



General Assembly

**Substitute Bill No. 6577**

January Session, 2021



**AN ACT CONCERNING THE STATE PROPERTIES REVIEW BOARD.**

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

1 Section 1. Subsections (d) to (f), inclusive, of section 4b-3 of the  
2 general statutes are repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2021*):

4 (d) Notwithstanding any [other statute] provision of the general  
5 statutes or special act, [to the contrary,] the Commissioner of  
6 Administrative Services shall be the sole person authorized to represent  
7 the state in its dealings with third parties for the construction,  
8 development, acquisition or leasing of real estate for housing the offices  
9 or equipment of all agencies of the state or for the state-owned public  
10 buildings or realty, as provided for in sections 2-90, 4b-1 to 4b-5,  
11 inclusive, 4b-21, 4b-23, as amended by this act, 4b-24, 4b-26, 4b-27, 4b-  
12 30 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to 4b-69,  
13 inclusive, 4b-71, 4b-72, 10a-95, 10a-72, 10a-89, 10a-90, 10a-114, 10a-130,  
14 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d  
15 and 51-27f, except that (1) the Joint Committee on Legislative  
16 Management may represent the state in the planning and construction  
17 of the Legislative Office Building and related facilities, in Hartford; (2)  
18 the Chief Court Administrator may represent the state in providing for  
19 (A) space for the Court Support Services Division as part of a new or

20 existing contract for an alternative incarceration program pursuant to  
21 section 54-103b or a program developed pursuant to section 46b-121k,  
22 or (B) other real estate needs of the Judicial Branch when delegated  
23 authority to do so by the Commissioner of Administrative Services; (3)  
24 the board of trustees of a constituent unit of the state system of higher  
25 education may represent the state in the leasing of real estate for housing  
26 the offices or equipment of such constituent unit, provided no lease  
27 payments for such realty are made with funds generated from the  
28 general revenues of the state; (4) the Labor Commissioner may represent  
29 the state in the leasing of premises required for employment security  
30 operations as provided in subsection (c) of section 31-250; (5) the  
31 Commissioner of Developmental Services may represent the state in the  
32 leasing of residential property as part of the program developed  
33 pursuant to subsection (b) of section 17a-218, provided such residential  
34 property does not exceed two thousand five hundred square feet, for the  
35 community placement of persons eligible to receive residential services  
36 from the department; (6) the Commissioner of Mental Health and  
37 Addiction Services may represent the state in the leasing of residential  
38 units as part of a program developed pursuant to section 17a-455a,  
39 provided each such residential unit does not exceed two thousand five  
40 hundred square feet; and (7) the Connecticut Marketing Authority may  
41 represent the state in the leasing of land or markets under the control of  
42 the Connecticut Marketing Authority. [, and, except for the housing of  
43 offices or equipment in connection with the initial acquisition of an  
44 existing state mass transit system or the leasing of land by the  
45 Connecticut Marketing Authority for a term of one year or more in  
46 which cases the actions of the Department of Transportation and the  
47 Connecticut Marketing Authority] All of the actions listed in  
48 subdivisions (1) to (7), inclusive, of this subsection shall be subject to the  
49 review and approval of the State Properties Review Board. The  
50 Commissioner of Administrative Services may establish and implement  
51 any procedures necessary for the commissioner to assume the  
52 commissioner's responsibilities as said sole bargaining agent for state  
53 realty acquisitions and shall perform the duties necessary to carry out  
54 such procedures. The Commissioner of Administrative Services may

55 appoint, within the department's budget and subject to the provisions  
56 of chapter 67, such personnel deemed necessary by the commissioner to  
57 carry out the provisions of this section, including experts in real estate,  
58 construction operations, financing, banking, contracting, architecture  
59 and engineering. The Attorney General's office, at the request of the  
60 Commissioner of Administrative Services, shall assist the commissioner  
61 in contract negotiations regarding the purchase, lease or construction of  
62 real estate.

63 (e) The State Properties Review Board shall be within the  
64 [Department of Administrative Services] Legislative Department and  
65 shall have independent decision-making authority.

66 (f) The State Properties Review Board shall review for approval or  
67 disapproval (1) real estate acquisitions, sales, leases and subleases  
68 proposed by the Commissioner of Administrative Services or proposed  
69 by the Chief Court Administrator pursuant to the authority delegated  
70 to the Chief Court Administrator by the Commissioner of  
71 Administrative Services, (2) the acquisition, other than by  
72 condemnation, or the sale, [or] lease or licensing of any real property or  
73 any other contractual agreement concerning any real property by the  
74 Commissioner of Transportation under subdivision (11) of section 13b-  
75 4 or subsection (b) of section 13b-36, subject to section 4b-23, as amended  
76 by this act, and subsection (h) of section 13a-73, [and review, for  
77 approval or disapproval,] (3) any contract for a project described in  
78 subsection (h) of section 4b-91, (4) any acquisition of development rights  
79 of agricultural land by the Commissioner of Agriculture under section  
80 22-26cc, (5) any real estate acquisition by any other state agency under  
81 any provision of the general statutes that is paid for with bonds, as  
82 defined in section 3-20, and (6) any lease or sublease, licensing or other  
83 contractual agreement concerning real property proposed by a quasi-  
84 public agency under section 3 of this act. Such review shall consider all  
85 aspects of the proposed actions, including feasibility and method of  
86 acquisition and the prudence of the business method proposed. The  
87 board shall also cooperate with and advise and assist the Commissioner

88 of Administrative Services and the Commissioner of Transportation in  
89 carrying out their duties. The board shall have access to all information,  
90 files and records, including financial records, of the Commissioner of  
91 Administrative Services, [and] the Commissioner of Transportation,  
92 [and shall, when necessary, be entitled to the use of personnel employed  
93 by said commissioners. The board shall approve or disapprove any  
94 acquisition of development rights of agricultural land by the  
95 Commissioner of Agriculture under section 22-26cc] any other state  
96 agency acquiring real estate described in subdivision (5) of this  
97 subsection and any quasi-public agency submitting a proposed  
98 agreement described in subdivision (6) of this subsection. The board  
99 shall hear any appeal under section 8-273a and shall render a final  
100 decision on the appeal within thirty days thereafter. The written  
101 decision of the board shall be a final decision for the purposes of sections  
102 4-180 and 4-183. The provisions of this section shall not apply to any  
103 airport, airport site or any part thereof operated by the Connecticut  
104 Airport Authority established pursuant to section 15-120bb.

