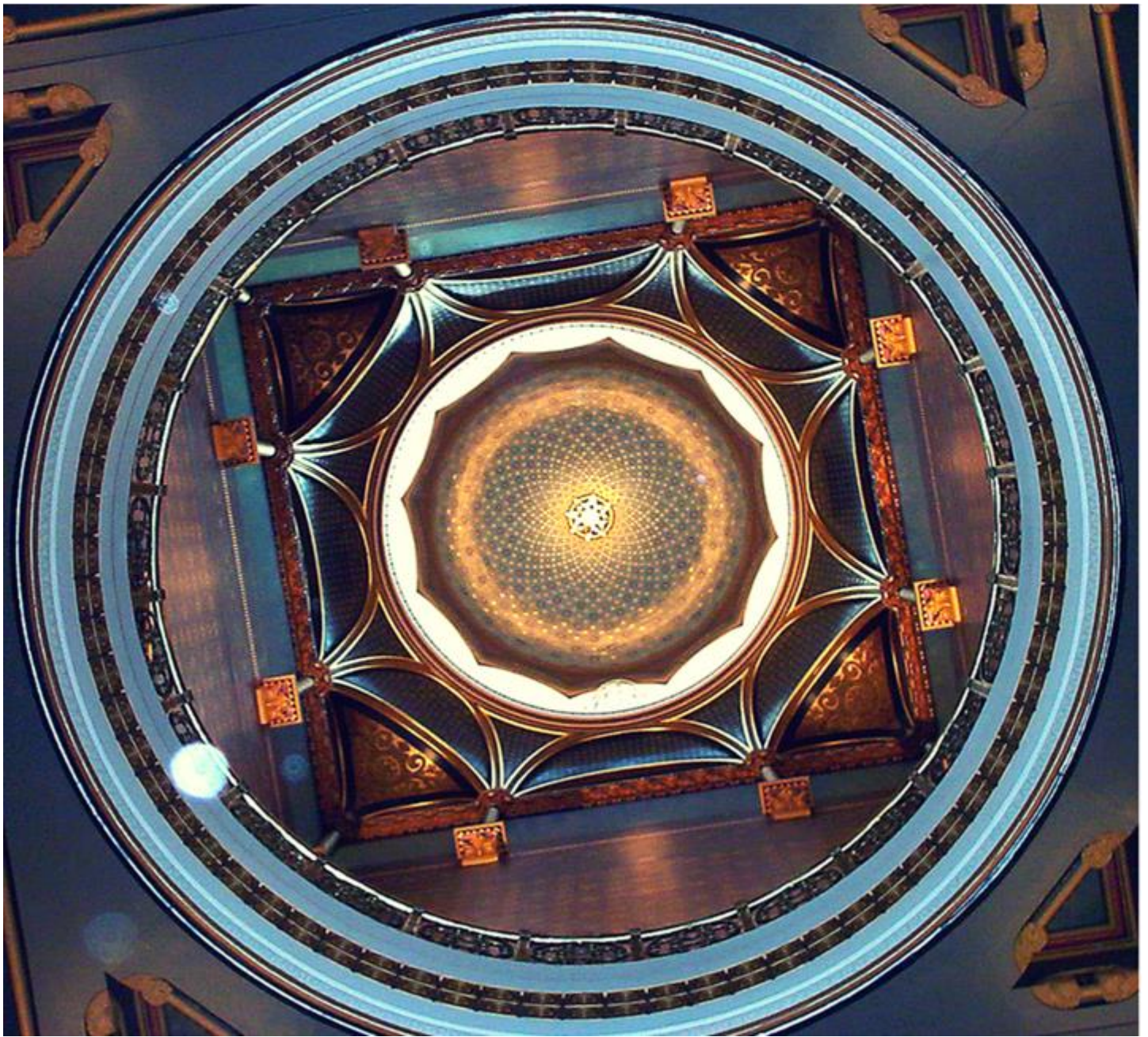


# MAJOR PUBLIC ACTS

2021 LEGISLATIVE SESSION



OFFICE OF LEGISLATIVE RESEARCH

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## Notice to Readers

These summaries, composed by the Office of Legislative Research (OLR) with the assistance of the Office of Fiscal Analysis (OFA), briefly describe the most significant, far-reaching, and publicly debated acts adopted by the General Assembly in its 2021 regular session and June Special Session. Acts that the secretary of the state has assigned a public act (PA), special act (SA), or resolution act (RA) number are identified by that number; otherwise, we refer to the bill or resolution number.

Not all provisions of the acts are included. More detailed summaries can be found at <https://cga.ct.gov/olr/>. Summaries of the major acts and all other public acts will be provided in our 2021 Public Act Summary Book, which will be available later this year.

OLR also produces a number of “Acts Affecting” reports highlighting legislation in the following policy areas: agriculture, banks, business and jobs, children, criminal justice and public safety, education, energy, environment, first responders, health professionals, housing and real estate, insurance, municipalities, people with disabilities, seniors, taxes, town clerks and elections, transportation, and veterans and military. These reports will be available online in August.

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## **Aging**

### ***Age Discrimination in the Workforce***

A new law prohibits age discrimination during the employment application process. Specifically, the act generally makes it a discriminatory employment practice for employers to request or require a prospective employee’s age, birth date, or graduation date on an initial employment application ([PA 21-69](#), effective October 1, 2021).

### ***Property Tax Relief***

A new law expands eligibility for the local option Elderly Tax Freeze Program by decreasing the program’s minimum age requirement from 70 to 65 years. But the act allows a municipality, by vote of its legislative body, to set the program’s minimum age requirement at older than 65 years. A municipality that voted to limit program eligibility to individuals ages 70 and older prior to this date is not required to take another vote unless it seeks to lower the program’s minimum age requirement ([PA 21-84](#), effective October 1, 2021, and applicable to assessment years beginning on and after that date).

### ***Virtual Monitoring and Virtual Visitation in Nursing Homes***

The legislature expanded the nursing home patients’ bill of rights to include the right of residents to treat their living quarters as their own home, including purchasing and using virtual visitation and virtual monitoring technology. Additionally, the new law (1) establishes related notification, use, and consent requirements for this technology (e.g., obtaining a roommate’s consent and paying associated costs) and (2) requires nursing homes to provide residents with free internet access, electricity, and a power source for this technology, under certain conditions ([PA 21- 55](#), effective October 1, 2021, except that the right to use technology is effective July 1, 2021).

Another new law requires nursing homes to give their employees, or their contractor’s employees, access to a resident’s virtual monitoring or virtual visitation technology if the (1) employee is the subject of a proposed disciplinary action by the nursing home based on

evidence obtained from the technology and (2) access is granted for the employee to defend him- or herself against the disciplinary action ([PA 21-160](#), effective October 1, 2021).

## **Alcohol**

### ***Beer Excise Tax***

Beginning July 1, 2023, a new law decreases the excise tax on beer (other than beer for off-premises consumption sold on premises covered by a manufacturer's permit) from \$7.20 to \$6 per barrel ([SB 1202](#), June Special Session (JSS), as amended, § 473, effective upon passage).

