



General Assembly

February Session, 2024

Raised Bill No. 435

LCO No. 3000



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING GOVERNMENT ADMINISTRATION,
INCLUDING DESIGNATION OF FARM LAND, PROVISION OF
REPRODUCTIVE AND GENDER-AFFIRMING HEALTH CARE
SERVICES TO PATIENTS LOCATED OUT OF STATE AND REVISIONS
TO THE CONNECTICUT ENTITY TRANSACTIONS ACT.***

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

1 Section 1. Section 19a-341 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2024*):

3 (a) Notwithstanding the provisions of any general statute or
4 municipal ordinance or regulation pertaining to nuisances to the
5 contrary, no agricultural or farming operation, place, establishment or
6 facility, or any of its appurtenances, or the operation thereof, shall be
7 deemed to constitute a nuisance, either public or private, due to alleged
8 objectionable (1) odor from livestock, manure, fertilizer or feed, (2) noise
9 from livestock or farm equipment used in normal, generally acceptable
10 farming procedures, (3) dust created during plowing or cultivation
11 operations, (4) use of chemicals, provided such chemicals and the
12 method of their application conform to practices approved by the

13 Commissioner of Energy and Environmental Protection or, where
14 applicable, the Commissioner of Public Health, or (5) water pollution
15 from livestock or crop production activities, except the pollution of
16 public or private drinking water supplies, provided such activities
17 conform to acceptable management practices for pollution control
18 approved by the Commissioner of Energy and Environmental
19 Protection; provided such agricultural or farming operation, place,
20 establishment or facility has been in operation for one year or more and
21 has not been substantially changed, and such operation follows
22 generally accepted agricultural practices. Inspection and approval of the
23 agricultural or farming operation, place, establishment or facility by the
24 Commissioner of Agriculture or [his] the commissioner's designee shall
25 be prima facie evidence that such operation [follows generally accepted
26 agricultural practices] constitutes agriculture or farming pursuant to
27 subsection (q) of section 1-1, or is classified as farm land or open space
28 land pursuant to sections 12-107b to 12-107f, inclusive.

29 (b) Notwithstanding the provisions of any general statute or
30 municipal ordinance or regulation pertaining to nuisances, no operation
31 to collect spring water or well water, as defined in section 21a-150, shall
32 be deemed to constitute a nuisance, either public or private, due to
33 alleged objectionable noise from equipment used in such operation
34 provided the operation (1) conforms to generally accepted practices for
35 the collection of spring water or well water, (2) has received all
36 approvals or permits required by law, and (3) complies with the local
37 zoning authority's time, place and manner restrictions on operations to
38 collect spring water or well water.

39 (c) The provisions of this section shall not apply whenever a nuisance
40 results from negligence or wilful or reckless misconduct in the operation
41 of any such agricultural or farming operation, place, establishment or
42 facility, or any of its appurtenances.

43 Sec. 2. Section 19a-17e of the 2024 supplement to the general statutes
44 is repealed and the following is substituted in lieu thereof (*Effective from*
45 *passage*):

46 (a) As used in this section, "reproductive health care services" has the
47 same meaning as provided in section 52-571m, as amended by this act.

48 (b) Notwithstanding the provisions of subsection (a) of section 19a-
49 14, the Department of Public Health shall not deny the eligibility of an
50 applicant for a (1) permit, (2) license by examination, endorsement or
51 reciprocity, or (3) reinstatement of a license (A) voided pursuant to the
52 provisions of subsection (f) of section 19a-88, (B) voluntarily
53 surrendered, or (C) by agreement, not renewed or reinstated pursuant
54 to the provisions of subsection (d) of section 19a-17 based on pending
55 disciplinary action, an unresolved complaint or the imposition of
56 disciplinary action against the applicant by a duly authorized
57 professional disciplinary agency of another state, the District of
58 Columbia or a commonwealth, territory or possession of the United
59 States that is based solely on the alleged provision of, receipt of,
60 assistance in provision or receipt of, material support for, or any theory
61 of vicarious, joint, several or conspiracy liability derived therefrom,
62 reproductive health care services that are permitted under the laws of
63 this state and were provided in accordance with the standard of care
64 applicable to such services, regardless of whether the patient receiving
65 such services was a resident of this state or located in this state at the
66 time of receiving such services. The provisions of this subsection shall
67 not apply where the underlying conduct of the applicant would
68 constitute the basis of disciplinary action against the applicant under the
69 laws of this state if the applicant had been licensed or permitted in this
70 state and the conduct had occurred in this state.

