

# A Compendium of Statutory and Regulatory Mandates on Municipalities in Connecticut



a report by the  
**Connecticut Advisory Commission on  
Intergovernmental Relations**  
*[www.ct.gov/opm/acir](http://www.ct.gov/opm/acir)*

March 2014

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IN CONNECTICUT**

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**W. David LeVasseur, Chairman**

**Principal Author:**  
Bruce Wittchen



**STATE OF CONNECTICUT**  
**ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS**

March 2014

To the Connecticut General Assembly:

In accordance with P.A. 97-50, the Connecticut Advisory Commission on Intergovernmental Relations herewith submits this updated report on statutory and regulatory mandates affecting Connecticut municipalities. P.A. 97-50 now requires the Commission to publish the compendium every four years, with supplements to the compendium published in the intervening years. This is the first full compendium since 2010 and we have added all the new mandates adopted from 2010 – 2013, as well as removed mandates that have been repealed during that time. We have also edited some previous entries.

The nature of state statutory direction of municipal responsibilities has its origin in the State Constitution which, in Article Tenth, establishes that the General Assembly "shall by law delegate such legislative authority as from time to time it deems appropriate to towns, cities and boroughs relative to the powers, organization and form of government of such political subdivisions."

It has followed that the state statutes have been used to build a mosaic of authorizations, organizational frameworks and requirements regarding local government structure and operations. It is the degree of specificity of these state requirements that generally determines the policy relationship between the state and local governments. The greater the detail of the state law, the less flexibility and policy role exists for municipalities.

Regulatory mandates are those that are contained in formal state regulations, adopted in accordance with the Uniform Administrative Procedures Act. Regulations implement specific sections of the Connecticut General Statutes and are usually more detailed.

Regulations cannot be enacted absent statutory authority. To the best of our knowledge, the mandates in this report all have such authority, although caution should be used to ensure that the underlying statute is still in effect. In the past, we have found regulations where the underlying statute has been repealed. In the normal course of events, the affected state agencies will repeal regulations in accordance with section 4-168(g) of the general statutes; however, there may be a substantial period of time between the two events.

Users should be mindful that this publication is intended only as a reference guide to these regulations. In providing regulatory information to the public, the appropriate source for such information is the *Regulations of Connecticut State Agencies*. The regulations are published by the Commission on Legal Publications (<https://www.jud.ct.gov/colp/updated>) and are updated numerous times a year.

## **Types of Mandates**

We have organized this compendium into sections as follows:

Part I - includes the list of statutory mandates adopted by the General Assembly and is divided into three sections to reflect three different types of mandates:

Section A - includes the statutes that mandate actions on the part of municipalities;

Section B - includes statutes that mandate actions if a municipality chooses to perform a service which is not mandated (although the service may be essentially unavoidable);

Section C - includes statutes that are mandates on all entities performing certain functions including, but not limited to, municipalities.

Part II - includes the list of regulatory mandates adopted by state agencies and is divided into two sections;

Section A - includes the regulations that mandate actions on the part of municipalities;

Section B - includes regulations that mandate actions if a municipality chooses to perform a service which is not mandated (although the service may be essentially unavoidable);

## **Mandate Impact**

The mandates listed range widely in scope and impact, from such significant statutes as Section 10-15, which requires every town to provide public schools, to statutes with little individual impact on municipalities such as Section 9-309, which defines the procedure for announcing election returns.

Many of the statutes included in this report have impacts that clearly meet the statutory definition of mandate, while others have minimal effect by themselves, but cumulatively have a significant impact on either specific local officials or municipalities as a whole. A series of statutory requirements, all of which require attention and/or action by a local official (such as a school superintendent, a registrar of voters, or a town clerk), can have the effect of defining and mandating the essence of that job, while none of the individual requirements would be considered as being significantly intrusive.

It is important to point out that this listing of mandates should not be considered to be a "hit list" of "bad" statutes. State and local officials concur that some degree of state guidelines and direction is appropriate under our system of government from both legal and practical standpoints. Legally, the state is the sovereign entity and the municipalities are creatures of the state. Practically, there are many governmental issues that are administered by local governments, but in which statewide uniformity is important. These issues can range from elections to property assessment standards to police training to aspects of education administration, and beyond. The balancing of these public interests against the resulting costs has been and will continue to be the subject of much discussion and debate.

## **Mandate Costs**

This report contains an estimate of the costs of the Section A mandates. Municipalities point to the narrow revenue-raising base available to local governments under state law, a significant amount of which is

taken up in fulfilling state mandates. The property tax is essentially the only major source of tax revenue for local governments in Connecticut. This heavy reliance, as well as the uneven spread of property wealth among the municipalities, makes it difficult to place additional financial requirements on local governments.

The state points to its aid to local governments as one of the largest elements of the state budget, and as available for use by municipalities, particularly those with the greatest needs, in meeting state requirements. As with the debate over the substance of the mandates themselves, the issue of paying for state requirements is an ongoing dialogue. Each of the Section A mandates is characterized as to cost as being either significant, moderate or minor. These characterizations are defined on the page immediately following this letter under the heading Mandate Cost Characterization Definition.

## **Mandate Reductions**

A major concern of the commission over the years has been mandate reduction. The General Assembly passed several pieces of legislation that reduced or eliminated state mandates on municipalities since the 2010 edition of this Compendium. That legislation includes:

PA 10-151	An Act Concerning the Minimum Budget Requirement and Various Education Grants.
PA 10-171	An Act Concerning Municipal Mandate Relief.
PA 11-24	An Act Establishing a Paint Stewardship Program
PA 11-89	An Act Authorizing Notice of Zone Changes to be Sent by Electronic Mail
PA 11-99	An Act Concerning Interlocal Agreements
PA 11-173	An Act Concerning Revisions to Elections Related Statutes
PA 11-185	An Act Concerning Receipt by Electronic Mail of Municipal Tax Bills
PA 12-3	An Act Concerning the Exemption from Disclosure of Certain Addresses Under the Freedom of Information Act
PA 12-16	An Act Concerning the Firearms Evidence Databank
PA 12-27	An Act Authorizing Planning Commissions to Notify Regional Planning Agencies of Subdivision Applications by Electronic Mail
PA 12-72	An Act Concerning the Storage of Stolen Property by Law Enforcement Agencies and the Payment for Property Received by Precious Metals or Stones Dealers
PA 12-116	An Act Concerning Educational Reform
PA 12-132	An Act Streamlining Traffic Safety Evaluations
PA 12-146	An Act Concerning Persons Aggrieved by Decisions of Municipal Land Use Boards and the Penalties for Violating Municipal Blight Ordinances

PA 12-182	An Act Concerning Bonds and Other Surety for Approved Site Plans and Subdivisions
PA 13-42	An Act Concerning a Mattress Stewardship Program
PA 13-71	An Act Concerning Requirements For Competitive Bidding For the Award of Contracts or Purchase of Property by Municipalities
PA 13-78	An Act Concerning Water Infrastructure and Conservation, Municipal Reporting Requirements and Unpaid Utility Accounts at Multi-Family Dwellings
PA 13-209	An Act Concerning Department of Energy and Environmental Protection Regulatory Streamlining to Assist Municipalities
PA 13-222	An Act Conferring Corporate Powers on Certain Municipal Stormwater Authorities
PA 13-245	An Act Concerning Revisions to the Education Reform Act of 2012
PA 13-260	An Act Concerning the Timing of Certain Special Municipal Elections
PA 13-276	An Act Concerning Changes to Municipal Revenue Collection Statutes
PA 13-295	An Act Concerning the Delivery of Absentee Ballots by the Town Clerks
PA 13-299	An Act Streamlining State Government and Increasing Effectiveness

It should also be noted that PA 09-179 established a Health Benefit Review Program within the Insurance Department and required that department to evaluate statutorily mandated health benefits existing or effective as of July 1, 2009. The General Assembly's Insurance and Real Estate Committee also can request that the Health Benefit Review Program analyze possible mandated health benefits proposed in a legislative session. Additional information and links to that program's reports are available at <http://www.ct.gov/cid/cwp/view.asp?a=1254&q=447304>.

W. David LeVasseur  
ACIR Chairman

## **State Mandate Definition Connecticut General Statutes**

As defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a state court and any legislation necessary to comply with a federal mandate.

### **Mandate Cost Characterization Definition**

The task force developed the following general characterization criteria for the fiscal impact assessment of mandates:

Minor:	estimated to be less than 0.1% of the town operating budget
Moderate:	estimated to be 0.1 - 1% of the town operating budget
Major:	estimated to be more than 1% of the town operating budget

For instance, if a town budget is \$20 million, a major mandate would be anything that costs over \$200,000, a moderate mandate would be anything that costs between \$20,000 and \$200,000 and a minor mandate would be any that costs under \$20,000.

Although this is the definition that we used, there may be exceptions because mandates may impact communities differently. It should also be noted that while many individual mandates may be characterized as minor, the cumulative effect may be greater. For example, there are numerous minor education mandates which, taken together, require personnel just to monitor the mandates.

# Table of Contents

Index

## PART I: Statutory Mandates

<b>SECTION A</b> .....	<u>1</u>
<b>Title 1: Provisions Of General Application</b> .....	<u>1</u>
Public Records: General Provisions .....	<u>1</u>
Freedom Of Information Act .....	<u>2</u>
<b>Title 4: Management of State Agencies</b> .....	<u>7</u>
Office of Policy and Management; General Provisions; Budget and Appropriations; State Planning.....	<u>7</u>
<b>Title 7: Municipalities</b> .....	<u>7</u>
Town And Other Community Meetings .....	<u>7</u>
Selectmen .....	<u>9</u>
Town Clerks .....	<u>10</u>
Registrars Of Vital Statistics .....	<u>15</u>
Town Treasurers .....	<u>22</u>
Municipalities: General Provisions .....	<u>21</u>
Municipal Powers .....	<u>27</u>
Municipal Charters And Special Acts .....	<u>31</u>
Municipal Police and Fire Protection.....	<u>33</u>
Fire, Sewer And Other Districts .....	<u>35</u>
Municipal Uniform Fiscal Year .....	<u>36</u>
Municipal Auditing Act .....	<u>36</u>
Municipal Finance .....	<u>39</u>
Municipal Employees .....	<u>40</u>
<b>Title 8: Zoning, Planning, Housing, Economic Development And Human Resources</b> .....	<u>48</u>
Affordable Housing Land Use Appeals .....	<u>48</u>
Department Of Economic and Community Development: Housing. General Provisions .....	<u>49</u>
Department Of Economic and Community Development: Municipal Housing Projects .....	<u>49</u>
Municipal Development Projects.....	<u>50</u>
<b>Title 9: Elections</b> .....	<u>50</u>
General Provisions .....	<u>50</u>
Electors: Qualifications And Admission .....	<u>51</u>
Absentee Voting .....	<u>70</u>
Elections: .....	<u>77</u>
Voting Methods .....	<u>88</u>
Election Canvass And Returns .....	<u>98</u>
Elections And Primaries Contested .....	<u>102</u>
Referenda .....	<u>103</u>
Nominations And Political Parties .....	<u>105</u>
Presidential Preference Primary .....	<u>117</u>
Elections: Campaign Financing .....	<u>119</u>
<b>Title 10: Education And Culture</b> .....	<u>119</u>
State Board Of Education. Department Of Education .....	<u>119</u>
Education Evaluation And Remedial Assistance .....	<u>121</u>
Educational Opportunities .....	<u>122</u>
Teachers And Superintendents .....	<u>143</u>

Teachers' Retirement System .....	<u>158</u>
School Attendance And Employment Of Children .....	<u>159</u>
School Health And Sanitation .....	<u>162</u>
Boards Of Education .....	<u>169</u>
Town Management .....	<u>190</u>
Support Of Public Schools: Transportation .....	<u>191</u>
Public School Building Projects .....	<u>200</u>
Education Of The Blind .....	<u>203</u>
<b>Title 10a: State System of Higher Education</b> .....	<u>204</u>
Constituent Units.....	<u>204</u>
<b>Title 11: Libraries</b> .....	<u>205</u>
State Library .....	<u>205</u>
Public Libraries .....	<u>206</u>
<b>Title 12: Taxation</b> .....	<u>206</u>
State And Local Revenue Services: Department Of Revenue Services .....	<u>206</u>
Collection Of State Taxes .....	<u>209</u>
Property Tax Assessment .....	<u>210</u>
Local Levy And Collection Of Taxes .....	<u>240</u>
Property Tax Relief For Elderly Homeowners And Renters And Persons With Permanent Total Disability	<u>247</u>
Municipal Tax Liens .....	<u>250</u>
Air Carriers Tax .....	<u>252</u>
Public Service Companies Tax .....	<u>252</u>
Sales And Use Taxes .....	<u>253</u>
Real Estate Conveyance Tax .....	<u>261</u>
Gaming Policy, Regulation, and Revenue .....	<u>262</u>
<b>Title 13a: Highways And Bridges</b> .....	<u>266</u>
Definitions And Administration .....	<u>266</u>
Highway Construction And Maintenance .....	<u>266</u>
<b>Title 13b: Transportation</b> .....	<u>270</u>
Department of Transportation .....	<u>270</u>
Railroad Construction And Location .....	<u>270</u>
Railroad Operations .....	<u>270</u>
<b>Title 14: Motor Vehicles. Use Of The Highway By Vehicles. Gasoline</b> .....	<u>271</u>
Motor Vehicles .....	<u>271</u>
Vehicle Highway Use .....	<u>283</u>
Traffic Control And Highway Safety .....	<u>281</u>
Gasoline And Motor Oil Sales .....	<u>282</u>
<b>Title 15: Navigation And Aeronautics</b> .....	<u>283</u>
Harbors And Rivers .....	<u>283</u>
Aeronautics .....	<u>283</u>
Property Taxation At Bradley International Airport .....	<u>283</u>
Boating .....	<u>284</u>
<b>Title 16a: Planning and Energy Policy</b> .....	<u>285</u>
Energy Utilization and Conservation .....	<u>285</u>
<b>Title 16: Public Service Companies</b> .....	<u>285</u>
Telegraph, Telephone, Illuminating, Power, and Water Companies.....	<u>285</u>

<b>Title 17a: Social And Human Services And Resources</b> .....	<u>286</u>
Child Welfare .....	<u>286</u>
Addiction Services .....	<u>289</u>
<b>Title 17b: Social Services</b> .....	<u>291</u>
Financial Assistance .....	<u>291</u>
State-Administered General Assistance .....	<u>291</u>
<b>Title 19a: Public Health And Well Being</b> .....	<u>292</u>
Department Of Public Health .....	<u>292</u>
Emergency Medical Services .....	<u>295</u>
Municipal Health Authorities .....	<u>295</u>
District Departments of Health .....	<u>299</u>
Lung Disease, Tuberculosis, Chronic Illness And Breast And Cervical Cancer .....	<u>299</u>
Anatomical Donations .....	<u>300</u>
Cemeteries .....	<u>300</u>
Crematories .....	<u>301</u>
Medicolegal Investigations .....	<u>302</u>
Mass Gatherings .....	<u>302</u>
Miscellaneous Provisions .....	<u>303</u>
<b>Title 20: Professional And Occupational Licensing, Cert., Registration And Examining Boards</b> .....	<u>304</u>
Embalmers And Funeral Directors .....	<u>304</u>
<b>Title 21: Licenses</b> .....	<u>304</u>
Auctioneers .....	<u>304</u>
Junk Dealers .....	<u>304</u>
Itinerant Vendors .....	<u>305</u>
Closing Out Sales .....	<u>305</u>
Fine Art Secured Lenders .....	<u>305</u>
Mobile Manufactured Homes, Home Parks, Park Owners, Residents .....	<u>305</u>
<b>Title 22: Agriculture. Domestic Animals</b> .....	<u>307</u>
Agricultural Lands .....	<u>307</u>
Diseases Of Domestic Animals .....	<u>309</u>
Dogs And Other Companion Animals. Kennel And Pet Shops .....	<u>309</u>
Animal Population Control .....	<u>315</u>
<b>Title 22a: Environmental Protection</b> .....	<u>315</u>
Department of Energy and Environmental Protection State Policy.....	<u>316</u>
Wetlands And Watercourses .....	<u>316</u>
Coastal Management .....	<u>319</u>
Hazardous Waste .....	<u>321</u>
Air Pollution Control .....	<u>321</u>
Solid Waste Management .....	<u>323</u>
Soil Conservation .....	<u>326</u>
Water Resources .....	<u>327</u>
Water Pollution Control .....	<u>328</u>
Covered Electronic Devices .....	<u>330</u>
<b>Title 23: Parks, Forests, And Public Shade Trees</b> .....	<u>330</u>
Public Shade Trees and Tree Protection Examining Board .....	<u>330</u>
<b>Title 25: Water Resources, Flood And Erosion Control</b> .....	<u>332</u>
Pollution .....	<u>332</u>

<b>Title 26: Fisheries And Game</b> .....	<u>332</u>
Fisheries and Game .....	<u>332</u>
Local Shellfisheries .....	<u>335</u>
<b>Title 27: Armed Forces And Veterans</b> .....	<u>336</u>
Veterans .....	<u>336</u>
<b>Title 28: Civil Preparedness And Emergency Services</b> .....	<u>337</u>
Civil Preparedness. Department of Emergency Management and Homeland Security .....	<u>337</u>
Intrastate Mutual Aid Compact .....	<u>339</u>
Emergency Telecommunications .....	<u>339</u>
<b>Title 29: Public Safety And State Police</b> .....	<u>341</u>
Division Of State Police .....	<u>341</u>
Organized Crime Investigative Task Force. Regional Narcotics Squads And Coordinating Committee .....	<u>345</u>
Building, Fire And Demolition Codes. Fire Marshals and Fire Hazards. Safety of Pub. and Other Structures .....	<u>346</u>
<b>Title 30: Intoxicating Liquors</b> .....	<u>362</u>
Liquor Control Act .....	<u>362</u>
<b>Title 31: Labor</b> .....	<u>363</u>
Employment Regulation .....	<u>363</u>
Workers' Compensation Act .....	<u>365</u>
<b>Title 32: Commerce And Economic Development</b> .....	<u>366</u>
Connecticut Inovations, Incorporated.....	<u>366</u>
Innovation Capital Act of 1989. Connecticut Innovations, Incorporated.....	<u>366</u>
Industrial Development Bonds .....	<u>366</u>
<b>Title 38a: Insurance</b> .....	<u>367</u>
General Provisions .....	<u>367</u>
Health Care And Related Service Groups .....	<u>367</u>
<b>Title 43: Weights And Measures</b> .....	<u>368</u>
Weights and Measures .....	<u>368</u>
<b>Title 45a: Probate Courts And Procedures</b> .....	<u>369</u>
Probate Court: Administrative Provisions .....	<u>369</u>
<b>Title 46b: Family Law</b> .....	<u>370</u>
Marriage .....	<u>370</u>
Civil Union .....	<u>372</u>
Juvenile Matters .....	<u>372</u>
<b>Title 47: Land And Land Titles</b> .....	<u>373</u>
Land Titles .....	<u>373</u>
Fences .....	<u>375</u>
Condominium Act .....	<u>375</u>
<b>Title 47a: Landlord And Tenant</b> .....	<u>376</u>
Summary Process.....	<u>376</u>
<b>Title 49: Mortgages And Liens</b> .....	<u>376</u>
Mortgages .....	<u>377</u>
Liens .....	<u>377</u>

<b>Title 50: Lost And Unclaimed Property</b> .....	<u>380</u>
Lost and Unclaimed Property .....	<u>380</u>
<b>Title 51: Courts</b> .....	<u>380</u>
Courts .....	<u>380</u>
Justices Of The Peace .....	<u>382</u>
Infractions Of The Law .....	<u>383</u>
<b>Title 52: Civil Actions</b> .....	<u>384</u>
Civil Process, Service And Time For Return .....	<u>384</u>
Arbitration Proceedings .....	<u>385</u>
Statutory Rights Of Action And Defenses .....	<u>385</u>
<b>Title 54: Criminal Procedure</b> .....	<u>386</u>
Court Jurisdiction and Power .....	<u>386</u>
Information, Procedure And Bail .....	<u>388</u>
Trial And Proceedings After Conviction .....	<u>390</u>
Criminal Records .....	<u>391</u>
Registration Of Sexual Offenders .....	<u>392</u>
<b>Uncodified Public Acts (Section A Mandates)</b> .....	<u>394</u>
<b>SECTION B</b> .....	<u>398</u>
<b>Title 3: State Elective Officers</b> .....	<u>398</u>
Treasurer .....	<u>398</u>
<b>Title 4: Management Of State Agencies</b> .....	<u>398</u>
Office of Policy and Management: General Provisions; Budget and Appropriations; State Planning.....	<u>398</u>
<b>Title 4b: State Real Property</b> .....	<u>399</u>
State Real Property .....	<u>399</u>
<b>Title 7: Municipalities</b> .....	<u>399</u>
Town Clerks .....	<u>399</u>
Registers Of Vital Statistics .....	<u>399</u>
Town Manager .....	<u>399</u>
Municipalities: General Provisions .....	<u>399</u>
Historic Districts and Historic Properties .....	<u>402</u>
Municipal Powers .....	<u>403</u>
Municipal Charters And Special Acts .....	<u>405</u>
Municipal Parking Authorities .....	<u>405</u>
Municipal Gas And Electric Plants .....	<u>406</u>
Municipal Electric Energy Cooperatives .....	<u>406</u>
Municipal Waterworks Systems .....	<u>407</u>
Municipal Sewage Systems .....	<u>407</u>
Transit Districts .....	<u>407</u>
Municipal Resource Recovery Authorities .....	<u>408</u>
Municipal Police Departments .....	<u>408</u>
Fire, Sewer And Other Districts .....	<u>412</u>
Municipal Special Services District .....	<u>414</u>
Town Boards Of Finance .....	<u>414</u>
Municipal Reserve Fund .....	<u>415</u>
Municipal Bond Issues .....	<u>415</u>
Municipal Finance .....	<u>416</u>

Municipal Employees .....	<u>416</u>
Municipal Risk Management Tools .....	<u>417</u>
Connecticut City And Town Development Act .....	<u>417</u>
<b>Title 8: Zoning, Planning, Housing, Economic Development and Human Resources .....</b>	<b><u>418</u></b>
Zoning .....	<u>418</u>
Incentive Housing Zones .....	<u>421</u>
Municipal Planning Commissions .....	<u>422</u>
Department of Economic and Community Development: Municipal Housing Projects .....	<u>424</u>
Department of Economic and Community Development: Redevelopment and Urban Renewal; State and Federal Aid; Community Development; Urban Homesteading .....	<u>426</u>
Municipal Development Projects .....	<u>427</u>
Housing Redevelopment And Urban Renewal And Human Resource Programs .....	<u>428</u>
Rehabilitation Of Abandoned Industrial And Commercial Buildings .....	<u>428</u>
Housing Development Zones .....	<u>428</u>
<b>Title 9: Elections .....</b>	<b><u>428</u></b>
Electors: Qualifications And Admission .....	<u>428</u>
Absentee Voting .....	<u>429</u>
Referenda .....	<u>429</u>
Nominations And Political Parties .....	<u>429</u>
<b>Title 10: Education And Culture .....</b>	<b><u>430</u></b>
Educational Opportunities .....	<u>430</u>
Teachers' Retirement System .....	<u>434</u>
School Attendance And Employment Of Children .....	<u>434</u>
Boards Of Education .....	<u>434</u>
Town Management .....	<u>436</u>
Support Of Public Schools. Transportation .....	<u>436</u>
Public School Building Projects .....	<u>436</u>
State Historic Preservation Board .....	<u>436</u>
<b>Title 11: Libraries .....</b>	<b><u>437</u></b>
Public Libraries .....	<u>437</u>
<b>Title 12: Taxation .....</b>	<b><u>437</u></b>
Property Tax Assessment .....	<u>437</u>
Local Levy and Collection of Taxes .....	<u>438</u>
Municipal Tax Liens .....	<u>438</u>
Utility Companies Taxes .....	<u>439</u>
<b>Title 13a: Highways And Bridges .....</b>	<b><u>439</u></b>
Highway Construction and Maintenance .....	<u>439</u>
<b>Title 13b: Transportation .....</b>	<b><u>439</u></b>
Department of Transportation.....	<u>439</u>
<b>Title 14: Motor Vehicles. Use Of The Highway By Vehicles. Gasoline .....</b>	<b><u>440</u></b>
Motor Vehicles .....	<u>440</u>
Uniform Motor Vehicle Certificate of Title and Antitheft Act .....	<u>442</u>
Vehicle Highway Use .....	<u>442</u>
Traffic Control and Highway Safety .....	<u>443</u>
<b>Title 15: Navigation And Aeronautics .....</b>	<b><u>444</u></b>
Harbors And Rivers .....	<u>444</u>
Aeronautics .....	<u>444</u>

Boating .....	<u>444</u>
<b>Title 16: Public Service Companies</b> .....	<u>444</u>
Department of Energy and Environmental Protection. Public Utilities Regulatory Authority.	
Office of Consumer Counsel. Miscellaneous Provisions .....	<u>444</u>
Department of Public Utility Control: Telegraph, Telephone, Illuminating, Power and Water Companies ...	<u>445</u>
<b>Title 16a: Planning and Energy Policy</b> .....	<u>445</u>
Energy Utilization and Conservation .....	<u>445</u>
<b>Title 18: Correctional Institutions and Department Of Correction</b> .....	<u>445</u>
Department Of Correction .....	<u>445</u>
<b>Title 19a: Public Health And Well Being</b> .....	<u>445</u>
Municipal Health Authorities .....	<u>445</u>
<b>Title 21: Licenses</b> .....	<u>446</u>
Auctioneers .....	<u>446</u>
Junk Dealers .....	<u>446</u>
Hawkers and Peddlers .....	<u>446</u>
Pawnbrokers and Secondhand Dealers.....	<u>446</u>
Lodging Houses .....	<u>447</u>
<b>Title 21a: Consumer Protection</b> .....	<u>447</u>
General Provisions: Pure Food And Drugs .....	<u>447</u>
<b>Title 22a: Environmental Protection</b> .....	<u>447</u>
Coastal Management .....	<u>447</u>
Harbor Management Commissions .....	<u>448</u>
Hazardous Waste Management .....	<u>448</u>
Solid Waste Management .....	<u>448</u>
Solid Waste Management Services Act .....	<u>449</u>
Interstate Environmental Commission .....	<u>450</u>
Water Resources .....	<u>450</u>
Water Pollution Control .....	<u>451</u>
<b>Title 25: Water Resources. Flood And Erosion Control</b> .....	<u>451</u>
Flood Control And Beach Erosion .....	<u>451</u>
Lower Connecticut River Conservation Zone .....	<u>452</u>
Upper Connecticut River Conservation Zone .....	<u>452</u>
Niantic River Gateway Commission .....	<u>453</u>
Well Drilling .....	<u>453</u>
<b>Title 26: Fisheries And Game</b> .....	<u>453</u>
Fisheries And Game .....	<u>453</u>
Local Shellfisheries .....	<u>454</u>
<b>Title 27: Armed Forces and Veterans</b> .....	<u>456</u>
Veterans .....	<u>456</u>
<b>Title 28: Civil Preparedness And Emergency Services</b> .....	<u>456</u>
Civil Preparedness .....	<u>456</u>
<b>Title 29: Public Safety And State Police</b> .....	<u>456</u>
Department Of Emergency Services and Public Protection .....	<u>456</u>
Division Of State Police .....	<u>456</u>

Building, Fire And Demolition Codes. Fire Marshals And Fire Hazards. Safety of Pub. and Other Structures	<u>457</u>
<b>Title 32: Commerce And Economic Development</b>	<u>458</u>
Enterprise Zones, Enterprise Districts and Enterprise Corridor Zones and Airport Development Zones.....	<u>458</u>
Small Business Advisory Council	<u>458</u>
Economic Development And Manufacturing Assistance	<u>459</u>
<b>Title 36a: The Banking Law of Connecticut</b>	<u>459</u>
Regulated Activities	<u>459</u>
<b>Title 47: Land And Land Titles</b>	<u>459</u>
Easements and Restrictions	<u>459</u>
<b>Title 47a: Landlord And Tenant</b>	<u>460</u>
Pub. Enf. Of Health. And Safety Standards In Tenement And Boarding Houses, And In Rented Dwellings ..	<u>460</u>
<b>Title 48: Eminent Domain</b>	<u>460</u>
Eminent Domain: General Provisions	<u>460</u>
<b>Title 49: Mortgages And Liens</b>	<u>460</u>
Mortgages	<u>460</u>
<b>Title 53: Crimes</b>	<u>461</u>
Offenses against the Persons.....	<u>461</u>
Offenses Against Public Peace and Safety	<u>461</u>
<b>Title 54: Criminal Procedure</b>	<u>461</u>
Court Jurisdiction And Power	<u>461</u>
Information, Procedure and Bail	<u>462</u>
Victim Services	<u>462</u>
<b>Uncodified Public Acts (Section B Mandates)</b>	<u>462</u>
 <b>SECTION C</b>	 <u>465</u>
<b>Title 4: Management of State Agencies</b>	<u>465</u>
Single Audits and Program-Specific Audits for Recipients of State Financial Assistance	<u>465</u>
<b>Title 7: Municipalities</b>	<u>465</u>
Registers Of Vital Statistics	<u>465</u>
Municipal Powers	<u>465</u>
<b>Title 11: Libraries and Museums</b>	<u>466</u>
Museums	<u>466</u>
<b>Title 13a: Highways and Bridges.....</b>	<u>466</u>
Highway Construction and Maintanance.....	<u>466</u>
<b>Title 14: Motor Vehicles. Use Of The Highway By Vehicles. Gasoline</b>	<u>467</u>
Motor Vehicles	<u>467</u>
Vehicle Highway Use	<u>467</u>
<b>Title 15: Navigation And Aeronautics</b>	<u>468</u>
Boating	<u>468</u>

<b>Title 16: Public Service Companies</b> .....	<u>468</u>
Department of Energy and Environmental Protection. Public Utility Control: Office of Consumer Counsel. Miscellaneous Provisions.....	<u>468</u>
Public Utility Environmental Standards Act .....	<u>469</u>
Department of Public Utility Control: Telegraph, Telephone, Illuminating Power and Water Companies ...	<u>469</u>
<b>Title 16a: Planning and Energy Policy</b> .....	<u>470</u>
Operation of Fuel Supply Business .....	<u>470</u>
<b>Title 17b: Social Services</b> .....	<u>470</u>
Protective Services for the Elderly.....	<u>470</u>
<b>Title 19a: Public Health And Well Being</b> .....	<u>471</u>
Department Of Public Health .....	<u>471</u>
Emergency Medical Services .....	<u>471</u>
Cemeteries .....	<u>472</u>
Carcinogenic Substances .....	<u>472</u>
Healthcare Institutions.....	<u>472</u>
<b>Title 22a: Environmental Protection</b> .....	<u>473</u>
Air Pollution Control .....	<u>473</u>
Solid Waste Management .....	<u>473</u>
Water Resources .....	<u>474</u>
Dams And Reservoirs .....	<u>475</u>
Water Pollution Control .....	<u>475</u>
<b>Title 25: Water Resources. Flood And Erosion Control</b> .....	<u>476</u>
Pollution .....	<u>476</u>
<b>Title 26: Fisheries And Game</b> .....	<u>478</u>
Fisheries and Game .....	<u>478</u>
<b>Title 27: Armed Forces And Veterans</b> .....	<u>478</u>
Militia .....	<u>478</u>
<b>Title 31: Labor</b> .....	<u>478</u>
Employment Regulation .....	<u>478</u>
Wages .....	<u>480</u>
Unemployment Compensation .....	<u>480</u>
Workers' Compensation Act .....	<u>481</u>
Occupational Safety and Health Act .....	<u>483</u>
<b>Title 38a: Insurance</b> .....	<u>484</u>
Health Insurance .....	<u>484</u>
Insurance Guarantee Funds .....	<u>493</u>
Office of the Healthcare Advocate .....	<u>493</u>
<b>Title 46a: Human Rights</b> .....	<u>493</u>
Protection and Advocacy for Persons with Disabilities.....	<u>493</u>
Physical Restraint, Medication and Seclusion of Persons Receiving Care, Education or Supervision in a School, Institution or Facility .....	<u>493</u>
<b>Title 47a: Landlord and Advance Rental Pay</b> .....	<u>494</u>
Advance Rental Payment Security Deposits .....	<u>494</u>

<b>Title 51: Courts</b> .....	<u>494</u>
Jurors .....	<u>494</u>
<b>Title 52: Civil Actions</b> .....	<u>494</u>
Statutory Rights of Action and Defenses .....	<u>494</u>
<b>Uncodified Public Acts (Section C Mandates)</b> .....	<u>495</u>

## **PART II: Regulatory Mandates**

<b>SECTION A</b> .....	<u>496</u>
Title 4: Management of State Agencies .....	<u>496</u>
Title 7: Municipalities .....	<u>496</u>
Title 8: Zoning, Planning, Housing, Economic and Community Development and Human Resources .....	<u>497</u>
Title 9: Elections .....	<u>498</u>
Title 10: Education and Culture .....	<u>499</u>
Title 11: Libraries .....	<u>501</u>
Title 12: Taxation .....	<u>501</u>
Title 13b: Transportation .....	<u>502</u>
Title 14: Motor Vehicles. Use of the Highway by Vehicles. Gasoline .....	<u>503</u>
Title 15: Navigation And Aeronautics .....	<u>504</u>
Title 16: Public Service Companies .....	<u>504</u>
Title 16a: Planning and Energy Policy .....	<u>505</u>
Title 17a: Social and Human Services and Resources .....	<u>506</u>
Title 17b: Social Services .....	<u>506</u>
Title 19: Public Health and Safety .....	<u>506</u>
Title 19a: Public Health and Well Being .....	<u>508</u>
Title 22: Agriculture. Domestic Animals.....	<u>510</u>
Title 22a: Environmental Protection .....	<u>510</u>
Title 26: Fisheries and Game .....	<u>512</u>
Title 28: Civil Defense and Emergency Services .....	<u>512</u>
Title 29: Public Safety and State Police .....	<u>512</u>
Title 31: Labor .....	<u>515</u>
Title 54: Criminal Procedure .....	<u>515</u>
<b>SECTION B</b> .....	<u>516</u>
Title 7: Municipalities .....	<u>516</u>
Title 8: Zoning, Planning, Housing, Economic and Community Development and Human Resources .....	<u>516</u>
Title 10: Education and Culture .....	<u>517</u>
Title 11: Libraries .....	<u>519</u>
Title 12: Taxation .....	<u>519</u>
Title 14: Motor Vehicles. Use of the Highway by Vehicles. Gasoline .....	<u>520</u>
Title 15: Navigation And Aeronautics .....	<u>522</u>
Title 16: Public Service Companies .....	<u>522</u>
Title 16a: Planning and Energy Policy .....	<u>523</u>
Title 17: Public Assistance And Welfare Services .....	<u>523</u>
Title 17a: Social and Human Services and Resources .....	<u>523</u>
Title 17b: Social Services .....	<u>523</u>
Title 19: Public Health and Safety .....	<u>524</u>
Title 19a: Public Health and Well Being .....	<u>524</u>
Title 20: Professional and Occupational Licensing, Certification .....	<u>525</u>
Title 22a: Environmental Protection .....	<u>525</u>

Title 26: Fisheries and Game.....	<u>525</u>
Title 28: Civil Defense and Emergency Services .....	<u>526</u>
Title 32: Commerce and Economic and Community Development .....	<u>526</u>

## Part I - Statutory Mandates

# SECTION A

**Statute  
Section**

**Description and History**

## Title 1: Provisions Of General Application

*PUBLIC RECORDS: GENERAL PROVISIONS*

1-9            Alkaline Paper For Permanent Records. - Requires those persons having custody of any permanent record or register of any political subdivision of the state to use alkaline paper only. Any person who violates any provision of this section shall be fined up to one-hundred dollars.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 152 - act deleted "county".

1967, PA 468 - act changed "book of record" to "permanent record", "registry" to "register" and "town, city, borough" to "political subdivision" and required paper used to consist of 100% rag content.

P.A. 89-167 - substituted alkaline paper for one hundred per cent rag content paper.

P.A. 91-144 - substituted "paper that meets or exceeds the American National Standards Institute standards for permanent paper and meets such additional specifications as may be issued by the public records administrator, unless such paper is not available" for "papers that conform to American National Standards Institute for permanent paper for printed library materials (ANSI Z3948) approved by the public records administrator".

**Estimated Cost Characterization:** Minor

1-10            Standard Ink For Public Records. - Requires all persons having the care or custody of any book of record or registry to use only that ink approved by the public records administrator. Failure to do so will result in a fine up to one-hundred dollars.

**Enactment:** Prior to 1949

**Amendment:** 1959, PA 152 - act deleted "county."

**Estimated Cost Characterization:** Minor

1-11            Loose-Leaf Binders For Public Records. - Requires all persons having the care or custody of any book or record or registry to use only those loose-leaf binders approved by the public records administrator. Failure to do so will result in a fine up to one-hundred dollars.

**Enactment:** Prior to 1949

**Amendment:** 1959, PA 152 - act deleted "county."

**Estimated Cost Characterization:** Minor

*FREEDOM OF INFORMATION ACT*

1-202 (Formerly 1-20e) Application Of Freedom Of Information Provisions To Agency Committee Composed Entirely Of Individuals Who Are Not Members Of The Agency. - Requires that all committees created by a public agency, even if there are no public officials on the committee, must comply with the requirements of the Freedom Of Information Act, unless exempted by the freedom of information commission.

**Enactment:** 1993, PA - 195

**Estimated Cost Characterization:** Minor

1-206 (Formerly 1-21i) Denial Of Access To Public Records Or Meetings. Appeals. Notice. Orders. Civil Penalty. Service Of Process Upon Commission. Frivolous Appeals. - Requires that any denial of the right to inspect or copy records provided in section 1-19 be made in writing. It also states that any improper meeting notice could result in the declaration by the freedom of information commission that all actions taken at such meeting are null and void..

**Enactment:** 1975, PA 342

**Amendments:** P.A. 76-435 - made technical changes.

P.A. 77-403 - changed "person" to "party".

P.A. 77-603 - required that court appeals be made in accordance with Sec. 4-183.

P.A. 77-609 - changed provisions for appeals to freedom of information commission and provided that legal counsel represent the commission in court appeals.

P.A. 78-331 - made technical changes, reiterating amendments of P.A. 77-603.

P.A. 81-431 - added provisions in Subsec. (b) clarifying time of filing of notice of appeal and authorizing imposition of civil penalties for unreasonable denials, added a provision in Subsec. (d) re service of process upon the commission and deleted reference to commission's authority to impose fines for willful and unreasonable denials.

P.A. 83-129 - amended Subsec. (b) to allow the commission to penalize those who bring frivolous appeals and amended Subsec. (d) by allowing the court to order those engaged in dilatory or frivolous appeals to pay the injured party's costs or attorney's fees.

P.A. 83-587 - made technical change in Subsec. (c).

June Sp. Sess. P.A. 83-31 - established an expedited hearing procedure for appeals involving executive sessions, effective July 1, 1984.

P.A. 84-112 - increased civil penalty for denial of right of access to records from five hundred to one thousand dollars.

P.A. 84-136 - provided for extended appeal period in the case of an unnoticed or secret meeting.

P.A. 84-311 - added provision re commission standing in appeals in Subsec. (d).

P.A. 86-408 - changed time limit for hearing and decision on appeal to one year after filing of notice and required that commission adopt regulations establishing criteria for privileged assignment for hearing for certain appeals which must be decided within ninety days after filing.

P.A. 87-285 - amended Subsec. (b) to require notice to the employee of any appeal to the commission regarding denial of access to his personnel or medical files, and to allow the employee to intervene as a party in the proceedings.

P.A. 87-526 - amended Subsec. (d) to allow court to conduct in camera review of records which are at issue in appeal but not included in record of commission's proceedings.

P.A. 88-230 - replaced "judicial district of Hartford-New Britain" with "judicial district of Hartford", effective September 1, 1991.

P.A. 88-317 - amended references to Ch. 54 and Secs. 4-177 to 4-184 in Subsec. (b) to include new sections added to Ch. 54 and substituted "subsection (c) of section 4-183" for "subsection (b) of section 4-183" in Subsec. (d), effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.

P.A. 88-353 - added requirement in Subsec. (b) re notice to collective bargaining representative.  
P.A. 90-98 - changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993.  
P.A. 90-307 - S. 1, re appeals re records of environmental protection department relating to state hazardous waste program, was added editorially as Subsec. (e) in 1991.  
P.A. 92-207 - amended Subsec. (a) to allow ten days for the denial of the right to inspect and copy records and to require that denial be made in writing pursuant to Subsecs. (b) and (c) of Sec. 1-20a.

**Estimated Cost Characterization:** Minor

1-210

Access To Public Records. Exempt Records. (Formerly 1-19) - Requires municipalities to maintain all public records and to make them open for public inspection, in a manner provided by this section. Also, all public agencies are required to notify the Department of Correction of any request by a person confined in a correctional institution or facility for disclosure of any public record under the Freedom of Information Act.

**Enactment:** 1957, PA 428

**Amendments:** 1963, PA 260 - act required that public records be kept in accessible place at regular office and at office of town clerk or secretary of the state if no regular office exists.  
1967, PA 723 - act excluded certain records from definition of "public record" for disclosure purposes and required public agencies to keep records of proceedings.  
1969, PA 193 - act provided that certified copies would be admitted as evidence in court proceedings.  
1971, PA 193 - act required disclosure of records of investigations re tenement, lodging or boarding houses.  
P.A. 75-342 - changed "town clerk" to "clerk of any political subdivision," rewrote provisions regarding exclusion of certain records from consideration as public records for disclosure purposes and specifically required disclosure of records of investigations re nursing or rest homes or homes for the aged.  
P.A. 76-294 - clarified meaning of "arrest records of a juvenile".  
P.A. 77-609 - prohibited requiring disclosure of names and addresses of public school or college students.  
P.A. 79-119 - replaced provision in Subsec. (a) which had allowed inspection or copying of records at reasonable time determined by their custodian with provision allowing inspection during office or business hours and copying as provided in Sec. 1-15.  
P.A. 79-324 - clarified Subsec. (c).  
P.A. 79-575 - provided exception to disclosure of students' names and addresses for use by towns in verifying tuition payments and prohibited requiring disclosure of information obtained illegally.  
P.A. 79-599 - prohibited requiring disclosure of records or name of state employee providing information for "whistle blowing" investigation.  
P.A. 80-483 - made technical changes.  
P.A. 81- 40 - amended Subsec. (b) to exclude adoption records and information provided for in Secs. 45-68e and 45-68i from disclosure requirements.  
P.A. 81-431 - amended Subsec. (c) to specifically require disclosure of memoranda and other documents which constitute part of the process by which governmental decisions and policies are formulated with a limited exception for preliminary drafts of memoranda, rather than of "all records of investigation..." as previously provided.  
P.A. 81-448 - protected from disclosure name and address of victim of sexual assault, injury or risk of injury or impairing or attempting to impair morals.  
P.A. 83-436 - amended Subsec. (c) to require disclosure of names of firms obtaining bid documents from any state agency.  
P.A. 84-112 - amended Subsec. (a) to provide that agency rules or regulations that conflict with that subsection or diminish rights granted by that subsection are void.

P.A. 84-311 - amended disclosure exemption for trade secrets in Subsec. (b) by eliminating limitation to information obtained from the public.

P.A. 85-577 - added Subdiv. (15) of Subsec. (b) regarding pages of a primary petition, a nominating petition, a referendum petition or a petition for a town meeting.

P.A. 90-335 - amended Subsec. (b) by adding Subdiv. (3)(F) re uncorroborated allegations subject to destruction pursuant to Sec. 1-20.

P.A. 91-140 - substituted "pending claims or pending litigation" for "pending claims and litigation" in Subsec. (b).

P.A. 94-246 amended Subdiv. (3) of Subsec. (b) to add provision in Subpara. (A) re disclosure of "the identity of witnesses not otherwise known whose safety would be endangered or who would be subject to threat or intimidation if their identity was made known" and insert a new Subpara. (B) re disclosure of "signed statements of witnesses", relettering the remaining Subparas. Accordingly.

P.A. 95-233 amended Subsec. (b) by adding Subdiv. (16) re records of municipal health authorities and district departments of health complaints.

P.A. 96-130 amended Subsec. (b)(14) by adding reference to Sec. 45a-751.

P.A. 97-47 amended Subsec. (b) by substituting "the Freedom of Information Act" for list of sections.

P.A. 97-112 substituted "residential care home" for "home for the aged" in Subsec. (c). P.A. 97-293 amended Subsec. (b) to add Subdiv. (17) re educational records, effective July 1, 1997; Sec. 1-19 transferred to Sec. 1-210 in 1999.

P.A. 99-156 amended Subsec. (b) by adding Subdiv. (18) re records that Commissioner of Correction believes may result in safety risk if disclosed and added new Subsec. (c) re requests for disclosure by persons confined in correctional institutions or facilities, relettering former Subsec. (c) as Subsec. (d).

P.A. 00-66 made a technical change in Subsec. (b)(18).

P.A. 00-69 amended Subsec. (b) to add new Subdiv. (19) re certain records that may result in a safety risk, inserted new Subsec. (d) re requests under Subdiv. (b)(19) made to a public agency other than the Judicial Department, and redesignated former Subsec. (d) as Subsec. (e), effective May 16, 2000.

P.A. 00-134 amended Subsec. (b)(8) to substitute "the applicant's" for "his" and to add new Subdiv. (20) re records not otherwise available to the public, the disclosure of which would compromise the security or integrity of an information technology system.

P.A. 00-136 redefined trade secrets in Subsec. (b)(5) and added Subpara. and clause designators in Subsec. (b)(5).

June Sp. Session P.A. 00-1 amended Subsec. (b)(18) and Subsec. (c) to add references to Whiting Forensic Division facilities of Connecticut Valley Hospital and to Commissioner of Mental Health and Addiction Services.

**Estimated Cost Characterization:** Minor

1-211

(Formerly 1-19a) Disclosure of Computer - Stored Public Records. Contracts. Acquisition Of System, Equipment, Software To Store Or Retrieve Nonexempt Public Records. - Extends the disclosure requirements of section 1-19 to any public records maintained in a computer storage system.

**Enactment:** 1975, PA 342

**Amendments:** P.A. 90-307 - added Subsec. (b) re disclosure of copy of voter registration data maintained in a computer storage system.

P.A. 91-347 - repealed former Subsec. (a) which had required agencies to provide printouts of data, relettered former Subsec. (b) as Subsec. (a), amending provisions to apply to "public records" instead of "voter registration records", to substitute "nonexempt data contained in such records" for "voter registration data", to add clause "if the agency can reasonably make such copy or have such copy made" and to add a sentence re cost for a copy, added new Subsec. (b) re prohibition on contracts and obligations impairing public's right to inspect or copy computerized nonexempt

public records, and added Subsec. (c) re agency requirements before acquiring computer system, equipment or software to store or retrieve nonexempt public records, effective July 1, 1992.

**Estimated Cost Characterization:** Minor

1-212 (Formerly 1-15) Application For Copies Of Public Records. Certified Copies. Fees. - Requires public records to be provided to any person with a written request and places a limit on the fee charged to such person. Under certain circumstances, provided by this section, the public agency must waive any fee completely. (Sec. 1-15. Transferred to Chapter 14, Sec. 1-212)

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 352 - act doubled fees for certifying copies of records.

P.A. 75-342 - provided that copies of public records be provided upon written request, that fees for copies, printouts or transcriptions of public records not exceed their cost and that fees be waived in certain cases.

P.A. 77-609 - differentiated between fees charged for copies and fees charged for printouts or transcriptions, allowed agencies to require prepayment of fees and prohibited charging sales tax for fees estimated to be \$10.00 or more.

P.A. 89-251 - increased the maximum fee for copies from twenty-five cents per page to fifty cents per page.

P.A. 90-307 - deleted provisions re maximum fee for a "printout" and added sentence re maximum fees for copies provided under Sec. 1-19a(b).

P.A. 91-347 - divided section into Subsecs., deleted reference to Subsec. (a) of Sec. 1-19a in Subsec. (a) and added provisions in Subsec. (b) re costs for a copy other than a printout, effective July 1, 1992.

**Estimated Cost Characterization:** Minor

1-213 (Formerly 1-19b) Agency Administration. Disclosure Of Personnel. Birth And Death Records. Judicial Records And Proceedings. - Requires each public agency to open its records concerning the administration of such agency to public inspection, and to disclose information in its personnel files, birth records or confidential tax records to the individual who is the subject of such information.

**Enactment:** 1975, PA 342

**Amendments:** P.A. 79-118 - provided that Secs. 1-15, 1-18a, 1-19 to 1-19b and 1-21 to 1-21k be construed to require public agencies to open records concerning their administration and to disclose personnel, birth and tax records to individuals.

P.A. 87-568 - added Subdiv. (2) to Subsec. (b), specifying when disclosure of any record of a personnel search committee not required.

**Estimated Cost Characterization:** Minor

1-214 (Formerly 1-20a) Public Employment Contracts As Public Records. Objection To Disclosure Of Personnel Or Medical Files. - Requires the municipality to notify an employee, in a manner provided by this section, whenever it receives a request from someone to inspect or copy records of such employee.

**Enactment:** 1973, PA 271

**Amendments:** P.A. 78-331 - deleted reference to repealed Sec. 1-20.

P.A. 87-285 - added Subsecs. (b) and (c), granting employees the right to object to the disclosure of their personnel or medical files and establishing standards and procedures for such objections.  
P.A. 88-353 - added Subdiv. (2) to Subsec. (b), re notice to collective bargaining representative, and amended Subsec. (c) to allow collective bargaining representative to object to disclosure of records, to require objection to be on agency form signed under penalties of false statement and to allow employee to approve disclosure if collective bargaining representative objects.  
P.A. 92-207 amended Subsec. (c) by increasing the number of days for receiving a written objection from an employee or collective bargaining representative re disclosure of records from four to seven and increasing the time limit re the nonreceipt of the written notice from seven to nine.

**Estimated Cost Characterization:** Minor

1-217 (Formerly 1-20f) Nondisclosure of residential addresses of certain individuals. Written request for nondisclosure. Redaction. Exceptions. Liability of public agency, public official or employee for violation. Hearing. Penalty. - Requires a public agency, including a municipality, to follow specified procedures if it receives a request for records specified in this section.

**Enactment:** 1995, PA 95-163

**Estimated Cost Characterization:** Minor

1-225 Meetings Of Government Agencies To Be Public. Recording Of Votes. Schedule And Agenda Of Meetings To Be Filed. Notice Of Special Meetings. Executive Sessions. - Requires all meetings of public agencies to be open to the public. Also requires that the minutes of such meeting be made available within seven days, that each agency file with the town clerk a schedule of all regular meetings of such agency for the ensuing year, and that the agenda for such meetings must be made available to the public twenty-four hours before the meeting. Notice of special meetings must be published at least twenty-four hours before the meeting and must specify the time, place and business to be transacted at the special meeting. (Formerly 1-21)

**Enactment:** 1957, PA 468

**Amendments:** 1967, PA 723 - act required filing schedules for meetings of public bodies with secretary of the state or clerks in political subdivisions of the state and made provisions regarding special meetings.

1971, PA 499 - act required that votes taken in closed executive sessions be available for public inspection and recorded in the minutes.

P.A. 75-342 - excluded the general assembly and its committees from provision requiring that schedule of meetings be filed, expanded provisions re special meetings and changed vote margin required to hold closed executive session from simple majority to two-thirds majority.

P.A. 76-435 - made technical changes.

P.A. 77-609 - required that the general assembly provide in its joint rules for giving notice of meetings, made provisions regarding agendas for regular public meetings and required that written notice of special meetings be sent to agency members.

P.A. 83-67 - required multitown districts and agencies to notify their member towns of the schedule of regular and special meetings and to file minutes of such meetings.

P.A. 83-148 - added a new Subsec. (b) which clarifies the method to be used in determining the time in which a notice or agenda is required to be given, deleting provisions in former language, now Subsec. (a), made redundant by its inclusion and adding provisions in Subsec. (a) requiring secretary or clerk to post notice in his office and requiring that notice be given at least twenty-four hours before time of special meeting.

P.A. 84-546 - amended Subsec. (b) to apply provisions to "offices of the clerk of each municipal member of any multitown district or agency".

P.A. 85-613 - made technical changes, deleting reference to Sec. 2-45.  
P.A. 08-3 (June 11 Special Session) - Requires public agencies to post, on available websites, meeting dates, times and minutes required by law to be publicly disclosed.  
P.A. 10-171 – Removed a requirement that minutes of meetings must be posted on a municipality’s website.

**Estimated Cost Characterization:** Minor

1-228 (Formerly 1-21d) Adjournment Of Meetings, Notices. - Whenever all the members of a public agency are absent from any regular meeting the clerk or secretary of such body may declare the meeting adjourned and shall send written notice of the adjournment and the time and place of the next meeting to the members of such body as provided in Section 1-21, unless such notice is waived as provided for special meetings. A copy of this order must be posted on or near the door of the place where the meeting was held within twenty-four hours of the adjournment.

**Enactment:** 1975, PA 342

**Estimated Cost Characterization:** Minor

1-229 (Formerly 1-21e) Continued Hearings, Notice. - This section applies the requirements of section 1-21d to the adjournment of public hearings.

**Enactment:** 1975, PA 342

**Estimated Cost Characterization:** Minor

## Title 4: Management of State Agencies

*OFFICE OF POLICY AND MANAGEMENT: GENERAL PROVISIONS; BUDGET AND APPROPRIATIONS; STATE PLANNING*

4-124u Process for voluntary review of projects of regional significance. - Requires regional planning organizations (RPOs) to establish a pre-application review for projects with a regional significance and that local agencies participate, upon request of an RPO.

**Enactment:** 2009, P.A. 09-165

**Estimated Cost Characterization:** Minor

## Title 7: Municipalities

*TOWN AND OTHER COMMUNITY MEETINGS*

7-1 Annual And Special Town Meetings. Holding Of Meetings Outside Town. - Requires each town to hold an annual meeting for the transaction of business proper to come before such meeting.

**Enactment:** Prior to 1949

**Amendments:** P.A. 73-412 - deleted requirement that annual meeting be held on first Monday in October barring other provisions in law.  
P.A. 77-56 - added Subsec. (b) re meetings held outside of town.

**Estimated Cost Characterization:** Minor

7-3 Warning Of Town And Other Meetings. - Requires notice of any municipal meeting to be posted near the town clerk's office and to publish such notice in a newspaper with circulation in that municipality, in a manner provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 212 - act deleted provisions for posting warnings on signposts in the municipality and substituted posting on signpost or other exterior place nearest clerk's office.  
P.A. 84-146 - made technical grammatical change.

**Estimated Cost Characterization:** Moderate

7-4 Record Of Warning. - Requires the person who posts or causes to be posted, municipal meeting notices to inform, in writing, the person who's duty it is to keep record of such meeting, showing the notice given of such meeting and requires such notice to be kept on file.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-7 Conduct Of Meeting Of Municipal Corporations, Vote By Ballot Or Voting Machine; When. - Specifies the manner in which municipal corporations are to be assembled. Requires the clerk, upon petition from the requisite number of electors, to submit items on the agenda of such meeting to a vote, either by paper ballots or voting machine on a separate day.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 593 - act substituted deciding of questions in accordance with standard parliamentary practices for deciding by majority vote and authorized adoption of rules of order by ordinance.

1967, P.A. 805 - act changed poll opening from 8 to 6 a.m. and amended town's options re hours to remove option of shorter voting period than specified.

1969, P.A. 3 - acts changed poll hours from between "6 a.m. and 6 p.m." to between "twelve noon and eight p.m." and replaced former option of keeping polls open until eight p.m. with option for earlier opening than specified.

P.A. 73-467 - changed requirements for petition to ten per cent of population or the previous two hundred persons, whichever is less.

P.A. 79-631 - made technical changes.

P.A. 81-228 - allowed selectmen to call for referendum on their own initiative.

P.A. 86-170 - required that designation on ballot label be in form of question.

**Estimated Cost Characterization:** Minor

7-9 Petitions For Vote. Form. Statement By Circulator. - Requires municipal clerks to provide the forms to electors for petitions.

**Enactment:** 1957, PA 347

**Amendment:** 1971, PA 871 - act substituted "false statement" for "perjury".

**Estimated Cost Characterization:** Minor

7-9b Hours Of Voting At Referenda. - Requires municipalities conducting a referendum on a day other than a state or local election to open the polls between 6:00 AM -Noon.

**Enactment:** 1967, PA 805

**Amendments:** 1969, PA 3, 694 - acts changed poll hours from between "six a.m. and six p.m." to between "twelve noon and eight p.m.", removed distinctions between towns and cities and boroughs in voting on poll hours and replaced former option for eight p.m. closing with option for earlier opening.

**Estimated Cost Characterization:** Minor

7-9c Dates And Hours Of Referenda. - Requires, unless otherwise provided by law, that a referendum be held no earlier than the thirtieth day after publication of notice in a newspaper having general circulation in the municipality.

**Enactment:** 1969, PA 426

**Amendments:** 1971, PA 507 - act added specific provisions for questions submitted at elections and deleted reference to questions "not involving a constitutional amendment or the election of municipal officers".

P.A. 89-297 - deleted "pursuant to petitions filed" after "scheduled" in last sentence, providing that section does not apply to any votes scheduled under Sec. 7-7.

P.A. 97-276 - added provision requiring referendums to be consistent with the local charter, special act or home rule ordinance.

**Estimated Cost Characterization:** Minor

## *SELECTMEN*

7-12 Duties Of Selectmen. - Requires the selectmen to superintend the concerns of the town, adjust and settle all claims against it and draw orders on the treasurer for their payment. They must make a monthly report to the treasurer on the amount and number of orders drawn on them and they shall keep a permanent record of all expenditures.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-12b Record Of Meetings. - Requires the boards of selectmen to keep accurate records of all minutes of their meetings and to make them available to the public.

**Enactment:** 1965, PA 599

**Estimated Cost Characterization:** Minor

7-13 Orders On Town Treasurer. - Requires selectmen to draw orders on the town treasurer in duplicate, with the duplicate to contain a comprehensive statement of the amount and purpose for which such order was drawn. Any person violating this section shall be fined up to one-hundred dollars.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-14 Land Record Indexes. Examination Of Land Records. Attestation Of Records And Photocopies. Town Records. Certification As To Examination Of Records And Indexes. General Index Of Land Records. Penalties. - Requires the selectmen or administrative head of each town to have the land records examined annually. Omissions and errors must be reported to the clerk. The selectmen or administrative head must also annually ascertain the condition of all records of their respective towns and cause any such necessary repairs. A certificate must be submitted to the public records administrator that the inspection has been completed. Any selectmen or administrative head who fails to comply with the provisions of this section will be fined twenty-five dollars.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 48 - act added provision for attestation of records in towns using photographic process.

1967, PA 225 - act included administrative heads other than selectmen, deleted requirement that examiners of land records be appointed in September and that selectmen or administrative head check condition of records, required certification to examiner of public records and removed requirement that fine be levied for each month's delay.

**Estimated Cost Characterization:** Minor

#### *TOWN CLERKS*

7-16a Notice To Secretary Of The State Of Appointment Of Town Clerk, Vacancy In Appointed Office Of Town Clerk. - Requires the chief executive official or appointing authority of a town to file notice with the secretary of the state whenever a town clerk is appointed under a special law or a town charter or when there is a vacancy in the office.

**Enactment:** 1987, PA 387

**Estimated Cost Characterization:** Minor

7-19 Assistant Town Clerks. Notice To Secretary Of The State Of Appointment, Vacancy. - Requires the town clerk to file a notice with the secretary of state within ten days of any assistant town clerk appointment or vacancy, in a manner provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 182 - act added provision assistant town clerks shall in absence or inability of clerk "have all his powers".

P.A. 73-198 - changed number of assistant clerks from "one or two" to "not more than three".

P.A. 82-327 - specified that towns may appoint assistants in another manner if charter or ordinance so provides and removed the bond provision from this section.

P.A. 87-387 - required town clerk to notify secretary of the state of appointment of an assistant town clerk or vacancy in office of assistant town clerk.

**Estimated Cost Characterization:** Minor

7-23 Records And Copies. - Requires town clerks to keep the records of their towns, including all votes of the town, and to give true copies of the same upon request. All certified copies must be affixed with the town seal, for which no fee may be charged.

**Enactment:** Prior to 1949

**Amendment:** 1967, PA 655 - act substituted "records" for "books".

P.A. 97-89 - substituted "micrographic, electronic imaging or any other process approved by the Public Records Administrator" for "process".

**Estimated Cost Characterization:** Minor

7-24 Record And Index Of Instruments; Repairs; Certified Copies. - Requires town clerks to provide suitable books, files or systems which are acceptable to the public records administrator for the keeping of town records. Such supplies shall be paid for by the town. The town is also responsible to pay for the records to be properly and substantially bound. The clerks must make copies of old records which are worn or illegible and then cause the originals to be repaired, rebound or renovated. All work done under this section shall be paid for by the municipality and shall be completed in a manner provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1967, PAs 389, 655 - acts divided section into Subsecs. (a), (b) and (c) and added Subsec. (d) re daily index record book, replaced references to "books" and "record books" with "records", added to Subsec. (b) allowance for alternate recording system approved by examiner of public records and removed from Subsec. (d) specific reference to daily index record book.

P.A. 93-389 - added Subsec. (e) specifying the responsibilities of a town clerk upon receiving an illegible instrument for record and providing that the fact that the clerk records the instrument as illegible does not affect its priority or validity.

May 25 Sp. Session P.A. 94-1- made technical change in Subsec. (e).

**Estimated Cost Characterization:** Minor

7-25 Index. - Requires town clerks, within five days of receipt of an instrument for the records, to enter the names of all the grantors in a grantor index and all the grantees in a grantee index, in a manner prescribed by this section. Also, the town clerk must enter a property owner's name in the grantor index when recording a mortgage assignment or other transfer of an interest in a mortgage.

**Enactment:** Prior to 1949

**Amendments:** 1967, PAs 389, 655 - acts allowed five days for recording information rather than twenty-four hours, provided for separate grantor and grantee indexes, cross-indexing of person first identified as grantor or grantee, indexing of book and page where recorded and declared index to be a permanent public record.

P.A. 01-74 – added requirement to include the property owner's name when recording a mortgage assignment.

**Estimated Cost Characterization:** Minor

- 7-25a      Electronic Indexing System. - Requires all municipalities to provide public access to an electronic indexing system that combines the grantor index and the grantee index of the town's land records by January 1, 2009.
- Enactment:** 2007, P.A. 252
- Estimated Cost Characterization:** Minor
- 7-26      Errors To Be Corrected. - Requires town clerks to correct all errors and omissions to the land records of such town.
- Enactment:** Prior to 1949
- Estimated Cost Characterization:** Minor
- 7-26a      Indemnification Of Clerk With Respect To Claims Arising Out Of Land Record Errors.- Requires each town to indemnify and save harmless the town clerk of such town from financial loss on expenses arising out of any claim, demand, suit or judgment by reason of alleged negligence resulting in any errors or omissions in the indexing or recording of any instrument in the land records of such town.
- Enactment:** 1973, PA 285
- Amendment:** P.A. 74-24 included claims for errors in recording in indemnification of town clerk.
- Estimated Cost Characterization:** Minor
- 7-27      Municipal Records To Be Kept In Fire Resistive Vaults Or Safes. - Requires all municipalities to keep their public records in fire-resistive vaults or safes that shall conform to regulations adopted by the public records administrator.
- Enactment:** Prior to 1949
- Amendments:** 1959, PA 152 - act deleted references to counties.  
1967, PA 495 - act amended section extensively, replacing "fire-proof" with "fire-resistive", deleting references to buildings, substituting public records administrator for examiner of public records and records management committee for state library committee, replacing reference to selectmen, mayors and wardens with "chief administrative officer", deleting provisions re purchase of safes and public school records and replacing them with provisions re compliance in accordance with Sec. 11-8 and re standards established by records administrator.  
P.A. 77-614 - substituted commissioner of administrative services for records management committee.  
P.A. 80-338 - replaced commissioner with state librarian.
- Estimated Cost Characterization:** Minor
- 7-29      Release Or Assignment Of Mortgage Or Lien. Digitized Images. - Requires all municipalities to provide public access to an electronic indexing system that combines the grantor index and the grantee index of the town's land records by January 1, 2009.

**Enactment:** Prior to 1949

**Amendments:** P.A. 00-92 - made provisions applicable to a partial release or assignment, required a notation on first page where mortgage or lien is recorded and deleted requirement for a memorandum, added requirement that if land records are not maintained in paper form, clerk shall make the notation on the digitized image of the first page, and made technical changes for the purpose of gender neutrality;

P.A. 07-252 – added provision that all municipalities to provide public access to an electronic indexing system that combines the grantor index and the grantee index of the town’s land records by January 1, 2009.

**Estimated Cost Characterization:** Minor

7-31 Maps Of Survey And Plots, Filing Requirement. Copies. - Requires town clerks, upon request, to make and certify copies of any map of surveyed or plotted land within such town. The selectmen of each town must provide cases, or books of appropriate size, in which such maps may be properly preserved.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 528 - act deleted fee payable to clerk.

1965, PA 98 - act deleted requirement that town clerk number maps keep records thereof and permitted recording maps by photographic process, retaining originals for reference.

P.A. 74-28 - required that maps made on or after October 1, 1974, be drawn or printed on translucent linen or other approved material, changed size specifications and specifications for cases.

P.A. 75-41 - added third option for map size, i.e. eighteen by twenty-four inches.

P.A. 96-180 - replaced state Examiner of Public Records with Public Records Administrator.

**Estimated Cost Characterization:** Minor

7-32 Index Of Surveys And Maps. - Requires town clerks to keep two index books known as the "Index of Surveys and Maps" and the "Index of Surveys and Maps by Streets" and to keep information on maps filed with them in a manner provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1965, PAs 98, 574 - acts required index entry to contain names of owners and the date on which filed and deleted requirement to include name of surveyors.

1969, PA 567 - act added provisions concerning "Index of Surveys and Maps by Streets".

**Estimated Cost Characterization:** Minor

7-34a Fees. - Stipulates the fees that town clerks are to receive for the recording of certain documents, such as warranty deeds, quit claim deeds, mortgage deeds, etc. Requires compensation for all services, other than those in subsection (a) of this section and which are not fixed by the state, to be paid by the governing body of the municipality.

**Enactment:** 1963, PA 528

**Amendments:** 1971, PA 286 - act provided for ten-dollar payment to index surveys or maps in Subsec. (a).

1972, PA 150 - act changed fee for indexing surveys or maps to five dollars, except where subdivisions concerned fee became fifteen dollars.

P.A. 74-56 - revised fees for recording documents using page basis rather than word basis and deleted sentence regarding additional fees for pages exceeding ten by sixteen inches.

P.A. 75-154 - deleted provisions covering character size and set flat fee for certifying copies rather than fee per page.

P.A. 76-271 - added fees for recording warranty and quitclaim deeds and assignments of mortgages.

P.A. 77-478 - added fee for recording documents re tax commissioner.

P.A. 77-614 and P.A. 78-303 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 81-34 - amended Subsec. (a) by adding a fee of ten dollars for recording the commission and oath of a notary public and a fee of two dollars for certification of a notary, effective July 1, 1982.

P.A. 82-323 - increased various fees.

P.A. 85-60 - changed required address of grantee from last-known mailing address to current mailing address.

P.A. 85-257 - inserted a new Subsec. (b) providing that the fees for recording documents include payment for the return of each document to the designated addressee by the town clerk and redesignated former Subsec. (b) as Subsec. (c).

P.A. 85-385 - amended section to require fifty cent fee for each marginal notation of an assignment of mortgage subsequent to the first two assignments.

P.A. 89-217 - changed the fee for recording the first page of any document from five dollars to ten dollars and for mortgage assignments after the first two, from fifty cents to one dollar.

P.A. 90-175 - increased recording fee for documents from seven dollars and fifty cents to ten dollars and specified that such documents be clearly titled "statutory form".

P.A. 93-389 - amended Subsec. (a) to change the fee for making a copy of any document from "one dollar for the first page or two hundred words or fractional part thereof, as the case may be, and fifty cents for each additional page or two hundred words or fractional part thereof, as the case may be" to "one dollar for each page or fractional part thereof, as the case may be".

P.A. 00-92 - amended Subsec. (a) to substitute "for a copy of any document" for "for making a copy of any document"; P.A. 00- 146 added new Subsec. (d) providing for an additional fee of three dollars to be used for historic preservation, effective July 1, 2000; June Sp. Sess. P.A. 00-1 - amended Subsec. (d) to specify its inapplicability to document recorded on land records by a state or municipal employee in conjunction with employee's official duties and to define "municipality".

P.A. 06-163 – amended Subsec. (e) to expand the definition of a municipality exempt from the land record fees associated with this section to include any municipal corporation or department thereof created by a special act of the General Assembly.

**Estimated Cost Characterization:** Minor

7-34b

Accounting Of Fees Required. Salary In Lieu Of Fees. - Requires the town clerk at the end of each fiscal year to give an accounting of all his fees and compensation provided by the General Statutes to be paid to the clerk by the legislative body of such municipality. Also, stipulates that if the town clerk receives a salary in lieu of all fees and compensation, that any such fees collected shall be deposited in accordance with such provisions of law as govern the deposit of moneys belonging to such town.

**Enactment:** 1971, PA 477

**Amendment:** P.A. 80-368 - inserted Subsec. (a) re required accounting and made previous provisions Subsec. (b).

**Estimated Cost Characterization:** Minor

*REGISTRARS OF VITAL STATISTICS*

7-37 Town Clerk, Ex-Officio Registrar. Notice To Secretary Of The State Of Appointment Of Registrar, Vacancy In Appointed Office Of Registrar. - Requires, except in towns where registrars are elected or appointed under special laws, the town clerk to be the ex-officio registrar of vital statistics. If a registrar is appointed under special law or a town charter, the appointing authority or the chief executive official of the town must notify the secretary of the state within ten days of such appointment or vacancy in that position. Additionally, newly elected or appointed registrar of vital statistics must notify DPH within ten days and, in the event of a vacancy, the first selectman or chief executive official of the town must notify DPH of the vacancy within ten days.

**Enactment:** Prior to 1949

**Amendment:** P.A. 87-387 added Subsec. (b) re notice to secretary of the state of appointment of registrar of vital statistics or vacancy in appointed office of registrar of vital statistics.  
P.A. 11-242, Sec. 6 added the notification requirement for a newly elected or appointed registrar.

**Estimated Cost Characterization:** Minor

7-41 Returns And Records. - Requires a registrar of vital statistics, within sixty days after a return has been made to him, to record the same and at once place it in a temporary binder until a sufficient number have been collected to put into book form.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-42 Duties. - Mandates the duties of each registrar of vital statistics, among which include ascertaining all marriages, deaths and births, in a manner provided by this section. Requires registrars to keep all records in a fire-proof safe or in the vaults provided for the land records of the town or in such other location as provided by the public records administrator. Registrars must also send to the commissioner of public health and addiction services, on a monthly basis, copies of all marriage, birth and death certificates, in a manner provided by this section, and whenever they make a correction to a birth, marriage, death or fetal death certificate, to send an authenticated copy of the corrected certificate to the Department of Public Health. The registrar must keep sufficient documentation to support such corrections.

**Enactment:** Prior to 1949

**Amendments:** 1965, PA 529 - act authorized the storage of records in locations other than the registrar's office or the town vaults.

1967, PA 656 - act made technical correction, authorizing registrars to "correct" rather than "collect" certificates and records.

1969, PA 319 - act placed errors and omissions concerning parentage within health department's jurisdiction.

1971, PA 580 - act deleted provision that registrar records births, marriages and deaths in books furnished by health department.

P.A. 77-614 - substituted commissioner and department of health services for commissioner and department of health, effective January 1, 1979.

P.A. 79-434 - replaced reference to Sec. 19-16 with Sec. 19-15a.

P.A. 80-483 - made technical changes.

P.A. 87-252 - added provision re transmission of death notice by registrar of vital statistics to registrars of voters.

P.A. 90-67 - rephrased first sentence re requirement that registrar ascertain only births occurring in his town and added provision requiring registrar having original of birth, marriage or death certificate to forward any corrected certificate to any registrar having a copy.  
P.A. 93-381 - replaced department and commissioner of health services with department and commissioner of public health and addiction services, effective July 1, 1993.  
P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.  
June 18 Sp. Session P.A. 97-7 - required registrar to include Social Security numbers of both persons on marriage licenses.  
June 18 Sp. Session P.A. 97-8 - added gender errors or omissions to department jurisdiction.  
June 18 Sp. Session P.A. 97-10 - deleted gender errors or omissions from department jurisdiction.  
P.A. 01-163 – added requirement that registrars send copies to the Dept. of Public Health whenever changes to a birth, marriage, death or fetal death certificate.

**Estimated Cost Characterization:** Minor

7-44 When Copies Of Certificates To Be Filed In Another Town. - Requires that whenever a marriage, birth or death certificate is filed with the wrong registrar of vital statistics, the registrar transmit the certificate to the proper town's registrar.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 282 - act added exception re child born out of wedlock; P.A. 77-614 substituted commissioner and department of health services for commissioner and department of health, effective January 1, 1979.  
P.A. 90-67 substituted "mother" for "parents" and deleted exception in first sentence for child born out of wedlock.  
P.A. 93-381 - replaced department and commissioner of health services with department and commissioner of public health and addiction services.  
P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

7-46 To Complete Records. False Entry. - Requires the registrars of vital statistics to complete the records of their respective towns by adding thereto a record of all the births, marriages and deaths that have occurred since the date of their incorporation, of which no certificate has been returned to their office. Any registrar who knowingly makes a false entry of any such record shall be fined up to fifty dollars or imprisoned up to three months.

**Enactment:** Prior to 1949

**Amendment:** P.A. 79-434 deleted reference to repealed Sec. 7-62 and added reference to Sec. 7-62b.

**Estimated Cost Characterization:** Minor

7-47 Indexes. - Requires the registrar of vital statistics to keep alphabetically arranged separate indexes in which they are to record each birth, marriage, death or fetal death.

**Enactment:** Prior to 1949

**Amendment:** P.A. 01-163 – stipulated that registrars keep separate indexes on all vital records, including fetal deaths.

**Estimated Cost Characterization:** Minor

7-48

Birth Certificate: Filing Requirements. - Requires the registrar of vital statistics to register any properly filed birth certificate and also requires the person in charge of a public medical institution to file such certificate with the registrar when the birth occurs in or en route to the institution.

**Enactment:** Prior to 1949

**Amendments:** 1967, PA 146 - act deleted specific reference to sex of child and parents names, age, color, residence, birthplace, occupation etc. and required consideration be given to national uniformity.

1971, PA 323 - act added provisions regarding use and disposition of confidential information, effective January 1, 1972.

P.A. 73-45 - required parents' social security numbers on birth certificates except as provided in Sec. 7-50.

P.A. 77-614 - substituted department of health services for department of health, effective January 1, 1979.

P.A. 79-434 - deleted provisions regarding filing of certificate by doctor, midwife or parents and provisions enumerating contents of certificate, replacing them with general statements and added Subsecs. (b) to (d), inclusive.

P.A. 84-8 - amended Subsec. (a) to require the department of health services to destroy the confidential portion of a birth certificate at the end of three years, rather than one year.

P.A. 93-105 - amended Subsec. (a) to require electronic transfer of birth information after January 1, 1994, for hospitals with two hundred or more live births in calendar year 1990; P.A. 93-381 - replaced department of health services with department of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

June 18 Sp. Sess. P.A. 97-7 - amended Subsec. (a) by requiring birth certificate to contain information re voluntary acknowledgments of paternity and whether child was born out of wedlock.

**Estimated Cost Characterization:** Minor

7-51

Examination Of Birth Certificates And Records Restricted. - Requires registrars of vital statistics to limit access and issuance of a certified copy of birth and fetal death records to specified eligible parties for records less than one hundred years old.

**Enactment:** Prior to 1949

**Amendments:** 1971, P.A. 228 - act provided that members of legally incorporated genealogical societies may have access to records.

1972, P.A. 127 - act changed age of majority from twenty-one to eighteen.

P.A. 77-614 - substituted department of health services for department of health, effective January 1, 1979.

P.A. 89-217 - added the local director of health to the list of persons who may be permitted to examine the birth certificate or birth record of any person.

P.A. 93-381 - replaced department of health services with department of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

P.A. 96-258 - deleted "legally incorporated" and added "incorporated or authorized to do business or conduct affairs in this state, and allowed children, spouse and grandparent access to original birth certificate.

June 18 Sp. Sess. P.A. 97-8 - added phrase "or his authorized agent" after director of health, effective July 1, 1997.

P.A. 01-163 – stipulated that registrars issue only certified copies of birth or fetal death certificates for those events occurring less than 100 years prior to the date of the request

**Estimated Cost Characterization:** Minor

7-52 Certificate Of Birth Registration. - Requires registrars of vital statistics to issue, upon request of someone sixteen years of age or older, or the parent, a certification of birth registration.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - substituted department of health services for department of health, effective January 1, 1979.

P.A. 81-138 - specified persons who are allowed access to birth registration records upon request, replacing "any person".

P.A. 90-67 - added provision authorizing registrar of town in which mother resided at time of birth to issue certification of birth registration and inserted Subdiv. indicators.

P.A. 93-381 - replaced department of health services with department of public health and addiction services, effective July 1, 1993.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

7-59 Report Of Foundling Children. - Requires the executive authority of any public agency or medical institution, upon accepting the temporary custody of any foundling child, to report to the registrar of vital statistics of the municipality where the child was found, in a manner provided by this section.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - substituted department of health services for department of health.

P.A. 93-381 replaced department of health services with department of public health and addiction services, effective July 1, 1993.

P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health,

**Estimated Cost Characterization:** Minor

7-62b Death Certificates; Filing And Registration; Responsibilities Of Funeral Directors And Licensed Embalmers; Medical Certification; Burial Of Person Who Died From Communicable Disease; "Presumptive" Death Certificates; Regulations. - Requires the registrar of vital statistics to register all properly filed death certificates.

**Enactment:** 1979, PA 434

**Amendments:** P.A. 83-299 - amended Subsec. (c) to allow the commissioner of health services, upon notification from a funeral director or embalmer, to assess a civil penalty against a physician

who fails to complete the medical portion of the death certificate within twenty-four hours after death.

P.A. 92-10 - amended Subsec. (c) by adding an exception for pronouncement of death by a registered nurse.

P.A. 93-381 - replaced department and commissioner of health services with department and commissioner of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

June 18 Sp. Session P.A. 97-7 - amended Subsec. (b) by requiring Social Security number of deceased person to be recorded on death certificate.

**Estimated Cost Characterization:** Minor

7-65

Burial Permits. Sub Registrars. - Requires the registrar of vital statistics to issue a burial permit before anyone may be buried. The registrars must also appoint suitable persons, who are to be authorized to issue burial permits. The appointments are to be in writing and reported to the department of public health and addiction services.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 315 - act provided for appointment of additional subregistrars to accommodate governmental institutions.

1971, PA 27 - act deleted provision limiting subregistrars to two and provision, made obsolete thereby, for special appointments exceeding the limit.

P.A. 73-26 - added provisions concerning consideration of chief medical examiner as subregistrar and payment of burial and removal permits.

P.A. 77-614 - substituted department of health services for department of health, effective January 1, 1979.

P.A. 79-47 - provided for consideration of deputy chief medical examiner and associate medical examiners as subregistrars.

P.A. 79-434 - replaced specific reference to funeral director's certificate with "any other certificate".

P.A. 93-381 - replaced department of health services with department of public health and addiction services, effective July 1, 1993;

P.A. 95-184 - required burial permit specification to be by section, lot, grave or other place of interment.

P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

7-68

Issuance Of Disinternment Or Removal Permit. - Requires the registrar of vital statistics to issue, upon request, a permit for the disinternment or removal of a body, with certain exceptions, so long as the registrar has a death or burial certificate on file.

**Enactment:** Prior to 1949

**Amendment:** P.A. 79-434 deleted reference to funeral director's certificate.

**Estimated Cost Characterization:** Minor

7-72

Sexton's Reports. - Requires the registrar of vital statistics, whenever a permit has been given for the disinterment and removal of a body, to make a memorandum on his records of such removal and the place to which such body was removed.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 substituted department of health services for department of health, effective January 1, 1979.

P.A. 93-381 - replaced department of health services with department of public health and addiction services, effective July 1, 1993.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

7-73

Fees Of Registrars. Marriage License Surcharge. - Stipulates the fees which are to be paid to registrars of vital statistics for the performance of their duties, ranging from five cents to ten dollars, depending on the activity, and requires that the fees be paid by the town.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 13 - act deleted provision for paying twenty-five cents to persons furnishing certificates required by sections 7-48 and 7-62.

1965, PA 145 - act raised fee for license to marry from one to five dollars and deleted provisions regarding attaching affidavits to marriage licenses.

1971, PA 284 - act increased fee for issuing burial or removal permit to one dollar and deleted provisions re reports of foundling children.

P.A. 80-117 - increased marriage license fee to six dollars and burial or removal permit fee to two dollars.

P.A. 89-217 - changed the fees as follows: (1) From twenty-five cents to two dollars for the recording, indexing, copying or endorsing of each birth, marriage or death certificate, (2) from six dollars to ten dollars for a license to marry and (3) from two dollars to three dollars for each burial or removal permit.

P.A. 92-203 - added Subsec. (b) re marriage surcharge to fund shelters for victims of household abuse and rape crisis services.

P.A. 93-11 - amended Subsec. (b) to provide fees be sent to the department of health services instead of the state treasurer and to provide for the deposit of funds into a separate account in the general fund, effective July 1, 1993;

P.A. 93-262 - authorized substitution of department of social services for department of human resources, effective July 1, 1993;

P.A. 93-381 - replaced commissioner and department of health services with commissioner and department of public health and addiction services and made technical changes, effective July 1, 1993;

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995 (Note: The words "the department of" were deleted editorially by the Revisors in Subsec. (b) references to Commissioner of Social Services and Commissioner of Public Health for consistency with customary statutory usage);

P.A. 00-92 - amended Subsec. (a) to delete one-dollar fee for ascertaining, recording and indexing each birth or death of which no certificate has been returned, to delete five-cent fee for certifying to each certificate returned by physicians, midwives and persons having charge of burial places, to delete ten-cent fee for endorsing and recording each burial permit filed, to delete fifty-cent fee for the sexton or other person making returns required by section 7-72 and similar twenty-five-cent fee for registrars, and to delete requirement that all such fees, except those for certificates of

license to marry and for removal permits, be paid by the town in which the duties for which said fees are allowed are performed.

**Estimated Cost Characterization:** Minor

7-74

Fees For Certification Of Birth Registration And Certified Copy Of Vital Statistics Certificate. - Requires the five dollar fee for certified copies of birth, marriage and death certificates be waived for the Department of Public Health.

**Enactment:** Prior to 1949

**Amendments:** 1971, P.A. act increased birth registration fee from fifty cents to one dollar and fee for copy from one to two dollars and exempted department of health from payment; P.A. 77-614 substituted department of health services for department of health, effective January 1, 1979; P.A. 80-117 increased fee for registration to two dollars and for copying to three dollars; P.A. 89-217 increased fees (1) for certification of birth registration from two to five dollars and (2) for a certified copy of a certificate of birth, marriage or death from three dollars to five dollars; P.A. 93-114 increased fees for certification of birth registration and for a certified copy of a certificate of birth from five to fifteen dollars, effective July 1, 1993; P.A. 93-381 replaced department of health services with department of public health and addiction services, effective July 1, 1993; P.A. 94-51 reduced fees for birth certificates and certification of birth registration except for those issued by the department from fifteen to five dollars, effective May 19, 1994; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 01-163 made technical changes; P.A. 04-255 removed the waiver of five dollar fee for federal agencies.

**Estimated Cost Characterization:** Minor

7-76

Fees For Records Relating To Residents Of Other Towns. - When a resident of one town requests a copy of a marriage, birth or death certificate from the registrar of vital statistics of another town, the fees shall be paid by the town from where the request is made. All bills for such fees are to be submitted by such registrars to such other towns annually by February 1 except that no payment is due when the annual amount is less than \$26.

**Enactment:** Prior to 1949

**Amendments:** 1971, PA 284 - act added references to marriage and marriage records. PA 00-92 - act eliminated payments between municipalities when annual total is less than \$26.

**Estimated Cost Characterization:** Minor

#### *TOWN TREASURERS*

7-80

Duties Of Treasurer. Appointment Of Deputy. - Requires the town treasurer to receive all money belonging to the town, make payments, and keep a record of all monies received and paid out, in a manner prescribed by this section.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 28 - act deleted requirement of annual accounting by trial justices, said office having been abolished by same act.  
1969, PA 186 - act added Subsec. (b) re payment procedure for town obligations.  
P.A. 82-239 - removed obsolete reference to town deposit fund.  
P.A. 86-207 - amended Subsec. (a) to provide for the appointment of a deputy.

**Estimated Cost Characterization:** Minor

7-83 Town Orders To Be Signed By Majority Of The Selectmen. - Requires all orders drawn on the treasurer in payment of expenses of the town to be signed by a majority of the selectmen of such town. Any town treasurer who pays an order without these signatures shall be fined up to one-hundred dollars.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-84 Record And Annual Report Of Town Orders. - Requires the town treasurer to keep a record of all town orders presented to him for payment, in a manner provided by this section.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

#### *MUNICIPALITIES: GENERAL PROVISIONS*

7-101 Town Seal. - Requires that every town provide itself with a seal that contains, at a minimum, the name of the town and state and the word "seal"

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-101a Protection Of Police Officers And Municipal Employees From Damage Suits. Reimbursement Of Defense Expenses. Liability Insurance. Time Limit For Filing Notice And Commencement Of Action. - Requires municipalities to protect and save harmless any municipal officer or employee from financial loss and expense arising out of any claim, demand, suit or judgment by reason of alleged negligence or alleged malicious, wanton or willful act or ultra vires act on the part of such employee or officer in the discharge of their duties. If an officer or employee is found guilty they will be responsible for reimbursing the municipality.

**Enactment:** 1971, PA 726

**Amendments:** P.A. 75-408 - included both elected and appointed members and included members of councils as well as of board, committees and commissions in indemnification and added claims arising from infringement of civil rights.

P.A. 77-399 - substituted "municipal officer" for "member" and included officers of agencies and full-time municipal employees, inserted new provisions re protection against alleged malicious, wanton, willful etc. acts as Subsec. (b), making previous provisions Subsecs. (a) and (c).

P.A. 80-403 - added Subsec. (d) re limits on notice and commencement of action.

P.A. 89-212 - amended Subsec. (a) to include members of local emergency planning committees in indemnification.

P.A. 89-378 substituted "municipality" for "town, city, borough, consolidated town and city and consolidated town and borough", added Subsec. (e) defining municipality, extended the protection to part-time employees, and provided for reimbursement to a municipality if a judgment is entered against an officer or employee for a malicious, wanton or willful act.

**Estimated Cost Characterization:** Moderate

7-108

City Or Borough Liable For Damage Done By Mobs. - Stipulates that each city or borough is liable for all injuries to person or property caused by an act of violence of any person or persons acting in a mob, if the authorities have not exercised reasonable care or diligence in the prevention or suppression of such mob. The city or borough is also liable to the state for any compensation paid to any sheriff, deputy or other persons called upon to help him preserve the peace and suppress the mob. If more than one city or borough is involved, the secretary of the office of policy and management, the attorney general and the comptroller, acting as a board of assessors will determine what the city or borough owes.

**Enactment:** Prior to 1949

**Amendments:** P.A. 76-436 - included references to judicial districts and substituted superior court for court of common pleas, effective July 1, 1978.

P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 78-280 - deleted references to counties.

P.A. 80-483 - substituted secretary of the office of policy and management for commissioner of revenue services.

P.A. 00-99 - deleted provision re liability of city and borough for compensation of sheriff or deputy for suppressing mob or riotous assembly and preserving public peace.

**Estimated Cost Characterization:** Minor

7-110

Official Publications Of Towns, Cities And Boroughs To Be Filed In State Library. - Requires each town clerk to send to the state library two copies of every official publication of the municipality, as soon as it is published.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-112

Rate Of Wages And Citizen's Preference In Work On Public Buildings. - Stipulates that for the construction, remodeling or repair of any municipal building, the municipality must give preference to workers from Connecticut first and pay the prevailing wage as provided in sections 31-52, 31-53, and 31-54.

**Enactment:** 1955, Supp. 270d

**Estimated Cost Characterization:** Major

7-113

Marking of Bounds Of Towns, Cities & Boroughs To Be Filed In State Library. - Requires every municipality to procure its bounds to be set out by plain and durable marks and monuments, in a manner provided by this section.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-118a Curbs And Sidewalks To Be Designed With Cuts At Pedestrian Crosswalks. - Requires municipalities, on or after January 1, 1980, to design all curbs and sidewalks constructed or replaced to provide reasonable access to physically handicapped persons. Stipulates that if any person, partnership or corporation fails to construct curbs or sidewalks properly, the municipality is responsible for doing so. The municipality is entitled to reimbursement from such person, partnership or corporation for expenses incurred.

**Enactment:** 1975, PA 295

**Amendments:** P.A. 77-385 - required curb cuts after October 1, 1977, rather than after July 1, 1975, and added Subsec. (b) concerning compliance.

P.A. 78-64 - added specification that cuts not exceed forty inches in width.

P.A. 79-77 - included sidewalks under provisions, changed date to January 1, 1980, required cuts to blend with next level without lip and that they not cause hazard for the blind and provided for reimbursement to towns for reconstruction made necessary by noncompliance of constructor.

P.A. 80-483 made technical changes.

**Estimated Cost Characterization:** Minor

7-121m Notice Of Actions Concerning Real Property In Other Municipality. - Requires a municipality, when it takes any action or makes any assessment against any real property in any other municipality, to be subject to all notice requirements to the same extent as the municipality in which the property is located would be if it were the acting municipality.

**Enactment:** 1983, PA 513

**Estimated Cost Characterization:** Minor

7-127b Municipal Agents For Elderly Persons. Responsibilities Of State Department On Aging. - Requires each municipality to appoint an agent for elderly persons and identifies potential duties. Also requires the town clerk to notify the state department on aging immediately of the appointment of a new municipal agent.

**Enactment:** 1972, PA 70

**Amendments:** P.A. 77-447 - replaced all former provisions re municipal agents for disseminating information to elderly with more detailed provisions of Subsecs. (a) to (d), inclusive.

P.A. 85-459 - amended Subsec. (b) to require written reports to be submitted to the state department on aging and amended Subsec. (c) to require the town clerk to notify the state department on aging of the appointment of a new municipal agent.

P.A. 88-206 - gave the chief elected official the authority to appoint a municipal agent and provided that the chief executive officer may also appoint if by ordinance he is given such authority in Subsec. (a), made a technical change in Subsec. (b) and required the department on aging to sponsor at least one training session and specified that the training shall include information re the availability of housing and required each municipal agent to attend at least one session in Subsec. (d).

P.A. 93-262 - authorized substitution of department of social services for department on aging.

P.A. 95-77 - amended Subsec. (c) to allow a municipal agent to serve a term of two or four years, at the discretion of the appointing authority, where previously terms were two years only.

P.A. 12-119, Sec. 3 – reduced the duties specified for municipal agents for elderly persons.

**Estimated Cost Characterization:** Minor

7-131n Taking Of Land Previously Intended For Use As Park Or For Other Recreational Or Open Space Purposes. - Requires any municipality which takes any land for highway, recreational, open space or other reasons to provide comparable replacement land at least equal in value to that of the land taken. It also requires the municipality to hold a public hearing, notice of which must be published at least twice in a newspaper having substantial circulation in the municipality.  
**Enactment:** 1975, PA 534

**Amendment:** P.A. 77-172 - required that description of replacement land be provided at public hearing.

**Estimated Cost Characterization:** Minor

7-135 Use Of Municipal Lockup And Community Correctional Center In Another Town. - Requires officers of a municipality to procure a suitable lockup in an adjoining town or to make an arrangement with the nearest available correctional center whenever that municipality has no suitable lockup available to it.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A.s 1, 566 - acts authorized making arrangements with state jail as well as another municipality, required the state jail or municipal lockup to receive and provide for arrested person if facilities were available, made arresting officer or his deputy responsible for such person to, from and at the place of arraignment and at the place of trial and removed provision for payment of fees for keeping such person, but see Sec. 7-135a.

1971, P.A. 136 - act replaced state jail administrator with commissioner of correction and "state jail" with reference to community correctional centers and Connecticut Correctional Institution, Niantic.

P.A. 73-246 - added provision concerning pilot demonstration project.

P.A. 76-436 - added proviso concerning proceedings held in geographical area courthouse, effective July 1.

1978; P.A. 79-497 - deleted proviso concerning proceedings in geographical area courthouses and provision concerning pilot project, effective January 1, 1981.

P.A. 80-313 - replaced reference to repealed Sec. 54-64 with reference to Sec. 54-63c.

**Estimated Cost Characterization:** Minor

7-135a Reimbursement Of Towns For Keeping Prisoners. - Requires the town operating any lockup wherein persons are detained, to be reimbursed by the town where the offense took place for keeping, providing for and feeding such prisoner at the rate of two dollars and fifty cents per day until the prisoner is arraigned and, thereafter, such town shall be reimbursed by the state. This section also requires the town entitled to reimbursement from the state to make claims for such on forms provided by the comptroller.

**Enactment:** 1961, PAs 1, 566

**Amendments:** 1967, PA 194 - act provided for transportation of persons writs of habeas corpus.

1971, PA 49 - act deleted provision re transportation added by 1967 act.

P.A. 74-183 - substituted court of common pleas for circuit court.

P.A. 76-436 - substituted superior court for court of common pleas and specified that if person is sentenced to community correction center, town where court held provides transportation from geographical area courthouse, effective July 1, 1978.

P.A. 79-497 - deleted provision concerning transportation from geographical area courthouse to community correction center.

**Estimated Cost Characterization:** Minor

7-139

Notice Of Assessment Of Benefits. - Requires any municipality which makes an assessment of benefits on any land to notify the owner of such assessment. If an owner of land doesn't reside within the municipality, a notice is to be published at least twice in a newspaper with general circulation in such municipality and a copy of such notice shall be mailed to the last known address of such owner.

**Enactment:** Prior to 1949

**Amendment:** P.A. 83-513 - amended provisions concerning notice to persons residing outside the town to include notice by publishing in a newspaper having "general" circulation in such city or borough and notice by mail.

**Estimated Cost Characterization:** Minor

7-141

Notice Of Hearing On Municipal Assessments. - Requires the clerk of the municipality to mail, postage paid, a signed notice of a hearing on municipal public work improvement assessments to all affected persons.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-146

Clearing Of Waterways. Assessment Of Cost. Appeal. - Requires the municipality, whenever a private person, firm or corporation fails to comply with a requirement to remove debris or wreckage from any waterway or tidal water within its jurisdiction, to remove or cause to be removed, such debris, wreckage, etc., and then assess the cost to the person, firm or corporation responsible. The assessment shall be collected in the same manner as provided for the collection of taxes.

**Enactment:** Prior to 1949

**Amendments:** 1971, PA 870 - act substituted court of common pleas for superior court in Subsec. (b), effective September 1, 1971, except that courts with cases pending retain jurisdiction unless pending matters deemed transferable.

P.A. 76-436 substituted superior court for court of common pleas and added reference to judicial districts, effective July 1, 1978.

P.A. 78-280 deleted reference to counties.

**Estimated Cost Characterization:** Minor

*MUNICIPAL POWERS*

7-148a      Compilations of Ordinances and Special Acts; Supplements. - Requires municipalities to publish all amendments to its ordinances, all new ordinances and special acts by March 1 of each even-numbered year as a cumulative supplement to the compilation of its ordinances. The compilation must be made available for sale, and shall be deposited in certain state offices. If any municipality fails to comply, the secretary of state shall provide for the publication of such ordinances and special acts and the municipality shall be liable for the cost of such compilation.

**Enactment:** 1959, PA 430

**Amendments:** 1961, PAs 66 & 281 - provided for depositing copies in various libraries and required that the secretary of state would provide for the compilation and publication of ordinances if municipality fails to do, with the municipality being responsible for the cost. 1965, PA 249 - specified that ordinances and special acts after June 1, 1962 must be published by 3/1 of each even numbered year.

**Estimated Cost Characterization:** Minor

7-148b      Creation of Fair Rent Commissions. Powers. - Municipalities with more than 5,000 renter-occupied dwelling units must, by 6/1/90, conduct a public hearing and have the legislative body vote on the issue of establishing a fair rent commission. If no public hearing or vote is conducted, the municipality must establish a fair rent commission.

**Enactment:** 1969, PA-274.

**Amendments:** 1971, P.A. 478 - act specified applicability to housing accommodations rather than "property", including mobile homes and lots and excluding seasonal accommodations which were defined in new Subsec. (b); 1972 act added power to carry out provisions of Secs. 7-148b to 7-148e, to issue, amend, terminate, etc. orders and to retain legal counsel. P.A. 81-472 - substituted reference to Sec. 47a-20 for reference to Sec. 19-375a, reflecting section's transfer. P.A. 82-356 amended Subsec. (a) to authorize a fair rent commission to carry out the provisions of Subsec. (b) of Sec. 47a-23c. June Sp. Session P.A. 83-3 - changed terms "mobile home" and "mobile manufactured homes" to "mobile manufactured home" and "mobile manufactured homes". P.A. 89-289 - added Subsec. (c) re creation of fair rent commissions in municipalities having more than five thousand renter-occupied dwelling units and added Subsec. (d) re creation of joint fair rent commissions.

**Estimated Cost Characterization:** Minor

7-148dd      Municipal Fiscal Disparities. List. Recommendations To Address Problems Of Municipalities On List. - Requires those municipalities that meet certain negative economic criteria to participate in a state process aimed at resolving those economic problems. The municipalities must stay in the process until the problems are resolved. By 12/31 of each year that a municipality is in this process, the chief elected official must submit to the governor and legislature recommendations to address the problems of the municipalities. The plan shall be revised annually until the municipality no longer meets the qualifying standards.

**Enactment:** 2001, P.A. 158

**Estimated Cost Characterization:** Minor

- 7-148ii Registration and maintenance of foreclosed residential properties. - requires a municipality to have a system available for a person to register a dwelling acquired by foreclosure as specified.
- Enactment:** 2009, P.A. 144, Sec. 2
- Estimated Cost Characterization:** Minor
- 7-151b Appointment Of Lake Patrolmen. Requirements For Carrying A Firearm By Lake Patrolmen. Liability. Training Courses. - Allows the commissioner of environmental protection to appoint lake patrolmen, whose compensation shall be paid by the municipality or lake authority responsible for the lake. The municipality employing lake patrolmen shall be liable for damage caused by such patrolmen pursuant to section 7-465 concerning assumption of liability for damage caused by employees or members of local emergency planning districts.
- Enactment:** 1988, PA 98
- Estimated Cost Characterization:** Minor
- 7-157 Publication. Referendum. Publication Of Summary. - Stipulates that an ordinance enacted by the legislative body of any municipality or fire district, except when enacted at a town or district meeting, becomes effective only after publication of such ordinance in a newspaper having a circulation in the municipality in which it is enacted. A petition of fifteen percent of the electors within thirty days of publication of such ordinance can force a referendum and then shall only become effective upon getting a majority of votes on such referendum. Any ordinance enacted at a town or district meeting shall only become effective fifteen days after publication in a newspaper with general circulation. This section also requires the town clerk to mail a copy of an ordinance to any person requesting such at no cost to that person.
- Enactment:** Prior to 1949
- Amendments:** P.A. 86-233 - added Subsec. (b) re publication in summary form.  
P.A. 92-22 - amended Subsec. (b) to authorize publication of a summary of a proposed ordinance.  
P.A. 95-353 – added Subsec. (c) re failure of municipalities to comply with section.
- Estimated Cost Characterization:** Minor
- 7-163b Annual Municipal Reports Re Telecommunications Towers And Antennas. - Requires the chief elected official of each municipality to file annually with the Connecticut Siting Council, starting 10/1/04, a report containing specified information on each telecommunications tower and antenna subject to local jurisdiction.
- Enactment:** 2004, P.A. 226
- Estimated Cost Characterization:** Minor
- 7-163e Public Hearing On The Sale. Lease Or Transfer Of Real Property Owned By A Municipality. - Requires a municipality to conduct a public hearing whenever it plans to sell, lease or transfer any real property owned by the municipality. Notice shall be published in the newspaper at least every

other day for 10-15 days before such action is approved. Also, a prominent sign must be displayed on the real property land announcing the public hearing.

**Enactment:** 2007, P.A. 218

Amendment: P.A. 07-251 added Subsec. (b)(3) re exception for property acquired by foreclosure.

**Estimated Cost Characterization:** Minor

7-169

**Bingo.** - Requires municipalities, upon petition of 5% of the electors, to vote upon the permitting the playing of bingo in such municipality. If the vote is in the affirmative, it shall be permitted, subject to the provisions and restrictions of this section.

**Enactment:** Prior to 1949

**Amendments:** P.A. 59-104 - in subsec. (k), inserted "or violates any provision of this section". 1965, Feb.Sp.Sess., P.A. 451.- Sec. 2, added in subsec. (a) "or covering a previously designated arrangement of numbers on such card" preceding "is declared the winner" and added the definition of "session". Sec. 3, rewrote subsec. (c) which had previously provided: "The governing board of each municipality may make such reasonable rules and regulations concerning the conduct of the game as it deems necessary." Sec. 4, substantially rewrote subsec. (e) which prior to amendment provided: "Any person desiring to operate bingo games in a municipality in which the governing body has voted to permit the playing thereof shall make application to the chief of police of any municipality having a police department or to the first selectman of any town in which there is no police department, which application shall contain a statement of the name and address of the applicant, the location of the place at which the games are to be played and the seating capacity of such place, the date or dates for which a permit is sought, the class of permit sought and any other pertinent information required by such official, and, upon payment of the fee hereinafter provided for, such official is authorized to issue such permit." Sec. 5, added at the end of subsec. (h) the words "and by the commissioner of state police". Sec. 6, substituted in the first sentence of subsec. (i) the word "may" for "shall" preceding "consist of merchandise" and provided for cash prizes. The words "which consist of merchandise or other personal property" were added in the second sentence. Sec. 8, added, in subsec. (k) the words "or who violates any provision \* \* \* commissioner of state police".

P.A. 67-616 - Sec. 1, added the words "and 'Class C' \* \* \* ten successive days" at end of first sentence of subsec. (f) and added the second sentence. Sec. 2, added various fees for Class C in subsec. (g).

P.A. 73-239 - Sec. 1, inserted, in subsec. (i), "tickets for any lottery conducted under chapter 226, the value of which shall be the purchase price printed on such tickets," following "may consist of merchandise".

P.A. 77-439 - in subsec. (i) substituted "three hundred fifty" dollars for "two hundred fifty" following "shall not exceed", substituted "one hundred" dollars for "fifty" following "shall not exceed"; and in subsec. (i), substituted "may" for "shall not" following "Extra or cumulative prizes", and added proviso at the end following "be permitted".

P.A. 77-614 - Sec. 486, provided for change in term "commissioner of state police" to "commissioner of public safety".

P.A. 80-297 - rewrote subsec. (g) raising permit fees and replacing provision that all fees are property of town with formulas for dividing fees between municipality and state.

P.A. 82-472 - substituted, in subsec. (c), "The commissioner of public safety may adopt, in accordance with the provisions of chapter 54 of the general statutes," for "Subject to the provisions of sections 4-41 to 4-50, inclusive, the commissioner of public safety may make" at the beginning.

P.A. 84-142 - in subsec. (i), substituted "five hundred dollars" for "three hundred fifty dollars", inserted "except that the holder of a class B or C permit may, on a weekly basis, offer a prize of no

more than one quarter of the weekly prize money as a grand prize" in the second sentence, and inserted the third sentence.

P.A. 85-24 - in subsec. (i), subd. (1) substituted "two special prizes" for "one special prize" and substituted "one hundred twenty-five dollars each" for "one hundred dollars"; and in subd. (2) substituted "six" for "four".

P.A. 86-419 - included the definition of executive director in subsec. (a), and substituted reference to the executive director for commissioner of public safety in subsec. (c); and in subsec. (e), deleted requirement for making application in duplicate to the chief of police or to the first selectman where there is no police department, and provided for application to the executive director of the division of special revenue; substituted references to the executive director for references to the commissioner of public safety and municipal official; changed the permits from one-day permits to annual one-day per week permits for Class A permits and made changes in number of games permitted under Class B and Class C permits; rewrote former subsec. (g) which had provided for a schedule of fees based upon the seating capacity of the place in which the games were played, and set out the present fee structure for Class A and Class B permits; inserted provisions for making available to the commissioner of public safety any information acquired by the executive director; authorized winner-take-all games; and placed limits on value of prize offered, with exceptions, in subsec. (g); inserted subsec. (j) requiring filing of a return with the executive director and payment to the state of tax of five percent on gross receipt; omitted subsec. (k) without specific reference to it; and redesignated former subsec. (k) as subsec. (l).

P.A. 87-1 - restored subsec. (k), requiring revocation of a permit for violation of any provision of this section, and prohibiting issuance of another permit to that person within one year, which had appeared in prior editions of the general statutes.

P.A. 87-44 - in subsec. (c), required the advice and consent of the gaming policy board, and provided that the executive director shall, rather than may, adopt regulations.

P.A. 87-48 - in subsec. (f), made "Class B" permits valid until Sept. 30, rather than Sept. 15.

P.A. 87-582 - in subsec. (b), required the petition to be from the electors of any municipality, rather than of any town, city or borough; substituted Sept. 30 for Sept. 15 throughout; deleted the requirement of favorable vote "for two successive years" to permit bingo to be played; and provided that a municipality which permitted the playing of bingo prior to the effective date of this act be deemed in compliance with this subsection. also in subsec. (b), substituted "municipality" for "town, city or borough", deleted a requirement that the petition be prior to Sept. 1, deleted a provision that, upon affirmative vote of the governing body, bingo would be permitted "from September fifteenth of such year until September fifteenth of the following year", deleted a provision that upon a negative vote, bingo would not be permitted "prior to September fifteenth of the following year"; deleted "Such question shall be voted upon only once in each year, provided" at the beginning of the second sentence, deleted the requirement that a favorable vote be "for two successive years" for the playing of bingo to be permitted indefinitely, and with reference to a subsequent negative vote, provided that bingo would not be played after such negative vote rather than after Sept. 15 next succeeding such negative vote.

P.A. 88-363 - in subsec. (c), deleted reference to the provisions of Sec. 7-169b; in subsec. (d), added provisions relating to a qualified member of a sponsoring organization assisting in the operation of bingo games sponsored by another organization; in subsec. (f), substituted reference that two "Class B" permits be issued to any organization within any 12 month period, for reference that only one "Class B" permit be issued; in subsec. (g), changed fee for "Class B" permit from \$50, to \$5 per day; and added subsec. (i) and omitted former subsec. (i), which related to prizes for winner-take-all games. also, in subsec. (j), deleted reference to the filing of an annual return by any organization with annual gross receipts in excess of \$25,000, operating or conducting a bingo game, inserted provisions relating to the state fee of 5% of the gross receipts, less prizes awarded, substituted reference to fee, for tax, wherever appearing, deleted provisions relating to the payment period of the tax, and the recording of such tax as revenue at the end of each fiscal year, inserted reference to 1/4 of 1% of total money wagered, less prizes awarded, payable by the executive director, and substituted provision that such payment be made not less than 4 times a year and not more than 12 times a year, for provision that payment be made annually, not later than August 31.

in subsec. (l), deleted references to provisions of Sec. 7-169b.

P.A. 89-214 - deleted former subsec. (k), which related to revocation by the executive director of a permit for a violation of any provision of this section, added subsec. (k), subds. (1) through (4), and redesignated former subd. (1) as subd. (5).

P.A. 92-17, May Sp.Sess. - in subsec. (f) and (g), added references to Class C permits.

P.A. 93-13 - in subsec. (i), changed proviso relating to grand prizes so as to extend the time for accumulation from 12 to 16 weeks and increased the permitted amount of accumulation from \$1,500 to \$2,000.

**Estimated Cost Characterization:** Minor

7-171

Adoption Of Bazaar And Raffle Law. - Requires the municipality, upon the petition of at least five percent of the electors, to submit the question of adopting the provisions of sections 7-170-7-186 concerning the adoption of bazaar and raffle laws to a vote of the electors at a special meeting.\*

**Enactment:** 1955, Supp. 292d

**Amendments:** 1971, P.A. 871 - act substituted "false statement" for "perjury".

P.A. 73-55 - added provision that municipalities may adopt provisions of Secs. 7-170 to 7-186 by ordinance.

P.A. 86-170 - required that ballot label designation be in form of question.

P.A. 87-320 repealed clause prohibiting absentee voting for a vote under this section and required petition for subsequent vote to be fixed at least sixty days, instead of twenty-one days, prior to such election.

\* If the vote to adopt this ordinance passes, the following sections become applicable:

7-173 Application For Permit.

7-174 Investigation Of Applicant

7-176 Permit Fees.

7-182 Report Re Receipts, Number And Price Of Tickets Sold, Expenses, Profits And List of Prizes With A Retail Value Of Fifty Dollars Or More.

7-183 Examination Of Reports.

7-184 Recission Of Adoption.

7-185a Exceptions For Certain organizations. "Money Wheel" Games. "Fifty - Fifty" Games. Cow Chip Raffles. Teacup Raffles.

7-186c Investigation Of Applicant. Limitations On Permits. Money Not To Be Used.

Requirements For Financial Transactions. Written Agreement Between Sponsoring Organization And Operator Of Games Of Chance. Investigation Of Operator.

7-186j Examination Of Reports.

7-186q Auxiliary Organization Permitted To Assist At Games Of Chance Event. Application.

**Estimated Cost Characterization:** Minor

#### *MUNICIPAL CHARTERS AND SPECIAL ACTS*

7-188

Initiation Of Action For Adoption, Amendment, Or Repeal Of Charter Or Home Rule Ordinance. - Requires the municipality to take action on the adopting, amending or repeal of a charter or home rule ordinance upon the petition of at least ten percent of the electors of such municipality.

**Enactment:** 1953, Supp. 271d, 272d

**Amendments:** 1959, P.A. 678 - act added home rule ordinance provisions.

1965, P.A. 269 - act provided no signature is to be valid unless obtained within ninety days of filing petition.

P.A. 81-451 - provided that no new home rule ordinances should be adopted after October 1, 1982, and that no new petition could be accepted until a commission appointed pursuant to a previous petition had been terminated, effective October 1, 1982.  
P.A. 84-153 - amended Subsec. (d) to apply provisions to resolutions and to clarify that only one commission can exist at any time.  
P.A. 85-253 - amended Subsec. (a) to replace the word "revise" with the word "amend" and to add language concerning inclusion of special acts in Subdiv. (1).  
P.A. 87-278 - inserted the word "otherwise" in the phrase "shall not otherwise be inconsistent" in Subsec. (a).

**Estimated Cost Characterization:** Minor

7-190

Commission: Appointment, Membership, Duties, Report, Termination. - Requires the appointing authority of a municipality, within thirty days of an action calling for adoption, amendment or repeal of a charter or home rule ordinance, to appoint a commission of five to fifteen electors. The commission must draft a charter, or amendments to the existing charter, or amendments to the home rule ordinance. The commission is required to comment in its report on each recommendation which it has been directed to consider.

**Enactment:** 1957, PA 465

**Amendments:** 1959, P.A. 678 - act added home rule ordinance provisions.  
1967, P.A. 76 - act made minor change in wording.  
P.A. 75-179 - distinguished between charter commissions and charter revision or home rule ordinance commissions re report deadlines.  
P.A. 81-451 - divided section into subsections, clarified language of existing provisions, required consideration of recommendations in petition and recommendations of appointing authority, changed deadline for report from eighteen to sixteen months from date of appointment and added Subsec. (c) re termination of commission, effective October 1, 1982.  
P.A. 83-188 - made minor change in wording of Subsec. (b), requiring submission of draft report rather than of final report.  
P.A. 85-253 - replaced the words "revision of" with the words "amendments to" and made certain technical changes.

**Estimated Cost Characterization:** Minor

7-191

Hearings, Draft And Final Report; Referendum; Effective Date; Filing Of Copies With Secretary Of The State; File Maintained By State Library. - Requires the commission to hold at least two public hearings on the proposed charter, charter amendments, or home rule ordinance amendments. The commission must submit its draft report to the clerk of the municipality, who must then transmit such report to the appointing authority. The appointing authority shall then hold at least one public hearing. Upon final approval by the appointing authority, the proposed charter, charter amendment or home rule ordinance must be published at least once in a newspaper having a general circulation in the municipality. In the case of charter amendments, only the amendments need to be published. Within thirty days after the approval by electors the clerk of the municipality must file three certified copies with the secretary of the state.

**Enactment:** 1953, Supp. 271d

**Amendments:** 1959, P.A. 678 - act added home rule ordinance provisions and changed "general" election to "regular" election.  
1963, P.A. 184 - act specified subject matter of mandatory hearing by commission and provided for referendum re rejected matter on petition of electors.

P.A. 75-358 - made specific provisions re effective dates for charters, home rule ordinances etc., re validations of actions of municipality or its administrative agencies or officials.  
P.A. 77-196 - required filing with secretary of the state within fifteen days rather than seven days.  
P.A. 79-207 - required two public hearings rather than one, one before the substantive work and one after report is drafted but before its submission.  
P.A. 81-451 - divided section into subsections, clarified language of existing provisions, changed time for hearing from thirty to forty-five days after submission of draft report, reduced the per cent of electors necessary to force a referendum from fifteen to ten per cent, required that election be held within fifteen months rather than one year after approval or certification of petition and provided that the appointing authority shall prepare the ballot, effective October 1, 1982.  
P.A. 82-472 - made technical corrections.  
P.A. 83-188 - made minor changes in wording of Subsec. (b).  
P.A. 84-161 - amended Subsec. (h) to provide for thirty-day filing period rather than fifteen-day period.  
P.A. 85-253 - changed "revised charter" to "charter amendments" and "revised home rule ordinance" to "home rule ordinance amendments".  
P.A. 87-387 - added Subdiv. (2) to Subsec. (h), re filing requirements in the case of approval of charter or home rule ordinance amendments.  
P.A. 96-134 - added the word "active" before "registry list of such municipality" in Subsec. (f).  
P.A. 00-92 - amended Subsec. (b) to require hearing "not later than forty-five days after the submission" rather than former "within forty-five days of the submission", and throughout the section substituted "not later than" for "within".  
P.A. 03-99 - allows municipalities to publish only the proposed charter amendments rather than the whole charter when considering amendments to the charter.

**Estimated Cost Characterization:** Minor

7-193

Required Provisions. Organization Of Government. - Requires any municipality with a charter to have a legislative body and a chief executive officer, and provides the types that are allowed. Also, any such municipality must have all municipal officers, departments, boards, commissions and agencies which are required by the general statutes.

**Enactment:** 1957, PA 465

**Amendments:** P.A. 76-296 - included among those things prescribed by statute, the term of office of municipality's chief executive officer.  
P.A. 81-451 - substituted "municipality" for "town, city, borough", effective October 1, 1982.  
P.A. 85-253 - applied provisions to charter amendments.  
P.A. 86-230 - changed the manner of subdividing the section and expanded the new Subdiv. (b) by clarifying that a municipality may alter the method of election, appointment or organization of its officers, departments, boards, commissions or agencies.

**Estimated Cost Characterization:** Minor

*MUNICIPAL POLICE AND FIRE PROTECTION*

7-286

Police Matrons In Certain Cities. - Requires any city with a population of twenty thousand or more to appoint a police matron to take charge of all women arrested and held by the police of the city.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-287 Female Prisoners Under Care Of Police Matron. - Requires that a certain part of the central police station be for female prisoners. The municipality must also provide a convenient, private room for the use of the police matron.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

7-2941 State And Local Police Training Programs To Provide Training On Gang-Related Violence. - Requires each police basic or review training program conducted or administered by the state police, the Municipal Police Officer Standards and Training Council, or a municipal police department shall include training on gang related violence.

**Enactment:** 1993, P.A. 416

**Amendment:** P.A. 95-108 – renamed Municipal Police Training Council as Police Officer Standards and Training Council.

**Estimated Cost Characterization:** Minor

7-294x Council To Provide Training To Public School Security Personnel. - Requires the Municipal Police Officer Standards and Training Council to train security personnel employed in public schools. Such training shall include drug detection and gang identification.

**Enactment:** 1993, P.A. 416

**Amendment:** P.A. 95-108 – renamed Municipal Police Training Council as Police Officer Standards and Training Council.

**Estimated Cost Characterization:** Minor

7-308 Assumption Of Liability For Damages Caused By Firemen Or Volunteer Ambulance Members. - Requires a municipality to protect and save harmless all volunteer firemen, ambulance drivers and fire police of such municipality, from financial loss and expense, including legal fees and costs, arising from the specified claims, demands, suits or judgments.

**Enactment:** 1955, S. 266d

**Amendments:** 1959, PA 446 - act substituted reference to Sec. 7-314 for reference to Sec. 7-309 and defined "fire duties".

1961, PA 355 - act added provisions re damages caused employee by fellow employee.

1965, PA 596 - act added provisions re representation of municipality and fireman by same attorney.

1998, PA 108 – divided existing section into Subsecs. (a) and (b) and added provisions re volunteer ambulance members.

2011, P.A. 11-243 – expanded the liability protection of the existing mandate and extended the protection to also include fire police.

**Estimated Cost Characterization:** Minor

7-313a

Fire Police. – Authorizes town, city, borough or district to appoint fire police officers and requires that such officers wear a badge and specified safety equipment. P.A. 03-181 removed language specifically mandating that municipalities and fire districts furnish the required equipment, but other contracts and expectations might result in towns having to furnish it.

**Enactment:** 1961, P.A. 444

**Amendment:** 2009, PA 09-137 – added that headgear can meet specified description or any other any other national, state and local traffic safety standard (mandate reduction).

**Estimated Cost Characterization:** Minor

*FIRE, SEWER AND OTHER DISTRICTS*

7-325

Organization. Boundary Changes. Reports. - Requires the selectmen of any town, upon the petition of twenty or more voters of such town, to call a meeting for the purpose of establishing a special district. Notice must be published twice in a newspaper with circulation in the town. A referendum must be held upon the proper petition of the electors of such town. If the referendum passes, this section includes further mandates concerning the filing of reports with the office of policy and management and the method for changing the boundaries of such district.\*

**Enactment:** Prior to 1949

**Amendments:** PA 82-213 - added Subsec. (b) concerning changes in the boundaries of the district.

PA 83-209 - provided all districts, other than water or sewer service districts, must contain only contiguous property.

PA 83-502 - required a two-thirds vote for creation or expansion of a district and a majority vote for selection of officers.

PA 84-318 - added reporting requirements.

PA 87-573 - added additional reporting requirements and inserted Subsec. (d) providing a penalty for failing to report.

PA 88-306 - provided that districts limits not include any part of any such city or borough.

PA 89-370 - authorized holding of referendum and established procedures for referendum and requires map showing boundaries of district, authorized petition of referendum, and added Subdiv (4) of Subsec (b) regarding approval of legislative body for enlargement of district and authorized secretary to require information on district's financial status.

P.A. 93-434 - amended Subsec. (a) to delete provision re reporting to secretary within thirty days of an election of officer, amended Subsec. (b) to require districts to notify the town clerks of affected towns instead of the secretary of change in territorial limits, amended Subsec. (c) to require that reports be filed with town clerk in which each town of the district is located, rather than with secretary and amended Subsec. (d) to eliminate the fine for failure to file reports and to waive fines imposed on and after July 1, 1992.

P.A. 95- 51 - amended Subsec. (a) to reduce the number of voters required on a petition to vote to establish a district from twenty to fifteen.

\* If the vote to establish such district passes, the following sections become applicable:

7-326 Purposes.

7-327 Meetings And Referenda. Officers. Fiscal Year.

7-327a Petition For Vote, Form, Statement By And Qualification Of Circulator.

7-328 Taxation. Bonds.

7-328c Districts Established in 1839

7-329 Termination Of District.

**Estimated Cost Characterization:** Minor

*MUNICIPAL UNIFORM FISCAL YEARS*

7-382 Adoption Of Uniform Fiscal Year. Budget And Tax Adjustments. Forfeiture For Non-Compliance. - Requires each municipality to adopt the state uniform fiscal year which begins on July 1, and to prepare a budget showing its anticipated expenditure and receipts. Failure to adopt the uniform fiscal year shall cause the municipality to forfeit 10% of its state grants-in-aid.

**Enactment:** Prior to 1949

**Amendments:** P.A. 74-299 deleted former provision making July first beginning date for fiscal year optional, made adoption of July first date mandatory and imposed deadline of July 1, 1980. P.A. 78-286 - changed deadline to July 1, 1985, and required those not meeting former deadline to comply with provisions of Sec. 7-389.

P.A. 83-551 - required that (1) each municipality must be in compliance with uniform fiscal year not later than July 1, 1990, in lieu of July 1, 1985, as previously required and (2) any municipality must comply with Sec. 7-389 if not in compliance with uniform fiscal year on or prior to July 1, 1983, in lieu of July 1, 1980, as previously required.

P.A. 87-506 - provided that the fiscal year of each municipal fund would be the same as that of the municipality.

P.A. 89-370 - added provision that adoption of uniform fiscal year is required "notwithstanding the provisions of any special act to the contrary".

P.A. 90-262 - required that each municipality must be in compliance with uniform fiscal year not later than July 1, 1993, in lieu of July 1, 1990, as previously required and added Subsec. (b) concerning forfeitures for noncompliance.

**Estimated Cost Characterization:** Minor

7-383 Due Date Of Tax Levy. - Requires the first installment of the property tax to be due on July 1.

**Enactment:** Prior to 1949

**Amendments:** P.A. 83-551 - added sentence providing that any municipality not in compliance may, until the July first on which compliance commences, establish January first as the due date for the first installment and July first as the due date for the second installment.

P.A. 83-579 - added provision that (1) when mailing of rate bills is delayed until after tax due date or (2) when tax is not applicable to certain property until after the tax due date, such tax shall be due not later than thirty days following the date tax bills are mailed.

**Estimated Cost Characterization:** Minor

*MUNICIPAL AUDITING ACT*

7-392 Making Of Audits And Filing Of Statements. - Requires all municipalities and their audited agencies (except the housing authority) to have their accounts audited at least annually, by an independent public accountant selected by the town and approved by the cognizant state agency.

**Enactment:** Prior to 1949

**Amendments:** 1959 PA - 217 - increased to \$75,000 the maximum amount of receipts a municipality may have and still share the cost of audit by tax commissioner with state. 1961 PA - 515 - increased to \$200,000 the maximum amount or receipts a municipality may have to qualify for audit by tax commissioner.

1972 PA - 256 - added circumstance where approval by commissioner of the accountant is not necessary.

PA 76-68 - changed language to reflect classifications of audited entities as either municipalities or audited agencies as defined in Sec. 7-391 and required that audits meet standards adopted by commissioner and approved by auditors of public accounts.

PA 77- 614 - substitutes secretary of OPM for tax commissioner.

PA 83-405 - added Subsec. (b) providing that if the charter contains language applicable to selection of an accountant for such audit, selection is to be conducted in accordance with the charter.

PA 87-573 - added Subsecs. concerning audits of school districts and housing authorities, and concerning reports of reporting agencies.

PA 88-360 - required that the regional board of education be responsible for the audit of the school district.

PA 89-370 - required filing of statement not later than 90 days after the end of the fiscal year.

PA 90-78 - provided that the fine for failure to file shall be levied and collected by the town clerk.

PA 91-401 - requires that municipalities provide for audits in accordance with Secs. 4-230 - 4-236 and that each audited agency, except for a housing authority, have its accounts audited at least once annually.

P.A. 93-422 - amended Subsec. (a) by changing section references from state audit for recipients of state financial assistance, i.e. Secs. 4-230 and 4-232, to municipal auditing act, i.e. Secs. 7-391 and 7-396, amended Subsecs. (a), (c) and (d) by changing subject of audit from accounts to financial statements, amended Subsecs. (b) and (d) by changing "independent public accountant" to "independent auditor" and amended Subsec. (e) by changing "expenditures" to "disbursements" and "revenue" to "receipts".

P.A. 95-250 and P.A. 96-211 - replaced Commissioner and Department of Housing with Commissioner and Department of Economic and Community Development.

**Estimated Cost Characterization:** Minor

7-394

Report Of Audit To Be Included In Report Of Municipalities. - Requires municipalities to include in their annual reports a certificate of the independent auditor attesting to the scope of the audit along with his recommendations.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - substituted secretary of the office of policy and management for tax commissioner.

P.A. 87-573 - removed provisions concerning audits made by the secretary of the office of policy and management, effective July 1, 1987 and applicable to audits for fiscal years beginning on or after that date.

**Estimated Cost Characterization:** Minor

7-394a

Principles And Standards For Municipal Financial Reports. - Requires the reports of independent auditors retained by municipalities to be prepared in accordance with generally accepted accounting principles.

**Enactment:** 1977 PA 611, S. 1,6

**Amendments:** P.A. 77-614 and P.A. 78-303 - substituted secretary of the office of policy and management for tax commissioner.  
P.A. 86-387 - amended Subsec. (a) to delete "Governmental Accounting, Auditing and Financial Reporting" and insert "Governmental Accounting and Financial Reporting Standards" as publications to be followed and added Subsec. (d) concerning audits or state grants.  
P.A. 87-573 - inserted references to school districts and audited agencies, effective July 1, 1987, and applicable to audits for fiscal years beginning on or after that date.  
P.A. 89-370 - amended Subsec. (a) to delete requirement that financial reports re fiscal years ending on June 30, 1987, or thereafter, shall be prepared in accordance with principles and standards related to accounting, auditing and financial reporting as outlined in various publications, and to substitute requirement that financial reports re fiscal years ending on June 30, 1989, or thereafter, shall be prepared in accordance with generally accepted accounting principles related to accounting, auditing and financial reporting.  
P.A. 93-422 - changed "financial report" to "audit report", "independent public accountant" to "independent auditor" and "school district" to "regional school district", amended Subsec. (a) by adding provision regarding auditing standards and Secs. 4- 230 to 4-237, and amended Subsec. (c) by changing requirement from a procedure for consideration of special problems to guidelines concerning special problems;  
May 25 Sp. Session P.A. 94-1- amended Subsec. (b) by substituting "audit" reports for "financial" reports.

**Estimated Cost Characterization:** Minor

7-394b

Municipal Finance Advisory Commission. - The commission is authorized to require the chief elected official of a municipality in distress to provide any information relevant to its fiscal condition and to appear before the commission to discuss the same and the implementation of remedial measures to improve its financial condition.

**Enactment:** 1977, PA 611

**Amendments:** P.A. 77-614 and P.A. 78-303 - substituted secretary of the office of policy and management for tax commissioner.  
P.A. 83-321 - repealed Subsec. (c) which had provided for termination of commission on July 1, 1983.  
P.A. 89-370 - amended Subsec. (a) to (1) require commission to work with municipality referred to it pursuant to Sec. 7-395 and review audits, accounting and fiscal management practices and other relevant information in determining level of municipal financial distress, and (2) authorize commission to require chief executive officer to provide such information and appear before commission to discuss financial condition and remedial measures; amended Subsec. (b) to provide that terms of members are coterminous with governor's term "or until a successor is appointed and qualified, whichever is longer" and to delete obsolete provision re termination of terms of commission's first members on July 1, 1979.  
P.A. 93-421 - amended Subsec. (a) by expanding the commission's authority to consider budgets in determining the level of financial distress and adding Subdiv. (B) authorizing the commission to request a written report from the chief executive officer of a municipality and to assess penalty for noncompliance.

**Estimated Cost Characterization:** Minor

7-396

Designation Of Auditor. - Requires municipalities to file the name of the independent auditor, designated to audit the records of the municipality, with the office of policy and management. If the appointing authority fails to do so, the secretary of OPM will appoint an accountant and the cost shall be borne by the municipality or audited agency.

**Enactment:** Prior to 1949

**Amendments:** PA 76-68 - included audited agencies and required filing of accountant selected to perform audit within 30 days of fiscal period.

PA 74-614 - substituted secretary of OPM for tax commissioner.

PA 87-573 - inserted references to school districts and reporting requirements of reporting agencies.

P.A. 93-422 - applied provisions to regional boards of education, changed "independent public accountant" to "independent auditor", "records" to "financial statements", and "school district" to "regional school district", deleted "for the preceding fiscal year" regarding accounts audited and deleted reference to cost and expense of investigation.

**Estimated Cost Characterization:** Minor

## *MUNICIPAL FINANCE*

7-405      Expenditures By Municipalities And Regional School Districts Before Adoption Of Budgets. – Requires, whenever the budget of a regional school district is not approved, that the disbursing officers of the member towns are to make necessary expenditures, in a manner specified by this section.

**Enactment:** Prior to 1949

**Amendment:** P.A. 77-384 provided for expenditures when appropriations have not been made before end of ninety-day extension period;

P.A. 04-117 designated existing provisions as Subsec. (a) and added Subsec. (b) re authorization to make necessary expenditures when an annual budget of a regional school district is not approved before the beginning of any fiscal year, effective July 1, 2004.

7-406      Town Reports. - Requires each municipality to prepare and publish an annual town report which must contain reports of town officers and boards and an itemized account of the disposition of Town Aid-Roads. Requires municipalities with a population of 5,000 or less to publish their receipts and expenditures and the names of all persons and corporations receiving money from those municipalities.

**Enactment:** Prior to 1949

**Amendments:** 1967, PA-452 - required publication of persons, firms, corporations, etc. receiving money from towns and amounts of payments over \$50, excluding recipients of support under Chapter 308.

1969, PA-495 - exempted towns from report requirement of publishing recipients of funds, and amounts paid over \$50 if town has bookkeeping system approved by tax commissioner.

**Estimated Cost Characterization:** Minor

7-406b      Chief Executive Officer To Submit Copy Of Budget To Secretary Of Office Of Policy And Management. - Requires each municipality to submit annually one copy of its annual operating budget to the Office of Policy and Management.

**Enactment:** 1991, PA 343

**Estimated Cost Characterization:** Minor

*MUNICIPAL EMPLOYEES*

7-407            Method Of Adoption. - The legislative body may, or if petitioned by 10% of the electorate shall, submit the question of whether to adopt the merit system provisions of this part to a vote at the next regular election.\*

**Enactment:** Prior to 1949

**Amendment:** P.A. 86-170 - required that designation on ballot label be in form of question.

\*If municipality is so petitioned and provisions are adopted, the following sections become applicable:

- 7-408    Civil Service Board; Appointment; Terms Of Office; Removal.
- 7-410    Civil Service Board; President; Chief Examiner.
- 7-411    Classification Of Such Officers And Employees.
- 7-412    Publication And Filing Of Rules.
- 7-413    Examination Of Applicants. Certification.
- 7-414    Classified Service; Eligible List; Promotion.
- 7-421    Political Activities of Classified Municipal Employees. Candidacy Of Municipal Employees For Elective Office. Leaves Of Absences. Service On Governmental Bodies Of The Town In Which The Employee Resides.

**Estimated Cost Characterization:** Minor

7-431            Separation From Service Before Voluntary Retirement Age. –Requires any member of fund B separated from the service of the municipality by which he is employed, except for cause, shall be entitled to a retirement allowance upon reaching the voluntary retirement age, in a manner specified by this section.

**Enactment:** 1955, S.406d

**Amendments:** 1967, P.A. 815 - act changed years of service from fifteen to ten re fund B employees.

P.A. 93-356 - deleted provisions re fund A members separated from municipal service prior to reaching voluntary retirement age.

P.A. 01-80 - act changed years of service from ten to five re fund B employees.

**Estimated Cost Characterization:** Moderate

7-436            Retirement Benefits For Members Of Fund B. – Increases the benefit for retirees who are covered by social security

**Enactment:** 1957, P.A. 447

**Amendments:** 1959, P.A.s 316, 471 - acts provided for computation of retirement benefits on basis of five highest-paid years of municipal service rather than five years immediately preceding retirement and included benefits under old age and survivors insurance system in restriction on maximum allowance payable.

1967, P.A.s 547, 722 - acts based calculations on three highest-paid years rather than five highest-paid years and added provision concerning benefits for fund B members retired before January 1, 1960.

1969, P.A. 406 - act deleted provisions concerning temporary retirement allowances. 1971, P.A. 644 - act simplified description of formula.

P.A. 73- 619 - added Subsecs. (b) and (c) re cost-of-living increases and benefits for retirees whose municipalities later join fund B.

P.A. 75-293 - replaced "three highest-paid years of service" in Subdiv. (1) with "last ten years of service".

P.A. 76-314 - amended Subsec. (c) to include members of fund B as well as retirees whose municipality transfers to fund B and added reference to Sec. 7-436a.

P.A. 77-102 - amended Subsec. (a) replacing "is not so derived" with "exceeds the average obtained in Subdivision (1)".

P.A. 79-376 - substituted "workers' compensation" for "workmen's compensation".

P.A. 84-106 - amended Subsec. (a) to provide that any workers' compensation specific indemnity award shall not be deducted from the member's retirement allowance.

P.A. 86-243 - amended Subsec. (a) to equalize the percentage of pay used to calculate benefits for all service years and to provide that a member's retirement allowance, plus workers' compensation and Social Security benefits, may not exceed one hundred per cent, instead of seventy-five per cent, of his average annual pay and added Subsec. (d), establishing how part-time service shall be treated for benefit eligibility and calculation purposes;

P.A. 93-356 - amended Subsec. (c) to exclude retirees whose municipality transfers to fund B.

P.A. 01-80 - increased the benefits for retirees who are covered by social security.

**Estimated Cost Characterization:** Moderate

7-436b

Credit For Military Service For Members Of Fund B. – Requires any member of fund B of the municipal employees' retirement system, who, prior to his date of employment with a municipality which is participating in said fund B, served in any branch of the armed forces of the United States during the times set forth in section 27-103 shall be credited with the period of such service to the extent that he makes contributions to said fund for all or any part of the period of such service, in a manner specified by this section.

**Enactment:** 1969, P.A. 770

**Amendments:** P.A. 75-293 - replaced requirement for twenty-five years of employment with requirement for ten years' continuous service or fifteen years' active aggregate service.

P.A. 83-16 - extended the time period for the purchase of military service credit to October 1, 1984, or within one year of employment, whichever is later and specified that contributions must be made prior to retirement date.

P.A. 84-106 - provided that veterans who become members on or after October 1, 1984, shall not receive war service credit if they are otherwise eligible for retirement benefits from the federal government for such service years.

P.A. 84-157 - provided that any member on disability retirement whose previous purchase of military service credit did not increase his disability allowance shall be refunded all contributions made for such credit.

P.A. 86- 243 - added Subsec. (b), requiring the municipal employer to pay for any military service credit attributable to the time the member was a prisoner of war.

P.A. 88-141 - extended the time period for the purchase of military service credit to October 1, 1989.

