



General Assembly

**Amendment**

January Session, 2023

LCO No. 8912



Offered by:

REP. STAFSTROM, 129<sup>th</sup> Dist.

REP. GEE, 126<sup>th</sup> Dist.

REP. MCCARTHY VAHEY, 133<sup>rd</sup> Dist.

REP. BROWN, 127<sup>th</sup> Dist.

REP. ROSARIO, 128<sup>th</sup> Dist.

REP. BAKER, 124<sup>th</sup> Dist.

REP. FELIPE, 130<sup>th</sup> Dist.

To: Subst. Senate Bill No. 904

File No. 437

Cal. No. 602

(As Amended by Senate Schedule "A")

**"AN ACT CONCERNING THE RECOMMENDATIONS OF THE OFFICE OF THE STATE TRAFFIC ADMINISTRATION AND THE DEPARTMENT OF TRANSPORTATION, THE DISSOLUTION OF THE NORWALK TRANSIT DISTRICT AND ROUTE SHIELD PAVEMENT MARKINGS."**

1 Strike section 52 in its entirety and substitute the following in lieu  
2 thereof:

3 "Sec. 52. Subdivision (1) of section 22a-134 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective from*  
5 *passage*):

6 (1) "Transfer of establishment" means any transaction or proceeding,  
7 on or before the date regulations are adopted pursuant to section 22a-  
8 134tt, through which an establishment undergoes a change in

9 ownership, but does not mean:

10 (A) Conveyance or extinguishment of an easement;

11 (B) Conveyance of an establishment through (i) a foreclosure, as  
12 defined in subsection (b) of section 22a-452f, (ii) foreclosure of a  
13 municipal tax lien pursuant to section 12-181, (iii) a tax warrant sale  
14 pursuant to section 12-157, (iv) a transfer of title to a municipality by  
15 deed in lieu of foreclosure, (v) an exercise of eminent domain by a  
16 municipality or pursuant to section 8-128, 8-169e or 8-193 or by  
17 condemnation pursuant to section 32-224 or purchase pursuant to a  
18 resolution by the legislative body of a municipality authorizing the  
19 acquisition through eminent domain for establishments that also meet  
20 the definition of a brownfield, as defined in section 32-760, or (vi) a  
21 subsequent transfer by such municipality that has acquired the property  
22 pursuant to any mechanism described in subparagraphs (B)(i) to (B)(iii),  
23 inclusive, of this subdivision or pursuant to the remedial action and  
24 redevelopment municipal grant program established in section 32-763,  
25 provided (I) the party acquiring the property from the municipality did  
26 not establish, create or contribute to the contamination at the  
27 establishment and is not affiliated with any person who established,  
28 created or contributed to such contamination or with any person who is  
29 or was an owner or certifying party for the establishment, and (II) on or  
30 before the date the party acquires the property from the municipality,  
31 such party or municipality enters and subsequently remains in the  
32 voluntary remediation program administered by the commissioner  
33 pursuant to section 22a-133x and remains in compliance with schedules  
34 and approvals issued by the commissioner. For purposes of this  
35 subparagraph, subsequent transfer by a municipality includes any  
36 transfer to, from or between a municipality, municipal economic  
37 development agency or entity created or operating under chapter 130 or  
38 132, a nonprofit economic development corporation formed to promote  
39 the common good, general welfare and economic development of a  
40 municipality that is funded, either directly or through in-kind services,  
41 in part by a municipality, a nonstock corporation or limited liability  
42 company controlled or established by a municipality, municipal

43 economic development agency or entity created or operating under  
44 chapter 130 or 132, or a Connecticut brownfield land bank;

45 (C) Conveyance of a deed in lieu of foreclosure to a lender, as defined  
46 in and that qualifies for the secured lender exemption pursuant to  
47 subsection (b) of section 22a-452f;

48 (D) Conveyance of a security interest, as defined in subdivision (7) of  
49 subsection (b) of section 22a-452f;

50 (E) Termination of a lease and conveyance, assignment or execution  
51 of a lease for a period less than ninety-nine years including conveyance,  
52 assignment or execution of a lease with options or similar terms that will  
53 extend the period of the leasehold to ninety-nine years, or from the  
54 commencement of the leasehold, ninety-nine years, including  
55 conveyance, assignment or execution of a lease with options or similar  
56 terms that will extend the period of the leasehold to ninety-nine years,  
57 or from the commencement of the leasehold;

58 (F) Any change in ownership approved by the Probate Court;

59 (G) Devolution of title to a surviving joint tenant, or to a trustee,  
60 executor or administrator under the terms of a testamentary trust or  
61 will, or by intestate succession;

62 (H) Corporate reorganization not substantially affecting the  
63 ownership of the establishment;

