
OLR Bill Analysis

SB 294

AN ACT CONCERNING THE TAKING OF MUNICIPAL PARK LANDS BY MUNICIPALITIES.

SUMMARY

This bill expands the scope of the law that requires municipalities to replace parks, open spaces, and lands used or dedicated for recreation (or if bonds were issued for these purposes), when they take them for other purposes. It does so by applying the requirement to situations in which a municipality (1) converts or repurposes land, including land already in its possession or (2) acquired the land, instead of only purchasing it. The bill also makes several technical and conforming changes related to this expansion.

Under current law and the bill, when a municipality seeks to take these actions, it must provide comparable replacement land of at least equal value and per unit area size. It must also have a public hearing, after public notice, on the matter at which the municipality must (1) describe the land and its proposed use; (2) reasons for its taking, conversion, or repurpose, instead of other land; and (3) describe the replacement land.

EFFECTIVE DATE: Upon passage

BACKGROUND

Related Cases

Several recent Superior Court cases have found the law requiring municipalities to replace land (CGS § 7-131n) only applies when a municipality takes land owned by another person; not to situations where a municipality repurposes or transfers land it already owns (e.g., *Friends of Kensington Playground v. City of New Haven*, 2022 WL 2132779 (June 9, 2022), and *Marinelli v. Planning and Zoning Comm'n of City of*

Derby, 2021 WL 761815 (Jan. 19, 2021)).

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 28 Nay 6 (03/20/2024)