71 (c) Notwithstanding the provisions of section 19a-17, a board or
72 commission established under title 20 that has jurisdiction over persons
73 licensed, certified or registered under said title who provide
74 reproductive health care services, and the Department of Public Health,
75 with respect to professions under the department's jurisdiction that are
76 not subject to discipline by such a board or commission, shall not impose
77 disciplinary action against a licensed, certified or registered person
78 based on pending disciplinary action, an unresolved complaint or the
79 imposition of disciplinary action against such persons before or by a

80 duly authorized professional disciplinary agency of another state, the
81 District of Columbia, or a commonwealth, territory or possession of the
82 United States that is based solely on the alleged provision of, receipt of,
83 assistance in provision or receipt of, material support for, or any theory
84 of vicarious, joint, several or conspiracy liability derived therefrom,
85 reproductive health care services that are permitted under the laws of
86 this state and were provided in accordance with the standard of care
87 applicable to such services, regardless of whether the patient receiving
88 such services was a resident of this state or located in this state at the
89 time of receiving such services. The provisions of this subsection shall
90 not apply where the underlying conduct of the licensed, certified or
91 registered person would constitute the basis of disciplinary action
92 against such person under the laws of this state if the conduct had
93 occurred in this state.

94 Sec. 3. Subsections (b) and (c) of section 19a-567 of the 2024
95 supplement to the general statutes are repealed and the following is
96 substituted in lieu thereof (*Effective from passage*):

97 (b) An institution shall not revoke, suspend, reprimand, penalize,
98 refuse to issue or renew credentials or privileges or take any other
99 adverse action against a health care provider with respect to
100 credentialing or privileging based solely on the alleged provision of,
101 receipt of, assistance in provision or receipt of, material support for, or
102 any theory of vicarious, joint, several or conspiracy liability derived
103 therefrom, reproductive health care services that (1) are permitted
104 under the laws of this state, (2) were provided in accordance with the
105 standard of care applicable to such services, and (3) were provided by
106 the health care provider (A) before the date on which the health care
107 provider entered an employment relationship with the institution, or (B)
108 outside the scope of the health care provider's employment with the
109 institution, regardless of whether the patient receiving such services
110 was a resident of this state or located in this state at the time of receiving
111 such services.

112 (c) An institution shall not revoke, suspend, reprimand, penalize,

113 refuse to issue or renew credentials or privileges or take any other
114 adverse action against a health care provider based on pending
115 disciplinary action, an unresolved complaint or the imposition of
116 disciplinary action against the applicant by a duly authorized
117 professional disciplinary agency of another state, the District of
118 Columbia, or a commonwealth, territory or possession of the United
119 States that is based solely on the alleged provision of, receipt of,
120 assistance in provision or receipt of, material support for, or any theory
121 of vicarious, joint, several or conspiracy liability derived therefrom,
122 reproductive health care services that (1) are permitted under the laws
123 of this state, (2) were provided in accordance with the standard of care
124 applicable to such services, and (3) were provided by the health care
125 provider (A) before the date on which the health care provider entered
126 an employment relationship with the institution, or (B) outside the
127 scope of the health care provider's employment with the institution,
128 regardless of whether the patient receiving such services was a resident
129 of this state or located in this state at the time of receiving such services.

130 Sec. 4. Subsections (b) and (c) of section 20-579a of the 2024
131 supplement to the general statutes are repealed and the following is
132 substituted in lieu thereof (*Effective from passage*):

133 (b) Notwithstanding any provision of this chapter, the Commissioner
134 of Consumer Protection and the Commission of Pharmacy shall not
135 deny the eligibility of an applicant for a license, permit or registration
136 under this chapter based on pending disciplinary action, an unresolved
137 complaint or the imposition of disciplinary action against the applicant
138 by a duly authorized professional disciplinary agency of another state,
139 the District of Columbia or a commonwealth, territory or possession of
140 the United States that is based solely on the alleged provision of, receipt
141 of, assistance in provision or receipt of, material support for, or any
142 theory of vicarious, joint, several or conspiracy liability derived
143 therefrom, reproductive health care services that are permitted under
144 the laws of this state and were provided in accordance with the standard
145 of care applicable to such services, regardless of whether the patient
146 receiving such services was a resident of this state or located in this state

147 at the time of receiving such services. The provisions of this subsection
148 shall not apply where the underlying conduct of the applicant would
149 constitute the basis of disciplinary action against the applicant under the
150 laws of this state if the applicant had been licensed, permitted or
151 registered in this state and the conduct had occurred in this state.

152 (c) Notwithstanding any provision of this chapter, the Commissioner
153 of Consumer Protection and the Commission of Pharmacy shall not
154 impose disciplinary action against any person licensed, permitted or
155 registered pursuant to the provisions of this chapter based on pending
156 disciplinary action, an unresolved complaint or the imposition of
157 disciplinary action against the applicant by a duly authorized
158 professional disciplinary agency of another state, the District of
159 Columbia, or a commonwealth, territory or possession of the United
160 States that is based solely on the alleged provision of, receipt of,
161 assistance in provision or receipt of, material support for, or any theory
162 of vicarious, joint, several or conspiracy liability derived therefrom,
163 reproductive health care services that are permitted under the laws of
164 this state and were provided in accordance with the standard of care
165 applicable to such services, regardless of whether the patient receiving
166 such services was a resident of this state or located in this state at the
167 time of receiving such services. The provisions of this subsection shall
168 not apply where the underlying conduct of the person licensed,
169 permitted or registered would constitute the basis of disciplinary action
170 against such person under the laws of this state if such person had been
171 licensed, permitted or registered in this state and the conduct had
172 occurred in this state.