### ***Liquor Control Act Changes***

The legislature made various changes to the Liquor Control Act this session, including the following:

1. allowing an alcoholic liquor permittee that sells for on-premises consumption to sell up to two drinks at once;
2. establishing a seasonal outdoor open-air permit that allows alcohol sales in outdoor spaces under certain conditions;
3. allowing, for three years following the act's effective date, certain alcohol permittees to sell and deliver alcoholic liquor for off-premises consumption that they currently sell for on-premises consumption;
4. allowing self-pour automated machines to serve beer, certain ciders, and wine under certain conditions; and
5. allowing the sale of alcohol-infused confections (e.g., chocolate), including in package stores ([PA 21-37](#) & [PA 21-50](#), various effective dates).

## **Banks**

### ***Bank Executions***

Under a new law, banks and financial institutions must automatically apply the "wildcard exemption," leaving an aggregate of up to \$1,000 in a debtor's bank account subject to a bank execution. Prior law required a debtor to file an exemption from execution with the court to claim this exemption. The new law also eliminates the maximum amount of money deposited from exempt sources that is protected from bank executions ([PA 21-131](#), effective October 1, 2021).

## ***Remote Work for Licensed Banking Activities***

A provision in the budget implementer allows the Department of Banking (DOB) commissioner to establish a process for people to conduct licensed activities from a location other than a registered office. Prior law generally required anyone conducting DOB-licensed or -regulated activities to do so at a registered office ([SB 1202](#), JSS, as amended, § 205, effective July 1, 2021).

## **Biennial Budget**

### ***Appropriations***

The budget act includes: (1) General Fund appropriations of \$20.8 billion in FY 22 and \$21.7 billion in FY 23, (2) Special Transportation Fund (STF) appropriations of \$1.8 billion in FY 22 and \$1.9 billion in FY 23, (3) other appropriated funds (seven funds) of \$275.1 million in FY 22 and \$277.4 million in FY 23, and (4) revenue estimates adopted by the Finance, Revenue and Bonding Committee on June 7, 2021 ([SA 21-15](#), most provisions effective July 1, 2021).

*Spending Cap.* The act is under the spending cap by \$22.2 million in FY 22 and \$35.7 million in FY 23.

*Growth Rate.* The FY 22 growth rate for all appropriated funds is 2.6% over the FY 21 appropriation. The FY 23 growth rate for all appropriated funds is 3.9% over the FY 22 appropriation.

*Deficiency Appropriations.* The act eliminates FY 21 deficiencies in four agencies totaling \$62.1 million by transferring funds from various agencies that otherwise would have lapsed.

*Carryforwards.* The act carries forward a total of \$494.2 million in funding for initiatives from numerous accounts that otherwise would have lapsed.

### ***Revenue***

General Fund revenue adjustments over the April Consensus Revenue estimates total approximately \$1.042 billion in FY 22 and \$1.622 billion in FY 23 ([SB 1202](#), JSS, as amended, various sections and effective dates).

## **Bonding**

The FY 22-23 bond act authorizes up to \$1.8 billion for FY 22 and \$1.7 billion for FY 23 in new general obligation (GO) bonds for state capital projects and grant programs, including school construction, economic and community development project grants, housing development and rehabilitation programs, and municipal aid. It cancels or reduces \$143.6 million in prior GO bond authorizations for specified projects and grants. The act authorizes up to \$836.9 million in new special tax obligation bonds in FY 22 and \$929.6 million in FY 23 for Department of Transportation projects. And it authorizes up to \$281.0 million in Clean Water Fund revenue bonds for FY 22 and \$237 million for FY 23.

Accounting for these changes, the treasurer has certified that the state will be below 83.10% of the statutory debt limit at the start of FY 22 and below 83.11% at the start of FY 23; the state is expected to be approximately \$2 billion below the 90% debt limit threshold to start each fiscal year.

The act also authorizes approximately \$1.4 billion in GO bonds from FY 24 through FY 34, including authorizations for the Connecticut Baby Bond Trust program and the Community Investment Fund 2030 (described below), as well as other programs (crumbling foundations, CTNext, port improvements, and UConn research funding).

Among other things, the act also authorizes 15 school construction state grant commitments totaling \$393 million toward total project costs of \$637.7 million ([PA 21-111](#), as amended by [SB 1202](#), JSS, as amended, various sections and effective dates). (Debt limit calculations include \$50 million of bonds in FY 22 authorized in [SB 1201](#).)

## **Children and Families**

### ***Adoptee Access to Original Birth Certificate***

A new law expands access to birth certificates for adopted persons age 18 and older and their adult children or adult grandchildren. It allows them to obtain an uncertified copy of the adoptee's original birth certificate upon request, regardless of when the adoption occurred.

Prior law provided this access only for adoptions finalized on or after October 1, 1983. For adoptions before then, prior law allowed access to the original certificate by these individuals only through a court order, and if the birth parents are alive, the court generally could issue the order only with their consent.

Among other things, the new law also transfers, from the Department of Public Health (DPH) to municipalities, the responsibility to issue the original birth certificates upon an eligible individual's request ([PA 21-21](#), effective July 1, 2021).

### ***Birth-to-Three Program***

The legislature eliminated the requirement that the Office of Early Childhood (OEC) commissioner charge a fee on a sliding scale for the Birth-to-Three program, making it cost-free to Connecticut families. It also expanded the program to enrolled children who are eligible for certain preschool programs but turn three before the program begins and generally extended to these children certain group and individual health insurance coverage for medically necessary early intervention services ([PA 21-46](#), §§ 24 & 28, effective upon passage; [SB 1202](#), JSS, as amended, §§ 455-457, effective July 1, 2021).

### ***Children's Mental Health***

The legislature passed several measures aimed at addressing the impact COVID-19 has had on children's mental health. They include the following:

1. requiring the Youth Suicide Advisory Board and the Office of the Child Advocate to administer evidence-based youth suicide prevention training in each local and district health department at least once every three years;
2. allowing minors to receive as many outpatient mental health treatment sessions as necessary without the consent or notification of a parent or guardian, rather than being limited to six sessions as under prior law;
3. requiring (a) the Department of Children and Families to develop and update documents listing the behavioral and mental health evaluation and treatment resources available to children in each mental health region and (b) emergency departments and hospitals, among others, to distribute the documents as specified;
4. expanding the continuing education requirements for certain healthcare professionals to include education on (a) screening for post-traumatic stress disorder, suicide risk, depression, and grief and (b) suicide prevention training;
5. requiring school boards to integrate social-emotional learning principles and practices into their districts' professional development programs; and
6. allowing students in grades kindergarten through 12th grade to take two mental health wellness days during the school year ([PA 21-46](#), various sections, and [PA 21-116](#), most provisions effective upon passage).

## ***Connecticut Baby Bond Trust***

The bond act establishes the Connecticut Baby Bond Trust program, administered by the state treasurer, and authorizes up to \$600 million in bonds for the program from FYs 23 through 34. Under this program, the treasurer must create accountings for babies born on or after July 1, 2021, whose births were covered under HUSKY (i.e., designated beneficiaries) and may deposit up to \$3,200 into each designated beneficiary’s accounting at birth. Once they have reached age 18, designated beneficiaries that meet the act’s eligibility requirements may receive the funds, including any investment earnings, to be used for an eligible expenditure. Eligible expenditures generally include those for education, home-buying, business investments, and personal financial investments ([PA 21-111](#), §§ 103-111, as amended by [SB 1202](#), JSS, as amended, §§ 532 & 533, effective July 1, 2021).