64 (I) The issuance of stock or other securities of an entity which owns  
65 or operates an establishment;

66 (J) The transfer of stock, securities or other ownership interests  
67 representing fifty per cent or less of the ownership of the entity that  
68 owns or operates the establishment;

69 (K) Any conveyance of an interest in an establishment where the  
70 transferor is the sibling, spouse, child, parent, grandparent, child of a  
71 sibling or sibling of a parent of the transferee;

72 (L) Conveyance of an interest in an establishment to a trustee of an  
73 inter vivos trust created by the transferor solely for the benefit of one or  
74 more siblings, spouses, children, parents, grandchildren, children of a  
75 sibling or siblings of a parent of the transferor;

76 (M) Any conveyance of a portion of a parcel upon which portion no  
77 establishment is or has been located and upon which there has not  
78 occurred a discharge, spillage, uncontrolled loss, seepage or filtration of  
79 hazardous waste, provided either the area of such portion is not greater  
80 than fifty per cent of the area of such parcel or written notice of such  
81 proposed conveyance and an environmental condition assessment form  
82 for such parcel is provided to the commissioner sixty days prior to such  
83 conveyance;

84 (N) Conveyance of a service station, as defined in subdivision (5) of  
85 this section;

86 (O) Any conveyance of an establishment which, prior to July 1, 1997,  
87 had been developed solely for residential use and such use has not  
88 changed;

89 (P) Any conveyance of an establishment to any entity created or  
90 operating under chapter 130 or 132, or to an urban rehabilitation agency,  
91 as defined in section 8-292, or to a municipality under section 32-224, or  
92 to Connecticut Innovations, Incorporated or any subsidiary of the  
93 corporation;

94 (Q) Any conveyance of a parcel in connection with the acquisition of  
95 properties to effectuate the development of the overall project, as  
96 defined in section 32-651;

97 (R) The conversion of a general or limited partnership to a limited  
98 liability company;

99 (S) The transfer of general partnership property held in the names of  
100 all of its general partners to a general partnership which includes as  
101 general partners immediately after the transfer all of the same persons

102 as were general partners immediately prior to the transfer;

103 (T) The transfer of general partnership property held in the names of  
104 all of its general partners to a limited liability company which includes  
105 as members immediately after the transfer all of the same persons as  
106 were general partners immediately prior to the transfer;

107 (U) Acquisition of an establishment by any governmental or quasi-  
108 governmental condemning authority;

109 (V) Conveyance of a unit in a residential common interest  
110 community;

111 (W) Acquisition and all subsequent transfers of an establishment (i)  
112 that is in the abandoned brownfield cleanup program established  
113 pursuant to section 32-768 or the brownfield remediation and  
114 revitalization program established pursuant to section 32-769, provided  
115 such establishment is in compliance with any applicable provisions of  
116 the general statutes, or (ii) by a Connecticut brownfield land bank,  
117 provided such establishment was entered into a remediation or liability  
118 relief program under section 22a-133x, 22a-133y, 32-768 or 32-769 and  
119 the transferor of such establishment is in compliance with such program  
120 at the time of transfer of such establishment or has completed the  
121 requirements of such program;

122 (X) Any transfer of title from a municipality to a nonprofit  
123 organization or from any entity to a nonprofit organization, as ordered  
124 or approved by a bankruptcy court;

125 (Y) (i) Conveyance from the Department of Transportation to the  
126 Connecticut Airport Authority of any properties comprising ~~[(i)]~~ (1)  
127 Bradley International Airport and all related improvements and  
128 facilities now in existence and as hereafter acquired, added, extended,  
129 improved and equipped, including any property or facilities purchased  
130 with funds of, or revenues derived from, Bradley International Airport,  
131 and any other property or facilities allocated by the state, the  
132 Connecticut Airport Authority or otherwise to Bradley International

133 Airport, [(ii)] (II) the state-owned and operated general aviation  
134 airports, including Danielson Airport, Groton/New London Airport,  
135 Hartford Brainard Airport, Waterbury-Oxford Airport and Windham  
136 Airport and any such other airport as may be owned, operated or  
137 managed by the Connecticut Airport Authority and designated as  
138 general aviation airports, [(iii)] (III) any other airport as may be owned,  
139 operated or managed by the Connecticut Airport Authority, and [(iv)]  
140 (IV) any airport site or any part thereof, including, but not limited to,  
141 any restricted landing areas and any air navigation facilities, and (ii)  
142 conveyance of an airport owned by a municipality to the Connecticut  
143 Airport Authority; or

144 (Z) The change in the name of a limited liability company as an  
145 amendment to such company's certificate of organization, pursuant to  
146 section 34-247a."