



# Senate

General Assembly

**File No. 492**

January Session, 2021

Substitute Senate Bill No. 1055

*Senate, April 15, 2021*

The Committee on Human Services reported through SEN. MOORE of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE DEPARTMENT OF AGING AND DISABILITY SERVICES.***

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

1 Section 1. Section 17b-660 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 The Commissioner of Aging and Disability Services is authorized to  
4 accept and use gifts, grants, reimbursements or bequests made  
5 [unconditionally] by will or otherwise for carrying out the purposes of  
6 the donor or of the general statutes concerning the Department of Aging  
7 and Disability Services. Gifts, grants, reimbursements or bequests made  
8 under such conditions as in the judgment of the Commissioner of Aging  
9 and Disability Services are proper and consistent with the provisions of  
10 [said sections] state and federal law may be so accepted and shall be  
11 held, invested, reinvested and used in accordance with the conditions  
12 of the gift, grant, reimbursement or bequest.

13 Sec. 2. Section 10-298 of the general statutes is repealed and the

14 following is substituted in lieu thereof (*Effective July 1, 2021*):

15 (a) The Commissioner of Aging and Disability Services shall prepare  
16 and maintain a register of persons who are blind in this state which shall  
17 describe their condition, cause of blindness and capacity for education  
18 and rehabilitative training. The commissioner may register cases of  
19 persons who are liable to become visually impaired or blind, and may  
20 take such measures in cooperation with other authorities as the  
21 commissioner deems advisable for the prevention of blindness or  
22 conservation of eyesight and, in appropriate cases, for the education of  
23 children and for the vocational guidance of adults whose eyesight  
24 approaches visual impairment or blindness. The commissioner shall  
25 establish criteria for low vision care and maintain a list of  
26 ophthalmologists and optometrists that are exclusively authorized to  
27 receive agency funds through established and existing state fee  
28 schedules for the delivery of specifically defined low vision services that  
29 increase the capacity of eligible recipients of such services to maximize  
30 the use of their remaining vision.

31 [(b) The Commissioner of Aging and Disability Services may accept  
32 and receive any bequest or gift of money or personal property and,  
33 subject to the consent of the Governor and Attorney General as provided  
34 in section 4b-22, any devise or gift of real property made to the  
35 Commissioner of Aging and Disability Services, and may hold and use  
36 such money or property for the purposes, if any, specified in connection  
37 with such bequest, devise or gift.]

38 [(c)] (b) The Commissioner of Aging and Disability Services shall  
39 provide the Department of Motor Vehicles with the names of all  
40 individuals sixteen years of age or older who, on or after October 1, 2005,  
41 have been determined to be blind by a physician, an advanced practice  
42 registered nurse or an optometrist, as provided in section 10-305. The  
43 Commissioner of Aging and Disability Services shall provide  
44 simultaneous written notification to any individual whose name is  
45 being transmitted by the Commissioner of Aging and Disability Services  
46 to the Department of Motor Vehicles. The Commissioner of Aging and

47 Disability Services shall update the list of names provided to the  
48 Department of Motor Vehicles on a quarterly basis. The list shall also  
49 contain the address and date of birth for each individual reported, as  
50 shown on the records of the Department of Aging and Disability  
51 Services. The Department of Motor Vehicles shall maintain such list on  
52 a confidential basis, in accordance with the provisions of section 14-46d.  
53 The Commissioner of Aging and Disability Services shall enter into a  
54 memorandum of understanding with the Commissioner of Motor  
55 Vehicles to effectuate the purposes of this subsection.

56 Sec. 3. Section 17b-607 of the general statutes is repealed and the  
57 following is substituted in lieu thereof (*Effective July 1, 2021*):

58 (a) The Commissioner of Aging and Disability Services is authorized  
59 to establish and administer [a fund] state financing activities as outlined  
60 in the federal Assistive Technology Act of 2004, P.L. 108-364, as  
61 amended from time to time. to be known as the Assistive Technology  
62 [Revolving Fund. Said fund] Loan Program. The program shall be used  
63 by [said] the commissioner to make and guarantee loans to persons with  
64 disabilities, [senior citizens] older adults or the family members of  
65 persons with disabilities or [senior citizens] older adults for the  
66 purchase of assistive technology and adaptive equipment and services.  
67 Each such loan shall be made for a term of not more than ten years. Any  
68 loans made under this section [after July 1, 2013,] shall bear interest at a  
69 fixed rate not to exceed six per cent. [Said] The commissioner is  
70 authorized to expend any funds necessary for the reasonable direct  
71 expenses relating to the administration of [said fund. Said] the program.  
72 The commissioner shall adopt regulations, in accordance with the  
73 provisions of chapter 54, to implement the purposes of this section.

