transferee and eligible production company that transferred the credit. Similar limitations apply under existing law to credits claimed against the gross receipts tax on cable, satellite, and competitive video services.

As under existing law, film and digital media production tax credits may also be claimed against the corporation business and insurance premiums taxes at full face value and may be sold, assigned, or otherwise transferred to other taxpayers up to three times.

EFFECTIVE DATE: January 1, 2022

§ 466 — EARNED INCOME TAX CREDIT

Increases the EITC from 23% to 30.5% of the federal credit

Beginning with the 2021 tax year, the bill increases the earned income tax credit (EITC) from 23% to 30.5% of the federal credit. The EITC is a refundable tax credit available to people who work and earn incomes below certain levels.

EFFECTIVE DATE: July 1, 2021, and applicable to tax years beginning on or after January 1, 2021.

§ 467 — CHILD TAX CREDIT PLAN

Requires the OPM secretary to create a plan to establish a state-level child tax credit if certain changes to the federal child tax credit occur

The bill requires the Office of Policy and Management (OPM) secretary to create a plan to establish a state-level child tax credit if certain changes to the federal child tax credit occur. Specifically, she must do so if the (1) credit is decreased from the amount in effect under the American Rescue Plan Act of 2021 (ARPA) as of the date the bill takes effect or (2) eligibility criteria changes in a manner that is less favorable to the taxpayer than the criteria in effect under the ARPA as of the date the bill takes effect.

OPM must submit this report to the Finance, Revenue and Bonding Committee within six months after the first day of the period to which the decrease or change is applicable.

EFFECTIVE DATE: Upon passage

§ 468 — PROPERTY TAX CREDIT AGAINST THE INCOME TAX

Extends, to the 2021 and 2022 tax years, the limits on eligibility for the property tax credit against the personal income tax

For the 2017 through 2020 tax years, the law limits eligibility for the property tax credit against the personal income tax to people who (1) are age 65 or older before the end of the tax year or (2) validly claim at least one dependent on their federal income tax return for that year. The bill extends these limits to the 2021 and 2022 tax years.

By law, taxpayers earn the credit for property taxes paid on their primary residences or motor vehicles, and the amount of property taxes paid that can be taken as a credit declines as adjusted gross income increases until it completely phases out. The maximum credit is $200 per tax return. The bill also makes technical changes.

EFFECTIVE DATE: Upon passage, and applicable to tax years beginning on or after January 1, 2021.

§ 469 — INCOME TAX EXEMPTIONS FOR CERTAIN RETIREMENT INCOME

Phases out, over four years, the income tax on income from IRAs, other than Roth IRAs, for taxpayers with qualifying incomes, starting with the 2023 tax year; clarifies that teachers who qualify for the general pension and annuity exemption may take either the teacher pension exemption or the general pension and annuity exemption, whichever is greater

Individual Retirement Account Income

The bill phases out the income tax on certain taxpayers' distributions from IRAs, other than Roth IRAs, over four years beginning with the 2023 tax year. As under existing law for pension and annuity income, taxpayers qualify for the exemption only if their federal AGI is below (1) $75,000 for single filers, married people filing separately, or heads of households or (2) $100,000 for married people filing jointly.

The bill exempts an increasing portion of IRA income until the income is fully exempt in the 2026 tax year as shown in the table below.

Table: Phase-In of Income Tax Exemption for IRA Income

Tax Year	*Percent of IRA Income Exempt*
2023	25
2024	50
2025	75
2026 and thereafter	100

EFFECTIVE DATE: Upon passage

Teacher Pension Exemption

Under current law, for the 2021 tax year and thereafter, taxpayers with teacher pension income may take the 50% teacher pension exemption or, if it applies, the general pension and annuity exemption. The bill clarifies that those taxpayers with incomes below the threshold for the general pension and annuity exemption may take either the 50% teacher exemption or the general pension and annuity exemption, whichever is greater.

By law, taxpayers are eligible for the general pension and annuity income exemption only if their federal AGI is below (1) $75,000 for single filers, married people filing separately, or heads of households and (2) $100,000 for joint filers. The table below shows the applicable exemption percentage for each tax year.

Table: Phase-In of Income Tax Exemption for Pension and Annuity Income

Tax Year	*Exempt Pension and Annuity Income Exempt (%)*
2021	42
2022	56
2023	70
2024	84
2025 and thereafter	100

EFFECTIVE DATE: Upon passage

§ 470 — ADMISSIONS TAX

Eliminates the admissions tax beginning July 1, 2021, for all places of amusement, entertainment, or recreation except movie theaters

The bill eliminates the admissions tax beginning July 1, 2021, except that it retains the 6% tax on movie tickets costing more than $5.

Under current law, the admissions tax is generally 10% of amounts paid for tickets; licenses; skybox, luxury suite, or club seat rentals; and any other admission charges, including any charges for the right to buy seats, with certain exceptions. It is 5% for admissions to specified venues, such as the XL Center in Hartford and Oakdale Theatre in Wallingford. Certain events and facilities are exempt from the tax. The tax covers, among other things, theaters; concert halls; amusement parks; sporting facilities, ball parks, race tracks, golf courses, beaches, and gyms; stadiums and amphitheaters; convention centers; auto, boat, antique, and dog shows; and other similar venues and events.

The bill retains the 10% dues tax, which applies to amounts paid as dues or initiation fees to any social, athletic, or sporting club (i.e., organizations owned or operated, or both owned and operated, by members).

EFFECTIVE DATE: June 30, 2021

§ 471 — SALES AND USE TAX EXEMPTION FOR BREASTFEEDING SUPPLIES

Exempts breast pumps and certain related parts, supplies, kits, and repair services from the sales and use tax beginning July 1, 2021

The bill exempts from the sales and use tax (1) breast pumps and breast pump collection and storage supplies, when sold to individuals for home use; (2) repair services and repair or replacement parts for such breast pumps; and (3) breast pump kits, under certain conditions. The bill defines a "breast pump" as an electric or manual pump device for expressing milk from a human breast, including external power supply units for the pump that are packaged and sold with it.

Breast Pump Kits

Under the bill, a breast pump kit is a prepackaged set that contains

one or more of the following items: (1) a breast pump, (2) breast pump collection and storage supplies, and (3) other items that may be useful to initiate, support, or sustain breastfeeding using a breast pump.

Breast pump kits prepackaged by the manufacturer are tax exempt if they are sold to individuals for home use and contain only tax-exempt breast pumps and breast pump collection and storage supplies. Breast pump kits are taxable if they contain taxable items for which the sales price is more than 10% of the kit's total sale price.

