AN ACT COORDINATING CONNECTICUT RESILIENCY PLANNING
AND BROADENING MUNICIPAL OPTIONS FOR CLIMATE
RESILIENCE.

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

1 Section 1. (NEW) (Effective July 1, 2024) As used in sections 1 to 10,
inclusive, of this act unless the context otherwise requires:

3 (1) "Captured assessed value" means the amount, as a percentage or
stated sum, of increased assessed value that is utilized from year to year
to finance project costs pursuant to the district master plan.

6 (2) "Clean energy project" means a renewable energy project that
utilizes Class I renewable sources, as defined in section 16-1 of the
general statutes.

9 (3) "Current assessed value" means the assessed value of all taxable
real property within a resiliency improvement district as of October first
of each year that the resiliency improvement district remains in effect.

12 (4) "District master plan" means a statement of means and objectives
prepared by the municipality, or two or more municipalities acting
jointly under an interlocal agreement, relating to a resiliency
improvement district that is designed to (A) reduce the risk of, or
exposure to, extreme events, hazards and the effects of climate change,
(B) support economic development, (C) provide housing opportunities
in existing residential areas, (D) improve or broaden the tax base, and
(E) construct or improve the physical facilities and structures necessary
for resilience projects, environmental infrastructure or clean energy
projects, or any combination thereof, as described in section 4 of this act.

(5) "Environmental infrastructure" has the same meaning as provided
in section 16-245n of the general statutes.

(6) "Financial plan" means a statement of the project costs and sources
of revenue required to accomplish the district master plan.

(7) "Increased assessed value" means the valuation amount by which
the current assessed value of a resiliency improvement district exceeds
the original assessed value of the resiliency improvement district. If the
current assessed value is equal to or less than the original assessed
value, there is no increased assessed value.

(8) "Increased savings" means the valuation amount by which the
current cost of any existing insurance premium, or other premium,
surcharge or other fee identified within the resiliency improvement
district may be reduced after the implementation of such district,
resulting in a monetary savings to a resident of, or a business located in,
such district.

(9) "Joint resiliency improvement district" means a resiliency
improvement district established by two or more contiguous
municipalities that have entered into an interlocal agreement in
accordance with sections 7-339a to 7-339l, inclusive, of the general
statutes.

(10) "Maintenance and operation" means all activities necessary to
maintain facilities after they have been developed and all activities
necessary to operate such facilities, including, but not limited to, informational, promotional and educational programs and safety and surveillance activities.

(11) "Municipality" means a town, city, borough, consolidated town and city or consolidated town and borough.

(12) "Original assessed value" means the assessed value of all taxable real property within a resiliency improvement district as of October first of the tax year preceding the year in which the resiliency improvement district was established by the legislative body of a municipality.

(13) "Project costs" means any expenditures or monetary obligations incurred or expected to be incurred that are authorized by section 6 of this act and included in a district master plan.

(14) "Resilience" has the same meaning as provided in section 16-243y of the general statutes.

(15) "Resilience project" means a project, including a capital project, that is designed and implemented to address climate change mitigation, adaptation or resilience, including, but not limited to, the following:

(A) A project that mitigates the effects of river, bay or sea level rise, or rising groundwater, including wetlands or marsh restoration, riparian buffers, vegetated dunes, living shorelines, erosion control, road elevation, levees or other flood structures;

(B) A project that mitigates the effects of extreme heat or the urban heat island effect, including increasing shade, deploying building and surface materials designed to reflect or absorb less heat, using pavement materials designed to reflect or absorb less heat, constructing, improving or modifying new or existing facilities or increasing access to cooling opportunities;

(C) A project that mitigates the effects of drought, including the repurposing of land for multiple uses, groundwater replenishment or groundwater storage, or a combination of such uses; or
(D) A project intended to reduce the risk of flooding, including structure elevation or relocation, wetlands restoration, flood easements or bypasses, riparian buffers or levees.

(16) "Tax increment" means real property taxes assessed by a municipality upon the increased assessed value of property in the resiliency improvement district.

(17) "Resiliency improvement district" means an area wholly within the corporate limits of a municipality that has been established and designated as such pursuant to section 2 of this act and that is to be developed under a district master plan.

(18) "Tax year" means the period of time beginning on July first and ending on the succeeding June thirtieth.

Sec. 2. (NEW) (Effective July 1, 2024) (a) Any municipality may, by vote of its legislative body, establish a resiliency improvement district located wholly within the boundaries of such municipality in accordance with the requirements of sections 2 to 10, inclusive, of this act. If a municipality is governed by a home rule charter, and such charter prohibits the establishment of a resiliency improvement district, such municipality shall not establish such district. Except as provided in subsection (d) of this section, the establishment of a resiliency improvement district approved by such municipality shall be effective upon the concurrent approval of such district and the adoption of a district master plan pursuant to section 4 of this act.

(b) Within a resiliency improvement district, and consistent with the district master plan, the municipality, in addition to powers granted to such municipality under the Constitution of the state of Connecticut, the general statutes, the provisions of any special act or sections 2 to 10, inclusive, of this act shall have the following powers:

(1) To acquire, construct, reconstruct, improve, preserve, alter, extend, operate or maintain property or promote development intended to meet the objectives of the district master plan. The municipality may
acquire property, land or easements through negotiation or by other means authorized for any municipality under the general statutes;

(2) To execute and deliver contracts, agreements and other documents relating to the operation and maintenance of the resiliency improvement district;

(3) To issue bonds and other obligations of the municipality in accordance with the provisions set forth in section 8 of this act;

(4) Acting through its board of selectmen, town council or other governing body of such municipality, to enter into written agreements with a taxpayer that fixes the assessment of real property located within a resiliency improvement district, provided (A) the term of such agreement shall not exceed fifty years from the date of the agreement; and (B) the agreed assessment for such real property plus future improvements shall not be less than the assessment of the real property as of the last regular assessment date without such future improvements. Any such agreement shall be recorded in the land records of the municipality. The recording of such agreement shall constitute notice of the agreement to any subsequent purchaser or encumbrancer of the property or any part of it, whether voluntary or involuntary, and such agreement shall be binding upon any subsequent purchaser or encumbrancer. If the municipality claims that the taxpayer or a subsequent purchaser or encumbrancer has violated the terms of such agreement, the municipality may bring an action in the superior court for the judicial district in which the municipality is located to enforce such agreement;

(5) To accept grants, advances, loans or other financial assistance from the federal government, the state, private entities or any other source, including, but not limited to, such funds as allowable from sections 7-159d, 22a-498 and 25-85 of the general statutes, and undertake any additional actions necessary or desirable to secure such financial aid; and

(6) Upon such terms as the municipality determines, to furnish
services or facilities, provide property, lend, grant or contribute funds
and take any other action such municipality is authorized to perform for
any other purposes.

(c) The resiliency improvement district may be dissolved or the
boundaries of such district may be modified upon the vote of the
legislative body of the municipality, except that the resiliency
improvement district may not be dissolved nor may the boundaries of
the resiliency improvement district be modified if any bonds or other
indebtedness authorized and issued by the municipality under sections
2 to 10, inclusive, of this act remain outstanding. Notwithstanding the
provisions of this subsection, outstanding obligation bonds of the
municipality secured solely by the full faith and credit of the
municipality shall not preclude the dissolution of, or the modification
of the boundaries of, a resiliency improvement district.

(d) Two or more contiguous municipalities may enter into an
interlocal agreement in accordance with sections 7-339a to 7-339l,
inclusive, of the general statutes, to establish a joint resiliency
improvement district and adopt a district master plan for a district that
is partially located in each such municipality. Such interlocal agreement
shall be adopted prior to the establishment of any such joint district and
the adoption of a district master plan for such district. A joint resiliency
improvement district shall be deemed established upon the concurrent
approval of such district and the adoption of a district master plan by
all of the municipalities participating in the interlocal agreement.

(e) The interlocal agreement under which two or more contiguous
municipalities establish a joint resiliency improvement district shall
apportion any power, right, duty or obligation granted to, or required
of, any municipality under the provisions of sections 2 to 10, inclusive,
of this act among the municipalities participating in the interlocal
agreement.

(f) Nothing in this section shall be construed to limit the power
granted to a municipality pursuant to any provision of the general
statutes or any special act to offer, enter into or modify any tax
abatement for real property located in a resiliency improvement district
if such real property contains one or more units of affordable housing,
as defined in section 8-39a of the general statutes.

Sec. 3. (NEW) (Effective July 1, 2024) Prior to the establishment of a
resiliency improvement district and approval of a district master plan
for such district, the legislative body of the municipality, or the board of
selectmen in the case of a municipality in which the legislative body is a
town meeting, shall:

(1) Consider whether the proposed resiliency improvement district
and district master plan will contribute to the well-being of the
municipality or to the betterment of the health, welfare or safety of the
inhabitants of the municipality;

(2) Not less than ninety days prior to approving the district master
plan for such resiliency improvement district, transmit the proposed
district master plan to the planning commission of the municipality, if
any, requesting a study of the proposed district master plan and a
written advisory opinion, which shall include a determination on
whether the proposed plan is consistent with the plan of conservation
and development of the municipality adopted under section 8-23 of the
general statutes, as amended by this act;

(3) Hold at least one public hearing on the proposal to establish a
resiliency improvement district and to adopt the proposed district
master plan. Notice of the hearing shall be published not less than ten
days prior to such hearing in a conspicuous place on the Internet web
site of the municipality, or the municipalities acting jointly pursuant to
an interlocal agreement, with the date and time such notice was so
posted, and such notice shall include (A) the date, time and place of such
hearing, (B) the legal description of the boundaries of the proposed
resiliency improvement district, and (C) the draft district master plan,
which plan shall be made available for physical review and posted
electronically on the Internet web site of the municipality; and
(4) Determine whether the proposed resiliency improvement district meets the following conditions:

(A) The district contains an area that experiences or is likely to experience adverse impacts from hazards or climate change, including, but not limited to, sea level rise, rising groundwater, extreme heat, drought or flooding;

(B) The district has been identified in a municipal hazard mitigation plan or the local plan of conservation and development, or has been identified by another related planning process;

(C) The plan demonstrates a reduction of risk in the district from such identified impacts;

(D) A portion of the real property within the district shall be suitable for commercial, industrial, mixed-use or retail uses or transit-oriented development;

(E) Provides for the replacement of, or renovation to, residential buildings in the district, if the district is in a flood zone or within the boundaries of sea level rise as determined by the requirements of section 25-68o of the general statutes, as amended by this act, includes a height standard of not less than two feet of freeboard above the base flood elevation, or as designated by the state building code or municipal building requirements, whichever imposes a greater height standard, and whether construction of or renovation to commercial or industrial buildings shall be flood-proofed if not elevated;

(F) Provides for the replacement of, or renovation to, residential buildings in the district if the district is in a flood zone or has been impacted by sea level rise as determined by the requirements of section 25-68o of the general statutes, as amended by this act, and provides for vehicle access to such residential buildings at a height of two feet above base flood elevation; and

(G) The proposed district will not increase the vulnerability and risk
to properties adjacent to the district or increase the risk to other hazards within the district.

