



General Assembly

Substitute Bill No. 6593

January Session, 2023



AN ACT CONCERNING HOUSING AUTHORITY JURISDICTION.

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

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 Section 8-39 of the general statutes is repealed and the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

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

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

13 [(b)] (2) "Authority" or "housing authority" means any of the public
14 corporations created by section 8-40, as amended by this act, and the
15 Connecticut Housing Authority when exercising the rights, powers,
16 duties or privileges of, or subject to the immunities or limitations of,
17 housing authorities pursuant to section 8-121.

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

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

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

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

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

48 [(f)] (8) "Families of low and moderate income" means families who

49 lack the amount of income which is necessary, as determined by the
50 Commissioner of Housing, to enable them to rent or purchase moderate
51 cost housing without financial assistance as provided by this part and
52 parts II and III of this chapter.

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

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

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

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

81 connection therewith and [may include] the reconstruction,
82 rehabilitation, alteration, or major repair of existing buildings or
83 improvements which were undertaken pursuant to parts II and VI of
84 this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

170 (v) "Mortgage" means a mortgage deed, deed of trust, or other
171 instrument which shall constitute a lien, whether first or second, on real
172 estate or on a leasehold under a lease having a remaining term, at the

173 time such mortgage is acquired, which does not expire for at least that
174 number of years beyond the maturity date of the obligation secured by
175 such mortgage as is equal to the number of years remaining until the
176 maturity date of such obligation.

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

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

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

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

205 whether dwelling accommodations are unsafe or insanitary, [said] such
206 governing body may take into consideration the degree of
207 overcrowding, the percentage of land coverage, the light, air, space and
208 access available to the inhabitants of such dwelling accommodations,
209 the size and arrangement of the rooms, the sanitary facilities and the
210 extent to which conditions exist in such buildings which endanger life
211 or property by fire or other causes.

212 (b) The governing bodies of two or more municipalities may create a
213 regional housing authority, which shall have all the powers, duties and
214 responsibilities conferred upon housing authorities by this chapter and
215 chapter 130. The area of operation of such authority shall include the
216 municipalities for which such authority is created, provided, in the case
217 of an expanded area of operation, any other municipality included in
218 the expanded area of operation agrees, in accordance with the
219 provisions of this section, to the expansion of the area of operation to
220 include such other municipality. Such authority shall act through a
221 board of commissioners composed of two representatives from each
222 municipality appointed for terms of four years in the manner provided
223 in section 8-41.

224 (c) (1) Any housing authority or regional housing authority may
225 adopt an expanded area of operation, provided the governing body of
226 any municipality requested to be included in the expanded area of
227 operation, at the sole discretion of such municipality, adopts an
228 agreement authorizing such housing authority to operate in such
229 municipality as an expanded area of operation.

230 (2) Any failure of the governing body of such municipality to adopt
231 an agreement with a housing authority requested pursuant to
232 subdivision (1) of this subsection shall not be construed to be a violation
233 of section 8-30g or of any other provision of the general statutes.

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

236 (a) Any housing authority created by section 8-40, as amended by this
237 act, shall have the power to establish and maintain a housing authority
238 police force, [the] except that no housing authority shall have the power
239 to establish or maintain a housing authority police force in an expanded
240 area of operation. The members of [which] any such housing authority
241 police force shall be employees of such housing authority and shall be
242 known as housing authority police officers. Housing authority police
243 officers shall be appointed by the local board, agency or person
244 empowered to appoint municipal police officers, subject to approval [of]
245 by the housing authority. The requirements for appointment as a police
246 officer in the municipality in which the housing authority is located,
247 except for age and physical qualifications, shall be mandatory for
248 housing authority police officers in such municipality. No person shall
249 be appointed to such housing authority police force unless [he] such
250 person has been awarded a certificate attesting to [his] such person's
251 successful completion of an approved municipal police basic training
252 program, as provided in section 7-294e. The initial appointment shall be
253 for a probationary term upon completion of which the appointing
254 authority may promote such probationary officers to permanent status;
255 provided such promotion shall be in accordance with procedures
256 applicable to municipal police officers in the municipality and shall be
257 made subject to the approval of the housing authority. Housing
258 authority police officers shall have and exercise the powers and
259 authority conferred upon municipal police officers and shall be subject
260 to the ultimate supervision and control of the chief of police of the
261 municipality in which the housing authority operates.