P.A. 88-149 - amended Subsec. (b) to provide that any municipal employer who made contributions under this section for a member on disability retirement shall be refunded all contributions made for such credit if the purchased credit does not increase the member's disability allowance.

P.A. 91-213 - amended Subsec. (a) by changing payment date from October 1, 1989, to January 1, 1992.  
P.A. 01-80 - replaced requirement for ten years' continuous service with five years continuous service.

**Estimated Cost Characterization:** Moderate

7-439b

Cost Of Living Adjustment To Retirement Allowance. - Requires increases in the cost-of-living-adjustment range for employees who retire after 1/1/02 and allows people who retire prior to 1/1/02 but before 65 to receive an annual COLA.

**Enactment:** 1977, P.A. 584

**Amendments:** P.A. 79-305 - added Subsec. (b) re adjustments in benefits to provide three per cent cost-of-living increase.

P.A. 80-37 - added reference to July 1, 1981.

P.A. 81-112 - added Subsec. (c) re annual cost of living increases beginning July 1, 1982. P.A. 82-472 - repealed P.A. 81-112 (which was codified as Subsec. (c)) re cost-of-living increases effective on July 1, 1982 and thereafter.

P.A. 83-3 - inserted new Subsec. (c) re cost-of-living adjustments in retirement allowances, incorrectly repealed by authority of P.A. 82-472.

P.A. 83-383 - amended Subsec. (c) to provide for a mandatory annual cost-of-living adjustment for all recipients, beginning July 1, 1983, replacing former limited applicability, and imposed three per cent minimum for increase amount.

P.A. 86-243 - deleted obsolete language, clarified the procedure for calculating the cost-of-living adjustment annually, and specifically provided for the funding of any liability caused by the payment of the mandatory minimum adjustment.

P.A. 88-149 - substituted "annuitant" for "spouse".

P.A. 93-356 - deleted provisions re adjustments to municipalities' past service amortizations to fund liability resulting from cost-of-living increases provided to members receiving retirement allowances.

P.A. 01-80 - increased the cost-of-living-adjustment range for employees who retire after 1/1/02 and allows people who retire prior to 1/1/02 but before 65 to receive an annual COLA.

**Estimated Cost Characterization:** Moderate

7-459c

Retiree Group Health Insurance Benefits. Restriction On Diminishment Or Elimination. - Prohibits municipalities from diminishing or eliminating benefits to retirees.

**Enactment:** 2006, P.A. 123

**Estimated Cost Characterization:** Minor

7-461

Leave Of Absence For Reserve Corps Field Training. - Requires a municipality to allow municipal employees time off for reserve military training obligations up to 30 days annually and to pay them the difference between their municipal pay and their military pay.

**Enactment:** 1957, PA 569

**Estimated Cost Characterization:** Minor

7-462

Reinstatement Of Employees After Military Leave. - Requires municipalities to reinstate to his former position, any municipal employee who leaves to enter the armed forces, and to credit him for his military service as if he had worked for the municipality.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 152 - act removed references to county employees, but see Sec. 6-28b. P.A. 73-194 substituted "political subdivision" for "town, city or borough" and defined "political subdivision" in new Subsec. (b).

**Estimated Cost Characterization:** Minor

7-463

Interest Of State In Employees' Bond. - Requires that the bond for any municipal official who is the repository for any funds in which the state has an interest, include and run to the state to the extent of such interest and that any additional premium therefor shall be paid by the municipality.

**Enactment:** Prior to 1949

**Amendment:** 1959, PA 152 - act removed references to counties.

**Estimated Cost Characterization:** Minor

7-465

Assumption Of Liability For Damage Caused By Employees Or Members Of Local Emergency Planning Districts. Joint Liability Of Municipalities In District Department Of Health Or Council of Governments. - Requires a municipality to pay on behalf of any employee acting within the scope of her duties, all sums which such employee becomes obligated to pay as the result of any liability for violation of a person's civil rights or for physical damages to person or property.

**Enactment:** 1957, PA 401

**Amendments:** 1959, PA 651 - act added qualifying word "physical" before "damages" and "injury," added exception for libel and slander and reduced time for filing notice from six months to sixty days.

1961, PA 375 - act incorporated provisions re case where injured person is an employee injured by fellow employee and restored notice period to six months.

1963, PA 97 - act removed waiting period of thirty days after notice to municipality before action could be commenced and deleted provision for notice to employee as well as to municipality.

1965, PA 277 - act added provisions concerning representation of municipality and employee by same attorney.

1971, PA 226 - act required that action must be brought within two years rather than one year and required that notice be written, effective October 1, 1971, and applicable to injuries first sustained on and after said date.

P.A. 73-610 - defined "employee" and protected rights of persons, boards and commissions under Sec. 10-235.

P.A. 75-408 - included awards for infringement of civil rights.

P.A. 77-502 - added Subsec. (b) re district departments of health.

P.A. 81-229 - amended Subsec. (b) to include regional planning agencies.

P.A. 82-472 - corrected a reference to regional planning agency.

P.A. 85-521 - amended Subsec. (a) to authorize a cause of action by an employee against a fellow employee based on the fellow employee's negligence in the operation of a motor vehicle.

P.A. 89-212 - amended Subsec. (a) to require assumption of liability for members of local emergency planning districts.

**Estimated Cost Characterization:** Minor

- 7-468 Rights Of Employees And Representatives. - Requires that municipal employees have the right of self organization and the right to bargain collectively. Requires that when an employee organization has been designated by the state labor department as the representative of employees in an appropriate unit, a municipality recognize that organization as the exclusive bargaining for such unit.
- Enactment:** 1965, PA 159
- Amendments:** 1967, PA 491 - act amended Subsec. (b) to specify that recognition of employee representative be made by chief executive officer.  
P.A. 93-426 - inserted new Subsec. (d) to impose a duty of fair representation on an employee organization which represents municipal employees and redesignated existing Subsec. (d) as (e).
- Estimated Cost Characterization:** Moderate
- 7-469 Duty To Bargain Collectively. - Requires a municipality and any employee organization to bargain collectively.
- Enactment:** 1965, PA 159
- Estimated Cost Characterization:** Moderate
- 7-470 Prohibited Acts Of Employers And Employee Organizations. - Requires that municipal employers be prohibited from certain practices including: interference with employee organizing, discrimination against union employees, refusal to bargain in good faith, refusal to discuss grievances and refusal to comply with grievance settlements.
- Enactment:** 1965, PA 159
- Amendment:** P.A. 75-189 amended Subsecs. (a) and (b) to prohibit refusing to comply terms of settlements, awards and decisions.  
P.A. 93-426 - inserted new Subdiv. (3) in Subsec. (b) to prohibit an employee organization which represents municipal employees from breaching its duty of fair representation to its members and redesignated existing Subdiv. (3) as (4).
- Estimated Cost Characterization:** Minor
- 7-473a Notice Of Expiration Date Of Collective Bargaining Agreement. Filing Form. - Requires a municipal employer to file with the state board of mediation and arbitration notice of the expiration of any collective bargaining agreement between the employer and a municipal employee organization. This section also requires the municipality or a newly certified or recognized employee organization to notify such board of such recognition and to commence negotiations concerning the terms of an original collective bargaining agreement within 30 days of such recognition.
- Enactment:** 1975, PA 570
- Amendment:** P.A. 93-17 - amends sec. 1 to provide for timely notification of bargaining units recognition
- Estimated Cost Characterization:** Minor

7-473b

Mandatory Timetable For Negotiations. Appointment Of Mediator. - Requires that negotiations between a municipal employer and a municipal employee organization commence at least 120 days before the expiration of any current collective bargaining agreement. This section also requires that a mediator be appointed if a collective bargaining agreement hasn't been reached by both parties within certain time frames.

**Enactment:** 1975, PA 570

**Amendments:** P.A. 84-242 - amended Subsec. (c) to provide that the parties may jointly waive the fact finding requirement and thereafter be subject to mandatory binding arbitration.  
P.A. 92-170 - deleted former Subsecs. (c) and (d) re timetables and procedures for fact-finding, relettering former Subsec. (e) accordingly and removing all references to fact-finding, effective May 26, 1992, and applicable to arbitration proceedings commencing after that date.  
P.A. 93-17 - amends subsec. (b) to include provision for appointing a mediator.

**Estimated Cost Characterization:** Minor

7-473c

Neutral Arbitrator Selection Committee. Panel Of Neutral Arbitrators. Mandatory Binding Arbitration; Procedure; Apportionment Of Costs. Rejection Of Award By Legislative Body Of The Municipal Employer. Second Arbitration Format. - Requires that thirty days after the expiration of a labor contract, the state board of mediation and arbitration notify the municipal employer and the municipal employee organization that binding arbitration is imposed upon them and that each party must select a member to sit on the arbitration panel which is chaired by a neutral third party. Requires both parties to exchange proposed collective bargaining agreements with cost details to which both parties must specifically reply as to what provisions they can and cannot accept, and submit them to the arbitration panel. Subsequent to that submittal, both parties must submit their last best offers to the panel. Once the panel has made an award, the municipality may reject it with a two-thirds vote of its legislative body, which must explain their reasons for such vote. The board of mediation and arbitration is required to name a review panel which shall render a final binding decision. The municipal employer is required to pay the cost of the review panel. Requires that the municipal employer pay the cost of its arbitration panel selectee plus one-half the cost of the neutral third party. Binding arbitration is required after 180 days of recognition or 30 days after date set for reopener passes.

**Enactment:** 1975, PA 570

**Amendments:** P.A. 77-117 - amended Subsec. (c) to include cost data for all provisions in collective bargaining agreements.  
P.A. 82-37 - provided that when contract reopener provisions have not been agreed to within ninety days of the contractual date of implementation, mandatory binding arbitration shall be invoked.  
P.A. 84-242 - amended Subsec. (a) to provide that the board shall notify, in writing, the parties who have waived fact finding that binding arbitration is imposed on them.  
P.A. 85-18 - amended Subdiv. (2) of Subsec. (c) to establish a more specific and extensive list of factors to be considered by the arbitration panel, including prior negotiations, public interest, employee interests, cost of living changes, existing conditions of employment of the employee group and prevailing conditions in the labor market.  
P.A. 85-31 - amended Subsec. (c) to require each panel member to state the reasons and standards used in making his arbitration decision.  
P.A. 87-11 - amended Subsec. (a) to provide that binding arbitration will be imposed when neither party requests arbitration within ninety days of starting negotiations to revise a collective bargaining agreement.  
P.A. 87-100 - added Subsec. (f) which limited the presentation of new issues to binding arbitration.

P.A. 92-84 - added Subsec. (a) re neutral arbitrator selection committee and panel of neutral arbitrators, relettered former Subsec. (a) as Subsec. (b), changed the time period for imposition of binding and final arbitration from ninety days to thirty days, added requirements that the third member of an arbitration panel shall be selected from the panel of neutral arbitrators, relettered former Subsecs. (b) and (c) as Subsecs. (c) and (d), respectively, required the arbitration panel to give priority to the public interest and the financial capability of the municipal employer in arriving at a decision, required the arbitration panel to consider developments in private sector wages and benefits, added Subdiv. (5) to Subsec. (d) providing for rejection of arbitration decision by the legislative body of the municipal employer, and relettered former Subsecs. (d), (e) and (f) as Subsecs. (e), (f) and (g).

P.A. 92-170 - removed references to fact-finding, changed the order for submission of last best offers and briefs in Subsec. (d), in Subdiv. (5) of Subsec. (d) changed thirty days to twenty-five days, required the municipal employee organization to prepare a written response when an award is rejected, changed the requirement that arbitrators for the second round be members of the American Arbitration Association to labor relations arbitrators approved by the association and residents of Connecticut, required the review in the second round to be limited to consideration of the criteria set forth in Subdiv. (2), required the decision in the second round to be in writing and to include specific reasons and standards used in making the decision on each issue, required the decision to be filed with the parties and specified that the legislative body pay the costs and made technical changes, effective May 26, 1992, and applicable to arbitration proceedings commencing on or after that date.

May Sp. Sess. P.A. 92-11 - made a technical change in Subsec. (b).

P.A. 93-17 - added new Subdivs. (1) and (2) in Subsec. (b) to require state board of mediation and arbitration to impose binding arbitration on a newly certified municipal employee organization and a municipal employer if the parties fail to approve an original collective bargaining agreement within one hundred eighty days after the employee organization is certified or recognized, and redesignated existing Subdivs. (1) and (2) as Subparas. (A) and (B), respectively.

P.A. 99-270 - made technical changes, added Subdiv. indicators to Subsec. (b) and reorganized the Subdiv. indicators in Subsec. (d).

**Estimated Cost Characterization:** Moderate

7-474

Negotiations And Agreements Between Municipality And Employee Representatives. Federal Approval. Elective Binding Arbitration; Procedure; Apportionment Of Cost. - Requires the chief elected officer of the municipality or his designee to represent the municipal employer in negotiations with the municipal employee organization. Requires any agreement reached through negotiations to be in writing. Requires the budget-appropriating authority of any municipal employer to appropriate funds necessary to comply with the collective bargaining agreement, provided it has been approved by the legislative body of the municipal employer. If the municipal employer is a school board, housing authority or other authority established by law, it shall represent the municipal employer in collective bargaining, and any agreement it negotiates with employee organizations does not need approval of the municipal legislative body.

**Enactment:** 1965, PA 159

**Amendments:** 1967, PA 491 - acts amended Subsec. (b) by adding provision re conflict between agreement and any general statute concerning covering or removing coverage under municipal employees retirement system, by requiring submission of request for funds or approval of conflicting provisions be made within fourteen days of reaching agreement and by establishing failure to make submission within specified time as prohibited practice and setting forth terms re approval or rejection, amended Subsec. (d) by declaring binding nature of agreements made by districts, school boards, etc., amended Subsec. (e) by allowing bargaining to continue after budget deadline and by allowing retroactive effective dates for terms of agreement and amended Subsec. (f) to include conflicts with statutes concerning municipal employees retirement system and further amended Subsec. (b) to provide for cases where legislative body is town meeting.

1969, PA 174 - act amended Subsec. (f) to clarify effective date of provisions in agreements which affect participation of employees in municipal employees' retirement system.

1971, PA 532 - act amended Subsecs. (b) and (f) by adding provision re conflict between agreement and coverage or noncoverage under policemen and firemen survivors' benefit fund.

P.A. 75-35 - added to Subsec. (d) provision re agreement terms which require federal approval.

P.A. 75-173 - and 75-570 amended Subsec. (c) to include agreements approved as result of arbitration decision or as result of failure to reject fact finder's report.

P.A. 75-570 - also added Subsecs. (h) to (k) re arbitration proceedings after rejection of fact finder's report.

P.A. 82-212 - added proviso in Subsec. (g) specifying types of proposed changes to promotional process which shall be subject to collective bargaining and declared "initial" appointments and content of promotional examinations to be not subject to collective bargaining.

P.A. 85-18 - amended Subdiv. (2) of Subsec. (j) to establish a more specific and extensive list of factors to be considered by the arbitration panel, including prior negotiations, public interest, employee interests, cost of living changes, existing conditions of employment of the employee group and prevailing conditions in the labor market.

P.A. 85-31 - amended Subsec. (j) to require each panel member to state the reasons and standards used in making his arbitration decision.

P.A. 87-100 - added Subsec. (l) which limited the presentation of new issues to binding arbitration.

P.A. 90-47 - amended Subsec. (d) to include nonprofit fire-fighting corporations as representatives for collective bargaining.

P.A. 92-170 - amended Subsec. (c) to remove references to fact-finding and removed Subsecs. (h) to (l), inclusive, concerning fact-finding, effective May 26, 1992, and applicable to arbitration proceedings commencing on or after that date, and obsolete reference in Subsec. (c) to "or subsections (h) to (k), inclusive, of this section" was deleted editorially.

**Estimated Cost Characterization:** Major

7-478b Collective Bargaining Agreement Provision Re Closing Of Nonmunicipal Offices On Martin Luther King Day. - Requires each municipality to include a requirement in any future collective bargaining agreement that all non-essential municipal offices will be closed on any day designated as Martin Luther King Day.

**Enactment:** 2000, PA 98

**Estimated Cost Characterization:** Minor

7-478c Reopening Of Certain Collective Bargaining Agreements For Compensation Or Exchange Of Benefits For Observance Of Martin Luther King Day. - Requires each municipal employer to reopen each collective bargaining agreement for the sole purpose of negotiating compensation or exchange of benefits for observance of Martin Luther King Day.

**Enactment:** 2000, PA 98

**Estimated Cost Characterization:** Minor

7-478d Duties Of State Board Of Mediation And Arbitration If No Resolution. – Stipulates that if any municipal employer and employee organizations cannot come to a settlement on the compensation issue that the parties must submit the issue to the State Board of Mediation and Arbitration.

**Enactment:** 2000, PA 98

**Estimated Cost Characterization:** Minor

7-478e Mandatory Timetable For Negotiations. Appointment Of Mediator. - Requires that if a municipal employer is unable to resolve the compensation issue it must submit the issue to binding arbitration in a manner and timing specified by this section.

**Enactment:** 2000, PA 98

**Estimated Cost Characterization:** Minor

7-478f Rejection Of Award By Legislative Body. Second Arbitration Format. – Stipulates that if the legislative body of the municipality rejects the arbitrator’s decision by a two-thirds vote it must submit, in writing, its reasons for rejection to the State Board of Mediation and Arbitration for review. The Board shall render a decision on each rejected issue which shall be final and binding except for a motion to vacate may be made. The reasonable cost of the arbitrator(s) and the cost of the transcript shall be paid by the legislative body.

**Enactment:** 2000, PA 98

**Estimated Cost Characterization:** Minor

## Title 8: Zoning, Planning, Housing, Economic Development And Human Resources

### *AFFORDABLE HOUSING LAND USE APPEALS*

8-30g Affordable Housing Land Use Appeals Procedure. Definitions. Affordability Plan; Regulations. Conceptual Site Plan. Maximum Monthly Housing Cost. Percentage-Of-Income Requirement. Appeals. Modification Of Application. Commission Powers And Remedies. Exempt Municipalities. Moratorium. - Following a decision by a local commission to reject an affordable housing application or to approve an application with restrictions that have a substantial adverse impact on the viability of an affordable housing development, the applicant may submit to the commission proposed modification(s) that respond to some or all of the objections or restrictions. This section requires the commission to hold a public hearing on the modification(s), if there had been a public hearing on the original application, and it must render a decision within 65 days of receipt of the modification(s). Under certain conditions, deed-restricted mobile manufactured homes and accessory apartments can be added to the list of affordable housing units that count toward a town earning an exemption from the affordable housing appeals procedure.

**Enactment:** 1988, P.A.-230

**Amendments:** P.A. 89-311 effective July 1, 1990. (Note: P.A. 88-230 authorized substitution of "judicial district of Hartford" for "judicial district of Hartford-New Britain" in all 1989 public and special acts.

P.A. 90- 98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993.

P.A. 93-142 changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996.

P.A. 95-250 and P.A. 96-211 replaced Commissioner and Department of Housing with Commissioner and Department of Economic and Community Development.  
P.A. 95-280 amended Subsec. (a) to revise the definition of "affordable housing development" to require twenty-five per cent of units rather than twenty per cent be affordable for thirty rather than twenty years and to add provision that income of eligible persons or families may be eighty per cent of the state median income; amended Subsec. (b) to change appeal to the judicial district where the real property is located instead of the Hartford-New Britain district and amended Subsec. (c) to add provision placing burden of proof on the commission to show that the application would locate affordable housing in an industrial area not zoned for housing and that development is not assisted housing and made technical changes, effective July 6, 1995, and applicable to affordable housing applications pending on that date for which the commission has not rendered a decision.

June Sp. Session P.A. 98-1 amended Subsec. (a) by making a technical change.

P.A. 99-261 amended Subsec. (a) by adding that for at least thirty years after the initial occupation of the proposed development the dwelling units shall be sold or rented at, or below, prices which will preserve the units as affordable housing, and by adding the requirement that 10% of the deed-restricted units be set aside for families at or below 60% of the area median income, effective June 29, 1999, and amended Subsec. (b) by adding further specification as to where all appeals, including pretrial motions, shall be heard (Revisor's note: In codifying Subsec. (a) the Revisors editorially deleted the designator "(i)" from the phrase "... of the proposed development, (i) such dwellings ..." to reflect the deletion of "(ii)" by floor amendment to sHB 6834).

P.A. 00-206 – added the requirement to hold a public hearing on the modification(s), if there had been a public hearing on the original application, and that it must render a decision within 65 days of receipt of the modification(s).

P.A. 02-87 – added, under certain conditions, deed-restricted mobile manufactured homes and accessory apartments to the list of affordable housing units that count toward a town earning an exemption from the affordable housing appeals procedure.

**Estimated Cost Characterization:** Moderate

*DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT: HOUSING; DEPARTMENT OF HOUSING; GENERAL PROVISIONS*

8-37s Commissioner To Monitor And Report On Housing Needs. - Requires municipalities to submit to the commissioner of housing a copy of the monthly bureau of the census report on building permits issued and public construction.

**Enactment:** PA 79-598

**Amendment:** P.A. 82-69 - required that municipal report on building permits and public construction be filed with commissioner.

**Estimated Cost Characterization:** Minor

*DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT: MUNICIPAL HOUSING PROJECTS*

8-119k Payment In Lieu Of Taxes. - Allows eligible developers receiving state financial assistance for a congregate housing project, in lieu of real property taxes, special benefit assessments and sewerage system use charges otherwise payable to a municipality, to pay some other sum to the municipality, in a manner and amount determined by this section.

**Enactment;** 1979, PA 394

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

8-119gg Payments In Lieu Of Taxes And Assessments. - Allows housing authorities receiving state financial assistance for a low income housing project, in lieu of real property taxes, special benefit assessments and sewerage system use charges otherwise payable to a municipality, to pay a sum each year to such municipality, in a manner and amount determined by this section.

**Enactment:** 1986, PA 362

**Amendments:** P.A. 93-309 added provision requiring payments be made for rental or quasi-ownership units for eligible households of very low income or low income in any housing development receiving financial assistance under Sec. 8-433.

P.A. 95-250 and P.A. 96-211 replaced Commissioner and Department of Housing with Commissioner and Department of Economic and Community Development.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

#### *MUNICIPAL DEVELOPMENT PROJECTS*

8-193 Acquisition and transfer of real property. Procedure. Powers of agency. Limitations. – prohibits the taking of property by eminent domain for the primary purpose of increasing local tax revenues, imposes new requirements for a taking and places the burden of proof for the taking on the municipality.

**Enactment:** 1967, P.A. 760

**Amendments:** P.A. 07-141 added the cited provisions.

**Estimated Cost Characterization:** Minor

## Title 9: Elections

#### *GENERAL PROVISIONS*

9-5a Towns To Supply Registrars With Office Space And Supplies. Records. - Requires municipalities to supply registrars of voters with office space, supplies and equipment, including facilities for safe storage of their records.

**Enactment:** 1961, PA 71

**Estimated Cost Characterization:** Minor

9-6 Conferences Of Town Clerks, Registrars And Secretary. - Requires municipalities to compensate town clerks and registrars of voters for attending two conferences a year called by the secretary of

the state to discuss election laws and procedure. Compensation is \$35 per day plus mileage to and from the conference.

**Enactment:** 1957, PA 480

**Amendments:** 1959, PA 51 - act provided compensation for deputy registrar or assistant town clerk attending conference in the absence of a registrar or town clerk, and changed destination for computing mileage to the place where the conference is being held.

1961, PA 198 - act deleted requirement that conference be state-wide.

1969, PA 97 - act changed compensation from ten to twenty-five dollars per day.

P.A. 79-384 - changed compensation from twenty-five to thirty-five dollars per day and changed mileage rate from ten cents per mile to the same rate as that paid to state employees.

P.A. 83-475 - amended section by establishing minimum mileage rate of twenty cents per mile or such greater rate as determined by municipality.

P.A. 95-171 added "two" re towns divided into voting districts.

**Estimated Cost Characterization:** Minor

#### *ELECTORS: QUALIFICATIONS AND ADMISSION*

9-16      Notice Of Sessions Of Registrars Of Voters. - Requires the registrar of voters to give notice of the time and place of each session for the admission of electors, by publication in a newspaper circulated in such town.

**Enactment:** 1953, Supp. 517d

**Amendments:** 1959, PA 684 - allowed town clerk's statement that applicant is an elector in lieu of proof of citizenship.

1961, PA 266 - added registrar of voters to same provisions.

1963, PA 393 - deleted requirement of posting notice of session on signpost and changed time for giving notice by publication.

1965, PAs 275, 443 - required notice be published no more than ten nor less than five days before each session.

1967, PA 352 - amended notice requirement to no more than fifteen days instead of prior to session.

PA 83-391 - amended section to provide for notice of session to be given by registrars of voters, not board for admission of electors.

P.A. 93-230 - provides that newspaper notice not be in the form of a legal advertisement.

**Estimated Cost Characterization:** Minor

9-19b      Applications For Admission Submitted To Town Clerk Or Registrar Of Voters, Locations For Admission Of Electors. - Stipulates when and where the town clerk, assistant town clerk, registrar, deputy registrar, assistant registrar, etc. are to examine the qualifications of any person applying to be admitted as an elector and administer the elector's oath. The person administering the oath must provide the applicant with a receipt, and must send notice by first class mail as to the approval or disapproval of the application.

**Enactment:** 1967, PA 559

**Amendments:** 1969, PAs 491, 677 - added provision for town clerk and registrars of voters, during the period between the last regular session and the opening of the limited session held on the last weekday before election, to process applications of persons who attained qualifications as

to age, residence or citizenship during that period and added provision for enrollment at any public place where five days prior notice in newspaper published.

1971, PA 768 - added assistant town clerk and a deputy or assistant registrar where appropriate, substituted "any of such admitting officials", deleted "accept the application for admission as an elector of" and deleted provisions requiring approval of application by the board for admission of electors and notification where the board's action is unfavorable.

P.A. 73-130 - added "with the consent of both registrars of voters" to the provision for enrollment at any public place.

P.A. 73-430 - defined "during office hours" where the registrars of voters do not maintain regular office hours.

P.A. 75-28 - clarified "office hours" and changed provisions concerning enrollment at any public place to remove requirement for consent of both registrars so that either registrar may conduct enrollment upon seven days prior notice to other registrar and the five day prior notice by newspaper, such notice to be signed by each registrar, deputy, or assistant who intends to participate.

P.A. 79-143 - divided the Section into Subsecs. (a) to (d), inclusive, additionally provided for enrollment at other than a public place, for admission to be effective on occurrence of certain conditions or for rejection of application, for provision of receipt to applicant upon administration of oath, for notice of action taken on application, for application for reexamination where application has been rejected and deleted references to newspaper notice.

P.A. 79-189 - added "residency in the municipality" to qualification as to age or citizenship to be attained during the period between the last session and the opening of the limited sessions held on the last weekday before election in order for person to be registered during that time.

P.A. 81-350 - required notice of location and opportunity to be present be given to a registrar of other party by registrar conducting door to door registration and allowed rejected applicants to appeal under Sec. 9-311.

P.A. 82-472 - added the reference to Sec. 9-43 in Subsec. (c).

P.A. 88-347 - added Subdiv. (5) to Subsec. (b) re examination of qualifications of applicants for admission at offices of motor vehicles, labor and income maintenance departments.

P.A. 89-297 - amended Subsec. (b) by providing that the admission of any person shall be effective one week after receipt of application, except as otherwise provided.

P.A. 93-262 authorized substitution of commissioner and department of social services for commissioner and department of income maintenance.

P.A. 94-121 applied provisions of Subsec. (a) to any person applying "in person" and substituted "approve such application" for "administer the elector's oath" in Subsec. (a), amended Subsec. (b) by substituting "in the town and, except for applications submitted pursuant to subdivision (4) of this subsection, approve such application submitted in person" for "and administer the elector's oath", deleting requirement of advance notice to other registrar in Subdivs. (3), (4) and (5), and amending Subdiv. (4) to require place to be "in the town", allow approval of applications received prior to last session for admission of electors to occur after such last session, make application effective only on date when both registrars approve it and require registrars to act forthwith on such applications, amended Subsec. (c) by substituting "accepting applications" for "administering the elector's oath", and applied provisions of Subsec. (d) to any person applying "in person" and "in such town" and substituted "approve the application" for "administer the elector's oath", effective January 1, 1995; in 1997 a reference in Subsec. (b) to "Department of Labor" was replaced editorially by the Revisors with "Labor Department" for consistency with customary statutory usage.

**Estimated Cost Characterization:** Minor

9-19c

Application For Admission At Place Of Employment, Residence Or Study. - Requires an admitting official of any town where the town clerk or registrar of voters has been presented with 25 or more persons who are employed at the same place, or attend the same school, college or university, home for the aged, rest home, hospital, nursing home or convalescent home to go to

such place for the purpose of taking and acting upon applications for admission as electors following procedures mandated by this section.

**Enactment:** 1969, PA 412

**Amendments:** 1971, PA 768 - In Subsec. (a) changed enumeration of town clerk, assistant, either registrar of voters or their deputies to "an admitting official", deleted reference to "all members of the board for admission as electors" deleted reference to enumerated officials to go to the place of employment and provided that the officer with whom application is filed may request any other admitting official to go in his stead.

P.A. 75-17 - In Subsec. (a) to signed request of twenty-five added attendance at some school, college or university, residence at same hospital, home for aged, rest home, nursing home, convalescent home all of which located in same town where admission as elector desired, also these terms added to other appropriate references, changed the period during which a request may not be made to forty-five days prior to a regular election, changed limiting date of notice from no more than fourteen to ten days in Subsec. (b) added "or chief administrative officer" following "employer" and "students or residents" following "employee".

P.A. 75-565 - in Subsec. (a) provided for taking and acting upon applications of employees, students or residents whether residents of that or any other Connecticut town.

P.A. 76-128 - removed language restricting the request signed by twenty-five students to residents of such town and also restrictions for admission only in that some town, changed the time during which request may not be made to the period between the last regular session and the day following the election, changed limitation to applications of employees, students or residents to any persons authorized to be on the premises and residing in any Connecticut town and provided that requests need not be accepted where session has been held on premises within four months prior to making of petition.

P.A. 77-330 - changed period during which request may not be made to between seven days before the last session and the day following the election and added exception that no session shall be held after the last session.

P.A. 79-363 - changed "request" to "application" throughout Subsec. (a), in Subsec. (b) where word "applications" first appears "for admission as electors" was added and where "applications" next appears "for admission as electors" was deleted.

P.A. 87-382 - substituted "one hundred twenty days" for "four months" in Subsec. (a).

P.A. 97-112 replaced "home for the aged" with "residential care home".

**Estimated Cost Characterization:** Minor

9-19j Election day registration; confirmation procedures; counting of ballots. Activities prohibited near location of election day registration. – Requires registrars to designate locations for election day registration and, as necessary, staff those locations and follow other procedures as specified.

**Enactment:** 2012, P.A. 12-56, Sec. 1

**Estimated Cost Characterization:** Minor

9-20 Admission Of Electors; Procedure. - Requires registrars of voters to keep in records all applications of electors under procedures provided by this section. Also, registrars and town clerks are required to maintain a copy of the elector's oath in braille, large print and audio form. Also, municipal voter registration forms are required to include a space for the applicant to voluntarily furnish his social security number.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 684 - provided that a written statement by a town clerk of previous admission as an elector in some other towns as proof of citizenship.

1961, PAs 74, 266 - expanded the 1959 act by including such a statement by a registrar of voters. Also provided for delivery of applicants' statement to registrars and retention by them.

1967, PAs 100, 390, 559, 831 - substituted "member of board" for "selectman", added to the provision re elector's request that board require proof of certain qualifications of an applicant requirement that this request be made at time of application or prior to its approval and provided for reading of any article of constitution or section of statutes.

1969, PA 694 - permitted registrars to administer oaths in matters concerning Sec. 9-19b and deleted provisions empowering board members or town clerk to select materials to be read in a literacy test.

1971, PA 768 - substituted "admitting official" for "board", "town clerk", or "registrar".

P.A. 73-99 - provided that statement on applications of electors whose names have been removed from registry list for at least five years may be placed on microfilm or destroyed.

P.A. 73-630 - included provisions on application for bona fide residence by street and number and deleted provision for length of time of continuous residence in town in which he applies.

P.A. 75-47 - added provision for application form to contain application for optional enrollment in any party.

P.A. 75-174 - added reference to disposal of electors statements under Sec. 7-109.

P.A. 75-565 - added reference to quadruplicate statements and made other minor changes.

P.A. 77-244 - provided for preregistration within a four month period prior to the election of those becoming eighteen years of age on or before the day of the election.

P.A. 81-350 - divided section into Subsecs. and amended provisions to require positive identification by birth certificate, drivers license or social security card at time of registration or to provide testimony of an elector under oath to establish identity of person seeking to become an elector.

P.A. 83-391 - deleted references to board of admissions of electors.

P.A. 89-234 - added Subsec.(c) re Braille, large print, audio and video forms of elector's oath.

P.A. 93-230 - amends subsec. (b) to require registration forms to have a space for the applicant's social security number, which the applicant is requested to voluntarily furnish.

P.A. 94-121 applied provisions of Subsecs. (a) and (b) to persons applying "in person to an admitting official", amended Subsec. (a) by substituting "penalties of perjury" for "oath" and deleting requirement that applicant state his birthplace on form, amended Subsec. (b) by deleting authorization for qualified person to take oath, and amended Subsec. (c) by adding provision re statement required to be included in application, substituting "such statement" for "the elector's oath" and requiring official to administer oath upon request of applicant.

P.A. 97-154 authorized registrars to request elector to voluntarily furnish birthdate when missing from their records.

P.A. 99-268 amended Subsecs. (a) and (b) by repealing requirement that form include request for applicant to furnish Social Security number and extending prohibition on disclosure of Social Security numbers to the public or to any governmental agency, effective.

P.A. 00-169 revised effective date of P.A. 99-268 but without affecting this section.

**Estimated Cost Characterization:** Minor

9-21

Cancellation Of Previous Registration. - Requires the admitting official to mail notice to any other town or state when a new applicant cancels a previous registration. Also requires registrars, when notified of an elector having registered in another state, district or territory, to remove the name of such elector from the registry list.

**Enactment:** Prior to 1949

**Amendments:** 1971, PA 768 - replaced reference to "registrars" with "admitting Official".

PA 73-630 - added provisions for notification to election officials in another state as well as any other town in Connecticut of cancellation of previous registration in such other state or town where applicant was previously admitted as elector elsewhere.  
PA 82-213 - amended section to include references to United States districts and territories.  
P.A. 84-319 - amended section to require cancellation of registration by admitting official instead of applicant.  
P.A. 96-134 - added provision for registrars, when notified of an elector having registered in another state, district or territory, to remove the name of such elector from the registry list.

**Estimated Cost Characterization:** Minor

9-21a Search of Computerized Voter Registration Records. Duplicate Registrations. – requires registrars of voters, when notified by the Secretary of State of potential duplicate voter registrations, to send each elector a notice of duplicate registration in a form prescribed by the Secretary of the State.

**Enactment:** 1997, P.A. 97-154, Sec. 21 & 27

**Amendments:** P.A. 11-173, Sec. 29 makes technical changes.

**Estimated Cost Characterization:** Minor

9-23 Data Identifying Elector To Be Entered By, Or Filed With, Town Clerk. - Requires town clerks, in towns with no full-time registrars of voters, to enter the information of each person admitted as an elector in the records of such town. In towns with full-time registrars of voters, the registrar is responsible for entering that information.

**Enactment:** Prior to 1949

**Amendments:** 1971, PA 768 - following "...persons admitted as electors" deleted "at any session of the board for the admission of electors held for that purpose".  
1972, PA 39 - provided for application of section by adding "In towns which do not have full-time registrars of voters with regular office hours".  
P.A. 79-363 - added requirements that information to be recorded by town clerk to include residence, date and place of birth and date of admission of electors and added provision for towns having full-time registrar which includes those whose offices maintain daily office hours, such registrars to file that information in the office of the town clerk.  
P.A. 90-156 - added Subsec. (b) re exceptions to Subsec. (a).

**Estimated Cost Characterization:** Minor

9-23g Witnessed Application For Admission. - Requires registrars of voters to date and review all voter registration applications to determine if the applicant has properly completed it and is legally qualified to register, and to notify applicants of their decision. Also requires voter registration agencies to provide a receipt to persons submitting a voter application.

**Enactment:** 1987, PA 409

**Amendments:** P.A. 88-344 - inserted new Subsec. (a) defining "witnessing official", relettered former Subsec. (a) as Subsec. (b) and substituted "in accordance with the provisions of this section and sections 9-23h and 9-23i" for "by mail" in Subsec. (b), relettered former Subsec. (b) as Subsec. (c) and amended Subsec. (c) to require each application form to have a receipt attached and secretary to prepare and provide materials, to substitute "witnessing official" for "notary

public, commissioner of the superior court or justice of the peace", to substantially modify procedure for execution of application, to allow application to be returned in person instead of by mail only and to office of town clerk instead of to registrar of voters only and to restrict reproduction of form, inserted new Subsec. (d) re restriction on witnessing and certifying execution of applications by candidates, relettered former Subsec. (c) as Subsec. (e) and substantially amended procedures in Subsec. (e) for review of applications and notification of applicants, repealed former Subsec. (d) and substituted new Subsec. (f) re time of attachment of privileges of an elector, relettered former Subsec. (e) as Subsec. (g) and substantially revised provisions re when an application shall be rejected, not rejected, relettered former Subsec. (f) as Subsec. (h) and former Subsec. (g) as Subsec. (i) and added Subsec. (j) re adoption of regulations. P.A. 91-351 - added clause (i) to Subpara. (B) of Subsec. (e) re notice requirement for application received during period beginning on twentieth day before election and ending on fourteenth day before election and substituted "fourteenth" for "twenty-first" day in Subdiv. (2) of Subsec. (f). P.A. 93-386 repealed requirement that execution of applications be witnessed, deleting former Subsecs. (a) and (d) and all other references to witnessing officials and relettering remaining Subsecs. accordingly, amended relettered Subsec. (b) to require that applicant's statements be made under penalties for false swearing before election officials instead of false statement and that elector's oath be self-administered by applicant, to provide that this section and Sec. 9-23h do not require application to be executed in the state and to allow member of immediate family of applicant or designee of ill or disabled applicant to mail or return application, amended relettered Subsec. (c) by adding "Forthwith" and requiring registrars to take necessary action in accordance with Sec. 9-35 or 9-43 if notice of acceptance of application is returned undelivered, instead of requiring registrars to reject if so returned within ten days, amended Subdiv. (1) of relettered Subsec. (d) to require privileges of an elector to attach immediately upon approval of application by registrar instead of on tenth day after registrar mails notice of acceptance to applicant and deleted former Subdiv. (3) and amended relettered Subdiv. (3) for consistency, amended Subdiv. (2) by substituting "If a mailed application is postmarked, or if a delivered application is received" for "If an application is received" and amended relettered Subsec. (e) to prohibit an application from being rejected for failure to provide applicant's Social Security number. P.A. 94-121 amended Subsec. (b) by adding references to voter registration agencies, repealing requirements that form have receipt attached, be completed by applicant and be returned by specified persons and that applicant self-administer the oath, substituting "penalties of perjury" for "penalties for false swearing", adding sentence re statement required to be included in application, and repealing restrictions on reproduction of form and adding sentence requiring form to be provided by or authorized by secretary of the state, amended Subsec. (c) by inserting new subclause (ii) re application received by fourteenth day before election by commissioner of motor vehicles or voter registration agency and requiring registrars to act "forthwith" if notice is returned, "notwithstanding the May first deadline in section 9-35", and renumbering former subclause (ii) to subclause (iii), amended Subsec. (d) by inserting new Subdiv. (3) re application received after fourteenth day before an election by commissioner of motor vehicles or voter registration agency and renumbering former Subdiv. (3) to Subdiv. (4), and amended Subsec. (e) by deleting references to birthplace and sex. P.A. 97-67 amended Subsec. (c) by substituting "on the fifth day before a primary" for "at twelve o'clock noon on the last weekday before a primary" in subclause (B)(iii), adding new subclause (B)(iv) re postmarked applications, and deleting text for consistency with such changes and amended Subsec. (d)(2) and (3) by inserting "or after the fifth day before a primary" and "or primary, as the case may be". P.A. 97-154 amended Subsec. (b) to require person or agency entrusted to mail or return an application to do so immediately. P.A. 99-112 made technical changes. P.A. 02-83 – added the requirement to provide the applicants a receipt.

**Estimated Cost Characterization:** Minor

- 9-28      Town Clerk To Mail Forms. - Requires town clerk to mail forms referred to in Sec. 9-27 when requested by the registrar or by any person directly.
- Enactment:** Prior to 1949
- Amendments:** 1963, PA 403 - extended provision to groups allied with armed forces, US civilian employees, spouses and dependents.  
PA 73-630 - deleted requirement that extract from Connecticut Constitution and statutes be mailed with the form.  
P.A. 93-384 deleted references to Sec. 9-27 and required mailing of form to "any person temporarily residing outside the territorial limits of the several states of the United States and the District of Columbia".
- Estimated Cost Characterization:** Minor
- 9-30      Action By Town Clerk. Notice. Appeal From Rejection Of Application. - Requires town clerks to examine all applications referred to in Sec. 9-27 and to decide whether the applicant is to be admitted as an elector. The clerk must notify the applicant in writing of his decision.
- Enactment:** Prior to 1949
- Amendments:** 1972, PA 264 - deleted references to board for admission substituting the town clerk therefor.  
P.A. 81-350 amended section to delete reference to reexamination and refer to appeal under Sec. 9-311.
- Estimated Cost Characterization:** Minor
- 9-31a      Special Admission Procedures For Permanently Physically Disabled Persons. - Requires the town clerk or registrar of voters to arrange for an admitting official to visit the home of a permanently disabled person applying to become an elector. The admitting official will administer the elector's oath if applicant is found qualified, in a manner provided by this section.
- Enactment:** 1959, PA 200
- Amendments:** 1969, PA 198 - provided that application by mail may be made to either registrar as well as town clerk, to be mailed so as not to be received later than three weeks, prior to the next regular election and that upon receipt the applicant is to be notified of day and hour within 2 weeks, of receipt at which time, at place of confinement, the applicant is to be examined by either a town clerk or a registrar and made admission conditional on approval of application by board.  
1971, PA 768 - added "at the office of the town clerk or registrars", to any session held by board, as places where physical incapacity prevents attendance, substituted admitting official for town clerk or registrar.  
PA 83-391 - eliminated reference to board for admission of electors and to Secs. 9-16 and 9-22.  
P.A. 84-319 - amended section to provide uniformity in statutes pertaining to on-location admission sessions for handicapped persons, students and patients at hospitals and nursing homes.  
P.A. 88-48 - added Subdiv. (2) in Subsec. (b) establishing procedures for admission of permanently physically disabled persons after last session for admission prior to election.  
P.A. 89-234 - amended Subsec. (3) to require admitting official to make elector's oath available in video, Braille, large print and audio form.  
P.A. 91-351 - substituted ten days for "two weeks" in Subsec. (b)

P.A. 94-121 amended Subsec. (c) by substituting "admitting him as an elector" for "administering the elector's oath" and "statement that specifies each eligibility requirement and contains an attestation that the applicant meets each such requirement" for "elector's oath".

**Estimated Cost Characterization:** Minor

9-31d Town Clerk Or Registrar To Provide Forms. - Requires the town clerk and registrars of voters to provide the application referred to in section 9-31a.

**Enactment:** 1961, PA 144

**Amendments:** 1969, PA 198 - added either registrar of voters as providing application form.  
P.A. 75-83 – deleted provision for physician’s certificate.

**Estimated Cost Characterization:** Minor

9-311 Appeal From Decision Of Admitting Official. - Requires all appeals of decisions by admitting officials be made to the registrar of voters, except that an appeal from the decision of a registrar shall be made to the board for admission of electors. Provisions are made for the procedures used for the appeal. In addition, whenever a person who has been denied admission as an elector appeals that decision to the State Elections Commission, the registrar or other appropriate board must send the record of the hearing, where such denial was made, to the Elections Commission.

**Enactment:** 1981, PA 350

**Amendment:** P.A. 05-235 – added provision that registrar send the State Elections Commission a record of the hearing whenever a person who has been denied admission as an elector appeals that decision to the Commission.

**Estimated Cost Characterization:** Minor

9-32 Canvas To Ascertain Changes Of Residence. - Requires the registrar to conduct a canvas of each residence in the municipality for the purpose of confirming the residence of electors listed there. The Secretary of State adopted regulations setting forth the procedures to be followed in conducting the canvas. This section also determines how an elector can be removed from the registry. The registrar must certify to the Secretary of State, in a manner provided for in this section, that the canvas was conducted, and the municipalities must provide the registrar with sufficient funds to conduct the canvas.

**Enactment:** Prior to 1949

**Amendments:** 1967, PA 55 - deleted application limited to municipalities having population of more than 5,000.

1969, PA 76 - added requirement that the canvas be made house to house and in person.

P.A. 75-7 - further provided that canvasser be permitted to distribute nonpartisan literature prescribed by the secretary of state on opportunities for voter registration.

P.A. 80-379 - provided for canvass by mail as an alternative, under regulations to be adopted by the Secretary of State.

P.A. 82-426 - amended section to allow canvass by combination of mail and personal contact in Subdiv. (3).

P.A. 83-475 - established earlier date for conducting canvass, required municipalities to provide registrars with sufficient funds to conduct canvass and required registrars to certify that canvass has been conducted.

P.A. 87-382 - substituted "180 days" for "six months" and "the thirtieth day" for "one month".

P.A. 88-37 - added a new Subdiv. (3) authorizing a telephone canvass, renumbered the remaining subdivisions and added the provision concerning canvass requirements prior to removal of name from the registry list.

P.A. 88-193 - added provision re deaf electors.

P.A. 90-156 - added Subpara. (B), allowing elector's name to be removed from registry list if registrar receives signed canvass card, indicating that elector has moved out of municipality.

P.A. 93-384 - requires registrars during the canvass to request the elector to voluntarily provide his social security number.

P.A. 94- 121 substituted "between January first and May first, annually" for "within the period of one hundred eighty days before the Tuesday of the fifth week before each regular election to be held in such municipality", substituted "in the odd-numbered years, no canvass need be conducted by the registrars in a town which holds its regular municipal election on the first Monday of May in odd-numbered years" for "not more than one such canvass need be made in any municipality in any period of twelve consecutive months", and substantially revised conditions for removing elector's name from registry list.

P.A. 99-268 repealed requirement that registrars, during the canvass, request elector to provide Social Security number and extended prohibition on disclosure of Social Security numbers obtained during canvass to the public or to any governmental agency.

P.A. 00-66 divided section into Subsecs. and made technical changes.

P.A. 00-169 revised effective date of P.A. 99-268 but without affecting this section.

**Estimated Cost Characterization:** Minor

9-35

Making And Arrangement Of Preliminary Registry List; Removal Of Names; Change Of Address Within Municipality. - Requires registrars, within a certain time period before each election, to prepare a list of electors eligible to vote at that election in a manner provided by this section. This section also provides the procedures for removing electors from the list, and for changes of addresses within the municipality.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 61 - added requirement that notice of removal of an elector's name must specify the cause of removal and voting privileges to which elector is entitled.

P.A. 75-287 - added provision that at any time prior to the session held on the Tuesday of the fifth week the registrars may notify an elector that his name will be removed from the registry list sixty days after the sending of the notice unless a transfer or continuance is effected except that if notice is sent within 60 days of that session, the name will be removed at that session and, unless a transfer or continuance is effected not later than seven days before such election, the registration shall remain canceled and also provided that if notice is sent within 60 days before the session on the third Saturday before a primary, the name shall be removed after such primary, further provided that where a registration within a municipality is being transferred to a new address no changes will be made during the five days before a primary, caucus or convention.

P.A. 79-189 - changed reference to "third Saturday" before a primary to "fourteenth day".

P.A. 83-391 - authorized removal of elector's name from registry list without notice if elector has indicated that he is no longer a bona fide resident of the municipality.

P.A. 83-475 - permitted change of address within municipality to be made on election day with permission of both registrars.

P.A. 84-146 - included a reference to posting of notice on a place other than a signpost.

P.A. 88-37 - authorized the registrar to publish a legal notice of an elector's removal as an alternative to sending a notice of removal if the notice of canvass was returned to the registrar marked undeliverable.

P.A. 88-48 - required session to be held "during such hours between nine o'clock a.m. and five o'clock p.m. as the registrar find necessary to complete the list".

P.A. 89-19 - deleted provision requiring list to be alphabetical in each municipality having population of less than five thousand.

P.A. 94-121 specified that registry list consists of active and inactive lists, substantially modified procedures for removing electors' names from list and provided for certain electors' names to be placed on inactive list.

P.A. 97-154 deleted provision specifying that four-year period, during which elector's name must be on inactive registry list, starts on date notice was sent.

P.A. 98-67 authorized registrars to send notice of removal to elector's current address in the new town and to include voter identification numbers for names on registry list.

P.A. 99-112 made technical changes.

P.A. 00-66 divided section into Subsecs. and made technical changes.

**Estimated Cost Characterization:** Minor

9-35a Posting Of Names Removed From Registry List. - Requires the registrar to post at town hall or municipal building a notice of the names dropped from the registry list in a manner provided in this section.

**Enactment:** 1967, PA 613

**Amendments:** 1971, P.A. 94 - act added "in a place readily accessible to the public".  
 P.A. 75-287 - following "Immediately after the close of the session" added "or immediately after the sending of notice of intended removal" and further added, following "whose names were removed from the registry list at such session" "or will be removed on the date specified ...".

**Estimated Cost Characterization:** Minor

9-35b Relinquishment Of Registration By Elector. - Requires the registrar, in a manner prescribed by this section, to remove the name of an elector from the registry list whenever that elector requests.

**Enactment:** 1981, PA 350

**Amendments:** P.A. 85-207 - amended section to delete language which had limited electors' right to relinquish electoral privileges by requiring that relinquishment be for religious reasons.  
 P.A. 94-121 repealed requirement that elector desiring to relinquish rights as an elector appear before either registrar and make application on form prescribed by secretary.

**Estimated Cost Characterization:** Minor

9-36 Completion Of Preliminary Registry List. Distribution. - Requires the registry list referred to in Section 9-35 to be available for public inspection in the office of the registrars of voters. In municipalities with a population of more than five thousand, the list shall be compiled by voting district. Registrars are required, upon request, to give a copy of the list to any candidate for election.

**Enactment:** Prior to 1949

**Amendments:** 1967, PA 227 - added "and shall be on file in such office until the printing of the next preliminary registry list".

P.A. 89-19 - added provision that registrars give copies of list to general assembly candidates.

P.A. 11-173, Sec. 2 requires the preliminary registry be available for public inspection in the office of the registrars of voters and be made available to any candidate for election, not just candidates to the General Assembly.

**Estimated Cost Characterization:** Minor

9-37 Making Of Final Registry List; Registrars' Sessions For Revision And Correction Of Preliminary List. - Requires registrars or assistant registrars to be available for at least one day during the fourteen-days before each election for revisions and corrections of the preliminary list.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 202 - placed the fixing of the number of sessions in the registrars rather than the selectmen.

P.A. 75-287 - provided that on the third Saturday before a primary, registrars shall hold an additional session to hear requests for adding names, having published notice of such session at least five days in advance.

P.A. 81-350 - amended section to require registrars to post notice of sessions to revise and correct preliminary registry list at the office of the town clerk.

P.A. 83-391 - deleted reference to board of admission of electors.

P.A. 96-134 - eliminates one of the two additional sessions held to hear requests for adding names to the registry list.

P.A. 11-173, Sec. 3 replaced the previous mandate, which imposed multiple obligations, with a requirement that registrars or assistant registrars be available for at least one day during the fourteen-days before each election for revisions and corrections of the preliminary list.

**Estimated Cost Characterization:** Minor

9-38 Deposit Of Final Registry List. Supplementary List. - Requires registrars to produce and certify a final registry list that must be available for public inspection not later than the day following the last day that an elector may make changes to the elector's registration.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 211 - act provided same time for filing list prior to state and town elections and gave towns of under 25,000 option of printing supplementary list or writing names on list.

P.A. 78-153 - substituted "for a period of two years" for "until the printing of the next such list", effective January 1, 1979.

P.A. 83-391 - deleted reference to board for admission of electors.

P.A. 99-276 – added references to “or updated” list.

P.A. 11-173, Sec. 4 replaced the previous mandate with a requirement that registrars produce and certify a final registry list that must be available for public inspection not later than the day following the last day that an elector may make changes to the elector's registration.

**Estimated Cost Characterization:** Minor

9-39 Distribution Of Copies Of Final Registry List. - Requires registrars to make copies of the final registry list for distribution in a municipality and all the voting districts in the manner provided in

this section. Also requires registrars to give candidates for the general assembly copies of such list, upon request.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 201 - provided for registrars to retain at least six copies of the final registry list to be available for public use until the next printing.

P.A. 78-153 - substituted "for a period of two years" for "until the printing of the next such list".

P.A. 89-19 - reduced from six to two the number of copies of registry lists that registrars are required to retain, and required registrars to give copies of lists to general assembly candidates.

**Estimated Cost Characterization:** Minor

9-40a

Continuance Of Residence In Certain Cases. Removal Of Names For Failure To Vote. - Requires the registrar to remove from the registry the names of each member of the U.S. Armed Forces and their spouses, who have not voted in at least one election, primary, referendum or town meeting during the four preceding calendar years.

**Enactment:** 1971, PA 768

**Amendments:** PA 83-475 - added reference to dependents and added Subsec. (b) permitting removal from list for failure to vote during four previous calendar years.

P.A. 94-121 substantially modified procedure for removal of electors' names from registry list and provided for the placing of certain electors' names on the inactive list.

**Estimated Cost Characterization:** Minor

9-42

Restoration Of Names Under Certain Circumstances. - Requires registrars to add names of electors that have been omitted from the corrected registry list.

**Enactment:** Prior to 1949

**Amendments:** PA 75-23 - deleted provision that name not be restored which was passed on by the registrars at any of the sessions previously held for correction of list and further provided that name to be restored must have been on the corrected list for either of the two years previous instead of the year previous.

P.A. 77-283 - added provision "upon presentation under oath of satisfactory evidence that such elector is still a bona fide resident of the town" name shall be added to list.

P.A. 83-213 - amended section to provide that name may be added at any time and not just at election.

P.A. 85-577 - required that elector's name have been on list for at least one of the four previous years rather than for one of the two previous years.

P.A. 94-121 divided the section into subsections and amended Subsec. (a) by substituting "active registry list compiled under section 9-35" for "corrected list", added Subsec. (b) by transferring provisions from Subsec. (a) and repealing requirement that evidence be presented under oath to registrar, added Subsec. (c) re completion and use of inactive registry list, and amended Subsec. (d) for consistency with amendment to Subsec. (a).

**Estimated Cost Characterization:** Minor

9-42a

Change Of Name On Registry List. When Name Of Candidate On Ballot Affected. - Requires registrars to make changes to an elector's name on the registry list after a written request.

**Enactment:** 1965, PA 308

**Amendments:** P.A. 77-163 - deleted enumeration of changes in name authorized.

P.A. 79-363 - added provision that the elector furnish reasonable evidence to the registrars that the name is a lawful name and deleted other restrictions.

P.A. 83-475 - established time limits for candidate name changes prior to primary or election.

P.A. 87-382 - divided section into Subsecs., added Subsec. (a) defining "municipal office" and amended Subsec. (c) to provide that change in name under Subsec. (b) does not affect (1) name of candidate on primary ballot unless elector is candidate for town committee or municipal office, (2) name of major party candidate on election ballot unless elector is candidate for municipal office or (3) name of any minor party candidate or nominating petition candidate on election ballot unless change made by fifty-fifth day preceding election day.

**Estimated Cost Characterization:** Minor

9-43 Removal Of Name For Nonresidence. - When the registrars in any municipality cannot agree upon the removal of an elector from the registry list based upon residence, they must send notice by certified mail to such elector notifying him that his name has been challenged.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 125 - added provisions for oath, statement of reasons for obscene, and notarization of elector's signature.

P.A. 75-348 - added provision that where elector's name restored to list has right to vote at next succeeding regular election shall not be challenged by the registrars on any question of residence.

P.A. 80-281 added "a primary" to "next succeeding regular election" where appearing. P.A. 94-121 added reference to return cards required by the National Voter Registration Act of 1993 and added requirements re inactive registry list.

**Estimated Cost Characterization:** Minor

9-45 Removal Of Names Of Convicts. - Requires the registrars to remove the names of convicts from the registry list of electors upon notice of conviction from the clerk of the court.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 105 - act changed annual removal of convicts' names to monthly removal and added the requirements of furnishing birth dates and sending notice by certified mail;

P.A. 96-207 designated provision re transmittal of list of convicted felons to registrars of voters and removal of names from registry list as Subsec. (a), designated provisions re penalty as Subsec. (b) and amended said Subsec. (a) to replace "clerk of each court of this state having criminal jurisdiction" with "Judicial Department" and to require the Secretary of the State to receive list from Judicial Department and transmit list to appropriate registrars of voters.

**Estimated Cost Characterization:** Minor

9-46a Restoration Of Electoral Privileges. - When a convicted felon has his electoral rights restored in a different municipality from which he was a resident at time of conviction, the registrars must notify that other municipality of the restoration of electoral rights.

**Enactment:** 1975, PA 354

**Amendments:** PA 76-22 - added Subsec. (b) re required notifications regarding restoration of electoral rights.

P.A. 96-207 added new Subsec. (c) requiring the Judicial Department, the Commissioner of Correction and the Board of Parole to establish procedures re the right to have electoral privileges restored.

June Sp. Sess. P.A. 98-1 made a technical change in Subsec. (c).

**Estimated Cost Characterization:** Minor

9-50a Monthly Compilation Of Changes To Registry List. - Requires the registrars of voters to compile a list of all changes to the registry list.

**Enactment:** 1987, PA 462

**Amendment:** P.A. 94-121 substituted "active and inactive registry lists" for "registry list" and added Subdiv. (3) re persons sent notices required under National Voter Registration Act.

P.A. 11-173, Sec. 8 eliminated the requirement to compile the list monthly.

**Estimated Cost Characterization:** Minor

9-51 Mandatory Enrollment Sessions. - Requires registrars to hold an enrollment session on the fourteenth day prior to primaries, in a manner provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1963, PAs 50, 266 - provided for preparation of enrollment lists in municipalities holding non partisan elections in even numbered years and by agreement of all registrars in odd-numbered years and required that enrollment sessions be held in a public place maintained by the municipality.

1971, PA 685 - added provision that registrars may make changes and corrections in the list at any time in addition to sessions except during period of five days before a primary caucus, or convention and further, deleted provision requiring municipality in which municipal election not held in odd-numbered year to hold session on second Friday in June of each odd numbered year.

P.A. 75-206 - changed from fourteenth to the sixteenth week before election the mandatory enrollment session in municipality in which municipal election is held in odd numbered year.

P.A. 75-269 - provided for a mandatory enrollment session on the third Saturday before each primary.

P.A. 77-298 - eliminated enrollment sessions in January and June in even-numbered years and provided for changes and corrections to be made in list of enrolled electors at any time except during period of fourteen, in lieu of five days before a primary, caucus or convention, further deleted provision for a mandatory enrollment session on the Friday of the sixteenth week before election held in an odd numbered year, provided for a mandatory enrollment session on the fourteenth day before each primary and deleted provision for preparation of enrollment lists in municipalities holding nonpartisan elections.

P.A. 83-475 - deleted prohibition against making changes and corrections in enrollment list during fourteen day period prior to primary, caucus or convention.

P.A. 87-382 - changed date for one of mandatory enrollment sessions from third Saturday before primary to seventeenth day before primary.

P.A. 96-134 - eliminates one of the two mandatory enrollment sessions prior to primaries.

**Estimated Cost Characterization:** Minor

9-53 Notice Of Sessions. - Requires the registrars to give notice of any enrollment session by publication in a newspaper having a circulation in such municipality.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 393 - removed requirement of posting notice of session or public signpost and changed time limit for publishing notice.  
1965, PA 275 - modified time of publication to "not more than ten nor less than" five days.  
1967, PA 352 - changed last amendment to fifteen instead of ten days.  
P.A. 77-298 - changed fifteen days back to ten.  
P.A. 93-230 - provides that the newspaper notice need not be in the form of a legal advertisement.  
P.A. 96-134 - changed the reporting requirement to not more than fifteen [ten] days, nor less than five days before the session.

**Estimated Cost Characterization:** Minor

9-54 Compilation And Maintenance Of Enrollment Lists And List Of Unaffiliated Electors. - Requires registrars to compile separate lists of qualified electors by political preference, including unaffiliated electors, in a manner provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1971, PA 685 - added provision requiring registrars to designate party affiliation on registry lists, added authority for registrars to make changes and corrections at any time except within five days before a primary, caucus or convention and changed references to enrollment sessions for purposes of making changes and corrections to the making of the change itself.  
1972, PA 26 - amended provision for action by legislative body so that in addition to authority to require registrars to designate party affiliation on the registry list, such body may vote for continuance or discontinuance of separate enrollment lists.  
P.A. 77-298 - changed period registrars may not make changes and corrections before a primary, caucus or convention to fourteen days.  
P.A. 78-153 - changed fourteen days to one day before a caucus or convention.  
P.A. 83-475 - amended section to facilitate changes of address within a municipality.  
P.A. 87-509 - added provisions requiring registrars to compile list of unaffiliated electors and added reference to Sec. 9-55.  
P.A. 95-171 added "two" re municipalities divided into voting districts.

**Estimated Cost Characterization:** Minor

9-55 Printing Of Corrected Enrollment Lists And List Of Unaffiliated Electors. - Requires registrars to have printed annually copies of the completed, corrected enrollment lists, in a manner provided for in this section. Upon request, the registrar shall give one complete set of such lists **to the public**, to each candidate for any office or for election as a town committee member or delegate to a convention.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 201 - reduced copies of registry lists to be filed with town clerk to one and added provision requiring registrars to keep copies available for public use.  
1967, PA 370 - added provision for one copy to be filed with the town clerk, available for public use until next corrected list is available.  
P.A. 75-269 - provided for a supplementary list to be printed within two weeks after session held on third Saturday before primary.  
P.A. 76-128 - provided for separate supplementary list of those attaining age or citizenship qualifications after third Saturday and before day of primary and enrolling during that period.

P.A. 77-298 - changed provision for printing list of at least once during the calendar year, changed provision for supplementary list to be printed within one, instead of two weeks after session held on fourteenth day, before a primary and, with reference to the separate supplementary list of those attaining qualifications within period before primary, changed reference to fourteenth day.

P.A. 87-509 - added new Subsecs. (b), (c) and (d) re, respectively, when registrars required to cause list of unaffiliated electors to be printed, requirements when legislative body of municipality votes to eliminate separate enrollment lists and compilation of supplementary list and, in Subsec. (e), required registrars to give one complete set of lists to each candidate for election as town committee member or delegate to convention.

P.A. 99-276 added references to "or updated" list.

P.A. 11-173, Sec. 9 eliminated the deadline for completing the required list and requires the list be made available to the public upon request.

**Estimated Cost Characterization:** Minor

9-55a

Compensation Of Registrars, Clerks And Other Personnel. - Stipulates that each registrar, deputy registrar and such other personnel as provided in Sec. 9-57 and each municipal clerk shall receive compensation and all necessary expenses from the municipality for performance of duties imposed by Secs. 9-55 and 9-57.

**Enactment:** 1963, PA 17

**Amendment:** 1967, PA 857 - applied provisions to "other personnel appointed as provided in section 9-57".

**Estimated Cost Characterization:** Minor

9-56

Application For Enrollment By Unaffiliated Elector. - Provides the required procedure, and the responsibilities of registrars, when an unaffiliated elector wants to be placed on the enrollment list of one party or the other. Also provides a fine for any registrars or assistant registrars who fail to complete their duties under this section.

**Enactment:** Prior to 1949

**Amendments:** 1967, PA 32 - act provided for filing of application in duplicate if filed by applicant and in triplicate if filed by anyone else in which later case a copy to be mailed to applicant and the other copy to the person filing the application.

1969, PAs 122, 694 - acts added exception to entitlement to enrollment in the case of elector whose name is automatically removed where his name appeared on a ballot label at an election only under a different party designation and added provision for registrars or deputies to appoint other personnel to participate in proceedings.

1971, PA 871 - act made technical changes.

P.A. 74-29 - added provision for either registrars or their deputies to take acknowledgment of affidavit.

P.A. 75-47 - substituted "admitting official" for enumerated officials and changed references to application for enrollment to accommodate use of combined form for registration and enrollment where both accomplished at same time by applicant, eliminating duplication of personal data to be furnished, effective January 1, 1976.

P.A. 75-269 - provided for entitlement to privileges of party enrollment immediately except where application made following session held on third Saturday before a primary in which case entitlement occurs immediately after primary or, if application made on day of caucus or convention, then entitlement follows immediately after and further, if caucus or convention to be

held prior to next enrollment session separate lists will be prepared, by party, before the day of caucus or convention.

P.A. 77-244 - incorporated by cross reference provisions for preregistration and preenrollment of seventeen-year-olds.

P.A. 77-298 - changed reference to enrollment session held on "third Saturday" to "fourteenth day" before primary.

P.A. 79-363 and P.A. 80-483 - made technical changes.

P.A. 83-475 - amended section to permit special assistant registrars to take acknowledgments in applications for enrollment and clarify that party membership attaches as of date of execution of application.

P.A. 84-118 - changed time limit for enrollment from fourteenth day to noon of last business day before primary.

P.A. 94-121 required application for enrolment to be "on an application form for admission as an elector" and to be effective as of date filed with registrars of town of applicant's residence instead of date of execution and repealed requirements that enrolment application include an affidavit and be made in duplicate or triplicate, that form of application be prescribed by secretary of the state and that certain applicants state specified information in applications.

P.A. 97-67 - inserted Subdiv. indicators, applied Subdiv. (1) to applications filed in person by applicant, added Subdiv. (2) re applications filed with registrar after fifth day before primary and amended Subdiv. (3) by substituting "after 5:00 p.m. on the last business day before a caucus or convention" for "on the day of a caucus or convention".

**Estimated Cost Characterization:** Minor

9-57

Application For Enrollment By New Election At Time Of Admission. Attachment Of Party Privileges. - Requires the registrar of voters to list separately by party choice those electors who wish to be enrolled with a political party prior to the administration of the elector's oath.

**Enactment:** Prior to 1949

**Amendments:** 1967, PA 857 - act added reference to other personnel appointed by registrar or deputy.

P.A. 75-47 - restated provisions.

P.A. 75-269 - specified when entitlement to party privileges begins after a primary.

P.A. 76-128 - added proviso re immediate entitlement to party privileges.

P.A. 77-298 - restated provisions and replaced "third Saturday" before primary with "fourteenth day" before primary as key date re party privileges.

P.A. 78-153 - made slight changes in wording.

P.A. 79-357 - specified that those who attain residence qualification are entitled to immediate privileges in proviso.

P.A. 79-363 - made technical correction.

P.A. 84-118 - changed time limit for enrollment from fourteenth day to noon of last business day before primary, deleting obsolete proviso re enrollment of those who qualify after fourteenth day before primary.

P.A. 97-67 applied section to applications in person, deleted reference to Secs. 9-12, 9-20, 9-23a and 9-56 re applications, deleted provision re elector's oath, provided that applicant is entitled to enrolment privileges immediately upon acquisition of electoral privileges instead of from time of enrolment application, inserted Subdiv. indicators, deleted reference to Sec. 9-56 in Subdiv. (2), amended Subdiv. (3) by inserting "with the registrars of voters of his town of residence", added Subdiv. (4) re filing on day of caucus or convention, and rearranged provisions.

**Estimated Cost Characterization:** Minor

9-58 Applications For Enrollment; Record Of, Disposal After Five Years. - Requires registrars to keep all applications for enrollment as electors as a permanent record, except that the application of any elector who has been removed from the registry list may be put on microfilm, destroyed or otherwise disposed of.

**Enactment:** Prior to 1949

**Amendment:** P.A. 75-174 - added provision for disposal of applications of electors whose names have been removed from the list for at least five years.

**Estimated Cost Characterization:** Minor

9-59 Erasure Or Transfer Of Name. - Requires the registrar of voters, upon request by any elector, to remove such name from any enrollment list of a political party, or transfer it from one enrollment list to another.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-298 - deleted reference to enrollment sessions and provided for erasure or transfer to enrollment list of another party and for recording of effective date of transfer.

P.A. 85-207 - amended section to prohibit an elector who voluntarily canceled his rights from enrolling in a political party until six months after the cancellation.

P.A. 87-509 - required that, if elector makes application for erasure and municipality is having a primary, elector's name shall be placed on list of unaffiliated electors together with date of eligibility to vote in primary and provided that, if elector removes name from lists in accordance with Sec. 9-35b, elector not entitled to vote in any primary for six months after removal.

P.A. 94- 109 shortened, from six months to three months, the period during which elector is not entitled to vote in caucus or primary and is not entitled to privileges of enrolment following erasure, transfer or removal.

P.A. 94- 121 substituted "an application form for admission as an elector" for "a form prescribed by the secretary of the state", deleted requirement that provisions of Sec. 9-56 relating to new enrolments apply to applications for erasure or transfer made under provisions of section, and added provision requiring registrars to state on notice of acceptance the date enrolment privileges take effect, if delayed.

**Estimated Cost Characterization:** Minor

9-63 Court Appeal Of Discretionary Erasure Or Exclusion. - Requires the registrar, upon court order, to place or restore the name of an elector to the enrollment list. Registrars who fail to obey such orders will be fined up to \$100.

**Enactment:** Prior to 1949

**Amendments:** PA 76-436 - deleted common pleas and substituted superior court for jurisdiction of petition.

P.A. 83-475 - added reference to exclusion of applicant for enrollment.

**Estimated Cost Characterization:** Minor

9-64 Erasure Of Name Not On Registry List. - Requires registrars, following the procedures of this section, to remove names of electors which appear on enrollment list but not on the registry list. Provides for fines if registrars fail to remove any such name.

**Enactment:** Prior to 1949

**Amendment:** P.A. 77-298 deleted reference to enrolment session.

**Estimated Cost Characterization:** Minor

9-64a Removal, Restoration Or Transfer Of Enrollment List Names. - Requires registrar to remove the name of an elector from the enrollment list at the same time it is removed from the registry list, but if the name is restored to the registry list it must simultaneously be added to enrollment list.

**Enactment:** 1967, PA 533

**Amendments:** P.A. 78-153 - made no changes.

P.A. 81-350 - deleted reference to repealed Sec. 9-44.

P.A. 83-475 - added reference to names added to or transferred on the enrollment list.

**Estimated Cost Characterization:** Minor

9-64b Removal Of Names From List To Be Used At Caucus, Primary Or Convention. - Requires registrar to remove from the enrollment list the names of electors who have been removed from the registry list prior to use in any caucus, primary or town convention.

**Enactment:** 1967, PA 533

**Estimated Cost Characterization:** Minor

9-65 Statement To Secretary Of Registration, Enrollment And Addition And Removal Statistics. - Requires registrars to submit in writing to the secretary of state a statement with the total number of electors, the total number of electors on each party enrollment list and a total number of unaffiliated electors in such municipality in a manner provided by this section. They must also submit a list of new electors and those that have been removed. A fine is provided for registrars who fail to submit the report within a proper time frame.

**Enactment:** 1957, PA 442

**Amendments:** 1969, PA 40 - provided for addition of total number of unaffiliated electors to be reported and further provided that the report omit those who have died and include those who have acquired electoral or enrollment privileges since lists were perfected.

P.A.75-113 -deleted "during the last week of August in each year" and substituted "within a week after the last session of the board for admission of electors before an election".

P.A. 83-391 - deleted reference to board for admission of electors and added Subsec. (b) requiring registrars' statement re electors added or removed.

P.A. 85-577 - established late filing fee and guidelines for assuming timely filing in Subsec. (a).

P.A. 93-384 - allows registrars to fax enrollment statistics to the secretary of state.

P.A. 95-171 amended Subsec. (a) by adding "two" re municipalities divided into voting districts and amended Subsec. (b) by deleting provision re submission of statement in municipalities divided into voting districts.

P.A. 96- 119 amended Subsec. (b) to require statement to be submitted by registrars of voters of the first district in municipalities divided into two voting districts that elect registrars of voters for each district.

P.A. 97-154 amended Subsec. (a) re statements to Secretary of the State to require total number of electors to be from "active and inactive" registry and party enrolment lists, to require total number of unaffiliated electors to be from "active and inactive" registry lists, and to delete late filing fee for registrars who fail to submit required statements within time required.

**Estimated Cost Characterization:** Minor

## *ABSENTEE VOTING*

9-135a Form Of Absentee Ballot. - Requires municipal clerks to prepare an absentee ballot form based upon a ballot facsimile provided by the secretary of state. Requires the clerk to prepare a suitably modified absentee ballot form when some or all offices are to be voted on without party designation. Also, requires the clerk to prepare and print partial absentee ballots when, in a primary, unaffiliated voters are authorized to vote for some but not all offices to be contested.

**Enactment:** 1975, PA 310

**Amendments:** P.A. 77-245 - changed "town" to "municipal" clerk where appearing.

P.A. 78-24 - changed requirement for filing absentee ballot with secretary of the state to not later than thirty-five days, rather than twenty days, before election and further provided for filing of any corrections or alterations thereto.

P.A. 84-319 - eliminated the requirement that secretary provide blank ballot facsimiles to municipal clerks, i.e. "without names of parties, candidates, offices and questions".

P.A. 86-179 - deleted subsections requiring filing of absentee ballot forms and affidavits with secretary of the state and public availability of layouts of sample absentee ballots and added provision re modified absentee ballot for use in municipalities in which officers are voted upon without party designation.

P.A. 87-509 - added Subsec. (c), requiring preparation of separate and distinct absentee ballots for unaffiliated electors in case of primary in which unaffiliated electors authorized to vote for some but not all offices to be contested at primary.

**Estimated Cost Characterization:** Minor

9-135b Preparation And Printing Of Absentee Ballots: Layouts For Public Inspection; Filing Of Ballot And Affidavit With Secretary. Vacancies; Procedure. Omissions Or Errors In Printing. - Requires clerks to prepare and print absentee ballots and to provide a layout model of each different absentee ballot for public inspection prior to printing. Also, requires clerks to file a copy of the printed ballot with the secretary of state and to do a reprint if the secretary finds an error or omission on the ballot.

**Enactment:** 1975, PA 310

**Amendments:** P.A. 79-363 - substituted municipal clerk for town clerk;

P.A. 86-179 - changed time limit for preparation and printing of ballot by municipal clerk, added requirements that layout models of ballots be available for public inspection and that ballots and affidavits be filed with the secretary of the state, changed reference to vacancy in nomination to vacancy in candidacy, added new Subsec. re examination and correction of ballots and deleted provisions re votes cast for candidates who have vacated their candidacies and counting of straight ticket votes.

**Estimated Cost Characterization:** Minor

9-139c

Clerk To Account To Secretary For Forms. - Requires town clerks to file a form with the secretary of state accounting for all absentee voting forms received from the secretary.

**Enactment:** 1955, Supp. 641d

**Amendments:** 1969, PA 8 - act deleted references to members of the armed forces and added reporting on "individuals qualified to vote a presidential ballot under section 9-163b" in statement on absentee balloting.

P.A. 76-295 - added inclusion in statement of report on "individuals qualified to vote an overseas ballot under section 9-159b".

P.A. 86-179 - made technical changes; Sec. 9-154 transferred to Sec. 9-139c in 1987.

**Estimated Cost Characterization:** Minor

9-140

Application for and issuance of absentee ballots. Distribution of absentee ballot applications. Mailing unsolicited applications. Downloading applications. Summary of absentee voting laws. - Requires municipal clerks to keep a log of all absentee ballot applications, to check the name of each applicant against the most recent registry and to notify any applicant not on the registry that he is not eligible to vote unless he registers. The clerk is required to **send** applicants an absentee voting set within 24 hours and to preserve executed applications as public records. The statute requires the municipal clerk to maintain a log of all absentee ballot applications, in a manner provided by this section and requires any person who distributes five or more absentees to register with the town clerk and to file a list of prospective absentee ballot applicants with the clerk.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 54 - act required applicant to give his bona fide personal mailing address to which ballot was to be sent.

1963, PAs 139, 207 - acts allowed application to be made at any time but reduced earliest time for giving or mailing ballot to applicant from two months to forty-five days and authorized mailing of ballot to applicant at his request.

1965, PA 59 - acts deleted box on application form where applicant could request list, added provision, in case of armed forces members, not more than ninety days before election date, for ballot to be furnished, also provided if application received more than ninety days before election date, ballot to be mailed on ninetieth day and further provided list of all applicants be open to public inspection for period beginning ninety days before election, in lieu of forty-five, effective for elections held after January 1, 1966.

1967, PA 176 - act added provision for procedure to cover spouse or dependent of armed forces member, if living where member is stationed, to be covered by the ninety-day provision, effective for elections held after January 1, 1968.

1971, PA 871 - act substituted "false statement" for "perjury".

P.A. 74-96 - added "in absentee balloting" following "false statement", effective January 1, 1975.

P.A. 74-141 - in addition to list to be maintained of all applicants for absentee ballots provided for including the voting address, bona fide mailing address and reason given for requesting absentee ballot.

P.A. 75-310 - deleted reference to ninety days in case of members of armed forces, their spouses and dependents; further changed reference to "forty-five" days to "thirty", further changed period for list open to public inspection to start thirty days before election, effective January 1, 1976.

P.A. 76-50 - made technical changes.

P.A. 78-153 - provided absentee ballots to be made available by a municipality thirty days before an election, spelled out procedure to be followed by clerk, specifying a twenty-four-hour period following receipt of application during which action to be taken, further provided executed applications to be kept on hand for sixty days after election, in lieu of six months.

P.A. 79-363 - deleted provision for maintaining a list as public record and provided for the applications themselves to constitute the public record with destruction authorized after sixty days.

P.A. 84-319 - amended section to allow applicant to designate person to deliver ballot to him or return it to clerk.

P.A. 85-514 - divided section into Subsecs. and amended Subsec. (a) to prohibit giving or accepting compensation for distributing absentee ballot applications or for assisting persons in the execution of such ballots.

P.A. 85-577 - changed time frame from thirty days before an election to the thirty-first day before an election or the next preceding business weekday, required notices to electors whose names are not on registry lists that unless the applicant is an elector by applicable cutoff dates, an absentee ballot will not be mailed, and provided that such notices are not mailed if registrar provided clerk with reliable information that absentee ballot applicant is elector of the municipality.

P.A. 85-592 - added new Subsec. which allowed electors to return application by U.S. postal service, commercial carrier, courier or messenger services.

P.A. 86-179 - made technical changes, added requirement that applicants list bona fide personal mailing address on application, prohibited issuance of ballot on day of election or during voting hours on day of special election primary or referendum and added prohibition of compensation for distributing applications or assisting in execution of ballot.

P.A. 87-382 - in Subsec. (d), added references to Secs. 9-153e and 9-153f.

P.A. 87-532 - amended Subsec. (a) to require clerk to maintain log of absentee ballot applications and to sign or stamp each application provided, under penalties of false statement in absentee balloting, and to require any person obtaining application from a clerk for use of another person to sign and type his name, under same penalties.

P.A. 89-297 - amended Subsec. (a) by allowing person obtaining application from municipal clerk for use of another person to affix his signature stamp instead of signing the application and by adding prohibition on clerk distributing campaign material with application, substituted "twenty-first" for "nineteenth" in Subsec. (f) and amended Subsec. (h) to prohibit an absentee ballot from being issued on day of "an election or primary", instead of on day of "a regular election", or after opening of polls on day of "a referendum" instead of "a special election, primary or referendum".

P.A. 93-384 - allows municipal clerk to fax an application for an absentee ballot.

P.A. 95-177 amended Subsec. (a) by deleting provisions re log of absentee ballot applications and signature stamp, changing identification requirement from person obtaining application for use of another person to person assisting with completion of application, adding requirement of assistant's address and telephone number, provision re not invalidating application lacking name of assistant, and Subdiv. indicators, moving provision re applicant's mailing address from Subsec. (b) to (a), and making provision re facsimile machine Subsec. (b), and amended Subsecs. (e) and (i) by deleting explanation of time period set in Sec. 9-150b.

P.A. 97-154 deleted provisions that forms prescribed by Secretary of the State be provided by the secretary.

P.A. 05-235 – added requirement that the municipal clerk to maintain a log of all absentee ballot applications and that any person who distributes five or more absentees to register with the town clerk and to file a list of prospective absentee ballot applicants with the clerk.

P.A. 10-1 (June Special Session) – adds a provision to allow municipal clerks to send and receive an application for absentee ballot by electronic means if requested by the applicant.

**Estimated Cost Characterization:** Minor

9-140c

List Of Applicants Returning Ballots To Clerk. Sorting Of Ballots And Checking Names On Registry List; Rejection Of Ballot if Name Not On List. Times For Delivery Of Ballots For Counting. Preservation Of Secrecy. Late Ballots Retained By Clerk. - Requires municipal clerks to retain envelopes containing absentee ballots, to endorse each envelope and to make an affidavit attesting to the accuracy of the endorsements. Requires the clerk to sort returned absentee ballots by voting districts and to deliver them to the registrar of voters for checking and counting.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 43 - act allowed clerk to deliver ballots promptly after as well as before the opening of the polls.

1967, PA 831 - act made technical changes.

1972, PA 196 - act provided that on day of municipal or special election not held coincidentally with a regular or special state election, prior to or promptly after polls open and again promptly after twelve noon, when day of election is Monday, clerk to deliver absentee ballots to registrars, and further on day of regular or special state election clerk to deliver absentee ballots immediately after twelve noon and again immediately after the close of the polls to the registrars, also at any time or times between noon and the close of the polls may deliver any envelopes received during that period.

P.A. 75-125 - deleted distinction between municipal and state elections and provided for delivery of ballots to registrars at any election immediately after twelve noon and after closing of polls as well as any time in between at discretion of clerk, effective January 1, 1976.

P.A. 75-300 - changed twelve noon to two p.m. and further deleted discretionary deliveries between that time and closing of polls, effective January 1, 1976.

P.A. 77-187 - deleted all provisions for delivery of ballots by clerk to registrars, provided that ballots received before eleven a.m. of day before election be sorted into voting districts by clerk, that registrars to start checking as ballots are available from clerk the names of such voters on registry list and if name not on list, without opening ballot to indicate "not counted" thereon and reason therefor upon completion ballots retained in sealed package by clerk until delivered to registrars at twelve noon, election day, that ballots received in timely fashion after eleven a.m. day before election to be sorted and delivered to registrars after polls close, that, if admission form of member of armed forces or related group is received by five p.m. at day before election, his absentee ballot, received before the admission form, to be counted and that where absentee ballots cast in election on first Monday in May, ballots to be checked against registry list on last weekday before election.

P.A. 77-245 - changed "town" to "municipal" clerk.

P.A. 78-75 - provided for delivery and checking of ballots received since last delivery at five p.m. on request of registrars and again any ballots not previously delivered to be delivered at the close of polls.

P.A. 78-153 - made technical changes.

P.A. 79-363 - changed five p.m. delivery time to six p.m..

P.A. 81-424 - provided for optional sorting and checking of ballots on a daily basis for seven days prior to the election.

P.A. 84-319 - divided section into Subsecs. and amended section to provide uniformity in procedures for sorting, checking and marking absentee ballot envelopes.

P.A. 85-592 - applied provisions of section to referenda and amended Subsec. (b) to require that clerk and registrars execute affidavit of delivery and receipt stating number of ballots delivered.

P.A. 86-179 - changed term "registry list" to "official checklist" and made technical changes; Sec. 90-147 transferred to Sec. 9-140c in 1987.

P.A. 87-382 - substituted "one hundred eighty days" for "six months".

P.A. 87-509 - amended Subsec. (b) to provide that checking by registrars, if unaffiliated electors authorized to vote in primary of either of two parties, to include designation of party in which applicants are voting preceding each name.

P.A. 87-532 - amended Subsec. (a) to require clerk to keep list of names of applicants returning absentee ballots to clerk.

P.A. 95-171 amended Subsec. (e) by changing time of delivery of ballots from noon to between nine a.m. and noon for an election or primary and not later than noon for a referendum.

P.A. 96-119 amended Subsec. (e) to replace "nine" with "ten" o'clock and replace "not later than" with "at" twelve o'clock.

**Estimated Cost Characterization:** Minor

9-140e

Permanently physically disabled elector. Status for receipt of absentee ballots. – Requires registrars of voters to send a written notice to each elector having permanent absentee ballot status

in January of each year, on a form prescribed by the Secretary of the State, to determine the elector continues to reside at the same address and take specified actions based on the response received.

**Enactment:** 2011, P.A. 11-173, Sec. 56

**Amendments:** P.A. 12-57, Sec. 1 - requires that an elector with permanent absentee ballot status receive an absentee ballot rather than an application for that ballot.

**Estimated Cost Characterization:** Minor

9-147c

Central Counting Of Absentee Ballots; Appointment Of Counters And Moderator. Count Not To Be Disclosed Prior To Close of Polls. - Requires each registrar of voters to appoint one or more electors of the town to count absentee ballots.

**Enactment:** 1975, PA 300

**Amendments:** P.A. 77-187 - changed time count of absentee ballots to begin from "two p.m." to "twelve o'clock".

P.A. 79-363 - made technical changes.

P.A. 81-467 - added reference to appointment of alternate moderator.

P.A. 85-592 - amended section to require counters to attend training sessions at which registrars, municipal clerks and moderators review and study an absentee ballot counter's manual.

P.A. 86-179 - deleted provisions re counter's training sessions and submittal of questions to moderator for decision.

P.A. 99-276 added prohibition against spouse, parent, grandparent, child or sibling of a candidate from counting absentee ballots on which candidate's name appears.

**Estimated Cost Characterization:** Minor

9-148

Counting Of Absentee Ballots; Training Of Counters. - Requires each municipal absentee ballot counter to participate in a training session at which registrars, clerks and moderators review the absentee ballot counter's manual.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 215 - act provided for endorsement of date of receipt on envelope.

P.A. 77-187 - substituted "head" moderator for "chief" moderator.

P.A. 84-319 - eliminated requirement that absentee ballot counters be affiliated with appointing registrar's political party.

P.A. 85-592 - amended section to require mandatory training sessions for absentee ballot counters and to specify that registrars, municipal clerks and moderators must review and study absentee counter's manual at such sessions.

P.A. 86-179 deleted provisions re clerk's endorsement and affidavit of receipt of ballots.

**Estimated Cost Characterization:** Minor

9-150a

Counting Procedures. - Requires municipal absentee ballot counters to go through a series of procedural steps when handling absentee ballots.

**Enactment:** 1986, PA 179

**Amendments:** P.A. 87-197 and 87-382 - repealed provisions in former Subsecs. (j) and (k) re straight-ticket party block, relettered Subsec. (k) as Subsec. (j) and remaining Subsecs. accordingly and made technical changes.

P.A. 87-197 - amended section further by adding new Subdiv. (3) in relettered Subsec. (j) re marking of a party designation.  
P.A. 91-286 - amended Subsecs. (f) and (m) to require that depository envelopes be prescribed by secretary of the state and provided by municipal clerk instead of provided by secretary.  
P.A. 95-171 - amended Subsec. (a) to require absentee ballot counters to be at their stations between 9:00 A.M. and Noon on the day of a general election or primary, and by Noon on the day of a referendum.  
P.A. 96-119 amended Subsec. (a) to replace "nine" with "ten" o'clock and replace "not later than" with "not earlier than" twelve o'clock noon on the day of a referendum.

**Estimated Cost Characterization:** Minor

9-150b

Duties Of Moderators And Municipal Clerks. Declaration Of Count. - Requires the municipal absentee ballot moderator to record the count of absentee ballots for each voting district and to show them separately from the voting machine vote. Requires the municipal clerk to preserve counted and rejected absentee ballots and the envelopes they were returned in for a specific period of time during which they will be open for public inspection. Subsequent to that time period, the clerk is required to destroy these materials.

**Enactment:** 1986, PA 179

**Amendments:** P.A. 87-382 - substituted "one hundred eighty days" for "six months" in Subsecs. (f) and (i) and, in Subsec. (f), also substituted "(m)" for "(n)".  
P.A. 87-532 - applied provisions of Subsec. (h) to log of applications issued and list of persons whose applications are received by clerk.  
P.A. 88-364 substituted the words "The sealed" for "No such" in Subsec. (e).  
P.A. 90-156 corrected a subsec. reference in Subsec. (e).  
P.A. 95-177 amended Subsec. (h) by deleting Subdiv. (2) re log of applications issued and renumbered Subdivs. (3) to (7) as (2) to (6).  
P.A. 00-66 made a technical change in Subsec. (g).

**Estimated Cost Characterization:** Minor

9-153b

Additional Ballots. - Requires the municipal clerk to keep a list of absentee ballot applicants who have applied for more than one absentee ballot, and to keep any returned unused absentee ballot in a sealed package.

**Enactment:** 1955, Supp. 628d

**Amendments:** 1971, PA 871 - act substituted penalty of "false statement" for "perjury".  
P.A. 74-96 - added "in absentee balloting" following "false statement", effective January 1, 1975.  
P.A. 76-50 - changed from "six months" to "sixty days" after election time in which clerk shall preserve voided ballots.  
P.A. 84-319 - amended section to provide uniformity in procedures for marking absentee ballot envelopes by clerks and divided section into Subsecs..  
P.A. 86-179 - made technical changes; Sec. 9-142 transferred to Sec. 9-153b in 1987.

**Estimated Cost Characterization:** Minor

9-153c

Procedure In Case Of Omission Or Error In Printing Or Issuing Of Ballot. - Requires the municipal clerk to mail a corrected absentee ballot to each applicant, if the clerk discovers that the first ballot mailed to the applicant contained an error or omission.

**Enactment:** 1973, PA 376

**Amendments:** P.A. 76-50 - substituted municipal clerk for town clerk and deleted requirement that copy of question be mailed to applicants for absentee ballot.

P.A. 77-303 - added new Subsecs. (b) and (c) detailing procedures to be followed in correcting omissions or errors.

P.A. 82-426 - amended section to require corrective action by municipal clerk only if ballot omission or error is likely to be misleading.

P.A. 84-319 - revised procedure for correction when applicant provided with incorrect or defective ballot.

P.A. 86-179 - deleted provision re secretary's examination and correction of ballots and made technical changes; Sec. 9-136b transferred to Sec. 9-153c in 1987.

**Estimated Cost Characterization:** Minor

Sec. 9-153e Alternate application procedure for certain military personnel. - Requires municipal clerks to make blank absentee ballots available for all offices being contested if a member of the armed forces or the member's spouse applies for one. This also requires the clerk to provide the member or spouse a list of the candidates, as soon as it becomes available. (Formerly Sec. 9-143a)

**Enactment:** 1978, PA 94

**Amendments:** P.A. 84-319 - amended section to provide for special ninety-day ballot.

P.A. 86-179 - made technical changes and deleted provision re write-in of name of candidate which is printed on ballot; Sec. 9-143a transferred to Sec. 9-153e in 1987.

P.A. 87-382 - provided for absentee ballot to be blank, instead of containing titles of contested offices, added provisions re issuance of list of offices to be voted upon and list of candidates and repealed provision permitting elector to vote by writing in a party preference.

P.A. 93-30 updated reference to federal act.

P.A. 10-1 (June Special Session) adds a provision to allow a municipal clerk to send and receive an application for absentee ballot by electronic means if requested by the applicant.

**Estimated Cost Characterization:** Minor

9-153f Alternate application procedure and early ballot for electors residing or traveling outside United States and certain military personnel. - Requires municipal clerks to make blank absentee ballots available to any elector who is living, or expects to be living or traveling before and on election day, outside the territorial limits of the several states of the United States and the District of Columbia and any member of the armed forces who is an elector or an applicant for admission as an elector, or the member's spouse or dependent if living where such member is stationed. This also requires the clerk to provide the elector member or spouse a list of the candidates, as soon as it becomes available. (Formerly Sec. 9-143b)

**Enactment:** P.A. 1984, P.A. 319

**Amendments:** P.A. 10-1 (June Special Session) adds a provision to allow a municipal clerk to send and receive an application for absentee ballot by electronic means if requested by the applicant.

**Estimated Cost Characterization:** Minor

9-159q (Formerly Sec. 9-159n). Supervised Absentee Voting By Patients At Institutions Upon Request Of Registrar, Administrator. Procedure. - Requires onsite supervision by the registrar or other official whenever 20 or more requests have been made for absentee ballots at the same address.

**Enactment:** 1981, PA 424

**Amendments:** P.A. 82-426 amended section to clarify that supervision is to be performed by registrars in the town of the voter's voting residence, to allow registrars to refuse an administrator's request for supervision if the institution is in another town and to change the definition of "institution" by adding veterans health care facilities, state supported institutions and hospitals and deleting reference to hospitals for tuberculous, mentally ill or mentally retarded persons; P.A. 84-319 amended section to provide uniformity in procedures for marking absentee ballot envelopes, substituting "rejected" for "not voted" designation in Subsecs. (f) and (g); P.A. 85-577 amended Subsec. (b) to require filing not later than the seventh day prior to an election or primary, replacing previous filing deadlines of thirty-one days before election and twenty days before primary; P.A. 86-179 made technical changes; Sec. 9-146a transferred to Sec. 9-159n in 1987; P.A. 87-532 amended Subsec. (a) to make section applicable only to institutions in which less than twenty of the patients are electors; Sec. 9-159n transferred to Sec. 9-159q in 1989; P.A. 90-1 added provision in Subsec. (f) re right to vote ballot in secret; P.A. 91-128 amended Subsecs. (b) and (d) to require supervised voting to be held not later than last business day before election or primary; P.A. 93-230 added Subsec. (j) re disqualification of registrar when immediate family member is a candidate; P.A. 95-177 moved definition of institution to new Subsec. (a) and added definition of "designee", relettered Subsecs. (a) to (j) as (b) to (k), amended relettered Subsec. (g) by adding "as the case may be", provision re designees of different candidates, deleting provisions re elector "unable to vote", adding provision re registrars or designees unable to determine how elector desires to vote, and replaced provision allowing any elector of registrar's town other than an employee of institution to serve as designee with new Subsec. (i) re party-endorsed candidate designees and contestant designees at primaries, effective January 1, 1996; P.A. 97-112 replaced "home for the aged" with "residential care home". P.A. 05-235 - added assisted living facilities to those institutions that require onsite supervision by the registrar or other official when 20 or more requests are made for absentee ballots.

**Estimated Cost Characterization:** Minor

## *ELECTIONS*

9-164

Regular And Special Municipal Elections. - Requires each municipality to hold a biennial election in either May or November. This section also provides the procedure to hold a special election, including putting notice in a newspaper with circulation in the town.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 393 - act provided for issuance of warning for special election by town clerk rather than selectmen.

1967, PA 675 - act provided for municipal elections biennially on the first Monday of May or the Tuesday after the first Monday in November in odd-numbered years as designated by the legislative body and in event such action not taken, election to be held in November and further provided where, under the act, term of an elected official would expire before the election, term extended to date of election, effective June 1, 1968.

P.A. 75-206 - changed day for holding special town election from not earlier than "ninetieth" to "one hundred fifth" day following day town clerk issues warning thereof, where appearing.

P.A. 77-245 - changed "town" to "municipal" clerk where appearing.

P.A. 84-319 - changed calendar re special municipal elections to conform with changes made by 1983 legislation.

P.A. 87-382 - changed deadline for filing by clerk to be in advance of "final" time specified for selection of party-endorsed candidates for municipal office and required clerk to warn such election "forthwith" instead of "within the time provided for" pursuant to 9-226.

P.A. 93-202 added Subsec. (c) re calendar and procedures for special election to fill vacancy in legislative body of any town which by charter provides that such vacancy shall be filled by special election held within forty-five days after vacancy.

**Estimated Cost Characterization:** Minor

9-168

Place Of Holding Elections. - Requires any municipality divided into voting districts to hold state elections at the usual places for holding elections in the municipality unless the registrar has designated in writing to the town clerk a different place.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 398 - act imposed thirty-one-day limitation for changing the place of an election.

1963, PA 323 - act provided that legislative body of the town determine the place of holding elections rather than town meeting and gave registrars of voters rather than selectmen power to change voting places.

P.A. 73-657 - added exception for provisions of Sec. 9-169a with reference to "split voting districts".

P.A. 81-472 - made technical changes.

**Estimated Cost Characterization:** Minor

9-168d

Accessibility Of Polling Places To Physically Disabled Voters. Waiver

Of Requirements. - Requires municipalities to make each polling place accessible to physically disabled people by complying with specific standards. Requires registrars of voters to select only those sites which meet those standards. Requires registrars to file a waiver with the Secretary of State which is approved by the Office of Protection and Advocacy for Persons with Disabilities, if they cannot find a polling site which meets those standards

**Enactment:** 1978, PA 117

**Amendments:** P.A. 83-587 - made a technical amendment to Subsec. (b), substituting reference to Sec. 29-269 for reference to Sec. 19-395a.

P.A. 84-319 - amended section to require approval of waiver application by office of protection and advocacy for handicapped and developmentally disabled persons.

P.A. 88-356 and 88-364 - amended Subsec. (b) to delete reference to "article 21" of the state building code.

P.A. 89-144 - amended Subsec. (c) by substituting the office of protection and advocacy for persons with disabilities for the office of protection and advocacy for handicapped and developmentally disabled persons.

**Estimated Cost Characterization:** Minor

9-168e

Parking Spaces At Polling Places For Handicapped And Infirm Elderly. - Requires a municipality to designate two or more handicapped parking spaces at a polling place, if space is available.

**Enactment:** 1987, PA 286

**Estimated Cost Characterization:** Minor

- 9-169a      Split Voting Districts. - Requires that a split voting district have its own separate enrollment list, registry list, list of unaffiliated voters and polling place, and that it shall be treated as a separate voting district for all other administrative purposes.
- Enactment:** 1967, PA 557
- Amendments:** P.A. 73-657 - redefined "split voting district" as one divided by statutes pursuant to article three, section one of Connecticut Constitution, or by order of court of competent jurisdiction between two or more congressional, senatorial or assembly districts and further provided for application of section as to elections held before change in voting district effectuated under Sec. 9-169.
- P.A. 74-197 - inserted reference to new Sec. 9-169d which provided for voting districts crossing those district lines where used in municipal elections and primaries.
- Nov. Sp. Sess. P.A. 81-3 - amended definition of "split voting district" to replace "section 6 of article third" of state constitution with "article 16" of the amendments to the constitution of Connecticut, changed date references to reflect decennial redistricting and added exception re Sec. 9-169e.
- P.A. 87-509 - required part of split voting district allocated to congressional, senatorial or assembly district to have its own separate list of unaffiliated electors if required under Sec. 9-55.
- P.A. 92-1 - deleted references to voting districts used prior to and in the November 1982 state election and updated the reference to the reapportionment amendment to the constitution.
- Estimated Cost Characterization:** Minor
- 9-169f      Reapportionment Required For Certain Municipal Legislative Bodies. - Requires a municipality to adopt a reapportionment plan for its legislative body whose members were elected partially or wholly on the basis of the geographical division of the municipality, following the reapportionment of the general assembly.
- Enactment:** 1989 PA 283
- Estimated Cost Characterization:** Minor
- 9-169g      Town Clerks Required To Submit Voting District Maps To Secretary Of The State. Use Of Maps By General Assembly. - Requires a town clerk in a town (1) divided between two or more General Assembly or congressional districts or (2) with two or more voting districts (state or congressional) to send the Secretary of State a street map showing its voting district boundaries. The clerk must comply by July 30, 1997, with a map showing district boundaries in effect on July 1, 1997. He must submit a new map within 30 days of any change in voting district lines.
- Enactment:** 1997, P.A. 116
- Estimated Cost Characterization:** Minor
- 9-172b      Supplementary List And Registration Deadline For Special Election Or Referendum. - Requires the registrar of voters to prepare a supplemental list of voters who acquired voting privileges after the completion of the revised registry list and prior to the day of the special election or referendum, to be used to check the names of those who vote.
- Enactment:** 1967, PA 207

**Amendments:** P.A. 79-363 - deleted reference to inclusion of voters who acquired voting privileges under Secs. 9-31e, 9-41 and 9-41a on supplementary list.  
P.A. 80-483 - made technical change.  
P.A. 83-162 - made existing provisions applicable to referenda and added Subsec. (b) re electors admitted on day of special election or referendum.  
P.A. 99-276 amended Subsec. (a) by adding reference to "or updated" list.

**Estimated Cost Characterization:** Minor

9-184c

Appointment As Justices Of The Peace Of Electors Who Are Not Members Of Major Parties. Terms. Vacancies. - Requires the town clerk to appoint justices of the peace from applications submitted by non affiliated electors of the town in numbers not to exceed 30 percent of the total justices for the town. If applicants exceed the number of justices of the peace allowed under this section, the town clerk is required to select the justices by lot at a duly warned ceremony open to the public. The bill eliminates requirements that the town clerk notify the superior court clerk when a vacancy occurs among the Justices of the Peace, and that he send to the Secretary of the State a duplicate of the form each Justice of the Peace signs after taking the official oath.

**Enactment:** PA 94-230

**Amendment:** P.A. 96-120 amended Subsec. (a) to require town clerks to send quadrennial notices re reappointment procedures to incumbent justices of the peace and amended Subsec. (b) by adding provision requiring reappointment of incumbent justices of the peace if there are sufficient openings.

**Estimated Cost Characterization:** Minor

9-185

Municipal Officers. - Requires municipalities, unless otherwise provided for, to elect assessors, members of boards of tax review, selectmen, town clerks, town treasurers, tax collectors, constables, registrars of voters, members of boards of education and library directors, and to appoint all other municipal officers.

**Enactment:** Prior to 1949

**Amendments:** P.A. 73-655 - provided that town may, by ordinance, prescribe appointment instead of election of constables.  
P.A. 76-173 - added "or charter" to "special act" by which exceptions are authorized, where appearing, substituted "chief executive officer" for "board of selectmen" as authorized to appoint in absence of provision therefor, substituted "by a vote of its legislative body" for "at a town meeting ... pass votes determining" as authority to determine number of officers and prescribe mode by which they are to be voted for in absence of other provision in special act or charter.  
P.A. 77-578 - added to chief executive officer, "or (2) where the legislative body is a town meeting, by the board of selectmen, or (3) or by such other appointing authority a town may by ordinance provide, and".  
P.A. 82-239 - removed the obsolete reference to the agent of the town deposit fund.  
P.A. 89-184 - inserted new Subdiv. (1) designation, added Subdiv. (2), authorizing any town to provide, by ordinance, for appointment of town clerk, town treasurer or collector of town taxes, and substituted alphabetic designations for former numeric Subdiv. indicators.  
P.A. 95-283 replaced board of tax review with board of assessment appeals.

**Estimated Cost Characterization:** Minor

9-187

Terms. - Requires municipalities, unless otherwise prescribed by law, to have two-year terms of office for elected municipal officers.

**Enactment:** Prior to 1949

**Amendments:** 1969, PA 570 - act changed to two years terms of elective municipal officers not otherwise prescribed by law, deleted provision that terms run from date of election and referenced new Sec. 9-187a containing details concerning beginning of terms, added "and until their successors are elected and have qualified" and further provided for terms of officers appointed by board of selectmen not otherwise provided for, to parallel the term of such board.

P.A. 76-296 - added new Subsec. (b) providing for terms of office of elected chief executive officers.

P.A. 95-224 applied Subsec. (b) to members of legislative bodies.

P.A. 97-244 added Subsec. (c) re the terms of office of any tax collector appointed pursuant to an ordinance.

P.A. 00-225 amended Subsec. (b) to provide for terms of members of boards of selectmen and to permit terms to be set by ordinance.

**Estimated Cost Characterization:** Minor

9-188

First Selectman And Selectmen. Election Procedure. Dual Candidacy Prohibited. Minority Representation; Restricted Voting. Tie Vote. - Requires each municipality, unless otherwise provided by law, to elect a first selectman and two other selectmen at its regular municipal election.

**Enactment:** Prior to 1949.

**Amendments:** P.A. 75-249 - provided an exception for charter provisions adopted pursuant to chapter 99.

P.A. 76-173 - deleted reference to charter provisions adopted pursuant to chapter 99 and substituted "law" therefor, added "unless otherwise provided by law" to prescription that each town elect selectmen etc..

P.A. 76-363 - deleted provisions concerning voting for either half or bare majorities of number to be elected and also provision that no more than bare majority shall be members of same political party and substituted "the provisions of section 9-167a shall apply to the election of selectmen".

P.A. 77-99 - added exception that if total membership is five, maximum number from same party to be three, including the first selectman in counting total membership, unless otherwise provided by special act or charter.

P.A. 77-578 - added that elector cannot vote for more candidates than a political party can elect pursuant to Sec. 9-167a and provided number is deemed to include the first selectman.

P.A. 79-484 - changed "law" to "special act, charter or ordinance" in sentence "unless otherwise provided by ..." and provided that votes cast for the unsuccessful candidate for first selectman shall be counted as votes for him as a member of such board.

P.A. 80-281 - added proviso concerning counting of votes for unsuccessful candidate for first selectman as votes for board membership where he has also received write-in votes as candidate for board member.

P.A. 83-475 - amended section to permit full voting for board of selectmen at town option.

P.A. 84-319 - amended section to provide uniformity in statutes re adjourned elections and write-in votes.

**Estimated Cost Characterization:** Minor

- 9-189      Town Clerks, Treasurers And Tax Collectors. - Requires each municipality, unless otherwise provided by law, to elect a town clerk and a town treasurer for a term of two years and a tax collector for a term of not less than two or more than six years.
- Enactment:** Prior to 1949
- Amendments:** P.A. 73-414 - deleted references to "annual" town elections.  
P.A. 76-173 - deleted reference to town election in odd-numbered years and substituted therefor "regular municipal election", deleted references to the beginning of the terms, deleted reference to determination by voters at an annual or special meeting of increased length of term for tax collector and provided for a term of not less than two or more than six years.  
P.A. 95-224 changed town clerk's term from two years to "not less than two years and not more than six years".  
P.A. 97-244 designated existing section as Subsec. (a) and added new Subsec. (b) re adoption of ordinance appointing a tax collector.
- Estimated Cost Characterization:** Minor
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- 9-190a      Election Of Registrars At State Elections. - Requires that registrars of voters in any municipality that elects registrars be elected biennially for a term of two years.
- Enactment:** 1959, PA 630
- Amendment:** P.A. 73-616 - made technical corrections.
- Estimated Cost Characterization:** Minor
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- 9-191      Election Of Registrars For Each Voting District. - Requires each municipality divided into voting districts, which elected district registrars prior to 1955, to continue to so elect registrars for each district.
- Enactment:** 1955, Supp. 672d
- Amendment:** P.A. 95-171 added "two" re municipalities divided into voting districts, effective October 1, 1995, and applicable to elections held on or after that date.
- Estimated Cost Characterization:** Minor
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- 9-192      Deputy Registrar; Registrar Vacancy; Permanent Assistant And Special Assistant Registrars. - Requires each registrar of voters to appoint a deputy registrar to hold office during his pleasure. Requires that the deputy become registrar upon the death, removal or resignation of the registrar.
- Enactment:** Prior to 1949
- Amendments:** 1969, PA 61 - act changed from two to four number of assistants who may be appointed and employed for each voting district.  
P.A. 76-128 - provided for appointment of not more than four permanent assistants for each voting district and for as many special assistants as necessary to carry out duties for any admission session and excepted these special assistants from recital of powers of registrars conferred on duties and assistants in absence at either registrar.  
P.A. 79-143 - provided that deputies, assistants, or special assistant registrars shall be electors of municipality in which appointed.  
P.A. 84-319 - amended section to provide for filling of vacancy in office of registrar by town committee, rather than by selectmen and town clerk.

P.A. 91-159 - added provision allowing person who has served as assistant registrar for at least three years to be elector of any municipality in state.  
P.A. 94-203 added provision re party enrolment of deputy registrar.

**Estimated Cost Characterization:** Minor

9-192b Designation Of Registrar, Deputy Or An Assistant To Receive Instruction. – Requires either the registrar, deputy registrar or assistant registrar be designated annually to receive ten hours of elections training instruction.

**Enactment:** 2005, P.A. 235

**Estimated Cost Characterization:** Minor

9-194 Compensation Of Registrars, Deputies And Assistants. - Requires registrars to receive such sum as allowed by the selectmen for their services, and that all expenses incurred by the registrar of voters and his deputies and assistants are to be audited by the selectmen and paid by the town.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-195 Compensation Of Registrars And Town Clerks For Duty As To Enrollment. - Requires that each registrar, deputy registrar and non-salaried town clerk receive reasonable compensation and expenses as approved by the selectmen, for performance of duties relating to the enrollment of voters.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-199 Assessors And Boards Of Tax Review. - Requires each municipality, unless otherwise provided by law, to elect three assessors and a board of tax review consisting of three members, all for terms of four years.

**Enactment:** Prior to 1949

**Amendments:** P.A. 76-173 - deleted contrary provisions and provided for election of three assessors and a three member board of tax review, authorized legislative body to allow electors to vote for full number of assessors or members, further provided that nothing be construed as affecting method of rotation of assessors or members of a board of tax review legally already in effect on October 1, 1976.

P.A. 95-132 added Subsec. (b) re appointment of alternate member (Note: The Revisors editorially changed two references to "the board of tax review" to "the board of assessment appeals" for consistency with Subsecs. (a) and (c) as amended by P.A. 95-283).

P.A. 95-283 replaced board of tax review with board of assessment appeals and added Subsec. (b), designated by the Revisors as Subsec. (c), to provide for appointment of additional board members.

P.A. 00-120 amended Subsec. (c) to provide for appointment of additional members for year prior to revaluation.

**Estimated Cost Characterization:** Minor

9-200 Constables. - Requires each municipality, unless otherwise provided by law, to elect not more than seven constables.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 15 - act removed obsolete reference to office of grand juror which was abolished in 1959.

P.A. 73-655 - added provision referencing amendment to Sec. 9-185 permitting town, by ordinance, to provide for appointment, rather than election of constables.

P.A. 76-173 - changed "town" to "municipal" election.

P.A. 82-239 - removed the obsolete reference to the agent of the town deposit fund.

**Estimated Cost Characterization:** Minor

9-203 Number And Term Of Members Of Boards Of Education. - Requires each municipality to have a Board of Education of three, six, nine or twelve members, one-third of which is elected annually for three year terms.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 517 - act added reference to Sec. 9-206 in fifth sentence.

P.A. 78-153 - deleted sentence specifying when term of office shall begin, effective January 1, 1979.

P.A. 79-363 - made technical changes.

**Estimated Cost Characterization:** Minor

9-211 United States senator; vacancy. - Requires a special election to be held whenever a vacancy occurs in the United States Senate, unless the vacancy occurs less than 125 days before the next regular state election.

**Enactment:** Prior to 1949

**Amendments:** 2009, PA 09-170 – added provision requiring special election.

9-215 Member Or Member Elect Of The General Assembly. - Whenever there is a vacancy in the General Assembly through death or resignation, the Governor issues writs to the appropriate municipal clerk ordering a municipal election. This section requires the municipal clerk to warn an election on the day appointed by the writs, and to organize and hold such election.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 475 - act provided for notification of the secretary of the state in the case of death or resignation of state senator or senator-elect, also provided for swearing-in of successor.

1963, PA 17 - act changed internal references from former primary act to its restatement.

1967, PA 557 - act changed wording throughout section so that it applied to vacancies in the general assembly as a whole instead of the state senate.

P.A. 77-240 - changed day on which election to be held to fill a vacancy from the thirtieth to the fortieth day after issue of writs.

P.A. 80-215 - changed day from fortieth to forty-sixth day, deleted sheriff of county from section pertaining to transmittal of writs, provided that nominations by political parties may be made at any time after resignation or death and prior to the tenth day after publication of warning of election but shall not be effective until certified by appropriate officials to the secretary of the state or the town clerk.

P.A. 81-447 - added requirement that governor issue writs of election to fill vacancy within ten days after the occurrence of the vacancy if it occurs fifty-six or more days prior to the first Wednesday after the first Monday in May in an even-numbered year.

P.A. 82-426 - amended section to provide that governor is to issue writs of election within ten days after occurrence of a vacancy ordering election to be held on the forty-sixth day after issuance except that if the vacancy occurs between the one hundred twenty-fifth day and the forty-ninth day before the day of a regular November state or municipal election the writs are to be issued forty-six days before the regular election and if the vacancy occurs after the forty-ninth day before such regular election and before the Wednesday following the first Monday in January of the next year no election shall be held unless the position vacated is that of member elect.

P.A. 84-319 - amended section to change deadline for nominations by parties for special elections from within ten days of publication of warning to "not later than the thirty-sixth day before the day" of the election.

P.A. 87-382 - provided that nominations by political parties may be certified during same period that nominations may be made.

P.A. 93-154 prohibited elections from being held on Saturdays or Sundays.

P.A. 00-66 divided section into Subsecs. and made technical changes.

**Estimated Cost Characterization:** Minor

9-218

Judge Of Probate. - Whenever there is a vacancy in the office of judge of probate, the Governor issues writs to the appropriate municipal clerk ordering an election. This section requires the clerk to warn an election on the day appointed by the writs, and to organize and hold such election.

**Enactment:** Prior to 1949

**Amendments:** P.A. 84-319 amended section to conform provisions of statutes re filing of statement of vote.

P.A. 93-154 prohibited elections from being held on Saturdays or Sundays.

P.A. 00-99 changed references to sheriff to state marshal.

**Estimated Cost Characterization:** Minor

9-220

Town Office. - Requires a municipality to fill any vacant elective municipal office at the next town election or at a special election called for that purpose, except, until that election, the office shall be filled by the selectmen.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-223

Notice Of Vacancy In Municipal Office. - Requires a municipality to notify the Secretary of State of any vacancy in a municipal elective office, as well as when the vacancy is filled.

**Enactment:** Prior to 1949

**Amendment:** 1963, PA 250 - act provided for notice to secretary of the state re filling vacancies in municipal offices.

**Estimated Cost Characterization:** Minor

9-225 State Elections. - Requires each municipal clerk to warn voters regarding state elections in November of even-numbered years, notice of which must appear in a newspaper of general circulation, and give the time and location of each polling place in the town. Two or more towns can jointly publish the warning.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 393 - act substituted publication in a newspaper for posting notice on town signposts and omitted method of computing five-day notice period, for which see Sec. 9-2. 1965, PA 275 - act added "not more than ten nor less than" to the five days previous to election for publication in a newspaper, deleted "except as otherwise provided by law" and also provision for true and attested copy of warning to be left with town clerk by person who served same and provided for town clerk to record such warning.

1967, PA 119 - acts changed not more than "ten" to "fifteen" days and made minor changes in wording.

2011, P.A. 11-173, Sec. 57 authorized two or more towns to jointly publish the required notice.

**Estimated Cost Characterization:** Minor

9-226 Municipal Elections. - Requires each municipal clerk to warn voters of each municipal election, notice of which must appear in a newspaper of general circulation, and give the time and location of each polling place in the town.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 393 - act substituted publication in a newspaper for posting notice of an election on the signposts and deleted method of computation of the five-day period, for which see Sec. 9-2.

1965, PA 275 - act added to prescription of timing for newspaper publication "not more than ten nor less than" before the words "five days previous to holding the election" where appearing.

1967, PA 119 acts added assistant town clerk as authorized to give notice of town election, provided for warning to give notice of the time and the location of the polling place, or in case town or city or borough divided into voting districts, time and polling place location in each district, and changed ten day limitation to fifteen, where appearing.

**Estimated Cost Characterization:** Minor

9-229 Appointment Of Moderators. Instruction And Certification By Secretary Of State. - Requires the registrar of voters in each municipality to appoint moderators as specified and establishes training and examination requirements.

**Enactment:** Prior to 1949

**Amendments:** P.A. 81-467 - required appointment and instruction of alternate moderators, required instruction of moderators and added provisions re certification of moderators and alternates.

P.A. 82-426 - extended provisions of section to moderators at primaries.

P.A. 85-274 - amended section to require "successful" completion of instructional session and an examination and to allow electors to attend one or more of such instructional sessions.

P.A. 87-472 - added provisions re five-year certifications for qualifying moderators and alternate moderators.

P.A. 93-384 changed duration of terms for moderators and alternate moderators from three or five years to four years.

P.A. 95-185 divided section into Subsecs., changed the conductor of instructional sessions from the Secretary of the State to registrars who volunteer as instructors, established the secretary's and registrars' duties re moderator instruction, and the curriculum for such sessions, required eight certification sessions annually and made technical changes.

**Estimated Cost Characterization:** Minor

9-233 Voting Machine Tenders. - Requires each registrar of voters to appoint at least one tender for each voting machine and for each shift.

**Enactment:** 1953, Supp. 710d

**Amendments:** 1969, PA 500 - act provided for appointment of voting machine tenders by registrars for each shift established.

P.A. 83-391 - permitted registrars to appoint one or two voting machine tenders per machine, rather than one as previously.

**Estimated Cost Characterization:** Minor

9-234 Presence Of Registrars. Checkers. - Requires the registrar, as well as the assistant registrars, to be present during municipal elections in their respective districts. Also, requires the registrar to appoint checkers to check the names of all prospective voters before they are allowed to vote.

**Enactment:** Prior to 1949

**Amendment:** 1969, PA 500 - act provided for appointment of checkers for each established shift.

**Estimated Cost Characterization:** Minor

9-236 Activities Prohibited In And Near Polling Place. Distance Markers; Entry Restricted; Exceptions. - Requires municipalities to provide markers indicating 75 feet from the entrance to a voting place, beyond which voters may not be solicited on election day.

**Enactment:** Prior to 1949

**Amendments:** 1969, PA 65 - acts provided for admission of representatives of news media to any polling place at discretion of moderator and provided that parent-teacher associations or organizations may hold bake sales or other fund raising activities on an election or primary day in a school used as a polling place provided that the activity not take place in room where election booths are located.

P.A. 73-410 - expanded rights of representatives of news media to remain within and to leave polling places to observe the election, further provided for eviction of such representatives by moderator if in any way they interfere with voting.

P.A. 78-153 - prohibited placement of advertising matter related directly or indirectly to election or primary on municipally-owned property, effective January 1, 1979.

P.A. 79-370 - provided for admission of no more than four, at any one time, junior or senior high school students to a polling place between hours of noon and three p.m. for purpose of observation and also provided for eviction in case of interference.

P.A. 81-434 - eliminated a prohibition against placing political advertising matter on municipally owned property on the day of a primary or election.  
P.A. 83-147 - applied the provisions of this section to referenda and allowed selectmen to use markers required by this section prior to October 1, 1983, in certain circumstances.  
P.A. 87-251 - allowed children ten years of age or younger to accompany an elector into a polling place.  
P.A. 89-286 - allowed students in grades four to twelve, inclusive, instead of junior and senior high school students only, to enter polling place "between twelve o'clock noon and three o'clock p.m." instead of "during the hours of twelve o'clock noon and three o'clock p.m." and, when allowed by registrars of voters, for purposes of Sec. 9-236a.  
P.A. 93-384 authorized distribution of "I Voted Today" labels in restricted area;  
P.A. 94-203 inserted "or in opposition to" and moved a reference to Sec. 9-236a.  
P.A. 97-154 divided section into Subsecs., amended Subsec. (a) by inserting Subdiv. numbers and adding Subdiv. (3) re nonpartisan activities in a room other than the room in which election booths are located, and amended Subsec. (c) to increase maximum age of children who may accompany an elector into polling place from ten years to fifteen years, and to add proviso that such elector be the parent or legal guardian of such children.

**Estimated Cost Characterization:** Minor

9-237                    Display Of National And State Flags. - Requires municipalities to display an American flag at each polling place.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-237a                Telephones At Polling Places. - Requires municipalities to provide a telephone for each polling place.

**Enactment:** 1969, PA 108

**Estimated Cost Characterization:** Minor

*VOTING METHODS*

9-238                    Voting Machines Required. Notification of Purchase Or Discontinuation Of Use. - Requires municipalities to use voting machines at all elections, and to purchase or lease one machine per each 900 voters, plus additional back-up machines based upon town population. Also, requires municipalities to notify the secretary of state in writing of the purchase lease, or discontinuance of use of any machine along with its make, model and serial number.

**Enactment:** Prior to 1949

**Amendments:** 1969, PAs 32 & 355 - acts provided for discontinuance of use of old voting machines and provided for additional voting machines according to number of electors and in municipalities having less than five thousand electors in lieu of additional machine officials may provide sample voting machine ballot labels, effective with respect to all elections held on or after January 1, 1970.

P.A. 80-339 - substituted "absentee ballots" for "sample voting machine ballot labels" and "emergency paper" for "unofficial" ballots where appearing.

P.A. 91-7 - divided section into Subsecs. and added provision in Subsec. (a) allowing registrars to determine number of voting machines for special elections.

P.A. 91-351 - changed effective date of P.A. 91-7 from October 1, 1991, to July 1, 1991.  
P.A. 94-203 amended Subsec. (a) to require registrars to exclude seventy-five per cent of names of electors residing in institutions when calculating required number of voting machines.

**Estimated Cost Characterization:** Minor

9-238a Report To Secretary Of Numbers Of Electors And Voting Machines. - Requires municipalities to provide annually, by voting district, to the secretary of state, the total number of names on the registry and enrollment lists, the total number of unaffiliated voters, and the number of voting machines.

**Enactment:** 1961, PA 47

**Amendments:** P.A. 87-509 - required town clerk to include in notification the total number of names on each enrollment list and total number of unaffiliated electors in the town.

P.A. 97-154 required total number of names reported to Secretary of the State to be on "active" registry list.

**Estimated Cost Characterization:** Minor

9-239 Payment For Voting Machines. - Requires municipalities to pay for the purchase or lease of voting machines.

**Enactment:** 1955, Supp. 716d

**Estimated Cost Characterization:** Minor

9-240 Provision Of Voting Machines And Booths. - Requires municipalities to provide suitable rooms and voting booths for holding all elections, and to provide operating voting machines.

**Enactment:** Prior to 1949

**Amendment:** 1967, PA 119 - act deleted provision for public notice of location of rooms and voting machine booths.

**Estimated Cost Characterization:** Minor

9-240a Periodic Examination Of Voting Machines. - Requires the manufacturers of voting machines to inspect them at certain times, and requires municipalities to pay the cost for the inspection and any subsequent repairs that are required.

**Enactment:** 1967, PA 229

**Amendments:** 1969, PA 355 - act deleted obsolete language and required examination of additional machines required under Sec. 9-238.

P.A. 87-382 - required examination of machines "not more than two hundred ten days nor less than thirty days" before election rather than "during the period from seven months to one month" before election.

**Estimated Cost Characterization:** Minor

- 9-242 Voting machine and direct recording electronic voting machine construction requirements. - specifies the procedure for a moderator to attribute duplicate votes for a cross-endorsed candidate between the cross-endorsing parties.
- Enactment:** Prior to 1949
- Amendments:** P.A. 11-173, Sec. 39 creates the mandate by specifying the procedure for a moderator to attribute duplicate votes for a cross-endorsed candidate between the cross-endorsing parties.
- Estimated Cost Characterization:** Minor
- 9-242b Procedures For Use Of Direct Recording Electronic Voting Machines. - Requires within five business days after each election or primary the registrars of voters, representing at least two political parties, to conduct a manual audit of the votes recorded on at least two direct recording electronic voting machines used in each assembly district or a number of voting machines equal to fifty percent of the number of voting districts in the municipality, whichever is less, in a manner provided by this section.
- Enactment:** 2005, P.A. 188
- Amendments:** P.A. 05-235 amended Subdiv. (5) by inserting Subpara. (A) designator and adding Subpara. (B) re alternative determination of number of voting machines to be audited, effective July 8, 2005.
- Estimated Cost Characterization:** Minor
- 9-243 Mechanics. Instruction And Certification By The Secretary Of State. - Requires municipalities, prior to elections and primaries, to appoint a mechanic to adjust and place the voting machines, and to pay the mechanic in the same manner as an election official. Also, requires mechanics to attend an instructional session conducted by the secretary of state, who shall certify them upon successful completion of the instruction session.
- Enactment:** Prior to 1949
- Amendments:** 1959, PA 487 - act placed appointment of mechanics with registrars rather than selectmen, wardens and mayors.  
 1969, PA 355 - act added references to additional machines required under Sec. 9-238.  
 P.A. 80-215 - provided that mechanics shall not be required to be an elector of any town.  
 P.A. 81-467 - required persons appointed as voting machine mechanics to attend instructional sessions conducted by the secretary of the state.  
 P.A. 82-426 - extended provisions of section to mechanics for primaries and deleted requirement that mechanics' appointments be made at least three months before election.  
 P.A. 82-472 - made a technical correction.  
 P.A. 87-472 - added provisions re five-year certifications for qualifying mechanics.  
 P.A. 94-203 made all certifications effective for four years.
- Estimated Cost Characterization:** Minor
- 9-244 Inspection By Party Watchers, Party Chairmen, Candidates And Officials. - Requires **registrars to prepare, test and seal the voting tabulators and to give written notice to the chairmen of town committees** of political parties as to when they will do so.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 487 - act provided for registrars, rather than selectmen, wardens and mayors, to give notice to town committee chairmen.

1969, PAs 355, 694 - acts provided for the chairman rather than the committee to designate a watcher and added reference to additional machines.

P.A. 88-48 - allowed party chairman to be present for preparation of machines and any candidate to either be present or to designate a watcher and required any chairmen and candidates who are present to file report.

P.A. 98-67 – divided section into Subsecs., reordered provisions, amended Subsec. (a) to include test voting and sealing in notice, amended Subsec. (b) to prohibit chairpersons, candidates and watchers from assisting in preparation of machines and amended Subsec. (c) by adding provisions concerning testing and sealing of machines, requiring report to be filed by persons present for testing and sealing the machines instead of by persons present for preparation of the machines, and adding to the items to be certified in written report.

P.A. 11-173, Sec. 15 amended the existing mandate to reflect current voting technology.

**Estimated Cost Characterization:** Minor

9-246

Duties Of Mechanics. Repairs Made On Election Day. Required Reports. - Requires registrars of voters to certify in a report that all voting tabulators have been properly prepared, sealed and, if required, repaired.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 487 - act provided for registrars rather than selectmen, wardens and mayors to appoint the elector in charge of transferring the voting machines to the polling places.

1969, PA 355 - act provided that additional machines be located so as to be available for immediate transfer, effective with respect to all elections held on or after January 1, 1970.

P.A. 83-475 added Subsec. (b) requiring report re election day repairs.

P.A. 11-173, Sec. 54 amended the existing mandate to reflect current voting technology

**Estimated Cost Characterization:** Minor

9-247

Preparation Of Machines. - Requires registrars to ensure that tabulators are delivered to the polling stations, that all necessary furniture is available and that tabulators and ballots are tested.

**Enactment:** Prior to 1949

**Amendments:** 1969, PA 694 - act deleted "the official or officials ..." and substituted "registrars of voters" as having cognizance of preparation of machines.

P.A. 80-281 - required that each voting machine contain a pencil for write-in use.

P.A. 11-173, Sec. 37 amended the existing mandate to reflect current voting technology.

**Estimated Cost Characterization:** Minor

9-248

Furnishing Of Supplies. - Requires the municipal clerk to prepare and furnish supplies for each voting machine in conformity with this section. The clerks must also furnish to the election officials tally and return blanks containing the names of all candidates for office on the ballot.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-249

Instruction Of Election Officials In Use Of Machine. - Requires that each registrar of voters and certified head moderator instruct election officials before each election in the use of the **voting tabulators. Also, requires the instructors to file a report with the municipal clerk** and Secretary of State certifying that instruction was given and include a signed statement from each election official certifying that they have received the instruction

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 551 - act placed responsibility for instructing election officials in municipal clerk, registrars, and mechanic rather than in board of selectmen.  
1963, PA 318 - act eliminated the requirement of giving a certificate to qualified election officials and provided for filing a report re the instructions in the town clerk's office.  
P.A. 77-245 - changed "town clerk" to "municipal clerk".  
P.A. 81-467 - added reference to "certified" moderators and mechanics and required that election officials be appointed at least twenty, rather than ten, days before election except as provided in Sec. 9-229.  
P.A. 05-235 – added provisions requiring signed statement from each election official and that the report go to the Secretary of State.  
P.A. 11-173, Sec. 38 amended the existing mandate to reflect current voting technology.

**Estimated Cost Characterization:** Minor

9-250

Form Of Ballot Labels. - Requires municipalities to furnish three complete sets of ballot labels for each of their voting machines. Also, requires that the ballot format conform to certain specifications.

**Enactment:** Prior to 1949

**Amendments:** P.A. 76-159 - deleted provision for secretary of the state to determine positions of political parties on the ballot, referring instead to new Sec. 9-249a and added provision that under certain circumstances the ballot label shall indicate the maximum number of candidates who may be elected to such office from any party.  
P.A. 82-247 - added requirement that voting machine pointer over position where no candidates name appears be locked.  
P.A. 83-475 - added requirement that candidate's name appear on ballot in same form as on voter registry list except as provided in Sec. 9-42a.  
P.A. 87-382 - required names of certain candidates to appear on ballot label as they appear on certificate or statement of consent, clarified procedure for determining how names of other candidates appear on ballot label and required names of political parties and party designations to be immediately adjacent to column or row occupied by candidate or candidates of such political party or organization.

**Estimated Cost Characterization:** Minor

9-253

Order Of Names Of Party Nominees For Multiple-Opening Office Determined By Lot. Order When Candidate Nominated By More Than One Party. - Requires the registrar to determine by lot in a ceremony warned to the public in a newspaper having circulation in the town, the order of names of candidates on a ballot, when a party is entitled to nominate two or more candidates for an elective office.

**Enactment:** 1955, Supp. 730d

**Amendments:** P.A. 84-319 - amended section to provide uniformity in statutes re order of unaffiliated electors or petitioning party candidates on ballot and order of major and minor party candidates.

P.A. 87-197 - required order of names on ballot label to be determined by lot instead of appearing in alphabetical order and added provision requiring that five days' notice be given before ceremony held.

**Estimated Cost Characterization:** Minor

9-254 List Of Offices To Be Filled. - Requires municipalities to file with the secretary of state a list of the offices to be filled at an election, and to mail a copy to the chairman of each party within the municipality.

**Enactment:** Prior to 1949

**Amendments:** 1965, PA 137 - act provided that secretary of the state within seventy days of receipt of the list return a copy to the municipal clerk who, within ten days after receipt of same will mail a copy to the chairman of the town committee of each major party.

P.A. 87-382 - substituted "one hundred eightieth day" for "six months".

**Estimated Cost Characterization:** Minor

9-255 Sample Ballot Labels. - Requires municipalities to provide at least two sample ballots at all polling places that use voting tabulators. Sample ballots must be posted in a location visible to voters and at least one must be visible to those being instructed on the use of the voting tabulators.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-245 - changed "town" to "municipal" clerk.

P.A. 87-382 substituted "demonstrator or spare voting" for "dummy" voting machine.

P.A. 11-173, Sec. 40 reduced the number of sample ballots to two and replaces references to machine to tabulator, reflecting current voting technology.

**Estimated Cost Characterization:** Minor

9-256 Filing Sample Ballot With The Secretary. - Requires municipalities to file a sample ballot with the secretary of state and to reprint the sample ballot if the secretary finds an error or omission.

**Enactment:** Prior to 1949

**Amendment:** P.A. 77-303 - provided for action to be taken by secretary of the state if sample ballot label contains an error.

**Estimated Cost Characterization:** Minor

9-258 Election Officials; Additional Lines Of Electors. - Requires one moderator, two checkers, two registrars or assistant registrars of opposite parties and at least one tender for each voting machine to be at each polling place.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 28, 47 - acts substituted registrars or assistant registrars of voters for deputy registrars and removed reference to trial justice court which was abolished.  
P.A. 74-109 - removed the exception for office of justice of the peace from prohibition against candidates serving as election officials effective upon adoption of Senate Joint Resolution No. 22 of the 1973 session as an amendment to the constitution of Connecticut.  
P.A. 75-488 - added "and party checkers" to "additional officers" to be appointed if more than one line of electors is established.  
P.A. 76-24 - changed "party checkers" to "unofficial checkers".  
P.A. 77-245 - changed "town" to "municipal" clerk.  
P.A. 80-215 - added qualification that election officials be electors of the town.  
P.A. 83-391 - amended section to provide that voting machine mechanics need not be electors of town and to permit use of less than two challengers and two voting machine tenders and added provision to clarify that head moderators, central counting moderators, absentee ballot counters and voting machine mechanics are election officials and to provide that election officials shall not perform services for any party or candidate on election day.  
P.A. 84-546 - moved exception re voting machine mechanics.  
P.A. 88-91 - prohibited a municipal clerk or a registrar of voters who is a candidate for a different office from serving as an election official on election day or serving at the polls in any capacity.

**Estimated Cost Characterization:** Minor

9-259

Duties Of Election Officials Before Polls Open; Moderator's Return Certificates. - Requires election officials in each voting district to meet on the morning of an election and to examine the seals on the voting machines, to check on the correctness of the ballot labels, provide the moderators of each polling place with a specific number of paper ballots and to perform a number of other pre-election duties. Also, after the polls close, requires the moderator to certify that the machine has been locked and sealed and the number of votes cast for each nominee.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 487 - act required registrars rather than selectmen, wardens or mayors to be present when envelope is opened where the numbers on machine and on envelope with keys do not agree.  
1965, PA 195 - acts changed from six to eight o'clock the afternoon before election the time before which moderator to appear at office of municipal clerk, added provision where machine is equipped with device for printing totals that the doors concealing the counters shall not be opened, required election officials to examine printed record to see that each counter registers zero and allowed watchers to examine the record.  
P.A. 75-123 - provided that moderator's return be in form prescribed by secretary of the state.  
P.A. 83-475 - provided for receipt of only the number two and three keys for machines.  
P.A. 98-67 added sentence re availability of number four election official key.  
P.A. 00-66 divided section into Subsecs.  
P.A. 00-79 - added the requirement to provide the moderators of each polling place with a specific number of paper ballots.

**Estimated Cost Characterization:** Minor

9-260

Instruction By Means Of Demonstrator Or Spare Voting Machine. - Requires municipalities to provide a spare voting machine or demonstrator machine inside each polling place for the instruction of voters.

**Enactment:** Prior to 1949

**Amendment:** P.A. 87-382 - authorized the use of a spare voting machine in place of a demonstrator machine and changed the term "dummy machine" to "demonstrator machine".

**Estimated Cost Characterization:** Minor

9-261 Process of Voting. - If an elector arrives at a polling place without an accepted form of identification, he must sign a statement, provided by the town, stating that he is the elector whose name appears on the official checklist.

**Enactment:** Prior to 1949

**Amendments:** P.A. 67-647 - changed from one to two minutes times allowed elector to remain in voting booth.

P.A. 87-251 - allowed children ten years of age or younger to accompany an elector within enclosed space occupied by elector while operating machine.