Sec. 4. (NEW) (Effective July 1, 2024) (a) In connection with the establishment of a resiliency improvement district, the legislative body of a municipality shall adopt a district master plan for each resiliency improvement district and a statement of the percentage or stated sum of increased assessed value to be designated as captured assessed value in accordance with such plan. The district master plan shall be adopted at the same time that the resiliency improvement district is established as part of the resiliency improvement district adoption proceedings set forth in sections 2 to 10, inclusive, of this act.

(b) The district master plan shall include: (1) The legal description of the boundaries of the resiliency improvement district; (2) a list of the tax identification numbers for all lots or parcels within the resiliency improvement district; (3) a description of the present condition and uses of all land and buildings within the resiliency improvement district and how the construction or improvement of physical facilities or structures will reduce or eliminate risk from any existing or expected hazards; (4) a description of the existing or expected hazards facing the district; (5) a description of the public facilities, improvements or programs within the resiliency improvement district anticipated to be undertaken and financed in whole or in part; (6) in the event of existing residential use within the resiliency improvement district, a housing plan for the rehabilitation, construction or replacement of any such existing housing in accordance with the state’s consolidated plan for housing and community development prepared pursuant to section 8-37t of the general statutes and the state plan of conservation and development prepared pursuant to chapter 297 of the general statutes, which plan shall also include meaningful efforts to reduce displacement plans; (7) a financial plan in accordance with subsection (c) of this section; (8) a plan for the proposed maintenance and operation of the resiliency improvements after the improvements are completed; and (9) the maximum duration of the resiliency improvement district, which may not exceed a total of fifty tax years beginning with the tax year in which...
the resiliency improvement district is established.

(c) The financial plan in a district master plan shall include: (1) Cost estimates for the public improvements and developments anticipated in the district master plan; (2) cost estimates to support relocation or temporary housing for displaced residents; (3) the maximum amount of indebtedness to be incurred to implement the district master plan; (4) sources of anticipated revenues, including, but not limited to, increased savings, fees, assessments, grants or other sources; (5) a description of the terms and conditions of any agreements, including any anticipated assessment agreements, contracts or other obligations related to the district master plan; (6) estimates of increased assessed values and estimates of increased savings of the resiliency improvement district; and (7) the portion of the increased assessed values and increased savings to be applied to the district master plan as captured assessed values and resulting tax increments in each year of the plan.

(d) The district master plan may be amended from time to time by the legislative body of the municipality. Such legislative body shall review the district master plan not less than once every ten years after the initial approval of the resiliency improvement district and the district master plan in order for the resiliency improvement district and the district master plan to remain in effect, provided no such district may be dissolved for the failure to comply with this section if any bonds or other indebtedness authorized and issued by the municipality under sections 2 to 10, inclusive, of this act remain outstanding. With respect to any district master plan that includes development that is funded in whole or in part by federal funds, the provisions of this subsection shall not apply to the extent that such provisions are prohibited by federal law.

Sec. 5. (NEW) (Effective July 1, 2024) (a) In the district master plan, the municipality may designate all or part of the tax increment revenues generated from the increased assessed value and all or part of any additional revenue resulting from the increased savings of a resiliency improvement district for the purpose of financing all or part of the
implementation of the district master plan, and, in the case of any existing or planned residential use in such district, the percentage of such revenue necessary to rehabilitate, construct or replace dwellings for such use and to preserve, increase or improve access to affordable housing, as defined in section 8-39a of the general statutes, within the municipality, either within or adjacent to such district. The amount of tax increment revenues to be designated shall be determined by designating the captured assessed value, subject to any assessment agreements.

(b) On or after the establishment of a resiliency improvement district and the adoption of a district master plan, the assessor of the municipality in which such district is located shall certify the original assessed value of the taxable real property within the boundaries of the resiliency improvement district. Each year after the establishment of a resiliency improvement district, the assessor shall certify the amount of the (1) current assessed value; (2) amount by which the current assessed value has increased or decreased from the original assessed value, subject to any assessment agreements; and (3) amount of the captured assessed value. Nothing in this subsection shall be construed to authorize the unequal apportionment or assessment of the taxes to be paid on real property in the municipality. Subject to any assessment agreements, an owner of real property within the resiliency improvement district shall pay real property taxes apportioned equally with real property taxes paid elsewhere in such municipality.

(c) If a municipality has designated captured assessed value under subsection (a) of section 4 of this act:

(1) The municipality shall establish a district master plan fund that consists of: (A) A project cost account that is pledged to and charged with the payment of project costs that are outlined in the financial plan, including the reimbursement of project cost expenditures incurred by a public body, which public body may be the municipality, a developer, any property owner or any other third-party entity, and that are paid in a manner other than as described in subparagraph (B) of this
subdivision; and (B) in instances of indebtedness issued by the
municipality in accordance with section 8 of this act to finance or
refinance project costs, a development sinking fund account that is
pledged to and charged with the (i) payment of the interest and
principal as the interest and principal fall due, including any
redemption premium; (ii) payment of the costs of providing or
reimbursing any provider of any guarantee, letter of credit, policy of
bond insurance or other credit enhancement device used to secure
payment of debt service on any such indebtedness; and (iii) funding any
required reserve fund;

(2) The municipality shall annually set aside all tax increment
revenues on captured assessed values and deposit all such revenues to
the appropriate district master plan fund account established under
subdivision (1) of this subsection in the following order of priority: (A)
To the development sinking fund account, an amount sufficient,
together with estimated future revenues to be deposited to the account
and earnings on the amount, to satisfy all annual debt service on the
indebtedness issued in accordance with section 8 of this act and the
financial plan, except for general obligation bonds of the municipality
secured solely by the full faith and credit of the municipality; and (B) to
the project cost account, all such remaining tax increment revenues on
captured assessed values;

(3) The municipality shall make transfers between district master
plan fund accounts established under subdivision (1) of this subsection,
provided the transfers do not result in a balance in either account that is
insufficient to cover the annual obligations of each respective account;

(4) The municipality may, at any time during the term of the
resiliency improvement district, by vote of the legislative body of the
municipality, return to the municipal general fund any tax increment
revenues remaining in either account established under subdivision (1)
of this subsection that exceeds those estimated to be required to satisfy
the obligations of the account after taking into account any transfer
made under subdivision (3) of this subsection; and
(5) Any account or fund established pursuant to subdivision (1) of this subsection shall be audited annually by an independent auditor who is a public accountant licensed to practice in this state and who meets the independence standards included in generally accepted government auditing standards. A report of such audit shall be open to public inspection. Certified copies of such audit shall be provided to the State Auditors of Public Accounts.

Sec. 6. (NEW) (Effective July 1, 2024) Costs authorized for payment from a district master plan fund, established pursuant to section 5 of this act shall be limited to:

(1) Costs of improvements made within the resiliency improvement district, including, but not limited to, (A) capital costs, including, but not limited to, (i) the acquisition or construction of land, improvements, infrastructure, measures designed to improve resilience, environmental infrastructure, clean energy projects, public ways, parks, buildings, structures, railings, signs, landscaping, plantings, curbs, sidewalks, turnouts, recreational facilities, structured parking, transportation improvements, pedestrian improvements and other related improvements, fixtures and equipment for public use, (ii) the acquisition or construction of land, improvements, infrastructure, buildings and structures, (iii) the demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures, (iv) environmental remediation, (v) site preparation and finishing work, and (vi) all fees and expenses associated with the capital cost of such improvements, including, but not limited to, licensing and permitting expenses and planning, engineering, architectural, testing, legal and accounting expenses; (B) financing costs, including, but not limited to, closing costs, issuance costs, reserve funds and capitalized interest; (C) real property assembly costs; (D) costs of technical and marketing assistance programs; (E) professional service costs, including, but not limited to, licensing, architectural, planning, engineering, development and legal expenses; (F) maintenance and operation costs; (G) administrative costs, including, but not limited to, reasonable charges for the time spent by municipal employees, other agencies or third-party
entities in connection with the implementation of a district master plan;
and (H) organizational costs relating to the planning and the
establishment of the resiliency improvement district, including, but not
limited to, the costs of conducting environmental impact and other
studies and the costs of informing the public about the creation of
resiliency improvement districts and the implementation of the district
master plan;

(2) Costs of improvements that are made outside the resiliency
improvement district but are directly related to or are made necessary
by the establishment or operation of the resiliency improvement district,
including, but not limited to, (A) that portion of the costs reasonably
related to the construction, alteration or expansion of any facilities not
located within the resiliency improvement district that are required due
to improvements or activities within the resiliency improvement
district, including, but not limited to, roadways, traffic signalization,
easements, sewage treatment plants, water treatment plants or other
environmental protection devices, storm or sanitary sewer lines, water
lines, electrical lines, improvements to fire stations and street signs; (B)
costs of public safety and public school improvements made necessary
by the establishment of the resiliency improvement district; and (C)
costs of funding to mitigate any adverse impact of the resiliency
improvement district upon the municipality and its constituents; and

(3) Costs related to environmental improvement projects developed
by the municipality related to the resiliency improvement district.

Sec. 7. (NEW) (Effective July 1, 2024) (a) (1) Notwithstanding any
provision of the general statutes, whenever a municipality constructs,
improves, extends, equips, rehabilitates, repairs, acquires or provides a
grant for any public improvements within a resiliency improvement
district or finances the cost of such public improvements, the proportion
of such cost or estimated cost of such public improvements and
financing thereof, as determined by the municipality, may be assessed
by the municipality, as a benefit assessment, in the manner prescribed
by such municipality, upon the real property within the resiliency
improvement district that is benefited by such public improvements. The municipality may provide for the payment of such benefit assessments in annual installments, not exceeding fifty years, and may forgive such benefit assessments in any given year without causing the remainder of installments of benefit assessments to be forgiven. Benefit assessments on real property where buildings or structures are constructed or expanded after the initial benefit assessment may be assessed as if the new or expanded buildings or structures on such real property existed at the time of the original benefit assessment.

(2) Any benefit assessment shall be adopted and revised by the municipality not less than annually and not more than sixty days before the beginning of the fiscal year. If any benefit assessment is assessed and levied prior to the acquisition or construction of the public improvements, the amount of any such assessment may be adjusted to reflect the actual cost of such public improvements, including all financing costs, once such public improvements are complete, if the actual cost is greater than or less than the estimated costs.

(b) Before estimating and making a benefit assessment under subsection (a) of this section, the municipality shall hold not less than one public hearing on such municipality's schedule of benefit assessments or any revision thereof. Notice of such hearing shall be published not less than ten days before such hearing in a conspicuous place on the Internet web site of the municipality, or the municipalities acting jointly pursuant to an interlocal agreement, with the date and time such notice was posted. The notice shall include (1) the date, time and place of such hearing; (2) the boundaries of the resiliency improvement district by legal description; (3) a statement that all interested persons owning real estate or taxable property located within the resiliency improvement district will be given an opportunity to be heard at the hearing and an opportunity to file objections to the amount of the assessment; (4) the maximum rate of assessments to be increased in any one year; and (5) a statement indicating that the proposed list of properties to be assessed and the estimated assessments against those properties are available at the city or town office or at the office of the
assessor. The notice may include a maximum number of years the
assessments will be levied. Not later than the date of the publication, the
municipality shall make available to any member of the public, upon
request, the proposed schedule of benefit assessments. The procedures
for public hearing and appeal set forth in section 7-250 of the general
statutes shall apply for all benefit assessments made by a municipality
pursuant to this section, except that the board of finance, or the
municipality's legislative body if no board of finance exists, shall be
substituted for the water pollution control authority.