262 (b) Notwithstanding the provisions of subsection (a) of this section,
263 any housing authority police force which existed prior to October 1,
264 1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the
265 Demonstration Cities and Metropolitan Development Act of 1966, and
266 which, for any reason, does not constitute a housing authority police
267 force pursuant to subsection (a) of this section, shall constitute a housing
268 authority police force pursuant to this subsection and the members of
269 any such police [forces] force may exercise the powers granted to such

270 members pursuant to this subsection. The members of such police force
271 may act, at the expense of the municipality, as special police officers
272 upon property owned or managed by any housing authority. Such
273 special police officers: (1) May arrest, without previous complaint and
274 warrant, any person for any offense in their jurisdiction, when such
275 person is taken or apprehended in the act or on the speedy information
276 of others; (2) when in the immediate pursuit of one who may be arrested
277 under the provisions of this subsection, may pursue such offender
278 outside of their jurisdiction into any part of the municipality to effect an
279 arrest; (3) shall be peace officers as defined in subdivision (9) of section
280 53a-3; (4) shall have the authority to serve criminal process within their
281 jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color
282 from that worn by the police officers of the municipality; (6) shall, when
283 on duty, wear in plain view a shield, distinct in shape from that worn
284 by the police officers of the municipality which shall bear the words
285 "special police"; (7) shall complete a forty-hour basic training program
286 provided by the municipality within one hundred eighty days of June
287 27, 1983; and (8) shall take an oath of office.

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

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

303 consent.

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

306 A housing authority, as defined in [subsection (b) of] section 8-39, as
307 amended by this act, in determining eligibility for the rental of public
308 housing units may establish criteria and consider relevant information
309 concerning (1) an applicant's or any proposed occupant's history of
310 criminal activity involving: (A) Crimes of physical violence to persons
311 or property, (B) crimes involving the illegal manufacture, sale,
312 distribution or use of, or possession with intent to manufacture, sell, use
313 or distribute, a controlled substance, as defined in section 21a-240, or (C)
314 other criminal acts which would adversely affect the health, safety or
315 welfare of other tenants, (2) an applicant's or any proposed occupant's
316 abuse, or pattern of abuse, of alcohol when the housing authority has
317 reasonable cause to believe that such applicant's or proposed occupant's
318 abuse, or pattern of abuse, of alcohol may interfere with the health,
319 safety or right to peaceful enjoyment of the premises by other residents,
320 and (3) an applicant or any proposed occupant who is subject to a
321 lifetime registration requirement under section 54-252 on account of
322 being convicted or found not guilty by reason of mental disease or defect
323 of a sexually violent offense. In evaluating any such information, the
324 housing authority shall give consideration to the time, nature and extent
325 of the applicant's or proposed occupant's conduct and to factors which
326 might indicate a reasonable probability of favorable future conduct such
327 as evidence of rehabilitation and evidence of the willingness of the
328 applicant, the applicant's family or the proposed occupant to participate
329 in social service or other appropriate counseling programs and the
330 availability of such programs.

331 Sec. 6. Subdivision (29) of section 12-412 of the general statutes is
332 repealed and the following is substituted in lieu thereof (*Effective October*
333 *1, 2023*):

334 (29) (A) Sales of and the storage, use or other consumption of tangible

335 personal property acquired for incorporation into or used and
336 consumed in the operation of housing facilities for low and moderate
337 income families and persons and sales of and the acceptance, use or
338 other consumption of any service described in subdivision (2) of section
339 12-407 that is used and consumed in the development, construction,
340 rehabilitation, renovation, repair or operation of housing facilities for
341 low and moderate income families and persons, provided such facilities
342 are constructed under the sponsorship of and owned or operated by
343 nonprofit housing organizations or housing authorities, as defined in
344 [subsection (b)] subdivision (2) of section 8-39, as amended by this act.
345 The nonprofit housing organization or housing authority sponsoring
346 the construction of or owning or operating such housing facility shall
347 obtain from the commissioner a letter of determination that the housing
348 facility has, to the satisfaction of said commissioner, met all the
349 requirements for exemption under this subsection. At the time of any
350 sale or purchase that is exempt under this subsection, the purchaser
351 shall present to the retailer a copy of the determination letter that was
352 issued to the nonprofit housing organization or housing authority
353 together with a certificate from the purchaser, in such form as the
354 commissioner may prescribe, certifying that the tangible personal
355 property or services that are being purchased from the retailer are to be
356 used or consumed exclusively for the purposes of incorporation into or
357 in the development, construction, rehabilitation, renovation, repair or
358 operation of the housing facility identified in the letter of determination.
359 For the purposes of this subsection, (i) "nonprofit housing organization"
360 means any organization which has as one of its purposes the
361 development, construction, sponsorship or ownership of housing for
362 low and moderate income families as stated in its charter, if it is
363 incorporated, or its constitution or bylaws, if it is unincorporated, and
364 which has received exemption from federal income tax under the
365 provisions of Section 501(c) of the Internal Revenue Code, as amended
366 from time to time, provided the charter of such organization, if it is
367 incorporated, or its constitution or bylaws, if unincorporated, shall
368 contain a provision that no officer, member or employee [thereof] of
369 such organization shall receive or at any future time may receive any