Breast Pump Collection and Storage Supplies

The bill defines "breast pump collection and storage supplies" as items that are used in conjunction with a breast pump to collect milk expressed from a human breast and store it until it is ready for consumption. It specifically includes the following:

1. breast shields and their connectors,
2. breast pump tubes and tubing adapters,
3. breast pump valves and membranes,
4. backflow protectors and their adapters,
5. bottles and bottle caps specific to the pump's operation,
6. breast milk storage bags, and
7. related items sold in a breast pump kit prepackaged by the breast pump manufacturer.

The bill specifies that the following are not considered breast pump collection and storage supplies:

1. bottles and bottle caps not specific to the breast pump's operation;
2. breast pump travel bags or similar carrying accessories (e.g., ice packs and labels), unless sold in a breast pump kit prepackaged by the breast pump manufacturer;

3. breast pump cleaning supplies, unless sold in a breast pump kit prepackaged by the breast pump manufacturer;

4. nursing bras, bra pads, breast shells, or similar products; and

5. creams, ointments, and other similar products that relieve breastfeeding-related symptoms or conditions of the breast or nipples. (Some of these creams and ointments may already be exempt under the nonprescription drug exemption (CGS § 12-412(120).)

EFFECTIVE DATE: July 1, 2021, and applicable to sales occurring on or after that date.

§ 472 — REVENUE FROM SALES AND USE TAX ON MEALS

Allows certain businesses to keep the sales tax they collect on sales of meals during one of three specified weeks in FY 22

The bill allows certain businesses (e.g., hotels, restaurants, and bars) to keep 100% of the 7.35% sales tax they collect on sales of meals during one of the following weeks:

1. August 1, 2021, to August 7, 2021;

2. December 12, 2021, to December 18, 2021; or

3. May 15, 2022, to May 21, 2022.

It applies to any establishment that sells meals (i.e., food sold in ready-to-eat form or wrapped as "take-out" or "to-go" to be eaten elsewhere) subject to the 7.35% tax and is included in the accommodation and food services industry sector (i.e., sector 72 of the North American Industrial Classification System). Under the bill, the establishments must provide to DRS the information the commissioner requires to administer this provision, in the form and manner he prescribes.

EFFECTIVE DATE: July 1, 2021

§ 473 — ALCOHOLIC BEVERAGES TAX ON BEER

Beginning July 1, 2023, decreases the excise tax on beer (other than beer for off-premises consumption sold on the premises covered by a manufacturer's permit) from $7.20 per barrel to $6 per barrel

Beginning July 1, 2023, the bill decreases the excise tax on beer, as shown in the following. By law, unchanged by the bill, beer for off-premises consumption sold on the premises covered by a manufacturer's permit is subject to a lower tax rate ($3.60 per barrel).

Table: Alcoholic Beverage Tax Rate on Beer

Unit Taxed	Current Rate	Proposed Rate
Barrel (31 gallons)	$7.20	$6.00
½ barrel	3.60	3.00
¼ barrel	1.80	1.50
Wine gallon or fraction under ¼ barrel	0.24	0.20

EFFECTIVE DATE: Upon passage

§§ 474-479 — CREDIT CARD SERVICE FEES

Generally requires state agencies accepting credit, debit, or charge card payments to charge payors a service fee for doing so and disclose the fee before imposing it

The bill generally requires state agencies accepting credit, debit, or charge card payments to (1) charge payors a service fee for doing so and (2) disclose the fee to payors before imposing it, in accordance with any disclosure requirements set by the card issuer or processor. It allows agencies to waive the service fee for a category of fees, costs, or fines if the OPM secretary approves the waiver.

Under current law, the OPM secretary may authorize agencies to charge a service fee for these payments, which must be (1) related to the cost of the service and (2) uniform for all cards accepted. The bill instead requires the service fee to (1) defray the service cost and (2) not exceed the charge imposed by the card issuer or processer, including any discount rate. As under existing law, the fee must be applied only when allowed or authorized in writing by the card issuer or processor.

Current law also authorizes agencies to accept payments through an electronic payment service. The bill retains this authorization but eliminates the agencies' authorization to charge a service fee for these

payments.

The bill makes conforming changes to statutes on credit card payments to certain state agencies. Specifically, the bill:

1. requires, rather than allows, the motor vehicles commissioner to charge a service fee to payers making fee payments by credit card (§ 476);

2. requires the Department of Public Health (DPH) to charge a service fee for each credit card payment made under its online license renewal system (§ 477);

3. requires, rather than allows, the Probate Court to charge a service fee for any court fee card payments (§ 478); and

4. requires, rather than allows, the chief court administrator to charge a service fee for credit card payments made to the judicial branch (§ 479).

The bill requires these agencies to apply the same criteria described above in determining the rate or amount of their respective service fees. It also authorizes both the Department of Motor Vehicles (DMV) and DPH to waive their respective service fees if the OPM secretary has approved the fee category for a waiver, as described above. The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2022

§§ 480-485 — MUNICIPAL REVENUE SHARING ACCOUNT PROGRAM

For FYs 22 and 23, requires (1) motor vehicle property tax grants to be paid from appropriations, rather than from MRSA; (2) PILOTs to be paid from appropriations any remaining part due from MRSA; and (3) specified amounts to be transferred from MRSA to the General Fund; expands the PILOTs paid from MRSA to include existing payments to specified municipalities; modifies the statutory formula for calculating motor vehicle property tax grants

Distribution Schedule

Beginning in FY 22, existing law requires 7.9% of state sales and use tax revenue to be diverted to the municipal revenue sharing account

(MRSA) each month to fund a number of municipal grant programs. Current law establishes a schedule for distributing the revenue directed to MRSA. Under this schedule, OPM must disburse the funds as follows:

1. an amount sufficient to make the motor vehicle property tax grants, according to a statutory grant formula (see below);

2. an amount sufficient for tiered payment in lieu of taxes (PILOT) grants;

3. $7 million for regional services grants to regional councils of government (COG); and

4. any remaining amounts for municipal revenue sharing grants to municipalities, according to a statutory grant formula.

The bill supersedes this schedule for FYs 22 and 23 and instead requires that the (1) motor vehicle property tax grants be paid from funds appropriated in these fiscal years for the grants and (2) PILOT grants (see § 482) be paid from the funds appropriated in these fiscal years for the grants and the remaining balance due be paid from MRSA.