## ***Uniform Parentage Act***

The legislature adopted the Uniform Parentage Act, cited as the Connecticut Parentage Act (CPA). Among other things, the act:

1. provides for equal treatment under the law for children born to same-sex couples by, among other things, removing certain gender-specific references (e.g., changing “maternity” and “paternity” to “parentage”);
2. expands recognition of non-biological parents;
3. provides guidance on adjudicating parentage (e.g., creates best interest of the child factors the court must consider);
4. creates processes to establish presumptive, de facto, acknowledged, and genetic parentage and parentage through surrogacy; and
5. generally allows individuals conceived through assisted reproduction to access medical and identifying information about gamete donors ([PA 21-15](#), most provisions effective January 1, 2022).

## ***Youth Camps and Youth Sports Comprehensive Background Check Requirement***

Starting October 1, 2022, a new law generally requires OEC-licensed youth camps and operators of youth athletic activities (e.g., municipalities) to require comprehensive background checks for prospective employees or volunteers age 18 or older applying for a position (1) that involves unsupervised access to children or (2) as coach, instructor, or athletic trainer, respectively ([PA 21-82](#), effective October 1, 2021).



## **Criminal Justice and Public Safety**

### ***Criminal Record Erasure***

Starting in 2023, a new law provides for the erasure of certain criminal conviction records after a specified period following the person's most recent conviction. Under the new law, eligible convictions are generally subject to erasure seven years (for misdemeanors) or 10 years (for felonies) after the person's most recent conviction. Among other things, the act also prohibits discrimination in various contexts based on someone's erased criminal history record information.

Under the act, this erasure does not apply to (1) class A, B, or C felonies; (2) unclassified felonies with longer than five-year prison terms; (3) family violence crimes; (4) certain crimes requiring sex offender registration; (5) specified class D felonies and class A misdemeanors; and (6) any offense for which the person has not completed serving the sentence, including probation or parole ([PA 21-32](#), as amended by [PA 21-33](#), § 10, erasure provisions are effective January 1, 2023, various effective dates for other provisions).

### ***Domestic Violence and Coercive Control***

The legislature made several changes related to domestic violence, civil restraining orders, family violence, assistance programs, and certain crimes. They include (1) establishing a general definition of domestic violence; (2) allowing victims subject to coercive control by a family or household member to be eligible for civil restraining orders; (3) creating a grant program to provide free legal assistance for certain restraining order applicants; (4) expanding "best interest of the child" factors to include the child's physical and emotional health; (5) providing victims easier access to certain assistance programs; and (6) establishing additional protections for tenants protected by certain orders of protection ([PA 21-78](#), most provisions effective October 1, 2021).

### ***Free Phone Calls for Incarcerated Individuals***

The legislature passed a law requiring the Department of Corrections, beginning July 1, 2022, to provide free phone services to incarcerated individuals in correctional facilities. The commissioner may supplement phone services with other telecommunications services, including video communication and email, as long as the service is free to the inmates and to people initiating or receiving the communication. Each incarcerated person is eligible to use telephone services for at least 90 minutes each day he or she is confined, as long as doing so does not interfere with the facility's standard operations ([PA 21-54](#) and [SB 1202](#), JSS, as amended, §§ 52 & 53, effective upon passage).

## ***Isolated Confinement, Seclusion, and Restraints***

A new law would have limited the use of isolated confinement, seclusion, and restraints and placed a new requirements on their use (e.g., limiting the amount of time and who can order these methods and requiring various evaluations, documentation, and specific reporting when they are used). It also would have generally required that each incarcerated person have the opportunity to be outside his or her cell for at least 6.5 hours a day ([PA 21-110](#), § 2, effective July 1, 2022). (This act was vetoed June 30, 2021.)

## ***Law Enforcement Use of Force***

The legislature delayed, from April 1, 2021, to January 1, 2022, the effective date of 2020 legislative changes affecting law enforcement use of force ([PA 20-1](#), JSS, § 29). Among other things, these provisions limit the circumstances under which an officer's use of deadly physical force is justified and establish factors to consider when evaluating whether the officer's action was objectively reasonable.

The legislature also modified these circumstances established under the 2020 act, by, among other things, (1) basing the objective reasonableness standard on the officer's given circumstances at that time; (2) requiring officers to have reasonably determined that no reasonable alternatives exist, rather than having exhausted those alternatives, if using deadly force when making an arrest or preventing escape; and (3) establishing the condition that the escaping person poses a significant threat of death or serious physical injury to others ([PA 21-4](#), effective March 31, 2021, for the effective date provision and January 1, 2022, for the provision modifying the use of deadly force justification).

## ***Recreational Cannabis***

A new law legalizes the possession of cannabis (marijuana) for adult recreational use (age 21 or older) up to a specified possession limit and establishes a regulatory structure for cannabis businesses. It erases certain cannabis-related criminal convictions and allows for home grow within certain limits, starting this October for medical marijuana patients age 18 or older and starting in July 2023 for anyone else age 21 or older.

The act establishes a Social Equity Council to promote and encourage full participation in the cannabis industry by people from communities disproportionately harmed by cannabis prohibition. It requires the council to establish criteria and review social equity applications. Under the act, the Department of Consumer Protection (DCP) must reserve 50% of the maximum number of applications for these applicants, who generally pay 50% of the fees for the first three years.

The act establishes various DCP licensing and registration requirements for individuals and entities to work in the cannabis industry (e.g., age requirements and criminal history checks). It also sets cannabis establishment licensure requirements for each license type.

The act establishes guidelines, rules, and protections for employers and employees regarding recreational cannabis use. It also requires (1) each cannabis establishment licensee to enter into a labor peace agreement with a bona fide labor organization and (2) cannabis establishment facility construction projects of \$5 million or more to have a project labor agreement between the project contractors and the establishment.

The act establishes state and municipal taxes on retail sales of cannabis that apply in addition to the state's 6.35% sales and use tax. The state cannabis tax rate is 0.625 cents per milligram of total THC for cannabis plant material, 2.75 cents per milligram of total THC for cannabis edible products, and 0.9 cents per milligram of total THC for cannabis, other than cannabis plant material or cannabis edible products. The municipal cannabis tax rate is 3%. (Cannabis for palliative use is exempt from all three taxes under the act.)

The act modifies the state's driving under the influence and boating under the influence laws to enhance enforcement against those who are drug impaired but do not have an elevated blood alcohol content.

The act addresses several other topics related to cannabis legalization, such as criminal penalties for illegal actions (e.g., sales to minors), school discipline related to cannabis use, municipal regulation of cannabis businesses, state bonds for specified financial assistance and workforce training programs, and prohibited locations for smoking cannabis ([SB 1201](#), JSS, as amended, provisions on legal possession effective July 1, 2021, various other effective dates).

### ***Risk Warrants and Risk Protection Orders***

Existing law allows any two police officers or a state's attorney or assistant state's attorney, under limited circumstances, to apply to court for a warrant ("risk warrant") to seize firearms and ammunition from someone who poses an imminent risk of injuring himself or herself or someone else. This year, the legislature expanded this law's scope to (1) apply to other deadly weapons; (2) allow these officials to apply for a risk protection order prohibiting such a person from acquiring or possessing firearms, other deadly weapons, or ammunition; and (3) allow adult family or household members or medical professionals to apply to court for a risk protection order investigation.

Under the new law, if a judge issues a risk protection order and there is probable cause to believe that the person possesses firearms or other deadly weapons, the judge must issue a risk warrant along with or following that order, under specified procedures. The new law makes other changes to risk warrant procedures, such as removing the one-year maximum period on the state's hold of items seized under a risk warrant ([PA 21-67](#), effective June 1, 2022).