105 Sec. 2. Subsection (i) of section 4b-23 of the general statutes is repealed  
106 and the following is substituted in lieu thereof (*Effective October 1, 2021*):

107 (i) As used in this subsection, (1) "project" means any state program,  
108 except the downtown Hartford higher education center project, as  
109 defined in section 4b-55, requiring consultant services if the cost of such  
110 services is estimated to exceed [one hundred] twenty-five thousand  
111 dollars or, in the case of a constituent unit of the state system of higher  
112 education, the cost of such services is estimated to exceed three hundred  
113 thousand dollars, or in the case of a building or premises under the  
114 supervision of the Office of the Chief Court Administrator or property  
115 where the Judicial Department is the primary occupant, the cost of such  
116 services is estimated to exceed three hundred thousand dollars; (2)  
117 "consultant" means "consultant" as defined in section 4b-55; and (3)  
118 "consultant services" means "consultant services" as defined in section  
119 4b-55. Any contracts entered into by the Commissioner of  
120 Administrative Services with any consultants for employment (A) for

121 any project under the provisions of this section, (B) in connection with a  
122 list established under subsection (d) of section 4b-51, or (C) by task letter  
123 issued by the Commissioner of Administrative Services to any  
124 consultant on such list pursuant to which the consultant will provide  
125 services valued in excess of [one hundred] twenty-five thousand dollars,  
126 shall be subject to the approval of the Properties Review Board prior to  
127 the employment of such consultant or consultants by the commissioner.  
128 The Properties Review Board shall, not later than thirty days after  
129 receipt of such selection of or contract with any consultant, approve or  
130 disapprove the selection of or contract with any consultant made by the  
131 Commissioner of Administrative Services pursuant to sections 4b-1 and  
132 4b-55 to 4b-59, inclusive. If upon the expiration of the thirty-day period  
133 a decision has not been made, the Properties Review Board shall be  
134 deemed to have approved such selection or contract.

135       Sec. 3. (NEW) (*Effective October 1, 2021*) Any quasi-public agency, as  
136 defined in section 1-120 of the general statutes, shall submit any  
137 proposed lease or sublease, licensing or other contractual arrangement  
138 concerning real property to the State Properties Review Board for  
139 approval or disapproval. The provisions of this section shall not be  
140 construed to apply to any mortgage loan granted by a quasi-public  
141 agency.

142       Sec. 4. Section 4-9a of the general statutes is repealed and the  
143 following is substituted in lieu thereof (*Effective October 1, 2021*):

144       (a) The Governor shall appoint the chairperson and executive  
145 director, if any, of all boards and commissions within the Executive  
146 Department, except [the State Properties Review Board,] the State  
147 Elections Enforcement Commission, the Commission on Human Rights  
148 and Opportunities, the Commission on Fire Prevention and Control, the  
149 Citizen's Ethics Advisory Board and the Transportation Policy Advisory  
150 Council.

151       (b) Public members shall constitute not less than one-third of the  
152 members of each board and commission within the Executive

153 Department, except the Commission on Human Rights and  
154 Opportunities. Public member means an elector of the state who has no  
155 substantial financial interest in, is not employed in or by, and is not  
156 professionally affiliated with, any industry, profession, occupation,  
157 trade or institution regulated or licensed by the relevant board or  
158 commission, and who has had no professional affiliation with any such  
159 industry, profession, occupation, trade or institution for three years  
160 preceding his appointment to the board or commission. Except as  
161 otherwise specifically provided by the general statutes, this section shall  
162 not apply to the Commission on Fire Prevention and Control, boards  
163 and commissions the membership of which is entirely composed of state  
164 department heads, elected officials or deputies appointed by such  
165 department heads or where the membership of such board or  
166 commission is determined in accordance with the provisions of any  
167 federal law.

168 (c) Notwithstanding any provision of law, the term of each member  
169 of each board and commission within the executive branch, except the  
170 State Board of Education, the Board of Regents for Higher Education,  
171 the Commission on Human Rights and Opportunities, the State  
172 Elections Enforcement Commission, [the State Properties Review  
173 Board,] the Citizen's Ethics Advisory Board, the Commission on  
174 Medicolegal Investigations, the Psychiatric Security Review Board, the  
175 Commission on Fire Prevention and Control, the E 9-1-1 Commission,  
176 the Culture and Tourism Advisory Committee, and the board of trustees  
177 of each constituent unit of the state system of higher education,  
178 commencing on or after July 1, 1979, shall be coterminous with the term  
179 of the Governor or until a successor is chosen, whichever is later.

180 (d) Each member of each board and commission within the executive  
181 branch shall serve at the pleasure of the appointing authority except  
182 where otherwise specifically provided by any provision of the general  
183 statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	4b-3(d) to (f)
Sec. 2	<i>October 1, 2021</i>	4b-23(i)
Sec. 3	<i>October 1, 2021</i>	New section
Sec. 4	<i>October 1, 2021</i>	4-9a

**GAE**      *Joint Favorable Subst.*

**APP**      *Joint Favorable*