



General Assembly

January Session, 2025

Raised Bill No. 6944

LCO No. 4591



Referred to Committee on HOUSING

Introduced by:
(HSG)

AN ACT REQUIRING A MUNICIPALITY TO INCLUDE CERTAIN INFORMATION IN ITS AFFORDABLE HOUSING PLAN.

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

1 Section 1. Section 8-30j of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2025*):

3 (a) As used in this section:

4 (1) "Affordable housing plan" means a plan for the development of
5 affordable housing units in a municipality.

6 (2) "Affordable housing unit" has the same meaning as provided in
7 section 4-68ii.

8 (3) "Discretionary funding" means any grant, loan or other financial
9 assistance program administered by the state under the provisions of
10 sections 4-66g, 4-66h and 8-13m to 8-13x, inclusive, and subsection (b) of
11 section 13a-175a.

12 (4) "Interested party" means an organization that has received tax-
13 exempt status from the Internal Revenue Service and whose mission

14 includes providing or advocating for increased access to and supply of
15 housing for low-income households or an entity that seeks to construct
16 a housing development contributing to a municipality's affordable
17 housing allocation.

18 (5) "Housing development" means an intended or proposed
19 development that: (A) conforms with subdivision (3) or (6) of subsection
20 (a) of section 8-30g, as in effect as of January 1, 2025, or (B) includes (i)
21 at least twenty per cent of all units as affordable housing units that are
22 non-age-restricted, affordable and sold or rented to low-income
23 households; (ii) at least five per cent of all units in the development as
24 affordable housing units and are sold or rented to very low income
25 households, with such units counting toward the overall twenty per
26 cent of affordable housing units in the development; and (iii) at least ten
27 per cent of all deed-restricted units have two or more bedrooms.

28 (6) "Low-income household" means a person or family with an
29 annual income at or below eighty per cent of the median income.

30 (7) "Municipal affordable housing allocation" has the same meaning
31 as provided in subsection (a) of section 4-68ii.

32 (8) "Realistic opportunity" means the possibility for affordable
33 housing to be constructed for the benefit of low-income households in a
34 time frame and with administrative burdens, including fees and
35 hearings comparable to those for single-family homes, while
36 considering financial feasibility and applicable municipal rules, policies
37 and practices.

38 (9) "Secretary" means the Secretary of the Office of Policy and
39 Management.

40 (10) "Very low income household" means a person or family with an
41 annual income less than or equal to fifty per cent of the area median
42 income.

43 [(a) (1)] (b) Not later than June 1, [2022] 2027, and at least once every
44 five years thereafter, each municipality shall prepare or amend and
45 adopt an affordable housing plan for the municipality and shall submit
46 a copy of such plan to the Secretary of the Office of Policy and
47 Management. [Such plan shall specify how the municipality intends to
48 (A) increase the number of affordable housing developments in the
49 municipality, and (B) for any affordable housing plan submitted after
50 October 1, 2023, improve the accessibility of affordable housing units for
51 individuals with an intellectual disability or other developmental
52 disabilities.] The secretary shall post such housing plan on the office's
53 Internet web site.

54 (c) Any municipality in the highest eighty per cent of net equalized
55 per capita grand list income as of June first of the year prior to the year
56 the plan is due shall complete a priority affordable housing plan. Such
57 plan shall specify how the municipality intends to use its municipal
58 powers, including zoning, to create a realistic opportunity for the
59 development of the number of affordable housing units allocated to it
60 pursuant to subdivision (7) of subsection (a) of section 4-68ii. Among
61 the total units planned, at least: (1) Twenty per cent of all units shall be
62 affordable for very low income households; (2) fifty per cent of all units
63 shall be rental units; (3) seventy-five per cent of all units shall not be
64 restricted by age of occupant; (4) fifty per cent of all units shall not be
65 restricted by age of occupant and shall include two or more bedrooms;
66 and (5) eighty per cent of all units shall contain at least two bedrooms.

67 (d) A municipality shall apply for approval of its priority affordable
68 housing plan pursuant to this subsection by applying in writing to the
69 secretary, including any evidence required by statute or regulations
70 adopted by the secretary pursuant to subsection (h) of this section. Upon
71 receipt of such application, the secretary shall promptly cause a notice
72 of the filing of the application to be published in the Connecticut Law
73 Journal, stating that public comment on such application shall be
74 accepted by the secretary for a period of thirty days after the publication
75 of such notice. Not later than ninety days after receipt of such

76 application, the secretary shall either approve or reject such application.
77 Such approval or rejection shall be accompanied by a written statement
78 of the reasons for approval or rejection, pursuant to the provisions of
79 this subsection. If the application is approved, the secretary shall
80 promptly cause a certificate of priority affordable housing plan
81 approval to be published in the Connecticut Law Journal. If the secretary
82 fails to either approve or reject the application within such ninety-day
83 period, such application shall be deemed provisionally approved. Such
84 provisional approval shall remain in effect unless the secretary
85 subsequently acts upon and rejects the application, in which case the
86 provisional approval shall terminate upon notice to the municipality by
87 the secretary.

88 (e) A municipality shall submit an application for approval of its
89 amended zoning and other policies within twelve months of the
90 approval of its priority affordable housing plan. Not later than ninety
91 days after the receipt of such application, the secretary shall either
92 approve or reject the application. Such approval or rejection shall be
93 accompanied by a written statement of the reasons for approval or
94 rejection. If the application is approved, the secretary shall promptly
95 cause a certificate of zoning and policy changes approval to be
96 published in the Connecticut Law Journal. If the secretary fails to either
97 approve or reject the zoning and policy changes within such ninety-day
98 period, such application shall be deemed provisionally approved. Such
99 provisional approval shall remain in effect unless the secretary
100 subsequently acts upon and rejects the application, in which case the
101 provisional approval shall terminate upon notice to the municipality by
102 the secretary.

