



# Senate

General Assembly

**File No. 260**

February Session, 2022

Senate Bill No. 168

*Senate, April 4, 2022*

The Committee on Housing reported through SEN. LOPES of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## ***AN ACT ESTABLISHING A RIGHT TO HOUSING.***

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

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) It shall be the goal of  
2 this state to implement policies that will respect, protect and fulfill a  
3 right to affordable, decent, safe and stable housing for every resident of  
4 this state.

5 (b) Each state agency, as defined in section 1-79 of the general  
6 statutes, and each political subdivision of the state, in implementing the  
7 provisions of this section, shall:

8 (1) Consider the right to housing under subsection (a) of this section  
9 and the components of such right set forth in subsection (c) of this  
10 section when adopting or revising policies, regulations or grant criteria  
11 that implicate, impact or affect such right;

12 (2) When implementing such policies, regulations or grant criteria,  
13 give priority to assisting families of low and moderate income, as  
14 defined in section 8-39 of the general statutes, in the state; and

15 (3) To the extent practicable, attempt to serve households currently

16 experiencing homelessness or at risk of housing loss and those in the  
17 lower range of the income group to which the agency's or political  
18 subdivision's programs are directed.

19 (c) The right to housing includes, but is not limited to, the following  
20 components:

21 (1) The right to protection from housing loss: This right implicates  
22 governmental programs that ensure the legal security of persons and  
23 households at risk of losing housing or experiencing homelessness,  
24 including eviction prevention programs, legal assistance in evictions,  
25 financial assistance, support services and problem-solving counseling;

26 (2) The right to safe housing that meets all basic needs: This right  
27 implicates the internal habitability of the home as well as the necessary  
28 services and infrastructure to support a healthy and dignified standard  
29 of living;

30 (3) The right to housing and affordability: This right implicates  
31 governmental programs that provide rental assistance, encourage the  
32 maintenance, repair and rehabilitation of existing housing and enlarge  
33 the stock of new low-cost housing, all of which ensure the ability to  
34 secure and maintain housing without risking access to other essential  
35 needs;

36 (4) The right to rehousing assistance for persons and households that  
37 have become homeless: This right implicates governmental programs  
38 that support the transition of persons experiencing homelessness to  
39 long-term permanent housing that is affordable; and

40 (5) The right to recognition of special circumstances: This right  
41 implicates the adaptation of governmental programs to ensure  
42 accessibility to households facing particular obstacles to finding  
43 affordable, decent, safe and stable housing, whether because of race,  
44 religion, sexual orientation, gender identity, age, disability,  
45 unemployment, criminal record, eviction history, family status, source  
46 of income, immigration status, cultural traditions, having been victims

47 of fraud and financial manipulation or other obstacles.

48 Sec. 2. (NEW) (*Effective from passage*) (a) There is established a right to  
49 housing committee to review existing and proposed housing policies  
50 and advise on (1) the state's implementation of a right to housing; and  
51 (2) gaps and needs of vulnerable populations with regard to access to  
52 permanent housing, including, but not limited to, (A) individuals  
53 experiencing homelessness, including homeless youth, individuals with  
54 disabilities, including physical disabilities and disabilities related to  
55 mental health, substance abuse and developmental conditions; (B)  
56 individuals with past or current criminal justice system involvement;  
57 (C) individuals from historically marginalized racial and ethnic groups;  
58 (D) individuals from historically marginalized groups based on sexual  
59 orientation, gender identity or gender expression; (E) survivors of  
60 sexual violence, domestic violence, dating violence, stalking and sexual  
61 trafficking; (F) refugees and immigrants; and (G) veterans.

62 (b) The committee shall consist of the following members:

63 (1) Three appointed by the speaker of the House of Representatives,  
64 one with expertise in homelessness policies and programs, one with  
65 expertise in low-income housing policies and programs and one with  
66 expertise in matters relating to evictions and housing court;

67 (2) Three appointed by the president pro tempore of the Senate, one  
68 with expertise in fair housing protections, one with expertise in the  
69 development of low-income housing and one with expertise in, or  
70 personal experience with, disability and housing insecurity;

71 (3) Three appointed by the majority leader of the House of  
72 Representatives, one with expertise in, or personal experience with, the  
73 criminal justice impact on housing insecurity, one with expertise in, or  
74 personal experience with, the impact of race or ethnicity on housing  
75 insecurity and one with expertise in, or personal experience with, the  
76 impact of sexual orientation, gender identity or gender expression on  
77 housing insecurity;

78 (4) Three appointed by the majority leader of the Senate, one with  
79 expertise in, or personal experience with, the impact of sexual violence,  
80 domestic violence, dating violence or stalking on housing insecurity,  
81 one with experience in, or personal experience with, the impact of sex  
82 trafficking and housing insecurity and one with expertise in, or personal  
83 experience with, the impact of refugee or immigrant status on housing  
84 insecurity;

85 (5) Two appointed by the minority leader of the House of  
86 Representatives, one with expertise in, or personal experience with, the  
87 impact on veteran status on housing insecurity and one of whom is a  
88 current or recent recipient of homeless assistance, low-income housing  
89 assistance or assistance in an eviction or housing summary process  
90 matter;

91 (6) Two appointed by the minority leader of the Senate, both of whom  
92 are current or recent recipients of homeless assistance, low-income  
93 housing assistance or assistance in an eviction or housing summary  
94 process matter; and

95 (7) The Commissioner of Housing, or the commissioner's designee.