(c) A municipality may adopt ordinances apportioning the value of
improvements within a resiliency improvement district according to a
formula that reflects actual benefits that accrue to the various properties
because of the development and maintenance.

(d) A municipality may increase assessments or extend the maximum
number of years the assessments will be levied after notice and public
hearing is held pursuant to subsection (b) of this section.

(e) (1) Benefit assessments made under this section shall be collected
and enforced in the same manner as municipal taxes unless otherwise
provided in sections 2 to 10, inclusive, of this act. Benefit assessments
shall be due and payable at such times as are fixed by the municipality,
provided the municipality shall give notice of such due date not less
than thirty days prior to such due date by publication in a newspaper of
general circulation in the municipality and by mailing such notice to the
owners of the assessed real property at the last-known address of any
such owner. All revenues from any assessment under this section shall
be paid into the appropriate district master plan fund account
established under subsection (c) of section 5 of this act.

(2) If any property owner fails to pay any assessment or part of an
assessment on or before the date on which such assessment or part of
such assessment is due, the municipality shall have all the authority and
powers to collect the delinquent assessments vested in the municipality
by law to collect delinquent municipal taxes. Benefit assessments, if not
paid when due, shall constitute a lien upon the real property served and
a charge against the owners thereof, which lien and charge shall bear
interest at the same rate as delinquent property taxes. Each such lien
may be continued, recorded and released in the manner provided for
property tax liens and shall take precedence over all other liens or
encumbrances except a lien for property taxes of the municipality.

Sec. 8. (NEW) (Effective July 1, 2024) (a) For the purpose of carrying
out or administering a district master plan or other functions authorized
under sections 2 to 10, inclusive, of this act, a municipality is authorized,
subject to the limitations and procedures set forth in this section, to issue
from time to time bonds and other obligations of the municipality that
are payable solely from and secured by (1) the full faith and credit
pledge of the municipality; (2) a pledge of and lien upon any or all of
the income, proceeds, revenues and property of the projects within the
resiliency improvement district, including the proceeds of grants, loans,
advances or contributions from the federal government, the state or
other source; (3) all revenues derived under sections 5 and 7 of this act
received by the municipality; or (4) any combination of the methods in
subdivisions (1) to (3), inclusive, of this subsection. Except for bonds
secured by the full faith credit pledge of the municipality, bonds
authorized by this section shall not be included in computing the
aggregate indebtedness of the municipality.

(b) Notwithstanding the provisions of any other statute, municipal
ordinance or charter provision governing the authorization and
issuance of bonds generally by the municipality, any bonds payable and
secured as provided in this section shall be authorized by a resolution
adopted by the legislative body of the municipality. Such bonds shall,
as determined by the legislative body of the municipality or the
municipal officers who are designated such authority by such body, (1)
be issued and sold; (2) bear interest at the rate or rates determined by
the legislative body or its designee, including variable rates; (3) provide
for the payment of interest on the dates determined by the legislative
body or its designee, whether before or at maturity; (4) be issued at,
above or below par; (5) mature at such time or times not exceeding thirty
years; (6) have rank or priority; (7) be payable in such medium of payment; (8) be issued in such form, including, without limitation, registered or book-entry form, carry such registration and transfer privileges and be made subject to purchase or redemption before maturity at such price or prices and under such terms and conditions, including the condition that such bonds be subject to purchase or redemption on the demand of the owner thereof; and (9) contain such other required terms and particulars.

(c) The municipality may require that the bonds issued hereunder be secured by a trust agreement by and between the municipality and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the state. The trust agreement may contain covenants or provisions for protecting and enforcing the rights and remedies of the bondholders as may be necessary, reasonable or appropriate and not in violation of law or other provisions or covenants that are consistent with sections 2 to 10, inclusive, of this act and which the municipality determines in such proceedings are necessary, convenient or desirable to better secure the bonds, or will tend to make the bonds more marketable, and which are in the best interests of the municipality. The pledge by any trust agreement shall be valid and binding from time to time when the pledge is made. The revenues or other moneys so pledged and then held or thereafter received by the municipality shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act and the lien of the pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the board, irrespective of whether the parties have notice thereof. All expenses incurred in carrying out such trust agreement may be treated as project costs. In case any municipal officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be an officer before the delivery of the obligations, the signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if the officer had remained in office until the delivery. Notwithstanding any provision of the Uniform Commercial Code, neither this section, the
resolution of the municipality approving the bonds or any trust agreement by which a pledge is created need be filed or recorded, and no filing need be made under title 42a of the general statutes.

(d) While any bonds issued hereunder remain outstanding, the existence of the resiliency improvement district and the powers and duties of the municipality with respect to such resiliency improvement district shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of the bonds. Any bonds issued by a municipality pursuant to this section, except for general obligation bonds of the municipality secured by the full faith and credit pledge of the municipality, shall contain on their face a statement to the effect that neither the state nor the municipality shall be obliged to pay the principal of or the interest thereon, and that neither the full faith and credit or taxing power of the state or the municipality is pledged to the payment of the bonds. All bonds issued under this section shall have and are hereby declared to have all the qualities and incidents of negotiable instruments, as provided in title 42a of the general statutes.

(e) Any pledge made by a municipality pursuant to this section shall be valid and binding from the time when the pledge is made, and any revenues or other receipts, funds or moneys so pledged and thereafter received by the municipality shall be subject immediately to the lien of such pledge without any physical delivery thereof or further act. The lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the municipality, irrespective of whether such parties have notice of such lien.

(f) Bonds issued under this section are hereby made securities in which all public officers and public bodies of the state and its political subdivisions, all insurance companies, trust companies, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds, including capital in their control and belonging to them and such bonds shall be securities that may properly and legally be deposited with and received
by any state or municipal officer or any agency or political subdivision
of the state for any purpose for which the deposit of bonds of the state
is now or may hereafter be authorized by law. Bonds may be issued
under this section without obtaining the consent of the state and without
any proceedings or the happening of any other conditions or things
other than those proceedings, conditions or things that are specifically
required thereof by this section.

(g) Nothing in this section shall be construed to restrict the ability of
the municipality to raise revenue for the payment of project costs in any
manner otherwise authorized by law.

(h) As used in this section, "bonds" means any bonds, including
refunding bonds, notes, interim certificates, debentures or other
obligations.

Sec. 9. (NEW) (Effective July 1, 2024) The legislative body of a
municipality may create an advisory board, whose members include
owners or occupants of real property located in or adjacent to a
resiliency improvement district. The advisory board may advise the
legislative body and any designated administrative entity on the
planning, construction and implementation of the district master plan
and maintenance and operation of the resiliency improvement district
after the district master plan is complete.

Sec. 10. (NEW) (Effective July 1, 2024) (a) Within a resiliency
improvement district, priority consideration shall be given to
infrastructure projects designed to increase resilience and that (1) utilize
nonstructural and nature-based solutions intended to restore, maintain
or enhance ecosystem services and processes that maintain or improve
on environmental quality in or adjacent to the district, or (2) address the
needs of environmental justice communities, as defined in section 22a-
20a of the general statutes, or of vulnerable communities, as defined in
section 16-243y of the general statutes.

(b) To the extent that a resiliency project results in the demolition or
reduction of affordable housing, as defined in section 8-39a of the
general statutes, the municipality, the developer of the district, a property owner or a third-party entity must commit to replace such affordable housing units within the district. The replacement of such affordable housing shall occur not later than four years after such demolition or reduction. If the replacement is not feasible within the district boundaries, then such affordable housing shall be replaced within a reasonable proximity to the district at a rate of not less than two units for each unit that otherwise would have been replaced within the district.

Sec. 11. Subsections (d) to (f), inclusive, of section 8-23 of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(d) In preparing such plan, the commission or any special committee shall consider the following: (1) The community development action plan of the municipality, if any, (2) the need for affordable housing, (3) the need for protection of existing and potential public surface and ground drinking water supplies, (4) the use of cluster development and other development patterns to the extent consistent with soil types, terrain and infrastructure capacity within the municipality, (5) the state plan of conservation and development adopted pursuant to chapter 297, (6) the regional plan of conservation and development adopted pursuant to section 8-35a, as amended by this act, (7) physical, social, economic and governmental conditions and trends, (8) the needs of the municipality including, but not limited to, human resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation and cultural and interpersonal communications, (9) the objectives of energy-efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation, (10) protection and preservation of agriculture, (11) the most recent sea level change scenario updated pursuant to subsection (b) of section 25-68o, as amended by this act, [and] (12) the need for technology infrastructure in the municipality, and (13) for any such plan adopted on or after October 1, 2026, the most recent hazard and climate projections established by federal and state
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authorities, including, but not limited to, the National Oceanic and Atmospheric Administration, the Federal Emergency Management Agency, the United States Environmental Protection Agency and The University of Connecticut.

(e) (1) [Such] Any such plan of conservation and development adopted prior to October 1, 2026, shall (A) be a statement of policies, goals and standards for the physical and economic development of the municipality, (B) provide for a system of principal thoroughfares, parkways, bridges, streets, sidewalks, multipurpose trails and other public ways as appropriate, (C) be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people and identify areas where it is feasible and prudent (i) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (ii) to promote such development patterns and land reuse, (D) recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation, agricultural and other purposes and include a map showing such proposed land uses, (E) recommend the most desirable density of population in the several parts of the municipality, (F) note any inconsistencies with the following growth management principles: (i) Redevelopment and revitalization of commercial centers and areas of mixed land uses with existing or planned physical infrastructure; (ii) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (iii) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (iv) conservation and restoration of the natural environment, cultural and historical resources and existing farmlands; (v) protection of environmental assets critical to public health and safety; and (vi) integration of planning across all levels of government to address issues on a local, regional and state-wide basis, (G) make provision for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types,
terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a, (H) promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to chapter 297, and (I) consider allowing older adults and persons with a disability the ability to live in their homes and communities whenever possible. Such plan may: (i) Permit home sharing in single-family zones between up to four adult persons of any age with a disability or who are sixty years of age or older, whether or not related, who receive supportive services in the home; (ii) allow accessory apartments for persons with a disability or persons sixty years of age or older, or their caregivers, in all residential zones, subject to municipal zoning regulations concerning design and long-term use of the principal property after it is no longer in use by such persons; and (iii) expand the definition of "family" in single-family zones to allow for accessory apartments for persons sixty years of age or older, persons with a disability or their caregivers. In preparing such plan the commission shall consider focusing development and revitalization in areas with existing or planned physical infrastructure.