370 pecuniary profit from the operation thereof, except a reasonable
371 compensation for services in effecting the purposes of the organization;
372 (ii) "housing facilities" means facilities having as their primary purpose
373 the provision of safe and adequate housing and related facilities for low
374 and moderate income families and persons, notwithstanding that [said]
375 such housing provides other dwelling accommodations in addition to
376 the primary purpose of providing dwelling accommodations for low
377 and moderate income families; (iii) "related facilities" means those
378 facilities defined in subsection (d) of section 8-243; and (iv) "low and
379 moderate income families" means those families as defined in
380 subsection (h) of said section 8-243.

381 (B) Sales of and the acceptance, use or other consumption of any
382 service described in subdivision (2) of section 12-407 that is used or
383 consumed in the development, construction, renovation or operation of
384 housing facilities for low and moderate income families and persons,
385 provided such facilities are owned or sponsored by a mutual housing
386 association, as defined in subsection (b) of section 8-214f, and operated
387 as mutual housing by such association at a location that was conveyed
388 to such association by the United States Secretary of Housing and Urban
389 Development prior to September 1, 1995.

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

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

401 Sec. 8. Subdivision (9) of section 12-631 of the general statutes is

402 repealed and the following is substituted in lieu thereof (*Effective October*
403 *1, 2023*):

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

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

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

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

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

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

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

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

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

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

442 (4) "Housing partnership" means any partnership, limited
443 partnership, joint venture, trust or association consisting of (A) a
444 housing authority, a nonprofit corporation or both, and (B) (i) a business
445 corporation incorporated pursuant to chapter 601 or any predecessor
446 statutes thereto, having as one of its purposes the construction,
447 rehabilitation, ownership or operation of housing, and having articles of
448 incorporation approved by the commissioner in accordance with
449 regulations adopted pursuant to section 8-79a or 8-84, (ii) a for-profit
450 partnership, limited partnership, joint venture, trust, limited liability
451 company or association having as one of its purposes the construction,
452 rehabilitation, ownership or operation of housing, and having basic
453 documents of organization approved by the commissioner in
454 accordance with regulations adopted pursuant to section 8-79a or 8-84,
455 or (iii) any combination of the entities included under subparagraphs
456 (B)(i) and (B)(ii) of this subdivision.

457 [(f)] (5) "Housing project" means any work or undertaking [(1)] (A) to
458 demolish, clear or remove buildings from any slum area, which work or
459 undertaking may embrace the adaptation of such area to public
460 purposes, including parks or other recreational or community purposes;
461 [(2)] (B) to provide decent, safe and sanitary urban or rural dwellings,
462 apartments or other living accommodations for elderly persons, which
463 work or undertaking may include buildings, land, equipment, facilities

464 and other real or personal property for necessary, convenient or
465 desirable appurtenances, streets, sewers, water service, parks, site
466 preparation, gardening, administrative, community, recreational or
467 welfare purposes; [(3)] (C) to provide a continuum of housing
468 comprising independent living accommodations, residential care,
469 intermediate housing facilities and skilled nursing care and facilities
470 with ready access to medical and hospital services; or [(4)] (D) to
471 accomplish a combination of the [foregoing. The term "housing project"
472 also may be applied to] purposes specified in subparagraphs (A) to (C),
473 inclusive, of this subdivision. "Housing project" may also include the
474 planning of the buildings and improvements, the acquisition of
475 property, the demolition of existing structures, the construction,
476 reconstruction, alteration and repair of the improvements and all other
477 work in connection therewith.

