



General Assembly

**Substitute Bill No. 7209**

January Session, 2025



**AN ACT CONCERNING LEGAL PROCEEDINGS INVOLVING HOUSING MATTERS AND THE IMPERMISSIBLE USE OF PRICING ALGORITHMS AND COMPETITORS' SENSITIVE DATA TO SET RENTAL PRICES.**

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

1 Section 1. Section 3-129g of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2025*):

3 (a) The Attorney General may investigate, intervene in or bring a civil  
4 or administrative action in the name of the state, seeking injunctive or  
5 declaratory relief, damages, and any other relief that may be available  
6 under law, whenever any person is or has engaged in a practice or  
7 pattern of conduct that:

8 (1) Subjects, or causes to be subjected, other persons to the  
9 deprivation of any rights, privileges or immunities secured by the  
10 constitutions or laws of this state or the United States; or

11 (2) Interferes, or attempts to interfere, by threats, intimidation or  
12 coercion, with the exercise or enjoyment by other persons of any rights,  
13 privileges or immunities secured by the constitutions or laws of this  
14 state or the United States.

15 (b) In conducting any investigation under this section, the Attorney

16 General may issue subpoenas and interrogatories, and otherwise gather  
17 information, in the same manner and to the same extent as is provided  
18 in section 35-42. No information obtained pursuant to the provisions of  
19 this subsection may be used in a criminal proceeding.

20 (c) If the Attorney General prevails in a civil action brought pursuant  
21 to this section, the court shall order the distribution of any award of  
22 damages to the injured person. In a matter involving the interference or  
23 attempted interference with any right protected by the constitutions of  
24 this state or the United States, the court may also award civil penalties  
25 against each defendant in an amount not exceeding two thousand five  
26 hundred dollars for each violation, provided such violation has been  
27 established by clear and convincing evidence. Any civil penalty that is  
28 received pursuant to this subsection shall be deposited in the General  
29 Fund.

30 (d) In lieu of bringing a civil action under this section, the Attorney  
31 General may accept an assurance of the discontinuance of any allegedly  
32 unlawful or unconstitutional practice from any person engaged in such  
33 practice. Thereafter, any evidence of a violation of such assurance shall  
34 constitute prima facie proof of violation of the applicable law or right in  
35 any action commenced by the Attorney General.

36 (e) Nothing in this section shall limit the right of a person adversely  
37 affected by a violation of chapter 814c to file a complaint with the  
38 Commission on Human Rights and Opportunities.

39 (f) Nothing in this section shall limit the jurisdiction of the  
40 Commission on Human Rights and Opportunities under chapter 814c.

41 (g) The Attorney General shall not bring an action under the  
42 provisions of this section during the pendency of a matter involving the  
43 same parties and the same alleged facts and circumstances before the  
44 Commission on Human Rights and Opportunities.

45 (h) Nothing in this section shall permit the Attorney General to bring  
46 an action that would otherwise be barred under the applicable statute

47 of limitations or repose.

48 (i) The Attorney General shall post on the Attorney General's Internet  
49 web site information on how to properly file a complaint with the  
50 Commission on Human Rights and Opportunities. The Attorney  
51 General may, as appropriate, refer cases to the Commission on Human  
52 Rights and Opportunities.

53 (j) Nothing in this section shall permit the Attorney General to assert  
54 any claim against a state agency or a state officer or state employee in  
55 such officer's or employee's official capacity, regarding actions or  
56 omissions of such state agency, state officer or state employee. If the  
57 Attorney General determines that a state officer or state employee is not  
58 entitled to indemnification under section 5-141d, the Attorney General  
59 may, as relates to such officer or employee, take any action authorized  
60 under this section.

61 (k) With regard to any action brought pursuant to this section against  
62 a person for a pattern or practice of conduct in violation of section 46a-  
63 64, 46a-64c, 46a-81d or 46a-81e, or, as a result of an investigation  
64 conducted pursuant to this section, of a potential violation of section  
65 46a-64, 46a-64c, 46a-81d or 46a-81e, the Attorney General may petition  
66 the superior court for the judicial district in which the violation or  
67 alleged violation occurred for any relief available under section 46a-89.

68 Sec. 2. Subsection (g) of section 8-30g of the general statutes is  
69 repealed and the following is substituted in lieu thereof (*Effective October*  
70 *1, 2025*):

71 (g) Upon an appeal taken under subsection (f) of this section, the  
72 burden shall be on the commission to prove, based upon the evidence  
73 in the record compiled before such commission, that the decision from  
74 which such appeal is taken and the reasons cited for such decision are  
75 supported by sufficient evidence in the record. The commission shall  
76 also have the burden to prove, based upon the evidence in the record  
77 compiled before such commission, that (1) (A) the decision is necessary  
78 to protect substantial public interests in health, safety or other matters

79 which the commission may legally consider; (B) such public interests  
80 clearly outweigh the need for affordable housing; and (C) such public  
81 interests cannot be protected by reasonable changes to the affordable  
82 housing development, or (2) (A) the application which was the subject  
83 of the decision from which such appeal was taken would locate  
84 affordable housing in an area which is zoned for industrial use and  
85 which does not permit residential uses; and (B) the development is not  
86 assisted housing. If the commission does not satisfy its burden of proof  
87 under this subsection, the court shall wholly or partly revise, modify,  
88 remand or reverse the decision from which the appeal was taken in a  
89 manner consistent with the evidence in the record before it. In addition,  
90 if the court finds, after a hearing, that the commission's decision denying  
91 an affordable housing application or approving such application with  
92 restrictions which have a substantial adverse impact on the viability of  
93 the affordable housing development or the degree of affordability of the  
94 affordable dwelling units in a set-aside development was made in bad  
95 faith or to cause undue delay, the court may award reasonable attorney's  
96 fees to the person who filed the appeal under subsection (f) of this  
97 section.

98 Sec. 3. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

99 (1) "Algorithmic device" means a device commonly known as  
100 revenue management software that uses one or more algorithms to  
101 perform calculations of nonpublic competitor data concerning local or  
102 state-wide rents or occupancy levels, for the purpose of advising a  
103 landlord on (A) whether to leave a unit vacant; or (B) the amount of rent  
104 that the landlord may obtain for a unit. "Algorithmic device" includes a  
105 product that incorporates an algorithmic device, but does not include:  
106 (i) A report that publishes existing rental data in an aggregated manner  
107 but does not recommend rental rates or occupancy levels for future  
108 leases; or (ii) a product used for the purpose of establishing rent or  
109 income limits in accordance with the affordable housing program  
110 guidelines of a local, state or federal program.

111 (2) "Nonpublic competitor data" means information that is not

112 available to the general public, including information about actual rent  
113 amounts, occupancy rates, lease start and end dates and other similar  
114 data, regardless of whether the information is (A) attributable to a  
115 specific competitor or anonymized, and (B) derived from or otherwise  
116 provided by another person that competes in the same or a related  
117 market.

118 (b) It shall be an unlawful practice in violation of chapter 624 of the  
119 general statutes for any person to use an algorithmic device to set rental  
120 rates or occupancy levels for residential dwelling units.

121 (c) Any violation of subsection (b) of this section shall be subject to  
122 the investigation and enforcement provisions of chapter 624 of the  
123 general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	3-129g
Sec. 2	<i>October 1, 2025</i>	8-30g(g)
Sec. 3	<i>October 1, 2025</i>	New section

**JUD**      *Joint Favorable Subst.*