P.A. 87-509 - divided section into Subdivs., in Subdiv (1) substituted "checklist" for "registry list", added Subdivs. (2) and (3) re process of voting for unaffiliated electors when two or more parties hold primaries in which unaffiliated electors authorized to vote or (subdiv. (3) only) one party holds primary in which unaffiliated electors authorized to vote for some but not all offices contested at primary and, in Subdiv. (4) added provisions re receipt.

P.A. 93-300 added Subpara. (B) to Subdiv. (1), requiring elector to present identification or sign statement that he is elector whose name appears on checklist.

P.A. 95-87 - renumbered Subsecs., Subdivs., etc., requires town to provide form for elector to sign stating that he is the person on the voting list, if he cannot present proper identification at the polling place.

P.A. 97- 154 amended Subsec. (d) to increase maximum age of children who may accompany an elector into enclosed space of voting machine booth, from ten years to fifteen years, and to add proviso that such elector be the parent or legal guardian of such children.

P.A. 99-276 amended Subsec. (a) by applying provisions to each primary, election and referendum.

**Estimated Cost Characterization:** Minor

9-261b Privacy sleeve. – Requires that registrars ensure that each voter is offered a privacy sleeve.

**Enactment:** 2011, P.A. 11-173, Sec. 26

**Estimated Cost Characterization:** Minor

9-262 Duties Of Election Officials During Voting Hours. - Requires that at least one of the election officials be stationed beside the entrance to the voting machine booth and to intermittently check to see that the machine is operating properly.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-263 Use Of Paper Ballots When Voting Machine Damaged. - Requires that if a machine is damaged during voting, another machine be made available by the municipality or that paper ballots be used to record votes. Requires that moderators follow a specific procedure in distributing, processing and tabulating those paper ballots.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 487 - act placed duties re damaged machine on registrars rather than selectmen, wardens and mayors.

P.A. 80-339 - provided that if no other machine is in use in the polling place, registrars to immediately permit use of emergency paper ballots (an absentee ballot) and prescribes manner in which they shall be voted and further provided for discontinued use immediately upon replacement or repair of at least one machine.

P.A. 95-185 added proviso that no ballot may be counted unless all provisions of section have been complied with.

P.A. 00-79 inserted "provided by the municipal clerk to the moderator pursuant to section 9-259" after "emergency paper ballots" in provision authorizing use of paper ballots in instances where sole voting machine in use at a polling place malfunctions, and made technical changes.

**Estimated Cost Characterization:** Minor

9-266

Keys To Be Kept. Storage Of Machine. - Requires the moderator, after the voting machine has been locked at the close of the election, to secure the keys to each machine on a wire labeled with the name of the municipality and the voting district and return them to the municipal clerk. Requires that municipalities box and collect all voting machines the day after the election and store them in a safe place.

**Enactment:** Prior to 1949

**Amendments:** P.A. 86-1 - added reference to order issued by state elections enforcement commission.

P.A. 95-88 changed number of days machine remains locked from ten to fourteen.

**Estimated Cost Characterization:** Minor

9-260

Instruction By Means Of Demonstrator Or Spare Voting Machine. - Requires municipalities to provide a demonstrator **device** inside each polling place for the instruction of voters.

**Enactment:** Prior to 1949

**Amendment:** P.A. 87-382 - authorized the use of a spare voting machine in place of a demonstrator machine and changed the term "dummy machine" to "demonstrator machine".

P.A. 11-173, Sec. 18 amends the existing mandate to relect current voting technology.

**Estimated Cost Characterization:** Minor

9-272

Conditions under which use of voting tabulators may be discontinued. - requires a registrar who chooses to discontinue the use of tabulators and instead use paper ballots to follow procedures for securing and counting the paper ballots that are in compliance as nearly as possible with the procedures prescribed by the Secretary of the State for securing and counting absentee ballots.

**Enactment:** Prior to 1949

**Amendments:** 1963 P.A. 210 authorized municipal clerk and registrars rather than board of selectmen, common council or, warden and burgesses to discontinue use of machines.

P.A. 11-173, Sec. 20 required that if a registrar decides to use paper ballots because tabulators are unavailable or impracticable, the procedures for securing and counting the paper ballots must be in compliance as nearly as possible with the procedures prescribed by the Secretary of the State for securing and counting absentee ballots.

**Estimated Cost Characterization:** Minor

9-273 Preparation Of Ballots. - Requires that the secretary of state print, at the expense of the municipality, all paper ballots used at regular or special municipal elections.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-280 Sample Ballots. - Requires that the secretary of state print at the expense of the municipality a number of sample ballots equal to 25% of the official ballots sent to the municipality.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-287 Ballot Box Lock. - Requires municipalities to provide locks and keys for each ballot box used in the municipality.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-289 Selectmen To Provide Rooms Or Booths And Ballot Boxes. - Requires municipalities to provide suitable room(s) for holding elections at which paper ballots are used, with one room required for each 150 names on the registry list, and to provide ballot boxes and boxes for disposal of ballot stubs.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-290 Ballot Booth. - Requires municipalities to provide a ballot booth at which a voter obtains a paper ballot. Also, requires that two ballot clerks be present at each ballot booth to distribute the ballots.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-294 Deposits Of Ballots. Booth Tenders. - Requires the registrar to appoint two persons to serve as booth tenders during an election conducted by paper ballot.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-296 Box Tenders. - Requires registrars to appoint a box tender for each ballot box used during an election and one or two other persons to act as substitute box tenders.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-299 Counters. Certificates. Declaration Of Vote. - Requires registrars to appoint one to five persons for each ballot box to act as counters, who make the official count of paper ballots and stubs, and certify the numbers to the moderator.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-300 Deposit Of Certificates. - Requires moderators to endorse the certificates from the counters and seal one of them in the appropriate ballot box and send the other to the municipal clerk.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

9-301 Ballot Return By Moderators For State Elections. - Requires moderators to make out a statement and return it to the secretary of state, showing the number of ballots counted and returned to him by the counters.

**Enactment:** Prior to 1949

**Amendment:** P.A. 00-99 deleted reference to sheriff.

**Estimated Cost Characterization:** Minor

9-302 Return Of Ballots To Box; Sealing And Preservation. - Requires the moderator to securely lock and seal each ballot box and to deposit the box in the office of the municipal clerk.

**Enactment:** Prior to 1949

**Amendment:** P.A. 87-382 substituted "one hundred eighty days" for "six months".

**Estimated Cost Characterization:** Minor

#### *ELECTION CANVASS AND RETURNS*

9-307 Certificate Of Check Lists. - Requires the official checkers to certify to the moderator the number of names on the registry and enrollment lists and the number checked as having voted in the election. Also, requires the registrars to certify the check-off lists and file them with the municipal clerk, who shall enter the certification on the town records.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 200 - act added authority to destroy check list after four years.  
1965, PA 365 - act provided for count of whole number of names on registry list to include the list of new resident voters prepared pursuant to Sec. 9-163g.

P.A. 76-295 - deleted the latter provision and inserted provision for the count to include persons who applied for presidential ballots and those who applied for overseas ballots.  
P.A. 77-245 - changed "town clerk's office" to "office of the municipal clerk" and "town" to "municipal" clerk where appearing.  
P.A. 86-179 - made technical changes.  
P.A. 87-509 - required certificate to also state whole number of names on enrollment list including, if applicable, unaffiliated electors authorized to vote in primary.  
P.A. 88-364 - made a technical change.

**Estimated Cost Characterization:** Minor

9-308 Canvass of returns. Requires election officials to canvass returns as provided in section 9-309 and specifies requirements for the canvass location and for securing tabulators.

**Enactment:** Prior to 1949

**Amendments:** P.A. 11-173, Sec. 48 amends the existing mandate to reflect current voting technology.

**Estimated Cost Characterization:** Minor

9-309 Procedure For Announcing Results. - Requires the moderator to canvass the returns shown on the voting machines and to announce them so they can be taken down by the vote checkers.

**Enactment:** Prior to 1949

**Amendments:** 1965, PA 408 - act provided that where machine is equipped with device for printing totals of candidate and questions counters, concealing doors not to be opened and the printed record shall be the official return and so proclaimed with opportunity given persons lawfully present to inspect the records, however, where printed record not clear concealing doors to be opened and counting proceed as with other machines.  
1969, PA 9 - act deleted provision for alternate to moderator to announce results of votes cast, and added provision for announcing both the machine vote registered on the counter and the absentee vote furnished to moderator by absentee ballot counters.  
P.A. 83-475 - amended section to make use of printing device on voting machines permissive rather than mandatory.

**Estimated Cost Characterization:** Minor

9-310 Locking Of Machines By Moderator. - Requires the moderator to close and lock the counting compartments of the voting machines and seal the operating lever with a numbered seal. Also, requires the moderator to follow specific procedures regarding "write-in ballots", secure them in a sealed package and file the package with the municipal clerk.

**Enactment:** Prior to 1949

**Amendments:** 1963, PA 318 - act made technical change in language.  
P.A. 77-239 - added provision for opening package of write-in ballots, where there is a recanvass in case of a discrepancy, to the existing provision for opening them on order of court of competent jurisdiction.  
P.A. 85-514 - amended section to require impoundment of machines, write-in ballots, absentee ballots, moderators' returns and all other notes, worksheets or written material upon determination of a recanvass.  
P.A. 86-1 - added references to order issued by state elections enforcement commission.  
P.A. 87-382 - substituted "one hundred eighty days" for "six months".

P.A. 95-88 - changed number of days machine remains locked from ten to fourteen.

**Estimated Cost Characterization:** Minor

9-311

Recanvass In The Case Of Discrepancy. - If the moderator determines there is a discrepancy in the returns of a voting district, such moderator is required to notify and convene a meeting of recanvass officials and to notify the chairman of the town committee of any political party which nominated candidates for the election of the time and place of the recanvass. Requires that the recanvass follow specific procedural steps.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 527 - act included recanvass of absentee ballots.

1963, PA 311 - act required duplicate of moderator's statement of recanvass in state election be sent to secretary and provided corrected return be substituted for and have effect of original.

1967, PA 885 - act provided for written notice of a recanvass for discrepancy to be delivered personally to recanvass officials as specified and the registrars of voters requiring recanvass officials to meet at specified time and if such officials unable to attend, registrars to designate another elector of same party to substitute, also provided for notice to secretary of the state in the case of a state election, substituted "recanvass officials" for "election officials" throughout, provided for moderator to determine where recanvass to occur, provided for votes cast by absentee ballots to be announced and recorded as prescribed in Sec. 9-309 on forms provided by municipal clerk with statement signed by moderator appended indicating time, place and particulars concerning recanvass officials, further provided that, in addition to moderator, at least two of the recanvass officials of different political parties to prepare and sign return forms, deleted provision for witnessing of the forms; where recanvass reveals original canvass of returns not correctly made, provided that return forms containing such statement filed with the clerk shall constitute a corrected return, changed provision in the case of a state election so that recanvass return made on form provided by secretary of the state and in addition to copy filed with latter and copy to be filed with town clerk, substituted "recanvass return" for "corrected return" in the provision for the return to be substituted for the original return, further provided that term "registrars of voters" in municipality having different registrars for different voting districts means the registrars in the voting district in which at the last-preceding election, the presiding officer for purposes of declaring result of vote of the whole municipality was moderator.

1971, PA 836 - act deleted "or chief" from "head or chief moderator" and also the proviso that where "there is no head or chief moderator, the moderator of the first district".

P.A. 77-239 - included write-in votes as a part of the recanvass.

P.A. 85-382 - (1) required clerk to bring absentee ballot applications, list of absentee ballot applications, registry list, moderators' returns and depository envelope for recanvass, (2) required designated elector to have training and experience in the conduct of elections, (3) required no one other than recanvass official to take part in recanvass, (4) allowed representative to present evidence of any irregularity, (5) mandated that procedures be open to public, (6) required recanvass officials to check outer envelopes for absentee ballots against inner envelopes for such ballots and against the registry list to verify postmarks, addresses and registry list markings, (7) required determination of whether the number of envelopes correspond with number of persons checked as voting by absentee ballot, (8) required officials to use same forms for tallies and returns as used at original recanvass, and (9) required absentee ballot counters to sign the tallies.

P.A. 93-30 - made technical changes.

P.A. 95-88 - divided section into Subsecs., amended Subsec. (a) to change time of recanvass officials' meeting from within five business days after election to not later than fifth business day after election, and amended Subsec. (c) to change number of days machine remains locked from ten to fourteen.

**Estimated Cost Characterization:** Minor

- 9-311a Recanvass On Close Vote. - Requires an automatic recanvass if the plurality of the winning candidate is beneath a set percentage or number of votes, unless the losing candidate waives the right to the recanvass. Requires that the recanvass follow certain procedural steps.
- Enactment:** 1963, PA 185
- Amendments:** 1967, PA 885 - act provided for adding "of the office in question" to "cause a recanvass of such returns", also provided for the clerk to notify the secretary of the state upon receipt of application for a recanvass where a state election is involved.  
 1971, PA 542 - act provided that the definitions contained in Sec. 9-372 would apply for purposes of section to state, district and municipal offices but that office of presidential elector is deemed a state office, deleted provision for application for recanvass and provided that a recanvass would take place where votes were within the limits already specified, immediately, in the case of municipal elections or upon the tabulation of the vote for state and district offices by the secretary of the state, unless a written waiver is filed by defeated candidate(s).  
 P.A. 80-281 - provided, in the case of multiple openings for the same office, the total number of votes cast means the total number of electors checked as having voted and provided that a recanvass in that case will result in the returns for all candidates being recanvassed.  
 P.A. 84-319 - amended section to provide uniformity in procedures for recanvass after primaries and elections.  
 P.A. 85-382 - required only recanvass officials to take part in recanvass and permitted candidates to present evidence of irregularities noted in any contest relating to the election.
- Estimated Cost Characterization:** Minor
- 9-311b Recanvass On Tie Vote. - Requires a recanvass if electors fail to elect a candidate for any office because of a tie vote, to be done in a manner prescribed by this section.
- Enactment:** 1963, PA 185
- Estimated Cost Characterization:** Minor
- 9-314 Return Of List Of Votes By Moderator. - Requires the moderator to make a duplicative list of votes from her town for certain elected positions and to file such list with the secretary of state within a specific period of time or be subject to a fine.
- Enactment:** Prior to 1949
- Amendments:** 1963, PA 311 - act reduced the number of lists of votes to be sent to secretary from two to one.  
 1964, PA 2 - act deleted representative-at-large.  
 1971, PA 542 - acts deleted provision for mailing of list and substituted immediate hand delivery to the secretary of the state or to the state police who are required to deliver it by hand to the secretary of the state before four o'clock p.m. the day following the election, changed provision for delivery of list to the town clerk "within two days" to "on or before the day after the election", changed "moderator of first voting district" to "head moderator" and deleted "unless otherwise provided by law".  
 P.A. 77-196 - added registrars of voters to the other offices on the list and added new Subsec. (b) providing for a report from moderator of municipal election on each contested office.  
 P.A. 85-577 - changed time frame of delivery, imposed fifty dollar fee for late filing and required immediate transmittal of the vote for each office contested at such election.  
 P.A. 88-89 - amended Subsec. (b) to require results of municipal elections to be delivered to secretary of the state in same manner and time as provided under Subsec. (a), instead of being transmitted forthwith.

P.A. 93-384 - substituted "official check list" for "registry list" and amended Subsec. (b) to require moderator or head moderator to "forthwith transmit" instead of "deliver" voting results to secretary.

P.A. 95-171 - amended Subsec. (a) to conditionally authorize transmitting list by facsimile machine, effective October 1, 1995, and applicable to elections held on or after that date.

P.A. 00-99 - deleted reference to sheriff in Subsec. (a).

**Estimated Cost Characterization:** Minor

9-320

Returns Of Municipal Elections By Clerks. Elected Town Clerk Who Is Registrar Of Vital Statistics Ex Officio. - Requires municipal clerks, under penalty of fine, to submit to the secretary of state within 10 days following a municipal election, a statement of those elected to which offices.

**Enactment:** Prior to 1949

**Amendment:** P.A. 88-45 designated existing section as Subsec. (a), amended Subsec. (a) to require return to indicate when elected town clerk is registrar of vital statistics, ex officio, and added Subsec. (b) re record and certification of registrars of vital statistics and town clerks.

**Estimated Cost Characterization:** Minor

9-320f

Manual Audit Of Votes By Registrars Of Voters Or Town Clerk. Offices Subject To Audit. University Of Connecticut Analysis. Discrepancy Recanvass. Voting Machine Failure To Record Votes. Secretary Of The State Investigation And Report. Regulations. Definitions. - Requires registrars of voters to conduct manual audits of a minimum of ten percent of the votes in any election and to report the results of such audit to the Secretary of the State, in a manner specified by the bill. Such audit shall be noticed in advance. The bill also requires the registrars to file a written opinion with the clerk whenever he appoints additional election officials, giving the reasons for any such appointments.

**Enactment:** 2007, P.A. 194

**Estimated Cost Characterization:** Minor

9-322a

Clerk To File Listing Of Returns. - Requires municipal clerks to file official returns with the secretary of state as specified, certify lists have been examined for any discrepancies and any such discrepancies have been rectified. Requires the head moderator, registrars of voters and town clerk for each town divided into voting districts to meet as specified to identify errors in returns and the the head moderator to correct such errors as specified.

**Enactment:** 1982, PA 426

**Estimated Cost Characterization:** Minor

#### *ELECTIONS AND PRIMARIES: CONTESTED*

9-332

Adjourned Election In Tie Vote. Withdrawal Of Candidate. - Requires that any tied election results in adjournment of the election for 2 weeks. Requires the municipal clerk to warn of the new election in a newspaper of general circulation at least 3 days prior to that election and to follow other procedures outlined in this section.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 50 - act provided for three days notice of new day, hours, place and purpose of adjourned election.

1961, PA 259 - act provided that election not be held when all candidates but one have died, withdrawn, or become disqualified.

P.A. 80-281 changed from one to two weeks the time in which the election stands adjourned and further provided that in the case of a multiple opening office only names of candidates whose votes are equal shall be placed on ballot.

P.A. 95-88 - changed time an election stands adjourned from two to three weeks.

**Estimated Cost Characterization:** Minor

## REFERENDA

9-369a Submission Of Local Questions At Election. - Requires the municipal clerk to file with the secretary of state a statement setting forth the question as it is to appear on the ballot, to make the full text of the question available for public inspection and to warn the election at which the question will be voted on.

**Enactment:** 1961, PA 362

**Amendments:** 1965, PA 38 - act changed from twenty-eight days to forty-five days prior to election where appearing in Subsec. (b) pertaining to filing of statement by municipal clerk with the secretary of the state, effective with respect to all elections held on or after January 1, 1966.

P.A. 79-363 - deleted reference to Sec. 9-136 in Subsec. (a).

P.A. 85-577 - added Subsec. (d) re moderators' duty to file results of votes on questions with secretary of the state.

P.A. 86-170 - required that ballot label designation be in form of a question.

P.A. 86-179 - made technical changes.

**Estimated Cost Characterization:** Minor

9-369b Local Questions And Proposals. Explanatory Text. Expenditure Of State And Municipal Funds To Influence Vote Prohibited. Preparation And Printing Of Certain Materials Permitted. Exception. Civil Penalty. Summaries Of Arguments For, Against Local Questions. - Requires the regional board of education, whenever a referendum has been called for by a regional school district, to authorize and prepare the printing of explanatory texts of the proposals or questions to be presented at the referendum, in a manner specified by this section.

**Enactment:** 1987, PA 409

**Amendment:** P.A. 79-363 added provision for explanatory text to be furnished to absentee ballot applicants;

P.A. 81-434 deleted the words "an election" and inserted the words "a referendum" in their place;

P.A. 84-94 added prohibition of expenditure of state funds to influence vote for approval or disapproval;

P.A. 86-179 made technical changes;

P.A. 89-159 designated existing provisions as Subsec. (a), amended Subsec. (a) to prohibit expenditure of municipal funds to influence vote on proposal or question and by adding provision re exceptions to this Sec. and added Subsec. (b) authorizing elections enforcement commission to impose civil penalty. (Note: P.A. 88-230 authorized substitution of the phrase "judicial district of

Hartford" for "judicial district of Hartford-New Britain" in 1989 public and special acts, effective September 1, 1991;  
P.A. 90-98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993);  
P.A. 90-156 added Subsec. (c) re authorization for summaries of arguments for and against local proposals and questions;  
P.A. 93-142 changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996, effective June 14, 1993;  
P.A. 95-220 changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998, effective July 1, 1995;  
P.A. 00-92 amended Subsec. (a) to permit a municipality, by vote of its legislative body and subject to approval of its municipal attorney, to authorize the preparation and printing of materials concerning a proposal or question if such materials do not advocate approval or disapproval;  
June Sp. Sess. P.A. 00-1 changed effective date of P.A. 00-92, S. 15 from October 1, 2000, to May 26, 2000, effective June 21, 2000;  
P.A. 01-26 made a technical change in Subsec. (a) for purposes of gender neutrality;  
P.A. 04-117 amended Subsec. (a) to add exception for provisions of Subsec. (b), provide for procedure to authorize the preparation of texts in a municipality that has a town meeting as its legislative body and make a technical change, added new Subsec. (b) re authorization and preparation of texts for referendum called for by a regional school district and redesignated existing Subsecs. (b) and (c) as new Subsecs. (c) and (d), respectively, making technical changes therein, effective May 21, 2004.

**Estimated Cost Characterization:** Minor

9-369c

Absentee Ballots For Referendum Voting. - Requires municipal clerks to prepare and print absentee ballots with the exact phrasing of the question or proposal that will appear on the ballot label, and to make them available for use at the referendum. Also, requires municipalities to follow specific procedures for issuing, returning, casting and counting absentee ballots.

**Enactment:** 1979, PA 243

**Amendments:** P.A. 86-179 - made technical changes.

P.A. 87-320 - amended Subsec. (a) to repeal text at beginning of Subsec. providing "Unless otherwise provided by any provision of the general statutes, any special act, charter provision or ordinance", added reference to Subdiv. (3) of Subsec. (n) of Sec. 9-1 to definition of referendum, required question or proposal to be submitted to clerk at least three weeks, instead of four weeks, before referendum date, and added provisions for referendum held with less than three weeks notice.

P.A. 91-286 - deleted provision in Subsec. (d) which had required payment to secretary of the state for forms and materials described in Sec. 9-139a.

P.A. 93-384 amended Subsec. (b) to authorize designee to also return ballot in person to municipal clerk by close of polls.

**Estimated Cost Characterization:** Minor

9-370a

Recanvass On Close Question Vote. - Requires the moderator to undertake a recanvass if the difference between the "Yes" and "No" referendum votes falls below a specific percentage or number of votes.

**Enactment:** 1971, PA 438

**Amendment:** P.A. 98-96 - added provision re recanvass in regional school district referendum.

**Estimated Cost Characterization:** Minor

9-371 Report Of Referendum Result To Secretary. - Requires municipal clerks to report in writing to the secretary of state the results of any referendum conducted in accordance with the provisions of any special act, or on the question of acceptance of such act, or on the question of the adoption of any home rule charter .

**Enactment:** 1959, PA 615

**Amendment:** 1971, PA 507 - act added application of section to "on the question of adoption of any home rule charter or charter revision or amendment thereto".

**Estimated Cost Characterization:** Minor

*NOMINATIONS AND POLITICAL PARTIES*

9-395 Publication Of Information Concerning Municipal Primaries. - Requires municipal clerks to publish in a newspaper of general circulation, the fact that certain candidates in a primary have been endorsed by town political committees, together with other information concerning the primary.

**Enactment:** 1955, June Supp. 585d

**Amendment:** 1963, PA 17, 636 - acts restated previous provisions, removed requirement of printing names and addresses of candidates in newspaper and provided for list for public inspection in clerk's office.

**Estimated Cost Characterization:** Minor

9-404c Registrar's Receipt And Verification Of Petitions For Candidacies For Nomination To State Or District Office. Filing With Secretary. Tabulation. - Requires registrars, upon the receipt of any page of a petition proposing a candidacy for a state or district office, to sign and give to the person submitting the petition a receipt, in duplicate, stating the number of pages filed and the date and time of filing. In addition, the registrar must certify each page of the petition, in a manner specified by this section. Any candidate attempting to get on the ballot by way of petition must file such petition with the registrar of voters who shall then file same with the Secretary of State, in a manner provided by this section.

**Enactment:** 2003, P.A. 241

**Estimated Cost Characterization:** Minor

9-405 Time For Filing Primary Petition Candidates For Municipal Offices, Town Committees And Delegates. - Requires that on the last day for filing primary petition candidacies, the registrars office be open during certain hours and that the registrar or assistant registrar be present during those hours.

**Enactment:** 1955, June Supp. 576d

**Amendments:** 1963, PA 17 - act restated previous provisions.  
P.A. 74-25 - changed filing deadline from twenty-first to twenty-fifth day preceding day of primary.

P.A. 83-475 - amended section to advance filing deadline by one week.  
P.A. 84-1 - changed time limit for filing of candidacies for election as convention delegates.  
P.A. 85-235 - amended section to require filing of candidacies for unendorsed candidates by the thirty-second day preceding the day of the primary, deleting deadline of twenty-fifth day preceding primary applicable only to election of convention delegates.  
P.A. 85-577 - required the office of registrars to open not later than one o'clock p.m., and remain open until at least four o'clock p.m. on last day for filing candidacies.  
P.A. 87-382 - deleted provision extending deadline for filing candidacies when falling on a Saturday, Sunday or legal holiday.  
P.A. 89-297 - amended filing deadline from thirty-second day preceding primary day to thirty-fourth day.

**Estimated Cost Characterization:** Minor

9-409

Availability And Issuance Of Primary Ballot Petition Forms. - Requires registrars to make available petition forms for candidacies not endorsed for office by town committees and to fill in certain information on the petition forms before they are distributed.

**Enactment:** 1955, June Supp. 591d

**Amendments:** 1963, PA 17 - acts restated previous provisions and left solely with registrar determination of number of petition pages to be given, not as requested.  
P.A. 74-139 - substituted "certified to the town clerk" for "selected" where appearing.  
P.A. 77-245 - substituted "municipal clerk" for "town clerk".  
P.A. 79-616 - deleted provision for payment of required deposit.  
P.A. 82-426 - amended section to provide that petition forms are available on day following party endorsement or on day following the final day for making party endorsement, whichever is earlier rather than at least three weeks before final filing day.  
P.A. 83-391 - reduced number of petition pages given to persons requesting them from three to two times the number needed.  
P.A. 83-475 - amended section to require issuance of greater number of petition pages in case of candidacy for town committee member.  
P.A. 87-382 - added sentence requiring candidate for municipal office of state senator or state representative to include on statement of consent his name as he authorizes it to appear on ballot.  
P.A. 87-472 - added provisions re requirements for placing on ballot label names of candidates supported by petition candidates for election as delegates to a convention.  
P.A. 90-1 - amended procedure for placing on ballot label names of candidates supported by delegate petition slates, by providing for letters of support for such candidates and allowing affidavit of consent from a candidate to be signed by a designee of the candidate named on list signed by the candidate.  
P.A. 93-384 - limited number of pages that registrar required to give to person requesting to "one or more petition pages, suitable for duplication, as the registrar deems necessary" unless candidate or candidates are indigent, and allowed pages filled in by registrar to be duplicated.

**Estimated Cost Characterization:** Minor

9-410

Petition Form; Circulation of Petitions For Municipal Office, Committee Member Or Delegate; Prohibited Acts. - Requires that each page of a petition form contain a statement signed by the registrar attesting that the circulator is an enrolled party member and is entitled to vote in the primary. Also, requires registrar to make sure that each returned petition form page contains a statement by the circulator certifying the authenticity of the signatures thereon.

**Enactment:** 1955, June Supp. 592d

**Amendments:** 1963, PA 17 - acts restated previous provisions, substituted "primary" for "nominating" petition where appearing, added penalties for false signing and a proviso that a candidate named on any primary petition is not prevented from serving as a circulator.  
1971 PA 871 - act changed "penalties of perjury" to "penalties of false statement".  
P.A. 76-40 - substituted in circulator's attestation "certified to the municipal clerk" for "selected".  
P.A. 78-125 - added prohibition on candidate's circulating petitions for another candidate or group of candidates contained in one petition for the same office or for anyone to circulate petitions for more than the maximum number to be nominated by a party for the same office, petition pages circulated in violation of prohibition to be rejected by the registrar and further provided that each separate sheet contain statement as to the number of signatures thereon and for acknowledgment of each separate sheet.  
P.A. 82-426 - amended section to conform to change in time for petition availability made in section 9-409.  
P.A. 87-472 - required petition form for candidates for election as convention delegates to include spaces for information on candidates supported by slate.  
P.A. 93-384 - allowed petition form to be "duplicate pages produced in accordance with section 9-409" and required form to provide lines for dates of birth of enrolled party members supporting person or persons on behalf of whose candidacy petition is used. P.A. 99-276 - required petition forms to provide lines for the printing of names of enrolled party members.  
P.A. 00-66 - divided section into Subsecs. and made technical changes.

**Estimated Cost Characterization:** Minor

9-412

Registrar's Receipt And Verification Of Petitions For Municipal Office, Committee Member Or Delegate; Filing With Clerk; Rejection Of Petition by Registrar, When. - Requires registrars to give a receipt to a petitioning candidate when he submits his petition pages and to check the signatures to authenticate that they were on the last completed enrollment list.

**Enactment:** 1955, June Supp. 593d

**Amendments:** 1959, PA 49 - act reduced from five to three years period municipal clerk must preserve petitions.  
1963, PA 17 - act restated previous provisions.  
P.A. 77-213 - provided for each circulator to be given a signed receipt by the registrar for the number of pages and date and time submitted.  
P.A. 78-125 - provided for rejection by registrar of any sheet of a petition determined to have been circulated in violation of any other provisions in addition to omission of certifications required under Sec. 9-410.  
P.A. 78-153 - substituted for "each circulator submitting a page or pages", "the person so submitting a page or pages" to whom a receipt is given, effective January 1, 1979.  
P.A. 93-384 - added provision re rejection of name by registrar for which street address on petition is different from street address on enrolment list.

**Estimated Cost Characterization:** Minor

9-413a

Registrar To Certify Accuracy Of Enrollment List Provided To Candidate Circulating Primary Petition. - Requires that whenever a registrar provides a party enrollment list to a candidate he must certify, in a manner specified by this section, that it is the most recent and accurate such list.

**Enactment:** 2005, P.A. 235

**Estimated Cost Characterization:** Minor

- 9-415 When Primary Required. - Requires municipalities to hold primary elections once petitioning candidates have complied with certain requirements as provided by this section.
- Enactment:** 1955, June Supp. 586d
- Amendments:** 1963, PA 17 - act restated previous provisions.  
1967, PA 557 - act added, following "senatorial district", "or assembly district or in each part of a municipality which is a component part of a senatorial district composed of a town or towns and a part or parts of another town or towns".  
P.A. 73-657 - added clarifying descriptive language for senatorial and assembly districts whose boundaries extend beyond limits of one town or part thereof.  
P.A. 79-616 - changed references from Sec. 9-399 to Sec. 9-400 where appearing.  
P.A. 80-483 - made technical changes.  
P.A. 81-447 - added reference to Sec. 9-416a.  
P.A. 81-472 - made technical changes.
- Estimated Cost Characterization:** Minor
- 9-423 Time For Primaries; State, District or Municipal Office. - Requires all primaries for nominations to an office to be voted at a state election to be held on the second Tuesday in August in the year such election is to be held. All primaries for nominations to an office to be voted at a Municipal election to be held on the fifty-sixth day preceding the day such election is to be held.
- Enactment:** 1987, PA 409
- Amendment:** 1963, P.A. 17 - act restated previous provisions;  
P.A. 74-25 changed primary day for party whose candidate for governor polled higher number of votes at the last-preceding election to the fifty-fourth day preceding the day of election and for all other parties to the fifty-sixth day preceding the day of election, effective January 1, 1975 with respect to selection of town committee members and delegates to conventions;  
P.A. 75-396 changed primaries for all parties to the fifty-sixth day preceding the day of the election, effective January 1, 1976;  
.P.A. 03-241 – changed primaries for all state offices to be held on the second Tuesday in August of the year the election is to be held, maintains that primaries for all municipal elections are to be held on the fifty-sixth day preceding the day of election.
- Estimated Cost Characterization:** Minor
- 9-428 Vacancy In Party-Endorsed Candidacy. - If a party-endorsed candidate dies or withdraws prior to the primary, and another person is endorsed, the registrar is required to have the ballot labels reprinted or to have stickers printed and inserted on the ballot labels.
- Enactment:** 1955, June Supp. 599d
- Amendments:** 1963, PA 17 - act restated previous provisions.  
1969, PA 694 - act provided for certification to the registrar and town clerk instead of the registrar.  
P.A. 77-245 - substituted "municipal" for "town" clerk.
- Estimated Cost Characterization:** Minor
- 9-433 Notice Of Primary; State And District Office. - Requires municipal clerks to publish in a newspaper of general circulation notice of a primary for party nomination, once the clerk is

notified to that effect by the Secretary of State. Two or more towns can jointly publish the warning.

**Enactment:** 1955, June Supp. 597d

**Amendments:** 1963, PA 17 - acts restated previous provisions and deleted requirement that notice be posted on public signpost.

P.A. 79-616 - deleted reference to petition signatures under Sec. 9-403 and substituted reference to expiration of the fourteen-day period under Sec. 9-400 and further provided for notification of primary where one or more candidacies have been filed.

P.A. 87-509 - required notice to include, if applicable, statement that unaffiliated electors may vote in primary.

P.A. 11-173, Sec. 58 authorized two or more towns to jointly publish the required notice.

**Estimated Cost Characterization:** Minor

9-434

Verification Of Names On Filing With Municipal Clerk. Exception. - Upon filing with the municipal clerk the names of party-endorsed candidates, the municipal clerk is required to verify and correct those names in accordance with the registry list of the municipality and to use them in preparation of ballot labels for the primary.

**Enactment:** 1955, November Supp. N107

**Amendments:** 1963, PA 17 - act restated previous provisions.

P.A. 87-382 - added sentence making section inapplicable to municipal offices of state senator and state representative.

**Estimated Cost Characterization:** Minor

9-435

Notice Of Primary; Municipal Office, Committee Members, Delegates. - Whenever a petitioning candidate has met the requirements contained in statutes, requires the registrar to notify the municipal clerk that a primary must be held and include a list of candidates, their addresses and the title of the offices they seek. Also, requires the clerk to publish notice of the primary in a newspaper of general circulation and to send a copy to the secretary of state within three business days.

**Enactment:** 1955, June Supp. 598d

**Amendments:** 1963, PA 17 - acts restated previous provisions and deleted requirement that notice be posted on public signpost.

P.A. 79-616 - changed reference to Sec. 9-399 to Sec. 9-400 and further added "of such notice" to the provision for a copy to be sent to the secretary of the state.

P.A. 87-472 - required notice, in case of primary for convention delegates, to also contain complete ballot label designation of each slate pursuant to Sec. 9-437(h).

P.A. 11-173, Sec. 22 added the three-day deadline to notify the Secretary of State.

**Estimated Cost Characterization:** Minor

9-436

Use, number and adjustment of voting tabulators; voting booths; conditions and rules for use of paper ballots; qualification, appointment and training of primary officials. - Requires municipalities to use voting tabulators for primaries; one booth for each 500 electors eligible to vote, and requires a separate voting machine in each polling place where a party has authorized unaffiliated electors. Also requires registrars to train each prospective primary poll worker to

perform in the poll worker's designated position. Also requires registrars to appoint a mechanic to prepare and place the voting machines, and to also appoint one moderator, two checkers, at least one voting machine tender and two assistant registrars per polling place. If unaffiliated voters are permitted, requires registrars to appoint two additional checkers. Also, requires registrars to notify all candidates of their right to submit a list of designees for appointment as election officials.

**Enactment:** 1955, June Supp. 600d A-116

**Amendments:** 1963, PA 17, 129 - acts restated previous provisions and placed time limit on submission of designees for primary officials to registrar.

1971, PA 836 - act provided for designation of a head moderator by the registrar.

P.A. 82-426 - amended section to provide that names of designees and alternates for primary moderator are to be submitted twenty-one days before primary and to require appointment of only certified moderators unless the number of such persons is insufficient.

P.A. 82-472 - substituted reference to Ch. 54 for obsolete reference to repealed Secs. 4-41 to 4-50.

P.A. 83-391 - amended section to reduce number of voting machines and officials required, to provide that mechanics need not be electors of any town and to provide that provisions of Secs. 9-258 and 9-258a concerning additional lines of electors and shifts of officials shall apply to primaries and to prohibit primary officials from performing services for any candidate on the day of the primary.

P.A. 84-319 - added requirement that registrar notify candidates and contestants of their right to submit list of designees for election official positions.

P.A. 85-592 - authorized registrars to appoint a deputy head moderator who shall be deemed a primary official.

P.A. 87-382 - repealed provision re locking of party levers.

P.A. 87-509 - substituted "electors eligible to vote at such primary" for "enrolled party members whose names are on the last-completed enrollment list", established requirement for separate voting machines for unaffiliated electors in each polling place in which a party authorizes unaffiliated electors to vote for some but not all offices to be contested at primary, required registrar to appoint at least one assistant registrar as a primary polling place official in a town with two or more voting districts, required appointment of two additional checkers if unaffiliated electors authorized to vote for some but not all offices to be contested at primary and required appointment of two additional checkers if unaffiliated electors authorized to vote in primary of either of two parties in same polling place.

P.A. 89-297 - allowed registrar, in case of a political subdivision holding a primary, to appoint enrolled party members residing elsewhere in municipality to serve as moderator, checker, challenger or voting machine tender, when necessary.

P.A. 90-156 - authorized registrar to appoint any enrolled party member residing in municipality to be an assistant registrar if insufficient number of enrolled party members residing in political subdivision holding primary consent to be assistant registrars.

P.A. 93-384 - renumbered Subdivs. and inserted new Subdivs. (2) and (4) authorizing appointment of any resident elector when enrolled party members cannot be found or do not consent to serve as primary officials.

P.A. 94-203 - required registrars to exclude seventy-five per cent of names of electors, enrolled party members or unaffiliated electors residing in institutions when calculating required number of voting machines.

P.A. 95-177 - divided section into Subsecs., divided Subsec. (a) into Subdivs., made technical changes, amended Subsec. (e) by adding provision re designees to conduct supervised voting, and moved provisions re additional lines, shifts of officials and statutes re voting machines applying at primaries to Subsec. (g).

P.A. 96-119 and P.A. 96-180 - both deleted provision in Subsec. (g) specifying that Chapter 54 is inapplicable to rules made under this section.

P.A. 97-47 - amended Subsec. (e) by changing the reference to Secs. 9-150q and 9-150r to Secs. 9-159q and 9-159r, respectively.

P.A. 98-67 - amended Subsec. (e) to exempt polling place moderators from requirement that polling place officials be divided between designees of candidates.

P.A. 11-20 - replaced references to voting machines with references to voting tabulators and changed the required number of machines to a required number of booths.  
P.A. 12-49 - Sec. 1 required registrars of voters to train each prospective primary poll worker to perform in the poll worker's designated position.

**Estimated Cost Characterization:** Minor

9-436a

Candidate Checkers. - Requires the registrar of voters to verify that those persons nominated as candidate checkers for a primary held by a political party are actual members of that party. The registrars also must furnish each candidate checker one copy of the list or lists of electors eligible to vote in such primary.

**Enactment:** 1967, PA 513

**Amendments:** P.A. 83-391 - amended section to prohibit primary officials from performing functions of candidate checkers and to permit municipalities to compensate candidate checkers.  
P.A. 84-319 - added requirement that registrar notify candidates of obligation to designate candidate checkers.  
P.A. 87-509 - substituted "candidates" for "electors" and added "each line of electors voting in such primary at" in first sentence and changed references to enrollment lists to lists of electors eligible to vote in primary.  
P.A. 93-384 - authorized registrar to establish two or more shifts for candidate checkers and to require registrar, at request of a group of candidates, to change designations of checkers.

**Estimated Cost Characterization:** Minor

9-437

Form Of Ballot Label; Position Of Candidates' Names On Ballot; Sample Ballot Labels.- When, for purposes of candidate position on the ballot label, the registrar is unable to determine which candidate filed first, the municipal clerk is required to determine such in a public ceremony by lot. Also, requires municipal clerks to prepare and print at municipal expense all ballot labels for the primary, including sample ballot labels, which must be displayed at each polling place.

**Enactment:** 1955, June Supp. 601d

**Amendments:** 1961, PA 230 - act added provisions re placing of candidates' names on ballot label.  
1963, PAs 17, 503 - acts restated previous provisions and added provision re separate rows for town committee candidates on petition.  
1967, PAs 557, 903, 904 - acts added "assembly district" to list of words to head vertical columns for delegates to other than state conventions, changed provision for arrangement of names so that where a primary petition proposes the full number of candidates for the positions to be contested, a separate row will be used, precedence as to row given to the first petition filed and provided for the designation "no party endorsement".  
P.A. 73-481 - provided for names of candidates for town committee contained in one primary petition, without the requirement for the full number of candidates for contested positions, to be placed in a separate row, precedence given to the order of filing of such petitions.  
P.A. 77-245 - changed "town" to "municipal" clerk where appearing.  
P.A. 79-253 - deleted requirement for number of sample ballots to be available for distribution as a per cent of the number of electors and provided for the number to be as the clerk deems advisable, but no less than those which are to be posted within the polling place.  
P.A. 79-616 - qualified the provision for placement of candidate names on horizontal lines below the line for party-endorsed candidates by inserting "in the case of candidates for municipal office, town or committee member", section changed reference from "section 9-399" to "section 9-400".

P.A. 80-249 - changed the provisions relating to delegates to a convention, following "party-endorsed slate" by adding "preceded by the last name of one of the party-endorsed candidates for delegate if such name was certified to the municipal clerk at the time of certification of party endorsed candidates under section 9-391".

P.A. 80-281 - provided that petitions proposing full number of candidates for town committee members shall have precedence over petitions proposing fewer than the full number.

P.A. 82-426 - amended section to allow town clerks to determine position on ballot by lot when filing order of petitions can not be verified.

P.A. 83-257 - divided section into Subsecs. (a) to (i), inclusive, and changed placement of words "no party endorsement" as required by Subsec. (a).

P.A. 83-475 - amended Subsec. (a) to require that candidate's name appear on ballot in same form as on registry list, except as provided in Sec. 9-42a and amended Subsec. (d) to establish procedure for determining order of names on ballot for candidates for town committee members.

P.A. 85-577 - inserted new Subsec. (b) regarding position on row for two or more candidates for the same state or district office, relettered remaining sections and in Subsec. (d) changed separate row to single row and required the petition to propose at least two candidates and the full number of candidates for each office.

P.A. 87-382 - amended Subsec. (a) to provide that name of a candidate for municipal office only, except for municipal offices of state senator and state representative, shall appear on ballot label as name appears on registry list and to add sentence providing that name of candidate for state or district office or for municipal office of state senator or state representative shall appear on ballot label as name appears on certificate or statement of consent and substituted "demonstrator or spare voting" for "dummy" machine in Subsec. (j).

P.A. 87-472 - designated existing Subsec. (b) as Subdiv. (1), inserted at end of Subdiv. (1) of Subsec. (b) "except as provided under subdivision (2) of this subsection" and added Subdiv. (2) to Subsec. (b), providing that when single certificate filed on behalf of two or more candidates and proposing one candidate for each state office to be contested at primary, single row to be used for such candidates, precedence as to row between certificates to be determined by lot, and to require names of all other candidates for state office to be placed in rows below and in Subsec. (h), repealed requirement that slates be labeled by last name of a candidate on slate and required challenge slates to be designated by letters and each slate to include names of candidates supported by slate.

P.A. 87-509 - added Subsec. (k) re voting machine and ballot label requirements when unaffiliated electors authorized to vote for some but not all offices to be contested at primary.

P.A. 90-1 - amended requirements in Subsec. (h) for ballot to include names of candidates supported by a slate.

**Estimated Cost Characterization:** Minor

9-438

Hours And Places Of Voting. - Requires municipalities to keep polls open from six o'clock A.M. to 8 o'clock P.M. on primary day.

**Enactment:** 1965, February PA 255

**Amendments:** 1963, PAs 17, 297 - acts restated previous provisions and changed opening of polls from 2 p.m. to noon.

P.A. 83-370 - prohibited the hours of voting in any municipality or part of a municipality in a district that includes two or more municipalities or parts of municipalities from commencing prior to twelve o'clock noon, unless all municipalities or parts of municipalities within the district establish the same hours of voting.

P.A. 83-475 - amended section to require uniform voting hours for primaries.

P.A. 87-509 - required, when unaffiliated electors authorized to vote in primary of either of two parties, both parties to hold primaries in same room of each polling place.

P.A. 88-162 - required polls to open for voting in all primaries at six o'clock a.m., instead of at twelve o'clock noon, effective July 1, 1989.

**Estimated Cost Characterization:** Minor

9-439 Duties Of Officials. - Requires checkers at each polling place to check the name of each elector who presents himself to vote, against the list of eligible voters.

**Enactment:** 1955, June Supp. 602d

**Amendments:** 1963, PA 17 - act restated previous provisions.  
P.A. 87-509 - substituted "list or lists of eligible electors" for "enrollment list".

**Estimated Cost Characterization:** Minor

9-440 Moderators To Make Returns. - Requires moderators, upon the closing of the polls, to lock the voting tabulators and to proceed to ascertain, record and announce the results of the primary. Requires the moderator to transmit the primary results to the secretary of state.

**Enactment:** 1955, June Supp. 604d

**Amendments:** 1963, PA 17 - act restated previous provisions.  
1967, PA 557 - act added clarifying language pertaining to split voting districts, added "or assembly" to "senatorial" before the word "district".  
1971, PAs 542, 836 - acts changed time limit for mailing or delivering list to "not later than twenty-four hours after the closing of the polls" and deleted reference to the moderator of the first district as alternative to the head moderator with reference to causing the vote to be tabulated.  
P.A. 73-657 - added further clarifying language pertaining to split voting districts and assembly districts.  
P.A. 84-319 - amended section to provide uniformity in procedures for filing head moderator's returns after primaries and elections.  
P.A. 85-577 - imposed time limit for transmittal of vote results and late filing fee.  
P.A. 11-173, Sec. 67 amends the existing mandate to relect current voting technology.

**Estimated Cost Characterization:** Minor

9-441 Compensation Of Registrars And Municipal Clerks. - Requires municipalities to pay all reasonable expenses incurred by registrars and municipal clerks as the result of holding the primary election.

**Enactment:** 1955, June Supp. 611d

**Amendment:** 1963, PA 17 - act restated previous provisions.

**Estimated Cost Characterization:** Minor

9-442 When Party Has No Registrar. - In a municipality where there is no registrar affiliated with a political party holding a primary, both registrars are required to act jointly to exercise all statutory powers. In a borough where there is no registrar affiliated with a political party holding a primary, the borough clerk is required to exercise all statutory powers.

**Enactment:** 1955, June Supp. 612d

**Amendment:** 1963, PA 17 - act restated previous provisions.

**Estimated Cost Characterization:** Minor

9-445 Recanvass On Close Vote. - Requires a recanvass of the returns of the voting machines when the plurality of the winning candidate falls below a certain percentage or number of votes. Requires moderators to notify each candidate who qualifies for the recanvass of the time and place for the recanvass.

**Enactment:** 1963, PA 225

**Amendments:** 1969, PA 694 - act substituted "an elected or nominated candidate" for "candidate receiving highest number of votes" and added application of section to elections of members of a town committee or delegates to a convention.

1971, PA 542 - act deleted time limit of "within five days" and substituted therefor "forthwith", provided for automatic recanvass where votes are within the limits prescribed unless waived in writing by defeated candidates and deleted provision for successful candidate to apply for recanvass in any other municipality within which the primary was held when defeated candidate or chairman applied for a recanvass.

P.A. 80-281 - provided for determining application of section where multiple openings for the same office or position are involved and that where such a recanvass is applicable the returns for all candidates for all openings of the office are recanvassed.

P.A. 84-319 - amended section to provide uniformity in recanvass procedures for primaries and elections.

**Estimated Cost Characterization:** Minor

9-446 Tie Vote. - Requires municipality to use specified procedures when resolving a tie vote in a primary for state or district office or for state senator or representative..

**Enactment:** 1955, June Supp. 606d

**Amendment:** 1963, PAs 17, 225 - acts restated previous provisions and added provisions re recanvass.

**Estimated Cost Characterization:** Minor

9-448 Recount Of Paper Ballots. - Requires a recount of paper ballots in any instance where a recanvass would be required by statute.

**Enactment:** 1963, PA 225

**Estimated Cost Characterization:** Minor

9-452 Time for making nominations; certification. – Requires registrars of voters to promptly verify and correct the names on any candidate list filed with the town or forwarded by the Secretary of the State and endorse the list as having been so verified and corrected.

**Enactment:** 1955, S. N106

P.A. 11-173, Sec. 51 transferred the obligation from municipal clerks to registrars of voters.

**Estimated Cost Characterization:** Minor

9-453i Submission To Town Clerk Or Secretary Of State. - Requires municipal clerks' offices to open not later than one o'clock and to remain open until at least four o'clock on the last day for submitting nominating petition pages. Also, requires the municipal clerk or his assistant to be present during those hours.

**Enactment:** 1971, PA 806

**Amendments:** P.A. 77-537 - added provision for submission of petition to the secretary of the state at least ten weeks prior to election as alternative to submission to the town clerk in which case the pages are then submitted to the town clerk for certification of signatures.

P.A. 79-339 - changed limitation in Subdiv. (1) from "at least nine weeks" to "not later than four o'clock p.m. of the sixty-third day" and in Subdiv. (2) from "at least ten weeks" to "not later than four o'clock p.m. of the seventieth day".

P.A. 85-577 - replaced section with four new subsections, Subsec. (a) providing procedures concerning nominating petitions proposing a candidate for an office to be filled at a regular election, Subsec. (b) providing procedures for nominating petitions proposing a candidate for an office to be filled at a special election, Subsec. (c) concerning submission of nominating petitions to either the town clerk or the secretary of the state and Subsec. (d) concerning office hours at the town clerk's office on the last day for submitting a nominating petition.

**Estimated Cost Characterization:** Minor

9-453j Statements By Town Clerk And Circulator. - Requires municipal clerks, upon request of the circulator of a petition, to complete a statement on each petition page attesting that the circulator is an elector in the town.

**Enactment:** 1971, PA 806

**Amendment:** P.A. 77-537 - added reference to the secretary of the state wherever submission or filing of the petition to or with the town clerk appears.

**Estimated Cost Characterization:** Minor

9-453k Signing And Certification Of Circulator's Statement; Receipt Of Pages; Certification Of Signatures. - Requires municipal clerks to certify on each page of the nominating petition that the circulator has signed a statement as to the authenticity of the signatures on the petition. Requires clerks to give each circulator a receipt for the petition pages submitted. Also, requires municipal clerks to check signatures against the last completed registry list.

**Enactment:** 1971, PA 806

**Amendments:** P.A. 77-537 - added in Subsecs. (a), (b) and (c) "or secretary of the state" to "town clerk" where appearing, in Subsec. (d) following "... submitted to him" inserted "by the circulator or the secretary of the state".

P.A. 81-447 - amended Subsec. (a) to allow circulator of a petition to sign petition pages before a notary or attorney, and added Subsec. (e) re records stating reasons for rejection of name.

P.A. 82-247 - amended section to allow certification by attorney or notary public.

P.A. 83-475 - amended section to allow certification by appropriate person as provided in Sec. 1-29, to allow town clerks to use a code letter for rejection of signatures and to allow for direct court appeal of signature rejections if ballot access is thereby denied.

P.A. 99-276 - amended Subsec. (d) by adding provision prohibiting town clerk from rejecting any name for which address on petition is different from address on registry list if the person is eligible

to vote for the candidate or candidates named in the petition, and the person's date of birth is the same as on the registration record.

**Estimated Cost Characterization:** Minor

9-453n Date For Filing With Secretary. - Requires municipal clerks to complete all certifications required on petition pages and to file each such page with the secretary of state within two weeks of receipt.

**Enactment:** 1971, PA 806

**Amendments:** P.A. 77-537 - changed time for filing of petition pages with the secretary of the state from within "three" to "two" weeks following submission and added "and not later than seven weeks before the election".

P.A. 85-577 - deleted requirement that nominating petition page be filed "not later than seven weeks before the election".

**Estimated Cost Characterization:** Minor

9-453o Rejection Of Defective Pages. Cure For Omission By Town Clerk. Approval Of Petitions. - Where a petition page is defective because of an omission by a municipal clerk, the clerk is required to cure the omission by signing any such page at the office of the secretary of state and making the necessary amendment by filing a separate statement in this regard.

**Enactment:** 1971, PA 806

**Amendments:** P.A. 81-447 - replaced former Subsec. (b) with new Subsec. requiring filing of a statement endorsing petitioning candidate with secretary of the state prior to approval of petition by secretary, and added Subsec. (c) permitting independent review of petitions by secretary.

P.A. 83-475 - amended section to establish time limit for filing endorsements on fifty-fifth day before election and to eliminate subsection requiring independent review of petitions by the secretary of the state.

P.A. 85-577 - amended Subsec. (c) to allow approval of a nominating petition received under Sec. 9-453k at any time rather than prior to tenth week before election but not earlier than final date for a major party endorsement for the office specified in the petition.

**Estimated Cost Characterization:** Minor

9-453r Position Of Candidates' Names On Ballot. - Requires the registrar of voters to determine the order of names of petitioning candidates on the ballot by lot in a ceremony duly warned and open to the public.

**Enactment:** 1971, PA 806

**Amendments:** 1972, PA 27 - act deleted provision that petitioning candidate name shall not appear on ballot under a party designation unless fifty per cent of offices to be filled have petitioning candidates approved and provided for separate row to be used for petitioning candidate whose petition is approved under Sec. 9-453o.

P.A. 84-319 - amended section to provide uniformity in statutes re order of unaffiliated electors on ballot and order of party candidates and divided provisions into Subsecs.

P.A. 87-382 - repealed provisions in Subsec. (b) re party lever.

P.A. 87-472 - required that, under Subsec. (a), within a separate row of candidates for same multiple-opening office and, under Subsec. (b), within and between horizontal rows for same

multiple-opening offices, the order of names of candidates be determined by lot instead of alphabetical order based on surnames.  
P.A. 88-49 - substituted "registrars of voters" for "municipal clerk" and "clerk".

**Estimated Cost Characterization:** Minor

9-460 Vacancy In Nomination; Withdrawal Procedure. Certification Of Replacement Nomination; Time Limitations. Ballot Labels. - If a party-endorsed candidate dies or withdraws prior to the election, and another person is endorsed, the registrar is required to have the ballot labels reprinted or to have stickers printed and inserted on the ballot labels.

**Enactment:** 1953, Supp. 617d

**Amendments:** 1963, PA 17 - act restated previous provisions.

P.A. 81-447 - amended section to include candidates qualifying by nominating petition under a reserved party designation.

P.A. 82-247 - amended section to clarify procedure for filing withdrawal of candidacy by nominee.

P.A. 83-475 - amended section to create ten-day period before election or primary during which vacancies are not to be filled except in case of death of candidate.

P.A. 94-203 - added Subdiv. (2) re stickers, replacing former provision requiring stickers if nomination certified less than ninety-six hours before polls open, and added Subdiv. (3) re blank stickers.

**Estimated Cost Characterization:** Minor

9-461 Filing Of List Of Candidates With Secretary. - Requires municipal clerks to file with the secretary of state a list of the candidates for each municipal office to be filled at the election and to notify the secretary of any subsequent changes.

**Enactment:** 1955, November Supp. N107

**Amendments:** 1963, PA 17 - act restated previous provisions.

P.A. 75-206 - changed from at least "twenty-eight" to "forty-two" days prior to election the time by which list of candidates for municipal offices to be filed.

P.A. 87-382 - substituted "Not later than the seventh day following the date set for the primary for nomination at" for "At least forty-two days prior to", required town clerk to include on list certification that he has compared name of each major party candidate for municipal offices of state senator or state representative with certificate or statement of consent, instead of with registry list and added reference to Sec. 9-329a.

**Estimated Cost Characterization:** Minor

#### *PRESIDENTIAL PREFERENCE PRIMARY*

9-464 Primary Date. - Requires each municipality to conduct a primary on the last Tuesday in April of the year of a presidential election if two or more candidates are to be placed on a party's ballot.

**Enactment:** 1977, PA 535

**Amendments:** P.A. 79-481 - changed the day for the primary to the Tuesday after the fourth Monday instead of the first Monday in March if the name of one or more candidates is to be

placed on the ballot and further provided for the costs of conducting primary to be paid as prescribed in new Subsecs. (b) and (c).

P.A. 83-475 - amended section to require primary only if there are at least two qualifying candidates and to refer to number of voting districts used by towns in last preceding state election.

P.A. 90-156 - repealed former Subsec. (b) re limitations on reimbursement, relettered Subsec. (c) as Subsec. (b) and amended new Subsec. (b) by basing reimbursement on town's 1984 or 1988 reimbursement, whichever is applicable, plus three per cent annually.

June Sp. Sess. P.A. 91-3 - removed Subsecs. (a) and (b) designators, deleted provision in Subsec. (a) requiring costs of conducting primary in each town to be paid by state in the manner and to the extent prescribed in Subsec. (b), and deleted Subsec. (b) in its entirety.

P.A. 95-95 changed primary date from the Tuesday after the fourth Monday in March to first Tuesday in March.

P.A. 11-143, Sec. 1 changed the date of the presidential primary to the last Tuesday in April.

**Estimated Cost Characterization:** Minor

9-468

Circulation, Filing And Verification Of Petition. - Requires registrars to verify the signatures on each page of a petition of any person seeking the nomination of a party for president and to submit them to the Secretary of State.

**Enactment:** 1977, PA 535

**Amendments:** P.A. 79-481 - rephrased provisions but made no substantive changes.

P.A. 83-475 - amended section to refer to Secs. 9-410 and 9-412 instead of Secs. 9-402 and 9-403.

P.A. 85-577 - amended section to provide open office hours at the registrar of voters, if prior to the last day for filing petition pages, a petition was issued under Sec. 9-467.

**Estimated Cost Characterization:** Minor

9-471

Notice Of Primary. - Requires municipal clerks to publish the notice of primary for each party which the clerks receive from the secretary of state.

**Enactment:** 1977, PA 535

**Amendment:** P.A. 79-481 - rephrased provisions but made no substantive changes.

**Estimated Cost Characterization:** Minor

9-476

Conduct Of Primary. - Requires municipalities to conform to the statutory provisions concerning absentee voting at primaries, conduct of primaries and tabulation of the vote at such primaries. Requires primary officials for each polling place be the same as in a regular primary except the minimum number of checkers is one, and the minimum number of voting tabulator tenders is one for every two voting tabulators in use. Also, requires the moderator or head moderator in each town to prepare duplicate lists of returns and either hand deliver a copy of the returns to the secretary of state on the day following the primary or transmit the returns electronically by 11:59 pm on primary day and mail a hard copy to the Secretary of the State not later than two o'clock p.m. of the day following the primary.

**Enactment:** 1977, PA 535

**Amendments:** P.A. 79-481 - provided for exceptions to Sec. 9-436 in application to presidential preference primary in that appointment of challengers is not required and that registrar of voters

shall have sole power to appoint the primary officials and shall attempt to provide representation for each candidate at each polling place, provided for appointment of unofficial checker, as designation by each candidate and further provided that the moderator or head moderator deliver one of lists prepared pursuant to Sec. 9-440, by his own hand, to either the secretary or the state police by noon of the day following the primary.

P.A. 85-577 - changed delivery time to the secretary of the state or state police from noon to two o'clock p.m. and established late filing fee.

P.A. 86-179 - made technical changes.

P.A. 92-1 - inserted new Subdivs. (1) to (5) re number and duties of polling place officials and deleted former Subdiv. (1) re optional appointment of challengers, renumbering former Subdiv. (2) as (6) and substituted "candidate checker" for "unofficial checker".

P.A. 11-173, Sec. 52 amended the existing mandate to reflect current voting technology and added the option to transmit returns electronically.

**Estimated Cost Characterization:** Minor

#### *ELECTIONS: CAMPAIGN FINANCING*

9-623 (Formerly 9-333y) Penalties. - For campaign finance statements that must by statute be filed with the town clerk, requires that after the deadline for filing has passed, the town clerk notify delinquent filer(s) by certified mail, return receipt requested, of the delinquency. If filer does not file within twenty one days the clerk must notify the State Elections Enforcement Commission of such violation.

**Enactment:** 1986, P.A. 99

**Amendments:** P.A. 89-251 - increased the late filing fee from fifty dollars to fifty-five dollars. P.A. 93-192 - deleted requirements that secretary of the state and town clerk notify chief state's attorney and state's attorney of violations, effective July 1, 1993, and applicable to violations committed on or after that date.

P.A. 93-251 - applied section to lobbyist statements required by Subsec. (g) of Sec. 9-3331, effective July 1, 1993.

P.A. 95-60 - divided section into two subsecs. In Subsec. (b) requires that after the deadline for filing campaign finance statements has passed, the town clerk notify delinquent filer(s) by certified mail, return receipt requested, of the delinquency.

P.A. 96-119 - required notification by secretary within "ten" rather than "seven" days after the filing deadline in Subsec. (b).

P.A. 00-43 - amended Subsec. (a) to provide for deposit of penalties for violations involving the Treasurer's office.

**Estimated Cost Characterization:** Minor

## Title 10: Education And Culture

#### *STATE BOARD OF EDUCATION. DEPARTMENT OF EDUCATION*

10-4b Complaint Alleging Failure Or Inability Of Board Of Education To Implement Educational Interests Of The State. Investigation; Inquiry; Hearing. Remedial Process. Regulations. - Stipulates that if, after conducting an inquiry, the state board of education finds that a local or regional board of education has failed or is unable to provide educational opportunities to meet the requirements of certain sections of the statutes re the educational interests of the state, the local or

regional board of education will be required to engage in a remedial process in which such board must develop and implement a plan of action through which compliance may be attained. These boards will also be responsible for taking steps toward complying with section 10-4a regarding the educational interests of the state.

**Enactment:** 1969, PA 690

**Amendments:** P.A. 78-218 - substituted "any local or regional board of education" for "board of education of any school district".

P.A. 79-128 - allowed complaints by residents of school district and parents and guardians of students as initiating factor in inquiry procedure made by state board and added Subsecs. (b) to (d) concerning remedial process undertaken upon order of state board.

P.A. 81-432 - deleted reference to Sec. 10-76p in Subsec. (b).

P.A. 82-301 - amended Subsec. (b) to eliminate internal reference to Sec. 10-266o, repealed by Sec. 4 of the act.

P.A. 86-71 - deleted the reference in Subsec. (b) to Sec. 10-266n which was repealed.

P.A. 88-317 - amended reference to Secs. 4-177 to 4-184 in Subsec. (a) to include new sections added to Ch. 54, effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.

P.A. 89-124 - in Subsec. (b) substituted references to Sec. 10-262j for references to Sec. 10-262e which was repealed by Sec. 12 of the act, deleted reference to Sec. 10-262c which was repealed by Sec. 8 of public act 88-358, substituted "regular program expenditures, as defined in section 10-262f" for "net current expenditures, as defined in section 10-261" and made technical changes.

P.A. 92-262 - added language granting authority to agent of the state board to subpoena records or documents related to an investigation.

P.A. 96-244 amended Subsec. (b) to add Sec. 10-203 to the list of sections.

**Estimated Cost Characterization:** Minor

10-10a

Public School Information System. - Requires all school districts to provide data for and to participate in the Department of Education's state-wide public school information system, in a manner specified by this section.

**Enactment:** 2000, PA 187

**Amendment:** PA 09-241, Sec. 1 added Subsec. (e) which, among things, requires a school wishing to access data from a state-wide public school information system to pay the reasonable cost of such a request.

PA 10-111, Sec. 3 added Subsec. (c) which requires the state-wide public school system to include specific data regarding students, teachers, schools and school systems and Subsec. (f) which requires each school district to provide that data.

PA 11-136, Sec. 15 amends existing mandate by authorizing a superintendent or designee to access mastery examination information in the state-wide public school information system to determine examination dates and scores for students enrolled in or transferring to that school district.

**Estimated Cost Characterization:** Moderate

10-10b

Inclusion on student transcripts of unique identifier or state-assigned student identifier. - Requires each local and regional board of education to include a student's state-assigned student identifier on all official student documents.

**Enactment:** 2011, PA 11-70, Sec. 15

**Estimated Cost Characterization:** Minor

10-10c Uniform system of accounting. Chart of accounts. Audit. - requires a board of education to implement a uniform system of accounting, to be developed by the Dept. of Education, beginning with the fiscal year ending June 30, 2015.

**Enactment:** 2012, PA 12-116, Sec. 15

**Estimated Cost Characterization:** Minor

*EDUCATION EVALUATION AND REMEDIAL ASSISTANCE*

10-14n State-Wide Mastery Examination. Conditions For Reexamination. Certification Of Mastery. Limitations On Use Of Test Results. - Requires public school students in specified grades to take mastery examination in reading, writing and mathematics in a manner provided by this section and prohibits school systems from requiring a satisfactory score as the sole criteria for promotion or graduation.

**Enactment:** 1978, PA 194

**Amendments:** P.A. 82-387 - added Subsecs. (b) and (c) requiring resetting of students who tested below the state-wide level of expected performance on any component of the ninth grade proficiency exam and prohibiting use of the exam or any reset for purposes of determining promotion or graduation.

P.A. 83-454 - amended Subsec. (a), moving ninth grade exam to eighth grade and providing for transition year test in the ninth grade.

P.A. 84-293 - inserted new Subsec. (b) re fourth grade state-wide mastery exam, and new Subsec. (c) re sixth and eighth grade state-wide mastery exam relettering former Subsec. (b) as Subsec. (d) and adding provision re resetting using the eighth grade test, inserted new Subsec. (e) also re resetting on the eighth grade test and relettered former Subsec. (c) as Subsec. (f), adding provision to include mastery exam and changing limitation on use of test from "a condition of promotion or graduation" to prohibition of use as "the sole criteria" of promotion or graduation.

P.A. 88-136 - deleted obsolete provision including Subsecs. (a) and (d) re proficiency examination.

P.A. 90-324 - in Subsec. (c) limited the taking and retaking of the eighth grade mastery examination to prior to 9/1/93, inserted new Subsecs. (d) and (e) re tenth grade mastery examination and relettered former Subsec. (d) as (f).

P.A. 92- 58 - inserted new Subsec. concerning educational mastery.

P.A. 92-262 - amended Subsec. (c) to add the requirement for certain ninth grade students to take or retake the eighth grade mastery examination.

P.A. 93-353 - amended Subsec. (e) to change the requirement for taking or retaking the examination to failure to pass each component required pursuant to Subsec. (a) rather than failure to pass each component.

P.A. 94-245 - deleted former Subsecs. (c) and (e) providing for the retaking of the examination by students who failed to meet a state-wide standard for remedial assistance and relettered the remaining Subsecs. and changed the date for implementation of mastery certification.

P.A. 97-247 - made technical changes and in Subsec. (c) added the reference to approval by the State Board of Education pursuant to Sec. 10-34 to describe endowed or incorporated high school or academy.

**Estimated Cost Characterization:** Minor

10-14q Exceptions. - Requires the provisions of chapter 163c concerning education evaluation and remedial assistance to apply to any special education student, with certain exceptions. Students who have been enrolled in a bilingual or English as a second language program as specified are excluded from these requirements.

**Enactment:** 1978, PA 194

**Amendments:** P.A. 79-128 - provided exceptions to provisions of chapter for students requiring special education pursuant to Sec. 10-76a unless otherwise determined by planning and placement team and provided exception to provisions of Sec. 10-14o for students enrolled in a special education or bilingual programs under Sec. 10-76g, previously entire chapter was inapplicable to students in special education or bilingual programs.

P.A. 81-141 - provided that children requiring special education shall take proficiency exams administered by their school districts except in those instances when the child's planning and placement team determines that it would be inappropriate for the child to take the examination, where previously such children had been altogether exempt from proficiency exam requirement.

P.A. 83-369 - added provision exempting from proficiency testing students enrolled for two years or less in a bilingual education program or enrolled for two years or less in an English as a second language program.

P.A. 84-255 - amended section to clarify that the provision of Sec. 10-14o relating to the compensatory education grant are applicable to students required to take the state-wide proficiency examination who are enrolled in a special education program and to students enrolled in program of bilingual education which are eligible for state funding, where previously they were inapplicable to such students.

P.A. 88-360 - substituted "mastery" for "proficiency" examination.

P.A. 92-262 - removed provision specifying applicability of repealed Sec. 10-14o to special education and bilingual program students.

P.A. 93-353 - amended section to extend the exceptions from two to three years.

P.A. 99-211 - changed three years to thirty school months in two places.

**Estimated Cost Characterization:** Minor

10-14u Intensive reading instruction program for students in kindergarten to grade three. Intensive reading intervention strategy. Supplemental reading instruction. Reading remediation plan. Intensive summer school reading instruction program. - Requires the principal of a school selected to participate in the intensive reading instruction program under this section to provide specified information to a parent or guardian of a student identified as being below proficiency in reading.

**Enactment:** 2012, P.A. 12-116, Sec. 89

**Estimated Cost Characterization:** Minor

#### *EDUCATIONAL OPPORTUNITIES*

10-15 Towns To Maintain Schools. - Requires every town to provide public schools, including kindergarten, for at least one hundred eighty days, with certain exceptions as provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1967, PA 288 - included kindergarten and changed usual minimum age for entrance from six to five.  
 1971, PA-370 - rewrote provision concerning study of alcohol and narcotics effects to include nicotine, tobacco and all controlled drugs and their effect on citizenship and personality as well as on health and character and specified that rescheduled school sessions may not be held on Saturday or Sunday.  
 1972, PA 120 - added provision allowing full year use of facilities "which may not offer each child one hundred eighty days of school sessions within a given school year", but which will average out as one hundred eighty days per year over thirteen year course of education.  
 P.A. 75-284 - forbade discrimination on grounds of sex, religion or national origin and required equal and required equal participation opportunities for any child in any school activity, program or course of study.  
 P.A. 77-614 - substituted commissioner of education for secretary of state board of education.  
 P.A. 78-218 - deleted provisions dealing with age of students, discrimination and equal opportunity and deleted detailed prescribed course of study.  
 P.A. 80-241 - added provisions concerning alternate scheduling of school sessions.  
 P.A. 88-231 - in Subdiv. (1) added "for a school district, a school or a portion of school".  
 P.A. 98-243 - added language to set different requirements for half and full-day kindergarten programs.  
 June Sp. Session P.A. 99-1 - authorized public schools to conduct week-end education programs to provide supplemental and remedial services to students.

**Estimated Cost Characterization:** Major

10-15b Access of parent or guardian to student's records. – a parent or legal guardian of a minor student is entitled to knowledge of and access to all educational, medical, or similar records maintained in such student's cumulative record, except that no parent or legal guardian shall be entitled to information considered privileged under section 10-154a.

**Enactment:** P.A. 73-74

**Amendment:** P.A. 06-115 – added that all school notices be provided to the parent or legal guardian with whom a student does not primarily reside, in addition to the parent or legal guardian with whom the student primarily lives.

10-15f Interstate Compact on Educational Opportunity for Military Children. – Requires receiving schools to enroll and place transferring military children based on information provided in unofficial records if official records are not immediately available. The school in the receiving state shall request official records from the school in the sending state, which will then have ten days to process and furnish the official records. Also, the local school district or education agency is prohibited from charging local tuition to a transitioning military child placed in the care of a noncustodial parent or other guardian who lives in a jurisdiction other than that of the custodial parent. The transitioning military child placed with someone other than the custodial parent in a jurisdiction other than that of the custodial parent may continue to attend the school where he was enrolled while residing with the custodial parent.

Enactment: 2008, P.A. 08-57

10-15h Pilot program to incorporate common core state standards. - Requires boards of education, in collaboration with the Board of Regents for Higher Education and the Board of Trustees for The University of Connecticut, to develop a plan to align Connecticut's common core state standards with college level programs at Connecticut public institutions of higher education.

**Enactment:** 2012, P.A. 12-1 (June Special Session), Sec. 225

**Estimated Cost Characterization:** Minor

10-16

Length Of School Day. - Requires one hundred eighty school days with nine hundred hours of actual work for grades one through twelve and one hundred eighty days with four hundred and fifty hours of actual work for kindergarten, providing that no more than seven hours in any one school day count towards the total.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 86 - added provisions for computing half a school day and for dismissal because of weather condition.

1967, PA 186 - included nursery schools in the provision for two and one half hour school day.

PA. 77-262 - established two hour sessions as school day when nursery schools or kindergartens dismissed early because of weather conditions or scheduled early closing.

P.A. 79-128 - deleted qualifying phrase "For the purpose of apportionment" with regard to determination of school days.

P.A. 81-78 - required that starting with the fiscal year ending June 30, 1983, each school district shall provide no less than four hundred fifty hours of actual school work for nursery schools and kindergartens and no less than nine hundred hours of actual school work for grades one to twelve.

P.A. 82-106 - repealed requirement that no less than four hundred fifty hours of actual school work be provided for nursery school and kindergarten students.

P.A. 85-37 - amended section to require one hundred eighty days of actual school sessions and to allow school districts to count up to seven hours per school day towards the required yearly number of hours.

P.A. 96-161 - repealed the provision requiring four hours as the minimum amount to constitute a school day.

P.A. 98-243 - added language to set different requirements for half and full-day kindergarten programs.

**Estimated Cost Characterization:** Major

10-16b

Prescribed Courses Of Study. - Requires a certain program of instruction, with a minimum subject matter, to be taught in all public schools in a manner provided by this section.

**Enactment:** 1978, PA 218

**Amendments:** P.A. 78-303 - allowed substitution of commissioner of education for secretary of state board of education in accordance with PA 77-614.

P.A. 79-128 - replaced specific object listings with more general subject matter areas.

P.A. 89-133 - in Subsec. (a) added provision that language arts may include certain sign languages, added new Subsec. (b) providing an exemption from foreign language requirements for deaf or hearing impaired pupils and relettered other subsections.

P.A. 89-185 - in Subsec. (a) added the subjects which health and safety education shall include but not be limited to.

P.A. 93-416 - amended Subsec. (a) to provide that "safety" may include the dangers of gang membership.

P.A. 95-101 - added provision concerning Holocaust education and awareness in Subsec. (d).

P.A. 97-45 - amended Subsec. (d) to add provision concerning the Great Famine in Ireland.

P.A. 97-61 - amended Subsec. (d) to expand the list of topics for programs of instruction to include African-American History, Puerto-Rican History, Native American History, personal

financial management and topics approved by the State Board of Education at the request of local or regional boards of education.

**Estimated Cost Characterization:** Moderate

10-161 Establishment of Graduation Date. - Requires local or regional school boards to hold graduation ceremonies after providing one hundred eighty days of school and at least nine hundred hours of work.

**Enactment:** 1987, PA 270

**Amendments:** PA 88-360 - substituted "each grade participating in graduation exercises" for "grades kindergarten to twelve, inclusive, " and "grades one to twelve, inclusive, ".  
P.A. 93-353 - deleted the existing provisions and substituted new provisions concerning the date of graduation exercises.  
P.A. 96-108 - added exception for the establishment of graduation dates after April first in any school year.

**Estimated Cost Characterization:** Minor

10-17e Definitions. – Defines bilingual education as a program that makes instructional use of both English and the eligible student’s native language, but requires the use of English to provide more than half of the instruction by the end of the first year in the program. Also, English as a second language program is defined as a program that uses only English as the instructional language for eligible students.

**Enactment:** 1977, P.A. 588

**Amendments:** P.A. 85-613 – made technical change, substituting reference to Sec. 10-17g for reference to Sec. 10-17h;  
P.A. 99-211 – deleted the existing definition of program of bilingual education and substituted a new definition and added the definition of English as a second language program.

**Estimated Cost Characterization:** Moderate

10-17f Duties Of Boards Of Education Regarding Bilingual Education Programs. Development Of State English Mastery Standard. Regulations. - Requires a program of bilingual education in any public school where it is found that twenty or more children have a dominant language other than English. Local/regional boards of education must annually assess the progress of each student in the program against that standard and document on that student’s permanent record the results of each assessment. If the student is not making sufficient progress toward meeting the standard, the local/regional boards must provide language support services.

The bill also limits the time a student may spend in the program to thirty months. If a student does not meet the English mastery standard the local/regional board shall provide language transition support services. In addition, the bill requires the board of education to hold a meeting with the parents of eligible students to explain the benefits of the program. Each school district that provides such a program must study the possibility of establishing two-way language programs, starting in kindergarten.

The bill also requires local/regional boards to expand their annual progress reports to the State Department of Education to include measures of the effectiveness of their bilingual and English

As a Second Language programs. Finally the bill increases the teacher certification requirements for bilingual education teachers.

**Enactment:** 1977, PA 588

**Amendments:** P.A. 77-614 and PA 78-303 - substituted commissioner of education for secretary of the state board of education.

P.A. 98-168 - added new Subsec. (c) re parental notification for program exemption and redesignated the remaining Subsecs.

P.A. 99-211 – deleted the existing Subsec. (c) and substituted a new Subsec. (c) re development of state English mastery standard, student assessment based on the standard and provision of support services for students not meeting the standard, relettered the existing Subsec. (d) as Subsec. (f) and added new Subsec. (d) re thirty-month limitation on time spent in a bilingual education program and language transition support services for students not meeting English mastery standard, relettered the existing Subsec. (e) as Subsec. (g), added new Subsec. (e) re meeting to explain language program options, amended Subsec. (g) to add Subdivs. (2) re integration of program staff and (3) re certification requirements, relettered the existing Subsec. (f) as Subsec. (h), added Subsec. (i) re investigation of feasibility of establishing two-way language programs and made technical changes.

P.A. 00-220 amended Subsection (a) to make a technical change.

**Estimated Cost Characterization:** Moderate

10-17g

Application For Grant. Annual Evaluation Report. - Requires local or regional board of education, when receiving state money for the bilingual program, to file an annual progress report to the state board of education, in a manner provided by this section.

**Enactment:** 1977, PA 588

**Amendments:** P.A. 84-255 - changed the date of the report to the state board from July to September first and required the state board to evaluate the program annually rather than biennially.

P.A. 99-211 – in Subdiv. (1) added references to language support services and language transition support services, in Subdiv. (2) added requirement for the annual report to include measures of the effectiveness of their Bilingual and English as a Second Language programs, added language specifying some measures that are effectiveness measures for purposes of the section and made technical changes;

P.A. 00-220 – made a technical change.

**Estimated Cost Characterization:** Minor

10-18

Courses In United States History, Government and Duties And Responsibilities Of Citizenship. - Requires all high, prep, secondary and elementary schools to provide a program of United States history, government and the responsibilities of citizenship. Prohibits graduating any student who has not passed this course.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 411 - changed references in Subsecs. (a) and (f) from state teachers colleges.

1971, PA 758 - deleted state colleges from requirement for citizenship course, deleted former detailed provisions in former Subsecs. (b), (c), (f) and part of (d), replacing them with general requirement for programs of study of US. history and government and citizenship for "High, preparatory, secondary and elementary schools".

P.A. 77-614 and P.A. 78-303 - substituted commissioner of education for secretary of the state board of education.

P.A. 78-218 - substituted "Each local or regional board of education" for "The board of education of each school district".

P.A. 82-83 - deleted Subsec. (c) which had required filing of course descriptions of United States history, government and citizenship with the commissioner of education.

P.A. 84-255 - added provision to clarify that instruction in United States government is to include instruction in local, state and national government.

P.A. 07-138 - requires elementary schools to include in their fourth or fifth grade curriculum a program on democracy in which students learn about all branches of government.

**Estimated Cost Characterization:** Moderate

10-18a

Contents Of Textbooks And Other General Instructional Materials. - Requires each local or regional board of education to select textbooks and other instructional materials which accurately present the achievements and accomplishments of individuals and groups from all ethnic and racial backgrounds.

**Enactment:** 1967, PA 571

**Amendments:** 1969, P.A. 241 - act required use of textbooks which present achievements of all ethnic and racial groups, a stronger statement than the previous requirement that boards of education "give due consideration to the use" of such books.

P.A. 78-218 - substituted "local" for "town" board of education.

P.A. 80-405 - allowed use of books which may be biased for or against ethnic groups only "where a legitimate educational purpose will otherwise be served", added reference to other instructional materials and required presentation of achievements of both sexes but did not "preclude the use of instructional material and teaching which emphasizes the traditional family structure".

**Estimated Cost Characterization:** Moderate

10-19

Teaching About Alcohol, Nicotine Or Tobacco, Drugs, And Acquired Immune Deficiency Syndrome. Training Of Personnel. - Requires all students to be taught the effects of alcohol, nicotine, tobacco, drugs and AIDS, in a manner provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1959, PA 411 - changed reference to state teachers colleges.

1965, PA 140 - included teaching of effects of narcotics and alcohol on personality development and began teaching of effects in fifth, rather than in third grade.

1967, PA 555 - substituted "controlled drugs" for "narcotics".

1969, PA 753 - included teaching of effects of nicotine or tobacco, specified that such teaching take place at least once every academic year and added provision for development of programs and training of teachers and guidance personnel.

1971, PA 370 - deleted reference to teaching "at least once" each year, required teaching of all grades, not just fifth grade and above, included administrators in training provision and deleted sentence referring to classes in ungraded schools.

P.A. 78-218 - deleted Subsec. (b).  
 P.A. 85-579 - added Subsec. (b) re a study of the alcohol and drug prevention programs provided by local and regional boards of education.  
 P.A. 88-112 -added new Subsec. re instruction on acquired immune deficiency syndrome.  
 P.A. 88-136 - deleted obsolete Subsec. (b) re report on the alcohol and drug prevention programs provided by local and regional boards of education.  
 P.A. 90-133 - in Subsec. (a) expanded what is to be taught concerning alcohol, nicotine or tobacco and drugs, provided that there be an annual attestation to the state board of education concerning the teaching of these subjects and provided that the programs developed by the state board of education, et al, are not limited to health education programs.  
 P.A. 93-381 - replaced state alcohol and drug abuse commission with department of public health and addiction services.  
 P.A. 95-182 - amended Subsec. (a) to allow boards of education to set the content and scheduling of instruction.  
 P.A. 95-257 - replaced Commissioner and Department of Mental Health with Commissioner and Department of Mental Health and Addiction Services and replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Moderate

10-21c

Donation Of Teaching Services By Private Sector Specialists; Neighborhood Assistance. - Requires local or regional boards of education to annually review the need for private sector specialists, and prevents them from renewing or placing a private sector specialist if certified teachers are available.

**Enactment:** 1984, PA 448

**Estimated Cost Characterization:** Minor

10-29a

Certain Days To Be Proclaimed By Governor. Distribution And Number Of Proclamations. - Requires public schools to suitably observe certain days proclaimed by the governor.

**Enactment:** 1978, PA 218

**Amendments:** PA 84-56 - amended Subsec. (a) to reflect date for observance of martin Luther King Day under federal law.  
 P.A. 89-118 - inserted new Subsec. re proclamation of 911 Day.  
 P.A. 84-546 - made technical grammatical changes in Subsec. (c).  
 P.A. 85-219 - inserted new Subsec. (r) re Lithuanian Day.  
 P.A. 85-229 - inserted new Subsec. (s) re Powered Flight Day, relettering former Subsec. (r) accordingly.  
 P.A. 87-53 - added new Subsec. (t) re proclamation of Ukrainian-American Day and relettered Subsec. (t) as Subsec. (u).  
 P.A. 89-15 - added new Subsec. re proclamation of Retired Teachers Day.  
 P.A. 89-20 - inserted new Subsec. requiring governor to proclaim August fourteenth as day to commemorate end of World War II.  
 P.A. 90-180 - inserted a new Subsec. (x) re proclamation of Workers' Memorial Day and relettered former Subsec. (x) as Subsec. (y).  
 P.A. 91-44 - inserted new Subsec. re proclamation of Disability Awareness Day and relettered former Subsec. (y) accordingly.  
 P.A. 91-130 - inserted new Subsecs. re proclamation of Volunteer Fire Fighter and Volunteer Emergency Medical Services Personnel Day, and re Women's Independence Day, and relettered former Subsec. (y) accordingly.

P.A. 93-117 - inserted new Subsec. (bb) re proclamation of Destroyer Escort Day, relettered former Subsec. (bb) accordingly and authorized governor to issue letters to proclaim observance of any day under this section after initial observance of the day.

P.A. 93-281 - inserted new Subsec. (cc) re proclamation of Iwo Jima Day, necessitating the relettering of newly created (cc) as (dd).

P.A. 94-75- inserted new Subsec. (dd) re proclamation of Korean Armistice Day and relettered former Subsec. (dd) accordingly.

P.A. 94-88 - amended Subsec. (t) by changing date of Ukrainian-American Day from January twenty-second to August twenty-fourth, added new Subsec. (ee) re Prudence Crandall Day and relettered former Subsec. (dd) as (ff).

P.A. 95-25 - designated Subsecs. (a) to (ee), inclusive, as Subdivs. (1) to (31), inclusive, of Subsec. (a) and added Subdiv. (32) re proclamation of Polish-American Day and designated Subsec. (ff) as Subsec. (b).

P.A. 95-67 - added new Subdiv. (33) re Green Up Day.

P.A. 96-45 - added new Subdiv. in Subsec. (a), codified by the Revisors as (39), re National Children's Day;

P.A. 96-84 - added Subdivs. (34) to (38), inclusive, in Subsec. (a) re Romanian-American Day, Republic of China on Taiwan-American Day, Austrian-American Day, Greek-American Day and Hungarian Freedom Fighters Day.

P.A. 96-155 - added new Subdiv. in Subsec. (a), codified by the Revisors as (40), re Youth to Work Day.

P.A. 96-244 -added new Subdiv. in Subsec. (a), codified by the Revisors as (41), re Christa Corrigan McAuliffe Day, effective June 6, 1996.

P.A. 97-75 - added Subdiv. (42) in Subsec. (a) re Gulf War Veterans Day;

P.A. 97- 77 - added Subsec. (43) re Long Island Sound Day.

P.A. 97-146 - added new Subdivs. (44) and (45) in Subsec. (a) re A Week to Remember Persons who are Disabled or Shut-in and Fire Fighter and Emergency Medical Services Personnel Week.

P.A. 97-288 - added new Subdiv. (46) in Subsec. (a) re Family Day.

**Estimated Cost Characterization:** Minor

10-33 Tuition In Towns In Which No High School Is Maintained. - Requires a local board of education that doesn't maintain its own high school to designate some other high school for its students to attend and to pay the tuition for all the students attending such school.

**Enactment:** Prior to 1949

**Amendment:** PA 78-218 - substituted "local" school board for "town" and "town school board" references and made other minor language changes.

**Estimated Cost Characterization:** Minor

10-64 Establishment Of Regional Vocational Agriculture Centers. Moratorium; Exception. - Requires local and regional boards of education to have a regional vocational agriculture consulting committee in order to establish a regional vocational agriculture center. Also, requires boards of education that do not provide vocational agricultural training to designate a school or schools offering such courses and then pay the tuition and any reasonable transportation costs for anyone who attends the designated school(s).

**Enactment:** 1955, Supp. 920d

**Amendments:**1967, P.A. 638 - act made provisions applicable to town and regional boards of education and allowed two representatives on committee for each board, rather than one representative for first fifty farms in district and one for each additional fifty farms;

P.A. 78-218 - referred to "local and regional" boards rather than "town and regional" boards;  
P.A. 89-387 amended prior provisions, redesignated as Subsec. (a), to include reference to aquaculture and added new Subsec. (b) defining "vocational agriculture";  
P.A. 93-410 amended Subsec. (a) to specify that the agreements may include matters pertaining to the admission of students, relettered Subsec. (b) as Subsec. (c) and inserted new Subsec. (b) pertaining to a moratorium on the establishment of new centers, effective July 1, 1993;  
P.A. 04-197 added Subsec. (d) re provision, tuition and transportation for vocational agricultural training when not provided by district, effective July 1, 2004. (This Act duplicates the mandate encompassed in Section 10-97 (b) of the General Statutes)

**Estimated Cost Characterization:** Minor

10-65

Grants For Constructing And Operating Vocational Agriculture Centers. Tuition

Charges. - Requires the capping of tuition payments that sending municipalities pay to receiving municipalities at 120% of the Education Cost Sharing foundation.

**Enactment:** 1955, Supp. 921d

**Amendments:** 1961, P.A. 40 - act changed references from high school to secondary school;  
1967, P.A. 638 - act amended Subdiv. (a) to delete limitation to centers to be built and equipped before June 30, 1967, to delete number of centers to total of twenty-four for entire state and to allow grants for expansion and improvement of existing facilities and for replacement or improvement of equipment;  
P.A. 78-218 - substituted "local" for "town" boards of education;  
P.A. 82-204 - permitted boards of education to charge actual cost of education for special education students and made special education tuition a reimbursable expense under state special education formula;  
P.A. 83-106 - excluded from "total cost of operating" calculation transportation expenditures otherwise reimbursable and stipulated use of previous year's average daily membership count in car grant calculation;  
P.A. 84-460 - amended Subsec. (a) to provide that projects to construct, acquire, renovate or equip vocational agriculture centers would be eligible for school construction grants; P.A. 85-463 - added Subsec. (b) re grant eligibility of E.O. Smith School;  
P.A. 86-71 - deleted the references to Sec. 10-266n which was repealed and added the reference to Sec. 10-97;  
P.A. 89-355 - deleted Subsec. (b) re E.O. Smith School, restructured the section with a new Subsec. (b) designation and provided that tuition grants be phased out and not be paid for the fiscal years following the fiscal year ending June 30, 1990, and made technical changes;  
June Sp. Sess. 91-7 - provided for a grant equal to seven hundred dollars per student in Subsec. (a), eliminating grants for the total cost of operating a vocational agriculture center and amended Subsec. (b) to limit tuition to the average per pupil expenditures for all students enrolled in the vocational agriculture center minus seven hundred dollars rather than the average per pupil expenditure for all secondary school pupils in the receiving district and eliminated grants to sending school districts;  
P.A. 93-410 - amended Subsecs. (a) and (b) to add "subject to the provisions of section 10-65b" and further amended Subsec. (b) to change the method for computing the cap on tuition charges, effective July 1, 1993;  
P.A. 95-226 made technical changes in Subsecs. (a) and (b), amended Subsec. (b) to substitute "one hundred two" for "one hundred twenty-one" per cent and in Subdiv. (2) to substitute references to amounts received pursuant to Subsecs. (a) and (c) for "seven hundred dollars" and added Subsec. (c) concerning an additional grant, effective July 1, 1995;  
P.A. 96-178 - added Subsec. (d) re additional grants, effective July 1, 1996;  
P.A. 97-247 - amended Subsec. (a) to remove requirement that facilities and equipment for which a grant is received pursuant to chapter 173 be used "exclusively" for vocational agricultural purposes, effective July 1, 1997;

P.A. 00-192 - amended Subsec. (c) by adding new Subdiv. (2) re grants to local or regional boards operating vocational agriculture centers and designating existing Subdiv. (2) as Subdiv. (3), effective July 1, 2000;

P.A. 01-173 - amended Subsec. (d) to make technical changes, effective July 1, 2001; May 9 Sp.

Sess. P.A. 02-5 - amended Subsec. (a)(1) to replace lump sum payments of the entire eligible cost with progress payments of ninety-five per cent of the eligible cost, effective July 1, 2002.

10-65a Plan To Increase Racial And Ethnic Diversity. - Requires every board of education which does not operate a vocational agriculture center to provide an opportunity for recruitment of students by such centers. Also requires each board of education which operates such a center to establish and implement a five-year plan to increase minority student representation. Each board of education which operates a vocational agriculture center must annually conduct a study which ascertains the educational and vocational activities of graduates of such centers five years after graduation, and submit such report to the State Board of Education.

**Enactment:** 1993, P.A. 410

**Amendments:** P.A. 93-410 - effective July 1, 1993;

P.A. 97-39 - deleted Subsec.(a) concerning recruitment of students by vocational agriculture centers, redesignated existing Subsecs. (b) and (c) as Subsecs. (a) and (b), and substituted "racial and ethnic diversity" for "minority student representation".

**Estimated Cost Characterization:** Minor

10-65b Provision of Student's Nonagricultural Academic Courses; Shared-Time Arrangements. - Requires students participating in vocational agriculture programs, except those whose school boards participated in a shared-time arrangement prior to July 1, 1993, to attend all classes in the receiving municipality.

**Enactment:** 1993, P.A. 410

**Amendments:** P.A. 93-410 - effective July 1, 1993;

P.A. 97-290 - added provision on shared-time arrangements for regional vocational aquaculture programs, effective July 1, 1997.

**Estimated Cost Characterization:** Minor

10-66d Participation by boards of education and nonpublic schools. - Requires requires local and regional boards of education to use the uniform regional school calendar approved by their regional educational service center.

**Enactment:** 1972, P.A. 117, Sec. 4.

**Amendments:** P.A. 13-247, Sec. 324 created the mandate.

**Estimated Cost Characterization:** Minor

10-66ee Charter School Funding. Student Count For Purposes Of Education Equalization Aid. Transportation. Contracting Authority. - Requires that in the case of a state charter school student identified as requiring special education, the school district in which the student resides shall hold

the planning and placement team meeting for such student. This section also specifies that local school boards pay state charter schools quarterly for the extra costs of educating special education students who live in their districts and attend charter schools. Establishes the local financial obligation and payment schedule for a student attending charter school.

Enactment: 1996, P. A. 214

Amendments: P.A. 97-290 - amended Subsec. (c) to change the payment schedule and to add the provisions on special education students, added new Subsecs. (d) and (g) re unexpended funds and repayment and redesignated remaining Subsecs., amended Subsec. A-138 (e) to provide for reimbursement pursuant to Sec. 10-266m and amended Subsec. (i) to add funds received by local charter schools for out-of-district students.

P.A. 98-168 - amended Subsec. (c) to change the state payment to six thousand five hundred dollars per student from an amount equal to one hundred five per cent of the foundation level pursuant to Sec. 10-262f and made the same change for the purpose of calculating the school district payment for a special education student.

P.A. 99-289 - amended Subsec. (b) to add provisions relating to special education costs, amended Subsec. (c) to substitute amount based on per cent of the foundation for a specific dollar amount, to substitute July fifteenth and September fifteenth for "in July and September", January fifteenth for "in January" and not later than April fifteenth for "in April", and add requirement for charter school to ensure that special education students receive services mandated in their individualized education programs and amended Subsec. (e) to add provision concerning appeal of denial of transportation services.

P.A. 00-48 - amended Subsec. (c) to specify that payment for special education students be made by the school district on a quarterly basis.

P.A. 00-187 - amended Subsec. (c) to change the amount of the state payments to seven thousand dollars for each student.

P.A. 12-116 – Sec. 29 established the local financial obligation and payment schedule for a student attending charter school.

P.A. 12-2 June Special Session – Sec. 20, 21, and 22 amended the statute without changing the mandate.

**Estimated Cost Characterization:** Minor

10-69

Adult Education. - Requires each local and regional board of education to establish a program of adult classes or provide for participation in a program with another board of education. A program or classes for elementary and secondary school completion must be provided as well as classes in Americanization and United States citizenship, and English for adults with limited English proficiency. This section also requires a minimum of twenty credits to graduate. A student who has been expelled from school must be allowed to participate in such a program.

**Enactment:** Prior to 1949

**Amendments:** 1961, PA 512 - added exception re petitions for activities recreational in nature, and clarified that petition for instruction in English and citizenship obligation applies to town of any size.

P.A. 74-281- removed distinction between towns of less than ten thousand population and those of more than ten thousand, required all school districts to provide, either alone or in cooperation with another district, classes in Americanization and citizenship, subjects usually offered in elementary and secondary schools and others by petition and substituted "persons sixty-two years of age or over" for "aged person as defined by the state board".

P.A. 75-479 - required subjects be taught that are necessary for elementary and secondary school completion programs and made other teaching of elementary and secondary subjects optional.

P.A. 75-576 - defined "adult", "adult class" and "adult education activity", required one hundred fifty hours of adult classes per year, required approval of principal for full time student to enroll in

adult education class, made optional the teaching of secondary and elementary subjects usually taught in that school district, rather than in the state, if requested by fifteen persons and made teaching of any other subject possible if requested by fifteen adults, rather than twenty persons over sixteen, and deleted special provision governing recreational activities for handicapped and elderly.

P.A. 78-218 - specified applicability to local and regional boards.

P.A. 81-397 - deleted requirement that adult education program consist of at least one hundred fifty clock hours per year, allowed provision of services at regional education service center, allowed admission of adults to public elementary and secondary schools, required that programs offered course in English for adults with limited English proficiency, authorized offering vocational education courses and deleted requirement A-1 that fifteen persons register for, or request, optional courses before such courses are offered.

May Sp. Sess. P.A. 86-1 - added Subsecs. (b) and (c) re credits towards adult education diplomas and Subsec. (d) re regulations concerning credits for learning experiences and in Subsec. (a) substituted that boards of education shall provide "for participation in a program of adult classes" for "adult education services".

P.A. 88-360 - in Subsec. (a) provided that classes or services provided by a cooperating eligible entity be in conformance with the program standards applicable to boards of education.

P.A. 90-33 - in Subsec. (a) added authorized private occupational schools to definition of "cooperating eligible entity".

P.A. 91-295 - expanded the definition of "cooperating eligible entity" to include regional community colleges, regional technical colleges, regional vocational-technical schools and libraries.

P.A. 92-126 - amended Subsecs. (a) and (c) to replace references to community colleges and technical colleges with single reference to community-technical colleges.

P.A. 92-262 - amended Subsec. (a) to add corporation or other business entity to the definition of "cooperating eligible entity".

P.A. 93-126 - amended Subsec. (a) to include any licensed or accredited institution of higher education in the definition of "cooperating eligible entity" rather than regional community-technical colleges and to make technical changes to the definition.

P.A. 95-259 - deleted part of former Subsec. (a) containing definitions which were added to Sec. 10-67 and made some technical changes.

P.A. 95-304 - amended Subsec. (a) to expand the definition of "adult" to include students assigned to adult classes, effective July 1, 1995, but failed to take effect.

P.A. 95-259 - having deleted that part of said Subsec. (a).

P.A. 97-290 - amended Subsec. (a) to add classes in adult literacy and parenting skills.

P.A. 11-126, Sec. 2 added the requirement that a student who has been expelled from school be allowed to participate in such a program.

**Estimated Cost Characterization:** Minor

10-70

Rooms And Personnel. - Requires every local or regional board of education conducting adult classes to provide rooms, facilities and the necessary personnel.

**Enactment:** Prior to 1949

**Amendment:** PA 78-218 - specified applicability to local and regional borders rather than town boards.

**Estimated Cost Characterization:** Minor

10-73a

Adult Education. Fees And Charges; Waivers. School Activity Fund. - Denies a sponsoring school district of adult educational programs from charging tuition or registration fees to residents

enrolled in these classes, although registration fees can be charged to the nonsponsoring school district for out of district students.

**Enactment:** 1961, PA 512

**Amendments:** P.A. 74-281 - amended Subsec. (a) to replace provision prohibiting charge for English and Americanization courses, elementary courses or high school completion courses with provision prohibiting fees for classes required by Subsecs. (a) and (b) of Sec. 10-71, Americanization and citizenship courses and courses usually provided in elementary and secondary schools in state, deleted former Subsec. (b) re two-dollar charge for other courses, amended former Subsec. (c) to allow charge for classes offered by petition and for nonresident students, retaining exemption for the handicapped and elderly.

P.A. 75-576 - deleted former Subsec. (b) and inserted new provisions prohibiting charge for courses required to be offered except in cooperative arrangements between school districts, inserted new Subsecs. (c) and (d) clarifying charges allowed under Subsec. (b) and added provisions prohibiting book charges for courses required to be offered except in cooperative arrangements between districts, added new Subsec. (f) clarifying when fees charged handicapped or elderly adults.

P.A. 81-397 - included regional educational service centers as sponsoring school districts, increased maximum registration fee from eight to fifteen dollars per subject for specified courses and replaced provision which allowed handicapped and elderly adults to enroll "in any adult program, class or activity" free of charge with provision allowing them to enroll in "two or fewer" adult programs, classes or activities.

P.A. 83-122 - amended Subsec. (e) to allow board to charge refundable deposit for books or materials lent to students.

P.A. 84-325 - amended Subsec. (c) allowing boards to charge residents of a nonsponsoring school district a fee for courses taken which may exceed the registration fee charged to residents of the sponsoring board, deleted Subsec. (d) re fee charged for any subject or activity which the board chose to offer, relettered the subsequent subsections accordingly, amended new Subsec. (e) allowing boards to waive the fee for handicapped or elderly adults enrolled in a registered for any number of adult programs, rather than prohibiting the charging of the fee if such adult was enrolled in or registered for two or more classes, deleted Subdivs. (2) and (3) in said Subsec. (e) re registration fees to be charged.

P.A. 87-499 - provided that registration fees may be charged by a sponsoring school district to a cooperating eligible entity in Subsec. (b) and that no charge be made to any adult enrolled in certain activities offered by cooperating eligible entities in Subsec. (d)

P.A. 87-589 - made technical changes in Subsec. (b).

P.A. 95-259 - changed the terminology used to describe school districts, deleted definitions which were added to Sec. 10-67 and made technical changes.

P.A. 96-244 - made technical changes and in Subsec. (a) substituted "adults" for "adult residents of such district".

**Estimated Cost Characterization:** Minor

10-76d

Duties And Powers Of Boards Of Education To Provide Special Education Programs And Services. Determination Of Eligibility For Medicaid. State Agency Placements; Apportionment Of Costs. Relationship Of Insurance To Special Education Costs. - Requires every local or regional board of education to provide the professional services requisite to identification of school age children requiring special education, in a manner prescribed by this section. Requirements include identification of such children, determination of eligibility for special education, a prescription of suitable programs, maintaining a record of each child and reporting to the commission as requested. A board of education, if requested, must provide the results of assessments and evaluations used in the determination of a child's eligibility for special education at least three school days before the referral planning and placement team meeting at which such results will be discussed for the first time and, if requested, to provide an opportunity to meet with a member of

the team prior to that meeting, for the sole purpose of discussing the planning and placement team process and any concerns regarding the child. Whenever a town has had an average of 5,000 or more children ages three to 21 enrolled in the Medicaid program, the local or regional board of education, through the planning and placement team, may determine the child's Medicaid enrollment status. Any such payments received must be used to reduce the special education expenditures and not as town revenue. Also, an individual plan must be developed for the transition of a child from one school to another program or community setting. The obligation of the school district ends when such child is graduated from high school or reaches age twenty-one, whichever comes first. Any local or regional board of education providing special education must also provide transportation to and from the residence. Whenever a public agency, the state board of education or the superior court places a child in a foster home or some other facility, the board of education under whose jurisdiction the child would otherwise be attending school, or if no such board can be identified, the local board of education of the town where the child is placed, is responsible for the provision of special education instruction.

**Enactment:** 1967, P.A. 627

**Amendments:** 1969, P.A. 793 - amended Subsec. (a) to require school board to "prescribe suitable educational programs for eligible children", amended Subsec. (b) to delete provisions concerning special classes for educable and trainable mentally retarded children, making former Subdiv. (2) applicable to all children requiring special education and added provisions in Subsec. (d) concerning school board's payments to meet child's needs in private school, hospital or other institution and amended Subsec. (e) to add limitation on board's financial responsibility toward expenses of children placed in residential facilities.

P.A. 73-111 - amended Subsec. (a) to replace Sec. 10-76g with 10-76h reference and to require boards to inform parents of children requiring special education of special education laws.

P.A. 75-255 - amended Subsec. (a) to require notice to parents of meeting to prepare educational program for child and to allow parent's participation in meeting.

P.A. 75-364 - amended Subsec. (d) to clarify provisions concerning private schools which may supply child's needs.

P.A. 75-585 - added provisions in Subsec. (b) concerning preschool education supplied through private school.

P.A. 76-310 - required that contracts between school board and private school contain program description, goals and objectives of child's progress and timetable for returning child to community or transferring him to another institution in order for expenses to be reimbursable.

P.A. 76-341 - amended Subsec. (g) by adding Subdiv. (2) re children in private facilities for more than three years.

P.A. 78-218 - substituted "board of education" for "district" and "local" for "town".

P.A. 80-138 - amended Subsec. (e) to provide for reimbursement of parent or guardian when parent's placement preferred to board's program by hearing board.

P.A. 81-187 - amended Subsec. (e) to specify transportation of children requiring special education be "curb to curb" transportation to and from child's residence, unless otherwise agreed upon by the board and child's parent or guardian.

P.A. 81-432 - added Subdivs. (2) and (3) in Subsec. (e) clarifying educational and financial responsibility for children placed by public agencies.

P.A. 82-311 - amended Subsec. (e) clarifying provisions of P.A. 81-432 concerning state agency placements of children by: (1) limiting school board responsibility for transporting handicapped children "curb to curb" to mean not beyond the curb of their residence, (2) clarifying that the educational and financial responsibility for children for whom no other board of education can be identified rests with the school district in which the child is placed, (3) requiring the placing agency to provide to the district where the child is placed current and accurate information for the purpose of determining if a responsible school district exists, (4) creating a uniform system of payments for towns which educate children who reside on state property, and (5) clarifying that funding or tuition received by school boards for educating handicapped children placed by state agencies is credited to the school board's accounts only when such payments exceed the receiving board's budget estimates for educating these children.

P.A. 83-169 - amended Subsec. (e) to delete reference to "special" school districts.

P.A. 83-265 - clarified provisions relating to payment for children who reside on state owned or leased property or in permanent family residences and who are not in educational responsibility of unified school districts.

P.A. 84-255 - amended Subsec. (a) deleting obsolete provision relating to the exclusion or exemption from school privileges of any child requiring special education.

P.A. 85-473 - inserted new Subdiv. (4) in Subsec. (e) concerning residents of department of mental health facilities who are between the ages of eighteen and twenty one.

P.A. 85-491 - amended Subsec. (e)(3) to provide that adoption of a child residing in a permanent family residence by a person providing foster care in the residence does not affect school district's eligibility for reimbursement.

P.A. 86-333 - added placements in day treatment facilities to types of placements to which the subdivision applies, in Subdiv.(4) of Subsec. (e) provided that boards submit reports of expenditures and that grant adjustments be made for overpayment or underpayments, in Subdiv. (5) substituted October for September as the time on or before which estimates of the cost of providing special education must be filed.

P.A. 87-324 - In Subsec. (a), provided for individual transition plans commencing with the 1988-89 school year.

P.A. 87-499 - amended Subsec. (b) to describe when a private facility need not be approved by the commissioner of education, amended Subsec. (d) to add new Subdiv. ((3) requiring, with phase-in provisions, that private facilities be approved and changed a payment date in Subdiv. (4) of Subsec. (e) from August to September and the report submission dates from January to August fifteenth.

P.A. 88-360 - in Subsec. (a) increased the minimum number of school days for prior notice of a planning and placement team meeting from three to five and in Subdiv. (4) of Subsec. (e) added references to the Connecticut Alcohol and Drug Abuse commission.

P.A. 89-315 - in Subsec. (a) added provisions re reimbursement from Medicaid for special education costs.

P.A. 90- 230 - made a technical change in Subsec. (b).

P.A. 91-16 - limited the determination of eligibility for Medicaid to towns in which the number of children receiving aid to families with dependent children exceeds seventy-five, and added language requiring parents or guardians to be notified of the possible consequences of accessing private insurance and prohibiting the denial of special education due to refusal to access private insurance or Medicaid.

P.A. 91-16 - divided Subsec. (a) into Subdivs., limited the determination of eligibility for Medicaid to towns in which the number of children receiving aid to families with dependent children exceeds seventy-five, and added language requiring parents or guardians to be notified of the possible consequences of accessing private insurance and prohibiting the denial of special education due to refusal to access private insurance or Medicaid.

P.A. 91-277 - made a technical change in Subdiv. (1) of Subsec. (e); the references in Subdivs. (2) and (3) of Subsec. (e) to "section 17a-38" were corrected editorially to "section 17a-37" in 1993.

P.A. 92-170 - amended Subsec. (e) to require that board of education be notified when payments are made to town treasurer.

P.A. 92-170 - amended Subsec. (e) to require that board of education be notified when payments are made to town treasurer.

P.A. 92-262 - amended Subsec. (a) to add provisions concerning transition services in Subdiv.(6) and to authorize transition services as part of a child's program before his fifteenth birthday and amended Subsec. (d) to add the reference to group homes.

P.A. 93-91 - substituted commissioner and department of children and families for commissioner and department of children and youth services.

P.A. 93-352 - made Subdiv. (4) of Subsec. (e) Subpara. (A) and deleted provisions dealing with the department of mental health and added separate Subpara. (B) concerning the department of mental health.

P.A. 93-353 - amended Subsec. (a) to specify in Subdiv. (7) that notice shall be given before the board proposes to or refuses to initiate or change the child's identification, evaluation, or educational placement and added requirement that each board have in effect at the beginning of

the school year an educational program for each child who has been identified as eligible for special education.

P.A. 93-381 - replaced department and commissioner of health services and Connecticut alcohol and drug abuse commission and executive director with department and commissioner of public health and addiction services, respectively.

P.A. 94-245 - amended Subsec. (b) to remove obsolete language concerning preschool special education, effective June 2, 1994, and amended Subdiv. (2) of Subsec. (e) to add provisions dealing with school districts which have a large number of children placed in foster homes.

May Sp. Session P.A. 94-6 - amended Subsec. (a) in Subdiv. (2) to change the criteria for towns to be required to determine Medicaid eligibility from any town in which the number of children exceeds seventy-five to any town in which the "average number of children ages three to twenty-one enrolled in the Medicaid program on October first of each of the previous three years equals or exceeds one thousand", to remove requirement for the towns to request permission of the parent or guardian of such child to access private insurance and to notify them that accessing private insurance may affect benefits available through such insurance or costs to be paid to maintain such insurance, to replace the requirement for the board of education to request written permission of the parent or guardian to request Medicaid payment and to request such payment with a requirement, upon notification by the planning and placement team that the child is a recipient, to submit documentation of the provision and costs of Medicaid eligible special education and related services to the commissioner; added Subdivs. (4) to (7), inclusive, re Medicaid eligible payments and grants and renumbered Subdivs. (8) to (11), inclusive, in Subdiv. (8) to require that payments be made to the town or regional school district which has incurred such costs and be deemed to be appropriated to the board of education and removed language limiting the districts use of such payments and in Subdiv. (9) to change the date for notification of whether a town will be required to comply from "by August 1, 1991" and "annually thereafter" to "by July 30, 1994, and by April first annually thereafter" and to make the description of the children consistent with Subdiv. (2).

P.A. 95-237 - amended Subsec. (a) to increase the requirements for notification in Subdiv. (11) and to make technical changes in said Subdiv. and amended Subsec. (e) to change the party who is financially liable for the cost of special education for children placed by the Department of Children and Families after July 1, 1995, in cases in which the local or regional board of education under whose jurisdiction the child would otherwise be attending school cannot be identified and to make numerous technical changes.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995 and deleted Subdiv. (4)(A) of Subsec. (e) re services by the former Department of Public Health and Addiction Services and replaced Department of Mental Health with Department of Mental Health and Addiction Services.

P.A. 95-259 - amended Subdiv. (2) of Subsec. (a) to raise the threshold for the determination of Medicaid eligibility from "one" to "five" thousand children.

P.A. 96-146 - (1) amended Subdivs. (2) to (4), inclusive, of Subsec. (a) to substitute determination of a child's Medicaid enrolment status for a determination of whether a child is eligible for Medicaid, to provide for the sharing of information with the state's Medicaid agent for specified purposes, to add references to the commissioner's authorized agent and to make technical changes and made technical changes in Subsecs. (b) and (c), effective July 1, 1996, and (2) amended Subsec. (e)(2) to add the notification requirements for the Department of Children and Families and the requirement for the convening of a planning and placement team meeting within thirty days of placement and participation of said department at the meeting, to remove a requirement that said department meet with representatives of the board of education under whose jurisdiction the child attended school or in whose district the child resided at the time of removal to review the child's individualized education plan, to cap the financial responsibility of a board of education during the period it is responsible for the cost of special education and related services and to provide for the payment of any costs in excess of such board's basic contributions by the State Board of Education on a current basis, and to add provision concerning the responsibility of Unified School District #2 for the provision of special education and related services and the cost

of such education and services provided at a private residential institution to a child for whom no local or regional board of education can be found responsible under Subsec. (b).

P.A. 97-114 - amended Subsec. (d) to add provision that notwithstanding Subdiv. (2) and regulations concerning placement priorities, placements and payment pursuant to Sec. 10-76g may be made if public arrangements are more costly and private facilities meet the educational needs of the child and their programs are suitable and efficacious.

P.A. 98-168 - amended Subsec. (b) to make a technical change and amended Subdiv. (2) of Subsec. (e) to change one method for determining the financial responsibility of local and regional boards of education from "two and one-half times" the average to the average per pupil educational costs.

P.A. 98-252 - amended Subdiv. (5) of Subsec. (e) to change the time frames for (1) the original submission from October to December, (2) the claim for additional children or costs from April to February and (3) the payments from December and June to February and April, to increase the amount of the first payment from fifty to seventy-five per cent and to make technical changes, effective July 1, 1998 (Revisor's note: In Subsec. (a)(11) a reference to "... pupil who is an emaciated minor ..." was changed editorially by the Revisors to "... pupil who is an emancipated minor ..." to correct an error in the codification of P.A. 95-237).

P.A. 99-279 - amended Subsec. (a) by deleting in Subdiv. (2) requirement that local or regional board of education determine Medicaid enrolment status of children for any town in which the average number of children ages 3 to 21 enrolled in the Medicaid program equals or exceeds five thousand and by substituting in lieu thereof that any local or regional board of education may determine a child's Medicaid enrolment status, by adding in Subdiv. (2) "For the purpose of determining Medicaid rates for Medicaid eligible special education and related services based on an actual cost method, the local or regional board of education shall submit documentation of the costs and utilization of Medicaid eligible special education and related services for all students receiving such services to the Commissioner of Social Services or to the commissioner's authorized agent at such time and in such manner as prescribed." and provision authorizing commissioner to use information received from local or regional boards of education for purposes of determining Medicaid rates for Medicaid eligible special education and related services, by deleting all provisions in former Subdivs. (3) and (4), by adding in new Subdiv. (3) provisions as follows: "Beginning with the fiscal year ending June 30, 2000, the Commissioner of Social Services shall make grant payments to local or regional boards of education in amounts representing sixty per cent of the federal portion of Medicaid claims processed for Medicaid eligible special education and related services provided to Medicaid eligible students in the school district. Such grant payments shall be made on at least a quarterly basis and may represent estimates of amounts due to local or regional boards of education. Any grant payments made on an estimated basis, including payments made by the Department of Education for the fiscal years prior to the fiscal year ending June 30, 2000, shall be subsequently reconciled to grant amounts due based upon filed and accepted Medicaid claims and Medicaid rates. If, upon review, it is determined that a grant payment or portion of a grant payment was made for ineligible or disallowed Medicaid claims, the local or regional board of education shall reimburse the Department of Social Services for any grant payment amount received based upon ineligible or disallowed Medicaid claims." by deleting from the new Subdiv. (4) (formerly Subdiv. (5)) requirement that rates for Medicaid eligible special education and related services be determined annually and that such rates reflect the reasonable average monthly cost per student of Medicaid eligible special education and related services for the current year, by deleting all provisions in former Subdiv. (7), by substituting in the new Subdiv. (6) (formerly Subdiv. (8)) "local or regional board of education" for "town or regional school district", by deleting all provisions in former Subdiv. (9), by renumbering the remaining Subdivs. accordingly, by adding in new Subdiv. (9) provisions re regulations and by making technical changes throughout.

P.A. 00-48 - rewrote Subdiv. (7) of Subsec. (a), changing the time frame for the development of the statement of transition service needs from age fifteen to age fourteen and requiring the statement to focus on courses of study, made a technical change in Subsec. (d) and amended Subdiv. (4) of Subsec. (e) to change the time for the payment of eighty-five per cent of the estimated cost from September to July.

P.A. 07-147 – requires a local or regional board of education, at each initial planning and placement team meeting for a child, to inform the parent, guardian, surrogate parent or pupil of the laws relating to physical restraint and seclusion pursuant to chapter 814e and the rights of such parent, guardian, surrogate parent or pupil under such laws and the regulations adopted by the State Board of Education relating to physical restraint and seclusion.

P.A. 12-173 – Sec. 1 requires a board of education to provide the results of assessments and evaluations and provide an opportunity to meet as specified.

**Estimated Cost Characterization:** Major

10-76h

Special Education Hearing And Review Procedure. Mediation Of Disputes. - Requires local boards of education, upon the request of any parent of a child requiring special education, an emancipated minor or a pupil 18 years of age or older, to hold a hearing to review the diagnosis, evaluation or any other matter concerning the child's special education, in a manner provided by this section. Hearing officers and members of the hearing board shall be paid reasonable fees and expenses as established by the state board of education. Requires that local school boards make a request to the state department of education for a special hearing, if a parent withholds or revokes consent to a private special education placement for his child.

**Enactment:** 1967, P.A. 627

**Amendments:** 1971, P.A. 667 - act created section, replacing special program of 1967 act.

P.A. 73-556 - amended Subsec. (c) to place thirty-day deadline on establishment of hearing board, amended Subsec. (d) to require hearing within thirty days and to require transcriptions of formal sessions and amended Subsec. (e) to require decision within sixty days of first meeting, to require state board to take action by substituting "shall" for "may", to include "county" of residence in reference to common pleas court and to require that copies of transcripts be sent to parent or guardian and to board of education if requested to do so in the event of an appeal.

P.A. 75-94 - added exception to sixty-day deadline for decision in Subsec. (e) for cases requiring independent diagnosis.

P.A. 75-438 - incorporated former Subsec. (b) into Subsec. (a) as Subdiv. (2) and inserted new Subsec. (b) allowing mediation by secretary of the state board.

P.A. 75-493 - amended section to allow action on behalf of child in his custody by commissioner of children and youth services.

P.A. 76-436 - amended Subsec. (e) to substitute superior court for court of common pleas and to specify judicial districts, effective July 1, 1978.

P.A. 77-603 - made appeals in accordance with Sec. 4-183 except with regard to location.

P.A. 77-614 - substituted commissioner of education for secretary of the state board of education, effective January 1, 1979.

P.A. 78-47 - amended Subsec. (b) to change deadline for mediation results from fifteen to thirty days after request for mediation is received.

P.A. 78-132 - changed hearing board from at least three persons to one or more and excluded education department employees from serving as one-member boards in Subsec. (c).

P.A. 78-218 - substituted "local or regional" boards for boards "of the school district".

P.A. 78-224 - clarified review process by making provisions in Subsec. (a)(1) applicable to administrative review to be followed by hearing if requested and deleting former provisions relating to hearing and appeal and making Subdiv. (2) and subsequent subsections applicable to hearings and mediation procedures, also including in Subdiv. (2) a thirty-day period for making request, deleting thirty-day periods in Subsecs. (c) and (d) and amending Subsec. (e) to change deadline for decision from within sixty days of first meeting to within thirty days of request for hearing and to replace exception for cases requiring independent diagnosis with general provision regarding extensions.

P.A. 78-280 - deleted reference to counties in Subsec. (e).

P.A. 79-87 - deleted references to repealed Sec. 10-94a, amended Subsec. (a) to require notice to be sent within fifteen days of request for review rather than within ten days of the review, allowed

mediation "in lieu of" review rather than "following" review and amended Subsec. (c) to require "impartial" hearing board, allowing deletion of provision excluding education department members from serving as one-person boards.

P.A. 80-138 - amended Subsec. (e) to give board authority to judge appropriateness of parental placement as opposed to program prescribed by planning and placement team.

P.A. 80-175 - allowed action by emancipated minors or pupils eighteen or older on their own behalf and amended Subsec. (a) to allow school board responsible for child to initiate review procedure.

P.A. 83-338 - amended Subsec. (e) to provide for exception to appeal on the record if court finds that presentation of evidence is warranted.

P.A. 84-284 - substantially revised special education appeal procedure.

P.A. 85-312 - amended section by adding references to unified school districts and authorization to apply for injunctive relief to enforce order of hearing officer or board without necessity of establishing irreparable harm or inadequate remedy at law.

P.A. 88-317 - inserted reference to Sec. 4-180a in Subsec. (e)(1), effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.

P.A. 91-277 - (1) in Subsec. (a) added provision that the hearing may address the refusal to give consent for evaluation or placement in special education or the withdrawal of such consent, (2) in Subsec. (b) added provision for mailing, made technical changes and removed requirement that the parties participate in conciliation procedures prior to convening the hearing, (3) removed Subsec. (c) which outlined the conciliation procedures and relettered the remaining Subsecs., in Subsec. (d)(1) added provision allowing the hearing officer to order special education evaluation and placement in instances where consent has been refused, added Subdiv. (3) of Subsec. (d) re provision of special education without consent of guardian or parent, and added Subsec. (f) on mediation.

P.A. 93-91 - substituted commissioner and department of children and families for commissioner and department of children and youth services.

P.A. 93-352 - amended Subsec. (a) to apply the provisions of the section concerning a local or regional board of education or a unified school district to a public agency responsible for the provision of education and services to children requiring special education.

P.A. 93-353 - amends subsec. (a) to require a special hearing if parent consent to private placement is refused.

P.A. 94-245 - amended Subsec. (c) to insert new Subdiv. (2) re disclosure of documentary evidence and a list of witnesses and renumbered former Subdiv. (2) as (3), effective June 2, 1994.

P.A. 95- 237 - amended Subsec. (a) to change the reasons for which a hearing may be requested, require issues to be raised at a planning and placement team meeting prior to a hearing, specify that the subsection does not limit the right to initiate a planning and placement team meeting at any time, add Subdiv. (2) re statement of specific issues and Subdiv. (3) re time limit and notice requirements and make technical changes, amended Subsec. (c) to add the prehearing conference requirement and limitation on the introduction of evidence and witnesses to those properly disclosed and testimony relevant to the issues in dispute and make technical changes, and amended Subsec. (d) to allow the hearing officer to include a comment on the conduct of the proceedings in his decision and make technical changes, effective July 1, 1995;

P.A. 96- 146 - amended Subsec. (c) to remove requirement that the hearing officer or board appointed be knowledgeable in the fields and areas significant to the review of the special education needs of the child or pupil and to add requirement that the Department of Education provide training to hearing officers, effective July 1, 1996;

P.A. 00-48 - amended Subdiv. (2) of Subsec. (c) to clarify the time frame for disclosure is "business" days, to require the disclosure of completed evaluations and recommendations based on evaluations that the offering party intends to use at the hearing, and to allow the hearing officer to bar a party who failed to comply with the disclosure provisions from introducing undisclosed evaluations and recommendations without the consent of the other party.

**Estimated Cost Characterization:** Major

- 10-76m Auditing Of Claims For Special Education Assistance. - Requires claims by local or regional boards of education for payment pursuant to section 10-76g to be audited annually by a certified public account for the state board of education.
- Enactment:** 1975, P.A. 521
- Amendments:** P.A. 78-218 - substituted "local" for "town" boards of education.  
P.A. 79-128 - substituted "payment" for "reimbursement".
- Estimated Cost Characterization:** Minor
- 10-76dd Special Education Supervising Personnel Requirements. - Requires each local or regional board of education to employ the number of certified personnel, licensed personnel and support personnel necessary to implement the special education and related services required for each child, in a manner provided by this section.
- Enactment:** 1991, P.A. 220
- Amendments:** P.A. 92-170 - added Subsecs. (f) re local or regional board's financial responsibility for personnel not required under terms of section.  
P.A. 96-161 - deleted Subsec. (b) which had required employment of a specific number of special education supervisory personnel, made Subsec. (c) Subsec. (b) and rewrote it to remove the requirement for the employment of a specific number of supervisory personnel in districts which employed more special education personnel than districts covered by former Subsec. (b) and to replace such requirement with a cap on reimbursement for the expenditures for the employment of such supervisory personnel, designated Subsec. (d) as Subsec. (c) and deleted Subsecs. (e) re determination of required number of supervisory personnel pursuant to former Subsecs. (b) and (c) and (f) re reimbursement, rendered unnecessary because of similar language in new Subsec. (b).
- Estimated Cost Characterization:** Major
- 10-76ee Administrative Representative Required For Planning And Placement Team Meetings. - Requires an administrative representative, someone who is qualified to provide or supervise the provision of special education, to be included in planning and placement team meetings for each child requiring special education.
- Enactment:** 1992, P.A. 170
- Estimated Cost Characterization:** Moderate
- 10-76ii Provision of applied behavior analysis services. – requires a board of education to provide applied behavior analysis services as specified in this section to any such child with autism spectrum disorder if required by the child's individualized education program.
- Enactment:** 2010, P.A. 10-175, Sec. 2
- Amendments:** P.A. 12-173, Sec. 7 amended but did not affect the mandate
- Estimated Cost Characterization:** Minor

10-76jj Language and communication plan as part of individualized education program for child identified as deaf or hearing impaired. – requires the individualized education program for any child identified as deaf or hearing impaired to include a language and communication plan as specified in this section.

**Enactment:** 2012, P.A. 12-173, Sec. 11

**Estimated Cost Characterization:** Minor

10-76kk Disproportionate or inappropriate identification of minority students requiring special education. Report. Study. – Requires a board of education identified by the Dept. of Education as disproportionately and inappropriately identifying minority students as requiring special education services because of a reading deficiency in contravention of Sec. 10-76ff to submit an annual report on the board's plan to reduce the misidentification of minority students by improving assessments and interventions.

**Enactment:** P.A. 12-116, Sec. 90

**Estimated Cost Characterization:** Minor

10-97 Transportation To Vocational Schools. - Requires local or regional school districts to provide transportation for any student who resides therein and attends a state or state approved vocational secondary school, in a manner provided by this section. Also requires any local or regional board of education which does not provide vocational agricultural training that is state approved to designate a school or schools and to pay the tuition and transportation costs. The school districts are not required to spend more than the foundation level for the transportation of these students.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 178 - added provisions concerning vocational agricultural training and added provision granting right of appeal upon denial of transportation.

1961, P.A. 392 - added references to technical institute and substituted the superintendent of school for the secretary of the local board of education as the certifying agent.

1963, P.A. 445 - included regional school districts raised the maximum annual expenditure per pupil from three to four hundred and the maximum state aid per pupil for transportation from one hundred fifty to two hundred dollars.

1967, P.A. 190 - amended to add general provision that boards shall apply for reimbursement "at such time and in such manner as said state board prescribes and changed amount of reimbursement to an average of two hundred dollars per pupil.

1969, P.A. 603 - substituted "technical college" for "technical institute" and clearly distinguished between transportation costs for students to schools within town and out of town by adding provision limiting reimbursement for transportation within town to fifty per cent of cost not exceeding twenty dollars per pupil annually.

P.A. 78-272 - changed average dollar amount of reimbursement for in town transportation from twenty to thirty per pupil.

P.A. 79-128 - replaced former provisions for reimbursement in Subsec. (c) with statement that reimbursement be in accordance with Secs. 10-266m and 10-266n except as provided.

P.A. 80-404 - clarified provision in Subsec. (c) placing limits on reimbursements.

P.A. 82-133 - clarified that school district responsibility for transporting students to vocational schools does not extend to students who have already graduated from high school or vocational school.

P.A. 83-32 - amended Subsec. (a) to limit transportation expenditures for any one pupil to eight hundred dollars per school year.

P.A. 83-119 - authorized board of education to suspend transportation services.

P.A. 86-71 - in Subsecs. (a) and (b) limited the provision that a board of education not be required to expend more than eight hundred dollars prior to the fiscal year beginning July 1, 1987, and added that thereafter there would be an increase in the reimbursement percentage and in Subsec. (c) added references to Subsecs. (a) and (b) and deleted the reference to Sec. 10-266n which was repealed.

P.A. 88-136 - in Subsec. (a) deleted an obsolete provision applicable to the school years prior to the fiscal year beginning July 1, 1987, and deleted in Subsec. (b) a provision applicable to the school years prior to the fiscal year beginning July 1, 1987.

P.A. 96-161 - added subsection (e) which stipulates that boards of education are not required to spend more than the foundation level, as defined in 10-262f, for the transportation of students to these vocational schools, except that they shall still pay for the reasonable and necessary costs for those students who were attending such schools on July 1, 1996.

**Estimated Cost Characterization:** Moderate

### *TEACHERS AND SUPERINTENDENTS*

10-145 Certificate Necessary To Employment. Forfeiture For NonCompliance. - Requires local or regional boards of education to hire only state-certified teachers, supervisors, administrators, special service staff members or school superintendents. Also requires that substitute teachers have bachelor's degree, unless the commissioner of the department of education waives the requirement for good cause at the request of the local superintendent. Noncompliance by a board of education will result in a forfeiture of part of a state grant.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 517 - added regional districts

1971, P.A. 456 - added proviso for contracts with licensed driver's schools.

May Sp. Sess. P.A. 86-1 - required administrators to have state certificates, substituted "employment" for "the opening of school" re dating of certificates and deleted provision that certificates in force July 1, 1935 are valid and renewable.

P.A. 87-499 - deleted principal and added special service staff member to list of persons to whom the section applies and added that the certificate may be dated the first day of employment.

P.A. 89-137 - added Subsec. (a) designation and new Subsec. (b) re forfeiture of funds by local and regional boards of education for noncompliance with certain statutes.

P.A. 93-353 - amends Subsec. (a) to require municipalities to employ only degreed substitute teachers.

**Estimated Cost Characterization:** Minor

10-145a Certificates Of Qualification. Specific Components Of Teacher Preparation Programs. - Requires boards of education to accept teacher candidates who have been issued a certificate of qualification for such subjects as it includes.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 140 - act required passing of hygiene examination for certification to teach grades above the fifth rather than the third grade and included as part of hygiene knowledge the effects of alcohol and narcotics on personality development; 1967, P.A. 555 - act replaced "narcotics" with "controlled drugs";

1969, P.A. 753 - act included in hygiene knowledge of the effects of nicotine or tobacco and made provision for the necessary training of teachers and guidance personnel;

1971, P.A. 370 - act required passing of hygiene examination for all certifications to teach not just for those above the fifth grade and included administrators in training provision; 1972, P.A. 204 - act added Subsec. (a) defining "equivalency", "alternate" and "internship", made former provisions Subsec. (b) and added provisions concerning internships for certification and equivalencies or alternates to present certification requirements;

P.A. 73-632 deleted provisions added to Subsec. (b) in 1972, dropped provision allowing exemption from hygiene examination, required passing of hygiene examination for supervisor's certificate as well as for teaching certificate and referred to "drugs" rather than "controlled drugs", deleting specific effects and provision for training programs; P.A. 74-331 amended Subsec. (a) to extend applicability to entire chapter, to substitute "equivalent" for "equivalency", to delete definitions of "alternate" and "internship" and to add definitions of "provisional certification period", "provisional teaching certificate", "standard teaching certificate" and "one year" and amended Subsec. (b) to reflect recognition of the two different types of certificates; Sec. 10-146 was transferred to Sec. 10-145a in 1975;

P.A. 75-372 added Subsec. (c) re intergroup relations programs;

P.A. 77-573 replaced commission for higher education with board of higher education; P.A. 78-218 deleted Subsec. (a), relettering remaining subsections accordingly, and amended Subsec. (b), formerly (c), to delete references to July 1, 1977, and to July 1, 1976, and to delete reference to advisory board on state certification of teachers as an agency involved in developing intergroup relations programs;

P.A. 80-405 required development of intergroup programs with participation of both sexes and included permanent commission on the status of women as an agency involved in developing such programs;

P.A. 82-218 replaced board of higher education with board of governors pursuant to reorganization of higher education system, effective March 1, 1983;

P.A. 84-241 added "of higher education" to board of governors' title;

May Sp. Sess. P.A. 86-1 in Subsec. (a) substituted "issue" for "grant", provided for certificates to administer, added provisions re regulations re administrator and supervisor certificates, deleted requirement re examination in hygiene and the effects of nicotine or tobacco, alcohol and drugs;

P.A. 87-499 in Subsec. (a) provided that the state board of education may issue certificates to serve in positions requiring certification pursuant to regulations and that regulations shall provide that qualifications to maintain any special service certificate incorporate continuing education provisions;

P.A. 89-168 added a new Subsec. (c) re the mental health component in a program of teacher preparation;

P.A. 94-221 added Subsec. (d) re school violence prevention and conflict resolution as component of teacher preparation programs;

P.A. 95-259 amended Subsec. (c) to add Subdiv. (1) re health component, effective July 6, 1995;

P.A. 96-244 added Subsec. (e) requiring teacher candidate programs to provide training in computer and other information technology skills, effective June 6, 1996;

P.A. 04-75 added Subsec. (f) requiring teacher training programs to provide instruction in literacy skills, effective July 1, 2004;

P.A. 04-227 added Subsec. (g) requiring teacher training programs to provide instruction in second language learning and acquisition, effective July 1, 2004.

**Estimated Cost Characterization:** Minor

10-145b

Teacher Certificates. - Requires the superintendent of schools, or a principal, administrator or supervisor designated by such superintendent to observe, guide and evaluate the performance of persons holding either an initial educator certificate or a provisional teaching certificate. Also, each local or regional board of education must make available, at no cost to its certified employees, a minimum of eighteen hours of professional development activities for continuing education credit, in a manner prescribed by this section. Continuing education requirements for bilingual education teachers must be in the language arts, reading and mathematics.

Finally, these boards of education must report to the state department of education, in a manner prescribed in this section, on the professional development activities it offers.

**Enactment:** 1974, P.A. 331

**Amendments:** P.A. 76-373 - added Subsec. (g) re fees for teaching certificates.

P.A. 76-436 - amended Subsec. (e) to replace court of common pleas with superior court and to specify county or judicial district of residence.

P.A. 77-573 - substituted board of higher education for commission for higher education. P.A. 77-603 - amended appeal provisions in Subsec. (e) to provide that appeals be in accordance with Sec. 4-183.

P.A. 78-218 - substituted "local" for "town" and "board of education" for "school district" throughout section, made reasons for revocation new Subsec. (e), removing them from Subsec. (d), and relettered former Subsecs. (e) to (g) accordingly.

P.A. 82-218 - replaced board of higher education with board of governors pursuant to reorganization of higher education system.

P.A. 83-134 - amended Subsec. (e) to clarify authority of board to revoke provisional certification.

P.A. 83-587 - made a technical amendment to Subsec. (c), replacing board of higher education with board of governors.

P.A. 84-241 - added "of higher education" to board of governors' title.

P.A. 84-298 - inserted new Subsec. (b) which requires candidates for certification to satisfactorily complete a course in special education and requires state board of education to report to the education committee upon the adoption of certification regulations requiring completion of a special education course and relettered subsequent Subsecs. Accordingly.

May Sp. Sess. P.A. 86-1 - made provisions for initial educator, temporary ninety-day, provisional educator and professional educator certificates; made standard and permanent certificates invalid after July 1, 1988; deleted description of what may be included in an individual program for a standard certificate and requirement re final years prior to eligibility for a standard certificate, and made other technical changes.