Under the bill, the following amounts must be transferred from MRSA to the General Fund after the remaining balance for the PILOT grants has been paid: (1) $262.7 million for FY 22 and (2) $276.3 for FY 23. Any funds remaining in MRSA for FYs 22 and 23 must be used for the municipal revenue sharing grants. (Under the bill, regional service grants to the COGs must be paid from the regional performance incentive account, as described in §§ 193-194.)

The bill also eliminates obsolete provisions from the distribution schedule and makes numerous technical and conforming changes.

PILOTs for Specified Municipalities

PA 21-3 requires OPM to disburse from the municipal revenue sharing account (MRSA) an amount sufficient to pay state PILOT

grants according to the three-tiered proration method established under the act. The bill additionally requires OPM to fund from this MRSA distribution, except as described above for FYs 22 and 23, the existing PILOTs for specified municipalities, including those hosting certain properties or institutions. These include the following PILOTs:

1. 100% PILOT reimbursement for U.S. Department of Veterans Affairs Connecticut Healthcare Systems campuses;

2. an additional $5 million annual PILOT grant for Bridgeport;

3. an additional $60,000 to Voluntown for state-owned forest land;

4. $100,000 to Branford for Connecticut Hospice; and

5. $1 million to New London for the U.S. Coast Guard Academy.

Under current law, these PILOTs are paid from the General Fund appropriation for the PILOT program.

PILOT Appropriations Transfer

The bill authorizes the OPM secretary to transfer funds appropriated for PILOT under the FY 22-23 budget bill (i.e., for the Reimbursements to Towns for Loss of Taxes on State Property and Reimbursements to Towns for Private Tax-Exempt Property accounts) to the Tiered PILOT account to make the PILOT payments described above.

Motor Vehicle Property Tax Grants

Beginning with FY 22, the bill changes the statutory formula for calculating the municipal grants that reimburse municipalities for a portion of the revenue loss attributed to the motor vehicle property tax cap. By law, municipalities that impose a mill rate on real and personal property, other than motor vehicles, that is greater than 45 mills (i.e., the capped motor vehicle mill rate) are eligible for the grants.

Under the bill, the grant amount is equal to the difference between the (1) amount of property taxes a municipality, and any tax district therein, levied on motor vehicles for the 2017 assessment year (i.e., FY

19) and (2) the levy amount for that year at the same mill rate the municipality imposed on real and personal property other than motor vehicles. The same formula applied for FY 21 under the FY 20-21 biennial budget act (PA 19-117, § 70).

EFFECTIVE DATE: July 1, 2021

§ 481 — PILOT PROGRAM

Makes taxing districts eligible for state, municipal, and tribal property PILOTs; increases, from 45% to 100%, the reimbursement rate for Connecticut Port Authority property and certain tribal property; modifies the minimum PILOT grant amounts municipalities and districts must receive beginning in FY 22

Taxing Districts

The bill makes taxing districts (i.e., village, fire, sewer, and combination fire and sewer districts and other municipal organizations authorized to levy and collect taxes) eligible for state, municipal, and tribal property PILOTs. Under current law, municipalities and taxing districts are eligible for the college and hospital property PILOTs, but only municipalities (i.e., towns, cities, boroughs, consolidated towns and cities, and consolidated towns and boroughs) are eligible for the state, municipal, and tribal property PILOTs. The bill makes related conforming changes.

Reimbursement Rate for Connecticut Port Authority Property

PA 21-3 restores a provision that applied prior to FY 19 deeming the property and facilities owned by the Connecticut Port Authority to be state-owned real property for purposes of the PILOT program and requiring the state to provide a PILOT to the municipality in which such property and facilities are located. The bill increases the PILOT reimbursement rate for such Connecticut Port Authority property and facilities to 100%, rather than the 45% reimbursement rate that generally applies to state-owned property.

Reimbursement Rate for Certain Tribal Property

The bill increases the statutory PILOT reimbursement rate, from 45% to 100%, for (1) Mashantucket Pequot reservation land designated within the 1983 settlement boundary and taken into trust by the federal government before June 8, 1999, and (2) Mohegan reservation

land taken into trust by the federal government. By law, the assessed value must be of the land only and exclude any structures, buildings, or other improvements on the land.

Under existing law, unchanged by the bill, Mashantucket Pequot reservation land (1) designated within the 1983 settlement boundary and (2) taken into trust by the federal government on or after June 8, 1999, is also eligible for 100% PILOT reimbursement.

Minimum PILOT Grant Amount

PA 21-3 establishes a new three-tiered proration method for PILOT grants beginning in FY 22 and, as part of this method, requires that each municipality or district receive a PILOT grant that equals or exceeds the grant it received in FY 21. The bill instead specifies that this minimum applies to the total amount of PILOT grants paid to a municipality or district.

EFFECTIVE DATE: July 1, 2021

§ 486 — DRS TAX AMNESTY PROGRAM

Requires DRS to establish a tax amnesty program for individuals, businesses, or other taxpayers that owe Connecticut state taxes that gives eligible taxpayers a 75% reduction in the interest that would otherwise be due

The bill requires the DRS commissioner to establish a tax amnesty program for individuals, businesses, or other taxpayers that owe Connecticut state taxes (other than motor carrier road taxes) to DRS. Under the program, eligible taxpayers may receive a 75% reduction in the interest that would otherwise be due. The amnesty runs from November 1, 2021, to January 31, 2022, and covers any taxable period ending on or before December 30, 2020.

Amnesty Conditions

The DRS commissioner must prepare an amnesty application that requires applicants to specify the taxes and taxable periods for which they seek amnesty. The bill allows the commissioner to require that taxpayers file amnesty applications and pay any associated amounts electronically. Applicants must pay all amounts due to the state under the program with their applications.

If a taxpayer files the application and pays all the taxes and interest owed for the applicable tax periods, the commissioner must refrain from seeking to collect applicable civil penalties and seeking criminal prosecution for those periods.

If the commissioner grants amnesty, the affected taxpayer relinquishes all unexpired administrative and judicial appeal rights as of the payment date. The act bars taxpayers from receiving any refund or credit of amnesty tax payments. Failure to pay all amounts due makes a taxpayer ineligible for amnesty. The commissioner may not consider any request to cancel the unpaid portion of any erroneously or illegally assessed tax, penalty, or interest in connection with any amnesty application.

The commissioner may not accept amnesty applications for any applicable tax periods in which the taxpayer's liability for such period has already been paid, unless the application is filed to report an additional tax amount for that period. Amnesty applications may not result in a refund or credit of any tax, penalty, or interest previously paid.

