



General Assembly

**Amendment**

January Session, 2021

LCO No. 9276



Offered by:

SEN. LOPES, 6<sup>th</sup> Dist.

REP. MCGEE, 5<sup>th</sup> Dist.

REP. POLLETTA, 68<sup>th</sup> Dist.

To: Subst. House Bill No. 6531

File No. 685

Cal. No. 423

**"AN ACT CONCERNING THE RIGHT TO COUNSEL IN EVICTION PROCEEDINGS, THE VALIDITY OF INLAND WETLANDS PERMITS IN RELATION TO CERTAIN OTHER LAND USE APPROVALS, AND EXTENDING THE TIME OF EXPIRATION OF CERTAIN LAND USE PERMITS."**

- 
- 1 In line 43, after "stands;" insert "and"
  - 2 Strike lines 44 to 47, inclusive, in their entirety
  - 3 In line 48, strike "(11)" and insert "(10)" in lieu thereof
  - 4 In line 57, strike "contract" and insert "fund the provision of legal
  - 5 representation by designated organizations" in lieu thereof
  - 6 Strike line 58 in its entirety and insert "under" in lieu thereof
  - 7 In line 72, strike "pay the cost of: (1) Providing" and insert "fund: (1)
  - 8 The provision of" in lieu thereof

9 In line 73, strike "administering" and insert "the administration of" in  
10 lieu thereof

11 In line 75, strike "providing"

12 Strike lines 76 to 79, inclusive, in their entirety and insert the  
13 following in lieu thereof:

14 "(d) If the Judicial Branch receives state or federal funds pursuant to  
15 this section for the purpose of appointing additional housing mediators  
16 under section 47a-69 of the general statutes, the Judicial Branch shall  
17 appoint such additional housing mediators to facilitate the resolution of  
18 summary process actions."

19 In line 110, strike "Such" and insert "Not later than October 1, 2021,  
20 such"

21 In line 114, strike "or after July 1," and insert "and after October 1," in  
22 lieu thereof

23 Strike line 131 in its entirety

24 In line 132, strike "matters under the"

25 Strike sections 3 to 6, inclusive, in their entirety

26 After the last section, add the following and renumber sections and  
27 internal references accordingly:

28 "Sec. 501. Subsection (m) of section 8-3 of the general statutes is  
29 repealed and the following is substituted in lieu thereof (*Effective from*  
30 *passage*):

31 (m) (1) Notwithstanding the provisions of this section, any site plan  
32 approval made under this section prior to July 1, 2011, that has not  
33 expired prior to May 9, 2011, except an approval made under subsection  
34 (j) of this section, shall expire not less than nine years after the date of  
35 such approval and the commission may grant one or more extensions of  
36 time to complete all or part of the work in connection with such site

37 plan, provided no approval, including all extensions, shall be valid for  
38 more than fourteen years from the date the site plan was approved.

39 (2) Notwithstanding the provisions of this section, any site plan  
40 approval made under this section on or after July 1, 2011, but prior to  
41 the effective date of this section, that did not expire prior to March 10,  
42 2020, except an approval made under subsection (j) of this section, shall  
43 expire not less than fourteen years after the date of such approval and  
44 the commission may grant one or more extensions of time to complete  
45 all or part of the work in connection with such site plan, provided no  
46 approval, including all extensions, shall be valid for more than nineteen  
47 years from the date the site plan was approved.

48 Sec. 502. Subsection (e) of section 8-26c of the general statutes is  
49 repealed and the following is substituted in lieu thereof (*Effective from*  
50 *passage*):

51 (e) (1) Notwithstanding the provisions of this section, any  
52 subdivision approval made under this section prior to July 1, 2011, that  
53 has not expired prior to May 9, 2011, shall expire not less than nine years  
54 after the date of such approval and the commission may grant one or  
55 more extensions of time to complete all or part of the work in connection  
56 with such subdivision, provided no subdivision approval, including all  
57 extensions, shall be valid for more than fourteen years from the date the  
58 subdivision was approved.

59 (2) Notwithstanding the provisions of this section, any subdivision  
60 approval made under this section on or after July 1, 2011, but prior to  
61 the effective date of this section, that did not expire prior to March 10,  
62 2020, shall expire not less than fourteen years after the date of such  
63 approval and the commission may grant one or more extensions of time  
64 to complete all or part of the work in connection with such subdivision,  
65 provided no subdivision approval, including all extensions, shall be  
66 valid for more than nineteen years from the date the subdivision was  
67 approved.