P.A. 87-499 - in Subsec. (a) delayed, from July 1, 1990, to July 1, 1992, the requirement that applicants for initial educator certificates have completed a subject area major; in Subsec. (c) provided that the requirements re temporary ninety-day certificates and the issuance of initial educator certificates to the holders of such temporary certificates be in regulation rather than in the subsection that the temporary certificates not be issued until July 1, 1988; in Subsec. (e) clarified that the completion of a special education course is a prerequisite to obtaining provisional teaching and initial educator certificates; in Subsec. (g) added to the requirements for a provisional educator certificate that the person have met the requirements for an initial educator certificate and that the person may have taught for at least one year in the state; in Subsec. (h) described what may be included in an individual program; in Subsecs. (i) and (k) provided that other requirements may be provided in regulation; in Subsec (k) added that the person may have taught in a nonpublic school; in Subsec. (p) provided exceptions to the fee requirement; changed "holder" to "person who holds or has held" and made technical changes.

P.A. 88-360 - in Subsec. (e) made the requirements of the Subsec. apply to eligibility for a provisional educator certificate, specified that the required course be a course of study comprised of not fewer than thirty-six hours and provided exceptions to the requirements of the subsection, in Subdiv. (3) of Subsec. (g) substituted having taught "for the 1988-1989 school year under a temporary emergency permit" for having taught "for a period of at least one year", in Subsec. (m) added provisions for the denial of an application for certification, made Subsec. (p) apply upon applications for the issuance of any certificate in accordance with Sec. 10-145d and added Subsec. (q) re the reissuance of provisional teaching and provisional educator certificates.

P.A. 88-273 - in Subsec. (l) added Subdiv. designations and provided that continuing education units or their equivalent be determined by local or regional boards of education rather than defined by the state board of education and that commencing July 1, 1989 local and regional boards of education make not fewer than eighteen hours of professional development activities available at no cost and in accordance with the subsection.

P.A. 89-137 - in Subsec. (i) provided that the statement of a record of competency may be from an approved nonpublic school and that evidence of the completion of certain course work be provided to the department of education by the applicant rather than by the employing board of education, in Subsec. (k) provided that the statement of a record of competency may be from the superintendent of an approved nonpublic school, that there be a statement from the superintendent that the certificate holder and the superintendent have mutually determined or approved an individual program and that evidence of certain course work be provided to the department of education by the applicant rather than by the superintendent.

P.A. 89-251 - increased fee for a certificate from fifteen dollars to eighteen dollars and for a duplicate from five dollars to six dollars.

P.A. 90-230 - made a technical correction in Subsec. (k).

P.A. 90-325 - in Subsec. (a) provided that the board of governors of higher education not have to accredit teacher training equivalents taken out of state, in Subdiv. (3) of Subsec. (c) deleted provisions that the one and one-half years that an initial educator certificate issued pursuant to the subdivision is valid begins on the date of issuance and that such a certificate be nonrenewable and in Subsec. (g) added Subdiv. (4) re issuance of a provisional educator certificate to a person who has taught with a provisional teaching certificate for the year immediately preceding an application for a provisional educator certificate.

P.A. 91-208 - in Subparagraph (B) (iv) of Subsec. (c) deleted reference to program developed through institute for effective teaching and substituted reference to program provided under contract with institution designated by higher education department.

P.A. 91-288 - in Subsec. (l) changed the requirement from nine continuing education units to ninety hours of continuing education, added the provisions concerning members of the general assembly, added language requiring boards of education to grant credit for activities offered in accordance with the plan developed pursuant to Sec. 10-220a or activities which the board approves for any individual certified employee, added in Subdiv. (2) evaluation of activities in terms of contribution to school goals and provision for each educator to attest to the state department of education that continuing education hours have been completed;

May Sp. Session P.A. 92-6 - amended Subsec. (a) to provide for a certificate of eligibility and Subsec. (p) to establish specific fees for certificate of eligibility, initial educator certificate, provisional educator certificate, professional educator certificate, and to provide exceptions for applicants for certificates for teaching adult education programs and other exceptions and provide a fee for issuance of a subject area endorsement; in 1993 obsolete references to "subsection (a) of section 10-146f" in Subsecs. (f) and (n) were deleted editorially since Sec. 10-146f is repealed.

P.A. 93-70 - amended Subdiv. (1) of Subsec. (l) to add the provision concerning reissuance of certificate for unemployed teachers who have not completed required continuing education and made technical changes.

P.A. 93-353 - amended Subsec. (a) to remove provision tying the validity and extension of the initial educator certificate to employment in a public school and made technical changes, amended Subsec. (b) to clarify that participation in a beginning educator program is required only if there is such a program for such person's certification endorsement area, amended Subdiv. (1) of Subsec. (c) to add the certification endorsement areas of middle grades education and administration and supervision, and to remove obsolete language and amended Subsec. (e) to delete the exception in Subdiv. (2) for applicants who hold a temporary ninety-day certificate or held such certificate within one year of application for a provisional educator or initial educator certificate, to remove a report to the general assembly on the adoption of regulations containing the provisions of Subsec. (c) and to remove obsolete language.

P.A. 94-221 - amended Subsec. (m) to provide for the automatic revocation of certificates issued by the State Board of Education for persons convicted of crimes involving child abuse or violations of Sec. 53a-71 or 53a-73a, to require the commissioner to notify such persons of the revocation and to allow such persons to request reconsideration.

P.A. 95-58 - amended Subsec. (l) to add requirement for superintendents and certain administrators to complete training in the evaluation of teachers.

P.A. 95-259 - amended Subsec. (m) to require the revocation of any certificate if the holder intentionally discloses information on or breaches the security of the examination pursuant to Sec. 10-14n.

P.A. 96-244 - amended Subsec. (a) to increase the period of validity for an initial educator certificate from "one" to "two" years and amended Subsec. (c)(3) to increase the period of validity for an initial educator certificate from "one and one-half" to "two" years.

P.A. 96-246 - amended Subsec. (m) by changing reference to Subsec. (f) of Sec. 17a-101 to Sec. 17a-101i.

P.A. 98-243 - amended Subdiv. (1) of Subsec. (l) to add new Subpara. (A) re requirement for training in the teaching of reading for certain certified employees and redesignated existing Subparas. (A) and (B) as Subpara. (B) (i) and (B) (ii).

P.A. 98-252 - amended Subsec. (a) to remove provision for the issuance of a certificate of eligibility, amended Subsec. (a) and Subdiv. (3) of Subsec. (c) to make the initial educator certificate valid for three years instead of two years, amended Subdiv. (1) of Subsec. (l) to add requirement for continuing education for certain employees to include at least fifteen hours of training in the use of computers in the classroom, and amended Subsec. (p) by deleting provision re certificate of eligibility.

P.A. 99-211 - amended Subsec. (l)(1) to add Subpara. (D) re certified employees with bilingual education endorsements.

P.A. 00-220 - amended Subsec. (m) to require the State Board of Education in any revocation proceeding to establish the reason for the revocation by a preponderance of the evidence.

P.A. 09-1 (June Special Session) – amended Subsection (j) [previously (m)] to require a board of education or private special education facility approved by the commissioner to report when an employee who holds a certificate, permit or authorization, is dismissed pursuant to subdivision (3) of subsection (d) of section 10-151.

**Estimated Cost Characterization:** Minor

10-145d

State board regulations for teacher certificates. Certification of school business administrators; membership in teachers' retirement system; applicability of teacher tenure law. Certification of computer science teachers. Endorsement to teach elementary education and comprehensive special education. Teaching experience in birth-to-three programs. Certification of marital and family therapists. – Requires a person who is a licensed marital and family therapist and employed by a local or regional board of education as a marital and family therapist to provide services to students, families and parents or guardians of students.

**Enactment:** 1974, P.A. 74-331, Sec. 6,7

**Estimated Cost Characterization:** Minor

10-145f

Testing For Prospective Teachers. - Requires the superintendent of each local or regional board of education, upon notification by the state department of education, to notify in writing those teachers whose provisional certificate will expire in the succeeding twelve months. Also, any board of education employing a person who holds a nonrenewable temporary certificate must provide a program to assist each such person who has not successfully completed the competency examination by January fifteenth of the school year in which such certificate was issued.

**Enactment:** 1985, P.A. 532

**Amendments:** P.A. 86-147 - in Subsec. (b) deleted reference to professional knowledge assessment, added testing requirements for permanent and lapsed or revoked certificate holders and persons applying for additional certification endorsement and set deadline for development of subject area assessment, added Subsec. (c) to provide for a nonrenewable temporary certificate, added Subsec. (d) re professional knowledge clinical assessment, added Subsec. (e) which had been part of Subsec. (b) and made other technical changes.

P.A. 87-464 - added Subdiv. and Subpara. designations in Subsec. (b) and in Subsec. (c) provided for nonrenewable temporary certificates for graduates of out-of-state teacher preparation programs.

P.A. 87-499 - in Subsec. (b) provided an exception to the testing requirements for applicants for certificates to teach skilled trades and trade-related subjects and in Subsec. (d) deleted "provisional" and made the Subsec. apply to all certificate holders, counted the ten years from the date of application rather than date of employment under provisional certificate, substituted July for May and provided that the time limit for assessment may be extended by "one year" rather than by "not more than one year".

P.A. 88-273 - inserted new Subdiv. (3) of Subsec. (b) re standard certificates for and the reemployment of holders of certain lapsed provisional certificates and re annual notification by state department of education of provisional certificates which are to expire in the subsequent twelve months, and renumbered old Subdiv. (3) as Subdiv. (4), amended Subsec. (c) to provide for the issuance of a nonrenewable temporary certificate pursuant to Subdiv. (2) for the 1988-1989 school year and in Subsec. (d) substituted July 1, 1989, for July 1, 1988.

P.A. 88-360 - in Subsec. (a) substituted "scores on all components, in one administration of the" for "score on each component of any one" state reading, writing and mathematics competency examination and made a technical change, in Subdiv. (1) of Subsec. (b) substituted "scores on all components, in one administration, of the" for "score on each component of any one" state reading, writing and mathematics competency examination and in Subdiv. (3) (now (4)) of Subsec. (b) substituted "subjects for which a bachelor's degree is not required" for "skilled trades and trade-related subjects" and in Subsec. (e) substituted "all fees" for "a fee", specified that the competency examination be that administered by the state board of education, provided that the fees be at a level not to exceed the administrative costs but need not be at a level to meet all such costs and added provisions re the competency examination fee, registration fees and waivers of fees.

P.A. 89-137 - in Subdiv. (2) of Subsec. (b) substituted December 1, 1990, for May 1, 1990, as the date before which the state board of education shall complete the development of subject area assessments, in Subdiv. (3) of Subsec. (b) added Subpara. (A) designation, deleted the provisions granting a standard certificate to certain persons whose provisional certificates had lapsed and concerning the reemployment of such teachers and treatment of the lapse period, specified the circumstances under which the commissioner of education may issue a new certificate to a teacher whose certificate has lapsed, specified the circumstances under which the lapse period is not a break in employment and is used for calculating continuous employment, required superintendents to notify teachers of the expiration of provisional certificates and added new Subpara. (B) re the granting of a provisional teaching certificate to certain persons sixty-five years of age or older, in Subdiv. (4) of Subsec. (b) permitted the commissioner of education to waive the competency examination requirement for applicants for certificates to teach skilled trades or trade-related or occupational subjects, and in Subsec. (d) permitted the reissuance of an initial educator certificate to certain persons who did not achieve a satisfactory evaluation on a professional knowledge clinical assessment.

P.A. 89-251 - set the fee for the competency examination at not less than forty-eight dollars and increased the fee for retesting from ten dollars to twelve dollars.

P.A. 90-325 - in Subdiv. (1) of Subsec. (b) with an exception made the subdivision apply to any person who does not hold a valid certificate and provided that a satisfactory evaluation on a subject area assessment not be required if the assessment has not been approved by the state board of education, rather than if it has not been developed, in Subdiv. (2) of Subsec. (b) provided that a satisfactory evaluation on a subject area assessment for eligibility for an additional endorsement not be required if the assessment has not been approved by the state board of education, rather than if it has not been developed, in Subsec. (c) removed the limitation that nonrenewable temporary certificates for graduates of out-of-state teacher preparation programs be issued only for certain years and in Subsec. (d) added Subdiv. (1) to allow the commissioner of education to waive the requirement of a satisfactory evaluation on a professional knowledge clinical assessment if the assessment is not valid for the person's teaching assignment and provided that the requirement not apply to certain persons who taught with provisional teaching certificates. May Sp. Session P.A. 92-6 - amended Subsec. (e) to provide the fee shall be not less than seventy-five

dollars for competency examination and subject area assessment for the elementary level and to delete references to board discretion regarding assessment of fees.

P.A. 93-353 - amended Subsec. (a) to add provisions concerning the Scholastic Aptitude Test scores or those of an equivalent test and amended Subdiv. (3) of Subsec. (b) to make the Subdiv. applicable on and after July 1, 1992, to remove the requirement that the teacher have held the certificate "while employed by a local or regional board of education or a facility approved for special education by the state board of education or on authorized leave from such a board of education or facility", to divide Subpara. (A) into (A) and (B) and to delete the existing Subpara. (B) which was obsolete.

P.A. 94-245 - amended Subsecs. (a) and (b) to provide that on and after January 1, 1995, satisfactory scores in all components of competency examinations need not be achieved in one administration and to substitute an examination administered "under the direction of" the board for an examination administered "by" the board.

P.A. 95-259 - amended Subsecs. (a) and (b) to apply the existing requirements to tests administered on or before March 31, 1995, and to add new requirements for tests administered after said date, also in Subsec. (b) added the provisions dealing with non-English versions and amended Subsec. (c) to change the time frame for the validity of nonrenewable temporary certificates.

P.A. 96-214 - amended Subsec. (c) to add Subdiv. (3) re person hired by a charter school after July first in any school year.

P.A. 96-244 - amended Subsec. (c)(3) to change the eligibility requirement for the temporary certificate for persons hired by a charter school and amended Subsec. (d) to extend the time for achievement of a satisfactory evaluation on a professional knowledge clinical assessment from within "one" to "two" years and made a technical change.

**Estimated Cost Characterization:** Minor

10-145j

Employment Of National Corps Of Teachers' Training Program Graduates. - Permits qualified graduates of a national corps of teachers' training program to be employed in the public schools of Bridgeport, Hartford and New Haven and in state charter schools in Stamford, notwithstanding the requirements of Section 10-145, in a manner specified by this section. Said graduates will be given a temporary permit for one year which can be renewed once and must complete a state approved program in order to be certified.

Enactment: 2006, P.A. 06-192, Sec. 3

**Amendments:** 2011, P.A. 11-179, Sec.13 extended durational shortage area permits through 2015.

**Estimated Cost Characterization:** Minor

10-145k

Issuance Of International Teacher Permit. - Requires any local or regional school district that requests the issuance of an international teacher permit in a subject shortage area to attest to the existence of a plan for the supervision of the teacher.

**Enactment:** 2007, P.A. 30

**Estimated Cost Characterization:** Minor

10-145o

Teacher education and mentoring program. Administration. Three-year plan. Instructional modules. Data system. Guidelines. - requires requires boards of education to recruit mentors for

their teacher education and mentoring program and to provide mentors with a minimum of a five-hundred-dollar annual stipend for each beginning teacher assigned to such mentor.

Enactment: 2009, Sept. Sp. Sess. P.A. 09-6, Sec. 37

Amendments: none

Estimated Cost Characterization: Minor

10-145r Practice reading instruction examination requirement for certain early childhood educators. - Requires local or regional boards of education to require specified certified employees to take a survey on reading instruction, with the results being subject to specified restrictions.

**Enactment:** 2012, P.A. 12-116, Sec. 6

**Estimated Cost Characterization:** Minor

10-148a Professional development. Program audits. - Requires a board of education to provide and document professional development training to certified employees as specified.

**Enactment:** 2012, P.A. 12-116, Sec. 39

**Amendments:** 2012, P.A. 12-2 (June Special Session), Sec. 138 – Requires training in individualized education programs..

**Estimated Cost Characterization:** Minor

10-151 Employment Of Teachers. Definitions. Notice And Hearing On Failure To Renew Or Termination Of Contract. Appeal. - Requires boards of education to provide tenure as specified and follow specified procedures if terminating a contract.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 480 - amended Subsec. (a) by providing for the supplying of a statement of the reasons for failure to renew the contract upon request, amended Subsec. (b) to provide for giving copy of transcript to teacher.

1971, P.A. 61 - amended Subsec. (a) to require that board accepts or reject nominations within thirty-five days rather than within a month.

P.A. 75-615 - amended section to include provisions concerning hearings before impartial hearing panels.

P.A. 79-90 - amended Subsec. (a) to delete provision, which had forbidden court appeal from decisions of impartial panel and clarified circumstances in which teachers whose contracts have been terminated may appeal.

P.A. 80-354 - clarified application of provisions to professional employees of incorporated or endowed high schools by requiring them to choose coverage in Subsec. (a) and amended Subdiv. (5) of Subsec. (b) re loss of position to another teacher and clarified provisions concerning layoffs and added to Subsec. (b) general proviso re agreements with bargaining representatives.

P.A. 81-216 - amended Subsec. (c) to define "continuous employment" and "part-time employment" for purposes of clarifying the provisions of the teacher fair dismissal law.

P.A. 82-257 - amended Subsec. (c) to require that authorized leave time be treated in the same manner as layoff time for purposes of computing continuous employment where previously authorized leave was entirely excluded in computations.

P.A. 83-398 - made the following changes: (1) Former Subsec.(c) containing definitions became Subsec. (a) adding definitions of "board of education", "full time employment", "tenure" and "school month" and redefining "part time employment"; (2) former Subsec. (a) relettered as Subsec. (b) and limited to employment of teachers; (3) termination of contract of employment previously contained in former Subsec. (a) moved to Subsec. (c) for teachers who have not attained tenure and Subsec. (d) for tenured teachers; and (4) former Subsec. (e) repealed concerning employment and termination of contracts for tenured teachers, effective July 1, 1983, provided provisions of P.A. 83-398 shall not apply to layoff, nonrenewal or termination proceedings initiated prior to that date.

P.A. 85-343 - amended Subsecs. (c) and (d) to allow the board to designate a subcommittee to conduct hearings and submit written findings and recommendations to the board for final disposition in certain teacher termination cases.

P.A. 86-22 - required that findings be submitted within ninety days after receipt of the request for a hearing rather than written fifteen days after the close of the hearing in Subsec. (d).

P.A. 95-58 - amended Subsec. (a)(2) to add employment "for at least ninety days", Subsec. (a)(6)(A) to apply the thirty school months to teachers hired prior to July 1, 1996, and to require teachers hired after said date to be employed for forty school months provided the superintendent offers the teacher a contract to return for the following school year, Subsec. (a)(6)(C) to change "sixteen" to "twenty" school months for the attainment of tenure by teachers who previously attained tenure with the same or a different board of education, Subsec. (b) to require the superintendent to base the offer of a contract to return on the records of evaluations, Subsec. (c) to allow a terminated teacher to request and receive a statement of the reason for such termination, to remove provision for hearings for nonrenewal, to add alternative for a hearing before an impartial hearing officer, to limit extensions for the commencement of hearings to fifteen days, to require the submission of written findings and recommendations to the board of education in all cases not just in the case of teachers whose contracts are terminated for the reasons stated in Subdiv. (5) of Subsec. (d), to remove the right to an appeal for teachers terminated for the reasons enumerated in Subdivs. (1) and (2) of Subsec. (d), Subsec. (d) to replace board of education with superintendent re notice to teachers that termination is under consideration and provision of statements in writing of the reasons upon request, to allow boards of education to designate subcommittees to conduct hearings in all cases not just terminations for the reasons stated in Subdiv. (5), to limit extensions to fifteen days, to substitute agreement by the teacher and superintendent for "both parties" re hearings before single impartial hearing officers, to substitute superintendent for board of education re appointment of panels, to add provision for appointment of third panel member with the assistance of the American Arbitration Association, to reduce the time for the submission of findings from ninety to seventy-five days, to specify that the Subsec. does not limit the right of a superintendent to suspend a teacher and to make technical changes, deleted former Subsec. (e) specifying that the provisions of a special act regarding the dismissal or employment of teachers prevail over the provisions of the section in the event of conflict and relettered Subsecs., and amended newly designated Subsec. (e), formerly Subsec. (f), to require submission of the minutes of board of education meetings relating to the termination, including the vote of the board on termination, removed language allowing parties to the appeal to introduce evidence and added requirement that the court affirm or reverse the decision appealed from in accordance with Subsec. (j) of Sec. 4-183.

P.A. 97-247 – broadened hearing entitlement to include nonrenewal, except for non-tenured teachers if the reason for nonrenewal is either elimination of the position or loss of position to another teacher.

P.A. 00-13 - amended Subsec.(d) to add requirement for the determination of incompetence to be based on evaluations.

P.A. 11-135, Sec. 10 expands the criteria for gaining tenure to include earlier employment with the same school district prior to its decision to establish a cooperative arrangement with another district.

P.A. 11-136, Sec. 14 delays, from April to May, the deadline for notifying a teacher whose contract will not be renewed for the following year.

**Estimated Cost Characterization:** Moderate

10-151b Evaluation By Superintendents Of Certain Educational Personnel. - Requires local or regional board of education to develop a teacher evaluation and support program, evaluate teachers and provide reports as specified.

**Enactment:** 1974, P.A. 278

**Amendments:** P.A. 77-27 - amended Subsec. (b) to make provisions generally applicable rather than specific to January 1, 1975, report.

P.A. 82-74 - amended Subsec. (b) to require boards of education to file triennial rather than annual reports on teacher evaluation programs.

P.A. 87-2 - amended Subsec. (a) to require a review of the guidelines and in Subsec. (b) substituted the fifteenth of June, 1989, for January first of 1983 and provided for monitoring teacher evaluation programs by the department of education.

P.A. 89-26 - amended the definition of "teacher" in Subsec. (a) to include the word "professional" and deleted an obsolete provision re a review and revision of guidelines not later than May 15, 1987.

P.A. 90-324 - in Subsec. (b) deleted reference to the program submitted pursuant to repealed Sec. 10-155ee.

P.A. 91-220 - in Subsec. (b) changed "triennial" to every five years re reports on teacher evaluation programs.

P.A. 93-353 - amended Subsec. (b) to substitute requirement that the report be submitted in accordance with Sec. 10-220 instead of every five years, to specify that the programs be consistent with the plan developed in accordance with the provisions of Sec. 10-220a and made technical changes.

P.A. 95-58 - amended Subsec. (a) to specify areas to be included in evaluations.

P.A. 95-182 - amended Subsec. (b) to delete requirement that report on teacher evaluation program be used to monitor program implementation.

P.A. 00-220 - amended Subsec. (b) to make a technical change.

P.A. 04-137 amended Subsec. (a) by adding provision re claims of failure to follow procedures of evaluation programs, effective May 21, 2004.

P.A. 10-111 - Sec. 4 amended Subsec. (a) to require that the evaluation of teachers also consider multiple indicators of student academic growth.

P.A. 11-135, Sec. 7 & 9, reduce the existing mandate in Subsec. (a) by eliminating the requirement that teacher evaluation be continuous.

P.A. 12-116, Sec. 51 requires the board of education to annually report to the Department of Education regarding the status of teacher evaluation implementation.

P.A. 12-2, June Special Session, Sec. 2 modifies the change made by PA 12-116.

**Estimated Cost Characterization:** Minor

10-151e Disclosure of teacher records for purposes of an investigation of child abuse or neglect. - Requires a school district to provide a teacher's employment records to the Dept. of Children & Families when requested for an investigation of suspected child abuse or neglect by a teacher.

**Enactment:** 2011, P.A. 11-93, Sec. 12

**Estimated Cost Characterization:** Minor

10-151h Training and orientation programs for educators re teacher evaluation and support program. - Requires local and regional boards of education to train evaluators and provide orientation for all current and new teachers regarding the teacher evaluation and support program.

**Enactment:** 2012, P.A. 12-116, Sec. 54

**Estimated Cost Characterization:** Minor

10-153d

Meeting Between Board Of Education And Fiscal Authority Required. Duty To Negotiate. Procedure If Legislative Body Rejects Contract. - Requires local or regional boards of education to meet with the authority making appropriations (board of finance or board of selectmen) in each town or city prior to negotiations with teacher unions. Copies of the negotiated contract must be filed with the town clerks and the commissioner of education. The clerks must then file public notice of the contract. Requires the two parties to use the arbitration process in a manner prescribed by this section, if the legislative body rejects the contract.

**Enactment:** 1965, P.A. 298

**Amendments:** 1967, P.A. 752 - substituted "town" for "local" boards of education and included provision for equal access to mailboxes and school facilities.

1969, P.A. 811 - added detailed provisions re adoption and implementation of contracts.

P.A. 73-391 - required town clerk to give public notice of filing of contract.

P.A. 76-403 - inserted Subsec. (a) re role of municipal appropriations making authority in negotiation process, made former provisions (Subsec. (b) and included in Subsec. (b) requirement that negotiations commence at least one hundred eighty days before budget submission date and requirement that copies of contracts be filed with secretary of state board as well as with town clerk(s) and modified provision re equal access and right to participate in discussion so that all have right to equal access, and discussion participation right applies only where no exclusive representative has been designated whereas previously equal access and discussion participation rights were allowed to all only when no exclusive representative was designated, deleting details of what is involved in duty to negotiate and prohibition of interference with employees by board of education or its representatives, agents, etc.

P.A. 77-614 - substituted commissioner of education for secretary of the state board of education, effective 1/1/79.

P.A. 78-84 - amended Subsec. (b) re required vote for rejection in petitioned vote on contract.

P.A. 78-218 - substituted "local" for "town" board of education.

P.A. 83-72 - added Subsec. (c) concerning procedure to be followed if the legislative body rejects contract negotiated by board of education and exclusive bargaining representative.

P.A. 84-225 - changed minimum voter turnout from fifteen percent of those eligible to vote to fifteen percent of electors.

P.A. 87-250 - amended Subsec. (b) to provide that the parties have the duty to negotiate with respect to hours , and defined "hours".

P.A. 89-233 - in Subsec. (b) added Subdiv. (1) designation and new Subdiv. (2) re establishment or provisions of retirement incentive plans as not included in "other conditions of employment".

P.A. 92-84 - amended Subsec. (b) to require negotiations to commence not less than two hundred fifty days, rather than one hundred eighty days, prior to the budget submission date.

P.A. 92-170 - amended Subsec. (b) to change two hundred forty days to two hundred ten days and amended Subsec. (c) to change the eighty-fifth day to the one hundred thirty-fifth day, effective May 26, 1992, and applicable to arbitration proceedings commencing on or after that date.

P.A. 96-244 – made a technical change in Subsec. (b), deleting reference to Secs. 10-257b to 10-257e, inclusive, repealed elsewhere in the act.

**Estimated Cost Characterization:** Minor

10-153f

Mediation And Arbitration Of Disagreements. - Requires collective bargaining and provides mandatory binding arbitration to resolve all impasses involving teacher collective bargaining negotiations related to existing contracts.

**Enactment:** 1965, P.A. 298

**Amendments:** 1969, P.A. 811 - inserted new Subsec. (a) re appointment of arbitration panel, made former Subsec. (a) new Subsec. (b) and clarified secretary of state board's role in mediation procedure, deleted former Subsec. (b) except for provision that arbitrators' decision is advisory and not binding which was incorporated into otherwise new provisions of Subsec. (c) re selection of arbitrators, hearings, decisions, and payment of arbitrators' fees and added Subsec. (d) re general powers and duties of secretary and arbitration.

P.A. 76-403 - deleted provisions in Subsec. (a) which had given only temporary existence to arbitration panel, amended Subsec. (b) to require mediation if agreement not reached within one hundred twenty days of budget submission date, to allow parties to select mediator themselves, to provide per diem payment, to require confidentiality of communications and to require that secretary's recommendation be made within thirty days of beginning of mediation, amended Subsec. (c) to include specific timetable for actions, inserted new Subsecs. (d) and (e) concerning recommencement of negotiation upon failure of arbitration or rejection of contract and secretary's power to meet with group involved and designated former Subsec. (d) as Subsec. (f).

P.A. 77-614 and P.A. 78-303 - substituted commissioner of education for secretary of state board of education and specified that arbitration panel is within department of education under Subsec. (a) effective January 1, 1979.

P.A. 79-405 - amended Subsec. (a) to change number of panel members from twenty-five to fifteen and specified that five each shall represent boards of education, bargaining representatives and the general public, amended Subsec. (c)(a) to require that third member of three member panel represent interests of general public, amended Subsec. (c)(4) to make decisions final and binding rather than advisory and to include provisions concerning points of agreement and last best offer, added Subdiv. (7) in Subsec. (c) re judicial review, deleted former Subsecs. (d) and (e) and designated Subsec. (f) as Subsec. (d).

P.A. 83-72 - amended Subsec. (a) to increase size of arbitration panel from fifteen to twenty one by increasing each group of representatives from five to seven, to add provisions re arbitrator remaining in office until successor is appointed and requiring arbitrator not reappointed to complete any matter for which he was selected or appointed and to authorize governor to fill vacancies in a manner provided in Sec. 4-19, amended Subsec. (b) to decrease from one hundred twenty to one hundred ten days the length of time parties have to reach settlement prior to initiating mediation, to allow parties to select mediator from outside panel and to decrease from thirty to twenty five the number of days commissioner may recommend a settlement to parties and amended Subsec. (c) to require that report made to commissioner on settlement or lack of settlement be made in eighty five days rather than ninety days, to specify that chairperson of arbitration Panel has between seventh and fifteenth day after designation to set date, time and place for hearing to be held rather than on tenth day to increase hearing duration from twenty to twenty-five days, and to specify that panel has twenty rather than fifteen days to render a decision in writing.

P.A. 83-342 - amended Subdiv. (7) of Subsec. (c) to provide for awarding of reasonable attorney's fees, costs and legal interest on money withheld as the result of an appeal of the decision of the arbitrators or single arbitrator.

P.A. 84-459 - amended Subdiv. (4) of Subsec. (c) to require that the written decision of the arbitrators contain a narrative explaining the evaluation by the arbitrator of the evidence presented for each item upon which a decision was rendered.

P.A. 85-343 - increased number of panel members from twenty-one to twenty-three, adding two additional public members and added provision in Subsec. (c) re random designation of arbitrator by commissioner.

May Sp. Sess. P.A. 86-1 - in Subsec. (a) increased the number of impartial representatives on the arbitration panel from nine to fifteen, required that such representatives be state residents and have certain experience and substituted a panel of labor arbitrators submitted by the America Arbitration Association for a list submitted by the state board of education in Subdiv. (1) of Subsec. (c) provided that the commissioner designate rather than the arbitrator's select third arbitrator.

P.A. 87-206 - amended Subsec. (a) to change the number of impartial representatives on the panel from fifteen to "not less than ten nor more than fifteen" and to substitute lists of names submitted by the state board of education for a panel of labor arbitrators submitted by the American Arbitration Association and in Subdiv. (1) of Subsec. (c) provided that the arbitrators select rather than the commissioner designate a third arbitrator, unless the arbitrators fail to agree on the selection of a third within five days, that the parties notify the commissioner of the name of the third arbitrator and that any recommendation or selection by the commissioner of an impartial arbitrator be made at random, deleted provision that each party may refuse to accept one designated member.

P.A. 87-250 - added Subsec. (e) re negotiations during the term of an agreement.

P.A. 90-325 - in Subsec. (c) provided that if the parties agree to submit their dispute to a single arbitrator the commissioner of education, rather than the parties, shall select the arbitrator and if the parties agree to submit the dispute to three arbitrators the commissioner, rather than the arbitrators shall select the third arbitrator, and in Subdiv. (2) provided that the chairperson or single arbitrator be selected rather than designated and required that at the hearing a representative of the fiscal authority be heard, unless such opportunity is waived, in Subdiv. (4) added that the decision state certain matters with particularity and that it incorporate an explanation of how the total costs of all offers was considered, and added new Subsec.(f) re adoption of regulations concerning the method by which names of persons who are impartial representatives of the interests of the public in general are placed on lists for appointment to the arbitration panel.

P.A. 91-352 - in Subsec. (c)(4) expanded the factors to be considered by arbitrators to include offers and range of discussion prior to the arbitration and financial capability of town or towns in school district and to specify that changes in cost of living be averaged over preceding three years.

P.A. 92-84 - amended Subsec. (a) to require a term of two years for each member of the panel, replacing terms concurrent with that of the governor, amended Subsec. (b) to require the commissioner to order the parties to report settlement or commence mediation on the one hundred seventieth day, rather than one hundred tenth day, prior to the budget submission date, and amended Subsec. (c) to change the date by which the commissioner shall order the parties to report settlement or submit their dispute to arbitration from the eighty-fifth to the one hundred forty-fifth day prior to the budget submission date in Subdiv. (1), to move provision requiring the arbitrators or the single arbitrator to give priority to the public interest and the financial capability of the town or towns in the school district in arriving at a decision and to require consideration of development in private sector wages and benefits, to delete provisions that the arbitration decision shall not be subject to rejection by the legislative body or by referendum from Subdiv.(4) and to add Subdiv. (7) providing for rejection of any issue in the decision of the arbitrators or single arbitrator by the legislative body of the local or regional school district.

P.A. 92-170 - amended Subsec. (b) to change one hundred seventieth to one hundred sixtieth day, and amended Subsec. (c) in Subdiv. (1) to change forty fifth to thirty fifth day, in Subdiv. (2) to change seventh and fifteenth to fifth and twelfth, in Subdiv. (4) to remove language prohibiting rejection by the legislative body of the school district and in Subdiv. (7) to add language concerning rejection in cases of regional school districts, to change thirty to twenty-five days, to require the employee unit to prepare and submit a written response , to change the requirement that the arbitrators be members of the of the American Arbitration Association to labor relations arbitrators approved by the association and residents of Connecticut, to limit the review to the criteria set forth in Subdiv. (4), to remove language allowing the arbitrators to render an award somewhere in between the last best offers, to require the decision to be in writing, to include specific reasons and standards used, and to be filed with the parties, and to add language concerning the town meeting, effective March 26, 1992 and applicable to arbitration proceedings commencing on or after that date.

P.A. 97-177 amended Subdiv. (1) of Subsec. (c) to add requirement for notification to the commissioner to include the name of the arbitrator if there is agreement on a single arbitrator or agreement on the third arbitrator and provisions re lack of agreement on the arbitrator, and amended Subdiv. (4) of Subsec. (c) to add provision re an irrebuttable presumption that a budget reserve of five per cent or less is not available for payment of the cost of any item subject to arbitration under this chapter.

P.A. 98-252 amended Subdiv. (1) of Subsec. (c) to give the parties five days to notify the commissioner of the name of the single arbitrator in cases in which there is no settlement and the parties have agreed to submit their dispute to a single arbitrator.

P.A. 00-204 amended Subsec. (a) to add the provisions relating to minorities and the lists of names submitted to the Governor.

P.A. 00-220 amended Subdiv. (2) of Subsec. (c) to require the notice to the fiscal authority to be sent by registered mail, return receipt requested.

**Estimated Cost Characterization:** Major

10-153g Negotiations Concerning Salaries, Hours And Other Conditions Of Employment Unaffected By Special Acts, Charters, Ordinances. - Applies the provisions of sections 10-153a to 10-153n, inclusive, to negotiations concerning salaries, hours and other conditions of employment conducted by boards of education.

**Enactment:** 1969, P.A. 811

**Amendments:** P.A. 83-72 - amended internal reference to include all statutory provisions concerning negotiations, Secs. 10-153a to 10-153n, inclusive.

P.A. 87-250 - included hours as a subject of negotiations to which the provisions of Secs. 10-153a to 10-153n, inclusive, shall apply.

**Estimated Cost Characterization:** Major

10-153k Teacher Negotiation Act Applies To Incorporated Or Endowed High School Or Academies. - Applies the provisions of sections 10-153a to 10-153n, inclusive, to all certified professional employees of an incorporated or endowed high school or academy.

**Enactment:** 1979, P.A. 504

**Amendment:** P.A. 83-72 - applied all statutory provisions concerning teacher negotiation act, Secs. 10-153a to 10-153n, inclusive, to certified employees of incorporated or endowed high school or academies.

**Estimated Cost Characterization:** Major

10-153l Applicability Of Employment Of Teachers Statute And Teacher Negotiation Law To Incorporated Or Endowed High Schools Or Academies. - Requires that the provisions of 10-153k become effective only after a majority of covered employees vote to come under the provisions of said sections.

**Enactment:** 1979, P.A. 504

**Estimated Cost Characterization:** Moderate

10-153m Payment of Attorney's Fees In Proceedings To Vacate Or Confirm Teacher Grievance Arbitration Awards. - Where the board of education moves to vacate an arbitration award and the award is not vacated, the court may award reasonable attorney's fees and costs to the teacher, and where the teacher moves to confirm an award, if the board of education refuses to stipulate to such confirmation and if the award is confirmed, the court may award reasonable attorney's fees and costs to the teacher.

**Enactment:** 1980, P.A. 192

**Estimated Cost Characterization:** Moderate

10-153n Applicability Of Employment Of Teachers Statute And Teacher Negotiation Law To The Gilbert School In Winchester. - Applies the provisions of section 10-151, as it pertains to the employment of certified professional employees, to such employees at the Gilbert School in Winchester.

**Enactment:** 1982, P.A. 225

**Amendments:** P.A. 82-472 - specified applicability of Sec. 10-151 provisions.  
P.A. 83-72 - incorporated references to all statutory provisions concerning teacher negotiation law, Secs. 10-153a to 10-153m, inclusive.

**Estimated Cost Characterization:** Minor

10-156 Sick Leave. - Requires local and regional boards of education to grant each certified professional employee fifteen school days of paid sick leave each school year, with the unused portion to accumulate from year to year, in a manner prescribed by this section.

**Enactment:** 1955, Supp. 940d

**Amendments:** 1963, P.A. 353 - added regional school districts, increased annual sick leave from ten to fifteen days and minimum cumulative leave from sixty to seventy-five days.  
1965, P.A. 130 - increased minimum cumulative sick leave to ninety school days.  
1967, P.A. 247 - increased minimum cumulative sick leave to one hundred twenty days.  
1969, P.A. 213 - increased minimum cumulative sick leave to one hundred fifty days.  
P.A. 78-218 - substituted "local" for "town" boards of education and dropped reference to school district.

**Estimated Cost Characterization:** Moderate

10-156a Duty Free Lunch Period. - Requires local and regional school districts to give each certified professional employee a duty free lunch period.

**Enactment:** 1967, P.A. 465

**Amendments:** P.A. 78-218 - specified applicability to employees of local or regional boards of education.  
P.A. 87-250 - provided that the lunch period be scheduled as a single period of consecutive minutes.

**Estimated Cost Characterization:** Minor

10-156c Military Leave. - Requires local and regional boards of education to allow any certified professional staff who is a member of the reserve corps of any branch of the armed forces to take their required field training, up to 30 days a year, and not be subjected to any loss or reduction of vacation or holiday privileges or loss of seniority.

**Enactment:** 1969, P.A. 788

**Amendment:** P.A. 78-218 - specified applicability to employees of local or regional boards of education and to both male and female reservists.

**Estimated Cost Characterization:** Minor

10-156d Reemployment After Military Leave. - Requires local and regional boards of education to reemploy, in a manner and under conditions specified by this section, certified professional staff who left employment to join the armed forces.

**Enactment:** 1969, P.A. 788

**Estimated Cost Characterization:** Minor

10-157 Superintendents: Relationship To Local Or Regional Board Of Education; Verification Of Certification Status; Written Contract Of Employment; Evaluation Of Superintendent By Board Of Education. - Requires every local or regional board of education to hire a superintendent to provide for the supervision of the schools under its control, in a manner prescribed by this section.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-218 - specified applicability to local and regional boards of education rather than town boards and deleted references to supervising agents.

P.A. 81-196 - clarified the rights and responsibilities of superintendents of schools and the employing board of education by specifying that superintendent is the chief executive officer of the board and has executive authority over the school system, that board must provide the superintendent with a written contract of employment or re employment if the superintendent so requests and that board shall evaluate the superintendent annually in accordance with guidelines mutually agreed to by the board and the superintendent.

P.A. 85-54 - added requirement that no person assume duties and responsibilities of superintendent until hiring board receives confirmation from commissioner that person is properly certified, and added provision allowing certified or uncertified person as acting superintendent with commissioner's approval as Subsec. (b).

**Estimated Cost Characterization:** Minor

#### *TEACHERS' RETIREMENT SYSTEM*

10-183n Duties Of Teachers' Employers. Transmission Of Deductions. - Requires the employers of teachers to notify them about the Teacher Retirement System, to distribute, post or otherwise disseminate all information supplied by the Teacher's' Retirement Board, report to the board upon demand, and make proper deductions from teachers' salaries and transmit such amount to the board. The employer shall be fined 9% for all amounts deducted but not received by the board.

**Enactment:** 1978, P.A. 208

**Amendments:** P.A. 82-218 - replaced board of higher education with board of governors pursuant to reorganization of higher education system, effective March 1, 1983.

P.A. 83-462 amended Subsec. (a) to provide that each employer shall distribute to teachers any notice, bulletins, etc. supplied by the board for purpose of notifying teachers of rights and obligations under the system and amended Subsec. (b) to provide that amounts deducted by

employer are the property of the system and person in custody of such amounts is a fiduciary and shall discharge his responsibilities solely for the benefit of the system.

P.A. 84-241 added "of higher education" to board of governors' title.

P.A. 92-205 amended Subsec. (a) to increase monthly deduction from six per cent of one-tenth of annual salary rate to seven per cent of one-tenth of annual salary rate.

May Sp. Sess. P.A. 92-14 changed effective date of P.A. 92-205, S. 2 from June 10, 1992, to July 1, 1992.

P.A. 00-187 amended Subsec. (b) to provide for the reporting of deducted amounts, to change the time frame for the receipt of the funds by the board from the last business day of the month to the fifth business day of the following month, to require the electronic transfer of funds on and after July 1, 2001, to change the time frame for determining if the board is entitled to interest on overdue payments from payments not received within one calendar month of the due date to payments not received by the fifth business day of the following month, and to provide for interest at a rate of nine per cent per year to be compounded annually on the interest assessed from the date payment is received to the date the interest assessment is paid.

**Estimated Cost Characterization:** Minor

#### *SCHOOL ATTENDANCE AND EMPLOYMENT OF CHILDREN*

10-184 Duties Of Parents. School Attendance Age Requirements. - Requires each local or regional school districts to provide parents, who have given their consent to allow their children to withdraw from school before the age of eighteen, information on the educational options available in the school system and in the community.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 198 - act deleted requirement that private instruction be given during hours and terms of public school sessions.

P.A. 78-218 substituted "seven years of age and over" for "over seven".

P.A. 86-333 deleted exception for employed children over fourteen years of age.

P.A. 98-243 changed age requirement for school attendance from age seven to age five and added provisions relating to parent option to send children to school at a later age.

June Sp. Sess. P.A. 98-1 made a technical change.

P.A. 00-157 changed the mandatory attendance age from sixteen to eighteen and added requirement that school districts provide information on educational opportunities to parents who consented to their children withdrawing from school before the age of eighteen.

PA 09-6 (September Special Session) added that a guidance counselor or school administrator must attest on a withdrawal form that a parent or other person having control of a child sixteen or seventeen years of age consenting to such child's withdrawal from school has been provided with information on the educational options available in the school system and in the community.

**Estimated Cost Characterization:** minor

10-184a Refusal of certain parents to consent to use of special education programs or services. – requires a board of education providing special education programs or services for a child in a private school to comply with the Individuals with Disabilities Education Act.

**Enactment:** 1994, P.A. 94-245, Sec. 5

**Amendments:** P.A. 12-173, Sec. 5 created the mandate.

**Estimated Cost Characterization:** Minor

Duties Of Local And Regional Boards Of Education Re School Attendance. Hearings. Appeals To State Board. Establishment Of Such Board. - Requires each local or regional board of education to furnish, by transportation or otherwise, school accommodations so that school age children may attend public school and specifies criteria and duration for exceptions. Any school board which denies accommodations must inform students of their right to a hearing, and then hold such hearing, if requested, in a manner prescribed by this section.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 463 - act required school accommodations for children over five and under twenty-one who have not graduated from high or vocational school or are not otherwise legally excluded, rather than for those over six and under sixteen.

P.A. 75-639 - included regional school districts, deleted reference to children "not otherwise legally excluded from school", required stenographic or taped record of hearings, required provision of transcript to aggrieved parties upon request and allowed overturn of local or regional board's findings only when determined by state board to be "arbitrary, capricious or unreasonable".

P.A. 78-218 - substituted "local" for "town", "board of education" for "school district" and "five years of age and over" for "over five".

P.A. 79-292 - transferred duties formerly performed by state board and its members to established hearing board and added Subsecs. (b) and (c) re persons excluded from hearing board and members' reimbursement and re transcript copies for interested parties in event of appeal.

P.A. 80-175 - allowed emancipated minors or pupils eighteen or older to take action allowed parents or guardians under section.

P.A. 81-215 - added exception re provisions of Sec. 10-233d to requirement that boards of education furnish transportation under Subsec. (a).

P.A. 83-119 - amended Subsec. (a) to permit board of education to suspend transportation services, see Sec. 10-233c.

P.A. 85-384 - amended Subsec. (a) to require a copy of each notice of appeal to be filed simultaneously with the local or regional board of education and the state board of education to require that within ten days after receipt of such notice, the local or regional board must forward the hearing record to the state board, to require verbatim record of all formal hearing sessions, to require hearing board to render decision within forty-five days of receipt of the notice of appeal unless extension requested and granted, and to reduce deadline for providing for child deprived of schooling from thirty to fifteen days and to increase penalty from two dollars and twenty-five cents per child per week to fifty dollars per child per day.

P.A. 86-303 - restructured Subsec. (a) and transferred the provisions of Subsec. (b) to Subdiv. (2) of Subsec. (a) and substantially revised the section to place new obligations on boards of education when school accommodations are denied, to make special provisions when a denial is based on residency, to specify the burden of proof in a hearing under the section, to describe the powers of the hearing board, to provide for the assessment of tuition, and to make other procedural and technical changes.

P.A. 88-317 - amended reference to Secs. 4-177 to 4-180 in Subsec. (b)(1) to include new sections added to Ch. 54, effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.

P.A. 92-170 - amended Subdiv. (1) of Subsec. (b) to add the exception for residency disputes.

P.A. 92-262 - amended Subsec. (c) to allow the state board to charge for the copy rather than to provide it at the board's expense.

P.A. 96-26 - added Subsec. (d) allowing denial of school accommodations for up to ninety days to a child sixteen years of age or older who voluntarily terminated enrolment and seeks readmission.

P.A. 96-161 - gives the board of education the choice of holding the hearing itself, designating a three-member subcommittee of the board or establishing a local impartial hearing board consisting of one or more members who are not members of the school board.

P.A. 96-244 amended Subsec. (a) to add provision allowing a child determined pursuant to Subdiv. (2) to be attending school in a town other than his own to remain in the school he is attending until the school year is completed.

P.A. 97-31 changed provision in Subsec. (a) re residence for dwellings located in more than one town to provide for residency for purposes of school accommodations in each such town.

P.A. 09-6 (September Special Session) added Subsec. (d)(1) that, for the 2010 school year, a school district cannot deny school accommodations for up to ninety days to a child sixteen years of age or older who voluntarily terminated enrollment in a school district and subsequently seeks readmission within ten school days after such termination; and Subsec. (d)(2) that, beginning in the 2011 school year, a school district can only deny school accommodations for up to ninety days to a child seventeen years of age or older who voluntarily terminated enrollment in a school district and does not seek readmission within ten school days after such termination.

P.A. 11-115, Sec. 1 amended existing mandate by requiring a school district to immediately enroll any student who transfers from Unified School District #1 or Unified School District #2 and, if the student is returning to the previously attended school district, the student must be enrolled in the school previously attended if it has the appropriate grade level.

**Estimated Cost Characterization:** minor

10-193

Certificate Of Age For Minors In Certain Occupations. - Requires the superintendent of schools for any local or regional board of education to furnish to any person seeking to employ a minor under the age of 18, in certain occupations, a certificate showing the age of the minor.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-218 - substituted "local" for "town", "board of education" for "school district" and appropriate nouns for personal pronouns.

P.A. 85-308 - deleted former Subsec. (b) concerning certificates showing age of persons over age eighteen and under age twenty-one issued to certain prospective employers, relettering former Subsec. (c) accordingly.

P.A. 88-360 - in Subsec. (a) added Subdiv. designations, substituted "sixteen years of age or older" for "more than sixteen years of age" and substituted fifteen for sixteen years of age or older as the age which the certificate must show for a minor under eighteen who is to be employed in a mercantile establishment.

**Estimated Cost Characterization:** Minor

10-198a

Policies And Procedures Concerning Truants. - Requires each local and regional board of education to adopt and implement policies and procedures concerning truants and habitual truants in their school system, in a manner prescribed by this section. These policies must include a requirement that the superintendent file a written complaint with the Superior Court under the Families With Service Needs law if the parents do not attend the required meeting with appropriate school personnel to evaluate why the child is truant or fail to cooperate with the school in trying to solve the child's truancy problem. Also, requires the boards of education to report annually to the state department of education on the number of habitual truants, on a school by school basis.

**Enactment:** 1990, P.A. 240

**Amendments:** P.A. 90-325 - Makes act effective July 1, 1991.

P.A. 91-303 - limited the provisions of the section to children enrolled in a grade from kindergarten to grade eight, inclusive, in Subsec. (a) changed the definition of habitual truant, in Subsec. (b) inserted new Subdiv. (2) requiring coordination of services with and referrals to community agencies providing child and family services and renumbered the remaining Subdivs.,

in Subsec. (d) added requirement that the reports be on a school by school basis and limited the reports to information on habitual truants rather than children with unexcused absences, and added Subsec. (f) exempting children receiving equivalent instruction from provisions of section.

P.A. 95-304 - In Subsec. (a) changed the definition of truant, in Subsec. (c) requires the superintendent file a written complaint with the Superior Court under the Families With Service Needs law if the parents do not attend the required meeting with appropriate school personnel to evaluate why the child is truant or fail to cooperate with the school in trying to solve the child's truancy problem, deleted Subsec. (d) and renumbered remaining Subsecs.

P.A. 98-243 – amended Subsec. (a) to lower the age from seven to five.

P.A. 00-157 – amended Subsec. (a) to change “sixteen” to “eighteen”.

**Estimated Cost Characterization:** Minor

10-200 Habitual Truants. - Requires the police to arrest any child between the ages of seven and eighteen that has no job and is not attending school who are found anywhere beyond the control of their parents or guardians during the usual school hours of the school terms.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-218 - replaced masculine personal pronouns with "such child".

P.A. 95-304 - added new definition of "habitual truant", formerly defined in Sec. 10-198a. P.A.

98-243 lowered the age from seven to five.

P.A. 00-99 deleted reference to sheriffs and deputy sheriffs.

P.A. 00-157 changed the age from "sixteen" to "eighteen" in three places.

**Estimated Cost Characterization:** Minor

10-202e Policy On Dropout Prevention - Requires the state board of education to develop a state policy on dropout prevention. The policy would include local identification of students who are at risk of dropping out of school and the development, expansion and coordination of local services to such students.

**Enactment:** 1987, P.A. 423

**Estimated Cost Characterization:** Minor

### *SCHOOL HEALTH AND SANITATION*

10-203 Sanitation. - Requires each local and regional board of education to maintain school facilities in accordance with the applicable public health statutes and regulations adopted by the commissioner of public health.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - substituted department of health services for state department of health, effective January 1, 1979.

P.A. 78-218 - substituted "school district" for "town" in provision describing location of schoolhouses needing sanitary improvements and specified that local and regional boards may make complaint to health services department, deleting reference to town boards.

P.A. 88-136 deleted reference to schoolhouse privies.

P.A. 93-381 - replaced department of health services with department of public health and addiction services.  
P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.  
P.A. 96-244 - substituted the specific requirements with the more general requirement for each local and regional board of education to maintain school facilities in accordance with the applicable public health statutes and regulations adopted by the commissioner of public health.

**Estimated Cost Characterization:** Minor

10-204a

Required Immunizations. - Requires all boards of education to collect and report immunization data on each child in the school system. Requires the town, upon the recommendation of the board of education, to pay for the immunization when the parents or guardians are unable to pay for it themselves.

**Enactment:** 1959, P.A. 588

**Amendments:** 1969, P.A. 42 - act allowed board of education to require measles immunization unless child entering school is certified to have had measles.  
P.A. 73-510 made measles immunization requirement mandatory by substituting "shall" for "may" but retained optional aspect re board's requiring polio vaccination and added Subsec. (b) re effective date.  
P.A. 77-52 included rubella in mandatory immunization provision and deleted Subsec. (b).  
P.A. 78-165 replaced former provisions with new requirements for various vaccinations and conditions under which exceptions allowed, applicable to local and regional boards of education and governing bodies of nonpublic schools.  
P.A. 78-218 was not enacted because P.A. 78-165 took precedence.  
P.A. 81-139 amended Subsec. (a) to require immunization against mumps.  
P.A. 84-46 amended Subsec. (a) to delete the exemption from rubella immunizations for any child who has passed his twelfth birthday or who presents a doctor's certificate stating that immunization is medically contraindicated.  
P.A. 91-327 added hemophilus influenzae type B and any other vaccine required by the department of health services to the mandatory immunization provisions and required a second immunization against measles before seventh grade.  
P.A. 93-381 replaced department and commissioner of health services with department and commissioner of public health and addiction services.  
P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.  
P.A. 96-244 made technical changes in Subsec. (a).  
P.A. 98-252 amended Subsec. (a) to add provision for the town to pay for the cost of immunizations if parents are unable to pay.

**Estimated Cost Characterization:** Minor

10-205

Appointment Of School Medical Advisors. - Requires each local or regional board of education of any town with a population of 10,000 or more to appoint at least one school medical advisor, in a manner prescribed by this section. The boards must provide the medical advisors with adequate facilities to conduct their duties.

**Enactment:** Prior to 1949

**Amendments:** 1972 P.A. 239 - act added provisions concerning town director of health serving as chief medical adviser for schools.

P.A. 80-440 substituted local or regional board of education for town and town board references, made designation of director of health contingent upon board's decision with director's approval and chief executive officer's consent rather than contingent upon chief executive officer's decision after consultation with board, made health programs not subject to approval by state board of education and deleted provision concerning consultation between director and town board re functions and duties of medical advisers.

**Estimated Cost Characterization:** Minor

10-206

Health Assessments. - Requires local or regional boards of education to provide health assessments, pursuant to the provisions of this section. The results of each pupil's assessment shall be kept on file in the school the pupil attends. If it is determined after these assessments that the pupil needs further testing or treatment, the superintendent of schools must give the parent or guardian of the child written notice and must make reasonable efforts to assure that such further testing or treatment as provided. This bill requires boards of education, starting with the 2003-04 school year, to include a chronic disease assessment within the health assessment for each child prior to enrollment, for the 6<sup>th</sup>/7<sup>th</sup> grade health assessment and the 10<sup>th</sup>/11<sup>th</sup> grade health assessment, in a manner specified by this section. Also, starting in February 2004, the boards must report, on an annual basis, the number of students diagnosed with asthma. The section requires boards of education to report to the local health director and the Department of Public Health the total number of students per school with asthma, in a manner specified by this section.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-218 - replaced former provisions concerning examinations of female children with similar provisions applicable to examination of any child.

P.A. 80-440 - substituted "health assessment" for "health examination", deleted requirement for assessments at three-year intervals, required parent's or guardian's presence at examination, required that prior written notice be given to parent or guardian, deleted provisions concerning health records and added Subsecs. (b) to (e), re required assessments, recording of results and review.

P.A. 85-80 - amended Subsec. (a) to allow a local or regional board to deny continued attendance in public school to any child who fails to obtain the required health assessments.

P.A. 91-327 - amended Subsec. (b) to replace tests for lead paint poisoning with tests for lead levels in the blood.

P.A. 94-103 amended Subsecs. (a), (b), (c) and (d), to add provision regarding the duties of registered nurses, advanced practice registered nurses and physician assistants.

P.A. 98-252 amended Subsecs. (b) and (c) to make technical changes.

June Special Session, P.A. 01-4 – added sections re chronic disease assessments and annual report on the number of students with asthma.

June Sp. Sess. P.A. 01-9 eliminated provision re licensed natureopaths and persons licensed to practice chiropractic, effective July 1, 2001;

P.A. 04-221 amended Subsec. (d) by requiring that form be completely filled out by physician, nurse or physician assistant, effective July 1, 2004.

P.A. 05-272 – added provision that required report on students with asthma to the local health director and the Department of Public Health.

**Estimated Cost Characterization:** Minor

10-206a

Free Health Assessments. - Requires all boards of education to provide free health assessments to pupils whose parents or guardians meet eligibility requirements of the National School Lunch and special milk programs.

**Enactment:** 1980, P.A. 440

**Estimated Cost Characterization:** Minor

10-206b Tests For Lead Levels In Head Start Programs. - Requires the directors of head start programs to see that all the children in their programs are tested for lead levels in their blood.

**Enactment:** 1991, P.A. 327

**Estimated Cost Characterization:** Minor

10-209 Records Not To Be Public. Provision Of Reports To Schools. - Requires boards of education annually to designate a representative to receive from the health care provider and maintain the health assessment reports on each student in the schools.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 545 - act added psychological examinations;  
P.A. 80-440 substituted "sections 10-205, 10-206, 10-207 and 10-214" for "sections 10-205 to 10-207, inclusive";  
P.A. 03-211 designated existing provisions as Subsec. (a) and added Subsec. (b) re provision of reports to schools, effective July 1, 2003 and added requirement for boards of education annually to designate a representative to receive from the health care provider and maintain the health assessment reports on each student in the schools.

**Estimated Cost Characterization:** Minor

10-212 School Nurses And Nurse Practitioners. - Requires local and regional boards of education to appoint one or more qualified school nurses or nurse practitioners and to conduct criminal background checks on them.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-218 - specified applicability of section to local and regional boards of education.

P.A. 80-440 - made appointment of school nurses mandatory rather than optional and required them to be "qualified pursuant to regulations adopted in accordance with chapter 54" by state board of education with advice of health services department.

P.A. 93- 381 replaced department of health services with department of public health and addiction services.

P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health;

June Sp. Sess. P.A. 01-4 - designated existing provisions as Subsec. (a) and added Subsec. (b) re administration of medications by parents or guardians on school grounds, effective July 1, 2001;

P.A. 03-211 amended Subsec. (a) by substituting requirement that the State Board of Education adopt regulations in consultation with the Department of Public Health for requirement that regulations be adopted with technical advice and assistance of the Department of Public Health, effective July 1, 2003;

P.A. 04-181 added Subsec. (c) re criminal history records checks, effective June 1, 2004.

**Estimated Cost Characterization:** Minor

10-212a

Administration Of Medicines By School Personnel. - Requires each school board to adopt written policies and procedures for administering medication in schools. Where any controlled drug is administered, the school must keep such records as required by hospitals under the provisions of section 21a-254 and to store those drugs in a manner required by the commissioner of health services.

**Enactment:** 1969, P.A. 723

**Amendments:** P.A. 74-86 substituted "in the absence of such nurse" for "in her absence" in Subsec. (a).

P.A. 77-101 included reference to Subsec. (h) of Sec. 19-461 in Subsec. (b).

P.A. 78-99 substituted commissioner of health services for public health council in Subsec. (a) and allowed nurses to administer drugs on prescription of physicians licensed in states other than Connecticut.

P.A. 78-303 substituted commissioner of health services for public health council in Subsec. (b).

P.A. 79-560 and P.A. 79-631 included reference to Subsec. (h) of Sec. 19-461 in Subsec. (b).

P.A. 84-498 permitted licensed practical nurses to administer medicinal preparations in a school and required all such preparations to be administered under the general supervision of a school nurse and added reference to dentist's prescriptions.

P.A. 88-360 in Subsec. (a) provided for the administration of aspirin, ibuprofen or an aspirin substitute containing acetaminophen.

P.A. 90-85 amended Subsec. (a) to delete language allowing a nurse, principal or teacher to administer aspirin, ibuprofen or an aspirin substitute containing acetaminophen to a student pursuant to a written commissioner of health services with commissioner of public health and addiction services.

P.A. 94-103 amended Subsec. (a) to add provision regarding nurses in school-based health clinics.

P.A. 94-213 amended Subsec. (a) to add reference to prescriptions by advanced practice registered nurses and physician assistants.

P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995. June Sp. Session

P.A. 99- 2 - amended Subsec. (a) by adding coaches to list of who may administer drugs and added Subsec. (c) re regulation on administration of drugs by coaches;

P.A. 03-211 amended Subsec. (a) to include references to licensed physical or occupational therapists and paraprofessionals and substitute Commissioner of Consumer Protection for Commissioner of Public Health, amended Subsec. (b) to substitute Commissioner of Consumer Protection for Commissioner of Public Health, amended Subsec. (c) to allow the State Board of Education to adopt regulations in consultation with the Commissioner of Public Health, designate provisions re coaches as Subdiv. (1), add Subdivs. (2) and (3) re administration of medication by school personnel and students and redesignate Subdivs. (1) and (2) as Subparas. (A) and (B), and added Subsec. (d) re administration of medication by a paraprofessional, effective July 1, 2003;

June 30 Sp. Sess. P.A. 03-6 replaced Commissioner of Consumer Protection with Commissioner of Agriculture and Consumer Protection, effective July 1, 2004;

P.A. 04-181 amended Subsec. (a) by designating existing provisions as Subdiv. (1), making a conforming change therein and adding Subdiv. (2) re written policies and procedures for self-administration of medicine, effective July 1, 2004;

P.A. 04-189 repealed Sec. 146 of June 30 Sp. Sess. P.A. 03-6, thereby reversing the merger of the Departments of Agriculture and Consumer Protection, effective June 1, 2004.

**Estimated Cost Characterization:** Minor

10-212b

Policies Prohibiting The Recommendation Of Psychotropic Drugs By School Personnel. - Requires that each board of education adopt and implement policies prohibiting any school personnel from recommending the use of psychotropic drugs for any child.

**Enactment:** 2001, P.A. 124

**Amendments:** P.A. 03-211 added new Subsec. (a) defining "psychotropic drugs" and "school health or mental health personnel", designated existing provisions as Subsec. (b) and amended same to add procedures to be included in policies and provisions re planning and placement team, substitute "school health or mental health personnel" for "school medical staff" and make technical changes, effective July 1, 2003.

**Estimated Cost Characterization:** Minor

10-212c Life-threatening food allergies: Guidelines; district plans. – Requires boards of education to implement a plan based on guidelines set by the Department of Education for the management of students with life-threatening food allergies and glycogen storage disease enrolled in the schools under their jurisdiction.

**Enactment:** 2005, P.A. 104

**Amendments:** P.A. 12-198, Sec. 6 extends the requirement to also cover glycogen storage disease.

**Estimated Cost Characterization:** Minor

10-212d Availability of automatic external defibrillators in schools. Emergency action response plans for life-threatening emergencies. - Requires schools to develop, by July 1, 2010, emergency action response plans stipulating the appropriate use of school personnel to respond to individuals experiencing sudden cardiac arrest or some other life-threatening emergency while on school grounds and also during any athletic event or practice on school grounds.

**Enactment:** 2009, P.A. 09-94

**Estimated Cost Characterization:** Minor

10-214 Vision, Audiometric And Postural Screenings: When Required; Notification Of Parents Re Defects; Record Of Results. - Requires each local or regional board of education to annually provide, in a manner prescribed in this section, for vision, audiometric and postural screenings. The test results or treatment provided as a result of the screening pursuant to this action are to be recorded on forms pursuant to section 10-206. The school superintendent shall give written notice to the parent of any problem concerning the child found as a result of these screenings.

**Enactment:** - Prior to 1949

**Amendments:** P.A. 77-125 - included testing for farsightedness in eyesight tests of students. P.A. 78-218 - substituted "such optometrist" for "he" and deleted phrase "under his charge" in provision re testing by superintendent, principal or teacher when no examination has been made under Sec. 10-206.

P.A. 80-440 - replaced former provisions with requirements for visual, audiometric and postural screenings, records of results and treatment and regulations governing screenings.

P.A. 81-472 - made technical changes.

P.A. 93-381 - replaced department of health services with department of public health and addiction services, effective July 1.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

P.A. 96-229 - amended Subsec. (c) to substitute annual screenings in grades five through nine for screening in grade five and again in grade eight.

**Estimated Cost Characterization:** Minor

10-217a

Health Services For Children In Private Nonprofit Schools. Payments From The State, Towns In Which Children Reside And Private Nonprofit Schools. - Requires any local or regional district which provides health services in any public school to provide the same health services for children attending private, nonprofit schools, as long as a majority of the students of that school are from Connecticut. This section also provides what the reimbursable costs will be and how these school districts will be reimbursed for such services. The town or regional school district of whom the student is a resident is responsible for paying to the town or regional district providing the service a proportionate share of the average unreimbursable cost.

**Enactment:** 1967, P.A. 481

**Amendments:** 1969, P.A. 568 - act added Subsec. (c) re deductions from pay of certificated personnel.

1972, P.A. 296 - act amended Subsec. (a) to require health and welfare services in private schools when majority of students from Connecticut rather than from the municipality in which private school located.

P.A. 83-422 - amended Subsec. (a) to provide for method of determining when a majority of children attending private schools are from the state, and to add language concerning provision of clerical, supervisory and administrative services necessary to offer health and welfare services.

P.A. 84-255 - amended Subsecs. (a) and (b) adding reference to regional school districts

P.A. 85-249 - amended section to permit towns to provide health and welfare services to children in prekindergarten programs in private nonprofit schools, to clarify that such services do not include special education services and to add a definition of residency.

P.A. 88-360 - added Subsec. (d) re reimbursement for health and welfare services for children attending incorporated or endowed high schools or academies.

P.A. 89-355 - in Subsec. (a) made the determination of the number of resident children based on the number enrolled on October first rather than the average of those enrolled on October first and May first and made a technical change, in Subsec. (b) provided that reimbursement from the state be a percentage of the amount paid from local tax revenues rather than the full amount paid from such revenues, added new Subsec. (c) designation, added new Subsec. (d) re reimbursement from sending school districts and private schools, relettered Subsec. (c) as Subsec. (e) and deleted obsolete former Subsec. (d) re reimbursement for providing health and welfare services to children attending incorporated or endowed high schools or academies.

P.A. 90-225 - in Subdiv. (1) of Subsec. (b) limited the forty-five to ninety per cent reimbursement scale to reimbursement paid in the fiscal year ending June 30, 1990, provided that for fiscal years thereafter the scale be ten to ninety per cent with a minimum of eighty per cent for certain towns and made a technical change, in Subsec. (c) specified that applications be filed not later than September fifteenth and that payment be made not later than the following January fifteenth, in Subsec. (d) limited the payments to towns by other towns and private schools to payments for services during the fiscal year ending June 30, 1989, and inserted a new Subdiv. (2) designation making previous Subdiv. (2) Subdiv. (3) and in Subsec. (e) made a technical change.

P.A. 90-325 - added new Subsec. (e) re certain towns' discretionary powers to provide health and welfare services to nonresident children enrolled in private schools and relettered Subsec. (e) as (f).

P.A. 91-303 - in Subsec. (a) added language specifying that towns need not provide services to children who are not residents of this state.

June Sp. Sess. P.A. 91-7 - removed the requirement to provide welfare services, including the services of a school psychologist, speech remedial services, school social worker's services, special language teachers for non-English-speaking students, and such clerical supervisory and administrative services necessary to the provision of health and welfare services, and added Subsec. (g) re towns' discretionary power to provide certain services at their own expense.

June Special Session P.A. 97-2 amended Subsec. (b) to replace references to aid to families with dependent children with temporary family assistance and made technical changes.

**Estimated Cost Characterization:** Moderate

#### *BOARDS OF EDUCATION*

10-218      Officers Meetings. - Requires each board of education to elect a chairperson and a secretary within one month of taking office. The vote is to be in writing and recorded in the minutes. If these officers are not chosen after the first month, the town council or the selectmen of the town shall choose these officers. The board must meet at least once every six months.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 202 - act required election of board officers not later than one month after "date on which the newly elected members take office" rather than one month after the "annual or biennial election, as the case may be".

P.A. 78-136 - deleted requirement that election of officers be "by ballot" but required that vote tally be put in writing, be made available for public inspection and be recorded in minutes.

P.A. 78-218 - substituted "chairperson" for "chairman" and also for masculine personal pronouns formerly used in section.

**Estimated Cost Characterization:** Minor

10-220      Duties Of Boards Of Education. - Requires local and regional boards of education to maintain good public elementary and secondary schools and to implement the educational interests of the state, in a manner prescribed by this section. These duties include the maintenance and operation of buildings, lands and other property used for school purposes and the determination of the number, age and qualifications of the pupils to be admitted into each school. Boards of education must also establish procedures for the employment and dismissal of the teachers, develop and implement a plan for minority staff recruitment and maintain records of any allegations, investigations and reports that a child has been abused or neglected by a school employee. This section also requires the local or regional board of education to prepare a statement of educational goals for the district and to establish student objectives annually. The boards of education must also, in a manner provided, submit to the commissioner of education a strategic school profile report for each school under its jurisdiction and for the school district as a whole, including the specific item listed under PA 98-168 in the amendments. In addition, this section requires each local and regional board of education to provide an appropriate learning environment for its students which includes (1) adequate instructional books, supplies, materials, equipment, staffing, facilities and technology, (2) equitable allocation of resources among its schools, and (3) proper maintenance of facilities and (4) a safe school setting. This section requires boards of education to adopt and implement an indoor air quality program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality and, prior to January 1, 2008 and every five years thereafter, to inspect and evaluate every school building that has been constructed, extended, renovated or replaced on or after 1/1/03 for its indoor air quality, in a manner specified by this section. It also requires each board to triennially report to the State Board of Education on the condition of its facilities and the action taken to implement its long-term school building program, indoor air quality program and green cleaning program.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 574 - act substituted Sec. 10-158a for repealed Sec. 10-158; 1969 act added requirement that boards of education "implement the educational interests of the state as defined in section 10-4a".

P.A. 78-218 - substituted "school district" for "town" throughout, specified applicability of provisions to local and regional, rather than town, boards and required attendance of children "seven years of age and over and under sixteen" rather than "between the ages of seven and sixteen".

P.A. 79-128 - added Subsec. (b) re statement of goals by local and regional boards.

P.A. 80-166 - amended Subsec. (b) to require first attestation that programs are based on state goals "on September 1, 1982" rather than "in 1981".

P.A. 84-460 - amended Subsec. (a) requiring that boards insure all buildings and all capital equipment against loss in an amount not less than eighty per cent of replacement cost.

P.A. 85-377 - substituted commissioner of education for state board.

P.A. 86-333 - amended Subsec. (b) to extend from July 1, 1986, to July 1, 1987, the date when boards of education are to begin reviewing and updating the statement of goals.

P.A. 90-324 - added Subsec. (c) re strategic school profile reports.

P.A. 97-290 - added section requiring boards provide appropriate learning environment for its students and requires each board to annually report to the State Board of Education on the condition of its facilities and the action taken to implement its long-term school building program.

P.A. 98-168 amended Subsec. (c) to require every school district to include measures, as defined by this section, concerning special education in the strategic school profile.

P.A. 98-243 amended Subsec. (a) to lower the age requirement for school attendance from seven to five.

P.A. 98-252 amended Subsec. (a) to add requirement for a written plan for minority staff recruitment and to make a technical change and amended Subsec. (c) to remove November date for report and in Subdiv. (2) specified technological resources and utilization of such resources and infrastructure.

June Sp. Sess. P.A. 98-1 made a technical change in Subsec. (a).

P.A. 00-157 amended Subsec. (a) to change the reference to the school attendance age from "sixteen years of age" to "eighteen years of age who is not a high school graduate".

P.A. 01-173 amended Subsec. (a) to make a technical change for the purposes of gender neutrality, effective July 1, 2001;

P.A. 03-220 amended Subsec. (a) by adding provisions re maintenance of facilities and indoor air quality and making technical changes and added Subsec. (d) re indoor air quality inspection and evaluation program, effective July 1, 2003;

P.A. 04-26 made a technical change in Subsec. (d)(5), effective April 28, 2004;

P.A. 06-158 reduces the frequency of the report on the condition of education facilities from annual to biennial;

P.A. 06-167 requires school superintendents to include information about parental involvement and what, if any, measures have been taken to improve that involvement, in a manner specified by this section;

P.A. 09-143 requires school boards to include information on truancy in the strategic school profile report that it submits to the Commissioner of Education, in a manner specified by this section.

PA 09-6, (September Special Session), Sec. 54 amended Subsec. (c) to require each local and regional board of education's annual strategic school profile report to provide information on the number of students enrolled in an adult high school credit diploma program, pursuant to section 10-69, operated by a local or regional board of education or a regional educational service center.

P.A. 11-85, Sec. 6 requires school boards to establish student objectives annually.

P.A. 11-93, Sec. 6 requires school districts to maintain records of any allegations, investigations and reports that a child has been abused or neglected by a school employee.

P.A. 11-136, Sec. 10 reduces, from biennial to triennial, the frequency for a school boards to report to the State Board of Education on the condition of its facilities and actions taken to implement its long-term school building program, indoor air quality program and green cleaning program; and Sec. 17 requires the strategic school profile report to also include information regarding actions taken to reduce truancy.

**Estimated Cost Characterization:** minor

10-220a

In-Service Training, Professional Development, Institutes For Educators, Cooperating And Beginning Teacher Programs, Regulations. - Requires local and regional boards of education to provide in-service training as specified, provide professional development as specified and provide support to beginning teachers as specified.

**Enactment:** 1973, P.A. 632

**Amendments:** P.A. 75-211 - included instruction re alcohol and its effects in in-service training programs and health education programs.

P.A. 78-218 - specified applicability of provisions to local and regional boards in Subsecs. (a) and (b), deleted phrase "of every school district" and deleted September 1, 1974, deadline for establishment of programs in said Subsecs. and deleted Subsec. (c) re policy statements on procedures to deal with drug sales or use.

P.A. 82-75 - deleted Subsec. (b) which had required development of an ongoing program on drug and alcohol abuse repealed, but see sections 10-16b and 10-19.

P.A. 84-314 - added new Subsecs. (b) and (c) re development of plans to provide for the ongoing and systematic professional development of the professional staff members of boards of education and annual institutes to be held by the state department of education.

P.A. 85-377 - substituted commissioner of education for state board.

May Sp. Sess. P.A. 86-1 - added Subsec. (d) re cooperating teacher program and institutes and beginning teacher program.

P.A. 87-352 - included certified teachers at approved private special education facilities in the cooperating teacher and teacher mentor programs and made a technical change in Subsec. (d).

P.A. 87-499 - in Subsec. (c) provided that the institutes be provided in cooperation with one or more regional educational service centers and amended Subsec. (d) to provide that funding be in cooperation with one or more regional educational service centers and that the programs pay stipends that institutes be for teacher mentors in Subdiv. (2) and made technical changes.

P.A. 88-96 - added a reference to the Connecticut Humanities Council in Subsec. (d).

P.A. 88-273 - in Subsec. (d) added "who are Connecticut public school teachers" and provided that after July 1, 1989, the cooperating teacher and beginning teacher programs operate in accordance with regulations, that for the fiscal year ending June 30, 1989, selection of teachers be made pursuant to Subsec. (e) added by the same act rather than based on state guidelines, that all provisions concerning teacher negotiation law, Secs. 10-153a to 10-153n, inclusive, not apply to certain aspects of participation in the program and that the state board of education protect and save harmless certain persons and added Subsec. (e) re cooperating teacher and teacher mentor selection, placement and compensation for the fiscal years up to and including the fiscal year ending June 30, 1989.

P.A. 88-360 - in Subdiv. (2) of Subsec. (d) added that the institutes be for Connecticut public school teachers, in Subdiv. (3) of Subsec. (d) added that the beginning teacher program be for "other qualified persons approved by the commissioner of education" and that it be for persons who serve as assessors for beginning teachers and provided for the selection of qualified persons by the commissioner of education and made a technical change.

P.A. 89-137 - in Subsec. (d) provided that the Connecticut Humanities Council cooperate in offering continuing education institutes and not in offering the cooperating teacher program and the beginning teacher support and assessment program, substituted "educators" for "teachers" as persons for whom continuing education institutes are to be provided and provided that funds available under the subsection be paid directly to school districts for specified purposes.

P.A. 89-168 - changed the name from "standard" certificate to "professional educator" certificate and added a new Subdiv. (2) which includes information on health and mental issues affecting children, including child abuse and youth suicide as component of in-service training program.

P.A. 90-324 - in Subsec. (a) substituted "pupil personnel" for "guidance personnel", added "educator" after "initial" and "provisional" and required the commissioner of education rather than

the state board of education to approve the program and in Subsec. (b) added administrators and their bargaining representatives as persons who may advise boards of education on the development of five-year plans and added that such plans may include provisions concerning career incentives and parent involvement in Subdiv. (1) and added new Subdiv. (2) re comprehensive professional development plans.

P.A. 90-325 - in Subsec. (a) added Subdiv. (3) re the providing of information as to the growth and development of exceptional children, in Subsec. (d) provided that certain private special education facilities be approved by the commissioner of education, rather than the state board of education, that teachers at facilities designated by the commissioner be able to participate in the cooperating teacher and beginning teacher support and assessment programs and added that the institutes in Subdiv. (2) be for assessors and that funds available under the subsection are for professional development activities for assessors, deleted Subsec. (e) re cooperating teachers and teacher mentors and made technical changes.

P.A. 91-220 - replaced requirement that program be approved by the commissioner with requirement that it be submitted to the commissioner in Subsec. (a).

P.A. 91-264 - in Subsec. (c) added language concerning the charging of fees.

P.A. 91-303 - in Subsec. (b)(2) added provision for submission of a plan on and after April 1, 1994, and provided for revision of plans every five years rather than every three years.

June Sp. Sess. P.A. 91-7 amended Subsec. (d) to remove provision for stipends for teachers who train student teachers and for mentors, added specific requirements pertaining to beginning teacher support and assessment programs and added provision regarding different requirements than those specified in regulations for the fiscal year ending June 30, 1992.

P.A. 93-23 - amends subsec (a) to have in-service training for teachers include risk reduction education.

P.A. 96-244 - expands the in-service training program for teachers and administrators to include information on computer and other information technology as applied to student learning and classroom instruction, communications and data management.

P.A. 97-45 amended Subsec. (a) to add provision concerning the Great Famine in Ireland.

P.A. 97-61 amended Subsec. (a) to expand the list of topics for in-service training programs by adding African-American history, Puerto Rican history, Native American history, personal financial management and topics approved by the State Board of Education at the request of local or regional boards of education.

P.A. 98-243 amended Subsec. (a) to add Subdiv. (7) re teaching of language arts, reading and reading readiness, effective July 1, 1998.

P.A. 00-220 amended Subsec. (a) to remove a requirement to submit the program to the Commissioner of Education;

P.A. 03-76 made technical changes in Subsecs. (c) and (d), effective June 3, 2003;

P.A. 03-174 amended Subsec. (d) by deleting provision allowing for less than six observations, substituting provisions requiring assessment by educators with teaching experience in same field for provision not requiring assessment by teacher with certification endorsement in same field and making a technical change, effective July 1, 2003;

P.A. 03-211 amended Subsec. (a)(3) by including children with attention-deficit hyperactivity disorder or learning disabilities, effective July 1, 2003;

P.A. 04-227 amended Subsec. (a) by adding Subdiv. (8) re second language acquisition, effective July 1, 2004.

P.A. 10-91 amended Subsec. (a) by adding requirement to include information about teen dating violence and domestic violence in the in-service training program for teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate.

P.A. 11-93, Sec. 5, amends the existing mandate by requiring in-service training to include the requirements and obligations of a mandated reporter.

P.A. 11-127, Sec. 3, amends the statute without affecting the existing mandate.

P.A. 11-136, Sec. 2, amends the statute without affecting the existing mandate.

P.A. 11-232, Sec. 5 added the requirement for in-service training to also include information on the prevention of and response to youth suicide and the identification and prevention of and response to bullying.

**Estimated Cost Characterization:** Moderate

10-220d Student recruitment by regional and interdistrict specialized schools and programs. Recruitment of athletes prohibited. – requires a board of education to provide access to technical high schools, regional agricultural science and technology education centers, interdistrict magnet schools, charter schools, alternative high schools and interdistrict student attendance programs and to provide students and parents with information regarding such opportunities.

**Enactment:** 1997, P.A. 39

**Amendments:** P.A. 11-01, Oct. Spec. Session, Sec. 33 requires a board of education to provide students and parents with such information.

P.A. 12-116, Sec. 14 requires a board of education to provide such information on its website.

**Estimated Cost Characterization:** Minor

10-220g Policy On Weighted Grading For Honors And Advanced Placement Classes. - Requires all local and regional boards of education to establish a written policy concerning weighted grading for honors and advanced placement classes, including whether a particular class is given added weight for purposes of calculating grade point average and determining class rank.

**Enactment:** 1999, P.A. 81

**Estimated Cost Characterization:** Minor

10-220h Transfer Of Student Records. – Stipulates that when a student changes school districts, the student's new district is required to notify his old district in writing within two days. The old district must send the student's records to the new district within 10 business days of receiving the notice. If the student's parents had not authorized the records transfer in writing, the old district must send them a notice of the transfer when it sends the records to the new district.

**Enactment:** 2000, P.A. 220

**Amendments:** P.A. 07-38 – added a comparable requirement for records of students transferring from Unified School District #1.

P.A. 11-115, Sec. 2 added the requirement for a student's new school district to notify the student's previous school district within two days of a student enrolling.

**Estimated Cost Characterization:** Minor

10-220k Disclosure of educational records re student confined in detention facility. – Requires a school district in which a student attends school to disclose the student's records to state-operated detention facility or community detention facility if the student is confined and to notify the student's parent or guardian if the parent or guardian did not give prior written consent for the disclosure.

**Enactment:** 2011, P.A. 11-157, Sec. 20

**Estimated Cost Characterization:** Minor

10-221

Boards of Education To Prescribe Rules, Policies And Procedures. - Requires boards of education to prescribe rules for the management, studies, classification and discipline of the public schools, subject to the control of the state board of education. The boards also have to develop and implement written policies concerning homework, attendance, promotions, retention, dealing with the use, sale or possession of alcohol or controlled drugs by students on school property, and for dealing with youth suicide prevention and youth suicide attempts. In addition, each board must, by September 1, 1998 develop, adopt and implement written policies and procedures to encourage parent-teacher communications and, beginning in 2010, every district must schedule two flexible parent-teacher conferences each school year.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-218 - substituted "public school buildings" for "schoolhouses".

P.A. 80-32 - substituted "library media centers" for "libraries" and included reference to "other educational media" to reflect increased scope of libraries.

P.A. 81-257 - added Subsec. (b) authorizing boards to prescribe rules to impose sanctions against pupils who damage or fail to return textbooks and library and other educational materials.

P.A. 82-137 - made permissive rather than mandatory the adoption of rules to impose sanctions against pupils who fail to return or damage textbooks.

P.A. 84-275 - added new Subsec. (b) re written policies concerning homework, attendance, promotion and retention, relettering former Subsec. (b) as Subsec. (c).

P.A. 87-499 - added new Subsec. (d) concerning policies and procedures re alcohol and controlled drugs; P.A. 89-168 - added Subsec. (e) requiring each local and regional board of education to adopt a written policy and procedures for dealing with youth suicide prevention and youth suicide attempts.

P.A. 89-168 - added Subsec. (e) requiring each local and regional board of education to adopt a written policy and procedures for dealing with youth suicide prevention and youth suicide attempts.

P.A. 90-133 - in Subsec. (d) extended the deadline for the implementation of policies and procedures from July 1, 1988, to July 1, 1991, and added that the procedures include a process for coordination with appropriate agencies.

P.A. 97-290 – added requirement that each board, by September 1, 1998, develop, adopt and implement written policies and procedures to encourage parent-teacher communications.

PA 10-111 – Sec. 29 added a requirement to Subsection (f) that every district must conduct two flexible parent-teacher conferences each school year.

**Estimated Cost Characterization:** Minor

10-221a

High school graduation requirements. Diplomas for veterans of World War II. – Requires, beginning with the class graduating in 2020, high school students to have a minimum of twenty credits, divided by subject matter in a manner prescribed by this section, in order for the board of education to issue a diploma to such student. Beginning with the class graduating in 2021, the minimum number of credits is increased to 25 and end of the year examinations are required for five specific classes. School districts must create a student success plan that includes information regarding students' student's career and academic choices.

**Enactment:** 1983, P.A. 282

**Amendments:** P.A. 84-297 - amended Subsec. (a) to establish a state-wide twenty credit requirement for graduation effective for classes graduating in 1988 and thereafter; to state the minimum number of credits to be earned in English, mathematics, social studies, science, the arts or vocational education and physical education and to allow the local or regional board of education to determine what is an eligible credit for purposes of fulfilling the requirement.

P.A. 85-96 amended Subsec. (a) to permit an exception to the course requirement for graduation, allowing local or regional boards to grant a student credit toward a specified course requirement upon the successful completion in grade seven or eight of any course, the primary focus of which

corresponds directly to the subject matter of a specified course requirement in grades nine to twelve, but specifying that students must complete at least twenty credits in grades nine to twelve, notwithstanding the grant of such credit.

P.A. 86-333 made provision in Subsec. (a) for credit for coursework earned at institutions of higher education to satisfy high school graduation requirements.

P.A. 88-136 deleted obsolete provisions in Subsec. (a) re students graduating in 1987.

P.A. 93-111 amended Subsec. (a) to add provisions on community service.

P.A. 95-182 deleted former Subsec. (b) concerning report to the General Assembly on graduation requirements.

P.A. 96-26 added provision allowing expelled students to graduate if they have completed the necessary credits and deleted provision requiring that twenty credits toward graduation be completed in grades nine through twelve.

P.A. 00-124 added new provision, designated as Subsec. (g), re diplomas for veterans of World War II.

P.A. 00-156, effective October 1, 2000, and 00-187, effective July 1, 2000, both divided the existing section into Subsecs., adding new provisions as Subsec. (b) to require that classes graduating in 2004 and thereafter have at least one-half credit in civics and American government.

P.A. 10-111, Sec. 16 adds new Subsec. (c) which increases, beginning in 2018, the number of credits students must complete before graduating from high school and adds new Subsec. (d), which requires districts to provide students remedial services to enable them to achieve the higher standard.

P.A. 11-135, Sec. 1 reduces the existing mandates in Subsec. (a) and (b) to delay until the classes graduating in 2020 and 2021, requirements that students have at least 20 credits and 25 credits, respectively, of specified courses to graduate from high school and amends existing mandate in Subsec. (c) to delay, until the class graduating in 2021, certain remedial education requirements.

Sec. 2 amends the existing mandate in Subsec. (j) by replacing the requirement that school districts collect information regarding students' student's career and academic choices with a requirement that districts create a student success plan that includes such information.

**Estimated Cost Characterization:** Minor

10-221b

Boards Of Education To Establish Written Uniform Policy Re Treatment Of Recruiters. - Requires all public high schools to provide the same directory information and on-campus recruiting opportunities to representatives of the U.S. and state armed forces as offered to nonmilitary recruiters or commercial concerns. Local and regional boards of education must establish a written uniform policy for the treatment of all recruiters.

**Enactment:** 1984, P.A. 87

**Estimated Cost Characterization:** Minor

10-221c

Development Of Policy For Reporting Complaints Re School Transportation Safety. Reporting Of Accidents At School Bus Stops. - Requires every superintendent of schools to develop and implement a policy for the reporting of all complaints relative to school transportation safety, and to maintain a written record of each complaint. The superintendent must annually provide the commissioner of motor vehicles a copy of the written record of complaints. The superintendent must also make a written report to the commissioner of motor vehicles of any accident involving a student in the immediate vicinity of a designated school bus stop.

**Enactment:** 1989, P.A. 320

**Amendment:** P.A. 90-112 - added Subsec. (b), requiring superintendent and supervisory agent to make written report of circumstances of accidents involving motor vehicles and student pedestrians at or near bus stops to motor vehicles commissioner.

**Estimated Cost Characterization:** Minor

10-221d

Criminal History Records Checks Of School Personnel. Fingerprinting. Termination or Dismissal. - Specifies that local school boards must require all job applicants to indicate whether they have been convicted of a crime or have criminal charges pending against them. Local school boards must require all new employees to submit to a check of the Department of Children and Families child abuse and neglect registry and to submit to a state and national criminal history record check, including state and FBI fingerprint analysis, within 30 days of hiring. The board may charge the employee for the cost of the FBI check. If the local or regional board of education discovers from a criminal record check that a certified employee has been convicted of a crime it must notify the state board of education.

**Enactment:** 1993, P.A. 328

**Amendments:** P.A. 94-221 - amended Subsec. (a) to allow local and regional boards of education to require criminal history records checks of persons hired prior to July 1, 1994, and to allow private schools to require such checks of applicants for positions in such schools and employees of such schools.

P.A. 95-259 amended Subsec. (a) to add references to Subsec. (d) and to regional educational service centers, designated existing Subsec. (b) as Subsec. (d), inserting new Subsec. (b) re regional educational service centers and Subsec. (c) re substitute teachers and amended Subsec. (d), formerly Subsec. (b), to add provision concerning teachers of adult classes or activities.

P.A. 98-252 amended Subsec. (b) to allow the service center to provide the results to other boards of education upon the request of the person fingerprinted.

P.A. 01-173 – changed time period for criminal records check from 90 to 30 days, and added notification requirement if certified employee has a criminal record.

P.A. 11-93, Sec. 1 added the requirement to check the Department of Children and Families child abuse and neglect registry.

**Estimated Cost Characterization:** Minor

10-221g

Instructional Time And Facility Usage Assessment. - Requires each local and regional board of education to conduct an instructional time and facility usage assessment in order to maximize student learning and community use of facilities.

**Enactment:** 1997, P.A. 290

**Estimated Cost Characterization:** Minor

10-221k

Assessments By Priority School Districts Of Need Related To Goal Of Reading Success. - Requires each local and regional board of education for a priority school district to conduct an assessment of their institutional and teacher needs related to the attainment of reading success for children in their schools. The boards must report their findings to the State Department of Education by 7/1/00.

**Enactment:** 1999, P.A. 227

**Estimated Cost Characterization:** Minor

- 10-221m Development And Implementation Of In-Service Reading Instruction Training Program By Priority School Districts. - The bill also requires those school districts designated as priority school districts to develop and implement a three-year in-service reading instruction training program for professional development beginning in FY 01. The program would be required of 70% teachers in grades K-3, school librarians and all elementary principals, provided spaces are available.
- Enactment:** 1999, P.A. 227
- Estimated Cost Characterization:** Minor
- 10-221o Lunch Periods. Recess. – Requires school boards to provide all full day students with a lunch break and elementary school students with specified minimum times for physical exercise. Local and regional board of education must adopt a policy concerning school employees preventing a student from participating in time devoted to physical exercise as a form of discipline or requiring a student to engage in physical activity as a form of discipline.
- Enactment:** 2004, P.A. 224
- Amendments:** P.A. 12-198, Sec. 9 establishes minimum periods of exercise.  
P.A. 13-173, Sec. 2 prohibits an employee from preventing a student from participating in physical exercise as a form of punishment.
- Estimated Cost Characterization:** Minor
- 10-221q Sale Of Beverages. – Requires schools, in a manner provided by this section, to sell only healthy beverages that include milk, non-dairy milk, 100% fruit juice and water (Schools will lose revenue from sales of other types of beverages, but this revenue loss could potentially be short-term if there is a behavior adjustment among students).
- Enactment:** 2006, P.A. 63
- Estimated Cost Characterization:** Minor
- 10-221r Advanced placement course program. Guidelines. - Requires each board of education to provide an advanced placement course program.
- Enactment:** 2010, P.A. 10-111, Sec. 31
- Amendments:** P.A. 11-136, Sec. 21 revised the definition of “advanced placement course”.
- Estimated Cost Characterization:** Minor
- 10-221s Investigations of child abuse and neglect. Disciplinary action. – Requires that, when a child has been abused or neglected by an employee, a school district must give priority to an investigation by the Dept. of Children and Families or local law enforcement. Sec. 15 expands the existing mandate in 17a-101d, not previously identified in the Compendium, which specifies information to be included in the report required by sections 17a-101a - 17a-101c.
- Enactment:** 2011, P.A. 11-93, Sec. 13

**Estimated Cost Characterization:** Minor

10-222

Appropriations And Budget. Financial Information System. - Requires boards of education to prepare an itemized estimate of the cost of maintenance of public schools for the ensuing year as specified and establishes various budgetary procedures.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-218 - simplified phraseology by specifying applicability of provisions to local boards, substituting "municipality" for "city, town or school district".

P.A. 82-217 - inserted provisions relating to supplemental appropriations.

P.A. 84-484 inserted Subsec. indicator and added new Subsec. (b) re development of a financial information system to assist boards of education in reporting budget data.

P.A. 98-141 amended Subsec. (a) to add provisions re limited transfers in emergency circumstances and to define "meeting".

**Estimated Cost Characterization:** Minor

10-222c

Hiring Policy. - Requires the local/regional boards of education to make a good faith effort to contact previous employers for recommendations prior to hiring anyone.

**Enactment:** 2001, P.A. 173

**Estimated Cost Characterization:** Minor

10-222d

Policy On Bullying Behavior. – Requires that each board of education adopt and implement policies addressing the existence of bullying in its schools.

**Enactment:** 2002, P.A. 119

**Amendment:** P.A. 06-115 – added that local and regional boards of education must notify students annually on the process for reporting bullying.

P.A. 08-160 - requires all boards of education to implement the anti-bullying policies that they were previously required to develop. It also requires boards of education, except those that implement an evidence-based model, to provide in-service training to teachers in bullying prevention.

**Estimated Cost Characterization:** Minor

10-222e

Policy On Evaluation And Termination Of Athletic Coaches. – Requires boards of education that employ coaches to have those coaches evaluated annually and to provide said coaches with a copy of the evaluation. Also, any school that terminates or fails to renew a coach's contract must inform such coach of the decision within three months of completion of the sport season covered by the contract. The coach may appeal any decision to the board of education.

**Enactment:** 2004, P.A. 243

**Estimated Cost Characterization:** Minor

- 10-222j      Training re prevention, identification and response to school bullying and youth suicide. – Requires non-teacher school employees to receive annual training from the Department of Education on the prevention, identification and response to school bullying and the prevention of and response to youth suicide.
- Enactment:** 2011, P.A. 11-232, Sec. 6
- Estimated Cost Characterization:** Minor
- 10-222k      District safe school climate coordinator. Safe school climate specialist. Safe school climate committee. - Requires the superintendent of each local or regional board of education to appoint a district safe school climate coordinator as specified to perform specified activities and the principal must establish a committee or designate at least one existing committee in the school to be responsible for developing and fostering a safe school climate and and performing specified duties.
- Enactment:** 2011, P.A. 11-232, Sec. 9
- Estimated Cost Characterization:** Minor
- 10-223a      Promotion And Graduation Policies. - Requires all local and regional boards of education to review and revise their policies for promotion from grade to grade and for graduation in order to ensure that such policies foster student achievement and reduce the incidence of social promotion. Also, boards of education are required, by September 1, 2002, to specify the basic skills necessary for graduation, which includes a process for assessing a student’s level of competency. The boards must also develop a course of study for those who have not successfully completed the assessment criteria.
- Enactment:** 1999, P.A. 288
- Amendment:** P.A. 01-166 – added subsec. B which requires boards of education to specify basic skills necessary for graduation and to develop a course of study for those who have not completed the assessment criteria.
- Estimated Cost Characterization:** Minor
- 10-223b      Appropriations And Budget. Financial Information System. - Requires local boards of education for any school listed by the State Board of Education as in need of improvement based on student performance to meet with the Commissioner of Education to discuss the process for improving school performance. Further, any school listed as needing improvement to develop an improvement plan and take steps necessary to become accredited by the New England Association of Schools and Colleges. The local board of education must monitor the progress made by the school under the improvement plan. After two years, if no progress has been made, stricter actions, as specified by this legislation must be taken.
- Enactment:** 1999, P.A. 288
- Estimated Cost Characterization:** Minor
- 10-223e      State-wide education accountability plan and possible actions. Study of academic achievement. – Requires any school or school district identified as “in need of improvement” and requiring corrective action pursuant to the No Child Left Behind Act to be designated as low achieving and

subject to intensified supervision by the State Board of Education. New supervisory actions include additional training and technical assistance for parents and guardians of children attending the school or a school in the district; requiring local and regional boards of education to undergo training to improve their operational efficiency and effectiveness as leaders of their districts improvement plan; and submittal of an annual action plan to the Commissioner of Education outlining how, when and in what manner their effectiveness can be monitored. A school which is designated a failing school due to a failure to make adequate yearly progress in mathematics and reading must establish a school governance council, unless the school has a single grade level or is under the jurisdiction of a local or regional board of education that already has an acceptable school governance council..

**Enactment:** 2002, P.A. 02-7 (May 9 Special Session)

**Amendment:** P.A. 08-153 imposed the initial mandate.

P.A. 10-111 added the requirement for certain schools to establish a school governance council. P.A. 11-135, Sec. 5 reduces the existing mandate in Subsec. (g) by eliminating the requirement to have a school governance council if a school has a single-grade level or is under the jurisdiction of a local or regional board of education that already has an acceptable school governance council.

**Estimated Cost Characterization:** Minor

10-223g

On-line credit recovery program. On-line learning coordinator. – Requires a school district with a dropout rate of eight per cent or greater in the previous school year to establish an on-line credit recovery program to allow students at risk of not graduating to complete on-line coursework. Each school in the district must designate a staff member to be an online learning coordinator to administer and coordinate the online credit recovery program.

**Enactment:** 2010, P.A. 10-111, Sec. 28

**Estimated Cost Characterization:** Moderate

10-223j

School governance councils. – expands the requirement for creating a school governance council beyond the requirements specified in CGS 10-223e and specifies the council's and the Board of Education's responsibilities.

**Enactment:** 2012, P.A. 12-116, Sec. 23

**Estimated Cost Characterization:** Minor

10-224

Duties Of The Secretary. - Requires the secretary of the board of education to keep a record of all its proceedings and to submit to the town at its annual meeting a report of the board's doings. The report of the secretary and the superintendent shall be printed with the reports of the town officers. The superintendent must report to the commissioner of education such returns and statistics respecting the schools of the town, as requested.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-167 - deleted requirement that two copies of report be sent to secretary of the state board on or before October fifteenth and replaced it with more general requirement that report to secretary consist of "such returns and statistics as said board requests".

P.A. 77-614 - substituted commissioner of education for secretary of the state board of education, effective January 1, 1979.

P.A. 78-218 - deleted references to supervising agents and replaced "he" with "such secretary".

P.A. 90-325 - provided that the returns and statistics reported by the superintendent be as requested by the commissioner of education, rather than the board of education.

**Estimated Cost Characterization:** Minor

10-226

Reports To Commissioner Of Education. - Requires each local and regional board of education to report annually to the commissioner of education the name, address and salary of each teacher, principal, superintendent or other certified personnel it employs. Within seven days of hiring a new superintendent the board must send the name and address of such person to the commissioner.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 282 - act changed deadline for reporting information re board members to secretary of state board from "annually before the fifteenth of October" to "within thirty days of the date of election" of the members but kept October fifteenth deadline for reporting information re teachers, principals and superintendents.

1971, P.A. 90 - act changed report date for teacher, principal and superintendent information to October first and required inclusion in report of data concerning "other certified" personnel.

P.A. 77-614 - substituted commissioner of education for secretary of the state board of education, effective January 1, 1979.

P.A. 78-218 - substituted "local" for "town" boards of education, deleted references to school districts and substituted "which it employs" for "employed in the public schools within its town or district".

P.A. 83-116 - deleted requirement that boards of education report to commissioner of education names and addresses of their members.

P.A. 85-54 - added requirement that hiring board notify commissioner of name and address of person accepting offer of contract.

**Estimated Cost Characterization:** Minor

10-226a

Documentation Of Pupils And Teachers Of Racial Minorities And Of Pupils Eligible For Free Or Reduced-Rate Lunches. - Requires each local or regional board of education to report to the state board of education the number of racial minority students in each school system, in a manner prescribed.

**Enactment:** 1969, P.A. 773

**Amendments:** P.A. 74-149 - redefined "pupils of racial minorities" by deleting clause "and whose color, appearance . . . are distinguishable from persons whose ancestry is totally Caucasian".

P.A. 78-218 - specified "local and regional" boards rather than "town boards".

P.A. 98-252 amended Subsec. (a) to add teachers of racial minorities and pupils eligible for free or reduced price lunches and amended Subsec. (b) to add teachers and to change the definition of racial minorities to the definition for other than white used by the Bureau of Census of the United States Department of Commerce.

**Estimated Cost Characterization:** Minor

10-226c

Plan To Correct Imbalance. - Requires any board of education receiving notification by the state board of education of the existence of racial imbalance in their school system to prepare a plan to correct that imbalance, in a manner prescribed by this section, and file it with the state board of education.

**Enactment:** 1969, P.A. 773

**Amendment:** P.A. 98-252 – amended Subsec. (a) to allow the plan to address imbalance existing at any school and not require a district-wide plan or pupil reassignment and to provide for extensions of time under specified circumstances, and amended Subsec. (b) to make a technical change.

**Estimated Cost Characterization:** Minor

10-226d

Approval Of Plan By State Board. - Requires the board of education to submit annual reports on the implementation of the approved plan to correct a racial imbalance in the school system.

**Enactment:** 1969, P.A. 773

**Amendment:** P.A. 98-252 – substituted annual reports for quarterly reports.

**Estimated Cost Characterization:** Minor

10-226h

Programs And Methods To Reduce Racial, Ethnic And Economic Isolation. - Requires each local and regional board of education to report to the regional education service center for its area on the programs and activities undertaken in the district to reduce racial, ethnic and economic isolation, and to provide educational opportunities for its students to interact with students and teachers from other racial, ethnic and economic backgrounds.

**Enactment:** 1997, P.A. 290

**Amendments:** P.A. 98-252 amended Subsec. (a) to delete Subdiv. (7) re minority staff recruitment and renumber the remaining Subdivs., effective July 1, 1998;  
P.A. 00-220 amended Subsecs. (b) and (c) to change the reporting dates and amended Subsec. (d) to make a technical change, effective July 1, 2000.

**Estimated Cost Characterization:** Minor

10-227

Returns Of Receipts, Expenditures And Statistics To State Board. Verification Mandated. Penalty. - Requires each board of education to make returns annually, by September, to the commissioner of education concerning the receipts, expenditures and statistics as prescribed by such commissioner. Failure to do so may result in a forfeiture of between two and ten thousand dollars in state education aid.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-167 - changed return deadline from August to September first in each year.  
P.A. 77-614 - substituted commissioner of education for secretary of the state board of education, effective January 1, 1979.

P.A. 78-218 - deleted references to returns made by "supervisor of schools", substituted "each local and regional school district" for "each town and each school district".

P.A. 79-128 - substituted "board of education" for "school district", changed basis of penalty from "sum per child" to "total sum. paid from the state treasury" and replaced one, two, three, five and ten per cent penalty assessments with one, two, three and five hundred dollar and one thousand dollar penalty assessments.

P.A. 83-363 - provided cutoff for submission of revisions, required certification of reports or returns no later than December thirty-first by independent public accountant selected for purpose

of auditing municipal accounts and required reports or returns to be subject to state department verification, including audit.

P.A. 84-221 - deleted weekly penalty provisions and substituted flat rate of one thousand to ten thousand dollars, to be determined by the state board of education, added that the penalty would be withheld from a subsequent grant payment and that the state board may waive the forfeiture if failure to file data in a timely manner was due to extenuating circumstances.

P.A. 89-237 - allowed waivers of the forfeiture for failure to submit unaudited data in a timely manner.

P.A. 91-303 - removed requirement that reports be made under oath or affirmation and made technical changes.

P.A. 91-401 - repealed provision making reports and returns subject to state department of education audit, effective July 1, 1993.

P.A. 98-252 changed the basis for a waiver from circumstances beyond the control of the board to good cause and made technical changes.

**Estimated Cost Characterization:** Minor

10-228 Free Textbooks, Supplies, Material And Equipment. - Requires all local and regional boards of education to provide all necessary textbooks, supplies, material and equipment free of charge.

**Enactment:** Prior to 1949

**Amendments:** 1971 P.A. 186- act replaced references to towns with references to school districts, deleted reference to district committees and made specific mention of library books, material and equipment.

P.A. 78-218 - specified local and regional boards and deleted references to school districts.

**Estimated Cost Characterization:** Minor

10-230 Flags For Schoolrooms And School. - Requires each local and regional board of education to provide and display a U.S. flag in each schoolroom during the school year. The boards must also provide each school with a U.S. flag made of silk or bunting that is to be displayed on the school grounds, in a manner provided by this section. Boards who fail to comply with this section shall face a fine of twenty-five dollars.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 394 - act added Subsec. (b) re display of flags at half-mast.

P.A. 78-218 - specified local and regional boards rather than town boards in Subsec. (a) and simply referred to "school" rather than "schoolhouse in which a school is maintained within such town" and substituted "municipality" for "city or town" in Subsec. (b).

**Estimated Cost Characterization:** Minor

10-231 Fire Drills. - Requires local and regional boards of education to have one fire drill a month in each school.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-218 - specified local and regional boards of education and deleted references to towns.

P.A. 00-220 – added provision re crisis response drill.

P.A. 09-131 – makes the crisis response drill a required substitute for a fire drill every third month and such drill must be developed in consultation with the local law enforcement agency.

**Estimated Cost Characterization:** Minor

10-231b Pesticide Applications At Schools: Authorized Applicators. Exception. – Requires, beginning on 7/1/00, all schools except regional vocational agricultural schools, to employ certified pesticide applicators for any non-emergency pesticide used within school buildings or on school grounds and prohibits most public schools from using pesticides during school hours or during planned activities at such school, except in emergencies. The local health director, or in the case of a public school, the school superintendent, in order to eliminate a threat to human health, to determine if an emergency application of a lawn care pesticide may be made.

**Enactment:** 1999, P.A. 165

**Amendments:** P.A. 05-252 - specified the local health director or school superintendent were to determine if an emergency application of lawn care pesticide is to be made.  
PA 07-168 – expanded the applicability of the restriction from elementary schools to schools with students in grade eight or lower.

**Estimated Cost Characterization:** Minor

10-231c Pesticide Applications At Schools Without An Integrated Pest Management Plan. – This section requires public schools without integrated pest management (IPM) plans to provide parents, guardians and school staff with a written statement of the school’s pest management policy at the beginning of the school year, establish a registry of those who want notice of pesticide use in advance and provide such notice by mail at least 24 hours in advance, and maintain pesticide application records for five years after each application.

**Enactment:** 1999, P.A. 165

**Estimated Cost Characterization:** Minor

10-231d Pesticide Applications At Schools With An Integrated Pest Management Plan. - Schools with an IPM plan must provide staff with written guidelines on how the plan is to be implemented and must provide parents and guardians with a statement summarizing the IPM. Parents, guardians and staff may register for prior notice of the application of pesticide and must be notified by the school by any means practicable on or before the day of application. Pesticide application records must be maintained at the school for five years.

**Enactment:** 1999, P.A. 165

**Estimated Cost Characterization:** Minor

10-231d Pesticide Applications At Schools With An Integrated Pest Management Plan. - Schools with an IPM plan must provide staff with written guidelines on how the plan is to be implemented and must provide parents and guardians with a statement summarizing the IPM. Parents, guardians and staff may register for prior notice of the application of pesticide and must be notified by the school by any means practicable on or before the day of application. Pesticide application records must be maintained at the school for five years.

**Enactment:** 1999, P.A. 165

**Estimated Cost Characterization:** Minor

10-231e Maintenance Of Heating, Ventilation And Air Conditioning System. - Requires boards of education to ensure that their heating, ventilation and air conditioning system are maintained and operated in a manner specified by this section. Maintenance records of these systems shall be kept for a minimum of five years.

**Enactment:** 2003, P.A. 220

**Estimated Cost Characterization:** Minor

10-233d Expulsion Of Pupils. Hearing Format. Age Limitation For An Alternate Educational Opportunity; Exceptions. Notice On Cumulative Educational Record. Adoption Of Decision Of Another School District. - Requires that a local school board complete and render a decision on a pending expulsion hearing, even if the offending student withdraws from the school before such decision is rendered. It also requires that such offending student be allowed to enroll in another school district until such expulsion hearing is completed, although the new district still has the authority to suspend or conduct an expulsion hearing against that student. A school district cannot expel a student upon the student's return from a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement. Any expelled pupil shall be offered an alternative educational opportunity, in a manner provided, during the period of expulsion and be allowed to participate in adult education programs without being required to withdraw from school. Requires local boards of education to initiate expulsion proceedings, unless the pupil is a special education student, whenever there is reason to believe that a pupil was in possession of a weapon on school grounds or at a school-sponsored activity, possession of a dangerous instrument or martial arts weapon on school grounds or at a school sponsored activity, off school grounds possession of a firearm or possession and use of a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime, and on or off school grounds sales or distribution of a controlled substance. Requires that if the offending student is a special education student, he must be referred to a planning and placement team for modification of his individualized education plan. Requires that each local board of education provide in-service training on school violence prevention and conflict resolution. Requires local police to notify a school superintendent if any seven through twenty year old residing in his district is arrested for a Class A misdemeanor or a felony.

**Enactment:** 1975, P.A. 609

**Amendments:** P.A. 78-218 - substituted "local" for "town" boards of education, deleted reference to school districts and included feminine personal pronoun in Subsec. (c).

P.A. 79-115 - inserted new Subsec. (b) re consideration of past disciplinary problems in determining length of expulsion and alternative educational opportunity to be offered and relettered former Subsecs. (b) and (c) as (c) and (d).

P.A. 79-369 - required presence of at least three members at meeting for expulsion and required majority vote, with at least three votes in favor of expulsion, for expulsion to be effected in Subsec. (a) and made technical change in Subsec. (b).

P.A. 81-215 - inserted new Subsec. (b) authorizing boards of education to establish impartial hearing boards for the purpose of conducting expulsion hearings, relettering remaining Subsecs. accordingly and amended Subsec. (e) to limit the mandatory provision of an alternative educational opportunity to pupils under eighteen years of age, but specified that age limitation shall not apply to special education pupils.

P.A. 82-118 - repealed Subsec. (d) which required notification be sent to state board of education of any student against whom disciplinary action was taken, relettering Subsec. (e) accordingly, reduced age limitation on offering of alternative educational opportunities to expelled students

from eighteen to sixteen and made offering of such programs to sixteen to eighteen year olds made conditional on students' acceptance of board of education requirements in newly relettered Subsec. (d).

P.A. 83-218 - added Subsec. (e) limiting requirement that boards of education offer alternative educational opportunities to expelled students between the ages of sixteen and eighteen.

P.A. 83-587 - made technical change in Subsec. (e).

P.A. 84-546 - made technical change, substituting references to pupils for references to students in Subsecs. (d) and (e).

P.A. 86-398 - amended Subsec. (e) by restructuring it and by not requiring boards of education to offer alternative educational opportunities to students expelled for offering controlled substances for sale or distribution and by imposing certain duties on boards of education.

P.A. 88-317 - amended references to Secs. 4-177 to 4-180 in Subsecs. (a) and (b) to include new sections added to Ch. 54, effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.

P.A. 92-37 added Subsecs. (f) and (g) concerning the notice on the cumulative educational record and the adoption of the decision of another school district, respectively.

P.A. 93-35 - requires board to render expulsion decision even if student withdraws and to hold a public hearing before deciding on adopting an expulsion decision of another district and also requires that expelled students be allowed to enroll in another school pending decision.

P.A. 94-221 - Requires local boards of education to initiate expulsion proceedings, unless the pupil is a special education student, whenever there is reason to believe that a pupil was in possession of a weapon on school grounds or at a school-sponsored activity. Requires that if the offending student is a special education student, he must be referred to a planning and placement team for modification of his individualized education plan. Requires that each local board of education provide in-service training on school violence prevention and conflict resolution. Requires local police to notify a school superintendent if any seven through twenty year old residing in his district is arrested for a Class A misdemeanor or a felony.

P.A. 96-244 - added possession of a dangerous instrument or martial arts weapon on school grounds or at a school sponsored activity, off school grounds possession of a firearm or possession and use of a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime, and on or off school grounds sales or distribution of a controlled substance to group of activities requiring expulsion proceedings. This act also eliminates the requirement to expunge notice of an expulsion, and the reasons for it, from the cumulative record of a student who is not expelled or suspended again for two years after his return to school.

P.A. 98-139 amended Subdiv. (1) of Subsec. (a) to add criteria for consideration in determining whether conduct is seriously disruptive of the educational process, added new Subsec. (j) re readmission and redesignated existing Subsec. (j) as Subsec. (k), (Revisor's note: In Subsec. (a)(1)(D) the word "in" in the phrase "whether the conduct involved in the use of alcohol" was deleted editorially by the Revisors for grammatical accuracy).

P.A. 00-157 amended Subsec. (d) to specify that boards of education are only required to offer an alternative educational opportunity in accordance with this section.

P.A. 11-115, Sec. 3 restricts a school district from expelling a student upon the student's return from a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

P.A. 11-126, Sec. 1 requires that a student who has been expelled from school be allowed to participate in adult education programs without being required to withdraw from school.

**Estimated Cost Characterization:** Minor

10-233e

Notice As To Disciplinary Policies And Action. - Requires each local and regional board of education to annually inform all pupils and their parents or guardians and surrogate parents if appointed pursuant to section 10-94g of the general statutes of board policies governing student conduct. In addition, the board must develop a means to inform the parents, guardians or surrogate parents, if appointed, of a student against whom disciplinary action has been taken within twenty-four hours of that action having been taken.

**Enactment:** 1975, P.A. 609

**Amendments:** P.A. 78-218 - substituted "local" for "town" board of education.

P.A. 94-221 required that parents and guardians as well as students be informed of school policies on conduct and expanded the matters to be covered to include school discipline.

P.A. 00-48 - included surrogate parents among those to receive notice as to disciplinary policies and action.

**Estimated Cost Characterization:** Minor

10-233g

Boards To Report School Violence. Reports Of Principals To Police Authority. - Requires the school principal to report to the local police whenever there is a physical assault made by a student upon a teacher or other school employee and that the employee file a written report with the principal.

**Enactment:** 1979, P.A. 464

**Amendments:** P.A. 83-44 - amended Subsec. (a) to require filing of reports annually rather than semiannually.

P.A. 93-353 deleted Subsec. (a) requiring each local or regional board of education to submit an annual report to the state board of education re school violence and Subsec. (d) requiring the state board of education to adopt regulations for such reports, relettering Subsecs. (b) and (c) as (a) and (b).

**Estimated Cost Characterization:** Minor

10-233h

Arrested students. Reports by police, disclosure, confidentiality. Police testimony at expulsion hearings. – Requires a municipal police department, after arresting any person of age seven to twenty for a violation specified in this section to orally notify the the school district in which that person resides and the school district in which a student attends school of the identity of such person and the offense or offenses. The police department must also provide written notification including a description of the incident. The superintendent shall maintain the written report in a secure location and the information must be confidential and disclosed only to persons identified in this section. If the arrest occurred during the school year, the district must, by the end of the next school day, assess the danger posed by such person to himself, other students, school employees or school property and assess the need to modify such person's educational plan or placement and assess the need for disciplinary action.

**Enactment:** 1994, P.A. 94-221, Sec. 10

**Amendments:** P.A. 95-304, Sec. 7 & 9 expanded the list of violations to include Class A misdemeanors.P.A. 97-149, Sec. 1 & 2 expanded the applicability to include violations outside the school year.

P.A. 11-157, Sec. 2 added the requirement to notify the district in which a student attends school.

**Estimated Cost Characterization:** Minor

10-233k

Notification Of School Officials Of Potentially Dangerous Students.. - Requires boards of education to provide school superintendents any educational records of a child seeking to enter or return to a school district from a juvenile detention center, Connecticut Juvenile Training School or any other residential placement. The superintendent shall provide such information to the

principal at the school the child will be attending and the principal must disclose the information to appropriate staff.

**Enactment:** 1999, P.A. 247

**Amendment:** P.A. 01-176 – added requirement that boards of education provide school superintendents information on students coming from juvenile detention centers.

**Estimated Cost Characterization:** Minor

10-235

Indemnification Of Teachers, Board Members And Employees In Damage Suits; Expenses Of Litigation. - Requires each board of education to protect and save harmless any member of such board, or any teacher, or other employee thereof from financial loss and expenses, including legal fees and cost, arising out of any claim, demand, suit of alleged negligence or other act resulting in accidental bodily injury to, or death of any person, or any alleged malicious, wanton or willful act while acting in the discharge of his or her duties.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 521 - act extended protection of state board of education, etc., to members of the board, other employees, and members of the supervisory or administrative staff as well as to teachers.

1965, P.A. 330 - act included commission for higher education under provisions of section.

1971, P.A. 344 - act included definition of "other employee" and extended definition of "teachers" and "other employees" to include faculty, staff and student employees of University of Connecticut Health Center or health services.

1972, P.A. 201 - act included protection for acts resulting in injury "which acts are not wanton, reckless or malicious" and included in definition of terms volunteers approved by boards of education to carry out prescribed duty under direction of certificated staff member.

P.A. 73-651 - included protection for acts which may infringe on person's civil rights and added Subsec. (b) re payment of legal fees and costs.

P.A. 77-573 - replaced commission for higher education with board of higher education

P.A. 78-54 - included in definition of terms students enrolled in higher education institution engaged in supervised field work or clinical practice under certain conditions.

P.A. 78-65 - included in definition "any person, partnership or corporation providing students with community-based career education".

P.A. 78-208 - substituted Sec. 10-183b for reference to repealed Sec. 10-161.

P.A. 78-218 - substituted "local or regional" boards of education for "town" boards in Subsec. (a), included feminine personal pronoun in Subsecs. (a) and (b) and made other technical changes.

P.A. 79-63 - included in definition students in vocational-technical high schools who are engaged in supervised health-related field placement programs under certain conditions.

P.A. 80-197 - explicitly stated in Subsec. (a) that provisions do not "limit or otherwise affect application of section 4-165 concerning immunity from personal liability".

P.A. 81-450 - included student members of discipline committees with the definition of "other employee" for purposes of indemnification.

P.A. 82-218 - replaced board of higher education with board of governors pursuant to reorganization of higher education system, effective March 1, 1983.

P.A. 84-241 - added "of higher education" to board of governors' title.

P.A. 88-273 - in Subsec. (a) amended the definition of "teacher" and "other employee" to include a person who is a cooperating teacher, teacher mentor or assessor.

P.A. 90-230 - made technical corrections to the internal numbering of Subsec. (a).

P.A. 90-325 - added new Subsec. (b) re protection against alleged malicious, wanton, willful etc., acts and relettered previous Subsec. (b) as Subsec. (c).

P.A. 93- 259 amended Subsec. (a) to include in the definition of "teacher" and "other employee" volunteer school bus safety monitors, effective June 28, 1993.  
P.A. 95-79 amended Subsec. (a) to include in Subdiv. (4) a "limited liability company" providing students with community-based career education.  
P.A. 96-214 amended Subsecs. (a) and (b) to include charter schools and charter school governing councils.

**Estimated Cost Characterization:** Minor

10-236a Indemnification Of Educational Personnel Assaulted In The Line Of Duty. - Requires each board of education to protect and save harmless any member of such board, or any teacher, or other employee thereof from financial loss and expenses, including reasonable medical expenses, as a result of an assault while performing their duties. Any such employee who misses time at work because of being assaulted shall continue to be paid during their absence, except that any workers' compensation award may be deducted from payments.

**Enactment:** 1973, P.A. 492

**Amendments:** P.A. 77-573 - replaced commission for higher education with board of higher education.  
P.A. 78-208 - substituted Sec. 10-183b for reference to repealed Sec. 10-161.  
P.A. 78-218 - included feminine personal pronouns in Subsecs. (a) and (b), substituted "local or regional" board of education for "town" board in Subsec. (c) and made technical change in Subsec. (a).  
P.A. 79-376 - substituted "workers' compensation" for "workmen's compensation".  
P.A. 82-218 - replaced board of higher education with board of governors pursuant to reorganization of higher education system, effective March 1,1983.  
P.A. 84-241 added "of higher education" to board of governors' title.

**Estimated Cost Characterization:** Minor

10-238 Petition For Hearing By Board Of Education. - Requires the board of education of any town to hold a public hearing on any question upon written petition of one percent of electors or fifty such electors, whichever is larger. The hearing must be within three weeks of receiving the petition.

**Enactment:** 1953, Supp. 954d

**Estimated Cost Characterization:** Minor

10-239i Participation In The National Assessment Of Educational Progress. - Requires each local and regional board of education, as designated by the commissioner of education, to participate in the National Assessment of Educational Progress.

**Enactment:** 1990, P.A. 324

**Estimated Cost Characterization:** Minor

10-239j Disclosure Of Accreditation Reports. - Requires the local or regional board of education to publicly disclose the results of an accreditation report for any public school at a public meeting of the board of education and to make the report available upon request within forty-five days of receipt of such report from the New England Association Of Schools and Colleges. This section

also requires boards of education to notify the State Board of Education (SBE) if a school is placed on probation by the New England Association of Schools and Colleges.

**Enactment:** 1990, P.A. 324

**Amendment:** P.A. 98-252 – added requirement that the local school board notify the State Board of Education if a school is placed on probation by the New England Association of Schools and Colleges.

**Estimated Cost Characterization:** Minor

#### *TOWN MANAGEMENT*

10-240      Control Of Schools. - Requires the board of education to maintain the control of all the public schools within its limits.

**Enactment:** Prior to 1949

**Amendment:** P.A. 78-218 - added phrase "through its board of education" to clarify how control of public schools maintained.

**Estimated Cost Characterization:** Minor

10-242      Meetings. - Requires the annual town meeting to be the annual school district meeting and that special meetings are to be called and held in the same manner as special town meetings, which require notice to be posted in a local newspaper.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

10-247      Management Of Permanent Funds. - Requires that if any school district, formerly existing in a town in which the school district has been, or shall be abolished or consolidated, has received a permanent fund for the support of a school or schools in such district, the treasurer of the town shall have charge of it and keep a separate account thereof, and the income of such fund shall be held subject to the order of the of the board of education, which shall apply it for the benefit of the school or schools within or nearest to the limits of the district formerly existing.

**Enactment:** Prior to 1949

**Amendment:** P.A. 78-218 - deleted "town" in phrase "subject to the order of the town board of education".

**Estimated Cost Characterization:** Minor

10-248      Payment Of School Expenses. - Requires that expenses of maintaining public schools in each town to be paid by the town treasurer on orders drawn by the board of education, except as they may be met by the income from local school funds.

**Enactment:** Prior to 1949

**Amendment:** P.A. 78-218 deleted "town" in phrase "with the approval of the town board of education".

**Estimated Cost Characterization:** Minor

*SUPPORT OF PUBLIC SCHOOLS. TRANSPORTATION*

10-249 Enumeration Of Children Of Compulsory School Age In School Districts And By State Departments Having Jurisdiction Over Such Children. - Requires each local and regional board of education to annually determine, by age, the number of children of compulsory school age who reside within its jurisdiction, in a manner provided by this section. Also requires the superintendent of schools to make a reasonable effort to ascertain the reason for nonattendance of any child of compulsory age, in a manner also provided by this section.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 417 - act removed fixed compensation of enumerators and provided for payment in discretion of board of education.

1965, P.A. 123 - act changed age of children to be enumerated from eighteen to twenty-one.

1971, P.A. 43 - act changed all marker dates in section, i.e. "October" to "April", "September" to "January", "September" to "March" and "November" to "May", and required recording of address of employer as well as name.

P.A. 78-218 substituted "local and regional school district" for "town board of education" and "school district" for "town" and replaced masculine personal pronouns with appropriate nouns.

P.A. 81-257 streamlined the procedure for enumerating children of compulsory school age, eliminated appointment of an enumerator, made alternate plans for enumeration acceptable, required "reasonable effort" to determine reason for nonattendance of any child and employment information, authorized public agencies to provide information upon request of superintendent and added Subsec. (c) re reports by state departments to commissioner of education re whereabouts of children under their jurisdiction.

**Estimated Cost Characterization:** Minor

10-250 Report Showing Number Of Children. - Requires the superintendent of schools for each local or regional school district to annually file a report with the commissioner of education showing the number of compulsory school age children residing in such district.

**Enactment:** Prior to 1949

**Amendments:** 1971, P.A. 43 - act changed deadline for report from January first to June fifteenth, substituted "report" for "sworn certificate" and required recording of children residing in town as of preceding "April" rather than "October".

P.A. 78-218 - substituted "local or regional" board of education for "town" board.

P.A. 81-257 - clarified provisions, substituted "school district" for references to board of education and town and required filing of report with commissioner of education rather than with state board of education.

**Estimated Cost Characterization:** Minor

10-253 School Privileges For Children In Certain Placements. Nonresident Children And Children In Temporary Shelters. - Requires that children placed out of district by the commissioner of the department of children and youth services or other agencies or persons, and eligible residents of

facilities operated by the department of mental health or CADAC are to be entitled to all free school privileges of the school district where they then reside as a result of such placement. With certain exceptions, payment for such education is to be paid by the board of education of the school district under whose jurisdiction such child would otherwise be attending school where such a school district is identified. Such financial responsibility shall be the lesser of one hundred percent of the costs of such education or two and one-half times the average per pupil educational costs of such board of education for the prior fiscal year. This section also requires that children permanently residing with relatives or nonrelatives, not for the sole purpose of obtaining school accommodations, shall be entitled to all free school privileges of the school district in which they reside.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 586 - act amended Subsec. (a) providing exception to requirement that children placed by welfare commissioner receive free school privileges in town where placed. 1969, P.A. 793 - act deleted reference to placement in hospitals or custodial institutions for periods less than a school year in Subsec. (a) and excluded from provisions "children placed in hospitals or custodial institutions pursuant to agreements made under section 10-76d of the 1967 supplement . . .".

P.A. 75-420 - substituted commissioner of social services for welfare commissioner.

P.A. 77-614 - substituted commissioner of human resources for commissioner of social services, effective January 1, 1979.

P.A. 78-218 - substituted "board of education" for "town" where a duty implied and "school district" for "town" where geographical location implied.

P.A. 80-483 - substituted commissioner of children and youth services for commissioner of human resources.

P.A. 81-257 - repealed Subsec. (d) which had required enumeration of child in district he resides on date of enumeration.

P.A. 81-432 - clarified educational and financial responsibilities for state agency placements.

P.A. 82-311 - clarified provisions of P.A. 81-432 concerning the provision of an education for non-special-education children who are placed by state agencies by amending Subsec. (a) to require that the responsibility for children placed by state agencies rests with the school district where the child is placed if no responsible school board can be determined; and amending Subsec. (d) to specify that children not requiring special education who are placed by a public agency in any facility or home are the responsibility of the district where they are placed.

P.A. 83-88 - amended Subsec. (c) to authorize board to establish rate of tuition for nonresident children.

P.A. 85-473 - amended section to apply to certain residents of department of mental health facilities.

P.A. 86-303 - in Subsec. (d) added the provision that the residence not be for the sole purpose of obtaining school accommodations and made other provisions re requiring documentation re the nature of the residence.

P.A. 87-179 - amended Subsec. (a) to make children placed out by licensed private child-caring or child-placing agencies entitled to the free school privileges of the school district where they reside as a result of placement and added new Subsec. (e) re financial responsibility for educational costs for children in temporary shelters.

P.A. 88-360 - in Subsec. (a) added reference to the Connecticut alcohol and drug abuse commission.

P.A. 93-91- substituted commissioner and department of children and families for commissioner and department of children and youth services.

P.A. 93-381- replaced Connecticut alcohol and drug abuse commission with department of public health and addiction services.

P.A. 95-237 - amended Subsec. (e) to add the exception concerning financial liability for special education and related services for children placed by the Department of Children and Families.

P.A. 95-257 - replaced Department of Mental Health with Department of Mental Health and Addiction Services, replaced Department of Public Health and Addiction Services with

Department of Public Health, and added "except as provided in subparagraph (B) of subdivision (4) of subsection (e) of section 10-76d" in Subsec. (a), effective July 1, 1995 (Note: The reference to "subparagraph (B) of" was deleted editorially by the Revisors since Sec. 32 of P.A. 95-257 deleted former Subpara. (A) and the Subpara. (B) indicator from Sec. 10-76d(e)(4)).

P.A. 96-146 - amended Subsec. (e)(2) to make the Department of Children and Families responsible for the cost of special education and related services for certain children and to specify that the responsibility of the department or the school district in which the child resided prior to placement shall be to the extent the department or board is responsible for such costs under Sec. 10-76d(a)(2)(B).

P.A. 98-168 - amended Subsec. (b) to change one method for determining the financial responsibility of local and regional boards of education from "two and one-half times" the average to the average per pupil educational costs.

**Estimated Cost Characterization:** Minor

10-257h Data To Be Transmitted. - Requires every school district to annually report school staff data, to the teacher's retirement board.

**Enactment:** 1986, May Special Session P.A. 1

**Amendment:** P.A. 87-488 - added Subsec. (d) to require regional school district #19 to transmit certain data to the teachers' retirement board.

**Estimated Cost Characterization:** Minor

10-258 Trust Funds. - Requires the treasurer of any town that has received a permanent fund for the support of a school or schools to take charge of such fund and keep a separate account of it and the income from such fund shall be held subject to the order of the board of education.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

10-261b Data Re Transfers Of Real Property For Preparation Of Equalized Net Grand Lists. - Requires the town clerk and assessor or board of assessors in each town to submit monthly to the secretary of OPM all requested data concerning each transfer of property in that town during the preceding month, except in the year a revaluation is implemented. Failure to do so shall result in a forfeiture of one dollar to the state for each transfer unreported. Towns phasing in an increase in assessed values for real property after a revaluation must also submit specified data.

**Enactment:** 1977, P.A. 478

**Amendments:** P.A. 77-614 and P.A. 78-303 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 86-351 - substituted "secretary of the office of policy and management" for "commissioner of revenue services" as the person to receive all required data concerning each transfer of real property, effective October 1, 1986, and applicable to the October 1, 1986, assessment list in any town and each assessment list thereafter.

P.A. 87-115 - added provisions (1) that transfers of real property recorded in October, November, December and January be submitted to the office of policy and management no later than sixty days following the last day of the month in which the transfer was recorded, (2) that any municipality which neglects to transmit the data as required shall forfeit one dollar to the state for

each transfer for which data is required and that the secretary of the office of policy and management may waive such forfeiture in accordance with regulations to be adopted and (3) that said secretary may extend the time for submission of the data in any year in which a revaluation as required under section 12-62 becomes effective for the assessment list, effective May 11, 1987, and applicable to transfers of real property occurring on or after October 1, 1987.

P.A. 95-283 - amended Subsec. (b) to replace board of tax review with board of assessment appeals.

P.A. 97-244 – eliminates the requirement that towns submit a report of *Property Sales – Assessment Data* (Form M-45) with respect to each property transaction occurring between October 1 and September 30 in the year a revaluation is implemented.

P.A. 11-48, Sec. Sec. 193, - amends Subsection (b) of section 10-261b to narrow a previous exemption and requires towns phasing in an increase in assessed values for real property after a revaluation to submit data.

Estimated Cost Characterization: Minor

10-262f

Definitions. – Specifies the Minimum Expenditure Requirement's foundation level of spending.

**Enactment:** 1988, P.A. 358

**Amendments:** P.A. 89-124 - redefined "regional bonus" to add a provision that the regional bonus is for towns which are members of regional school districts, to provide that the bonus equals twenty-five dollars for each student enrolled in the regional school district on October first or the immediately preceding full school day rather than for each resident student and made a technical change, redefined "regular program expenditures" to substitute "capital building expenditures" for "buildings" in Subpara. (B) (iii), transferred Subpara. (C) (i) re tuition received on account of nonresident students to new Subpara (E) and renumbered the subparagraph, in new Subpara. (C) (i) excepted grants received pursuant to Sec. 10-257f and chapter 173 and added new Subpara. (D) re expenditures of funds from private and other sources, and in Subdiv. (18) added a definition of "regular program expenditures per need student" for towns which are members of certain regional school districts and for such school districts.

P.A. 89-355 - redefined "education enhancement aid" by substituting four and one-half for five per cent as the amount to be added to base aid for the fiscal year ending June 30, 1990, in Subpara. (A) and by substituting four and one-half for five per cent as the amount to be added to the previous year's education enhancement aid for the fiscal year ending June 30, 1991, and each fiscal year thereafter in Subpara. (B), redefined "minimum aid" by substituting one-half of one per cent for one per cent as the amount to be added to base aid for the fiscal year ending June 30, 1990, in Subpara. (A) and by substituting one-half of one per cent for one per cent as the amount to be added to the previous year's minimum aid for the fiscal year ending June 30, 1991, and each fiscal year thereafter in Subpara. (B), and redefined "state guaranteed wealth level" by substituting 1.8335 for two as the number to be multiplied by the town wealth of the town with the median wealth.

P.A. 90-225 - in Subdiv. (5) redefined "education enhancement aid" to be for towns which rank seventeen to one hundred sixty-nine in wealth rather than for towns which in a certain fiscal year did not receive certain educational equalization grants and for the fiscal years after the fiscal year ending June 30, 1990, added that education enhancement aid can be the previous year's minimum aid, if applicable, and reduced the additional percentage from four and one-half to four per cent; Subdiv. (13) redefined "minimum aid" to be for towns which rank one to sixteen in wealth rather than for towns which in a certain fiscal year did not receive certain educational equalization grants and for the fiscal years after June 30, 1990, added that minimum aid means the previous year's minimum aid or education enhancement aid rather than the previous year's minimum aid plus one-half of one per cent and in Subdiv. (22) redefined "state guaranteed wealth level" to be 1.6651 times the town wealth of the town with the median wealth for the fiscal year ending June 30, 1991, and thereafter.

June Sp. Sess. P.A. 91-7 - amended Subdivs. (5) and (13) to substitute "the fiscal year ending June 30, 1992" for "each fiscal year thereafter" and amended Subdiv. (17) to remove a reference to welfare services for nonpublic school children.

P.A. 92-262 - amended Subdiv. (22) to add 1992 in Subpara. (B) and to add Subpara. (C) pertaining to fiscal year 1993 and ensuing years and added Subdivs. (28) and (29) defining "equalized mill rate" and "grand levy".

May Sp. Sess. P.A. 92-14 - amended Subdiv. (29) to add "net taxable"; in 1993 obsolete reference in Subdiv. (14) to repealed Sec. 17-107 replaced editorially with reference to Sec. 17-106.

P.A. 93-145 - amended subdiv. (7) to freeze foundation level at \$4,800 for FYs 1994 and 1995.

P.A. 93-262 - authorized substitution of commissioner and department of social services for commissioner and department of income maintenance.

