



## **JOURNAL OF THE SENATE**

**Wednesday, May 12, 2021**

The Senate was called to order at 1:04 p.m., President in the Chair.

The prayer was offered by Kathleen Zabel of Burlington, CT.

The following is the prayer:

In these difficult times, may our leaders find in their hearts the guidance and wisdom to do what is best for the people of Connecticut.

---

### **PLEDGE**

Senator Winfield of the 10<sup>th</sup> led the Senate in the Pledge of Allegiance.

---

### **FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES SENATE JOINT RESOLUTIONS**

The following favorable reports were received from the Joint Standing Committees indicated, read the second time and tabled for the calendar.

EXECUTIVE AND LEGISLATIVE NOMINATIONS. S.J. No. **48** "RESOLUTION CONFIRMING THE NOMINATION OF THEODORE M. DOOLITTLE OF WEST HARTFORD TO BE REAPPOINTED HEALTHCARE ADVOCATE."

EXECUTIVE AND LEGISLATIVE NOMINATIONS. S.J. No. **49** "RESOLUTION CONFIRMING THE NOMINATION OF ATTORNEY LEONARD FASANO OF NORTH HAVEN TO BE A LEGISLATIVE COMMISSIONER."

---

### **MATTERS RETURNED FROM COMMITTEE FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEE**

The following favorable reports were received from the Joint Standing Committee indicated, the bills were read the second time and tabled for the calendar.

Substitute for S.B. No. **326** (RAISED) (File No. 98) AN ACT CONCERNING THE SALE OF CERTAIN ELECTRONIC NICOTINE DELIVERY SYSTEMS, VAPOR PRODUCTS, CIGARETTES AND TOBACCO PRODUCTS.

Substitute for S.B. No. **881** (COMM) (File No. 327) AN ACT CONCERNING WORKFORCE DEVELOPMENT.

Substitute for S.B. No. **943** (RAISED) (File No. 403) AN ACT REQUIRING EMPLOYERS TO PROVIDE CERTAIN INFORMATION TO DOMESTIC WORKERS AT THE TIME OF HIRE AND ESTABLISHING AN EDUCATION AND TRAINING GRANT PROGRAM FOR DOMESTIC WORKERS.

---

**BUSINESS FROM THE HOUSE  
EMERGENCY CERTIFICATION**

The following favorable report of the Joint Standing Committee was received from the House, read the second time and tabled for the calendar.

H.B. No. **6686** "AN ACT CONCERNING THE DECLARATION AND RENEWAL OF CIVIL PREPAREDNESS AND PUBLIC HEALTH EMERGENCIES BY THE GOVERNOR."

---

**BUSINESS FROM THE HOUSE  
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE  
HOUSE BILL**

The following favorable report of the Joint Standing Committee was received from the House, read the second time and tabled for the calendar.

GOVERNMENT ADMINISTRATION AND ELECTIONS. Substitute for H.B. No. **5653** (COMM) (File No. 571) "AN ACT AMENDING THE CIVIL PREPAREDNESS AND PUBLIC HEALTH EMERGENCY STATUTES." (As amended by House Amendment Schedule "A").

---

**BUSINESS ON THE CALENDAR  
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE  
BILL PASSED**

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

JUDICIARY. Substitute for S.B. No. **1058** (RAISED) (File No. 615) "AN ACT CONCERNING COMPASSIONATE OR MEDICAL PAROLE RELEASE BY THE BOARD OF PARDONS AND PAROLES AND CONCERNING STAFF OF THE DEPARTMENT OF CORRECTION."

Senator Winfield of the 10<sup>th</sup> explained the bill and moved passage.

Remarking were Senators Kissel of the 7<sup>th</sup>, Champagne of the 35<sup>th</sup>, and Hwang of the 28<sup>th</sup>.

Hartley of the 15<sup>th</sup> in the chair.

President in the chair.

Remarking were Senators Martin of the 31<sup>st</sup>, Cicarella of the 34<sup>th</sup>, and Miner of the 30<sup>th</sup>.

Abrams of the 13<sup>th</sup> in the chair.

Remarking were Senators Somers of the 18<sup>th</sup>, and Sampson of the 16<sup>th</sup>.

President in the chair.

Senator Kissel of the 7<sup>th</sup> offered Senate Amendment Schedule “A” (LCO 8312), moved adoption and requested that the vote be taken by roll call.

Remarking was Senator Winfield of the 10<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 5:02 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	12
Those voting Nay .....	24
Those absent and not voting.....	0

On the roll call vote Senate Amendment Schedule “A” (LCO 8312) was rejected.

The following is the roll call vote:

N 1 JOHN W. FONFARA	N 19 CATHERINE A. OSTEN
N 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
N 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
N 4 STEVE CASSANO	N 22 MARILYN MOORE
N 5 DEREK SLAP	N 23 DENNIS BRADLEY
N 6 RICK LOPES	N 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	N 25 BOB DUFF
Y 8 KEVIN D. WITKOS	N 26 WILL HASKELL
N 9 MATTHEW L. LESSER	N 27 PATRICIA BILLIE MILLER
N 10 GARY WINFIELD	Y 28 TONY HWANG
N 11 MARTIN M. LOONEY	N 29 MAE FLEXER
N 12 CHRISTINE COHEN	Y 30 CRAIG MINER
N 13 MARY ABRAMS	Y 31 HENRI MARTIN
N 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
N 15 JOAN V. HARTLEY	N 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
N 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	N 36 ALEX KASSER

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 5:08 p.m.:

Total Number Voting .....	36
---------------------------	----

Necessary for Adoption .....	19
Those voting Yea .....	24
Those voting Nay .....	12
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 1058 was passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	N 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	N 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
N 7 JOHN A. KISSEL	Y 25 BOB DUFF
N 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	N 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	N 30 CRAIG MINER
Y 13 MARY ABRAMS	N 31 HENRI MARTIN
Y 14 JAMES MARONEY	N 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
N 16 ROB SAMPSON	N 34 PAUL CICARELLA
Y 17 JORGE CABRERA	N 35 DAN CHAMPAGNE
N 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

**BUSINESS ON THE CALENDAR**  
**DISAGREEING ACTION**  
**FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE**  
**BILL PASSED**

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

GENERAL LAW. S.B. No. **263** (RAISED) (File Nos. 6 and 636) "AN ACT REESTABLISHING CLUB AND NONPROFIT CLUB PERMITS." (As amended by Senate Amendment Schedule "A" and House Amendment Schedule "A").

Senator Maroney of the 14<sup>th</sup> explained the bill and moved passage.

Remarking were Senators Witkos of the 8<sup>th</sup>, Formica of the 20<sup>th</sup>, and Duff of the 25<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 5:26 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	36
Those voting Nay .....	0

Those absent and not voting..... 0

On the roll call vote the Senate Bill 263 as amended by House Amendment Schedule "A" and Senate Amendment "A", passed, in concurrence with the House.

The following is the roll call vote:

- |                        |                             |
|------------------------|-----------------------------|
| Y 1 JOHN W. FONFARA    | Y 19 CATHERINE A. OSTEN     |
| Y 2 DOUGLAS MCCRORY    | Y 20 PAUL M. FORMICA        |
| Y 3 SAUD ANWAR         | Y 21 KEVIN C. KELLY         |
| Y 4 STEVE CASSANO      | Y 22 MARILYN MOORE          |
| Y 5 DEREK SLAP         | Y 23 DENNIS BRADLEY         |
| Y 6 RICK LOPES         | Y 24 JULIE KUSHNER          |
| Y 7 JOHN A. KISSEL     | Y 25 BOB DUFF               |
| Y 8 KEVIN D. WITKOS    | Y 26 WILL HASKELL           |
| Y 9 MATTHEW L. LESSER  | Y 27 PATRICIA BILLIE MILLER |
| Y 10 GARY WINFIELD     | Y 28 TONY HWANG             |
| Y 11 MARTIN M. LOONEY  | Y 29 MAE FLEXER             |
| Y 12 CHRISTINE COHEN   | Y 30 CRAIG MINER            |
| Y 13 MARY ABRAMS       | Y 31 HENRI MARTIN           |
| Y 14 JAMES MARONEY     | Y 32 ERIC C. BERTHEL        |
| Y 15 JOAN V. HARTLEY   | Y 33 NORMAN NEEDLEMAN       |
| Y 16 ROB SAMPSON       | Y 34 PAUL CICARELLA         |
| Y 17 JORGE CABRERA     | Y 35 DAN CHAMPAGNE          |
| Y 18 HEATHER S. SOMERS | Y 36 ALEX KASSER            |

---

**SUSPENSION OF THE RULES  
IMMEDIATE TRANSMITTAL TO THE GOVERNOR**

On motion of Senator Duff of the 25<sup>th</sup>, the rules were suspended for immediate transmittal to the Governor S.B. No. **263** AN ACT REESTABLISHING CLUB AND NONPROFIT CLUB PERMITS.

---

**BUSINESS ON THE CALENDAR  
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES  
BILLS PASSED**

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

JUDICIARY. Substitute for S.B. No. **941** (RAISED) (File No. 251) "AN ACT CONCERNING THE ASSIGNMENT OF CERTAIN PROPERTY, TAX, WATER AND SEWER LIENS."

Senator Kasser of the 36<sup>th</sup> explained the bill and moved passage.

Remarking were Senators Berthel of the 32<sup>nd</sup>, and Champagne of the 35<sup>th</sup>.

Senator Berthel of the 32<sup>nd</sup> requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 5:35 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	36
Those voting Nay .....	0
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 941 was Passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	Y 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
Y 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

---

**BUSINESS ON THE CALENDAR  
MATTER RETURNED FROM COMMITTEE  
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE  
BILL PASSED**

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

JUDICIARY. Substitute for S.B. No. **890** (RAISED) (File No. 112) "AN ACT CONCERNING STUDENT LOAN SERVICERS."

Senator Kasser of the 36<sup>th</sup> explained the bill and moved passage.

Remarking was Senator Berthel of the 32<sup>nd</sup>.

Senator Kasser of the 36<sup>th</sup> offered Senate Amendment Schedule "A" (LCO 8086) and moved adoption.

Remarking was Senator Berthel of the 32<sup>nd</sup>.

On a voice vote the amendment was adopted.

The following is the Amendment.

In line 814, strike "shall" and insert in lieu thereof "may"

Senator Kasser of the 36<sup>th</sup> offered Senate Amendment Schedule "B" (LCO 8454) and moved adoption.

On a voice vote the amendment was adopted.

The following is the Amendment.

In line 259, strike "section 3" and insert in lieu thereof "sections 3 and 17"

Remarking was Senator Lesser of the 9<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 5:46 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	36
Those voting Nay .....	0
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 890 as amended by Senate Amendment Schedule "A" (LCO 8086) and Senate "B" (LCO 8454) was adopted.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	Y 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
Y 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

BANKING. Substitute for S.B. No. **891** (RAISED) (File No. 248) "AN ACT CONCERNING THE EZEQUIEL SANTIAGO FORECLOSURE MEDIATION PROGRAM AND OTHER ALTERNATIVES TO FORECLOSURE."

Senator Kasser of the 36<sup>th</sup> offered Senate Amendment Schedule "A" (LCO 8441) and moved adoption.

Remarking were Senators Berthel of the 32<sup>nd</sup>, and Bradley of the 23<sup>rd</sup>.

Senator Martin of the 31<sup>st</sup> requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 6:01 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	34
Those voting Nay .....	2
Those absent and not voting.....	0

On the roll call vote Senate Amendment Schedule "A" (LCO 8441) was Adopted.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	N 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
N 16 ROB SAMPSON	Y 34 PAUL CICARELLA
Y 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

The following is the Amendment.

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

"Section 1. Section 49-311 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

[(a) Prior to July 1, 2023: (1) Any action for the foreclosure of a mortgage on residential real property with a return date during the period from July 1, 2008, to June 30, 2009, inclusive, shall be subject to the provisions of subsection (b) of this section, and (2) any action for the foreclosure of a mortgage on (A) residential real property with a return date during the period from July 1,



2009, to June 30, 2023, inclusive, or (B) real property owned by a religious organization with a return date during the period from October 1, 2011, to June 30, 2023, inclusive, shall be subject to the provisions of subsection (c) of this section.

(b) (1) Prior to July 1, 2023, when a mortgagee commences an action for the foreclosure of a mortgage on residential real property with a return date during the period from July 1, 2008, to June 30, 2009, inclusive, the mortgagee shall give notice to the mortgagor of the Ezequiel Santiago Foreclosure Mediation Program established pursuant to section 49-31m by attaching to the front of the foreclosure complaint that is served on the mortgagor: (A) A copy of the notice of the availability of foreclosure mediation, in such form as the Chief Court Administrator prescribes, and (B) a foreclosure mediation request form, in such form as the Chief Court Administrator prescribes.

(2) Except as provided in subdivision (3) of this subsection, a mortgagor may request foreclosure mediation by submitting the foreclosure mediation request form to the court and filing an appearance not more than fifteen days after the return date for the foreclosure action. Upon receipt of the foreclosure mediation request form, the court shall notify each appearing party that a foreclosure mediation request form has been submitted by the mortgagor.

(3) The court may grant a mortgagor permission to submit a foreclosure mediation request form and file an appearance after the fifteen-day period established in subdivision (2) of this subsection, for good cause shown.

(4) No foreclosure mediation request form may be submitted to the court under this subsection on or after July 1, 2023.

(5) If at any time on or after July 1, 2008, but prior to July 1, 2023, the court determines that the notice requirement of subdivision (1) of this subsection has not been met, the court may, upon its own motion or upon the written motion of the mortgagor, issue an order that no judgment may enter for fifteen days during which period the mortgagor may submit a foreclosure mediation request form to the court.

(6) Notwithstanding any provision of the general statutes or any rule of law to the contrary, prior to July 1, 2023, no judgment of strict foreclosure nor any judgment ordering a foreclosure sale shall be entered in any action subject to the provisions of this subsection and instituted by the mortgagee to foreclose a mortgage on residential real property unless: (A) Notice to the mortgagor has been given by the mortgagee in accordance with subdivision (1) of this subsection and the time for submitting a foreclosure mediation request form has expired and no foreclosure mediation request form has been submitted, or if such notice has not been given, the time for submitting a foreclosure mediation request form pursuant to subdivision (2) or (3) of this subsection has expired and no foreclosure mediation request form has been submitted, or (B) the mediation period set forth in subsection (b) of section 49-31n has expired or has otherwise terminated, whichever is earlier.

(7) None of the mortgagor's or mortgagee's rights in the foreclosure action shall be waived by the mortgagor's submission of a foreclosure mediation request form to the court.]

[(c) (1)] (a) Prior to July 1, [2023] 2029, when a mortgagee commences an action for the foreclosure of a mortgage on residential real property with a return date [on or after] during the period from July 1, 2009, to June 30, 2029, inclusive, or, with respect to real property owned by a religious organization, a return date [on or after] during the period from October 1, 2011, to June 30, 2029, inclusive, the mortgagee shall give notice to the mortgagor of the Ezequiel Santiago Foreclosure Mediation Program established pursuant to section 49-31m by attaching to the front of the writ, summons and complaint that is served on the mortgagor: [(A)] (1) A copy of the notice of foreclosure mediation, in such form as the Chief Court Administrator prescribes, [(B)] (2) a copy of the foreclosure mediation certificate form described in [subdivision (3) of this] subsection (c) of this section, in such form as the Chief Court Administrator prescribes, [(C)] (3) a blank appearance form, in such form as the Chief Court Administrator prescribes, [(D)] (4) with respect to an action for the foreclosure of a mortgage on residential real property with a return date [on or after] during the period from October 1, 2011, to September 30, 2013, inclusive, a mediation information form and a notice containing contact information for authority-approved consumer credit counseling agencies, which form and notice shall be in such form as the Chief Court Administrator prescribes, and which form shall be designed to elicit current financial information and such other nonfinancial information from the mortgagor as the Chief Court Administrator, in

consultation with representatives from the banking industry and consumer advocates, determines will further the objectives of the mediation program. The Chief Court Administrator shall develop a premediation review protocol pursuant to which the mediator shall request that any documents submitted to the mediator for initial review that are incomplete, contain errors or are likely to be found unacceptable by the mortgagee be completed or corrected and that the completed or corrected documents be resubmitted to the mediator for review. Such premediation review, including any recommendations to complete or correct documents, shall not be construed to be the practice of law on behalf of any party to the mediation or the provision of legal advice by the mediator. The instructions to the mediation information form shall explain that the completed mediation information form, along with accompanying documentation reasonably requested from the mortgagor by way of such instructions, shall be delivered to the mortgagee's counsel not later than fifteen business days prior to the date of the initial mediation session, as identified in the notice provided pursuant to [subdivision (2) of subsection (c)] subsection (a) of section 49-31n, as amended by this act, and [(E)] (5) for an action to foreclose a mortgage on residential real property with a return date on or after October 1, 2013, the mediation information form shall instruct the mortgagor as to the objectives of the mediation program, explain the preliminary process of meeting with the mediator as described in [subdivision (4) of this subsection] subsection (d) of this section, instruct the mortgagor to begin gathering financial documentation commonly used in foreclosure mediation for use in meeting with the mediator and in mediation, and include a notice containing contact information for authority-approved consumer counseling agencies, which shall be in such form as the Chief Court Administrator prescribes. The content of the mediation information form shall be designed by the Chief Court Administrator in consultation with representatives from the banking industry and consumer advocates.

