General Assembly

Raised Bill No. 6593

January Session, 2023

LCO No. **3617**

Referred to Committee on HOUSING

Introduced by:
(HSG)

AN ACT CONCERNING HOUSING AUTHORITY JURISDICTION.

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

Section 1. Section 8-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

The following terms, wherever used or referred to in this chapter, **[**shall**]** have the following respective meanings, unless a different meaning clearly appears from the context:

[(a)**]** (1) "Area of operation" **[**includes the municipality in which a housing authority is created under the provisions of this chapter and may include a neighboring municipality, provided the governing body of such neighboring municipality agrees by proper resolution to the extension of the area of operation to include such neighboring municipality**]** means a municipal area of operation and, if adopted by a housing authority, includes an expanded area of operation.

[(b)**]** (2) "Authority" or "housing authority" means any of the public corporations created by section 8-40, as amended by this act, and the Connecticut Housing Authority when exercising the rights, powers,

duties or privileges of, or subject to the immunities or limitations of, housing authorities pursuant to section 8-121.

[(c)**]** (3) "Bonds" means any bonds, including refunding bonds, notes, interim certificates, debentures or other obligations issued by the authority pursuant to this chapter.

[(d)**]** (4) "Clerk" means the clerk of the particular city, borough or town for which a particular housing authority is created.

(5) "Eligible developer" or "developer" means (A) a nonprofit corporation; (B) any business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having its articles of incorporation approved by the Commissioner of Housing in accordance with regulations adopted pursuant to section 8-79a or 8-84; (C) any partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having its documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (D) a housing authority; (E) a family or person approved by the commissioner as qualified to own, construct, rehabilitate, manage and maintain housing under a mortgage loan made or insured under an agreement entered into pursuant to the provisions of this chapter; or (F) a municipal developer.

(6) "Expanded area of operation" means an area in a municipality adopted by a housing authority under section 8-40, as amended by this act, other than the municipality in which the housing authority is located.

[(e)**]** (7) "Families of low income" means families who lack the amount of income which is necessary, as determined by the authority undertaking the housing project, to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

[(f)**]** (8) "Families of low and moderate income" means families who lack the amount of income which is necessary, as determined by the Commissioner of Housing, to enable them to rent or purchase moderate cost housing without financial assistance as provided by this part and parts II and III of this chapter.

(9) "Family" means a household consisting of one or more persons.

[(g)**]** (10) "Federal government" includes the United States of America, the federal emergency administration of public works or any other agency or instrumentality, corporate or otherwise, of the United States of America.

[(h)**]** (11) "Governing body" means, for towns having a town council, the council; for other towns, the selectmen; for cities, the common council or other similar body of officials; and for boroughs, the warden and burgesses.

[(i)**]** (12) "Housing project" means any work or undertaking **[**(1)**]** (A) to demolish, clear or remove buildings from any slum area, which work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes; or **[**(2)**]** (B) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for families of low or moderate income, which work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, recreational, commercial or welfare purposes and may include the acquisition and rehabilitation of existing dwelling units or structures to be used for moderate or low rental units; or **[**(3)**]** (C) to accomplish a combination of the **[**foregoing**.** The term "housing project" also may be applied to**]** purposes listed in subparagraphs (A) and (B) of this subdivision. "Housing project" may also include the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction,

alteration and repair of the improvements and all other work in connection therewith and may include the reconstruction, rehabilitation, alteration, or major repair of existing buildings or improvements which were undertaken pursuant to parts II and VI of this chapter.

[(j)**]** (13) "Mayor" means, for cities, the mayor and, for boroughs, the warden.

[(k)**]** (14) "Moderate rental" means a rental which, as determined by an authority with the concurrence of the Commissioner of Housing, is below the level at which private enterprise is currently building a needed volume of safe and sanitary dwellings for rental in the locality involved; and "moderate rental housing project" means a housing project, receiving state aid in the form of loans or grants, for families unable to pay more than moderate rental. **[**Such project**]** "Moderate rental housing project" may include the reconstruction, rehabilitation, alteration, or major repair of existing buildings or improvements which were undertaken pursuant to parts II or VI of this chapter.

(15) "Mortgage" means a mortgage deed, deed of trust or other instrument that constitutes a lien, regardless of priority, on real estate or on a leasehold interest under a lease having a remaining term, at the time such mortgage is executed, which does not expire for at least that number of years beyond the maturity date of the obligation secured by such mortgage as is equal to the number of years remaining until the maturity date of such obligation.