P.A. 93-353 - amended Subdivs. (11) and (12) defining "mastery percentage" and "mastery test data of record" to remove a reference to Subsec. (c) of Sec. 10-14n.

P.A. 95-226 - revised the definitions of "adjusted equalized net grand list", "base aid ratio", "foundation", "grant mastery percentage", "mastery improvement bonus", "mastery percentage", "regular program expenditures", "resident students", "state guaranteed wealth level", "total need students" and "town wealth", added the definitions of "income adjustment factor", "median household income", "supplemental aid factor", "percentage of children eligible under the aid to families with dependent children program", "number of children age five to seventeen, inclusive", "supplemental aid ratio", "population", "base revenue", "density", "density aid ratio" and "mastery goal improvement count", deleted definitions, made technical changes and renumbered.

P.A. 96-161 - redefined "resident students" to change the basis for decreases and increases to correspond to the requirements of Sec. 10-16 and to rewrite the provision concerning the counting of students attending summer sessions.

P.A. 96-244 - amended Subdiv. (20) to make technical changes, deleting references to Secs. 10-257b to 10-257d, inclusive, and 10-257f, repealed elsewhere in the act, and amended Subdiv. (29) to substitute "enrolment" for "resident student counts (Revisor's note: P.A. 96-244 omitted the closing sentence of Subdiv. (20) re inclusion of Gilbert School expenses as part of public school expenses of the town of Winchester. Since the provision was not enclosed within brackets the omission has been treated as a clerical error and the provision, as enacted by section 1 of public act 95-226, preserved).

P.A. 97-290 - amended Subdiv. (22) to add provision concerning pupils participating in the program established pursuant to Sec. 10-266aa.

P.A. 97-318 - amended Subdiv. (9) to add June 30, 1998, and June 30, 1999, made a technical change in Subdiv. (13) and deleted former Subdiv. (23) defining "resident students in regular programs", renumbering the remaining Subdivs.

June 18 Sp. Sess. P.A. 97-2 - replaced references to "aid to families with dependent children" with "temporary family assistance".

P.A. 98-168 - amended the definition of "foundation" in Subpara. (E) of Subdiv. (9) to increase the amount to five thousand seven hundred seventy-five dollars.

P.A. 98-252 - made technical changes in Subdivs. (5) and (11).

P.A. 99-217 - amended Subdiv. (2) to substitute "six one-hundredths" for "zero", amended Subdiv. (9) to add provisions pertaining to the fiscal years ending June 30, 2000, and June 30, 2001, and to make technical changes, amended Subdiv. (17) to add reference to the predecessor federal program to the temporary family assistance program, and amended Subdiv. (25) to add provision in Subpara. (B)(ii) and to make the existing language in Subpara. (B)(i) apply to school years commencing prior to July 1, 1998.

P.A. 99-289 - amended Subdiv. (22) to remove an obsolete reference.

P.A. 00-187 - amended Subdiv. (19) to increase the amount from twenty-five to one hundred dollars.

P.A. 00-220 - amended Subdiv. (22) to make a technical change.

**Estimated Cost Characterization:** Minor

10-262i

Grant payments. Expenditures for educational purposes only, exception. Prohibition against supplanting local funding. Minimum budget requirement. Penalty. – Requires each town receiving an ECS grant to budget no less than specified.

**Enactment:** 1988, P.A. 88-358

**Amendment:** P.A. 09-6 (September Special Session), Sec. 30 imposed the mandate.

P.A. 11-48, Sec. 190, extends the mandate through the 2012-2013 fiscal year and caps the amount of reduction to 0.5% of the budget for the previous year. It also limits such reductions to school districts satisfying certain criteria.

P.A. 11-234, Sec. 1, expands the mandate by adding the poverty rate to the criteria for preventing a town from reducing its school budget and reduces the mandate by allowing a district that pays tuition to another school district to reduce its budget if the number of resident students attending high school declines.

P.A. 12-116 reduces the mandate by allowing a school district that achieves savings through intradistrict efficiencies or through regional collaboration or cooperative arrangements to reduce the school budget by one-half of those savings, but not more than one-half of one per cent of the budget for the fiscal year ending June 30, 2012.

P.A. 12-1 (June Special Session), Sec. 288 amended the statute without changing the mandate.

**Estimated Cost Characterization:** Minor

10-262j

Minimum Expenditure Requirement. Forfeitures. - Requires a formula driven minimum expenditure requirement for the regular school program of a town. Failure to comply results in a forfeiture of state aid in an amount determined by a formula described in this section.

**Enactment:** 1988, P.A. 358

**Amendments:** P.A. 89-124 - in Subsec. (e) added forfeiture provisions and a minimum expenditure requirement for kindergarten to grade twelve, inclusive, regional school districts and added new Subsec. (g) re definition of "total need students" for purposes of the section.

P.A. 92-262 - amended Subsecs. (a), (c) and (f) to add fiscal year 1993, Subsec. (b) to add Subdiv. (4), and Subsec. (d) to substitute 1994 for 1993.

P.A. 93-145 - amended Subsec. (b) to add Subdiv. (5) concerning the amount of aid for the fiscal year ending June 30, 1994, and each fiscal year thereafter and amended Subsec. (d) to make the existing Subsec. Subdiv. (1), limited the applicability of said Subdiv. to the fiscal year ending June 30, 1994, added the "greater of the" existing requirement or the sum of the items described in Subparas. (A) and (B) and added the exception language, and added Subdiv. (2) concerning program expenditures for the fiscal year ending June 30, 1995, and for each fiscal year thereafter.

P.A. 94-245 amended Subsec. (e) to add provision that any additional funds expended pursuant to an agreement between the State Board of Education and a kindergarten to grade twelve, inclusive, regional school district shall not be included in a district's expenditures for the purpose of establishing any future minimum expenditure requirement.

P.A. 95-226 amended Subsec. (b) to add Subdiv. (6) concerning the fiscal year ending June 30, 1996, and Subdiv. (7) concerning the fiscal year ending June 30, 1997, amended Subsec. (d) to limit Subdiv. (2) to the fiscal year ending June 30, 1995, and added Subdiv. (3) concerning the fiscal years ending June 30, 1996, and June 30, 1997, and amended Subsec. (f) to add Subdiv. (2) re fiscal years ending June 30, 1996, and June 30, 1997, and made technical changes.

P.A. 97-318 amended Subsecs. (b) and (d) to add provisions re the fiscal year ending June 30, 1998, and the fiscal year ending June 30, 1999, respectively.

P.A. 99-217 amended Subsec. (d) to add Subdiv. (6) re expenditures for the fiscal year ending June 30, 2000, and Subdiv. (7) re expenditures for the fiscal year ending June 30, 2001.

P.A. 00-187 amended Subsec. (b) to add Subdiv. (10) re fiscal year ending June 30, 2000, and each fiscal year thereafter and amended Subsec. (d)(7)(C) to add the clause "if the resident student count for October 1999, is less than the resident student count for October 1998".

**Estimated Cost Characterization:** Major

10-262u Alliance districts. - Requires the board of education for a town designated as an alliance district to follow specified procedures to apply to the Dept. of Education for payment of funds withheld in accordance with this section and requires an annual report of expenditures if such funds are received.

**Enactment:** 2012, P.A. 12-116, Sec. 34

**Estimated Cost Characterization:** Minor

10-264l Grants For The Operation Of Interdistrict Magnet School Programs. - Requires in the case of a special education student attending an interdistrict magnet school, that each local and regional board of education in which the student resides must hold a planning and placement team meeting that includes representatives from the magnet school. The resident district must pay the magnet school the difference between the reasonable cost for educating such student and the amount the magnet school gets from other federal, state, local and private sources calculated on a per-pupil basis. Every interdistrict magnet school, not just those operated by a regional educational service center, must annually file a financial audit with the Dept. of Education.

**Enactment:** 1995, P.A. 226

**Amendments:** P.A. 97-290 - amended Subsec. (a) to add provision restricting the number of students that may enroll in the program from a participating district to eighty per cent of the total enrolment of the program and to make a technical change, and amended Subsec. (b) to require consideration of the percentage of the student enrolment in the program from each participating district, to add the prohibition against awarding a grant to a program if more than eighty per cent of the total enrolment is from one school district with a one-year exception for good cause, and to make technical changes.

P.A. 98-168 - amended Subsec. (a) to delete provision for program to be established with funds appropriated for purposes of Sec. 10-74d and to substitute provision for program to be established within available appropriations, and added new Subsec. (e) re retention of up to one per cent by the Department of Education.

P.A. 98-252 and 98-259 - both made cooperative arrangements eligible for grants and P.A. 98-252 also made technical changes.

P.A. 99-289 - amended Subsec. (a) to make the grants noncompetitive, amended Subsec. (c) to increase the percentage of the grant that programs operating less than full-time are eligible to receive from "fifty" to "sixty-five" per cent, and added Subsec. (f) re transportation and Subsec. (g) re determination of level of enrolment.

P.A. 00-48 – added requirements that the local or regional board of education must hold a ppt meeting for any special education student attending an interdistrict magnet school and that the resident district must pay the magnet school the difference between the reasonable cost for educating such student and the amount the magnet school gets from other federal, state, local and private sources calculated on a per-pupil basis.

P.A. 09-6 (September Special Session) added Subsec. (k), capping the amount granted for interdistrict magnet schools per out-of-district pupil at the FY 2009 level and capping tuition rates charged by such schools, resulting in a revenue loss to municipalities.

P.A. 11-179, Sec. 8 revised the payment schedule and adjustment procedure. Sec. 9 added requirement for every interdistrict magnet school, not just those operated by a regional educational service center, to annually file an financial audit with the Dept. of Education.

**Estimated Cost Characterization:** Moderate

10-264o Participation agreements and tuition payable to interdistrict magnet schools that begin operations in support of the 2008 stipulation and order for Sheff v. O'Neill. – Established a floor for the amount of tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school.

**Enactment:** 2008, P.A. 08-170

Amendment: PA 09-6 (September Special Session) established a higher floor for calculating the tuition rate charged by interdistrict magnet schools per out-of-district pupil, resulting in potential increased expenses to municipalities.

**Estimated Cost Characterization:** Minor

10-265g. Summer Reading Programs Required For Priority School Districts. Evaluation Of Student Reading Level. Personal Reading Plans. Requires each local and regional school district in the state to develop and implement a three-year plan to improve the reading skills of students in grades kindergarten through third grade, inclusive. Also requires superintendents in priority school districts to report to the Commissioner of Education regarding the number of students who are determined to be substantially deficient in reading and are promoted from third to fourth grade.

**Enactment:** 1998, P.A. 243

**Amendment:** P.A. 99-288 - made a technical change in Subsec. (a), amended Subsec. (b) to substitute substantially deficient in reading for "reading below grade level" and deleted requirement to include information in the strategic school profile on the number of students promoted from third to fourth grade who are reading below grade level and added Subsec. (c) re report on number of students promoted from third to fourth grade who are substantially deficient in reading.

**Estimated Cost Characterization:** Moderate

10-2651 Requirements For Additional Instruction For Poor Performing Students In Priority School Districts; Exemption. Summer School Required; Exemption. Requires the boards of education for priority school districts to provide additional instruction and summer school to students who fail to reach the statewide standard for remedial assistance for each student in grades three to five, inclusive, who fails to meet the state-wide standard for remedial assistance on the reading component.

**Enactment:** 1999, P.A. 288

**Amendment:** P.A. 01-173 – reduces the requirement to provide additional instruction and summer school to those students who fail the reading component of the 4<sup>th</sup> grade mastery test.

P.A. 03-174 – Stipulates that school districts need to fund summer programs only for sixth grade students who failed the mastery exams, within available funding.

**Estimated Cost Characterization:** Moderate

10-277 Reimbursement For Transportation Of High School Pupils From Towns Or Regional School Districts Not Maintaining High Schools. Transportation To Nonpublic Schools. - Requires any town or regional school district which does not maintain a high school to pay the reasonable and necessary cost to transport high school students out of district. The superintendent of schools for such district must annually certify under oath to the state board of education the number of

students transported, where they went and how much it cost. Part of this cost is eligible for reimbursement.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 63 - act substituted superintendent of schools for chairman of the board of education as the officer to order payment and certify to the same.

1963, P.A. 492 - act allowed agreements between parents and board re student's attendance at schools where transportation not furnished and payment of transportation costs involved and required that the board of education authorize the superintendent of schools order for payment.

1967, P.A. 190 - act changed report deadline from July first to August first and required report to include number of pupils transported rather than "total average daily membership" of pupils transported.

1969, P.A. 671, - act inserted Subsec. (a), containing definition of "high school", made former provisions Subsec. (b), excepted towns which are part of regional high school districts from provisions, specified that costs be paid for any pupil "under twenty-one years of age", required payment to towns which provide transportation to schools in other towns rather than to towns where high school not maintained having annual tax receipts of sixty thousand dollars or less and deleted provisions re forty per cent payments after six months of school year.

1971, P.A. 851 - act made changes necessary to apply provisions to town or regional school districts and added Subsec. (c) re transportation to private schools.

P.A. 78-218 - substituted "such pupil's" for "his" in Subsec. (b).

P.A. 78-272 - changed maximum payment in Subsec. (b) from one-half of cost but not more than an average of thirty-five dollars per pupil to one-half the cost or an average of thirty-five dollars per pupil, whichever is greater.

P.A. 79-128 - replaced previous provision for reimbursement maximum with provision for reimbursement in accordance with Secs. 10-266m and 10-266n.

P.A. 83-119 - added Subsec. (d) re suspension of transportation services.

P.A. 84-255 - amended Subsec. (b) changing filing date for certification of the names and number of students being transported from August to September.

P.A. 86-71 - deleted the reference in Subsec. (b) to Sec. 10-266n which was repealed and added the reference to Sec. 10-97.

P.A. 93-353 - amended Subsec. (b) to change the information required to be certified under oath from the names of the high schools and the number of pupils transported to each school to the towns to which the pupils were transported.

**Estimated Cost Characterization:** Moderate

10-281

Transportation For Pupils In Nonprofit Private Schools Within School District. - Requires any municipality or school district to provide transportation for its children attending a non-public, nonprofit school when a majority of the children attending such school are residents of Connecticut. The municipality or school district will be reimbursed in the same manner as for the transportation of its children to the public schools.

**Enactment:** 1957, P.A. 547

**Amendments:** 1971, PAs 653, 871 - acts made town's provision of transportation to nonprofit private schools mandatory when majority of students come from that town, rather than optional, allowed reimbursement for cost, deleted obsolete reference to decision to be rendered under Subsec. (b) and deleted Subsec. (b) itself.

P.A. 74-257 - required provision of transportation to nonprofit private schools when majority of students come from Connecticut rather than from the municipality.

P.A. 75-479 - limited amount required to be spent for private school transportation to double the amount spent per pupil locally.

P.A. 76-85 - added provision for redress of grievance re denial of transportation.  
 P.A. 78-218 - substituted "municipality" for "town, city or borough".  
 P.A. 83-119 - allowed board to suspend transportation services in accordance with Sec. 10-233c.  
 P.A. 83-252 - established procedure for determining when a majority of students attending nonpublic schools are from the state and allowed costs in excess of the maximum expenditure required to be allocated on a per pupil, per school basis and payment of such excess costs to be made directly to the provider of transportation services or to be made for less than the entire school year.  
 P.A. 85-249 - amended section to specify that transportation services are to be provided for private nonprofit school children in grades kindergarten to twelve, and to add definition of residency.  
 P.A. 93-353 - changed the method for determining whether the majority of the students attending a school are residents of the state and removed the requirement to base such determination on enrolment on May first as well as October first.

**Estimated Cost Characterization:** Moderate

### *PUBLIC SCHOOL BUILDING PROJECTS*

10-287      Installment Payment Of Grants. Construction Contracts Subject To Bid. Withholding Of State Grant Payment; Conditions. Submission Of Final Grant Application; Forfeiture Of State Grant. - Requires all orders and contracts for school building construction costing more than ten thousand dollars, and receiving state assistance, to be awarded to the lowest qualified bidder only after a public invitation to bid, which must be advertised in a newspaper having circulation in the town. If the commissioner determines that a building project has not met the approved conditions, the state board of education may withhold subsequent payments or require repayment of all state grants. Each school district must submit a final grant application within one year from date of completion of construction project. Failure to submit application could result in the forfeiture of ten percent of state reimbursement.

**Enactment:** November, 1949, 1951, 1953 Supp. 985d

**Amendments:** 1959, P.A. 321 - act added provision re regional vocational agriculture center.  
 1963, P.A. 317 - act provided grants under ten thousand dollars be paid in lump sum rather than five annual installments.  
 1965, P.A. 361 - act changed number of installments from twenty to the same number as for municipal bonds issued for project's construction.  
 1969, P.A. 751 - act specified that provisions apply to grants "for projects not receiving state financial assistance under section 10-287b".  
 1971, P.A. 695 - act changed applicability of provisions to grants "not eligible for state financial assistance under section 10-287a".  
 P.A. 73-215 provided exception to requirement for bids for contracts of less than ten thousand dollars and those of an emergency nature.  
 P.A. 76-418 - clarified exceptions to provision making installments equal in number to installments on municipal bonds by excepting cases where number of installments on municipal bonds is less than five and by including cases involving cooperative regional special education facilities in provision re vocational agriculture centers and changed amount of grants to be paid in lump sum from ten to twenty-five thousand dollar.  
 P.A. 82-253 - added provisions concerning the number of grant installment payments so that the total would be equal to the number of installment payments on the municipal bonds, as previously provided, however the amendment in this act included in such payments on municipal bonds, payments to retire temporary notes under certain conditions, effective July 1, 1982, and applicable to installment payments made on or after that date to retire temporary notes renewed for the third and subsequent years pursuant to Sec. 7-378a or 7-378e.

P.A. 84-460 - amended Subsec. (a) re payment of the state's share of project costs per installment on municipal bonds or notes, added provision re final payment conditioned on audit of any project for which a final calculation was not made prior to July 31, 1983, added new Subsec. (c) re withholding of state grant payments and added new Subsec. (d) re submission of a final grant application.

P.A. 88-360 - in Subsec. (a) deleted designations for Subdivs. (1) and (2) and added that the determination related to such rates of interest "may be reviewed" by the commissioner of education and in Subsec. (b) substituted "commissioner" for "state board" of education.

June Sp. Session P.A. 91-5 - amended Subsec. (a) to remove an exception which provided for five installments in cases where the number of installment payments on municipal bonds is less than five.

P.A. 94-245 - amended Subsec. (d) to remove forfeiture provision for failure to submit a final grant application within the required time frame and to substitute provision permitting the commissioner to withhold ten per cent of the state reimbursement for such project.

P.A. 95-259 - amended Subsec. (b) to add the exception for change orders.

P.A. 97-265 - amended Subsec. (a) to specify that installments are for principal, to provide for certification to the State Comptroller of the dates and amounts of grant payments, to require payments to be made at least ten days prior to the principal payment on bonds or other financing, to allow for certification to be based on estimates if the project is not completed at the time bonds or temporary notes are issued to finance the project and to require adjustment and recertification based on the state's share of final eligible costs.

P.A. 98-249 - amended Subsec. (b) to add provision re use of a state contract.

P.A. 07-249 – amended Subsec. (b) to require architectural or construction management services to be put to bid on any school building construction project receiving state assistance.

**Estimated Cost Characterization:** Minor

10-288a

Replacement Or Relocation Of Secondary School Associated With Center. - Whenever a secondary school which is associated with an approved vocational agriculture center is to be replaced or relocated within a town or regional school district, the commissioner of education may require the relocation of the equipment and program in a building approximately equal to that serving as a center for vocational agriculture education. Such new facilities shall be included in or adjacent to the high school, which is to serve the needs of the vocational agriculture pupils and shall conform to requirements of the commissioner with respect to location, design and construction.

**Enactment:** 1967, P.A. 638

**Amendments:** 1971, P.A. 365 - act based determination of grants for construction of replaced or relocated vocational agriculture centers on provisions in Sec. 10-286(e) or (f), whichever is appropriate, rather than on the cost of the center or two hundred thousand dollars, whichever is less, minus the grant received for construction of original center.

P.A. 88-360 - substituted "commissioner" for "state board" of education.

**Estimated Cost Characterization:** Minor

10-289e

Private Academy Project Proposal, Public Hearing, Referendum Vote. - Allows private academies to propose school building projects that would be financed by a loan from the proceeds of bonds or notes of a qualifying municipality, in a manner provided by this section. Upon the recommendation of the board of education of such qualifying municipality, the board of selectmen or town council must hold a public hearing and a referendum vote on such proposal. Notice of the hearing and referendum must be posted and published in a newspaper which has a substantial circulation in the municipality.

**Enactment:** 1987, P.A. 461

**Amendment:** P.A. 87-499 - deleted the provision that absentee voting not be permitted in the referendum.

**Estimated Cost Characterization:** Minor

10-291

Approval Of Plans And Site. - Requires any school building project for which state assistance is sought to be undertaken as specified.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 294 - act specified that site must be approved as well as plan.

P.A. 73-358 - required filing of plans and specifications "for each phase of site development and construction" before each phase begins and allowed commencement of phase before final plans complete for whole project if final phase plans and latest preliminary plan and cost estimates have been submitted.

P.A. 76-418 - made provisions applicable to projects for which state assistance sought, included reference to districts, forbade letting project out for bid until grant commitment approved and allowed commencement of phase before approval of grant commitment under same conditions as previously applied.

P.A. 85-589 - amended section to allow towns, which commence projects or let projects out for bid to remain eligible for project grants effective July 1, 1985, and transferred site approval power from state board of education to department of education.

P.A. 88-360 - substituted "commissioner" for "state board" of education.

P.A. 91-220 - required that filing of plans and specifications be pursuant to Sec. 10-292.

P.A. 93-378 - added provision regarding project financed by energy conservation lease purchase agreement.

P.A. 03-76 made a technical change, effective June 3, 2003;

P.A. 03-220 designated existing provisions as Subsec. (a) and amended same by making a technical change and adding provisions re environmental site assessment, and added Subsec. (b) re grounds for rejection of a plan or site, effective July 1, 2003;

P.A. 04-26 made technical changes in Subsec. (b)(4), effective April 28, 2004;

P.A. 04-168 amended Subsec. (b)(2)(A) by adding provisions permitting a reduction in minimum roof pitch, effective June 1, 2004.

P.A. 07-208 added Subsec. (b)(5) to include security infrastructure in the plans for school entrances, effective July 1, 2007.

**Estimated Cost Characterization:** Minor

10-292p

School-Based Health Clinic Projects. - Requires any school-based health clinic constructed on or after October 1, 2007, that is located in or attached to a school building to be constructed with an entrance that is separate from the entrance to the school building.

**Enactment:** 2007, P.A. 185

*EDUCATION OF THE BLIND*

10-295 Instruction Costs To Be Paid By State, Limitations. - Requires all residents who, because of blindness or impaired vision, need special educational programs to be provided that instruction. Upon request of parent or guardian, the local board of education may provide that instruction within the town or by agreement with other towns. The state will reimburse the local or regional board of education up to \$6,400 per pupil in any one fiscal year.

**Enactment:** Prior to 1949

**Amendments:** 1959, PAs 582, 591 - acts required that child and either parent or guardian have resided in state for three years immediately preceding application for aid and increased maximum payment by the state.

1961, P.A. 539 - act further increased maximum payment, increased the maximum additional sum payable, added the provision for blind children with other severe physical handicaps or mental retardation or emotionally maladjusted children, reduced the residence requirement from three years to one year and added Subsec. (c).

1963, P.A. 386 - acts increased the state's maximum payment and changed the name of the board.

1965, PAs 289, 574 - acts increased maximum payment for instruction in Subsec. (a) from twenty-one to twenty-seven hundred dollars per year and increased maximum payment in Subsec. (b) from forty-five hundred to five thousand dollars per year and substituted Sec. 10-75g for reference to repealed Sec. 10-81 in Subsec. (a).

1967, P.A. 462 - act increased maximum payment in Subsec. (a) to two thousand nine hundred dollars and in Subsec. (b) to five thousand five hundred dollars.

1969, PAs 159, 580, 767 - acts amended Subsec. (a) to require recommendation of director rather than affirmative vote of three board members for special instruction, to require director to submit names of those recommended to the board, to substitute Sec. 10-76d for Sec. 10-75g, to increase maximum payment for instruction to three thousand four hundred dollars, to increase clothing payments from sixty to one hundred dollars, to add provisions re reimbursement for transportation costs and to extend provisions to those with impaired vision, amended Subsec. (b) to require bona fide residency for eligibility rather than three years' residency, to increase maximum payment to six thousand dollars and to extend provisions to those with impaired vision.

1971, P.A. 567 - act made provisions applicable to persons regardless of age, increased maximum payment in Subsec. (a) to four thousand dollars and in Subsec. (b) to seven thousand dollars.

1972, P.A. 212 - act increased maximum payment in Subsec. (a) to four thousand eight hundred dollars and in Subsec. (b) to eight thousand four hundred dollars.

P.A. 73-469 - increased payment in Subsec. (a) to five thousand four hundred dollars.

P.A. 74-260 - increased payment in Subsec. (a) to six thousand four hundred dollars and in Subsec. (b) to nine thousand four hundred dollars.

P.A. 78-211 - increased maximum payment in Subsec. (b) to twelve thousand dollars.

P.A. 78-218 - included regional boards of education in transportation reimbursement provisions in Subsec. (a) and removed masculine personal pronouns in Subsec. (b).

P.A. 79-525 - added Subsec. (d) re expenditures for persons twenty-one or older who are both blind or visually impaired and deaf.

P.A. 81-378 - raised maximum expenditure per year per child from twelve thousand to fourteen thousand dollars in Subsec. (b).

June 18 Sp. Session P.A. 97-2 - amended Subsec. (a) by requiring a local or regional board of education to request reimbursement by the first of June for expenses incurred during the preceding first of July through the thirty-first of December and by the first of December for expenses incurred during the preceding first of January through the thirtieth of June, amended Subsec. (b) by decreasing the amount of funds the board may expend for sending certain children to specialized facilities from fourteen to eleven thousand dollars, and added Subsec. (e) allowing the board to purchase adaptive equipment and specifying the cost limits of such purchases.

P.A. 98-252 - amended Subsec. (a) to substitute referral by a local or regional board of education for referral by the State Board of Education for purposes of providing instruction to children with vision greater than as defined in Sec. 10-294a.

**Estimated Cost Characterization:** Minor

10-300 Exemption From License Fees. - Exempts the Department of Rehabilitation Services or the Connecticut Institute for the Blind from the requirement to pay for a license to sell its merchandise in any municipality.

**Enactment:** Prior to 1949

**Amendment:** 1961, P.A. 539 - act added activities of board to existing exemption for institute.  
P.A. 12-1 (June Special Session), Sec. 48 amended the statute without changing the mandate.

**Estimated Cost Characterization:** Minor

10-303 Food service facilities and vending stands in public buildings controlled by Board of Education and Services for the Blind. Permissible uses of vending machine income. - Requires municipalities to grant a permit to the Department of Revenue Services to operate a food service facility, vending machine, newspaper stand, etc. in any municipal building whenever it is determined that such a facility is desirable.

**Enactment:** Prior to 1949

**Amendments:** 1959, PAs 264, 615 - acts deleted reference to county buildings and property and extended section's application to food service machines and vending machines.  
1963, P.A. 386 - act changed the name of the board.  
P.A. 75-549 - clarified "state or municipal" building by replacing phrase with "building or property owned, operated or leased by the state or any municipality therein".  
P.A. 78-218 - substituted "such person's" for "his".  
P.A. 80-59 - added Subsec. (b) re savings account for non-state vending machine income.  
June 18 Sp. Session P.A. 97-2 - amended Subsec. (a) by adding provision allowing the board to establish a training facility at any location where the board operates a food service, vending machine, newsstand, etc.  
P.A. 98-252 - made a technical change in Subsec. (a).  
P.A. 12-1 (June Special Session), Sec. 50 – amended statute without changing mandate.

**Estimated Cost Characterization:** Minor

## Title 10a: State System of Higher Education

### *CONSTITUENT UNITS*

10a-157b Curricular alignment with public schools. – requires public high schools to align their curricula with public institution of higher education by no later than the start of the fall semester of 2016.

**Enactment:** 2012, P.A. 12-40, Sec. 2

**Estimated Cost Characterization:** Minor

# Title 11: Libraries

## STATE LIBRARY

- 11-8      Records Management Program. Public Records Administrator. - Provides that the state librarian is responsible for developing and directing a records management program for the books, records, papers and documents of the political subdivisions of the state. Also provides for the state librarian to adopt regulations for the preservation of the records of these political subdivisions, such regulations to include the physical characteristics required for paper, inks, typewriter ribbons and other such materials and supplies used in the creation of public records.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 495 - act substituted public records administrator for examiner of public records, made administrator head of newly-created department of archives and records administration, deleted requirement that committee approve the appointment and replaced former provisions re duties with detailed enumeration of duties.

P.A. 73-544 - substituted civil preparedness for civil defense.

P.A. 77-614 - substituted commissioner of administrative services for records management committee.

P.A. 80-338 - clarified that records management program be carried out for state agencies "within the executive department", substituted state librarian for commissioner of administrative services, deleted provision re cooperation with civil preparedness advisory council, deleted references to standards and substituted "chapter 54" for "chapter 48".

P.A. 84-414 - deleted provisions re department of archives and records administration, inserted Subsec. (a) with provisions directing the state librarian to develop a records management program for the books, records, papers and documents of all state agencies and the several towns, cities, boroughs, districts and other political subdivisions of the state and inserted a new Subsec. (b) re appointment of a public records administrator.

P.A. 89-167 - amended Subsec. (a) by deleting the requirement that the state librarian obtain the approval of the commissioner of administrative services re the records management program.

**Estimated Cost Characterization:** Minor

- 11-8a      Retention, Destruction And Transfer Of Documents. Centralized Microcopying Services. - Provides that the state librarian may require each political subdivision to inventory all books, records, papers, and documents under its jurisdiction and submit to him for approval retention schedules for all such items.

**Enactment:** 1980, P.A. 338

**Amendments:** P.A. 81-472 - made technical change.

P.A. 84-119 - included participation of state archivist in determination re transfer of documents to state library and destruction of certain public records.

P.A. 84-414 - deleted provisions re records management program (See Sec. 11-8) and reiterated amendments made by P.A. 84-119.

P.A. 88-216 - restructured the section, added Subsec. designations and provided for the transfer of documents by the state library board.

P.A. 89-167 - added Subsec. (f) concerning designation of a records management liaison officer.

**Estimated Cost Characterization:** Minor

*PUBLIC LIBRARIES*

11-36 Town Or Borough Tax - Requires the town clerk, upon the petition of fifty electors in any town or borough asking for an annual tax to establish and maintain a public library, to make legal notice and present at the next annual election the question of whether to raise such tax.

**Enactment:** Prior to 1949

**Amendment:** P.A. 86-170 - required that designation on ballot label be in form of a question.

\* If the question passes, the following statutes become applicable:

11-22 - Expenses. Town Clerk May Deposit Books.

11-24b - State Grants To Public Libraries; Base Grants Phased Out; Incentive Grants.

11-25 - Reports By Libraries. Confidentiality Of Records.

11-27 - Library Fund.

**Estimated Cost Characterization:** Minor

## Title 12: Taxation

*STATE AND LOCAL REVENUE SERVICES. DEPARTMENT OF REVENUE SERVICES*

12-9 Local Officials To File Statements Concerning Taxes. Penalty. - Requires towns to annually prepare and submit to OPM a report outlining matters pertaining to assessment and taxation in the town during the preceding year. Failure to submit a report results in a \$100 penalty, which may be waived.

**Enactment:** Prior to 1949

**Amendments:** Because of effect of P.A. 77-614 "commissioner" referred to commissioner of revenue services rather than tax commissioner as previously, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

P.A. 87-115 - increased the forfeiture by any municipal official who fails to file the annual report as required, or includes a willful misstatement, from fifteen to one hundred dollars and provided for waiver of forfeiture in accordance with regulations to be adopted, effective May 11, 1987, and applicable to annual reports to be submitted for the assessment list of 1987 and each assessment list thereafter.

P.A. 97-244 - eliminates the requirement that assessors and boards of assessment appeal file *The Assessor's Report* and the *Report of the Board of Assessment Appeal* respectively with the Office of Policy and Management.

**Estimated Cost Characterization:** Minor

12-19a Grants In Lieu Of Taxes On State-Owned Real Property, Reservation Land Held In Trust By The State For An Indian Tribe And Municipally Owned Airports. – For purposes of this section, includes boroughs in the definition of “town” Because boroughs in Connecticut do not have their own assessors, this bill will require the town in which the borough is located to file annually an additional Form M-37 with the Office of Policy and Management (OPM) on behalf of the

borough. This form lists and codes the assessed value of each parcel of state-owned real property located within the borough.

**Enactment:** 1969, P.A. 766

**Amendments:** 1971, P.A. 737 - act included property acquired and used for highway administration or maintenance purposes in state- owned property for consideration in determining grants to towns.

P.A. 77-498 - deleted provision limiting grants to maximum of six hundred thousand dollars.

P.A. 77-614 - substituted commissioner of revenue services for tax commissioner.

P.A. 78-256 - deleted provision for pro rata reductions in grants so as not to exceed appropriations.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services.

P.A. 87-399 - repealed the grant formula based on the ratio of the total tax levied by each town on real property to the total tax levied on real property by all towns in the state, multiplied by assessed value of state-owned real property in the town, multiplied by the town's mill rate, multiplied by ten, and substituted a grant to towns equal to twenty per cent of property taxes which would have been paid with respect to state-owned real property on the assessment list in such town, except for the exemption applicable to such property; changed date for determination of amount due each town from August first to September first; increased minimum grant from two thousand to four thousand dollars; changed base year for hold harmless provision from calendar year 1968 to fiscal year ending June 30, 1987; eliminated special hold harmless provision for Mansfield; limited maximum amount of grant to any town to seven and one-half per cent of total tax levied by such town on real property in the preceding calendar year, and added definition of total tax levied, effective June 26, 1987, and applicable to grants payable in fiscal year commencing July 1, 1987, and thereafter.

P.A. 87-458 - provided that certain property owned by the John Dempsey Finance Corporation be deemed state-owned real property.

P.A. 88-292 - made changes as follows: (1) Changed the annual date by which the secretary of the office of policy and management shall determine the amount of grant to each town from September first to January first next following; (2) increased the grant with respect to the amount related to any correctional institution from twenty per cent of property taxes that would have been paid without the exemption to one hundred per cent of such taxes; and (3) amended the minimum grant provision under Subsec. (b) to provide for payment of not less than four thousand dollars, irrespective of the value of the property.

P.A. 89-368 - amended Subsec. (a) to authorize grants for reservation land held in trust by the state for Indians.

P.A. 90- 148 - added Subsec. (c) providing higher maximum amounts of grant for towns to which the maximum seven and one-half per cent of total tax levied on real property in the preceding calendar year is applicable, with said maximum percentage of total tax levied increasing by increments from seven and one-half per cent to a maximum of fifteen per cent in fiscal years ending in 1991 to 1994, inclusive.

P.A. 90-230 - corrected an omission from public act 88-292 in Subsec. (b);

June Sp. Sess. P.A. 91-14 - amended Subsec. (b) to eliminate hold-harmless provisions which had assured minimum grant of four thousand dollars.

P.A. 92-224 - effective July 1, 1993, amended Subsec. (a) to remove the requirement that a correction facility be used for at least six months to qualify for increased funding and amended Subsec. (c) to state that the Subsec. applies only to the portion of the grant payable under Subdiv. (2) of Subsec. (a) and Subsec. (a) to provide that such change would be applicable to the state fiscal year commencing July 1, 1992.

May Sp. Sess. P.A. 92-15 - amended Subsec. (a) to provide for proportionate reduction of grant for fiscal year ending June 30, 1993, if amount payable exceeds amount appropriated, and added Subsec. (d) re payment from Bradley enterprise fund, effective July 1, 1992, to June 30, 1993; and, effective July 1, 1993, further amended Subsec. (a) to make technical change in reference to state fiscal year.

P.A. 93-388 - amended Subsec. (c) to increase maximum percentage of total tax levied by increments from fifteen per cent to one hundred per cent commencing with fiscal year ending June 30, 1994, and ending with fiscal year ending June 30, 2004, and each fiscal year thereafter, effective July 1, 1993.

P.A. 95-257 - inserted new Subdiv. (2) of Subsec. (a) re Connecticut Valley Hospital, renumbering former Subdiv. (2) as (3), effective July 1, 1995.

P.A. 95-307 - amended Subdiv. (b) to revise the definition of "total tax levied" to eliminate reduction of exemptions and to substitute reduction in the amount of reimbursements.

P.A. 97-261 - amended Subsec. (a) to include municipally owned airports and to provide for payment of grants.

P.A. 97-282 - clarified that grant limits in Subsec. (c) are to be used with respect to program rather than the percentage cited in Subsec. (b), redefined "total tax levied" in Subsec. (b), clarified language in Subsec. (d) re Bradley International Airport and added new Subsec. (e) to validate grants in excess of seven and one-half per cent of a town's real property levy.

June 18 Sp. Sess. P.A. 97-11 - amended Subsec. (a) by adding new Subdiv. (3) re towns in which more than fifty per cent of property is state-owned real property and redesignated existing Subdiv. (3) as Subdiv. (4).

P.A. 98-217 - amended Subsec. (a) to eliminate the reference to Sec. 1-1(w), to require an annual list of such facilities and to clarify that the portion of John Dempsey Hospital used for prisoners is eligible under the section.

June Sp. Sess. P.A. 99-1 - amended Subsec. (a) to provide a grant in the fiscal year commencing July 1, 2001, and each fiscal year thereafter of one hundred per cent of the taxes which would have been paid on land designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Tribal Nation on or after June 8, 1999, to increase the grant payable with respect to certain state-owned real property and all municipally owned airports from twenty to forty-five per cent of the property taxes which would have been paid with respect to such property and airports, except for the exemption applicable to such property, and to provide that the proportionate reduction of grants in the event the total of such grants exceeds the appropriation for such purpose shall be not only for the fiscal year ending June 30, 1993, but for the fiscal year ending June 30, 2000, and each fiscal year thereafter, effective July 1, 1999, and amended Subsec. (d) to provide that the payment from the Enterprise Fund shall be at the rate of twenty per cent of the property taxes which would have been paid to certain towns for real property located at Bradley Airport.

P.A. 00-112 - amended Subsec. (a) to make a technical change.

P.A. 00-192 - amended Subsec. (a) to make a technical change and increase grant re Connecticut Valley Hospital from forty to sixty-five per cent commencing with the fiscal year beginning July 1, 2000.

June Sp. Sess. P.A. 00-1 - amended Subsec. (b) to include borough within definition of town, effective June 21, 2000, and applicable to grants in lieu of taxes otherwise due for assessment years commencing on and after October 1, 2000.

**Estimated Cost Characterization:** Minor

12-20a

Grants In Lieu Of Taxes On Real Property Of Private Colleges And General Hospitals.

Definitions. - Exempts private colleges and general hospitals from municipal property taxes, but requires the state to make an annual grant to each such municipality in the amount of sixty percent of the property tax the institution would have paid to the municipality, if not for the exemption.

**Enactment:** 1978, P.A. 213

**Amendments:** P.A. 78-303 - allowed change from tax commissioner to commissioner of revenue services called for in P.A. 77-614.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

P.A. 87-418 - changed date for determination of amount due each municipality from December first to September first, and increased amount of grant to municipality from (1) twenty-five per cent of property taxes which, except for applicable exemption, would have been paid with respect to exempt real property on assessment list in such municipality for assessment date preceding fiscal year in which grant is payable to (2) forty per cent of property taxes which, except for applicable exemption, would have been paid with respect to exempt real property on assessment list in such municipality for assessment date two years prior to fiscal year in which grant is payable.

P.A. 88-43 - changed the annual date for determination of the amount due each municipality as a grant in lieu of taxes on real property of private colleges and general hospitals from the first day of September to the first day of January next following, effective April 13, 1988, and applicable to the assessment year in any municipality commencing October 1, 1988, and each assessment year thereafter.

P.A. 90-148 - increased the amount of the grant to eligible municipalities from forty to fifty per cent of the property taxes otherwise payable with respect to such real property.

June Sp. Sess. P.A. 91-14 - increased the amount of the grant to eligible municipalities from fifty to sixty per cent of the property taxes otherwise payable with respect to such real property.

P.A. 93-388 - added free-standing chronic disease hospitals to tax-exempt real property with respect to which state grant in lieu of taxes is payable to municipality.

P.A. 94-175 - made technical change in the definition of "municipality".

May Sp. Sess. P.A. 94-4 - changed effective date of P.A. 94-175, S. 31 from June 2, 1994, to January 1, 1995.

May Sp. Sess. P.A. 94-6 - added the definition of "free standing chronic disease hospital", effective June 21, 1994, and applicable to the grant-in-lieu of taxes made in the fiscal year commencing July 1, 1993, and each fiscal year thereafter.

P.A. 95-160 - revised effective date of May Sp. Sess. P.A. 94-4 but without affecting this section.

P.A. 98-250 - added to list of eligible institutions urgent care facilities operating under specified conditions.

June Sp. Sess. P.A. 99-1 - increased grant payment from sixty to seventy-seven per cent.

June Sp. Sess. P.A. 99-2 - replaced "within the previous two years" with "for at least a portion of calendar year 1996" re location of hospital.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-27 Abstract Book And Lists. - Requires towns to use the form of printed abstract book and the forms to be used by property owners for listing taxable property that are prescribed by OPM.

**Enactment:** 1978, P.A. 213

**Amendments:** Effect of P.A. 77-614 was to make "commissioner" refer to commissioner of revenue services rather than tax commissioner, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner, effective July 1, 1980.

P.A. 93-434 - provided that the secretary approve rather than prescribe the form and inserted requirement that the form be sufficient to comply with Sec. 12-120a.

**Estimated Cost Characterization:** Minor

## COLLECTION OF STATE TAXES

12-38 Interest On Taxes, Fees And Assessments Due From Municipality To The State. - Municipalities are liable for interest at 9% annually when payment of taxes, fees and assessments due to the state has been delayed more than thirty days after due date.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

*PROPERTY TAX ASSESSMENT*

12-40      Assessors To Publish Notices Requiring Lists. - Requires assessors to publish in a newspaper, on or before October 15 annually, a notice requiring all persons liable to pay taxes to bring in written lists of property they own.

**Enactment:** Prior to 1949

**Amendments:** P.A. 84-146 - included a reference to posting of notice on a place other than a signpost.  
P.A. 99-189 replaced list with declaration.

**Estimated Cost Characterization:** Minor

12-43      Property Of Nonresidents. - Requires assessors to send declaration forms to nonresidents by mail or electronically, if acceptable to the recipient, and to keep a separate listing of such taxable property of nonresidents.

**Enactment:** Prior to 1949

**Amendments:** P.A. 75-454 - deleted requirement that blank forms be mailed at least fifteen days before expiration of filing time and inserted requirement that nonresidents file lists within fifteen days after receiving blank forms.

P.A. 76-322 - repealed 1975 amendments, returning statute to pre-1975 status.

P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

P.A. 82-458 - amended provisions concerning period of time personal property of nonresidents of any town must be located in such town to be subject to tax therein by deleting "more than seven months during the year" and substituting "three months or more during the assessment year immediately preceding any assessment day", effective June 8, 1982 and applicable in any town with respect to assessment years commencing October 1, 1981, and thereafter.

P.A. 99-189 - added procedure for discovery and assessment of nonresident property owner and defined nonresident.

P.A. 11-69, Sec. 2 reduced the mandate by authorizing assessors to send declaration forms to nonresidents electronically if acceptable to the recipient.

**Estimated Cost Characterization:** Minor

12-55      Lists; Notice Of Increase; Public Inspection; Abstracts. - Requires assessor to value all taxable property and file in alphabetical order the abstract of the grand list with the municipal clerk. Also, requires the assessor to mail written notice of increased assessments to the owner, giving both the old and new assessment, but need only reflect the total real property value of a parcel. Each town's grand list must be signed by a certified assessor for assessment years starting October 1, 2000.

**Enactment:** Prior to 1949

**Amendments:** P.A. 79-149 - made notice of increased assessment mandatory at all times, rather than dependent upon request of person in cases where valuation higher than that stated by person filing, and detailed the contents of the notice, effective May 16, 1979, and applicable to the assessment list in any town for 1979 and any assessment list thereafter.

P.A. 87-95 - added Subsec. (b) providing (1) that written notice of assessment increases as required in Subsec. (a) shall be mailed to property owners on or before the tenth day following the date on which the grand list abstract is signed and attested to by the assessor and (2) that if such notice of increase is mailed later than required, such increase shall not become effective until the next succeeding grand list, effective May 6, 1987, and applicable to the assessment year commencing October 1, 1987, and each assessment year thereafter.

P.A. 87-245 increased penalty from ten per cent to twenty-five per cent, effective June 1, 1987, and applicable to assessment years of municipalities commencing on or after October 1, 1987.

P.A. 95-283 - requires certified assessor to sign all grand lists for assessment years starting October 1, 2000.

P.A. 97-68 - amended Subsec. (a) to eliminate the notice under Sec. 12-55 in any year that a notice is sent under Subsec. (f) of Sec. 12-62, effective May 27, 1997, and applicable to assessment years commencing on and after October 1, 1997.

P.A. 97-254 - amended Subsec. (a) to add provision re notice sent in accordance with Subsec. (f) of Sec. 12-62 in year of revaluation and deleted "or any improvement thereon" with respect to increase.

P.A. 99-189 - amended Subsec. (a) to provide that grand lists be kept in the assessor's office instead of town clerks office and that assessor required to notify taxpayer when methodology changes, effective June 23, 1999, and applicable to assessment years of municipalities commencing on or after October 1, 1999.

**Estimated Cost Characterization:** Minor

12-62

Revaluation of real estate. Regulations. Certain Indian lands exempt. - Requires all towns to conduct and implement a revaluation by physical observation of all real property no later than ten years after the last revaluation by physical observation. In addition, municipalities must perform a statistical revaluation every four years following such physical revaluation. If the assessor changes a property valuation determined by a revaluation company, the assessor must document the reason for the change and append a written explanation to the property card. Written notice of the implementation of a revaluation must be filed with OPM within five business days of the date the mill rate is set. Any municipality that can certify to the state that its property values have remained relatively stable, in a manner stipulated by this section, may be exempt from its next required revaluation. Any town which does not comply with the revaluation requirements, shall forfeit 10% of state formula grants-in-aid. The law also stipulates that if a municipality is unable to implement a required revaluation it may enter into an agreement with the Office of Policy and Management (OPM). The agreement must state certain conditions including, but not limited to, dates when specific aspects of the revaluation are to be completed, implementation of a computer system for future revaluations and quarterly updates to the secretary of OPM on the progress of the revaluation. Also, failure to meet any of the conditions may result in a loss of state formula grants-in-aid.

**Enactment:** Prior to 1949

**Amendments:** P.A. 74-253 - replaced obsolete reference to February 1, 1930, as date for commencement of ten-year revaluations with reference to October 1, 1978, and clarified that first required revaluation after that time be no later than ten years after last preceding revaluation.

P.A. 79-28 - replaced "thereafter" with "after each such revaluation" for clarity.

P.A. 79-485 - added Subsec. (b) requiring that criteria etc. used in revaluation be available for public inspection.

P.A. 89-251 - added (1) Subsec. (b) providing that a revaluation of all real estate within five years of a revaluation conducted by physical observation, may be conducted by use of a statistical

method of adjustment without viewing the real estate, (2) Subsec. (d) providing that any municipality which has not revalued all real estate in the tenth year following the last preceding revaluation, or sooner, shall be required to revalue all real estate not later than October 1, 1991, (3) Subsec. (e) requiring filing of written notice of revaluation with the secretary of the office of policy and management not later than five business days following final action establishing a mill rate for the revalued grand list, and providing that any municipality failing to comply with this section shall forfeit ten per cent of total state grants-in-aid to such municipality for the fiscal year next following the assessment date on which the required revaluation was not implemented, with an additional provision allowing waiver of such forfeiture by the secretary of the office of policy and management under certain conditions and (4) Subsec. (f) providing that any municipality which has implemented the program of property tax surcharges and credits under Sec. 12-62d shall revalue no later than five years following the last preceding revaluation and every five years thereafter, allowing revaluation by statistical adjustment in certain cases as provided in Subsec. (b) of this section.

P.A. 91-296 - provided that the revaluations required by this section would not be required until October 1, 1992, rather than October 1, 1991.

P.A. 92-197 - provided that the revaluations required by this section would not be required until October 1, 1993, rather than October 1, 1992.

P.A. 92-221 - added Subsec. (g) regarding designation of revaluation companies and amended Subsec. (c) to conform with its provisions, effective June 1, 1992, and applicable to assessment years of municipalities commencing on or after October 1, 1992.

P.A. 93-373 - amended Subsec. (b) authorizing municipalities under certain conditions to annually conduct a revaluation by use of a statistical method.

P.A. 95-283 - Changes the frequency of revaluations by physical observation, commencing with the October 1, 1996 grand list, from every ten years to every twelve years. Also adds the requirement that municipalities conduct statistical revaluations every four years following such physical revaluation.

P.A. 96-218 - Revises and accelerates the implementation of a new schedule for revaluations for property tax purposes.

P.A. 97-254 - deleted existing Subdivs. (1) and (2) of Subsec. (a) and inserted new provisions effective October 1, 1997, re revaluating of all real estate in accordance with new schedule in new Subsec. (b), deleted existing Subsec. (b), amended Subsec. (f) to add requirement re when written revaluation notices must be sent out and made technical changes.

P.A. 98-242 - added new Subsec. (h) to allow one-time election by a town to revalue earlier than the date required by section.

P.A. 99-108 - designated Subsec. (i) by the Revisors, prohibited requiring a municipality to revalue prior to year of next revaluation, effective June 3, 1999, and applicable to assessment years of municipalities commencing on or after October 1, 1997.

P.A. 99-189 - added subsection concerning agreements with OPM if revaluation is not implemented when required.

P.A. 00-229 - exempts certain Mohegan and Mashantucket Pequot property from the requirement that property be revalued every four years. The exemption applies to real estate (1) designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Pequots before June 8, 1999 and (2) and taken into trust by the federal government for the Mohegans.

P.A. 02-49 - added exemption from revaluation for municipalities that can certify its property values have remained stable.

May Sp. Sess. P.A. 04-2 amended Subsec. (a) to provide for physical inspection every ten years and amended Subsec. (b) to delete former schedule for revaluation and to provide for revaluation every five years, effective October 1, 2003, and applicable to assessment years commencing on or after that date.

P.A. 06-148 allows assessors to perform inspections over time instead of all in one year, a greater ability to use in-house staff to complete inspections and implement a questionnaire process that results in a reduction in the number of parcels that are required to be physically inspected.

P.A. 07-246, Sec. 8 prohibits plans or drawings of residential dwelling units from being published or posted on the internet.

P.A. 09-196, Sec. 4 requires an assessor to document in writing any change made to the property valuation determined by a revaluation company.

**Estimated Cost Characterization:** Moderate

12-62a

Uniform Assessment Date And Rate. Special Procedure Allowed Following Revaluation. Deferment Of Increased Assessment From Revaluation And Discontinuance Of Plan Adopted. - Requires all assessments to be at 70% of market value.

**Enactment:** 1974, P.A. 299

**Amendments:** P.A. 76-338 - amended Subsec. (a) to set separate commencement date for assessment of motor vehicles and amended provision concerning municipalities with assessment dates other than October first to allow them to have two assessment dates in years before their conversion to uniform

date as well as in the year during which conversion takes place.

P.A. 78-256 - added Subsec. (c) re deferred increases, codified as Subsec. (e).

P.A. 78-339 - added Subsecs. (c) and (d) re effect of residential real property percentages on assessment rate.

P.A. 79-612 - amended Subsec. (e) to delete phrase limiting deferred assessments to cases in which overall rise is thirty per cent or more and to add provisions re assessment of new constructions and added Subsec. (f) re continuance or discontinuance of deferred assessments of 1977 and 1978.

P.A. 80-321 - amended Subsec. (c) to specifically state that provisions are subject to Subsecs. (d) and (g), amended Subsec. (d) to postpone seventy per cent rate from 1980 to 1984 to add provision governing assessments during the interim and added Subsec. (g) detailing assessments during interim, effective May 17, 1980, and applicable to municipal assessment years commencing October 1, 1980, and thereafter.

P.A. 80-427 - extended provisions of Subsec. (e) to include assessments up to 1981 and made changes in Subsec. (f) to reflect the broader application of Subsec. (e), effective May 20, 1980, and applicable to assessment years commencing October 1, 1979, to October 1, 1981, inclusive.

P.A. 82-410 - amended Subsec. (e) to allow municipalities in assessment years commencing in 1982 and 1983 to add increased assessed values of real property, resulting from general revaluation, to the assessment list in equal increments over a period of up to five years including the year of revaluation, which option prior to this amendment was not allowed under said Subsec. (e) after the assessment year commencing October 1, 1981.

P.A. 83-465 - replaced previously existing Subsec. (d) with new subsection to provide that any municipality which for the 1981 assessment list has assessed property in accordance with the differential rate procedure in Subsec. (c), shall, for the assessment lists in 1982 through 1985 assess residential real property at the rates provided in said Subsec. (d) and all other property at seventy per cent of actual value, and commencing with the 1986 assessment list, assess all property at seventy per cent of actual value, and repealed former Subsec. (g) re 1982 and 1983 assessment lists effective June 14, 1983, and applicable to the assessment year commencing October 1, 1982, and each assessment year thereafter.

P.A. 84-428 - amended Subsec. (e) to allow municipalities in assessment years commencing in 1984 and 1985 to add increased assessed values of real property, resulting from general revaluation, to the assessment list in equal increments over a period of not more than five years including the year of revaluation, which option without this amendment would not be available to municipalities after the assessment year commencing October 1, 1983, effective June 12, 1984, and applicable in any municipality with a revaluation of real property effective in the assessment year commencing October 1, 1984 or October 1, 1985.

P.A. 92-197 - amended Subsec. (e) to provide that said Subsec. would be applicable to assessment years of municipalities commencing on or after October 1, 1992, and to delete obsolete reference to revaluation effective "not later than 1985".

P.A. 96-171 - repealed Subsecs. (c) and (d) re obsolete provisions authorizing mitigation of effects of revaluation in a municipality in which the assessed value of residential real property constitutes less than twenty per cent of the assessed value of all property on the assessment list in the year immediately preceding revaluation and amended Subsecs. (e) and (f) to authorize a municipality commencing October 1, 1996, to defer an increased assessment from revaluation over a period not to exceed three years following the year of revaluation rather than four years following the year of such revaluation and delete obsolete provisions specifying the assessment years when option of deferment had been available.

P.A. 96-218 made same changes in Subsecs. (e) and (f) as P.A. 96- 171.

P.A. 97-254 - removes the requirement that a town's real property portion of the Grand List for the year of a revaluation must have increased over that of the previous year as a condition of adopting a phase-in under CGS Section 12-62a.

**Estimated Cost Characterization:** Minor

12-62g

Increase In Certain Veteran's Exemptions Upon Revaluation. - Requires that the amount of veterans' exemptions be increased by a factor equal to the increase in the total grand list due to revaluation.

**Enactment:** 1988, P.A. 342

**Amendments:** P.A. 88-342, S. 3 effective June 6, 1988, and applicable to assessment years commencing on or after October 1, 1989.

P.A. 00-229 - provided that the net taxable grand list be used to make the calculation required under this section, effective June 1, 2000, and applicable to assessment years commencing on and after October 1, 1998.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-62l

Option To Not Implement Revaluation For 2003, 2004 And 2005 Assessment Years. – Delays the next scheduled revaluation date for the 2003, 2004 or 2005 assessment year to the 2006 assessment year. (This will delay the costs associated with conducting property revaluations: the cost to a town to conduct a revaluation can range anywhere from \$14 to \$70 per parcel). Also, the bill reduces the requirement for statistical revaluations from once every four years to once every five years.

**Enactment:** 2004, P.A. 2 (May Special Session)

**Estimated Cost Characterization:** Major.

12-63

Rule Of Valuation. - Requires all assessors to value all property at fair market value, except for land classified as farm, forest or open space.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 490 - act made special provisions for farm, forest and open space land.

P.A. 96-171 replaced "boards of tax review" with "boards of assessment appeals".

P.A. 99-290 - added new Subsec. (b) re optional depreciation schedules for personal property and designated existing provisions as Subsec. (a).

P.A. 00-230 - made a technical correction in Subsec. (b)(10).

**Estimated Cost Characterization:** Minor

- 12-63a      Taxation Of Mobile Manufactured Homes And Mobile Manufactured Home Parks. - Requires assessors to assess mobile manufactured homes connected to utilities and used as a residence in the same manner as residential real property.
- Enactment:** 1961, P.A. 445
- Amendments:** 1969, P.A. 814 - act deleted "personal" with reference to property taxation in Subsec. (c).  
June Sp. Sess. P.A. 83-3 - changed the terms "mobile home" and "mobile homes" to "mobile manufactured home" and "mobile manufactured homes".  
P.A. 86-310 - (1) amended Subsec. (a) by substituting the definition of "mobile manufactured home" in lieu of the deleted definition of "mobile home", (2) amended Subsec. (c) by providing for assessment of mobile manufactured homes under certain conditions in the same manner as residential real property and by adding provisions for phase-in of the amount of increase in assessment and (3) deleted Subsec. (d) providing for a monthly fee in lieu of property tax on mobile homes, effective July 1, 1986, and applicable to the assessment year in any municipality commencing October 1, 1986, and each assessment year thereafter.  
P.A. 87-447 - added Subsec. (d) authorizing municipalities to assess mobile manufactured homes as either realty or personal property under certain conditions, effective June 26, 1987, and applicable to the assessment year in each municipality commencing October 1, 1987, and each assessment year thereafter.  
P.A. 87-589 - made technical changes in Subsec. (d) and revised effective date of P.A. 87-447 to apply provisions to assessment year commencing October 1, 1986.  
P.A. 92-174 - amended Subsec. (c) by adding provision re exception for mobile manufactured homes located on leased land.
- Estimated Cost Characterization:** Minor
- 12-63b      Valuation Of Rental Income Real Property. - Requires that rental property, exclusive of owner-occupied, six unit or less residential property, be valued on (a) market sales of comparable properties (b) if insufficient sales exist then another method may be used (c) market rent must be considered in the valuation of rental income property.
- Enactment:** 1977, P.A. 586
- Amendment:** P.A. 84-417 added Subsec. (b) for purposes of defining the term "market rent".
- Estimated Cost Characterization:** Minor
- 12-63d      Change In Assessed Value Of Real Estate. Relationship To Sale Price. - Prohibits the change in the assessment of a parcel of real property on the sole basis of the sale price of the property.
- Enactment:** 1988, P.A. 321
- Estimated Cost Characterization:** Minor
- 12-63f      Payment To State Of Receipts From Certain Properties Subjected To Environmental Pollution Remediation Projects. - Requires municipalities to deposit 20% of increased property taxes received (for five years) on property which is environmentally cleaned up through use of the Special Contaminated Property Remediation and Insurance Fund into such fund.

**Enactment:** 1996, P.A. 250

**Amendment:** P.A. 99-225 - amended section to provide that its provisions apply to assessment and collection of taxes commencing January 1, 1999, and ending before January 1, 2006, to provide that provisions of section shall not apply to interest and penalties on personal property taxes and to define municipality.

**Estimated Cost Characterization:** Minor

12-63g Assessment Of Buffers To Inland Wetlands Or Watercourses. - Requires any property needed as a buffer pursuant to any permit issued by an inland wetlands agency, as specified by this bill, to be assessed at a value equal to the value of such property if it were an inland wetland or watercourse area.

**Enactment:** 2005, P.A. 190

**Estimated Cost Characterization:** Minor

12-64a Reduction in Assessed Value Of Real Estate Upon Removal Of Damaged Buildings. - Requires towns to reduce assessments on buildings that must be totally reconstructed due to fire or weather-related damage, as of the date that the building was damaged, if the owner of the building demolishes it within 120 days.

**Enactment:** 1981, P.A. 21

**Amendments:** P.A. 81-21 - effective April 7, 1981, and applicable in any municipality to assessment year commencing October 1, 1981, and each assessment year thereafter.  
P.A. 93-231 - assessment reduction calculated from the date of occurrence, if demolished within 120 days by the owner.  
P.A. 00-120 - added Subsec. (c) providing a municipal option to abate the tax on personal property damaged by fire or weather event that cannot be used for its original purpose, effective May 26, 2000, and applicable to assessment years commencing October 1, 1998.

**Estimated Cost Characterization:** Minor

12-71 Personal Property Subject To Tax. Computer Software Not Subject To Tax. Determination Of Situs Of Motor Vehicles And Snowmobiles For Tax Purposes. - Computer software is exempt from the property tax if the cost of the software is separately stated from the cost of computer hardware. Also, exempts aircraft from the property tax and establishes a fee based registration system based upon the gross weight of the aircraft. Municipalities will be reimbursed, at a declining percentage over 7 years, for a portion of the tax they would have collected from aircraft on their grand list of the previous October, and may retain all revenue they receive from the registration fees. Also, requires the assessor of any municipality in which a motor vehicle or snowmobile is subject to taxation, but which is registered in another municipality, to notify the assessor of the municipality in which the vehicle is registered of the name and address of the owner of such vehicle, the vehicle identification number and the town in which such vehicle is subject to taxation. The assessors of the two municipalities must cooperate in administering the provisions of this section concerning the listing of such vehicle for property tax purposes.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 239 - act provided for listing of property of nonresident.

1971, P.A. 668 - act added provisions allowing taxation of vessels either in town of owner's residence or in town where vessel usually operated.

P.A. 73-490 - divided previous provisions into Subsecs. (a) to (c) and added Subsec. (d) re validation stickers on construction equipment.

P.A. 73-531 - provided that antique automobiles not be assessed at value of more than five hundred dollars, effective June 11, 1973, and applicable to the first assessment date thereafter.

P.A. 77-432 - specifically included trailer-type vehicles in Subsec. (d).

P.A. 79-550 - removed goods, chattels and effects from exception in Subsec. (a) and added exception for farm machinery in Subsec. (b); effective June 21, 1979, and applicable to town assessment lists for 1979 and any list thereafter.

P.A. 81-20 - deleted special procedure for valuation of farm machinery, effective April 7, 1981, and applicable in any municipality to assessment year commencing October 1, 1981, and each assessment year thereafter.

P.A. 81-423 - eliminated vessels from personal property subject to property tax, effective July 1, 1981, and applicable to the assessment year commencing October 1, 1981, and thereafter.

P.A. 83-485 - amended Subsec. (a) for purposes of clarification with respect to provisions applicable to listing of personal property in the town where the owner resides and the listing of such property of a nonresident, effective June 30, 1983, and applicable in any town to the assessment year commencing October 1, 1983, and each assessment year thereafter.

P.A. 89-251 - added Subsec. (e) providing that for the assessment year commencing October 1, 1988, and thereafter computer software shall not be subject to tax as personal property, and including a definition of computer software.

May Sp. Sess. P.A. 92-17 - amended Subsec. (b) to set an assessment cap of five hundred dollars for aircraft manufactured prior to January 1, 1946, effective June 19, 1992, and applicable to assessment years of municipalities commencing on or after October 1, 1992.

P.A. 93-433 - exempted aircraft from municipal assessment and instituted a weight based fee system.

P.A. 99- 189 - added leasehold improvements classified as other than real property, deleted former Subsec. (c) re taxation of personal property in a town having two or more taxing districts, redesignated former Subsecs. (d), (e) and (f) as Subsecs. (c), (d) and (e) and made technical changes, effective June 23, 1999, and applicable to assessment years of municipalities commencing on or after October 1, 1999.

P.A. 99-272 - amended Subsec. (b) to exclude construction in progress property which is eligible for exemption under Sec. 12-81(72), effective June 15, 1999, and applicable to assessment years commencing on or after October 1, 1999.

P.A. 00-230 - made technical changes in Subsec. (b).

P.A. 04-228 made conforming and technical changes in Subsecs. (a) and (b) and added Subsec. (f) re criteria for determining the situs of motor vehicles and snowmobiles for property tax purposes, effective June 8, 2004, and applicable to any assessment year.

P.A. 08-150 eliminates a previous requirement that an antique, rare or special interest motor vehicle must be registered in order for it to be eligible for a maximum assessment of \$500 for property tax purposes.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-71c

Pro Rata Credit For Property Tax On Motor Vehicle When Sold, Totally Damaged, Stolen Or Registered In Another State. - Entitles a person to a property tax credit when a motor vehicle has been sold, totally damaged, stolen or registered in another state.

**Enactment:** 1980, P.A. 430

**Amendments:** P.A. 80-430 - effective May 28, 1980, and applicable in any town to the assessment year commencing October 1, 1980, and each assessment year thereafter.

P.A. 82-459 - changed provisions concerning application of the property tax credit allowed when a motor vehicle is sold, totally damaged or stolen, which credit is related to the pro rata portion of

the assessment year following the date such motor vehicle is sold, totally damaged or stolen, such changes providing that the credit may be applied against taxes due in the assessment year in which such motor vehicle is sold, totally damaged or stolen; previously such credit could only be applied against property taxes due in the assessment year next following, effective June 8, 1982, and applicable to any property tax credit allowable in assessment years commencing October 1, 1982, and thereafter.

P.A. 83-444 - allowed the pro rata tax credit, additionally, for the assessment year in which such motor vehicle is removed from this state and registered in another by the owner who concurrently ceases to reside in this state, effective June 27, 1983, and applicable in any town for the assessment year commencing October 1, 1983, and each assessment year thereafter.

P.A. 84-482 - added Subsec. (b) re requirement concerning documentation of sale, damage, theft or removal and registration of motor vehicle and established time limit for filing thereof.

**Estimated Cost Characterization:** Minor

12-71d

Schedule Of Motor Vehicle Values. - Requires the office of policy and management, in cooperation with the Connecticut Association of Assessing Officers, to recommend a schedule of motor vehicle values which shall be used by assessors in determining the assessed value of any motor vehicle for the purposes of property taxation.

**Enactment:** 1985, P.A. 386

**Amendments:** P.A. 85-386 effective June 25, 1985, and applicable to the assessment year in any municipality commencing October 1, 1985, and thereafter.

May Sp. Sess. P.A. 94-4 - authorized assessors to determine the assessed value of motor vehicles not listed in the schedule and provided the legislative body of the municipality may approve any change in the assessor's method of valuing motor vehicles.

P.A. 95-160 - revised effective date of May Sp. Sess. P.A. 94-4 but without affecting this section.

**Estimated Cost Characterization:** Minor

12-73

Taxation Of Municipal Property Used For Sewage Disposal. - Requires that land used by a town for sewage disposal, but located in another town, be assessed at its fair market value for agricultural purposes.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

12-74

Municipal Airports Located In Another Town. - Requires that municipally owned airport property is exempt from the property tax as long as it is used as an airport and the municipality in which it is located has the right to use it.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-76

Assessment Of Water Supply Land. Payments In Lieu Of Taxes By Certain Municipal Corporations Re Water Supply Land In Another Municipality. - Requires that land owned by a municipal corporation in another municipality be exempt from the property tax if the residents have the right to use the water at the same rate as the residents of the owner municipality. Otherwise, such land is liable to taxation as improved farm land.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 490 - act changed the technical language of the statute.

P.A. 78-273 - added provision re payments to towns by municipal corporations owning property in towns other than town where located, effective June 1, 1978, and applicable to the 1978 assessment list in any town.

P.A. 82-452 - amended Subsec. (a) so that land of any metropolitan district, as currently provided in the case of land owned by any municipal corporation, which is located in a town in which residents do not use the water supply shall be taxed as if it were improved farm land, notwithstanding any other provisions of general statutes or any special act and added Subsec. (b) which provides, with respect to any regional water district created after January 1, 1977 and which is required by special act to make payments in lieu of taxes, that such district shall not be required to make payments re such taxes in any manner other than as provided in said special act.

P.A. 90-289 amended Subsec. (a) to insert a reference to the assessment of land at the uniform rate required by subsection (b) of section 12-62a, effective October 1, 1992, and applicable to assessment years of municipalities commencing on or after that date.

**Estimated Cost Characterization:** Minor

12-77            Taxation Of Water Power. - Requires that when water power is created in the same town where the water works is located, it is listed as incidental to the water works and not separately as distinct property.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

12-78            Taxation Of Water Power And Works When Power Is Used In Another Town. - Requires that when the source of water power is located in another town, valuation is set on the list of the town of location at the value of improved farm land.

**Enactment:** Prior to 1949

**Amendment:** 1963, P.A. 490 - act changed the technical language of the statute.

**Estimated Cost Characterization:** Minor

12-79            Water Power Used Outside The State. - For the purposes of taxation, water power developed in the state and used outside the state shall be assessed and set in the list of the town in which such water power is derived.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

12-80            Property Of Utility Company To Be Taxed Where Located. - Requires that the assessment of gas and electric utilities be set in the town in which such property is located.

**Enactment:** Prior to 1949

**Amendments:** P.A. 73-442 - included reference to foreign municipal electric utilities.

P.A. 85-304 - deleted the reference to railroad car companies as one of the types of companies, which if subject to tax under chapter 211 are not subject to the provisions of this section, consistent with the repeal of the tax on railroad car companies, effective June 5, 1985, and applicable to tax years of car companies commencing on or after January 1, 1985.

**Estimated Cost Characterization:** Minor

12-81

Exemptions. - Requires the following property be exempt from the local property tax:

- (1) Federal property.- Property belonging to, or held in trust for, the United States.
- (2) State property and reservation land. - Property belonging to, or held in trust for, the state and reservation land held in trust by the state for an Indian tribe.
- (4) Municipal property. - Property belonging to, or held in trust for, a municipal corporation of this state and used for a public purpose, including real and personal property used for cemetery purposes.
- (5) Property held by trustees for public purposes. - Property held by trustees named in a will or deed of trust and their successors as long as used by the public for public purposes.
- (6) Property of volunteer fire companies. - Property of any volunteer fire company used for fire protection or for other public purpose, if such company receives any annual appropriation from the town.
- (7) Property used for scientific, educational, literary, historical or charitable purposes. - Real property of, or held in trust for, a corporation organized exclusively for scientific, educational, literary, historical or charitable purposes, or for two or more such purpose and used exclusively for carrying out one or more of such purposes or for the purpose of preserving open space land, as defined in section 12-107b, for any of the uses specified in said section, that is owned by any such corporation, and the personal property of, or held in trust for, any such corporation.
- (8) College property. - Funds and estate which have been or may be granted, provided by the state, or given by any person or persons to certain colleges, and by them respectively invested and held for the use of such institution.
- (9) Personal property loaned to tax-exempt educational institutions. - Personal property loaned to a tax-exempt educational institution above the secondary level and used exclusively for teaching, research or teaching demonstration purposes.
- (10) Property belonging to agricultural or horticultural societies. - Property belonging to, or held in trust for, an agricultural or horticultural society incorporated by this state which is used in connection with an annual agricultural fair held by a nonprofit incorporated agricultural society of this state or any nonprofit incorporated society of this state carrying on or promoting any branch of agriculture.
- (11) Property held for cemetery use. - Tangible property owned by, or held in trust for, a religious organization, provided such property is used exclusively for cemetery purposes.
- (12) Personal property of religious organizations devoted to religious or charitable use. - Personal property within the state owned by, or held in trust for, a Connecticut religious organization
- (13) Houses of religious worship. - Houses of religious worship, the land on which they stand, their pews, furniture and equipment owned by, or held in trust for the use of, any religious organization.
- (14) Property of religious organizations used for certain purposes. - Real property and its equipment owned by, or held in trust for, any religious organization and used exclusively as a school, a Connecticut nonprofit camp or recreational facility for religious purposes, a parish house, an orphan asylum, a home for children, a thrift shop, the proceeds of which are used for charitable purposes, a reformatory or an infirmary.
- (15) Houses used by officiating clergymen as dwellings. - Dwelling houses and the land on which they stand owned by, or held in trust for, any religious organization and actually used by its officiating clergymen.
- (16) Hospitals and sanatoriums. - All property of, or held in trust for, any Connecticut hospital society or corporation or sanatorium.

- (17) Blind persons. - Property in the amount of \$3,000 belonging to, or held in trust for, any blind person, resident of this state.
- (18) Property of veterans organizations. - Property of bona fide war veterans organizations and property belonging to the Grand Army of the Republic.
- (19) Veteran's exemptions. - Property to the amount of \$1,000 belonging to, or held in trust for, any resident of the state who served in the armed forces during war or certain other U.S. military operations.
- (20) Servicemen and veterans having disability ratings. - Property not exceeding \$3,000 which belongs to, or is held in trust for, a resident veteran with a disability amounting to 10% or more of total disability.
- (21) Disabled veterans with severe disability. - The dwelling house and lot upon which it stands to the extent of \$10,000 of its assessed valuation, belonging to, or held in trust for, any resident of the state who is a disabled veteran with a severe disability, or the dwelling house of the surviving spouse of a veteran with a severe disability, while such spouse remains a widower or widow. The exemption includes modifications to existing homes owned by disabled veterans.
- (22) Surviving spouse or minor child of servicemen and veterans. - Property up to \$1,000 belonging to, or held in trust for, the surviving spouse or minor child of a deceased veteran or serviceman, and up to \$3,000 if the death occurred during active duty.
- (23) Serviceman's surviving spouse receiving federal benefits. - Property to the amount of \$1,000 belonging to, or held in trust for, any surviving spouse of a veteran, who remains a widow, and who receives or received a pension or annuity from the United States.
- (24) Surviving spouse and minor child of veteran receiving compensation from Veterans' Administration. - The exemption from taxation, to the amount of \$3,000, to the surviving spouse or minor child of a veteran whose death was service related while on active duty, is also granted to the surviving spouse or minor child drawing compensation from the Veterans' Administration.
- (25) Surviving parent of a deceased serviceman or veteran. - Property to the amount of \$1,000 belonging to, or held in trust for, a sole surviving parent of a deceased serviceman or veteran who is a resident of the state and remains a widow or widower.
- (26) Parents of veterans. - Property to the amount of \$1,000 belonging to, or held in trust for, any father or mother, resident of the state, of a veteran, if such parent receives or received a pension or annuity from the United States.
- (27) Property of grand army posts. - Property belonging to, or held in trust for, a Connecticut Grand Army post, provided the major use of such property is a meeting place for its members.
- (28) Property of United States Army instructors. - Property to the amount of \$1,000 belonging to, or held in trust for, any resident or non-resident Army instructor.
- (29) Property of American National Red Cross. - All real estate and tangible property owned by the Red Cross.
- (30) Fuel and provisions. - Fuel and provisions for the use of any family.
- (31) Household furniture. - Furniture used by or held in storage for and belonging to any family.
- (32) Private libraries. - Private libraries and books.
- (33) Musical instruments. - Musical instruments, inclusive of radios and television sets, used by and belonging to families.
- (34) Watches and jewelry. - Watches and jewelry used by any individual.
- (35) Wearing apparel. - All other wearing apparel of every person and family.
- (36) Commercial fishing apparatus. - Fishing apparatus actually used in the main business of any person or company to the value of \$500.
- (37) Mechanic's tools. - Tools of a mechanic, actually used by him in his trade, to the value of \$500.
- (38) Farming tools. - Farming tools actually and exclusively used in the business of farming on any farm to the value of \$500.
- (39) Farm produce. - Produce of a farm, actually grown, growing or produced, including colts, calves and lambs, while owned and held by the producer or by a cooperative marketing corporation, when delivered to it by such producer.
- (40) Sheep, goats and swine.
- (41) Dairy and beef cattle, oxen, asses and mules.
- (42) Poultry.

- (43) Cash. - Cash on hand or on deposit.
- (44) Nursery products. - Produce or products growing in any nursery, and any shrub and any forest, ornamental or fruit trees while growing in a nursery.
- (45) Property of units of the Connecticut National Guard. - While being used for military or for other public purposes.
- (47) Carriages, wagons and bicycles. - Owned and used by a person but not held for sale or rent in the regular course of business.
- (48) Airport improvements. - Improvements on or to the landing area of a privately-owned airport, provided the owner shall grant the free use of such landing area to the general public for landing, taking off and taxing of aircraft.
- (49) Nonprofit camp or recreational facility. - Real property and equipment owned, or held in trust for, any charitable corporation exclusively used as a nonprofit camp or recreational facility for charitable purposes, provided 75% of beneficiaries using the property are residents of the state.
- (50) Manufacturers' inventories. - Manufacturers' inventories, comprised of the monthly average quantity of goods of any manufacturing business.
- (51) Water pollution control structures and equipment. - Structures and equipment acquired after July 1, 1965, for the treatment of industrial waste before the discharge thereof into any waters of the state or sewerage systems emptying into any such waters.
- (52) Structures and equipment for air pollution control. - Structures and equipment acquired or leased after July 1, 1967.
- (53) Motor vehicle of serviceman. - One passenger automobile belonging to, leased to, or held in trust for a serviceman, whether garaged inside or outside the state. In addition, any serviceman claiming this exemption is entitled to a refund of any tax paid on such vehicle.
- (54) Wholesale and retail business inventory. - The monthly average quantity of goods of any wholesale or retail business.
- (55) Property of totally disabled persons. - Property to the amount of \$1,000 belonging to, or held in trust for, any resident who is disabled and over 65 years old. Tax exemption is suspended for assessment year commencing October 1, 2003.
- (56) Solar Energy Systems. - Solar energy systems constructed between October 1, 1976 and October 1, 1991.
- (57) Renewable/alternative energy systems. - Specified renewable and alternative energy systems.
- (59) Manufacturing facility in a distressed municipality, targeted investment community, enterprise zone, or in an airport development zone. - Any manufacturing facility acquired, constructed, substantially renovated or expanded on or after July 1, 1978. Facilities manufacturing medicinal chemicals with at least 1,000 employees shall have their property tax abatement extended for five years, through the year 2003.
- (60) Machinery and equipment in a manufacturing facility in a distressed municipality, targeted investment community, enterprise zone, or in an airport development zone. - Machinery and equipment which represents an addition to the assessment or grand list of the municipality in which this exemption is claimed and is installed in any manufacturing facility constructed, or substantially renovated or expanded on or after July 1, 1978. Also, the Commissioner of DECD may extend personal property tax exemptions to pharmaceutical, medicinal chemical and botanical product companies for an additional five years.
- (61) Vessels used primarily for commercial fishing. - Provided that not less than 50% of the gross adjusted income of the owner, as determined for purposes of the federal income tax, is derived from commercial fishing.
- (62) Passive solar energy systems. - Passive solar energy systems constructed between April 20, 1977 and October 1, 1991.
- (63) Solar energy electricity generating and cogeneration systems. - Systems constructed between July 1, 1981 and July 1, 1991.
- (64) Vessels. - Any watercraft vessel other than a seaplane, capable of being used as a means of transportation on water.
- (65) Van pool vehicles. - Certain van pool vehicles such as those belonging to employers, regional ride sharing organizations, or dealers providing vans under lease to such employers or organizations.
- (66) State agency vehicles. - Motor vehicles leased to state agencies.

- (67) Beach property, belonging to or held in trust for cities. - Beach property used for any public purpose, owned or held in trust for a city within a town.
- (68) Livestock totally exempt except that the exemption for horses and ponies limited to \$1,000 in value unless used for farming. - If used for farming, horses and ponies are totally exempt.
- (69) Property of Metropolitan Transportation Authority. - Provided such property is used for the operation, maintenance, repair or improvement of the New Haven commuter railroad service.
- (70) Machinery and equipment acquired as a part of a technological upgrading of a manufacturing process. - New machinery and equipment used directly in the manufacturing of goods or products and acquired through purchase by any business organization as part of a technological upgrading of the manufacturing process at a location in a distressed municipality, targeted investment community or enterprise zone. Tax assessors who grant exemptions on certain machinery and equipment are required to notify OPM in writing whenever a business that received an exemption either ceases operations or moves entirely out of state. The assessor has five years after October 1 of the last assessment year in which he granted the exemption to file the notice.
- (71) Motor vehicles owned by American Indians. - Any motor vehicle owned by a member of an indigenous Indian tribe or spouse and garaged on the reservation of the tribe.
- (72) Newly acquired machinery and equipment in manufacturing facilities. - New machinery and equipment acquired after specified dates by the person claiming exemption under this subdivision, provided this exemption shall only be applicable in the four full years following the assessment year in which the machinery or equipment is acquired.
- (73) Temporary devices or structures for seasonal production, storage or protection of plants or plant material. - Including but not limited to, hoop houses, poly houses, high tunnels, overwintering structures and shade houses.
- (74) Certain Vehicles Used To Transport Freight For Hire. - For a period not to exceed five assessment years following the assessment year in which it is first registered, any new commercial truck, truck tractor, tractor and semitrailer, and vehicle used in combination therewith, which is used exclusively to transport freight for hire, in a manner specified by this section.
- (75) Certain Health Care Institutions. - This section exempts from local property tax any real or personal property owned or leased by a licensed, nonprofit organization on which a nonprofit nursing home, rest home, or residential care home is located.
- (76) Machinery and equipment assessed commencing on or after October 1, 2011. - This section exempts from local property tax any machinery and equipment, including machinery and equipment used in connection with biotechnology.
- (77) Real property of Council of Governments. - This section exempts from property tax any real property belonging to, or held in trust for, a regional council of elected officials, a regional council of governments or a regional planning agency, provided that the property is used to advance the official duties of the organization and the exemption is approved by the municipality in which such property is located.

**Enactment:** Prior to 1949

**Amendments:** 1959, PAs 152, 239 - acts repealed exemptions for county property (county government abolished) and watercraft owned by nonresidents.

1961, PAs 235, 245 - acts added subsecs. (48) and (49).

1965, PAs 461, 465 - acts added Subsecs. (50) and (51).

1967, PAs 57, 425, 738, 754 - acts replaced former provisions of Subsec. (51) with wholly new provisions, amended Subsecs. (19) and (21) to include references to the Vietnam era, and added Subsecs. (52) and (53).

1969, PAs 630, 657, 758, 768 - acts amended Subsec. (50) to delete per cent figures for 1967, 1968 and 1969, to decrease by ten per cent the figures for 1970, 1971, 1972, 1973, 1974 and 1975 and to add "one hundred per cent in the year 1976", added Subsec. (54), amended Subsec. (52) to specify structures or equipment acquired "by lease or purchase", to substitute clean air commission for air pollution control commission and to allow certification of a portion of structures and equipment acquired, and substituted commissioner of transportation for Connecticut aeronautics commission in Subsec. (48).

1971, PAs 234, 872 - acts deleted reference to (17) in Subsec. (20) and substituted commissioner of environmental protection for clean air commission in Subsec. (52).

P.A. 73-435 - amended Subsec. (21) to include exemption for loss of use of one arm or one leg because of service-related injury.

P.A. 74-123 - added Subsec. (55).

P.A. 74-207 - amended Subsecs. (20) to (25) to include both widows and widowers.

P.A. 75-483 - simplified reference to Vietnam era in Subsecs. (19) and (21).

P.A. 75-500 - excluded subsidized housing for low and moderate income persons or families from consideration as charitable purpose in Subsec. (7).

P.A. 76-409 - added Subsec. (56).

P.A. 77-490 - clarified Subsec. (56)(a) by deleting reference to "addition to a building" and inserting "building to which a solar heating or cooling system is added...", deleted reference to windmills and water wheels in (b), and added Subsec. (57).

P.A. 77-533 added Subsec. (58).

P.A. 77-614 - and P.A. 78-303 substituted secretary of the office of policy and management for commissioner of planning and energy policy and, effective January 1, 1979 substituted commissioner of revenue services for tax commissioner.

P.A. 78-267 - removed requirement that veteran have served in time of war and listed eligible branches of service in Subsec. (21).

P.A. 78-296 - removed "Connecticut" in Subsecs. (7), (13), (18) and (49) thus making out-of-state organizations eligible, effective May 31, 1978, and applicable to assessment list in any town for assessment date next following May 31, 1978, and each assessment date thereafter.

P.A. 78-357 - added Subsecs. (59) and (60).

P.A. 79-82 - added Subsec. (61), effective May 3, 1979, and applicable to assessment list in any town for 1979 and any assessment list thereafter .

P.A. 79-472 - included in Subsec. (19) state residents who served in forces of Czechoslovakia or Poland in WWII and included parents of more than one serviceman or woman under certain conditions in Subsec. (25).

P.A. 79-479 - added Subsec. (62).

P.A. 79-492 - amended Subsecs. (59) and (60) to detail exemptions further.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980; P.A. 80-406 replaced "October 1, 1980" with "April 20, 1977" in Subsec. (61).

P.A. 80-412 - amended Subsec. (55) to replace requirements for federal old-age, survivors and disability insurance with requirements for social security or other permanent total disability payments comparable with social security, effective June 6, 1980, and applicable in any town to the assessment year commencing October 1, 1980, and each assessment year thereafter.

P.A. 81-333 - amended Subsec. (60) to allow exemption for existing machinery in newly purchased manufacturing facility in distressed municipality.

P.A. 81-423 - added Subsec. (64) providing exemption for vessels, effective July 1, 1981, and applicable in any municipality to the assessment year commencing October 1, 1981, and thereafter.

P.A. 81-439 - added Subsec. (63), authorizing municipalities to adopt ordinance exempting from property tax solar energy electricity generating systems not eligible for exemption under subsection (57), cogeneration systems or both, effective July 1, 1981.

P.A. 82-318 - amended Subdiv. (21) to allow municipalities to provide total exemption for the residence of a veteran with respect to which such veteran has received assistance for specially adapted housing under title 38 of United States Code, effective June 9, 1982 and applicable to assessment years in municipalities commencing October 1, 1982, and thereafter.

P.A. 82-382 - added Subdiv. (66) re motor vehicles leased to state agencies.

P.A. 82-449 - added Subdiv. (65) re exemption for certain vanpool vehicles, effective July 1, 1982 and applicable to assessment year commencing October 1, 1982, and each assessment year thereafter.

P.A. 83-75 - amended Subdiv. (19) to allow exemption for service during period beginning June 27, 1950, and ending January 31, 1955, in lieu of the period "between June 27, 1950 and October

27, 1953" as previously provided, effective May 10, 1983, and applicable in any town to the assessment year commencing October 1, 1983, and each assessment year thereafter.

P.A. 83-485 - amended Subdiv. (14) by adding thereto exemption with respect to real property and equipment owned by any religious organization and exclusively used as a thrift shop, the proceeds of which are used for charitable purposes and amended Subdivs. (51), (52) and (53) by the addition of Subpara. (b) to each of said subdivisions, which subparagraph in Subdivs. (51) and (52) concerns requirements related to certification of the exempt property by the commissioner of environmental protection and in Subdiv. (53) concerns time requirements applicable to claims for the exemption and the result of failure to file such application as prescribed.

P.A. 83-485 - amended Subdivs. (56) and (57) by providing in Subpara. (c) of each of said subdivisions that application for exemption shall not be required for any assessment year following that for which the initial application is filed unless the exempt property is altered in any manner and amended Subpara. (d) of Subdivs. (62) and (63) to provide that application for exemption shall not be required for any assessment year following that for which the initial application is filed unless the exempt property is altered in any manner, effective June 30, 1983, and applicable in any town to the assessment year commencing October 1, 1983, and each assessment year thereafter.

P.A. 83-568 - amended Subdivs. (59) and (60) to provide that the exemptions in those Subdivs. terminate for the assessment year following the date that the facility no longer qualifies for the exemption.

P.A. 84-429 - made technical changes in Subdiv. (65) for statutory consistency.

P.A. 84-533 - amended Subdivs. (40) and (41) to remove the fifty dollar specific exemption for swine in Subdiv. (41) and include it with sheep and goats in an exemption in Subdiv. (40) which was increased from two hundred to five hundred dollars and to insert in Subdiv. (41) an exemption for dairy and beef cattle and oxen and added Subdiv. (67) re exemption of city beach property, effective June 4, 1984, and applicable to the assessment year commencing October 1, 1984, and each assessment year thereafter.

P.A. 85-593 - amended Subdiv. (55) by adding Subpara. (3), clarifying that a person who has attained age sixty-five or over and because of payments received as retirement benefits, is no longer eligible to receive benefits under the disability benefit provisions of Social Security or any federal, state or local government retirement or disability plan, in accordance with which such person would be eligible under such disability benefit provisions except for having attained age sixty-five or over, shall be eligible for the exemption provided under said Subdiv. (55), effective July 8, 1985, and applicable in any municipality to the assessment year commencing October 1, 1985, and each assessment year thereafter.

P.A. 86-153 - amended Subdivs. (59) and (60) by clarifying filing requirements for the exemption under each of said subdivisions by inserting the provision that any person claiming the exemption shall file "annually" with the assessor "on or before the first day of November", effective April 28, 1986, and applicable in any municipality for purposes of the assessment year commencing October 1, 1986, and each assessment year thereafter.

P.A. 86-273 - amended Subparas. (b) and (c) of Subdiv. (21) to provide for reinstatement of exemption of a surviving spouse after the termination of a subsequent marriage, effective June 4, 1986, and applicable for the assessment year of any municipality commencing October 1, 1986, and each assessment year thereafter.

P.A. 86-394 - amended Subdiv. (19) to eliminate reference to state residents who served in forces of Czechoslovakia or Poland in World War II and included residents who served in forces of any government signatory to United Nations Declaration of January 1, 1942, effective June 9, 1986, and applicable in any municipality to the assessment year commencing October 1, 1987, and each assessment year thereafter.

P.A. 87-240 - amended Subdiv. (59) by adding reference to the extension of time that may be allowed for filing the application for exemption as required under said Subdiv. (59), and amended Subdiv. (60) by (1) adding provisions allowing exemption for machinery and equipment acquired and installed on or after October 1, 1986, in a manufacturing facility eligible for exemption under Subdiv. (59), when such machinery and equipment is installed in conjunction with an expansion of such facility contiguous to and representing an increase of not less than fifty per cent of the floor space in the certified manufacturing facility and (2) adding reference to the extension of time that

may be allowed for filing the application for exemption as required under said Subdiv. (60), effective June 1, 1987, and applicable to the assessment year commencing October 1, 1987, and each assessment year thereafter.

P.A. 87-346 - amended (1) Subdiv. (40) by allowing complete exemption for sheep, goats and swine in the state, eliminating the maximum amount of exemption previously applicable to assessed value of such livestock, except when totally exempt as a result of being used in farming, (2) Subdiv. (41) by allowing complete exemption for dairy and beef cattle and oxen, eliminating the maximum amount of exemption previously applicable to assessed value of such livestock, except when totally exempt as a result of being used in farming, and by allowing complete exemption for asses and mules and (3) Subdiv. (43) by allowing complete exemption for poultry, eliminating the maximum exemption previously applicable to poultry except when used in farming, and added Subdiv. (68) allowing total exemption for all livestock except that the exemption for horses and ponies shall be limited to one thousand dollars in assessed value unless used in farming, effective June 10, 1987, and applicable to the assessment year commencing October 1, 1987, and each assessment year thereafter.

P.A. 87-584 - amended Subdiv. (54) by deleting reference to Sec. 12-24c and by incorporating a definition of "wholesale and retail business".

P.A. 88-134 - added Subdiv. (69) exempting certain property belonging to the metropolitan transportation authority, effective May 6, 1988, and applicable to assessment year commencing October 1, 1988, and thereafter.

P.A. 88-287 - added Subdiv. (70) re exemption for machinery and equipment used in manufacturing goods or products and acquired as part of a technological upgrading of the manufacturing process, effective June 6, 1988, and applicable to assessment years of municipalities commencing on or after October 1, 1988.

P.A. 88-342 - added certain members of the merchant marine to Subdiv. (19), effective June 6, 1988, and applicable to assessment years commencing on and after October 1, 1988.

P.A. 89-235 - amended Subdiv. (60) to require in Subparas. (1) and (2) that machinery and equipment eligible for an exemption represent an addition to the assessment or grand list of the municipality, and to provide in Subpara. (3) that the manufacturing facility is or has at one time been certified for an exemption, effective June 16, 1989, and applicable to assessment years commencing on and after October 1, 1989.

P.A. 89-368 - amended Subdiv. (2) by exempting reservation land held in trust by the state for Indian tribes and added Subdiv. (71) allowing exemption for motor vehicles owned by member of indigenous Indian tribe or spouse and garaged on the reservation of the tribe.

P.A. 90-270 - amended Subdivs. (59) and (60) by expanding exemption to facilities, machinery and equipment in municipalities located in a targeted investment community or enterprise zone, amended Subdiv. (70) to expand exemption to new machinery and equipment located in a targeted investment community or enterprise zone and made technical changes and added Subdiv. (72) re exemption for new machinery and equipment in manufacturing facilities, effective January 1, 1991, and applicable to assessment years commencing on or after October 1, 1991.

P.A. 91-257 - added Subdiv. (73) concerning temporary devices or structures used in the seasonal production, storage or protection of plants or plant material, effective June 19, 1991, and applicable to assessment years of municipalities commencing on or after October 1, 1991.

P.A. 91-307 - amended Subdiv. (10) concerning property belonging to agricultural or horticultural societies to revise the requirements for exemption thereunder.

P.A. 92-64 - amended Subsec. (39) to remove the requirement that produce be grown in the season next preceding the assessment date to qualify for the exemption, effective May 20, 1992, and applicable to assessment years of municipalities commencing on or after October 1, 1992.

P.A. 92-193 - amended Subsec. (72) by (1) adding provisions allowing exemption for "newly acquired machinery and equipment, as defined herein, acquired on or after July 1, 1992", (2) substituting "fabricating" for "assembling of raw materials, parts or manufactured products" and inserting "for measuring or testing or for metal finishing" in definitions of "machinery", "equipment" and "manufacturing facility", (3) adding further definitions of "machinery" and "equipment", (4) repealing definition of "manufacturer" and (5) adding definition of "manufacturing", "fabricating", "processing" and "measuring or testing", effective July 1, 1992, and applicable to assessment years of municipalities commencing on and after October 1, 1992.

P.A. 93-434 - amended Subpara. (c) of Subdivs. (56) and (57) by deleting obsolete reference to forms prescribed by the secretary and providing that such forms be approved by the assessor, effective June 30, 1993, and amended Subpara. (a) of Subdiv. (72) by inserting reference to Subpara. (b) and amended Subpara. (b) of Subdiv. (72) by establishing a procedure to claim exemption for leased machinery or equipment, effective June 30, 1993, and applicable to assessment years commencing on and after October 1, 1992.

P.A. 94-157 - (1) amended Subdiv. (56) by extending end date of construction or addition from 1991 to 2006, adding "active" before "solar energy heating or cooling system", dividing Subpara. (b) into numbered subparagraphs, adding Subpara. (2) re mechanical means to transfer energy in Subpara. (b), adding reference to chapter 54 in Subpara. (3) of Subpara. (b) and adding provision re building permit in Subpara. (c), (2) amended Subdiv. (57) by extending end date of installation from 1991 to 2006, adding reference to chapter 54 in Subpara. (b) and adding provision re building permit in Subpara. (c), (3) amended Subdiv. (62) by extending end date of construction or addition from 1991 to 2006, deleting Subpara. (b) re regulations to define and set standards for passive and hybrid solar energy heating or cooling systems and adding new Subpara. (b) defining "passive solar energy heating or cooling system" and "hybrid system", requiring application in manner and form as provided by assessor or board rather than on form prescribed by the office of policy and management in Subpara. (c) and adding provision re building permit in Subpara. (c), and (4) amended Subdiv. (63) by extending end date of installation from 1991 to 2006, making prohibition of applicability in Subpara. (a) mandatory rather than permissive, adding provision re resources recovery facilities in Subpara. (a), adding references to chapter 54 in Subpara. (b), changing "energy which is used for heating, cooling" to "thermal energy which is used for space or water heating or cooling," in Subpara. (b), requiring application in manner and form as provided by assessor or board rather than on form prescribed by the office of policy and management in Subpara. (d) and adding provision re building permit in Subpara.(d), effective October 1, 1994, and applicable to assessment years commencing on or after that date.

May Sp. Sess. P.A. 94-6 - amended Subpara. (c) of Subdiv. (72) to exclude public service companies defined in Sec. 16-1, effective June 21, 1994, and applicable for the assessment year commencing October 1, 1993, and each assessment year thereafter.

P.A. 95-283 - amended Subdiv. (72) to extend exemption period from four years to five years, effective July 6, 1995, and applicable to assessment years of municipalities commencing on or after October 1, 1996.

P.A. 96-180 - amended Subdivs. (59), (60) and (70) by substituting "Department of Economic and Community Development" for "department".

P.A. 96-208 - amended Subdiv. (72) to require taxpayer identification number and federal employer identification number on application and to add provision allowing denial of exemption if the claimant is delinquent in a property tax payment, effective June 4, 1996, and applicable to assessment years commencing on or after October 1, 1996.

P.A. 96-222 - amended Subdiv. (60) to provide that exemption shall not apply to rolling stock, effective October 1, 1996, and applicable to assessment years commencing on or after said date.

P.A. 96-239 - amended Subdivs. (59) and (60) by dividing the Subdivs. into Subparas., adding Subpara. (b) re tax exemption for service facilities and adding references to "service facility" in Subpara. (c) of both, effective July 1, 1996 (Revisor's note: In Subparas. (b) of both Subdivs. (59) and (60) "department" was replaced editorially by the Revisors with "Department of Economic and Community Development" to mirror technical change enacted in P.A. 96-180).

P.A. 96-252 - amended Subdiv. (a) of Subsec. (72) by adding provisions re machinery and equipment used in the biotechnology industry, effective July 1, 1996, and applicable to assessment years of municipalities commencing on or after October 1, 1996.

P.A. 96-265 - added Subdiv. (74) re exemption for certain commercial motor vehicles, effective October 1, 1996, and applicable to assessment years commencing on or after said date.

P.A. 97-193 - amended Subdiv. (72) to add new Subpara. (E) re denial of exemption if applicant delinquent in corporation business tax and to make technical and renumbering changes, effective June 24, 1997, and applicable to income years commencing on or after January 1, 1998.

P.A. 97-282 - amended Subdiv. (72) to make assessors instead of the Office of Policy and Management responsible for granting extensions, to provide that machinery or equipment that is transferred by sale or lease is only eligible for the exemption only to the extent it would be exempt

for the seller or lessor and to make technical changes and amended Subdiv. (74) to require commercial vehicles to be valued on the basis of their acquisition costs and depreciated in accordance with the schedule in Sec. 12-94c, to provide for prorating the value of vehicles that appear on the supplemental motor vehicle list, and to make technical changes, effective June 26, 1997, and applicable to assessment years commencing on or after October 1, 1996 (Revisor's note: In Subdiv. (72)(A)(vii) the phrase "to development microorganisms" was replaced editorially by the Revisors with "to develop microorganisms" for grammatical accuracy).

P.A. 98-28 - amended Subdiv. (57) by replacing solar energy electricity generating systems with Class I renewable energy sources and certain hydropower facilities, by deleting October 1, 2006 sunset date in Subsec. (a), by deleting Subsec. (b) and by relettering former Subsec. (c) as (b), effective April 29, 1998, and applicable to assessment years of municipalities commencing on or after October 1, 1999.

P.A. 98-146 - amended Subpar. (a) of Subdiv. (59) by applying exemption to properties designated as manufacturing plants under Sec. 32-75c and authorized extension of assessment period for manufacturing facilities with a Standard Industrial Classification Code of 2833 (medicinal chemicals with 1,000 employees), effective July 1, 1998, and applicable to assessment years commencing on or after October 1, 1998 to 2003.

June Sp. Sess. P.A. 98-1 - amended Subdiv. (a) of Subsec. (59) by adding reference to Standard Industrial Classification Code 2834 and making a technical change, effective July 1, 1998.

P.A. 99-272 - amended Subdiv. (21) to allow exemption for modification of dwelling house in Subpara. (C) and to make technical changes, effective June 15, 1999, and applicable to assessment years commencing on or after October 1, 1998.

P.A. 99-280 - amended Subdiv. (74) by requiring the five-year assessment period of a new commercial truck, truck tractor, tractor and semitrailer, and vehicle used in combination therewith, to begin following the assessment year in which such a vehicle was "first registered" in lieu of "purchased" in Subpara. (A)(i), added Subpara. (A)(ii) re vehicles not eligible under Subpara. (A)(i) and made technical changes, effective October 1, 2000, and applicable to assessment years commencing on or after that date.

P.A. 00-120 - amended Subdiv. (19) to define "veteran", "service in time of war", and "armed forces" and to make technical changes, effective May 26, 2000, and applicable to assessment years commencing October 1, 2000.

P.A. 00-169 - amended Subdiv. (74)(A) by making a technical change.

P.A. 00-170 - amended Subdivs. (59)(b) and (60)(b) to allow certain financial institutions receiving state assistance to extend the assessment period for five years, effective May 26, 2000.

P.A. 00-215 - amended Subdivs. (7), (10) and (16) to require that the assessor provide the statement form under those Subdivs. and to provide that the statement is due on November first quadrennially, amended Subdivs. (59)(c), (60)(c) and (70) to provide that extensions of deadlines for applications under those Subdivs. be in accordance with Sec. 12-81k and amended Subdiv. (74)(B) to make a technical change and to modify the filing requirements for new commercial vehicles, effective June 1, 2000, and applicable to assessment years commencing on and after October 1, 2000 (Revisor's note: In 2001 the word "if" in the phrase "sworn to by the president, secretary or treasurer if the society" in Subdiv. (10) was changed editorially by the Revisors to "of" to conform provision with P.A. 91-307, thereby correcting a clerical error first published in the 1993 edition of the general statutes).

P.A. 00-229 - effective June 1, 2000, and applicable to assessment years commencing on or after October 1, 1998 (Revisor's note: P.A. 00-229 was designated editorially by the Revisors as Subdiv. (75) and the words "... shall be exempt from taxation under chapter 203 of the general statutes," were deleted editorially by the Revisors since they were no longer needed in the Subdiv. as codified).

June Sp. Sess. P.A. 00-1 - amended Subdiv. (36) to replace fishing apparatus "actually used in the main business of" with fishing apparatus "belonging to" and to add proviso that such apparatus was purchased for use in the main business of such business or company at the time of purchase, effective June 21, 2000, and applicable to assessment years commencing on or after October 1, 2000.

June Sp. Session P.A. 01-6 – amended subsection 60 to allow commissioner of DECD to extend exemption to pharmaceutical, medicinal chemical and botanical product companies for an additional five years.

P.A. 02-49 amended Subdiv. (11) to require quadrennial statements be filed with the assessor rather than the Secretary of the Office of Policy and Management and to make technical changes, effective May 9, 2002;

P.A. 02-143 – Required assessors to notify OPM whenever a business that has received an exemption has either ceased operations or moved entirely out of the state.

P.A. 03-269 amended Subdiv. (53) to provide exemption for leased vehicles and to delete requirement that vehicle be for passengers, effective October 1, 2003, and applicable to assessment years commencing on or after that date, and added the entitlement of a refund on taxes already paid under this section;

P.A. 03-270 amended Subdiv. (7) to make a technical change and define "housing" to include a charitable corporation's real property for purposes of that subdivision, effective July 9, 2003, and applicable to assessment years commencing on or after October 1, 2002;

June 30 Sp. Sess. P.A. 03-6 amended Subdiv. (10) to replace Commissioner of Agriculture with Commissioner of Agriculture and Consumer Protection, effective July 1, 2004, and amended Subdiv. (55) to suspend the exemption for property of totally disabled persons for the 2003 assessment year and make a technical change, and amended Subdiv. (72)(A) to make Subpara. effective for assessment years commencing on or after October 1, 2002, redefine "fabricating" to exclude presorting, sorting, coding, folding, stuffing or delivery of certain mail services, limit definition of "processing" to manufacturing and make technical changes, both effective August 20, 2003, and applicable to assessment years commencing on or after October 1, 2002;

P.A. 04-72 amended Subdiv. (72)(A)(i) to provide that "machinery" and "equipment" must be claimed on the owner's federal income tax return, and amended Subdiv. (72)(B) to revise reference to certain other sections requiring lists of property to be filed and to add provisions re reporting of certain information on a claimant's federal income tax return, effective May 10, 2004;

P.A. 04-189 repealed Sec. 146 of June 30 Sp. Sess. P.A. 03-6, thereby reversing the merger of the Departments of Agriculture and Consumer Protection, effective June 1, 2004;

P.A. 04-240 amended Subdiv. (7) by making technical changes and adding provision re operation of housing by charitable organization deemed an exclusively charitable purpose, effective October 1, 2002, and applicable to assessment years commencing on or after that date;

May Sp. Sess. P.A. 04-2 amended Subdiv. (55) to restore exemption for the 2003 assessment year and to provide for the issuance of certificates of correction, effective May 12, 2004, and applicable to assessment years commencing on or after October 1, 2003.

P.A. 06-83 – amended Subdiv. 72 to revise the assessment years for which the exemption is applicable and added Subdiv. 76.

P.A. 07-254 – amended Subdiv. (7) to exempt from local property taxes the property of certain charitable organizations even if these organizations lease space to another charitable corporation and amended Subdivision (14) to exempt property owned by a religious organization used exclusively as a daycare center.

P.A. 08-121 – amended Subdivision (53) to exempt from local property taxes one motor vehicle belonging to, leased to or held in trust for, any member of the United States armed forces from local property taxes even if such motor vehicle is garaged inside the state, instead of limiting such exemption to a vehicle garaged outside the state.

P.A. 08-174 – amended subdivision (7) to include land held for the purpose of preserving open space land to the list of exempt lands.

P.A. 09-226 added Subdiv. 77.

P.A. 10-98 – Sec. 2 amended Subdivs. (59) and (60) to include an airport development zone.

P.A. 11-61, Sec. 3, amended Subdiv. 76 by removing limitation that exemption be for "new" or "newly acquired" equipment.

**Estimated Cost Characterization:** Major

- 12-81cc Portability Of Certain Veterans' Property Tax Exemptions. - Allows veterans to continue receiving veterans' property tax exemptions when they move from one town to another during the assessment year. It does this by requiring tax assessors to give each veteran they approve for an exemption a certificate attesting to his/her eligibility for the exemption for that assessment year.
- Enactment:** 2004, P.A. 40
- Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.
- 12-81e Exemption For Certain Vans Used To Transport Employees To And From Work. - Exempts from the local property tax any van owned by (A) an employer in the state, (B) a regional ride-sharing organization, or (C) a dealer providing vans under lease to such employer or organization.
- Enactment:** 1979, P.A. 542
- Amendment:** P.A. 82-449 - broadened the exemption to include vans owned by certain ride-sharing organizations and dealers who lease vans to employers or ride-sharing organizations, effective July 1, 1982 and applicable to assessment year commencing October 1, 1982, and each assessment year thereafter.
- Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.
- 12-81g Additional Exemption From Property Tax For Veterans. State Reimbursement For Related Tax Loss. - Additional means-determined exemption for veterans eligible for property tax exemptions under Sec. 12-81. Towns are required to notify OPM, in writing, within 30 days after discovering that a veteran who has received his tax exemption has income in excess of the maximum allowed under C.G.S. 12-81g. The notice must identify the veteran.
- Enactment:** 1985, P.A. 573
- Amendments:** P.A. 86-133 - added Subdiv. (3) of Subsec. (d) concerning the audit of applications for reimbursement from municipalities.
- P.A. 87-115 - amended Subsec. (d) to require regulations providing a penalty for late filing of the application for reimbursement and providing that the secretary of policy and management may waive such forfeiture in accordance with procedures and standards in the regulations.
- P.A. 87-404 - amended Subsec. (a) by deleting the specific description of qualifying income requirements and substituted in lieu thereof a reference to Sec. 12-811 as containing the qualifying income requirements, effective June 26, 1987, and applicable to the assessment year in any municipality commencing October 1, 1987, and each assessment year thereafter and added Subsec. (e) providing an appeals procedure in the event of denial of application for the additional exemption from property tax for veterans, effective June 26, 1987, and applicable to appeals in any municipality in the assessment year commencing October 1, 1987, and each assessment year thereafter.
- P.A. 88-120 - provided in Subsec. (d) that a veteran eligible for the additional exemption under Subsec. (a) of this section shall be required to file biennially after initial qualification and added Subsec. (f) concerning notice to the assessor when income exceeds the qualifying maximum in the year immediately following a year in which filing occurs.
- P.A. 88-342 - substituted town, city, borough, consolidated town and city and consolidated town and borough for municipality in Subsec. (c), effective June 6, 1988, and applicable to assessment years commencing on or after October 1, 1987.
- P.A. 95-283 - changed location of appeal from the judicial district in which the application is filed to the judicial district of Hartford- New Britain, effective October 1, 1996 (Revisor's note: P.A. 88-230, 90-98, 93-142 and 95-220 authorized substitution of "judicial district of Hartford" for

"judicial district of Hartford-New Britain" in 1995 public and special acts, effective September 1, 1998).

P.A. 96-261 - repealed changes made by P.A. 95-283, effective June 10, 1996.

P.A. 99-89 - amended Subsecs. (a) and (b) to add reference to increase made pursuant to Sec. 12-62g and amended Subsec. (f) to add provision re notice by the assessor of discovery of ineligibility of a veteran.

June Sp. Sess. P.A. 01-6 amended Subsec. (a) to provide for forfeiture of the additional exemption in case of failure to disclose related matters or false statement, amended Subsec. (b) to make a technical change, amended Subsec. (c) to make a technical change and provide for review by the Secretary of the Office of Policy and Management of claims of loss and a right to appeal such review, amended Subsec. (d) to make technical changes, deleted former Subsec. (e) re appeal of decision re exemption and redesignated former Subsec. (f) as Subsec. (e), effective July 1, 2001; June 30 Sp. Sess. P.A. 03-6 amended Subsec. (c) to delete provision re state reimbursement to municipalities for revenue loss under Subsec. (b) and to provide for reduction in reimbursement for fiscal years commencing July 1, 2003, and thereafter in the event total amount payable exceeds the amount appropriated, effective August 20, 2003, and applicable to assessment years commencing on or after October 1, 2002.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-82 Exemptions Of Veterans Of Allied Services Of First World War. - Veterans who served with an allied country during WW1 are entitled to an exemption under Sec. 12-81(19).

**Enactment:** Prior to 1949

**Amendment:** 1961, P.A. 342 - act removed minimum service requirement.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-88 When Property Otherwise Taxable May Be Completely Or Partially Exempted. - Requires property that is exempt from taxation under Sec. 12-81 (7,10,11,13,14, 15,16 or 18), from which no income or rents are derived, to be exempt even if not being used, if buildings are under construction.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-88a Application Of Property Tax To Real Property Acquired By A Quasi-Public Agency But Not Held Or Used For Purposes Of Such Quasi-Public Agency. - Allows municipalities, under certain conditions, to tax real property acquired by a state quasi-public agency for future use.

**Enactment:** 2003, P.A. 246

**Estimated Cost Characterization:** Minor.

12-91 Exemption For Farm Machinery, Horses Or Ponies. - Requires a property tax exemption for farm machinery up to \$100,000 including all horses and ponies used exclusively in farming. Owner must derive 50% of income from farming and must attest so annually to the town assessor or lose exemption.

**Enactment:** 1957, P.A. 28

**Amendments:** 1959, P.A. 191 - act extended section's application to include farm machinery and removed limitation of application to assessment lists of 1957 and 1958.  
 1961, P.A. 477 - act extended section's application to include corporations, and added that subdivisions (38), (40), (41), and (42) of section 12 81 shall not apply to groups of farmers.  
 1963, P.A. 510 - act deleted exception of fur breeders.  
 1971, P.A. 358 - act amended Subsec. (a) to include property held in trust.  
 P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.  
 P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.  
 P.A. 80-393 - changed maximum value exempted from three to ten thousand dollars, effective May 23, 1980, and applicable in any town to the assessment year commencing October 1, 1980, and each assessment year thereafter.  
 P.A. 85-572 - amended (1) Subsec. (a) so as to increase the amount of exemption for farm machinery from a value up to ten thousand dollars to a value up to one hundred thousand dollars and (2) Subsec. (b) by requiring that the farmer claiming the exemption submit a notarized affidavit certifying that the principal means of livelihood of such farmer is derived from such farming operation, effective July 3, 1985, and applicable in any town, city or borough for the assessment year commencing October 1, 1985, and each assessment year thereafter.  
 P.A. 87-346 - amended Subsec. (a) to allow complete exemption for any horse or pony used exclusively in farming and provided that Subdiv. (38) of Sec. 12-81, allowing exemption for farming tools to a value of five hundred dollars, shall not apply to any person or organization eligible for the exemption under this section for all farm machinery to the value of one hundred thousand dollars, effective June 10, 1987, and applicable to the assessment year commencing October 1, 1987, and each assessment year thereafter.  
 P.A. 92-64 - amended section to remove the requirement that the farmer's principal means of livelihood be derived from farming and inserted in lieu thereof monetary standards of fifteen thousand dollars in sales or expenses, effective May 20, 1992, and applicable to assessment years of municipalities commencing on or after October 1, 1992.  
 P.A. 94-201 - amended Subsec. (b) to change the officer responsible for administration of that subsection from the Secretary of Policy and Management to the Commissioner of Agriculture.  
 P.A. 95-283 - amended Subsec. (b) to replace board of tax review with board of assessment appeals.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-93a

Allowance Of Veterans' Property Tax Exemptions In Relation To A Residential Dwelling On Leased Land. - Requires an exemption provided that (a) the dwelling is such person's principal place of residence, (b) such sublease requires such person to pay all property taxes related to the dwelling and (c) such lease is recorded in the town land records. Also, extends tax exemptions to leased vehicles and entitles any person claiming this exemption to a refund of any tax paid on such vehicle. Upon approval of such exemption claim, the assessor shall certify the amount of refund and notify the tax collector of such amount. The tax collector shall refer the certification to the board of selectman or to the corresponding authority in the town.

**Enactment:** 1981, P.A. 58

**Amendment:** P.A. 81-58 - effective April 28, 1981, and applicable in any municipality to the assessment year commencing October 1, 1981, and each assessment year thereafter.  
 P.A. 03-269 designated existing provisions as Subsec. (a) and added new Subsec. (b) including leased vehicles to those that are entitled to a tax deduction under this section, effective October 1, 2003, and applicable to assessment years commencing on or after that date and added the notification requirements by the tax assessor and tax collector.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-94a

State Reimbursement In Lieu of Tax Revenue From Totally Disabled Persons. – Stipulates that the reimbursement for this tax exemption will not apply for assessment years commencing on October 1, 2002 and October 1, 2003.

**Enactment:** 1974, P.A. 123

**Amendment:** P.A. 77-614 substituted commissioner of revenue services for tax commissioner, effective January 1, 1979;

P.A. 79-610 substituted secretary of the office of policy and management for commissioner of revenue services;

P.A. 85-371 extended final date for review by secretary from November first following deadline for receipt of claims to July first following said deadline and added provisions re payments of adjustments in amounts due to municipalities resulting from modifications of claims occurring after December first, effective July 1, 1985, and applicable to any grant or claim information received by the secretary of the office of policy and management on or after that date;

P.A. 90-73 added the provision for municipal forfeiture in the event of failure to submit the required documentation and the related waiver procedure;

May Sp. Sess. P.A. 94-6 added the definition of "municipality", effective June 21, 1994, and applicable to the grant-in-lieu of taxes made in the fiscal year commencing July 1, 1994, and each fiscal year thereafter;

P.A. 95-283 changed location of appeal from the judicial district in which the municipality is located to the judicial district of Hartford-New Britain, effective October 1, 1996 (Revisor's note: P.A. 88-230, 90-98, 93-142 and 95-220 authorized substitution of "judicial district of Hartford" for "judicial district of Hartford-New Britain" in 1995 public and special acts, effective September 1, 1998);

P.A. 96-261 repealed changes made by P.A. 95-283, effective June 10, 1996;

June Sp. Sess. P.A. 01-6 replaced former provision re administrative review of claims with uniform process provided for in Sec. 12-120b and made technical changes, effective July 1, 2001;

June 30 Sp. Sess. P.A. 03-6 suspended reimbursement for the 2002 and 2003 assessment years, effective August 20, 2003, and applicable to assessment years commencing on or after October 1, 2002;

May Sp. Sess. P.A. 04-2 specified the time period for the towns' certification for the 2003 assessment year and added provision re pro rata reduction of payments when the total amount due exceeds the amount appropriated, effective May 12, 2004, and applicable to assessment years commencing on or after October 1, 2003.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-94b

State Reimbursement In Lieu of Tax Revenue From Newly-Acquired Machinery And Equipment In Manufacturing Facilities And Commercial Motor Vehicles. Administrative Appeal. - Requires the assessor or board of assessors of each municipality to certify to the secretary of the office of policy and management the amount of exemptions for manufacturing machinery and equipment, in a manner specified by this section. The state reimbursement to municipalities for the property tax exemption on new machinery and equipment is set at 80% beginning October 1, 2001. The state may reduce proportionately the amount of reimbursement to each municipality in the event the total amount payable to all municipalities exceeds the amount appropriated in any fiscal year for this section.

**Enactment:** 1988, P.A. 230

**Amendments:** P.A. 90-270, S. 29 effective January 1, 1991, and applicable to assessment years commencing on or after October 1, 1991.

P.A. 93-434 - changed the time for notification by the secretary from September first to November first effective June 30, 1993, and applicable to assessment years commencing on and after October 1, 1992.

P.A. 95-283 - changed location of appeal from as provided in Sec. 12-33 to the judicial district of Hartford-New Britain, effective October 1, 1996 (Note: P.A. 88-230, 90-98, 93-142 and 95-220 authorized substitution of "judicial district of Hartford" for "judicial district of Hartford-New Britain" in 1995 in 1995 public and special acts, effective September 1, 1998).

P.A. 95-307 - added new Subsec. (b) concerning appeal of the decision of the secretary to deny reimbursement and designated existing provisions as Subsec. (a), effective July 6, 1995.

P.A. 96-261 - repealed changes made by P.A. 95-283, effective June 10, 1996.

P.A. 96-265 - amended Subsec. (a) to add reference to Subdiv. (74) of Sec. 12-81, to authorize secretary to reevaluate any vehicle included in claim when he believes valuation is inaccurate and to require secretary to notify each municipality of his denial of claim, and amended Subsec. (b) to add references to commercial motor vehicle and to substitute Subdiv. (72) or (74) of Sec. 12-81 for reference to "this section" in the first sentence, effective October 1, 1996, and applicable to assessment years commencing on or after said date (Revisor's note: Since the changes made in Subsec. (a) by P.A. 95-283 were repealed by P.A. 96-261 the Revisors editorially reversed those changes when codifying P.A. 96-265 by changing the sentence which read "Any municipality aggrieved by the action of the secretary under the provisions of this section may appeal therefrom to the superior court for the judicial district of Hartford-New Britain pursuant to section 12-391." back to "Any municipality aggrieved by the action of the secretary under the provisions of this section may appeal therefrom as provided in section 12-33.", that is the way the sentence read prior to the changes made by P.A. 95-283).

P.A. 97-244 - eliminates the requirement that the tax collector submit a reimbursement claim for manufacturing machinery and equipment and for commercial vehicle tax exemptions. OPM will now calculate the amount payable to each municipality. Requires the assessor or board of assessors of each municipality to certify to the secretary of opm the amount of exemptions for manufacturing machinery and equipment.

June Sp. Session P.A. 01-6 – reduced the state reimbursement for the property tax exemption on new machinery and equipment to 80%.

June Sp. Sess. P.A. 01-6 deleted former provisions re administrative appeals, including former Subsec. (b), added provisions re appeals under this section as provided in Sec. 12-120b, changed the amount of the grant to eighty per cent of taxes which would have been paid for property first approved for exemption under Subdivs. (72) and (74) of Sec. 12-81 on or after October 1, 2001, and made technical changes for purposes of clarity and gender neutrality, effective July 1, 2001; June 30 Sp. Sess. P.A. 03-6 added provision re reduction in grant amount under this section in the event total of grants exceeds the amount appropriated, effective August 20, 2003, and applicable to assessment years commencing on or after October 1, 2002.

**Estimated Cost Characterization:** Minor.

12-94f

Phase-In Of One Hundred Per Cent State Payment In Lieu Of Taxes For Machinery And Equipment. - Eliminates the property tax on manufacturing machinery and equipment (MM&E).

**Enactment:** 2006, P.A. 83

Amendments: P.A. 06-186 amended Subsec. (c) by adding "on or prior to" in each subdiv. and amended Subsec. (d) by changing date of assessor's certification from November to March, changing date of secretary's certification to December fifteenth, changing "town" to "municipality" and making technical changes, effective July 1, 2006, and applicable to income years commencing on or after January 1, 2006 (Revisor's note: In Subsec. (d), a reference to "section 12-71" was changed editorially by the Revisors to "section 12-81" for accuracy, and the word "before" in the phrase "on or before the fifteenth day of December" was reinstated editorially by the Revisors to correct a clerical error);

P.A. 07-140 amended Subsec. (a)(1) to define "manufacturing", "biotechnology" and "recycling", amended Subsec. (b) to replace former provisions with new Subdivs. (1) to (3) re applicable exemption rates, amended Subsec. (c) to replace former Subdivs. (1) to (4) with new provisions re payment in lieu of taxes and grant, amended Subsec. (d) to include procedure for certification and modification thereof ending December 15, 2012, and made technical changes in Subsec. (e), effective June 19, 2007

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-94g

Amount Of State Payment In Lieu Of Taxes On Machinery And Equipment Commencing July 1, 2013. – Stipulates that the State will hold the municipalities harmless until 2013; at that point, the payments become fixed. If any new manufacturing machinery and equipment enter on the town rolls, those municipalities will not be reimbursed for the lost taxes.

**Enactment:** 2006, P.A. 83

Amendment: P.A. 07-140 amended Subsec. (a) by defining "manufacturing", "biotechnology" and "recycling", and amended Subsec. (b) by replacing "manufacturing machinery or equipment" with "certain machinery or equipment exempt from taxation" and former provision re grant of 100% of property taxes with new Subdivs. (1) and (2) re formula for grant, effective June 19, 2007, and applicable to assessment years commencing on or after October 1, 2007 (Revisor's note: In Subsec. (b) the repeated words "equal to" were deleted editorially by the Revisors in the phrase "shall be equal to equal to the sum of the following:").

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-95a

Exemption Of Merchandise In Transit In Warehouses. - Requires that goods in transit and stored in a public warehouse be exempt from the property tax and not taxed to the manufacturer or intended purchaser.

**Enactment:** 1965, P.A. 603

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-96

Exemptions Of Tree Plantations Of Not Less Than Twenty-Five Acres. Conversion To Forest Land Classification. - Requires that woodland or land suitable for forest planting not less than 25 acres in area and not exceeding \$100,000 in value per acre excluding timber growing thereon, be given special classification as forest land for purposes of taxation. The state forester issues such certificate if the owner's application meets certain requirements.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 423 - act increased qualification for exemption from five to twenty-five acres and from fifty to one hundred dollars per acre in value, provided for filing of the classification certificate in the assessors' rather than the town clerk's office and added requirement of recordation of the certificate by the owner.

1971, P.A. 697 - act allowed conversion to provisions of Sec. 12-107d without penalty between October 1, 1972, and before October 1, 1973, by notifying assessors of town where land located by registered mail.

P.A. 77-614 substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-97

Taxation Of Timber Land Of More Than Ten Years' Growth. Conversion To Forest Land Classification. - Requires that land classified as forest land under 12-96 be taxed at a rate of 10 mills, or the local rate, if less. The assessment is at 100% rather than 70% and wood cuttings are subject to a graduated yield tax.

**Enactment:** Prior to 1949

**Amendment:** 1971, P.A. 697 - act allowed conversion to provisions of Sec. 12-107d without penalty between October 1, 1972, and October 1, 1973, by notifying assessors of town where land located by registered mail.

**Estimated Cost Characterization:** Minor

12-98

Classification Of Land Stocked With Trees Not More Than Ten Years' Old. Conversion To Forest Land Classification. - Same as 12-97.

**Enactment:** Prior to 1949

**Amendment:** 1971, P.A. 697 - act allowed conversion to provisions of Sec. 12-107d without penalty between October 1, 1972, and October 1, 1973, by notifying assessors of town where land located by registered mail.

**Estimated Cost Characterization:** Minor

12-107d

Regulations Re Evaluation Of Land As Forest Land. Implementation Of Standards And Procedures. Certification Requirements. Fees. Notice Of Termination Of Forest Land Classification. Application For Classification As Forest Land. Appeal. Report To State Forester. - Requires that the assessor in any municipality where land has had its classification as forest land terminated issue a notice of classification and provide a copy of such notice to the owner of the land and to the assessor of any other municipality affected by such termination. Also, the assessor of any municipality that has within it land classified as forest land must annually report to the State Forester, in a manner specified by this act, the total number of property owners with land classified as forest land, farm land or open space.

**Enactment:** 1963, P.A. 490

**Amendments:** P.A. 73-585 amended Subsec. (d) to require that application include statement of potential tax liability under Secs. 12-504a to 12-504e;  
P.A. 74-187 deleted provisions concerning examination or reexamination of the land itself in Subsecs. (a) and (b) by state forester;  
P.A. 76-436 substituted superior court for court of common pleas in Subsec. (f) and included reference to judicial districts, effective July 1, 1978;  
P.A. 77-614 substituted commissioner of revenue services for tax commissioner, effective January 1, 1979;  
P.A. 78-280 deleted reference to counties;  
P.A. 79-513 amended Subsec. (c) to allow filing within ninety days after assessment date in years in which revaluations become effective, effective July 1, 1979, and applicable to sale of any land classified for first time as farm, forest or open space land on or after that date;  
P.A. 79-610 substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980;

P.A. 95-283 amended Subsecs. (f) and (g) to replace board of tax review with board of assessment appeals, effective July 6, 1995;  
P.A. 95-307, in Subsec. (d), transferred authority to approve the form from the Secretary of the Office of Policy and Management to the Commissioner of Environmental Protection, effective July 6, 1995;  
P.A. 00-120 amended Subsec. (c) by substituting grand list for assessment list and making technical changes, effective May 26, 2000, and applicable to assessment years commencing October 1, 2000;  
P.A. 01-195 made technical changes in Subsecs. (a) to (d), effective July 11, 2001;  
P.A. 04-115 added new Subsec. (a) re adoption of regulations re standards of forest stocking, distribution and conditions and procedures for evaluation of land by certified forester and implementation of standards and procedures by State Forester, added new Subsec. (b) re certified forester to evaluate land for classification as forest land, and re training and mandated certification of certified foresters, redesignated existing Subsec. (a) as new Subsec. (c) and amended same to require owner of land to employ a certified forester, added new Subsec. (d) prohibiting certified forester contingent fees, deleted former Subsec. (b) re issuance of triplicate certificate, added new Subsec. (e) re municipal assessors to provide notice re termination of forest land classification, redesignated existing Subsec. (c) as new Subsec. (f) and amended provisions therein re copy of certified forester's report and assessor's determination, deleted former Subsec. (d) re application, added new Subsec. (g) re contents of certified forester's report, deleted, redesignated existing Subsec. (e) as new Subsec. (h) and made technical changes therein, added new Subsec. (i) re appeals to the State Forester, deleted former Subsec. (f) re appeals, redesignated existing Subsec. (g) as new Subsec. (j) and added new Subsec. (k) re municipal assessors to report to State Forester, effective July 1, 2004.

**Estimated Cost Characterization:** Minor

12-107f

Open Space. Improvements Exempt From State And Municipal Assessments Or Taxes. Payment Of Assessment Or Taxes By Municipality. - Requires that open space land owned by an organization exempt by the Internal Revenue Service for federal tax purposes not be subject to municipal assessment for improvements or betterments, and that any such assessment be paid from the general fund of the municipality.

**Enactment:** 1973, P.A. 583

**Amendments:** P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services.

P.A. 95-283 - amended Subsec. (f) to replace board of tax review with board of assessment appeals.

P.A. 99-89 - amended Subsec. (d) by replacing Secretary of the Office of Policy and Management with Commissioner of Agriculture.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

12-108

Stored Property As Property In Transit. - Requires that goods, wares and merchandise owned by a non-resident and in a public warehouse or wharf be exempt from local property taxation.

**Enactment:** 1953, S 1069d

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

- 12-109      Listing And Valuation Of Tax-Exempt Property. - Requires each town assessor to list, value and assess annually, all property exempted from taxation except public streets, highways and bridges, and to add such valuation to the grand list in such a manner as to be separate from non-exempt property.
- Enactment:** Prior to 1949
- Amendments:** 1963, P.A. 490 - act added specific reference to farm land, forest land, and open space land.  
P.A. 74-233 - replaced former provisions re valuation of property which is exempt under special act provisions and listing of such property in abstract book with provision that all tax-exempt property, except public highways, streets and bridges be listed, valued and assessed annually and added to grand list in separate category.
- Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.
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- 12-110      Sessions Of Board Of Assessment Appeals. - Requires board to meet at least once in March and September, annually and to post and publish notice of such meetings in a newspaper with general circulation in such town.
- Enactment:** Prior to 1949
- Amendments:** P.A. 79-412 - added requirement that September meeting be held to hear appeals concerning motor vehicle assessments, effective June 12, 1979, and applicable to assessment list in any town for 1979 and any assessment list thereafter.  
P.A. 84-146 - included a reference to posting of notice on a place other than a signpost.  
P.A. 95-283 - In Subsec. (a) changed board of tax review to board of assessment appeals and repealed requirement for three meetings in February. Added Subsec. (b) which requires board to meet in March.
- Estimated Cost Characterization:** Minor
- 
- 12-117a      Appeals From Decisions Of Boards Of Tax Review Concerning Assessment Lists For Assessment Years Commencing October 1, 1989, To October 1, 1992. - Any person aggrieved by the action of the board of tax review, may appeal to superior court, and if the court reduces the assessment made by the board, the person must be reimbursed for any overpayment, together with interest and costs.
- Enactment:** 1989, P.A. 231
- Amendments:** P.A. 90-266 - extended applicability to assessment list for year commencing October 1, 1990, effective June 8, 1990, and applicable to appeals from boards of tax review for assessment years commencing October 1, 1989, and October 1, 1990.  
P.A. 91-221 - extended applicability to assessment list for year commencing October 1, 1991, effective June 10, 1991, and applicable to appeals from boards of tax review for assessment years commencing October 1, 1989, October 1, 1990, and October 1, 1991.  
P.A. 92-254 - extended applicability to assessment list for year commencing October 1, 1992, effective June 3, 1992, and applicable to appeals from boards of tax review for assessment years commencing October 1, 1989, October 1, 1990, October 1, 1991, and October 1, 1992.  
P.A. 93-95 - extended applicability to assessment list for year commencing October 1, 1993, or October 1, 1994, effective June 2, 1993, and applicable to appeals from the board of tax review in any municipality for the assessment years commencing on October first in 1989, 1990, 1991, 1992, 1993 and 1994.

P.A. 95-283 - changed location of appeal from the judicial district in which the town or city is located to the judicial district of Hartford-New Britain and changed the name of the board of tax review to the board of assessment appeals, effective October 1, 1996 (Revisor's note: P.A. 88-230, 90-98, 93-142 and 95-220 authorized substitution of "judicial district of Hartford" for "judicial district of Hartford-New Britain", effective September 1, 1998).

P.A. 96-1 - repealed changes made by public act 95-283 and revised wording of previously existing law, effective March 6, 1996, and applicable to assessment years of municipalities commencing on or after October 1, 1995.

P.A. 96-261 - also repealed changes made by P.A. 95-283 and made technical change in previously existing law.

**Estimated Cost Characterization:** Minor

12-119

Remedy When Property Wrongfully Assessed. - The owner of property which has been improperly or manifestly excessively taxed may appeal to superior court and the court shall have the power to grant relief including reimbursement by the town of any overpayment and costs.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 65 - act allowed applications for relief by lessees who, according to terms of lease, are responsible for property tax payments.

P.A. 76-436 - substituted superior court for court of common pleas and included reference to judicial districts, effective July 1, 1978.

P.A. 78-280 deleted reference to counties.

P.A. 81-472 made technical changes.

**Estimated Cost Characterization:** Minor

12-120

Town Clerk To Send Abstract Of Assessment Lists To Secretary Of The Office Of Policy And Management. - Requires each assessor to submit to OPM a report of the abstract of the grand list, including all corrections made prior to the reporting date of April 1. Failure to file results in a \$100 penalty, unless waived.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

P.A. 85-385 - required assessors, rather than town clerk, to correct clerical errors on assessment list prior to its transmittal and the making of an abstract.

P.A. 87-115 - increased the forfeiture by any town clerk who fails to file the abstract of assessment lists as required from fifteen to one hundred dollars and provided for waiver of forfeiture in accordance with regulations to be adopted, effective May 11, 1987, and applicable to assessment lists to be submitted on April 1, 1988, and thereafter.

P.A. 87-245 - increased penalty from ten per cent to twenty-five per cent, effective June 1, 1987, and applicable to assessment years of municipalities commencing on or after October 1, 1987.

P.A. 93-434 - amended the time the secretary is required to furnish abstracts from January first to thirty days before the date they are to be filed.

P.A. 95-283 - replaced board of tax review with board of assessment appeals and changed the transmittal date for the abstract of the list to the Office of Policy and Management from April to May.

P.A. 96-217 - changes the reporting requirements for town grand list data to OPM to correspond to the way data is actually recorded by town officials.

P.A. 96-34 - transferred authority to file abstract lists from the town clerk to the assessor or board of assessors, effective May 2, 1996; P.A. 97-244 added provision re designing form to reduce paperwork.

P.A. 97-244 – added provision re designing form to reduce paperwork.

**Estimated Cost Characterization:** Minor

#### *LOCAL LEVY AND COLLECTION OF TAXES*

12-122      Selectmen To Estimate Town's Expenses; Tax Levy To Pay Current Expenses. - Requires selectmen's annual report to include an itemized estimate of the current expenses of each department. Requires that no town levy a tax which is insufficient to pay the estimated expenses of the town for the current year.

**Enactment:** Prior to 1949

**Amendment:** P.A. 95-283 - replaced board of tax review with board of assessment appeals.

**Estimated Cost Characterization:** Minor

12-129b      Real Property Tax Relief For Certain Persons Sixty-Five Years Of Age Or Over. - Requires towns to grant property tax relief to income qualified elderly and their surviving spouses in each year they remain qualified.

**Enactment:** 1967, P.A. 755, S. 1

**Amendments:** 1969, PAs 338, 673 acts - added exception in Subsec. (b) re property located in more than one town, amended Subsec. (b) to allow multiplication by subsequent reduced rate, and to classify mobile homes as real property and substituted "adjusted gross income as determined under the Internal Revenue

Code of 1954" for gross income from all sources.

1971, PAs 632, 749 - acts amended Subsec. (b) to specify that applicable mill rate is rate for general property tax exclusive of special tax levy, included tenants for life or for term of years liable for property taxes under Sec. 12-48 under provisions of section and substituted "taxpayer" for "owner" to reflect tenants' inclusion.

1972, P.A. 253 - act amended Subdiv. (3) of Subsec. (a) to clarify language and added Subsecs. (c) and (d) re tax relief for surviving spouse and re procedure in cases where recipient becomes ineligible because income limit exceeded.