96 (c) Any member of the committee appointed under subdivision (1),  
97 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member  
98 of the General Assembly.

99 (d) All initial appointments to the committee shall be made not later  
100 than sixty days after the effective date of this section. Appointed  
101 members of the committee shall serve for three-year terms which shall  
102 commence on the date of appointment and may serve until a successor  
103 is appointed. Any vacancy shall be filled by the respective appointing  
104 authority pursuant to subsection (b) of this section.

105 (e) The chairperson of the committee shall be jointly appointed by the  
106 speaker of the House of Representatives and the president pro tempore  
107 of the Senate. Upon appointment of such chairperson, the work of the  
108 committee may begin even if all other appointments have not yet been

109 made. The chairperson shall schedule the first meeting of the committee,  
 110 which shall be held not later than ninety days after the effective date of  
 111 this section. If appointments under subsection (b) of this section are not  
 112 made within the sixty-day period required under subsection (d) of this  
 113 section, the chairperson may designate individuals with the required  
 114 expertise to serve on the committee until appointments are made  
 115 pursuant to subsection (b) of this section.

116 (f) The administrative staff of the joint standing committee of the  
 117 General Assembly having cognizance of matters relating to housing  
 118 shall serve as the administrative staff of the committee.

119 (g) The committee shall meet not less than twice per fiscal year.

120 (h) The Department of Housing shall provide presentations and data  
 121 regarding its implementation of the right to housing at the request of  
 122 the committee.

123 (i) Not later than July 1, 2023, and annually thereafter, the committee  
 124 shall submit a report on its findings and recommendations to the joint  
 125 standing committee of the General Assembly having cognizance of  
 126 matters relating to housing, in accordance with the provisions of section  
 127 11-4a of the general statutes.

128 (j) During any regular or special session of the General Assembly, the  
 129 committee shall identify and review any proposed legislation impacting  
 130 the right to housing and may provide testimony on any such proposals  
 131 given a public hearing before any relevant committees of the General  
 132 Assembly, providing analysis on the potential impact of the legislation  
 133 on the right to housing and the vulnerable populations described in  
 134 subdivision (2) of subsection (a) of this section to preserve such right.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	New section
Sec. 2	<i>from passage</i>	New section

**HSG**      *Joint Favorable*

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

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

The bill makes it a state goal to implement policies that will respect, protect, and fulfill a "right to housing," as defined by the bill, which does not result in a fiscal impact. The bill does not mandate or require the state to spend additional funds on programs or services related to the components of this "right" as enumerated.

The bill also establishes a seventeen-member right to housing committee to review existing and proposed housing policies and to report on it annually, which has no fiscal impact.

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

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**OLR Bill Analysis****SB 168*****AN ACT ESTABLISHING A RIGHT TO HOUSING.*****SUMMARY**

This bill makes it a state goal to implement policies that respect, protect, and fulfill a right to affordable, decent, safe, and stable housing for every state resident (i.e., a “right to housing”). The bill establishes right to housing components, identifies certain vulnerable populations, and generally requires state agencies and political subdivisions to consider them when taking various affordable housing-related actions.

The bill also establishes a right to housing committee to review housing policies and the state’s implementation of the right to housing. The committee must annually report on its findings and recommendations to the Housing Committee beginning July 1, 2023.

EFFECTIVE DATE: October 1, 2022, except the establishment of the right to housing committee is effective upon passage.

**RIGHT TO HOUSING AS A STATE GOAL**

The bill makes it a state goal to implement policies that respect, protect, and fulfill a right to affordable, decent, safe, and stable housing for every state resident. To that end, it requires each state agency and political subdivision, in implementing the right to housing goal, to:

1. consider the right to housing and its components (see below) when adopting or revising policies, regulations, or grant criteria that implicate, impact, or affect the right;
2. when implementing these policies, regulations, or grant criteria, give priority to assisting low- and moderate-income families, as determined by the housing commissioner (see below); and



3. to the extent practicable, attempt to serve households currently experiencing homelessness or at risk of housing loss and those in the lower range of the income group to which the agency’s or political subdivision’s programs are directed.

By law, “families of low and moderate income” are those who lack the amount of income necessary, as determined by the housing commissioner, to enable them to rent or purchase moderate cost housing without financial assistance.

**Right to Housing Components**

The right to housing includes various components, five of which the bill outlines. Each component implicates certain programs or services, as shown in Table 1 below. (It is unclear what is meant by “implicates.”)