[(2)] (b) The court shall issue a notice of foreclosure mediation described in [subdivision (3)] subsection (c) of this [subsection] section to the mortgagor not later than the date three business days after the date the mortgagee returns the writ to the court.

[(3)] (c) The notice of foreclosure mediation shall instruct the mortgagor to file the appearance and foreclosure mediation certificate forms with the court not later than the date fifteen days from the return date for the foreclosure action. With respect to actions with a return date during the period from October 1, 2011, to September 30, 2013, inclusive, such notice shall remind the mortgagor to deliver the completed mediation information form and the accompanying documentation described in [subdivision (1)] subsection (a) of this [subsection] section and encourage such delivery in advance of the required date. With respect to actions with a return date during the period from October 1, 2013, to June 30, [2023] 2029, inclusive, such notice shall instruct the mortgagor to begin gathering financial information commonly used in foreclosure mediation for use in meeting with the mediator and in mediation. The mediation information form and accompanying documentation shall not, without the explicit written instruction of the mortgagor, be publicly available. Such notice of foreclosure mediation shall be accompanied by materials from the Department of Banking, as prescribed by the Chief Court Administrator, which shall describe the community-based resources available to the mortgagor, including authority-approved housing counseling agencies that may assist with preparation for mediation and application for mortgage assistance programs. The foreclosure mediation certificate form shall require the mortgagor to provide sufficient information to permit the court to confirm that the defendant in the foreclosure action is a mortgagor, and to certify that said mortgagor has sent a copy of the mediation certificate form to the plaintiff in the action. With respect to actions with a return date on or after October 1, 2015, in order to ensure that all necessary consents to the disclosure of nonpublic personal financial information have been provided to the mortgagee, such that a spouse may be considered a permitted successor-in-interest, the court shall confirm that the foreclosure mediation certificate submitted by [(A)] (1) the spouse or former spouse provides consent to the full disclosure by the mortgagee of such spouse's or former spouse's nonpublic personal financial information to any other person who is obligated as a borrower on the note, to the extent the mortgagee has such information, and [(B)] (2) any other person who is a mortgagor provides consent to the full disclosure by the mortgagee of such person's nonpublic personal financial information to such spouse or former spouse, to the extent the mortgagee has such information. If a foreclosure mediation certificate is not submitted by a mortgagor, other than a spouse or former spouse claiming to be a permitted successor-in-interest, the court shall confirm,

in lieu of the requirements of [subparagraph (B) of this subdivision] subdivision (2) of this subsection, that the foreclosure mediation certificate submitted by the spouse or former spouse contains a statement, signed by the spouse or former spouse, certifying that all persons who are obligated on the note have otherwise given documentation to the mortgagee which allows for the full disclosure by the mortgagee of such person's nonpublic personal information to the spouse or former spouse, to the extent the mortgagee has such information. Such a certification may be rebutted conclusively by the mortgagee if the mortgagee submits a written statement to the court in which the mortgagee certifies that, based upon reasonable belief, the mortgagee does not possess such documentation.

[(4)] (d) Upon receipt of the mortgagor's appearance and foreclosure mediation certificate forms, and provided the court confirms the defendant in the foreclosure action is a mortgagor and that said mortgagor has sent a copy of the mediation certificate form to the plaintiff, the court shall assign the case to mediation and issue notice of such assignment to all appearing parties, which notice shall include an electronic mail address for all communications related to the mediation. The court shall issue such notice not earlier than the date five business days after the return date or by the date three business days after the date on which the court receives the mortgagor's appearance and foreclosure mediation certificate forms, whichever is later, except that if the court does not receive the appearance and foreclosure mediation certificate forms from the mortgagor by the date fifteen days after the return date for the foreclosure action, the court shall not assign the case to mediation. Promptly upon receipt of the notice of assignment, but not later than the thirty-fifth day following the return date, the mortgagee or its counsel shall deliver to the mediator, via the electronic mail address provided for communications related to the mediation, and to the mortgagor, via first class, priority or overnight mail, [(A)] (1) an account history identifying all credits and debits assessed to the loan account and any related escrow account in the immediately preceding twelve-month period and an itemized statement of the amount required to reinstate the mortgage loan with accompanying information, written in plain language, to explain any codes used in the history and statement which are not otherwise self-explanatory, [(B)] (2) the name, business mailing address, electronic mail address, facsimile number and direct telephone number of an individual able to respond with reasonable adequacy and promptness to questions relative to the information submitted to the mediator pursuant to this subdivision, and any subsequent updates to such contact information, which shall be provided reasonably promptly to the mediator via the electronic mail address provided for communication related to the mediation, [(C)] (3) current versions of all reasonably necessary forms and a list of all documentation reasonably necessary for the mortgagee to evaluate the mortgagor for common alternatives to foreclosure that are available through the mortgagee, if any, [(D)] (4) a copy of the note and mortgage, including any agreements modifying such documents, [(E)] (5) summary information regarding the status of any pending foreclosure avoidance efforts being undertaken by the mortgagee, [(F)] (6) a copy of any loss mitigation affidavit filed with the court, [and (G)] (7) at the mortgagee's option, [(i)] the history of foreclosure avoidance efforts with respect to the mortgagor, [(ii)] (A) information regarding the condition of mortgaged property, and [(iii)] (B) such other information as the mortgagee may determine is relevant to meeting the objectives of the mediation program, (8) if the mortgage is a federally backed mortgage loan, as defined in Section 4022 of P.L. 116-136, the history of the mortgagee's compliance with any obligation to notify the mortgagor of loss mitigation or foreclosure alternative options available for federally backed mortgage loans, including, without limitation, any such options required or made available pursuant to any order, directive or regulation issued by any federal governmental authority in response to COVID-19 during the public health and civil preparedness emergencies declared by the Governor on March 10, 2020, or any extension of such declarations, and (9) the history of foreclosure avoidance efforts voluntarily undertaken by the mortgagee with respect to the mortgagor. For the purposes of this subsection, "COVID-19" means the respiratory disease designated by the World Health Organization on February 11, 2020, as coronavirus 2019, and any related mutation thereof recognized by the World Health Organization as a communicable respiratory disease. Following the mediator's receipt of such information, the court shall assign a mediator to the mediation and schedule a meeting with the mediator and all mortgagors who are relevant and necessary to the mediation and to any agreement being contemplated in connection with the mediation and shall endeavor to hold such meeting on or prior to the forty-ninth day following the return date. The

notice of such meeting shall instruct the mortgagor to complete the forms prior to the meeting and to furnish such forms together with the documentation contained in the list, as provided by the mortgagee following the filing of the foreclosure mediation certificate, at the meeting. At such meeting, the mediator shall review such forms and documentation with the mortgagor, along with the information supplied by the mortgagee, in order to discuss the options that may be available to the mortgagor, including any community-based resources, and assist the mortgagor in completing the forms and furnishing the documentation necessary for the mortgagee to evaluate the mortgagor for alternatives to foreclosure. The mediator may elect to [schedule subsequent meetings with the mortgagor and] conduct such meeting or any subsequent meeting with the mortgagor on a virtual platform approved by the mediator and may determine whether any mortgagor may be excused from an in-person appearance at such meeting or subsequent meeting. The mediator may excuse any mortgagor from attending such meeting or any subsequent meetings, provided the mortgagor shows good cause for nonattendance. Such good cause may include, but is not limited to, the mortgagor no longer owning the home pursuant to a judgment of marital dissolution and related transfer via deed, or no longer residing in the home and not being a necessary party to any agreement being contemplated in connection with the mediation. As soon as practicable, but in no case later than the eighty-fourth day following the return date, or the extended deadline if such an extended deadline is established pursuant to this subdivision, the mediator shall facilitate and confirm the submission by the mortgagor of the forms and documentation to the mortgagee's counsel via electronic means and, at the mortgagee's election, directly to the mortgagee per the mortgagee's instruction, and determine, based on the participating mortgagor's attendance at the meetings and the extent the mortgagor completed the forms and furnished the documentation contemplated in this subdivision, or failed to perform such tasks through no material fault of the mortgagee, and file a report with the court indicating, [(I)] (A) whether mediation shall be scheduled with the mortgagee, [(II)] (B) whether the mortgagor attended scheduled meetings with the mediator, [(III)] (C) whether the mortgagor fully or substantially completed the forms and furnished the documentation requested by the mortgagee, [(IV)] (D) the date on which the mortgagee supplied the forms and documentation, and [(V)] (E) any other information the mediator determines to be relevant to the objectives of the mediation program. The mediator may file, and the court may grant, a motion for extension of the premediation period beyond the eighty-fourth day following the return date if good cause can be shown for such an extension. Any such motion shall be filed, with a copy simultaneously sent to the mortgagee and as soon as practicable to the mortgagor, not later than the eighty-fourth day following the return date. The mortgagee and mortgagor shall each have five business days from the day the motion was filed to file an objection or supplemental papers, and the court shall issue its ruling, without a hearing, not later than ten business days from the date the motion was filed. If the court determines that good cause exists for an extension, the court shall therewith establish an extended deadline so that the premediation period shall end as soon thereafter as may be practicable, but not later than thirty-five days from the date of the ruling, taking into account the complexity of the mortgagor's financial circumstances, the mortgagee's documentation requirements, and the timeliness of the mortgagee's and mortgagor's compliance with their respective premediation obligations. If the court denies the mediator's motion, the extended deadline for purposes of this subdivision shall be three days after the court rules on the motion. No meeting or communication between the mediator and mortgagor under this subdivision shall be treated as an impermissible ex parte communication. If the mediator determines that the mortgagee shall participate in mediation, the court shall promptly issue notice to all parties of such determination and schedule a mediation session between the mortgagee and all mortgagors who are relevant and necessary to the mediation and to any agreement being contemplated in connection with the mediation, in accordance with subsection [(c)] (a) of section 49-31n, as amended by this act, to be held not later than five weeks following the submission to the mortgagee of the forms and documentation contemplated in this [subdivision] subsection. The mediator may excuse any mortgagor from attending the mediation session or subsequent meetings, provided good cause is shown for nonattendance. Such good cause may include, but is not limited to, the mortgagor no longer owning the home pursuant to a judgment of marital dissolution and related transfer via deed, no longer residing in the home or not being a necessary party to any agreement being contemplated in connection with the mediation. If the mediator determines that no sessions between the mortgagee

and mortgagor shall be scheduled, the court shall promptly issue notice to all parties regarding such determination and mediation shall be terminated. Any mortgagor wishing to contest such determination shall petition the court and show good cause for reinclusion in the mediation program, including, but not limited to, a material change in financial circumstances or a mistake or misunderstanding of the facts by the mediator.

[(5)] (e) Notwithstanding the provisions of this [subsection] section, the court may refer a foreclosure action brought by a mortgagee to the Ezequiel Santiago Foreclosure Mediation Program established pursuant to section 49-31m at any time, for good cause shown, provided the mortgagor has filed an appearance in said action and further provided the court shall, not later than the date three business days after the date on which it makes such referral, send a notice to each appearing party assigning the case to mediation and requiring the parties to participate in the premediation process described in [subdivision (4) of this] subsection (d) of this section, with the court establishing deadlines to ensure that the premediation process is to be completed by the parties as expeditiously as the circumstances warrant and permit. When determining whether good cause exists, the court shall consider whether the parties are likely to benefit from mediation and, in the case of a referral after prior attempts at mediation have been terminated, whether there has been a material change in circumstances.

[(6)] (f) Notwithstanding any provision of the general statutes or any rule of law, prior to July 1, [2023, (A)] 2029, (1) for the period of time which shall not exceed eight months from the return date, the mortgagor shall be permitted to file an answer, special defenses or counterclaims, but no mortgagee or mortgagor shall make any motion, request or demand with respect to the other, except those motions, requests or demands that relate to the mediation program described in section 49-31m and the mediation sessions held pursuant to such program, provided [(i)] (A) a mortgagor seeking to contest the court's jurisdiction may file a motion to dismiss and the mortgagee may object to such motion to dismiss in accordance with applicable law and the rules of the courts, and [(ii)] (B) if the mortgagor elects to make any other motion, request or demand with respect to the mortgagee, the eight-month limit shall no longer apply to either party; and [(B)] (2) no judgment of strict foreclosure nor any judgment ordering a foreclosure sale shall be entered in any action subject to the provisions of this subsection and instituted by the mortgagee to foreclose a mortgage on residential real property or real property owned by a religious organization unless: [(i)] (A) The mediation period set forth in subsection [(c)] (a) of section 49-31n, as amended by this act, has expired or has otherwise terminated, whichever is earlier, and, if fewer than eight months has elapsed from the return date at the time of termination, fifteen days have elapsed since such termination and any pending motion or request to extend the mediation period has been heard and denied by the court, or [(ii)] (B) the mediation program is not otherwise required or available. Nothing in this subdivision shall affect any motion made or any default or judgment entered on or before June 30, 2011.

[(7)] (g) With respect to foreclosure actions with a return date during the period from July 1, 2011, to June 30, [2023] 2029, inclusive, notwithstanding any provision of the general statutes or any rule of law to the contrary, the mortgagee shall be permitted following the eight-month or fifteen-day period described in [subdivision (6) of this] subsection (f) of this section, to simultaneously file, as applicable, [(A)] (1) a motion for default, and [(B)] (2) a motion for judgment of strict foreclosure or a motion for judgment of foreclosure by sale with respect to the mortgagor in the foreclosure action.

[(8)] (h) None of the mortgagor's or mortgagee's rights in the foreclosure action shall be waived by participation in the Ezequiel Santiago Foreclosure Mediation Program.

Sec. 2. Section 49-31n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

[(a)] Prior to July 1, 2023: (1) Any action for the foreclosure of a mortgage on residential real property with a return date during the period from July 1, 2008, to June 30, 2009, inclusive, shall be subject to the provisions of subsection (b) of this section, and (2) any action for the foreclosure of a mortgage on (A) residential real property with a return date during the period from July 1, 2009, to June 30, 2023, inclusive, or (B) real property owned by a religious organization with a return date during the period from October 1, 2011, to June 30, 2023, inclusive, shall be subject to the provisions of subsection (c) of this section.

(b) (1) For any action for the foreclosure of a mortgage on residential real property with a return date during the period from July 1, 2008, to June 30, 2009, inclusive, the mediation period under the Ezequiel Santiago Foreclosure Mediation Program established pursuant to section 49-31m shall commence when the court sends notice to each appearing party that a foreclosure mediation request form has been submitted by a mortgagor to the court, which notice shall be sent not later than three business days after the court receives a completed foreclosure mediation request form. The mediation period shall conclude not later than the conclusion of the third mediation session between the mortgagor and mortgagee or seven months after the return date, whichever is earlier, except that the court may, in its discretion, for good cause shown, upon the motion of any party or the mediator, extend the mediation period subject to the provisions of subdivision (9) of this subsection or shorten the mediation period.