Interest Reduction

Eligible taxpayers who apply for the amnesty program qualify for a 75% reduction of the interest that would otherwise be owed on the taxes for the applicable periods. (The interest rate on overdue taxes is generally 1% per month.) A taxpayer's eligibility for this interest reduction is subject to the commissioner's review of his or her application and, if granted by the commissioner, compliance with the amnesty program's requirements.

Amnesty Exclusions

The bill bars any amnesty for those who:

1. are parties to any criminal investigation or criminal litigation pending on July 1, 2021, in any federal or Connecticut court;

2. are parties to a closing agreement with the DRS commissioner;

3. have made a compromise offer that has been accepted by the commissioner; or

4. are parties to a managed audit agreement.

Penalty for Failing to File for 2013 Amnesty Program

Current law imposes a penalty on any taxpayer who (1) owes any tax for tax periods on or before November 30, 2012, for which a tax return was required but not previously filed and (2) failed to file a timely amnesty application under the state's 2013 amnesty. The penalty is equal to 25% of the tax owed and may not be waived.

Under the bill, the penalty does not apply to tax periods ending on or before November 30, 2012, for which no return was previously filed if the (1) tax period is the subject of or included in an amnesty application granted by the commissioner under the bill's provisions and (2) taxpayer pays all amounts due to the state in connection with the application, as described above.

Penalty for Fraud

Under the bill, anyone who willfully delivers or discloses to the commissioner or the commissioner's authorized agent any application, list return, account, statement, or other document known by him or her to be fraudulent or false in any material matter is ineligible for the amnesty program and, in addition to any other penalties provided by law, subject to a fine of up to $5,000, imprisonment for between one and five years, or both.

Implementation

The bill gives the DRS commissioner authority to do anything necessary to implement the program in a timely fashion.

EFFECTIVE DATE: Upon passage

§ 487 — TRANSFER FROM THE GENERAL FUND TO THE TOURISM FUND

Requires the comptroller to transfer specified amounts from the General Fund to the Tourism Fund for FYs 21 and 22

The bill requires the comptroller to transfer, from the General Fund to the Tourism Fund, (1) $9.8 million for FY 21, and (2) $3.1 million for FY 22.

EFFECTIVE DATE: Upon passage

§ 488 — GAAP DEFICIT

Deems that $1 is appropriated in FYs 22-23 to pay off the state's GAAP deficit for FYs 13 and 14

The bill deems that $1 is appropriated in FYs 22 and 23 to pay off the General Fund's unassigned negative balances (i.e., Generally Accepted Accounting Principles (GAAP) deficits) for FYs 13 and 14, which reflect the negative balances that accumulated before the state adopted GAAP in FY 14. By law, the OPM secretary must annually publish recommended schedules to fully amortize the deficits by FY 28.

EFFECTIVE DATE: Upon passage

§ 489 — TRANSFER OF AMERICAN RESCUE PLAN ACT FUNDS TO GENERAL FUND

Requires the comptroller to transfer specified federal ARPA funds to the General Fund for FYs 22 and 23

The bill requires the state comptroller to transfer to the General Fund the following amounts from the federal funds designated for the state under the American Rescue Plan Act's Coronavirus Capital Projects Fund: (1) $559.9 million for FY 22 and (2) $1.195 billion for FY 23.

EFFECTIVE DATE: Upon passage

§§ 490-495 — DELETED BY SENATE AMENDMENT "A"

§§ 496-500 — PUBLIC ASSISTANCE LIENS

Expands restrictions for placing liens to recover public assistance and deems additional previously filed claims released as of FY 22; adds a notification requirement and filing deadline to the process of administering certain small estates to recover state claims

Small Estate Administration (§ 496)

Under current law, when a person supported or cared for by the

state dies and leaves an estate worth less than $40,000, the administrative services commissioner or his authorized representative must certify to the probate court (1) the estate's value and (2) that the state's claim, together with certain final expenses (i.e., last illness and funeral), equals or exceeds the estate's value. By law, the court must then issue a certificate that the commissioner or his representative is the legal estate representative to recover the state's claim. The receipt of this certificate is a valid discharge of the liability for the individual's assistance, last illness, and funeral expenses (CGS §§ 4a-14 to -16).

The bill requires the commissioner or his authorized representative, after completing a financial accounting of the estate's assets and debt, to make a reasonable effort to inform the next of kin in writing that the commissioner or his designee intends to become the estate's legal representative to recover the state's claim for care or assistance rendered to the decedent that is required to be recovered under federal law or state laws on recovery of public assistance and incarceration costs. It requires the commissioner or his designee to file the certificate with the probate court no later than 30 days after making the notification attempt. The provisions apply to the estates of individuals who received care or support (1) in a medical or cash assistance program, (2) in an institution maintained by the department of Developmental Services or Mental Health and Addiction Services, (3) while an inmate of the Department of Corrections, or (4) as a child committed to the commissioner of Children and Families or Social Services. Cash assistance programs include Aide to Families with Dependent Children (AFDC), State Administered General Assistance (SAGA), the State Supplement Program (SSP), and the Temporary Family Assistance program (TFA).

Eligibility of Homeowners & Real Property Liens (§ 497)

The law prohibits deeming an individual or his or her dependents ineligible for assistance under SSP, Medicaid, TFA, SAGA, or Supplemental Nutrition Assistance Program (SNAP) for owning an interest in his or her home, provided the property's equity does not exceed program asset limits. Under current law, until July 1, 2021, the

DSS commissioner may place a lien against any property to secure the state's claim for public assistance it has paid or will pay under these programs. Beginning July 1, 2021, PA 21-3 prohibits the commissioner from placing these liens on real property to recover cash assistance or medical assistance, unless required by federal law. The bill specifies that she may only place these liens on real property to recover cash assistance or medical assistance for amounts required to be recovered under federal law.

Liens and Claims on Windfalls (§§ 498-500)

The law gives the state a claim that has priority over all other unsecured claims when a recipient of aid under the SSP, Medicaid, AFDC, TFA provided to anyone over age 18, or SAGA acquires property of any kind or interest in property. This includes windfalls such as lottery winnings, proceeds from a lawsuit, and inheritances.