68 Sec. 503. Subsection (c) of section 8-26g of the general statutes is

69 repealed and the following is substituted in lieu thereof (*Effective from*  
70 *passage*):

71 (c) (1) Notwithstanding the provisions of this section, for any  
72 subdivision of land for a project consisting of four hundred or more  
73 dwelling units and approved prior to July 1, 2011, that has not expired  
74 prior to May 9, 2011, any person, firm or corporation making such  
75 subdivision shall complete all work in connection with such subdivision  
76 not later than the date fourteen years after the date of approval of the  
77 plan for such subdivision. The commission's endorsement of approval  
78 on the plan shall state the date on which such fourteen-year period  
79 expires.

80 (2) Notwithstanding the provisions of this section, for any  
81 subdivision of land for a project consisting of four hundred or more  
82 dwelling units and approved on or after July 1, 2011, but prior to the  
83 effective date of this section, that did not expire prior to March 10, 2020,  
84 any person, firm or corporation making such subdivision shall complete  
85 all work in connection with such subdivision not later than the date  
86 nineteen years after the date of approval of the plan for such  
87 subdivision. The commission's endorsement of approval on the plan  
88 shall state the date on which such nineteen-year period expires.

89 Sec. 504. Subsection (g) of section 22a-42a of the general statutes is  
90 repealed and the following is substituted in lieu thereof (*Effective from*  
91 *passage*):

92 (g) (1) Notwithstanding the provisions of subdivision (2) of  
93 subsection (d) of this section, any permit issued under this section prior  
94 to July 1, 2011, that has not expired prior to May 9, 2011, shall expire not  
95 less than nine years after the date of such approval. Any such permit  
96 shall be renewed upon request of the permit holder unless the agency  
97 finds that there has been a substantial change in circumstances that  
98 requires a new permit application or an enforcement action has been  
99 undertaken with regard to the regulated activity for which the permit  
100 was issued, provided no such permit shall be valid for more than

101 fourteen years.

102 (2) Notwithstanding the provisions of subdivision (2) of subsection  
103 (d) of this section, any permit issued under this section on or after July  
104 1, 2011, but prior to the effective date of this section, that did not expire  
105 prior to March 10, 2020, shall expire not less than fourteen years after  
106 the date of such approval. Any such permit shall be renewed upon  
107 request of the permit holder unless the agency finds that there has been  
108 a substantial change in circumstances that requires a new permit  
109 application or an enforcement action has been undertaken with regard  
110 to the regulated activity for which the permit was issued, provided no  
111 such permit shall be valid for more than nineteen years.

112 Sec. 505. Section 8-3c of the general statutes is repealed and the  
113 following is substituted in lieu thereof (*Effective from passage*):

114 (a) If an application for a special permit or special exception involves  
115 an activity regulated pursuant to sections 22a-36 to 22a-45, inclusive, the  
116 applicant shall submit an application to the agency responsible for  
117 administration of the inland wetlands regulations no later than the day  
118 the application is filed for a special permit or special exception.

119 (b) The zoning commission or combined planning and zoning  
120 commission of any municipality shall hold a public hearing on an  
121 application or request for a special permit or special exception, as  
122 provided in section 8-2, and on an application for a special exemption  
123 under section 8-2g. Such hearing shall be held in accordance with the  
124 provisions of section 8-7d. The commission shall not render a decision  
125 on the application until the inland wetlands agency has submitted a  
126 report with its final decision to such commission. In making its decision  
127 the zoning commission shall give due consideration to the report of the  
128 inland wetlands agency. Such commission shall decide upon such  
129 application or request within the period of time permitted under section  
130 8-7d. Whenever a commission grants or denies a special permit or  
131 special exception, it shall state upon its records the reason for its  
132 decision. Notice of the decision of the commission shall be published in

133 a newspaper having a substantial circulation in the municipality and  
134 addressed by certified mail to the person who requested or applied for  
135 a special permit or special exception, by its secretary or clerk, under his  
136 signature in any written, printed, typewritten or stamped form, within  
137 fifteen days after such decision has been rendered. In any case in which  
138 such notice is not published within such fifteen-day period, the person  
139 who requested or applied for such special permit or special exception  
140 may provide for the publication of such notice within ten days  
141 thereafter. Such permit or exception shall become effective upon the  
142 filing of a copy thereof (1) in the office of the town, city or borough clerk,  
143 as the case may be, but, in the case of a district, in the offices of both the  
144 district clerk and the town clerk of the town in which such district is  
145 located, and (2) in the land records of the town in which the affected  
146 premises are located, in accordance with the provisions of section 8-3d.