## **Economic and Community Development**

### ***Community Investment Fund 2030***

The bond act authorizes up to \$875 million in bonds for a five-year bonding program to fund qualifying projects and grants in eligible municipalities that are designated as public investment communities or alliance districts. It establishes a 21-member board, the Community Investment Fund 2030 board, within the Department of Economic and Community Development (DECD), to accept applications for funding under the program from municipalities, community development corporations, and nonprofits undertaking eligible projects. The act establishes a process by which the board reviews the applications and submits them to the governor for his review. Each eligible project for which the governor recommends a bond allocation must be considered at a Bond Commission meeting within two months after the board's recommendation to the governor ([PA 21-111](#), § 112, as amended by [SB 1202](#), JSS, as amended, § 601, effective July 1, 2021).

### ***Small Business Express Program***

As part of the FY 22-23 budget implementer, the legislature passed various changes to DECD's Small Business Express program (EXP), generally increasing flexibility in the department's administration of the program and allowing for increased participation by private lenders. Among its changes, the act does the following:

1. expands the types of assistance that may be provided from the revolving loan fund and eliminates related requirements on the uses, amounts, rates and terms, and prioritization of these loans;
2. allows the DECD commissioner, in consultation with Connecticut Innovations (CI), to establish a new EXP component;
3. eliminates the job creation incentive and matching grant components;
4. removes the requirement that there be no more than two minority business revolving loan funds, instead requiring a minimum of one, and increases the maximum size of loans these funds can provide;

5. makes changes to the administration and funding allocation of the EXP component operated in collaboration with Connecticut-based banks; and
6. establishes a goal for the department that by July 1, 2026, EXP (a) will be self-funded and (b) have a default rate of 20% or less for small businesses receiving assistance ([SB 1202](#), JSS, as amended, §§ 317-320, most provisions effective July 1, 2021).

## **Education and Higher Education**

### ***Alliance District Minority Teacher Recruitment and Retention***

A new law creates a teacher residency and certification program for minority teacher certification candidates and requires each alliance district to partner with a residency program operator. Beginning in FY 23, it requires the State Department of Education (SDE) to (1) withhold from each alliance district 10% of any increase in alliance aid and (2) use the funds for grants to cover residency program costs. Enrolled candidates will have a 10-month residency in the participating school district. Minority candidates are individuals who are racial or ethnic minorities and are employed as school paraprofessionals or associate instructors with a local or regional board of education ([SB 1202](#), JSS, as amended, §§ 414-415, effective July 1, 2021).

### ***Automatic Admissions Program***

As part of this year's budget implementer, the legislature required the Board of Regents for Higher Education (BOR) to establish, by April 1, 2022, the Connecticut Automatic Admissions Program. It generally allows graduating Connecticut high school students meeting certain academic thresholds to gain automatic admissions to a bachelor's degree program at one of the Connecticut State Universities (CSUs) and any participating private Connecticut college and universities ([SB 1202](#), JSS, as amended, § 291, effective July 1, 2021).

### ***College Application and Graduation Fees***

A new law requires BOR and the UConn Board of Trustees (BOT) to jointly establish an annual "Fee-Free Day" on which high school students may apply for admission to institutions governed by the boards without paying an application fee. The student must have already completed the Free Application for Federal Student Aid (FAFSA).

Starting July 1, 2021, another new law prohibits assessing or charging a graduation fee to students enrolled in (1) a regional community-technical college, (2) the Connecticut State University System, (3) Charter Oak State College, or (4) UConn ([SB 1202](#), JSS, as amended, §§ 54-57 & 89, fee-free day is effective upon passage and graduation fee provisions are effective July 1, 2021).

## ***Debt-Free Community College Funding***

The legislature established a dedicated funding stream for the debt-free community college program enacted in the 2019 legislative session. Starting in FY 24, the Connecticut Lottery Corporation must transfer up to \$14 million from certain online lottery revenue (see “Gaming” below) to a dedicated debt-free community college account to be used for the program ([SB 1202](#), JSS, as amended, §§ 81-86, effective July 1, 2021).

## ***Model Curriculum***

This session, the legislature passed a requirement that SDE, in conjunction with the State Education Resource Center, create a model curriculum for grades kindergarten to eight (K-8) instruction. The model must (1) be rigorous, age-appropriate, and aligned with curriculum guidelines and content standards adopted by the State Board of Education and (2) include all subjects in the K-8 program of studies required under state law, as well as integrate additional topics throughout all subjects and grade levels. The curriculum must be completed by January 1, 2023, and made available to all boards of education and on SDE’s website ([SB 1202](#), JSS, as amended, §§ 410-411, effective July 1, 2021).

## ***Office of Dyslexia and Reading Disabilities***

A new law establishes the Office of Dyslexia and Reading Disabilities in SDE. Among other things, the office (1) must verify whether teacher preparation programs and certification applicants comply with state law’s requirements on dyslexia instruction and training and (2) may partner with a public college or university to establish a data center to guide the department and boards of education in how to effectively use reading assessments. In addition, the law requires SDE to revise previously-developed reading assessments for grades kindergarten through three to include new methodologies for measuring reading proficiency ([PA 21-168](#), as amended, effective July 1, 2021).

## ***Reading Curriculum Models and Literacy Center***

A new law creates the Center for Literacy Research and Reading Success within SDE and charges it with, among other things, approving reading curriculum models or programs for prekindergarten to grade three by July 1, 2022. By July 1, 2023, the law requires boards of education to implement an approved program or model, unless granted a waiver or additional implementation time. The models or programs must be focused on the following reading areas: oral language, phonemic awareness, phonics, fluency, vocabulary, rapid automatic name or letter name fluency, and reading comprehension ([SB 1202](#), JSS, as amended, §§ 430-431 & 438, effective July 1, 2021).

## ***Remote Learning***

Following over a year of school closures due to the COVID-19 pandemic, this year's budget implementer act contains three provisions relating to schools' primary method of delivering instruction during quarantine: remote learning. It requires SDE to do the following:

1. establish the Connecticut Remote Learning Commission to analyze and report on remote learning's impact on students' educational attainment, physical and emotional development, and access to special services, as well as the quality of its instruction;
2. develop a plan to create and implement a K-12 statewide remote learning school; and
3. conduct a comprehensive audit of the remote learning provided in public schools during the 2019-20 and 2020-21 school years due to the pandemic ([SB 1202](#), JSS, as amended, §§ 423-425, effective July 1, 2021, for the commission, July 1, 2022, for the statewide remote school plan, and upon passage for the audit).

## ***School Lunch Debt***

Starting with the 2021-2022 school year, a new law requires school boards to prohibit publicly identifying or shaming a child for any unpaid meal charges. Prohibited acts include (1) delaying or refusing to serve a meal to the child, (2) designating a specific meal for the child, or (3) taking disciplinary action against the child. Under the new law, school boards (1) must develop a procedure for communicating with parents or guardians about collecting a child's unpaid meal charges and (2) may accept donations or grants to pay off unpaid meal charges ([PA 21-46](#), § 20, effective July 1, 2021).