Under current law, the state's claim against the windfall from a lawsuit or inheritance generally equals the lesser of the amount of assistance paid or 50% of the windfall proceeds. For windfalls other than from a lawsuit or inheritance (e.g., lottery win), the state's claim is for the lesser of 100% of the proceeds or the full amount of assistance provided. PA 21-3 prohibits the state from applying liens on real property to enforce its claim on these types of windfalls beyond the amount required to be recovered under federal law. The bill further limits the state's claim against lawsuit proceeds to the amount of the assistance paid that the state is required to recover under federal law, or, in the case of a liable parent whose proceeds are not subject to recovery under federal law, 50% of the proceeds received by the parent or the amount of assistance the parent owes after payment of all lawsuit-connected expenses (e.g., attorney fees), whichever is less.

The bill similarly limits the state's claim to inheritance by a program recipient or by a liable parent to an amount equal to assistance paid that the state is required to recover under federal law, or in the case of a liable parent whose inheritance is not subject to recovery under federal law, 50% of the estate's assets payable to the parent, or the amount owed by the parent, whichever is less.

Beginning July 1, 2021, PA 21-3 also prohibits the state from recovering cash assistance or medical assistance from a lien filed on any real property, unless required by federal law. The act requires the state to deem any lien on real property filed under CGS § 17b-93 before July 1, 2021, on such property, estate, or claim of any kind released, provided the assistance recovery is not required under federal law.

Beginning July 1, 2021, the bill expands the prohibition on these recoveries to also include claims filed against property, a property interest, or estate or claim of any kind, and proceeds from a lawsuit or estate, unless the state is required to recover the assistance under federal law and the provisions of CGS § 17b-93. The bill also expands upon the types of previously filed claims under CGS § 17b-93 that must be deemed released as of July 1, 2021 to include state claims against property, a property interest, or estate or claim of any kind, and proceeds from a lawsuit or estate, filed by or on behalf of the state if the recovery is not required by federal law and the statute's provisions.

Under current law, all sums due to an individual from an annuity contract that was purchased at any time with assets of a public assistance recipient, are deemed to be part of the deceased's estate upon his or her death and must be paid to the state by the annuity's beneficiary to fully reimburse any public assistance benefits paid to, or on behalf of, the deceased. The bill limits this requirement to the amount that the state is required to recover under federal law and the provisions of CGS § 17b-93.

The bill also makes several technical and conforming changes.

EFFECTIVE DATE: July 1, 2021, except the provision on small estate administration is effective October 1, 2021.

§§ 501-512 — DELETED BY SENATE AMENDMENT "A"

§ 513 — SALES AND USE TAX EXEMPTIONS FOR BEER MANUFACTURERS

Extends specified manufacturing-related sales and use tax exemptions to beer manufacturers that are not currently eligible because they manufacture beer at a facility that also makes substantial retail sales

Beginning July 1, 2023, the bill extends specified manufacturing-related sales and use tax exemptions to beer manufacturers that are not currently eligible because they currently manufacture or will manufacture beer at a facility that also makes substantial retail sales (i.e., eligible beer manufacturers).

Under the bill, an eligible beer manufacturer qualifies for the following sales and use tax exemptions:

1. gas and electricity for direct use in a manufacturing plant, provided it is a metered building where at least 75% of the gas or electricity consumed is used for manufacturing purposes (CGS § 12-412(3)(A));

2. materials, tools, and fuel sold to become part of items sold or used directly in an industrial plant to make finished products for sale (CGS § 12-412(18)); and

3. materials, tools, fuels, machinery, and equipment used in manufacturing that are not otherwise eligible for a sales tax exemption (50% of the gross receipts from such items) (CGS § 12-412i).

Additionally, the bill provides that, beginning July 1, 2023, a sale of machinery to an eligible beer manufacturer qualifies for the sales and use tax exemption for machinery used directly in a manufacturing production process (CGS § 12-412(34)).

EFFECTIVE DATE: Upon passage, and applicable to sales occurring on or after July 1, 2023.

§§ 514 & 515 — SUPPLEMENTAL COLLAPSING FOUNDATION LOAN PROGRAM

Allows banks without a physical presence in Connecticut to make program loans and allows banks to charge higher closing costs for program loans made to condominium or common interest ownership associations

The bill allows banks and out-of-state banks without a physical

presence in Connecticut to participate in the Supplemental Collapsing Foundation Loan Program. It also allows program lenders to charge up to 0.5% of the loan amount for closing costs for loans made to condominium or common interest ownership associations. Current law limits closing costs to $800.

By law, the program provides additional assistance for homeowners who receive funding from the Connecticut Foundation Solutions Indemnity Company, LLC (CFSIC) but require additional money to help (1) complete a foundation repair or replacement or (2) restore the property's functionality and appearance, to the extent they were impacted by the crumbling foundation or its repair or replacement process. Loans made under the program are guaranteed by the Connecticut Housing Finance Authority, up to a program maximum of $2 million.

EFFECTIVE DATE: July 1, 2021

§§ 516-522 — AMBULATORY SURGICAL CENTERS

Beginning July 1, 2023, replaces the current 6% gross receipts tax on ASCs with a 3% net revenue tax on ASC services, subject to certain exclusions; eliminates the current exemption for the first $1 million of ASC gross receipts but retains the exemption for Medicaid and Medicare payments

- Beginning July 1, 2023, the bill replaces the current 6% gross receipts tax on ASCs with a 3% net revenue tax on ASC services, subject to certain exclusions. In doing so, it eliminates the current exemption for the first $1 million of ASC gross receipts but retains the exemptions for Medicaid and Medicare payments for ASC services and any net revenue of a hospital subject to the hospital provider tax.
    - Under the bill, "net revenue" means gross receipts minus payer discounts, charity care, and bad debts (to the extent the ASC previously paid the net revenue tax on the bad debt amounts)
- Under the bill, "ASC services" are limited to the procedures or services included in a facility fee payment to an ASC

associated with each surgical procedure and that are not reimbursable ancillary or professional procedures or services. They include facility services only and exclude surgical procedures and physicians, anesthetists, radiology, diagnostic, and ambulance services that would be separately reimbursed to an ASC from the facility services under the Medicare program.

- Under the bill, the ASC net revenue tax is generally subject to the same administrative requirements that apply under existing law to the hospital provider tax.

- EFFECTIVE DATE: July 1, 2023, and applicable to calendar quarters beginning on or after that date, except that the provision terminating the current ASC tax is effective July 1, 2021.

§§ 523-531 — CHANGES TO FY 22-23 BOND AUTHORIZATIONS

Modifies various state general obligation bond authorizations for FYs 22 and 23 that were included in HB 6690 of the regular session

The bill modifies several general obligation (GO) bond authorizations for state projects and grant programs that were included in the FY 22-23 bond bill (i.e., HB 6690 of the regular session), as shown in the following table.