(16) "Municipal area of operation" includes the municipality in which a housing authority is created under the provisions of this chapter and may include any other municipality, as provided in section 8-40, as amended by this act.

(17) "Municipal developer" means a municipality that has not declared by resolution a need for a housing authority pursuant to section 8-40, as amended by this act, acting by and through its legislative body, except that in any town in which a town meeting or representative

town meeting is the legislative body, "municipal developer" means the board of selectmen if such board is authorized to act as the municipal developer by the town meeting or representative town meeting.

[(l)**]** (18) "Municipality" means any city, borough or town. "The municipality" means the particular municipality for which a particular housing authority is created.

(19) "Nonprofit corporation" means a nonprofit corporation incorporated pursuant to chapter 602 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing and having articles of incorporation approved by the Commissioner of Housing in accordance with regulations adopted pursuant to section 8-79a or 8-84.

[(m)**]** (20) "Obligee of the authority" or "obligee" includes any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the state or federal government when it is a party to any contract with the authority.

[(n)**]** (21) "Real property" includes all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

[(o)**]** (22) "Rent" means the entire amount paid to an authority for any dwelling unit.

[(p)**]** (23) "Shelter rent" means rent less any charges made by an authority for water, heat, gas and electricity.

[(q)**]** (24) "Slum" means any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or

design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals.

[(r)**]** (25) "State public body" means any city, borough, town, municipal corporation, district or other subdivision of the state.

[(s)**]** (26) "Veteran" has the meaning **[**assigned by**]** as provided in section 27-103 and includes any officer of the United States Public Health Service detailed by proper authority to duty with any of the armed forces and the spouse or widow or widower of such veteran, provided such veteran shall have served for a period of ninety days or more in time of war after December 7, 1941, and shall have resided in this state at any time continuously for two years.

[(t) "Family" means a household consisting of one or more persons.

(u) "Eligible developer" or "developer" means (1) a nonprofit corporation; (2) any business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (3) any partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (4) a housing authority; (5) a family or person approved by the commissioner as qualified to own, construct, rehabilitate, manage and maintain housing under a mortgage loan made or insured under an agreement entered into pursuant to the provisions of this chapter; or (6) a municipal developer.

(v) "Mortgage" means a mortgage deed, deed of trust, or other instrument which shall constitute a lien, whether first or second, on real estate or on a leasehold under a lease having a remaining term, at the time such mortgage is acquired, which does not expire for at least that

number of years beyond the maturity date of the obligation secured by such mortgage as is equal to the number of years remaining until the maturity date of such obligation.

(w) "Nonprofit corporation" means a nonprofit corporation incorporated pursuant to chapter 602 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing and having articles of incorporation approved by the Commissioner of Housing in accordance with regulations adopted pursuant to section 8-79a or 8-84.

(x) "Municipal developer" means a municipality, as defined in subsection (l) of this section, which has not declared by resolution a need for a housing authority pursuant to section 8-40, acting by and through its legislative body, except that in any town in which a town meeting or representative town meeting is the legislative body, "municipal developer" means the board of selectmen if such board is authorized to act as the municipal developer by the town meeting or representative town meeting.**]**

Sec. 2. Section 8-40 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) In each municipality of the state there is created a public body corporate and politic to be known as the "housing authority" of the municipality; provided such authority shall not transact any business or exercise its powers **[**hereunder**]** under this section until the governing body of the municipality by resolution declares that there is need for a housing authority in the municipality, provided it shall find **[**(1)**]** that (1) insanitary or unsafe inhabited dwelling accommodations exist in the municipality, **[**or**]** (2) that there is a shortage of safe or sanitary dwelling accommodations in the municipality available to families of low income at rentals they can afford, or (3) **[**that**]** there is a shortage of safe or sanitary dwelling accommodations in the municipality available to families of moderate income at rentals they can afford. In determining whether dwelling accommodations are unsafe or insanitary, **[**said**]** such

governing body may take into consideration the degree of overcrowding, the percentage of land coverage, the light, air, space and access available to the inhabitants of such dwelling accommodations, the size and arrangement of the rooms, the sanitary facilities and the extent to which conditions exist in such buildings which endanger life or property by fire or other causes.