74 (b) The State Bond Commission shall have power from time to time  
75 to authorize the issuance of bonds of the state in one or more series in  
76 accordance with section 3-20 and in a principal amount necessary to  
77 carry out the purposes of this section, but not in excess of an aggregate  
78 amount of one million dollars. All of [said] the bonds shall (1) be payable  
79 at such place or places as may be determined by the Treasurer pursuant

80 to section 3-19, [and shall] (2) bear such date or dates, (3) mature at such  
81 time or times, not exceeding five years from their respective dates, (4)  
82 bear interest at such rate or different or varying rates and payable at  
83 such time or times, (5) be in such denominations, (6) be in such form  
84 with or without interest coupons attached, (7) carry such registration  
85 and transfer privileges, (8) be payable in such medium of payment, and  
86 (9) be subject to such terms of redemption with or without premium as,  
87 irrespective of the provisions of [said] section 3-20, may be provided by  
88 the authorization of the State Bond Commission or fixed in accordance  
89 therewith. The proceeds of the sale of such bonds shall be deposited in  
90 the Assistive Technology [Revolving Fund] Loan Program created by  
91 this section. Such bonds shall be general obligations of the state and the  
92 full faith and credit of the state of Connecticut are pledged for the  
93 payment of the principal of and interest on such bonds as the same  
94 become due. Accordingly, and as part of the contract of the state with  
95 the holders of such bonds, appropriation of all amounts necessary for  
96 punctual payment of such principal and interest is hereby made and the  
97 Treasurer shall pay such principal and interest as the same become due.  
98 Net earnings on investments or reinvestments of proceeds, accrued  
99 interest and premiums on the issuance of such bonds, after payment  
100 therefrom of expenses incurred by the Treasurer or State Bond  
101 Commission in connection with their issuance, shall be deposited in the  
102 General Fund of the state.

103 (c) The Connecticut Tech Act Project, within the Department of Aging  
104 and Disability Services and as authorized by 29 USC 3001, as amended  
105 from time to time, may provide assistive technology evaluation and  
106 training services upon the request of any person or any public or private  
107 entity, to the extent persons who provide assistive technology services  
108 are available. The project may charge a fee to any person or entity  
109 receiving such assistive technology evaluation and training services to  
110 reimburse the department for its costs. The Commissioner of Aging and  
111 Disability Services shall establish fees at reasonable rates that will cover  
112 the department's direct and indirect costs.

113 Sec. 4. Subsection (c) of section 9-20 of the general statutes is repealed

114 and the following is substituted in lieu thereof (*Effective July 1, 2021*):

115 (c) The application for admission as an elector shall include a  
116 statement that (1) specifies each eligibility requirement, (2) contains an  
117 attestation that the applicant meets each such requirement, and (3)  
118 requires the signature of the applicant under penalty of perjury. Each  
119 registrar of voters and town clerk shall maintain a copy of such  
120 statement in braille, large print and audio form. The Department of  
121 Aging and Disability Services shall, in consultation with the Secretary  
122 of the State, produce [a videotape presenting] an accessible version of  
123 such statement in voice and sign language and provide the [videotape]  
124 accessible version to the Secretary of the State who shall make [copies of  
125 the videotape and provide a copy] it available to the registrars of voters  
126 of any municipality. [, upon request and at a cost equal to the cost of  
127 making the copy.] If a person applies for admission as an elector in  
128 person to an admitting official, such admitting official shall, upon the  
129 request of the applicant, administer the elector's oath.

130 Sec. 5. Subsection (a) of section 46a-28 of the general statutes is  
131 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
132 *2021*):

133 (a) The Advisory Board for Persons Who are Deaf or Hard of Hearing  
134 shall consist of the following [sixteen members appointed by the  
135 Governor] members: (1) The consultant appointed by the State Board of  
136 Education in accordance with section 10-316a, or the consultant's  
137 designee; (2) the president of the Connecticut Council of Organizations  
138 Serving the Deaf, or the president's designee; (3) the president of the  
139 Connecticut Association of the Deaf, or the president's designee; (4) the  
140 president of the Connecticut Registry of Interpreters for the Deaf, or the  
141 president's designee; (5) the Commissioner of Aging and Disability  
142 Services, or the commissioner's designee; (6) the executive director of  
143 the American School for the Deaf, or the executive director's designee;  
144 (7) [a parent of a student in a predominantly oral education program]  
145 the Governor's liaison to the disability community; (8) [a parent of a  
146 student at the American School for the Deaf; (9) a] the director of the

147 Connecticut Chapter of We the Deaf People; and (9) eight members  
 148 appointed by the Governor as follows: (A) A person who is deaf; [(10)]  
 149 (B) a person who is hard of hearing; [(11)] (C) a person who is deaf and  
 150 blind; [(12)] (D) an interpreting professional who serves deaf or hard of  
 151 hearing persons; [(13)] (E) a healthcare professional who works with  
 152 persons who are deaf or hard of hearing; [(14) the Governor's liaison to  
 153 the disability community; (15)] (F) a parent of a student in a  
 154 predominantly oral education program; (G) an educator who works  
 155 with children who are deaf or hard of hearing; and [(16) the director of  
 156 the Connecticut Chapter of We the Deaf People] (H) a parent of a  
 157 student at the American School for the Deaf. The Commissioner of  
 158 Aging and Disability Services, the Governor's liaison to the disability  
 159 community and a member chosen by the majority of the board shall be  
 160 the chairpersons of the advisory board.