Table: Bond Authorizations for State Agency Projects and Grants

Agency and Purpose	*Fiscal Year*	*Authorization Under HB 6690*	*Bill's Authorization*	*Difference*
Connecticut Port Authority: grants for improvements to deep water ports, including dredging; at least $20 million must be used for deep water ports outside of New London	22	$50,000,000	$70,000,000	$20,000,000
Department of Public Health (DPH): Health Disparities and Prevention Grant Program (The bill reduces the following amounts reserved from this authorization for FY 22: (1) from $25 million to	22	40,000,000	25,000,000	(15,000,000)
	23	40,000,000	0	(40,000,000)

$15 million for federal qualified health centers and (2) from $15 million to $10 million for mental health and substance abuse treatment providers.)				
Office of Policy and Management (OPM): information technology capital investment program	23	15,000,000	40,000,000	25,000,000
OPM: grants to private, nonprofit health and human service organizations that receive state funds to provide direct health or human services to state agency clients, for alterations, renovations, improvements, additions, and new construction, including (1) health, safety, ADA compliance, and energy conservation improvements; (2) information technology systems; (3) technology for independence; and (4) vehicle purchases and property acquisition	23	25,000,000	0	(25,000,000)
Department of Administrative Services: school construction projects	23	450,000,000	550,000,000	100,000,000

EFFECTIVE DATE: July 1, 2021, for the FY 22 bond authorizations and July 1, 2022, for the FY 23 authorizations.

§§ 532 & 533 — CONNECTICUT BABY BOND PROGRAM

Modifies the Connecticut Baby Bond Trust program established in HB 6690 of the regular session by, among other things, eliminating the carryforward provision allowing unallocated bonds to be used in subsequent fiscal years

Bond Authorization (§ 533)

HB 6690 authorizes the state treasurer to issue up to $600 million in state GO bonds for the Baby Bond program, in amounts of up to $50 million per year from FYs 23-34. It also authorizes him to issue (1) additional bonds or other debt to fund the issuance costs and (2) refunding bonds to retire bonds previously issued under this provision. This bill instead allows the State Bond Commission to authorize the issuance of (i.e., allocate) up to $600 million in bonds over the same period, subject to the same $50 million per year cap, to

fund the transfers to the designated beneficiaries. In doing so, it subjects the bonds issued for this program to the standard Bond Commission approval process.

The bill similarly eliminates provisions in HB 6690 that allowed the governor to approve or disapprove the treasurer's bond issuances for the program and deemed the principal amount of the bonds he authorized to be an appropriation and allocation of the bond amounts and an allotment by the governor of funds. It also eliminates the (1) treasurer's authority to make the deposit to the Connecticut Baby Bond Trust from available funds regardless of whether the authorized bonds have been issued and (2) requirement that the treasurer maintain a separate, nonlapsing account to record the bond proceeds and deposits made.

Under HB 6690, if the amount required for the deposits in any fiscal year is less than the capped amount, or if the governor disapproves some or all of the issuance for that year, the remaining amount under the cap is carried forward and added to the capped amount for a subsequent fiscal year, but no later than FY 33. The bill instead provides that if the Bond Commission does not allocate all or a portion of the bonds in any fiscal year, the remaining amount must be carried forward and added to the authorized amount for the next two succeeding fiscal years. As under HB 6690, additional amounts for issuance costs and capitalized interest, if any, may be added to the capped amount in each fiscal year.

Treasurer's Annual Report to the Governor and OPM Secretary (§ 533)

HB 6690 requires the treasurer to annually submit to the governor and OPM secretary a report and calculation of the total amount required for the deposits for designated beneficiaries born in the prior fiscal year. The bill requires him to send this information by certified mail

Amount Transferred to Each Designated Beneficiary (§ 532)

Under HB 6690, the state treasurer must establish an accounting for

each designated beneficiary and transfer $3,200 to the accounting at birth. This bill (1) allows, rather than requires, him to make this transfer; (2) specifies that the transfer may be up to $3,200, rather than equal to $3,200; and (3) requires that it be made from the program's bond proceeds, rather than from the General Fund. The bill also requires that the amount of the transfer be proportionately reduced for any year in which the amount of bond funds made available under the program is insufficient to provide the $3,200 transfer to each beneficiary.

EFFECTIVE DATE: July 1, 2021

§§ 534 & 537 — CHANGES TO SCHOOL CONSTRUCTION GRANTS

Makes changes to the school construction grant waivers provided by HB 6690; repeals waivers for three projects and modifies the waiver for another

HB 6690, passed by both chambers in the 2021 regular session, granted waivers of certain statutory or regulatory requirements in order to make certain school construction projects eligible for grants, additional grants, or to avoid penalties.

The bill repeals three of the waivers granted in HB 6690, as shown in the table below. The table provides details of the requirements waived under HB 6690 (§§ 119, 125, and 126, respectively).

Table: Repealed HB 6690 Waivers

Town	*School and Project*	*Exemption, Waiver, or Other Change in HB 6690*
New Britain	Jefferson Elementary School, renovation	Waives the requirement to apply before June 30, 2020, in order to be on the 2021 priority list for the project with a maximum cost of $55 million, provided the town files an application before October 1, 2025, and the project is otherwise eligible to under the program Increases the project reimbursement rate from 79.29% to 95%, if New Britain meets certain conditions
West Haven	West Haven High School, renovation	Reduces the project funds withholding percentage from 11% to 5% prior to completion of the required audit; requires DAS to make a progress payment to the town equal to the difference between 11% and 5% of the reimbursement grant by September 1, 2021

New Britain (state project)	Goodwin Technical High School, project unspecified	Waives the requirement to apply before June 30, 2020, in order to be on the 2021 priority list for the project with a maximum cost of $40 million, if the application is filed by October 1, 2022, and the project is otherwise eligible under the program

The bill also modifies the waiver for the Washington Elementary School in West Haven. It eliminates the authorization to reduce the standard withholding amount from 11% to 5% pending completion of an audit. The bill leaves unchanged the waiver for school construction space standards for the same project.