(b) The governing bodies of two or more municipalities may create a regional housing authority, which shall have all the powers, duties and responsibilities conferred upon housing authorities by this chapter and chapter 130. The area of operation of such authority shall include the municipalities for which such authority is created and any expanded area of operation adopted by such authority. Such authority shall act through a board of commissioners composed of two representatives from each municipality appointed for terms of four years in the manner provided in section 8-41.

(c) Any housing authority or regional housing authority established pursuant to this section may adopt an expanded area of operation.

Sec. 3. Section 8-44b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) Any housing authority created by section 8-40, as amended by this act, shall have the power to establish and maintain a housing authority police force, **[**the**]** except that no housing authority shall have the power to establish or maintain a housing authority police force in an expanded area of operation. The members of **[**which**]** any such housing authority police force shall be employees of such housing authority and shall be known as housing authority police officers. Housing authority police officers shall be appointed by the local board, agency or person empowered to appoint municipal police officers, subject to approval **[**of**]** by the housing authority. The requirements for appointment as a police officer in the municipality in which the housing authority is located, except for age and physical qualifications, shall be mandatory for housing authority police officers in such municipality. No person shall

be appointed to such housing authority police force unless **[**he**]** such person has been awarded a certificate attesting to **[**his**]** such person's successful completion of an approved municipal police basic training program, as provided in section 7-294e. The initial appointment shall be for a probationary term upon completion of which the appointing authority may promote such probationary officers to permanent status; provided such promotion shall be in accordance with procedures applicable to municipal police officers in the municipality and shall be made subject to the approval of the housing authority. Housing authority police officers shall have and exercise the powers and authority conferred upon municipal police officers and shall be subject to the ultimate supervision and control of the chief of police of the municipality in which the housing authority operates.

(b) Notwithstanding the provisions of subsection (a) of this section, any housing authority police force which existed prior to October 1, 1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the Demonstration Cities and Metropolitan Development Act of 1966, and which, for any reason, does not constitute a housing authority police force pursuant to subsection (a) of this section, shall constitute a housing authority police force pursuant to this subsection and the members of any such police **[**forces**]** force may exercise the powers granted to such members pursuant to this subsection. The members of such police force may act, at the expense of the municipality, as special police officers upon property owned or managed by any housing authority. Such special police officers: (1) May arrest, without previous complaint and warrant, any person for any offense in their jurisdiction, when such person is taken or apprehended in the act or on the speedy information of others; (2) when in the immediate pursuit of one who may be arrested under the provisions of this subsection, may pursue such offender outside of their jurisdiction into any part of the municipality to effect an arrest; (3) shall be peace officers as defined in subdivision (9) of section 53a-3; (4) shall have the authority to serve criminal process within their jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color from that worn by the police officers of the municipality; (6) shall, when

on duty, wear in plain view a shield, distinct in shape from that worn by the police officers of the municipality which shall bear the words "special police"; (7) shall complete a forty-hour basic training program provided by the municipality within one hundred eighty days of June 27, 1983; and (8) shall take an oath of office.

Sec. 4. Section 8-50 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

An authority shall have the right to acquire by the exercise of the power of eminent domain any real property that is not located in an expanded area of operation which it deems necessary for its purposes under this chapter after the adoption by **[**it**]** such authority of a resolution declaring that the acquisition of such real property described **[**therein**]** in such resolution is necessary for such purposes. An authority, in its own name and at its own expense and cost, may prefer a petition and exercise the power of eminent domain in the manner provided in section 48-12 and acts supplementary thereto, except that a housing authority's power of eminent domain shall not extend to an expanded area of operation. Property already devoted to a public use may be acquired, provided no real property belonging to the municipality, the state or any political subdivision thereof may be acquired without its consent.

Sec. 5. Section 8-45a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

A housing authority, as defined in **[**subsection (b) of**]** section 8-39, as amended by this act, in determining eligibility for the rental of public housing units may establish criteria and consider relevant information concerning (1) an applicant's or any proposed occupant's history of criminal activity involving: (A) Crimes of physical violence to persons or property, (B) crimes involving the illegal manufacture, sale, distribution or use of, or possession with intent to manufacture, sell, use or distribute, a controlled substance, as defined in section 21a-240, or (C) other criminal acts which would adversely affect the health, safety or

welfare of other tenants, (2) an applicant's or any proposed occupant's abuse, or pattern of abuse, of alcohol when the housing authority has reasonable cause to believe that such applicant's or proposed occupant's abuse, or pattern of abuse, of alcohol may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents, and (3) an applicant or any proposed occupant who is subject to a lifetime registration requirement under section 54-252 on account of being convicted or found not guilty by reason of mental disease or defect of a sexually violent offense. In evaluating any such information, the housing authority shall give consideration to the time, nature and extent of the applicant's or proposed occupant's conduct and to factors which might indicate a reasonable probability of favorable future conduct such as evidence of rehabilitation and evidence of the willingness of the applicant, the applicant's family or the proposed occupant to participate in social service or other appropriate counseling programs and the availability of such programs.