(2) The first mediation session shall be held not later than fifteen business days after the court sends notice to all parties that a foreclosure mediation request form has been submitted to the court. The mortgagor and mortgagee shall appear in person at each mediation session and shall have the ability to mediate, except that (A) if a party is represented by counsel, the party's counsel may appear in lieu of the party to represent the party's interests at the mediation, provided the party has the ability to mediate, and the party is available (i) during the mediation session by telephone, and (ii) to participate in the mediation session by speakerphone, provided an opportunity is afforded for confidential discussions between the party and party's counsel, (B) following the initial mediation session, if there are two or more mortgagors who are self-represented, only one mortgagor shall be required to appear in person at each subsequent mediation session unless good cause is shown, provided the other mortgagors are available (i) during the mediation session, and (ii) to participate in the mediation session by speakerphone, (C) if a party suffers from a disability or other significant hardship that imposes an undue burden on such party to appear in person, the mediator may grant permission to such party to participate in the mediation session by telephone, and (D) a mortgagor may be excused from appearing at the mediation session if good cause is shown that the presence of such mortgagor is not needed to further the interests of mediation. Such good cause may include, but is not limited to, the mortgagor no longer owning the home pursuant to a judgment of marital dissolution and related transfer via deed, no longer residing in the home or not being a necessary party to any agreement being contemplated in connection with the mediation. A mortgagor's spouse, who is not a mortgagor but who lives in the subject property, may appear at each mediation session, provided all appearing mortgagors consent, in writing, to such spouse's appearance or such spouse shows good cause for his or her appearance and the mortgagors consent in writing to the disclosure of nonpublic personal information to such spouse. If the mortgagor has submitted a complete package of financial documentation in connection with a request for a particular foreclosure alternative, the mortgagee shall have thirty-five days from the receipt of the completed package to respond with a decision and, if the decision is a denial of the request, provide the reasons for such denial. If the mortgagor has, in connection with a request for a foreclosure alternative, submitted a financial package that is not complete, or if the mortgagee's evaluation of a complete package reveals that additional information is necessary to underwrite the request, the mortgagee shall request the missing or additional information within a reasonable period of time of such evaluation. If the mortgagee's evaluation of a complete package reveals that additional information is necessary to underwrite the request, the thirty-five-day deadline for a response shall be extended but only for so long as is reasonable given the timing of the mortgagor's submission of such additional information and the nature and context of the required underwriting. Not later than the third business day after each mediation session held on or after June 18, 2013, the mediator shall file with the court a report indicating, to the extent applicable, (i) the extent to which each of the parties complied with the requirements set forth in this subdivision, including the requirement to engage in conduct that is consistent with the objectives of the mediation program and to possess the ability to mediate, (ii) whether the mortgagor submitted a complete package of financial documentation to the mortgagee, (iii) a general description of the foreclosure alternative being requested by the mortgagor, (iv) whether the mortgagor has previously been evaluated for similar requests, whether prior to mediation or in mediation, and, if so, whether there has been any apparent change in circumstances since a decision was made with respect to that prior evaluation, (v) whether the mortgagee has responded to the mortgagor's request for a foreclosure alternative

and, if so, a description of the response and whether the mediator is aware of any material reason not to agree with the response, (vi) whether the mortgagor has responded to an offer made by the mortgagee on a reasonably timely basis, and if so, an explanation of the response, (vii) whether the mortgagee has requested additional information from the mortgagor and, if so, the stated reasons for the request and the date by which such additional information shall be submitted so that information previously submitted by the mortgagor, to the extent possible, may still be used by the mortgagee in conducting its review, (viii) whether the mortgagor has supplied, on a reasonably timely basis, any additional information that was reasonably requested by the mortgagee, and, if not, the stated reason for not doing so, (ix) if information provided by the mortgagor is no longer current for purposes of evaluating a foreclosure alternative, a description of the out-of-date information and an explanation as to how and why such information is no longer current, (x) whether the mortgagee has provided a reasonable explanation of the basis for a decision to deny a request for a loss mitigation option or foreclosure alternative and whether the mediator is aware of any material reason not to agree with that decision, (xi) whether the mortgagee has complied with the time frames set forth in this subdivision for responding to requests for decisions, (xii) if a subsequent mediation session is expected to occur, a general description of the expectations for such subsequent session and for the parties prior to such subsequent session and, if not otherwise addressed in the report, whether the parties satisfied the expectations set forth in previous reports, and (xiii) a determination of whether the parties will benefit from further mediation. The mediator shall deliver a copy of such report to each party to the mediation when the mediator files the report. The parties shall have the opportunity to submit their own supplemental information following the filing of the report, provided such supplemental information shall be submitted not later than five business days following the receipt of the mediator's report. Any request by the mortgagee to the mortgagor for additional or updated financial documentation shall be made in writing. The court may impose sanctions on any party or on counsel to a party if such party or such counsel engages in intentional or a pattern or practice of conduct during the mediation process that is contrary to the objectives of the mediation program. Any sanction that is imposed shall be proportional to the conduct and consistent with the objectives of the mediation program. Available sanctions shall include, but not be limited to, terminating mediation, ordering the mortgagor or mortgagee to mediate in person, forbidding the mortgagee from charging the mortgagor for the mortgagee's attorney's fees, awarding attorney's fees, and imposing fines. In the case of egregious misconduct, the sanctions shall be heightened. The court shall not award attorney's fees to any mortgagee for time spent in any mediation session if the court finds that such mortgagee has failed to comply with this subdivision, unless the court finds reasonable cause for such failure.

(3) If the mediator reports to the court that the parties will not benefit from further mediation, the mediation period shall terminate automatically. If the mediator reports to the court after the first or second mediation session that the parties may benefit from further mediation, the mediation period shall continue.

(4) If the mediation period concludes and certain issues have not been resolved pursuant to the mediation, the mediator may refer the mortgagor to any appropriate community-based services that are available.

(5) The Chief Court Administrator shall establish policies and procedures to implement this subsection. Such policies and procedures shall, at a minimum, provide that the mediator shall advise the mortgagor at the first meeting required by subdivision (4) of subsection (c) of section 49-311 that a judgment of strict foreclosure or foreclosure by sale may cause the mortgagor to lose the residential real property to foreclosure.

(6) In no event shall any determination issued by a mediator under this program form the basis of an appeal of any foreclosure judgment.

(7) Foreclosure mediation request forms shall not be accepted by the court under this subsection on or after July 1, 2023, and the Ezequiel Santiago Foreclosure Mediation Program shall terminate when all mediation has concluded with respect to any applications submitted to the court prior to July 1, 2023.

(8) At any time during the mediation period, the mediator may refer a mortgagor who is the owner-occupant of one-to-four family residential real property to the mortgage assistance programs, except that any such referral shall not prevent a mortgagee from proceeding to

judgment when the conditions specified in subdivision (6) of subsection (b) of section 49-31f have been satisfied.

(9) (A) The mediation period shall conclude following the third mediation session or if more than seven months have elapsed since the return date. Not later than fifteen days following the conclusion of the mediation period, and any extended mediation sessions held in accordance with this subdivision, any party may move for, or the mediator may request, an extension of the mediation period. The court shall grant only one additional mediation session per motion or request upon a finding that it is highly probable the parties will reach an agreement through mediation. The court may also grant one additional mediation session per motion or request upon a finding that any party has engaged, either intentionally or by a pattern or practice, in conduct that is contrary to the objectives of the mediation program. The court shall make its ruling not later than twenty days after the filing of such motion or request, and no judgment of strict foreclosure or any judgment ordering a foreclosure sale shall be entered until (i) the court denies the motion or request, or (ii) the conclusion of the extended mediation session, except as provided in subparagraph (B) of this subdivision. Upon the grant of an additional mediation session following the proper finding, the court shall establish an expeditious deadline for such extended mediation session to occur. Such extended mediation period shall conclude following such extended mediation session.

(B) The mediation period may be extended for one additional mediation session without a hearing held pursuant to this subdivision provided all parties to the mediation agree that such parties would benefit from such a session and, in consultation with the mediator, establish an expeditious deadline for such session to take place.

(C) To determine whether to extend mediation, the court may consider all matters that have arisen in the mediation, including, but not limited to, the number of motions to extend mediation, the reasons for which an agreement has not been reached, the objectives of the mediation program, the extent to which the parties will benefit from further mediation, the reports submitted by the mediator, papers submitted in connection with any motion, and any supplemental reports submitted by a party. The court shall articulate its reasons in the order granting or denying any such motion or request to extend mediation.

(10) For any case pending as of October 1, 2013, in which mediation is ongoing, (A) if three or fewer sessions have been held, such case shall be treated as if no sessions have been held as of said date for purposes of subdivision (9) of this subsection, and (B) if four or more sessions have been held, then any party or the mediator may move to terminate the mediation period or extend such period in accordance with subdivision (9) of this subsection and, if no such motion to extend is made, the mediation period shall conclude after the third mediation session occurring after October 1, 2013.]

[(c) (1)] (a) For any action for the foreclosure of a mortgage on residential real property with a return date during the period from July 1, 2009, to June 30, [2023] 2029, inclusive, or for any action for the foreclosure of a mortgage on real property owned by a religious organization with a return date during the period from October 1, 2011, to June 30, [2023] 2029, inclusive, the mediation period under the Ezequiel Santiago Foreclosure Mediation Program established pursuant to section 49-31m shall commence when the court sends notice to each appearing party scheduling the first foreclosure mediation session. The mediation period shall conclude not later than the conclusion of the third mediation session between the mortgagor and mortgagee or seven months after the return date, whichever is earlier, except that the court may, in its discretion, for good cause shown, upon the motion of any party or request by the mediator, extend the mediation period subject to the provisions of [subdivision (9) of this subsection] subsection (i) of this section or shorten the mediation period.

[(2) The mortgagor and mortgagee shall appear in person at each] (b) Each mediation session shall be conducted in person, unless the mediator elects to conduct the mediation session on a virtual platform or grants permission to a party, or to the party's counsel, to appear at the mediation session on a virtual platform approved by the mediator. In determining whether to conduct a mediation session on a virtual platform or to grant permission to appear at a mediation session on a virtual platform, the mediator may consider the desires of the parties and the parties' counsel, the technological and physical capabilities of the parties and the parties' counsel and the objectives of the mediation program. The mortgagor and mortgagee shall appear at each mediation



session, in person or on a virtual platform, as applicable, and shall have the ability to mediate, except that [(A)] (1) if a party is represented by counsel, the party's counsel may appear in lieu of the party to represent the party's interests at the mediation, provided the party has the ability to mediate and the party is available [(i)] (A) during the mediation session by telephone, and [(ii)] (B) to participate in the mediation session by speakerphone or teleconference, provided an opportunity is afforded for confidential discussions between the party and party's counsel, [(B)] (2) following the initial mediation session, if there are two or more mortgagors who are self-represented, only one mortgagor shall be required to appear [in person] at each subsequent mediation session unless good cause is shown, provided the other mortgagors are available [(i)] (A) during the mediation session, and [(ii)] (B) to participate in the mediation session by speakerphone or teleconference, [(C)] (3) if a party suffers from a disability or other significant hardship that imposes an undue burden on such party to appear in person, the mediator may grant permission to such party to participate in the mediation session by telephone, and [(D)] (4) a mortgagor may be excused from appearing at the mediation session if cause is shown that the presence of such mortgagor is not needed to further the interests of mediation. Such cause may include, but is not limited to, the mortgagor no longer owning the home pursuant to a judgment of marital dissolution and related transfer via deed or no longer residing in the home or not being a necessary party to any agreement being contemplated in connection with the mediation. A mortgagor's spouse, who is not a mortgagor but who lives in the subject property, may appear at each mediation session, provided all appearing mortgagors consent, in writing, to such spouse's appearance or such spouse shows good cause for his or her appearance and the mortgagors consent, in writing, to the disclosure of nonpublic personal information to such spouse. If the mortgagor has submitted a complete package of financial documentation in connection with a request for a particular foreclosure alternative, the mortgagee shall have thirty-five days from the receipt of the completed package to respond with a decision and, if the decision is a denial of the request, provide the reasons for such denial. If the mortgagor has, in connection with a request for a foreclosure alternative, submitted a financial package that is not complete, or if the mortgagee's evaluation of a complete package reveals that additional information is necessary to underwrite the request, the mortgagee shall request the missing or additional information within a reasonable period of time of such evaluation. If the mortgagee's evaluation of a complete package reveals that additional information is necessary to underwrite the request, the thirty-five-day deadline for a response shall be extended but only for so long as is reasonable given the timing of the mortgagor's submission of such additional information and the nature and context of the required underwriting. Not later than the third business day after each mediation session, the mediator shall file with the court a report indicating, to the extent applicable, [(i)] (A) the extent to which each of the parties complied with the requirements set forth in this subdivision, including the requirement to engage in conduct that is consistent with the objectives of the mediation program and to possess the ability to mediate, [(ii)] (B) whether the mortgagor submitted a complete package of financial documentation to the mortgagee, [(iii)] (C) a general description of the foreclosure alternative being requested by the mortgagor, [(iv)] (D) whether the mortgagor has previously been evaluated for similar requests, whether prior to mediation or in mediation, and, if so, whether there has been any apparent change in circumstances since a decision was made with respect to that prior evaluation, [(v)] (E) whether the mortgagee has responded to the mortgagor's request for a foreclosure alternative and, if so, a description of the response and whether the mediator is aware of any material reason not to agree with the response, [(vi)] (F) whether the mortgagor has responded to an offer made by the mortgagee on a reasonably timely basis, and if so, an explanation of the response, [(vii)] (G) whether the mortgagee has requested additional information from the mortgagor and, if so, the stated reasons for the request and the date by which such additional information shall be submitted so that information previously submitted by the mortgagor, to the extent possible, may still be used by the mortgagee in conducting its review, [(viii)] (H) whether the mortgagor has supplied, on a reasonably timely basis, any additional information that was reasonably requested by the mortgagee, and, if not, the stated reason for not doing so, [(ix)] (I) if information provided by the mortgagor is no longer current for purposes of evaluating a foreclosure alternative, a description of the out-of-date information and an explanation as to how and why such information is no longer current, [(x)] (J) if the mortgage is a federally backed mortgage loan, as defined in Section 4022 of P.L. 116-136, the history of the

mortgagee's compliance with any obligation to notify the mortgagor of loss mitigation or foreclosure alternative options available for federally backed mortgage loans, including, without limitation, any such options required or made available pursuant to any order, directive or regulation issued by any federal governmental authority in response to COVID-19, as defined in subsection (d) of section 49-31I, as amended by this act, during the public health and civil preparedness emergencies declared by the Governor on March 10, 2020, or any extension of such declarations, (K) the history of foreclosure avoidance efforts voluntarily undertaken by the mortgagee with respect to the mortgagor, (L) whether the mortgagee has provided a reasonable explanation of the basis for a decision to deny a request for a loss mitigation option or foreclosure alternative and whether the mediator is aware of any material reason not to agree with that decision, [(xi)] (M) whether the mortgagee has complied with the time frames set forth in this subdivision for responding to requests for decisions, [(xii)] (N) if a subsequent mediation session is expected to occur, a general description of the expectations for such subsequent session and for the parties prior to such subsequent session and, if not otherwise addressed in the report, whether the parties satisfied the expectations set forth in previous reports, and [(xiii)] (O) a determination of whether the parties will benefit from further mediation. The mediator shall deliver a copy of such report to each party to the mediation when the mediator files the report. The parties shall have the opportunity to submit their own supplemental information following the filing of the report, provided such supplemental information shall be submitted not later than five business days following the receipt of the mediator's report. Any request by the mortgagee to the mortgagor for additional or updated financial documentation shall be made in writing. The court may impose sanctions on any party or on counsel to a party if such party or such counsel engages in intentional or a pattern or practice of conduct during the mediation process that is contrary to the objectives of the mediation program. Any sanction that is imposed shall be proportional to the conduct and consistent with the objectives of the mediation program. Available sanctions shall include, but not be limited to, terminating mediation, ordering the mortgagor or mortgagee to mediate in person, forbidding the mortgagee from charging the mortgagor for the mortgagee's attorney's fees, awarding attorney's fees, and imposing fines. In the case of egregious misconduct, the sanctions shall be heightened. The court shall not award attorney's fees to any mortgagee for time spent in any mediation session if the court finds that such mortgagee has failed to comply with this subdivision, unless the court finds reasonable cause for such failure.

