



# House of Representatives

General Assembly

**File No. 36**

February Session, 2022

Substitute House Bill No. 5166

*House of Representatives, March 21, 2022*

The Committee on Planning and Development reported through REP. MCCARTHY VAHEY of the 133rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING CERTAIN MUNICIPAL AGREEMENTS TO FIX ASSESSMENTS.***

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

1 Section 1. Section 12-65b of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) (1) Any municipality may, by affirmative vote of its legislative  
4 body or, pursuant to subdivision (2) of this subsection, by its board of  
5 selectmen, enter into a written agreement, for a period of not more than  
6 ten years, with any party owning or proposing to acquire an interest in  
7 real property in such municipality, or with any party owning or  
8 proposing to acquire an interest in air space in such municipality, or  
9 with any party who is the lessee of, or who proposes to be the lessee of,  
10 air space in such municipality in such a manner that the air space leased  
11 or proposed to be leased shall be assessed to the lessee pursuant to  
12 section 12-64, fixing the assessment of the real property or air space  
13 which is the subject of the agreement, and all improvements thereon or

14 therein and to be constructed thereon or therein, subject to the  
15 provisions of subsection (b) of this section. For purposes of this section,  
16 "improvements to be constructed" includes the rehabilitation of existing  
17 structures for retail business use.

18 (2) In the case of a municipality where the legislative body is a town  
19 meeting and such town meeting has adopted an ordinance delegating  
20 to the board of selectmen the authority to enter into an agreement  
21 described in subdivision (1) of this subsection, such board of selectmen  
22 may enter into such agreement.

23 (b) The provisions of subsection (a) of this section shall only apply if  
24 the improvements or improvements to be constructed are for at least  
25 one of the following: (1) Office use; (2) retail use; (3) permanent  
26 residential use in connection with a residential property consisting of  
27 four or more dwelling units; (4) transient residential use in connection  
28 with a residential property consisting of four or more dwelling units; (5)  
29 manufacturing use; (6) warehouse, storage or distribution use; (7)  
30 structured multilevel parking use necessary in connection with a mass  
31 transit system; (8) information technology; (9) recreation facilities; (10)  
32 transportation facilities; (11) mixed-use development, as defined in  
33 section 8-13m; or (12) use by or on behalf of a health system, as defined  
34 in section 19a-508c.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	12-65b

**Statement of Legislative Commissioners:**

In Subsec. (a)(1), "by" was inserted before "its board" for clarity.

**PD**            *Joint Favorable Subst. -LCO*

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

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

The bill allows local boards of selectmen to enter into fixed assessment agreements if they have been authorized to do so by the local town meeting. This has no fiscal impact as it is not expected to change the number of such agreements municipalities enter into.

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

**OLR Bill Analysis****sHB 5166*****AN ACT CONCERNING CERTAIN MUNICIPAL AGREEMENTS TO FIX ASSESSMENTS.*****SUMMARY**

In municipalities where the legislative body is a town meeting, this bill authorizes the board of selectmen, if they have been authorized by ordinance, to enter into certain agreements to fix assessments on real property or air space.

Under current law, only a municipality's legislative body may enter into these agreements. The bill applies to a law that allows municipalities to fix assessments for up to 10 years on real property or air space undergoing improvements for various purposes, including office, manufacturing, or retail uses; multifamily housing; or transportation or parking facilities.

The bill also makes a technical change.

EFFECTIVE DATE: October 1, 2022

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 26 Nay 0 (03/04/2022)