Sec. 6. Subdivision (29) of section 12-412 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(29) (A) Sales of and the storage, use or other consumption of tangible personal property acquired for incorporation into or used and consumed in the operation of housing facilities for low and moderate income families and persons and sales of and the acceptance, use or other consumption of any service described in subdivision (2) of section 12-407 that is used and consumed in the development, construction, rehabilitation, renovation, repair or operation of housing facilities for low and moderate income families and persons, provided such facilities are constructed under the sponsorship of and owned or operated by nonprofit housing organizations or housing authorities, as defined in **[**subsection (b)**]** subdivision (2) of section 8-39, as amended by this act. The nonprofit housing organization or housing authority sponsoring the construction of or owning or operating such housing facility shall obtain from the commissioner a letter of determination that the housing facility has, to the satisfaction of said commissioner, met all the

requirements for exemption under this subsection. At the time of any sale or purchase that is exempt under this subsection, the purchaser shall present to the retailer a copy of the determination letter that was issued to the nonprofit housing organization or housing authority together with a certificate from the purchaser, in such form as the commissioner may prescribe, certifying that the tangible personal property or services that are being purchased from the retailer are to be used or consumed exclusively for the purposes of incorporation into or in the development, construction, rehabilitation, renovation, repair or operation of the housing facility identified in the letter of determination. For the purposes of this subsection, (i) "nonprofit housing organization" means any organization which has as one of its purposes the development, construction, sponsorship or ownership of housing for low and moderate income families as stated in its charter, if it is incorporated, or its constitution or bylaws, if it is unincorporated, and which has received exemption from federal income tax under the provisions of Section 501(c) of the Internal Revenue Code, as amended from time to time, provided the charter of such organization, if it is incorporated, or its constitution or bylaws, if unincorporated, shall contain a provision that no officer, member or employee thereof shall receive or at any future time may receive any pecuniary profit from the operation thereof, except a reasonable compensation for services in effecting the purposes of the organization; (ii) "housing facilities" means facilities having as their primary purpose the provision of safe and adequate housing and related facilities for low and moderate income families and persons, notwithstanding that said housing provides other dwelling accommodations in addition to the primary purpose of providing dwelling accommodations for low and moderate income families; (iii) "related facilities" means those facilities defined in subsection (d) of section 8-243; and (iv) "low and moderate income families" means those families as defined in subsection (h) of **[**said**]** section 8-243.

(B) Sales of and the acceptance, use or other consumption of any service described in subdivision (2) of section 12-407 that is used or

consumed in the development, construction, renovation or operation of housing facilities for low and moderate income families and persons, provided such facilities are owned or sponsored by a mutual housing association, as defined in subsection (b) of section 8-214f, and operated as mutual housing by such association at a location that was conveyed to such association by the United States Secretary of Housing and Urban Development prior to September 1, 1995.

Sec. 7. Section 8-389 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

Upon the incorporation of a successfully negotiated regional fair housing compact into a regional plan of conservation and development by a regional planning agency pursuant to section 8-386, the Commissioner of Housing and the Connecticut Housing Authority may give priority to any application for financial or technical assistance made by a municipality, housing authority or eligible developer as defined in **[**subsection (u) of**]** section 8-39, as amended by this act, in connection with any project located in a municipality which has approved the regional fair housing compact pursuant to section 8-386.

Sec. 8. Subdivision (9) of section 12-631 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(9) "Families of low and moderate income" means families meeting the criteria for designation as families of low and moderate income established by the Commissioner of Housing pursuant to **[**subsection (f)**]** subdivision (8) of section 8-39, as amended by this act.