173 Sec. 5. Section 38a-835 of the 2024 supplement to the general statutes
174 is repealed and the following is substituted in lieu thereof (*Effective from*
175 *passage*):

176 (a) As used in this section, (1) "health care provider" means a person
177 licensed pursuant to title 20 who provides reproductive health care
178 services, (2) "insurer" means an insurer that insures a health care
179 provider against professional liability, and (3) "reproductive health care

180 services" has the same meaning as provided in section 52-571m, as
181 amended by this act.

182 (b) An insurer shall not take any adverse action, including, but not
183 limited to, denial or revocation of coverage, sanctions, fines, penalties or
184 rate increases against a health care provider, if such action is based
185 solely on:

186 (1) Such health care provider's alleged provision of, receipt of,
187 assistance in provision or receipt of, material support for, or any theory
188 of vicarious, joint, several or conspiracy liability derived therefrom,
189 reproductive health care services that are permitted under the laws of
190 this state and were provided in accordance with the standard of care
191 applicable to such services, regardless of whether the patient receiving
192 such services was a resident of this state or located in this state at the
193 time of receiving such services; or

194 (2) Pending disciplinary action, an unresolved complaint or the
195 imposition of disciplinary action against such health care provider by a
196 duly authorized professional disciplinary agency of another state, the
197 District of Columbia, or a commonwealth, territory or possession of the
198 United States that is based solely on the alleged provision of, receipt of,
199 assistance in provision or receipt of, material support for, or any theory
200 of vicarious, joint, several or conspiracy liability derived therefrom,
201 reproductive health care services that are permitted under the laws of
202 this state and were provided in accordance with the standard of care
203 applicable to such services, regardless of whether the patient receiving
204 such services was a resident of this state or located in this state at the
205 time of receiving such services.

206 Sec. 6. Subsection (a) of section 52-146w of the general statutes is
207 repealed and the following is substituted in lieu thereof (*Effective from*
208 *passage*):

209 (a) Except as provided in sections 52-146c to 52-146k, inclusive,
210 sections 52-146o, 52-146p, 52-146q and 52-146s and subsection (b) of this
211 section, in any civil action or any proceeding preliminary thereto or in

212 any probate, legislative or administrative proceeding, no covered entity,
213 as defined in 45 CFR 160.103, shall disclose (1) any communication made
214 to such covered entity, or any information obtained by such covered
215 entity from, a patient or the conservator, guardian or other authorized
216 legal representative of a patient relating to reproductive health care
217 services, as defined in section 52-571m, as amended by this act, that are
218 permitted under the laws of this state, or (2) any information obtained
219 by personal examination of a patient relating to reproductive health care
220 services, as defined in section 52-571m, as amended by this act, that are
221 permitted under the laws of this state, regardless of whether the patient
222 was a resident of this state or located in this state at the time of such
223 communication or examination, unless the patient or that patient's
224 conservator, guardian or other authorized legal representative explicitly
225 consents in writing to such disclosure. A covered entity shall inform the
226 patient or the patient's conservator, guardian or other authorized legal
227 representative of the patient's right to withhold such written consent.

228 Sec. 7. Subsection (a) of section 52-146x of the general statutes is
229 repealed and the following is substituted in lieu thereof (*Effective from*
230 *passage*):

231 (a) Except as provided in sections 52-146c to 52-146k, inclusive,
232 sections 52-146o, 52-146p, 52-146q and 52-146s and subsection (b) of this
233 section, in any civil action or any proceeding preliminary thereto or in
234 any probate, legislative or administrative proceeding, no covered entity,
235 as defined in 45 CFR 160.103, shall disclose (1) any communication made
236 to such covered entity, or any information obtained by such covered
237 entity from, a patient or the conservator, guardian or other authorized
238 legal representative of a patient relating to reproductive health care
239 services or gender-affirming health care services, as defined in section
240 52-571n, as amended by this act, that are permitted under the laws of
241 this state, or (2) any information obtained by personal examination of a
242 patient relating to reproductive health care services or gender-affirming
243 health care services, as defined in section 52-571n, as amended by this
244 act, that are permitted under the laws of this state, regardless of whether
245 the patient was a resident of this state or located in this state at the time

246 of such communication or examination, unless the patient or that
247 patient's conservator, guardian or other authorized legal representative
248 explicitly consents in writing to such disclosure. A covered entity shall
249 inform the patient or the patient's conservator, guardian or other
250 authorized legal representative of the patient's right to withhold such
251 written consent.

