

2023 Conveyance Legislation Reported Favorably by GAE Committee

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Issue

This report summarizes conveyance legislation reported favorably by the Government Administration and Elections (GAE) Committee in 2023.

Summary

The GAE Committee reported favorably eight bills concerning the conveyance of state property. Collectively, the bills do the following:

1. authorize four new conveyances of state property in Cheshire, East Haddam, and New Haven;
2. amend three prior conveyance authorizations for state property in Bridgeport, Fairfield, and New Haven; and
3. authorize the reconveyance of a parcel of state property in Middletown.

New Conveyances

The GAE Committee reported favorably four bills authorizing new conveyances of state property, as shown in Table 1 below. For each conveyance bill, the table lists (1) the property's location, custodial agency, approximate size, purpose for which it must be used, and cost; and (2) conditions that the conveyance is subject to.

Additionally, each bill (1) subjects the conveyance to the State Properties Review Board's

approval within 30 days after the board receives the agency’s proposed agreement; (2) is effective upon passage; and (3) includes standard conveyance provisions (e.g., requiring that the property remain under the custodial agency’s care and control until the conveyance is completed).

Table 1: New Conveyance Authorizations

Bill	Town (Recipient, if Different)	Agency	Size/Purpose	Cost	Conditions
SB 1248	East Haddam	Department of Transportation (DOT)	0.94 acres for a permanent farmers’ market operated by the East Haddam Agriculture Commission	Conveyance’s administrative costs and the cost of any mapping required, up to \$3,500	<p>Must also include an easement for existing utilities in favor of the state</p> <p>Parcel reverts to the state if the town (1) does not use the property as specified, (2) does not retain ownership of the entire property, or (3) leases all or part of it</p>
SB 1249	Cheshire	Department of Emergency Services and Protection (DESPP)	2.5 acres to be sold for economic development purposes	Conveyance’s administrative costs	<p>Reverts to the state if the land is not sold for these purposes within five years after the conveyance</p> <p>Any sale must be for fair market value (FMV), as determined by averaging the appraisals of two DESPP-selected independent appraisers; appraisals must be completed no more than six months after the conveyance</p> <p>Any sale proceeds must be deposited in the General Fund</p>

Table 1 (continued)

Bill	Town (Recipient, if Different)	Agency	Size/Purpose	Cost	Conditions
HB 6936	New Haven	DOT	Five parcels totaling approximately three acres, no specified purpose	FMV, as determined by averaging the appraisals of two DOT-selected independent appraisers, plus the conveyance's administrative costs	State retains specified easements and rights-of-way; a private company retains a pipeline easement
sHB 6939	New Haven	Board of Regents for Higher Education (BOR)	Two parcels totaling approximately 7.23 acres (i.e., the "subject parcels"), to be used for economic development, municipal, utility, or institutional purposes, or a sale or lease for these purposes	Conveyance's administrative costs	<p>Any sale or lease must be for FMV, as determined by the average appraisal of two independent appraisers selected by the BOR chairperson</p> <p>Sale or lease revenue must be deposited in the General Fund</p> <p>See additional conditions below</p>

New Haven (sHB 6939)

In addition to the conditions noted in Table 1 above, the conveyance from BOR to New Haven ([sHB 6939](#)) is contingent on one of the following occurring:

1. another conveyance of a separate parcel from New Haven to BOR for the development of a transportation and automotive education center for administrative costs and the city's reasonable costs for preparing the subject parcels for other development (BOR must accept and approve this parcel);
2. an executed agreement approved by BOR with the city or a third party for a condominium or leasehold interest for the center's development; or
3. an agreement allowing BOR to invest in transportation and automotive education as outlined in the CSCU 2030 plan.

The bill exempts the development described above from state statutes on construction and alteration of state buildings (e.g., bidding requirements for these projects).

The parties must prepare a schedule for the timely completion of the conveyances and agreements within 60 days after the bill’s effective date. Additionally, the conveyance of the subject parcels or execution of one of the agreements described above must occur within two years after the bill’s effective date (subject to two one-year extensions which the parties may agree to in writing). The subject parcels revert to the state if the city does not use them for the specified purposes or site preparation for them within three years after the conveyance occurs.

Amended Conveyances

Three of the bills reported by the GAE Committee amend previous authorizations to convey state property, as shown in Table 2 below. For each amended authorization, the table lists the property’s location (and recipient if different from the town), conveying agency, and changes made by the bill. The amended Fairfield conveyance ([HB 6940](#)) is effective July 1, 2023, while the other two are effective upon passage.

Table 2: Amended Conveyance Authorizations

Bill	Town (Recipient, if Different)	Agency	Current Law	The Bill	Additional Notes
HB 6935	Bridgeport (Bridgeport Port Authority)	DOT	May be sold by the authority at FMV, as determined by averaging the appraisals of two DOT-selected independent appraisers, plus the conveyance’s administrative costs	May be sold for \$119,000	
HB 6937	New Haven (New Haven Port Authority)	DOT	Specified purposes include supporting multimodal movement of freight transiting	No specified purposes	Removes reverter
			Sets the conveyance cost at \$205,000	Sets the conveyance cost at FMV, as determined by averaging the appraisals of two DOT-selected independent appraisers, plus the conveyance’s administrative costs	Changes the parcel description Subjects parcel to easement for existing utilities and sewer lateral in favor of the state

Table 2 (continued)

Bill	Town (Recipient, if Different)	Agency	Current Law	The Bill	Additional Notes
HB 6940	Fairfield	DOT	Specified purposes include public works garage, economic development purposes, housing purposes	Adds provision of community nonprofit charitable services as a permitted purpose	
			Reverts to the state if the town does not use, lease, or sell the parcel for the specified purposes within five years after the effective date of SA 21-36 (i.e., by July 13, 2026)	Extends reverter date to June 30, 2028	

Reconveyed Property

[SSB 1250](#) authorizes the reconveyance of a 10-acre parcel of state property in Middletown, which was previously authorized in 1995 ([SA 95-25](#), § 2) and 2005 ([PA 05-279](#), § 17). The bill contains similar provisions as the original conveyance, including that it be made for administrative costs, but it changes the receiving entity from Shiloh Baptist Church to Shiloh Baptist Community Development Corporation and makes technical changes to the conveying agency (i.e., the Department of Administrative Services instead of the former Department of Public Works). The original conveyance required that the land be given to a nonprofit corporation within five years after the conveyance.

The bill also removes a provision in the original conveyance allowing the parcel to be used for educational facilities open to the public, but it retains the remaining existing purposes of moderate-income housing and recreational or community facilities open to the public.

Finally, the bill requires that the parcel revert to the state if (1) the corporation does not use the parcel for the specified purposes by June 30, 2028, or (2) at any time after July 1, 2023, the housing or facilities do not comply with the bill's requirements (e.g., if it is used for teaching or practicing religion). It also extinguishes the existing reverter clause recorded in the Middletown land records.

The bill is effective July 1, 2023.

Background

State Constitution

The state constitution prohibits the legislature from enacting legislation requiring a state agency to sell, transfer, or otherwise dispose of any real property or interest in real property to anyone besides another state agency unless the legislation (1) has had a public hearing and (2) is limited to one specific conveyance (i.e., each bill may contain only one conveyance). Additionally, for property under the custody or control of the departments of Agriculture or Energy and Environmental Protection, the legislation must pass by a two-thirds majority of each chamber's membership to be enacted ([Conn. Const. Art. III, § 20](#)).

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