General Assembly

Substitute Bill No. 11

February Session, 2024

AN ACT CONCERNING CONNECTICUT RESILIENCY PLANNING AND PROVIDING MUNICIPAL OPTIONS FOR CLIMATE RESILIENCE.

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

Section 1. (NEW) (Effective July 1, 2024) As used in this section and sections 2 to 10, inclusive, of this act unless the context otherwise requires:

(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.

(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.

(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.

(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, the reduction of impervious surfaces, 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 one or more municipalities 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 this section and sections 3 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 3 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 thirty 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 decreased if any bonds or other
indebtedness authorized and issued by the municipality under sections
3 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 decrease 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
consists of contiguous properties 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 the legislative
bodies of 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 3 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) 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 any applicable 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, local plan of conservation and development, regional 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 adverse impacts from hazards or climate change;

(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) In the case of existing residential use, 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, to include 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 or elevated;

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

(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; and

(H) The original assessed value of a proposed resiliency improvement district plus the original assessed value of all existing tax increment districts within the relevant municipalities may not exceed ten per cent of the total value of taxable property within the municipalities as of October first of the year immediately preceding the establishment of the tax increment district. Excluded from the calculation in this subparagraph is any tax increment district established on or after October 1, 2015, that consists entirely of contiguous property owned by a single taxpayer. For the purpose of this subdivision, "contiguous property" includes a parcel or parcels of land divided by a road, power line, railroad line or right-of-way.

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. Such legislative body shall adopt such plan after receipt of a written advisory opinion from the planning commission or combined planning and zoning commission of the municipality pursuant to section 3 of this act or ninety days after such request was made, whichever is earlier. 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 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 savings agreements, 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 each applicable 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, each applicable 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) Each applicable 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 or private use, (ii) the demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures, (iii) environmental remediation, (iv) site preparation and finishing work, and (v) 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 conspicuous place on the Internet web site of each applicable municipality with the date and time such notice was so posted 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 each applicable 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 in the solicitation, selection and design of infrastructure projects designed to increase resilience and that (1) utilize natural 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 resiliency project, a property owner or a third-party entity shall 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 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) 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, based on information from sources described in section 11 of this act 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 municipal 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, including a document coordinated by the applicable council of governments with separate provisions for each applicable municipality provided such information and data shall not be incorporated by reference, but summarized and applied in such plan to the specific policies, goals and standards of the subject municipality.

[(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...
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or amendment thereto shall be posted on the Internet web site of the
897 municipality, if any, and shall be filed in the office of the town clerk,
898 except that, if it is a district plan or amendment, it shall be filed in the
899 offices of both the district and town clerks.

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

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

913 (2) "Major disaster" means any catastrophe including, but not limited
to, any hurricane, tornado, storm, high water, wind-driven water, tidal
915 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
919 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.

927 (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, (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, 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. Such term shall include, but shall not be limited to, (i) measures to be taken in preparation for anticipated attack, major disaster, prolonged or intense exposure to precipitation, drought, heat, fire, flooding or emergency, 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, prolonged or intense exposure to precipitation, drought, heat, fire, flooding 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, prolonged or intense exposure to precipitation, drought, heat, fire, flooding 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. Such work may be conducted on a regional basis.

(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, provided such work may be conducted on a regional basis. 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 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
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 or ecosystem services 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 the regional long-range transportation plan, and the regional summary of the hazard mitigation plan in the case of a multi-jurisdiction hazard mitigation plan, and (ii) identify critical facilities in the region and include geospatial data relative to such facilities. Such geospatial information shall indicate location, address and general function of the 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, 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 geospatial data developed pursuant to subsection (a) of this section shall be made available to the Commissioner of Emergency Services and Public Protection or the Secretary of the Office of Policy and Management upon request. 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 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,
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, 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, and (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 sea 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)
core forest, as defined in section 13b-79kk, (2) land classified as farm
land in accordance with section 12-107c, (3) agricultural land, as defined
in section 22-3, (4) 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 (5) 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, especially in vulnerable communities, as defined in section 16-
243y of the general statutes, 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 cochairs 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

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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-one] 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 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] years' experience in real estate transfers, appointed by the
speaker of the House of Representatives; one representative with a
minimum of five [years] 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] 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,
(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 semiannually. 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 percent 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)
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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, reloc
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. (Effective from passage) Not later than January 1, 2025, the Commissioner of Energy and Environmental Protection, in consultation with the Insurance Commissioner, shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment on the requirements to create a climate resiliency fund that is funded by a surcharge on insurance policies issued in this state for property damage, general liability, business interruption, and any other form of business loss or similar mechanism in relation to fossil fuel projects. Such report shall include, but not be limited to, an inventory of relevant fossil fuel projects, recommendations for structuring any such assessment and fund, and mechanisms to ensure maximum compliance with such assessment. For purposes of this section, "fossil fuel project" means any project intended to facilitate or expand the exploration, extraction, processing, exporting, transporting other than by truck, storage, or any other significant action with respect to oil, natural gas or coal and includes, but is not limited to, the construction of any infrastructure related to such activities including, but not limited to, wells, pipelines, terminals, refineries or utility-scale generation facilities.

Sec. 36. Section 8-2f of the general statutes is repealed. (Effective July 1, 2024)
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