(2) Any such plan of conservation and development adopted on or after October 1, 2026, shall (A) be a statement of policies, goals and standards for the physical and economic development of the municipality; (B) provide for a system of principal thoroughfares, parkways, bridges, streets, sidewalks, multipurpose trails and other public ways as appropriate; (C) be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people and identify areas where it is feasible and prudent (i) to have compact,
transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (ii) to promote such development patterns and land reuse; (D) (i) include a climate change vulnerability assessment, which shall consist of an assessment of existing and anticipated threats to and vulnerabilities of the municipality that are associated with natural disasters, hazards and climate change, including, but not limited to, increased temperatures, drought, flooding, storm damage and sea level rise, and the impacts such disasters and hazards may have on individuals, communities, institutions, businesses, economic development, public infrastructure and facilities, public health, safety and welfare, (ii) identify goals, policies and techniques to avoid or reduce such threats, vulnerabilities and impacts, and (iii) include a statement describing any consistencies and inconsistencies identified between such assessment and any existing or proposed natural hazard mitigation plan, floodplain management plan, comprehensive emergency operations plan, emergency response plan, post-disaster recovery plan, long-range transportation plan or capital improvement plan in the municipality, and identifying and recommending, where necessary, the integration of data from such assessment into any such plans and any actions necessary to achieve consistency and coordination between such assessment and any such plans; (E) recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation, agricultural and other purposes and include a map showing such proposed land uses that considers the threats, vulnerabilities and impacts identified in the climate change vulnerability assessment conducted pursuant to subparagraph (D)(i) of this subdivision; (F) recommend the most desirable density of population in the several parts of the municipality; (G) note any inconsistencies with the following growth management principles: (i) Redevelopment and revitalization of commercial centers and areas of mixed land uses with existing or planned physical infrastructure; (ii) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (iii) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation
options and land reuse and reduction of vehicle mileage; (iv) conservation and restoration of the natural environment, cultural and historical resources and existing farmlands; (v) protection of environmental assets critical to public health and safety; and (vi) integration of planning across all levels of government to address issues on a local, regional and state-wide basis; (H) make provision for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a; (I) promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to chapter 297; (J) consider allowing older adults and persons with disabilities the ability to live in their homes and communities whenever possible; (K) identify infrastructure, including, but not limited to, facilities, public utilities and roadways, that is critical for evacuation purposes and sustaining quality of life during a natural disaster, and which shall be maintained at all times in an operational state; (L) identify strategies and design standards that may be implemented to avoid or reduce risks associated with natural disasters, hazards and climate change; and (M) include geospatial data utilized in preparing such plan or that is necessary to convey information in such plan. Such plan may: (i) Permit home sharing in single-family zones between up to four adult persons of any age with a disability or who are sixty years of age or older, whether or not related, who receive supportive services in the home; (ii) allow accessory apartments for persons with a disability or persons sixty years of age or older, or their caregivers, in all residential zones, subject to municipal zoning regulations concerning design and long-term use of the principal property after it is no longer in use by such persons; (iii)
expand the definition of "family" in single-family zones to allow for
accessory apartments for persons sixty years of age or older, persons
with a disability or their caregivers; and (iv) identify one or more areas
that are vulnerable to the impacts of climate change for the purpose of
prioritizing funding for infrastructure needs and resilience planning. In
preparing such plan the commission shall consider focusing
development and revitalization in areas with existing or planned
physical infrastructure. The commission or any special committee may
utilize information and data from any plan described in subparagraph
(D) of this subdivision in the preparation of such plan of conservation
and development, provided such information and data shall not be
incorporated by reference, but summarized in such plan.

[(2)] (3) For any municipality that is contiguous to Long Island Sound,
such plan shall be (A) consistent with the municipal coastal program
requirements of sections 22a-101 to 22a-104, inclusive, (B) made with
reasonable consideration for restoration and protection of the ecosystem
and habitat of Long Island Sound, and (C) designed to reduce hypoxia,
pathogens, toxic contaminants and floatable debris in Long Island
Sound.

(f) Such plan may show the commission's and any special
committee's recommendation for (1) conservation and preservation of
traprock and other ridgelines, (2) airports, parks, playgrounds and other
public grounds, (3) the general location, relocation and improvement of
schools and other public buildings, (4) the general location and extent
of public utilities and terminals, whether publicly or privately owned,
for water, light, power, transit and other purposes, (5) the extent and
location of public housing projects, (6) programs for the implementation
of the plan, including (A) a schedule, (B) a budget for public capital
projects, (C) a program for enactment and enforcement of zoning and
subdivision controls, building and housing codes and safety
regulations, (D) plans for implementation of affordable housing, (E)
plans for open space acquisition and greenways protection and
development, and (F) plans for corridor management areas along
limited access highways or rail lines, designated under section 16a-27.
as amended by this act, (7) proposed priority funding areas, (8) a land use program that will promote the reduction and avoidance of risks associated with natural disasters, hazards and climate change, including, but not limited to, increased temperatures, drought, flooding, hurricanes and sea level rise, (9) a program for the transfer of development rights, which establishes criteria for sending and receiving sites and technical details for the program consistent with the provisions of section 8-2e, as amended by this act, and [(8)] (10) any other recommendations as will, in the commission's or any special committee's judgment, be beneficial to the municipality. The plan may include any necessary and related maps, explanatory material, photographs, charts or other pertinent data and information relative to the past, present and future trends of the municipality. Any land use program recommended pursuant to subdivision (8) of this subsection may be a resiliency improvement district, as defined in section 1 of this act.

Sec. 12. Subsection (i) of section 8-23 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(i) (1) After completion of the public hearing, the commission may revise the plan and may adopt the plan or any part thereof or amendment thereto by a single resolution or may, by successive resolutions, adopt parts of the plan and amendments thereto.

(2) Any plan, section of a plan or recommendation in the plan that is not endorsed in the report of the legislative body or, in the case of a municipality for which the legislative body is a town meeting or representative town meeting, by the board of selectmen, of the municipality may only be adopted by the commission by a vote of not less than two-thirds of all the members of the commission.

(3) Upon adoption by the commission, any plan or part thereof or amendment thereto shall become effective at a time established by the commission, provided notice thereof shall be published in a newspaper having a general circulation in the municipality prior to such effective
date.

(4) Not more than thirty days after adoption, any plan or part thereof or amendment thereto shall be posted on the Internet web site of the municipality, if any, and shall be filed in the office of the town clerk, except that, if it is a district plan or amendment, it shall be filed in the offices of both the district and town clerks.

(5) Not more than sixty days after adoption of the plan, the commission shall submit a copy of the plan, including geospatial data required pursuant to subparagraph (M) of subdivision (2) of subsection (e) of this section, to the Secretary of the Office of Policy and Management, [and] in a form and manner prescribed by the secretary. The commission shall include with such copy a description of any [inconsistency] inconsistencies between the plan adopted by the commission and the regional plan of conservation and development applicable to the municipality and the state plan of conservation and development, and the reasons [therefor] for any such inconsistencies.

Sec. 13. Subdivisions (2) to (4), inclusive, of section 28-1 of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(2) "Major disaster" means any catastrophe including, but not limited to, any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, extreme heat or drought, or, regardless of cause, any fire, flood, explosion, or man-made disaster in any part of this state that, (A) in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121 et seq., as amended from time to time, to supplement the efforts and available resources of this state, local governments within the state, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused by such catastrophe, or (B) in the determination of the Governor, requires the declaration of a civil
preparedness emergency pursuant to section 28-9.

(3) "Emergency" means any occasion or instance for which, in the determination of the Governor or the President, state or federal assistance is needed to supplement state or local efforts and capabilities to save lives and protect property, public health and safety or to avert or lessen the threat of a disaster or catastrophe in any part of this state.

(4) "Civil preparedness" means all those activities and measures designed or undertaken (A) to minimize or control the effects upon the civilian population of major disaster or emergency or climate change, (B) to minimize the effects upon the civilian population caused or which would be caused by an attack upon the United States, (C) to deal with the immediate emergency conditions which would be created by any such attack, major disaster or emergency or climate change, and (D) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack, major disaster or emergency or climate change. Such term shall include, but shall not be limited to, (i) measures to be taken in preparation for anticipated attack, major disaster or emergency or climate change, including the establishment of appropriate organizations, operational plans and supporting agreements; the recruitment and training of personnel; the conduct of research; the procurement and stockpiling of necessary materials and supplies; the provision of suitable warning systems; the construction and preparation of shelters, shelter areas and control centers; and, when appropriate, the nonmilitary evacuation of the civilian population, pets and service animals; (ii) measures to be taken during attack, major disaster or emergency, including the enforcement of passive defense regulations prescribed by duly established military or civil authorities; the evacuation of personnel to shelter areas; the control of traffic and panic; and the control and use of lighting and civil communication; and (iii) measures to be taken following attack, major disaster or emergency, including activities for firefighting; rescue, emergency medical, health and sanitation services; monitoring for specific hazards of special weapons; unexploded bomb reconnaissance; essential debris clearance; emergency welfare
measures; and immediately essential emergency repair or restoration of
damaged vital facilities.

Sec. 14. Section 25-68o of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2024):

(a) On and after October 1, 2019, in the preparation of any municipal
evacuation plan or hazard mitigation plan, such municipality shall
consider the most recent sea level change scenario updated pursuant to
subsection (b) of this section. On and after October 1, 2025, any such plan
shall identify and address (1) threats to surface transportation, critical
infrastructure and local land uses as a result of such sea level change,
and (2) actions, strategies and capital projects to avoid or reduce impacts
and risks resulting from climate change, including, but not limited to,
increased precipitation, flooding, sea level rise and extreme heat. Any
such surface transportation, critical infrastructure, local land uses,
actions, strategies and capital projects shall be identified in geospatial
data, as applicable, in addition to being identified in such plan, and such
data shall be made available to the Commissioner of Emergency
Services and Public Protection and the Secretary of the Office of Policy
and Management upon request.

(b) Within available resources and not less than once every ten years,
the Marine Sciences Division of The University of Connecticut shall
publish a sea level change scenario for the state based upon the sea level
change scenarios published by the National Oceanic and Atmospheric
Administration in Technical Report OAR CPO-1 and other available
scientific data necessary to create a scenario applicable to the state
coastline. Within available resources and not less than ninety days prior
to publishing such sea level change scenario by said Marine Sciences
Division, the division and the Department of Energy and Environmental
Protection shall conduct not less than one public hearing concerning
such update. Not later than sixty days after the last public hearing, the
Commissioner of Energy and Environmental Protection shall publish
the sea level change scenario for the state on the Internet web site of the
Department of Energy and Environmental Protection along with a
notice that any previous updates are superseded.

Sec. 15. Section 7-364 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

Upon the recommendation of the budget-making authority and approval by the legislative body, any part or the whole of such fund may be used for (1) capital and nonrecurring expenditures, but such use shall be restricted to the financing of all or part of the planning, construction, reconstruction or acquisition of any specific capital improvement, including, but not limited to, planning, construction, reconstruction or acquisition intended to increase the resiliency of a capital improvement against the impacts of climate change, including, but not limited to, increased precipitation, flooding, sea level rise and extreme heat, or the acquisition of any specific item of equipment, (2) costs associated with a property tax revaluation, and (3) costs associated with the preparation, amendment or adoption of a plan of conservation and development pursuant to section 8-23, as amended by this act. Upon the approval of any such expenditure, an appropriation shall be set up, plainly designated for the project, acquisition, revaluation or plan of conservation and development for which it has been authorized, and such unexpended appropriation may be continued until such project, acquisition, revaluation or plan of conservation and development is completed. Any unexpended portion of such appropriation remaining after such completion shall revert to said reserve fund.