147 (c) Notwithstanding the provisions of subsections (a) and (b) of this  
148 section, any special permit or special exception approval made under  
149 this section on or after July 1, 2011, but prior to the effective date of this  
150 section, that did not expire prior to March 10, 2020, and that specified a  
151 deadline by which all work in connection with such approval is required  
152 to be completed, shall expire not less than nineteen years after the date  
153 of such approval and the commission may grant one or more extensions  
154 of time to complete all or part of the work in connection with such  
155 special permit or special exception.

156 Sec. 506. Section 8-26e of the general statutes is repealed and the  
157 following is substituted in lieu thereof (*Effective from passage*):

158 (a) The planning commission of any municipality shall hold a public  
159 hearing on an application or request for a special permit or special  
160 exception, as provided in section 8-2. Any such public hearing shall be  
161 held in accordance with the provisions of section 8-7d. Such commission  
162 shall decide upon such application or request within the period of time  
163 permitted under section 8-26d. Whenever a commission grants or denies  
164 a special permit or special exception, it shall state upon its records the  
165 reason for its decision. Notice of the decision of the commission shall be

166 published in a newspaper having a substantial circulation in the  
167 municipality and addressed by certified mail to the person who  
168 requested or applied for a special permit or special exception, by its  
169 secretary or clerk, under his signature in any written, printed,  
170 typewritten or stamped form, within fifteen days after such decision has  
171 been rendered. In any case in which such notice is not published within  
172 such fifteen-day period, the person who requested or applied for such a  
173 special permit or special exception may provide for the publication of  
174 such notice within ten days thereafter. Such permit or exception shall  
175 become effective upon the filing of a copy thereof (1) in the office of the  
176 town, city or borough clerk, as the case may be, but, in the case of a  
177 district, in the offices of both the district clerk and the town clerk of the  
178 town in which such district is located, and (2) in the land records of the  
179 town in which the affected premises are located, in accordance with the  
180 provisions of section 8-3d.

181 (b) Notwithstanding the provisions of subsection (a) of this section,  
182 any special permit or special exception approval made under this  
183 section on or after July 1, 2011, but prior to the effective date of this  
184 section, that did not expire prior to March 10, 2020, and that specified a  
185 deadline by which all work in connection with such approval is required  
186 to be completed, shall expire not less than nineteen years after the date  
187 of such approval and the commission may grant one or more extensions  
188 of time to complete all or part of the work in connection with such  
189 special permit or special exception.

190 Sec. 507. (NEW) (*Effective from passage*) (a) Notwithstanding the  
191 provisions of any special act or any site plan, subdivision or permit  
192 approval by a zoning commission, planning commission, combined  
193 planning and zoning commission, zoning board of appeals or inland  
194 wetlands agency pursuant to the provisions of any such special act that  
195 occurred on or after July 1, 2011, but prior to the effective date of this  
196 section, and that did not expire prior to March 10, 2020, such approval  
197 shall expire not less than fourteen years after the date of such approval  
198 and such commission, board or agency, as applicable, may grant one or  
199 more extensions of time to complete all or part of the work in connection

200 with such approval, provided no approval, including all extensions,  
 201 shall be valid for more than nineteen years from the date the site plan,  
 202 subdivision or permit was initially approved.

203 (b) Notwithstanding the provisions of any special act or any special  
 204 permit or special exception approval by a zoning commission, planning  
 205 commission, combined planning and zoning commission, zoning board  
 206 of appeals or inland wetlands agency pursuant to the provisions of any  
 207 such special act that occurred on or after July 1, 2011, but prior to the  
 208 effective date of this section, that did not expire prior to March 10, 2020,  
 209 and that specified a deadline by which all work in connection with such  
 210 approval is required to be completed, such approval shall expire not less  
 211 than nineteen years after the date of such approval and such  
 212 commission, board or agency, as applicable, may grant one or more  
 213 extensions of time to complete all or part of the work in connection with  
 214 such special permit or special exception approval."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	8-3(m)
Sec. 502	<i>from passage</i>	8-26c(e)
Sec. 503	<i>from passage</i>	8-26g(c)
Sec. 504	<i>from passage</i>	22a-42a(g)
Sec. 505	<i>from passage</i>	8-3c
Sec. 506	<i>from passage</i>	8-26e
Sec. 507	<i>from passage</i>	New section