## ***Sexual Misconduct on College Campuses***

The legislature made various changes related to the handling of sexual misconduct at higher education institutions, including the following:

1. requiring institutions to conduct a sexual misconduct climate assessment every two years, distribute it to enrolled students, and report to the Higher Education and Employment Advancement Committee on its results;
2. establishing a Council on Sexual Misconduct Climate Assessments and requiring it to, among other things, develop assessment guidelines and a list of data points for higher education institutions to collect in these assessments; and
3. generally prohibiting a higher education institution from taking disciplinary action against students or employees for violating its drug or alcohol policy if they report alleged sexual misconduct that occurred during, or was connected to, the policy violation ([PA 21-81](#), effective July 1, 2021).

## ***Student Athlete Compensation***

A new law generally allows student athletes, beginning January 1, 2022, to (1) earn compensation through an endorsement contract or employment in an activity unrelated to any intercollegiate athletic program and (2) obtain the legal or professional representation of an attorney or sports agent through a written agreement. Athletes must comply with their higher education institution's policy on student athlete endorsement contracts and employment activities, which each institution must adopt under the act ([PA 21-132](#), § 14, as amended by [SB 1202](#), JSS, as amended, § 160, effective July 1, 2021).

## ***Town Education Funding and Budgeting Requirements***

Under a new law, each town will receive at least the same Education Cost Sharing (ECS) grant amount in FYs 22 and 23 as it did in FY 21. Under an established 2017 schedule, towns that are overfunded were due to receive a decrease in each of the next two years. But the new law "holds harmless" overfunded towns while increasing the funding for all other towns as per the 2017 schedule. The same law increases the (1) weighting for need students in the ECS formula for English language learners and concentrated poverty and (2) ECS bonus for towns that send students to regional schools. Finally, the law expands the regional bonus to include towns that send students to endowed academies that function as a public high school.

The same act also renews, for FY 22 and each following year, the minimum budget requirement (MBR) for local education budgeting, which limits education appropriation reductions. The law also expands the types of funding excluded from each town's MBR to include federal funds related to COVID-19 expenses and state school security grants ([SB 1202](#), JSS, as amended, §§ 382-386, effective July 1, 2021).

## **Elections**

### ***Constitutional Amendment to Allow for Early Voting***

The legislature adopted a resolution proposing a constitutional amendment authorizing the General Assembly to provide by law for in-person, early voting before an election or referendum. In 2019, an identical resolution passed by a majority of each house of the General Assembly but less than three-fourths; it was thus referred to the 2021 session ([RA 21-1](#), which will appear on the November 8, 2022, general election ballot).

### ***Constitutional Amendment to Allow for No-Excuse Absentee Voting***

This year the General Assembly took a step toward allowing no-excuse absentee voting in Connecticut. It passed a resolution that proposes to amend the state constitution by removing



its current restrictions on absentee voting. Under these restrictions, the legislature may pass a law allowing electors to cast their vote by absentee ballot if they are unable to appear at their polling place because of absence from the town where they reside, sickness or physical disability, or the tenets of their religion prohibit secular activity on election day (Article VI, § 7).

The resolution passed by a majority of each house of the General Assembly but less than three-fourths; it will thus be referred to the 2023 session of the legislature. If it passes in that session by a majority of each house, it will appear on the 2024 general election ballot ([RA 21-2](#)).

### ***COVID-19 Absentee Voting Provisions***

A new law extends, to November 2, 2021, certain changes affecting absentee voting eligibility and procedures implemented for the 2020 state election as a result of COVID-19. This includes, for a state or municipal election, primary, or referendum occurring on or before this date, (1) expanding the reasons for which electors may vote by absentee ballot to include COVID-19; (2) allowing municipalities to conduct certain absentee ballot pre-counting procedures; and (3) extending, generally by 48 hours, numerous processing and reporting deadlines ([SB 1202](#), JSS, as amended, §§ 113-114 & 141-157, effective upon passage).

### ***Redistricting***

Under a new law, U.S. census population data must be adjusted to count most prison inmates at their address before incarceration, instead of where they are imprisoned. The new law requires that this adjusted data, as well as the unadjusted data, serve as the basis for determining state legislative districts and municipal voting districts. The new law excludes from the adjusted data inmates serving a life sentence without the possibility of release ([PA 21-13](#), effective upon passage).

### ***Voting Rights for Individuals Convicted of a Felony***

A new law (1) eliminates a requirement that individuals convicted of a felony forfeit their electoral privileges if they are committed to Department of Correction custody (or a state or county correction department outside of Connecticut) for confinement in a community residence (e.g., halfway house, group home, or mental health facility) and (2) allows convicted felons to regain their electoral privileges upon release from confinement in a correctional institution or facility. It eliminates prior law's requirements that these individuals also, as applicable, be released from a community residence, be discharged from parole, and pay all felony conviction-related fines ([SB 1202](#), JSS, as amended, §§ 110-112, effective July 1, 2021).

## **Energy and Environment**

### ***Bottle Bill***

This session, the legislature revamped the state's beverage container redemption law ("bottle bill"). Among other things, the new law does the following:

1. expands, beginning January 1, 2023, the list of beverages subject to the bottle bill to include such things as hard cider, juice, tea, coffee, and sports or energy drinks, and exempts containers of less than 150mL;
2. increases, beginning January 1, 2024, the beverage container deposit amount to at least 10 cents, rather than five cents;
3. increases to 2.5 cents or 3.5 cents per beverage container, depending on its type, the handling fee that distributors must pay to dealers and redemption centers beginning October 1, 2021;
4. incrementally reduces the amount of unclaimed deposits that distributors must remit to the General Fund from 100% to 45% by FY 26, and allows the distributors to keep the remainder; and
5. requires certain retailers, beginning October 1, 2021, to have at least two reverse vending machines at their place of business.

The new law also establishes a five-cent surcharge on the sale of spirit or liquor beverage containers of 50mL or less (commonly referred to as "nips"), which must be provided to municipalities for certain environmental purposes ([PA 21-58](#), various effective dates).

### ***Broadband Internet***

A new law contains several provisions aimed at expanding access to broadband Internet service throughout the state. Among other things, it generally requires (1) the Office of Policy and Management (OPM) to develop an up-to-date broadband map with data showing the availability and adoption of broadband service; (2) the Department of Energy and Environmental Protection to establish a grant program to support broadband deployment in certain unserved areas, subject to federal funding availability; and (3) broadband providers to notify each other when they apply to build certain underground facilities, to reduce the potential for future excavations in the same location ([PA 21-159](#), effective July 1, 2021).

### ***New Restrictions on Electric Suppliers***

A new law expands the Public Utilities Regulatory Authority's (PURA) oversight of electric suppliers by authorizing PURA to condition a supplier's license on terms the authority

determines to be just and reasonable. For residential customers, the new law prohibits termination fees and early cancellation fees and deems any electric supplier contract null and void if it contains variable rates ([PA 21-117](#), effective July 1, 2021).

### ***PA 490 Program Extended to Aquaculture***

A new law extends Connecticut's PA 490 program to certain aquaculture operations, including underwater farmlands and waterfront property used for commercial shellfishing. The PA 490 program allows farm, forest, open space, and maritime heritage land to be assessed for property tax purposes based on current use value rather than fair market value. In exchange for the reduced assessment, the property owner cannot change the land's use for a period of time. By law, if the use changes within 10 years of ownership or classification, a conveyance tax penalty is charged to the owner ([PA 21-24](#), effective October 1, 2021, and applicable to tax assessments on and after that date).