103 (f) [(2)] If, at the same time the municipality is required to submit to
104 the Secretary of the Office of Policy and Management an affordable
105 housing plan pursuant to [subdivision (1) of this] subsection (b) of this
106 section, the municipality is also required to submit to the secretary a
107 plan of conservation and development pursuant to section 8-23, such
108 affordable housing plan may be included as part of such plan of

109 conservation and development. The municipality may, to coincide with
110 its submission to the secretary of a plan of conservation and
111 development, submit to the secretary an affordable housing plan early,
112 provided the municipality's next such submission of an affordable
113 housing plan shall be five years thereafter.

114 (g) [(b)] The municipality may hold public informational meetings or
115 organize other activities to inform residents about the process of
116 preparing the plan and shall post a copy of any draft plan or amendment
117 to such plan on the Internet web site of the municipality. If the
118 municipality holds a public hearing, such posting shall occur at least
119 thirty-five days prior to the public hearing. After adoption of the plan,
120 the municipality shall file the final plan in the office of the town clerk of
121 such municipality and post the plan on the Internet web site of the
122 municipality.

123 [(c) Following adoption, the municipality shall regularly review and
124 maintain such plan. The municipality may adopt such geographical,
125 functional or other amendments to the plan or parts of the plan, in
126 accordance with the provisions of this section, as it deems necessary. If
127 the municipality fails to amend and submit to the Secretary of the Office
128 of Policy and Management such plan every five years, the chief elected
129 official of the municipality shall submit a letter to the secretary that (1)
130 explains why such plan was not amended, and (2) designates a date by
131 which an amended plan shall be submitted.]

132 (h) The secretary shall, within available appropriations, adopt
133 regulations in accordance with the provisions of chapter 54 regarding
134 review and approval of priority affordable housing plans. Such
135 regulations shall include criteria for evaluating whether the plan creates
136 a reasonable opportunity for the creation of the units allocated to the
137 municipality. Such regulations shall require: (1) Identification of specific
138 zones or parcels in the municipality sufficient to build the municipality's
139 allocation of affordable housing as of right; (2) the permitted density for
140 such zones or parcels; (3) a summary of the appropriate and necessary

141 changes to other municipal processes and procedures to be made to
142 allow for the creation of the municipality's allocation of affordable
143 housing; (4) an explanation, documented by evidence, of how the plan
144 meets the obligations of this section or why the municipality is unable
145 to do so; and (5) such additional criteria as the secretary deems
146 appropriate. Such regulations shall also set forth the process for the
147 review and approval of zoning and other policy changes adopted by the
148 municipality to implement the approved plan and shall include criteria
149 for evaluating whether updated zoning and other policies adopted by
150 the municipality create a reasonable opportunity for the creation of the
151 units allocated to the municipality.

152 (i) An interested party may bring an action in Superior Court to
153 review the conformity with the provisions of this section of any
154 approved priority affordable housing plan, or portion thereof or
155 revision thereto, pursuant to section 52-29. The Superior Court's review
156 of compliance with the provisions of this section shall extend to whether
157 the priority affordable housing plan, or portion thereof or revision
158 thereto, substantially complies with the requirements of this section.
159 The burden shall be on the secretary to prove, based upon the evidence
160 in the record upon which the approval was made, that the approval and
161 the reasons cited for such approval are supported by sufficient evidence
162 in the record. If the interested party prevails, the Superior Court may
163 grant such legal and equitable relief which it deems appropriate,
164 including the remedies set forth in section 46a-104, as amended by this
165 act.

166 (j) Not later than December 15, 2035, and every ten years thereafter,
167 the secretary shall produce updated affordable housing estimates and
168 allocations as described in subsection (b) of section 4-68ii.

169 (k) Any municipality not required to create a priority affordable
170 housing plan, or with an approved priority affordable housing plan and,
171 within twelve months, that has implemented approved changes to
172 zoning and related policies, shall be eligible for prioritized discretionary

173 funding. The secretary shall make recommendations to the state agency
174 responsible for administering such funding and, if a priority
175 designation is permitted for such funding, such agency may prioritize
176 any eligible municipality over any municipality that is not eligible.
177 Nothing in this subsection shall be construed to limit the use of funding
178 received pursuant to this section if the use of such funding to improve,
179 expand, manage or maintain real property for the purposes of
180 developing affordable housing also benefits real property not used for
181 the purposes of developing affordable housing.

182 (l) Within available funding, the secretary, or, if designated by the
183 secretary, the Commissioner of Housing or chief executive officer of the
184 Connecticut Housing Finance Authority, shall make available grants to
185 municipalities and councils of government to support municipal
186 planning and zoning technical assistance to comply with the provisions
187 of this section.

188 Sec. 2. Section 46a-104 of the general statutes is repealed and the
189 following is substituted in lieu thereof (*Effective July 1, 2025*):

190 The court may grant a complainant in an action brought in
191 accordance with section 46a-100 or section 8-30j, as amended by this act,
192 such legal and equitable relief which it deems appropriate including,
193 but not limited to, temporary or permanent injunctive relief, punitive
194 damages, attorney's fees and court costs. The amount of attorney's fees
195 allowed shall not be contingent upon the amount of damages requested
196 by or awarded to the complainant.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2025	8-30j
Sec. 2	July 1, 2025	46a-104

Statement of Purpose:

To require a municipality to include certain information in its affordable housing plan.

[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.]