
OLR Bill Analysis

sSB 288

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES REGARDING THE SCHOOL BUILDING PROJECTS STATUTES.

SUMMARY

This bill makes several changes in the school building project statutes. It requires local and regional boards of education seeking a five-percentage point reimbursement rate increase for being in an “inclusive municipality” to give the Department of Administrative Services (DAS) the housing commissioner’s written determination that the municipality qualifies for the designation.

The bill also conforms the law to current practice by replacing certain references to the State Department of Education (SDE) or State Board of Education (SBE) in the school building project statutes with references to DAS. Lastly, the bill repeals several obsolete provisions and makes conforming changes.

EFFECTIVE DATE: July 1, 2024

§ 1 — INCLUSIVE MUNICIPALITY DESIGNATION

Existing law makes local and regional boards of education for an “inclusive municipality,” as determined by the housing commissioner, eligible for a five-percentage point increase to their state grant reimbursement rate for school building projects (see BACKGROUND).

The bill requires boards of education seeking this bonus rate to submit to DAS a written determination by the housing commissioner that the municipality in which the project will occur qualifies for the designation. The board must submit the determination before December 1 in the year it applies to DAS for a school building project grant, and the determination must have been issued within that year. The bill

applies to applications submitted on and after July 1, 2024.

§§ 2 & 5 — PROGRAM ADMINISTRATION

The bill conforms the law to current practice by replacing references to SDE or SBE in the school building project statutes with references to DAS. (Legislation in 2011 and 2014 transferred the primary responsibility for school construction grants from SDE to DAS.)

Specifically, under current law, if a school building project receives a grant with a reimbursement rate of 95% or more but ceases to be used for these purposes within 20 years after legislative approval, then title must revert to the state unless the SDE commissioner decides otherwise for good cause. The bill instead requires that title revert unless the DAS commissioner decides otherwise for good cause (§ 2).

The bill also (1) requires DAS, rather than SBE, to prescribe school construction rules and regulations and (2) repeals a reference to SBE regulations that applied to certain projects before July 1, 2011 (§ 5).

§§ 3-5 & 6-10 — REPEALED PROVISIONS

The bill repeals several obsolete statutes and makes conforming changes. The statutes relate to the following:

1. a 2002 pilot program for design-build projects (CGS § 10-285f);
2. an FY 06 pilot program for a charter school building project (CGS § 10-285h);
3. lump sum grant payments for projects submitted before October 15, 1975 (CGS §§ 10-287a & -287f); and
4. interest subsidy grants for certain projects authorized before July 1, 1996, or for which an application was submitted before July 1, 1997 (CGS §§ 3-76t, 10-287j & 10-292c to -292n).

The repeal of the interest subsidy grants also includes the repeal of a general obligation bond authorization that funded the grants (CGS § 10-292k). (The State Bond Commission has fully allocated the authorization.)

The bill also repeals a redundant provision allowing the DAS commissioner to waive audit deficiencies if she finds that doing so is in the state’s best interests (§ 3). A separate statute, unchanged by the bill, also authorizes this (CGS § 10-286g).

BACKGROUND

Inclusive Municipality

To qualify as an inclusive municipality, a municipality must have a total population exceeding 6,000 and a share of affordable housing units that is less than 10% of its total housing, as determined by the housing commissioner.

The municipality must also have done the following:

1. adopted, and currently maintain, zoning regulations that (a) promote fair housing, as determined by the commissioner; (b) provide a streamlined approval process for multi-family housing development of three units or more; (c) permit mixed-use development; and (d) allow accessory dwelling units; and
2. built new affordable housing units that (a) are deed-restricted to households whose income is 80% or less of the state median income and (b) equal at least 1% of the municipality’s total housing units in the three years immediately before the municipality’s grant application.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 44 Nay 0 (03/18/2024)