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

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

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

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

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

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

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

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

523 Sec. 10. Subsection (a) of section 8-116c of the general statutes is
524 repealed and the following is substituted in lieu thereof (*Effective October*
525 *1, 2023*):

526 (a) An elderly person [, as defined in subsection (m) of section 8-113a,]
527 shall not be eligible to move into a housing project [, as defined in
528 subsection (f) of section 8-113a,] if the person (1) is currently using illegal
529 drugs, (2) is currently abusing alcohol and has a recent history of
530 disruptive or dangerous behavior and whose tenancy (A) would
531 constitute a direct threat to the health or safety of another individual, or
532 (B) would result in substantial physical damage to the property of
533 another, (3) has a recent history of disruptive or dangerous behavior and
534 whose tenancy (A) would constitute a direct threat to the health and
535 safety of another individual, or (B) would result in substantial physical
536 damage to the property of another, or (4) was convicted of the illegal
537 sale or possession of a controlled substance, as defined in section 21a-
538 240, within the prior twenty-four-month period.

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

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

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

551 Upon preliminary approval by the State Bond Commission pursuant
552 to the provisions of section 3-20, the state, acting by and through the
553 Commissioner of Housing, may enter into a contract or contracts with
554 an authority, a municipal developer, a nonprofit corporation or a
555 housing partnership for state financial assistance for a congregate
556 housing project, in the form of capital grants, interim loans, permanent
557 loans, deferred loans or any combination thereof for application to the

558 development cost of such project or projects. A contract with an
559 authority, a municipal developer, a nonprofit corporation or a housing
560 partnership may provide that in the case of any loan made in
561 conjunction with any housing assistance funds provided by an agency
562 of the United States government, if such housing assistance funds
563 terminate prior to complete repayment of a loan made pursuant to this
564 section, the remaining balance of such loan may be converted to a capital
565 grant or decreased loan. Any such state assistance contract with an
566 authority, a municipal developer, a nonprofit corporation or a housing
567 partnership for a capital grant or loan entered into prior to the time
568 housing assistance funds became available from an agency of the United
569 States government, may, upon the mutual consent of the commissioner
570 and the authority, municipal developer, nonprofit corporation or
571 housing partnership, be renegotiated to provide for a loan or increased
572 loan in the place of a capital grant or loan or a part thereof, consistent
573 with the above conditions. Such capital grants or loans shall be in an
574 amount not in excess of the development cost of the project or projects,
575 including, in the case of grants or loans financed from the proceeds of
576 the state's general obligation bonds issued pursuant to any
577 authorization, allocation or approval of the State Bond Commission
578 made prior to July 1, 1990, administrative or other cost or expense to be
579 incurred by the state in connection therewith, as approved by said
580 commissioner. In anticipation of final payment of such capital grants or
581 loans, the state, acting by and through said commissioner and in
582 accordance with such contract, may make temporary advances to the
583 authority, municipal developer, nonprofit corporation or housing
584 partnership for preliminary planning expense or other development
585 cost of such project or projects. Any loan provided pursuant to this
586 section shall bear interest at a rate to be determined in accordance with
587 subsection (t) of section 3-20. Any such authority, municipal developer,
588 nonprofit corporation or housing partnership may, subject to the
589 approval of the Commissioner of Housing, contract with any other
590 person approved by the Commissioner of Housing for the operation of
591 a project undertaken pursuant to this part. As used in this section,
592 "housing partnership" has the same meaning as provided in [subsection

593 (n) of] section 8-113a, as amended by this act.

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

596 The state, acting by and through the Commissioner of Housing, may
597 enter into a contract or contracts with an authority, a municipal
598 developer, a nonprofit corporation or a housing partnership for state
599 financial assistance in the form of a grant-in-aid for an operating cost
600 subsidy for state-financed congregate housing projects developed
601 pursuant to this part. In calculating the amount of the grant-in-aid, the
602 commissioner shall use adjusted gross income of tenants. As used in this
603 section, "adjusted gross income" means annual aggregate income from
604 all sources minus fifty per cent of all unreimbursable medical expenses
605 [As used in this section,] and "housing partnership" has the same
606 meaning as provided in [subsection (n) of] section 8-113a, as amended
607 by this act.

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

PD Joint Favorable Subst.