P.A. 74-55 - amended Subsec. (a) to raise income limit to six thousand dollars as of April 9, 1974, and amended Subsec. (b) to add provision for calculation of benefits during year in which municipality adopts uniform fiscal year.

P.A. 76-383 - made payment at reduced rate applicable only to claims filed for the first time and approved before June 1, 1976.

P.A. 79-498 - amended Subsec. (a) to require surviving spouse to be at least fifty years old for benefits to continue and to have been domiciled with deceased recipient at time of death, deleted Subsec. (c) which had required only that surviving spouse be at least sixty and relettered Subsec. (d) accordingly, effective July 1, 1979, and applicable to assessment years commencing on or after October 1, 1978.

P.A. 79-514 - changed residency requirement in Subsec. (a) from five years to one year.

P.A. 79-630 added provisions that as of October 1, 1979, reduction in rate is not to include any reduction in rate during years in which revaluation becomes effective.

P.A. 80-139 - repealed provisions enacted in P.A. 79-630 and extended allowance for reduction in rates to all rather than limiting it to those whose claims were first filed and approved before June

1, 1976, effective May 6, 1980, and applicable to taxes levied in any town on assessment list for 1979 and each assessment list thereafter.

P.A. 80-391 - deleted reference to Sec. 12-63a and required biennial filing for continued relief, effective May 29, 1980, and applicable in any town to assessment year commencing October 1, 1980, and each assessment year thereafter.

P.A. 80-463 - placed May 15, 1980 as cut off for viable applications for tax relief, effective June 6, 1980, and applicable to homeowners for assessment year in any town commencing October 1, 1980, and each assessment year thereafter.

P.A. 81-60 - added Subsec. (d) concerning a reduction in benefit for the assessment year in which a homeowner's residence is sold.

P.A. 81-244 - provided statutory authority for continuation of a deceased homeowner's tax freeze benefit for a qualified surviving spouse or a qualified surviving joint owner and deleted provisions whereby once-eligible owner becoming ineligible because income exceeds maximum allowed could apply for and receive relief subsequently.

P.A. 83-409 - amended Subsec. (d) to specify that conveyance need not be voluntary and to set a date for notification of the conveyance to the secretary of the office of policy and management.

June Sp. Sess. P.A. 83-3 - changed term "mobile home" in Subsec. (b) to "mobile manufactured home".

P.A. 84-515 - amended Subsec. (a) by providing that qualifying income for purposes of eligibility under said Subsec. (a) shall be determined without the inclusion in the taxpayer's adjusted gross income of any portion of such taxpayer's income from railroad retirement annuities received under the Railroad Retirement Act, exclusive of any income under the supplemental annuity provisions of said act.

P.A. 87-586 - amended Subsec. (d) to provide for a forfeiture to the state by any municipality neglecting to transmit the information required for purposes of the adjustment in the amount of state reimbursement to the municipality as a result of a conveyance of the dwelling with respect to which property tax has been reduced as provided in this section.

P.A. 89-211 - clarified reference to the Internal Revenue Code of 1986.

P.A. 90-73 - amended Subsec. (d) by (1) providing that proration of benefit for the assessment year shall not be applicable in the event of conveyance of the real property to which such benefit is related in August or September of the year and (2) adding provision for waiver of forfeiture related to municipal failure to submit benefit adjustment information as required.

P.A. 96-180 - made technical changes to conform section's division into subsections with customary statutory usage.

P.A. 98-262 - amended Subsec. (a) to exclude income received from a United States Postal System pension from adjusted gross income for purposes of Subdiv. (4) and extend filing date.

P.A. 99-89 - amended Subsec. (b) by deleting obsolete provision re taxpayers in a municipality changing to a uniform fiscal year and making technical changes.

**Estimated Cost Characterization:** Minor

12-129c

Filing Of Affidavit, Terminal Date. - After a taxpayer's claim for tax relief under 12-129b has been submitted and approved for the first year, requires municipalities to notify such taxpayers biennially by mail of the need to resubmit the application for such relief and to provide a copy of such application in the same mailing.

**Enactment:** 1967, P.A. 755

**Amendments:** 1969, P.A. 814 - act required that affidavit be filed within sixty days after assessment date, rather than fourteen days before first meeting of board of tax review and required assessor to mail notice of necessity for annual filing at least ten days before assessment date.

1972, P.A. 253 - act deleted requirement for ten days' notice enacted in 1969.

P.A. 73-650 - placed June 30, 1973, deadline for acceptance of claims.

P.A. 74-55 - made former provisions Subsecs. (a) and (c), inserted substantially new Subsec. (b) permitting filings within sixty days after April 15, 1974, changed filing period from within sixty

days after assessment date to "prior to and including May fifteenth of any year after calendar year 1974..." and deleted former provisions re notification of claimant and appeals.

P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

P.A. 80-391 - amended Subsec. (a) to detail procedure for required biennial filing with applicable deadlines and substituted "taxpayer" for "claimant", effective May 29, 1980, and applicable in any town to assessment year commencing October 1, 1980, and each assessment year thereafter.

P.A. 82-322 - amended Subsec. (a) to require assessors to notify qualified taxpayers concerning reapplication requirements not later than February first, rather than January first, in year in which taxpayer must reapply and amended procedure re income tax information required so that it must be related to tax year of taxpayer ending immediately prior to application date, in lieu of tax year ending immediately prior to beginning of assessment year in which application is submitted, as previously required.

P.A. 83-485 - amended Subsec. (a) by providing that the taxpayer must file claim "during the period from February first to and including May fifteenth of any year" in lieu of "during the period prior to and including May fifteenth of any year" as previously provided, effective June 30, 1983, and applicable in any town to the assessment year commencing October 1, 1983, and each assessment year thereafter.

P.A. 85-561 - amended Subsec. (a) so that in cases of illness or incapacitation, evidenced by a physician's certificate, taxpayers may file for an extension of the application period, provided such application is made prior to August fifteenth in the claim year, effective July 5, 1985, and applicable to the assessment year in any municipality commencing October 1, 1985, and each assessment year thereafter.

**Estimated Cost Characterization:** Minor

12-130

Collectors; Rate Bills And Warrants. Statements Of State Aid. - Requires a town to appoint a tax collector and establishes procedures.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 517 - act authorized circuit court judges rather than justices of the peace to issue warrants.

1963, P.A. 471 - act vested authority to issue warrants in justices of the peace.

P.A. 74 183 - substituted court of common pleas for circuit court.

P.A. 76-436 - substituted superior court for court of common pleas and deleted reference to justices of the peace, effective July 1, 1978.

P.A. 77-452 - reinstated reference to justices of the peace.

P.A. 78-249 - added requirement that tax bill include statement of state aid to municipalities and included form of statement and added Subsec. (b) re computation of mill rate which would exist without state aid.

P.A. 85-467 - amended the requirement in Subsec. (a), concerning the statement of state aid to be attached to each property tax bill, so that such statement may be attached to, enclosed with or printed upon the face of the bill.

**Estimated Cost Characterization:** Minor

12-131

Special Forms For Assessment Lists, Abstract Books And Rate Bills. - Board of assessors may prepare tentative forms for individual assessment lists and abstract books and, in such case, shall prepare tentative rules and regulations for the use of such forms. These must be submitted to OPM for approval, and if approval is rescinded, the board of assessors must prepare a new form, rule or regulation for submittal to OPM.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

**Estimated Cost Characterization:** Minor

12-134 Tax Account And Receipt To Bear Same Number. - Requires each assessor or rate maker to assign a number to each tax account, and the tax collector to issue a tax receipt containing the same number for such account.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

12-136 Bonds Of Tax Collectors. Appointment Of New Collector. - Requires the town tax collector to be bonded, and for the town treasurer to pay the premium for that bond.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

P.A. 93-434 - deleted requirement that the bond be in a form approved by the secretary of the office of policy and management.

**Estimated Cost Characterization:** Minor

12-145 Notice To Pay Taxes. Rate Of Interest When Delinquent. - Requires tax collector to notify when taxes are due by posting a notice as specified.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 54 -act raised interest rate from one-half to three-quarters of one per cent.

P.A. 75-296 - raised interest rate to one per cent.

P.A. 80-468 - established three levels of interest rate (1) one per cent for maximum liability of \$3,000, (2) one and one-quarter per cent for liability over \$3,000 and (3) one and one-half per cent for liability over \$3,000 remaining unpaid on second anniversary of assessment list for which tax was levied.

P.A. 81-44 - established interest on delinquent taxes at one and one-fourth per cent per month for taxes due on or after July 1, 1981, where previously differential rates applied depending on amount owed.

P.A. 82-141 - increased rate of interest from one and one-fourth to one and one-half per cent per month applicable to interest payable on or after July 1, 1982.

P.A. 84-146 included a reference to posting of notice on a place other than a signpost.

P.A. 99-151 - made a technical change, allowed tax collector to waive the interest on delinquent tax in cases of error by tax collector or assessor and required notification of the taxing authority of the waivers granted, effective June 23, 1999, and applicable to interest due on or after said date.

**Estimated Cost Characterization:** Minor

12-146

Tax. When Delinquent. Interest. – Requires municipalities to waive all or a portion of the interest due and payable under this section on a delinquent tax with respect to a taxpayer who has received compensation as a crime victim.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 54 - act increased interest rate from six to nine per cent.

P.A. 73-494 - set minimum interest charge of two dollars.

P.A. 73-508 - deleted "tax or" in phrase "tax or installment" and deleted provision that installments following first delinquent installment be considered delinquent and due as of date of first delinquent installment, thus each becomes delinquent if not paid on its own due date.

P.A. 74-247 - made imposition of two dollar minimum interest charge dependent on vote of municipality's legislative body.

P.A. 75-296 - changed interest rate from nine to twelve per cent.

P.A. 80-468 - established three levels of interest (1) twelve per cent for maximum liability of \$3,000, (2) fifteen per cent for liability over \$3,000 and (3) eighteen per cent for liability over \$3,000 remaining unpaid on second anniversary of assessment list for which tax was levied.

P.A. 81-44 - established interest on delinquent taxes at fifteen per cent per annum for taxes due on or after July 1, 1981, replacing differential rates based on amount owed.

P.A. 82-141 - increased rate of interest from fifteen to eighteen per cent per annum applicable to interest payable on or after July 1, 1982.

P.A. 83-361 - provided for (1) clarification that any fractional part of a calendar month is equivalent to a whole month in computing interest applicable to delinquent taxes and (2) deletion of provision allowing partial payments within thirty-one days to be considered as paid in the calendar month within such period, effective July 1, 1983, and applicable to any determination of interest on delinquent taxes on or after said date.

P.A. 84-257 - allowed municipalities to require that delinquent motor vehicle property taxes be paid only in cash or by certified check or money order.

P.A. 84-282 - added provision that interest shall accrue until payment of taxes due notwithstanding the entry of any judgment in favor of municipality against the taxpayer or his property.

P.A. 85-286 - added Subdiv. (1) for purposes of clarification as to when a tax due and payable on the first day of a month becomes delinquent, effective June 4, 1985, and applicable to the assessment year in any municipality commencing October 1, 1985, and each assessment year thereafter.

P.A. 99-128 - added provision permitting municipality to waive all or portion of interest due on delinquent tax of taxpayer who has received compensation as a crime victim.

P.A. 00-200 - made technical changes, deleted provision allowing municipality, by vote of its legislative body, to waive delinquent interest for taxpayer who was a crime victim or the family of a deceased victim and added provision making such waiver mandatory.

**Estimated Cost Characterization:** Minor

12-146c

Payments by residents in the armed forces called to active service for military action against Iraq. Notwithstanding the provisions of section 12-146, a municipality shall not charge or collect interest for a period of one year on any property tax or any installment or part thereof that is payable by any resident of the state who is on active duty outside the US, associated with military action in Iraq or Afghanistan, on the final day that payment of such property tax or installment or part thereof is due.

**Enactment:** 2003, P.A. 03-6 (June 30 Sp. Sess.), Sec. 42.

**Amendment:** P.A. 03-6 (June 30 Sp. Sess.), Sec. 42 imposed the initial mandate. P.A. 11-62 expanded the existing mandate to include everyone on active duty outside the US if associated with action in Iraq or Afghanistan.

**Estimated Cost Characterization:** Minor

12-147 Collector To Deliver Money And Lists To Treasurer Monthly. Treasurer To Examine Books. - Requires tax collector to deliver to the treasurer all monies received by him in, on a monthly basis, along with a list of the persons from whom the money was collected, in a manner specified by this section. This section also requires the treasurer to examine the records receipt book monthly.

**Enactment:** Prior to 1949

**Amendments:** P.A. 75-389 – changed monthly deadline for payments to treasurer from fifth day to tenth day of month.

P.A. 93-318 – inserted reference to duly appointed agents and provided that fees and charges shall be deposited at least weekly.

P.A. 95-282 – made technical change, effective July 6, 1995.

P.A. 96-244 – revised effective date section of P.A. 95-282 but without affecting this section.

P.A. 97-244 - eliminates monthly report to town treasurers re the names and addresses of persons from whom monies were received.

**Estimated Cost Characterization:** Minor

12-152 Tax On Portion Assessed As A Whole. - Upon request of the owner, requires the assessor to apportion the assessment of a property conveyed since the assessment date.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

12-155 Demand And Levy For Collection Of Taxes. - Requires that if any person fails to pay any tax, the tax collector make a personal demand, or leave written demand at the person's home, or leave a written demand and postage paid envelope at the post office, addressed to the person at his last known mailing address.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 123 - act deleted provision which had allowed imprisonment of tax offenders.

P.A. 95-228 - added provision authorizing notice to be sent to any person upon whom process may be served in the case of a corporation, limited partnership or other legal entity, effective July 6, 1995, and applicable to tax sale notices posted, filed or published on and after said date.

**Estimated Cost Characterization:** Minor

12-157 Method Of Selling Real Estate For Taxes. - Requires that when a tax collector levies a tax warrant he prepare duplicate copies, one of which must be posted and one which must be filed in the town clerk's office. Such notice must also be published in a newspaper once a week for three successive weeks. Additionally, notice must be sent by mail to the delinquent taxpayer and any lien holder affected by sale of the property.

**Enactment:** Prior to 1949

**Amendments:** P.A. 82-141 - increased rate of interest applicable from date of sale to purchase when real estate previously sold for taxes by a municipality is purchased, as allowed, by the owner or other interested party within a period of one year following date of such sale for taxes, with rate of fifteen per cent per annum in effect for any such sale in period July 1, 1981 to June 30, 1982, inclusive, and eighteen per cent per annum for such sale occurring on or after July 1.

P.A. 84-146 - included a reference to posting of notice on a place other than a signpost.

P.A. 95-228 - divided the section into Subsecs., substantially revised existing provisions, and added provisions designated as Subsecs. (d), (f), (g) and (i), effective July 6, 1995, and applicable to tax sale notices posted, filed or published on and after said date.

P.A. 96-180 - amended Subsec. (b) to make technical grammatical changes.

P.A. 97-139 - amended Subsec. (f) by changing the time for redemption from one year to six months or sixty days for property that was abandoned or meets conditions established in a local ordinance and amended Subdiv. (1) of Subsec. (i) to authorize escrow amounts to pay costs on other property held by the taxpayer.

P.A. 99-283 - amended Subsec. (e) by replacing "one year" with "six months".

**Estimated Cost Characterization:** Minor

12-162

Alias tax warrant. Service of warrants upon financial institutions. Request for information. Tax collectors or officers cannot serve alias tax warrants on more than one financial institution at a time and cannot serve more than 15 alias tax warrants on one financial institution in the same day without first confirming that the taxpayers have funds held with that institution.

**Enactment:** Prior to 1949

**Amendments:** P.A. 07-111 placed the limitation of the serving of alias warrants.

**Estimated Cost Characterization:** Minor

12-163

Jeopardy Collection of Taxes. – Requires a tax collector who believes that the collection of any tax will be jeopardized by delay to use specified procedures in collecting the tax and requires a tax collector who commences a jeopardy tax collection proceeding to provide written notice, as specified, to the chief elected official or chief executive officer of the municipality and to the taxpayer.

**Enactment:** 1949 Rev., S. 1844

**Amendment:** P.A. 12-26, Sec. 1 requires a tax collector to provide the specified written notices.

**Estimated Cost Characterization:** Minor

12-165

Municipal Suspense Tax Book. - Requires each town to have a suspense tax book which lists uncollectable taxes. Also, requires that the names of such taxpayers be published in the next annual report of the municipality or filed on the town clerk's records.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 484 - act added alternative of filing in town clerk's office to subdivision (5).

P.A. 97-83 - added provision requiring tax collectors to include in the municipal suspense book unpaid property tax balances remaining after a lien sale.

**Estimated Cost Characterization:** Minor

12-167

Reports Of Tax Collectors. - Requires each tax collector at the end of the fiscal year to submit a report regarding unpaid, uncollected and abated taxes and various other items.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 484 - act added exception regarding filing of statement required in Subdiv. (6) in town clerk's office;  
1971, P.A. 82 - act permitted filing of schedule in Subdiv. (5) in town clerk's office in lieu of inclusion in report.

**Estimated Cost Characterization:** Minor

*PROPERTY TAX RELIEF FOR ELDERLY HOMEOWNERS AND RENTERS AND PERSONS WITH PERMANENT TOTAL DISABILITY*

12-170f

Applications For Grants. Assessor's Duties. - Requires assessors to issue a certificate of grant, if they are satisfied after a review of supporting documentation that a person is entitled to a state renters' assistance grant, and forward the original of that certificate to OPM. Failure to submit the certificate and supporting documentation to OPM shall result in forfeiture of \$250, unless waived by the state.

**Enactment:** 1974 P.A. 55

**Amendments:** P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

P.A. 80-391 - changed application period dates from between April fifteenth and December thirty-first to between May fifteenth and December thirty-first in 1980 and between May fifteenth and September fifteenth in following years, effective May 29, 1980, and applicable in any town to assessment year commencing October 1, 1980, and each assessment year thereafter.

P.A. 82-322 - added Subsec. (b) to enable a municipality to transfer duties of assessor related to applications for grants by renters to the municipal officer responsible for social service administration or the municipal agent for the elderly.

P.A. 85-561 - provided that in cases of illness or incapacitation, evidenced by a physician's certificate, an applicant for benefits under the program for elderly renters may apply to the secretary of the office of policy and management for an extension of the application period beyond September fifteenth, provided application for such extension is made prior to December fifteenth of the claim year, effective July 5, 1985, and applicable to grants for renters paid in the calendar year 1986 and each calendar year thereafter.

P.A. 87-586 - inserted the provision for forfeiture by any municipality which fails to transmit the claim and supporting applications as required by this section.

P.A. 88-321 - amended Subsec. (a) to extend the time in 1988 to file applications for grant related to increases in qualifying income under Sec. 12-170e and added Subsec. (c) to clarify the state payment procedure for purposes of such grants, effective May 10, 1988, and applicable to grants for renters in calendar year 1988 and thereafter.

P.A. 90-73 - amended Subsec. (a) by (1) deleting the provision concerning application for grants in 1988 related to increases in that year, (2) adding the provision allowing waiver of municipal

forfeiture for failure to submit applications for grant as required and (3) extending to sixty days the period after receipt of applications for approval of grants.

P.A. 93-129 - amended Subsec. (a) to change the time for assessors to forward applications from thirty days after receipt to the last day of the month after the month in which the application was made.

May 25 Sp. Sess. P.A. 94-1 - amended Subsec. (a) by making technical change.

P.A. 95-307 - amended Subsec. (a) to eliminate requirement that the assessor maintain a permanent record of information regarding the grant, changed the deadline for preparation by the Secretary of the Office of Policy and Management to prepare a list of certificates approved from August thirty-one to September thirtieth and extended the time to file the list with Comptroller from sixty to ninety days after receipt of the applications.

P.A. 98-262 - amended Subsec. (a) to allow Secretary of the Office of Policy and Management to grant extensions for good cause, and allowed requests for 1997 claim year until August 1, 1998.

**Estimated Cost Characterization:** Minor

12-170aa

Tax Relief For Certain Elderly Or Totally Disabled Homeowners. Reductions In Real Property Taxes. - In respect to the application required biennially after filing and approval for the first year, requires each tax assessor to notify each homeowner by mail by February 1, concerning application requirements and to include an application in such mailing. Also, requires each assessor to notify, by certified mail, by April 1, any homeowner from whom an application was not received by March 15. Requires assessors to issue a certificate of credit, if they are satisfied after a review of supporting documentation, that a person is entitled to a tax reduction and to submit to OPM a claim for tax reductions. Requires the assessor to notify the tax collector and OPM if a person receiving a tax reduction transfers his interest in real property and is, therefore, subject to a pro rata reduction in his tax relief. The State may reduce proportionately the amount of reimbursement to each municipality in the event the total amount payable to all municipalities exceeds the amount appropriated in any fiscal year for this section as well as Totally Disabled Homeowners.

**Enactment:** 1983, P.A. 3, June Special Session.

**Amendments:** P.A. 85-612 - effective July 12, 1985, and applicable in any municipality to the assessment year commencing October 1, 1985, and thereafter (Note: The reference to "mobile home" in Subsec. (b)(1) was changed to "mobile manufactured home" in accordance with June Sp. Sess. P.A. 83-3).

P.A. 86-44 - added Subsec. (j) providing benefits, determined in a manner similar to that applicable in the case of a homeowner, for any resident of a multiple-dwelling complex under contractual conditions as provided in said Subsec. (j), who is neither a homeowner or renter but is qualified for benefits under this section in all other respects, effective April 28, 1986, and applicable in any municipality for the assessment year commencing October 1, 1986, and each assessment year thereafter and to any grant as determined for purposes of this act in relation to the assessment list for any such assessment year.

P.A. 86-409 - amended Subsec. (b) to include in the program persons under age sixty-five who have permanent total disability, provided such persons are qualified in all other respects applicable in the case of a homeowner who has attained age sixty-five or over and added the language in Subsec. (e) establishing a presumption as to the amount of tax reduction for which a homeowner is qualified in the year in which such homeowner is not required to file an application for benefits, effective June 10, 1986, and applicable in any municipality to the assessment year commencing October 1, 1986, and each assessment year thereafter.

June 11, Sp. Sess. P.A. 86-1 - amended (1) Subsec. (a) to reflect the inclusion for benefits of persons with permanent total disability who are under age sixty-five but qualified in all other respects and (2) Subsec. (d) so as to provide that any homeowner included in the plan in the year immediately preceding revision of benefits for the assessment year commencing October 1, 1985, shall receive no less in benefits for said 1985 assessment year than such homeowner would be

eligible to receive under provisions in effect immediately preceding said revision, (3) amended Subsec. (e) by adding provisions allowing the extended time for filing applications in the assessment year commencing October 1, 1985, and requiring notification by the assessors of changes in qualification requirements for homeowners who received benefits under the program in the assessment year commencing October 1, 1984, and have not made application in the 1985 assessment year and (4) amended Subsec. (g) by adding the provision that in the event of adjustment in the amount of any property tax credit pursuant to Sec. 12-170c, the state may adjust the corresponding reimbursement to the municipality for the following calendar year to reflect such tax credit adjustment, effective July 8, 1986, pursuant to Art. 4, Sec. 15 of the Constitution of Conn. and Sec. 2-30 of the general statutes, and applicable to the assessment year commencing October 1, 1986, and each year thereafter with respect to eligibility of homeowners with permanent total disability and applicable to the assessment year commencing October 1, 1985, with respect to minimum benefit provisions in Subsec. (d).

P.A. 87-267 - amended Subsec. (b) by adding the provision on Medicaid payments.

P.A. 87-586 - amended (1) Subsec. (b) to increase the maximum amounts of qualifying income from twelve thousand five hundred to thirteen thousand three hundred dollars for unmarried homeowners and from fifteen to sixteen thousand dollars for married homeowners, (2) Subsec. (c) by increasing the levels of qualifying income in the schedule of tax reduction benefits and inserting minimum amounts of benefit at each level of qualifying income, (3) Subsec. (d) by deleting the minimum tax reduction benefit provision therein and inserting in lieu thereof reference to the minimum tax reduction benefit provided in the schedule in Subsec. (c), (4) Subsec. (g) by inserting the forfeiture provision applicable to any municipality failing to submit the claim information as required by said Subsec. (g) and (5) Subsec. (i) by certain technical changes and inclusion of the forfeiture provision for any municipality failing to transmit the claim as required, effective July 6, 1987, and applicable to the assessment year commencing October 1, 1986, and each assessment year thereafter and further provided that the "provisions of said public act 86-1 (of the June 11, 1986, special session) having been codified in the general statutes revised to January 1, 1987, are deemed adopted and made effective July 8, 1986, the effective date of said public act 86-1".

P.A. 88-321 - amended (1) Subsecs. (a) to (c), inclusive, by increasing the maximum amount of qualifying income to sixteen thousand two hundred dollars for unmarried homeowners and to twenty thousand dollars for married homeowners, (2) Subsec. (e) to provide for special problems in applying tax reduction in the 1987 assessment year, (3) Subsec. (f) to provide an extended period for filing applications related to the 1987 assessment year and (4) Subsec. (g) because of special problems in state reimbursement for revenue loss related to applications filed in the extended filing period, added special provisions in Subsec. (i) concerning tax reduction in the assessment year when property is conveyed and accordingly, tax reduction and the grant due the municipality are lowered, effective May 10, 1988, and applicable to assessment years commencing on or after October 1, 1987.

P.A. 91-400 - amended Subsec. (b) to add Subdiv. (3) concerning exclusion of social security income of Title XIX aid recipients from the calculation of their spouse's income, effective October 1, 1991, and applicable to assessment years of municipalities commencing on or after that date.

P.A. 93-129 - amended Subdiv. (1) of Subsec. (b) to specify that the person claiming eligibility shall have attained the age of sixty-five years at the close of the preceding calendar year, amended Subsec. (g) by deleting obsolete Subdiv. (2) and the Subdiv. designation (1) and adding provision authorizing the secretary to waive forfeiture, amended Subsec. (i) by deleting obsolete Subdiv. (2) and the Subdiv. designation (1) and adding provision authorizing the secretary to waive forfeiture.

P.A. 95-307 - amended Subdiv. (1) of Subsec. (b) to define "qualifying income" as taxable and nontaxable income, eliminating provisions re total adjusted gross income and amended Subsec. (f) to add provisions re extension of the application period in the case of extenuating circumstances and repealed obsolete provisions concerning the assessment year commencing October 1, 1987.

P.A. 98-262 - amended Subsec. (b) to allow a person who is legally separated to apply as an unmarried person for purposes of determining qualifying income.

June Sp. Sess. P.A. 99-1 - amended Subsec. (c) to adjust amounts of qualifying income and to increase minimum tax reductions, effective June 29, 1999, and applicable to applications made for assessment years commencing on or after October 1, 1999.

June Sp. Sess. P.A. 01-6 amended Subsec. (f) to modify procedure for an extension of time to apply for relief, to provide a penalty for failure to disclose matters related to such application or false statement and to make technical changes and amended Subsec. (g) to delete former provisions re adjustments and appeals of decisions of the Secretary of the Office of Policy and Management, to provide for appeal in accordance with Sec. 12-120b and to make technical changes, effective July 1, 2001;

June 30 Sp. Sess. P.A. 03-6 amended Subsec. (g) to provide for reduction in grant amount under that subsection in the event total of grants exceeds the amount appropriated, effective August 20, 2003, and applicable to assessment years commencing on or after October 1, 2002;

May Sp. Sess. P.A. 04-2 added Subsec. (k) re adjustments made by the Secretary of the Office of Policy and Management to grants under section, effective July 1, 2004, and applicable to claims for reimbursement filed on or after July 1, 2001.

**Estimated Cost Characterization:** Minor

### *MUNICIPAL TAX LIENS*

12-173      Certificate Continuing Lien. Discharge. - The tax collector may continue an existing tax lien on real property by completing and filing with the town clerk a certificate containing certain information, and the clerk must file it with the land records.

**Enactment:** Prior to 1949

**Amendments:** P.A. 80-207 - added Subdiv. (5) to require that certificate contain statement of intention to file lien against proceeds of insurance covering fire loss or damage.

P.A. 89-361 - included payments in lieu of taxes.

P.A. 99-238 - designated existing provisions as Subsec. (a) and added Subsec. (b) re validation of certificate continuing a tax lien if certificate provides sufficient notice notwithstanding any error, irregularity or omission.

P.A. 00-84 - revised effective date of P.A. 99-238 to specify applicability of section as amended by that act to errors, irregularities and omissions occurring on or after January 1, 1999.

**Estimated Cost Characterization:** Minor

12-174      Deferred Collection. - A property owner may file an affidavit detailing circumstances which justify deferring of taxes laid upon such property, which then requires the tax collector to refer the request to the chief executive officer asking for authority to continue the lien for up to 15 years. If such authority is granted, a certificate containing the information cited in Sec. 12-173 must be filed with the town clerk and become part of the land record. The tax collector must notify the property owner of the intent to file a lien, which becomes invalid after 15 years.

**Enactment:** Prior to 1949

**Amendments:** P.A. 85-396 - extended term of the lien from ten to fifteen years.

P.A. 90-117 - required the collector to notify the owner of the intent to file a lien not later than fifteen days prior to filing and provided that the failure to so notify the owner does not affect the validity of the lien.

**Estimated Cost Characterization:** Minor

12-176      Fees Of Collectors And Town Clerks. - Sets the fees that shall be charged by the town for completing certificates continuing a lien for any tax, the collection of which has been deferred for up to 15 years.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 280 - act replaced separate references regarding town clerks' recording fees with single provision referring to town clerks' fees under Sec. 7-34a 1971, P.A. 53 - act changed collectors' fees for certificates continuing lien re deferred collection from one dollar to two dollars, for other certificates continuing lien from two to three dollars and changed fees for certificates discharging lien from fifty cents to one dollar.  
P.A. 85-396 extended term of the lien from ten to fifteen years.

**Estimated Cost Characterization:** Minor

12-186 Publication And Notice. - Requires the tax collector to give notice of the pendency of the petition for foreclosure by publication of the petition in a newspaper of general circulation, to notify the property owners by registered mail postage prepaid, and to file on the land records in the town.

**Enactment:** Prior to 1949

**Amendments:** P.A. 76-435 - substituted "52-325" for "52-235".  
P.A. 76-436 - deleted reference to court of common pleas, effective July 1, 1978.  
P.A. 77-452 - included reference to judicial districts, effective July 1, 1978.  
P.A. 78-280 - deleted reference to counties

**Estimated Cost Characterization:** Minor

12-191 Final Judgment. Certificate Of Foreclosure. - Upon a final judgment by the court in favor of the town regarding foreclosure of the tax lien, the tax collector is required to record a separate certificate of foreclosure on the land record for each property affected.

**Enactment:** Prior to 1949

**Amendments:** P.A. 76-436 - deleted reference to court of common pleas, effective July 1, 1978.  
P.A. 77-452 - included reference to judicial districts, effective July 1, 1978.  
P.A. 78-280 - deleted reference to counties.

**Estimated Cost Characterization:** Minor

12-193 Costs and fees to be taxed. Reimbursement to taxpayer where error by tax assessor or tax collector. - A municipality shall reimburse a taxpayer for the costs of state marshal fees or any property seized if the court finds that such costs were incurred because of an error by the tax assessor or tax collector and not as the result of any action or failure on the part of the taxpayer.

**Enactment:** Prior to 1949

**Amendments:** P.A. 2007-50 – Requires a municipality to reimburse a taxpayer for the costs of state marshal fees or any property seized if the court finds that such costs were incurred because of an error by the tax assessor or tax collector.

**Estimated Cost Characterization:** Minor

12-195g Discharge. - Requires the tax collector to file a certificate of discharge with the secretary of state, if a personal property lien is discharged.

**Enactment:** 1971 P.A. 722, S. 7

**Estimated Cost Characterization:** Minor

#### *AIR CARRIERS TAX*

12-245 Local Taxation Of Real And Personal Property. - Requires that flight equipment owned or operated by a public air carrier engaged in scheduled or unscheduled interstate or foreign air transportation for hire be exempt from the local property tax.

**Enactment:** Prior to 1949

**Amendment:** 1969, P.A. 521 - act replaced exception for flight equipment of "all carriers" with exception for flight equipment owned or operated by specific types of public air carriers.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

#### *PUBLIC SERVICE COMPANIES TAX*

12-268j Tax To Be In Lieu Of Certain Other Taxes. - Allows telephone companies to have property used for both telephone and cable television purposes to be prorated between the property tax and the state gross receipts tax. Cable TV companies and other providers entering the local telephone service market may elect to have their personal property, that is used exclusively for rendering telecommunications service, taxed at the statewide mil rate of 47 mills using the depreciation allowed for corporation tax purposes. The bill also allows telephone companies entering the cable TV market to have their personal property used exclusively for cable TV service to be exempt from property taxation but would subject their gross earnings to the 5% gross earnings tax. Exempts from property taxes, for 3 years, new property and portions of other property used by AT&T in the provision of its new video service. Provides affected municipalities, in perpetuity, with \$5 million from the gross receipts tax paid by AT&T. For personal property that is used for both cable TV and telecommunications service, the portion that is taxed at the 47 mill rate, or exempt, would be as provided in regulations adopted by the Department of Revenue Services on the basis of gross receipts or some other basis.

**Enactment:** 1961, P.A. 604

**Amendments:** P.A. 69-1 (June Special Session) - designated former Subdiv. (b) as Subdiv. (a) and former Subdiv. (a) as Subdiv. (b).

P.A. 71-8 (June Special Session) - deleted Subdiv. (b) re taxes in lieu of those imposed by chapter 208 for specified businesses.

P.A. 86-410 - added the statement at the end of the section providing that the exemption from property tax applicable to personal property for companies subject to tax under Sec. 12-256 shall be subject to the provisions of Sec. 12-256b, concerning the procedure to be used in taxing personal property of a company subject to tax under said Sec. 12-256 and at the same time subject to tax under chapter 210a, effective June 4, 1986, and applicable to tax years commencing on or after January 1, 1986.

P.A. 97-137 - designated existing provisions as Subsec. (a), deleted references to Ch. 212 and Sec. 12-256b, added requirement re sole and exclusive use and added new Subsec. (b) re allocation of dual use property for purposes of Chs. 211 and 219, effective June 13, 1997, and applicable to calendar years commencing on or after January 1, 1998, and to assessment years of municipalities commencing on or after October 1, 1997.

P.A. 07-253 – exempted from property taxes, for a limited time, new property and portions of other property used by AT&T in the provision of its new video service and, in addition, provided

that affected municipalities would get, in perpetuity, \$5 million from the gross receipts tax paid by AT&T.

**Estimated Cost Characterization:** Minor

## *SALES AND USE TAXES*

12-412      Exemptions. - Exempts material, equipment, tools, fuel and machinery from the sales tax when used by a fuel cell manufacturing facility.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 578 - act made technical changes and added definition of "machinery" to Subsec. (r) (now (18));

1961, P.A. 80 - act added subdivision (l)(6) (now (12)(F));

1967, P.A. 57 - acts added Subsecs. (u) (now (21)) and (v) (now (22)) re industrial waste and air pollution control facilities.

1969, P.A. 187, 188, 758 - acts amended Subsecs. (u) (now (21)) and (v) (now (22)) to include property "...used and consumed in the operation of facilities", substituted clean air commission for air pollution control commission in Subsec. (v) (now (22)) and allowed certification of portions of property which reduce, control or eliminate air pollution; and amended Subsec. (j) (now (10)) to exempt only clothing for children less than ten years old for period between July 1, 1969, and July 1, 1971.

1971, P.A. 455, 516, 794, 872 - acts included syringes and needles in Subsec. (d) (now (4)), specified applicability to manufacturers of aircraft located in this state, specifically included "take out" meals as taxable in Subsec. (m) (now (13)) and amended Subsec. (q) (now (17)) accordingly, substituted commissioner of environmental protection for water resources commission and clean air commission in Subsecs. (u) (now (21)) and (v) (now (22)) respectively, made exemption limited to clothing for children under ten permanent in Subsec. (j) (now (10)), clarified utility exemption in Subsec. (c) (now (3)) by including specific provisions for each type of utility service and amended Subsec. (p) (now (16)) to include gas and electricity sold for domestic purposes.

1972, P.A. 46, 285 - acts included food products and meals sold to patients in hospitals, nursing homes, etc. in Subsec. (i) (now (9)) and amended Subsec. (c) (now (3)) to exempt utility services to first ten dollars a month rather than to first twenty dollars.

P.A. 73-196 - added Subsec. (w) (now (23)) re flags.

P.A. 73-288 - deleted references to "consumption" in Subsec. (r) (now (18)).

P.A. 73-299 - added Subsec. (x) (now (24)) re municipal publications, etc.

P.A. 73-439 - added Subsec. (y) (now (25)) re motor vehicles sold for use outside state. P.A. 73-452 - added Subsec. (z) (now (26)) re sales of two dollars or less for items sold by eleemosynary organizations.

P.A. 74-4 - amended Subsec. (c) (now (3)) to include sales of bottled gas and community antenna television and cable services and to delete special provisions added in 1971 and amended Subsec. (p) (now (16)) to refer simply to fuel for heating purposes rather than to list specific fuel sources, effective March 1, 1974, and applicable to all sales, furnishing or service of gas, including bottled gas, water, electricity, community antenna television and cable services, telephone, telegraph and heating fuel for billing periods commencing on and after that date.

P.A. 74-200 - amended Subsec. (l)(6) (now (12)(F)) to exempt sales of all horses except race horses rather than just sales of draft horses.

P.A. 74-263 - added Subsec. (aa) (now (27)) re one-cent vending machines.

P.A. 75-213 - added exception in Subsec. (k) (now (11)) and included references to "services" in Subsecs. (a) (now (1)) and (b) (now (2)).

P.A. 75-495 - amended Subsec. (c) (now (3)) to state that bottled gas is propane gas.

P.A. 75-567 - included references to "services" in Subsecs. (e) (now (5)) and (h) (now (8)). P.A.

75-607 - added Subsec. (bb) (now (28)) re ambulance- type vehicles.

P.A. 75-613 - added Subsec. (cc) (now (29)) re housing facilities for low and moderate income persons and families.

P.A. 76-390 - included vital life support equipment in Subsec. (s) (now (19)).

P.A. 76-435 - make technical changes.

P.A. 77-46 - replaced "crippled" with "handicapped" in Subsec. (s) (now (19)).

P.A. 77-266 - added Subsec. (dd) (now (30)) re commodities.

P.A. 77-370 - added Subsec. (ee) (now (31)) re special order printing for use outside state. P.A. 77-395 - included sales of steam in Subsec. (c) (now (3)), effective June 20, 1977, and applicable to any sale or furnishing of steam on or after March 1, 1974.

P.A. 77-427 - added Subsec. (ff) (now (32)) re vessels sold for use outside state.

P.A. 77-457 - added Subsec. (gg) (now (33)) re solar collectors.

P.A. 78-71 - deleted provisions re machinery in Subsec. (r) (now (18)) and added Subsec. (hh) (now (34)) re machinery.

P.A. 78-172 - clarified exemption re newspapers in Subsec. (f) (now (6)).

P.A. 79-33 - included sales of walkers in Subsec. (s) (now (19)).

P.A. 79-400 - added Subsec. (ii) (now (35)) re centers of service for the elderly.

P.A. 79-419 - added Subsec. (jj) (now (36)) re motor vehicle driving services.

P.A. 79-547 - extended provisions of Subsec. (gg) (now (33)) to apply to solar energy systems rather than just to collectors.

P.A. 79-627 - added Subsec. (kk) (now (37)) re fuel for use in high-occupancy commuter vehicles, effective July 1, 1979, and applicable to sale of fuel with respect to which motor fuel tax is refunded on or after July 1, 1979.

P.A. 80-71 - repealed Subsec. (g) (now (7)) re cigarettes.

P.A. 80-98 - added Subsec. (ll) (now (38)) re special telephone equipment for the deaf or blind.

P.A. 80-406 - added Subsec. (mm) (now (39)) re alternative energy systems.

P.A. 81-323 - added Subsec. (nn) (now (40)) allowing exemption for sales or use of commercial fishing vessels and machinery or equipment designed exclusively for use in such vessels.

P.A. 81-327 - added Subsec. (oo) (now (41)) allowing exemption for sales of services used to determine the effect on human health of consumption or use of a certain product or substance, effective July 1, 1981, and applicable to services rendered on or after that date. P.A. 81-399 - added Subsec. (pp) (now (42)) allowing exemption from sales and use tax for aircraft held for resale by certain air carriers and used for purposes other than retention, demonstration or display, but receipts from uses of such aircraft are not exempt, effective July 1, 1981, and applicable to any purchase of such aircraft by such air carriers on or after January 1, 1977.

P.A. 81-445 - added Subsec. (qq) (now (43)) concerning replacement parts for machinery in enterprise zones, effective July 1, 1982.

P.A. 82-25 - changed statutory reference in Subsec. (kk) (now (37)) re the type of high-occupancy commuter vehicle with respect to which sales of fuel for use therein are exempt, conforming with amendments to Sec. 12-459 and repeal of Sec. 12-460 in said P.A. 82-25, effective July 1, 1982, and applicable to fuel sales by distributors on or after that date.

P.A. 82-192 - eliminated requirement in Subsec. (mm) (now (39)) that exemption is only applicable if such vessel or machinery or equipment was designed exclusively for use in commercial fishing, substituting in lieu thereof that such vessel or machinery or equipment be used exclusively in commercial fishing.

P.A. 82-416 - amended Subsec. (ff) (now (32)), which allows exemption from sales tax for sale of or vessel by a shipbuilder to a nonresident for use outside the state, by allowing the same exemption when sale is made by a marine dealer.

P.A. 82-444 - added Subdiv. (rr) (now (44)) re exemption for materials or equipment becoming part of or used in production or transmission of radio or television broadcasts. P.A. 82-467 - amended Subsec. (pp) (now (42)) so that the exemption thereunder for aircraft held for resale by certain air carriers, which exemption is applicable although such aircraft is used for purposes other than retention, demonstration or display, shall be applicable irrespective of the classification of such aircraft for accounting and tax purposes. (Previously it was deemed necessary that such aircraft would have to be classified as inventory to be eligible for the exemption under this subsection), effective June 8, 1982, and applicable to use of aircraft by certificated air carriers on or after July 1, 1981.

P.A. 83-18 - amended Subsec. (l) (now (12)) to delete the exemption for seeds and fertilizer unless used directly in an agricultural production process, amended Subsec. (m) (now (13)) to delete the exemption for meals the total charge for which is less than one dollar and repealed former Subsec. (q) (now (17)) which had exempted meals under one dollar from sales tax.

P.A. 83-509 - added Subsec. (ss) (now (45)), effective July 1, 1983, and applicable to sales of gold or silver bullion and gold or silver legal tender occurring on or after said date. P.A. 84-415 - amended the definition of food products in Subsec. (m) (now (13)) by clarifying the meaning of meals which when served by an eating establishment are not exempt from sales tax as in the case of the food products constituting such meals and added Subsec. (tt) (now (46)) re home-delivered meals, effective July 1, 1984, and applicable to sales occurring on or after that date.

P.A. 84-507 - repealed Subsec. (gg) (now (33)), merging its provisions into Subsec. (mm) (now (39)) and extending the exemption under Subsec. (mm) (now (39)) to July 1, 1986; substitution of numeric Subsec. indicators for alphabetic Subsec. indicators and of alphabetic Subdiv. indicators for numeric Subdiv. indicators was made editorially by the Revisors in 1984, and first published in the general statutes revised to 1985.

P.A. 85-3 - added Subdiv. (47) re exemption for articles of clothing or footwear, with certain exceptions, costing under fifty dollars, effective March 15, 1985, and applicable to sales of clothing or footwear occurring on or after April 1, 1985.

P.A. 85-159 - further amended Subdiv. (47) by changing the applicable price for clothing exempted to seventy-five dollars, effective May 16, 1985, and applicable to sales occurring on or after October 1, 1985, amended Subdiv. (12) to restore exemption for all seeds and fertilizer deleted by P.A. 83-18, effective May 16, 1985, and applicable with respect to sales occurring on or after April 1, 1986, and added Subdiv. (48) re exemption of nonprescription drugs and medicines, effective May 16, 1985, and applicable with respect to sales occurring on or after July 1, 1985.

P.A. 85-240 - repealed Subdiv. (42) which had exempted aircraft held for resale by certain air carriers and used for purposes other than retention, demonstration or display.

P.A. 85-435 - added Subdiv. (49) concerning payments of property taxes under motor vehicle leases.

P.A. 85-462 - amended Subdiv. (26) by increasing the maximum allowable sales price for exempt items from two to five dollars, effective July 1, 1985, and applicable to sales occurring on or after July 1, 1985.

P.A. 85-469 - revised effective date of P.A. 85-159 but without affecting this section.

P.A. 85-513 - added Subdiv. (50) providing exemption from sales tax for the lease or rental of any motion picture film by the owner or operator of a theater for display at such theater, effective July 1, 1985, and applicable to contracts of lease or rental of motion picture films becoming effective on or after July 1, 1985.

P.A. 85-534 - applied exemption under Subdiv. (39) to systems utilizing cogeneration technology, extended expiration of said exemption from July 1, 1986, to July 1, 1991, and added definition of "cogeneration technology".

P.A. 86-120 - added new Subsec., designated as Subsec. (58), providing exemption for sales of services related to personnel, management or research when company rendering service and recipient are participating in a joint venture for purposes of research and new product development.

P.A. 86-397 - added Subsecs. (51), (52), (53), (54), (55) and (56), effective June 11, 1986, and applicable to sales of meals and certain tangible personal property occurring on or after July 1, 1986, and also added Subsec. (57) providing exemption from sales tax for items purchased with federal food stamp coupons, effective June 11, 1986, and applicable to purchases with food stamps on or after October 1, 1986, except as such date may be deferred in accordance with Sec. 12-412e.

P.A. 87-50 - amended Subsec. (14) by providing that returnable containers do not include nonrefillable beverage containers.

P.A. 87-119 - added Subsec. (59) providing exemption from sales tax for aviation fuel used exclusively and directly in the experimental testing of any product, effective July 1, 1987, and applicable to sales occurring on or after that date.

P.A. 87-177 - amended Subsec. (13) to provide that a meal exempt from sales tax under Subsec. (51) may include a nonalcoholic beverage which is not a food product, and added a statement as to

when a meal is a taxable sale, effective July 1, 1987, and applicable to sales of meals occurring on or after that date.

P.A. 87-238 - added Subsec. (60) providing exemption from sales tax for a motor vehicle purchased but not registered in this state by a person who is not a resident and does not maintain a permanent place of abode in this state, effective July 1, 1987, and applicable to sales of motor vehicles occurring on or after that date.

P.A. 87-311 - amended Subsec. (56) to increase the limit to one hundred dollars and to include nonprofit adult day care centers, effective July 1, 1987, and applicable to sales occurring on or after that date.

P.A. 87-315 - amended Subsec. (48) by adding any medication to be used in a person's eyes for care and treatment of any disease of the eyes to the list of medicines available without prescription and exempt from sales tax, effective July 1, 1987, and applicable to sales of medication for diseases of the eye on or after that date.

P.A. 87-422 - added Subsec. (61) providing exemption from sales tax for the storage, use or other consumption of ambulances operating in accordance with Sec. 19a-180, effective April 1, 1988, and applicable to sale of any ambulance on or after that date.

July Sp. Sess. P.A. 87-1 - added Subsec. (62) allowing exemption from sales tax for certain sales of services between parent companies and wholly-owned subsidiaries.

P.A. 88-307 - amended Subsec. (62) by deleting June 30, 1988, as the date for termination of the exemption and allowing the exemption to continue without a date for termination. P.A. 88-364 - made minor change in wording of Subsec. (54).

P.A. 89-123 - amended Subsec. (18) by removing the exemption for certain items used in agricultural production because of the addition by this act of Subsec. (63) providing exemption for all items sold exclusively for use in agricultural production, amended Subsec. (34) by removing the exemption for machinery used in agricultural production because of the addition by this act of Subsec. (63) providing exemption for all items sold exclusively for use in agricultural production, amended Subsec. (56) by making a technical change in the description of the sale of items to which the exemption applies and added Subsec. (63) providing exemption for sales of any items for use in agricultural production by a farmer engaged in such production as a business, with a certain minimum income requirement from such business, and providing for issuance of an agricultural sales tax exemption permit.

P.A. 89-190 - amended Subsec. (35) by eliminating the requirement that elderly service centers qualified for the exemption had to be approved for such purpose by the tax assessor in the municipality, and accordingly the commissioner of revenue services is authorized to approve such centers for purposes of the exemption.

P.A. 89-251 - amended Subsec. (3) to provide the following: (1) Continued exemption for gas and electricity in the case of residential use, (2) limited exemption for gas and electricity in the case of agricultural production, fabrication of products to be sold or manufacturing, requiring that at the location of such production, fabrication or manufacturing at least seventy-five per cent of the gas or electricity consumed is for such purpose, (3) exemption for telephone and cable television service to remain in effect until January 1, 1990, when such service is to be subject to sales tax, (4) exemption of charges for electricity not exceeding one hundred fifty dollars per month, if not otherwise exempt and (5) exemption for gas, water, steam or electricity used in furnishing same to consumers, deleted reference in Subsec. (13) to exemption for any meal the cost of which is less than two dollars, as provided under Subsec. (51) which is repealed by this act and amended Subsec. (16) to provide the following: (1) Continued exemption in the case of residential use and (2) limited exemption in the case of agricultural production, fabrication of products to be sold or manufacturing, requiring that at the location of such production, fabrication or manufacturing at least seventy-five per cent of the fuel consumed is for heating in the building used for such production, fabrication or manufacturing.

P.A. 90-255 - amended Subsec. (26) by increasing the maximum amount of such exempt sales from five to twenty dollars each.

P.A. 90-262 - added Subsec. (64) providing an exemption for the sales, storage, use or other consumption of certain computer related cleaning equipment, effective June 8, 1990, and applicable to sales occurring on or after July 1, 1990.

P.A. 90-295 - amended Subsec. (44) by providing for exemption, in addition to that already allowed under said Subsec. (44), applicable to material or equipment used directly in production and transmission of programs, on or after October 1, 1986, for purposes of accredited medical or surgical training.

P.A. 90-336 - added Subsec. (64) providing an exemption for molds, dies, patterns and sand handling equipment for metal casting foundries and Subsec. (65) providing an exemption for molds, dies and patterns for pattern shops and metal casting foundries, effective June 12, 1990, and applicable to purchases and sales occurring on or after April 1, 1985.

P.A. 91-179 - added Subdivs. (67), (68) and (69) providing exemptions from sales tax for the sale of a motor vehicle powered by clean alternative fuel, for equipment used to convert a vehicle to a vehicle powered by clean alternative fuel and for equipment used in a natural gas filling station, respectively, effective October 1, 1991, and applicable to sales occurring on or after that date.

June Sp. Sess. P.A. 91-3 - (1) amended Subsec. (6) to provide that the exemption for newspapers would apply to subscriptions only, (2) amended Subsec. (44) to narrow the exemption for broadcast materials and equipment, (3) amended Subsec. (47) to reduce the exemption for clothing from seventy-five to fifty dollars, (4) added Subsecs. (70), concerning commercial vehicles, (71) and (72), concerning printed materials, and (73), concerning component parts, and (5) repealed Subsecs. (10), (12), (28), (32), (39) and (61), effective August 22, 1991, and applicable to sales occurring on or after October 1, 1991.

June Sp. Sess. P.A. 91-14 - repealed Subsec. (32).

P.A. 92-133 - amended Subsec. (40) to expand the definition of commercial vessels to vessels with a certain certification from the United States Coast Guard.

P.A. 92-188 - amended Subsecs. (67), (68) and (69) to authorize an exemption from the sales and use tax for vehicles powered by electricity, effective July 1, 1992, and applicable to sales made on or after July 1, 1992.

P.A. 92-193 - added Subsec. (74) providing an exemption for sales of computer and data processing services rendered by a retailer which acquired the operations of a data processing facility from the customer receiving such services, effective July 1, 1992, and applicable to sales occurring on or after January 1, 1993.

May Sp. Sess. P.A. 92-5 - amended Subsec. (71) to make a technical change, effective June 19, 1992, and applicable to sales occurring on or after July 1, 1992.

May Sp. Sess. P.A. 92-17 - (1) amended Subsec. (14) to include returnable dairy product containers, effective June 19, 1991, and applicable to sales occurring on or after July 1, 1992, (2) amended Subsec. (40) to change the words "coastwide fishing" to "coastwise fishery", effective June 19, 1992, and applicable to sales occurring on or after October 1, 1991, and (3) added Subsec. (75), concerning aviation fuel, Subsec. (76), concerning aircraft repair or replacement parts, Subsec. (77), concerning aircraft repair services, Subsec. (78), concerning materials, tools, fuel, machinery and equipment in an aircraft manufacturing facility, Subsec. (79), concerning marine fuel, and Subsec. (80), concerning equipment for persons with physical disabilities installed in motor vehicles, effective June 19, 1992, and applicable to sales occurring on or after July 1, 1992.

P.A. 93-44 - amended Subsec. (5) to except any transaction under Subdiv. (o) of Subsec. (2) of Sec. 12-407, effective April 23, 1993.

P.A. 93-74 - amended Subsec. (8) to include sales to nonprofit organizations which receive at least seventy-five per cent of their funding from the state or municipality to provisions of exemption, amended Subsec. (19) by adding custom-made wigs or hairpieces for persons with medically diagnosed hair loss, hearing aid repairs and apnea monitors to provisions of exemption, amended Subsec. (27) to eliminate nonprofit requirement, to add rest homes and homes for the aged to qualify for the exemption and to delete Subdiv. (3) which had required that gift shop staff be provided by a nonprofit auxiliary service organization, amended Subsec. (44) by adding equipment used for medical or surgical training to provisions of exemption, and added Subsecs. (82) to (85), inclusive, providing exemption from the sales tax for certain commercial motor vehicles and buses deriving seventy-five per cent of day's revenue from out-of-state trips, for sales of tangible personal property and services to The University of Connecticut Educational Properties, Inc. with regard to Connecticut Technology Park and for sales of certain services to persons eligible to receive permanent total disability benefits under Social Security, effective May

19, 1993, and applicable to sales occurring on and after January 1, 1994. P.A. 93-122 - amended Subsec. (63) to clarify the qualifications for the exemption for certain property used in agriculture. P.A. 93-199 - made Subsecs. (67), (68) and (69) applicable to sales prior to January 1, 1998, redefined "clean alternative fuel" in Subsec. (67) to include propane and added reference to electric recharging stations in Subsec. (69), effective July 1, 1993, and applicable to sales occurring on or after July 1, 1993.

P.A. 93-262 - authorized substitution of commissioner and department of social services for commissioner and department on aging in Subsec. (56).

P.A. 93-332 - amended Subsec. (5) by exempting from the sales and use tax nonprofit nursing homes, nonprofit rest homes and nonprofit homes for the aged, amended Subsec. (8) by deleting language added in section 28 of public act 93-74 and providing that in determining exemption under the provisions of said Subsec. funds received by 501(c)(3) organizations shall be considered private donations, and amended Subsec. (74) by making existing language Subdiv. (A) and adding a Subdiv. (B) exempting computer and data processing services to a customer by a retailer which acquired the operations of the data processing facility from the retailer described in Subdiv. (A) from the sales and use tax, effective June 25, 1993, and applicable to sales occurring on and after July 1, 1993.

P.A. 93-360 - amended Subsec. (4) to clarify exemption of prescription medicine and apply the exemption to medicine provided for no consideration and materials which become an ingredient or component part of medicine, effective July 1, 1993, and applicable to sales and the storage, use or other consumption occurring on or after January 1, 1990, and added Subsec. (81) re machinery, equipment, tools and materials used in fabrication of optical lenses, effective July 1, 1993, and applicable to sales occurring on or after July 1, 1993.

P.A. 93-361 - amended Subsec. (1) by making existing Subsec. a Subdiv. (A) and adding a new Subdiv. (B) exempting sale of personal property or services used to develop property which the state is under contract to purchase through a long-term financing contract from the sales tax, effective July 1, 1993.

Sept. Sp. Sess. P.A. 93-1 - amended Subsec. (1) by adding new Subdiv. (C) exempting sale of personal property or services used to construct or equip the stadium facility, the stadium facility site, the practice facility or the practice facility site.

P.A. 94-9 - amended Subsec. (5) to delete reference to Subdiv. (o) and add reference to Subdiv. (i) of Sec. 12-407(2).

P.A. 94-82 - added Subdiv. (86) providing an exemption to sales of services by an affiliate participating in the community economic development program established pursuant to Sec. 8-240k to another affiliate participating in said program, effective May 25, 1994. P.A. 94-175 - amended Subsec. (5) to add reference to Subpara. (GG), (Revisor's note: On and after July 1, 1996, this subparagraph is relettered as (FF)), effective June 2, 1994, and applicable to sales on and after April 1, 1994, and added new Subsec. (87) concerning sales of items that are eligible benefits under federal Title XVIII or Title XIX or CHAMPUS, effective June 1, 1994, and applicable to sales on and after April 1, 1994. May Sp. Sess. P.A. 94-4 - amended (1) Subsec. (6) to include publications which only contain puzzles, effective July 1, 1996, and applicable to sales occurring on or after said date, (2) in Subsec. (34) specified that "machinery" is limited to equipment directly related to manufacturing processes, effective June 9, 1994, and applicable to income years commencing on or after July 1, 1989, (3) added new Subsecs. concerning water companies and safety apparel, respectively, effective July 1, 1996, and applicable to sales occurring on or after said date and revised effective date of P.A. 94-175 but without affecting this section (Revisor's note: New Subsecs. enacted by May Sp. Sess. P.A. 94-4 were originally codified in Connecticut General Statutes, Revision of 1958, revised to 1995, as Subsecs. (88) and (89), but because of their delayed effective date were redesignated by the Revisors as Subsecs. (90) and (91) to accommodate intervening legislation).

P.A. 95-160 - (1) amended Subsec. (19) to add repair services, effective July 1, 1995, applicable to sales occurring on or after that date, (2) amended Subsec. (24) to include book sales by library support groups, amended Subsec. (27) to add sales of food products from vending machines, and amended Subsec. (44) to add Subpara. (B) re motion picture and video production and sound recording equipment, effective July 1, 1997, and applicable to sales occurring on or after that date, (3) amended Subsec. (45) to add rare and antique coins, effective July 1, 1996, and applicable to

sales occurring on or after that date, (4) amended Subsec. (74) to add new Subpara. (B) re computer and data processing services rendered to a customer by a retailer which acquired the data processing operations from the customer, effective July 1, 1995, and applicable to sales occurring on or after that date, (5) amended Subsec. (79) to add vessels primarily used in interstate commerce, and added new Subdiv. (92) re projects of the Connecticut Resource Recovery Authority, effective July 1, 1997, and applicable to sales occurring on or after that date and (6) changed effective date of May Sp. Sess. P.A. 94-4, S. 19, which added new Subsecs. (88) and (89) (codified by the Revisors as Subsecs. (90) and (91) because of the delayed effective date), to July 1, 1997, and applicable to sales on or after that date.

P.A. 95-359 - (1) amended Subdiv. (8) by deleting reference to charitable and religious organizations and substituting requirement that organization is exempt under Section 501(a) of the Internal Revenue Code of 1986 and that the U.S. Treasury Department has expressly determined by letter that the organization is an organization described in Section 501(c)(3) or (13) of the Internal Revenue Code and set out the exemption requirements, (2) amended Subdiv. (19) to extend exemption for oxygen, blood and blood plasma to animals as well as humans, (3) repealed Subdiv. (25) re unregistered motor vehicles in interstate commerce, (4) amended Subdiv. (63) to add conditions under which department may issue a farmer exemption permit when a farmer's gross income from agricultural production is less than two thousand five hundred dollars, (5) amended Subdiv. (70) to require vehicle purchased under exemption to be operated actively and exclusively for the carriage of interstate freight during the one- year period commencing with the date of purchase and added Subpara. (B) re qualifications for exemption under Subpara. (A)(ii), (6) amended Subdivs. (82) and (83) to require that the vehicles purchased under exemption derive seventy-five per cent of their revenue from their days in service from out-of-state trips or trips crossing state lines during the one-year period commencing with the date of purchase and (7) amended Subdiv. (85) to make technical changes and added requirement that recipient is currently receiving disability benefits, all changes effective July 13, 1995, and applicable to sales occurring on or after July 1, 1995, and July 1, 1996.

P.A. 96-139 - changed effective date of P.A. 95-160 but without affecting this section.

P.A. 96-172 - added new Subdiv. (88) re machinery, equipment, tools and materials used in commercial processing of photographic film and paper, effective July 1, 1996, and applicable to sales occurring on or after said date.

P.A. 96-222 - amended Subsec. (70) to insert "or its successor agency" after "Interstate Commerce Commission".

P.A. 96-252 - added Subsec. (89) re machinery, equipment, tools, materials, supplies and fuel used in the biotechnology industry, effective July 1, 1996, and applicable to sales made on or after that date.

P.A. 97-112 - replaced "home for the aged" with "residential care home";.

P.A. 97-243 - amended Subsec. (29) to add sales of services used and consumed in development, construction, rehabilitation, renovation, repair and operation of housing facilities for low and moderate income families, to add requirements re letter of determination from the commissioner and to make technical changes, amended Subsec. (62) to delete expense allocation requirement and to make technical changes, amended Subsecs. (71) and (72) to change use requirement from exclusive to predominant, and amended Subsec. (85) to delete Subpara. references and insert landscaping and horticulture services, window cleaning services and maintenance services, effective June 24, 1997, and applicable to sales occurring on or after October 1, 1997, and further amended Subsec. (79) to clarify exemption of fuels for use in vessel primarily engaged in interstate commerce, effective June 24, 1997, and applicable to sales occurring on or after July 1, 1997.

P.A. 97-295 - amended Subsec. (74) to change reference from Sec. 12-217m to Sec. 12-217w, effective July 8, 1997, and applicable to income years commencing on or after January 1, 1998.

P.A. 97-315 - amended Subdiv. (29) to add provisions re services described in Subsec. (2) of Sec. 12-407, effective July 10, 1997, and applicable to sales occurring on and after September 1, 1995.

P.A. 97-316 - amended Subsec. (19) to exempt oxygen supply equipment used for animals and Subsec. (44) to add Subpara. (C) re broadcast equipment, effective July 10, 1997, and applicable to sales occurring on or after July 1, 1997, amended Subsecs. (76) and (77) to add aircraft having a maximum certificated takeoff weight of six thousand pounds or more, effective July 10, 1997, and

applicable to sales occurring on or after October 1, 1997, added new Subsec. (93) re sales of tangible personal property or services to tourism districts, effective July 10, 1997, and applicable to sales occurring on or after May 28, 1996, added new Subsec. (94) re sales by nonprofit organizations at certain events up to five days a year, effective July 10, 1997, and applicable to sales occurring on or after June 1, 1997, added new Subsecs. (95) to (98) re property or services to be incorporated, used or consumed in solid waste to energy facilities, sales of vegetable seeds, yarn and tangible personal property by historical societies, respectively, effective July 10, 1997, and applicable to sales occurring on or after July 1, 1997, and added new Subsec. (99) re aircraft having a maximum certificated takeoff weight of six thousand pounds or more, effective July 10, 1997, and applicable to sales occurring on or after October 1, 1997. June 18 Sp. Sess. P.A. 97-4 - added new Subsec. (100) re low and moderate income housing facilities located in Qualified Census Tracts or Difficult Development Areas, effective June 30, 1997, and applicable to sales occurring on or after January 1, 1997. June 18 Sp. Sess. P.A. 97-11 - changed effective date of June 18 Sp. Sess. P.A. 97-4 but without affecting this section.

P.A. 98-110 - amended Subsec. (6)(B) to delete subscription sales, effective May 19, 1998, and applicable to sales occurring on or after July 1, 1998, and amended Subsec. (34) to exclude component parts and contrivances whether purchased separately or in conjunction with a machine, effective May 19, 1998, and applicable to sales occurring on or after January 1, 1999.

P.A. 98-262 - amended Subsec. (13) to remove vending machines from the definition of "eating establishments", effective June 8, 1998, and revised effective date of P.A. 97-295, but without affecting this section.

Dec. Sp. Sess. P.A. 98-1 - amended Subdiv. (1) to delete existing language in Subpara. (C) and insert new provisions re the stadium facility and site, training facility and site, infrastructure improvements and the NFL pavilion, effective January 12, 1999.

P.A. 99-173 - amended Subdiv. (19) to exempt inclined chairlifts, repair and replacement parts for wheelchairs and other vital life function equipment, and artificial limbs and to make technical changes, amended Subdiv. (29) to make technical changes, to designate existing provisions as Subpara. (A) and expand the exemption for certain goods and services used or consumed in the construction, development and rehabilitation of housing facilities for low and moderate income housing to projects run by housing authorities and to add Subpara. (B) re services for mutual housing, amended Subdiv. (48) to expand the list of drugs and medicines to which the exemption applies, amended Subdiv. (54) to exempt repair and replacement parts for glucose monitoring devices, amended Subdiv. (58) to make technical changes, to add "and the marketing and support thereof" in Subpara. (c)(i), and to allow exemption for thirty years of joint venture in existence prior to January 1, 1986, within the aircraft industry, amended Subdiv. (60) to add vessels, and amended Subdiv. (62) to make technical changes, to expand exemption to include sales of services between noncorporate business entities when one hundred per cent wholly-owned and to eliminate the tax on telecommunication and cable services rendered between parent companies and wholly-owned subsidiaries, effective June 23, 1999, and applicable to sales occurring on or after July 1, 1999, amended Subdivs. (67), (68) and (69) to extend the sunset for exemption to January 1, 2002, effective June 23, 1999, and applicable to sales occurring on or after January 1, 1998, amended Subdiv. (80) to exempt repair and replacement parts, effective June 23, 1999, and applicable to sales occurring on or after July 1, 1999, and added new Subdivs. (101) to (107), inclusive, re fire arm safety devices, bicycle helmets, machinery, equipment and supplies of freight railroads, calibration services, shoe repair services, "call before you dig" services and diesel fuel used in portable generators, respectively, effective June 23, 1999, and applicable to sales occurring on or after July 1, 1999.

P.A. 99-241 - amended Subdiv. (1) to delete stadium facility site and training facility site and add convention center site, sportsplex site and parking facilities site, effective July 1, 1999.

P.A. 00-140 - amended Subdiv. (1)(C) to delete references to former convention center site, sportsplex site and parking facilities site and add references to the Adriaen's Landing and the stadium facility site, effective May 2, 2000.

P.A. 00-170 - (1) amended Subdiv. (27) to exempt sales of items for fifty cents or less from vending machines, amended Subdiv. (47) to exempt articles of clothing or footwear which are less than seventy-five dollars and to make technical changes and added Subdivs. (108) to (110), inclusive, re child car seats, college textbooks and cars with mileage ratings of at least fifty miles

per gallon, respectively, effective July 1, 2000, and applicable to sales occurring on or after that date, and (2) amended Subdiv. (19) to include exemptions for closed circuit television equipment used as a reading aid, canes and medically necessary support hose, amended Subdiv. (55) to exempt caskets used for burial and added Subdiv. (111) re smoking cessation products and Subdiv. (112) re certain high-speed telecommunications equipment, effective July 1, 2001, and applicable to sales occurring on or after that date.

P.A. 00-174 - (1) amended Subsec. (60) to delete requirement for an affidavit for certain information required to be submitted and to add provisions re declaration, effective July 1, 2000, and (2) amended Subdiv. (5) to make a technical change, amended Subdiv. (9) to exempt candy, confectionery and nonalcoholic beverages sold at educational institutions and certain health care and adult living facilities, amended Subdiv. (15) to specify that the exemption for motor vehicle fuels is for fuel sold for use in licensed motor vehicles, whether or not the tax under Ch. 221 has been paid or for any other use if said tax has been paid but not refunded, amended Subdiv. (40) to divide existing provisions into Subparas. (A) and (C), to coordinate requirements for the exemption under this section with the taxpayer's federal return in Subpara. (A) and to add Subpara. (B) allowing certain start-up commercial fishermen to avail themselves of the provisions of this section, amended Subdiv. (48) to delete requirement that exempted drugs and medicines be for use in or on the human body and amended Subdiv. (63) to divide existing provisions into Subparas. (A) to (D), inclusive, to make technical changes, to add provisions re declaration and delete requirement re notarization in Subpara. (B), to change "five years" to "two years" in Subpara. (D) and to add Subpara. (E), to facilitate issuance of permits for certain start-up farmers, effective October 1, 2000, and applicable to sales made on or after that date.

P.A. 00-196 - made a technical change in Subdiv. (5).

**Estimated Cost Characterization:** Minor

#### *REAL ESTATE CONVEYANCE TAX*

12-495      Payment Of Tax. Endorsement. - Requires that the real estate conveyance tax be paid to the town clerk in the town in which the property is located, and that the clerk endorse the deed with the amount of conveyance tax received.

**Enactment:** 1967, P.A. 693

**Amendment:** P.A. 82-472 - required secretary of office of policy and management rather than tax commissioner to approve machine.

**Estimated Cost Characterization:** Minor

12-504f      Classification Of Land Classified As Farm, Forest, Open Space or Maritime Heritage Personal To Owner. Certificate Of Classification. - Requires that the assessor file annually with the town clerk a certificate for land classified as farm, forest, open space or maritime heritage and that the certificate be recorded in the land records. In addition, the town clerk shall notify the tax assessor on the sale of any such land and the tax assessor shall notify the new owner of the tax benefits of classification of such land as farm land, forest land, open space or maritime heritage.

**Enactment:** 1972, P.A. 152

**Amendments:** 1972, June Special Session, P.A. 1 - act specified that annual filing to be "not later than sixty days after the assessment date".

P.A. 73-585 - required that certificate set forth date of initial classification and obligation to pay conveyance tax.

P.A. 74-343 - added provision which stated that land classification personal to owner and does not run with land.

P.A. 05-190 – added provision that the town clerk notify the tax assessor on the sale of any farm land and the tax assessor shall notify the new owner of the tax benefits of classification of such land as farm land, forest land or open space.

P.A. 07-127 – added Maritime Heritage Land to the list of land uses eligible for this program.

**Estimated Cost Characterization:** Minor

#### *GAMING POLICY, REGULATION AND REVENUE*

12-562      **Enforcement. Regulations.** Requires the special policemen in the Division of Special Revenue and the legalized gambling investigative unit in the Division of State Police within the Department of Public Safety to be responsible for the criminal enforcement of the provisions of **sections 7-169 to 7-186, inclusive**, this chapter and chapters 226b and **229a**. They shall have the powers and duties specified in section 29-7c.

**Enactment:** 1971, P.A. 865

**Amendments:** P.A. 77-573 added enforcement powers in chapter 226b;

P.A. 79-404 gave executive director powers formerly held by commission on special revenue and required advice and consent of gaming policy board for regulations;

P.A. 86-419 divided the section into Subsecs., adding Subsec. (b), requiring the special policemen in the division of special revenue and legalized gambling investigative unit to be responsible for criminal enforcement of chapters 226 and 226b and amended Subsec. (a) for consistency with Subsec. (b).

**Estimated Cost Characterization:** Minor

12-572      **Off-Track Betting Facilities. Deposit Of Daily Receipts. Distribution Of Sums In Pari-Mutuel Pool. Contract Disputes.** - Requires a municipality to hold a public hearing, and then get the approval of its legislative body before any off-track betting facility can be placed in such municipality.

**Enactment:** 1971, P.A. 865

**Amendments:** P.A. 72-187 - amended subsec. (a) by making the first sentence permissive by substituting "may" for "shall" following "the commission" and deleted "a state lottery or on" following "receiving money wagered on".

P.A. 73-344 - designated the existing paragraph as subsec. (a) and added subsecs. (b) through (e); amended the first sentence of subsec. (a) by substituting "off-track betting facilities" for "branch offices" following "The commission may establish such", and by substituting "a facility" for "an office" following "establishment of such"; and substituted in the second sentence of subsec. (a) "facilities" for "offices" following "Moneys received at such".

P.A. 79-404 - provided for change of term from "commission" to "executive director, with the advice and consent of the board", "executive director", "board", and "division"; made pronoun changes; and substituted in subsec. (d), "animals" for "horses" following "wagering on three or more".

P.A. 80-133 - substituted "or business organization" for ", firm, partnership, association or corporation" in subsecs. (b), (c) and (d) and for ", firm or corporation" in subsec. (e).

P.A. 82-284 - designated former subsec. (d) as subsec. (d)(2); and inserted subsec. (d)(1).

P.A. 83-275 - redesignated former subsec. (e) as subsec. (f); and inserted subsec. (e).

P.A. 92-17, May Sp. Sess. - added subsec. (g).

P.A. 93-332 - in subsec. (a), inserted reference to authorization of the establishment of OTB, and to the effective date of transfer of ownership of OTB, and made technical changes throughout.

P.A. 94-223 - among other changes, in subsec. (a), added reference to jai-alai games, wherever appearing, and added provisions relating to the procedure to be implemented if an operator of an

off-track betting facility intends to conduct wagering on dog racing events or jai-alai games; and in subsec. (e), made provisions applicable to jai-alai games.

P.A. 95-220 - changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998.

P.A. 97-277 - fixed the takeout rate on wagers made on three or more animals ("exotic wagers") at twenty-three per cent in Subdiv. (2) of Subsec. (d) and deleted provision allowing exact takeout rate to be established by the Gaming Policy Board, provided in no case shall the percentage retained be less than seventeen per cent.

**Estimated Cost Characterization:** Minor

12-574a

Town Referendum On Racing And Fronton. Local Legislative Approval For Sunday Meeting Or Performance Dates For Racing And Jai Alai Events And Off-Track Pari-Mutuel Betting On Racing Programs; Restrictions. - Requires the town clerk, within ten days of receiving notice of someone proposing to put a racing or fronton establishment in that town, to publish such notice in a newspaper, in a manner specified by this section. Also, requires approval by the local legislative body before any racing, jai alai or off-track betting establishment may conduct any event or be open on Sunday.

**Enactment:** 1973, P.A. 600

**Amendments:** P.A. 77-441 - amended the third sentence by deleting "If, within thirty days after such publication, a petition of not less than two hundred electors or five per cent of the electors of such town, whichever is greater, is filed with the town clerk asking that" from the beginning, and by substituting "such publication" for "the filing of such petition" following "sixty days after" and "one hundred twenty days after"; and substituted the last sentence for the former last sentence which read "If no such petition is filed within thirty days after the publication of such notice, the town clerk shall so notify the executive secretary of said commission."

P.A. 79-404 - substituted "board" for "commission on special revenue", "executive secretary of the commission", "commission"; deleted, from the fifth sentence, "by the commission" following "bar to the granting of a license"; deleted, from the end of the sixth sentence, "with the commission on special revenue"; and added the last sentence.

P.A. 80-133 - substituted, in the first sentence, "or business organization files" for ", firm, partnership, association or corporation shall file" following "Whenever a person"; substituted, in the sixth sentence, "or business organization" following ", firm, partnership, association or corporation" following "municipality by the person"; and amended the seventh sentence by substituting "licensee" for "person, firm, partnership, association or corporation" following "No" and by substituting "event" for "meeting" following "or jai alai".

P.A. 81-50 - added the last sentence relating to awarding of Sunday dates for racing or exhibition of jai alai.

P.A. 81-472 - substituted, in the seventh sentence, "event" for "meeting" following "town in which the".

P.A. 83-81 - added, to the seventh sentence, (now, first sentence of subsec. (b)), an exception following "scheduled to take place".

P.A. 83-300 - designated the first six sentences as subsec. (a), designated the former seventh and eighth sentences as subsec. (b), and in subsec. (b) substituted "may" for "shall" following "No licensing"; and added subsec. (c).

P.A. 85-42 - in subsec. (c), in the second sentence, inserted the exception relating to the executive director authorizing a vendor licensee to conduct make-up performances.

P.A. 87-121 - in subsec. (c), deleted the references to "harness" and "thoroughbred" racing throughout, substituted "program" for "event" throughout, substituted "programs" for "performances" throughout, and in subd. (3), limited wagering on "afternoon" and "evening" racing, rather than on "thoroughbred" and "harness" racing, respectively.

P.A. 91-309 - added subsec. (d).

P.A. 93-332 - in subsec. (a), provided that subsec. did not apply to any licensee authorized to operate the OTB system with respect to any OTB facility approved before the effective date of this section; in subsec. (c), made prohibition applicable to a licensee authorized to operate OTB rather than to a vendor licensee awarded the primary contract to operate OTB systems, deleted other references to vendor licensees and licenses, and in subd. (2), inserted reference to live calls.  
P.A. 96-151 - amended Subsecs. (b) and (c) to delete provisions restricting Sunday operation for licensees.

**Estimated Cost Characterization:** Minor

12-575

Pari-Mutuel Betting. Tax. Uncashed Tickets. Payments To Municipalities. – For fiscal year 2001, any municipality in which a dog track was operating prior to July 5, 1991 must pay the Northeast Connecticut Economic Alliance two-tenths of one percent of the total money wagered on dog racing events for that year only.

**Enactment:** 1971, P.A. 865

**Amendments:** 1972, 187 - act amended Subsec. (a) to include jai alai and dog racing, amended Subsec. (b) to include frontons and off-track betting facilities, amended Subsec. (c) to include fronton licensees and to require distribution of all sums deposited in pari-mutuel system to winners except for seventeen per cent plus breakage to the dime of amount retained, replacing previous provision for eight and one-half per cent tax to state on total money wagered plus tax equal to one-half of the breakage to the dime, inserted new Subsecs. (d) and (e) re payments to state by horse and dog racing licensees, relettering remaining Subsecs. accordingly, and included references to jai alai in Subsecs. (f), (g) and (i), formerly (d), (e) and (g).

P.A. 73-401 - deleted reference to dog racing and perfecta betting and included daily double, exacta, superfecta and other forms of multiple betting in Subsec. (a), substituted "minor" for "any person under the age of eighteen" in Subsec. (b), replaced eight and one-half per cent tax and five per cent tax on total wagered at horse and dog racing events with graduated tables in Subsecs. (d) and (e), inserted new Subsec. (f) re tax on jai alai operators, relettering remaining Subsecs. accordingly, and amended Subsec. (g), formerly Subsec. (f), to require that taxes be paid at close of next banking day after event rather than at the close of the day of the event itself.

P.A. 74-249 - revised tables in Subsecs. (d) and (e) and raised tax rate on jai alai licensees from five to five and one-quarter per cent of total amount wagered.

P.A. 75-10 - made minor change in wording of Subsec. (l).

P.A. 75-567 - revised table in Subsec. (e).

P.A. 77-365 - amended Subsec. (c) to require retention of seventeen per cent of wagered amount for horse racing events and eighteen per cent for dog racing and jai alai events, deleted table in Subsec. (e) and set tax at eight per cent of total wagered, amended Subsec. (f) to increase tax rate to six and three-quarters per cent and amended Subsec. (l) to set varying rates for payments to municipalities dependent upon population and type of event.

P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-404 - substituted "executive director" for "commission" and provided for gaming policy board to advise and oversee executive director's activities.

P.A. 80-60 - amended Subsec. (b) to include provisions re totalizator systems and deleted provision forbidding operators to admit minors to participation in pari-mutuel system. P.A. 82-163 - amended Subsec. (g) so as to provide for penalty and interest re late payment of taxes by the licensee in any pari-mutuel betting facility in amounts and under conditions comparable to such provisions applicable with respect to other state taxes and amended Subsec. (i) so as to provide for penalty and interest re late payment of unclaimed moneys by the licensee in any pari-mutuel betting facility for deposit in the state general fund, in amounts and under conditions comparable to such provisions applicable with respect to all state taxes.

P.A. 82-284 - amended Subsec. (c) by increasing the take out for dog racing and requiring that an additional one-fourth of one per cent be allocated to purses and amended Subsec. (e) by increasing the tax on dog racing by one-fourth of one per cent.

P.A. 83-227 - amended Subsec. (a), permitting twin trifecta, pick four and pick six pari-mutuel wagers at racing and jai alai events and amended Subsec. (c), permitting licensees to carry-over all or part of the moneys not won in twin trifecta, pick four or pick six forms of multiple betting.

P.A. 83-301 - amended Subsec. (c), increasing for dog racing, (1) the takeout rate deducted from total amount wagered, from eighteen and one-half per cent to nineteen per cent, and (2) the amount each licensee allocates to purses, from one-fourth of one per cent to one-half of one per cent, and amended Subsec. (e), increasing for dog racing, the amount of state tax applicable to total money wagered and paid by licensees, from eight and one-fourth per cent to eight and one-half per cent.

P.A. 85-471 - added Subsec. (m) re payments to the Microchemistry Laboratory Fund.

P.A. 87-542 - amended Subsec. (c) to provide that, after July 1, 1987, the amount allocated to purses shall be increased from one-half per cent to three and one-half per cent, one-quarter of one per cent shall be allocated to capital expenditures and one-quarter of one per cent shall be allocated to promotional marketing and amended Subsec. (e) to reduce the state tax from eight and one-half per cent to seven and one-quarter per cent.

P.A. 89-324 - deleted former Subsec. (m) which had required executive director to pay Microchemistry Laboratory Fund one quarter of one per cent of money wagered on dog racing events due to repeal of said fund.

P.A. 91-309 - amended Subsec. (c)(1) to add a further proviso requiring Plainfield dog track, on and after July 1, 1992, to distribute all sums deposited in pari-mutuel program to winners except for twenty per cent plus breakage to the dime of amount retained and allocate four per cent of all sums to purses, one-quarter of one per cent to capital expenditures and one-quarter of one per cent to promotional marketing, divided Subdiv. (1) of Subsec. (e) into Subparas. (A) and (B), inserting in Subpara. (B) new language providing for a sliding scale of taxation for Plainfield dog track effective on or after July 1, 1992, and divided Subsec. (l) into Subdivs. (1), (2) and (3), inserting in (1) Subdiv. (1) requirement that executive director pay each municipality with a population over fifty thousand one per cent of total money wagered on dog racing events at dog track located in such municipality, (2) Subdiv. (2), new language requiring executive director to make payments to Bridgeport if, for any calendar year after Bridgeport fronton surrenders its license to conduct jai alai and before opening of its dog track, Milford or Hartford fronton is authorized to conduct more performances than in previous calendar year, and (3) Subdiv. (3), new language requiring executive director to pay town of Plainfield eight-tenths of one per cent of total money wagered on dog racing events at Plainfield dog track and the Northeast Connecticut Economic Alliance, Inc. two-tenths of one per cent of total money wagered on dog racing events at Plainfield dog track during any fiscal year ending on or after June 30, 1993.

May Sp. Sess. P.A. 92-17 - amended Subsec. (c) (1) to increase the takeout rate for jai alai from eighteen to a maximum of twenty per cent until June 30, 1994, reestablishing such rate at eighteen per cent on and after July 1, 1994, and to provide that the takeout rate for dog racing remain at nineteen per cent until June 30, 1994.

P.A. 93-332 - amended Subsec. (a) to allow racing events or exhibitions of jai alai at off-track betting facilities, amended Subsec. (b) to authorize the use of a computerized electronic totalizator system and a simulcast system to conduct pari-mutuel wagering and to make changes re the operation of the off-track betting systems by an authorized licensee, added a new Subsec. (g) to impose a tax on the licensee authorized to operate the off-track betting system and relettered the remaining Subsecs. accordingly and made technical changes in Subsec. (i), (k) and (m) re allowing racing events or exhibitions of jai alai at off-track betting facilities and in Subsec. (m) added provision re payment of percentage of receipts to municipalities where off-track betting facilities are located, effective June 25, 1993, and also amended Subsec. (c) to increase amount of sums deposited in pari-mutuel program to be kept by licensees conducting dog racing events from nineteen per cent to twenty per cent and deleted provisions requiring a specific percentage to be allocated to certain expenditures, amended Subsec. (e) decreasing the tax paid the state by licensees conducting dog racing events, amended Subsec. (f) to change the tax imposed on licensees operating jai alai frontons from six and three quarters per cent on the total money

wagered to two per cent on any amount up to and including fifty million dollars of the total money wagered and a tax of three per cent of the total money wagered in excess of fifty million dollars and up to and including eighty million dollars and a tax of four per cent on the total money wagered in excess of eighty million dollars and amended Subsec. (j) to make technical changes re operation of the off-track betting facilities by an authorized licensee, effective July 1, 1993. P.A. 96-151 - amended Subsec. (c)(1) to require financial statements annually rather than quarterly and amended Subsec. (j) to except licensees of jai alai frontons and dog race tracks from requirements re unclaimed moneys ("outs"). P.A. 97-277 - amended Subsec. (c)(1) to change the takeout rate for licensees conducting jai alai events and licensees conducting dog racing events to a maximum of eighteen per cent of the deposits in the win, place or show pools and a maximum of twenty-three per cent of the deposits in all other pools and Subsec. (m)(1) to increase from one per cent to one and three-fifths per cent of money wagered in an off-track betting facility the amount the executive director is required to pay municipalities with such a facility and to add requirement that executive director pay both New Haven and Windsor Locks additional one-half of one per cent of total money wagered in any facility equipped for simulcasting after October 1, 1997, located within fifteen mile radius of facilities in such city and town. P.A. 00-229 - amended Subsec. (m)(3) to increase from eight-tenths of one per cent to one per cent the amount paid to municipalities that contain a dog race track, to eliminate provisions re payments to municipalities having a population in excess of fifty thousand and re ongoing payments to the Northeast Connecticut Economic Alliance, and to provide that during the fiscal year ending June 30, 2001, each such municipality will pay two-tenths of one per cent to the Northeast Connecticut Economic Alliance.

**Estimated Cost Characterization:** Minor

## Title 13a: Highways And Bridges

### *DEFINITIONS AND ADMINISTRATION*

13a-12 Repair Of Highways In Boroughs. Damages For Defects. - Requires that towns with boroughs within their limits must pay boroughs an agreed upon amount for road repairs, and in addition to that payment requires towns to build and maintain all bridges within the borough.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 152 - act substituted highway commissioner for local county commissioner to cast determining vote in municipal disputes.  
1963, P.A. 226 - act replaced previous provisions: See title history.  
1969, P.A. 768 - act substituted commissioner of transportation for highway commissioner.

**Estimated Cost Characterization:** Moderate

### *HIGHWAY CONSTRUCTION AND MAINTENANCE*

13a-41 Bounds Of New Highways To Be Marked And Recorded. - Requires that any new highway laid out by a town be marked or defined by the placing of bounds of appropriate size and composition by the town. Also, requires the town to examine the bounds at least every five years, and repair or replace them as necessary.

**Enactment:** Prior to 1949

**Amendment:** 1963, P.A. 226 - act replaced previous provisions: See title history.

**Estimated Cost Characterization:** Minor

13a-84

Ascertainment Of Damages Or Benefits. Remonstrance. - Requires that when a town and any person interested in the layout, opening, grading or alteration of any highway cannot agree on damages sustained by or benefits accruing to any such person, the town must apply to superior court for resolution of the issue.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 226 - act replaced previous provisions: See title history.  
P.A. 78-280 substituted "judicial district" for "county".

**Estimated Cost Characterization:** Minor

13a-91

Sidewalks On Bridges. - Requires the town to be responsible for the removal of snow and ice from footpaths and walkways on any bridge constructed and maintained by the Department of Transportation.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 226 - acts added definition of approaches in Subsec. (a) and restated provisions: See title history.

P.A. 73-675 - substituted transportation fund for highway fund(s).

P.A. 75-568 - deleted references to payment of costs from transportation fund.

**Estimated Cost Characterization:** Minor

13a-98j

Municipal And State Responsibility For Projects, Streets And Roads In System. - Requires towns to maintain local streets or roads included in the federal-aid urban system.

**Enactment:** 1971 P.A. 584, S 4

**Amendments:** P.A. 73-369 - added provision concerning state's continued maintenance of state streets and roads and clarified municipality's continued maintenance of "local" roads.

P.A. 75-485 - deleted provision re municipality's payments re federal-aid urban system project as provided in Sec. 13a-98d.

P.A. 94-188 - made the references to "streets or roads" singular and changed references to "the federal-aid urban system" to "federal surface transportation urban program roadway".

**Estimated Cost Characterization:** Moderate

13a-99

Towns To Build And Repair Highways And Bridges. - Requires that towns build and repair all necessary highways and bridges, and all highways to ferries as far as the low water mark, except when such duty belongs to a particular person.

**Enactment:** Prior to 1949

**Amendment:** 1963, P.A. 226 - act replaced previous provisions: See title history.

**Estimated Cost Characterization:** Moderate

- 13a-99a      Town Roads Lying Within Intersecting Or Crossing State Highway Rights Of Way. - Requires that a town be responsible for maintaining that portion of a town road which crosses a state highway at grade level from the edge of the state highway right-of-way to the edge of the traveled portion of the state highway.
- Enactment:** 1967 P.A. 209 S, 1-3
- Amendments:** P.A. 77-78 - added the words "or intersects" in Subsec. (c).  
P.A. 90-342 - added provision in Subsec. (a) providing the local traffic authority with jurisdiction over any portion of a town road within an easement.
- Estimated Cost Characterization:** Moderate
- 13a-100      Expense Of Bridges Between Towns. - Requires that necessary bridges between towns be built and maintained by the towns and the expense apportioned between them.
- Enactment:** Prior to 1949
- Amendment:** 1963, P.A. 226 - act replaced previous provisions.
- Estimated Cost Characterization:** Minor
- 13a-101      Bridges Over Artificial Watercourses. - If a town finds that an existing bridge over an artificial watercourse owned by a private party is unsafe for public use, the town is required to repair or reconstruct the bridge and to pay an equitable portion of the cost along with the owner.
- Enactment:** Prior to 1949
- Amendments:** 1963, P.A. 226 - act replaced previous provisions: See title history.  
P.A. 78-280 - substituted "judicial district" for "county".
- Estimated Cost Characterization:** Moderate
- 13a-107      Selectmen To Open Highway Blocked With Snow. - Requires towns to plow highways when they become impassable for public travel.
- Enactment:** Prior to 1949
- Amendment:** 1963, P.A. 226 - act replaced previous provisions: See title history.
- Estimated Cost Characterization:** Major
- 13a-110a      Highway Lighting Designed To Maximize Energy Conservation And Minimize Light Pollution, State Funds. - Requires towns to comply with the requirement for lighting state roads whenever they use municipal funds to install or replace permanent lighting on municipal roads. Public utilities must meet these requirements also if municipal funds pay its operating cost.
- Enactment:** 1995, P.A. 217

**Amendment:** 2001, P.A. 134 – added requirements for when towns use municipal funds to install or replace lighting on municipal roads.

**Estimated Cost Characterization:** Moderate

13a-120 Traffic Authority To Maintain Warning Signs. - Requires town traffic authorities to erect and maintain suitable warning signs on highways regarding the proximity of schools, bridges and dangerous curves.

**Enactment:** Prior to 1949

**Amendment:** 1963, P.A. 226, 337 - acts added mandatory requirement of maintenance of signs in re bridges, curves and intersections required that new and replacement signs, signals, etc. conform to specifications in manual on uniform traffic control devices and restated previous provisions: See title history.

**Estimated Cost Characterization:** Minor

13a-121 Notice Of Load Capacity: Appeal. - Requires towns, when they are responsible for a bridge, to maintain a notice at each end of any bridge that has a load carrying capacity.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 226 - act replaced previous provisions: See title history.  
P.A. 79-188 - substituted Sec. 14-267a for reference to repealed Sec. 14-268.

**Estimated Cost Characterization:** Minor

13a-126 Readjustment, Relocation Or Removal Of Public Service Facilities For Highway Construction. - Requires a municipality owning a public service facility to remove that facility when construction or reconstruction along a state highway is necessary, as determined by the commissioner of the department of transportation. The state will assume an equitable share of the cost of such relocation.

**Enactment:** 1953, S. 1201d

**Amendments:** 1963, P.A. 226 - act replaced previous provisions: See title history.  
1967, P.A. 671 - act clarified provisions by adding references to construction or reconstruction of highways and added proviso re payment of relocation right-of-way costs for municipally-owned facilities removed from municipally-owned highway.  
P.A. 76-133 - included community antenna television companies in definition of "public service facility".  
P.A. 78-280 - substituted "judicial district" for "county".  
P.A. 82-472 - corrected reference to superior court.  
P.A. 94-188 redefined "public service facility".

**Estimated Cost Characterization:** Minor

# Title 13b: TRANSPORTATION

## *DEPARTMENT OF TRANSPORTATION*

13b-39b      Aircraft Registration Forms And Decals. - Requires municipalities to administer the registration program and to designate a municipal registration official to perform the duties of registration of aircraft.

**Enactment:** 1993, P.A. 433

**Amendments:** P.A. 94-175 - made a technical change in the statutory internal reference, /effective June 2, 1994.

May Sp. Sess. P.A. 94-4 and 95-160 - revised effective date of P.A. 94-175 but without affecting this section.

**Estimated Cost Characterization:** Minor

## *RAILROAD CONSTRUCTION AND LOCATION*

13b-292      Private Crossings: Protection Requirements. – Requires municipalities to erect and maintain traffic control devices at each private railroad crossing as specified in this section or prescribed by the department of transportation and the state traffic commission.

**Enactment:** 1961 P.A. 513

**Amendments:** 1969, P.A. 768 - act substituted in Subsec. (c) "commissioner of transportation" for "state highway commissioner".

P.A. 75-486 - substituted "public utilities control authority" for "public utilities commission" and "authority" for "commission" where appearing, effective December 1, 1975.

P.A. 77-614 and P.A. 78-303 - substituted "commissioner of transportation" for "public utilities control authority" where appearing and "commissioner" for "authority" in Subsec. (e), effective January 1, 1979; in 1981 Sec. 16-119a transferred to Sec. 13b-292.

P.A. 12-132, Sec. 12 – reduces municipalities' financial obligations for traffic control devices at private railroad crossings.

**Estimated Cost Characterization:** Minor

## *RAILROAD OPERATIONS*

13b-344      Signs At Grade Crossings. Local Police Or Firemen To Direct Traffic At Crossings With Malfunctioning Gates Or Signals. - Requires a municipality to place, inspect and maintain warning signs and pavement markings, given to them by the railroad, on each highway approaching a grade crossing. Also, requires a municipality, upon learning of a malfunctioning grade crossing gate or signal, to assign police or fire personnel to direct traffic until the signal is fixed or the railroad company assumes responsibility for directing traffic. The local police or fire personnel must consult with the railroad company before determining whether to direct traffic across the crossing or to divert the traffic to an alternate route until repairs can be made.

**Enactment:** Prior to 1949

**Amendments:** P.A. 75-486 - substituted public utilities control "authority" for public utilities "commission", effective December 1, 1975.

P.A. 77-614 - substituted "commissioner of transportation" for "authority", effective January 1, 1979; in 1981 Sec. 16-160 transferred to Sec. 13b-344.

P.A. 90-329 - added a new Subsec. (b) requiring local police or firemen to direct traffic at crossings at grade with malfunctioning gates or signals.

P.A. 00-148 - This bill requires municipalities to now inspect, as well as place and maintain, those signs and also pavement markings at these railroad crossings. This bill also added the requirement that the local police or fire personnel must consult with the railroad company before determining whether to direct traffic across the crossing or to divert the traffic to an alternate route until repairs can be made.

**Estimated Cost Characterization:** Minor

## Title 14: Motor Vehicles. Use Of The Highway By Vehicles. Gasoline

### *MOTOR VEHICLES*

14-1 Definitions. - Defines an antique, rare or special interest motor vehicle as one twenty years old or older, in a manner specified by this section. (This causes lower assessments on antique cars costing municipalities revenue)

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A 162 & 283 - acts added Subsecs. (21) and (51);

1961, P.A. 233 - act redefined "used or secondhand motor vehicle" in and added definitions of "new motor vehicle" and "ultimate consumer" to Subsec. (55);

1963, P.A. 560 - act redefined "second" or "subsequent" violation in Subsec. (44);

1965, P.A. 414 & 448 - acts added snow and lawn machines to Subsec. (26), "driver" to Subsec. (32) and Subsecs. (6), (14), (23), (39), (48) and (54);

1967, P.A. 454, 799 & 821 - acts added Subsecs. (57) and (58) defining "tractor" or "truck tractor" and "wrecker" or "wrecker vehicle" and redefined "resident" in Subsec. (42) to delete persons carrying on business or engaged in occupation for more than six months a year;

1969, P.A.189 &569 - acts redefined "motor vehicle" in Subsec. (26) to exclude golf carts and added Subsec. (59) defining "farm implements";

1971, P.A. 355, 416 & 629, 740 & 848 - acts redefined "gross weight" in Subsec. (14) to include special provision re tractor-trailer units, redefined "officer" in Subsec. (31) to include sheriffs and deputy sheriffs, redefined "manufacturer" in Subsec. (22), redefined "vehicle" in Subsec. (56) to include vehicles operated on cushions of air and to delete requirement that machine be suitable for use on highways and added Subsecs. (60) and (61) defining "tractor-trailer unit" and "limited access highway";

1972, P.A. 255 - act redefined "manufacturer" in Subsec. (22) to include distributor of vehicles to new car dealers;

P.A. 73-676 added Subsec. (62) defining "minibike" or "minicycle";

P.A. 75-253 redefined "motorcycle" to exclude vehicles with wholly or partially enclosed drivers' seat with motor outside enclosed area;

P.A. 76-250 excluded bicycles with helper motors in Subsecs. (25) defining "motorcycle" and Subsec. (26) defining "motor vehicle";

P.A. 77-67 redefined "motor vehicles" in Subsec. (26) to delete requirement that vehicle be suitable for operation on a highway, to exclude vehicles used at mass transit facilities other than railroads and vehicles not suitable for operation on highway;

P.A. 79-25 added Subsecs. (63) and (64) defining "antique, rare or special interest motor vehicle" and "modified antique motor vehicle";

P.A. 79-175 added Subsec. (65) defining "vanpool vehicle";

P.A. 79-244 also added Subsec. (65) re vanpool vehicles and excluded vanpool vehicles from definitions of "public service motor vehicle" and "service bus" in Subsecs. (40) and (46);

P.A. 79-627 included gasohol in Subsec. (12) defining "fuels", effective July 1, 1979, and applicable to fuel sold on or after that date;

P.A. 80-466 amended definition of "motor vehicle registration" in Subsec. (27) to reflect use of single license plate;

P.A. 81-394 added Subdiv. (66) defining "high-mileage vehicle";

P.A. 82-460 redefined "passenger motor vehicle" to specify applicability to vehicles capable of carrying not more than ten passengers, redefined "commercial motor vehicle", deleting limitations re use in business of registrant and propulsion method and redefined "passenger and commercial motor vehicle", deleting requirement that vehicles be "designed for use" for passenger and commercial purposes;

P.A. 82-472 made technical corrections in definition of "high-mileage vehicle";

P.A. 83-224 amended Subdiv. (26) to exclude from the definition of a motor vehicle, golf cart type vehicles operated by state employees on state institution grounds;

P.A. 83-278 amended Subdiv. (65) to include in definition of "vanpool vehicle" certain vehicles owned by or leased to recognized regional ride-sharing organizations;

P.A. 83-431 amended Subdiv. (26) to exclude from the definition of a motor vehicle, special mobile equipment as defined in Sec. 14-165 (i);

P.A. 83-587 made technical change in Subdiv. (12);

P.A. 84-429 deleted the definition of "curb" in Subsec. (9), "distributor" in Subsec. (11), "head light" in Subsec. (15), "intersection" in Subsec. (18), "motor vehicle registration" in Subsec. (27), "rotary traffic island" in Subsec. (43), "secondhand motor vehicle" in Subsec. (55) and "wrecker vehicle" in Subsec. (58), transferred definition of "head lamp" from Subsec. (15) to (16), "registration" from Subsec. (27) to (45), "used motor vehicle" from Subsec. (55) to (62), "new motor vehicle" from Subsec. (55) to (31), "ultimate consumer" from Subsec. (55) to (61) and "wrecker" from Subsec. (58) to (65), added Subsec. (4) from Sec. 14-1a, renumbered the remaining Subsecs. as follows: (2) to (3), (3) to (5), (4) to (6), (5) to (7), (6) to (8), (7) to (9), (8) to (10), (10) to (11), (12) to (13), (13) to (14), (14) to (15), (16) to (18), (17) to (19), (19) to (20), (20) to (22), (21) to (23), (22) to (24), (23) to (25), (24) to (28), (25) to (29), (26) to (30), (28) to (32), (29) to (33), (30) to (34), (31) to (35), (32) to (36), (33) to (37), (34) to (38), (35) to (40), (36) to (39), (37) to (41), (38) to (42), (39) to (43), (40) to (44), (41) to (46), (42) to (47), (44) to (48), (45) to (49), (46) to (50), (47) to (51), (48) to (52), (49) to (53), (50) to (54), (51) to (55), (52) to (56), (53) to (59), (54) to (60), (56) to (64), (59) to (12), (60) to (58), (61) to (21), (62) to (2), (63) to (27), (64) to (63) and (66) to (17), and rephrased renumbered Subsec. (10) re definition of "commissioner";

P.A. 84-546 redefined "commissioner" to include deputy commissioner of motor vehicles, attorney general and any assistant to motor vehicles commissioner, but did not take effect, P.A. 84-429 having taken precedence;

P.A. 86-383 redefined "commercial motor vehicle" in Subdiv. (9) to include vehicles transporting other passengers with their necessary personal belongings;

P.A. 88-245 made technical change to definition of "commissioner" in Subsec. (10);

P.A. 90-263 subdivided the section into Subsecs. (a) and (b), (1) amending Subdiv. (7) to substitute recreational for pleasure purposes and to delete phrase "used for the purpose of transporting personal property of the owner"; (2) amending Subdiv. (8) to redefine "camper" as any motor vehicle designed or permanently altered in such a way as to provide temporary living quarters for travel, camping or recreational purposes; (3) amending Subdiv. (9) to delete definition of "commercial motor vehicle" and insert definition of "combination registration"; (4) adding new definitions of "commercial driver's license" in Subdiv. (10), "commercial motor vehicle" in Subdiv. (11), "commercial registration" in Subdiv. (12), "commercial trailer" in Subdiv. (13), "controlled substance" in Subdiv. (15), "conviction" in Subdiv. (16), "disqualification" in Subdiv. (18), "drive" in Subdiv. (19), "driver" in Subdiv. (20), "driver's license" in Subdiv. (21), "employee" in Subdiv. (22), "employer" in Subdiv. (23), "felony" in Subdiv. (25), "foreign

jurisdiction" in Subdiv. (26), "gross weight rating" in Subdiv. (29), "hazardous materials" in Subdiv. (31), "motor home" in Subdiv. (45), "nonresident commercial driver's license" in Subdiv. (50), "out-of-service order" in Subdiv. (55), "passenger registration" in Subdiv. (60), "recreational vehicle" in Subdiv. (64), "serious traffic violation" in Subdiv. (70), "state" in Subdiv. (76), "tank vehicle" in Subdiv. (79), "United States" in Subdiv. (85), and "utility trailer" in Subdiv. (87) and renumbering the other Subdivs. accordingly; (5) amending definition of "motor bus" in Subdiv. (44), formerly Subdiv. (28), to include any motor vehicle, except a taxicab, deleting reference to public service motor vehicle; (6) amending definition of "operator" in Subdiv. (54), formerly Subdiv. (36), to include a driver; (7) amending definition of "passenger and commercial motor vehicle" in Subdiv. (58), formerly Subdiv. (39), to include vehicles eligible for combination registration; (8) amending definition of "passenger motor vehicle" in Subdiv. (59), formerly Subdiv. (40), to delete former provisions and insert new provisions concerning use, design and capacity; (9) amending definition of "person" in Subdiv. (61), formerly Subdiv. (41), to specifically exclude the state or any political subdivision thereof; (10) amending definition of "pole trailer" in Subdiv. (63), formerly Subdiv. (43), to delete reference to commercial motor vehicle; and (11) deleting definition of "public service motor vehicle" in Subdiv. (44); and inserting new language in Subsec. (b) re meaning of term "public passenger transportation permit";

P.A. 91-272 amended exception to definition of "commercial motor vehicle" in Subdiv. (11)(B) of Subsec. (a) to include vehicles designed to transport "more than" ten passengers and used to transport students under twenty-one to and from school;

P.A. 93-341 amended definition of "commercial driver's license" by deleting the reference to a "Class 1" license and reference to Sec. 14-36a, redefined "commercial motor vehicle" to exclude vehicles used "within one hundred fifty miles of a farm in connection with the operation of such farm" and recreational vehicles "in private use", redefined "serious traffic violation" to add a new Subpara. (E) re accident resulting in death, redefined "service bus" to include "school bus" and added definition of "school bus", renumbering previously existing Subdivs. of Subsec. (a) as necessary and made technical change in Subsec. (b), effective July 1, 1994;

P.A. 95-79 amended Subsec. (a)(61) by redefining "person" to include a limited liability company, effective May 31, 1995;

P.A. 95-314 amended Subsec. (a)(69) to provide that a "second" or "subsequent" violation is one committed within "three" years after date of arrest resulting in a previous conviction for the same offense, in lieu of five years, and to redefine term in the case of a violation of Sec. 14-215, 14-224 or Subsec. (a) of Sec. 14-227a;

P.A. 97-236 redefined "service bus" to require that school bus be "regularly used" to carry eight or more persons, effective June 24, 1997;

P.A. 99-268 redefined "motorcycle" in Subsec. (a)(46) to exclude a vehicle "designed to have" a completely enclosed driver's seat in lieu of a vehicle having a completely "or partially" enclosed driver's seat, redefined "serious traffic violation" in Subsec. (a)(71) by changing from a violation of "sections 14-230 to 14-237, inclusive" to a violation of "section 14-236" in Subpara. (D) and redefined "service bus" in Subsec. (a)(72) to increase the minimum number of persons such vehicle may carry from "eight or more persons" to "ten or more passengers";

P.A. 00-35 redefined "wrecker" in Subsec. (a)(91) to delete "exclusively" following "equipped and used" and to add "by a person, firm or corporation licensed in accordance with the provisions of subdivision (D) of part III of this chapter";

P.A. 00-99 replaced reference to sheriff and deputy sheriff in Subsec. (a)(53) with state marshal, effective December 1, 2000;

P.A. 00-169 redefined "person" in Subsec. (a)(61) to include a business trust and revised effective date of P.A. 99-268 but without affecting this section;

P.A. 02-70 amended Subsec. (a) to add "rating" in Subdiv. (9), to substitute "place of residence" for "legal residence" and provide that such residence be occupied for more than six months in a year in Subdiv. (67), added new Subdiv. (91) re definition of "vehicle identification number" or "VIN", redesignated existing Subdiv. (91) as Subdiv. (92) and made technical changes in Subdivs. (4), (17), (40), (53) and (55), effective July 1, 2002, and amended Subsec. (a)(40) to add "new" and replace "under section 14-12, who offers the motor vehicles" with "by the commissioner, for operation upon any highway, which are offered" in Subpara. (A) and to make a technical change

in Subpara. (B) (Revisor's note: The reference in Subsec. (a)(92) to "subdivision (D)" was changed editorially by the Revisors to "subpart (D)" for clarity of reference);  
P.A. 03-265 redefined "passenger motor vehicle" in Subdiv. (59);  
P.A. 04-199 defined "pick-up truck", made technical changes and renumbered subdvs. in Subsec. (a), effective July 1, 2004;  
P.A. 04-217 defined "activity vehicle", "commercial driver's license information system", "fatality", "imminent hazard" and "National Driver Registry", redefined "disqualification", "school bus" and "serious traffic violation", made technical changes and renumbered subdvs. in Subsec. (a), effective January 1, 2005.  
P.A. 05-218 – changed the definition of an “antique, rare or special interest motor vehicle” by reducing the age of the motor vehicle from twenty-five to twenty years old.

**Estimated Cost Characterization:** Minor

14-12b

Presentation Of Insurance Identification Card Or Policy And Statement That Minimum Security Will Be Continuously Maintained Required For Issuance Of Registration. Investigation Of Violations. – Expands the criminal actions regarding operating a motor vehicle without proof of insurance or an insurance substitute in the case of a special use registration.

**Enactment:** P.A. 75-545

**Amendments:** P.A. 79-577 added provisions re requirement for no-fault automobile insurance identification cards, effective January 1, 1980, including new Subsecs. (b) and (c);  
P.A. 80-483 deleted reference to Sec. 38-327 in Subsec. (c);  
P.A. 81-217 provided that owners of vehicles located outside of United States or Canada may execute an affidavit in lieu of presenting the insurance identification card and defined "current no-fault automobile insurance identification card";  
P.A. 81-394 made no substantive change;  
P.A. 84-429 deleted obsolete provision, subdivided Subsec. (a) into Subdvs. and made other technical changes; P.A. 85-76 amended Subsec. (a) to allow copy of current insurance policy or endorsement verifying coverage as proof of insurance for registration process;  
P.A. 88-73 amended Subdiv. (1) of Subsec. (a) to require that the card, policy or endorsement be issued by a licensed insurer, self-insurer or pursuant to the plan under Sec. 38-185/;  
P.A. 90-143 amended Subsec. (a) to prohibit renewal of registration of private passenger motor vehicle unless applicant files statement that owner will maintain minimum security required by Sec. 38-327 (now 38a-371) and to delete requirement of presentation of no-fault identification card or policy at time of renewal;  
P.A. 93-297 deleted term "no-fault" where appearing in description of insurance identification card, amended Subsec. (a) to make technical change and replace "the minimum security required by section 38a-371 for payment of basic reparations benefits and the liabilities covered under residual liability insurance required by sections 38a-19 and 38a-363 to 38a-388, inclusive" with "the minimum security required by section 38a-371" and amended Subsec. (c) to replace "the minimum security required by sections 38a-19 and 38a-363 to 38a-388, inclusive" with "the minimum security required by section 38a-371", effective January 1, 1994, and applicable to acts or omissions occurring on or after said date (Revisor's note: A reference in Subsec. (b) to Sec. "14-21d", was deleted editorially by the Revisors to reflect the repeal of that section by P.A. 93-298, S. 10);  
P.A. 94-243 amended Subsec. (a) to apply to vehicles with commercial registrations;  
P.A. 96-167 amended Subsec. (a) to provide that commissioner may require applicant for renewal of registration of private passenger motor vehicle to file statement that owner will maintain minimum security required by Sec. 38a-371 and to delete prohibition re renewal of registration unless applicant files such statement, effective July 1, 1996;  
P.A. 00-196 made technical changes in Subsec. (a); P.A. 04-217 amended Subsec. (a) to eliminate reference to Subdiv. (12) of Sec. 14-1, effective January 1, 2005.

P.A. 05-218 added requirement for proof of insurance or insurance substitute in the case of special use registration when operating a motor vehicle.

**Estimated Cost Characterization:** Minor

14-33

Renewal Of Registration Denied For Failure To Pay Property Tax Or Fines For Parking Violations. Collection Of Delinquent Property Tax By Commissioner. - Requires the tax collector of any municipality to notify, in a manner prescribed by this section, the commissioner of motor vehicles whenever the property tax on a registered motor vehicle or snowmobile goes unpaid.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 455 - act added taxing districts to section.

1961, P.A. 233 - act authorized commissioner to establish listings and dates for notification rather than date set by statute.

1967, P.A.s 48,448 - acts removed specifications of tax amount, year and model of vehicle and engine number from form contents and added reference to issuance of registration without receipt of tax payment if notice under provisions of Sec. 14-33a has been received.

1969, P.A. 752 - act included snowmobiles under provisions of section.

P.A. 78-348 - allowed commissioner to suspend registrations when registration renewed because of error or false statement that delinquent tax was paid or when check for payment of tax is not honored by bank.

P.A. 79-566 - included provisions re paratransit vehicles.

P.A. 79-610 and 80-372 - authorized substitution of department of transportation for division of public utility control in provision re paratransit vehicles.

P.A. 79-631 - made technical change.

P.A. 88-346 - added Subsec. (b) re establishment of a voluntary program to facilitate payment of fines for parking violations, requiring denial of registration for failure to pay such fines.

P.A. 93-341 - amended Subsec. (a) by adding a provision that the commissioner may "continue to register other vehicles owned by a leasing or rental firm licensed pursuant to section 14-15, if he is satisfied that arrangements have been made to discharge" outstanding tax obligations.

P.A. 95-260 - amended Subsec. (b) to allow any municipality, regardless of size of population, to participate in the voluntary program to facilitate payment of fines for parking violations.

P.A. 96-167 - inserted new Subsec. (b) authorizing commissioner to enter into agreement with tax collector whereby commissioner shall collect delinquent motor vehicle property tax and immediately issue registration upon receipt of payment of such tax and relettered former Subsec. (b) as (c).

P.A. 03-264 made a technical change in Subsec. (a), divided provisions of Subsec. (c) into Subsecs. (c) and (d), added provisions in Subsec. (c) re notice of violation and period during which penalties will not accrue for violation, and made technical changes in Subsec. (d);

June 30 Sp. Sess. P.A. 03-1 amended Subsec. (a) to provide for a fee to be paid by municipalities upon notice to commissioner of delinquent tax due and to make technical changes, effective August 16, 2003;

P.A. 04-126 amended Subsec. (a) to delete fee for the reporting of delinquent property taxes to the commissioner and to make a conforming change, and added Subsec. (e) requiring municipalities to pay the costs of the delinquent tax reporting program, effective July 1, 2004.

**Estimated Cost Characterization:** Minor

14-33a

Notice To Commissioner Of Tax Payment. - Requires the tax collector of any municipality to immediately notify the commissioner of motor vehicles, in a manner prescribed by this section, whenever a taxpayer who was previously reported to the commissioner as being delinquent in the paying of his taxes is no longer delinquent.

**Enactment:** 1967, P.A. 448

**Estimated Cost Characterization:** Minor

14-54

Location To Be Approved By Local Authority. - Requires the local CEO (selectmen, mayor or town manager) to send the commissioner of motor vehicles a certificate of approval for the location of any dealers or repairers business, except in those towns with a zoning commission and a board of appeals, in which case such certificate shall come from the board of appeals.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 and P.A. 78-303 made state police department a division within the department of public safety, effective January 1, 1979;

P.A. 84-195 exempted from the approval of location requirement transfers of ownership to an immediate family member or certain changes in ownership;

P.A. 89-244 exempted from the approval of location requirement transfers of ownership to or from a corporation in which an immediate family member of a licensee has a controlling interest;

P.A. 03-184 replaced requirement for approval of certificate by chief elected official or zoning board of appeals with requirement that the certificate be obtained from the zoning commission, planning and zoning commission or other board or authority of the municipality;

June 30 Sp. Sess. P.A. 03-6 replaced provision authorizing the zoning commission or combined planning and zoning commission to issue certificate of approval with provision that in any town or city with a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be obtained from the board of appeals.

P.A. 05-218 - removes the requirement for police approval of a location certificate regarding a motor vehicle dealers or repairers license.

**Estimated Cost Characterization:** Minor

14-67i

Certificate Of Approval Of Location; License Required. Exceptions. - Requires any municipality, except one which collects, dismantles or disposes of junk or abandoned motor vehicles pursuant to a program of solid waste disposal, to issue a certificate of approval of the location to be used before anyone can establish and operate a motor vehicle recyclers yard or recyclers business.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 415 - act deleted requirement zoning board of appeals certify location "is not within an established district restricted against such uses".

1969, P.A. 712 - act added Subsec. (b) re applicability of provisions to public agencies.

1971 P.A. 504 - act made provision re public agencies in Subsec. (b) Subdiv. (1), adding provision re required record-keeping and added Subdiv. (2) re intermediate processors; Sec. 21-16 transferred to Sec. 14-67i in 1981.

P.A. 81-347 - transferred procurement of certificate from zoning board of appeals to zoning commission and deleted reference to town manager's power to grant certificates of approval for business location in Subsec. (a).

P.A. 90-229 - amended Subsec. (b)(1) to add to exemption for any public agency, which acquires, collects or disposes of junk vehicles pursuant to solid waste disposal program "in accordance with the provisions of chapter 446d and the regulations of Connecticut state agencies, concerning the operation of motor vehicle junk yards"; and Subsec. (b)(2) to limit exemption for intermediate processor to that which operates at a licensed facility.

P.A. 96-167 - amended Subsec. (a) to substitute motor vehicle recycler's yard or recycler's business for motor vehicle junk yard or junk business and amended Subsec. (b) to make changes

consistent with provisions of Subsec. (a) and to substitute motor vehicle recycler's license for motor vehicle junk yard license.

P.A. 03-184 amended Subsec. (a) to replace requirement for approval of certificate by chief elected official or zoning commission with requirement that the certificate be obtained from the zoning commission, planning and zoning commission or other board or authority of the municipality;

June 30 Sp. Sess. P.A. 03-6 amended Subsec. (a) by replacing provision authorizing the zoning commission or planning and zoning commission to issue certificate of approval with provision that in any town or city with a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be obtained from the board of appeals.

**Estimated Cost Characterization:** Minor

14-67t

Publication Of Ordinances. - Requires the municipal clerk to publish in a newspaper having circulation in such municipality any ordinance creating a district within which a motor vehicle junk yard or junk business cannot be located.

**Enactment:** Prior to 1949

**Amendment:** P.A. 96-167 - substituted "recycler's yard" for "junk yard".

**Estimated Cost Characterization:** Minor

14-150

Abandoned Or Unregistered Motor Vehicles And Motor Vehicles Which Are A Menace To Traffic. Notice. Removal. Storage. Hearing. Lien. Sale. - Requires the chief executive officer of each town to appoint a hearing officer to determine whether or not a motor vehicle that was towed was authorized under this section. It also requires the chief executive officer to designate someone to collect data concerning abandoned motor vehicles within such municipality and to prepare and submit periodic reports to the commissioner of motor vehicles that shall contain such information as the commissioner wants.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 272 - act authorized sale of vehicle for storage and towing charges after thirty days where value of vehicle is not more than thirty-five dollars.

1967, P.A. 877 - act included reference to deliberate abandonment, increased fine from fifty to one hundred dollar maximum and imprisonment from sixty to ninety days and added provision re determination of owner as last owner of record in Subsec. (a).

1969, P.A. 350 - act changed applicable current market value of vehicle from thirty-five to one hundred dollars.

1971, P.A. 817 - act deleted "willfully and deliberately" to describe abandonment in Subsec. (a).

P.A. 73-131 - deleted phrase "apparently has been involved in an accident" describing vehicles which are a menace to traffic in Subsec. (b).

P.A. 76-381 - replaced fine and imprisonment provision in Subsec. (a) with statement that violator has committed an infraction.

P.A. 76-402 - made Subsec. (b) applicable to vehicles which are a menace to traffic, deleting other descriptive phrases, and deleted provisions re liability for vehicle in officer's custody and charges as lien on vehicle, inserted new Subsecs. (c) and (d) re procedure for dealing with abandoned or unregistered vehicles, placed storage provisions formerly in Subsec. (b) in new Subsec. (e) and included references to application for hearing and redesignated Subsec. (c) as Subsec. (f).

P.A. 77-452 - replaced court of common pleas with superior court in Subsec. (d).

P.A. 78-280 - deleted reference to counties in Subsec. (d).

P.A. 80-119 - made auction sale of vehicle mandatory rather than optional if storage limit reached without owner taking action to regain vehicle and added provisions re required report of sale to commissioner in Subsec. (e).

P.A. 86-119 - amended Subsecs. (b) and (c) to require such motor vehicles to be taken into custody and stored and added Subsec. (g), requiring motor vehicle commissioner to adopt regulations re title to abandoned motor vehicles.

P.A. 87-372 - inserted new provisions as Subsec. (d), requiring immediate vesting of title to an abandoned, unusable motor vehicle with a current market value of one hundred dollars or less in the municipality where the vehicle was discovered and specifying procedures for notice and distribution of proceeds from sale or disposition, and relettering remaining Subsecs., and amended Subsecs. (e) and (g), providing vehicle may be sold after fifteen days if market value does not exceed five hundred dollars or after ninety days if such value exceeds five hundred dollars.

P.A. 88-270 - amended Subsec. (a) to require that the fine be not less than eighty-five dollars; amended Subsec. (b) to require removal of any vehicle which is a menace to public health or safety; amended Subsec. (d) to require the deduction of the amount of any fines due from the proceeds of the sale or disposition, and added Subdiv. (2) in Subsec. (f), requiring municipal chief executive officer to designate person responsible for collecting abandoned vehicle data and reporting to motor vehicle commissioner.

P.A. 91-408 - amended Subsec. (c) to add provision requiring department to attempt to notify the owner of a stolen vehicle and to allow the owner to remove the vehicle.

June Sp. Sess. P.A. 91-13 - added five dollar fee for filing of notice.

P.A. 98-215 - amended Subsecs. (e) and (g) to reduce from ninety to forty-five days the time after which a vehicle may be sold re vehicles with market value over five hundred dollars.

P.A. 99-27 - amended Subsec. (d) by increasing the required value of a motor vehicle from one hundred dollars to five hundred dollars in Subdiv. (2), amended Subsecs. (e) and (g) by applying provisions to motor vehicles valued at one thousand five hundred dollars, increased from five hundred dollars, and made technical changes re gender neutrality.

P.A. 00-35 - deleted provisions in Subsec. (g) re advertising sale, and added provisions re minimum bids at public auction and provision that if no bid is made the owner or keeper may sell or dispose of such vehicle.

**Estimated Cost Characterization:** Minor

#### *VEHICLE HIGHWAY USE*

14-212a Highway construction zones, utility work zones and traffic incident management zones. Fines doubled. – requires a municipality to post a "ROAD WORK AHEAD FINES DOUBLED" sign at the beginning of a municipal road construction zone and a "END ROAD WORK" sign at the end. A public service company or water company must post a "UTILITY WORK AHEAD FINES DOUBLED" sign at the beginning of a utility work zone and a "END UTILITY WORK" sign at the end.

**Enactment:** 1995, P.A. 95-181, Sec. 1

**Amendment:** P.A. 98-196 created mandate for utility work zones.

P.A. 11-256 expanded existing mandate to include municipalities to post signs for municipal work zones.

**Estimated Cost Characterization:** Minor

14-227i Records Of Police Investigation Of Defendant Re Operation Of Motor Vehicle While Under Influence Of, Or Impaired By, Intoxicating Liquor Or Drugs. Copies. - Requires local police departments to maintain a record for two years for any defendant concerning the operation of a

motor vehicle while under the influence of alcohol. Those records will be made available to any person (or their representatives) injured as a result of the violation, upon written request.

**Enactment:** 1999, P.A. 277

**Estimated Cost Characterization:** Minor

14-249 Stopping At Grade Crossings. – Expands the criminal actions when operating a motor vehicle and not stopping at a railroad crossing when signaled to by either a law enforcement officer or manual system and crossing such railroad crossing in an unsafe manner.

**Enactment:** 1955, S. 1401d;

**Amendments:** P.A. 75-486 replaced public utilities commission with public utilities control authority;

P.A. 75-577 replaced provision for one hundred dollar maximum fine with statement that violation of section is an infraction and made technical grammatical change;

P.A. 77-614 and P.A. 78-303 replaced public utilities control authority with commissioner of transportation, effective January 1, 1979;

P.A. 78-372 expanded provisions by making failure "to refrain from passing over such crossing until the approaching locomotive or train shall have passed such crossing" an infraction;

P.A. 87-449 increased penalty from an infraction to a one-hundred-fifty-dollar fine.

**Estimated Cost Characterization:** Minor

14-250b Obstructing intersection. - requires a municipality that designates that a specific intersection cannot be entered unless there is sufficient space to accommodate the vehicle on the other side must mark that intersection as specified in this section.

Enactment: 2009, P.A. 171, Sec. 1

Estimated Cost Characterization: Minor

14-252 Removal of ice and snow from motor vehicle required. Penalty. – requires motorists to remove accumulated snow and ice from vehicles as specified so that it is not a threat to people or property and establishes fines for violations. Police enforcement will add to existing duties and the requirement will also apply to drivers of municipal vehicles..

**Enactment:** 2010, P.A. 10-182, Sec. 1

**Amendments:** P.A. 11-256 changed the effective date of Sec. 1 from December 31, 2013, to October 1, 2011.

**Estimated Cost Characterization:** Minor

14-253a Special License Plates And Removable Windshield Placards For Blind Persons And Persons With Disabilities Which Limit Or Impair The Ability To Walk. Parking Spaces. Penalty. Regulations. - Requires the local traffic authority, on any highway or street under its control, to establish handicapped parking spaces in any parking area for twenty or more cars and a municipal police officer who observes a motor vehicle parked in violation of this subsection to issue a written warning or a summons.

**Enactment:** 1976, P.A. 427

**Amendments:** P.A. 77-366 - included reference to vehicles with special license plates in Subsec. (c) and clarified parking permission for vehicles with special plates in Subsec. (e).

P.A. 79-144 - greatly expanded provisions, revising Subsec. (a), inserting new Subsec. (b), revising former Subsec. (b) and redesignating it as (c), inserting new Subsec. (d), revising former Subsec. (c) and redesignating it as (e), deleting former Subsecs. (d) and (e), inserting new Subsecs. (f) to (i), replacing former provision for ninety-nine dollar maximum fine with statement that violation is an infraction in former Subsec. (f) and redesignating it as Subsec. (j).

P.A. 80-367 - amended Subsec. (c) to delete reference to plates in provision re display and to add provision prohibiting use of plate for special parking privileges when car not conveying handicapped person and amended Subsec. (e) to add provisions re parking spaces in parking areas for two hundred or more cars.

P.A. 80-466 - replaced references to set of plates in Subsec. (b) with reference to single plate.

P.A. 81-172 - amended Subsec. (a) by providing for a five-year, rather than one-year validity period for a special parking identification card.

P.A. 82-420 - allowed nonprofit organizations that transport handicapped persons to obtain special parking identification cards.

P.A. 83-412 - deleted all references to nonprofit organizations which transport handicapped persons, thereby eliminating their parking privileges, provided for the phase-out of the special "HP" license plate and its replacement by a special international symbol of access license plate and provided that the provisions of Subsec. (e) are not applicable where an ordinance or state building code specifies more stringent requirements re size of parking area or number of special parking spaces.

P.A. 84-377 - amended (1) Subsec. (a), providing for (A) a fee of two dollars for the original issuance and renewal of special parking identification cards, a period of validity of two, rather than five, years for such cards and requiring different colors for renewal cards; (B) specific information in the physician's certification of impairment of ability to walk; (C) authorization for commissioner to require additional certification; (D) submission of notarized statement or personal appearance by applicant to request identification and (E) issuance of temporary special parking identification cards, (2) Subsec. (b), providing that special license plates may bear letters or any combination of numerals or letters and that identification issued be returned upon death or change in legal residence to another state, (3) Subsec. (d), providing for towing of vehicles parked in violation of Subsec. (d) for third or subsequent time and impounding of such vehicles, (4) Subsec. (f), requiring a warning and the international symbol of access in above grade signs, and (5) Subsec. (g), inserting new language re required vertical clearance for parking garages or terminals constructed on and after October 1, 1985, relettering remaining Subsecs. accordingly; P.A. 84-546 made technical change in Subsec. (j).

P.A. 85-206 - amended Subsec. (g), requiring that parking spaces in garages or terminals conform with the requirements of Subsec. (f).

P.A. 86-103 - permitted the issuance of special parking identification cards to blind persons and permitted the issuance of special license plates to handicapped persons who own motorcycles.

P.A. 86-388 - amended Subsecs. (a) to (c), inclusive, substituting "number" plate for license plate and including reference to issuance of a set of plates in accordance with provisions of Sec. 14-21b(a).

P.A. 87-304 - amended Subsec. (b) to increase fee for issuance of special number plate from five to ten dollars and exempt any handicapped person who transfers an unexpired registration and replaces number plate with special plate from payment of fees for transfer or replacement.

P.A. 88-32 - amended Subsec. (a) to require M.D. certification of blindness or "permanent" impairment of ability to walk only at time of original application and amended Subsec. (k) to require that the fine for violation of Subsec. (d) be a minimum of eighty-five dollars.

P.A. 89-74 - amended Subsec. (a) to permit optometrists to certify blindness at the time of original application and to delete requirement that permanent impairment of walking ability be certified at time original application is made.

P.A. 90-300 - amended Subsec. (e) to add two subdivision designations in the last sentence re exceptions and to insert new language as Subdiv. (2) "in the event a municipal ordinance imposes

more stringent requirements as to the size of existing private parking areas..." and amended Subsec. (g) to insert "public" before "parking garage or terminal" and "as defined in the state building code" thereafter, to require that vertical clearance be provided at a primary entrance and to add language concerning an exemption granted pursuant to Sec. 29-269(b).

P.A. 94-189 - substantially revised provisions of section deleting former Subsecs. (a), (b), (c) and (j) re special parking identification cards and license plates with new provisions, relettering former Subsecs. (d), (e), (f), (g), (h), (i) and (k) accordingly and making technical changes.

P.A. 95-325 - amended Subsec. (f) to specify when ambulances transporting patients may park in reserved area.

P.A. 99-268 - amended Subsec. (b) by allowing the commissioner to accept discharge papers of a disabled veteran for establishing that such veteran meets the definition of a person with disabilities which limit or impair the ability to walk, amended Subsec. (e) to revise provisions re parking without penalty in legally permissible parking areas for unlimited periods of time, notwithstanding periods indicated by parking meters or signs, and amended Subsec. (h) by increasing designated parking space size from fifteen feet wide, including three feet of cross hatch, to sixteen feet wide, including seven feet of cross hatch, and by requiring parking space signs to indicate the minimum fine for a violation of Subsec. (f).

P.A. 00-169 - amended Subsec. (a)(2) by removing provision stating a placard is valid for a period of five years from the date of issuance, Subsec. (b) by deleting reference to the five-dollar fee re applications and renewal applications for special license plates and removable windshield placards, and by adding a provision requiring a five-dollar fee for temporary removable windshield placard, effective October 1, 2000, and Subsec. (h) by changing parking space size requirements from "sixteen feet wide including seven feet of cross hatch" to "fifteen feet wide including three feet of cross hatch", effective June 1, 2000, and revised effective date of P.A. 99-268 but without affecting this section.

P.A. 02-70 amended Subsec. (b) to make a technical change, effective July 1, 2002;

P.A. 04-199 amended Subsec. (b) to permit advanced practice registered nurse to certify disabilities which limit or impair ability to walk re applications for special license plates and removable windshield placards and to certify that such disabilities meet definition under federal law, effective July 1, 2004;

P.A. 04-237 amended Subsec. (h) to insert "and prior to October 1, 2004," and to add requirements re parking spaces for passenger motor vehicles and passenger vans designated for the handicapped, and amended Subsec. (i) to make a technical change, to provide that requirement re nine feet six inches' vertical clearance for public parking garages or terminals apply to those constructed under a building permit application filed on or after October 1, 1985, and prior to October 1, 2004, and to add eight feet two inches' vertical clearance requirements for public parking garages or terminals constructed under a building permit application filed on or after October 1, 2004.

**Estimated Cost Characterization:** Minor

14-272b

Transport Of Dogs In Pick-Up Trucks. Restrictions. - Expands the criminal actions regarding motor vehicle operation, including; transportation of a dog in the back of a pick-up truck without being secured.

**Enactment:** 2005, P.A. 218

**Estimated Cost Characterization:** Minor

#### *TRAFFIC CONTROL AND HIGHWAY SAFETY*

14-298a

Operation Of Motor Vehicle Exceeding Posted Clearance Or Load Prohibited. - Expands the criminal actions regarding motor vehicle operation to include operating a vehicle that exceeds posted height or weight restrictions when going over, on or under any bridges.

**Enactment:** 2005, P.A. 218

**Estimated Cost Characterization:** Minor

14-300a Pedestrian Street Markings Near Housing Projects For Elderly Persons. - Requires each municipal traffic authority to provide special pedestrian street or sidewalk markings at intersections and streets in proximity to a project designated for or containing a high proportion of elderly persons.

**Enactment:** 1967, P.A. 358

**Estimated Cost Characterization:** Minor

#### *GASOLINE AND MOTOR OIL SALES*

14-321 Approval Of Gasoline Station Location By Local Authorities. - Requires the local authority to issue a certificate of approval before anyone can be licensed by the state to build a gas station.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 229 - act changed provision re transfer of station to transfer of the last issued license and added requirement that license not be issued if a required certificate has not been presented within three years of its issuance.

P.A. 82-460 - provided that a license cannot be transferred if more than one year has elapsed since its expiration.

P.A. 84-429 - rephrased provisions, substituted term "local authority" for definitional language and made other technical changes.

**Estimated Cost Characterization:** Minor

14-329 Standard Gallon. Delivery Through Meter. Exemptions. - Requires each vehicle tank or meter delivering gasoline, kerosene or oil to be sealed by a sealer of weights and measures.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 565 - act added Subsec. (b) and amended Subsec. (a) by adding specifications for meter devices and provisions for recording gallons and tenths on delivery ticket.

1961, P.A. 100 - act amended Subsec. (a) by removing limitation of section to "retail" deliveries and added expiration date and renewal provisions for permit in Subsec. (b).

1963, P.A. 104 - act added exception for slow flow meter deliveries in Subsec. (c).

1967, P.A. 341 - act amended Subsec. (a) to delete provision re mailing of tickets, deleted Subsec. (b) detailing permits which allowed mailing of tickets, relettered former Subsec. (c) as Subsec. (b) and inserted new Subsec. (c) re waiver of tenths printing requirement.

P.A. 85-250 - amended Subsec. (a) to require delivery tickets to bear the name or identification number of the seller's driver, to require such tickets to be numbered, to require sellers to retain copies of such tickets for a year, to require sellers to make such tickets available for inspection and to prohibit the possession of a delivery ticket which has been printed with a record of a delivery which has not occurred.

**Estimated Cost Characterization:** Minor

# Title 15: Navigation And Aeronautics

## *HARBORS AND RIVERS*

15-26a Five Mile River Commission. Harbor Superintendent. - The commission consists of 2 electors from each of the towns of Norwalk and Darien who are to be reimbursed for all necessary expenses. The commission has regulatory jurisdiction over the use of said river, in a manner to be prescribed by this section. The commission must appoint a harbor superintendent, whose salary shall be paid by the member towns.

**Enactment:** Prior to 1949

**Amendments:** 1972, P.A. 277 - act removed members from New Canaan from commission in Subsec. (a) and added Subsec. (e) re terms upon which New Canaan shall become member. P.A. 94-59 - added provision that appointments shall be made by the board of selectmen in the case of a town in which the legislative body is a town meeting.

**Estimated Cost Characterization:** Minor

## *AERONAUTICS*

15-91 Adoption Of Airport Zoning Regulations. - Requires municipalities which are within an airport approach area to adopt, administer and enforce airport zoning regulations which specify the land uses permitted for such area. If a municipality fails to adopt such regulations, the commissioner of transportation shall adopt such regulations for it.

**Enactment:** 1953, Supp. 2419d

**Amendment:** 1969, P.A. 768 - act replaced "commission", referring to aeronautics commission, with "commissioner", referring to commissioner of transportation.

**Estimated Cost Characterization:** Minor

15-94 Regulations. Appeals. - Requires a municipality to hold a public hearing, notice of which must be published in a newspaper of general circulation in such municipality before an airport zoning regulation may be approved. Any zoning regulation must provide for the appointment of a board of appeals.