**Table 1: Right to Housing Components**

<b>Component</b>	<b>Programs or Services Implicated</b>
Right to protection from housing loss	Governmental programs that ensure the legal security of people and households at risk of losing housing or experiencing homelessness, including eviction prevention programs; legal assistance in evictions; financial assistance; support services; and problem-solving counseling
Right to safe housing that meets all basic needs	The home's internal habitability, as well as the necessary services and infrastructure to support a healthy and dignified living standard
Right to housing and affordability	Governmental programs that provide rental assistance; encourage existing housing's maintenance, repair, and rehabilitation; and increase new low-cost housing stock, all of which ensure the ability to secure and maintain housing without risking access to other essential needs
Right to rehousing assistance for people and households that have become homeless	Governmental programs that support the transition of people experiencing homelessness to long-term permanent, affordable housing
Right to recognition of special circumstances	Adaptation of governmental programs to ensure accessibility to households facing particular obstacles to finding affordable, decent, safe, and stable housing, whether because of race, religion,

	sexual orientation, gender identity, age, disability, unemployment, criminal record, eviction history, family status, income source, immigration status, cultural traditions, being a victim of fraud or financial manipulation, or other obstacles
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**RIGHT TO HOUSING COMMITTEE**

The bill establishes a 17-member right to housing committee. The committee’s purpose is to (1) review existing and proposed housing policies and (2) advise on the state’s implementation of a right to housing, as well as on vulnerable populations’ need for access to permanent housing and any gaps in this access.

Under the bill, the committee must identify and review proposed legislation impacting the right to housing. It may provide public hearing testimony analyzing legislation’s potential impact on the right to housing and vulnerable populations.

When advising on vulnerable populations, the committee must cover:

1. individuals experiencing homelessness, including (A) homeless youth and (B) individuals with disabilities, including physical disabilities and disabilities related to mental health, substance abuse, and developmental conditions;
2. individuals with past or current criminal justice system involvement;
3. individuals from historically marginalized racial and ethnic groups;
4. individuals from historically marginalized groups based on sexual orientation, gender identity, or gender expression;
5. survivors of sexual violence, domestic violence, dating violence, stalking, and sexual trafficking;
6. refugees and immigrants; and

7. veterans.

**Membership**

Under the bill, the committee consists of the DOH commissioner, or her designee, and 16 members whom the legislative leaders appoint. The legislative appointees may be General Assembly members and must have specified areas of expertise, as shown in Table 2.

**Table 2: Right to Housing Committee: Legislative Appointees**

<b>Appointing Authority</b>	<b>Number of Appointees</b>	<b>Required Expertise</b>
Senate president pro tempore	3	Expertise in the following: <ul style="list-style-type: none"> <li>• fair housing protections (one member)</li> <li>• developing low-income housing (one member)</li> </ul> Expertise in, or personal experience with, the following: <ul style="list-style-type: none"> <li>• disability and housing insecurity (one member)</li> </ul>
House speaker	3	Expertise in the following: <ul style="list-style-type: none"> <li>• homelessness policies and programs (one member)</li> <li>• low-income housing policies and programs (one member)</li> <li>• matters relating to evictions and housing court (one member)</li> </ul>
Senate majority leader	3	Expertise in, or personal experience with, the impact of the following on housing insecurity: <ul style="list-style-type: none"> <li>• sexual violence, domestic violence, dating violence, or stalking (one member)</li> <li>• sex trafficking (one member)</li> <li>• refugee or immigrant status (one member)</li> </ul>
House majority leader	3	Expertise in, or personal experience with, the impact of the following on housing insecurity: <ul style="list-style-type: none"> <li>• criminal justice (one member)</li> <li>• race or ethnicity (one member)</li> <li>• sexual orientation, gender identity, or gender</li> </ul>

		expression (one member)
Senate minority leader	2	<ul style="list-style-type: none"> <li>• Current or recent recipients of homeless assistance, low-income housing assistance, or assistance in an eviction or housing summary process matter</li> </ul>
House minority leader	2	<ul style="list-style-type: none"> <li>• One with expertise in, or personal experience with, the impact of veteran status on housing insecurity</li> <li>• A current or recent recipient of homeless assistance, low-income housing assistance, or assistance in an eviction or housing summary process matter</li> </ul>

***Initial Appointments and Vacancies***

The legislative leaders must make the initial committee appointments no later than 60 days after the bill’s passage. Appointed committee members serve three-year terms or until a successor is appointed; appointing authorities fill vacancies.

***Chairperson, Meetings, and Reporting Requirement***

The bill requires the Senate president and the House speaker to jointly appoint the chairperson. Once they have done so, the committee may begin working even if the other appointments have not been made. The chairperson must schedule the committee’s first meeting no later than 90 days after the bill’s passage. If positions remain unfilled after 60 days, the chairperson may designate people with the required expertise to serve until the appointments are made.

The bill requires the committee to meet at least twice each fiscal year. At the committee’s request, DOH must provide presentations and data on its right to housing implementation. The committee must report annually on its findings and recommendations to the Housing Committee beginning July 1, 2023. The Housing Committee’s administrative staff serves as the right to housing committee’s administrative staff.

**COMMITTEE ACTION**

Housing Committee

Joint Favorable

Yea 11    Nay 4    (03/15/2022)