[(3)] (c) If the mediator reports to the court that the parties will not benefit from further mediation, the mediation period shall terminate automatically. If the mediator reports to the court after the first or second mediation session that the parties may benefit from further mediation, the mediation period shall continue.

[(4)] (d) If the mediation period concludes and certain issues have not been resolved pursuant to the mediation, the mediator may refer the mortgagor to any appropriate community-based services that are available in the judicial district, but any such referral shall not cause a delay in the mediation process.

[(5)] (e) The Chief Court Administrator shall establish policies and procedures to implement this [subsection] section. Such policies and procedures shall, at a minimum, provide that the mediator shall advise the mortgagor at the first meeting required by [subdivision (4) of subsection (c)] subsection (d) of section 49-31I, as amended by this act, that: [(A)] (1) Such mediation does not suspend the mortgagor's obligation to respond to the foreclosure action beyond the limited time frame described in [subdivision (6) of subsection (c)] subsection (f) of section 49-31I, as amended by this act; and [(B)] (2) a judgment of strict foreclosure or foreclosure by sale may cause the mortgagor to lose the residential real property or real property owned by a religious organization to foreclosure.

[(6)] (f) In no event shall any determination issued by a mediator under this program form the basis of an appeal of any foreclosure judgment.

[(7)] (g) The foreclosure mediation program shall terminate when all mediation has concluded with respect to any foreclosure action with a return date during the period from July 1, 2009, to June 30, [2023] 2029, inclusive.

[(8)] (h) At any time during the mediation period, the mediator may refer a mortgagor who is the owner-occupant of one-to-four family residential real property to the mortgage assistance programs, except that any such referral shall not prevent a mortgagee from proceeding to

judgment when the conditions specified in [subdivision (6) of subsection (c)] subsection (f) of section 49-31I, as amended by this act, have been satisfied.

[(9) (A)] (i) (1) The mediation period shall conclude following the third mediation session or if more than seven months have elapsed since the return date. Not later than fifteen days following the conclusion of the mediation period, and any subsequent extended mediation sessions held in accordance with this subdivision, any party may move for, or the mediator may request, an extension of the mediation period. The court shall grant only one additional mediation session per motion or request upon a finding that it is highly probable the parties will reach an agreement through mediation. The court may also grant one additional mediation session per motion or request upon a finding that any party has engaged, either intentionally or by a pattern or practice, in conduct that is contrary to the objectives of the mediation program. The court shall make its ruling not later than twenty days after the filing of such motion or request, and no judgment of strict foreclosure or any judgment ordering a foreclosure sale shall be entered until [(i)] (A) the court denies the motion or request, or [(ii)] (B) the conclusion of the subsequent extended mediation session, except as provided in [subparagraph (B) of this] subdivision (2) of this subsection. Upon the grant of an additional mediation session following the proper finding, the court shall establish a reasonably expeditious deadline for such subsequent extended mediation session to occur. Such extended mediation period shall conclude following such subsequent extended mediation session.

[(B)] (2) The mediation period may be extended for one additional mediation session without a hearing held pursuant to this subdivision provided all parties to the mediation agree that such parties would benefit from such a session and, in consultation with the mediator, establish a reasonably expeditious deadline for such session to take place.

[(C)] (3) To determine whether to extend mediation, the court may consider all matters that have arisen in the mediation, including, but not limited to, the number of motions to extend mediation, the reasons for which an agreement has not been reached, the objectives of the mediation program, the extent to which the parties will benefit from further mediation, the reports submitted by the mediator, papers submitted in connection with any motion, and any supplemental reports submitted by a party. The court shall articulate its reasons in the order granting or denying any such motion or request to extend mediation.

[(10)] (j) For any case pending as of October 1, 2013, in which mediation is ongoing, [(A)] (1) if three or fewer sessions have been held, such case shall be treated as if no sessions have been held as of said date for purposes of [subdivision (9) of this] subsection (i) of this section, and [(B)] (2) if four or more sessions have been held, then any party or the mediator may move to terminate the mediation period or extend such period in accordance with [subdivision (9) of this] subsection (i) of this section and, if no such motion to extend is made, the mediation period shall conclude after the third mediation session occurring after October 1, 2013.

[(d) (1)] Not later than February 14, 2014, the Chief Court Administrator shall submit, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to banking, a summary regarding the mediation program and a general summary of the data collected in the reports submitted pursuant to subdivision (2) of subsections (b) and (c) of this section from July 1, 2013, to December 31, 2013, inclusive. Such summaries shall include, but not be limited to, the aggregate data regarding the number of cases in mediation, the number of mediation sessions held, the number of agreements reached before the conclusion of the mediation period, the number of motions or requests for an extension or continuance and the identity of the party that made such a motion or request, whether the loan at issue was serviced by a third party, the judicial district in which the mediation took place and whether the mortgagor was self-represented.

(2) Not later than March 1, 2021, and March 1, 2023, the Chief Court Administrator shall submit, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to banking, a summary of the reports submitted from July 1, 2013, to December thirty-first of the immediately preceding year, inclusive, pursuant to subdivision (2) of subsections (b) and (c) of this section. The detailed data points for such summary, including data to be collected but not reported, shall be developed by the Chief Court Administrator in consultation with representatives from the Governor's office, the Department of Banking, the banking industry and consumer advocates.]

Sec. 3. Subdivisions (8) and (9) of section 49-31k of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(8) "Ability to mediate" means an exhibition on the part of the relevant person of a willingness, including a reasonable ability, to participate in the mediation process in a manner consistent with the objectives of the mediation program and in conformity with any obligations imposed in accordance with [subdivision (2) of subsection (b) or (c), as applicable, of] section 49-31n, as amended by this act, including, but not limited to, a willingness and reasonable ability to respond to questions and specify or estimate when particular decisions will be made or particular information will be furnished and, with respect to the mortgagee, a reasonable familiarity with the loan file, any loss mitigation options that are available to the mortgagor and the material issues raised in prior mediation sessions. Reasonable familiarity with such material issues may be achieved by becoming reasonably familiar with the mediator reports submitted in accordance with [subdivision (4) of subsections (b) and (c)] subsection (b) of section 49-31n, as amended by this act, to the extent such reports are available;

(9) "Permitted successor-in-interest" means a person who is a defendant in a foreclosure action with a return date on or after October 1, 2015, and either (A) the former spouse of a decedent-mortgagor, who acquired sole title to the residential real property by virtue of a transfer from the decedent-mortgagor's estate or by virtue of the death of the decedent-mortgagor where title was held as joint tenants or tenants in the entirety, or (B) the spouse or former spouse of a mortgagor or former mortgagor who (i) acquired title to the residential real property by virtue of a transfer from such mortgagor or former mortgagor where such transfer resulted from a court decree dissolving the marriage, a legal separation agreement or a property settlement agreement incidental to such a decree or separation agreement, and (ii) ensures that all necessary consents to the disclosure of nonpublic personal financial information have been provided to the mortgagee in accordance with [subdivision (3) of] subsection (c) of section 49-31l, as amended by this act.

Sec. 4. Subsection (a) of section 49-31r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) A mortgagee, as defined in section 49-8a, shall include the form promulgated by the Judicial Branch, in accordance with [subdivision (3) of] subsection (c) of section 49-31l, as amended by this act, concerning notice of community-based resources to parties involved in foreclosure mediation with any notice to a mortgagor, as defined in said section 49-8a, of an intent to accelerate the mortgage loan.

Sec. 5. Section 49-31v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

The Ezequiel Santiago Foreclosure Mediation Program established pursuant to section 49-31m shall be funded within available appropriations and available until June 30, [2023] 2029. The size of such program shall be determined by available funding and the number and need of participants in such program.

Sec. 6. Section 8-265cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

As used in this section and sections [8-265cc] 8-265dd to 8-265kk, inclusive, as amended by this act, and section 11 of this act:

(1) "Aggregate family income" means the total income of persons residing in the same household as the [mortgagor] homeowner and any other resident of the household declared by the [mortgagor] homeowner as a dependent for federal tax purposes, from whatever source derived, including, but not limited to, pensions, annuities, retirement benefits and Social Security benefits, provided the authority may exclude from income (A) reasonable allowances for dependents, (B) reasonable allowances for medical expenses, (C) all or any part of the earnings of gainfully employed minors or family members other than the chief wage earner, (D) income not regularly received, and (E) such other expenses as the authority may allow;

(2) "Authority" means the Connecticut Housing Finance Authority created under section 8-244;

(3) "Mortgage" means a mortgage deed or other instrument which constitutes a first or second consensual lien, [on one-to-four family owner-occupied residential real property located in this state, including, but not limited to, a single-family unit in a common interest community] including a reverse mortgage or a home equity conversion mortgage, on residential real property;

(4) "Mortgagee" means the original lender under a mortgage, or its agents, successors, or assigns;

(5) "Mortgagor" means [the owner-occupant of a one-to-four family residential real property located in this state, including, but not limited to, a single family unit in a common interest community,] a homeowner who is also the borrower under a mortgage encumbering such real property;

(6) "Housing expense" means the sum of the [mortgagor's] homeowner's monthly maintenance expense in a common interest community, utility expense, heating expense, hazard insurance payment, taxes and required mortgage payment, including escrows;

(7) "Financial hardship due to circumstances beyond the [mortgagor's] homeowner's control" means a significant reduction of aggregate family household income or increase in expenses which reasonably cannot be or could not have been alleviated by the liquidation of assets by the [mortgagor] homeowner as determined by the Connecticut Housing Finance Authority, including, but not limited to, a reduction resulting from (A) (i) unemployment or underemployment of one or more of the [mortgagors] homeowners; (ii) a loss, reduction or delay in receipt of such federal, state or municipal benefits as Social Security, supplemental security income, public assistance and government pensions; (iii) a loss, reduction or delay in receipt of such private benefits as pension, disability, annuity or retirement benefits; (iv) divorce or a loss of support payments; (v) disability, illness or death of a [mortgagor] homeowner; or (B) (i) a significant increase in the dollar amount of the periodic payments required by the mortgage; (ii) an unanticipated rise in housing expenses; or (iii) expenses related to the disability, illness or death of a member of the [mortgagor's] homeowner's family, but does not include expenses related to the accumulation of credit or installment debt incurred for recreational or nonessential items prior to the occurrence of the alleged circumstances beyond the [mortgagor's] homeowner's control in an amount that would have caused the [mortgagor's] homeowner's total debt service to exceed sixty per cent of aggregate family income at that time;

(8) "Consumer credit counseling agency" means a nonprofit corporation or governmental agency located in this state which has been designated by the authority to provide homeowners' emergency mortgage assistance program counseling. A qualified consumer credit counseling agency must either be certified as a housing counseling agency by the federal Department of Housing and Urban Development or otherwise determined accepted by the authority;

(9) "Foreclosure mediation program" means the Ezequiel Santiago Foreclosure Mediation Program established pursuant to section 49-31m; [and]

(10) "Periodic payments" means principal, interest, taxes, insurance and, if applicable, condominium fees;

(11) "Lien" means debt secured by a lien on residential real property pursuant to section 7-239, 7-254, 7-258 or 47-258 or chapter 205;

(12) "Lienholder" means the original lienor of a lien, or its agents, successors or assigns;

(13) "Homeowner" means the owner-occupant of residential real property; and

(14) "Residential real property" means a one-to-four family owner-occupied residential real estate located in this state, including, but not limited to, a single-family unit in a common interest community.

Sec. 7. Section 8-265dd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Not later than January 1, 1994, the authority shall establish, within available funds, a program to provide emergency mortgage assistance payments to [mortgagors] homeowners who are mortgagors in accordance with the provisions of sections 8-265cc to 8-265kk, inclusive, as amended by this act. On and after July 1, 2021, the program shall, within available funds, provide emergency lien assistance payments to homeowners in accordance with the provisions of said sections. Any necessary and related administrative and operational expenses incurred by the authority in implementing the program may be paid from funds made available for the program.

(b) Notwithstanding any provision of the general statutes, or any rule of law to the contrary, on and after July 1, 2008, no judgment of strict foreclosure nor any judgment ordering a foreclosure sale shall be entered in any action instituted by the mortgagee to foreclose a mortgage commenced on or after said date, for the foreclosure of an eligible mortgage unless (1) notice to [the mortgagor] the homeowner who is a mortgagor has been given by the mortgagee in

accordance with section 8-265ee, as amended by this act, and the time for response has expired, and (2) a determination has been made on the [mortgagor's] homeowner's application for emergency mortgage assistance payments in accordance with section 8-265ff, as amended by this act, or the applicable time periods set forth in sections 8-265cc to 8-265kk, inclusive, as amended by this act, have expired, whichever is earlier. For purposes of this section and sections 8-265ee to 8-265kk, inclusive, as amended by this act, an "eligible mortgage" is a mortgage which satisfies the standards contained in subdivisions (1), (7) and (9) to (12), inclusive, of subsection (e) of section 8-265ff, as amended by this act.

Sec. 8. Section 8-265ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) On and after July 1, 2008, a mortgagee who desires to foreclose upon a mortgage which satisfies the standards contained in subdivisions (1), (9), (10) and (11) of subsection (e) of section 8-265ff, as amended by this act, shall give notice to [the mortgagor] each homeowner who is a mortgagor by registered, or certified mail, postage prepaid at the address of the property which is secured by the mortgage. No such mortgagee may commence a foreclosure of a mortgage prior to mailing such notice. Such notice shall advise the [mortgagor] homeowner of his delinquency or other default under the mortgage and shall state that the [mortgagor] homeowner has sixty days from the date of such notice in which to (1) have a face-to-face meeting, telephone or other conference acceptable to the authority with the mortgagee or a face-to-face meeting with a consumer credit counseling agency to attempt to resolve the delinquency or default by restructuring the loan payment schedule or otherwise, and (2) contact the authority, at an address and phone number contained in the notice, to obtain information and apply for emergency mortgage assistance payments if the [mortgagor] homeowner and mortgagee are unable to resolve the delinquency or default.

(b) Except in cases in which the mortgagee refuses to meet with the [mortgagor] homeowner, if the [mortgagor] homeowner fails to meet with the mortgagee or comply with any of the time limitations specified in the notice as provided in subsection (a) of this section, or if the [mortgagor's] homeowner's application is not filed by the date thirty days after the date of any default in payment under an agreement as provided in subsection (c) of this section or if the [mortgagor's] homeowner's application for emergency mortgage assistance payments is not approved by the date thirty calendar days after the date of receipt of the [mortgagor's] homeowner's application in accordance with the provisions of section 8-265ff, as amended by this act, the foreclosure of the [mortgagor's] homeowner's mortgage may, at any time thereafter, except as provided in subsection (e) of this section, continue without any further restriction or requirement under the provisions of sections 8-265cc to 8-265kk, inclusive, as amended by this act, provided the mortgagee files an affidavit with the court stating the notice provisions of subsection (a) of this section have been complied with and that either the [mortgagor] homeowner failed to meet with the mortgagee or failed to comply with all of the time limitations specified in the notice as provided in subsection (a) of this section or that the [mortgagor's] homeowner's application for emergency assistance payments was not approved by the date thirty calendar days after the date of receipt of the [mortgagor's] homeowner's application, or that a determination of ineligibility was made.

(c) If, after a face-to-face meeting, telephone or other conference acceptable to the authority, as provided in subsection (a) of this section, the [mortgagor] homeowner and the mortgagee reach an agreement to resolve the delinquency or default and, because of financial hardship due to circumstances beyond the [mortgagor's] homeowner's control, the [mortgagor] homeowner is unable to fulfill the obligations of the agreement, the [mortgagor] homeowner may apply to the authority for emergency mortgage assistance payments under sections 8-265cc to 8-265kk, inclusive, as amended by this act, by the date thirty days after the date of any default in payment under the agreement. The mortgagee shall not be required to send any additional notice to the [mortgagor] homeowner other than the notice required under subsection (a) of this section.