252 Sec. 8. Section 52-155a of the general statutes is repealed and the
253 following is substituted in lieu thereof (*Effective from passage*):

254 Notwithstanding the provisions of sections 52-155 and 52-657, a
255 judge, justice of the peace, notary public or commissioner of the
256 Superior Court shall not issue a subpoena requested by a commissioner,
257 appointed according to the laws or usages of any other state or
258 government, or by any court of the United States or of any other state or
259 government, when such subpoena relates to reproductive health care
260 services, as defined in section 52-571m, as amended by this act, that are
261 permitted under the laws of this state, regardless of whether the
262 recipient of such services was a resident of this state or located in this
263 state at the time of such receipt, unless the subpoena relates to: (1) An
264 out-of-state action founded in tort, contract or statute, for which a
265 similar claim would exist under the laws of this state, brought by a
266 patient or the patient's authorized legal representative, for damages
267 suffered by the patient or damages derived from an individual's loss of
268 consortium of the patient; or (2) an out-of-state action founded in
269 contract, and for which a similar claim would exist under the laws of
270 this state, brought or sought to be enforced by a party with a contractual
271 relationship with the person that is the subject of the subpoena
272 requested by a commissioner appointed according to the laws or usages
273 of another state.

274 Sec. 9. Section 52-155b of the general statutes is repealed and the
275 following is substituted in lieu thereof (*Effective from passage*):

276 Notwithstanding the provisions of sections 52-155 and 52-657, a
277 judge, justice of the peace, notary public or commissioner of the

278 Superior Court shall not issue a subpoena requested by a commissioner,
279 appointed according to the laws or usages of any other state or
280 government, or by any court of the United States or of any other state or
281 government, when such subpoena relates to reproductive health care
282 services or gender-affirming health care services, as defined in section
283 52-571n, as amended by this act, that are permitted under the laws of
284 this state, regardless of whether the recipient of such services was a
285 resident of this state or located in this state at the time of such receipt,
286 unless the subpoena relates to: (1) An out-of-state action founded in tort,
287 contract or statute, for which a similar claim would exist under the laws
288 of this state, brought by a patient or the patient's authorized legal
289 representative, for damages suffered by the patient or damages derived
290 from an individual's loss of consortium of the patient; or (2) an out-of-
291 state action founded in contract, and for which a similar claim would
292 exist under the laws of this state, brought or sought to be enforced by a
293 party with a contractual relationship with the person that is the subject
294 of the subpoena requested by a commissioner appointed according to
295 the laws or usages of another state.

296 Sec. 10. Subsection (b) of section 52-571m of the 2024 supplement to
297 the general statutes is repealed and the following is substituted in lieu
298 thereof (*Effective from passage*):

299 (b) When any person has had a judgment entered against such
300 person, in any state, where liability, in whole or in part, is based on the
301 alleged provision, receipt, assistance in receipt or provision, material
302 support for, or any theory of vicarious, joint, several or conspiracy
303 liability derived therefrom, for reproductive health care services that are
304 permitted under the laws of this state, regardless of whether the
305 recipient of such services was a resident of this state or located in this
306 state at the time of such provision, receipt, assistance or support, such
307 person may recover damages from any party that brought the action
308 leading to that judgment or has sought to enforce that judgment.
309 Recoverable damages shall include: (1) Just damages created by the
310 action that led to that judgment, including, but not limited to, money
311 damages in the amount of the judgment in that other state and costs,

312 expenses and reasonable attorney's fees spent in defending the action
313 that resulted in the entry of a judgment in another state; and (2) costs,
314 expenses and reasonable attorney's fees incurred in bringing an action
315 under this section as may be allowed by the court.

316 Sec. 11. Subsection (b) of section 52-571n of the 2024 supplement to
317 the general statutes is repealed and the following is substituted in lieu
318 thereof (*Effective from passage*):

319 (b) When any person has had a judgment entered against such
320 person, in any state, where liability, in whole or in part, is based on the
321 alleged provision, receipt, assistance in receipt or provision, material
322 support for, or any theory of vicarious, joint, several or conspiracy
323 liability derived therefrom, for reproductive health care services and
324 gender-affirming health care services that are permitted under the laws
325 of this state, regardless of whether the recipient of such services was a
326 resident of this state or located in this state at the time of such provision,
327 receipt, assistance or support, such person may recover damages from
328 any party that brought the action leading to that judgment or has sought
329 to enforce that judgment. Recoverable damages shall include: (1) Just
330 damages created by the action that led to that judgment, including, but
331 not limited to, money damages in the amount of the judgment in that
332 other state and costs, expenses and reasonable attorney's fees spent in
333 defending the action that resulted in the entry of a judgment in another
334 state; and (2) costs, expenses and reasonable attorney's fees incurred in
335 bringing an action under this section as may be allowed by the court.