### ***PFAS Restrictions***

The legislature passed a law restricting the use of certain products with perfluoroalkyl or polyfluoroalkyl substance (PFAS). First, the new law prohibits using class B firefighting foam with intentionally added PFAS except in certain circumstances. It also bans offering for sale or promotional purposes food packaging with PFAS that was intentionally introduced during manufacturing or distribution ([PA 21-191](#), the restrictions for firefighting foam are effective upon passage, and those for food packaging take effect October 1, 2021).

## **Gaming and Entertainment**

### ***Admissions Tax Elimination***

The budget implementer act eliminates the admissions tax beginning July 1, 2021, for all places of amusement, entertainment, or recreation, except movie theaters ([SB 1202](#), JSS, as amended, § 470, effective June 30, 2021).

### ***New In-Person and Online Gaming and Off-Reservation Casino Suspension***

The legislature established new frameworks for legalizing and regulating (1) in-person and online sports wagering, (2) online casino gaming, (3) in-person and online keno, (4) online lottery draw games other than keno, and (5) fantasy contests. These frameworks are subject to several conditions, principally that the governor must first enter into specific contractual agreements with the Mashantucket Pequot and Mohegan tribes, which must then be approved by the U.S. Department of Interior secretary.

The act generally authorizes the tribes and the Connecticut Lottery Corporation (CLC) to operate these games subject to specific requirements, including limiting the authorizations to an initial 10-year period with an option for a five-year renewal. It requires (1) monthly payments from the tribes and CLC to the General Fund ranging from 13.75% to 20% of gross revenues from sports wagering, online casino gaming, and fantasy contests and (2) new annual payments of \$500,000 from each tribe and \$1 million from CLC towards certain problem gambling accounts or programs. The act also delays the authorization for an off-reservation casino gaming facility in East Windsor for 10 years ([PA 21-23](#), most provisions effective July 1, 2021).

## **Government Administration**

### ***Governor's Emergency Powers***

The governor declared public health and civil preparedness emergencies on March 10, 2020, in response to the COVID-19 pandemic and subsequently renewed the declaration four times, most recently through July 20, 2021.

This year the legislature enacted several measures in response to the governor's exercise of emergency powers. It ratified his original emergency declaration and the first two renewals while also expressly authorizing him to issue the latter two renewals. For any renewals from July 21, 2021, through March 1, 2022, the legislature (1) required that they be approved by a majority vote of each chamber and (2) allowed a committee of the six legislative leaders, by majority vote, to disapprove any executive order issued under the renewal within 36 hours of the order's filing.

Lastly, the legislature established a five-member commission to review the statutes governing public health and civil preparedness emergencies and make recommendations on how they should be amended to provide greater legislative oversight of emergency declarations and the exercise of executive authority under those statutes. The commission must report its findings to the Government Administration and Elections Committee by January 1, 2022 ([SA 21-2](#), as amended by [SA 21-4](#) and [SA 21-5](#), most provisions effective upon passage).

### ***Remote Meetings***

A new law explicitly allows public agencies, until April 30, 2022, to hold meetings under the Freedom of Information Act (FOIA) that are accessible to the public through electronic equipment, or through electronic equipment in conjunction with an in-person meeting. (FOIA's existing definition of "meeting" includes those held by electronic equipment, but it does not explicitly authorize, or establish procedures for, telephone or other remotely held meetings.) The

law establishes several requirements for meetings held using electronic equipment, including that agencies provide at least 48 hours' notice of the meeting and that members of the public have the same participation opportunities as they would for an in-person meeting ([SB 1202](#), JSS, as amended, § 163, effective July 1, 2021).

## **Housing and Real Estate**

### ***Crumbling Concrete Foundations***

A new law addressing the state's crumbling foundations problem makes the Connecticut Foundation Solutions Indemnity Company (CFSIC) permanent by eliminating the June 30, 2022, termination date in prior law. It also requires CFSIC to study the impact of pyrrhotite-related foundation damage in nonresidential buildings. For affected homeowners, the new law eliminates the five-year cap on reduced property tax assessments for homes with failing foundations and makes certain government-maintained information about crumbling foundations confidential in perpetuity.

To address concerns about similar problems arising in the future, the new law also requires the operator of each quarry that produces concrete aggregate to (1) prepare and quadrennially update a geological source report and submit it to the state and (2) annually provide an operations plan and a report to the state containing the results of a third-party test of the aggregate's sulfur content and further testing for pyrrhotite, if applicable ([PA 21-120](#) and [SB 1202](#), JSS, as amended, §§ 58-60, effective July 1, 2021, except the property tax provision is effective upon passage).

### ***Foreclosure Mediation and Emergency Lien Assistance***

The legislature extended the Ezequiel Santiago Foreclosure Mediation Program for six years, until June 30, 2029. By law, this program brings together judicial branch mediators, lenders, and borrowers or owner-occupants of certain properties in foreclosure.

The act also establishes an emergency lien assistance program, within the Connecticut Housing Finance Authority's Emergency Mortgage Assistance Program. The new program will provide loans to homeowners who are facing foreclosure due to liens from (1) municipal water or sewer charges, (2) municipal tax debt, or (3) condominium or common interest association assessments and fines ([PA 21-44](#), effective October 1, 2021).

## ***Right to Counsel in Eviction Proceedings***

A new law establishes a statewide “right to counsel program” to provide free legal representation to income-eligible tenants, lessees, and occupants of any residential building or land in eviction or certain administrative proceedings initiated on or after July 1, 2021. The judicial branch must (1) use available federal funds to enter into an agreement with an entity to administer the program and (2) approve a one-page, plain-language notice to inform individuals of their rights under the program. The new law also establishes an 11-member working group to advise on matters and policies affecting the program ([PA 21-34](#), § 1, effective July 1, 2021).

## **Insurance**

### ***Covered Connecticut***

A new law establishes the Covered Connecticut program, which primarily provides health insurance premium and cost-sharing assistance sufficient to fully subsidize health coverage for eligible individuals. Generally, to be eligible, a person must have a silver-level qualified health plan and be (1) above the Medicaid income limits and (2) below 175% of the federal poverty level. The program also requires the Department of Social Services to provide certain eligible individuals additional non-emergency medical transportation and dental benefits after July 1, 2022 ([SB 1202](#), JSS, as amended, §§ 15-19, effective upon passage).

### ***Prescription Drug Formulary Changes***

The legislature enacted a law that generally prohibits certain health carriers from removing a covered prescription drug from a formulary (i.e., a list of covered drugs) or moving it to a higher cost sharing tier during a plan year. The new law provides exceptions allowing health carriers to (1) remove a prescription drug from a formulary with at least 90 days’ advance notice if the U.S. Food and Drug Administration questions the drug’s clinical safety or approves it for over-the-counter use and (2) move a drug to a higher cost-sharing tier if it is available in-network for \$40 or less per month in any tier ([PA 21-96](#), effective January 1, 2022).

## **Labor and Public Employees**

### ***Discrimination Based on Hairstyles***

A new law makes it an illegal practice to (1) discriminate based on a person’s hair texture or protective hairstyle in employment, public accommodations, housing, credit practices, union membership, and state agency practices or (2) deprive any person of any rights secured or protected by either the state or federal constitution. It does so by specifying that the term “race” under the state’s human rights law includes ethnic traits historically associated with race,

including hair texture and protective hairstyles. Under the law, “protective hairstyles” include wigs, headwraps, and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros, and afro puffs ([PA 21-2](#), effective upon passage).