Sec. 16. Subsection (a) of section 13a-175a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(a) For each fiscal year there shall be allocated twelve million five hundred thousand dollars out of the funds appropriated to the Department of Transportation, or from any other source, not otherwise prohibited by law, to be used by the towns for (1) the construction, reconstruction, improvement [or] and maintenance of highways,
sections of highways, bridges [or] and structures incidental to highways and bridges [or the improvement thereof,] including (A) construction, reconstruction, improvements and maintenance intended to increase resiliency against increased precipitation, flooding, sea level rise and extreme heat, and (B) the plowing of snow, [the] sanding of icy pavements, [the] trimming and removal of trees [, the] and installation, replacement and maintenance of traffic signs, signals and markings; [, for] (2) traffic control and vehicular safety programs, traffic and parking planning and administration, and other purposes and programs related to highways, traffic and parking; [, and for] and (3) the purposes of providing and operating essential public transportation services and related facilities.

Sec. 17. (NEW) (Effective July 1, 2024) Not later than October 1, 2026, and annually thereafter, each municipality shall, in a form and manner prescribed by the Office of Policy and Management in consultation with the Departments of Transportation and Energy and Environmental Protection, submit a report concerning each culvert and bridge within the control and boundaries of such municipality. Such report shall (1) include, but need not be limited to, geospatial data pertaining to each culvert and bridge, the locational coordinates of each culvert and bridge, the age and dimensions of each culvert and bridge, and any additional information deemed necessary by the Office of Policy and Management, in consultation with the Departments of Transportation and Energy and Environmental Protection, and (2) be submitted to the Office of Policy and Management, the Departments of Transportation and Energy and Environmental Protection, and the regional of council of governments of which such municipality is a member, if applicable.

Sec. 18. Subsections (a) and (b) of section 8-35a of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(a) At least once every ten years, each regional council of governments shall make a plan of conservation and development for its area of operation, showing its recommendations for the general use of
the area including land use, housing, principal highways and freeways, bridges, airports, parks, playgrounds, recreational areas, schools, public institutions, public utilities, agriculture and such other matters as, in the opinion of the council, will be beneficial to the area. Any regional plan so developed shall be based on studies of physical, social, economic and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy the coordinated development of its area of operation and the general welfare and prosperity of its people. Such plan may encourage resilient and energy-efficient patterns of development, land use strategies to reduce the impacts of climate change, the use of solar and other renewable forms of energy, and energy conservation. Such plan shall be designed to promote abatement of the pollution of the waters and air of the region. Such plan shall consider the need for technology infrastructure in the region. The regional plan shall identify areas where it is feasible and prudent (1) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (2) to promote such development patterns and land reuse and shall note any inconsistencies with the following growth management principles: (A) Redevelopment and revitalization of regional centers and areas of mixed land uses with existing or planned physical infrastructure; (B) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (C) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (D) conservation and restoration of the natural environment, cultural and historical resources and traditional rural lands; (E) protection of environmental assets critical to public health and safety; and (F) integration of planning across all levels of government to address issues on a local, regional and state-wide basis. The plan of each region contiguous to Long Island Sound shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound. On and after October 1, 2025, such plan shall (i) demonstrate consistency with each long-range transportation plan, hazard mitigation plan and evacuation plan adopted by a member municipality.
of such council, and (ii) identify infrastructure of critical importance in
the region and include geospatial data relative to such infrastructure.

(b) Before adopting the regional plan of conservation and
development or any part thereof or amendment thereto the regional
council of governments shall hold at least one public hearing thereon,
notice of the time, place and subject of which shall be given in writing
to the chief executive officer and planning commission, where one
exists, of each member town, city or borough. Notice of the time, place
and subject of such hearing shall be published once in a newspaper
having a substantial circulation in the region. Such notices shall be given
not more than twenty days or less than ten days before such hearing. At
least sixty-five days before the public hearing the regional council of
governments shall post the plan on the Internet web site of the council,
if any, and submit the plan to the Secretary of the Office of Policy and
Management for findings in the form of comments and
recommendations. By October 1, 2011, the secretary shall establish, by
regulations adopted in accordance with the provisions of chapter 54,
criteria for such findings which shall include procedures for a uniform
review of regional plans of conservation and development to determine
if a proposed regional plan of conservation and development is not
inconsistent with the state plan of conservation and development and
the state economic strategic plan. The regional council of governments
shall note on the record any inconsistency with the state plan of
conservation and development and the reasons for such inconsistency.
Adoption of the plan or part thereof or amendment thereto shall be
made by the affirmative vote of not less than a majority of the
representatives on the council. The plan shall be posted on the Internet
web site of the council, if any, and a copy of the plan or of any
amendments thereto, signed by the chairman of the council, and
geospatial data developed pursuant to the requirements of subsection
(a) of this section shall be transmitted to the chief executive officers, the
town, city or borough clerks, as the case may be, and to planning
commissions, if any, in member towns, cities or boroughs, and to the
Secretary of the Office of Policy and Management, or his or her designee.
The regional council of governments shall notify the Secretary of the Office of Policy and Management of any inconsistency with the state plan of conservation and development and the reasons therefor.

Sec. 19. Section 29-251 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

There shall be within the Department of Administrative Services a Codes and Standards Committee whose duty it shall be to work with the State Building Inspector in the enforcement of this part and the State Fire Marshal in the enforcement of part II of this chapter as set forth herein. The committee shall be composed of twenty-one members, residents of the state, appointed by the Commissioner of Administrative Services as follows: (1) Two shall be architects licensed in the state of Connecticut; (2) three shall be professional engineers licensed in the state of Connecticut, two of whom shall practice either structural, mechanical or electrical engineering but in no event shall both of such members represent the same specialty, and one of whom shall be a practicing fire protection engineer or mechanical engineer with extensive experience in fire protection; (3) two shall be builders or superintendents of construction, one of whom shall have expertise in residential construction and one of whom shall have expertise in nonresidential construction; (4) one shall be a public health official; (5) two shall be building officials; (6) two shall be local fire marshals; (7) one shall be a Connecticut member of a national building trades labor organization; (8) one shall have expertise in matters relating to energy efficiency; (9) four shall be public members, one of whom shall have expertise in matters relating to accessibility and use of facilities by persons with physical disabilities; (10) one shall be a contractor licensed to perform electrical work or a member of a state-wide electrical trades labor organization; (11) one shall be a contractor licensed to perform plumbing and piping work or a member of a state-wide plumbing trades labor organization; and (12) one shall be a contractor licensed to perform heating, piping and cooling work or a member of a state-wide heating and cooling trades labor organization. Each member, other than the public members described in subdivision (9) of this section, shall
have had not less than ten years' practical experience in such member's
profession or business. Not fewer than five members, who shall not be
public members described in subdivision (9) of this section, shall have
received training, certification or experience in construction techniques
that increase the resilience of buildings and building elements against
the impacts of climate change. The committee shall adopt regulations in
accordance with the provisions of chapter 54 governing the procedure
of the committee. Members who fail to attend three consecutive
meetings or fifty per cent of all meetings during a calendar year shall be
deemed to have resigned. The committee may, within the limits of
appropriations provided therefor, employ such assistants as may be
necessary to conduct its business.

Sec. 20. Subsection (c) of section 29-251c of the general statutes is
repealed and the following is substituted in lieu thereof (Effective July 1,
2024):

(c) The commissioner shall establish a program of education and
training in the mechanics and application of the State Building Code and
the Fire Safety Code conducted for any municipal or state code official,
or any candidate for such positions, and a continuing educational
program in the mechanics and application of the State Building Code
and the Fire Safety Code for any architect, engineer, landscape architect,
interior designer, builder, contractor or superintendent of construction
doing business in this state. Such programs shall include education and
training in construction techniques that maximize energy efficiency,
minimize greenhouse gas emissions and increase the resilience of
buildings and building elements against the impacts of climate change.

Sec. 21. Section 29-256a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2024):

(a) (1) The State Building Inspector and the Codes and Standards
Committee shall revise the State Building Code to require that
commercial and residential buildings and building elements be
designed to provide optimum cost-effective energy efficiency over the
useful life of the building and to incorporate the 2012 International
Energy Conservation Code, not later than eighteen months after the
publication of said code. [The provisions of this section shall not be
construed to impose any new requirement for any renovation or
construction of a state building that is subject to the requirements of
section 16a-38k, regardless of whether such building has been granted
an exemption under said section.]

(2) On and after July 1, 2025, the State Building Inspector and the
Codes and Standards Committee shall revise the State Building Code to
(A) require that the buildings and building elements described in
subdivision (1) of this subsection be designed to provide optimum
greenhouse gas emission reduction and resiliency against the impacts of
climate change over the useful life of the building, and (B) incorporate
the most recent International Energy Conservation Code, not later than
eighteen months after the publication of said code.

(3) The provisions of this section shall not be construed to impose any
new requirement for any renovation or construction of a state building
that is subject to the requirements of section 16a-38k, regardless of
whether such building has been granted an exemption under said
section.

(b) (1) Notwithstanding subsection (a) of this section, on and after
July 1, 2010, the State Building Inspector and the Codes and Standards
Committee, in consultation with the Commissioner of Administrative
Services, shall revise the State Building Code to include provisions
requiring certain buildings of or over a specified minimum size, that
qualify as a new construction or a major alteration of a residential or
nonresidential building, to meet or exceed optimum cost-effective
building construction standards concerning the thermal envelope or
mechanical systems, including, but not limited to, indoor air quality and
water conservation, and the lighting and electrical systems of the
building. [Such provisions]

(2) Notwithstanding subsection (a) of this section, on and after July 1,
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2025, the State Building Inspector and the Codes and Standards Committee, in consultation with the Commissioner of Administrative Services, shall revise the State Building Code to include provisions requiring that the buildings described in subdivision (1) of this subsection meet or exceed optimum cost-effective building construction standards concerning the resiliency of such buildings to flood and wind hazards, the impacts of climate change and the most recent sea level change scenario updated pursuant to section 25-68o, as amended by this act.

(3) The provisions included pursuant to subdivisions (1) and (2) of this subsection shall reference nationally accepted green building rating systems, including, but not limited to, the Leadership in Energy and Environmental Design rating system, the Green Globes USA design program, as established by the Green Building Initiative, the National Green Building Standard, as established by the National Association of Home Builders, or an equivalent rating system approved by the State Building Inspector and the Codes and Standards Committee. On and after July 1, 2025, such provisions shall reference nationally accepted resiliency standards, including, but not limited to, the Insurance Institute of Business & Home Safety’s Fortified Construction Standard and any other applicable standards promulgated or endorsed by the United States Department of Energy, the Federal Emergency Management Agency or other relevant federal agencies. Such [requirements] provisions shall include a method for demonstrating compliance at the time of application for a certificate of occupancy, including, but not limited to, private third-party certification or verification of compliance with the relevant portions of such rating systems and resiliency standards, including, but not limited to, the energy, [and] environmental and climate resiliency portions.