336 Sec. 12. Subsection (b) of section 54-82i of the general statutes is
337 repealed and the following is substituted in lieu thereof (*Effective from*
338 *passage*):

339 (b) If a judge of a court of record in any state which by its laws has
340 made provision for commanding persons within that state to attend and
341 testify in this state certifies, under the seal of such court, that there is a
342 criminal prosecution pending in such court, or that a grand jury
343 investigation has commenced or is about to commence, that a person

344 being within this state is a material witness in such prosecution or grand
345 jury investigation and that the presence of such witness will be required
346 for a specified number of days, upon presentation of such certificate to
347 any judge of a court of record in the judicial district in which such
348 person is, such judge shall fix a time and place for a hearing and shall
349 make an order directing the witness to appear at such time and place for
350 such hearing. If, at such hearing, the judge determines that the witness
351 is material and necessary, that it will not cause undue hardship to the
352 witness to be compelled to attend and testify in the prosecution or a
353 grand jury investigation in the other state and that the laws of such other
354 state and the laws of any other state through which the witness may be
355 required to pass by ordinary course of travel will give to such witness
356 protection from arrest and from the service of civil or criminal process,
357 the judge shall issue a summons, with a copy of the certificate attached,
358 directing the witness to attend and testify in the court where the
359 prosecution is pending, or where a grand jury investigation has
360 commenced or is about to commence at a time and place specified in the
361 summons, except that no judge shall issue a summons in a case where
362 prosecution is pending, or where a grand jury investigation has
363 commenced or is about to commence for a criminal violation of a law of
364 such other state involving the provision or receipt of or assistance with
365 reproductive health care services or gender-affirming health care
366 services, as defined in section 52-571n, as amended by this act, that are
367 legal in this state, regardless of whether the recipient of such services
368 was a resident of this state or located in this state at the time of such
369 provision or receipt, unless the acts forming the basis of the prosecution
370 or investigation would also constitute an offense in this state. At any
371 such hearing, the certificate shall be prima facie evidence of all the facts
372 stated therein. If such certificate recommends that the witness be taken
373 into immediate custody and delivered to an officer of the requesting
374 state to assure the attendance of the witness in such state, such judge
375 may, in lieu of notification of the hearing, direct that such witness be
376 forthwith brought before such judge for such hearing, and, being
377 satisfied, at such hearing, of the desirability of such custody and
378 delivery, of which desirability such certificate shall be prima facie proof,

379 may, in lieu of issuing a subpoena or summons, order that such witness
380 be forthwith taken into custody and delivered to an officer of the
381 requesting state. If such witness, after being paid or tendered by an
382 authorized person the same amount per mile as provided for state
383 employees pursuant to section 5-141c for each mile by the ordinary
384 traveled route to and from the court where the prosecution is pending
385 and five dollars each day that such witness is required to travel and
386 attend as a witness, fails, without good cause, to attend and testify as
387 directed in the summons, the witness shall be punished in the manner
388 provided for the punishment of any witness who disobeys a summons
389 issued from a court of record in this state.

390 Sec. 13. Section 54-155a of the general statutes is repealed and the
391 following is substituted in lieu thereof (*Effective from passage*):

392 No public agency, as defined in section 1-200, or employee,
393 appointee, officer or official or any other person acting on behalf of a
394 public agency may provide any information or expend or use time,
395 money, facilities, property, equipment, personnel or other resources in
396 furtherance of any interstate investigation or proceeding seeking to
397 impose civil or criminal liability upon a person or entity for (1) the
398 provision, seeking or receipt of or inquiring about reproductive health
399 care services, as defined in section 52-571m, as amended by this act, that
400 are legal in this state, or (2) assisting any person or entity providing,
401 seeking, receiving or responding to an inquiry about reproductive
402 health care services, as defined in section 52-571m, as amended by this
403 act, that are legal in this state, regardless of whether the person seeking
404 or receiving such services was a resident of this state or located in this
405 state at the time of seeking or receiving such services. This section shall
406 not apply to any investigation or proceeding where the conduct subject
407 to potential liability under the investigation or proceeding would be
408 subject to liability under the laws of this state if committed in this state.

409 Sec. 14. Section 54-155b of the general statutes is repealed and the
410 following is substituted in lieu thereof (*Effective from passage*):

411 No public agency, as defined in section 1-200, or employee,
412 appointee, officer or official or any other person acting on behalf of a
413 public agency may provide any information or expend or use time,
414 money, facilities, property, equipment, personnel or other resources in
415 furtherance of any interstate investigation or proceeding seeking to
416 impose civil or criminal liability upon a person or entity for (1) the
417 provision, seeking or receipt of or inquiring about reproductive health
418 care services or gender-affirming health care services, as defined in
419 section 52-571n, as amended by this act, that are legal in this state, or (2)
420 assisting any person or entity providing, seeking, receiving or
421 responding to an inquiry about reproductive health care services or
422 gender-affirming health care services, as defined in section 52-571n, as
423 amended by this act, that are legal in this state, regardless of whether
424 the person seeking or receiving such services was a resident of this state
425 or located in this state at the time of seeking or receiving such services.
426 This section shall not apply to any investigation or proceeding where
427 the conduct subject to potential liability under the investigation or
428 proceeding would be subject to liability under the laws of this state if
429 committed in this state.

