AN ACT CONCERNING HOME ENERGY AFFORDABILITY FOR HOME RENTERS.

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

Section 1. (NEW) (Effective January 1, 2023) (a) As used in this section, "home energy label" means (1) a United States Department of Energy Home Energy score, (2) a Home Energy Rating System Index score, (3) an Energy Star score, or (4) other labels which may be selected by the Commissioner of Energy and Environmental Protection under subsection (b) of this section.

(b) The Commissioner of Energy and Environmental Protection may qualify additional labels or replace an existing label as a home energy label. In selecting such additional labels, the commissioner shall consider factors including, but not limited to, (1) the efficiency of the labeling process, (2) the clarity of the information the label provides regarding the residence's estimated energy efficiency, (3) the standardization of the label, (4) the label's compatibility with existing nationally recognized labels, and (5) the reliability of the label. The
commissioner may also develop and adopt a label and corresponding report, in a manner and form prescribed by the commissioner, that is specific to the state. The commissioner's selection, replacement, or development of labels under this section shall be conducted in an uncontested proceeding pursuant to chapter 54 of the general statutes.

(c) (1) Any landlord, upon (A) listing any dwelling unit for rent through a multiple listing service, real estate brokers' organization or other service, organization, or facility related to the business of selling or renting dwelling units, including private listing services, shall provide a home energy label, with an electronic link to the Internet web site containing the report for such home energy label, through such service, organization or facility for each dwelling unit so listed, or (B) offering any dwelling unit for rent through a means other than those specified in subparagraph (A) of this subdivision, shall provide a home energy label, with an electronic link to the Internet web site containing the corresponding report for such home energy label, to any prospective tenant who visits the dwelling unit.

(2) The provisions of this section shall not apply to (A) the rental of any dwelling unit for which rent payments include a fixed amount for all charges for electricity, natural gas or heating fuel, as defined in section 16a-23m of the general statutes, (B) any dwelling unit in a building that was constructed on or after January 1, 2000, or (C) on or before July 1, 2026, any dwelling unit in any building occupied by the landlord of such building as a residence.

(d) The provisions of this section shall apply (1) on or after July 1, 2023, to any municipality containing a census tract in which the average percentage of gross household income spent on home heating and electricity costs is at least ten per cent, (2) on or after July 1, 2024, to any municipality containing a census tract in which the average percentage of gross household income spent on home heating and electricity costs is at least six per cent, (3) on or after July 1, 2025, to any municipality containing a census tract in which the average percentage of gross household income spent on home heating and electricity costs is four
per cent; and (4) on or after July 1, 2026, to all municipalities. The Commissioner of Housing and the Commissioner of Energy and Environmental Protection shall, not later than March first of each year, publish on the Department of Housing’s and the Department of Energy and Environmental Protection’s Internet web sites a list of municipalities that qualify for the criteria set forth in subsection (d) of this section according to the Low-income Energy Affordability Data Tool maintained by the United States Department of Energy or a successor tool.

(e) (1) Notwithstanding the provisions of section 51-164p of the general statutes, any municipality subject to this section may, by ordinance, establish a civil penalty payable to such municipality for a violation of this section provided such civil penalty shall not exceed five hundred dollars for a first violation and one thousand dollars for any subsequent violation.

(2) Any person assessed any civil penalty under subdivision (1) of this subsection may appeal such assessment to the Superior Court not later than thirty days after the mailing date of the notice of such assessment by filing a petition to reopen the assessment, together with an entry fee equal to the entry fee for a small claims case under section 52-259 of the general statutes, at the superior court facility designated by the Chief Court Administrator. Such petition shall entitle such person to a hearing under the rules of the judges of the Superior Court.

(3) The remedies in this subsection shall be in addition to any other remedies available at law, or in equity, to any person. This section shall not be construed to limit or restrict the authority of any state or local housing or health code enforcement agency.

Sec. 2. Section 47a-1 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2023):

As used in this chapter and sections 47a-21, 47a-23 to 47a-23c, inclusive, 47a-26a to 47a-26g, inclusive, 47a-35 to 47a-35b, inclusive, 47a-
41a, 47a-43 [and] 47a-46 [and section] 47a-7b and section 1 of this act:

(a) "Action" includes recoupment, counterclaim, set-off, cause of action and any other proceeding in which rights are determined, including an action for possession.

(b) "Building and housing codes" include any law, ordinance or governmental regulation concerning fitness for habitation or the construction, maintenance, operation, occupancy, use or appearance of any premises or dwelling unit.

(c) "Dwelling unit" means any house or building, or portion thereof, which is occupied, is designed to be occupied, or is rented, leased or hired out to be occupied, as a home or residence of one or more persons.

(d) "Landlord" means the owner, lessor or sublessor of the dwelling unit, the building of which it is a part or the premises.

(e) "Owner" means one or more persons, jointly or severally, in whom is vested (1) all or part of the legal title to property, or (2) all or part of the beneficial ownership and a right to present use and enjoyment of the premises and includes a mortgagee in possession.

(f) "Person" means an individual, corporation, limited liability company, the state or any political subdivision thereof, or agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, and any other legal or commercial entity.

(g) "Premises" means a dwelling unit and the structure of which it is a part and facilities and appurtenances therein and grounds, areas and facilities held out for the use of tenants generally or whose use is promised to the tenant.

(h) "Rent" means all periodic payments to be made to the landlord under the rental agreement.

(i) "Rental agreement" means all agreements, written or oral, and
valid rules and regulations adopted under section 47a-9 or subsection (d) of section 21-70 embodying the terms and conditions concerning the use and occupancy of a dwelling unit or premises.

(j) "Roomer" means a person occupying a dwelling unit, which unit does not include a refrigerator, stove, kitchen sink, toilet and shower or bathtub and one or more of these facilities are used in common by other occupants in the structure.

(k) "Single-family residence" means a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit or has a common parking facility, it is a single-family residence if it has direct access to a street or thoroughfare and does not share heating facilities, hot water equipment or any other essential facility or service with any other dwelling unit.

(l) "Tenant" means the lessee, sublessee or person entitled under a rental agreement to occupy a dwelling unit or premises to the exclusion of others or as is otherwise defined by law.

(m) "Tenement house" means any house or building, or portion thereof, which is rented, leased or hired out to be occupied, or is arranged or designed to be occupied, or is occupied, as the home or residence of three or more families, living independently of each other, and doing their cooking upon the premises, and having a common right in the halls, stairways or yards.

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

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<thead>
<tr>
<th>Section</th>
<th>Effect Date</th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>January 1, 2023</td>
<td>New section</td>
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<tr>
<td>2</td>
<td>January 1, 2023</td>
<td>47a-1</td>
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**Statement of Purpose:**
To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]