AN ACT CONCERNING A NEEDS ASSESSMENT AND FAIR SHARE PLANS FOR MUNICIPALITIES TO INCREASE AFFORDABLE HOUSING.

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

Section 1. (NEW) (Effective July 1, 2022) (a) As used in this section:

1. "Affordable housing unit" means a dwelling unit conveyed by an instrument containing a covenant or restriction that requires such dwelling unit be sold or rented at or below a price intended to preserve such unit as housing for a low income household for the municipality in which such dwelling unit is located;

2. "Commissioner" means the Commissioner of Housing;

3. "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;

4. "Low income household" means a person or family with an annual income less than or equal to eighty per cent of the lesser of the state
median income or area median income, as determined by the United States Department of Housing and Urban Development;

(5) "Very low income household" means a person or family whose income is less than or equal to fifty per cent of the lesser of the state median income or area median income, as determined by the United States Department of Housing and Urban Development;

(6) "Extremely low income household" means a person or family with an annual income less than or equal to thirty per cent of the lesser of the state median income or area median income, as determined by the United States Department of Housing and Urban Development;

(7) "Multifamily housing" means a residential building that contains three or more dwelling units;

(8) "Municipal fair share goal" means the portion of the minimum need for affordable housing units in a planning region, as determined pursuant to subsection (b) of this section, that is allocated to a municipality located within such planning region;

(9) "Municipal fair share plan" means a municipality's plan to achieve its municipal fair share goal;

(10) "Planning region" means a planning region of the state, as defined or redefined by the Secretary of the Office of Policy and Management or the secretary's designee under the provisions of section 16a-4a of the general statutes;

(11) "Secretary" means the Secretary of the Office of Policy and Management; and

(12) "Supportive housing" means affordable housing units available to persons or families who qualify for assistance in accordance with section 17a-485c of the general statutes.

(b) (1) Not later than July 1, 2024, the secretary, in consultation with the commissioner and, as may be determined by the secretary, experts,
advocates and organizations with expertise in affordable housing, fair
housing and planning and zoning, shall establish a methodology for (A)
determining the minimum need for affordable housing units in each
planning region; and (B) fairly allocating such need to the municipalities
in each planning region to ensure adequate housing choice. Such
methodology shall rely on figures from the Comprehensive Housing
Affordability Strategy data set published by the United States
Department of Housing and Urban Development, or from a similar
source as may be determined by the secretary.

(2) In developing the methodology described in subdivision (1) of this
subsection, the secretary shall consider (A) appropriate metrics of the
minimum need for affordable housing units in a planning region to
ensure adequate housing choice, including the number of extremely low
income households in the planning region; and (B) appropriate factors
for fairly allocating such need to the municipalities within each planning
region, including the municipality’s compliance with the requirements
of sections 8-2 and 8-23 of the general statutes with regard to ensuring
housing diversity and opportunities for multifamily housing and
housing affordable to low and moderate income households.

(3) The methodology established by the secretary pursuant to
subdivision (1) of this subsection shall increase the municipal fair share
goal of a municipality if such municipality, when compared to other
municipalities in the same planning region, has (A) more ratable real
and personal property, as reflected by its equalized net grand list,
calculated in accordance with the provisions of section 10-261a of the
general statutes, for residential, commercial, industrial, public utility
and vacant land; (B) a higher median income, based on data reported in
the most recent United States decennial census or a similar source; (C) a
lower percentage of its population that is below the federal poverty
threshold, based on data reported in such census or similar source; or
(D) a lower percentage of its population that lives in multifamily
housing, based on data reported in such census or similar source.

(4) (A) Not later than July 1, 2024, and every ten years thereafter, the
secretary, in consultation with the commissioner, shall, using the methodological arrangements set forth in this subsection, determine the minimum need for affordable housing units for each planning region and a municipal fair share goal for each municipality within each planning region.

(B) No municipal fair share goal determined pursuant to subparagraph (A) of this subdivision shall exceed twenty per cent of the occupied dwelling units in such municipality.

(c) (1) Not later than July 1, 2024, the secretary, in consultation with the commissioner and, as may be determined by the secretary, experts, advocates and organizations with expertise in affordable housing, fair housing and planning and zoning, shall establish (A) a process by which municipalities shall be required to develop, adopt, and submit to the secretary and the commissioner municipal fair share plans setting forth the actions the municipality will take to achieve its municipal fair share goal; (B) the required contents and timing for submission of such plans; (C) requirements to ensure that each municipal fair share plan provides for the creation of a sufficient supply of the different types of deed-restricted affordable housing required for meeting the minimum need for affordable housing units to ensure adequate housing choice, including sufficient allocations of (i) rental units, (ii) units that will be available to families, including units with two or three, or more bedrooms, (iii) units that will be affordable to very low income households and extremely low income households, and (iv) supportive housing units; and (D) policies ensuring that no municipal fair share plan creates, in the determination of the secretary, undue concentrations of households below the federal poverty threshold in the applicable planning region.

(2) Not later than July 1, 2024, and every ten years thereafter, the secretary, in consultation with the commissioner and, as may be determined by the secretary, experts, advocates and organizations with expertise in affordable housing, fair housing and planning and zoning, shall publish and appropriately disseminate technical assistance
materials to aid municipalities in preparing to comply with the requirements of this section and shall arrange for the provision of technical assistance briefings, trainings, webinars and such other guidance as the secretary deems necessary.

(d) Not later than January 1, 2025, and every ten years thereafter, each municipality shall prepare and adopt a municipal fair share plan that creates a realistic opportunity for achieving the municipality's fair share goal, in accordance with the process established pursuant to subsection (c) of this section.

Sec. 2. (NEW) (Effective July 1, 2022) Not later than January 1, 2026, the secretary, in consultation with the commissioner and, as may be determined by the secretary, experts, advocates and organizations with expertise in affordable housing, fair housing and planning and zoning, shall submit a report to the joint standing committees of the General Assembly having cognizance of matters relating to housing and planning and development, in accordance with section 11-4a of the general statutes, concerning (1) implementation of the provisions of section 1 of this act; (2) the status of municipalities' performance of the obligations established by section 1 of this act; and (3) recommendations regarding implementation, compliance and enforcement of section 1 of this act, including, but not limited to, consideration of approaches used in other states for implementing and ensuring compliance with similar obligations.

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

| Section 1 | July 1, 2022 | New section |
| Sec. 2    | July 1, 2022 | New section |

**Statement of Purpose:**
To require (1) an assessment of the state-wide need for affordable housing and an allocation of such need to planning regions and municipalities, (2) the creation of affordable housing plans for each municipality, and (3) a study concerning the municipalities' performance in meeting the requirements of such plans.
[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.]