Sec. 22. Subsections (b) and (c) of section 8-2 of the 2024 supplement to the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(b) Zoning regulations adopted pursuant to subsection (a) of this
section shall:

(1) Be made in accordance with a comprehensive plan and in consideration of the plan of conservation and development adopted under section 8-23, as amended by this act;

(2) Be designed to (A) lessen congestion in the streets; (B) secure safety from fire, panic, flood, sea level rise, extreme heat, climate change and other dangers; (C) promote health and the general welfare; (D) provide adequate light and air; (E) protect the state's historic, tribal, cultural and environmental resources; (F) facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; (G) consider the impact of permitted land uses on contiguous municipalities and on the planning region, as defined in section 4-124i, in which such municipality is located; (H) address significant disparities in housing needs and access to educational, occupational and other opportunities; (I) promote efficient review of proposals and applications; and (J) affirmatively further the purposes of the federal Fair Housing Act, 42 USC 3601 et seq., as amended from time to time;

(3) Be drafted with reasonable consideration as to the physical site characteristics of the district and its peculiar suitability for particular uses and with a view to encouraging the most appropriate use of land throughout a municipality;

(4) Provide for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a;

(5) Promote housing choice and economic diversity in housing, including housing for both low and moderate income households;

(6) Expressly allow the development of housing which will meet the
housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to section 16a-26;

(7) Be made with reasonable consideration for the impact of such regulations on agriculture, as defined in subsection (q) of section 1-1;

(8) Provide that proper provisions be made for soil erosion and sediment control pursuant to section 22a-329;

(9) Be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies; [and]

(10) In any municipality that is contiguous to or on a navigable waterway draining to Long Island Sound, (A) be made with reasonable consideration for the restoration and protection of the ecosystem and habitat of Long Island Sound; (B) be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris on Long Island Sound; and (C) provide that such municipality's zoning commission consider the environmental impact on Long Island Sound coastal resources, as defined in section 22a-93, of any proposal for development; and

(11) Provide that proper provisions be made to mitigate and avoid potential negative impacts to public health, public welfare and the environment, due to sea level change, in consideration of the most recent sea level change scenario updated pursuant to section 25-68o, as amended by this act.

(c) Zoning regulations adopted pursuant to subsection (a) of this section may:

(1) To the extent consistent with soil types, terrain and water, sewer and traffic infrastructure capacity for the community, provide for or require cluster development, as defined in section 8-18;
(2) Be made with reasonable consideration for the protection of historic factors;

(3) Require or promote (A) energy-efficient patterns of development; (B) the use of distributed generation or freestanding solar, wind and other renewable forms of energy; (C) combined heat and power; [and] (D) energy conservation; and (E) resilience, as defined in section 16-243y;

(4) Provide for incentives for developers who use (A) solar and other renewable forms of energy; (B) combined heat and power; (C) water conservation, including demand offsets; [and] (D) energy conservation techniques, including, but not limited to, cluster development, higher density development and performance standards for roads, sidewalks and underground facilities in the subdivision; and (E) flood-risk reduction building methods;

(5) Provide for a municipal or regional system for the creation of development rights and the permanent transfer of such development rights, which may include a system for the variance of density limits in connection with any such transfer;

(6) Provide for notice requirements in addition to those required by this chapter;

(7) Provide for conditions on operations to collect spring water or well water, as defined in section 21a-150, including the time, place and manner of such operations;

(8) Provide for floating zones, overlay zones and planned development districts;

(9) Require estimates of vehicle miles traveled and vehicle trips generated in lieu of, or in addition to, level of service traffic calculations to assess (A) the anticipated traffic impact of proposed developments; and (B) potential mitigation strategies such as reducing the amount of required parking for a development or requiring public sidewalks,
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crosswalks, bicycle paths, bicycle racks or bus shelters, including off-site; [and]

(10) In any municipality where a traprock ridge or an amphibolite ridge is located, (A) provide for development restrictions in ridgeline setback areas; and (B) restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (i) Emergency work necessary to protect life and property; (ii) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted pursuant to this section; and (iii) selective timbering, grazing of domesticated animals and passive recreation; and

(11) Provide for sending and receiving sites in conjunction with any transfer of development rights program established pursuant to section 8-2e, as amended by this act.

Sec. 23. Section 8-2e of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(a) Any two or more municipalities which have adopted the provisions of this chapter or chapter 125a or which are exercising zoning power pursuant to any special act may, with the approval of the legislative body of each municipality, execute an agreement providing for a system of development rights and the transfer of development rights across the boundaries of the municipalities which are parties to the agreement. Such system shall be implemented in a manner approved by the legislative body of each municipality and by the commission or other body which adopts zoning regulations of each municipality. Such agreement may provide that such system be administered by a regional council of governments or other agency.

(b) Any two or more municipalities that have executed an agreement pursuant to subsection (a) of this section may, by interlocal agreement, establish a transfer of development rights bank. Each such interlocal agreement shall (1) identify the receiving site, (2) include the local legislation governing development rights that has been adopted or is
intended to be adopted by the municipality or municipalities in which
the receiving site is located, (3) describe procedures for the termination
of the transfer of development rights bank, (4) describe the conversion
ratio to be used in the receiving site, which may express the extent of
additional development rights in any combination of units, floor area,
height or other applicable development standards that may be modified
by the municipality to provide incentives for the purchase of
development rights.

(c) Each receiving site identified pursuant to subsection (b) of this
section shall (1) be eligible for connection with a public water system,
(2) be located not more than one-half mile from public transportation
facilities, as defined in section 13b-79kk, (3) not be located within the
boundaries of core forest, as defined in section 16a-3k, (4) not be located
within the boundaries of any area impacted by the most recent seal level
change scenario updated pursuant to subsection (b) of section 25-68o, as
amended by this act, and (5) be located above the five-hundred year
flood elevation.

(d) Eligible sending sites may include, but need not be limited to, (1)
residential areas with low population density, as determined by such
municipalities, (2) core forest, as defined in section 13b-79kk, (3) land
classified as farm land in accordance with section 12-107c, (4)
agricultural land, as defined in section 22-3, (5) areas identified as
containing habitat for endangered or threatened species pursuant to (A)
federal law, (B) section 26-306 or 26-308, or (C) a written determination
of the United States Fish and Wildlife Service or a state and federally
recognized tribe that such area is appropriate for the preservation of
endangered or threatened species habitat, and (6) areas within the
boundaries of any area impacted by the most recent sea level change
scenario updated pursuant to subsection (b) of section 25-68o, as
amended by this act, or a floodplain, as defined in section 25-68i.

Sec. 24. (Effective July 1, 2024) (a) Not later than September 1, 2024, the
Insurance Commissioner shall, within available resources, convene a
working group to (1) study the needs of homeowners and small
business owners with respect to the fortification of their homes and places of business against potential losses due to natural disasters, hazards and climate change, and (2) make recommendations concerning the feasibility of establishing a program to assist homeowners and small business owners in fortifying their homes and places of business against such losses. Such recommendations shall include, but need not be limited to, (A) the structure and oversight of such a program, (B) potential incentives that may be offered to such homeowners and small business owners for the fortification of such homes and places of business, and (C) the identification of funding sources for such program.

(b) The working group shall consist of members appointed by the commissioner, who may have expertise in construction, insurance, natural disasters and hazards, emergency preparedness and climate change. The commissioner shall appoint two co-chairpersons from among the members of the working group. The working group shall hold not less than one public forum to allow the public to provide input on the recommendations of the working group.

(c) Not later than January 1, 2025, the working group shall submit a report of its findings and recommendations, in accordance with the provisions of section 11-4a of the general statutes, to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to insurance. The working group shall terminate upon submission of said report or January 1, 2025, whichever is later.

Sec. 25. Section 16a-27 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(a) The secretary, after consultation with all appropriate state, regional and local agencies and other appropriate persons, shall, prior to March 1, 2012, complete a revision of the existing plan and enlarge it to include, but not be limited to, policies relating to transportation, energy and air. Any revision made after July 1, 1995, shall take into consideration the conservation and development of greenways that
have been designated by municipalities and shall recommend that state agencies coordinate their efforts to support the development of a state-wide greenways system. The Commissioner of Energy and Environmental Protection shall identify state-owned land for inclusion in the plan as potential components of a state greenways system.

(b) Any revision made after August 20, 2003, shall take into account (1) economic and community development needs and patterns of commerce, and (2) linkages of affordable housing objectives and land use objectives with transportation systems.

(c) Any revision made after March 1, 2006, shall (1) take into consideration risks associated with natural hazards, including, but not limited to, flooding, high winds and wildfires; (2) identify the potential impacts of natural hazards on infrastructure and property; and (3) make recommendations for the siting of future infrastructure and property development to minimize the use of areas prone to natural hazards, including, but not limited to, flooding, high winds and wildfires.

(d) Any revision made after July 1, 2005, shall describe the progress towards achievement of the goals and objectives established in the previously adopted state plan of conservation and development and shall identify (1) areas where it is prudent and feasible (A) to have compact, transit accessible, pedestrian-oriented [mixed-use] mixed use development patterns and land reuse, and (B) to promote such development patterns and land reuse, (2) priority funding areas designated under section 16a-35c, and (3) corridor management areas on either side of a limited access highway or a rail line. In designating corridor management areas, the secretary shall make recommendations that (A) promote land use and transportation options to reduce the growth of traffic congestion; (B) connect infrastructure and other development decisions; (C) promote development that minimizes the cost of new infrastructure facilities and maximizes the use of existing infrastructure facilities; and (D) increase intermunicipal and regional cooperation.
(e) Any revision made after October 1, 2008, shall (1) for each policy recommended (A) assign a priority; (B) estimate funding for implementation and identify potential funding sources; (C) identify each entity responsible for implementation; and (D) establish a schedule for implementation; and (2) for each growth management principle, determine three benchmarks to measure progress in implementation of the principles, one of which shall be a financial benchmark.

(f) Any revision made after October 1, 2009, shall take into consideration the protection and preservation of Connecticut Heritage Areas.

(g) Any revision made after December 1, 2011, shall take into consideration (1) the state water supply and resource policies established in sections 22a-380 and 25-33c, and (2) the list prepared by the Commissioner of Public Health pursuant to section 25-33q.

(h) (1) Any revision made after October 1, 2019, and until the adoption of the state Conservation and Development Policies Plan, 2025-2030, shall [(1)] (A) take into consideration risks associated with increased coastal flooding and erosion, depending on site topography, as anticipated in the most recent sea level change scenario updated pursuant to subsection (b) of section 25-68o, as amended by this act, [(2)] (B) identify the impacts of such increased flooding and erosion on infrastructure and natural resources, [(3)] (C) make recommendations for the siting of future infrastructure and property development to minimize the use of areas prone to such flooding and erosion, and [(4)] (D) take into consideration the state's greenhouse gas reduction goals established pursuant to section 22a-200a.

