

Senate, April 7, 1998. The Committee on Judiciary reported through SEN. WILLIAMS, 29th DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING DISRUPTIVE INDIVIDUALS IN ELDERLY HOUSING.

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

1 Section 1. Subsection (m) of section 8-113a
2 of the general statutes is repealed and the
3 following is substituted in lieu thereof:

4 (m) "Elderly persons" means persons sixty-two
5 years of age and over who lack the amount of
6 income which is necessary, as determined by the
7 authority or nonprofit corporation, subject to
8 approval by the Commissioner of Economic and
9 Community Development, to enable them to live in
10 decent, safe and sanitary dwellings without
11 financial assistance as provided under this part,
12 or persons who have been certified by the Social
13 Security Board as being totally disabled under the
14 federal Social Security Act or certified by any
15 other federal board or agency as being totally
16 disabled. [, except persons (1) currently using
17 illegal drugs, (2) currently abusing alcohol and
18 who have a recent history of disruptive or
19 dangerous behavior whose tenancy constitutes a
20 direct threat to the health or safety of another
21 individual or whose tenancy would result in
22 substantial physical damage to the property of

23 another or (3) with a recent history or disruptive
24 or dangerous behavior whose tenancy would
25 constitute a direct threat to the health and
26 safety of another individual or whose tenancy
27 would result in substantial physical damage to the
28 property of another.]

29 Sec. 2. (NEW) An elderly person, as defined
30 in subsection (m) of section 8-113a of the general
31 statutes, as amended by section 1 of this act,
32 shall not be eligible to move into a housing
33 project, as defined in subsection (f) of said
34 section 8-113a if he (1) is currently using
35 illegal drugs, (2) is currently abusing alcohol
36 and has a recent history of disruptive or
37 dangerous behavior and his tenancy (A) would
38 constitute a direct threat to the health or safety
39 of another individual, or (B) would result in
40 substantial physical damage to the property of
41 another, (3) has a recent history of disruptive or
42 dangerous behavior and his tenancy (A) would
43 constitute a direct threat to the health and
44 safety of another individual, or (B) would result
45 in substantial physical damage to the property of
46 another, or (4) was convicted of the sale or
47 possession of illegal drugs within the prior
48 twenty-four-month period.

49 STATEMENT OF LEGISLATIVE COMMISSIONERS: The title
50 was changed for accuracy.

51 AGE COMMITTEE VOTE: YEA 12 NAY 0 JFS C/R PD
52 PD COMMITTEE VOTE: YEA 19 NAY 0 JF C/R JUD
53 JUD COMMITTEE VOTE: YEA 39 NAY 0 JFS-LCO

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER sSB 326

| | |
|------------------|---|
| STATE IMPACT | None |
| MUNICIPAL IMPACT | See Explanation Below |
| STATE AGENCY(S) | Department of Economic and Community Development |

EXPLANATION OF ESTIMATES:

MUNICIPAL IMPACT: To the extent that the individuals that are barred from elderly housing lack the resources to obtain housing in the private market, additional costs could result for municipalities. The degree of the additional cost, if any, would vary by municipality as it is contingent upon the number of individuals, and magnitude of services which the municipality would need to provide to these individuals until other suitable housing arrangements can be made.

Housing Authorities:

Since it is not clear how Housing Authorities that operate elderly housing would obtain information about past convictions on prospective applicants, the fiscal impact of this aspect of the bill cannot be determined. If, Housing Authorities obtain police background checks from the State Police, no additional costs would result as they would be provided "free of charge". However, it should be noted that because of the backlog in this area the state could potentially incur additional cost in trying to meet the increased demand.

On the other hand, if the Housing Authority's contracted with a private entity, then additional costs would result directly to the authority. The extent of

the additional costs, if any, is indeterminate as it is contingent upon the specific contractual arrangement which the Authority has with the firm.

Since the debts and liabilities of a Housing Authority are not those of the municipality, the passage of this bill is not expected to have a direct fiscal impact on the municipality within which the housing authority is located.

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OLR BILL ANALYSIS

sSB 326

AN ACT CONCERNING DISRUPTIVE INDIVIDUALS IN ELDERLY HOUSING

SUMMARY: This bill bars elderly and disabled people from moving into state-assisted elderly housing if they have been convicted of selling or possessing illegal drugs in the past two years. The law already bars people who (1) currently use illegal drugs, (2) currently abuse alcohol and have a recent history of behaving in a disruptive or dangerous way that threatens others or would result in serious property damage, or (3) otherwise have a recent history of behaving disruptively or dangerously in a way that threatens others or would result in serious property damage.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

Aging Committee

Joint Favorable Substitute Change of Reference
Yea 12 Nay 0

Planning and Development Committee

Joint Favorable Change of Reference
Yea 19 Nay 0

Judiciary Committee

Joint Favorable Report
Yea 39 Nay 0