Sec. 9. Section 8-113a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

The following terms, wherever used or referred to in this part, **[**shall**]** have the following respective meanings, unless a different meaning clearly appears from the context:

[(a)**]** (1) "Authority" or "housing authority" means any of the public corporations created by section 8-40, as amended by this act.

[(b) "Municipality" means any city, borough or town. "The municipality" means the particular municipality for which a particular housing authority is created.

(c) "Governing body" means, for towns having a town council, the council; for other towns, the selectmen; for cities, the common council or other similar body of officials; and for boroughs, the warden and burgesses.

(d) "Mayor" means, for cities, the mayor, and, for boroughs, the warden. "Clerk" means the clerk of the particular city, borough or town for which a particular housing authority is created.

(e) "Area of operation" shall include the municipality in which a housing authority is created under the provisions of this chapter, and may include a neighboring municipality, provided the governing body of such neighboring municipality shall agree by proper resolution to the extension of the area of operation to include such neighboring municipality.**]**

(2) "Bonds" means any bonds, notes, interim certificates, certificates of indebtedness, debentures or other obligations issued by the authority pursuant to this chapter.

(3) "Elderly persons" means persons sixty-two years of age and over who lack the amount of income that is necessary, as determined by the authority or nonprofit corporation, subject to approval by the Commissioner of Housing, to enable them to live in decent, safe and sanitary dwellings without financial assistance as provided under this part, or persons who have been certified by the Social Security Board as being totally disabled under the federal Social Security Act or certified by any other federal board or agency as being totally disabled.

(4) "Housing partnership" means any partnership, limited

partnership, joint venture, trust or association consisting of (A) a housing authority, a nonprofit corporation or both, and (B) (i) a business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84, (ii) a for-profit partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84, or (iii) any combination of the entities included under subparagraphs (B)(i) and (B)(ii) of this subdivision.

[(f)**]** (5) "Housing project" means any work or undertaking **[**(1)**]** (A) to demolish, clear or remove buildings from any slum area, which work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes; **[**(2)**]** (B) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for elderly persons, which work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, recreational or welfare purposes; **[**(3)**]** (C) to provide a continuum of housing comprising independent living accommodations, residential care, intermediate housing facilities and skilled nursing care and facilities with ready access to medical and hospital services; or **[**(4)**]** (D) to accomplish a combination of the **[**foregoing. The term "housing project" also may be applied to**]** purposes specified in subparagraphs (A) to (C), inclusive, of this subdivision. "Housing project" may also include the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other

work in connection therewith.

[(g) "Bonds" means any bonds, notes, interim certificates, certificates of indebtedness, debentures or other obligations issued by the authority pursuant to this chapter.

(h) "Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(i) "Obligee of the authority" or "obligee" shall include any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the state government when it is a party to any contract with the authority.

(j) "State public body" means any city, borough, town, municipal corporation, district or other subdivision of the state.**]**

[(k)**]** (6) "Rent" means the entire amount paid to a local authority, nonprofit corporation or housing partnership for any dwelling unit.

[(l)**]** (7) "Shelter rent" means "rent" as defined herein, less any charges made by a local authority, nonprofit corporation or housing partnership for water, heat, gas, electricity and sewer use charges.

[(m) "Elderly persons" means persons sixty-two years of age and over who lack the amount of income which is necessary, as determined by the authority or nonprofit corporation, subject to approval by the Commissioner of Housing, to enable them to live in decent, safe and sanitary dwellings without financial assistance as provided under this part, or persons who have been certified by the Social Security Board as being totally disabled under the federal Social Security Act or certified

by any other federal board or agency as being totally disabled.

(n) "Housing partnership" means any partnership, limited partnership, joint venture, trust or association consisting of (1) a housing authority, a nonprofit corporation or both and (2) (A) a business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84, (B) a for-profit partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84 or (C) any combination of the entities included under subparagraphs (A) and (B) of this subdivision.**]**

Sec. 10. Subsection (a) of section 8-116c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) An elderly person **[**, as defined in subsection (m) of section 8-113a,**]** shall not be eligible to move into a housing project **[**, as defined in subsection (f) of section 8-113a,**]** if the person (1) is currently using illegal drugs, (2) is currently abusing alcohol and has a recent history of disruptive or dangerous behavior and whose tenancy (A) would constitute a direct threat to the health or safety of another individual**,** or (B) would result in substantial physical damage to the property of another, (3) has a recent history of disruptive or dangerous behavior and whose tenancy (A) would constitute a direct threat to the health and safety of another individual, or (B) would result in substantial physical damage to the property of another, or (4) was convicted of the illegal sale or possession of a controlled substance, as defined in section 21a-240, within the prior twenty-four-month period.