(d) Nothing in sections 8-265cc to 8-265kk, inclusive, as amended by this act, shall prevent a [mortgagor] homeowner from exercising rights that may exist under the foreclosure mediation program and those rights may be exercised concurrently with the rights afforded under sections 8-265cc to 8-265kk, inclusive, as amended by this act, provided the exercise of rights under the foreclosure mediation program shall not cause a delay in the determination under subsection (e) of

section 8-265ff, as amended by this act. Nothing in sections 8-265cc to 8-265kk, inclusive, as amended by this act, shall prevent a [mortgagor] homeowner from applying or reapplying and being considered for emergency mortgage assistance if such [mortgagor] homeowner is referred to the emergency mortgage assistance program by the foreclosure mediation program.

Sec. 9. Section 8-265ff of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) (1) Any [mortgagor] homeowner who is a mortgagor may apply for emergency mortgage assistance payments under sections 8-265cc to 8-265kk, inclusive, as amended by this act, if [such mortgagor (1)] (A) such homeowner (i) has received notice of intent to foreclose as provided in section 8-265ee, as amended by this act, [or (2) (A)] (ii) is sixty days or more delinquent on a mortgage, or [(B) such mortgagor] (iii) anticipates that he or she will be sixty days or more delinquent on a mortgage based on financial hardship beyond such [mortgagor's] homeowner's control, provided the authority determines that such [mortgagor] homeowner will be so delinquent, or (B) the homeowner's mortgage is in forbearance.

(2) Any homeowner may apply for emergency lien assistance payments under sections 8-265cc to 8-265kk, inclusive, as amended by this act, if such homeowner (A) has received notice of the lienholder's intent to foreclose the lien, (B) is sixty days or more delinquent on the debt secured by a lien, or (C) anticipates that he or she will be sixty days or more delinquent on the debt secured by a lien based on financial hardship beyond such homeowner's control, provided the authority determines that such homeowner will be so delinquent.

(3) As part of the application process, the authority may refer the applicant to a counseling agency approved by the United States Department of Housing and Urban Development.

(b) If the [mortgagor] homeowner applies for emergency mortgage or lien assistance payments under sections 8-265cc to 8-265kk, inclusive, as amended by this act, the authority shall, no later than eight business days after the date of receipt of such application, notify all of the mortgagees and lienholders listed on the application holding a mortgage or lien on the [mortgagor's] homeowner's real property.

(c) The [mortgagor] homeowner shall apply for a loan on the form provided by the authority. The [mortgagor] homeowner shall complete and sign the application subject to the penalty for false statement under section 53a-157b.

(d) The [mortgagor] homeowner shall provide the authority with full disclosure of all assets and liabilities, whether singly or jointly held, and all household income regardless of source. For purposes of this subsection, both of the following are included as assets:

(1) The sum of the household's savings and checking accounts, market value of stocks, bonds and other securities, other capital investments, pensions and retirement funds valued in an amount greater than one hundred thousand dollars, personal property and equity in real property including the subject mortgage or lien property. Income derived from family assets shall be considered as income. Equity is the difference between the market value of the property and the total outstanding principal of any loans secured by the property and other liens.

(2) Lump-sum additions to family assets such as inheritances, capital gains, insurance payments included under health, accident, hazard or workers' compensation policies and settlements, verdicts or awards for personal or property losses or transfer of assets without consideration within one year of the time of application. Pending claims for such items must be identified by the homeowner as contingent assets.

(e) The authority shall make a determination of eligibility for emergency mortgage or lien assistance payments by the date thirty calendar days after the date [of receipt of the mortgagor's] the homeowner's application is received by the authority. During said thirty-day period no judgment of strict foreclosure or any judgment ordering foreclosure by sale shall be entered in any action for the foreclosure of any mortgage or lien any mortgagee or lienholder holds on the [mortgagor's] homeowner's real property. No emergency mortgage or lien assistance payments may be provided unless the authority finds that:

(1) The real property securing the mortgage [is a one-to-four family owner-occupied residence, including, but not limited to, a single family unit in a common interest community,] or underlying the lien is residential real property that is the principal residence of the [mortgagor and is located in this state] homeowner;

(2) Payments, including amounts for taxes and insurance payments, including mortgage insurance, or for charges, assessments and fees associated with a condominium or common interest community, as such terms are defined in section 47-202, or any combination of such payments, whether or not such payments are made into escrow or impound accounts as reserves, owed by the [mortgagor] homeowner under any mortgage or lien on such real property have been delinquent and the mortgagee, taxing authority, [or] unit owners association or lienholder has indicated to the [mortgagor] homeowner its intention to foreclose;

(3) The [mortgagor] homeowner is a resident of this state and is suffering financial hardship which renders the [mortgagor] homeowner unable to correct the delinquency or delinquencies within a reasonable time and make full mortgage payments or payments on the debt secured by the lien. For the purposes of subdivision (7) of this subsection, in order to determine whether the financial hardship is due to circumstances beyond the [mortgagor's] homeowner's control, the authority may consider information regarding the [mortgagor's] homeowner's employment, credit history and current and past household income, assets, total debt service, net worth, eligibility for other types of assistance and any other criteria or related factors it deems necessary and relevant;

(4) There is a reasonable prospect that [the mortgagor] (A) a homeowner who applies for emergency mortgage assistance payments will be able to resume full mortgage payments on the original, modified or refinanced mortgage within sixty months after the beginning of the period in which emergency mortgage assistance payments are provided in accordance with a written plan formulated or approved by the authority and pay the mortgage in full in level monthly payments of principal and interest, subject only to payment changes as provided in the mortgage, by its maturity date, and (B) a homeowner who applies for emergency lien assistance payments will be able to bring the debt underlying the lien current and resume regular payments to the lienholder for the tax, water, assessment or usage charges underlying the lien after payment by the authority of emergency lien assistance payments;

(5) The [mortgagor] homeowner has applied to the authority for emergency mortgage or lien assistance payments on an application form prescribed by the authority which includes a financial statement disclosing all assets and liabilities of the [mortgagor] homeowner, whether singly or jointly held, and all household income regardless of source;

(6) Based on the financial statement, the [mortgagor] homeowner has insufficient household income or net worth to correct the delinquency or delinquencies within a reasonable period of time and make full mortgage payments or regular payments to the lienholder for the tax, water, assessment or usage charges underlying the lien;

(7) There is a reasonable prospect that the [mortgagor] homeowner, as determined by the authority, will be able to repay the emergency mortgage or lien assistance within a reasonable amount of time under the terms of section 8-265hh, as amended by this act, including through a refinancing of the mortgage, and the authority finds that, except for the current delinquency, [the mortgagor] any homeowner who is a mortgagor has had a favorable residential mortgage credit history for the previous two years or period of ownership, whichever is less. For the purposes of this subdivision, if a [mortgagor] homeowner has been more than thirty days in arrears four or more times on a residential mortgage within the previous year, the [mortgagor] homeowner shall be ineligible for emergency mortgage assistance payments unless the [mortgagor] homeowner can demonstrate that the prior delinquency was the result of financial hardship due to circumstances beyond the [mortgagor's] homeowner's control. In making a determination under this subsection, the authority may consider information regarding the structure of the mortgage, its repayment schedule, the length of time the [mortgagor] homeowner has lived in his or her home, and any other relevant factors or criteria it deems appropriate;

(8) The mortgagee or lienholder is not otherwise prevented by law from foreclosing upon the mortgage;

(9) The [mortgagor] homeowner has not mortgaged the real property for commercial or business purposes;

(10) The [mortgagor] homeowner has not previously received emergency mortgage or lien assistance payments from the authority, [provided a mortgagor] except that (A) a homeowner who has previously received [such] mortgage assistance payments shall be eligible to reapply for mortgage assistance if the [mortgagor] homeowner has reinstated the mortgage and the [mortgagor shall not have been] homeowner is not delinquent for at least six consecutive months immediately



following such reinstatement, and (B) a homeowner who has previously received lien assistance payments shall be eligible to reapply for lien assistance if the homeowner has brought the debt underlying the lien current and the homeowner is not delinquent on regular payments to the lienholder for the tax, water, assessment or usage charges underlying the lien for eighteen consecutive months immediately following the date such debt is made current;

(11) The [mortgagor] homeowner is not in default under the mortgage except for the monetary delinquency referred to in subdivision (2) of this subsection; and

(12) The [mortgagor] homeowner meets such other procedural requirements as the authority may establish, provided the authority shall not prohibit a homeowner from participating in the program solely on the basis that the homeowner received a discharge of debt through a bankruptcy filing and did not reaffirm such debt.

Sec. 10. Section 8-265gg of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) If the authority approves a [mortgagor] homeowner for mortgage assistance under the provisions of section 8-265ff, as amended by this act, the authority shall make monthly emergency mortgage assistance payments directly to each mortgagee secured by the [mortgagor's] homeowner's real property for a period not to exceed sixty months, either consecutively or nonconsecutively, except no such payments shall be made after sixty months have passed since the date of the initial payment. The total monthly payment made by the authority, to or on behalf of a [mortgagor] homeowner under subsection (c) of this section, shall be not more than twenty-eight per cent of one hundred forty per cent of annual area median income, as published by the United States Department of Housing and Urban Development, divided by twelve. Upon receipt of payment in full from a [mortgagor] homeowner of the monthly amount established under subsection (b) of this section, the authority shall pay to each mortgagee the full amount then due to the mortgagee pursuant to the terms of the mortgage without regard to any acceleration under the mortgage. Such payments shall include, but not be limited to, principal, interest, taxes, assessments and insurance premiums. The initial payment made by the authority to each mortgagee may be an amount which pays all arrearages and pays reasonable costs and reasonable attorney's fees incurred by the mortgagee in connection with foreclosure of the mortgage.

(b) A [mortgagor] homeowner on whose behalf the authority is making emergency mortgage assistance payments shall, during the period in which such assistance is provided, make monthly payments to the authority in lieu of the [mortgagor's] homeowner's monthly mortgage payments. Such payments to the authority shall be in an amount which will cause the [mortgagor's] homeowner's total housing expense to be less than or equal to thirty-five per cent of the [mortgagor's] homeowner's aggregate family income. The [mortgagor] homeowner shall make such payments to the authority not later than seven days before each mortgage payment is due to the mortgagee.

(c) The amount by which the emergency mortgage assistance payments made by the authority to the mortgagee exceeds the payments made by the [mortgagor] homeowner to the authority shall be a loan in that amount made by the authority to the [mortgagor] homeowner. Any such loan shall be evidenced by such documents as the authority may require and shall be subject to repayment with interest and secured as provided in section 8-265hh, as amended by this act.

(d) The authority shall establish procedures for periodic review of the [mortgagor's] homeowner's financial circumstances for the purpose of determining the necessity for continuation, termination or adjustment of the amount of emergency mortgage assistance payments or adjustment of the payments by the [mortgagor] homeowner pursuant to subsection (b) of this section. Payments shall be discontinued when the authority determines that, due to changes in the [mortgagor's] homeowner's financial condition, the payments are no longer necessary in accordance with the standards contained in section 8-265ff, as amended by this act, or the [expiration of the] sixty-month period of [a mortgagor] eligibility for such payments under subsection (e) of section 8-265ff, as amended by this act, has expired, whichever is sooner, and a foreclosure of the [mortgagor's] homeowner's mortgage may, at any time thereafter, proceed without further restriction or requirement under sections 8-265cc to 8-265hh, inclusive, as amended by this act. The authority may adjust payments by the [mortgagor] homeowner pursuant to subsection (b) of this section based on a review under this subsection.

(e) If the [mortgagor] homeowner fails to pay to the authority any amounts due under subsection (b) of this section within seven days of the date due to the authority, the authority shall review the [mortgagor's] homeowner's financial circumstances to determine whether the delinquency is the result of additional financial hardship due to circumstances beyond the [mortgagor's] homeowner's control. If the delinquency is not the result of additional financial hardship due to circumstances beyond the [mortgagor's] homeowner's control in the [mortgagor's] homeowner's financial circumstances, the authority shall terminate emergency mortgage assistance payments and the foreclosure of the [mortgagor's] homeowner's mortgage may, at [anytime] any time thereafter, continue without any further restriction or requirement under sections 8-265cc to 8-265kk, inclusive, as amended by this act. If the delinquency is the result of a change in the [mortgagor's] homeowner's financial circumstances, the authority may modify the [mortgagor's] homeowner's required monthly payments to the authority.

(f) If any mortgagee scheduled to receive payments from the authority under the provisions of sections 8-265cc to 8-265kk, inclusive, as amended by this act, fails to receive the full amount of such payment from the authority within thirty days of the scheduled due date, or if the [mortgagor] homeowner fails to observe and perform all of the terms, covenants and conditions of the mortgage, the mortgagee shall provide a fifteen-day notice to the authority and the foreclosure of the [mortgagor's] homeowner's mortgage may, at any time thereafter, proceed without any further restriction or requirement under sections 8-265cc to 8-265kk, inclusive, as amended by this act.

Sec. 11. (NEW) (*Effective October 1, 2021*) (a) If the authority approves a homeowner for emergency lien assistance under the provisions of section 8-265ff of the general statutes, as amended by this act, the authority shall make emergency lien assistance payments directly to each lienholder secured by the homeowner's real property for (1) the full amount due and payable to the lienholder under the lien, or (2) the full amount due and payable to the lienholder under the lien for the thirty-six-month period commencing on the date the first tax, water, assessment or usage charge underlying the lien became due and payable, whichever is less. Such payment may be in an amount which pays all arrearages and pays reasonable costs and reasonable attorney's fees incurred by the lienholder in connection with the foreclosure of the lien.

(b) The amount of the emergency lien assistance payments made by the authority to the lienholder shall be a loan in that amount made by the authority to the homeowner. Any such loan shall be evidenced by such documents as the authority may require and shall be subject to repayment with interest and secured as provided in section 8-265hh of the general statutes, as amended by this act.

(c) If any lienholder scheduled to receive payments from the authority under the provisions of sections 8-265cc to 8-265kk, inclusive, of the general statutes, as amended by this act, fails to receive the full amount of such payment from the authority within thirty days of the scheduled due date, or if the homeowner fails to observe and perform all of the terms, covenants and conditions of lien, the lienholder shall provide a fifteen-day notice to the authority and the foreclosure of the lien may, at any time thereafter, proceed without any further restriction or requirement under sections 8-265cc to 8-265kk, inclusive, of the general statutes, as amended by this act.

Sec. 12. Section 8-265hh of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Upon approval of emergency mortgage or lien assistance payments, the authority shall enter into an agreement with the [mortgagor] homeowner for repayment of all such assistance with interest as provided in this section. The agreement shall provide for monthly payments by the [mortgagor] homeowner after emergency mortgage or lien assistance payments have ended and shall be subject to the following provisions:

(1) If the [mortgagor's] homeowner's total housing expense, including projected repayments for [mortgage] assistance under this section, is greater than thirty-five per cent of the [mortgagor's] homeowner's aggregate family income, repayment of the emergency mortgage or lien assistance payments shall be deferred until such total housing expense, including projected repayments for [mortgage] assistance under this section, is less than or equal to thirty-five per cent of such aggregate family income;

(2) If repayment of emergency mortgage or lien assistance payments is not made by the date the mortgage is paid in full, the [mortgagor] homeowner shall make monthly payments to the authority in an amount not less than the monthly mortgage payment until such assistance is repaid;

(3) Interest shall accrue on all emergency mortgage and lien assistance payments made by the authority at a rate based upon the cost of funds to the state periodically determined by the State Treasurer in consultation with the authority. Interest shall start to accrue whenever the [mortgagor] homeowner is required to commence repayment under this section.

(b) Repayment of amounts owed to the authority from a [mortgagor] homeowner under the provisions of sections 8-265cc to 8-265kk, inclusive, as amended by this act, shall be secured by a mortgage on the [mortgagor's] homeowner's real property, provided said mortgage shall not be deemed to take priority over any other mortgage or lien in effect against such property on the date the emergency mortgage is recorded. The authority may allow subordination of its mortgage if such subordination is required to permit the [mortgagor] homeowner to obtain a home improvement loan for repairs necessary to preserve the property.

(c) The authority shall establish written procedures for periodic review of the [mortgagor's] homeowner's financial circumstances to determine the amounts of repayment required under this section.