EFFECTIVE DATE: July 1, 2021

§ 535 — ECONOMIC ACTION PLAN

Allows the DECD commissioner, for FYs 22 to 24 and in coordination with the OPM secretary, to use bond funds, ARPA funds, and available resources to provide grants for selected major projects to implement the state's Economic Action Plan

- Allows the DECD commissioner, for FYs 22 to 24 and in coordination with the OPM secretary, to use bond funds, ARPA funds, and available resources to provide (1) up to $100 million for major projects and (2) matching grants of up to $10 million for specified major projects (see below); funds are for the purpose of implementing the state's Economic Action Plan

- Allows DECD to develop and issue RFPs until July 1, 2024, for major projects in the state; DECD must develop criteria consistent with the state's Economic Action Plan purposes to evaluate and select proposals for funding from the available $100 million (see above)

- Allows the DECD commissioner, until July 1, 2024, to establish a competitive grant program to provide matching grants of up to $10 million to selected major projects; projects are eligible for matching grants up to twice per year, and the commissioner must establish an application process, eligibility and evaluation criteria, and reporting requirements

- EFFECTIVE DATE: July 1, 2021

§ 536 — AWARDING SCHOOL CONSTRUCTION CONTRACTS FOR CONSTRUCTION MANAGEMENT SERVICES

Delays, until July 1, 2022, changes to the law addressing the awarding of contracts for construction management services and instead maintains the selection criteria required by current law until that date

The bill delays, from July 1, 2021, until July 1, 2022, the effective date for changes to the law addressing how school construction contracts are awarded for construction management services. It instead maintains the selection criteria required by current law until July 1, 2022.

Under existing law and unchanged by the bill, most contracts and orders for school construction receiving state assistance must be awarded to the lowest responsible qualified bidder following a public bidding invitation. The law provides exceptions for contracts for construction management and certain other professional services, which instead must be awarded from a pool of up to the four most responsible qualified proposers after a public selection process.

EFFECTIVE DATE: July 1, 2021

Construction Managers

The law requires awarding authorities (e.g., boards of education) to evaluate certain elements of a construction manager proposal. Under current law, evaluations on and after July 1, 2021, must consider whether the construction manager intends to self-perform any element of the project and the benefit to the awarding authority from self-performance.

The bill delays the requirement to consider whether the manager intends to self-perform elements of the project, and related requirements, until July 1, 2022. It similarly delays, until July 1, 2022, provisions that:

1. allow awarding authorities, upon the written approval of the DAS commissioner, to permit a construction manager to self-perform part of the work if the authority and the commissioner determine that the manager's self-performance will be more

cost-effective than using a subcontractor;

2. require that all work not performed by the construction manager be performed by trade subcontractors selected by a process the awarding authority and the commissioner approve;

3. require that the construction manager's contract include a guaranteed maximum price for the cost of construction, which must be determined within 90 days after the selection of the trade subcontractors; and

4. prohibit construction from beginning before this determination, except for work relating to site preparation and demolition.

Under existing law, unchanged by the bill, the following additional items must also be considered when selecting a construction services manager:

1. the proposer's project price;

2. experience with work of similar size and scope;

3. organizational and team structure;

4. past performance data, including adherence to project schedules and budgets and the number of change orders;

5. the approach to the work required for the contract;

6. documented contract oversight capabilities; and

7. any project-specific criteria.

§ 539 — REPEALER

Repeals a provision requiring SDE to develop a plan for a grade K-12 statewide virtual school

The bill repeals HB 6621, §15, as amended by House "A" (2021), which requires SDE to develop a plan for a grade kindergarten through 12 statewide virtual school that provides instruction through one or more Internet-based software platforms.

EFFECTIVE DATE: July 1, 2021

§ 540 — REPEALER

Repeals laws that (1) establish the Higher Education Coordinating Council and require the state's higher education system to use the council's accountability measures and (2) require DSS and DOL to implement a pilot program for people receiving temporary family assistance program benefits and participating in the Jobs First program

The bill repeals statutes that (1) establish the Higher Education Coordinating Council (CGS § 10a-6a) and (2) require the Board of Regents for Higher Education and each constituent unit of the state higher education system to use the council 's accountability measures to assess their progress towards meeting certain goals (CGS § 10a-6b).

It also repeals statutes that require the DSS and DOL commissioners to implement a pilot program for people receiving temporary family assistance program benefits and participating in the Jobs First program.

EFFECTIVE DATE: Upon passage

§§ 541 & 544 — REPEALERS

Repeals certain laws relating to the Tax-Exempt Proceeds Fund; certificate and workforce programs; DOL, Office of Workforce Competitiveness, and Connecticut Employment and Training Commission duties; and the Workforce Training Authority

The bill repeals statutory provisions:

1. permitting the Office of Workforce Competitiveness, which the bill eliminates, to establish a pilot program providing access to employment training to certain people with dependent minors (CGS § 4-124tt);

2. requiring the Department of Labor (DOL) to fund Connecticut Career Choices (CGS § 4-124vv);

3. establishing definitions related to certificate programs (CGS § 10a-57a);

4. requiring higher education institutions and private occupational schools to submit, collect, and compile data about certificate programs (CGS § 10a-57b);

5. requiring the Office of Higher Education (OHE) to develop and post online a one-page fact sheet for each subbaccalaureate certificate program offered by each higher education institution and private occupational school in the state (CGS § 10a-57c);

6. requiring OHE to annually review a sample of student data for all for-credit and noncredit subbaccalaureate certificate programs offered by higher education institutions and private occupational schools (CGS § 10a-57e);

7. establishing the force and effect of any Office of Workforce orders or regulations as DOL orders or regulations (CGS § 31-2d);

8. establishing DOL manpower development and planning studies and programs (CGS § 31-3a);

9. requiring the labor commissioner to establish a customized job training program for preemployment and postemployment job training to meet manufacturing or economic base businesses' labor requirements (CGS § 31-3c);

10. requiring the labor commissioner to assist displaced homemakers and give them access to programs specific to their job training and placement needs (CGS § 31-3g);

11. establishing procedures for instances where a grant proposal to a state agency involved in employment and training is inconsistent with a regional workforce development board's annual regional plan (CGS § 31-3p);

12. requiring all state employment and training programs to be consistent with any guidelines issued by the labor commissioner and the annual state employment and training coordination plan developed by the CETC, which the bill eliminates (CGS § 31-3q);

13. permitting the DECD commissioner to allocate funds to the labor commissioner to provide to employers job training or

retraining assistance for current or prospective employees in meeting ISO 9000 quality standards (CGS § 31-3u);

14. establishing CETC duties and responsibilities (CGS § 31-3dd, CGS § 31-3ii, CGS § 31-3oo, CGS § 31-3yy, CGS § 31-11q, CGS § 31-11r, CGS § 31-11t & CGS § 31-11ff);

15. making obsolete technical changes to FY 00 payments from the Job Training Partnership Act (CGS § 31-3ff);

16. making technical changes to federal workforce laws referenced in state statute (CGS § 31-11gg);

17. establishing definitions and duties related to the Workforce Training Authority and its fund (CGS § 31-11hh, CGS § 31-11ii & CGS § 31-11jj); and

18. requiring the Board of Regents for Higher Education to formulate written definitions for all subbaccalaureate certificates earned on a for-credit or noncredit basis and awarded by Connecticut higher education institutions and private occupational schools (PA 16-44, § 3).