Sec. 11. Section 8-116d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

Any elderly person **[**, as defined in subsection (m) of section 8-113a,**]** who applies for and is accepted for admission to a housing project pursuant to this part or part VII of this chapter or pursuant to any other state or federal housing assistance program may terminate the lease or rental agreement for the dwelling unit that he or she occupies at the time of such acceptance, without the penalty or liability for the remaining term of the lease or rental agreement, upon giving thirty days' written notice to the landlord of such dwelling unit.

Sec. 12. Section 8-119h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

Upon preliminary approval by the State Bond Commission pursuant to the provisions of section 3-20, the state, acting by and through the Commissioner of Housing, may enter into a contract or contracts with an authority, a municipal developer, a nonprofit corporation or a housing partnership for state financial assistance for a congregate housing project, in the form of capital grants, interim loans, permanent loans, deferred loans or any combination thereof for application to the development cost of such project or projects. A contract with an authority, a municipal developer, a nonprofit corporation or a housing partnership may provide that in the case of any loan made in conjunction with any housing assistance funds provided by an agency of the United States government, if such housing assistance funds terminate prior to complete repayment of a loan made pursuant to this section, the remaining balance of such loan may be converted to a capital grant or decreased loan. Any such state assistance contract with an authority, a municipal developer, a nonprofit corporation or a housing partnership for a capital grant or loan entered into prior to the time housing assistance funds became available from an agency of the United States government, may, upon the mutual consent of the commissioner and the authority, municipal developer, nonprofit corporation or housing partnership, be renegotiated to provide for a loan or increased

loan in the place of a capital grant or loan or a part thereof, consistent with the above conditions. Such capital grants or loans shall be in an amount not in excess of the development cost of the project or projects, including, in the case of grants or loans financed from the proceeds of the state's general obligation bonds issued pursuant to any authorization, allocation or approval of the State Bond Commission made prior to July 1, 1990, administrative or other cost or expense to be incurred by the state in connection therewith, as approved by said commissioner. In anticipation of final payment of such capital grants or loans, the state, acting by and through said commissioner and in accordance with such contract, may make temporary advances to the authority, municipal developer, nonprofit corporation or housing partnership for preliminary planning expense or other development cost of such project or projects. Any loan provided pursuant to this section shall bear interest at a rate to be determined in accordance with subsection (t) of section 3-20. Any such authority, municipal developer, nonprofit corporation or housing partnership may, subject to the approval of the Commissioner of Housing, contract with any other person approved by the Commissioner of Housing for the operation of a project undertaken pursuant to this part. As used in this section, "housing partnership" has the same meaning as provided in **[**subsection (n) of**]** section 8-113a, as amended by this act.

Sec. 13. Section 8-119*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

The state, acting by and through the Commissioner of Housing, may enter into a contract or contracts with an authority, a municipal developer, a nonprofit corporation or a housing partnership for state financial assistance in the form of a grant-in-aid for an operating cost subsidy for state-financed congregate housing projects developed pursuant to this part. In calculating the amount of the grant-in-aid, the commissioner shall use adjusted gross income of tenants. As used in this section, "adjusted gross income" means annual aggregate income from all sources minus fifty per cent of all unreimbursable medical expenses. As used in this section, "housing partnership" has the same meaning as

provided in **[**subsection (n) of**]** section 8-113a, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*October 1, 2023*	8-39
Sec. 2	*October 1, 2023*	8-40
Sec. 3	*October 1, 2023*	8-44b
Sec. 4	*October 1, 2023*	8-50
Sec. 5	*October 1, 2023*	8-45a
Sec. 6	*October 1, 2023*	12-412(29)
Sec. 7	*October 1, 2023*	8-389
Sec. 8	*October 1, 2023*	12-631(9)
Sec. 9	*October 1, 2023*	8-113a
Sec. 10	*October 1, 2023*	8-116c(a)
Sec. 11	*October 1, 2023*	8-116d
Sec. 12	*October 1, 2023*	8-119h
Sec. 13	*October 1, 2023*	8-119*l*

Statement of Purpose:

To allow a housing authority to expand its jurisdiction to include other municipalities.

[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.]