**Enactment:** 1953, Supp. 2419d

**Amendment:** 1969, P.A. 768 - act replaced "commission", referring to aeronautics commission, with "commissioner", referring to commissioner of transportation, in Subsec. (d).

**Estimated Cost Characterization:** Minor

## *PROPERTY TAXATION AT BRADLEY INTERNATIONAL AIRPORT*

15-101aa Leased Facilities At Airport Subject To Property Tax. Exceptions. - Exempts certain leased facilities on state-owned property at Bradley Airport from the property tax.

**Enactment:** 1984, P.A. 358

**Amendments:** P.A. 84-358 - effective June 12, 1984, and applicable to the assessment year commencing October 1, 1984, and each assessment year thereafter.  
P.A. 93-434 - amended Subdiv. (b) by adding Subpara. (8) exempting certain office facilities from the property tax and amended Subdiv. (d) to change the date for such leases to qualify from June 12, 1984, to September 30, 1992, effective June 30, 1993, and applicable to assessment years commencing on and after October 1, 1992.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

15-101bb

Assessment Of Airport Property Subject To Taxation. - Requires the towns of East Granby, Suffield, Windsor and Windsor Locks to pay for a state-selected certified assessor to assess property for tax purposes at Bradley Airport.

**Enactment:** 1984, P.A. 358

**Amendments:** P.A. 84-358 - effective June 12, 1984, and applicable to the assessment year commencing October 1, 1984, and each assessment year thereafter.  
P.A. 93-434 - transferred assessment authority from the secretary of the office of policy and management to the assessors in the town in which the property is located, specified that the property is to be assessed at fair market value and made technical changes, effective June 30, 1993, and applicable to assessment years commencing on and after October 1, 1992.

**Estimated Cost Characterization:** Minor

15-101cc

Determination Of Tax Applicable To Airport Property. Collection By Towns In Which Property Is Located. - Requires property at Bradley Airport to be taxed at seventy percent of its fair market value.

**Enactment:** 1984, P.A. 358

**Amendments:** P.A. 84-358 - effective June 12, 1984, and applicable to the assessment year commencing October 1, 1984, and each assessment year thereafter.  
P.A. 93-434 - deleted reference to the rate of taxation and substituted reference to the rate of tax under Sec. 15-101bb, effective June 30, 1993, and applicable to assessment years commencing on and after October 1, 1992.

**Estimated Cost Characterization:** Minor

## *BOATING*

15-140q

Blood, Breath Or Urine Test. - Requires peace officers to record every occurrence where the officer has informed the operator of a boating vessel, who is suspected of operating such vessel under the influence of alcohol, of the penalties that will occur if such person has either refused to submit to a chemical analysis of such person's blood, breath or urine, or, upon submitting to such testing is found to have elevated levels of alcohol. The peace officers must then submit such written report, along with any revoked certificate and test results, to the Commissioner of Environmental Protection.

**Enactment:** 1989, PA 388

**Amendment:** P.A. 00-142 amended Subsec. (a) by adding reference to violation of Sec. 53-206d(b);

P.A. 03-244 – added requirements that peace officers record every occurrence where the officer has informed the operator of a boating vessel, who is suspected of operating such vessel under the influence of alcohol, of the penalties that will occur if such person has either refused to submit to a chemical analysis of such person's blood, breath or urine, or, upon submitting to such testing is found to have elevated levels of alcohol. The peace officers must then submit such written report, along with any revoked certificate and test results, to the Commissioner of Environmental Protection.

**Estimated Cost Characterization:** Minor

15-145(a) Marine Dealer's Registration Numbers For Boat Trailers. - Requires the tax assessor of a municipality to collect information from marine dealers who are in possession of one or more distinguishing numbers and markers in lieu of individual registrations for each boat trailer owned by such dealer.

**Enactment:** 1992, P.A. 133

**Estimated Cost Characterization:** Minor

15-149b Report Of Interviews. - Requires any officer investigating an accident dealing with a vessel on state waters where someone was injured or killed to send a copy of his report of the interviews with the participants and witnesses to the commissioner of environmental protection on forms prescribed by the commissioner.

**Enactment:** 1987, P.A. 505

**Amendment:** P.A. 97-72 divided section into Subsecs., designated existing language as Subsec. (b) and inserted new language as Subsec. (a) re reporting and investigation of accidents involving death, injury or disappearance.

**Estimated Cost Characterization:** Minor

## Title 16: Public Service Companies

### *TELEGRAPH, TELEPHONE, ILLUMINATING, POWER AND WATER COMPANIES*

16-243z Geographic information systems data sharing. Disclosure of locations of medical hardship accounts in emergencies. – Requires a municipality receiving electric utility data under this section to demonstrate that it has appropriate procedures to protect the confidentiality of the information.

**Enactment:** 2012, P.A. 12-2 (June Special Session), Sec. 155

Amendments: P.A. 13-247, Sec. 292 – Deletes references to regional planning agency" and "regional council of elected officials".

**Estimated Cost Characterization:** Minor

# Title 16a: Planning and Energy Policy

## *ENERGY UTILIZATION AND CONSERVATION*

16a-38k Building construction standards for new construction of certain state facilities. – Establishes higher energy and environmental standards for certain new buildings.

**Enactment:** 2006, P.A. 06-187, Sec. 70

Amendments: P.A. 07-242 – requires any new construction of a facility that is projected to cost \$5 million or more, \$2 million or more of which is state funded and is authorized by the General Assembly on or after January 1, 2009, and (2) any renovation of a public school facility that is expected to cost \$2 million or more, \$2 million or more of which is state funded and is authorized by the General Assembly on or after January 1, 2009, be consistent with or exceed the silver building rating of Leadership in Energy and Environmental Design's rating system, including energy standards that exceed those set forth in the 2004 edition of ASHRAE Standard 90.1, by no less than 20 percent or an equivalent standard.

PA-09-192 –revises the requirements for public school buildings having new construction costs of five million dollars or more or renovation costs of two million dollars or more, of which two million dollars or more is state funding and is authorized by the General Assembly pursuant to Chapter 173 on or after January 1, 2009.

**Estimated Cost Characterization:** Moderate

# Title 17a: Social And Human Services And Resources

## *CHILD WELFARE*

17a-101 (Formerly Sec. 17-38a). Protection Of Children From Abuse. Mandated Reporters. Training Program For Identification And Reporting Of Child Abuse And Neglect. - Requires certain school personnel to report or cause a report to be made regarding suspected child abuse. This entails an oral report to be made immediately to the department of children and families or to state or local police, to be followed up within 72 hours by a written report to the department. Requires each local and regional board of education to adopt a written policy regarding the reporting by school employees of suspected child abuse.

**Enactment:** 1965 P.A. 580, S., 1-3

**Amendments:** 1967, P.A. 317 - act added nurses, teachers, principals and social workers; 1969 act included licensed practical nurses in Subsec. (a).

1971, P.A. 216 - act inserted new Subsec. (a) stating policy of state, relettered former Subsecs. (a) and (b) as (b) and (c), included medical examiners, police officers and clergymen in Subsec. (b), formerly (a), clarified and expanded provisions re circumstances requiring report, clarified to whom oral and written reports to be made in Subsec. (c), added Subsecs. (d) to (g) and designated former Subsec. (c) as Subsec. (h), making minor changes to reach conformity with rest of section as amended.

P.A. 73-205 - included dentists, psychologists and school guidance counselors in Subsec. (b) and added provision imposing fine for failure to report as required, amended Subsec. (c) to delete reports to health commissioner and impose seventy-two hour deadline for written report, amended Subsec. (d) to refer to examination rather than treatment of child, to require physician to advise

parents, guardians etc. and to extend hospital custody period from seventy-two to ninety-six hours, amended Subsec. (f) to describe qualities appointed counsel must possess and to require court rather than welfare commissioner to pay fee and amended Subsec. (g) to make welfare commissioner rather than health commissioner responsible for registry.

P.A. 74-293 - included coroners, osteopaths, optometrists, chiropractors, podiatrists, day care center employees and mental health professionals in Subsec. (b), substituted "shall" for "may" in Subsec. (f)(2) thereby making representation by counsel mandatory and imposed deadline for adoption of regulations in Subsec. (g).

P.A. 75-270 - replaced welfare commissioner and department with commissioner and department of children and youth services and added provisions in Subsec. (e) for temporary custody of child.

P.A. 75-384 - returned duties to welfare department and commissioner, included emotional maltreatment in Subsec. (b), added provision re counsel as guardian ad litem in Subsec. (f), clarified confidentiality provision in Subsec. (g) and added provision re penalty for violation of section.

P.A. 75-420 - replaced welfare commissioner and department with commissioner and department of social services.

P.A. 76-27 - included action by commissioner of children and youth services in Subsec. (e).

P.A. 76-436 - replaced juvenile court with superior court in Subsecs. (d) to (f), effective July 1, 1978.

P.A. 77-308 - amended Subsec. (b) to refer to abuse of child by person responsible for his health, welfare or care or by person given access to child by responsible person and added reference to children neglected as defined in Sec. 17-53.

P.A. 77-614 and P.A. 78-303 - replaced social services commissioner and department with commissioner and department of human resources and made state police department a division within the department of public safety, effective January 1, 1979.

P.A. 79-631 - replaced commissioner and department of human resources with commissioner and department of children and youth services.

P.A. 80-190 - deleted coroners in Subsec. (b).

P.A. 81-91 - substituted commissioner of children and youth services for commissioner of human resources in Subsec. (c).

P.A. 81-472 - made technical changes.

P.A. 82-203 - amended Subsec. (b) by substituting sexual abuse and sexual exploitation for sexual molestation in the list of examples of conditions that are the result of maltreatment.

P.A. 86-337 - added requirement that commissioner of children and youth services immediately notify appropriate law enforcement agency of reports of child abuse.

P.A. 88-218 - added physician assistants, Connecticut certified substance abuse counselors and Connecticut certified marital and family therapists to the list of persons required to report child abuse in Subsec. (b) and made a technical change in Subsec. (g).

P.A. 88-333 - in Subsec. (b) added a school employee as a person who has inflicted injuries, in Subsecs. (b) and (c) added reporting requirements when it is suspected or believed that the injuries were inflicted by a school employee, in Subsec. (e) specified who is to investigate when a report concerns suspected or believed injuries by a school employee and added Subdiv. (3) re reporting and suspension when an investigation produces evidence that a child has been abused by a school employee, in Subsec. (f) specified what happens if a school employee is convicted of a crime involving an act of child abuse and added Subsec. (i) re the assignment of designees by a school superintendent.

P.A. 89-160 - amended Subsec. (c) to require the commissioner of children and youth services and the local police department or state police to notify each other when either receives an oral report alleging serious physical abuse or sexual abuse of a child, amended Subsec. (d) to allow physicians examining a child with respect to whom abuse is suspected to perform diagnostic tests and procedures necessary for the detection of child abuse, the expenses for such tests and procedures paid for by the parents or if they are unable to pay, by the commissioner, amended Subsec. (d) to allow the commissioner during the period of temporary custody, to provide the child with all necessary care including medical care consisting of an examination, with or without parental consent and diagnostic tests and procedures necessary to detect child abuse and amended Subsec. (g) to require the commissioner to disclose the information in the registry of child abuse

reports received to the legislative program review and investigations committee when requested and under certain conditions protecting confidentiality.

P.A. 89-168 - added a new Subsec. (j) which requires each local and regional board of education to adopt a written policy regarding the reporting, by school employees, of suspected child abuse; Sec. 17-38a transferred to Sec. 17a-101 in 1991.

P.A. 92-76 - included school paraprofessionals in Subsec. (b), amended Subsec. (c) to require report to commissioner of education in cases involving certified school employees, amended Subsec. (e) to require notification of commissioner of education in investigations involving certified school employees and to add language concerning certification revocation proceedings and made technical changes in Subsec. (f).

P.A. 93-91 - substituted commissioner and department of children and families for commissioner and department of children and youth services.

P.A. 93-340 - amended Subsec. (b) to add dental hygienists, pharmacists, physical therapists, sexual assault counselors and battered women's counselors to list of persons required to report suspected child abuse and to make technical changes.

P.A. 94-221 - amended Subsec. (f) to add notice by the state's attorney of persons holding certificates issued by the State Board of Education, expanded the reasons for the notice to include violations of Secs. 53a-71 and 53a- 73a, substituted notice to the commissioner of education for notice to the State Board of Education and deleted provision for the commencement of certification revocation proceedings.

P.A. 95-103 - amended Subsec. (f) by adding provision that separate guardian ad litem not required to be attorney.

P.A. 95-289 - changed marital and family therapists from "Connecticut certified" to "licensed".

P.A. 96-246 - amended Subsec. (b) by listing mandated reporters and deleting rest of subsection and deleted former Subsecs. (c) to (j), inclusive, and added new Subsec. (c) re development of educational training program for prompt identification and reporting of child abuse and neglect.

P.A. 99-102 - amended Subsec. (b) by deleting obsolete references to chapter 371 and osteopaths and making a technical change.

P.A. 00-49 - amended Subsec. (a) by making technical changes and adding the Child Advocate and any employee of the Office of Child Advocate as mandated reporters.

**Estimated Cost Characterization:** Minor

17a-101b

Oral report by mandated reporter. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when staff member suspected of abuse or neglect. – requires a school that has been notified that an employee has been reported for abuse or neglect to immediately notify the child's parent or other person responsible for the child's care.

Enactment: 1996, P.A. 96-246

Amendments: P.A. 97-319, Sec. 10 added provisions that do not affect the mandate.

P.A. 02-138, Sec. 14 also allows a designee of the person in charge of a school to notify the child's parent or other responsible person.

P.A. 11-93, Sec. 11 added provisions that do not affect the mandate.

Estimated Cost Characterization: Minor

17a-101c

Written Report By Mandated Reporter. - Requires a mandated reporter to submit a written report regarding suspected child abuse to the Commissioner of Children and Families. It further requires that if the mandated reporter is a member of the staff of a public or private institution or facility that provides care for such child or a public or private school, he must submit a copy of the written report to the person in charge of the institution, facility or school. Finally, the bill requires that in the case of a report concerning a certified school employee, a copy of the written report also be

sent by the person in charge of the institution, facility or school to the Commissioner of the State Department of Education.

**Enactment:** 1996, P.A. 246

**Amendments:** P.A. 97-319 – Made the written report to the commissioner of children and families a requirement in all cases. It also requires, under certain circumstances, that a copy of the report go to the person in charge of the institution, facility or school that was responsible for such child. Also, in the case of a report concerning a certified school employee, a copy of the report must go to the commissioner of education.

P.A. 98-239 - required the mandated reporter to send a copy of the written report to the executive head of the state licensing agency in the case of an employee of a facility or institution providing care for a child.

**Estimated Cost Characterization:** Minor

17a-101i

Abuse Of Child By School Employee. Suspension. Notification By State's Attorney Re Conviction. Boards Of Education To Adopt Written Policy Re Reporting Of Child Abuse By School Employees. - Requires each local or regional board of education to adopt a written school policy regarding the reporting by school employees of suspected child abuse or neglect and provide that policy to employees annually. Also requires school superintendents, whenever an investigation produces evidence that a child has been abused or neglected by a certified public school employee, to suspend such employee, with pay, and notify the local board of education and the Commissioner of Education. If such employee is terminated or resigns, the superintendent must notify the Commissioner.

**Enactment:** 1996, P.A. 246

**Amendments:** P.A. 97-319 - amended Subsecs. (a) and (b) by adding provisions re notification by the commissioner to the superintendent or executive director of finding of abuse by employee and by adding provisions re disclosure of records.

P.A. 00-220 - amended Subsecs. (a) and (c) to expand the applicability of section to include school employees who hold permits or authorizations, made conforming and technical changes in Subsec. (a) and added reference re violation of Sec. 53-21 in Subsec. (c).

P.A. 11-93, Sec. 4 adds neglect as a cause for the suspension and reporting of a school employee; adds a requirement for the school district to notify the Dept. of Education if the employee resigns; and requires a school district to provide its written reporting policy to employees annually.

**Estimated Cost Characterization:** Minor

#### *ADDICTION SERVICES*

17a-679

(Formerly 19a-2g) Expenses For Necessary Transportation Of Alcohol-Dependent Persons For Admission To A Treatment Facility. - Requires that the department of public health and addiction services not pay the necessary transportation expenses of any substance-dependent person admitted to a treatment facility who is receiving general assistance benefits which cover the transportation services provided.

**Enactment:** 1993, P.A. 381

**Amendments:** P.A. 94-239 and May Sp. Sess. P.A. 94-5 - both divided section in Subsecs., added provisions in Subsec. (a) requiring prior approval to the transportation provider and certification to the department and prohibiting payment by the department of any expenses for persons who are

able to pay for the services, have insurance coverage or coverage under assistance programs, and added new Subsec. (b) making Office of Emergency Medical Services responsible for developing and implementing dispatch and field triage protocols to provide a mechanism for local response systems; May Sp. Sess. act further imposed January 1, 1995, deadline for development of protocols, effective July 1, 1994.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Mental Health and Addiction Services, effective July 1, 1995; Sec. 19a-2g transferred to Sec. 17a-679 in 1997.

P.A. 99-234 - amended Subsec. (a) by replacing reference to general assistance with reference to Medicaid benefits and amended Subsec. (b) by adding "within the Department of Mental Health" after "Office of Emergency Medical Services".

June Sp. Sess. P.A. 99-2 - amended Subsec. (a) by replacing "shall pay" with "may, within available appropriations, pay".

**Estimated Cost Characterization:** Moderate

17a-683

(Formerly 19a-126c) Police Assistance For Intoxicated Persons. Protective Custody Of Person Incapacitated By Alcohol. Medical Examination. Detention And Release. Notification To Family. Assistance For Nonadmitted Person. - Requires a police officer who finds a person incapacitated by alcohol to take him into protective custody and have him brought to a treatment facility.

**Enactment:** 1974, P.A. 280

**Amendments:** P.A. 75-479 - replaced reference to Sec. 53a-184 with reference to Sec. 53a-184a in Subsec. (j) and required appropriations and finance committee reports on or before February 15, 1976.

P.A. 75-569 - made provisions specifically applicable to those incapacitated by alcohol, included references to licensed treatment facilities, replaced detailed listing of diagnostic procedures in Subsec. (b) with statement allowing use of diagnostic or therapeutic procedures, deleted former Subsecs. (f) re waiver of presentment and consent to voluntary treatment and (i) re procedure when apparently intoxicated person charged with violation or offense, redesignating remaining Subsecs. accordingly.

P.A. 76-300 - changed applicable dates in Subsec. (h) and deleted provisions re report to general assembly.

P.A. 86-371 - deleted obsolete Subsec. (h).

P.A. 90-209 - substantially rewrote the provisions of the section, revised the Subsec. indicators, added new Subsec. (a) which reworded Subsec. (b) of repealed Sec. 17-155u, added provisions re medical triage, required rather than allowed a medical officer to take certain actions when a person requires inpatient treatment and in new Subsec. (f) provided that there not be notification if prohibited by federal law; Sec. 17-155v transferred to Sec. 17a-625 in 1991.

P.A. 93-381 and 93-435 - replaced Connecticut alcohol drug abuse commission with department of public health and addiction services, effective July 1, 1993; Sec. 17a-625 transferred to Sec. 19a-126c in 1995; Sec. 19a-126c transferred to Sec. 17a-683 in 1997. June 18 Sp. Sess. P.A. 97-8 - added Subsec. (h) re payment at any facility.

June 18 Sp. Sess. P.A. 97-10 repealed provision added by June 18 Sp. Sess. P.A. 97-8.

**Estimated Cost Characterization:** Minor

# Title 17b: Social Services

## *FINANCIAL ASSISTANCE*

17b-125 (Formerly 17-280) Eligibility For Town Relief Of Owner Of Real Property. - Requires a municipality to provide support to a resident even if that person has an interest in real estate as long as the person executes an agreement giving the town a lien on the real estate.

**Enactment:** Prior to 1949

**Amendments:** P.A. 79-26 - raised limitation on lien's validity from fifteen to forty years and added Subsec. (b).

May Sp. Sess. P.A. 92-16 - amended Subsec. (a) by adding Subdivs. (1) and (2) re limitations on eligibility of person having an interest in real property.

P.A. 93-418 - made a technical correction, effective July 1, 1993; Sec. 17-280 transferred to Sec. 17b-125 in 1995.

June 18 Sp. Sess. P.A. 97-2 - made technical changes.

**Estimated Cost Characterization:** Minor

## *STATE-ADMINISTERED GENERAL ASSISTANCE*

17b-195 (Formerly 17b-118) Residential Substance Abuse Treatment. Payment Of Costs. - Requires the town to pay the room and board for any person who is in or is about to enter a residential substance abuse treatment facility and is ineligible for financial assistance because of his employability status, in a manner specified by this section.

**Enactment:** 1963, P.A. 543

Amendments: P.A. 80-395 - denied assistance or care to persons who have refused to participate in work, training or education program.

P.A. 82-214 - added the provision denying assistance to an employable person who willfully fails to report for work in a program pursuant to Sec. 17-281a.

May Sp. Sess. P.A. 92-16 - added provisions re nine month durational limit on assistance, possible three month extension of assistance, date a person determined unemployable who is subsequently determined employable is eligible for assistance provided to an employable person and the adoption of regulations.

P.A. 93-262 - authorized substitution of commissioner and department of social services for commissioner and department of income maintenance, effective July 1, 1993.

P.A. 93-418 - made a technical change, effective July 1, 1993.

P.A. 95-194 - in Subsec. (a) changed eligibility from nine months to ten in the first year and to six months in the second year of a twenty four month period. Also, adds Subsec. (b) which allows employable person to petition the commissioner to review the determination of his employability.

P.A. 96-268 - excluded job-ready employable persons from general assistance financial benefits and referred such persons to the grant program administered by the Labor Department pursuant to Sec. 17b-689a and added Subsec. (c) re reimbursement for room and board at a substance abuse treatment facility.

June 18 Sp. Sess. P.A. 97-2 - amended Subsec. (a) by eliminating assistance or care to employable persons by the state or a town, limiting financial assistance under the general assistance program and the state-administered general assistance program to persons determined to be transitional individuals, as defined in Sec. 17b-689, eliminating obsolete provision concerning the request for extensions of support by employable persons, including transitional individuals who are not

classified as such solely due to mental illness or substance abuse in the classification of those not subject to durational limits on assistance, amended Subsec. (b) by establishing a procedure for a transitional individual to petition the commissioner to review the determination of his status, added Subsec. (d) requiring this section to take effect no later.

P.A. 02-89 amended Subsec. (a) to replace reference to Sec. 17b-133 with reference to Sec. 17b-132, reflecting the repeal of Sec. 17b-133 by the same public act;

P.A. 03-3 (June 30 Sp. Sess. ) in repealing Secs. 17b-19, 17b-62 to 17b-65, inclusive, 17b-116, 17b-116a, 17b-116b, 17b-117, 17b-120, 17b-121, 17b-123, 17b-134, 17b-135, 17b-220, 17b-259 and 17b-287, authorized deletion of internal references to said sections in this section, effective March 1, 2004;

P.A. 04-76 deleted former Subsecs. (a) and (b) re financial assistance to persons determined to be transitional individuals, deleted Subsec. (c) designator and provision in existing Subsec. (c) which referred to time limits in Subsec. (a) and deleted former Subsec. (d) re effective date of the section; Sec. 17b-118 transferred to Sec. 17b-195 in 2005.

**Estimated Cost Characterization:** Minor

## Title 19a: Public Health And Well Being

### DEPARTMENT OF PUBLIC HEALTH

19a-35a Alternative On-Site Sewage Treatment Systems With Capacities Of Five Thousand Gallons Or Less Per Day. Jurisdiction. Establishment And Definition Of Categories. Minimum Requirements. Permits And Approvals. Appeals. - Requires local directors of health, or sanitarians, to issue permits or approvals for alternative on-site sewage treatment systems, in a manner stipulated by the Commissioner of Public Health.

**Enactment:** 2007, P.A. 231

**Amendment:** P.A. 07-1 (June Sp. Sess. ) -amended Subsec. (a) to add "within available appropriations", effective July 1, 2007.

**Estimated Cost Characterization:** Minor

19a-37d Changes to public water supply systems. Required notifications to water company and local building inspector. Authority of local director of public health to implement mitigation measures. – Requires that a municipal water company, upon receipt of notification by the building inspector of a project that includes water use changes or installation of certain fixtures, evaluate the project and notify the local building inspector of its determination and that the building inspector not issue a permit or certificate of occupancy until any cross-connection issue has been corrected.

**Enactment:** 2008, P.A. 137

**Estimated Cost Characterization:** Minor

19a-47 Information To Local Authorities. Reports To Department. Notification Of Spills. - Requires the local health authorities to cause all proper sanitary information in its possession to be forwarded promptly to the department of health and addiction services.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - replaced department of health with department of health services, effective January 1, 1979; Sec. 19-18 transferred to Sec. 19a-47 in 1983.  
P.A. 90-276 - added Subsec. (b) re notification of certain spills.  
P.A. 93-381 - replaced department of health services with department of public health and addiction services.  
P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

19a-62a

Pilot Program For Early Identification And Treatment Of Pediatric Asthma. –Requires the local directors of health to work with the Commissioner of Public Health to establish a comprehensive state-wide asthma plan.

**Enactment:** 2000, P.A. 216

**Amendments:** June Special Session, P.A. 01-4 – added requirement to annually survey for asthma in schools.

**Estimated Cost Characterization:** Minor

19a-110

Report Of Lead Poisoning. Availability Of Information Regarding Lead Poisoning. - Requires local directors of health to provide information developed by the department of health and addiction services, to parents of children with lead poisoning, describing the dangers and precautions to reduce the risk of such poisoning.

**Enactment:** 1971, P.A. 22

**Amendments:** P.A. 77-614 - replaced commissioner of health with commissioner of health services, effective January 1, 1979; Sec. 19-65e transferred to Sec. 19a-110 in 1983.  
P.A. 87-394 - substituted ".025" for ".04" milligrams in lead level measurement.  
P.A. 92-192 - deleted requirement that practitioners of the healing arts report increased blood lead levels, deleted requirement of reports for suspected increase in blood lead level, changed reportable lead level from .025 milligrams per one hundred grams to ten micrograms per deciliter and added the requirement that the commissioner shall determine the method of transmission of data after consultation with the executive director of the office of information and technology.  
P.A. 93-321 - act adds requirement regarding provision of lead poisoning information to parents of affected children.  
P.A. 93-381 and P.A. 93-435 - replaced commissioner of health services with commissioner of public health and addiction services.  
P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.  
June 18 Sp. Sess. P.A. 97-9 - amended Subsec. (a) by substituting "Chief Information Officer" for "executive director of the Office of Information and Technology".  
P.A. 98-66 - amended Subsec. (a) by changing "registered" laboratories to "licensed" laboratories, changing "address" to "full residence address", replacing "such other relevant information as said commissioner may require" with "gender, race and ethnicity", adding Subdivs. (2), (3) and (4), replacing "such a report" with "an accurate report", deleting immunity from civil or criminal liability and adding "not liable for the act of disclosing said report to the commissioner or to the director of health", made a technical change re title of Chief Information Officer and required commissioner to determine "format" as well as method, added new Subsecs. (b) and (c) and relettered Subsec. (b) as (d);  
June Special Session P.A. 2 – reduces the level of lead in a child's blood which requires a local health director to initiate an on-site inspection to identify the source of the lead. Additionally, if

the level of lead exceeds that level in the blood of one percent or more of the state's children under the age of six report, local directors, beginning January 1, 2012, will be required to conduct an on-site inspection and order any necessary remediation for such a child.

**Estimated Cost Characterization:** Minor

19a-111

Investigation. Preventive Measures. Relocation Of Families. Reports. Regulations. - Requires the municipal health director, upon receipt of a report of lead poisoning at a certain level, to make or cause to be made an epidemiological investigation of the source of the lead, and to report the results of that investigation to the local building official. Requires the director of health to order action by the appropriate persons responsible for the faulty conditions to prevent further exposure of persons to such lead poisoning. In the case of any residential building where such action will not result in a timely removal of the hazard, the local director of health and the building official are required to use community resources to effectuate relocation of affected persons. Also, requires the local health director to report to the department of health and addiction services on the results of his investigation.

**Enactment:** 1971, P.A. 22

**Amendments:** P.A. 77-614 - replaced commissioner of health with commissioner of health services, effective January 1, 1979; Sec. 19-65f transferred to Sec. 19a-111 in 1983.

P.A. 87-394 - added provisions re contents of reports, regulations, quarterly summaries and guidelines.

P.A. 92-192 - added provision that a blood lead level greater than twenty micrograms per deciliter of blood will cause an investigation to be conducted and added provisions that the guidelines established by the commissioner be consistent with those of the National Centers for Disease Control for assessment of the risk of lead poisoning, screening for lead poisoning and follow-up care.

P.A. 93-321 - added provision permitting occupancy during abatement, changed "may" to "shall" re establishment of guidelines, added treatment including children, pregnant women and women planning pregnancy and added provision affirming building officials' right to require abatement. P.A. 93-381 - replaced commissioner of health services with commissioner of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

19a-111g

Pediatric screening and risk assessment for lead poisoning. Duties of primary care provider. Exemption. – Requires all group health insurance policies, not later than January 1, 2008, to provide coverage for blood screening and risk assessments, ordered by a primary care provider.

**Enactment:** 2007, June Special Session P.A. 07-2

**Amendments:** none

**Estimated Cost Characterization:** Minor

19a-124

Needle and Syringe Exchange Program. - Requires the department of public health and addiction services to establish a needle exchange program in the three cities with the highest incidence of AIDS among intravenous drug users. With the assistance of the three local health departments, the department is required to establish protocols and evaluate the effectiveness of programs. Requires

the local health departments to submit a report evaluating program effectiveness to the department of public health and addiction services.

**Enactment:** 1990, P.A. 214

**Amendments:** May Sp. Sess. P.A. 92-3 - amended Subsec. (a) to authorize department to establish additional programs, Subsec. (b) to change requirement regarding marking of needles and syringes to apply only to first year of program, Subsec. (c) to require the department to establish evaluation and monitoring requirements and Subsec. (d) to provide for the department to compile information received from the programs.

May Sp. Sess. P.A. 92-11 made a technical change in Subsec. (b).

P.A. 93-381 - replaced department of health services with department of public health and addiction services.

P.A. 94-16 - removed limit of three additional programs and raised number of needles and syringes permitted per exchange from five to ten.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

June Sp. Sess. P.A. 99-2 - amended Subdiv. (2) of Subsec. (b) by replacing "ten syringes" with "thirty needles and syringes", adding Subpara. (B) re first-time applicants and Subpara. (C) re assurance of one packet per person, and made technical changes.

**Estimated Cost Characterization:** Minor

19a-131c Enforcement Of Order Of Quarantine Or Isolation. - Requires that in any public health emergency, when an individual refuses an order to be quarantined or isolated, the Commissioner may direct any law enforcement officer to take such person into custody.

**Enactment:** 2003, P.A. 236

**Estimated Cost Characterization:** Minor

#### *EMERGENCY MEDICAL SERVICES*

19a-181b Local Emergency Medical Services Plan. - Requires each municipality to establish a local emergency medical services plan by July 1, 2002, in a manner prescribed by this section.

**Enactment:** 2000, P.A. 151

**Estimated Cost Characterization:** Moderate

19a-197c Automatic External Defibrillators Required On Public Golf Courses. - Requires all public golf courses with at least nine holes and at least 2,750 yards to provide and maintain at least one automatic external defibrillator at a central location on the premises.

**Enactment:** 2006, P.A. 195

**Estimated Cost Characterization:** Minor

#### *MUNICIPAL HEALTH AUTHORITIES*

19a-200 City, borough and town directors of health. Sanitarians. Authorized agents. - Requires municipalities, unless otherwise indicated in their charter, to nominate and confirm a director of

health, who shall be a physician and hold a graduate degree in public health from an accredited school, college, university or institution. Requires the director to file a report of his activities annually with the department of health and addiction services. Requires municipalities to provide for the services of a sanitarian (The director may act in that capacity). Requires any municipality with a population over 40,000 for five consecutive years to have a full-time director.

**Enactment:** Prior to 1949

**Amendments:** 1971, P.A. 325 - act included directors of health for towns nominated by town chief executive officer.

1972, P.A. 65,239 - acts deleted general requirement that nominees be "discreet" and "learned in medical and sanitary science", requiring instead that all nominees be licensed physicians or possessors of "graduate" degree in public health "including at least sixty hours in local public health administration", required that in places with population of 40,000 or more, director must not engage in private practice, required confirmation or rejection of nominee by "legislative body" rather than by "common council" and modified requirement that health director devote full time to duties by allowing him to serve as chief medical adviser for public schools.

P.A. 75-352 - made qualifications for health director mandatory "notwithstanding the charter provisions of any city, town or borough" with respect to such qualifications.

P.A. 75-573 - specified action on nomination to be taken by board of selectmen if there is one.

P.A. 77-598 - clarified reference to appointment of interim director in cases where vacancy exists in the office.

P.A. 77-614 - replaced commissioner and department of health with commissioner and department of health services, effective January 1, 1979.

P.A. 78-303 - required approval of training and experience of health directors by commissioner rather than public health council and removed provision requiring consent of public health council for removal of officer; Sec. 19-75 transferred to Sec. 19a-200 in 1983.

P.A. 84-26 - authorized the appointing authority of a city, town or borough to appoint an acting director of health during a period of absence, inability or vacancy in the office provided the commissioner may appoint such director if the local authority fails to do so.

P.A. 87-521 - redefined powers of the director of health to include those necessary to enforce applicable statutes and provisions of the health code and added Subsecs. (b) and (c) re sanitarians and authorized agents.

June Sp. Sess. P.A. 91-12 - amended Subsec. (a) to require that department use its own estimated population figures rather than those of the latest federal census.

P.A. 92-8 - amended Subsec. (a) to require a full-time director of health in towns with a population of forty thousand or more for five consecutive years.

P.A. 93-381 - replaced department and commissioner of health services with department and commissioner of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

P.A. 99-125 - amended Subsec. (a) by requiring directors in cities, towns or boroughs with a population of forty thousand or more to "serve in a full-time capacity" rather than "devote his entire time to the duties of his office" and making technical changes.

P.A. 10-117 - amended Subsec. (a) to require that a physician nominated to be Director of Health on or after 10/1/2010 also have a degree in public health from an accredited school, college, university or institution.

**Estimated Cost Characterization:** Moderate

19a-204

Certificate Of Appointment To Be Filed. - Requires municipalities to file a certificate of the appointment of the director of health with the department of health and addiction services.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 59 - act substituted clerk of the municipality for probate court clerk as recorder of appointment.

P.A. 77-614 replaced commissioner of health with commissioner of health services, effective January 1, 1979; Sec. 19-77 transferred to Sec. 19a-204 in 1983.

P.A. 93-381 - replaced commissioner of health services with commissioner of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

19a-205 Salaries Of Directors Of Health. - Requires municipalities to pay the director of health for his services and necessary expenses.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - replaced commissioner of health with commissioner of health services, effective January 1, 1979; Sec. 19-78 transferred to Sec. 19a-205 in 1983.

P.A. 92-8 - deleted requirement that commissioner of health services approve salaries.

**Estimated Cost Characterization:** Minor

19a-206 Duties of municipal directors of health. Nuisances and sources of filth. Injunctions. Civil penalties. Authority of town director within city or borough. Availability of relocation assistance. - Requires directors of health or their authorized agents to examine all nuisances and sources of filth injurious to public health and to have them abated.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 445 - act added provision for director of health authorizing qualified person to act.

P.A. 77-465 - placed previous provisions in Subsecs. (a) and (d) and added new provisions in Subsecs. (b), (c) and (e) clarifying general provisions re maintaining nuisance or source of filth injurious to public health stated in Subsec. (a) and added exception in Subsec. (d) re town health director's jurisdiction in cities or boroughs lacking health directors of their own; Sec. 19-79 transferred to Sec. 19a-206 in 1983.

P.A. 87-521 - amended Subsec. (a) to provide for the delegation of duties to an authorized agent and a sanitarian and to make technical changes.

P.A. 08-137 - added Subsec. (f) requiring a municipality to be responsible for any relocation assistance to anyone displaced from their home because of an order from the local department of health. The local department of health must give written notification, in a manner specified by this subsection, to any person so displaced explaining their rights.

**Estimated Cost Characterization:** Minor

19a-207 Duties Of Local Officials. Emergencies. Regulations. - Requires the local director of health to enforce the public health code and any regulations adopted by the department of health and addiction services .

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - replaced department of health with department of health services, effective January 1, 1979.

P.A. 78-303 - replaced public health council with commissioner of health services; Sec. 19-80 transferred to Sec. 19a-207 in 1983.  
P.A. 87-521 - provided for the appointment of an authorized agent to perform the duties of the local director of health and deleted reference to "quarantine" regulations re department's enforcement of regulations to protect the public health.  
P.A. 93-381 - replaced department and commissioner of health services with department and commissioner of public health and addiction services.  
P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Moderate

19a 208 Health Conferences. - Requires each municipal health director to attend conferences called by department of health and addiction services , and requires that the municipality pay for the necessary expenses.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-598 - added references to districts and district directors of health.  
P.A. 77-614 - replaced department of health with department of health services, effective January 1, 1979; Sec. 19-81 transferred to Sec. 19a-208 in 1983.  
P.A. 93-381 - replaced department of health services with department of public health and addiction services.  
P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

19a-211 Toilets In Public Places. - Requires municipal directors of health to inspect public toilets and cause them to be maintained in a sanitary condition. Failure to perform this duty shall be cause for removal.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

19a-213 Mosquito-Breeding Places: Treatment. - Requires municipal directors of health to investigate and abolish mosquito-breeding places that have been brought to their attention.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

19a-214 Procedure For Suspension Of Delivery By Fuel Oil And Bottled Gas Retailers To Rental Residences. - When a municipal Director of Health is notified by a retailer that deliveries of fuel oil or bottled gas to specific rental residences is to be discontinued, he is required to contact the owner of the residence and inform him of his statutory responsibility, post notices in the building warning of discontinuation of deliveries and take reasonable steps to notify each tenant of his rights and remedies under law.

**Enactment:** 1975, P.A. 315

**Amendments:** P.A. 77-2 - lowered minimum temperature allowed in residential rentals where heat supplied by owner or other legally liable person from sixty-eight to sixty-five degrees; October 1979.

October Sp. Sess. P.A. 79-8 - required ten days' notice of intent to discontinue fuel supply service in cases involving contracts for automatic delivery, required notification of building owner or legally liable person and secretary of office of policy and management, as well as of municipality's chief health officer, and of tenants and required health officer or his agent to inform tenants of "rights and remedies" under law; Sec. 19-88a transferred to Sec. 19a-214 in 1983.

**Estimated Cost Characterization:** Minor

19a-231 Inspection Of Salons. - Requires directors of health to annually inspect all hairdressing, cosmetology and nail salons.

**Enactment:** 2001, P.A. 10-4 (June Special Session)

**Estimated Cost Characterization:** Minor

#### *DISTRICT DEPARTMENTS OF HEALTH*

19a-244 Qualifications, term and duties of director of health. Employees. - Requires health districts to nominate and confirm a director of health, who shall be a physician and hold a graduate degree in public health from an accredited school, college, university or institution. Requires the director to file a report of his activities annually with the department of public health. Requires municipalities to provide for the services of a sanitarian (The director may act in that capacity). Requires any municipality with a population over 40,000 for five consecutive years to have a full-time director. (formerly 19-109)

**Enactment:** Prior to 1949

**Amendments:** P.A. 10-117 – Sec. 46 requires that a physician nominated to be Director of Health on or after 10/1/2010 also have a degree in public health from an accredited school, college, university or institution.

Estimated Cost Characterization: Minor

#### *LUNG DISEASE, TUBERCULOSIS, CHRONIC ILLNESS AND BREAST AND CERVICAL CANCER*

19a-265 Tuberculosis Control. Emergency Commitment. - The bill requires a health care provider responsible for the treatment of a person with active tuberculosis to develop an individual plan of treatment geared towards the person's medical and personal needs. The plan must identify methods for effective treatment and prevention of transmission. The health care provider must have the assistance and acknowledgment of the person and the approval of the local health director of the town in which the individual resides.

The bill requires the health director to assist the person to complete his course of treatment, including providing such enablers and incentives as within his means to provide and that are reasonably appropriate. "Enablers" refers to anything that helps the patient to more readily complete therapy, including assistance with transportation. "Incentives" refers to anything that motivates the patient to adhere to treatment, such as food or coupons. If the individual is hospitalized or in state custody, the health director must be notified and the individual treatment plan approved before discharge.

**Enactment:** 1995, PA 138

**Amendments:** P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

P.A. 96-170 - amended Subsec. (h) by changing funding of compensation of counsel from Probate Court Administration Fund to funds appropriated to Judicial Department, unless funds not included in budget of Judicial Department for such purpose.

P.A. 97-90 - amended Subsec. (f) by adding provision excluding Saturdays, Sundays and legal holidays from hearing required to be held within ninety- six hours, and revised effective date of P.A. 96-170 but without affecting this section.

P.A. 98-52 - amended Subsec. (g) by adding provision re motion for appointment of three-judge panel.

P.A. 99-84 - amended Subsec. (f) by adding provision that petition shall be heard by judge of probate for district, unless there is motion of respondent or judge of probate for a three-judge panel.

**Estimated Cost Characterization:** Minor

### *ANATOMICAL DONATIONS*

19a-270 Bodies For Anatomical Purposes. - Requires municipalities in possession of a corpse, which if not claimed would have to be buried at public expense, to notify the department of health and addiction services and deliver the corpse to one of the named colleges or universities to be used for medical or surgical study.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 642 - act deleted sheriff, jailer and master of workhouse from list of officers required to notify relatives of death of person who may require burial at public expense.

1967 - act added exception re bodies removed to universities under provisions of Sec. 7-70.

1969 - act deleted county coroners, State Prison warden and state jail administrator from list of officers required to notify relatives of person's death and added to the list administrative heads of state correctional institutions.

P.A. 77-614 - replaced department of health with department of health services, effective January 1, 1979; Sec. 19-139 transferred to Sec. 19a-270 in 1983.

P.A. 85-613 - made technical change, substituting reference to Sec. 7-62b for reference to Sec. 7-62.

P.A. 92-11 added the University of Bridgeport College of Chiropractic to list of institutions to which the section applies.

P.A. 93-381 - replaced department of health services with department of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

**Estimated Cost Characterization:** Minor

### *CEMETERIES*

19a 302 Care Of Fund By Selectmen Or Committee. - Requires a municipality to take over the care of a cemetery association's perpetual fund if such association fails to comply with the provisions of Sec. 19a 301 (Establishment and Management of Perpetual Funds).

**Enactment:** 1953 Supp. 2360d

**Estimated Cost Characterization:** Minor

*CREMATORIES*

19a-320 Erection And Maintenance Of Crematories. - Requires municipalities, upon receipt of an application to build a crematorium, to hold a public hearing on such application, to notify the applicant and the department of health and addiction services of the date time and place of such hearing, and to publish such notice in a newspaper of general circulation. Also, require municipalities to act upon the application within 65 days and to state the grounds for its action in the municipal records.

**Enactment:** Prior to 1949

**Amendments:** 1971, P.A. 862 - act divided section into subsections and added provisions detailing application, hearing and approval procedures, deleting previous general provision stating that hearing after published notice is necessary for approval.

P.A. 77-614 - replaced commissioner and department of health with commissioner and department of health services, effective January 1, 1979; Sec. 19-165 transferred to Sec. 19a-320 in 1983.

May Sp. Sess. P.A. 92-6 - amended Subsec. (c) to establish a fee of one thousand dollars for inspection and approval.

P.A. 93-381 - replaced department and commissioner of health services with department and commissioner of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

P.A. 98-216 - amended Subdiv. (a) by adding provision prohibiting location of a crematory within five hundred feet of a residential structure or land used for residential purposes not owned by the owner of the crematory.

**Estimated Cost Characterization:** Minor

19a-323 Cremation Authorized. Cremation Certificate Required. Fee Payable In Certain Cases. - Requires the registrar, after receiving a cremation certificate, to authorize it and keep it on permanent record. But if the certificate is submitted to the registrar of the town where the funeral director is located, the certificate must be forwarded to the registrar of the town where the person died and kept on permanent record.

**Enactment:** Prior to 1949

**Amendment:** 1959, P.A. 423 - act deleted requirements that cremation certificate be under oath, that certificate be from director of health when death resulted from natural causes and for certificate from coroner and added provision re sum payable to medical examiner;

1961, P.A. 227 - act specified registrar of vital statistics and medical examiner be those for town in which person died or where funeral director having charge of the body is located, added provision for filing of and fee for cremation certificate, requiring registrar of other town to ascertain that the certificates have been received and recorded and the body prepared prior to issuing permit and that forms be provided by state health department rather than vital statistics bureau;

1963, P.A. 470 - act added reference to bodies cremated pursuant to Sec. 19-141 and changed technical language;

1965, P.A. 48 - act added provision that registrar of other town ascertain that place of disposal entry is correct, provision for issuance of corrected removal permit and for manner of inscribing

and recording original permit, and deleted requirement that notice of registrar of other town be on a form supplied by state health department;

1969, P.A. 699 - act clarified provisions by streamlining language and adding reference to towns where bodies found but where deceased person did not necessarily die and deleted proviso re cremation upon authority of permit issued by another state;

P.A. 77-614 replaced department of health with department of health services, effective January 1, 1979;

P.A. 79-47 clarified language, replaced "certificate of death" with "death certificate" and "deputy medical examiner" with "deputy chief medical examiner" and added associate medical examiners as issuers of cremation certificates; Sec. 19-168 transferred to Sec. 19a-323 in 1983;

P.A. 83-565 provided with respect to examination of the body and issuance of a cremation certificate, as required in cases of cremation, that estate of deceased, in lieu of previous fee of ten dollars, pay a fee of forty dollars or an amount equivalent to that paid to assistant medical examiners for such examination and certificate, if greater, except that no fee shall be required for the examination and certificate in cases of (1) violent death, (2) sudden death not caused by recognizable disease, (3) death under suspicious circumstances, (4) death related to disease resulting from employment or accident while employed and (5) death related to disease which may constitute a threat to public health; P.A. 90-158 removed language concerning external examination of the body by a medical examiner;

P.A. 91-89 raised fee for cremation permit from fifty cents to three dollars;

P.A. 93-381 replaced department of health services with department of public health and addiction services, effective July 1, 1993;

P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 04-255 added requirements that the registrar, after receiving a cremation certificate, to authorize it and keep it on permanent record. But if the certificate is submitted to the registrar of the town where the funeral director is located, the certificate must be forwarded to the registrar of the town where the person died and kept on permanent record.

**Estimated Cost Characterization:** Minor

#### *MEDICOLEGAL INVESTIGATIONS*

19a-408      Disposition of Body After Proceedings. - If, following an autopsy performed by the state medical examiner, there are no legally liable relatives to whom the body may be given for disposition, the municipality in which the body is lying is required to pay for the cost of disposition.

**Enactment:** 1969, P.A. 699

**Amendment:** P.A. 79-47 - included deputy chief medical examiner and associate medical examiners; Sec. 19-532 transferred to Sec. 19a-408 in 1983.

**Estimated Cost Characterization:** Minor

#### *MASS GATHERINGS*

19a-436      License Required. Limitations. - Requires municipalities to issue a license before any person can hold an assembly of 3,000 or more people and which can reasonably be expected to continue for eighteen hours or more.

**Enactment:** 1971, P.A. 696

**Estimated Cost Characterization:** Minor

19a-437      Information required of applicant. – Sec. 2 of PA 10-292 removed Subsec. (2)(L), which previously indemnified a municipality that had granted a license for a mass gathering from any liability or causes of action which might arise by reason of granting the license, and from any cost incurred in cleaning up any waste material produced or left by the assembly[previously Sec. 19-551].

**Enactment:** 1971, P.A. 696

**Amendment:** P.A. 10-92 – removed the previous indemnification.

**Estimated Cost Characterization:** Minor

19a-439      Processing Of Application. - Requires that municipalities process applications for licenses for mass gatherings within twenty days of receipt and that such licenses be issued if all conditions are complied with.

**Enactment:** 1971, P.A. 696

**Estimated Cost Characterization:** Minor

#### *MISCELLANEOUS PROVISIONS*

19a-900      Use Of Cartridge Injector By Staff Member Of Before Or After School Program, Day Camp Or Day Care Facility. - Requires that, upon the request and with the written authorization of the parent or guardian of a child attending any before or after school-administered program, day camp or day care facility, the operator of such facility to approve and provide general supervision to an identified staff member trained to administer medication with a cartridge injector to such child if the child has a medically diagnosed allergic condition that may require prompt treatment in order to protect the child against serious harm or death. Such staff member shall be trained in a manner specified by this section.

**Enactment:** 2005, P.A. 144

**Amendments:** P.A. 05-272 - amended Subsec. (a)(1) by redefining "Before or after school program" to include programs administered, rather than offered, by a school board or municipality and by removing private providers from the definition, and amended Subsec. (b) by changing "and" to "or" in provision re training and education of staff members; P.A. 06-196 made a technical change in Subsec. (b), effective June 7, 2006.

**Estimated Cost Characterization:** Minor

# Title 20: Professional And Occupational Licensing, Certification, Title Protection And Registration. Examining Boards

## *EMBALMERS AND FUNERAL DIRECTORS*

20-226      Lists Of Licensees And Students To Be Filed With Town Clerks. - Requires municipal clerks or registrars of vital statistics to keep on file lists of all licensed funeral directors, student funeral directors, licensed embalmers and student embalmers, sent to them annually by the department of health and addiction services.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 835 - act substituted "the department of health" for "board" and deleted obsolete reference to state department of health receiving lists.

P.A. 77-614 - replaced department of health with department of health services, effective January 1, 1979.

P.A. 80-484 - deleted word "registered" modifying student embalmers.

**Estimated Cost Characterization:** Minor

## Title 21: Licenses

### *AUCTIONEERS*

21-5      Blind Persons Not To Pay For License To Sell Their Own Work. - Requires that municipalities not charge a blind person a license fee for selling merchandise made by that person.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

### *JUNK DEALERS*

21-11      License. Record. Weekly Report. - Requires municipalities to issue licenses to suitable persons applying for a license to deal in secondhand bicycles, junk metals or other secondhand articles in that municipality, and requires that municipalities charge between \$2 and \$10 for such license. Also, requires that licensees file weekly sworn statements, with the municipalities, of all transactions made under that license.

**Enactment:** Prior to 1949

**Amendment:** 1972, P.A. 223 - act provided for fee of ten dollars per year for renewal of license.

**Estimated Cost Characterization:** Minor

*ITINERANT VENDORS310*

21-29            Municipal License. - Requires selectmen to issue a license, to each state-licensed itinerant vendor who applies, upon payment of the license fee established by the municipality. If no license fee has been established, requires the vendor to file a sworn statement of the average quantity and value of his stock, and for the municipal assessor to review and certify such statement. Requires the selectmen to authorize the municipal clerk to issue a license upon payment by the applicant of a fee equal to the taxes assessable based upon his sworn statement of value.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

21-30            Resident Veterans Licensed Without Fee. - Requires that municipalities not charge an itinerant vendor's license fee to a war veteran who has resided in the state for two years.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

*CLOSING-OUT SALES*

21-35d            Municipal License. - Requires that selectmen issue a license, to each state-licensed person conducting a close-out sale, upon payment of the license fee established by the municipality. If no license fee has been established, requires the person to file a sworn statement of the average quantity and value of his stock, and for the municipal assessor to review and certify such statement. Requires the selectmen to authorize the municipal clerk to issue a license upon payment by the applicant of a fee equal to the taxes assessable based upon his sworn statement of value.

**Enactment:** 1976, P.A. 281

**Estimated Cost Characterization:** Minor

*FINE ART SECURED LENDERS*

21-47o            An Act Establishing a Fine Art Secured Lending License. – Requires a municipality to approve or deny an application for a person to be a fine art secured lender and in accordance with this section follow specified procedures.

**Enactment:** 2012, P.A. 12-131, Sec. 2

**Estimated Cost Characterization:** Minor

*MOBILE MANUFACTURED HOMES AND MOBILE MANUFACTURED HOME PARKS. PARK OWNERS AND RESIDENTS*

21-67            License: Application. Fee. Renewal. Inspections. - Requires that no municipality shall charge any fee or assessment under a mobile manufactured home or trailer ordinance or zoning regulation other than a fee for seasonal use.

**Enactment:** 1972, P.A. 186

**Amendments:** P.A. 73-57 - added application of Subsec. (b) to sections of the park.  
P.A. 73-94 - amended P.A. 73-57 to provide an effective date of April 1, 1973.  
P.A. 77-614 - made no change.  
P.A. 78-303 - substituted reference to Sec. 21-75 in lieu of Sec. 21-76 in Subsecs. (b) and (d).  
June Sp. Sess. P.A. 83-3 - transferred licensure authority from real estate commission to department of consumer protection and established a new fee schedule for park licenses.  
P.A. 84-83 - substituted "this chapter" for references to Secs. 21-64 to 21-75, inclusive, and deleted requirement that renewal licenses be issued during April of each year.  
P.A. 89-251 - amended Subsec. (c) to increase the fees as follows: Not more than twenty-nine spaces, from one hundred dollars to one hundred twenty-five dollars; for twenty-nine but not more than fifty spaces, from five hundred fifty dollars to six hundred eighty-eight dollars; for more than fifty but not more than one hundred spaces, from eight hundred fifty dollars to one thousand sixty-three dollars; and for more than one hundred spaces from one thousand dollars to one thousand two hundred fifty dollars.  
P.A. 92-174 - added Subsec. (e) re issuance of license to holder of motor vehicles dealers' and repairers' licenses.  
P.A. 94-36 - amended Subsec. (b) to eliminate reference to license expiration date.  
P.A. 94-99 - amended Subsec. (e) by clarifying eligibility to resell a mobile manufactured home.

**Estimated Cost Characterization:** Minor

21-67a

Filing Of Documents Re Mobile Manufactured Homes And Mobile Manufactured Home Parks. List Of Homes And Owners. - Requires municipal clerks to file on the land record, all mobile manufactured homes in a mobile home park, from a list provided to the clerk by the licensee of such park, and for the licensee to pay to the clerk for recording that list, five dollars per page plus fifty cents for each owners name indexed more than four times per page. Requires any person owning a mobile manufactured home to file a certificate of title with the municipal clerk of the town in which the unit is located. Requires any person conveying title to a manufactured mobile home in a manufactured mobile home park to have the document conveying title filed on the records in the municipal clerk's office. Requires any public documents purporting to create an encumbrance upon a mobile manufactured home to be recorded in the office of the municipal clerk in which the unit is located. Also, requires an owner to file a statement with the municipal clerk when a unit is to be removed from a park.

**Enactment:** 1986, P.A. 310

**Amendments:** P.A. 86-310 - effective July 1, 1986, and applicable to assessment year in any municipality commencing October 1, 1986, and each assessment year thereafter.  
P.A. 86-403 - made technical change in Subsec. (b).  
P.A. 91-383 - amended Subsec. (c) to require the document conveying title to contain the amount due and owing for property taxes and added Subsec. (g) re the time period for filing the removal statement, the penalty for failure to file such statement and prohibiting the removal of such home from such park or lot without the prior filing of a valid removal statement.  
May Sp. Sess. P.A. 92-11 - amended Subdiv. (1) of Subsec. (c) to insert Subpara. indicators, delete redundant language and add "if any" in Subpara. (C), and amended Subsec. (f) to replace "conveyed" with "removed" and make other technical changes.  
P.A. 93- 132 - amended Subsec. (e) by requiring that a document creating an encumbrance must be recorded in the town clerk's office to be perfected under the uniform commercial code.

**Estimated Cost Characterization:** Minor

21-68a

Exemption Of Certain Mobile Manufactured Homes From Inspection Provisions Of State Building Code. - In the event of a resale or resiting of a manufactured mobile home, requires local building

officials in the municipality in which the unit is to be located, upon request of either party, to inspect such unit and issue either a certificate of approval or a certificate of occupancy to the owner.

**Enactment:** 1976, P.A. 143

**Amendments:** P.A. 83-389 - added used mobile homes sold on site or resited on lot outside park to exemption from building code inspection requirements, clarified that inspection may be requested by either party and provided for issuance of a certificate of occupancy in the case of a resiting.

June Sp. Sess. P.A. 83-3 - changed term "mobile home" to "mobile manufactured home".

**Estimated Cost Characterization:** Minor

21-71

Revocation, Suspension Or Refusal To Renew License For Violation. Fine. Remedies Available To Residents. - Requires municipalities to assist the department of consumer protection with technical data on sewerage facilities, electrical, plumbing or sanitary services, water supply or fire protection regarding any hearing held by the department dealing with revocation, suspension or non-renewal of a license to operate a mobile manufactured home park.

**Enactment:** 1977, P.A. 186

**Amendments:** P.A. 74-37 - provided for state and local assistance with technical data for the commission.

P.A. 77-460 - provided for imposition of fine between fifty and three hundred dollars for each day of violation in addition to revocation of permit or license.

P.A. 77-614 - deleted reference to Sec. 20-321 in connection with hearing, effective January 1, 1979.

P.A. 81-322 - added powers to suspend or refuse to renew permits or licenses

June Sp. Sess. P.A. 83-3 - changed references to real estate commission to department of consumer protection, changed "mobile home" to "mobile manufactured home", deleted references to park permittees and specified the powers of the commissioner of consumer protection in connection with investigations, the act also required park owners to retain records for at least four years and to pay the cost of reinspections by the department in some instances.

P.A. 84-83 - changed references to Secs. 21-64 to 21-75, inclusive, to "this chapter or any regulation issued hereunder".

P.A. 90-242 - added Subsec. (b) re the availability to all residents of the remedies provided by Sec. 47a-14h.

**Estimated Cost Characterization:** Minor

## Title 22: Agriculture. Domestic Animals

### *AGRICULTURAL LANDS*

22-26cc

State Acquisition Of Development Rights To Agricultural Lands. Programs Established. Joint Ownership By The State And A Town. Assistance Of Nonprofit Organization. State Acquisition Of Right To Construct Residence Or Farm Structure. - Requires a municipality to put to referendum a decision by the department of agriculture approving the release of land from its agricultural restriction as the result of a petition from either the owner or the municipality in which the land is located.

**Enactment:** 1978, P.A. 232

**Amendments:** P.A. 79-208 - inserted new Subdiv. (4) in Subsec. (a) requiring consideration of encumbrances on land in determining whether to obtain development rights, renumbering and restating former Subdiv. (4), required notification of departments of transportation and economic development and of office of policy and management that land is being appraised, substituted appraisal obtained by owner and performed in manner approved by environmental protection department for "independent" appraisal and added Subsec. (d) re payment of purchase price in installments.

P.A. 80-349 - deleted "pilot", qualifying nature of program, and required approval of state properties review board for acquisition of development rights in Subsec. (a).

P.A. 81-151 - amended Subsec. (a) by authorizing the commissioner to accept gifts of development rights and by giving him discretion in the purchase price for such rights.

P.A. 81-156 - required use of the state plan of conservation and development as an advisory document in development rights requisition.

P.A. 82-34 - amended Subsec. (a) to require filing of notice of the offer with the town clerk, to specify that transfer of land does not affect offer unless new owner revokes the offer in writing and to make land owned by a nonprofit organization authorized to hold land for conservation and preservation purposes eligible for the program.

P.A. 86-16 - amended Subsec. (a) by making probability that land will be sold for nonagricultural purposes one of the factors considered in the acquisition of development rights rather than the major factor.

P.A. 86-135 - added Subsec. (e) authorizing joint ownership by the state and towns.

P.A. 86-314 - amended Subsec. (a) by adding Subdiv. (7) regarding mitigation of damage due to flood hazards and transferred responsibility of obtaining appraisals from the commissioner of environmental protection to the commissioner of agriculture.

P.A. 87-184 - amended Subsec. (a) to stipulate that the use or presence of chemicals does not diminish the agricultural value of the land and added Subsec. (f) regarding state liability for pollution.

P.A. 88-75 - (1) amended Subsec. (a) to provide for determination by the commissioner of the value of the property for agricultural purposes rather than as "provided by section 12-63", (2) amended Subsec. (c) by requiring notification to the commissioner if restricted land is to be sold and (3) added Subsecs. (g) and (h) re cooperation with nonprofit organizations in acquiring development rights and re commissioner's acceptance of owners' rights to build structures on land.

P.A. 95-250 and P.A. 96-211 - replaced Commissioner and Department of Economic Development with Commissioner and Department of Economic and Community Development.

P.A. 97-171 - added new Subsec. (i) re provisions in agreements with the federal government in connection with disbursement of certain federal moneys for acquisition of land under this section.

P.A. 97-234 - amended Subsec. (c) to make technical and grammatical changes and to specify that any removal of the restriction on development under this section shall require payment to the commissioner of the value of the development rights.

**Estimated Cost Characterization:** Minor

22-26nn

Community farms program. Criteria. - Requires a municipality in which land with an agriculture restriction is located to follow specified procedures if the Commissioner of Agriculture approves a petition requesting to remove that restriction.

**Enactment:** 2008, P.A. 08-174, Sec. 4

**Estimated Cost Characterization:** Minor

*DISEASES OF DOMESTIC ANIMALS*

22-286 Cooperation With United States Government. - Requires local law enforcement officials to assist the Commissioner of Agriculture, upon request, in the control and eradication of livestock and avian contagious or infectious diseases.

**Enactment:** Prior to 1949

**Amendment:** P.A. 02-35 – added the requirement for local law enforcement officials to assist the Commissioner of Agriculture, upon request, in the control and eradication of livestock and avian contagious or infectious diseases.

**Estimated Cost Characterization:** Minor

*DOGS AND OTHER COMPANION ANIMALS. KENNEL AND PET SHOPS*

22-329b Reporting of neglected or cruelly treated animals. – Requires an animal control officer that has impounded an animal considered to have been harmed, neglected or treated cruelly to make a report to the Dept. of Agriculture, who will forward it to DCF.

**Enactment:** 2011, P.A. 11-194, Sec. 1

**Estimated Cost Characterization:** Minor

22-331 Municipal Animal Control Officers. Assistants. - Requires municipalities with populations over 25,000 to appoint a full-time municipal animal control officer and such assistants as are deemed necessary to administer and enforce laws relating to dogs. Requires other municipalities to appoint the same positions, but not on a full-time basis.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act made previous provisions Subsecs. (b) and (d), added provisions re appointment of wardens in towns of more than 25,000 population as Subsec. (a), restated provisions in Subsec. (b) re other towns and cities, added Subsec. (c) re report to commissioner of appointments made and allocations for appointees' salaries, revised Subsec. (d) to require town treasurer to reimburse city for wardens' salaries and expenses where town and city boundaries not coterminous and deleted previous provision re warden's power to employ assistants and his duty to report their appointment to commissioner.

1965, P.A. 144 - act added references to merit system for employees in Subsec. (a).

P.A. 91-59 - replaced references to "local dog warden" with references to "municipal animal control officer".

P.A. 93-435 - made certain technical and grammatical revisions.

**Estimated Cost Characterization:** Moderate

22-332 Impounding And Disposition Of Roaming, Injured Or Mistreated Dogs. - Requires the municipal animal control officer to impound animals taken into custody and to notify the owners, if known, of the impoundment, or if unknown, to place an ad describing the dog in a local newspaper and ensure a photograph or description of an impounded dog is posted on a national pet adoption Internet web site or another site that is accessible to the public through an Internet search. Requires the officer to have the animal destroyed if not claimed or purchased within a specified period of time. The cost of the advertisement and the fee of the veterinarian who destroys the dog is paid from the dog fund license account.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 517 - act substituted "prosecuting attorney for the circuit court of the circuit within which the dog is found" for "local prosecuting attorney".  
1963, PAs 14, 613 - acts divided section into Subsecs., allowed immediate destruction of animal if necessary, deleted requirement that dog be kept for one hundred twenty hours, required notification of state warden if dog unclaimed after three days from published notice, revised and clarified provisions re disposition of dog if unclaimed after seven days, replaced "dog license fund" with "dog fund account", specified that hospitals, laboratories, etc. purchasing unclaimed dogs need not procure dog license and raised purchase fee for pets from four to five dollars.  
1969, P.A. 81 - act replaced references to wardens with references to canine control officers as appropriate.  
1971, P.A. 76 - act deleted requirement in Subsec. (b) requiring warden to notify chief canine control officer of dog's capture and dog's description.  
P.A. 74-183 - replaced circuit court with court of common pleas and "circuit" with "county or judicial district" in Subsec. (a).  
P.A. 76-436 - replaced court of common pleas with superior court and "prosecuting attorney" with "office of the state's attorney", effective July 1, 1978.  
P.A. 78-280 - deleted reference to counties.  
P.A. 80-315 - deleted provisions in Subsecs. (b) and (c) which had allowed hospitals, laboratories, etc. to purchase unclaimed dogs, but see Sec. 22-332a.  
P.A. 86-45 - amended Subsec. (a) by deleting provision re reporting of violations to the state's attorney.  
P.A. 91-59 replaced references to "local dog warden" with references to "municipal animal control officer".  
P.A. 93-435 - made certain technical and grammatical revisions.  
P.A. 96-243 - included "other animals" within the coverage of this section.  
P.A. 98-12 - changed "canine control officer" to "animal control officer" in Subsec. (a).  
P.A. 11-111 – Sec. 2 added the requirement to post a photo or description on an internet site.

**Estimated Cost Characterization:** Minor

22-334

Municipal Animal Control Officer's Fees. - Requires officers to submit a statement of services to the municipality monthly and to specify a fee schedule for both full-time and part-time officers.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act rephrased and clarified provisions generally, distinguished between wardens employed on salary basis and those not so employed in terms of payments for dogs returned to owners, sold as pets, etc., differentiated between amounts paid for dogs returned or adopted and those otherwise disposed of, raising payments for those adopted or returned from four to five dollars, required regional warden to pay moneys received by him to state treasurer and added other references to regional wardens and substituted "dog fund account" for "dog fund license account".  
1969, P.A. 81 - act replaced references to wardens with references to canine control officers where appropriate.  
P.A. 79-290 - changed date for conducting special surveys re unlicensed dogs from "after August first" to "after July first".  
P.A. 82-101 - amended the section to make technical revisions and to delete the requirement for an annual survey for unlicensed dogs.  
P.A. 87-231 - required that towns pay dog wardens one dollar for dogs licensed after being found unlicensed in a survey and added provision requiring that moneys deposited in dog fund account be credited to town from which collected.

P.A. 91-59 - replaced references to "local dog warden" with references to "municipal animal control officer".  
P.A. 93-435 - made certain technical and grammatical revisions.

**Estimated Cost Characterization:** Minor

22-336 Towns To Provide Pounds Or Other Suitable Facilities. Regulations. Enforcement. - Requires that each municipality not participating in a regional arrangement provide and maintain a suitable building to serve as a dog pound.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act excepted towns participating in regional dog pounds from compliance with provisions and empowered commissioner to make regulations re dog pounds, etc.  
P.A. 80-211 - added provisions re alternate arrangements for detention and care of impounded dogs, i.e. through veterinarian, commercial kennel, etc.  
P.A. 82-119 - authorized the commissioner to request the attorney general to bring enforcement actions under the statute.  
P.A. 91-59 - replaced reference to "local dog warden" with reference to "municipal animal control officer".  
P.A. 93-162 - authorized use of facilities established under this section to shelter animals other than dogs.  
P.A. 93-435 - made certain technical and grammatical revisions.

**Estimated Cost Characterization:** Moderate

22-337 Notice Of Licensing Requirements. - Requires municipalities to post notice that dogs must be licensed during the month of June.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act required that notice contain warning that dogs must be licensed during June rather than requirements re licensing, wearing of collar and tag, etc.  
P.A. 84-146 included a reference to posting of notice on a place other than a signpost.

**Estimated Cost Characterization:** Minor

22-340 Town Clerk To Provide Licenses And Tags. - Requires clerks to issue a dog license and tag to each person who has paid the appropriate license fee and provided a certificate of rabies vaccination, and to make provisions for issuance and renewal through the mail.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act rephrased provision re veterinarian's statement that dog has been spayed.  
P.A. 77-420 and 77-604 - made provisions previously applicable to spayed dogs applicable to neutered dogs as well.  
P.A. 89-161 - made the existing section Subsec. (a), added Subsec. (b) and amended Subsec. (a) to remove a requirement that the town clerk record on the license form the name of the veterinarian who neutered or spayed the dog.  
P.A. 93-435 - made certain technical and grammatical revisions.

**Estimated Cost Characterization:** Minor

22-341 Tag Or Plate To Be Attached To Dog Collars Or Harness. Cost. - Requires town clerk to purchase a sufficient number of tags and plates from the department of agriculture at a specific cost.

**Enactment:** Prior to 1949

**Amendments:** P.A. 83-382 - amended Subsec. (a) to raise the fee for replacement tags from ten to fifty cents, for consistency with Sec. 22-347.

P.A. 93-435 - made certain technical and grammatical revisions.

**Estimated Cost Characterization:** Minor

22-345 License And Tag For Guide Dogs For Blind, Deaf Or Mobility Impaired Persons. - Requires town clerks to issue a license and tags without fee for guide dogs.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act removed nominal thirty-five cent charge for licensing guide dog.

P.A. 76-49 - defined "deaf person" and made provisions applicable to guide dogs for the deaf.

P.A. 85-289 - applied provisions of section to mobility impaired persons.

P.A. 89-161 - added the language pertaining to the placement of dogs between six months and one year by organization that trains guide dogs.

P.A. 93-435 - made certain technical and grammatical revisions.

**Estimated Cost Characterization:** Minor

22-347 Use Of License Fees. - Requires each town treasurer to keep a separate dog fund account of all fees received from the town clerk and the municipal animal control officer, and the ensuing September to send a specified percentage of the fees in that account to the State treasurer.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act changed amounts to be deducted from receipts by town clerk from thirty-five to fifty cents per dog license and imposed ten cent deduction for each replacement tag, added references to town "fiscal officer", replaced "dog fund license account" with "dog fund account", required payments to state treasurer on September first rather than August first, specified that payment cutoff date is June thirtieth and required statement of number of licenses issued and added provisions re payments to be rendered on moneys received after June thirtieth in each year and specified that funds remaining in local account may be used for warden's equipment, dog supplies and veterinary fees as well as other uses previously listed.

P.A. 80-211 - allowed use of funds retained locally for "detention and care of impounded dogs in accordance with section 22-336".

P.A. 82-323 - doubled deduction from fees for dogs licensed and kennels licensed and raised deduction for replacement tags from ten to fifty cents.

P.A. 82-440 - deleted the provision that towns participating in regional dog pounds submit license fees to the state treasurer.

P.A. 85-289 - authorized towns to retain sixty per cent of the fees provided a survey was made.

P.A. 91-59 - replaced reference to "warden" with reference to "municipal animal control officer".

P.A. 91-131 - added interest and penalty provisions, effective July 1, 1991, and applicable to any assessment or payment due on or after that date.

P.A. 93-435 - made certain technical and grammatical revisions.

**Estimated Cost Characterization:** Minor

22-349

Unlicensed Dogs. Regulations. Impoundment. - Requires the town clerk to provide the municipal animal control officer with a list of all licenses issued. The officer is required to make a diligent search for all unlicensed dogs required to be licensed and to impound any unlicensed dogs.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act required forwarding of list of licensed dogs to regional warden and rewrote provisions re impoundment of unlicensed dogs and prosecution of owners in greater detail.

1969, P.A. 81 - act replaced references to regional wardens with references to regional canine officers.

P.A. 76-381 - rephrased provision re prosecution of owner of unlicensed dog to state that owner of unlicensed dog shall be deemed to have committed an infraction.

P.A. 78-48 - required that warden or canine control officer be furnished with copies of each dog license rather than with list of licensed dogs.

P.A. 79-290 - changed deadline for furnishing copies of licenses from August first to July first and reduced time within which impounded dog must be redeemed from one hundred sixty-eight hours to one hundred twenty hours.

P.A. 82-101 - amended the section to eliminate the file day grace period during which owners of unlicensed dogs must license them or be guilty of an infraction.

P.A. 85-289 - added provision re regulations.

P.A. 91-59 - replaced references to "warden" and "regional canine control officer" with references to "municipal animal control officer" and "regional animal control officer".

**Estimated Cost Characterization:** Minor

22-355

Damage By Dogs To Domestic Animals. - Requires a municipality together with the person sustaining the damage to estimate the amount of damage done to domestic animals by dogs and if they cannot agree to choose some disinterested party to assist in the estimating. If the damage is over \$100, the municipality is required to report it to the department of agriculture and to call upon the commissioner to appraise the damage.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act replaced references to selectmen with references to chief administrative officer or authority, clarified when report must be made if Sunday or holiday prevents meeting of twenty-four hour limit and specifically disallowed claims by persons whose employee lives on premises and keeps unlicensed dog or by those not meeting time limit allowed for claims, included damages to poultry and domestic rabbits in Subsec. (c), deleted Subsec. (d) which had allowed issuance of order to kill dog if established damage claim not paid within ten days of notice to dog owner, relettering remaining Subsecs. accordingly, changed time limit for reports to commissioner in new Subsec. (e) to within forty-eight hours rather than five days and made commissioner's appraisal mandatory rather than optional.

1971, P.A. 74 - act stated that burden of proof is on claimant in Subsec. (a) and in Subsec. (e) made basis for report to commissioner any damage to sheep, goats, horses, etc. rather than a claim for more than fifty dollars and reduced time for report from forty-eight to twenty-four hours.

P.A. 85-145 - amended Subsec. (f) by deleting obsolete references to the payment of expenses for Pasteur treatment.

June Sp. Sess. P.A. 91-10 - amended Subsecs. (e) and (f) to limit the state's responsibility under this section to those matters involving damage in excess of one hundred dollars.

P.A. 93-435 - made certain technical and grammatical revisions.

**Estimated Cost Characterization:** Minor

22-358

Killing Of Dogs Doing Damage. Quarantine Of Biting Dogs, Cats Or Other Animals. Notice. Seizure. Euthanasia And Examination Of Potentially Rabid Animals. - Requires the municipal animal control officer to immediately investigate any complaint of a person attacked or bitten by a dog not on the premises of the owner, and to quarantine the dog if the investigation proves positive.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 613 - act included references to regional wardens, substituted quarantine in veterinary hospital or kennel for quarantine "in close confinement" in Subsec. (b) and doubled boarding fee and in Subsec. (c) empowered conservation officers to kill dogs worrying or pursuing deer and added provision re penalty to be imposed on the owner or keeper of such a dog.

1965, P.A. 23 - act revised Subsec. (b) so that quarantine provisions apply to attacks not on dog owner's premises and provisions re commissioner's orders for restraint or disposal of dog apply to attacks on owner's premises, reversing previous applications of provisions.

1969, PAs 35, 81 - acts replaced references to dog wardens with references to canine control officers where necessary and in Subsec. (b) allowed quarantine of dog on owner's premises when attack occurred on those premises.

1971, P.A. 725 - act amended Subsec. (c) to allow resident state policemen to kill dog worrying or pursuing deer.

P.A. 73-28 - doubled boarding fee in Subsec. (b).

P.A. 79-290 - required notification of person bitten when order given re restraint, disposal or quarantine of dog and raised boarding fee from two to five dollars per day.

P.A. 83-71 - amended Subsec. (b) to add provision specifying criteria for exemption of police dogs from quarantine requirements.

P.A. 84-546 - made technical changes to section.

P.A. 85-57 - added Subsecs. (c) and (d) to restore language inadvertently omitted from the 1985 revision.

P.A. 89-161 - amended Subsec. (b) to add the language concerning the seizure of dogs whose owners fail to comply with quarantine or restraining orders.

P.A. 91-46 - added Subsec. (e) concerning euthanasia and examination of potentially rabid dogs.

P.A. 91-59 - replaced references to "warden" and "regional canine control officer" with references to "municipal animal control officer" and "regional animal control officer".

P.A. 91-215 - rephrased Subsec. (b) to require that dog attacks be reported and divided Subsec. (b) into Subsecs. (b) and (c) and changed subsequent Subsec. designators accordingly.

P.A. 92-77 - amended section to apply to cats and other animals, amended Subsecs. (a) and (d) to authorize police officers and state police to kill dogs observed pursuing certain animals and made technical changes.

P.A. 93-381 - replaced department of health services with department of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

P.A. 98-12 - changed "canine control officer" to "animal control officer".

P.A. 00-88 - amended Subsec. (c) by increasing the fine from twenty-five to two hundred fifty dollars and making technical changes for the purposes of gender neutrality.

P.A. 07-59 - added Subsection (h) requiring the appropriate Animal Control Officer to immediately investigate a complaint by the owner of a specified animal which has sustained damage by a dog attack.

**Estimated Cost Characterization:** Minor

22-359

Control Of Rabies. - Requires the local health director or board of health to report any suspected or confirmed case of rabies to the commissioner of agriculture. Any such animal must be quarantined for a period specified by the commissioner or state veterinarian. Any animal which is clinically diagnosed as rabid must be destroyed. Any animal, other than a dog, found to be healthy is to be returned to its owner or, if not claimed, sold as a pet.

**Enactment:** Prior to 1949

**Amendments** P.A. 91-46 - made the provisions applicable to cats, substituted reference to local director of health or board of health for reference to the director of health or board of health of any town, city or borough or any veterinarian, substituted provisions authorizing the quarantine of any animal for provisions authorizing the quarantine of dogs, authorized quarantine of animals that were in contact with rabid animals, deleted provisions requiring kennels used for quarantine purposes be approved by the commissioner and made technical corrections to text.

P.A. 92-77 - designated existing text as subsec. (a) and as so designated, made provisions applicable to dogs, cats or other animals, in lieu of former provision making the provisions applicable to dogs, or any domestic animal, authorized municipal animal control officers to quarantine animals, authorized the quarantine of animals that may have been bitten by or exposed to a rabid animal or an animal suspected of carrying rabies or any wild animal as defined in subsec. (d), authorized the commissioner or state veterinarian to determine the length of quarantine and set out factors to be considered in making this determination and deleted provisions authorizing the vaccination of all dogs in a municipality, if an investigation indicates the advisability of such, and provisions relating to notification required for such vaccinations and payment for such; and added subsec. (b) to (d).

P.A. 97-187 - amended Subsec. (a) to authorize local directors of health to order destruction of certain animals for purposes of controlling rabies.

P.A. 98-12 - changed "canine control officer" to "animal control officer".

**Estimated Cost Characterization:** Minor

#### *ANIMAL POPULATION CONTROL*

22-380f

Animal Population Control Program: Payment Required For Adoption Of Unspayed Or Unneutered Dogs And Cats. Refunds. – Prohibits the selling or giving away of any unspayed or unneutered cats or dogs by pounds unless such pound receives \$45 from the person buying or adopting such animal. These funds shall be deposited monthly quarterly into the animal population control account.

**Enactment:** 1992, P.A. 187

**Amendments:** P.A. 97-162 – changes from monthly to quarterly when the funds have to be deposited into the animal population control account.

P.A. 97-187 - reduced the refund amounts for sterilization of adopted fertile dogs and cats and established a nonrefundable fee to be paid by rescue or adoption organizations for acquisition of dogs and cats from pounds.

**Estimated Cost Characterization:** Minor

## Title 22a: Environmental Protection

*DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION. STATE POLICY*

22a-6u Notification requirements re discovery of contamination of soil or water. This bill requires the director of public health to verify that the specified notification of contamination in a private drinking water well is provided as required by this section.

**Enactment:** 1998, P.A. 98-134

**Amendment:** 2006, P.A. 06-81 added requirement for action by director of public health.

**Estimated Cost Characterization:** Minor

22a-7b Certificate Showing Compliance With Order To Correct Or Abate A Polluted Or Environmentally Hazardous Condition. - Requires a municipality to record on its land records a certificate from the department of environmental protection showing that an abatement order from the department has been complied with.

**Enactment:** 1990, P.A. 270

**Amendment:** P.A. 90-270, S. 37 - effective June 8, 1990, and applicable to assessment years of municipalities commencing on or after October 1, 1990.

**Estimated Cost Characterization:** Minor

*WETLANDS AND WATERCOURSES*

22a-30 Inventory And Inspection of Tidal Wetlands. Regulations. - Requires municipal clerks to enter into town records a copy of the order from department of environmental protection establishing the bounds of each wetland and a map depicting such boundary lines.

**Enactment:** 1969, P.A. 695

**Amendments:** 1971, PAs 46, 138, 870 - acts added provisions granting commissioner or his representative right to enter upon public or private property to carry out provisions of Secs. 22-7h to 22-7o, empowering commissioner to designate areas in danger of despoilment as wetland before maps are prepared, changed "commissioner" to refer to environmental protection commissioner rather than commissioner of agriculture and natural resources, and, effective September 1, 1971, replaced superior court with court of common pleas except that courts with cases pending retain jurisdiction unless pending matters deemed transferable; Sec. 22-7j transferred to Sec. 22a-30 in 1972 and internal references to other transferred sections were revised.

P.A. 74-112 - added Subsec. (b) re inspection of wetlands and revision of boundary maps; P.A. 76-436 replaced court of common pleas with superior court, effective July 1, 1978.

P.A. 77-603 - replaced previous appeal provisions with requirement that appeals be made in accordance with Sec. 4-183 but retained venue in Hartford county.

P.A. 78-280 - replaced "Hartford county" with "judicial district of Hartford-New Britain".

P.A. 79-170 - required that copies of orders and hearing notice be sent by "certified mail, return receipt requested" rather than by "registered" mail and added Subsec. (c) re commissioner's power to make regulations.

P.A. 80-356 - detailed subject areas of regulations in Subsec. (c).

P.A. 88-230 - replaced "judicial district of Hartford-New Britain" with "judicial district of Hartford", effective September 1, 1991.

P.A. 90-98 - changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993.

P.A. 91-308 - amended Subsecs. (a) and (b) to make the inventory and inspection of tidal wetlands by the commissioner discretionary rather than mandatory deleting provisions in Subsec. (a) re designation of area as wetland before mapping is complete to protect it from despoliation and further provided that certain regulated activities upon tidal wetlands would remain subject to provisions of this chapter regardless of whether they had been mapped.

P.A. 93-142 - changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996.

P.A. 95-220 changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998.

P.A. 99-215 - replaced "judicial district of Hartford" with "judicial district of New Britain" in Subsec. (a).

**Estimated Cost Characterization:** Minor

22a-42

Municipal Regulation Of Wetlands And Watercourses. Action By Commissioner. - Requires each municipality to establish an inland wetlands agency to carry out the provisions of 22a-36 - 22a-45. Also requires each such agency to hold a meeting a least once annually at which information is presented to members which summarizes the comprehensive training program developed by the Department of Energy & Environmental Protection.

**Enactment:** 1972, P.A. 155

**Amendments:** P.A. 73-571 - clarified provisions, included districts as well as municipalities under provisions, specified that ordinance establishing board or commission should determine number of members, length of terms, etc. in Subsec. (c) and added Subdiv. (2) in Subsec. (f) re commissioner's power to protect wetlands and watercourses if municipality does not exercise its regulatory authority.

P.A. 74-133 - added provisions re disqualification of members from participation in hearing or decision in which they are directly or indirectly personally or financially involved and selection of alternate in such cases under Subsec. (c).

P.A. 87-533 - amended Subsec. (a) to require rather than encourage municipal regulation of inland wetlands, amended Subsec. (c) to require all municipalities to establish inland wetlands agencies on or before July 1, 1988, amended Subsec. (d) to authorize towns or boroughs to delegate authority to regulate inland wetlands to the towns in which they are located, deleted former Subsec. (f) re state regulation of inland wetlands, relettering former Subsec. (g) as (f) and adding proviso re commissioner's authority to act on applications filed prior to designation of municipal agency.

P.A. 96-157 - added provision that each such agency hold a meeting a least once annually at which information is presented to members which summarizes the comprehensive training program developed by the Department of Environmental Protection.

P.A. 96-269 - changed effective date of P.A. 96-157 from October 1, 1996, to January 1, 1997.

**Estimated Cost Characterization:** Minor

22a-42a

Establishment Of Boundaries By Regulation. Adoption Of Regulations. Permits. Filing Fees. - Requires each municipal inland wetlands agency to provide for a number of specified things through regulations. Requires that regulations of the agency cannot become effective until after a public hearing is held, notice of which must be published in a newspaper of general circulation. Requires that whenever the agency makes a change in regulations or boundaries, it shall state upon its records why the change was made, and shall send a copy of the change to department of environmental protection. Requires the agency to hold a duly noticed public hearing on any application to conduct a regulated activity on an inland wetland and to act upon that application within a specified time by granting, denying or limiting a permit. Requires the agency to notify the applicant of the decision by mail. If the application is turned down because it finds that there may

be more prudent or feasible alternatives which have less adverse impact on the wetlands or watercourses, the agency must put in writing what those alternatives are.

**Enactment:** 1973, P.A. 387

**Amendments:** P.A. 75-387 - specified in Subsec. (b) that amendment or repeal of regulations takes place only after public hearing is held, moved upper limit for hearing date from sixty to sixty-five days after receipt of application and required that action be taken within sixty-five rather than forty-five days after completion of hearing in Subsec. (c), and required that applicant be notified of decision within fifteen rather than five days after decision reached in Subsec. (d).

P.A. 77-599 - required that commissioner be sent a copy of changed regulations, boundaries, etc. in Subsec. (b) and a copy of permits or orders issued in Subsec. (d) and required that reasons for a decision be included in the record.

P.A. 79-285 - required publication of notice twice rather than once and set standards for times of posting and added Subsec. (e) re filing fee.

P.A. 81-125 - added the word "watercourse" after each use of the words "inland wetland" for consistency with other sections of the chapter.

P.A. 83-109 - amended Subsec. (c) by establishing the day of receipt of applications for permits to conduct a regulated activity upon an inland wetlands or watercourse.

P.A. 87-533 - amended Subsec. (a) to require regulations on forms for an application notice and publication requirements, criteria and procedures for review and administrative and enforcement, amended Subsec. (b) to require notice to the commissioner before a public hearing and to delete provision which had authorized imposition of filing fee, amended Subsec. (c) to require that public hearing be completed forty-five days after commencement and to reduce time for action on applications from sixty-five to thirty-five days, amended Subsec. (d) to require zoning compliance before regulated activity is conducted in an inland wetland and to delete provision requiring sending of copy of permit and order to commissioner within ten days of issuance and amended Subsec. (e) to authorize municipalities to charge filing fees sufficient to cover the reasonable cost of reviewing and acting on applications.

P.A. 89-356 - amended Subsec. (b) to authorize the petitioner to consent to more than one extension of the periods specified for the holding of the hearing and for action on the petition provided the total extension is not for longer than the original period and to add provision that the failure of the agency to act in a timely manner shall not be deemed to constitute approval of the petition, amended Subsec. (c) to add provisions authorizing the applicant to consent to one or more extensions of the time periods for agency action, provided the total extension is not for longer than the original period, or to withdraw the application, authorizing the applicant to file the application with the commissioner of environmental protection for review and action if the agency fails to act within specified time periods or any extension thereof, specifying that the costs of the review by the commissioner shall be paid by the municipality and that fees otherwise payable to the municipality shall be paid to the state, and specifying that the failure of the agency or commissioner to act in a timely manner shall not be deemed to constitute approval of the application, and amended Subsec. (d) to authorize the applicant to provide for the publication of the notice of the decision of the agency when such notice is not published in a timely manner.

P.A. 92-148 - amended Subsec. (b) to change the required time of the first newspaper advertisement for a hearing under that Subsec. to not more than fifteen days nor less than ten days before such hearing, reducing time frame by ten days, and amended Subsec. (d) to provided for specific time limits for permits issued under that Subsec.

P.A. 96-157 - added provision that if the application is turned down because the agency finds that there may be more prudent or feasible alternatives which have less adverse impact on the wetlands or watercourses, the agency must put in writing what those alternatives are.

P.A. 96-269 -changed effective date of P.A. 96-157 from October 1, 1996, to January 1, 1997.

P.A. 97-124 - amended Subsec. (c) to modify the time period for making a request for a public hearing, to exempt the actions of an agent of the municipal agency from certain time period requirements and to make technical changes, effective June 6, 1997.

P.A. 98-209 - amended Subsec. (c) to add additional provision for issuance of a permit without a public hearing.

P.A. 99-225 - amended Subsec. (c)(1) to modify the deadline for receipt of a petition for a public hearing on applications under this section.

**Estimated Cost Characterization:** Minor

22a-42b Notice To Adjoining Municipalities When Traffic, Sewer Or Water Drainage And Water Runoff Will Affect Such Municipalities. - Requires that the inland wetlands agency notify the clerk of an adjoining municipality, by certified mail, of any application which will impact that municipality in specific ways enumerated in the statute.

**Enactment:** 1987, P.A. 307

**Amendments:** P.A. 88-364 - made a technical change in Subsec. (a).  
P.A. 89-175 - changed mailing requirement for notice to adjoining municipality from registered mail to certified mail, return receipt requested.

**Estimated Cost Characterization:** Minor

22a-45 Property Revaluation. - Requires the assessor, upon written application from the owner of wetlands denied a license in connection with a regulated activity, to revalue such property to reflect the fair market value in light of the restriction on the land.

**Enactment:** 1972, P.A. 155

**Estimated Cost Characterization:** Minor

#### *COASTAL MANAGEMENT*

22a-92 Legislative Goals And Policies. - Establishes the policies that municipal agencies must follow if they adopt a Municipal Coastal Program.

**Enactment:** 1978, P.A. 152

**Amendments:** P.A. 79-535 - added reference to chapter 474a in Subsec. (a)(3), rephrased Subsec. (a)(6), referred to "state" rather than "public expenditures" in Subsec. (a)(8) and added reference to actions consistent with state plan for conservation and development, added Subdiv. (10) re insuring that use is in national interest and that restrictions or exclusions of uses and facilities are reasonable, and added Subsecs. (b) to (d) establishing policies for federal, state and municipal agencies in carrying out their responsibilities. P.A. 90-230 - corrected internal references in Subsec. (a)(2).

P.A. 00-152 - amended Subsec. (c)(1) by adding new Subpara. (L) re revitalization of urban harbors and waterfronts.

**Estimated Cost Characterization:** Minor

22a-105 Coastal Site Plan Reviews. - Defines what is included under coastal site plans and requires municipalities to undertake coastal site plan reviews. Requires that the reviews be completed within a specific time period.

**Enactment:** 1979, P.A. 535

**Amendments:** P.A. 82-250 - amended Subsec. (b) to require that municipalities with planning and zoning functions authorized by special act comply with coastal site plan review.

P.A. 83-525 - added a new Subsec. (f) which requires a board or commission to decide on a coastal site plan before it is to be considered complete and valid.

P.A. 84-53 - amended Subsec. (e) by adding provision clarifying the lack of authority of a board or commission to prevent reconstruction after a casualty loss.

P.A. 85-409 - removed reference to plans submitted to planning commission for approval of planned.

**Estimated Cost Characterization:** Minor

22a-106

Criteria And Process For Action On Coastal Site Plans. - Requires municipalities in their reviews to determine whether the potential adverse impacts of the activity on coastal resources and water-dependent development are acceptable. Requires that a municipality state in writing its reasons for modification or denial of a site plan, and if it approves the plan, to make a finding that the plan is in compliance with statutory goals.

**Enactment:** 1979, P.A. 535

**Estimated Cost Characterization:** Minor

22a-109

Coastal Site Plans. Review. - Requires that a coastal site plan be filed with the municipal zoning commission to aid in determining the conformity of a proposed building or structure, or shoreline flood and erosion control structure with the specific zoning regulations of the community. Requires a municipality to submit a copy of each such coastal site plan to department of environmental protection and to consider any recommendations made by the department before taking final action on the plan. Requires the local zoning commission to set forth the reasons for denying, modifying or conditioning a coastal site plan, and to send a copy of the decision by certified mail to the person submitting the plan. Requires the commission to send a copy of any decision on a coastal site plan regarding a shoreline flood and erosion control structure to the department. Requires the commission to publish approval or denial of a coastal site plan in a newspaper of general circulation within 15 days after the final decision is reached. Requires the local building inspector, before issuing a building permit or certificate of occupancy for a building, use or occupancy or a shoreline flood and erosion control structure, to certify in writing that it has been reviewed and approved in accordance with this chapter.

**Enactment:** 1979, P.A. 535

**Amendments:** P.A. 82-250 - amended Subsec. (b) to authorize zoning commissions to exempt from coastal site plan review interior modifications to buildings and minor use changes in a building structure or property and to make technical corrections.

P.A. 83-525 - amended Subsec. (b) by limiting a zoning commission's power to exempt construction of a single-family residential structure to those structures not located on an island connected to the mainland by an existing road, bridge or causeway and amended Subsec. (d) by requiring the commission to publish notice of the approval of a coastal site plan.

P.A. 87-495 - amended Subsec. (a) by applying provisions to shoreline flood and erosion control structures, added new Subsec. (c) defining shoreline flood and erosion control structures and new Subsec. (d) regarding review of shoreline flood and erosion control structures and relettered the section accordingly and amended new Subsecs. (f), (h) and (j) to apply to shoreline flood and erosion control structures.

**Estimated Cost Characterization:** Minor

## HAZARDOUS WASTE

22a-128 Payments Of Assessments Or Negotiated Incentives To Municipalities By Operators Of Hazardous Waste Disposal Facilities. Reports Of Negotiations To Council. - Mandates the amount per ton or per cubic foot that the operator of a hazardous waste facility must remit to the municipality in which the facility is located.

**Enactment:** 1981, P.A. 369

**Amendment:** P.A. 85-131 - amended Subsec. (a) by specifying that costs and assessments of a modified facility are limited to the volume of waste or gross receipts attributable to the modification.

**Estimated Cost Characterization:** Minor

22a-134f List Of Hazardous Waste Facilities. Municipal Clerks To Maintain and Post. - Requires municipal clerks to maintain a copy of the list supplied by the department of environmental protection listing each hazardous waste facility located in the municipality, and to post that list in the area where municipal land records are kept.

**Enactment:** 1991, P.A. 294

**Estimated Cost Characterization:** Minor

## AIR POLLUTION CONTROL

22a-174 Powers Of The Commissioner. Regulations. Fees. Exemptions. General Permits. Appeal Of Commissioner's Action Re Permit Applications. - Requires municipal fire marshals to apply to the department of environmental protection for permission to issue a permit to burn brush in a municipal landfill. This section also specifies that campfires and bonfires are not to be considered open burning and are allowed to the extent that they do not represent a nuisance or conflict with other restrictions.

**Enactment:** 1967, P.A. 754

**Amendments:** 1969, P.A. 758 - act required that regulations be consistent with federal act and qualify state and municipalities for federal aid, changed effective date of regulations, amendments or repeals from sixty to thirty days after publication, deleted provision protecting right to burn fuel or buildings under supervision and control of firemen's training center instructors, gave commission power to administer oaths, take testimony and issue subpoenas and added Subsecs. (c) to (e).

1971, P.A. 872 - act replaced "commission", i.e. clean air commission, with "commissioner", i.e. commissioner of environmental protection, deleted Subsec. (b) re hearing powers and relettered remaining Subsecs. accordingly.

P.A. 75-453 - added Subsec. (e).

P.A. 76-232 - added Subsec. (f).

P.A. 77-252 - required that indirect source operating permit renewal be mandatory only when indirect source no longer conforms to plans etc. submitted to commissioner in Subsec. (e).

P.A. 77-604 - corrected reference to Sec. 22a-6 in Subsec. (a).

P.A. 79-177 - added Subsec. (g).

P.A. 81-127 - amended Subsec. (f) to add provisions re burning of brush in municipal landfills.

P.A. 81-385 - added Subsec. (h) allowing the commissioner to require payment of a fee by the operator of a source of air pollution to be applicable for any visual test of an air pollution control

device conducted or monitored by the department; Sec. 19-508 transferred to Sec. 22a-174 in 1983.

P.A. 83-159 - amended Subsec. (h) by requiring that the visual test fee reflect the average rather than the actual cost.

P.A. 83-555 - amended Subsec. (g) to authorize increasing fee by amount sufficient to cover the cost of monitoring compliance with the terms of a state or federal permit.

P.A. 83-587 - made a technical amendment to Subsec. (h).

P.A. 84-5 - amended Subsec. (f) by increasing the maximum number of permits for burning brush in municipal landfill from three to six.

P.A. 84-120 - added Subdivs. (5) and (6) in Subsec. (c), requiring permits for source which is subject to high risk hazardous air pollutants, burns waste oil or is allowed to exceed sulfur emission limits and requiring registration of sources not permitted, and substituted reference to Sec. 14-164c for reference to 14-100c.

P.A. 84-546 - made technical changes in Subsecs. (c) and (d), substituting references to Sec. 14-164c for references to Sec. 14-100c.

P.A. 85-515 - added Subsec. (i) re amount of fees paid by municipalities.

P.A. 85-571 - made no changes.

P.A. 87-165 - amended Subsec. (c) to require persons violating air pollution control regulations to obtain a permit.

P.A. 88-122 - amended Subsec. (c) to authorize the commissioner of environmental protection to require that sources obtain a permit if they violate a regulation.

P.A. 90-231 - amended Subsec. (f) to require commercial applicants to pay a two hundred fifty dollar application fee and a two hundred fifty dollar inspection fee, required municipal.

P.A. 90-247 - amended Subpara. (E) of Subdiv. (5) of Subsec. (c) to include a violation of this chapter, a violation of an order and a violation of a permit.

P.A. 91-183 - amended Subsec. (c) to authorize the commissioner to adopt regulations concerning operating permits for sources of air pollution under the federal Clean Air Act amendments of 1990.

P.A. 91-369 - amended Subsec. (h) to modify the method by which payments received by the commissioner shall be deposited.

P.A. 92-162 - added new Subsec. (l) re general permits for certain minor activities regulated under this section.

P.A. 93-428 - amended Subsec. (l) to delete a minor inconsistent provision and added new Subsec. (m) re appeal of the commissioner's actions re permit applications.

P.A. 95-165 - amended Subdiv. (2) of Subsec. (l) to provide for a public hearing on a general permit upon the request of any person if the permit regulates an activity regulated under the federal Clean Air Act.

P.A. 95-218 - amended Subdiv. (1) of Subsec. (l) to delete a prohibition on general permits for activities which will emit more than twenty-five tons of air pollutant per year. P.A. 96-64 - amended Subsec. (f) to add provision re affect of subsection on municipal power to regulate open burning.

P.A. 97-124 - amended Subsec. (c) to authorize the commissioner to require air pollution sources to comply with certain regulations under the federal Clean Air Act and moved provision requiring renewal of certain registrations under this section.

P.A. 98-112 - added new Subsec. (n) re a two-year moratorium on permits for certain asphalt manufacturing facilities, effective May 5, 1998.

P.A. 99-225 - amended Subsec. (f) to require approval of municipal fire marshal for open burning by persons on residential property, to allow open burning at municipal transfer stations and recycling centers and to authorize open burning for certain fire control purposes.

P.A. 00-1 - amended Subsec. (f) to permit the burning of nonprocessed wood for campfires and bonfires, to allow local open burning officials to issue permits for open burning on residential property and for fire training, insect control, agricultural purposes, natural disaster clean-up, wildlife habitat and vegetative management and ecological sustainability, to establish a process for nominating and certifying local open burning officials, to allow open burning on state property with approval of the commissioner, to authorize the commissioner to adopt regulations governing open burning, and to make conforming and technical changes, effective March 30, 2000;.

June Sp. Sess. P.A. 00-1 - amended Subsec. (n) to extend moratorium on issuance of permits from July 1, 2000, to July 1, 2001.

**Estimated Cost Characterization:** Minor

### *SOLID WASTE MANAGEMENT*

22a-213      Approval Of Solid Waste Disposal Contracts. Contracts Between Municipalities And Solid Waste Facilities. - Requires all contracts by municipalities for collection, transportation, processing, storage and disposal outside of their boundaries of solid wastes generated within their boundaries, be approved by the department of environmental protection before being implemented. Also, requires that all such contracts be in writing.

**Enactment:** 1969, P.A. 367

**Amendments:** 1971, P.A. 845 - act changed date of applicability from October 1, 1969, to July 1, 1971, replaced "district" and "authority" with "regional authority", and "refuse" with "solid wastes", specified disposal outside of boundaries of contracting entity and removed reference to approval of local director of health; Sec. 19-84a transferred to Sec. 19-524g in 1972.

P.A. 77-37 - added Subsec. (b); Sec. 19-524g transferred to Sec. 22a-213 in 1983.

P.A. 86-403 - made technical change, adding reference to Sec. 22a-208a.

P.A. 90-179 - added Subsec. (c) re written contracts between municipalities and solid waste facilities.

P.A. 96-163 - amended Subsec. (a) to delete requirement that contracts for collection or transportation of solid waste be reviewed and approved by the commissioner and to add a provision requiring the municipality to provide a copy of contracts for which the commissioner's approval is required and amended Subsec. (b) to expand the range of facilities which may be covered under an approved contract.

**Estimated Cost Characterization:** Minor

22a-220      Municipal Provisions For Solid Waste Disposal. Toxic or hazardous waste disposal. Recycling Goal. Municipal Representative. Report To Commissioner. Program Deficiencies. - Requires municipalities to make provision for the safe and sanitary disposal of solid wastes as specified, not including products subject to a producers' stewardship program intended to minimize public sector involvement in the management of such products. Each municipality must make provisions for items designated for recycling as specified.

**Enactment:** 1971, P.A. 845

**Amendments:** P.A. 76-34 - added provision authorizing municipality to levy charge for waste disposal by persons other than municipal employees in the course of their employment and added Subsec. (b).

P.A. 79-57 - replaced "area(s)" with "facility(ies)" in Subsec. (a).

P.A. 79-605 - gave municipality responsibility for disposing of sludge from water pollution abatement facilities, water supply treatment plants and air pollution control facilities, and solid wastes from air pollution control facilities and agricultural and mining operations and clearly placed responsibility for toxic and hazardous wastes on waste generator.

P.A. 82-327 - removed provision which had required that Sec. 7-162 provisions must be complied with in arrangements to transport solid wastes to another municipality or out of the state; Sec. 19-524n transferred to Sec. 22a-220 in 1983.

P.A. 90-220 - amended Subsec. (a) to authorize a municipality to charge for solid wastes brought to a facility for the processing or sale of recyclable items or pursuant to ordinance, and added Subsecs. re duties of a municipality re separation, collection, processing and marketing of items, re

municipal contracts, re report to commissioner, re designation of agent and re notice of recycling program deficiency order by commissioner, designated as Subsecs. (f) to (j), inclusive, in keeping with provisions enacted in P.A. 90-312.

P.A. 90-312 - amended Subsec. (a) to require municipalities to dispose of residue from recycling facilities, inserted new Subsecs. (b) re maintenance of records by recycling facility, (c) re inspection of recycling facility and (d) re institution of action for injunctive relieve, and relettered former Subsec. (b) as (e) accordingly.

P.A. 91-92 - rephrased Subsec. (f) to establish a goal for recycling twenty-five per cent of the solid waste generated in each municipality.

P.A. 91-293 - amended Subsec. (h) to change the date by which municipalities must begin submitting reports under that subsection from July 1, 1991, to August 31, 1991, and to require commissioner to provide forms by June 1, 1991, rather than by March 1, 1991.

P.A. 93-423 - amended Subsec. (f) to add provision re January 1, 2000, recycling goal. P.A. 96-163 - amended Subsec. (f) to change the basis for measuring solid waste for purposes of the recycling goal from volume to weight.

**Estimated Cost Characterization:** Major

22a-220b

Payments To Municipalities By Operators Of Solid Waste Land Disposal Facilities. - Requires the owner or operator of a solid waste land disposal facility to pay the municipality in which the facility is located a specified amount for each ton of solid waste that is received at such facility.

**Enactment:** 1985, P.A. 439

**Amendment:** P.A. 88-352 - deleted language applying provisions to facilities that accept waste from one or more municipalities and made technical changes.

**Estimated Cost Characterization:** Minor

22a-220c

Notification to Collectors. Warning Notices. Duties of Resources Recovery Facilities and Solid Waste Facilities. Inspections. - Requires each municipality to notify by mail all collectors registered to haul solid waste pursuant to 22a-220a of the provisions made for the collection, processing and marketing of items which are required to be recycled pursuant to section 22a-241b. Collectors must assist the municipalities in identifying those persons not complying with recycling and separation requirements.

**Enactment:** 1990, P.A. 220

**Amendment:** P.A. 98-99 - amended Subsec. (b) to require owners or operators of resources recovery facilities to assess compliance with prohibition on disposal of grass clippings.

**Estimated Cost Characterization:** Minor

22a-229

Consistency With Plan. Polystyrene Packaging. - Requires that after the adoption of a state solid waste management plan pursuant to section 22a-228, any action taken by a person, municipality or regional authority shall be consistent with that plan. No municipality may prohibit the sale or use of polystyrene packaging products if the users of such products demonstrate to an official designated by the chief elected official of the municipality that the users are engaged in a comprehensive effort to recycle those packaging materials.

**Enactment:** 1985, P.A. 436

**Amendment:** P.A. 90-309 - added Subsec. (b) re the prohibition of the sale or use of polystyrene packaging products, Subsec. (c) re prohibition of polystyrene packaging used for meat, poultry or fish and Subsec. (d) re exemption of certain municipalities.

**Estimated Cost Characterization:** Minor

22a-235

Operations And Maintenance Plan. - Requires the owner or operator of each resource recovery facility to submit an operations and maintenance plan to the department of environmental protection for approval which must include the identification of funds to implement the plan and which must be revised periodically. Requires that any contract between a municipality and the owner or operator of a resource recovery facility include provision for the funding of maintenance costs at the facility.

**Enactment:** 1986, P.A. 332

**Estimated Cost Characterization:** Minor

22a-241

Municipal Solid Waste Recycling Program And Trust Account. Advisory Council. - Establishes a municipal solid waste recycling program, and requires the department of environmental protection to develop a plan which establishes standards for municipalities which shall effect the maximum level of recycling and source separation and condition state grants to those municipalities on adoption of such standards.

**Enactment:** 1986, June 23 Spec. Sess. P.A. 86

**Amendments:** P.A. 87-544 - replaced task force with advisory council, amended Subsec. (b) to require the commissioner to use private recycling markets to the extent feasible in implementing the program, amended Subsec. (c) to authorize the council to advise the commissioner regarding implementation of the program and added to the membership of the council two persons representing recycling interests, one representing an environmental organization, one representing business and industry and two additional legislative members and amended Subsec. (f) by adding Subdiv. (3) regarding costs of administering the program and Subdiv. (4) concerning funds for marketing studies of recycled products and studies of reuse or recycling of ash from resources recovery facilities.

P.A. 88-231 - amended Subsec. (c) by authorizing the council to study any issue related to recycling and to consult with persons with specific information and added to the membership of the council the commissioners of administrative services and transportation, two representatives of the packaging industry and the cochairmen of the environment committee; and amended Subsec. (f) in Subdiv. (4) by increasing the amount authorized from \$250,000 to \$400,000 and increasing the amount for ash studies from \$100,000 to \$200,000 and authorizing that fifty thousand dollars be spent for the study required pursuant to section 17 of P.A. 88-241 and adding Subdiv. (5) authorizing \$50,000 for development of the recycling industries plan required under Sec. 32-1e.

P.A. 89-351 - amended Subsec. (f) to increase allocation for expenses of advisory council from one hundred fifty thousand to one hundred sixty-eight thousand dollars and to increase annual allocation to department of environmental protection for administrative costs of program from two and one-half per cent of fund's proceeds to four hundred fifty thousand dollars.

P.A. 89-385 - amended Subsec. (f) by adding Subdiv. (6) allocating one million dollars for public education on waste reduction and for recovered materials market development.

P.A. 89-386 - amended Subsec. (c) to authorize appointment of the public members by the majority leaders rather than minority leaders, to authorize appointment of the representative of the environmental organization by the speaker of the house of representatives rather than the minority leader, to authorize appointment of the representative of business and industry by the minority leader of the house of representatives rather than the president pro tempore of the senate and added

to the membership a trash hauler, person representing an industry using recycled material and a regional recycling coordinator and reduced the membership of members of the general assembly from six to four members.

P.A. 90-179 - amended Subsec. (a) to allow grants to regional organizations representing municipalities or agencies or political subdivisions representing municipalities.

P.A. 90-249 - amended Subsec. (c) by adding to the membership of the council a person appointed by the Connecticut conference of municipalities and a person appointed by the council of small towns.

P.A. 90-312 - amended Subsec. (f) by increasing the amount allocated for the advisory council from \$68,000 to \$83,000.

P.A. 91-293 - in Subsec. (f), increased allocation from fund for administrative costs to department from four hundred fifty thousand to six hundred thousand dollars and provided for grants to municipalities for recycling grants.

P.A. 91-372 - amended Subsec. (f) to increase the authorized expenditures which may be made for the advisory council and for the department for costs incurred in administration of the recycling program, repeating in part changes enacted in P.A. 91-293.

P.A. 94-130 - changed name of fund from "Municipal Solid Waste Recycling Trust Fund" to "municipal solid waste recycling trust account" and in Subsec. (d) made said account an account of the Environmental Quality Fund and eliminated the requirement that such fund be held separate and apart from other moneys, funds and accounts and that investment earnings be credited to the assets of said fund.

P.A. 95-250 and P.A. 96-211 - replaced Commissioner and Department of Economic Development with Commissioner and Department of Economic and Community Development.

P.A. 96-132 - amended Subsec. (f) to increase the allocation for administrative costs.

**Estimated Cost Characterization:** Moderate

22a-241b

Regulations Designating Items To Be Recycled. Separation Of Items Designated For Recycling. - Requires a municipality to recycle, within three months of establishment of service to such municipality by a regional processing center or local processing system, any item designated for recycling by department of environmental protection regulations.

**Enactment:** 1988, P.A. 544

**Amendments:** P.A. 90-220 added Subsec. (c) re separation requirements of persons generating solid waste.

May 25 Sp. Sess. P.A. 94-1 - made a technical change for accuracy.

**Estimated Cost Characterization:** Moderate

22a-256a

Recycling Of Nickel-Cadmium Batteries Contained In Consumer Products. - After July 1, 1993, requires each municipality to recycle nickel-cadmium batteries contained in consumer products and disposed of in municipal solid waste within 3 months of the establishment of service to such municipality by a regional processing center or local processing system.

**Enactment:** 1989, P.A. 385

**Estimated Cost Characterization:** Minor

## *SOIL CONSERVATION*

22a-329

Municipal Land Use Regulations. - Requires that the regulations adopted by municipalities under Sections 8-2 and 8-25 shall require that (1) that provision be made for soil erosion and sediment

control, (2) an erosion and sediment control plan be submitted with an application for development covering more than 1/2 acre and (3) the municipality must certify that the plan complies with its regulations. Requires regulations to include provision for certification of a plan and inspection of measures being undertaken pursuant to the plan.

**Enactment:** 1983, P.A. 388

**Amendments:** P.A. 83-388 - Sec. 5, effective July 1, 1985.

P.A. 85-91 - added Subsec. (b) re time extension for adoption of regulations and made a corresponding technical change to prior provisions, designated as Subsec. (a).

P.A. 85-409 - removed reference to Sec. 8-13d and chapter 124a which were repealed by the same act.

**Estimated Cost Characterization:** Minor

## *WATER RESOURCES*

22a-354e Inventory Of Land Use Overlying Aquifers. - Requires each municipal aquifer protection agency authorized pursuant to section 22a-354o, to inventory land uses overlying the mapped zone of contribution and recharge areas of such aquifers in accordance with regulations established by the department of environmental protection, and to do so within one year.

**Enactment:** 1988, P.A. 324

**Amendment:** P.A. 89-305 - required inventory to be completed within a year of agency authorization and made technical changes.

**Estimated Cost Characterization:** Minor

22a-354n Delineation Of Aquifer Protection Areas On Maps Prepared By Zoning Commissions, Planning Commissions Or Planning and Zoning Commissions. Challenges To Boundaries. - Requires municipalities with an aquifer protection area to delineate on any maps showing zoning districts, the boundaries of aquifer protection areas including contribution and recharge areas.

**Enactment:** 1989, P.A. 305

**Amendment:** P.A. 90-275 - provided that the delineation of the boundaries of aquifer protection areas be in accordance with regulations, provided that the only ground for challenging the boundaries of the aquifer protection area be that the agency failed to delineate such in accordance with regulations and specified that any other challenge to established boundaries shall be a petition to amend the boundaries.

**Estimated Cost Characterization:** Minor

22a-354o Municipal Regulation Of Aquifer Protection Areas. - Requires municipalities in which an aquifer protection area is located to authorize by ordinance an existing board or commission to act as an aquifer protection commission, and within six months after approval of aquifer mapping by the department of environmental protection, to adopt regulations for aquifer protection. Also, requires one member of the agency or agency staff to have completed technical training formulated by the department of environmental protection.

**Enactment:** 1989, P.A. 305

**Amendment:** P.A. 95-218 - amended Subsec. (b) to change "well" to "aquifer protection area" for consistency in the text.

**Estimated Cost Characterization:** Minor

22a-354p

Adoption Of Regulations. Permits. - Requires the aquifer protection commission to hold a public hearing on proposed regulations, to publish notice twice in a newspaper of general circulation prior to holding such hearing and to provide copies of the proposed regulations to the department of environmental protection and any affected water company. Requires the commission to review any application to conduct a regulated activity within an aquifer protection zone, to hold a duly warned public hearing on such application and to notify any affected water company by certified mail. Requires the Department of Environmental Protection (DEP) to issue permits for activities in aquifer protection areas to utilities and to companies that already have other DEP permits.

**Enactment:** 1989, P.A. 305

**Amendments:** P.A. 90-275 - in Subsec. (e) required the amount of the filing fee to be sufficient to cover costs of monitoring compliance with regulations.

P.A. 92-162 - added Subsec. (g) re authority of commissioner re permits for state agencies for regulated activities in an aquifer protection area.

P.A. 97-124 - requires the Department of Environmental Protection (DEP), rather than the local aquifer protection agency, to issue permits for activities in aquifer protection areas to utilities and to companies that already have other DEP permits.

**Estimated Cost Characterization:** Minor

22a-354t

Revocation Of Municipal Authority To Regulate Aquifer Protection Areas. - Requires municipalities, whose authority to regulate aquifer protection areas has been revoked by the department of environmental protection, to pay all costs incurred by the department for doing the required reviews for those municipalities.

**Enactment:** 1989, P.A. 305

**Estimated Cost Characterization:** Minor

#### *WATER POLLUTION CONTROL*

22a-449h

Extension Of Time To Replace School Underground Storage Tank Systems. - Requires municipalities to replace underground storage tank systems by October 1, 1991, or five years after the life expectancy of such systems, provided application to do so is received by the state department of education prior to October 1, 1990.

**Enactment:** 1989, P.A. 373

**Amendments:** P.A. 90-181 - added Subdiv. (2) providing an extension of time to nonpublic schools for the replacement of underground storage tank systems.

P.A. 90-256 - added five years after the life expectancy of an underground storage tank system as an alternative deadline for replacement and provided that the extensions of time in the section apply to all elementary and secondary schools.

**Estimated Cost Characterization:** Moderate

Permit For Collection, Storage Or Treatment, Containment, Removal Or Disposal Of Certain Substances, Materials Or Wastes; Suspension Or Revocation. Prohibition Of Disposal Of Certain Hazardous Wastes In A Land Disposal Facility. Status Changes. - Requires municipalities to obtain a permit from the department of environmental protection before disposing of waste oil or petroleum or chemical liquids or waste solid, liquid or gaseous products or hazardous wastes.

**Enactment:** 1969, P.A. 765

**Amendments:** 1971, P.A. 872 - act replaced references to water resources commission with references to environmental protection commissioner.

1972, P.A. 237 - act prohibited "acting as a contractor to contain or remove spills of such material" without permit and added other references to containment and removal and contracting for such services.

P.A. 73-265 - reworded provision re charge for permit to allow charge of less than five dollars, substituting "not to exceed" five dollars for "of" five dollars, deleted provision re commissioner's duty to consult with and advise persons in the business of disposal of pollutants as to best methods of doing so and made program of study and research optional rather than mandatory, substituting "may" for "shall".

P.A. 79-605 - clarified provisions, adding references to hazardous wastes, "solid, liquid or gaseous" products, etc., required municipalities and regional authorities to obtain permits and deleted provision re fee for permit.

P.A. 82-151 - amended section to require permits for the storage and treatment of waste oil, made permit valid for maximum of five years rather than one year, authorized suspension or revocation of a permit upon violation of a term or condition and specified meaning of collecting, storing or treating of applicable substances for purposes of section; Sec. 25-54hh transferred to Sec. 22a-454 in 1983.

P.A. 84-115 - added Subsec. (b) prohibiting the disposal of certain hazardous wastes in land disposal facilities.

P.A. 84-535 - amended Subsec. (a) by adding provisions authorizing the commissioner of environmental protection to consider an applicant's compliance history when granting or renewing certain hazardous waste permits and expanded the class of persons requiring a permit to include persons who manage waste oil, petroleum or chemical liquids or hazardous waste during the course of their business and amended Subsec. (b) by adding a provision terminating the ban on the disposal of hazardous waste in a land disposal facility as of July 1, 1986.

P.A. 85-342 - amended Subsec. (a) by adding Subdiv. (2) regarding denial of a permit for a criminal conviction of violating environmental law.

P.A. 85-568 - amended Subdiv. (2) of Subsec. (b) by deleting provision that sludge be from residue derived from an "in-state" operation.

P.A. 86-219 - amended Subsec. (b) by extending the ban on the disposal of hazardous waste in a landfill from July 1, 1986, to July 1, 1987.

P.A. 87-150 - amended Subsec. (a) by requiring persons whose principal business is the management of hazardous waste to obtain a permit rather than all persons who manage hazardous waste.

P.A. 87-226 - amended Subsec. (b) by adding proviso to Subdiv. (2) that the commissioner determines that the residue cannot be incinerated and adding to Subdiv. (3) residue from waste-to-energy facilities, by adding provisions regarding the stringency of restrictions on the land disposal of hazardous waste imposed by the commissioner and by extending prohibition of the disposal of metal hydroxide sludge from July 1, 1987 to July 1, 1991.

P.A. 87-531 - applied provisions to transfer of permits.

P.A. 90-231 - amended Subsec. (a) to require the payment of fees for permits issued pursuant to said Subsec. and provided that on and after July 1, 1993, the fees shall be prescribed by regulations and added Subsec. (c) re the payment of fees with certain applications.

P.A. 91-251 - added Subsec. (d), relettered as (e) because of subsequent amendment, concerning general permits for certain categories of activities.

P.A. 91-313 - inserted new Subsec. (c) concerning transfer of hazardous waste and changed subsequent Subsec. designator accordingly.

P.A. 91-369 - amended section to specify in Subsec. (a) the amount required for a fee to transport hazardous waste, to move the fees for operating a hazardous waste landfill and for storing or treating hazardous waste from Subsec. (a) to Subsec. (c) and to restate commissioner's authority to adopt regulations setting the fees required by this section.

P.A. 94-205 - amended Subsec. (a) to delete provisions re review of permit applicant's compliance history.

P.A. 96-145 - amended Subsec. (e) to authorize a general permit for certain activities associated with oil terminals.

P.A. 96-163 - amended Subsec. (d) to delete a provision re setting of fees by regulation and provided fees for a permit to transfer hazardous waste.

**Estimated Cost Characterization:** Minor

#### *COVERED ELECTRONIC DEVICES*

22a-631 State-Wide Electronics Recycling Program. Municipal Participation. Covered electronic recyclers. Orphan Devices. Penalty for nonpayment. Private Programs. - Requires municipalities to provide for the recycling of covered electronic devices, as defined by this section. This shall include making information readily available as to how the collection shall take place, the actual collection of such devices from the residents and the transportation of the collected items to a covered electronic recycler.

**Enactment:** 2007, P.A. 189

**Estimated Cost Characterization:** Minor

## Title 23: Parks, Forests, And Public Shade Trees

#### *PUBLIC SHADE TREES AND TREE PROTECTION EXAMINING BOARD*

23-58 Tree Wardens; Appointment; Compensation; Supervision. - Requires municipalities to appoint a tree warden, who may then appoint a number of deputy tree wardens as he sees fit. Requires municipalities to pay the warden and any deputy wardens reasonable compensation for their services.

**Enactment:** Prior to 1949

**Amendment:** 1965, P.A. 614 - act deleted provisions requiring report to state park and forest commission upon selection of tree warden by selectmen or burgesses or, alternatively, requiring report to town or borough if commission makes appointment upon town or borough's failure to do so, deleted provisions re compensation of tree wardens, their supervision by the commission, etc.

**Estimated Cost Characterization:** Minor

23-59 Powers And Duties Of Wardens. - Requires tree wardens to exercise control and care of all trees and shrubs within the municipality, except for those along state highways and within municipal public parks. Also, allows wardens to have trees removed or pruned at municipal expense if they constitute a public hazard, and requires the warden to hold a public hearing if he receives written objection to such removal or pruning.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 614 - act deleted provision that cost of hearing "shall be taxed ... as provided in section 13-12" and required that appeals be made to court of common pleas rather than to state park and forest commission.  
1969, P.A. 768 - act replaced state highway commissioner with commissioner of transportation.  
P.A. 76-436 - replaced court of common pleas with superior court and added reference to judicial districts.  
P.A. 78-280 - deleted reference to counties.  
P.A. 84-146 - included a reference to posting of notice on a place other than a signpost.  
P.A. 85-216 - increased the maximum fine from twenty to ninety dollars.  
P.A. 00-106 - changed fine for violation of regulations from "not exceeding ninety dollars in any one case" to a "reasonable" fine, increased from five to ten the number of days the tree warden must post intent to remove or prune a tree or shrub, and made technical changes.

**Estimated Cost Characterization:** Minor

23-65

Posting Or Distributing Advertisements. Removing, Pruning, Injuring Or Defacing Certain Trees Or Shrubs. Regulations. Permit For Cutting Or Removal. - Requires the local tree warden, in accordance with regulations adopted by the Department of Environmental Protection, to appraise the value of any shrub or tree that has been illegally damaged or removed by any person, firm or corporation other than the local tree warden or deputy tree warden.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 614 - act deleted reference to jurisdiction of state park and forest commission in Subsec. (b) and rephrased provisions re appeals to public utilities commission to delete reference equating that commission's powers to those of the state park and forest commission in Subsec. (f).  
1969, P.A. 768 - act substituted commissioner of transportation for highway commissioner in Subsecs. (a), (b) and (f).  
P.A. 75-486 - replaced public utilities commission with public utilities control authority in Subsecs. (b) and (f).  
P.A. 77-614 - replaced the authority with division of public utility control within the department of business regulation.  
P.A. 80-482 - made division an independent department and deleted references to abolished department of business regulation.  
P.A. 98-209 - added a provision requiring notice by the Commissioner of Transportation to the tree warden for certain tree-cutting approved by the Commissioner.  
P.A. 98-228 - added provision requiring permittee cutting trees with approval of Commissioner of Transportation to notify tree warden.  
P.A. 00-106 - amended Subsec. (b) to replace penalty of one hundred dollars with penalty based on the appraised value of the tree or shrub, exclude a person with a "legal right" from the prohibitions, added requirement that the local tree warden appraise the value of any tree or shrub that has been illegally damaged by anyone other than the local tree warden or deputy tree warden, require regulations re guidelines for such determination and make technical changes for the purposes of gender neutrality.

**Estimated Cost Characterization:** Minor

# Title 25: Water Resources. Flood And Erosion Control

## *POLLUTION*

25-32n Water Service To A School Administration Building From A Well. - Stipulates that any municipality with a population between 38,000-43,000 persons that has a well that provides water to a school administration building having less than 75 employees shall not be considered a water company for purposes of regulation by DPUC, DEP and DPH under titles 16 and 25 of the Connecticut General Statutes.

**Enactment:** 2003, P.A. 175

**Estimated Cost Characterization:** Minor

# Title 26: Fisheries And Game

## *FISHERIES AND GAME*

26-5 Appointment of conservation officers, special conservation officers and patrolmen. - The Commissioner of Environmental Protection shall appoint conservation officers as may be necessary and may supplement the regular conservation officer force by appointing special conservation officers.

**Enactment:** Prior to 1949

**Amendment:** 2006, P.A. 06-70 - allows the Commissioner of DEP to appoint any lake patrolman as a special conservation officer solely for the purpose of enforcing boating laws within such patrolman's jurisdiction.

**Estimated Cost Characterization:** Minor

26-17a Acquisition And Preservation Of Tidal Wetlands. - Requires the municipality to notify the department of environmental protection when the municipal property tax on any tidal wetlands is unpaid for six years. The department may direct the municipality to take title to such tidal wetlands through foreclosure of tax liens, and upon payment to the municipality of a sum equal to the amount of the tax liens and the expenses incurred by it in the foreclosure action, the municipality shall convey title of such wetland to the department.

**Enactment:** 1967, P.A. 536

**Amendment:** 1971, P.A. 872 - act replaced department of agriculture and natural resources with department of environmental protection.

**Estimated Cost Characterization:** Minor

Hunting, Trapping And Sport Fishing License Fees. - Sets the fees for firearms hunting, archery hunting, trapping and sport fishing licenses at a specific dollar amount for residents and another dollar amount for non-residents.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 329 - act (1) combined hunting and trapping licenses, deleting separate trapping licenses for those over sixteen and for those under sixteen and separate nonresident hunting licenses, (2) imposed single fishing license, deleting special case licenses for those over sixty-five, for nonresidents and for three-day period, (3) reduced fee for combination license to hunt, trap and fish from eight to six dollars, (4) deleted nonresident combination license to hunt and fish, (5) clarified combination license for those over sixty-five as one to fish, trap and hunt and deleted Subsec. (b) which had allowed nonresidents, their spouses and lineal descendants of residents who own property in the state which is assessed at \$1,000 or more to obtain licenses for fees charged to residents.

1967, P.A. 244 - act restored distinction between license fees for nonresidents and residents, restored Subsec. (b) allowing nonresidents to obtain licenses at rates charged to residents and added Subsec. (c) re fees charged to residents of New York or other New England states.

1969, P.A. 330 - act increased fees for nonresident licenses under Subsec. (a) by two dollars for each category.

1971, P.A. 9 - act clarified residency requirement for those sixty-five and over and specified that such persons may receive any license without fee where previously mention was made only of combination license to fish, trap and hunt and nominal one dollar and thirty-five cent fee was charged.

P.A. 77-171 - specified that license issued to those sixty-five and over is "lifetime" license.

P.A. 78-46 - required in Subsec. (b) that person must own property assessed at ten thousand rather than one thousand dollars for provisions to apply.

P.A. 78-270 - increased nonresident license fees for: hunting, from thirteen dollars and thirty-five cents to twenty-six dollars and thirty-five cents; fishing, from eight dollars and thirty-five cents to sixteen dollars and thirty-five cents; three-day fishing, from three dollars and eighty-five cents to seven dollars and thirty-five cents; combination hunting and fishing, from seventeen dollars and thirty-five cents to thirty-four dollars and thirty-five cents.

P.A. 79-81 - increased license fees for residents and nonresidents by sixty-five cents in each category and increased clerk's recording fee by the same amount.

P.A. 80-375 - deleted Subsec. (b) which had allowed nonresidents, their spouses and lineal descendants of residents to purchase licenses at rates charged to residents if property in state owned by them is assessed at \$10,000 or more.

P.A. 81-298 - amended Subsec. (a) to establish a fee for trapping licenses for persons under sixteen years of age.

P.A. 82-91 - increased fees for firearms hunting, archery and trapping licenses and combination licenses, established fees for junior licenses and limited combination licenses to firearms hunting and fishing where before trapping could also be combined.

P.A. 82-472 - made technical changes in the section.

Nov. Sp. Sess. P.A. 91-3 - amended Subsec. (a) to increase the fee for a resident firearms hunting license from nine to ten dollars, for a resident fishing license from nine to fifteen dollars, for a resident combination license from twelve to twenty-one dollars, for a resident trapping license from sixteen to twenty dollars, for a nonresident firearms hunting license from seventeen to twenty-five dollars, and for a nonresident combination license from twenty-five to fifty-five dollars, to delete authorization for issuance of general archery hunting licenses, to require those sixty-five and older to comply with Sec. 26-31 in order to obtain a free license under this section, to authorize the issuance of free annual licenses to those sixty-five and older and to delete authorization for free lifetime licenses and to include trapping in such free annual licensure.

P.A. 93-256 - authorized free lifetime licenses for persons aged sixty-five years or older.

**Estimated Cost Characterization:** Minor

26-30

Applications. Issuance Of Licenses. - Requires that all licenses for residents and non-residents, except non-resident trapping licenses, be issued by municipalities upon receipt of properly filled out application and the required fee.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 329 - act deleted Subsecs. (b) and (c) stating that licenses to nonresidents shall be issued by town clerk, his agent or the board of fisheries and game and prohibiting issuance of trapping license to nonresidents.

1967, P.A. 244 - act restored previously deleted Subsecs.

1971, PAs 871, 872 - acts replaced references to "perjury" and penalties in Sec. 53-143 with references to "false statement" and references to board of fisheries and game with references to environmental protection commissioner.

P.A. 80-461 - added Subsec. (h) re issuance of licenses by agents.

P.A. 81-115 - extended licensing power to agents of environmental protection commissioner, repealed the bond requirement for sales agents, required that they purchase licenses from town clerks, replacing previous provision which had required clerks to furnish forms without charge and replaced previous provisions requiring agent to remit moneys received to commissioner except for seventy-five cent recording fee to be remitted to clerk with provisions requiring agents to return voided forms and copies of licenses sold to town clerk and requiring clerk to reimburse agent for voided and unused forms if requested to do so.

P.A. 82-366 - amended Subsec. (a) to establish separate license categories for firearms hunting and archery hunting, amended Subsec. (b) by authorizing the commissioner of environmental protection to issue nonresident trapping licenses and deleted former Subsec. (c) which had prohibited issuance of trapping licenses to nonresidents, relettering accordingly and changing language elsewhere in section to reflect amendments.

P.A. 85-613 - made technical change in Subsec. (a).

Nov. Sp. Sess. P.A. 91-3 - amended Subsec. (e) to delete provision for issuance of license holders.

**Estimated Cost Characterization:** Minor

26-36

Record Of Licenses. Remittance Of Fees By Town Clerks. - Requires municipal clerks to keep a record of all licenses issued by him for a period of two years and to remit to the department of environmental protection, monthly all monies, except recording fees, received by him for licenses. Requires the municipal clerk, at the end of the fiscal year, to remit to the department all non-issued license forms along with an annual report accounting for all license forms issued to him by the department and an affidavit attesting to the accuracy of the accounting in the annual report on fish and game licenses.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 85 - act required that town clerk keep record of licenses issued "for a period of two years after issuance".

1971, P.A. 872 - act replaced references to board of fisheries and game with references to environmental protection commissioner.

P.A. 77-480 - required that clerks remit collected moneys to commissioner rather than to state treasurer.

P.A. 78-270 - specified that clerk need not return forms for lifetime licenses.

P.A. 01-79 - added requirement to file an affidavit attesting to the accuracy of the accounting in the annual report.

**Estimated Cost Characterization:** Minor

26-37

Duplicate Licenses. - Requires that a municipal clerk, certifying a person's application to the department of environmental protection for a duplicate license to replace a lost or stolen one, receive from the specified portion of the fee charged.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 138 - act increased fee for duplicate license from twenty-five cents to one dollar and thirty-five cents and specified that town clerk is to receive thirty-five cents of that amount.

1963, P.A. 329 - act added reference to combination licenses.

1967, P.A. 244 - act added reference to separate license for hunting only.

1971, PAs 871, 872 - acts substituted false statement and its applicable penalties for perjury and its applicable penalties and replaced references to board of fisheries and game with references to environmental protection commissioner.

P.A. 85-100 - increased the amount of the license fee from one dollar and thirty-five cents to three dollars, and increased the amount that can be retained by the town clerk from thirty-five cents to one dollar.

Nov. Sp. Sess. P.A. 91-3 - increased the fee for duplicate licenses issued from three to five dollars.

**Estimated Cost Characterization:** Minor

26-67c

Complaints Re Hunting In Proximity To Certain Areas. Hearings. Records To Be Kept By Law Enforcement Officials. Report To General Assembly. - Requires that the chief law enforcement official in each municipality keep a separate, annual record of all complaints received about hunting activities that pose a potential public safety hazard, and submit that record annually to the department of environmental protection. Also, the chief law enforcement official must submit a written report to the department if, after investigation, he finds the complaint to be valid.

**Enactment:** 1991, P.A. 378

**Amendment:** P.A. 93-408 - adds subsec. (b) which specifies the duties of the chief law enforcement official regarding complaints about hunting activities.

**Estimated Cost Characterization:** Minor

#### *LOCAL SHELLFISHERIES*

26-250

Taxation Of Town Ground. - Requires that all shellfish grounds lying within the waters of this state and not exclusively within state jurisdiction shall be taxed as real estate and no other tax or rental shall be laid on such grounds.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

26-259

Maps To Be Lodged In Town Clerk's Office. - Requires the selectmen of the Town of West Haven and the oyster-ground committees of other towns, at the expense of their towns, to procure and keep in the town clerk's office, maps showing the boundary lines of their respective towns in the navigable waters of the state and all designations by local authorities of ground for the cultivation of shellfish. Also, requires that all such designations be numbered on the maps.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

26-266

Shellfisheries In Branford. - Requires the selectman, or the shellfish commission if established, to have charge of all shellfisheries within a specified area with the power to issue licenses, and to designate quantities to be taken, to restrict the taking of certain shellfish and to grant rights to utilize vacated shellfish grounds.

**Enactment:** Prior to 1949

**Amendments:** 1971, P.A. 872 - act replaced state shellfish commissioners with commissioner of environmental protection.

1972, P.A. 52 - act replaced commissioner of environmental protection with commissioner of agriculture.

P.A. 87-520 - authorized the shellfish commission to regulate shellfish grounds where before such authority was limited to the board of selectmen, authorized revision after nonpayment of taxes for three rather than five years and added provision limiting grants to grounds not suitable for public use.