§ 543 — NOTIFICATION REQUIREMENT FOR SMALL ESTATES

Eliminates a new notification requirement and filing deadline to the process of administering certain small estates to recover state claims when a person supported or cared for by the state dies

Beginning July 1, 2021, PA 21-65 requires the DAS commissioner or his authorized representative, after completing a financial accounting of the assets and debt of certain small estates (i.e., when a person supported or cared for by the state dies and leaves an estate worth less than $40,000) to (1) make a reasonable effort to inform the next of kin in writing that he or his designee intends to become the estate's legal representative to recover the state's claim for care or assistance rendered to the decedent, and (2) file with the probate court no later than 30 days after making the notification attempt. The bill eliminates this requirement.

EFFECTIVE DATE: Upon passage

§ 601 — COMMUNITY INVESTMENT FUND 2030 REVIEW OF ECONOMIC ACTION PLAN PROJECTS

Eliminates provisions in HB 6690 requiring that a portion of the funds available for the state's Economic Action Plan be reserved for projects meeting specified criteria; requires the Community Investment Fund 2030 board established in HB 6690 to review and provide comments to DECD on projects to implement the state's Economic Action Plan (see § 535)

The bill eliminates provisions in HB 6690 requiring that $125 million of the funds available for the state's Economic Action Plan be annually reserved for projects that meet specified criteria and requiring the DECD commissioner to:

1. receive and consider comments from the Community Investment Fund 2030 Board on funding for these projects,

2. provide quarterly expenditure reports to the board for the projects, and

3. hold public hearings for the projects before the board.

The bill instead allows the DECD commissioner, for FYs 22 to 24 and in coordination with the OPM secretary, to use bond funds, ARPA funds, and available resources to provide grants for selected major projects to implement the state's Economic Action Plan (see § 535). Under the bill, the Community Investment Fund 2030 board must review and provide comments to DECD on these projects, rather than the projects funded from the $125 million of reserved funds described above.

EFFECTIVE DATE: July 1, 2021

§§ 601-603 — UCONN 2000 INFRASTRUCTURE PROGRAM

Reduces bond authorizations in HB 6690 by $55.1 million for two existing UConn 2000 Phase III projects at the UConn Health Center

Project Authorizations

The bond bill (HB 6690, as passed by both chambers) increases bond authorizations for two existing UConn 2000 Phase III projects at the UConn Health Center by a total of $80.1 million. This bill reduces the authorizations for the same two projects by a total of $55.1 million,

resulting in a net increase of $25 million. as shown in the table below.

Phase III Project Authorizations (in millions)

Project	*Current Law*	*HB 6690 Authorization*	*Bill's Authorization*	*Net Change*
Deferred Maintenance/Code/ADA Compliance/Infrastructure & Improvements Renovation Lump Sum and Utility, Administrative and Support Facilities – Health Center	$61.0	$110.1	$86.0	$25.0
Equipment, Library Collections and Telecommunications – Health Center	75.0	106.0	75.0	0

Annual Bond Limits

HB 6690 makes a conforming change by increasing current law's annual bond limits for the UConn 2000 program for FY 22 and FY 23 by $57.1 million and $23 million, respectively. This bill reduces the annual limits by $32.1 million in FY 22 and $23 million in FY 23, for a net increase of $25 million in FY 22 and no net change in FY 23.

EFFECTIVE DATE: July 1, 2021

§ 602 — TRS EXEMPTION FOR REEMPLOYED TEACHERS

Extends, until June 30, 2024, an exemption that allows certain retirees receiving a TRS pension to return to teaching without salary limits

The law generally limits the salary that retirees receiving pension benefits from the Teachers Retirement System (TRS) may receive if they return to a teaching position in a publicly funded school. Under current law, however, these limits do not apply between July 1, 2016, and June 30, 2020, for a teacher who (1) is receiving TRS benefits on at least 34 years of credited service, (2) is reemployed as a teacher in an alliance district, and (3) was serving as a teacher in that district on July 1, 2015. The bill extends this exemption until June 30, 2024.

EFFECTIVE DATE: Upon passage

§ 603 — RESIDENTIAL FACILITIES FOR PEOPLE WITH CERTAIN DISABILITIES AND FACILITIES RECEIVING FLAT RATES

Requires DSS to base FY 22 and 23 rates on FY 21 rates adjusted for inflation for (1) private residential facilities and other facilities serving individuals with certain disabilities and (2) community living arrangements and residential care homes that have their rates determined on a flat rate basis; allows DSS to provide fair rent increases in certain circumstances

With certain exceptions, the bill requires DSS to base FY 22 and 23 rates on FY 21 rates inflated by the gross domestic product deflator applicable for each rate year for room and board at private residential facilities and similar facilities operated by regional educational service centers that are licensed to provide residential care for individuals with certain disabilities (non-ICFs/IID boarding homes). The bill allows the DSS commissioner, in her discretion and within available appropriations, to provide proportional fair rent increases to facilities:

1. with documented fair rent additions placed in service in cost report years ending September 30, 2020 and September 30, 2021 that are not otherwise reflected in the rates; or

2. if DSS adjusts a facility's rates during FYs 22 or 23 for a capital improvement approved by the Department of Developmental Services (DDS) in consultation with DSS for residents' health or safety.

State regulations permit community living arrangements and residential care homes to have their rates determined on a flat rate basis rather than on the basis of submitted cost reports (Conn. Agency Reg., § 17-311-54). The bill requires DSS to base FY 22 and 23 rates for these facilities on FY 21 rates inflated by the gross domestic product deflator applicable to each rate year.

EFFECTIVE DATE: July 1, 2021

§ 604 — BRIDGE NAME CHANGE

Corrects a bridge naming provision that passed in regular session

The bill corrects a bridge naming provision that passed as part of sHB 6484 in the 2021 regular session.

EFFECTIVE DATE: Upon passage