(2) Any revision made after the adoption of the state Conservation and Development Policies Plan, 2025-2030 shall (A) take into consideration risks associated with (i) changes to the rate and timing of annual precipitation and increased average temperatures resulting in extreme heat, and (ii) increased flooding and erosion, depending on site topography, as anticipated in the most recent sea level change scenario.
updated pursuant to subsection (b) of section 25-68o, as amended by
this act, and by other sources as deemed appropriate by the Secretary of
Policy and Management, (B) identify the impacts of such extreme heat,
drought and increased flooding and erosion on infrastructure and
natural resources, (C) make recommendations for the siting of future
infrastructure and property development to minimize the use of areas
prone to such flooding and erosion, (D) make recommendations for land
use strategies that minimize risks to public health, infrastructure and the
environment, and (E) take into consideration the state’s greenhouse gas
reduction goals established pursuant to section 22a-200a.

(i) Any revision made after October 1, 2016, shall take into
consideration the need for technology infrastructure in the
municipality.

(j) Thereafter on or before March first in each revision year the
secretary shall complete a revision of the plan of conservation and
development, provided no revision year may be later than four years
subsequent to the year in which the plan was last adopted in accordance
with the process established in this chapter.

Sec. 26. Section 28-5 of the general statutes is amended by adding
subsection (h) as follows (Effective July 1, 2024):

(NEW) (h) On and after October 1, 2028, the state civil preparedness
plan and program established pursuant to subsection (b) of this section
shall consider observed and projected climate trends relating to extreme
weather events, drought, coastal and inland flooding, storm surge,
wildfire, extreme heat and any other hazards deemed relevant by the
commissioner.

Sec. 27. Section 7-131d of the 2024 supplement to the general statutes
is repealed and the following is substituted in lieu thereof (Effective July
1, 2024):

(a) There is established the protected open space and watershed land
acquisition grant program. The program shall provide grants to
municipalities and nonprofit land conservation organizations to acquire land or permanent interests in land for open space and watershed protection and to water companies, as defined in section 25-32a, to acquire and protect land which is eligible to be classified as class I or class II land, as defined in section 25-37c, after acquisition. All lands or interests in land acquired under this program shall be preserved in perpetuity predominantly in their natural scenic and open condition for the protection of natural resources while allowing for recreation consistent with such protection and, for lands acquired by water companies, allowing for the improvements necessary for the protection or provision of potable water.

(b) Grants may be made under the protected open space and watershed land acquisition grant program established under subsection (a) of this section or under the Charter Oak open space grant program established under section 7-131t to match funds for the purchase of land or permanent interests in land which purchase meets one of the following criteria: (1) Protects land identified as being especially valuable for recreation, forestry, fishing, conservation of wildlife or natural resources; (2) protects land which includes or contributes to a prime natural feature of the state's landscape, including, but not limited to, a shoreline, a river, its tributaries and watershed, an aquifer, mountainous territory, ridgelines, an inland or coastal wetland, a significant littoral or estuarine or aquatic site or other important geological feature; (3) protects habitat for native plant or animal species listed as threatened or endangered or of special concern, as defined in section 26-304; (4) protects a relatively undisturbed outstanding example of a native ecological community which is now uncommon; (5) enhances and conserves water quality of the state's lakes, rivers and coastal water; (6) preserves local agricultural heritage; or (7) in the case of grants to water companies, protects land which is eligible to be classified as class I land or class II land after acquisition. [The commissioner may make a grant under the protected open space and watershed land acquisition grant program to a distressed municipality or a targeted investment community, as defined in section 32-9p, for]
restoration or protection of natural features or habitats on open space already owned by the municipality, including, but not limited to, wetland or wildlife or plant habitat restoration or restoration of other sites to a more natural condition, or replacement of vegetation, provided the total amount of grants to such municipalities for such purposes may not exceed twenty per cent of the total amount of grants made in any fiscal year.

(c) Grants may be made under the protected open space and watershed land acquisition grant program established under subsection (a) of this section for restoration or protection of natural features or habitats on open space already owned by a (1) distressed municipality, as defined in section 32-9p, (2) targeted investment community, as defined in section 32-222, (3) municipality, provided such open space is located in an environmental justice community, as defined in section 22a-20a, or (4) nonprofit land conservation organization, provided such open space is located in a distressed municipality, targeted investment community or environmental justice community. Such restoration or protection may include, but need not be limited to, wetland, wildlife or plant habitat restoration or restoration of other sites to a more natural condition or replacement of vegetation. The total amount of grants made pursuant to this subsection shall not exceed twenty per cent of the total amount of grants made pursuant to the open space and watershed land acquisition grant program in any fiscal year.

[(c) No] (d) (1) Except as provided in subdivision (2) of this subsection, no grant may be made under the protected open space and watershed land acquisition grant program established under subsection (a) of this section or under the Charter Oak open space grant program established under section 7-131t for: [(1)] (A) Land to be used for commercial purposes or for recreational purposes requiring intensive development, including, but not limited to, golf courses, driving ranges, tennis courts, ballfields, swimming pools and uses by motorized vehicles other than vehicles needed by water companies to carry out their purposes, provided trails or pathways for pedestrians, motorized wheelchairs or nonmotorized vehicles shall not be considered intensive
development; [(2)] (B) land with environmental contamination over a
significant portion of the property provided grants for land requiring
remediation of environmental contamination may be made if
remediation will be completed before acquisition of the land or any
interest in the land and an environmental assessment approved by the
Commissioner of Energy and Environmental Protection has been
completed and no environmental use restriction applies to the land; [(3)]
(C) land which has already been committed for public use, except as
provided in subsection (c) of section 7-131g; [(4)] (D) development costs,
including, but not limited to, construction of ballfields, tennis courts,
parking lots or roadways; [(5)] (E) land to be acquired by eminent
domain; or [(6)] (F) reimbursement of in-kind services or incidental
expenses associated with the acquisition of land. This subsection shall
not prohibit the continuation of agricultural activity, the activities of a
water company for public water supply purposes or the selling of timber
incidental to management of the land which management is in
accordance with approved forest management practices provided any
proceeds of such timber sales shall be used for management of the land.
In the case of land acquired under this section which is designated as a
state park, any fees charged by the state for use of such land shall be
used by the state in accordance with the provisions of title 23.

(2) Grants in a total amount not exceeding five per cent of the total
amount of grants made pursuant to the open space and watershed land
acquisition grant program in any fiscal year may be made to distressed
municipalities, as defined in section 32-9p, targeted investment
communities, as defined in section 32-222, nonprofit land conservation
organizations and municipalities, for the purpose of reimbursement for
in-kind services or incidental expenses associated with the acquisition
of land, including, but not limited to, survey fees, appraisal costs and
legal fees, provided such land is located in a distressed municipality,
targeted investment community or environmental justice community,
as defined in section 22a-20a.

[(d)] (e) Any municipality or group of contiguous municipalities may
apply to the Commissioner of Energy and Environmental Protection for
a grant-in-aid of a program established to preserve or restrict to
conservation or recreation purposes the use of open space land. Such
grant shall be used for the acquisition of land, or easements, interests or
rights therein, or for the development of such land, or easements,
interests or rights therein, for purposes set forth in this section, or both,
in accordance with a plan of development adopted by the municipal
planning commission of the municipality within which the land is
located. Any application for a grant-in-aid relating to land located
beyond the territorial limits of the applying municipality shall be subject
to approval of the legislative body of the municipality within whose
territorial limits the land is located. A municipality applying for aid
under this section, may designate its conservation commission as its
agent to make such application.

[(e) (f)] At closing, a permanent conservation easement, as defined in
section 47-42, shall be executed for any property purchased with grant
funds, which conservation easement shall provide that the property
shall remain forever predominantly in its natural and open condition
for the specific conservation, open space or water supply purposes for
which it was acquired provided any improvements or changes to the
property shall be supportive of such condition or purposes. The
permanent conservation easement shall be in favor of the state acting
through the Commissioner of Energy and Environmental Protection, or
his designee, which may be a municipality or a land conservation
organization. In the case of land acquired for water supply protection, a
water company may hold an easement in conjunction with the state or
a nonprofit entity to protect the water supply. Such permanent
conservation easement shall also include a requirement that the
property be made available to the general public for appropriate
recreational purposes, the maintenance of which recreational access
shall be the responsibility of the grantee provided such access shall not
be required for land which will be classified as class I or class II land by
a water company if such access is inconsistent with the provision of pure
drinking water to the public. An exception to the provision of public
recreational access may be made at the discretion of the Commissioner
of Energy and Environmental Protection when provision for public access would be unreasonably detrimental to the wildlife or plant habitat or other natural features of the property or, for land where development rights have been purchased, would be disruptive of agricultural activity occurring on the land. Any instrument conveying an interest in land less than fee which interest is purchased under this section shall provide for the permanent preservation of the land and public access consistent with the land’s use or protection and with any restrictions prescribed by the Department of Public Health in order to protect a public drinking water source.

Sec. 28. Subsections (b) and (c) of section 7-131e of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(b) There is established a Natural Heritage, Open Space and Watershed Land Acquisition Review Board to assist and advise the commissioner in carrying out the provisions of sections 7-131d to 7-131g, inclusive, as amended by this act, and sections 23-73 to 23-79, inclusive. Upon establishment of the review board and selection of a chairman under this section, the review board (1) shall provide comments on selection criteria, policies and procedures; (2) shall promote public participation; (3) shall provide guidance and conduct review of strategies for land protection, including strategies under section 23-8; (4) shall review and evaluate grant award policies and procedures; and (5) may provide comments on any application for funds not later than forty-five days after such application is submitted to the chairman. Upon establishment of the board, the commissioner shall take such comments into consideration in making any decisions regarding such grants.