### ***Gender Wage Discrimination***

This session, the legislature sought to reduce gender wage discrimination by enacting a new law that generally requires employers to provide equal pay for “comparable,” rather than equal, work. It also requires employers to provide job applicants and employees with the wage range for their positions ([PA 21-30](#), effective October 1, 2021).

### ***Public Employee Unions***

A new law requires public employers to provide public employee unions with certain information about new and current employees (e.g., their contact information) and access to new employee orientations and government buildings to conduct meetings. Among other things, the new law also requires public employers to (1) rely on a union’s certification that it has the necessary employee payroll deduction authorizations (e.g., to deduct union dues) and (2) direct employee requests to cancel or change their deductions to the union rather than the employer ([PA 21-25](#), effective October 1, 2021).

### ***Unemployment System Reform***

The legislature made numerous reforms to the state’s unemployment insurance (UI) system that start in 2024. For UI benefits, among other things, the new law generally (1) increases the minimum weekly UI benefit from \$15 to \$40 and correspondingly increases the minimum earnings needed to qualify for the minimum benefit from \$600 to \$1,600 and (2) freezes the maximum benefit allowed from 2024 through 2027.

For UI taxes paid by employers, among other things, the law (1) increases employers’ taxable wage base from \$15,000 to \$25,000 per employee and requires it to be annually adjusted for inflation; (2) expands the range of UI experience tax rates from 0.5% - 5.4% to 0.1% - 10%; and (3) generally reduces the maximum fund balance rate from 1.4% to 1.0% ([HB 6633](#), as amended; effective January 1, 2022).

## **Municipalities**

### ***Land Use Reform and the Commission on Connecticut's Development and Future***

A new law addresses varied aspects of municipal land use regulation, including housing opportunities in municipalities that exercise zoning authority under the statutes. It prohibits municipal zoning regulations from establishing minimum floor area requirements exceeding those in an applicable safety code and requires regulations to provide for varied housing opportunities and affirmatively further the federal Fair Housing Act's purposes. Unless a municipality opts out, the new law also (1) requires regulations to allow accessory apartments as of right on the same lot as single-family homes and (2) prohibits them from requiring more than one parking space for each studio or one-bedroom dwelling or more than two parking spaces for other dwellings.

The new law also establishes a commission within the Legislative Department to evaluate policies related to land use, conservation, housing affordability, and infrastructure. Among other things, the commission must (1) look at existing law's municipal affordable housing planning requirement and the state's sewer and septic system oversight and (2) develop model design guidelines for buildings and streets ([PA 21-29](#), various effective dates).

### ***Payment in Lieu of Taxes (PILOT) Program Changes***

A new law establishes a minimum reimbursement rate for PILOT grants and a method for prorating the grants when appropriations are not enough to fund the full grant amounts. This new proration method is based on each municipality's equalized net grand list per capita, designation as an alliance district, and percentage of state-owned property. It requires that municipalities and districts be divided into three tiers, based on these criteria, and ties their PILOT grant percentage (ranging from 30% to 50%) to the tiers ([PA 21-3](#), §§ 5-8, effective July 1, 2021).

### ***Use of Native American Mascots or Team Names***

Beginning in FY 23, a new law makes municipalities ineligible for grants from the Mashantucket Pequot and Mohegan Fund if a school or athletic team under its board of education's jurisdiction bases its mascot, team name, or logo on Native American individuals, customs, or traditions without tribal consent. It provides a grace period until FY 24 for any municipality that notifies OPM that, among other things, it intends to either change its mascot, team name, or logo or seek tribal permission to continue using it ([SB 1201](#), JSS, as amended, § 63, effective July 1, 2021).



## Public Health

### *Limited Services Pregnancy Centers*

A new law prohibits deceptive advertising by limited services pregnancy centers, which it defines as pregnancy services centers that do not directly provide, or provide referrals for, abortions or emergency contraception. Generally, the act applies to public statements about pregnancy-related services, or the provision of them, that the center knows or reasonably should know are deceptive.

The law allows the attorney general to bring court action against a center for a violation, provided he notifies the center in advance and allows 10 days for them to comply before doing so. Among other things, the court can order the center to pay for and disseminate appropriate corrective advertising. If the court finds that the center violated the above prohibition, the state is entitled to civil penalties and reasonable attorney's fees ([PA 21-17](#), effective July 1, 2021).

### *Long-Term Care*

The legislature made several changes concerning long-term care services provided by nursing homes and dementia special care units. Among other things, the new law requires:

1. these homes and units to employ a full-time infection and prevention control specialist;
2. nursing homes to maintain at least a two-month supply of personal protective equipment for their staffs;
3. DPH, by January 1, 2022, to modify minimum nursing home daily staffing levels to require at least three hours of direct care per resident; and
4. nursing homes, by January 1, 2022, to take certain actions to ensure residents have regular opportunities for in-person and virtual visitation with family members and friends ([PA 21-185](#), as amended, effective October 1, 2021).

The legislature also enacted a law to allow nursing home and assisted living facility residents to designate an "essential support person" who may visit the resident even when there are general visitation restrictions (e.g., during a public health emergency). An essential support person is someone who assists with activities of daily living and provides physical, emotional, psychological, and socialization support. The new law also requires DPH to establish a statewide policy for visitation with long-term care residents ([PA 21-71](#), effective upon passage).

## ***Racial Disparities in Public Health***

A new law includes various provisions on racial disparities in public health, pandemic preparedness, and related topics. For example, it:

1. declares racism as a public health crisis and creates a Commission on Racial Equity in Public Health to (a) make recommendations to decrease racism's effect on public health and (b) create a strategic plan to eliminate health disparities and inequities across several sectors;
2. requires DPH to study (a) the state's COVID-19 response and (b) developing a program to recruit and retain health care workers of color in the state; and
3. establishes a committee to advise the Public Health and Human Services committees on establishing a Commission on Gun Violence Intervention and Prevention ([PA 21-35](#), most provisions effective upon passage).

## ***School Immunization Requirements***

A new law eliminates the state's religious exemption from immunization requirements for individuals attending (1) public and private schools, including higher education institutions, and (2) child care centers and group and family day care homes. It grandfathers in students enrolled in grades kindergarten or higher who submitted a religious exemption prior to April 28, 2021, and continues to do so if they transfer to another public or private primary or secondary school in the state.

Children with prior religious exemptions who are enrolled in pre-kindergarten or other preschool programs generally must comply with immunization requirements by September 1, 2022, or within 14 days after transferring to a different public or private program, whichever is later. But the act allows these children to extend the timeframe if they present a written declaration from the child's physician, physician assistant, or advanced practice registered nurse that an alternative immunization schedule is recommended ([PA 21-6](#), effective upon passage).

## ***Telehealth***

In response to the COVID-19 pandemic, the governor issued several executive orders in the spring of 2020 to modify the practice of telehealth to ensure residents had continued access to care. During the July 2020 Special Session, the legislature enacted PA 20-2, which temporarily codified several provisions of the governor's orders until March 15, 2021. A new law extends these telehealth provisions until June 30, 2023.

Among other things, the law continues to (1) expand the types of health professionals authorized to provide telehealth services, (2) expand allowable service delivery methods (e.g., telephone-only services), (3) establish requirements for telehealth providers seeking payment from underinsured and uninsured payments, and (4) expand requirements for insurance coverage of telehealth services ([PA 21-9](#), effective upon passage).