(d) All moneys received by the authority from [mortgagors] homeowners for repayment of emergency mortgage or lien assistance payments shall be paid to the authority, deposited in such funds or accounts as the authority may establish from time to time for such purpose and be used solely for the purposes of the program established pursuant to sections 8-265cc to 8-265kk, inclusive, as amended by this act.

(e) Any [mortgagor] homeowner who misrepresents any financial or other pertinent information in conjunction with the filing of an application for emergency mortgage or lien assistance or modification of such assistance, may be denied assistance and required to immediately repay any amount of assistance already made. The mortgagee or lienholder may, at any time thereafter, take any legal action to enforce the mortgage or lien without further restrictions or requirements.

(f) The authority may take any action it deems appropriate to recover emergency mortgage or lien assistance when the [mortgagor] homeowner fails to repay such assistance under the terms and conditions established under this section.

Sec. 13. Section 8-265ii of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

The Connecticut Housing Finance Authority shall adopt procedures in accordance with section 1-121 to implement the provisions of sections 8-265cc to 8-265hh, inclusive, as amended by this act. Such procedures shall include the establishment of a process for notification to eligible [mortgagors] homeowners of the availability of funds under sections 8-265cc to 8-265kk, inclusive, as amended by this act, and for notification to the mortgagee or lienholder that an application has been received by or on behalf of the [mortgagor] homeowner and of the authority's determination of eligibility.

Sec. 14. Section 8-265kk of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) If the authority determines that additional funding sources are necessary to provide emergency mortgage or lien assistance payments to homeowners in accordance with sections 8-265cc to 8-265kk, inclusive, as amended by this act, the authority may, in consultation with the State Treasurer, the Comptroller, representatives from Connecticut-based banks and a state banking industry association, establish as part of the emergency mortgage and lien assistance program a component program that shall be administered by the authority in collaboration with Connecticut-based banks and that may include, but need not be limited to, loan guarantees. Any loan issued under such component program shall be used for the purposes described in sections 8-265cc to 8-265kk, inclusive, as amended by this act. The authority shall notify the State Treasurer of the authority's intention to establish a component program prior to establishing such program and the State Treasurer shall (1) advise the authority as to the state's ability to provide loan guarantees under such program, and (2) recommend guidelines for such guarantees. For purposes of this subsection, "Connecticut-based banks" means banks and out-of-state banks, each as defined in section 36a-2, having deposit-taking branches in the state.

(b) If funds are not available to provide emergency mortgage or lien assistance payments to [mortgagors] homeowners in accordance with sections 8-265cc to 8-265kk, inclusive, as amended by this act, the authority shall notify all mortgagees and lienholders and shall not accept

applications for emergency mortgage or lien assistance payment. Upon receipt of such notice from the authority and until mortgagees and lienholders receive a further notice from the authority that such funds are again available and applications for [emergency mortgage] such assistance payments are again being accepted by the authority: (1) Mortgagees may commence foreclosure actions without first providing the notice set forth in subsection (a) of section 8-265ee, as amended by this act; and (2) the foreclosure of mortgages and liens by mortgagees or lienholders may continue without any further restriction or requirement under the provisions of sections 8-265cc to 8-265kk, inclusive, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	49-31l
Sec. 2	<i>October 1, 2021</i>	49-31n
Sec. 3	<i>October 1, 2021</i>	49-31k(8) and (9)
Sec. 4	<i>October 1, 2021</i>	49-31r(a)
Sec. 5	<i>October 1, 2021</i>	49-31v
Sec. 6	<i>October 1, 2021</i>	8-265cc
Sec. 7	<i>October 1, 2021</i>	8-265dd
Sec. 8	<i>October 1, 2021</i>	8-265ee
Sec. 9	<i>October 1, 2021</i>	8-265ff
Sec. 10	<i>October 1, 2021</i>	8-265gg
Sec. 11	<i>October 1, 2021</i>	New section
Sec. 12	<i>October 1, 2021</i>	8-265hh
Sec. 13	<i>October 1, 2021</i>	8-265ii
Sec. 14	<i>October 1, 2021</i>	8-265kk

Remarking were Senators Martin of the 31<sup>st</sup>, Berthel of the 32<sup>nd</sup>, Kasser of the 36<sup>th</sup>, and Hwang of the 28<sup>th</sup>.

Looney of the 11<sup>th</sup> in the chair.

Remarking was Senator Hwang of the 28<sup>th</sup>.

President in the chair.

Remarking was Senator Kasser of the 36<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 6:29 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	34
Those voting Nay .....	2
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 891 as amended by Senate Amendment Schedule "A" (LCO 8441) was Passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY

Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	N	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

---

**BUSINESS ON THE CALENDAR  
MATTERS REFERRED TO COMMITTEE ON  
APPROPRIATIONS**

On motion of Senator Duff of the 25th, the following matters were referred to the Committee on Appropriations.

S.B. No. **893** AN ACT CONCERNING CONSUMER PRIVACY.

S.B. No. **683** AN ACT CONCERNING HOSPITAL BILLING AND COLLECTION EFFORTS BY HOSPITALS AND COLLECTION AGENCIES.

S.B. No. **1030** AN ACT CONCERNING LONG-TERM CARE FACILITIES.

S.B. No. **262** AN ACT REQUIRING MANUFACTURERS OF BRAND NAME PRESCRIPTION DRUGS TO PROVIDE SAMPLES OF SUCH DRUGS TO MANUFACTURERS OF GENERIC PRESCRIPTION DRUGS.

S.B. No. **1011** AN ACT CONCERNING THE USE OF OPIOID ANTAGONISTS AND EPINEPHRINE CARTRIDGE INJECTORS BY POLICE OFFICERS.

S.B. No. **1115** AN ACT CONCERNING THE CONVEYANCE OF A PARCEL OF STATE LAND IN THE TOWN OF SOMERS.

---

**BUSINESS ON THE CALENDAR  
FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES  
BILLS PASSED**

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT. S.B. No. **996** (RAISED) (File No. 195) "AN ACT CONCERNING FUNDRAISING BY THE FOUNDATION OF THE UNIVERSITY OF CONNECTICUT."

Senator Slap of the 5<sup>th</sup> explained the bill and moved passage.

Remarking was Senator Witkos of the 8<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 8:01 p.m.:

Total Number Voting .....	35
Necessary for Adoption .....	18
Those voting Yea .....	34
Those voting Nay .....	1
Those absent and not voting.....	1

On the roll call vote Senate Bill No. 996 was Passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	Y	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	Y	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
A	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

---

HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT. Substitute for S.B. No. **998** (RAISED) (File No. 293) "AN ACT CONCERNING THE RECOMMENDATIONS OF THE OFFICE OF HIGHER EDUCATION REGARDING PRIVATE OCCUPATIONAL SCHOOLS AND CLOSURE PLANS OF INSTITUTIONS OF HIGHER EDUCATION."

Senator Slap of the 5<sup>th</sup> offered Senate Amendment Schedule "A" (LCO 8106) and moved adoption.

Remarking was Senator Witkos of the 8<sup>th</sup>.

On a voice vote the amendment was Adopted.

The following is the Amendment.

Strike section 5 in its entirety and substitute the following in lieu thereof:

"Sec. 5. Section 10a-22h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

[(a) No representative of a private occupational school not authorized pursuant to sections 10a-22a to 10a-22o, inclusive, and sections 10a-22u to 10a-22w, inclusive, shall visit the residence of any prospective student, solicit enrollments, sell occupational instruction in any form or manner, make representations or give counsel to prospective students without first obtaining a permit from the executive director. Such permit shall not be represented to constitute approval of the school itself. Any contract entered into in violation of this section shall not be enforceable by such school.

(b) Any person seeking to represent an out-of-state private occupational school not authorized pursuant to sections 10a-22a to 10a-22o, inclusive, and sections 10a-22u to 10a-22w, inclusive, shall file an application with the Office of Higher Education on forms prescribed by the executive director. Upon issuance of a permit, such representative shall pay a nonrefundable fee of five hundred dollars into the private occupational student protection account. The permit shall be valid for a period of one year from date of issuance.]

Any out-of-state private occupational school that seeks to operate a distance learning program in the state shall submit an application to the Office of Higher Education in the form and manner prescribed by the office. Each such private occupational school shall agree to abide by standards established by the office. The office shall approve or reject such private occupational school's application in accordance with the standards established by the office. Authorization by the office to operate a distance learning program in the state shall be valid for a period of one year and may be renewed by the office for additional one-year periods. The office shall establish a schedule of application and renewal fees for all out-of-state private occupational schools that are approved by the office. As used in this subsection, "distance learning program" means a program of study in which lectures are broadcast or classes are conducted by correspondence or over the Internet, without requiring a student to attend in person.

In line 232, strike "and said office"

This act shall take effect as follows and shall amend the following sections:		
Sec. 5	<i>July 1, 2021</i>	10a-22h

Remarking were Senators Slap of the 5<sup>th</sup>, and Witkos of the 8<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 8:13 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	35
Those voting Nay .....	1
Those absent and not voting .....	0

On the roll call vote Senate Bill No. 998 as amended by Amendment Schedule "A" (LCO 8106) was Passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA

Y	3	SAUD ANWAR	Y	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
Y	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	Y	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	Y	30	CRAIG MINER
Y	13	MARY ABRAMS	Y	31	HENRI MARTIN
Y	14	JAMES MARONEY	Y	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON	Y	34	PAUL CICARELLA
Y	17	JORGE CABRERA	Y	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

---

**BUSINESS ON THE CALENDAR**  
**FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES**  
**BILLS PLACED ON CONSENT CALENDAR NO. 1**

The following bills were taken from the table, read the third time, the reports of the Committees accepted and the bills placed on the Consent Calendar.

EXECUTIVE AND LEGISLATIVE NOMINATIONS. H.J. No. 367 "RESOLUTION CONFIRMING THE NOMINATION OF GREGORY DUNCAN HARRIS OF WINDSOR TO BE A MEMBER OF THE NEW ENGLAND BOARD OF HIGHER EDUCATION." In concurrence with the House.

EXECUTIVE AND LEGISLATIVE NOMINATIONS. H.J. No. 369 "RESOLUTION CONFIRMING THE NOMINATION OF SEBASTIAN LOMBARDI OF SIMSBURY TO BE A MEMBER OF THE CONNECTICUT AIRPORT AUTHORITY BOARD OF DIRECTORS." In concurrence with the House.

EXECUTIVE AND LEGISLATIVE NOMINATIONS. H.J. No. 370 "RESOLUTION CONFIRMING THE NOMINATION OF GREGORY PIECUCH OF HARTFORD TO BE A MEMBER OF THE STATE ELECTIONS ENFORCEMENT COMMISSION." In concurrence with the House.

PUBLIC HEALTH. Substitute for S.B. No. **102** (COMM) (File No. 418) "AN ACT CONCERNING THE CERTIFICATION OF MENTAL HEALTH FIRST AID TRAINING PROGRAMS."

---

**BUSINESS ON THE CALENDAR**  
**FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES**  
**BILLS PASSED**

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.



HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT. S.B. No. **850** (RAISED) (File No. 358) "AN ACT CONCERNING VARIOUS REVISIONS TO THE HIGHER EDUCATION STATUTES."

Senator Slap of the 5th offered Senate Amendment Schedule "A" (LCO 8139) and moved adoption.

Remarking was Senator Witkos of the 8th.

On a voice vote the amendment was adopted.

The following is the Amendment.

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

"Section 1. (NEW) (*Effective July 1, 2021*) (a) Not later than January 1, 2022, each governing board of an independent institution of higher education in the state shall establish a policy requiring that any new member of such governing board, who has not previously served on such governing board, receive instruction and training in (1) financial management of institutions of higher education, (2) legal and fiduciary responsibilities of a member of such governing board, and (3) applicable standards for accreditation of institutions of higher education and programs of higher learning. Such instruction and training shall be completed within the first year of a new member joining a governing board.

(b) Not later than January 1, 2022, each independent institution of higher education shall post on its Internet web site (1) the policy established by its governing board pursuant to subsection (a) of this section, and (2) a summary of the instruction and training received by the members of its governing board in accordance with such policy.

Sec. 2. (NEW) (*Effective July 1, 2021*) (a) Not later than January 1, 2022, the Board of Regents for Higher Education and the Board of Trustees of The University of Connecticut shall each adopt a policy requiring that any new member of said boards receive instruction and training in (1) a board member's duties to the state and the public institution of higher education governed by the board, (2) each committee of the board, including, but not limited to, the executive committee, and its functions, (3) professional accounting and reporting standards, (4) methods for meeting the statutory, regulatory and fiduciary obligations of the board, (5) the provisions of the Freedom of Information Act, as defined in section 1-200 of the general statutes, (6) a board member's institutional and statutory ethical responsibilities, (7) the development and implementation of institutional policies, (8) business operations, administration, budgeting, financing, financial reporting, financial reserves and endowment managing relevant to institutions of higher education, (9) student tuition, mandatory fees and student debt trends, (10) oversight of planning, construction, maintenance, expansion and renovation projects that impact the infrastructure, physical facilities and natural environment of the public institution of higher education governed by the board, (11) workforce planning, strategy and investment, (12) institutional advancement, including, but not limited to, philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations and community affairs, (13) student welfare issues, including, but not limited to, academic studies, curriculum, residence life, student governance and activities and the general physical and mental well-being of students, (14) current and anticipated issues in higher education, and (15) any other topics each governing board deems necessary. Such instruction and training shall be completed within the first year of appointment or election of a new member to such boards.

(b) Not later than January 1, 2022, each public institution of higher education shall post on its Internet web site (1) the policy established by its governing board pursuant to subsection (a) of this section, and (2) a summary of the instruction and training received by the members of its governing board in accordance with such policy.

Sec. 3. Section 10a-8 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) The provisions of sections 4-77 and 4-78 shall not apply to the constituent units of the state system of higher education, and for the purposes of said sections only, the Board of Regents for Higher Education shall be deemed the budgeted agency for the Connecticut State University System, the regional community-technical college system, [and] Charter Oak State College and the central office of the Connecticut State Colleges and Universities. The Board of Regents for Higher Education shall develop a formula or program-based budgeting system to be used by each institution in preparing operating budgets. The Board of Regents for Higher Education shall prepare a single budget request itemized by the Connecticut State University System, the regional community-technical college system, [and] Charter Oak State College and the central office of the Connecticut State Colleges and Universities using the formula or program-based budgeting system and shall submit such budget request displaying all operating funds to the Secretary of the Office of Policy and Management in accordance with sections 4-77 and 4-78, subject to procedures developed by the Board of Regents for Higher Education and approved by said secretary. The budget request shall set forth, in the form prescribed by the Board of Regents for Higher Education, a proposed expenditure plan which shall include: (1) The total amount requested for such appropriation account; (2) the amount to be appropriated from the General Fund; and (3) the amount to be paid from the tuition revenues of the regional community-technical college system, [and] the Connecticut State University System and Charter Oak State College. After review and comment by the Board of Regents for Higher Education, the proposed expenditure plans shall be incorporated into the single public higher education budget request including recommendations, if any, by said board. Any tuition increase proposed by the regional community-technical college system, [and] the Connecticut State University System and Charter Oak State College for the fiscal year to which the budget request relates shall be included in the single public higher education budget request submitted by the Board of Regents for Higher Education for such fiscal year, provided if the General Assembly does not appropriate the amount requested by any such system or college, such system or college may increase tuition and fees by an amount greater than that included in the budget request in response to which the appropriation was made. The General Assembly shall make appropriations directly to the constituent units. Allotment reductions made pursuant to the provisions of subsections (b) and (c) of section 4-85 shall be applied by the Board of Regents for Higher Education among the appropriations to the constituent units and the central office without regard to the limitations on reductions provided in said section, except that said limitations shall apply to the total of the amounts appropriated. The Board of Regents for Higher Education shall apply such reductions after consultation with the Secretary of the Office of Policy and Management. Any reductions of more than five per cent of the appropriations of any constituent units shall be submitted to the appropriations committee which shall, within thirty days, approve or reject such reduction.

(b) The boards of trustees of each of the constituent units may transfer to or from any specific appropriation of such constituent unit a sum or sums totaling up to fifty thousand dollars or ten per cent of any such specific appropriation, whichever is less, in any fiscal year without the consent of the Finance Advisory Committee. Any such transfer shall be reported to the Finance Advisory Committee within thirty days of such transfer and such report shall be a record of said committee.