(c) The review board shall consist of twenty-three members as follows: (1) The chairpersons and ranking members of the bonding subcommittee of the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding; (2) one member of the joint standing committee of the General Assembly having cognizance of matters relating to agriculture and natural resources; (3) one member of the joint standing committee of the General Assembly having cognizance of matters relating to public health; (4) one member appointed by the Department of Public Health; (5) one member appointed by the Department of Energy and Environmental Protection; (6) one member appointed by the Department of Agriculture; (7) one member of the department of trade and industry; (8) one member of the board of education; (9) one member of the administrative assistant to the commission; (10) one member of the department of housing and community development; (11) one member of the department of economic and community development; (12) one member of the department of conservation and reclamation; (13) one member of the department of tax and revenue; (14) one member of the department of insurance; (15) one member of the department of labor; (16) one member of the department of mental health and retardation; (17) one member of the department of social services; (18) one member of the department of correction; (19) one member of the department of public safety; (20) one member of the department of transportation; (21) one member of the department of environmental protection; (22) one member of the department of health and human services; (23) one member of the department of children and families; (24) one member of the department of labor and workforce development; (25) one member of the department of public instruction; (26) one member of the department of economic and community development; and (27) one member of the department of education.
Assembly having cognizance of matters relating to the environment, appointed by the speaker of the House of Representatives, and one member of the joint standing committee of the General Assembly having cognizance of matters relating to planning and development, appointed by the president pro tempore of the Senate, each of whom shall be ex-officio members of the board; (3) the Secretary of the Office of Policy and Management, or his designee; (4) a representative of the business community and a person experienced in issues relating to access to public facilities by persons with disabilities, appointed by the Governor; (5) one representative from an investor-owned water utility, appointed by the minority leader of the Senate; (6) one representative from a municipal water utility, appointed by the minority leader of the House of Representatives; (7) one representative from a regional water utility, appointed by the minority leader of the Senate; (8) one representative who is a realtor or attorney with a minimum of five years experience in real estate transfers, appointed by the speaker of the House of Representatives; one representative with a minimum of five years experience in the construction industry or land development, appointed by the president pro tempore of the Senate; (9) two representatives of interest groups primarily concerned with the conservation of river watershed regions, appointed one each by the majority leaders of the House of Representatives and the Senate; (10) three representatives from nonprofit organizations primarily concerned with environmental protection or natural resource conservation with a minimum of five years experience in land conservation and acquisition, appointed one each by the Governor, the speaker of the House of Representatives and the president pro tempore of the Senate; [and] (11) one chief elected official of a town with a population less than twenty thousand and one chief elected official of a town with a population greater than twenty thousand, appointed by the Governor; (12) one member who is a representative of a community of color, low-income community or community-based organization, or professor from a college or university in the state with expertise in environmental justice, appointed by the Commissioner of Energy and Environmental Protection; and (13) one member who resides in a United States census
block group, as determined in accordance with the most recent United States decennial census, for which thirty per cent or more of the population consists of low-income persons who are not institutionalized and have an income below two hundred per cent of the federal poverty level, appointed by the Commissioner of Energy and Environmental Protection. The members, other than the members described in subdivisions (1), (2) and (3) of this subsection, shall serve terms of three years provided the terms of the members described in subdivisions (4) to (8), inclusive, of this subsection who are appointed in the year after July 1, 1998, shall expire on October 1, 1999, and further provided the terms of the members described in subdivisions (9) to (11), inclusive, of this subsection shall expire on October 1, 2000. The board shall elect a chairman from among its members and shall make such election on or before October 1, 1998. Members of the board shall serve until reappointed or replaced.

Sec. 29. Subsection (a) of section 7-131g of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2024):

(a) The Commissioner of Energy and Environmental Protection may make grants under the open space and watershed land acquisition program to: (1) Municipalities for acquisition of land for open space under subdivisions (1) to (6), inclusive, of subsection (b) of section 7-131d, as amended by this act, in an amount not to exceed sixty-five per cent of the fair market value of a parcel of land or interest in land proposed to be acquired; (2) municipalities for acquisition of land for class I and class II water supply protection under subdivision (5) of subsection (b) of said section 7-131d, in an amount not to exceed sixty-five per cent of such value; (3) nonprofit land conservation organizations for acquisition of land for open space or watershed protection under subdivisions (1) to (6), inclusive, of subsection (b) of said section 7-131d, in an amount not to exceed sixty-five per cent of such value; (4) water companies for acquisition of land under subdivision (7) of subsection (b) of said section 7-131d, in an amount not to exceed sixty-five per cent of such value provided if such a company
proposes in a grant application that it intends to allow access to such
land for recreational uses, such company shall seek approval of the
Commissioner of Public Health for such access; and (5) distressed
municipalities, as defined in section 32-9p or targeted investment
communities, as defined in section [32-9p] 32-222, municipalities
containing one or more environmental justice communities, as defined
in section 22a-20a, or, with the approval of the chief elected official or
governing legislative body of such a municipality or community, to a
nonprofit land conservation organization or water company, for
acquisition of land within that municipality or community, for open
space under subdivisions (1) to (6), inclusive, of subsection (b) of said
section 7-131d, in an amount not to exceed seventy-five per cent of such
value or for performance of work in the restoration, enhancement or
protection of resources in an amount not to exceed fifty per cent of the
cost of such work. Applicants for grants under the program shall
provide a copy of the application to the chairperson of the review board
established under section 7-131e, as amended by this act. The board
shall provide comments to the commissioner on pending applications
as it deems necessary.

Sec. 30. Subsection (a) of section 7-131e of the general statutes is
repealed and the following is substituted in lieu thereof (Effective July 1,
2024):

(a) Grant award decisions under the protected open space and
watershed land acquisition grant program established under section 7-
131d, as amended by this act, or under the Charter Oak open space grant
program established under section 7-131t shall be made by the
Commissioner of Energy and Environmental Protection at least
semianually. All complete and eligible grant applications shall be acted
upon by the commissioner as soon as practicable. A single project may
receive a grant in more than one grant cycle, subject to future availability
of funds and subject to the limitations set forth in this section and
sections 23-78, 12-498 and 7-131d, as amended by this act. Up to five per
cent of the grant funds may be used for administrative expenses
including, but not limited to: (1) Contractors to assist the Department of
Energy and Environmental Protection in the review and evaluation of
grant proposals and baseline data collection for conservation easements;
(2) appraisals or appraisal reviews; and (3) preparation of legal and
other documents. Administrative expenses may not be used for staff
salaries. Not later than September 1, 1998, for the protected open space
and watershed land acquisition grant program established under
section 7-131d, as amended by this act, and not later than September 1,
2000, for the Charter Oak open space grant program account established
under section 7-131t, the commissioner shall develop written guidelines
and a ranking system for consistency and equity in the distribution of
grant awards under the protected open space and watershed land
acquisition grant program established under section 7-131d, as amended by this act, or under the Charter Oak open space grant
program account established under section 7-131t based on the criteria
listed in subsections (b), [and] (c) and (d) of section 7-131d, as amended
by this act. Consistent with such criteria, additional consideration shall
be given to: (A) Protection of lands adjacent to and complementary to
adjacent protected open space land or class I or class II water company
lands; (B) equitable geographic distribution of the grants; (C) proximity
of a property to urban areas with growth and development pressures or
to areas with open space deficiencies and underserved populations; (D)
protection of land particularly vulnerable to development incompatible
with its natural resource values including the protection of a public
water supply source; (E) consistency with the state plan of conservation
and development; (F) multiple protection elements, such as water
quality and supply protection, scenic preservation and farmland
preservation; (G) the extent to which the presence of already constructed
buildings or other man-made improvements diminish or overshadow
the natural resource value of a proposed acquisition, or its value relative
to its cost; and (H) preservation of forest lands and bodies of water
which naturally absorb significant amounts of carbon dioxide.

Sec. 31. Subsection (a) of section 23-8b of the general statutes is
repealed and the following is substituted in lieu thereof (Effective July 1,
2024):
(a) Any contract for the protection of open space entered into by the
Commissioner of Energy and Environmental Protection with BHC
Company, Aquarion or Kelda Group, jointly or individually, and The
Nature Conservancy, for purchase of land or interests in land from said
companies shall be on such terms and conditions as are approved by the
commissioner. Such terms and conditions shall provide for the filing on
the land records in the town in which the land is located, restrictions or
easements that provide that all land or interest in land subject to such
purchase is preserved in perpetuity in its natural and open condition for
the protection of natural resources and public water supplies. Such
restrictions or easements may allow only those recreational activities
which are not prohibited in subsection [(c)] (d) of section 7-131d, as
amended by this act, and shall allow for improvements and activities
necessary only for land and natural resource management and safe and
adequate potable water. Such permanent restrictions or easements shall
be in favor of the State of Connecticut acting through the Commissioner
of Energy and Environmental Protection. Such permanent restrictions
or easements shall also include a requirement that the property be
available to the general public for recreational purposes as permitted
under subsection [(c)] (d) of section 7-131d, as amended by this act, and
shall allow for the installation of such permanent fixtures as may be
necessary to provide such permitted recreational activities. The
Department of Energy and Environmental Protection and the state are
hereby authorized to carry out and fulfill their obligations under any
such contract. In addition to such rights as said companies may have
pursuant to chapter 53, those rights in and to land or interests in land
reserved by said companies in their conveyances to the state in
accordance with the provisions of said contract shall be enforceable in
equity.

Sec. 32. (NEW) (Effective July 1, 2024) Notwithstanding the provisions
of section 22a-352 of the general statutes, the Water Planning Council,
as established pursuant to section 25-33o of the general statutes, shall,
in undertaking the next periodic update to the state water plan in
accordance with section 22a-352 of the general statutes: (1) Consider the
potential impact of climate change on the quality of water resources, (2)
take into account past conditions and predictions of future temperatures
and precipitation when identifying the quantities and qualities of water
that are available for public water supply, health, economic, recreation
and environmental benefits on a regional basin scale considering both
surface water and groundwater, and (3) include recommendations and
an implementation plan to reduce impacts from climate change and
extreme weather events on water quality and quantity.

Sec. 33. (NEW) (Effective July 1, 2024) (a) Not later than December 31,
2028, and every ten years thereafter, the Departments of Public Health
and Energy and Environmental Protection and the Public Utilities
Regulatory Authority shall each review their regulations pertaining to
water supply and, in accordance with the provisions of chapter 54 of the
general statutes, revise such regulations to incorporate the most
concurrent projections on precipitation, temperature or other applicable
conditions that could impact water quality, quantity and distribution.

(b) Not later than December 31, 2028, and every ten years thereafter,
the Departments of Public Health and Energy and Environmental
Protection shall each review and revise their permitting processes for
sewage disposal systems, and any attendant regulations, in accordance
with the provisions of chapter 54 of the general statutes, to incorporate
the most concurrent projections on precipitation, flooding, sea level rise
or other applicable conditions that could impact public safety and
environmental quality.

Sec. 34. (NEW) (Effective July 1, 2024) (a) Notwithstanding any
provision of the general statutes, the Commissioner of the Department
of Energy and Environmental Protection may acquire, in the name of
the state and for flood control and protection and associated public
purposes, no more than 25.7 acres of real property, or interests or rights
therein, by purchase, gift, devise or exchange, or may take the same by
eminent domain in the manner provided in Part IV of chapter 238 of the
general statutes, provided: (1) Such acquisition occurs prior to October
1, 2034; (2) the owner of any private property taken by eminent domain
pursuant to this section shall be entitled to challenge the amount of compensation in accordance with section 13a-76 of the general statutes; and (3) such property or interest therein is located in a municipality that was incorporated in 1836 and has a population between one hundred forty thousand and one hundred fifty thousand as reported in the 2010 federal decennial census and is necessary to construct a disaster relief, long-term recovery or infrastructure restoration project funded in 2016 by the Community Development Block Grant-National Disaster Resilience program, 81 CFR 36557.

(b) Whenever the Commissioner of the Department of Energy and Environmental Protection determines that the construction, operation, maintenance, repair or reconstruction of the property described in subdivision (3) of subsection (a) of this section or the flood control and protection improvements thereon, would necessitate the readjustment, relocation or removal of a public service facility, as defined in section 13a-126 of the general statutes, the commissioner may issue a readjustment, relocation or removal order to the company, corporation or municipality owning or operating such public service facility and such company, corporation or municipality shall readjust, relocate or remove such public service facility promptly, in accordance with such order, provided an equitable share of the cost of such readjustment, relocation or removal, including the cost of installing and constructing a public service facility of equal capacity in a new location, shall be borne by the state, within available appropriations, and calculated in accordance with section 13a-126 of the general statutes, as applied to state highways other than limited access highways.

Sec. 35. Section 8-2f of the general statutes is repealed. (Effective July 1, 2024)
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**Statement of Purpose:**
To implement the Governor's budget recommendations.

*[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.]*