430 Sec. 15. Subdivision (4) of section 34-600 of the general statutes is
431 repealed and the following is substituted in lieu thereof (*Effective October*
432 *1, 2024*):

433 (4) "Business corporation" means a corporation with capital stock
434 whose internal affairs are governed by [chapter 601 or a professional
435 service corporation governed by chapter 594a] the law of this state.

436 Sec. 16. Section 34-601 of the general statutes is repealed and the
437 following is substituted in lieu thereof (*Effective October 1, 2024*):

438 (a) Unless displaced by the particular provisions of this chapter, the
439 principles of law and equity shall supplement this chapter.

440 (b) This chapter shall not authorize any action prohibited by law or
441 affect the application or requirements of law.

442 (c) A transaction effected under this chapter shall not create or impair
443 any right or obligation on the part of a person under a provision of the
444 law of this state relating to a change in control, takeover, business
445 combination, control-share acquisition or similar transaction involving
446 a domestic merging, acquired, converting or domesticating corporation
447 unless (1) the transaction satisfies any requirements of such provision,
448 provided the corporation does not survive the transaction, or (2) the
449 approval of the plan is by a vote of the shareholders or directors that is
450 sufficient to create or impair the right or obligation directly under such
451 provision, provided the corporation survives the transaction.

452 (d) Nothing in this chapter shall deprive the Attorney General of
453 jurisdiction over an entity under any other applicable law.

454 Sec. 17. Section 34-602 of the general statutes is repealed and the
455 following is substituted in lieu thereof (*Effective October 1, 2024*):

456 (a) A domestic or foreign entity that is required to give notice to or
457 obtain the approval of a governmental agency or officer in order to be a
458 party to a merger shall give such notice or obtain such approval in order
459 to be a party to an interest exchange, conversion or domestication.

460 (b) Property held for a charitable purpose under the law of this state
461 by a domestic or foreign entity immediately before a transaction under
462 this chapter becomes effective shall not, as a result of the transaction, be
463 diverted from the objects for which it was donated, granted or devised,
464 unless, to the extent required by or pursuant to the law of this state
465 concerning cy pres or other law concerning nondiversion of charitable
466 assets, the entity obtains an appropriate order of the [Attorney General]
467 court specifying the disposition of the property.

468 Sec. 18. Section 34-608 of the general statutes is repealed and the
469 following is substituted in lieu thereof (*Effective October 1, 2024*):

470 (a) The following entities shall not participate in a transaction under
471 this chapter:

- 472 [(1) A business corporation formed under special act;
- 473 (2) Cooperative associations formed under chapter 595;
- 474 (3) Cooperative marketing corporations formed under chapter 596;
- 475 (4) Electric cooperative corporations formed under chapter 597;
- 476 (5) Worker cooperative corporations formed under chapter 599a;]
- 477 [(6)] (1) Insurance companies, health care centers and other
478 corporations formed under chapters 697 and 698;
- 479 [(7)] (2) Health care centers, related service groups, hospital service
480 corporations, medical service corporations and other corporations
481 formed under chapter 698a;
- 482 [(8)] (3) Prepaid legal service corporations formed under chapter
483 698b;
- 484 [(9)] (4) Risk retention groups formed and organized under chapter
485 698;
- 486 [(10)] (5) Fraternal benefit societies formed under chapter 700d;
- 487 [(11)] (6) Banks, related organizations and other corporations formed
488 under chapters 664, 664b and 666;
- 489 [(12)] (7) Credit unions formed under chapter 667;
- 490 [(13)] (8) Public service companies formed under chapter 277;
- 491 [(14)] (9) Title insurance companies formed under chapter 700a;
- 492 [(15)] (10) Out-of-state banks formed under chapter 666;
- 493 [(16)] (11) Nondepository institutions formed under chapter 668;
- 494 [(17)] (12) Nonprofit or not-for-profit corporations; and
- 495 [(18)] (13) Religious corporations and societies formed under chapter

496 598. [;]

497 [(19) Nonstock corporations formed under chapter 602;

498 (20) Unincorporated nonprofit associations;

499 (21) Cooperatives;

500 (22) A business trust or statutory trust entity; and

501 (23) Any entity described in subparagraph (B), (F), (G), (H) or (I) of
502 subdivision (12) of section 34-600.]