Sec. 4. Subsection (b) of section 10a-77 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(b) The Board of [Trustees of the Community-Technical Colleges] Regents for Higher Education shall establish and administer a fund to be known as the Regional Community-Technical Colleges Operating Fund. Appropriations from general revenues of the state and, upon request by the board and with an annual review and approval by the Secretary of the Office of Policy and Management, the amount of the appropriations for fringe benefits and workers' compensation applicable to the regional community-technical colleges pursuant to subsection (a) of section 4-73, shall be transferred from the Comptroller, and all tuition revenue received by the regional community-technical colleges in accordance with the provisions of subsection (a) of this section shall be deposited in said fund. Income from student fees or related charges; the proceeds of auxiliary activities and business enterprises, gifts and donations; federal funds and grants for purposes other than research, and all receipts derived from the conduct by the colleges of their education extension programs and summer school sessions shall be credited to said fund but shall be allocated to the central office and institutional operating accounts which shall be established

and maintained for the central office and each community-technical college. If the Secretary of the Office of Policy and Management disapproves such transfer, the secretary may require the amount of the appropriation for operating expenses to be used for personal services and fringe benefits to be excluded from said fund. The State Treasurer shall review and approve the transfer prior to such request by the board, [of trustees.] The board shall establish an equitable policy, in accordance with section 10a-8, as amended by this act, for allocation of appropriations from general revenues of the state, fringe benefits transferred from the Comptroller and tuition revenue deposited in the Regional Community-Technical Colleges Operating Fund. At the beginning of each quarter of the fiscal year, the board shall allocate and transfer, in accordance with said policy, moneys for expenditure in such institutional operating accounts, exclusive of amounts retained for central office operations and reasonable reserves for future distribution. All costs of waiving or remitting tuition pursuant to subsection (f) of this section shall be charged to the Regional Community-Technical Colleges Operating Fund. Repairs, alterations or additions to facilities supported by operating funds and costing one million dollars or more shall require the approval of the General Assembly, or when the General Assembly is not in session, of the Finance Advisory Committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the General Fund for further payment by the Treasurer of debt service on general obligation bonds of the state issued for purposes of the regional community-technical colleges.

Sec. 5. Subsection (b) of section 10a-99 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(b) The Board of [Trustees of the Connecticut State University System] Regents for Higher Education shall establish and administer a fund to be known as the Connecticut State University System Operating Fund. Appropriations from general revenues of the state and upon request by the Connecticut State University System and with the annual review and approval by the Secretary of the Office of Policy and Management, the amount of the appropriations for fringe benefits pursuant to subsection (a) of section 4-73, shall be transferred from the State Comptroller and all tuition revenue received by the Connecticut State University System in accordance with the provisions of subsection (a) of this section shall be deposited in said fund. Income from student fees or related charges, the proceeds of auxiliary activities and business enterprises, gifts and donations, federal funds and grants, subject to the provisions of sections 10a-98 to 10a-98g, inclusive, and all receipts derived from the conduct by a state university of its education extension program and its summer school session shall be credited to said fund but shall be allocated to the central office and institutional operating accounts which shall be established and maintained for the central office and each state university. Any such gifts and donations, federal funds and grants for purposes of research shall be allocated to separate accounts within such central office and institutional operating accounts. If the Secretary of the Office of Policy and Management disapproves such transfer, [he] the secretary may require the amount of the appropriation for operating expenses to be used for personal services and fringe benefits to be excluded from said fund. The State Treasurer shall review and approve the transfer prior to such request by the university. The board [of trustees] shall establish an equitable policy, in accordance with section 10a-8, as amended by this act, for allocation of appropriations from general revenues of the state, fringe benefits transferred from the State Comptroller and tuition revenue deposited in the Connecticut State University System Operating Fund. At the beginning of each quarter of the fiscal year, the board shall allocate and transfer, in accordance with said policy, moneys for expenditure in such institutional operating accounts, exclusive of amounts retained for central office operations and reasonable reserves for future distribution. All costs of waiving or remitting tuition pursuant to subsection (f) of this section shall be charged to the Connecticut State University System Operating Fund. Repairs, alterations or additions to facilities supported by the Connecticut State University System Operating Fund and costing one million dollars or more shall require the approval of the General Assembly, or when the General Assembly is not in session, of the Finance Advisory Committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the General Fund for further payment by the Treasurer of debt service on general obligation bonds of the state issued for purposes of the Connecticut State University System."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	New section
Sec. 2	<i>July 1, 2021</i>	New section
Sec. 3	<i>July 1, 2021</i>	10a-8
Sec. 4	<i>July 1, 2021</i>	10a-77(b)
Sec. 5	<i>July 1, 2021</i>	10a-99(b)

Remarking were Senators Slap of the 5th and Witkos of the 8<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 8:28 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	36
Those voting Nay .....	0
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 850 as amended by Senate Amendment Schedule "A" (LCO 8139) was Passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	Y 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
Y 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

---

HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT. S.B. No. **193** (COMM) (File No. 354) "AN ACT CONCERNING WORKFORCE DEVELOPMENT ISSUES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION RELATED TO THE INSURANCE INDUSTRY."

Senator Slap of the 5<sup>th</sup> explained the bill and moved passage.

Remarking were Senators Witkos of the 8<sup>th</sup>, and Hwang of the 28th.

Senator Witkos of the 8<sup>th</sup> requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 8:37 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	36
Those voting Nay .....	0
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 193 was passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	Y 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
Y 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

---

**BUSINESS ON THE CALENDAR  
FAVORABLE REPORTS OF THE SENATE COMMITTEE  
EXECUTIVE AND LEGISLATIVE NOMINATIONS  
RESOLUTIONS PLACED ON CONSENT CALENDAR**

The following favorable reports were taken from the table, read the third time, the reports of the Senate Committee accepted and the resolutions adopted.

EXECUTIVE AND LEGISLATIVE NOMINATIONS. H.J. No. **368** "RESOLUTION CONFIRMING THE NOMINATION OF BERT J. HUNTER OF GREENWICH TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MATERIALS INNOVATION AND RECYCLING AUTHORITY."

Senator Duff of the 25<sup>th</sup> explained the resolution and moved adoption.

Remarking was Senator Witkos of the 8<sup>th</sup>.

Winfield of the 10th in the chair.

On motion of Senator Duff of the 25th, the resolution was placed on the Consent Calendar No. 1 in concurrence with the House.

—————  
**EMERGENCY CERTIFICATION**  
**HOUSE BILL**  
**HOUSE BILL PASSED**

The following House Bill was introduced, read by the Clerk and passed. (Emergency Certification signed by the President Pro Tempore of the Senate and the Speaker of the House accompanied the bill in accordance with Section 2-26 of the Connecticut General Statutes and Joint Rules 9 and 15.)

H.B. No. **6686** AN ACT CONCERNING THE DECLARATION AND RENEWAL OF CIVIL PREPAREDNESS AND PUBLIC HEALTH EMERGENCIES BY THE GOVERNOR.

Senator Looney of the 11<sup>th</sup> explained the bill and moved passage.

Remarking were Senator Duff of the 25<sup>th</sup>, Kissel of the 7<sup>th</sup>, Berthel of the 32<sup>nd</sup>, Champagne of the 35<sup>th</sup>, Anwar of the 3<sup>rd</sup>, Hwang of the 28<sup>th</sup>, Cicarella of the 34<sup>th</sup>, Formica of the 20<sup>th</sup>, Duff of the 25<sup>th</sup>, Kelly of the 21<sup>st</sup>, Looney of the 11<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 10:45 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	24
Those voting Nay .....	12
Those absent and not voting.....	0

On the roll call vote House Bill No. 6686 was passed in concurrence with the House.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	N 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	N 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
N 7 JOHN A. KISSEL	Y 25 BOB DUFF
N 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	N 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	N 30 CRAIG MINER
Y 13 MARY ABRAMS	N 31 HENRI MARTIN
Y 14 JAMES MARONEY	N 32 ERIC C. BERTHEL

Y 15 JOAN V. HARTLEY  
 N 16 ROB SAMPSON  
 Y 17 JORGE CABRERA  
 N 18 HEATHER S. SOMERS

Y 33 NORMAN NEEDLEMAN  
 N 34 PAUL CICARELLA  
 N 35 DAN CHAMPAGNE  
 Y 36 ALEX KASSER

---

Looney of the 11<sup>th</sup> in the chair.

**SUSPENSION OF THE RULES  
 IMMEDIATE TRANSMITTAL TO THE GOVERNOR**

On motion of Senator Duff of the 25<sup>th</sup>, the rules were suspended for immediate transmittal to the Governor H.B. No. **6686** AN ACT CONCERNING THE DECLARATION AND RENEWAL OF CIVIL PREPAREDNESS AND PUBLIC HEALTH EMERGENCIES BY THE GOVERNOR.

---

**BUSINESS ON THE CALENDAR  
 FAVORABLE REPORTS OF THE JOINT STANDING COMMITTEES  
 BILLS PASSED**

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

TRANSPORTATION. Substitute for S.B. No. **983** (RAISED) (File No. 426) "AN ACT CONCERNING SLOWING DOWN FOR SERVICE VEHICLES."

Senator Haskell of the 26<sup>th</sup> offered Senate Amendment Schedule "A" (LCO 8369) and moved adoption.

Remarking was Senator Champagne of the 35<sup>th</sup>.

On a voice vote the amendment was adopted.

The following is the Amendment.

Strike everything after the enacting clause and substitute the following in lieu thereof:  
 "Section 1. Section 14-300i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) As used in subsection (b) of this section, (1) "vulnerable user" means: (A) A pedestrian; (B) a highway worker; (C) a person riding or driving an animal; (D) a person riding a bicycle, an electric bicycle or an electric foot scooter; (E) a person using a skateboard, roller skates or in-line skates; (F) a person operating or riding on an agricultural tractor; (G) a person using a wheelchair or motorized chair; [and] (H) a person who is blind and such person's service animal; and (I) a person operating (i) a commercial motor vehicle equipped with a garbage compactor, a detachable container or a curbside recycling body, (ii) a tank vehicle, (iii) a vehicle authorized by the United States government to carry mail, or (iv) a vehicle operated by an express delivery carrier, (2) "public way" includes any state or other public highway, road, street, avenue, alley, driveway, parkway or place, under the control of the state or any political subdivision of the state, dedicated, appropriated or opened to public travel or other use, (3) "substantial bodily harm" means bodily injury that involves a temporary but substantial disfigurement, causes a temporary but substantial loss or impairment of the function of any bodily part or organ, or causes a fracture of any bodily part, and (4) "serious physical injury" has the same meaning as provided in section 53a-3.

(b) Any person operating a motor vehicle on a public way who fails to exercise reasonable care and causes substantial bodily harm to, or the serious physical injury or death, of a vulnerable user of a public way, provided such vulnerable user has shown reasonable care in such user's use of the public way, shall be fined not more than one thousand dollars.

Sec. 2. Subdivision (1) of section 14-297 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(1) The following terms shall be construed as they are defined in section 14-1: "Authorized emergency vehicle", "class 1 electric bicycle", "class 2 electric bicycle", "class 3 electric bicycle", "driver", "electric bicycle", "electric foot scooter", "head lamp", "highway", "intersection", "limited access highway", "motor vehicle", "number plate", "operator", "person", "rotary" or "roundabout", "shoulder", "stop", "tank vehicle", "truck" and "vehicle";

Sec. 3. Section 14-232 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Except as provided in sections 14-233 and 14-234, (1) the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the highway until safely clear of the overtaken vehicle; and (2) the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle. For the purposes of this subsection, "safe distance" means not less than three feet when the driver of a vehicle overtakes and passes (A) a person riding a bicycle, an electric bicycle or an electric foot scooter, (B) a commercial motor vehicle equipped with a garbage compactor, a detachable container or a curbside recycling body, (C) a tank vehicle, (D) a vehicle authorized by the United States government to carry mail, (E) a vehicle operated by an express delivery carrier, or (F) an agricultural tractor.

(b) No vehicle shall be driven to the left side of the center of the highway in overtaking and passing another vehicle proceeding in the same direction unless the left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

(c) Violation of any provision of this section shall be an infraction.

Sec. 4. Subdivision (1) of section 14-212 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(1) The following terms shall be construed as they are defined in section 14-1: ["Authorized emergency vehicle"] "Agricultural tractor", "authorized emergency vehicle", "class 1 electric bicycle", "class 2 electric bicycle", "class 3 electric bicycle", "commissioner", "driver", "electric bicycle", "electric foot scooter", "fuels", "gross weight", "head lamp", "high-mileage vehicle", "highway", "light weight", "limited access highway", "maintenance vehicle", "motor bus", "motorcycle", "motor vehicle registration", "nonresident", "nonskid device", "number plate", "officer", "operator", "owner", "passenger motor vehicle", "passenger and commercial motor vehicle", "person", "pneumatic tires", "pole trailer", "registration", "registration number", "second offense", "semitrailer", "shoulder", "solid tires", "stop", "subsequent offense", "tail lamp", "tank vehicle", "tractor", "tractor-trailer unit", "trailer", "truck" and "vanpool vehicle";"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	14-300i
Sec. 2	<i>October 1, 2021</i>	14-297(1)
Sec. 3	<i>October 1, 2021</i>	14-232
Sec. 4	<i>October 1, 2021</i>	14-212(1)

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 10:55 p.m.:

Total Number Voting ..... 36



Necessary for Adoption .....	19
Those voting Yea .....	36
Those voting Nay .....	0
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 983 as amended by Senate Amendment Schedule “A” (LCO 8369) was Passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	Y 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
Y 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

President in the chair.

---

GENERAL LAW. Substitute for S.B. No. **895** (RAISED) (File No. 361) "AN ACT CONCERNING CHANGES TO VARIOUS PHARMACY STATUTES."

Senator Maroney of the 14<sup>th</sup> offered Senate Amendment Schedule “A” (LCO 7129) and moved adoption.

Remarking was Senator Witkos of the 8<sup>th</sup>.

On a voice vote the amendment was adopted.

The following is the Amendment.

Change the effective date of section 5 to "Effective July 1, 2022"

Remarking were Senators Maroney of the 14<sup>th</sup> and Witkos of the 8<sup>th</sup>.

Senator Formica of the 20<sup>th</sup> requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 11:08 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	36
Those voting Nay .....	0
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 895 as amended by Senate Amendment Schedule "A" (LCO 7129) was Passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	Y 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
Y 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

---

GOVERNMENT ADMINISTRATION AND ELECTIONS. S.B. No. **1016** (RAISED) (File No. 456) "AN ACT CONCERNING MUNICIPAL ETHICS."

Senator Flexer of the 29<sup>th</sup> explained the bill and moved passage.

Remarking were Senators Formica of the 20<sup>th</sup>, Sampson of the 16<sup>th</sup>, Champagne of the 35<sup>th</sup>, Kissel of the 7<sup>th</sup>, Hwang of the 28<sup>th</sup>, Formica of the 20<sup>th</sup>, and Looney of the 11<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 11:32 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	27
Those voting Nay .....	9
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 1016 was passed.

The following is the roll call vote:

Y	1	JOHN W. FONFARA	Y	19	CATHERINE A. OSTEN
Y	2	DOUGLAS MCCRORY	N	20	PAUL M. FORMICA
Y	3	SAUD ANWAR	Y	21	KEVIN C. KELLY
Y	4	STEVE CASSANO	Y	22	MARILYN MOORE
Y	5	DEREK SLAP	Y	23	DENNIS BRADLEY
Y	6	RICK LOPES	Y	24	JULIE KUSHNER
N	7	JOHN A. KISSEL	Y	25	BOB DUFF
Y	8	KEVIN D. WITKOS	Y	26	WILL HASKELL
Y	9	MATTHEW L. LESSER	Y	27	PATRICIA BILLIE MILLER
Y	10	GARY WINFIELD	N	28	TONY HWANG
Y	11	MARTIN M. LOONEY	Y	29	MAE FLEXER
Y	12	CHRISTINE COHEN	N	30	CRAIG MINER
Y	13	MARY ABRAMS	N	31	HENRI MARTIN
Y	14	JAMES MARONEY	N	32	ERIC C. BERTHEL
Y	15	JOAN V. HARTLEY	Y	33	NORMAN NEEDLEMAN
N	16	ROB SAMPSON	N	34	PAUL CICARELLA
Y	17	JORGE CABRERA	N	35	DAN CHAMPAGNE
Y	18	HEATHER S. SOMERS	Y	36	ALEX KASSER

---

**BUSINESS ON THE CALENDAR  
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE  
BILL PLACED OF CONSENT CALENDAR**

The following favorable reports were taken from the table, read the third time, the reports of the Committees accepted and the bills passed.