161 Sec. 6. Subsection (a) of section 46a-29 of the general statutes is  
 162 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
 163 *2021*):

164 (a) The Commissioner of Aging and Disability Services may request  
 165 and shall receive from any department, division, board, bureau,  
 166 commission or agency of the state or of any political subdivision thereof  
 167 such assistance and data as will enable the Department of Aging and  
 168 Disability Services to properly carry out its activities under sections 17b-  
 169 650e and [46a-30] 46a-33 to 46a-33b, inclusive, and to effectuate the  
 170 purposes therein set forth.

171 Sec. 7. Sections 17a-301b and 46a-30 of the general statutes are  
 172 repealed. (*Effective July 1, 2021*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	17b-660
Sec. 2	<i>July 1, 2021</i>	10-298
Sec. 3	<i>July 1, 2021</i>	17b-607
Sec. 4	<i>July 1, 2021</i>	9-20(c)
Sec. 5	<i>July 1, 2021</i>	46a-28(a)

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Sec. 6	July 1, 2021	46a-29(a)
Sec. 7	July 1, 2021	Repealer section

**Statement of Legislative Commissioners:**

In Section 5(a), "of: the following sixteen members appointed by the Governor:]" was changed to "the following [sixteen members appointed by the Governor] members:"; and Subdiv. designators (9) to (16), inclusive, were replaced with Subdiv. designators 9(A) to 9(H), inclusive, for clarity and to conform to standard drafting conventions.

**HS**            *Joint Favorable Subst. -LCO*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill makes various technical and conforming changes to the Department of Aging and Disability's statutes that have no fiscal impact. This includes updating statutes governing the Assistive Technology loan program to reflect the agency's current practice of partnering with banks and guaranteeing loans.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sSB 1055*****AN ACT CONCERNING THE DEPARTMENT OF AGING AND DISABILITY SERVICES.*****SUMMARY**

This bill makes various changes and updates to the statutes governing the Department of Aging and Disability Services (ADS). More specifically, it:

1. consolidates redundant gift acceptance and use provisions that allow ADS to accept gifts and bequests;
2. replaces the current Assistive Technology Revolving Fund, which makes direct loans, with a program to make and guarantee loans for the same purposes;
3. updates the format of a required informational resource about the voter application process;
4. eliminates required appointments for the eight ex-officio members of the Advisory Board for Persons Who are Deaf or Hard of Hearing; and
5. deletes an obsolete reference to the Department of Social Services taking over programs of the former Department on Aging, as they were instead merged into ADS (CGS § 17a-301b).

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2021

**§§ 1, 2, 6 & 7 — GIFT ACCEPTANCE AUTHORIZATION**

The bill consolidates under one provision, the ADS commissioner's existing authority to accept and use gifts under three separate

provisions in statute. It specifies that she may accept and use gifts, grants, reimbursements, or bequests made by will or otherwise for carrying out the donor's purposes or the laws governing ADS, provided they are made under conditions that she judges are proper and consistent with state and federal law. If she accepts them, they must be held, invested, reinvested, and used according to the conditions of the gift, grant, reimbursement, or bequest.

The bill eliminates two similar provisions authorizing the ADS (formerly the Department of Rehabilitation Services (DRS)) commissioner to accept and use gifts, grants, bequests, personal property, and reimbursements for the donor's specified purposes, if any, or to support its programs. It also eliminates an authorization for ADS (formerly DRS) to expend its appropriation to engage consultants.

### **§ 3 — ASSISTIVE TECHNOLOGY LOANS**

Current law authorizes the ADS commissioner to establish and administer the Assistive Technology Revolving Fund, which makes direct loans to persons with disabilities, senior citizens, or their family members to purchase necessary assistive technology and adaptive equipment and services.

The bill instead authorizes her to establish and administer state financing activities as outlined in the federal Assistive Technology Act. This is to be known as the Assistive Technology Loan Program, which must make and guarantee loans to persons with disabilities, older adults, or their family members, for the same purposes as the current fund.

### **§ 4 — VOTER INFORMATIONAL RESOURCE**

Current election law requires ADS to produce a videotape presenting the oath statement on voter application forms in voice and sign language and provide it to the secretary of the state. The secretary must then provide a copy to municipal registrars of voters upon request. This statement specifies each voter eligibility requirement, contains an attestation that the applicant meets each requirement, and requires his

or her signature under penalty of perjury. The bill instead requires ADS to produce an accessible version (e.g., an online video) of the oath statement, in consultation with the secretary, and provide it to her. In turn, the secretary must make it available to registrars of voters.

## § 5 — ADVISORY BOARD APPOINTMENTS

Current law requires the governor to appoint the 16 members of the Advisory Board for Persons Who are Deaf or Hard of Hearing, eight of whom are members by virtue of holding another office. The bill eliminates the requirement that he appoint these ex-officio members, thus enabling their immediate board participation upon assuming their outside positions.

### BACKGROUND

#### *Related Bill*

sHB 6637, favorably reported by the Human Services Committee, changes the name of the Advisory Board for Persons Who are Deaf or Hard of Hearing to the Advisory Board for Persons Who are Deaf, Hard of Hearing or Deafblind.

### COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 19    Nay 0    (03/31/2021)