503 (b) This chapter shall not be used to effect a transaction that (1)
504 involves any entity referenced in subsection (a) of this section, (2) is a
505 [conversion,] merger [, consolidation,] or interest exchange [, division or
506 any other transaction governed by this chapter] solely between or
507 among entities of the same type, or (3) is a conversion, merger,
508 [consolidation,] interest exchange [, division] or other transaction
509 governed by sections 34-600 to 34-646, inclusive, as amended by this act,
510 involving a domestic entity organized to render professional services
511 unless the [transaction involves another domestic entity organized]
512 converted, surviving, acquire or domestic entity is permitted by its
513 organic law to render the same professional [service] services, except as
514 otherwise permitted by the laws of this state.

515 Sec. 19. Section 34-614 of the general statutes is repealed and the
516 following is substituted in lieu thereof (*Effective October 1, 2024*):

517 (a) A plan of merger of a domestic merging entity may be amended
518 (1) in the same manner as the plan was approved, provided the plan
519 does not otherwise specify the manner in which it may be amended, or
520 (2) by the governors or interest holders of the entity in the manner
521 provided in the plan, except an interest holder that was entitled to vote
522 on or consent to approval of the merger is entitled to vote on or consent
523 to any amendment of the plan that shall change (A) the amount or kind
524 of interests, securities, obligations, rights to acquire interests or
525 securities, cash, or other property, or any combination thereof, to be

526 received by the interest holders of any party to the plan; (B) the public
527 organic document or private organic rules of the surviving entity that
528 shall be in effect immediately after the merger becomes effective, except
529 for changes that do not require approval of the interest holders of the
530 surviving entity under its organic law or organic rules; or (C) any other
531 terms or conditions of the plan, provided the change would adversely
532 affect the interest holder in any material respect.

533 (b) After a plan of merger has been approved by a domestic merging
534 entity and before a [statement] certificate of merger becomes effective,
535 the plan may be abandoned (1) as provided in the plan, or (2) unless
536 prohibited by the plan, in the same manner as the plan was approved.

537 (c) If a plan of merger is abandoned after a [statement] certificate of
538 merger has been filed with the Secretary of the State but before the filing
539 becomes effective, a [statement] certificate of abandonment, signed on
540 behalf of a merging entity, shall be filed with the Secretary of the State
541 before the [statement] certificate of merger becomes effective. The
542 [statement] certificate of abandonment shall take effect upon its filing,
543 and the merger shall be deemed abandoned and shall not become
544 effective. The [statement] certificate of abandonment shall contain (1)
545 the name of each merging or surviving entity that is a domestic entity
546 or a qualified foreign entity; (2) the date on which the [statement]
547 certificate of merger was filed; and (3) a statement that the merger has
548 been abandoned in accordance with this section.

549 Sec. 20. Subdivision (8) of subsection (a) of section 34-616 of the
550 general statutes is repealed and the following is substituted in lieu
551 thereof (*Effective October 1, 2024*):

552 (8) If the surviving entity exists before the merger (A) its public
553 organic document, if any, shall be amended as provided in the
554 [statement] certificate of merger and shall be binding on its interest
555 holders; and (B) its private organic rules that are to be in a record, if any,
556 shall be amended to the extent provided in the plan of merger and shall
557 be binding on and enforceable by (i) its interest holders; and (ii) in the

558 case of a surviving entity that is not a business corporation, any other
559 person that is a party to an agreement that is part of the surviving
560 entity's private organic rules;

561 Sec. 21. Subsection (e) of section 34-616 of the general statutes is
562 repealed and the following is substituted in lieu thereof (*Effective October*
563 *1, 2024*):

564 (e) When a merger becomes effective, a foreign entity that is the
565 surviving entity (1) may be served with process in this state for the
566 collection and enforcement of any liabilities of a domestic merging
567 entity; and (2) if it is not a qualified foreign entity, shall appoint the
568 Secretary of the State as its agent for service of process for collecting or
569 enforcing such liabilities.

570 Sec. 22. Subsection (e) of section 34-636 of the general statutes is
571 repealed and the following is substituted in lieu thereof (*Effective October*
572 *1, 2024*):

573 (e) When a conversion becomes effective, a foreign entity that is the
574 converted entity (1) may be served with process in this state for the
575 collection and enforcement of any of its liabilities; and (2) if it is not a
576 qualified foreign entity, shall appoint the Secretary of the State as its
577 agent for service of process for collecting or enforcing [those] such
578 liabilities.

579 Sec. 23. Subsections (b) and (c) of section 34-644 of the general statutes
580 are repealed and the following is substituted in lieu thereof (*Effective*
581 *October 1, 2024*):

582 (b) After a plan of domestication has been approved by a domestic
583 domesticating entity and before a [statement] certificate of
584 domestication becomes effective, the plan may be abandoned (1) as
585 provided in the plan; or (2) unless prohibited by the plan, in the same
586 manner as the plan was approved.