GOVERNMENT ADMINISTRATION AND ELECTIONS. Substitute for S.B. No. **1013** (RAISED) (File No. 491) "AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE GOVERNMENT ADMINISTRATION AND ELECTIONS STATUTES."

Senator Flexer of the 29<sup>th</sup> explained the bill and moved passage.

Remarking was Senator Sampson of the 16<sup>th</sup>.

On motion of Senator Flexer of the 29<sup>th</sup>, the bill was placed on the Consent Calendar.

---

**BUSINESS ON THE CALENDAR  
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEES  
BILL PASSED**

The following favorable reports was taken from the table, read the third time, the reports of the Committees accepted and the bill passed.

LABOR AND PUBLIC EMPLOYEES. Substitute for S.B. No. **904** (RAISED) (File No. 401) "AN ACT CONCERNING THE EXECUTIVE DIRECTOR OF THE LABOR DEPARTMENT'S EMPLOYMENT SECURITY DIVISION."

Senator Kushner of the 24<sup>th</sup> offered Senate Amendment Schedule “A” (LCO 8455) and moved adoption.

Remarking were Senators Osten of the 19<sup>th</sup> and Sampson of the 16<sup>th</sup>.

Senator Kushner of the 24<sup>th</sup> requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 11:48 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	24
Those voting Nay .....	12
Those absent and not voting.....	0

On the roll call vote Senate Amendment Schedule “A” (LCO 8455) was adopted.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	N 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	N 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
N 7 JOHN A. KISSEL	Y 25 BOB DUFF
N 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	N 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	N 30 CRAIG MINER
Y 13 MARY ABRAMS	N 31 HENRI MARTIN
Y 14 JAMES MARONEY	N 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
N 16 ROB SAMPSON	N 34 PAUL CICARELLA
Y 17 JORGE CABRERA	N 35 DAN CHAMPAGNE
N 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

The following is the Amendment.

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

"Sec. 501. Section 31-98 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) The panel, or its single member if sitting in accordance with section 31-93, may, in its discretion and with the consent of the parties, issue an oral decision immediately upon conclusion of the proceedings. If the decision is to be in writing, it shall be signed, within fifteen days, by a majority of the members of the panel or by the single member so sitting, and the decision shall state such details as will clearly show the nature of the decision and the points disposed of by the panel. Where the decision is in writing, one copy thereof shall be filed by the panel in the office of the town clerk in the town where the controversy arose and one copy shall be given to each of the parties to the controversy. The panel or single member which has rendered an oral decision

immediately upon conclusion of the proceedings shall submit a written copy of the decision to each party within fifteen days from the issuance of such oral decision. In all cases where a decision is rendered orally from the bench, the secretary shall cause such oral decision to be transcribed, approved by the panel or single member as applicable and filed with the records of the board proceedings.

(b) Upon the conclusion of the proceedings, each member of the panel shall receive three hundred twenty-five dollars and a panel member who prepares a written decision shall receive an additional five hundred dollars, or the single member, if sitting in accordance with section 31-93, shall receive three hundred twenty-five dollars, provided if the proceedings extend beyond one day, each member shall receive [one hundred fifty] three hundred twenty-five dollars for each additional day beyond the first day, and provided further no proceeding may be extended beyond two days without the prior approval of the Labor Commissioner for each such additional day.

(c) Upon the conclusion of an executive panel session, each member of such panel shall receive [one hundred fifty] two hundred dollars."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2021	31-98

Remarking were Senators Formica of the 20<sup>th</sup> and Kushner of the 24<sup>th</sup>.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 11:57 p.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	24
Those voting Nay .....	12
Those absent and not voting.....	0

On the roll call vote Senate Bill No. 904 as amended by Senate Amendment Schedule "A" (LCO 8455) was passed.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	N 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	N 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
N 7 JOHN A. KISSEL	Y 25 BOB DUFF
N 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	N 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	N 30 CRAIG MINER
Y 13 MARY ABRAMS	N 31 HENRI MARTIN
Y 14 JAMES MARONEY	N 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
N 16 ROB SAMPSON	N 34 PAUL CICARELLA
Y 17 JORGE CABRERA	N 35 DAN CHAMPAGNE
N 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

**BUSINESS ON THE CALENDAR**  
**FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE**  
**SENATE AMENDMENT ADOPTED**  
**BILL REFERRED TO COMMITTEE ON FINANCE, REVENUE AND BONDING**

The following bill taken from the table, read the third time, the report of the Committee accepted and the bill as amended was referred to the Committee on Finance, Revenue and Bonding.

COMMERCE. S.B. No. **711** (COMM) (File No. 183) "AN ACT CONCERNING COVID-19 RELIEF FOR SMALL BUSINESSES AND REQUIRING FEDERAL REGULATORY ANALYSIS FOR PROPOSED STATE REGULATIONS."

Senator Hartley of the 15<sup>th</sup> offered Senate Amendment Schedule "A" (LCO 8236) and moved adoption.

Remarking was Senator Martin of the 31<sup>st</sup>.

On a voice vote the amendment was Adopted.

The following is the Amendment.

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

"Section 1. Section 12-412 of the general statutes is amended by adding subdivision (125) as follows (*Effective July 1, 2021, and applicable to sales occurring on or after July 1, 2021*):

(NEW) (125) (A) On and after July 1, 2021, and prior to July 1, 2023, sales to, and the storage, use or other consumption of personal protective equipment by, a small business for use by such business.

(B) To qualify for such exemption, each purchaser of personal protective equipment shall present a certificate to the retailer, in such form as the commissioner may prescribe, certifying that the purchaser is a small business and is purchasing such personal protective equipment for its business. The purchaser of the personal protective equipment shall be liable for the tax otherwise imposed if the certificate is improperly provided to the seller, and any person who wilfully delivers a certificate that is known to be fraudulent or false in any material matter to a seller shall, in addition to any other penalty provided by law, be guilty of a class D felony.

(C) As used in this subdivision:

(i) "COVID-19" means the respiratory disease designated by the World Health Organization on February 11, 2020, as coronavirus 2019, and any related mutation thereof recognized by the World Health Organization as a communicable respiratory disease;

(ii) "Personal protective equipment" means (I) specialized clothing or equipment worn by an employee for protection against infectious disease and materials, including, but not limited to, protective equipment for the eyes, face, head and extremities, protective clothing and protective shields and barriers, and (II) disinfecting products approved for use against COVID-19 by the National Centers for Disease Control and Prevention; and

(iii) "Small business" means a corporation, limited liability company partnership, sole proprietorship or individual, operating a business for profit, which employs one hundred or fewer full-time employees, including employees employed in any subsidiary or affiliated corporation."

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

Section 1	<i>July 1, 2021, and applicable to sales occurring on or after July 1, 2021</i>	12-412
-----------	---	--------

On the motion of Senator Duff of the 25<sup>th</sup>, the bill as amended by Senate Amendment Schedule “A” (LCO 8236) was referred to the Committee on Finance, Revenue and Bonding.

**BUSINESS ON THE CALENDAR**  
**FAVORABLE REPORT OF THE JOINT STANDING COMMITTEES**  
**BILL PASSED**

The following favorable report was taken from the table, read the third time, the report of the Committees accepted and the bill passed.

COMMERCE. Substitute for S.B. No. **936** (RAISED) (File No. 362) "AN ACT CONCERNING REVISIONS TO CERTAIN ECONOMIC AND COMMUNITY DEVELOPMENT-RELATED STATUTES."

Senator Hartley of the 15<sup>th</sup> offered Senate Amendment Schedule “A” (LCO 8233) and moved adoption.

Remarking were Senators Martin of the 31<sup>st</sup>, and Formica of the 20<sup>th</sup>.

On a voice vote the amendment was adopted.

The following is the Amendment.

Strike section 14 in its entirety and substitute the following in lieu thereof:

"Sec. 14. Section 32-1m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than February first, annually, the Commissioner of Economic and Community Development shall submit a report to the Governor, the Auditors of Public Accounts and the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding and commerce, in accordance with the provisions of section 11-4a. Not later than thirty days after submission of the report, said commissioner shall post the report on the Department of Economic and Community Development's web site. Such report shall include, but not be limited to, the following information with regard to the activities of the Department of Economic and Community Development and to business assistance [or incentive programs not administered by the department,] programs administered by Connecticut Innovations, Incorporated, during the preceding state fiscal year:

(1) A brief description and assessment of the state's economy during such year, utilizing the most recent and reasonably available data, and including:

- (A) Connecticut employment by industry;
- (B) Connecticut and national average unemployment; and
- (C) Connecticut gross state product, by industry.

(2) An analysis of the economic development portfolio of the department, including, but not limited to, each business assistance or incentive program, including any business tax credit or abatement program, grant, loan, forgivable loan or other form of assistance, enacted for the purpose of improving economic development. The analysis shall include:

- (A) The Internet web site address of the state's open data portal and an indication of where the name, address and location of each recipient of the department's assistance is published on the site along with the following information concerning each recipient: (i) Business activities, (ii) standard industrial classification codes or North American industrial classification codes, (iii)

whether the recipient is a minority or woman-owned business, (iv) a summary of the terms and conditions for the assistance, including the type and amount of state financial assistance and job creation or retention requirements, (v) the amount of investments from private and other nonstate sources that have been leveraged by the assistance, and (vi) the amount of state investment;

(B) A portfolio analysis, including an analysis of the wages paid by recipients of financial assistance by industry;

(C) An investment analysis, including (i) total portfolio value, (ii) total investment by industry, (iii) portfolio dollar per job average, (iv) portfolio leverage ratio;

(D) An overview of the business assistance and incentive programs administered by the department and an analysis of their estimated economic impact on the state's economy. The analysis shall include, for each business assistance or incentive program for which such data is available, the number of new jobs created, the borrowing cost to the state and the estimated impact of such program on annual state revenues;

(E) An analysis of whether the statutory and programmatic goals of each business or incentive program are being met, with obstacles to such goals identified, if possible;

(F) (i) Recommendations as to whether any existing business assistance or incentive program should be continued, modified or repealed and the basis or bases for such recommendations, and (ii) any recommendations for additional data collection by the state to better inform future evaluations of such programs; and

(G) The methodologies and assumptions used in carrying out the analyses under this subdivision.

(3) An analysis of the community development portfolio of the department, including:

(A) The Internet web site address of the state's open data portal and an indication of where the name, address and location of each recipient of the department's assistance is published on the site along with the following information concerning each recipient: (i) Amount of state investment, (ii) a summary of the terms and conditions for the department's assistance, including the type and amount of state financial assistance, and (iii) the amount of investments from private and other nonstate sources that have been leveraged by such assistance; and

(B) An investment analysis, including (i) total active portfolio value, (ii) total investments made in the preceding state fiscal year, and (iii) total portfolio leverage ratio.

(4) An analysis of each business assistance or incentive program, including any business tax credit or abatement program, grant, loan, forgivable loan or other form of assistance, enacted for the purpose of improving economic development, that (A) (i) had ten or more recipients of assistance in the preceding state fiscal year, or (ii) credited, abated or distributed more than one million dollars in the preceding state fiscal year, and (B) is [not] administered by the department or Connecticut Innovations, Incorporated. The analysis shall include:

(i) An overview of the business assistance or incentive program and an analysis of its estimated economic effects on the state's economy, including, for each program where such data is available, the number of new jobs created and the estimated impact of such program on annual state revenues;

(ii) An analysis of whether the statutory and programmatic goals of each business assistance or incentive program are being met, with obstacles to such goals identified, if possible;

(iii) Recommendations as to whether any such existing business assistance or incentive program should be continued, modified or repealed and the basis or bases for such recommendations, and any recommendations for additional data collection by the state to better inform future evaluations of such programs; and

(iv) The methodologies and assumptions used in carrying out the analysis under this subdivision.

(5) A summary of the department's international trade efforts in the preceding state fiscal year, and, to the extent possible, a summary of foreign direct investment that occurred in the state in such year.

(6) A summary of the total social and economic impact of the department's efforts and activities in the areas of economic and community development, and an assessment of the department's performance in terms of meeting its stated goals and objectives.

(7) With regard to the Small Business Express program established pursuant to section 32-7g, data on (A) the number of small businesses that applied to the Small Business Express program,



(B) the number of small businesses that received assistance under said program and the general categories of such businesses, (C) the amounts and types of assistance provided, (D) the total number of jobs on the date of application and the number proposed to be created or retained, and (E) the most recent employment figures of the small businesses receiving assistance.

(8) With regard to airport development zones established pursuant to section 32-75d, a summary of the economic and cost benefits of each zone and any recommended revisions to any such zones.

(9) An overview of the department's activities related to tourism, the arts and historic preservation.

(10) An overview of the department's activities concerning digital media, motion pictures and related production activity, and an analysis of the use of the film production tax credit established under section 12-217jj, the entertainment industry infrastructure tax credit established under section 12-217kk and the digital animation production tax credit established under section 12-217ll, including the amount of any tax credit issued under said sections and the total amount of production expenses or costs incurred in the state by the taxpayer who was issued such a tax credit.

(11) A summary of the department's and the office of the permit ombudsman's brownfield-related efforts and activities in the preceding fiscal year.

(12) A summary of the department's dry cleaning establishment remediation account activities in the preceding fiscal year.

(b) Any annual report that is required from the department by any provision of the general statutes shall be incorporated into the annual report submitted pursuant to subsection (a) of this section.

(c) [On or before March 1, 2018, and annually thereafter] Not later than sixty days after the submission of a report by the Auditors of Public Accounts pursuant to section 2-90c, as amended by this act, the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, finance, revenue and bonding and commerce shall hold, individually or jointly, one or more public hearings on such report and the analyses included in the annual report under subdivisions (2) and (4) of subsection (a) of this section."

In line 676, after "funds" insert ", except for any funds used to establish or administer a matching grant program pursuant to subsection (h) of this section,"

In line 676, after "Development." insert "Such funds shall be deposited into the Tourism Fund."

On motion of Senator Hartley of the 15<sup>th</sup>, the bill was placed on the Consent Calendar.

---

**BUSINESS ON THE CALENDAR  
MATTER RETURNED FROM COMMITTEE  
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE  
BILL PASSED**

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

APPROPRIATIONS. Substitute for S.B. No. **916** (RAISED) (File No. 288) "AN ACT CONCERNING FEES FOR CERTIFIED COPIES OF VITAL RECORDS SOUGHT IN CONNECTION WITH THE SOLDIERS, SAILORS AND MARINES FUND."

Senator Cabrera of the 17<sup>th</sup> explained the bill and moved passage.

Remarking was Senator Cicarella of the 34<sup>th</sup>

On motion of Senator Cabrera of the 17<sup>th</sup>, the bill was placed on the Consent Calendar.

**CONSENT CALENDAR 1  
ADOPTED**

The chair ordered the vote on business placed on the Consent Calendar be taken by roll call.

The following is the result of the vote at 12:31 a.m.:

Total Number Voting .....	36
Necessary for Adoption .....	19
Those voting Yea .....	36
Those voting Nay .....	0
Those absent and not voting.....	0

On the roll call vote the Consent Calendar was adopted.

The following is the roll call vote:

Y 1 JOHN W. FONFARA	Y 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	Y 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	Y 25 BOB DUFF
Y 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	Y 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	Y 30 CRAIG MINER
Y 13 MARY ABRAMS	Y 31 HENRI MARTIN
Y 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
Y 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

**ADJOURNMENT**

On motion of Senator Duff of the 25<sup>th</sup>, the Senate at 12:33 p.m. adjourned subject to the call of the chair.