## **Social Services**

### ***Expanded Postpartum Care***

A new law extends Medicaid and Children's Health Insurance Program (CHIP) coverage for postpartum care to 12 months after a woman gives birth. Under prior law, the Department of Social Services (DSS) generally provided coverage for 60 days after birth. The recently passed American Rescue Plan Act of 2021 (P.L. 117-2) allows states to implement this type of expansion. The law requires DSS to extend coverage beginning April 1, 2022 ([SB 1202](#), JSS, as amended, §§ 371 & 372, effective upon passage).

### ***Healthcare Regardless of Immigration Status***

Under a new law, certain people may be eligible for medical assistance (e.g., HUSKY Health) regardless of their immigration status. The act requires DSS to extend eligibility for medical assistance, subject to income limits and within available appropriations, to (1) children under age 9, beginning January 1, 2023, and (2) women for 12 months after giving birth, beginning April 1, 2023. It also requires the state to cover prenatal care for certain women under CHIP by April 1, 2022. Under the act, the Office of Health Strategy must study expanding coverage to older children too ([PA 21-176](#) and [SB 1202](#), JSS, as amended, § 380, both effective October 1, 2021, except the study requirement is effective upon passage).

### ***Limits on Public Assistance Liens***

In February, the legislature passed a law prohibiting the state from recovering cash and medical assistance from liens placed on real property, unless required to do so by federal law. In addition, the act requires the state to deem any certificate or lien previously filed on the properties released if the recoveries of the assistance are not required under federal law.

In the budget implementer act, the legislature further expanded these lien restrictions and deemed additional previously filed claims released. Among other things, the act (1) generally limits the state's claim against lawsuit proceeds and inheritances to the amount of the assistance paid that the state is required to recover under federal law and (2) expands the types of previously filed claims that must be deemed released to include any kind of claim filed

by or on behalf of the state, including state claims against property interests, estates, or proceeds from a lawsuit or estate, if the recovery is not required by state and federal law ([PA 21-3](#), §§ 2-4 and [SB 1202](#), JSS, as amended, §§ 497-500, both effective July 1, 2021).

## **Taxes**

### ***Highway Use Tax***

Beginning January 1, 2023, a new law imposes a highway use tax (HUT) on every carrier for the privilege of operating, or causing to be operated, certain heavy, multi-unit motor vehicles on any public road in the state. The HUT is charged at a per-mile rate that increases based on a vehicle's weight, ranging from (1) 2.5 cents for vehicles weighing 26,000-28,000 pounds (lbs.) to (2) 17.5 cents for vehicles weighing more than 80,000 lbs. Revenue from the tax must be deposited into the Special Transportation Fund ([PA 21-177](#), as amended, effective upon passage and applicable to calendar months beginning on or after January 1, 2023).

### ***State Tax Changes***

The FY 22-23 biennial budget implementer included a number of state tax changes. Among its most significant changes to the personal income tax, the act does the following:

1. increases the earned income tax credit (EITC) from 23% to 30.5% of the federal EITC, beginning with the 2021 tax year;
2. phases out, over four years, the tax on income from IRAs (other than Roth IRAs) for taxpayers with qualifying incomes, starting with the 2023 tax year; and
3. extends, to the 2021 and 2022 tax years, the limits on eligibility for the property tax credit against the personal income tax.

Among its business tax provisions, the act does the following:

1. extends the 10% corporation business tax surcharge for two additional years, to the 2021 and 2022 income years;
2. delays the start date of the capital base tax phase out by three years and extends the phase out period; and
3. increases the cap on the amount of R&D tax credits corporations may claim each year from 50.01% to 70% of their annual tax liability, phased in over two years.

Its other tax changes include the following:

1. allows certain businesses (e.g., hotels, restaurants, and bars) to keep 100% of the 7.35% sales tax they collect on sales of meals and beverages during one of three specified weeks in FY 22;
2. exempts breast pumps and certain related parts, supplies, kits, and repair services from the sales and use tax beginning July 1, 2021;
3. requires the Department of Revenue Services (DRS) to establish a tax amnesty program for individuals, businesses, or other taxpayers that owe Connecticut state taxes; and
4. beginning July 1, 2023, replaces the current 6% gross receipts tax on ambulatory surgical centers (ASCs) with a 3% net revenue tax on ASC services, subject to certain exclusions ([SB 1202](#), JSS, as amended, various sections and effective dates).

## **Transportation**

### ***Pedestrian and Bicyclist Safety***

The legislature passed several laws addressing pedestrian and bicyclist safety, generally, and the safety of specific vulnerable road users. Major provisions include:

1. allowing for local control of speed limits and the establishment of pedestrian safety zones in certain areas;
2. creating a Vision Zero Council to develop a statewide policy to eliminate all transportation-related fatalities and severe injuries;
3. expanding the circumstances under which drivers must yield to pedestrians at uncontrolled crosswalks;
4. establishing safety equipment requirements and operating rules for ice cream trucks and requiring drivers passing ice cream trucks that are vending to stop and proceed slowly; and
5. authorizing a two-year pilot program for speed camera enforcement in up to three highway work zones ([PA 21-28](#), [PA 21-20](#), and [SB 1202](#), JSS, as amended, §§ 330-339, most provisions effective October 1, 2021).

### ***Peer-to-Peer (P2P) Car Sharing***

A new law imposes regulatory requirements on “P2P car sharing,” which is when people share their vehicles for compensation through a platform operated by a P2P car sharing company (e.g., Turo and Getaround). The law covers insurance requirements, certain consumer protections, and airport operation agreements, among other things, and requires DRS to issue guidance on the sales tax treatment of P2P car sharing ([PA 21-106](#), §§ 52-65, most provisions effective January 1, 2022).

## ***Public Private Partnerships (P3)***

This session, the legislature reestablished, through January 1, 2027, the governor's authority to approve up to five P3 projects and made various changes to the P3 law, including (1) limiting its application to transportation projects only and (2) eliminating provisions restricting P3 projects to revenue-generating facilities and limiting the state's share of project costs. The legislature also established the Office of Innovative Finance and Project Delivery within the Department of Transportation to, among other things, recommend P3 opportunities to the commissioner ([PA 21-99](#) and [PA 21-175](#), § 503, effective upon passage).

## **Veterans**

### ***Expanded Definition of Veteran and Establishment of a Qualifying Review Board***

This session, the legislature extended state veterans benefits to individuals released from service with an other than honorable (OTH) discharge whose sexual orientation, gender identity, or gender expression is determined to be more likely than not the primary reason for the OTH discharge.

The law establishes a Qualifying Review Board to determine whether the veteran's discharge meets the law's criteria. Veterans whose applications are approved through the review board process are eligible to apply for state-based veterans benefits, including bonus points on state civil service exams, property tax exemptions, and tuition waivers at the state's public colleges and universities ([PA 21-79](#), effective October 1, 2021).

### ***Public School Enrollment and Services for Military-Connected Students***

Under a new law, boards of education must accept certain military orders indicating a member's transfer to the state as proof-of-residency for public school enrollment purposes, enabling military members' children to meet registration and application deadlines in advance of their physical relocation to the state. The law additionally requires the State Board of Education, within available appropriations, to establish a Purple Star School Program to designate schools that provide specific support services and assistance for military-connected students and their families (e.g., a designated military liaison, a student-led transition program, and staff training) ([PA 21-86](#), effective July 1, 2021).