587 (c) If a plan of domestication is abandoned after a [statement]

588 certificate of domestication has been filed with the Secretary of the State
589 but before the filing becomes effective, a [statement] certificate of
590 abandonment, signed on behalf of the entity, shall be filed with the
591 Secretary of the State before the time when the [statement] certificate of
592 domestication becomes effective. The [statement] certificate of
593 abandonment shall take effect upon its filing, and the domestication
594 shall be abandoned and shall not become effective. The [statement]
595 certificate of abandonment shall contain (1) the name of the
596 domesticating entity; (2) the date on which the [statement] certificate of
597 domestication was filed; and (3) a statement that the domestication has
598 been abandoned in accordance with this section.

599 Sec. 24. Section 34-645 of the general statutes is repealed and the
600 following is substituted in lieu thereof (*Effective October 1, 2024*):

601 (a) A [statement] certificate of domestication shall be signed on behalf
602 of the domesticating entity and filed with the Secretary of the State.

603 (b) A [statement] certificate of domestication shall contain:

604 (1) The name, jurisdiction of organization and type of the
605 domesticating entity;

606 (2) The name and jurisdiction of organization of the domesticated
607 entity;

608 (3) If the [statement] certificate of domestication is not effective upon
609 its filing, the date and time when it shall become effective, which may
610 not be later than ninety days after the date of such filing;

611 (4) If the domesticating entity is a domestic entity, a statement that
612 the plan of domestication was approved in accordance with this part or,
613 if the domesticating entity is a foreign entity, a statement that the
614 domestication was approved in accordance with the law of its
615 jurisdiction of organization;

616 (5) If the domesticated entity is a domestic filing entity, its public
617 organic document, as an attachment;

618 (6) If the domesticated entity is a domestic limited liability
619 partnership, its certificate of limited liability partnership as an
620 attachment; and

621 (7) If the domesticated entity is a foreign entity that is not a qualified
622 foreign entity, a mailing address to which the Secretary of the State may
623 send any process served on the Secretary of the State pursuant to
624 subsection (e) of section 34-646, as amended by this act.

625 (c) In addition to the requirements of subsection (b) of this section, a
626 [statement] certificate of domestication may contain any other provision
627 not prohibited by law.

628 (d) If the domesticated entity is a domestic entity, its public organic
629 document, if any, shall satisfy the requirements of the law of this state,
630 except it does not need to be signed and may omit any provision that is
631 not required to be included in a restatement of the public organic
632 document.

633 (e) A [statement] certificate of domestication shall become effective
634 upon the date and time of its filing or the date and time specified in the
635 [statement] certificate of domestication.

636 Sec. 25. Subsection (e) of section 34-646 of the general statutes is
637 repealed and the following is substituted in lieu thereof (*Effective October*
638 *1, 2024*):

639 (e) When a domestication becomes effective, a foreign entity that is
640 the domesticated entity (1) may be served with process in this state for
641 the collection and enforcement of any of its liabilities; and (2) if it is not
642 a qualified foreign entity, shall appoint the Secretary of the State as its
643 agent for service of process for collecting or enforcing [those] such
644 liabilities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	19a-341

Sec. 2	<i>from passage</i>	19a-17e
Sec. 3	<i>from passage</i>	19a-567(b) and (c)
Sec. 4	<i>from passage</i>	20-579a(b) and (c)
Sec. 5	<i>from passage</i>	38a-835
Sec. 6	<i>from passage</i>	52-146w(a)
Sec. 7	<i>from passage</i>	52-146x(a)
Sec. 8	<i>from passage</i>	52-155a
Sec. 9	<i>from passage</i>	52-155b
Sec. 10	<i>from passage</i>	52-571m(b)
Sec. 11	<i>from passage</i>	52-571n(b)
Sec. 12	<i>from passage</i>	54-82i(b)
Sec. 13	<i>from passage</i>	54-155a
Sec. 14	<i>from passage</i>	54-155b
Sec. 15	<i>October 1, 2024</i>	34-600(4)
Sec. 16	<i>October 1, 2024</i>	34-601
Sec. 17	<i>October 1, 2024</i>	34-602
Sec. 18	<i>October 1, 2024</i>	34-608
Sec. 19	<i>October 1, 2024</i>	34-614
Sec. 20	<i>October 1, 2024</i>	34-616(a)(8)
Sec. 21	<i>October 1, 2024</i>	34-616(e)
Sec. 22	<i>October 1, 2024</i>	34-636(e)
Sec. 23	<i>October 1, 2024</i>	34-644(b) and (c)
Sec. 24	<i>October 1, 2024</i>	34-645
Sec. 25	<i>October 1, 2024</i>	34-646(e)

Statement of Purpose:

To provide the approval of an operation as farm land or open space land by the Commissioner of Agriculture as prima facie evidence of such designation, to add reference to reproductive and gender-affirming health care services being provided to out-of-state patients and to make revisions to the Connecticut Entity Transactions Act.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]