**Estimated Cost Characterization:** Minor

## Title 27: Armed Forces And Veterans

### VETERANS

27-103

Definitions. – Determines the meaning of “veterans” and “service in time of war” for purposes of earning certain municipal tax exemptions.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 157 - act provided for service in defined Vietnam territory and actions and the Dominican Republic after April 27, 1965;

1969, P.A. 163 - act deleted foregoing amendment and substituted in essence during the period between January 1, 1964, and such date to be determined as date of termination of Vietnam era; P.A. 75-483 deleted foregoing amendment and substituted "the Vietnam era, January 1, 1964 to July 1, 1975";

P.A. 77-424 added qualification to service in Subdiv. (3) "of ninety or more days unless separated from service earlier because of a service connected disability-rated by the veterans administration";

P.A. 88-285 amended Subsec. (a) to change the date of termination of Korean hostilities from October 27, 1953, to January 31, 1955, and Subsec. (b) to add definitions of "eligible dependent" and "eligible family member";

P.A. 91-2 amended Subsec. (a) by adding service during Operation Desert Shield and Operation Desert Storm to Subdiv. (3);

P.A. 91-213 amended Subsec. (a) by changing the beginning of the period of service during Operation Desert Shield and Operation Desert Storm from August 7, 1990, to August 2, 1990;

P.A. 91-407 amended Subdiv. (3) of Subsec. (a) by adding exception re war or campaign lasting for less than ninety days and added service during peace-keeping mission in Lebanon, invasion of Grenada, Operation Earnest Will and invasion of Panama;

P.A. 94-245 amended Subsec. (a) to add a specific termination date for Operation Desert Shield and Operation Desert Storm, effective June 2, 1994;

P.A. 95-300 amended Subsec. (a) to change the beginning of the Vietnam era to December 22, 1961 from January 1, 1964;

P.A. 99-272 amended Subsec. (a)(3) to add the Lebanon conflict, July 1, 1958, to November 1, 1958; the Berlin Airlift, August 14, 1961, to June 1, 1962; and to change the Vietnam era commencement date from December 22, 1961 to February 28, 1961;

P.A. 00-131 amended Subsec. (a) to redefine "service in time of war" by adding dates of active duty service in South Korea demilitarized zone, Somalia and Bosnia;

P.A. 03-85 amended Subsec. (a) by redefining "service in time of war" in Subdiv. (3) to replace references to specific wars, campaigns or other military operations commencing with the Spanish-American War and ending with Bosnia with reference to a "period of war", as defined in 38 USC 101, as amended, with exception for the "Vietnam Era" and including service while engaged in combat or a combat support role in Lebanon, Grenada, Operation Earnest Will and Panama, effective June 3, 2003;

P.A. 04-169 amended Subsec. (b) to change the name of the Veterans' Home and Hospital to the Veterans' Home, effective June 1, 2004.

P.A. 09-117 expanded the period of eligibility for municipal property tax exemptions for Operation Earnest Will, involving the escort of Kuwaiti oil tankers flying the United States flag in the Persian Gulf, to include service during July 24, 1987 to August 1, 1990.

**Estimated Cost Characterization:** Minor

27-135

Local veterans' advisory committees. - Requires a municipality that has not established a local veterans' advisory committee pursuant to this section and that does not otherwise provide funding for a veterans' service officer to designate a city or town employee to serve as a veterans' service contact person to carry out duties as described.

**Enactment:** 1949, S. 1647d

**Amendment:** P.A. 13-34, Sec. 2 – created the mandate to designate a veterans' service contact person.

**Estimated Cost Characterization:** Minor

## Title 28: Civil Preparedness And Emergency Services

### *CIVIL PREPAREDNESS, EMERGENCY MANAGEMENT AND HOMELAND SECURITY*

28-5

Preparation For Civil Preparedness; Subpoenas. Training Programs. Cooperation By Other State Agencies. Orders And Regulations. Suspension Of Conflicting Provisions. - Requires municipalities to carry out the duties and functions of the plan and program for civil preparedness developed by the state office of emergency management and approved by the Governor. Schools must have written multi-hazard disaster response plans addressing the evacuation and removal of children, notification of parents, reunification of parents with their children, and care for children with special needs

**Enactment:** 1951, June Supp. 1909d

**Amendments:** 1972, P.A. 294 - act substituted "joint committee on legislative management" for "legislative council".

P.A. 73-544 - substituted "civil preparedness" for "civil defense" throughout.

P.A. 78-280 - substituted "for the judicial district of Hartford-New Britain" for "Hartford county" following "superior court".

P.A. 88-230 - replaced "judicial district of Hartford-New Britain" with "judicial district of Hartford", effective September 1, 1991.

P.A. 88-317 - amended reference to Secs. 4-168 to 4-173 in Subsec. (e) to include new section added to Ch. 54, effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.

P.A. 90-98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993.

May Sp. Sess. P.A. 92-12 - amended Subsec. (e) to authorize commissioner of public safety to make regulations in lieu of director.

P.A. 93-142 - changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996.

P.A. 95-220 - changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998.

P.A. 99-190 - amended Subsec. (e) by substituting "Adjutant General" for "Commissioner of Public Safety".

P.A. 11-66, Sec. 2 amended the existing mandate to require the Commissioner of Emergency Management and Homeland Security amend the state civil preparedness plan, including a new requirement for schools to have written multi-hazard disaster response plans addressing the evacuation and removal of children, notification of parents, reunification of parents with their children, and care for children with special needs.

**Estimated Cost Characterization:** Moderate

28-7

Local And Joint Organizations. - Requires each municipality to establish a local organization for civil preparedness, in accordance with the state civil preparedness plan and program, comprised of a director and an advisory council appointed by the chief elected official. Requires each local organization to perform such civil preparedness functions as the state director prescribes.

**Enactment:** 1951, June Supp. 1911d

**Amendments:** 1959, PAs 214, 275 - acts provided in new Subsec. (h) for temporary civil defense mission as determined essential by local civil defense director with prior approval of state director and amended Subsec. (f) to provide for the governor to authorize temporary use of civil defense forces upon request of the local chief executive authority in event of serious natural disaster or sudden emergency, personnel to be employed only with their consent.

P.A. 73-544 - substituted "civil preparedness" for "civil defense" throughout.

P.A. 75-567 - deleted in Subsec. (f) the word "natural" in characterizing "serious disaster".

P.A. 77-571 - provided in Subsec. (a) for municipalities to submit an emergency plan of operation in order to be eligible for benefits, substituted in Subsec. (b) the chief executive officer for the state director as authority to remove any local director for cause.

P.A. 79-417 - provided in amendment of Subsec. (a) by P.A. 77-571 that plan submitted be subsequently approved by the state director.

P.A. 90-230 - an editorial change corrected a reference to the state director of emergency management in Subsecs. (a) and (h).

P.A. 07-11 - adds the evacuation of pets and service animals to the list of activities and measures comprising "civil preparedness" and which must be addressed in a town's emergency plan of operations.

P.A. 07-94 - requires that the emergency plan of operations of every town or city situated on the shoreline of the state contain provisions addressing an emergency caused by any existing liquefied natural gas terminal located on the Long Island Sound and that each town submit such plan to the General Assembly and DEMHS.

P.A. 07-173 - This bill requires municipalities to submit annually, and keep current, emergency plans of operations.

**Estimated Cost Characterization:** Minor

28-12      Loyalty Oath. – Requires members of local civil preparedness organizations to take oaths annually and for a roster of members to be provided annually to the Department of Emergency Management and Homeland Security.

**Enactment:** 1951, June Supp. 1915d

**Amendment:** 2007, P.A. 173 – required oaths to be taken and rosters to be submitted annually.

#### *INTRASTATE MUTUAL AID COMPACT*

28-22a      Intrastate Mutual Aid Compact. - Requires all municipalities to belong to this mutual aid compact unless it passes a resolution removing itself from the compact. The compact provides a legal framework for towns to request and provide mutual aid when any member town declares a local civil preparedness emergency. Stipulates the responsibilities of local civil preparedness organizations, procedures for activating the compact, permit and license reciprocity, and reimbursement and liability issues. Also requires municipalities to conduct joint training biennially, as well as identify and inventory resources related to disaster planning, prevention, mitigation and recovery.

**Enactment:** 2007, P.A. 56

**Estimated Cost Characterization:** Moderate

#### *EMERGENCY TELECOMMUNICATIONS*

28-25a      Responsibilities Of Telephone Companies And Municipalities. - Requires each municipality to establish and operate a public safety answering point which utilizes enhanced 9-1-1 network features.

**Enactment:** 1984, P.A. 416

**Amendments:** P.A. 90-230 - deleted internal references in Subsec. (c).  
P.A. 93-206 – amended Subsec. (a) to substitute “office” for “bureau”.

**Estimated Cost Characterization:** Moderate

28-25b      Public Safety Answering Points. Automatic Alarms Or Alerting Devices. Private Safety Answering Points. Report. Emergency Medical Dispatch. - Requires each public safety answering point to be capable of transmitting requests for law enforcement, fire fighting, ambulance or other emergency services to a public or private safety agency that provides the requested services. Also, requires public service answering points to be equipped with a system, approved by the bureau of emergency telecommunications, for the processing of requests for emergency services from the physically disabled. Also, this section requires each public safety answering point (PSAP) to submit information quarterly on EMS calls to the Office of State-wide Emergency Telecommunications and the Commissioner of Public Health. It also requires each PSAP, by July 1, 2004, to provide emergency medical dispatch, or arrange for it, for 9-1-1 calls received requiring emergency medical services. The entity providing this emergency medical dispatch must

establish and maintain an emergency medical dispatch program, in a manner prescribed by this bill. The bill also requires each municipality to establish a local emergency medical services plan by July 1, 2002, in a manner prescribed by this section.

**Enactment:** 1984, P.A. 416

**Amendments:** P.A. 89-118 - added a new Subsec. (d), prohibiting the programming of any telephone so as to prevent the transmission of a 9-1-1 call to a public safety answering point. P.A. 91-360 - added a new Subsec. (e), permitting private companies, corporations or institutions which have full-time security, fire and emergency medical service personnel to establish 9-1-1 service to enable users of telephones within such companies or institutions to reach a private safety answering point, and amended Subsec. (d) to add an exception for provisions of Subsec. (e). P.A. 93-206 - amended Subsecs. (b), (c) and (e) to substitute "office" for "bureau". P.A. 00-151 - added quarterly report on EMS calls and the requirements for the provision of emergency medical dispatch services and the need to maintain an emergency medical dispatch program.

**Estimated Cost Characterization:** Minor

28-27

Implementation Of Enhanced 9-1-1 Service. Technical And Operational Standards. Regulations. - Requires municipalities to comply with the standards in the design, implementation and operation of public answering points, as established by the bureau of emergency telecommunications.

**Enactment:** 1984, P.A. 416

**Amendments:** P.A. 90-230 - deleted internal references in Subsec. (b). P.A. 91-360 - amended Subsec. (b) to require establishment of technical and operational standards for private safety answering points which utilize enhanced 9-1-1 network features on or before September 1, 1991, and added Subsec. (c), requiring adoption of regulations concerning establishment and operation of public safety answering points and private safety answering points. May Sp. Sess. P.A. 92-12 - amended Subsec. (c) to require public safety commissioner to adopt regulations, in consultation with commission, in lieu of bureau, subject to review and approval of commission. P.A. 93-206 - amended Subsecs. (a) and (b) to substitute "office" for "bureau".

**Estimated Cost Characterization:** Minor

28-27a

Municipalities To Submit Utilization Plans. - Requires municipalities to submit a proposed, enhanced 9-1-1 service utilization plan to the bureau of emergency telecommunications by December 31, 1985 for review and approval. Also, requires a copy of the proposed plan be filed with each telephone company providing service in the municipality.

**Enactment:** 1984, P.A. 416

**Amendments:** P.A. 90-230 - deleted internal references in Subsec. (a). May Sp. Sess. P.A. 92-12 - amended Subsec. (b) to require public safety commissioner to adopt regulations, in consultation with commission, in lieu of bureau, subject to review and approval of commission. P.A. 93-206 - substituted "office" for "bureau".

**Estimated Cost Characterization:** Minor

28-28

Emergency Service Requests From Outside Of Jurisdiction. Advertisement Of Emergency Telephone Numbers Other Than 9-1-1 Prohibited. - Requires any public safety agency, which

receives a request for help from outside its jurisdiction to promptly forward the request to the proper public safety agency.

**Enactment:** 1984, P.A. 416

**Amendment:** P.A. 89-118 added a new Subsec. (c), prohibiting public safety agencies from advertising or promoting use of any emergency telephone number other than 9-1-1.

**Estimated Cost Characterization:** Minor

28-28b Municipal Responsibilities. - Requires each municipality to be responsible for the operation and maintenance of any public service answering point terminal equipment jointly or separately provided by the state.

**Enactment:** 1984, P.A. 416

**Estimated Cost Characterization:** Minor

28-30 Definitions. Certification Of Telecommunicators And Instructors. Revocation, Suspension Or Refusal To Renew Certification. Automatic Certification. Indemnification. Regulations. - Requires that on or after January 1, 1990, no person may be employed as a telecommunicator unless certified by the bureau of emergency telecommunications after successfully completing a training program developed by the bureau.

**Enactment:** 1989, P.A. 259

**Amendments:** P.A. 90-152 - added a new Subsec. (f) re indemnification of certified telecommunicator instructors.

P.A. 92-28 - amended Subsec. (b) to add new Subdiv. (6), authorizing bureau to renew certification of telecommunicators and telecommunicator instructors, added new language as Subsec. (e), specifying grounds on which the bureau may revoke, suspend or refuse to renew any certificate, relettering remaining Subsecs. accordingly, and added a new Subsec. (h) requiring bureau to adopt regulations.

P.A. 93-206 - substituted "office" for "bureau".

**Estimated Cost Characterization:** Minor

## Title 29: Public Safety And State Police

### *DIVISION OF STATE POLICE*

29-7h Firearms Evidence Databank. – requires firearms issued to police departments to be test fired and documentation retained as specified.

**Enactment:** 2001, P.A. 130

**Amendment:** P.A. 12-16 reduces municipal requirements for the submission of firearms for ballistics testing.

**Estimated Cost Characterization:** Minor

29-7m Record And Classification of Crimes Motivated By Bigotry And Bias. - Requires each town's police department, resident state trooper, or constable who performs law enforcement duties to monitor, record, and classify all hate crimes (intimidation based on bigotry or bias) and report the data to the Division of State Police.

**Enactment:** 1987, P.A. 279

**Amendments:** P.A. 97-18 - added provision that each town's police department, resident state trooper or constable must monitor, record and classify all hate crimes and report them to the division of state police.

P.A. 00-72 - amended Subsec. (b) to replace reference to "section 53a-181b" with reference to "section 53a-181j, 53a-181k or 53a-181l".

**Estimated Cost Characterization:** Minor

29-12 Fingerprinting And Physical Description Of Arrested Persons. - Requires police departments to immediately transmit to the State Police Bureau of Identification the electronic image of any arrested person's fingerprints or photograph anytime such images are collected by said department.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 297 act replaced jails with community correctional centers;

P.A. 76-333 added word "police" in reference to "state police bureau of identification"; P.A. 78-

200 authorized state police commissioner to adopt regulations re fingerprinting; P.A. 78-303 allowed substitution of commissioner of public safety for commissioner of state police in keeping with changes enacted by P.A. 77-614;

P.A. 87-282 deleted reference to "superintendents of correctional institutions";

P.A. 00-99 deleted reference to sheriffs, effective December 1, 2000.

P.A. 05-52 – added requirement for police departments to immediately transmit to the State Police Bureau of Identification the electronic image of any arrested person's fingerprints or photograph anytime such images are collected by said department.

PA 06-111 deleted the requirement to imprint a photograph of an arrested person on a standard identification card.

**Estimated Cost Characterization:** Minor

29-28 Permit For Sale At Retail Of Pistol Or Revolver. Permit To Carry Pistol Or Revolver. Confidentiality Of Name And Address Of Permit Holder. - Requires the local police authorities to forward the original gun permit application to the commissioner of public safety, in a manner specified by this act.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 615 - act corrected typographical error;

P.A. 77-614 - replaced commissioner of state police with commissioner of public safety.

P.A. 90-155 - added provision re compliance with local zoning requirements.

P.A. 92-130 - divided section into two Subsecs., inserting new language as Subsec. (b) to prohibit issuing authority from requiring police officers to furnish their residence addresses in permit applications and to require issuing authority to allow police officers who have a permit to carry a pistol or revolver on May 26, 1992, to revise such applications to include business or post office address in lieu of residence address.

P.A. 93-172 - amended Subsec. (a) to require copy of state permit delivered to permittee to be laminated and contain full-face photograph of permittee.

July Sp. Sess. P.A. 94-1 - amended Subsec. (a) to require any person "who sells ten or more pistols or revolvers in a calendar year or is a federally-licensed firearm dealer" to obtain a permit for the sale at retail of pistols and revolvers and to prohibit the issuance of such permit unless the applicant holds a valid eligibility certificate or valid permit to carry, designated as Subsec. (b) existing provisions re application for and issuance of permit to carry and amended said Subsec. to replace provision prohibiting the issuance of such permit to an alien with provision prohibiting the issuance of such permit to any applicant who comes within any of the six specified circumstances, add provision exempting current permit holders from additional training and add provision requiring a permit holder to notify the issuing authority of any change of address, redesignated former Subsec. (b) as Subsec. (c) and added Subsec. (d) re confidentiality of name and address of permit holders.

P.A. 98-129 - amended Subsec. (b) to add new Subdiv. (3) prohibiting the issuance of a permit to an applicant who has been convicted as delinquent of a serious juvenile offense, renumbering the remaining Subdivs. accordingly, and to replace in Subdiv. (5) "hospital for mental illness" with "hospital for persons with psychiatric disabilities", amended Subsec. (d) to add Subdiv. (3) authorizing the disclosure of such information to the Commissioner of Mental Health and Addiction Services to carry out the provisions of Sec. 17a-500(c), and added new Subsec. (e) to provide that the issuance of a permit to carry a pistol or revolver does not thereby authorize the possession or carrying of a pistol or revolver where prohibited by law or by the person who owns or exercises control over the premises.

P.A. 99-212 - amended Subsec. (b) to add new Subdiv. (7) prohibiting the issuance of a permit to an applicant who is subject to a firearms seizure order issued pursuant to Sec. 29-38c(d) after notice and hearing, renumbering remaining Subdiv. accordingly, and to make provisions gender neutral.

**Estimated Cost Characterization:** Minor

29-28a

Application For Permit. Notice Of Decision To Applicant. - Requires municipalities, upon request of a person for a pistol permit application, to supply such application form immediately. Requires the municipality to inform the applicant within eight weeks whether he is approved or denied.

**Enactment:** 1963, P.A. 115

**Amendments:** P.A. 77-614 - replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.

P.A. 81-342 - amended Subsec. (a) by adding the provision that a person may request an application from the commissioner of public safety or a state police barracks if the issuing authority fails to supply an application upon request.

P.A. 84-60 - amended Subsec. (b), extending the notification period for the granting or denial of a permit from six to eight weeks.

**Estimated Cost Characterization:** Minor

29-29

Information Concerning Criminal Records Of Applicants For Permits. - Requires that a municipality take a full description of the applicant's fingerprints and make an investigation concerning his suitability to carry such a weapon, including the forwarding of the fingerprints to the FBI for a national criminal history records check. Whenever a firearm is identified and is determined to have been stolen, the bill requires that the law enforcement agency return such firearm to its rightful owner.

**Enactment:** Prior to 1949

**Amendments:** P.A. 92-130 - required issuing authority to record date fingerprints were taken, authorized forwarding of fingerprints to FBI for national criminal history records check, authorized issuing authority to issue permit before report from FBI is received, required issuing authority to inform applicant and render a decision on application within one week of receipt of report, and, if report has not been received within eight weeks after application is made, to inform applicant of delay, and prohibited issuance of permit if issuing authority has reason to believe applicant has been convicted of a felony.

P.A. 98-129 – relieved the issuing authority of the requirement that it take the fingerprints of the applicant if it determines that the fingerprints of the applicant have been previously taken and the applicant's identity established and the applicant presents identification that the issuing authority verifies as valid and made the submission of the fingerprints to the Federal Bureau of Investigation by the issuing authority mandatory rather than discretionary and also to forward a firearm to rightful owner when it is discovered to be stolen.

**Estimated Cost Characterization:** Minor

29-30

Fee For Pistol And Revolver Permits. Expiration And Renewal Of Permits. - Requires a \$70 fee for a new or renewal five year permit to sell or carry a pistol. The local authority must forward sufficient funds for the national criminal records check to the commissioner within 5 business days of receiving the application. Requires municipalities to send an expiration notice to permit holders by first class mail 90 days before expiration, and to enclose a permit renewal form.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 271 - act added Subsecs. (b), (c) and (d).

P.A. 73-468 - increased permit fees in Subsec. (a) from two to six dollars for originals and from one to five dollars for renewals, increased duration of permits' validity in Subsec. (b) from one to five years, changed expiration date in Subsec. (c) from thirty-one days after local permit expires to five years and added Subsec. (e) re refunds of fees paid.

P.A. 80-297 - raised fee for original and renewal permits to fifteen dollars each in Subsec. (a).

P.A. 81-222 - added Subsec. (f) requiring that notice of expiration of a permit to carry a pistol or revolver be sent at least ninety days before expiration and providing such a permit shall be valid for ninety days after the expiration date.

P.A. 89-180 - amended Subsec. (a) to increase fees for original and renewal permits from fifteen to twenty-five dollars.

P.A. 93-172 - amended Subsec. (a) to increase fees for original and renewal permits from twenty-five to thirty-five dollars and to require ten dollars of each fee to be credited to appropriation to department of public safety for purpose of photographing permittee and laminating state permits for carrying pistols and revolvers.

July Sp. Sess. P.A. 94-1 - amended Subsec. (a) to increase the fee for a permit for the sale at retail of pistols and revolvers and for the renewal thereof from thirty-five to one hundred dollars and to require that the ten dollars credited to the appropriation to the department of public safety be credited "within thirty days" and be credited "to a separate nonlapsing account for the purposes of the issuance of permits under subsections (a) and (b) of section 29-28" rather than "for the purpose of photographing the permittee and laminating state permits for the carrying of pistols and revolvers issued under the provisions of subsection (a) of section 29-28".

P.A. 98- 129 - amended Subsec.(a) to delete provision requiring that ten dollars of each fee be credited to the appropriation to the Department of Public Safety.

P.A. 99-212 - amended Subsec. (a) to restore provision requiring that ten dollars of each fee be credited to the appropriation for the Department of Public Safety for purposes of issuance of permits under Subsecs. (a) and (b) of Sec. 29-28 and to make provisions gender neutral.

P.A. 01-130 – added requirement that local authority forward funds to the commissioner of public safety for the national criminal history check.

**Estimated Cost Characterization:** Minor

29-32

Revocation Of Permit. Notification. Penalty For Failure To Surrender. - Requires municipalities to revoke a pistol permit upon conviction of the holder for a felony. Also, local law enforcement authorities are required to confiscate and forward to the commissioner any illegal permit possessed by any person and to revoke the gun permit of any holder convicted of a felony or certain other misdemeanors. Requires municipalities to notify in writing both the permit holder and the commissioner of public safety, of the revocation.

**Enactment:** Prior to 1949

**Amendments:** P.A. 73-468 - deleted reference to permits issued under Sec. 29-28, specified that revocation must be "for cause", deleted provision which required that revocation of one permit constitutes automatic revocation of the other and clarified required notice to local authorities when state permit is revoked.

P.A. 77-361 - required that person whose permit is revoked be notified of the revocation and established failure to surrender permit as required as a class C misdemeanor.

P.A. 77-614 - replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.

P.A. 82-464 - provided for the mandatory revocation of a permit upon the conviction of the holder of a felony.

July Sp. Sess. P.A. 94-1 - provided for the mandatory revocation of a permit upon the conviction of the holder of any misdemeanor specified in Sec. 29-28(b) or upon the occurrence of any event which would have disqualified the holder from being issued the permit pursuant to Sec. 29-28(b).

P.A. 01-130 – provided for the confiscation of illegal permits and written notification to the permit holder and the commissioner.

**Estimated Cost Characterization:** Minor

*ORGANIZED CRIME INVESTIGATIVE TASK FORCE. REGIONAL NARCOTICS SQUADS AND COORDINATING COMMITTEE*

29-177

Special State Police. Task Force Duties. Compensation. Indemnification. - The commissioner of public safety may select such number of police from any municipality as he may need to act as temporary state police and carry out the duties of the task force. Requires each municipality to pay full salaries to any local policemen temporarily assigned to the statewide narcotic task force.

**Enactment:** 1976, P.A. 400

**Amendments:** P.A. 77-487 - deleted provisions re regional narcotics squads, their supervisory boards and the state narcotics enforcement coordinating committee and inserted provisions re special state policemen appointed to carry out duties of task force.

P.A. 77-614 - replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.

P.A. 87-452 - amended Subsec. (c) to provide, for purposes of indemnification, that personnel assigned to and performing duties of the task force shall be deemed to be acting as state employees, not as municipal employees.

**Estimated Cost Characterization:** Minor

*BUILDING, FIRE AND DEMOLITION CODES. FIRE MARSHALS AND FIRE HAZARDS. SAFETY OF PUBLIC AND OTHER STRUCTURES*

29-253 Code Applicable To All Municipalities. Ordinance Governing Demolition Of Hazardous Building.  
- Requires that the state building code be the building code for all municipalities.

**Enactment:** 1969, P.A. 443

**Amendments:** P.A. 82-269 - added Subsec. (b) permitting adoption of ordinance re demolition of hazardous buildings.

P.A. 82-432 - changed committee's name.

P.A. 82-451 - added Subsec. (c) which allows a municipality to adopt an ordinance imposing a waiting period prior to demolition; Sec. 19-395e transferred to Sec. 29-253 in 1983.

P.A. 83-187 - deleted Subsec. (c) concerning waiting periods prior to demolition.

P.A. 97-320 - amended Subsec. (b) by changing reference from hazardous buildings to buildings deemed to be unsafe and by defining "unsafe building".

**Estimated Cost Characterization:** Moderate

29-254 Amendments To Code. Variations And Exemptions. - Requires applications for a variation or exemption of the state building code to be forwarded to the State Building Inspector, accompanied by a letter from the local building official within fifteen days by first class mail.

**Enactment:** 1969, P.A. 443

**Amendment:** P.A. 02-72 - added requirement that proposals be forwarded to the State Building Inspector within 15 business days.

29-260 Municipal Building Official To Administer Code. Appointment. Dismissal. - Requires each municipality to appoint a building official for a four year term to administer the state building code. Requires each municipality to become a member of the building officials and code administrators international and pay the membership fee. Also, requires that municipalities, before a building official can be dismissed, give the official notice in writing of the specific grounds for her dismissal, and provide her an opportunity to defend herself at a public hearing.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 874 - act substituted chief executive officer for legislative body as the appointing authority for municipal administrators and specified a four-year term.

1969, P.A. 443 - act deleted references to towns' acceptance and adoption of code as condition for appointing officer to administer code and specified title of officer so appointed as "the building official".

P.A. 79-153 - added Subsecs. (b) and (c) re dismissal of building official; Sec. 19-396 transferred to Sec. 19-260 in 1983.

P.A. 86-372 - added Subsec. (d), requiring municipalities to become a member of BOCA.

P.A. 92-164 - amended Subsec. (a) by adding provision re appointment of acting building official.

**Estimated Cost Characterization:** Moderate

29-261 Qualifications Of Building Official And Assistant Building Officials. Powers And Duties. - Requires that the person appointed as the municipal building official have at least five years' experience in design, construction or supervision and meet various other knowledge requirements.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 443 - act required that building official be certified under Sec. 19-397a and revised conditions under which qualifications need not be fulfilled, i.e. in case of official holding office before October 1, 1970, provided certification is achieved within four years (October 1, 1974), previously officials holding office before municipality adopted state building code were excused from qualifications.

1971, P.A. 573, 802 - acts replaced "October 1, 1970" with "October 1, 1971", made provisions applicable to assistant building officials and required them to have at least three years' experience in construction, design or supervision and required officials to act "pursuant to applicable provisions of the state building code and in accordance with rules and regulations adopted by the board of materials review".

P.A. 82-279 - transferred regulatory functions from board of materials review to public safety department, effective July 1, 1983; Sec. 19-397 transferred to Sec. 29-261 in 1983.

P.A. 86-372 - subdivided the section into Subsecs. and added provision requiring return of plans and specifications.

P.A. 87-55 - amended Subsec. (a), requiring building official and assistant building officials to be informed on design and construction requirements concerning handicapped accessibility.

P.A. 88-356 and 88-364 - amended Subsec. (a) to eliminate exception for building officials or assistant building officials holding office in any municipality prior to October 1, 1971.

P.A. 92-164 - inserted new Subsec. (c) authorizing building officials to request proof of licensure from any person at a construction site and relettered the remaining Subsecs.

P.A. 97-47 - amended Subsec. (e) by substituting reference to "the Freedom of Information Act, as defined in Sec. 1-18a" for "chapter 3".

**Estimated Cost Characterization:** Minor

29-262

Licensure Of Building Officials. Continuing Educational Programs. Suspension or Revocation Of License Or Certificate. Hearing. Appeal. Indemnification. - Requires that no person may act as a municipal building official unless he has passed a written examination, successfully completed a suitable education training program and has been issued a license by the state building inspector. In addition, requires each municipal building official to successfully complete 90 hours of continuing education courses over three consecutive years.

**Enactment:** 1969, P.A. 443

**Amendments:** P.A. 77-614 - replaced public works commissioner with commissioner of public safety, effective January 1, 1979.

P.A. 78-303 - replaced public works commissioner with commissioner of administrative services for period between June 6, 1978 and January 1, 1979.

P.A. 82-432 - replaced building code standards committee with codes and standards committee, required that building official pass examination and successfully complete educational program where previously one of the two was sufficient and replaced certification procedure with licensure procedure as specified; Sec. 19-397a transferred to Sec. 29-262 in 1983.

P.A. 86-372 - divided section into Subsecs., required municipalities to pay fees associated with training programs and added provision re indemnification.

P.A. 87-105 - amended Subsec. (a), providing an exemption from licensure in the case of a provisional appointment made according to standards established in regulations and deleting reference to "initial" appointment.

P.A. 88-359 - (1) amended Subdiv. (2) of Subsec. (a) re provisional appointment to delete reference to minimum period of time necessary, substituting in lieu thereof, a period not to exceed ninety days, (2) inserted new provisions in Subsec. (b), requiring continuing education for local building officials, consisting of a minimum of ninety hours over three years and revocation of licensure for failure to complete such educational programs, (3) relettered remaining Subsecs.,

inserting in Subsec. (c) provision authorizing any person to participate in educational programs in Subsec. (b) at own expense where space is available.

P.A. 89-255 - amended Subsec. (b) to clarify that the educational program be of a continuing nature and inserted new Subsec. (d) relative to the suspension or revocation of a local building official's license for failure to perform duties of his office, relettering former Subsec. (d) as (e).

P.A. 91-117 - amended (1) Subsec. (b) to permit state building inspector to revoke any certificate issued prior to January 1, 1984, for building official's failure to present proof of successful completion of continuing educational programs, and (2) Subsec. (d) to permit codes and standards committee to suspend or revoke certificate of any such official who fails to faithfully perform official duties.

P.A. 04-150 amended Subsec. (a) to require adoption of regulations to establish classes of licensure that recognize varying complexities of code enforcement in municipalities and to require continuing educational programs for each such class that shall include basic requirements for each such program and a system of control and reporting, and to authorize application by any licensed or certified building official or inspector who wishes to retire his or her license or certificate to the State Building Inspector to have such license or certificate retired and to be issued a certificate of emeritus, amended Subsec. (b) to make a technical change, and amended Subsec. (c) to eliminate responsibility of each municipality for full payment of fees for educational programs of training and to require that such fees be paid from the education fee assessed pursuant to Sec. 29-263.

**Estimated Cost Characterization:** Minor

29-263

Permit To Construct Or Alter. Education Fee. - Requires that the municipal building official review the plans of buildings to be constructed or altered to insure that they are in conformity with the state building code before issuing a permit. The building official must also require proof of worker's compensation coverage for all employees employed by the general contractor. Also, requires, where applicable, the municipal fire marshal review such plans for compliance with the state fire safety code.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 443 - act initiated permit requirement "after October 1, 1970" rather than "after the adoption of the state building code by any municipality" and added provisions requiring action on application within thirty days of its submission and requiring application by builder except where owner or his agent is applicant.

1971, P.A. 802 - act required application by owner or his agent in all cases, builder no longer acceptable as applicant.

P.A. 82-432 - added provisions re review of building plans by building official and local fire marshal prior to issuance of permit; Sec. 19-398 transferred to Sec. 29-263 in 1983.

P.A. 85-195 - exempted state agencies from permit requirement.

P.A. 86-372 - specifically required review of plans within thirty-day period and required plans to substantially comply with state building and fire codes.

P.A. 90-230 - corrected an internal reference.

P.A. 93-435 - provided that plans to be reviewed include plans prepared by architects, professional engineers or interior designers and made a technical change in reference to Sec. 29-252a to correct subsection cite.

P.A. 98-233 - designated existing provisions as Subsec. (a) adding reference to the State Building Code adopted pursuant to Sec. 29-252(a), and added new Subsec. (b) re assessment of education fees.

P.A. 99-209 - amended Subsec. (b) by specifying that the education fees deposited in the General Fund be credited to the Department of Public Safety for code training and educational programs.

P.A. 00-60 - amended Subsec. (a) by adding requirements for application information and for proof of contractor's certificate of registration to be presented prior to permit issuance and by making technical changes for purposes of gender neutrality.

**Estimated Cost Characterization:** Moderate

29-264 Approval Of Sets Of Building Plans By State Building Inspector. Issuance Of Permits Pursuant To Such Approval. - Requires the local building official to issue a building permit upon application by a builder with a set of plans bearing the approval of the state building inspector that all other local ordinances are complied with.

**Enactment:** 1969, P.A. 443

**Estimated Cost Characterization:** Moderate

29-265 Certificate Of Occupancy. - Requires that no building or structure may be occupied until the building official issues a certificate of occupancy, certifying such building or structure is in substantial compliance with the state building code.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 443 - act required certificate of occupancy after October 1, 1970, rather than after adoption of state building code by municipality.

P.A. 80-108 - added Subsec. (b) re certificate for buildings with alternative energy systems.

P.A. 81-162 - included six year limitation on need for certificate on single-family dwelling; Sec. 19-400 transferred to Sec. 29-265 in 1983.

P.A. 85-195 - amended Subsec. (a), providing that state agencies be exempt from certificate of occupancy requirement.

P.A. 90-230 corrected an internal reference.

P.A. 93-435 - made a technical amendment to Subsec. (a).

P.A. 98-233 - amended Subsec. (a) by referencing the definition of certificate of occupancy and adding "work performed pursuant to the building permit".

**Estimated Cost Characterization:** Moderate

29-266 Municipal Board Of Appeals. Filing Of Appeals In Absence Of Board Of Appeals. - Requires all municipalities to appoint a building board of appeals, consisting of five members all of whom must meet the requirements set forth in the state building code. In the event of an appeal from a decision of the building inspector by a legitimate aggrieved party, the board of appeals is required to hold a hearing, render a decision and provide a copy of the decision to the aggrieved party and the municipal building inspector.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 443 - act rephrased provisions establishing board of appeals, set membership at five and allowed members to serve on more than one board, allowed appeals by owners of buildings "whether already erected or to be erected", added provisions re hearings by panel, to be followed by appeals to state building code standards committee and then to court of common pleas, replacing provision for appeals from board of appeals directly to court of common pleas.

1971, P.A. 802 - act added provisions concerning appeals by persons other than owners.

P.A. 76-436 - replaced court of common pleas with superior court and added reference to judicial districts, effective July 1, 1978.

P.A. 78-280 - deleted reference to counties.

P.A. 82-432 - replaced state building code standards committee with codes and standards committee; Sec. 19-402 transferred to Sec. 29-266 in 1983.

P.A. 85-321 - divided the section into Subsecs., inserting new language in Subsec. (c), specifying a procedure for filing of appeals in the absence of a municipal board of appeals.

P.A. 92-164 - amended Subsec. (b) to authorize the board to hear appeals on citations issued by the building inspector concerning improper licensure of persons at a construction site.  
P.A. 93-78 - amended Subsecs. (b) and (c) to extend, from seven to fourteen days, the time within which an appeal may be made to codes and standards committee.

**Estimated Cost Characterization:** Minor

29-269

Standards For Construction Of Buildings To Accommodate Physically Handicapped Persons. - Requires that the state building code control the design, construction and arrangement of all building and building elements constructed or substantially renovated by the state, any municipality or any other political subdivision of the state. Variation from the code as it pertains to accessibility and use of buildings and structures by persons with disabilities shall only be permitted with the approval of the state building inspector.

**Enactment:** 1965, P.A. 216

**Amendments:** 1967, P.A. 349 - act substituted state building inspector for public works commissioner.

P.A. 75-503 - replaced general provisions in Subsec. (a) re regulations to ensure that buildings are accessible to disabled person with specific requirement that state code conforms to minimum requirements of American National Standards Institute and replaced references to Secs. 19-395a to 19-395c with "this section" and to Secs. 4-44 to 4-46 with "chapter 54".

P.A. 76-395 - added exception for certain buildings for housing the elderly and physically handicapped in Subsec. (a).

P.A. 77-133 - made provisions applicable to buildings and elements constructed or renovated by state, municipalities or political subdivisions designed on or after October 1, 1977.

P.A. 78-351 - inserted new Subsec. (b) re modification or setting aside of standards and redesignated remaining Subsecs. accordingly.

P.A. 82-432 - replaced state building code standards committee with codes and standards committee; Sec. 19-395a transferred to Sec. 29-269 in 1983.

P.A. 87-123 - amended Subsecs. (a) and (b) to delete obsolete references to "ANSI A117.1-1961" and "article 21" of the code.

P.A. 88-315 - amended Subsec. (b) to revise procedure re approval of variations or exemptions from state building code provisions relating to accessibility for persons with disabilities by requiring joint approval of state building inspector and director of office of protection and advocacy for handicapped and added provision authorizing appeals.

P.A. 89-144 - amended Subsec. (b) by substituting the office of protection and advocacy for persons with disabilities for the office of protection and advocacy for handicapped and developmentally disabled persons.

P.A. 90-300 - amended Subsec. (b) to add four Subdiv. designations and to insert new language as Subdivs. (2) to (4), inclusive, re variations of or exemptions from provisions of Secs. 14-253a(g), 29-273 and 29-274(b), (d).

P.A. 92-71 - amended Subsec. (a) to delete requirement that code incorporate American National Standard specifications, substituting requirement that code be in substantial compliance with Americans with Disabilities Act of 1990 and Fair Housing Amendments Act of 1988.

**Estimated Cost Characterization:** Minor

29-276b

"Threshold Limit" Defined. Requirements. When Structure Or Addition Will Exceed Threshold Limits. Standards For Facilities Which Perform Testing Of Construction Materials. - Requires the building official of a municipality in which a structure or addition which exceeds the threshold limit will be located, to satisfy himself that each architect, engineer and contractor involved in the project holds an appropriate license.

**Enactment:** 1988, P.A. 359

**Amendments:** P.A. 89-255 - (1) eliminated references to "building" throughout the Sec. and inserted "structure or addition" in lieu thereof; (2) amended Subsec. (a) to delete Subdiv. (6): "designed to be occupied by more than one family and having one hundred dwelling units"; (3) amended Subsec. (c) to require local building official to require an independent structural engineering consultant to review structural plans and specifications to assure stability and integrity of primary structural support systems, to delete requirement that such consultant conduct field inspections, to provide that any modifications of approved structural plans shall require shop drawings to determine compliance with building code and be reviewed by consultant, to require fees for reviews to be paid by owner of project, to permit local building official to prequalify independent consultants to perform required reviews, to delete language permitting such building official or consultant to require independent lab tests for random key structural components, and to eliminate right of architect and engineer of record to have access to daily construction log, making technical changes as necessary; (4) inserted new Subsec. (e) to require any person, firm or corporation proposing to construct a structure exceeding threshold limit to give written notice to building official of intent before filing application for building permit, relettering former Subsec. as (f); (5) amended Subsec. (f) to insert two Subdivs. and to extend date in Subdiv. (1) from January 1, 1989 to January 1, 1990, making technical changes in Subdiv. (2) as necessary. P.A. 90-268 - deleted Subsec. (f) and substituted new language requiring (1) accreditation of, and standards for, facilities which perform testing of construction materials or structures, and (2) consumer protection commissioner to adopt regulations establishing standards for testing of materials and structures by any licensed professional engineer for facilities and qualifications of persons performing testing. P.A. 99-206 - amended Subsec. (c) by specifying that, for structures over the threshold limit, the statement of professional opinion shall be signed by the architect of record and the engineer of record responsible for the design.

**Estimated Cost Characterization:** Minor

29-276c

Architect Or Engineer To Seal Plans and Specifications, Review Implementation of Design Of Certain Buildings And Issue Statement Of Professional Opinion Re Completed Structure. Use Groups. - Prior to the issuance of a certificate of occupancy for a proposed structure or addition classified in any use group specified in this statute, the municipal building inspector shall require a statement signed by the architect or professional engineer and by the general contractor involved with the construction of or addition to such structure that it is in compliance with the approved plans and specifications on file with the municipal building inspector.

**Enactment:** 1988, P.A. 359

**Amendments:** P.A. 89-255 - amended section to provide if plans for proposed structure or addition are required to be sealed by a licensed architect or professional engineer, each architect or engineer of record shall be retained and be responsible for duties specified, eliminating reference to review of daily construction logs and further required licensed professional engineer to review fabrication process, eliminating requirement of viewing it.

P.A. 90-153 - added Subsec. (b) defining use groups recognized by state building code and requiring signed statement by architect or professional engineer and general contractor of project that project complies with approved plans and specifications as condition for issuing certificate of occupancy and revised existing provisions requiring that plans and specifications be sealed by architect or engineer to conform with new Subsec. (b).

P.A. 99-206 - specified that plans and specifications be sealed by the architect of record or the engineer of record, and that the statement of professional opinion be signed by the architect of record or the engineer of record, or by the additional architect or engineer retained pursuant to Subsec. (a).

**Estimated Cost Characterization:** Minor

29-291c State Fire Prevention Code: Abatement of certain conditions, injunction, citation, penalties. - Whenever an owner or occupant of a building or facility has been notified of a fire code violation(s) and fails to remedy such violation(s) within a reasonable period of time, the local fire marshal shall notify the appropriate prosecuting attorney of all the relevant facts in the manner specified in this subsection.

**Enactment:** 2008, P.A. 08-65

**Estimated Cost Characterization:** Minor

29-292 Fire Safety Code. Smoke Detection And Warning Equipment. Certificate Of Occupancy.- The state fire marshal shall adopt, promulgate and administer a fire safety code which shall provide for reasonable fire safety in all buildings except one or two family structures. No certificate of occupancy shall be issued for any building to be occupied by two or more families, or any new residential building designed to be occupied by one or more families for which a building permit is issued after 1978, unless the local fire marshal or municipal building official has certified that the building is equipped with smoke and carbon monoxide detection and warning equipment complying with the fire safety code. The code must require carbon monoxide detectors to be installed, tested and inspected in public and nonpublic schools.

**Enactment:** Prior to 1949

**Amendments:** 1971, P.A. 802 - act substituted "adopt, promulgate and administer" for "establish". P.A. 73-95 - required that regulations provide reasonable safety from fire, smoke, etc. in areas adjacent to buildings as well as in buildings themselves.

P.A. 76-78 - added provisions re regulations concerning smoke detection systems in residential buildings and added Subsec. (b) requiring that buildings contain smoke detection systems before certificates of occupancy issued if building permit issued on or after October 1, 1976.

P.A. 77-334 - substituted "smoke detection and warning equipment" for "smoke detection systems" and required their installation in residential buildings to be occupied by one or more families after October 1, 1978, where previously they were required in buildings to be occupied by two or more families and required that regulations provide requirements for markings and literature which should accompany smoke detection and warning equipment.

P.A. 77-604 - made technical changes in Subsec. (b).

P.A. 80-297 - added Subsec. (c) re review of plans and specifications of structures subject to fire safety code to determine whether or not the structures comply with code requirements.

P.A. 81-381 - amended Subsec. (a) to require the installation of smoke detection and warning equipment in student dormitories at all colleges and universities not later than September 1, 1982.

P.A. 82-344 - repealed mandate for installation of smoke detection devices in student dormitories at all colleges and universities by September 1, 1982.

P.A. 82-432 - added reference to codes and standards committee in Subsec. (a); P.A. 82-472 attempted to make technical change in section 1 of vetoed public act 82-64 and therefore was without effect; Sec. 29-40 transferred to Sec. 29-292 in 1983.

P.A. 84-178 - amended Subsec. (a), adding a proviso requiring hotels, motels or inns to install or furnish visible fire alarm signals as specified.

P.A. 85-321 - amended Subsec. (a), (1) deleting language requiring provision of Level Four Protection and requiring smoke detection and warning equipment complying with the fire safety code, and (2) requiring equipment capable of operation using current and batteries in one-family or multifamily new residential buildings.

P.A. 86-327 - amended Subsec. (a) to require revision of code not later than January 1, 1987, and every four years thereafter to incorporate certain advances and improvements.

P.A. 87-186 - amended Subsec. (c), exempting municipalities from payment of fees for plan review to determine fire safety code compliance.

July Sp. Sess. P.A. 87-2 - amended Subdiv. (1) of Subsec. (a) to require smoke detection and warning equipment in all residential buildings designed to be occupied by two or more families by deleting provision which limited requirement to such buildings "for which a building permit is issued on or after October 1, 1976", amended Subdiv. (2) of Subsec. (a) to change "one or more families" to "one family" and amended Subsec. (b) to prohibit the issuance of a certificate of occupancy for any residential building designed to be occupied by two or more families, unless it is equipped with smoke detection and warning equipment by deleting provision which limited prohibition to any such building "for which a building permit is issued on or after October 1, 1976".

P.A. 88-364 made a technical change in Subsec. (a).

P.A. 97-25 - deleted former Subsec. (c) which authorized submission of plans and specifications of structures subject to State Fire Safety Code to State Fire Marshal for determination re compliance with code requirements.

P.A. 04-59 - amended Subsec. (a) to make a technical change, require that code be based on a nationally recognized model fire code and be revised not later than January 1, 2005, and thereafter as deemed necessary to incorporate subsequent revisions to the code not later than eighteen months following the date of first publication of such revisions to the code, and delete provision requiring revision by January 1, 1987, and every four years thereafter, effective May 10, 2004.

P.A. 05-161 – added requirement for installation of carbon monoxide detection and warning equipment.

P.A. 11-248 – added requirements regarding the testing and inspection of carbon monoxide detection and warning equipment installed in public or nonpublic schools and liability protections for employees.

**Estimated Cost Characterization:** Moderate

29-296

Variations Or Exemptions From Code. - Requires the local Fire Marshal to forward to the State Fire Marshal, by first class mail, any application received for a variation or exemption or alternate compliance with their comments on the merits of the application.

**Enactment:** 1957, P.A. 516

**Amendment:** P.A. 02-72 - added requirement that any application received for a variation or exemption be forwarded to the State Fire Marshal, along with their comments on the merits of the application, within 15 business days.

**Estimated Cost Characterization:** Minor

29-297

Appointment Of Local Fire Marshals, Deputies And Provisional Fire Marshals. - Requires all municipalities to appoint a local fire marshal and such deputy marshals as may be necessary, with preference given to a member of a regular or volunteer fire department.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 567 - act empowered executive authority of an incorporated fire district to appoint local fire marshals and deputies.

1971, P.A. 569 - act provided that local fire marshals serve until removed for cause; Sec. 29-45 transferred to Sec. 29-297 in 1983.

P.A. 95-13 - added Subsec. (b) allowing appointment of certified deputy fire marshal for up to one hundred eighty days in absence of local or deputy fire marshal.

**Estimated Cost Characterization:** Minor

29-298

Certification Of Local Fire Marshals, Deputies, Inspectors And Investigators. Continuing Educational Programs. Immunity From Personal Liability For Acts Constituting Official Duties. - Requires that municipalities only appoint fire marshals, deputy fire marshals, and other municipal inspectors and investigators who meet certain minimum standards of qualification as adopted by the state fire marshal and who are certified by the state fire marshal after successfully completing a training program. Also, requires local fire marshals to successfully complete at least 90 hours of training over a three year period of continuing education courses. Requires municipalities to defend a fire marshal, deputy fire marshal, inspector or investigator in any legal proceeding resulting from an action that is required or permitted in the discharge of his duties.

**Enactment:** 1971, P.A. 569

**Amendments:** P.A. 77-84 - required that state marshal adopt minimum qualification standards for local fire marshals, deputy fire marshals and fire inspectors, adding the latter as a new personnel category and prohibited appointment or hiring of noncertified person on or after October 1, 1979. P.A. 82-432 - empowered codes and standards committee to act jointly with state fire marshal in functions enumerated in section; Sec. 29-45a transferred to Sec. 29-298 in 1983.

P.A. 83-375 - added Subsec. (b), which provided that local fire marshals, deputies or inspectors are immune from personal liability for damage resulting from acts constituting official duties.

P.A. 83-566 - added Subdiv. (3), authorizing the state fire marshal and codes and standards committee to prepare and conduct a training program and specifically provided that deputy fire marshals and fire inspectors holding municipal office shall be certified in accordance with Subdiv. (1), (2) or (3).

P.A. 86-327 - amended Subsec. (a) to require (1) a local fire official's removal from office for failure to maintain certification, (2) continuing education for such officials, and (3) revocation of certification for failure to complete such educational programs.

P.A. 86-403 - made technical change in Subsec. (a).

P.A. 87-120 - required the adoption of minimum standards of qualification for classes of fire inspectors in Subsec. (a) and added Subsec. (c), requiring deputy fire marshals and fire inspectors to act under supervision of local fire marshal while enforcing fire safety code.

P.A. 89-54 - required state fire marshal and committee to adopt minimum qualification standards for such other classes of inspectors and investigators as they deem necessary and required such inspectors and investigators to be certified.

P.A. 89-75 - amended Subsec. (c) to permit local fire marshal to authorize deputy fire marshal or fire inspector to issue permits and orders or certify compliance with fire safety code.

P.A. 90-230 - made technical change to Subsec. (c).

**Estimated Cost Characterization:** Minor

29-299

Dismissal Of Local Fire Marshal. - Requires a municipality to dismiss the local fire marshal and to appoint another, if the fire marshal fails to faithfully execute his duties. Also, requires that the municipality notify the state fire marshal.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

29-300

Hearing Prior To Dismissal. Appeal. - Requires a local fire marshal to be given written notice of the specific grounds for his dismissal and an opportunity to be heard in his own defense at a public hearing.

**Enactment:** Prior to 1949

**Amendments:** P.A. 76-436 - replaced court of common pleas with superior court and added reference to judicial districts.  
P.A. 78-280 - deleted obsolete reference to counties; Sec. 29-47 transferred to Sec. 29-300 in 1983.

**Estimated Cost Characterization:** Minor

29-302      Investigations. - Requires local fire marshals to investigate the cause, origin and circumstances of any fire or explosion within his jurisdiction involving damage to property or injury or death to persons, and to especially investigate whether such fire was the result of incendiary devices or was caused by carelessness, design or criminal act.

**Enactment:** Prior to 1949

**Amendments:** P.A. 77-614 - replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.  
P.A. 81-429 - required that fire marshal investigate specifically listed types of fires and explosions rather than "any fire by reason of which property has been destroyed or damaged" and deleted two-day limit for initiation of investigation following fire.  
P.A. 81-472 - made technical corrections; Sec. 29-49 transferred to Sec. 29-302 in 1983.

**Estimated Cost Characterization:** Minor

29-303      Report Of Fires. - Requires the local fire chief to furnish the local fire marshal and the local fire marshal to furnish the state fire marshal (1) a written report from the local fire chief relating to the cause, origin and estimated cost of the fire and (2) a magnetic tape containing the aforementioned information certified by the local fire marshal.

**Enactment:** Prior to 1949

**Amendments:** P.A. 85-10 - permitted local fire marshals to furnish fire data to the state fire marshal on magnetic tape.  
P.A. 85-70 - required local fire chief to submit fire incident reports to local fire marshal within five days of the fire or explosion.

**Estimated Cost Characterization:** Minor

29-304      Fee For Investigations. - Requires municipalities to pay to its local fire marshal a fee of not less than two dollars for each fire investigated as certified to the municipality by the state fire marshal, unless such local fire marshal receives a salary from the municipality.

**Enactment:** Prior to 1949

**Amendment:** P.A. 79-36 - required that fire marshal's fee be "not less than" two dollars where previously the fee was two dollars without variance; Sec. 29-51 transferred to Sec. 29-304 in 1983.

**Estimated Cost Characterization:** Minor

29-305      Inspections By Local Fire Marshals. Reports. - Requires local fire marshals to inspect, at least annually, all buildings of public service and all occupancies regulated by the fire safety code within the jurisdiction, except one or two family homes that must be inspected upon complaint or

request of an owner or occupant. Requires local fire marshal, upon receipt of information from an authentic source that any building is hazardous to life safety from fire, to inspect the building. Requires each local fire marshal to submit a monthly report to the local appointing authority, and requires the municipality to pay the local fire marshal for his services.

**Enactment:** Prior to 1949

**Amendments:** Sec. 29-52 transferred to Sec. 29-305 in 1983.

P.A. 83-511 - included manufacturing establishments within the types of buildings and facilities that local and state fire marshals may inspect in the interests of public safety, effective July 1, 1984.

P.A. 89-42 - added an exception to requirement that local fire marshal inspect all buildings and occupancies each year for one and two family residential buildings which shall be inspected for smoke detection and warning equipment upon complaint or request of an owner or occupant.

P.A. 08-65 – added a requirement that the local fire marshal, upon receipt of valid information that a building or facility is hazardous to life safety from fire, inspect such building or facility.

P.A. 08-65 – added a requirement that the local fire marshal inspect a building or facility upon receipt of valid information that a building or facility is hazardous to life safety from fire. It also adds that the local fire marshal must notify the State Fire Marshal if there a risk of death or injury (as stipulated of Section 29-306© of the Connecticut General Statutes) and such conditions cannot be abated in four hours or less. Also, whenever the local fire marshal receives an application for a variance from the State Fire Code, he must forward the application, along with his recommendation, by first class mail to the State Fire Marshal within 15 days of receipt.

P.A. 09-227 - requires local fire marshals to submit a written report to the board of education documenting each inspection of a school building.

**Estimated Cost Characterization:** Moderate

29-306

Abatement Of Fire Hazards. - Requires local fire marshals to order removal of materials or the remedying of conditions by the owner or occupants when there exists in any building or on any premises, circumstances which present a fire hazard. In the event of failure to abate by the owner or occupant, requires the local fire marshal to promptly notify in writing the local prosecutor and send a copy to the state fire marshal. Also, this bill requires the local fire marshal to notify the State Fire Marshal if he determines that there exists in a building a risk of death or injury and if he determines that these conditions cannot be abated in four hours or less.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 233 - act broadened conditions for ordering removal of materials or remedying of conditions and authorized application for injunction.

1967, P.A. 388 - act provided that owner or occupant of building is subject to penalties under Sec. 29-43 and penalty of ten dollars per day for each day he neglects to remedy hazardous conditions after he is ordered to do so; Sec. 29-53 transferred to Sec. 29-306 in 1983.

P.A. 83-47 - permitted the local fire marshal to request the chief executive officer of the municipality in which a fire hazard exists to apply for an injunction against an owner or occupant of a building and allowed the state fire marshal on his own initiative to seek such injunction.

P.A. 85-276 increased the penalty from ten to fifty dollars a day for each day of neglect for each violation.

P.A. 08-65 – added requirement for the notification of the State Fire Marshal if the local fire marshal determines that there exists in a building a risk of death or injury and if he determines that these conditions cannot be abated in four hours or less.

**Estimated Cost Characterization:** Minor

29-307 Fire Hazards In Manufacturing Establishments. - Requires local fire marshals to order the removal of materials or the remedying of conditions by the owner or occupants of any building structure or premises used in manufacturing, when there exists circumstances which present a fire hazard. Also, requires the local fire marshal to notify and report such circumstances in writing to the labor commissioner.

**Enactment:** 1959, P.A. 233

**Amendments:** Sec. 29-54a transferred to Sec. 29-307 in 1983.

P.A. 83-168 - specified applicability of section to buildings for which labor commissioner enforces fire prevention laws.

P.A. 84-546 - made technical changes.

**Estimated Cost Characterization:** Minor

29-307a Hazardous Materials In Manufacturing Establishments. Notice To Local Fire Marshal. Penalty. Distribution Of Information. - Requires local fire marshals to distribute to the persons providing fire protection within his jurisdiction, lists of hazardous materials being used, kept, stored or produced by local manufacturing establishments, as compiled by those manufacturers. Upon written request, the local fire marshal is also required to provide that list to the municipal health director.

**Enactment:** 1983, P.A. 511

**Amendments:** P.A. 83-511 - effective July 1, 1984.

P.A. 84-546 - made technical grammatical change.

P.A. 85-162 - amended Subsec. (b) by requiring that the notification include a copy of the material safety data and amended Subsec. (c) by authorizing the release of the information to water companies and health directors upon request.

P.A. 85-395 - amended Subsec. (b) by deleting requirement that notice be given "On or before October 1, 1984, and annually thereafter" with "within thirty days," requiring notice of the "elimination" of hazardous substances, adding provisions for the assessment of civil penalties and institution of a civil action by the attorney general to recover such penalties, and providing that any moneys collected shall be deposited in the emergency spill response fund.

P.A. 85-613 - made a technical change in Subsec. (b) and deleted the requirement that the notification include a copy of the material safety data.

P.A. 86-327 - amended Subsec. (c), transferring responsibility for determining form and manner of information distribution from local fire marshal to state fire marshal.

P.A. 86-403 - made technical changes in Subsec. (b).

P.A. 87-318 - deleted the requirement that notice be given to water companies in Subsec. (c).

P.A. 87-511 - amended Subdiv. (2) of Subsec. (a), deleting provisions of Subpara. (B) relative to definition of "hazardous material" as quantities exceeding maximum allowable for transport in one package by cargo aircraft and amended Subsec. (b), modifying the notification to the local fire marshal and the civil penalty for failure to provide such notice.

P.A. 95-208 - amended Subsec. (b) to require that moneys collected in accordance with section be deposited in the General Fund, rather than in the emergency spill response account.

**Estimated Cost Characterization:** Minor

29-310 Investigation By State Fire Marshal Of Origin Of Fires Or Explosions. Order To Remove Combustible Material Or Remedy Flammable Condition Or Fire Hazard. Penalty. - Requires local fire marshals, whenever it comes to their knowledge that any building or premises has a condition

in or upon it which constitutes a fire hazard, to order the owner or occupants of that building or premises to remove or remedy that condition.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 560 - acts clarified subpoena power of commissioner, changed "inflammable" to "flammable" and added conditions presenting a fire hazard to the grounds on which commissioner may order remedies.

P.A. 77-614 - replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.

P.A. 81-429 - added provision requiring (1) investigation of explosions in addition to fires, (2) investigation where personal injury or death results, (3) determination of whether the fire was the result of design, an incendiary device or other criminal act and whether any person should be charged with any crime, and deleted provision permitting state fire marshal to enter premises at any time of day or night, replacing it with provision allowing entry in accordance with Sec. 29-311; Sec. 29-57 transferred to Sec. 29-310 in 1983.

P.A. 88-130 - inserted Subsec. indicators and amended Subsec. (b) to increase the penalty from ten dollars to one hundred dollars a day.

**Estimated Cost Characterization:** Minor

29-311

Fire Investigations. Warrant Requirements. Reports to Insurance Commissioner. - Requires local fire marshals after suppression of a fire or explosion, to apply in writing to a judge of the supreme court for a warrant to enter the premises to determine the cause and origin of the fire or explosion.

**Enactment:** 1981, P.A. 429

**Amendments:** P.A. 84-229 - rephrased section, amended Subsec. (a) by providing that entry may be made without a warrant during the suppression of the fire or explosion or within a reasonable period of time thereafter rather than "within forty-eight hours immediately following the time such emergency is brought under control" and by specifying the reasons allowing such entry, and amended Subsec. (b) by requiring a warrant to enter after a reasonable period of time following the suppression of the fire or explosion rather than after a "forty-eight hour period" and by specifying that the purpose of such entry is to determine the cause and origin of the fire or explosion.

P.A. 00-211 - designated existing language as Subsec. (a), redesignated former Subsecs. (a) and (b) as Subdivs. (1) and (2), respectively, made technical changes, and added new Subsec. (b) requiring the Commissioner of Public Safety to make quarterly reports re arson to the Insurance Commissioner, within available appropriations.

**Estimated Cost Characterization:** Minor

29-315

Fire Extinguishing System Required For Certain Buildings For Human Occupancy; Other Occupancies. - Prohibits the fire marshal or building inspector from issuing a permit of occupancy for a building that has more than four stories and is to be used for human occupancy, unless an automatic fire extinguishing system has been installed. A school district may not have to install sprinkler systems if an alternative to sprinklers is deemed appropriate by the State Fire Marshall or State Building Inspector.

**Enactment:** 1973, P.A. 375

**Amendments:** P.A. 81-381 - made minor changes in wording; Sec. 29-44c transferred to Sec. 29-315 in 1983.

P.A. 86-163 - divided section into Subsecs. and required the installation of automatic fire extinguishing system in hotels and motels.  
P.A. 88-80 - amended Subsec. (b), limiting application of provision to hotels or motels having six or more guest rooms and providing sleeping accommodations for more than sixteen.  
P.A. 88-304 - inserted new Subsec. (c), requiring installation of automatic fire extinguishing systems in hotels and motels having more than four stories and in housing for the elderly having more than four stories, relettered former subsection as Subsec. (d) and changed effective date of P.A. 88-80 from October 1, 1988, to July 1, 1988.  
P.A. 91-282 - amended Subsec. (c) to add a definition of "occupied primarily by elderly persons".  
P.A. 93-106 - transferred from Subsec. (c) to (d) provision requiring installation of automatic fire extinguishing system in housing for the elderly, postponed installation requirement from October 1, 1993, to January 1, 1995, required owner or manager of or agency responsible for such residential building to submit plans for installation of system to local or state fire marshal by January 1, 1994, and relettered former Subsec. (d) as (e).  
P.A. 96-138 - subdivided Subsec. (d) into Subdivs., adding requirement of automatic fire extinguishing system in housing for the elderly with more than twelve units beginning January 1, 1997.  
P.A. 05-31 – stipulated that a school district may not have to install sprinkler systems if an alternative to sprinklers is deemed appropriate by the State Fire Marshall or State Building Inspector

**Estimated Cost Characterization:** Minor

29-322

Inspections By Local Fire Marshal Of Cargo Tank Motor Vehicle Used To Transport Flammable Or Combustible Liquids. - Requires each local fire marshal to inspect annually, or more often if necessary, all tanks and vehicles used for the storage or transportation of flammable or combustible liquids. For all inspected vehicles which are approved, the fire marshal shall issue a seal.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 374 - act prohibited operation of motor vehicle used to transport flammable liquids until it has been inspected and removed requirement for placement of sticker in lower right-hand corner of windshield.  
P.A. 77-614 - replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.  
P.A. 79-512 - made provisions applicable to "combustible liquids" and added Subsec. (b) re procedure required when flammable or combustible fluid leaks or is discharged from storage facility or transport vehicle; Sec. 29-64 transferred to Sec. 29-322 in 1983.  
P.A. 93-73 - removed requirement to affix seal to each vehicle inspected and approved and now only have to issue such seal.  
P.A. 97-162 – removed requirement to report each hazard to state police headquarters.

**Estimated Cost Characterization:** Minor

29-332

Inspections By Local Fire Marshal Of Cargo Tank Motor Vehicle Used To Transport Gas. - Requires each local fire marshal to inspect annually, and more often if necessary, all bulk storage tanks, equipment and vehicles at bulk storage plant installations and utilized for the storage or transportation of liquefied petroleum or natural gas. For all inspected vehicles that are approved, the fire marshal shall issue a seal.

**Enactment:** 1955, Supp. 2001d

**Amendments:** 1959, P.A. 370 - act prohibited operation of vehicle used for transporting liquefied petroleum gas until it has been inspected and removed requirement for placement of sticker in lower right-hand corner of windshield.

P.A. 77-614 - replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.

P.A. 79-512 - made provisions applicable to liquefied natural gas and added Subsec. (b) re procedure required when leak or discharge of gases from storage facility or transport vehicle occurs; Sec. 29-73 transferred to Sec. 29-332 in 1983.

P.A. 93-73 - removed requirement to affix seal to vehicles inspected and approved and now only have to issue such seal.

P.A. 97-162 – removed requirement to report each hazard to state police headquarters.

**Estimated Cost Characterization:** Minor

29-339

Inspection Of Cargo Tank Motor Vehicle Used For Transportation Of Hazardous Chemicals. - Requires each local fire marshal to inspect annually, and more often if necessary, all storage plants and equipment and vehicles at bulk storage plant installations and used for the storage and transportation of hazardous chemicals. For all inspected vehicles that are approved, the fire marshal shall issue a seal.

**Enactment:** 1957, P.A. 353

**Amendments:** 1959, P.A. 371 - act prohibited operation of vehicle used to transport hazardous chemicals until it has been inspected and removed requirement of fixing sticker to lower right-hand corner of windshield.

P.A. 77-614 - replaced commissioner of state police with commissioner of public safety, effective January 1, 1979.

P.A. 79-512 - added Subsec. (b) re procedure required when hazardous chemicals leak or are discharged from storage facility or transport vehicle; Sec. 29-80 transferred to Sec. 29-339 in 1983.

P.A. 93-73 - removed requirement to affix seal to vehicles inspected and approved and now only have to issue such seal.

P.A. 97-162 – removed requirement to report each hazard to state police headquarters.

**Estimated Cost Characterization:** Minor

29-357

Sale, Use And Possession of Fireworks Prohibited. Exhibition. Regulations Concerning Permits For Display. Variations Or Exemptions. Penalty. - Requires the local fire marshal to inspect any proposed fireworks site for compliance with regulations and for the police chief to be included in the determination of the safety of the site before the permit is issued.

**Enactment:** 1953, S1517c

**Amendments:** 1961, P.A. 193 - acts added requirement for certificate of competency issued by state fire marshal in lieu of approval of person handling display by local authorities and prohibited use of salute, report or maroon composed of formula of chlorate of potash, sulphur, black needle antimony and dark aluminum in aerial bombs, specified formulas that could be used and prohibited use of high explosives in aerial bombs or pyrotechnics.

P.A. 76-30 - required that permit application be made at least fifteen days before date of display.

P.A. 80-297 - imposed twenty-five dollar fee for certificate of competency to be renewed every three years upon payment of ten dollar renewal fee and imposed twenty-five dollar fee for display permit.

P.A. 82-344 - permitted state fire marshal to adopt regulations for the granting of permits for the indoor use of pyrotechnics for special effects and for artisans in pursuit of their trade; Sec. 29-97 transferred to Sec. 29-357 in 1983.

P.A. 84-228 - inserted Subsec. indicators, replaced "keep" with "possess", and added Subsec. (c) incorporating penalties for violation of the section formerly set forth in Sec. 29-366 and making the penalty for the sale or possession with intent to sell of fireworks with a value exceeding ten thousand dollars a class A misdemeanor.

P.A. 91-196 - added a new Subsec. (c), permitting state fire marshal to grant variations or exemptions from, or approve alternate compliance with, provisions of regulations issued under Subsec. (b), and relettered remaining Subsec. Accordingly.

May Sp. Sess. P.A. 92-6 - amended Subsec. (b) to increase the fee for certificate of competency from twenty-five to fifty dollars, for renewal from ten to thirty dollars and for an application for permits from twenty-five to thirty-five dollars.

P.A. 99-24 - provided for inspection of the site by the local fire marshal, and includes the police chief in the determination of the safety of the site, allowed suspension of certificate of competency by the State Fire Marshal and permitted revocation or suspension of the permit by the State Fire Marshal or local fire marshal.

P.A. 00-198 - amended Subsec. (a) by adding exception re sparklers.

**Estimated Cost Characterization:** Minor

29-389

Stairways And Fire Escapes On Certain Buildings. - Requires that each story of a building used in whole or in part as a schoolhouse or hall for public assemblies have not less than two remote means of egress, and that each floor above the first floor have not less than two remote means of egress by stairways on the inside or fire escapes on the outside of such building.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 506 - act required means of egress on first story of building, substituted "store" for term "workshop," added exception for building used as workshop or manufactory and deleted reference to Sec. 19-387, that statute having been repealed.

1971, P.A. 802 - act specifically exempted buildings, residential or business, which meet stairway, fire escape and egress requirements of state building and fire safety codes; Sec. 19-386 transferred to Sec. 29-389 in 1983.

**Estimated Cost Characterization:** Minor

29-393

Building Inspectors; Duties, Right Of Entry. - Requires the municipal building inspector to immediately inspect a building, upon receipt of information from the local fire marshal or from any other authentic source that such building is in such condition to be a hazard to any person. Where there is no municipal building inspector, the chief elected official or his assistant is required to perform such inspection.

**Enactment:** Prior to 1949

**Amendment:** Sec. 19-391 transferred to Sec. 29-393 in 1983.

**Estimated Cost Characterization:** Minor

29-404

Local Building Officials To Administer State Demolition Code. - Requires each local building official to administer the state demolition code and to pass upon any question relative to the manner of demolition or materials or equipment to be used in the demolition of buildings or structures.

**Enactment:** 1965, P.A. 551

**Amendments:** P.A. 73-595 - included cities and boroughs and added provision re appointed officers serving cities within towns; Sec. 19-403e transferred to Sec. 29-404 in 1983.  
P.A. 87-263 - required local building officials to administer state demolition code and have experience in construction or structural engineering and thorough knowledge of statutes and regulations concerning demolition and deleted provision specifying town-appointed officer as administrating officer for city within the town unless city appoints its own officer.

**Estimated Cost Characterization:** Minor

29-406

Permit For Demolition Of Particular Structure. Exemption. Waiting Period. - Requires that no person demolish a building or structure or portion thereof without first obtaining a permit from the local building official based upon evidence submitted to the building official that the person applying for the permit has (1) sufficient insurance coverage, (2) had all utilities disconnected and (3) a proper demolition certification from the department of public safety.

**Enactment:** 1965, P.A. 551

**Amendments:** P.A. 73-595 - made provisions applicable to cities and boroughs in addition to towns.

P.A. 77-177 - added exception in Subdiv. (3) for persons engaged in disassembly, transportation and reassembly of historic buildings for historical purposes.

P.A. 78-288 - extended exception in Subdiv. (3) to include persons engaged in farm building demolition or in renovation, alteration or reconstruction of single-family residences.

P.A. 82-451 - changed "license" to "certificate of registration"; Sec. 19-403g transferred to Sec. 29-406 in 1983.

P.A. 83-187 - added Subsec. (b) allowing municipalities to impose a waiting period of not more than ninety days.

P.A. 87-263 - amended Subsec. (a), substituting "building official" for "administrative officer"; required in Subdiv. (2), written evidence in the form of a certificate of notice executed by public utilities, and added an exemption in Subpara. (B) for owners engaged in the demolition of single-family residences or outbuildings.

P.A. 95-8 - amended Subpara. (A) of Subdiv. (3) of Subsec. (a) to delete reference to "demolition" of single- family residences.

**Estimated Cost Characterization:** Minor

## Title 30: Intoxicating Liquors

### *LIQUOR CONTROL ACT*

30-10

Vote On Liquor Permit Question. - Upon petition of not less than 10% of the electors of any town, filed with the municipal clerk, requires the selectmen of the town to warn electors that at the next regular election a vote will be taken regarding the sale of liquor in the town.

**Enactment:** Prior to 1949

**Amendments:** 1965, P.A. 362 - act replaced reference to beer only sales in Subdiv. (2) with reference to sale of alcoholic liquor "in one or more of the classes of permits set forth in section 30-15".

1972, P.A. 294 - act referred to "regular" town elections rather than "annual" elections, deleting provision which allowed vote at special election only for towns with biennial elections.  
P.A. 79-604 - specified that classes of permits already allowed in a town remain unaffected by vote unless specified in petition or "no permits" is requested in petition.  
P.A. 82-144 - moved filing date for petition from twenty to sixty days before the date of election.  
P.A. 86-179 - made technical change.

**Estimated Cost Characterization:** Minor

30-89a Permitting Minor To Illegally Possess Liquor In Dwelling Unit Or On Private Property Or Failing To Halt Such Illegal Possession. Penalty. - Prohibits anyone who controls private property to permit, or fail to stop, minors from possessing alcohol. (Workload increase for the police).

**Enactment:** 2006, P.A. 112

**Estimated Cost Characterization:** Minor

## Title 31: Labor

### *EMPLOYMENT REGULATION*

31-51rr Family And Medical Leave Benefits For Employees Of Political Subdivisions. - Requires municipalities and boards of education to provide their employees who are party to a marriage in which the other party is of the same sex as the employee with the same Federal Family And Medical Leave Act benefits that the state provides its employees who are a party to marriage and specifies certain eligibility for leave.

**Enactment:** 2007, P.A. 245

**Amendment:** P.A. 12-43, Sec. 1 replaces "civil union" with "marriage in which the other party is of the same sex as the employee" and specifies certain eligibility for leave.  
P.A. 12-197, Sec. 38 amended the statute without affecting the mandate.

**Estimated Cost Characterization:** Minor

31-53 Construction, Alteration Or Repair Of Public Works Projects By State Or Political Subdivision; Wage Rates. Certified Payroll. Penalties For Violations. - Requires political sub-divisions of the state in each contract for the construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public works project to include a provision requiring adherence to the prevailing wage in the locality. Requires imposition of a fine of between \$2,500 and \$5,000 for each willful violation of the prevailing wage. Does not apply to new construction projects where the total cost of all work to be performed is under \$400,000, or to remodeling, refinishing, refurbishing, rehabilitation, alteration or repair projects where the total cost is under \$100,000.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 486 - act added provisions re political subdivision and employee welfare funds and added Subsecs. (f) and (g) re records and schedules which must be kept and re inapplicability of provisions where total cost of work is less than five thousand dollars.  
1963, P.A. 240 - act substituted "alteration" for "remodeling" and "public works project" for references to public buildings.

1967, P.A. 494 - act added Subsec. (h) defining "employee welfare fund" and "benefits under an employee welfare plan" and substituted references to Subsec. (h) for references to Sec. 31-78.

P.A. 73-566 - amended Subsec. (b) to add provisions re termination of contract when discovery is made that employees are being paid less than the amount required under contract.

P.A. 75-90 - added references to remodeling, refurbishing, refurbishing and rehabilitation of projects in Subsecs. (a), (b) and (g).

P.A. 77-442 - added Subdiv. (2) in Subsec. (d) requiring commissioner to adopt and use appropriate and applicable prevailing wage rate determinations made by U.S. Secretary of Labor.

P.A. 77-614 - replaced bank commissioner with banking commissioner within the department of business regulation and made banking department the division of banking within that department, effective January 1, 1979.

P.A. 79-325 - replaced former provisions of Subsec. (g) which had rendered section inapplicable where total cost of project is less than fifty thousand dollars with provision rendering provisions inapplicable to new construction projects where total cost is less than fifty thousand dollars and to remodeling, refinishing etc. projects where total cost is less than ten thousand dollars.

P.A. 80-482 - restored banking division as independent department with commissioner as its head following abolition of business regulation department.

P.A. 83-537 - amended Subsec. (e) to require the local agent to contact the labor commissioner, to ascertain proper wage rates and payment levels, at least ten but not more than twenty days prior to putting the contract out to bid.

P.A. 85-355 - amended Subsec. (e) to require the agent to certify the total cost of work to be done on the public works project, and to require the contractor to certify the pay scale to be used on the project after having been awarded the contract and amended Subsec. (g) to make the prevailing wage requirements inapplicable to projects costing less than two hundred thousand dollars if new construction, or to projects costing less than fifty thousand dollars if remodeling; pursuant to P.A. 87-9 banking commissioner was changed editorially to commissioner of banking.

P.A. 91-74 - made a technical change in Subsec. (a), amended Subsec. (b) to increase fines from one hundred dollars to not less than two thousand five hundred dollars but not more than five thousand dollars and amended Subsec. (g) by changing the cost thresholds from two hundred thousand dollars to four hundred thousand dollars and from fifty thousand dollars to one hundred thousand dollars.

P.A. 91-407 - changed effective date of P.A. 91-74 from October 1, 1991, to July 1, 1991.

P.A. 93-392 - deleted reference to Sec. 51-53 in Subsec. (a) and added Subdiv. (2) in Subsec. (f) requiring employers subject to the state prevailing wage laws to file weekly certified payrolls with the contracting public agency and designating such certified payrolls as public records.

P.A. 93-435 - made technical change in Subsec. (a) to reinstate language in existence prior to amendment made by P.A. 93-392.

P.A. 97-263 - amended Subsec. (b) to add Subdivs. (1) and (2) disqualifying bidders from bidding on contracts with the state until certain requirements are met and to add provision permitting the withholding of payment of money to the contractor or subcontractor, amended Subsec. (d) to change "employee" to "person", amended Subsec. (f) to require monthly submission of certified payroll and to make failure to file a certified payroll a class D felony, and amended Subsec. (h) by redefining "employee welfare fund" to include one or more other third parties not affiliated with the employers.

**Estimated Cost Characterization:** Major

31-53a

List Of Violators. Limitation on Awarding Of Contracts. Distribution Of Accrued Payments. Right Of Action. - Requires the Department of Labor to distribute to municipalities a list of persons or firms who have violated the prevailing wage laws and requires the municipalities to refrain from awarding any contracts to those on that list for a period of five years.

**Enactment:** 1973, P.A. 566

**Amendments:** P.A. 78-362 - required that list distributed by commissioner to departments of the state and to its political subdivisions contain names of those who have been barred from federal government contracts in accordance with provisions of Davis-Bacon Act in Subsec. (a).

P.A. 91-74 amended Subsec. (a) by increasing the period of ineligibility from three years to five years.

P.A. 91-407 - changed effective date of P.A. 91-74 from October 1, 1991, to July 1, 1991.

P.A. 93-392 - amended Subsec. (a) to add reference to Sec. 31-76c, to require that list distributed by labor commissioner to departments of the state and to its political subdivisions contain names of those who have violated overtime laws of the state on public works projects and to decrease the period of ineligibility from five to a maximum of three years, as determined by the commissioner.

P.A. 97-263 - incorporated changes to Sec. 31-53 by reference.

**Estimated Cost Characterization:** Minor

31-55a Annual Adjustments To Wage Rates By Contractors Doing State Work. - Requires contractors awarded contracts starting October 1, 2002, for municipal prevailing wage projects to adjust wage and benefit contributions each July 1 during the contract to reflect changes in the prevailing wage.

**Enactment:** 2002, P.A. 69

31-57b Awarding Of Contracts To Occupational Safety And Health Law Violators Prohibited. - Requires that political subdivisions of the state not award any contract to a person or firm (1) which has been cited for three or more willful or serious violations of any occupational safety or health act during the three year period preceding the bid or (2) which has received one or more criminal convictions related to injury or death of any employee within the preceding three years. Requires any political subdivision receiving false information pursuant to this section to notify the Commissioner of Labor.

**Enactment:** 1989, P.A. 367

**Estimated Cost Characterization:** Minor

#### *WORKERS' COMPENSATION ACT*

31-286b Proof Of Workers' Compensation Coverage Prior To Issuance Of Building Permit, Condition. - Requires that the local building official require proof of workers' compensation coverage for all persons employed by the contractor to work on that particular project prior to issuing a building permit, in a manner specified by this section.

**Enactment:** 1995, P.A. 277

**Amendment:** P.A. 96-216 - made existing language Subsec. (a) and excepted certain sole proprietors and property owners from proof requirements and removed one hundred thousand dollar limitation and property owner certification requirement and added Subsec. (b), defining "proof of workers' compensation coverage".

**Estimated Cost Characterization:** Minor

# Title 32: Commerce And Economic Development

## *CONNECTICUT INNOVATIONS, INCORPORATED*

32-23h Exemption From State And Local Taxes And Assessments. Payments In Lieu Of Taxes. Approvals Of Pollution Control Facilities. - Requires that the Connecticut Innovations, Incorporated be exempt from any municipal taxes or assessments on its projects or any of its property or monies.

**Enactment:** 1972, P.A. 195

**Amendments:** P.A. 73-599 - replaced Connecticut development commission with Connecticut development authority.

P.A. 78-303 - deleted reference to Sec. 4-60a.

P.A. 84-512 - deleted references to Secs. 4-5 and 4-24a; in 1993 the obsolete reference to repealed Sec. 36-322 was deleted editorially.

P.A. 97-316 - exempted from sales and use tax sales of tangible personal property and services by the authority, effective July 10, 1997, and applicable to sales occurring on or after July 1, 1997.

P.A. 12-1, June Special Session, Sec. 169 amended the statute without affecting the mandate.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

## *INNOVATION CAPITAL ACT OF 1989. CONNECTICUT INNOVATIONS, INCORPORATED*

32-41s Biotechnology, pharmaceutical and photonics businesses. Benefits. Regulations. – States that eligible businesses and eligible commercial property located in Hartford and specific blocks, block groups and/or census tracts of Bristol, Farmington and New Britain, or located in any municipality which has (1) a major research university with programs in **bioscience**, biotechnology, pharmaceuticals or photonics and (2) an enterprise zone, shall be entitled to the same benefits, subject to the same conditions, under the general statutes for which businesses located in an enterprise zone qualify.

**Enactment:** 1996, P.A. 264

**Amendments:** P.A. 73-599 - replaced Connecticut development commission with Connecticut development authority.

P.A. 99-223 – added new a subsection which directs Connecticut Innovations, Inc. to evaluate the feasibility of establishing a bio-processing facility and to facilitate the formation of a business consortium to launch and operate such facility, if feasible. This amendment has no impact on the mandate.

P.A. 10-104 – added Hartford and specific blocks, block groups and/or census tracts of Bristol, Farmington and New Britain to the locations eligible for this exemption and bioscience to the list of university programs.

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

## *INDUSTRIAL DEVELOPMENT BONDS*

32-141 Allocation Of Ability To Issue Bonds. Approval By Secretary Of Office Of Policy And Management. - The total amount of private activity bonds that may be issued by state issuers in any calendar year, under the state ceiling in effect for each year, shall be 18% for municipalities

and municipal bodies. Also, requires that no municipality shall issue private activity bonds without prior approval by the office of policy and management.

**Enactment:** 1985, P.A. 526

**Amendments:** P.A. 87-539 - amended allocation in Subsec. (a) to eliminate the Connecticut Student Loan Foundation, to allocate forty per cent to the Connecticut Housing Finance Authority, to decrease the allocated percentage for the Connecticut Development Authority from sixty-five per cent to thirty-two per cent, to increase the allocated percentage for municipal entities from fifteen per cent to eighteen per cent and to reduce the contingency amount from fifteen per cent to ten per cent.

P.A. 91-210 - amended Subsec. (a) to set forth the allocation for calendar year 1991.

P.A. 98-237 - amended Subsec. (b) to make consistency with state plan of conservation and development, consolidated plan for housing and community development and action plan for housing and community development a requirement for projects or programs to receive bond allocations.

**Estimated Cost Characterization:** Minor

## Title 38a: Insurance

### *GENERAL PROVISIONS*

38a-18 Application By The Commissioner To Act As Receiver. - Requires municipal police chiefs, upon demand of the insurance commissioner, to provide such officers as are necessary to effectuate the seizure of a domestic insurance company which the commissioner has determined to be in distress or non-compliance with statute.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 518 - act made previous provisions Subsec. (a), replacing former alphabetic Subdiv. indicators with numeric indicators and rephrasing provision re failure to observe commissioner's orders to make good deficiencies, etc., and added Subsecs. (b) to (f).

1971, P.A. 179 - act amended Subsec. (c) to require institution of proceeding within fifteen days after seizure rather than "immediately" and "returnable not less than twelve or more than thirty days after the service thereof" rather than "in no case more than thirty days after such seizure, or the next return day but one, whichever shall be sooner".

P.A. 77-614 - replaced commissioner of state police with commissioner of public safety in Subsec. (c), effective January 1, 1979.

P.A. 78-280 - substituted "judicial district" for "county" in Subsec. (a).

P.A. 90-243 - deleted Subsecs. (d) to (f), inclusive, re the surplus and deficiency of a company in receivership but see Sec. 38a-71 for replacement provisions; Sec. 38-9 transferred to Sec. 38a-18 in 1991.

P.A. 00-99 - deleted reference to sheriff of the county and deputy sheriffs in Subsec. (c).

**Estimated Cost Characterization:** Minor

### *HEALTH CARE AND RELATED SERVICE GROUPS*

38a-224 Exemption From Taxation. - Requires that all property of any medical service corporation be exempt from municipal taxes.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Tax Exemption: No data available on monetary impact.

## Title 43: Weights And Measures

### *WEIGHTS AND MEASURES*

43-4      Chief Executive Municipal Officers To Procure Complete Set Of Standards. - Requires the chief elected official of each municipality required to appoint a sealer to purchase, at municipal expense, a complete set of weights and measures and other apparatus as the commissioner of weights and measures may direct. Requires that all such weights, measures and apparatus be tested sealed and certified by the commissioner and then given to the local sealer for safe keeping.

**Enactment:** Prior to 1949

**Amendment:** 1959, P.A. 152 - act deleted references to counties and changed "city" to "municipality."

**Estimated Cost Characterization:** Minor

43-6      Municipal Sealers Of Weights And Measures. - Requires the appointment of a municipal sealer by the chief executive officer of each municipality with a population of over 75,000. If an appointment is not made, the commissioner of weights and measures may direct his inspectors to provide the services and the municipality is required to reimburse the state for the cost.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 152 - act deleted references to counties and changed "city" to "municipality".

1969, P.A. 810 - act required sealer in municipalities of at least seventy-five, rather than twenty-five, thousand people and permitted municipalities of fewer people to appoint sealers at their discretion, further added provisions re performance of sealer's duties by commissioner's inspectors and municipalities required reimbursement of state for services rendered where sealer fails or neglects to perform duties or where municipality fails to appoint sealer.

P.A. 97-96 - replaced reference to United States census figures with reference to figures certified pursuant to Sec. 19a-2a.

**Estimated Cost Characterization:** Minor

43-7      Arrest Without Warrant. Issuance Of Orders. Application Of Condemned Tags. - Requires that municipal sealers shall have the power to arrest, without warrant, any violator of the laws regarding weights and measures, and to seize, without warrant, any physical evidence pertaining to such violation.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 152 - act deleted reference to county sealers and changed "city" to "municipal".

P.A. 84-279 - allowed the application of a condemned tag to any measuring device which has been tampered with.

P.A. 88-36 provided for the issuance of stop use, hold and removal orders with respect to weights and measures and of stop sale, hold and removal orders with respect to packaged or bulk commodities.

P.A. 95-332 - extended stop use, hold and removal powers to cover weights and measure devices found to be defective or otherwise in violation of Sec. 22a-174.

**Estimated Cost Characterization:** Minor

## Title 45a: Probate Courts And Procedures

### *PROBATE COURT: ADMINISTRATIVE PROVISIONS*

45a-8

Probate Court Facilities. Minimum Standards. Failure To Provide Suitable Facilities. Consolidation, Separation And Creation Of Probate Districts. - Establishes and requires municipal adherence to minimum standards for local probate court facilities including office space, furnishings, equipment, supplies and insurance. The act also allows the probate court administrator to waive or to modify a particular requirement following a meeting with the probate judge and the responsible municipal official. Also requires municipalities to pay for microfilming probate court record books, or for the equipment to produce records.

**Enactment:** Prior to 1949

**Amendments:** 1969, P.A. 519 - act added provision re required use of certain record books, forms, etc., stating that such record books, etc. shall be supplied by probate court administrator and paid for from fund established under Sec. 45-4h.

P.A. 80-476 - divided section into Subsecs. and reworded provisions; Sec. 45-12 transferred to Sec. 45a-8 in 1991.

P.A. 93-279 - adds a new subsec. (a) which requires municipalities to adhere to minimum standards for probate court facilities and amends subsec. (c) to require that municipalities pay for the expense of microfilming court records.

P.A. 07-184 – updates the technological means of recordkeeping and requires the chief executive officer of any town which receives written notice concerning inadequate court facilities to file a plan and time frame for meeting such requirements.

PA 09-1 (September Special Session) – consolidated probate court system, potentially resulting in new costs to expand certain facilities.

**Estimated Cost Characterization:** Minor

45a-10

Fire-Resistant Safe Or Vault. Office Space To Be Provided For Records. - Requires the municipality or municipalities comprising a probate district to provide fire resistant safes or vaults in office space provided for that purpose, for the storage of probate files and records.

**Enactment:** Prior to 1949

**Amendments:** 1967, P.A. 495 - act required that records be kept in "fire-resistive", rather than "fire-proof" safe or vault, deleted references to fire-proof buildings, substituted "chief administrative officers" for "selectmen", "public records administrator" for "examiner of public records" and "records management committee" for "state library committee", deleted provisions re provision of safe or vault by district probate judge when town officers fail to do so, required that records management committee seek enforcement of compliance with order to provide for safe or

vault, replacing detailed procedure for supplying safe or vault, and required that storage facilities conform to standards of public records administrator.

1969, P.A. 746 - act added references to office space provided for record-keeping purposes, included in exception reference to "recording or copying" of records and added exception re stored records not in current use.

P.A. 77-614 - substituted commissioner of administrative services for records management committee.

P.A. 80-338 - replaced commissioner of administrative services with state librarian, required conformity with regulations "in accordance with chapter 54" rather than with "standards" and made other technical changes.

P.A. 80-476 - divided section into Subsecs. and rephrased provisions but made no substantive changes.

P.A. 81-472 - made technical changes; Sec. 45-14 transferred to Sec. 45a-10 in 1991.

PA 09-1 (September Special Session) – consolidated probate court system, potentially resulting in new costs to expand certain facilities.

**Estimated Cost Characterization:** Minor

## Title 46b: Family Law

### *MARRIAGE*

46b-25      Application For License. - Requires that municipal registrars of vital statistics keep all applications for marriage licenses separate and available for public inspection, and that applications be filed as a part of the records of the registrar when the license certificate is returned. Also, requires that both applicants for the license appear personally before the registrar.

**Enactment:** 1967, P.A. 313

**Amendments:** P.A. 78-230 - restated provisions; Sec. 46b-5b transferred to Sec. 46b-25 in 1979 and internal section reference revised to reflect its transfer.

P.A. 96-3 - substituted "race" for "color".

June 18 Sp. Sess. P.A. 97-7 - required that Social Security numbers be stated on application for marriage license.

**Estimated Cost Characterization:** Minor

46b-33      Copy Of Law To Applicants. - Requires municipal registrars of vital statistics to issue a copy of pertinent statutory citations to any person making application for a marriage license.

**Enactment:** 1967, P.A. 313

**Amendment:** P.A. 78-230 made minor changes in wording but no substantive changes; Sec. 46-5j transferred to Sec. 46b-33 in 1979 and internal section references revised as necessary to reflect transfer of those sections.

**Estimated Cost Characterization:** Minor

46b-38b

Investigation of family violence crime by peace officer. Arrest. Assistance to victim. Guidelines. Education and training program. Assistance and protocols for victims whose immigration status is questionable. - Requires a peace officer, whenever he determines upon speedy information that a family violence crime has been committed within his jurisdiction, to arrest the suspected perpetrator. Requires the peace officer to provide immediate assistance at the scene to the victim of a family violence incident and to also provide the victim with contact information for a regional family violence organization.. Requires each law enforcement agency to develop, in conjunction with the division of criminal justice, and to implement and promulgate specific operational guidelines for arrest policies in domestic violence incidents and those guidelines meet the standards set forth in the model law enforcement policy on family violence.

**Enactment:** 1986, P.A. 337

**Amendments:** P.A. 87-554 - substituted commission on victim services for criminal injuries compensation board.

P.A. 87-567 - added "as defined in subdivision (3) of section 46b-38a" after "family violence crime" and deleted former provision of Subsec. (e) re release of person arrested in family violence case.

P.A. 87-589 - made technical change in Subsec. (d).

P.A. 95-108 - amended Subsec. (f) to rename Municipal Police Training Council as Police Officer Standards and Training Council.

P.A. 96-246 - amended Subsec. (e) by deleting references to Subsec. (e) of Sec. 17a-101 and Sec. 17a-107.

P.A. 99-186 - amended Subsec. (a) to exclude a family violence crime involving a dating relationship from provision requiring peace officer to make an arrest when a family violence crime has been committed, to add provision authorizing a peace officer to seize any firearm in possession of any person or in plain view at the crime scene, to add provision requiring the law enforcement agency to return any such seized firearm in its original condition to the rightful owner within forty-eight hours unless the person is ineligible to possess such firearm or unless otherwise ordered by the court, and to make technical changes for purposes of gender neutrality.

P.A. 00-196 - changed reference to "Commission on" to "Office of" Victim Services in Subsec. (d).

P.A. 09-7 (September Special Session) – added that each law enforcement agency shall adopt and use protocols the Police Officer Standards and Training Council will establish for treating victims of family violence whose immigration status is questionable and designate at least one officer with supervisory duties to expeditiously process, upon request of a victim of family violence or other crime who is applying for U Nonimmigrant Status the necessary certifications and forms designated by the United States Department of Homeland Security and required by the victim.

P.A. 11-152 – Sec. 3 added requirement for a peace officer to provide a victim with contact information for a regional family violence organization.

P.A. 12-114 – Sec. 8 requires that a department's guidelines meet the standards set forth in the model law enforcement policy on family violence.

**Estimated Cost Characterization:** Minor

46b-38d

Family Violence Offense Report By Peace Officer. Compilation Of Statistics By Commissioner Of Public Safety. Report To Governor And General Assembly. - Requires each police department to report all family violence incidents where an arrest occurs to the commissioner of public safety on forms prescribed by the commissioner. Requires a \$500 fine for any person failing to make a required report.

**Enactment:** 1986, P.A. 337

**Estimated Cost Characterization:** Minor

## *CIVIL UNION*

46b-38nn Equality Of Benefits, Protections And Responsibilities. - Requires that parties to a civil union shall have all the same benefits, protections and responsibilities under law, whether derived from the general statutes, administrative regulations or court rules, policy, common law or any other source of civil law, as are granted to spouses in a marriage, which is defined as the union of one man and one woman. Thus, wherever in the general statutes the terms “spouse”, “family”, “immediate family”, “dependent”, “next of kin” or any other term that denotes the spousal relationship are used or defined, a party to a civil union shall be included in such use or definition, and wherever in the general statutes, with certain exceptions, the term “marriage” is used or defined, a civil union shall be included in such use or definition.

**Enactment:** 2005, PA 10

**Estimated Cost Characterization:** Minor

46b-38oo Applicability Of Statutes To Civil Unions, Civil Union Status And Parties To A Civil Union . - Requires that in the general statutes, except Secs. 46a-60, 46a-64, 46a-64c and 46a-66, wherever the terms “spouse”, “family”, “immediate family”, “dependent”, “next of kin” or any other term that denotes the spousal relationship are used or defined, a party to a civil union shall be included in such use or definition, and wherever in the general statutes, with certain exceptions, the term “marriage” is used or defined, a civil union shall be included in such use or definition.

**Enactment:** 2005, PA 10

**Estimated Cost Characterization:** Minor

## *JUVENILE MATTERS: GENERAL PROVISIONS*

46b-133 Arrest Of Child. Release Or Detention Of Arrested Child. Alcohol Or Drug Testing Or Treatment As Condition Of Release. Admission Of Child To Overpopulated Juvenile Detention Center. - When a child is arrested or referred for the commission of a delinquent act, but is not placed in a detention center, the police are required to serve a written complaint and summons on that child and his parents or guardian. Police are required to notify DCF of any suspected abuse or neglect of an arrested youth.

**Enactment:** Prior to 1949

**Amendments:** P.A. 59-28 - substituted circuit court for city, police, borough or town court.  
P.A. 74-183 - replaced circuit court with court of common pleas, effective December 31, 1974.  
P.A. 76-426 - authorized juvenile court, probation officer or other officer to turn child over to youth service program.  
P.A. 76-436 - replaced references to court of common pleas and juvenile court with references to superior court and juvenile matters, effective July 1, 1978.  
P.A. 77-452 - made technical grammatical change; Sec. 17-65 temporarily renumbered as Sec. 51-314 and ultimately transferred to Sec. 46b-133 in 1979 (see note to Sec. 17-65) and, similarly, reference to Sec. 17-63 revised to reflect its transfer.  
P.A. 80-236 - authorized turning child over to juvenile detention center and similarly authorized detention supervisor to turn child over to youth service program.  
P.A. 82-220 - added provision re taking photograph, physical description and fingerprints of child fourteen or older arrested and charged with a felony.

P.A. 83-504 - divided section into Subsecs. and added provision re arrest of child by an officer for the commission of a serious juvenile offense as Subsec. (e).

P.A. 84-369 - revised the procedures for the release or detention of an arrested child including deleting the provision allowing the police officer to set bond for a child arrested for a serious juvenile offense, providing that a child arrested for any offense may either be released to the custody of his parent, guardian or some other suitable person or agency or turned over to a detention center, requiring the detention release hearing to be held on the next business day for all arrested children who are detained, prohibiting detention unless certain findings are made including probable cause that the child has committed the acts alleged, prohibiting release from detention of a child who has committed a serious juvenile offense except by order of a judge, and requiring a police officer to notify the parents or guardian of a child whom he intends to bring into detention.

P.A. 89-273 - added Subsec. (f) re the criteria for the admission of a child to a juvenile detention center when the population of the center equals or exceeds its maximum capacity.

P.A. 90-161 - inserted new Subsec. (f) permitting the court to order child to participate in drug testing and treatment as condition of release from detention, relettering former Subsec. as (g).

P.A. 95-225 - In Subsec. (a) changed from "shall" to "may be required" in reference to photographing or fingerprinting a child arrested and charged with a crime. In Subsec. (c) requires police to serve a written complaint and summons on a child and his parents or guardian When such child is arrested or referred for the commission of a delinquent act but is not placed in a detention center.

P.A. 98-256 – amended Subsec. (a) to revise provision authorizing the disclosure of the photograph of a child arrested for a capital felony or class A felony to also include the name and custody status of the child, amended Subsec. (c) to make requirement that an officer serve a written complaint and summons on a child arrested for a delinquent act and his parent, guardian or other person having control of the child inapplicable when the child is referred to a diversionary program and amended Subsec. (g) to add "an order to detain" in Subdiv. (2).

P.A. 11-180, Sec. 1 added Subdiv. 2, requiring police to notify DCF of suspected abuse or neglect of an arrested youth.

**Estimated Cost Characterization:** Minor

## Title 47: Land And Land Titles

### *LAND TITLES*

47-11 County Clerk's Certificates: Recording In Full Not Required. - Whenever an instrument affecting the title to real estate, executed and acknowledged in another state, has a county clerk's certificate attached to it, the municipal clerk with whom it is filed is not required to record the certificate in full, but must note upon such record that the county clerk's certificate of authority was attached to the original certificate.

**Enactment:** Prior to 1949

**Amendment:** P.A. 79-602 - rephrased provisions but made no substantive change.

**Estimated Cost Characterization:** Minor

47-12 Change In Name Or Status Of Owner Of Real Estate. - Requires municipal clerks to record on the land records and to index, any certificate filed by a person or corporation whose name has been changed or consolidated with another.

**Enactment:** Prior to 1949

**Amendments:** P.A. 79-602 - restated provisions.

P.A. 94-217 - made provisions applicable to any limited liability company whose name has been changed and any general or limited partnership which has converted to a limited liability company.

P.A. 98-137 - made provisions applicable to any limited liability partnership whose name has been changed and any general or limited partnership which has converted to a limited liability partnership.

P.A. 98-219 - revised effective date of P.A. 98-137, but without affecting this section.

**Estimated Cost Characterization:** Minor

47-12a Affidavit Of Facts Relating To Title Or Interest In Real Estate. - Requires municipal clerks to index all affidavits in the name of the record owner.

**Enactment:** 1967, P.A. 373

**Amendment:** P.A. 79-602 - restated provisions.

**Estimated Cost Characterization:** Minor

47-13 Conveyance Of Property Acquired Prior To Change Of Name. - Requires municipal clerks to index the record of an instrument in the name under which the property was acquired and the name under which it was transferred.

**Enactment:** Prior to 1949

**Amendments:** P.A. 75-343 - applied provisions with respect to any person conveying property before changing name where previously applicable to married women who conveyed property before their marriage.

P.A. 79-602 - applied provisions to corporations and replaced "such" with "that" or "the" where appearing.

**Estimated Cost Characterization:** Minor

47-15 Certificate Of Taking Land By Appraisal To Be Recorded. - Requires municipal clerks to record on the land records of their towns, certificates describing the land or interest of any land or interest taken by appraisal filed by the applicant or petitioner.

**Enactment:** Prior to 1949

**Amendment:** P.A. 79-602 - substituted "the" for "such".

**Estimated Cost Characterization:** Minor

47-16a Recording Of Certified Copy Of Deed Or Other Instrument Recorded In Land Records Of Another Town. - Requires town clerks to make a certified copy of a deed or any other instrument recorded in its land records affecting real property located in another town. The certified copy shall be filed by the town clerk in the other town.

**Enactment:** 2004, P.A. 132

**Estimated Cost Characterization:** Minor

47-33g Contents Of Notice. Recording. Indexing. - Requires municipal clerks to record in both the grantor and grantee indices and on the land records, the claim of any person alleging an interest in any land in possession of another.

**Enactment:** 1967, P.A. 553

**Amendment:** P.A. 79-602 - divided section into Subsecs. and made minor changes in wording.

**Estimated Cost Characterization:** Minor

#### *FENCES*

47-51 Repair Of Division Fence. - If asked by an aggrieved party, requires the selectmen to view a divisional fence allegedly in need of repair, and if they are in agreement, to give written notice to the person bound to repair it. Also, requires the selectmen to mail written notice of the order to repair such fence to the owners of all land bounded by the fence.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

47-54 Proceedings To Obtain New Division Fence. - When an enclosure has been divided and the parties cannot agree respecting the division of the fence, any of the parties may call out any two selectmen from the town. Requires the selectmen to view the fence and make a division and award as they deem reasonable. Such award must be in writing and describe such division and the time limit for payment of the award.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

#### *CONDOMINIUM ACT*

47-79 Collection Of Taxes And Assessments. - Requires that taxes and special assessments shall be assessed against and collected on each individual condominium unit, each of which must be carried on the tax books as a separate and distinct entity for that purpose and not on the building or property as a whole.

**Enactment:** 1963, P.A. 605

**Amendments:** 1971, P.A. 813 - act provided for payment of taxes in a leasehold condominium by the lessee.

P.A. 76-308 - provided that no forfeiture or sale for delinquent taxes may be made except against the individual unit on which the taxes are delinquent.

**Estimated Cost Characterization:** Minor

# Title 47a: Landlord And Tenant

## *SUMMARY PROCESS*

47a-42      Eviction of tenant and occupants from residential property. Removal and sale of unclaimed possessions and personal effects. - Requires the chief executive officer of a town to designate a place of storage where a state marshal will transport the possessions and personal effects of any tenant or occupant who has been evicted from their home and who doesn't immediately remove such possessions and effects. If the possessions and effects are not reclaimed and the expenses are not paid to the town, the chief executive officer shall sell the same at public auction, after using reasonable efforts to locate and notify such person of the sale and posting notice of such auction, in a manner prescribed by this section. The chief executive officer shall deliver to such person the net proceeds of the sale, if any, after deducting a reasonable charge for storage of such possessions and effects. (Formerly Sec. 52-549)

**Enactment:** Prior to 1949

**Amendments:** PA 10- 171 - eliminated the requirement for a municipality to transport to a storage facility the possessions and personal property of people ejected from their property upon foreclosure.

**Estimated Cost Characterization:** PA 10-171 reduced the mandate from moderate to minor

## *PUBLIC ENFORCEMENT OF HEALTH AND SAFETY STANDARDS IN TENEMENT AND BOARDING HOUSES, AND IN RENTED DWELLINGS*

47a-55      Enforcement. Penalties. - Requires the board of health of each municipality to enforce the provisions of this chapter concerning health and safety standards in tenement and boarding houses and in rental dwellings.

**Enactment:** Prior to 1949

**Amendments:** 1961, P.A. 517 - act deleted obsolete provision that prosecuting authorities of town, city or borough have power to prosecute.

1972, P.A. 178 - act added proviso authorizing towns to designate authorities other than board of health as enforcement agencies.

P.A. 74-345 - raised standard maximum fine from two hundred to one thousand dollars and maximum term of imprisonment from sixty days to six months and maximum term of imprisonment for continued violation from six months to one year.

P.A. 79-571 - divided section into Subsecs., specified that stated penalties apply to violations "for which no other penalty is provided" and made other minor changes in wording; Sec. 19-347 transferred to Sec. 47a-55 in 1981.

**Estimated Cost Characterization:** Minor

# Title 49: Mortgages And Liens

## MORTGAGES

49-8a Release Of Mortgage. Affidavit. Recording Of Affidavit With Town Clerk. Penalty For Recording False Information. - Requires the town clerk to index affidavits (a release of the lien of such mortgage or the property described therein) in the name of the original mortgagee and the last assignee of the mortgage appearing or record as the grantors, and in the name of the mortgagors as grantees.

**Enactment:** 1986, P.A. 341

**Amendments:** P.A. 95-79 - amended Subsec. (a) to redefine "person" to include a limited liability company.

P.A. 95-102 - amended Subsec. (a) to replace definition of "mortgage" with "mortgage loan", amended Subsec. (b) by changing time for release from thirty to sixty days and adding Subdiv. (2) re remedy if no payoff statement was provided pursuant to request made under Sec. 49-10a, amended Subsec. (c) to include current owner of interest encumbered by mortgage as person who may request affidavit, to include provision re failure to provide payoff statement requested pursuant to Sec. 49-10a, to change time for release from thirty to sixty days and require that written notice by affiant be sent to mortgagee by registered or certified mail, postage prepaid, return receipt requested, amended Subsec. (e) re requirements re affidavit and amended Subsec. (h) changing "knowing" to "having actual knowledge that" and increasing penalty for false statements from five hundred to five thousand dollars or imprisonment of not less than one nor more than five years or both fine and imprisonment.

**Estimated Cost Characterization:** Minor

49-9 Form Of Release Of Mortgage. Mechanics Lien Or Power Of Attorney. Index. - Requires the municipal clerk to note the discharge or partial release of a mortgage and to index the record of each such instrument under the name of the releasor and of the mortgagors.

**Enactment:** Prior to 1949

**Amendments:** 1963, P.A. 590 - act applied provisions to power of attorney for the conveyance of land, designated previous provisions as Subsecs. (a) and (c) and inserted new Subsec. (b) re partial release of mortgages.

1967, P.A. 120 - act removed judgment liens from purview of section.

P.A. 79-602 - made minor changes in wording.

**Estimated Cost Characterization:** Minor

49-22 Execution of ejectment on foreclosure judgment. Disposition of property. - Requires the chief executive officer of a town to designate a place of storage where a state marshal will transport the possessions and personal effects of any person who has been ejected from their home and who doesn't immediately remove such possessions and effects. If the possessions and effects are not reclaimed and the expenses are not paid to the town, the chief executive officer shall sell the same at public auction, after using reasonable efforts to locate and notify such person of the sale and posting notice of such auction, in a manner prescribed by this section. The chief executive officer shall deliver to such person the net proceeds of the sale, if any, after deducting a reasonable charge for storage of such possessions and effects.

**Enactment:** Prior to 1949

**Amendments:** P.A. 79-602 - substituted "the" for "such" where appearing.

P.A. 82-234 - authorized an officer to remove the possessions and personal effects of a person ejected from the land and set them out on the adjacent sidewalk, street or highway, and added Subsecs. (b) and (c) concerning the procedure for the removal and disposition of such possessions and personal effects.

P.A. 84-146 - included a reference to posting of notice on a place other than a signpost.

P.A. 84-539 - amended Subsec. (a) with respect to persons against whom execution may issue by replacing "unless the person" with "except a transferee or lienor who".

P.A. 00-99 - replaced reference to sheriff and deputy sheriff with state marshal in Subsec. (b).

PA 10- 171 - eliminated the requirement for a municipality to transport to a storage facility the possessions and personal property of people ejected from their property upon foreclosure.

**Estimated Cost Characterization:** PA 10-171 reduced the mandate from moderate to minor

49-31r

Foreclosure mediation: Notice of community-based resources. - Requires a municipality to include the form specified in Sec. 49-8a with any statement sent to a homeowner regarding an arrearage owed by the homeowner for public sewer or water services or for property taxes.

**Enactment:** 2012, P.A. 12-1 (June Special Session), Sec. 129

**Estimated Cost Characterization:** Minor

*LIENS*

49-41

Public Structures. Bonds For Protection Of Employees And Materialmen. - The statute raises the threshold for purchasing a payment guarantee bond (which is included in the cost of the project) from \$50,000 to \$100,000. Also, no project may include a provision for the municipality to maintain an owner-controlled insurance program.

**Enactment:** Prior to 1949

**Amendments:** P.A. 79-602 - substituted "that" or "the" for "such" where appearing; P.A. 82-358 specified when bonds shall not be required in Subsecs. (a) and (b);

P.A. 87-345 - amended Subsec. (a) to make contracts in excess of twenty-five thousand dollars, instead of one thousand dollars, subject to bond requirement, to exempt general bids in which the cost is less than twenty-five thousand dollars, instead of ten thousand dollars, and to exempt sub-bids in which the cost is less than fifty thousand dollars, instead of twenty thousand dollars, and amended Subsec. (b) to provide that performance bonds shall not be required in relation to general bids in which cost is less than twenty-five thousand dollars, instead of ten thousand dollars, and in relation to sub-bids in which cost is less than fifty thousand dollars, instead of twenty thousand dollars;

P.A. 89-27 - exempted design professionals from Subsec. (a);

P.A. 91-23 - amended Subsec. (a) to require that any bond furnished shall have as principal the name of the person awarded the contract;

P.A. 93-104 - amended Subsec. (a) to rephrase provision requiring person performing the contract to provide the state with a surety bond before the award date;

P.A. 96-235 - amended Subsec. (a) by substituting "consultant" for "design professional", effective June 6, 1996;

June 18 Sp. Sess. P.A. 97-11 - amended Subsec. (a) by increasing contract threshold for including bond provision, from twenty-five thousand dollars to fifty thousand dollars, and making corresponding change in Subdiv. (1), effective July 1, 1997;

P.A. 01-21 -made a technical change in Subsec. (b) and added new Subsec. (c) prohibiting contract provisions that require the use of a specific surety, agent, broker or producer.

P.A. 05-38 - raises the threshold for purchasing a payment guarantee bond from \$50,000 to \$100,000.

P.A. 05-193 – included provision denying use of owner controlled insurance programs.

**Estimated Cost Characterization:** Minor

49-41b

Release Of Payments On Construction Projects. - Prohibits municipalities from withholding more than five percent from any periodic or final payment for a public works project which is otherwise properly due to the general contractor when such project is awarded by contract for which a payment bond is required, and when such contract stipulates that the general contractor must post a performance bond in the full amount of the contract.

**Enactment:** 1977, P.A. 306

**Amendments:** P.A. 87-575 - reduced, from five per cent to two and one half per cent, the maximum amount of any payment which the state may withhold under this section.

P.A. 96-235 - renumbered and relettered provisions of section, added new Subdiv. (1) re withholding of payments under contracts advertised by state Department of Public Works between July 1, 1996, and June 30, 1999, and applied provisions of Subdiv. (2) to contracts advertised by said department on or after July 1, 1999, or any case in which awarding authority is any other state agency.

P.A. 98-222 - amended Subdiv. (1) by deleting time period, adding provisions re "other state agency" and replacing "department" and "Commissioner of Public Works" with "awarding authority", and amended Subdiv. (2) by replacing "Department of Public Works" with "Department of Transportation."

**Estimated Cost Characterization:** Minor

49-53

Duty Of Officer Serving Process In Such Action. Record By Town Clerk. - Requires the town clerk to keep on file the process and complaint in an action for the foreclosure of any lien upon any personal estate. He shall also keep a book in which he shall index the copies, referring to their numbers under the plaintiff's name as grantee and the defendant's name as grantor.

**Enactment;** Prior to 1949

**Amendment:** P.A. 79-602 - divided section into Subsecs. and restated provisions, specifying applicability to actions "for the foreclosure of any lien, other than a chattel mortgage, upon any personal estate".

**Estimated Cost Characterization:** Minor

49-92d

Record Of Discharge. - Requires the town clerk, upon request, to enter upon the land records a notation that the purchaser's lien and, if applicable, the lis pendens or notice of foreclosure, is discharged by operation of law, with certain restrictions, to be done in a manner prescribed by this section.

**Enactment:** February, 1965, P.A. 272

**Amendment:** P.A. 79-602 - restated existing provisions.

**Estimated Cost Characterization:** Minor

## Title 50: Lost And Unclaimed Property

### *LOST AND UNCLAIMED PROPERTY*

50-11      Advertising; Sale Of Perishable Goods. - Requires the police department, whenever it comes into receipt of any lost article worth two dollars or more, to advertise a general description of such article once a week for at least two consecutive weeks in a newspaper having a circulation in such municipality and to retain custody of such article for six months from the date of receipt thereof.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

50-13      Procedure If Unclaimed. - If no owner claims such article referred to in section 50-11 within six months the police department shall, within two weeks thereafter, notify the finder of such fact by registered or certified mail if the item is worth five dollars or more.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

50-14      Disposition After Expiration Of Time For Making Claim. - Requires the police commissioners of such municipality to sell at public auction any articles referred to in sections 50-11 and 50-13 which go unclaimed.

**Enactment:** Prior to 1949

**Estimated Cost Characterization:** Minor

## Title 51: Courts

### *COURTS*

51-27a      Courthouses Serving The Geographical Areas. - Requires that rental of any quarters leased by the state from a municipality for use by superior court, may not exceed annual operating costs for such quarters plus two dollars per square foot for contingency expenses.

**Enactment:** 1959, P.A. 28

**Amendments:** 1959, P.A. 152 - act required that expenses of circuit court be paid by state rather than by county where session is held where facilities shared by superior court and court of common pleas, county government having been abolished.

1961, P.A. 386 - act added proviso re towns' agreement to share expenses for quarters and furniture for circuit court sessions.

1963, P.A. 263 - act added provisions re leasing of court quarters from municipalities by public works commissioner.

1965, P.As. 535, 597 - acts revised leasing provisions to allow rentals at other rates than one dollar and fifty cents per square foot and clarified provision re sharing of facilities by superior and common pleas and circuit courts, specifying that use of chamber, jury assembly and deliberation rooms is allowed and that circuit court may not use facilities when they are in use for trials by superior court, court of common pleas, a judge of either court or a state referee.

1971, P.A. 870 - act specified that chief judge will establish continuous civil jury sessions to serve circuits, deleted provision whereby sessions were held in any town whose legislative body requests such sessions of the executive secretary of the judicial department and rephrased provision re shared facilities with superior and common pleas courts adding reference to facilities no longer used by such courts, effective September 1, 1971.

P.A. 74-183 - substantially revised provisions to reflect transfer of circuit court functions to court of common pleas, effective December 31, 1974.

P.A. 74-272 - established maximum of three dollars and fifty cents per square foot.

P.A. 75-169 - specified that trial of "criminal matters and small claims matters transferred to the regular docket except such matters claimed for jury trial or transferred for consolidation" shall be held in court locations maintained for circuit courts on April 1, 1974.

P.A. 75-406 - specified venue for paternity actions.

P.A. 75-578 - added provision specifically applicable to short calendar sessions and sessions for trial of civil matters, previously short calendar sessions were held in court facilities in same building as superior court and trials of civil matters were held in former circuit court locations; Sec. 51-251 transferred to Sec. 51-156a in 1975.

P.A. 76-108 - transferred venue from court locations formerly maintained for circuit courts to locations serving geographical areas or judicial districts, replaced unspecified rental sum agreed on by public works commissioner and municipalities for new or reconstructed quarters with maximum rental of six dollars and fifty cents per square foot, authorized acquisition of courthouses serving geographical areas or judicial districts and deleted provision which required state to provide and maintain offices of common pleas court established under Sec. 51-156b.

P.A. 76-435 - made technical correction.

P.A. 76-436 - amended section to reflect transfer of common pleas court functions to superior court, effective July 1, 1978; Sec. 51-156a transferred to Sec. 51-27a in the 1977 Court Reorganization Supplement.

P.A. 77-614 - replaced commissioner of public works with commissioner of administrative services as leasing authority.

P.A. 82-248 - made technical revision, rewording some provisions and dividing section into Subsecs. but made no substantive change.

P.A. 82-427 - increased maximum annual rental for quarters serving geographical areas of court of common pleas or common pleas judicial districts on July 1, 1978, from maximum of three dollars and fifty cents per square foot to six dollars and fifty cents per square foot and substituted "commissioner of administrative services" for "state".

P.A. 84-371 - added provision that cost of rental for quarters serving the geographical areas of the superior court from any lessor not exempt from local property tax may not exceed eight dollars and fifty cents per square foot, effective July 1, 1984, and applicable to lease agreements for courthouses entered into on or after that date.

P.A. 87-470 - amended Subsec. (c) by deleting the maximum rental rates of six dollars and fifty cents per square foot payable to a municipality or a lessor exempt from local property tax and eight dollars and fifty cents per square foot payable to a lessor not exempt from local property tax, and by adding provision that with respect to quarters leased from a municipality or lessor exempt from local property tax the rental may not exceed annual operating costs plus two dollars per square foot for contingency expenses and specifying examples of such operating costs.

P.A. 87-496 - substituted "public works" for "administrative services" commissioner.

**Estimated Cost Characterization:** Minor

### *JUSTICES OF THE PEACE*

51-95 Qualifications And Certification Of Nominated Justices Of The Peace. - Requires municipal clerks to send to each nominated justice of the peace a signature form provided by the secretary of state, and upon completion, for the clerk to transmit one copy to the secretary of state. Requires municipal clerks to keep a record of the names of qualified justices of the peace and to transmit a certified list to the secretary of state. Requires clerks to issue a certificate of qualification to each qualified justice of the peace.

**Enactment:** Prior to 1949

**Amendments:** 1959, P.A. 28 - act deleted references to trial justices, municipal courts and prosecuting grand jurors.

1963, P.A. 532 - act added provisions re issuance of certificate of qualification by secretary of the state and re justice's duty to display certificate to persons seeking his services.

1965, P.A. 75 - act substituted first Monday in January for tenth day of January as time for taking oath, required justice to furnish birth date to secretary and clerks and extended time for secretary to furnish certificate of qualification from ten to thirty days after receipt of certificate from town clerk.

1971, P.A. 443 - act clarified provisions re requirement that justice furnish secretary of the state, superior court clerk and town clerk with signature and date of birth, changing deadline from one week after taking oath to January 15th succeeding election and making issuance of town clerk's and secretary of the state's certificates conditional upon receipt of signature and birth date, and specified that certificate issued by secretary of the state must include the date justice's term expires in cases where he will reach the age of seventy during the term.

1972, P.A. 165 - acts specified that justices residing in New Haven county shall send form to superior court clerk at New Haven or Waterbury and justices residing in Litchfield county shall send form to court clerk at Litchfield or Waterbury, effective September 5, 1972.

P.A. 74-109 - referred to nomination of justices rather than to their election at a state election and transferred power to issue certificate of qualification from secretary of the state to town clerk.

P.A. 76-71 - deleted requirement that justice furnish his date of birth and requirement that certificate of qualification include birth date and date term expires by reason of justice's reaching the age of seventy, effectively removing age limitations.

P.A. 78-153 - changed time for taking oath and furnishing signature from January fifteenth after nomination to first Monday in January or first Tuesday if the Monday is a legal holiday in provision whereby failure to meet deadline is deemed to render the office vacant for consistency.

P.A. 82-248 - made technical revision, rewording some provisions and dividing section into Subsecs. but made no substantive change.

P.A. 91-24 - required each justice of the peace to furnish his signature to the town clerk for the town in which he was nominated in duplicate rather than in triplicate and deleted the requirement that the town clerk transmit one of such completed signature forms to the clerk of the superior court for the county, required each town clerk to make a single certificate of the names of qualified justices of the peace in the town rather than duplicate certificates and deleted the requirement that the town clerk transmit one certificate to the clerk of the superior court for the county in which the justice of the peace was nominated, and deleted provisions re the transmittal of signature forms and certificates of qualified justices of the peace for justices nominated in the judicial district of Waterbury.

P.A. 94-230 - repealed requirements of duplicate forms and submission of one completed form to secretary of the state and made technical changes.

**Estimated Cost Characterization:** Minor

## INFRACTIONS OF THE LAW

51-164n Procedure Upon Summons For Infraction Or Certain Violations. Payment By Mail. Procedure At Trial. - Requires local police to provide notice to any person alleged to have committed a motor vehicle infraction involving specific statutes that if he elects to pay the fine and any additional fees he may pay the fine by mail, that such payment will be considered a plea of nolo contendere and shall be inadmissible in any proceeding to establish his conduct and that no points will be assessed against his operator's license for the infraction.

**Enactment:** 1975, P.A. 577

**Amendments:** P.A. 76-436 - required that fine be paid to superior court clerk rather than to common pleas court clerk, reflecting transfer of common pleas court functions to superior court, effective July 1, 1978.

77-340 - specified maximum fine as ninety-nine dollars rather than as "the amount established for such infraction" in Subsec. (b).

P.A. 79-534 - added references to additional fees and made minor changes in wording in Subsec. (a) and reduced maximum fine in Subsec. (b) to ninety dollars.

P.A. 82-223 - amended Subsec. (b) to establish a minimum fine of twenty-five dollars.

P.A. 82-248 - reworded section but made no substantive change.

P.A. 83-577 - amended Subsec. (b) to increase the minimum fine from twenty-five to thirty-five dollars.

P.A. 85-446 - created centralized infractions bureau and revised procedure re payments or pleas of not guilty with respect to the commission of infractions accordingly, effective October 1, 1986.

P.A. 90-213 - made provisions of section applicable where appropriate to the commission of violations of Sec. 14-219 specified in Subsec. (e) of said Sec. 14-219.

P.A. 92-256 - amended Subsec. (b) to add provision prohibiting the assessment of points against the operator's license of such person for such infraction or specified violation of Sec. 14-219.

May Sp. Sess. P.A. 92-6 - amended Subsecs. (a) and (b) to add violations under Secs. 12-487, 13b-404, 13b-404a and 13b-405, violations under regulations adopted under Secs. 12-484, 12-487, and 13b-410, chapter 268 and Subsec. (a) of Sec. 22a-250 and amended Subsecs. (b) and (e) to make technical changes.

May Sp. Sess. P.A. 92-11 - changed effective date of P.A. 92-256 but did not affect the date applicable to this section.

P.A. 93-141 - amended Subsec. (a) by deleting reference to violations under Secs 12-487, 13b-404, 13b-404a and 13b-405, violations under regulations adopted pursuant to Sec. 12-484, 12-487 or 13b-410, violations of Subsec. (e) of Sec. 14-219, violations under chapter 268 And Subsec. (a) of Sec. 22a-250 and adding reference to violations under Subsec. (b) of this section and inserted new Subsec. (b) re violations which shall be treated in the same manner as infractions, relettering former Subsecs. (b) to (f) accordingly.

P.A. 93-307 - would have amended Subsec. (a) by deleting reference to Secs. 13b-404, 13b-404a and 13b-405 which were repealed by the same act, and substituting references to Secs. 13b-410a and 13b-410c, inclusive, but P.A. 93-141 took precedence, effective June 29, 1993.

P.A. 94-135 - amended Subsec. (b) by adding reference to Secs. 13b-410a, 13b-410b and 13b-410c and added Subsec. (h) re practice, procedure, rules of evidence and burden of proof re trial of alleged commission of violation and fine for person guilty of violation.

May Sp. Sess. P.A. 94-1 - amended Subsec. (b) by making technical change, substituting "12-326g" for "32-326g", effective July 1, 1994.

P.A. 95-93 - amended Subsec. (b) to add violations under Sec. 29-341;

P.A. 95-119 amended Subsec. (b) to add a number of fish and game violations to the list of violations to be handled as infractions and amended Subsec. (c) to provide that the provisions of this section shall not affect application of administrative sanctions by the Commissioner of Environmental Protection.

P.A. 95-221 - amended Subsec. (c) to require local police to provide notice to any person committing violation under this Sec. that payment of fine or other fees by mail shall be considered a plea of nolo contendere and shall be inadmissible in any proceeding to establish his conduct, and that no points will be assessed against his operator's license for the infraction.

P.A. 95-264 - made technical changes in Subsec. (b), deleting reference to repealed Secs. 20-181 and 20-182.

P.A. 96-167 - amended Subsec. (b) to add violations under Subsec. (e) of Sec. 14-34a. P.A. 96-257 - amended Subsec. (b) to specify Subsec. (c) as applicable provision of Sec. 14-100a.

P.A. 96-259 - amended Subsec. (b) by deleting reference to Sec. 21a-20 which was repealed by the same act.

P.A. 97-40 - amended Subsec. (b) by adding reference to Secs. 14-267a, 14-269 and 14-270.

P.A. 98-69 - authorized deletion of reference to Sec. 22-118i in Subsec. (b) by the revisors, since Sec. 22-118i was repealed by the act.

P.A. 99-23 - amended Subsec. (b) to delete reference to Sec. 21a-78; P.A. 99-163 authorized the Revisors to delete reference to Sec. 29-118 in Subsec. (b), since Sec. 29-118 was repealed by the act.

P.A. 99-194 - amended Subsec. (b) to delete reference to Sec. 21a-60.

P.A. 99-255 - amended Subsec. (b) to include a violation under Subsec. (b) of Sec. 14-227a.

P.A. 99-268 - amended Subsec. (b) by adding a reference to a first violation as specified in Subsec. (f) of Sec. 14-164i, effective July 1, 1999.

P.A. 00-92 - deleted references to Secs. 22-379 and 22-380 in Subsec. (b).

P.A. 00-148 - amended Subsec. (b) by adding references to Secs. 14-262 and 14-264. P.A. 00-169 - revised effective date of P.A. 99-268 but without affecting this section.

**Estimated Cost Characterization:** Minor

## Title 52: Civil Actions

### *CIVIL PROCESS, SERVICE AND TIME FOR RETURN*

52-57      Manner of Service Upon Individuals, Municipalities, Corporations, Partnerships and Voluntary Associations. - Requires that if a state marshal must serve process papers against a board, commission, department, agency or employee of a town, he shall serve upon the clerk of the town two copies of such process, and the clerk is required to forward the second copy to the appropriate person.

**Enactment:** Prior to 1949

**Amendments:** P.A. 1959, P.A. 152 - act deleted provisions for actions against county, county commissioners and county clerks, county government having been abolished;

P.A. 73-50 allowed service to be made upon an assistant vice president and upon attorneys of foreign corporations appointed pursuant to Sec. 33-400 rather than upon "resident" attorneys of such corporations appointed pursuant to Sec. 33-138;

P.A. 82-160 inserted Subsec. indicators, added Subsec. (d) concerning service upon partnerships which was formerly Sec. 52-57b, and added Subsec. (e) concerning service upon voluntary associations which was formerly Sec. 52-59;

P.A. 83-445 specified that copy of writ and complaint be mailed to partners "named in writ";

P.A. 85-303 substituted reference to corporation's attorney for reference to corporation's agent in Subsec. (c) and raised fee for service of process upon secretary of the state from five to ten dollars;

P.A. 89-195 added Subsec. (f) re service of process in actions concerning child support orders where other methods of service of process cannot be effected;

May Sp. Sess. P.A. 92-6 amended Subsec. (e) to raise fee from ten to twenty-five dollars; P.A. 96-271 amended Subsec. (c) to replace reference to Sec. 33-400 with Sec. 33-922, effective January 1, 1997;

June 18 Sp. Sess. P.A. 97-1 added reference to Secs. 46b-212 to 46b-213v, inclusive, to Subsec. (f), effective January 1, 1998 (Revisor's note: References in Subsec. (f) to Secs. "17b-115" and "17b-693" were replaced editorially by the Revisors with "17b-616" and "17b-689b", respectively, and the word "to" preceding "17b-693" was deleted to reflect repeal of Secs. 17b-115, 17b-689a and 17b-690 to 17b-693, inclusive);

P.A. 03-19 made a technical change in Subsec. (f), effective May 12, 2003;

P.A. 03-224 amended Subsec. (b) by adding new Subdiv. (5) re service on municipal board, commission, department or agency, redesignating existing Subdiv. (5) as Subdiv. (6) and adding Subdiv. (7) re service on municipal employee, effective July 2, 2003 and added requirement that upon being served process papers, the clerk must forward a copy of the papers to the appropriate person;

P.A. 03-278 amended Subsec. (b) by deleting Subdiv. (5)(B) re service on clerk, chief presiding officer or executive head of municipal board, commission, department or agency, deleting Subdiv. (7)(B) re service on municipal employee pursuant to Subsec. (a) and making technical changes, effective July 9, 2003;

June 30 Sp. Sess. P.A. 03-3, in repealing Secs. 17b-19, 17b-62 to 17b-65, inclusive, 17b-116, 17b-116a, 17b-116b, 17b-117, 17b-120, 17b-121, 17b-123, 17b-134, 17b-135, 17b-220, 17b-259 and 17b-287, authorized deletion of internal references to said section in this section, effective March 1, 2004;

P.A. 04-76 amended Subsec. (f) by deleting references to Secs. 17b-118b and 17b-221 that were repealed by the same act; P.A. 04-78 amended Subsec. (b)(5) by replacing "any provision of the general statutes" with "any provision of law".

**Estimated Cost Characterization:** Minor

#### *ARBITRATION PROCEEDINGS*

52-418      Vacating Award. - Under the bill, a judge is required to order an arbitration award issued to resolve a grievance under a collective bargaining agreement to be reheard if it is vacated or issued after the time limit has expired. The bill requires the courts to order the rehearing of state and municipal grievance awards issued after the time limit has expired.

**Enactment:** Prior to 1949

**Amendments:** P.A. 78-280 – substituted “judicial district” for “county”;

P.A. 82-160 – rephrased the section, inserted Subsec. indicators and replaced alphabetic Subdiv. indicators with numeric indicators.

P.A. 87-19 – added Subsec. (c) to provide that the state board of mediation and arbitration and the attorney general must be notified by any party filing to vacate an award issued by the board.

P.A. 97-134 – requires the courts to order the rehearing of state and municipal grievance awards issued after the time limit has expired.

**Estimated Cost Characterization:** Minor

#### *STATUTORY RIGHTS OF ACTION AND DEFENSES*

52-557      Injury To Children Being Transported To School. - Requires that in any action brought by a person for personal injuries received while being transported to or from a school in a vehicle owned, leased, hired by, or operated under contract with any municipality or school board, there is

no defense of sovereign immunity, nor that such transportation is in the line of government duty or is mandated by the state.

**Enactment:** Prior to 1949

**Amendment:** P.A. 00-133 – included sovereign immunity and the fact that the act is mandated by the state as not available as a defense in any action for personal injuries in this section.

**Estimated Cost Characterization:** Moderate

52-557n

Liability Of Political Subdivisions And Its Employees, Officers And Agents. Liability Of Members Of Local Boards And Commissions. - Requires that, except as otherwise provided by law, municipalities are liable for damages caused by (a) the negligence of municipal employees acting within the scope of their employment, (b) negligence in the performance of functions from which the municipality derives a pecuniary benefit, or (c) acts of the municipality which constitute a nuisance. Also, requires that any uncompensated member of a local board or commission is not personally liable for damages resulting from any error or omission made in the exercise of their duties.

**Enactment:** 1986, P.A. 338

**Amendments:** P.A. 92-198 - added Subsec. (c) concerning immunity of members of local boards and commissions who are not compensated for their membership.

P.A. 93-290 - amended Subsec. (b) by adding new Subdiv. (10) regarding preexisting conditions on land sold or transferred by the state.

**Estimated Cost Characterization:** Moderate

## Title 54: Criminal Procedure

### *COURT JURISDICTION AND POWER*

54-1m

Adoption Of Policy Prohibiting Certain Police Actions. Data Collection And Reporting. - Requires municipal police departments to adopt written policies prohibiting stops, searches or detentions motivated solely by considerations of specified characteristics, to collect specified data using a standardized method and form and provide specified information to the Chief State's Attorney and OPM.

**Enactment:** 1999, P.A.198

**Amendments:** June Special Session P.A. 01-9 amended Subsec. (h) to extend the effectiveness of Subsecs. (f) and (g) from January 1, 2002, to January 1, 2003, effective July 1, 2001; P.A. 03-160 amended Subsec. (b)(5) to provide that additional information does not include any other identifying information about any person stopped for a traffic violation such as his or her operator's license number, name or address, amended Subsec. (c) to require copy of the complaint and written notification of the review and disposition of such complaint to be provided to the African-American Affairs Commission and to provide that no such complaint shall contain any other identifying information about the complainant such as his or her operator's license number, name or address, amended Subsec. (f) to require that summary report be provided to the African-American Affairs Commission, amended Subsec. (g) to require the African-American Affairs Commission to review the prevalence and disposition of traffic stops and complaints and, not later than January 1, 2004, and annually thereafter, to report the results of such review to the Governor,

the General Assembly and any other entity said commission deems appropriate and to delete references to the Chief State's Attorney, deleted former Subsec. (h) re limited period of effectiveness of Subsecs. (f) and (g), redesignated existing Subsec. (i) as Subsec. (h) and amended said Subsec. by substituting reference in Subdiv. (1) to personal identifying information with reference to race, color, ethnicity, gender and age, effective June 26, 2003; P.A. 04-27 made technical changes, effective April 28, 2004; P.A. 04-257 made a technical change in Subsec. (b), effective June 14, 2004. P.A. 12-1, June Special Session amended the statute without changing the mandate.

**Estimated Cost Characterization:** Minor

54-1n Complaint By Victim Of Identity Theft. Law Enforcement Agency's Responsibilities. - Requires the police, upon complaint of identity theft, to prepare a report on the matter, a copy of which shall go to the complainant, and to investigate the alleged violation including coordinating efforts with other law enforcement agencies as needed.

**Enactment:** 2003, P.A. 156

**Estimated Cost Characterization:** Minor

54-2d Notation In Computer Network Of Actions Taken By Law Enforcement Agency To Execute Certain Warrants. - Requires the local law enforcement agency, in a manner prescribed by this section, to enter a notation in the rearrest warrant network of the actions taken to execute a warrant and apprehend the accused person.

**Enactment:** 2006, P.A. 99

**Estimated Cost Characterization:** Minor

54-36a Definitions. Inventory. Return Of Stolen Property. Disposition Of Other Seized Property. Return Of Compliance. – Requires property seized in connection with a criminal arrest or pursuant to a search warrant to be inventoried and, if the estimated value exceeds a specified amount, the inventory must be filed, along with the arrest report, with the court. Also, if the seized property is stolen property the police are required to notify the owner of the property within 10 days of determining whom the owner is and advise that owner of his rights concerning the property. Any written request to the police for the release of the property must be forwarded to the court, which will release the property within 30 days unless needed by the court. Requires that whenever municipal law enforcement agencies seize property that is currency, which is not stolen property, it must notify the defendant(s) the circumstances in which that currency was seized and allow them the opportunity for a hearing. If so ordered by the court, the law enforcement agency must deposit the currency in an account.

**Enactment:** 1974, P.A. 221

**Amendments:** P.A. 75-530 - amended Subsec. (b) to make clear distinctions between filing procedure for inventories of property seized in arrest or under a search warrant, and to add provisions specifically applicable to stolen property and restated Subsec. (c). P.A. 76-77 - required that uniform arrest report or search warrant, as the case may be, be filed with inventory, added exception to inventory requirement in connection with arrest re stolen property not exceeding fifty dollars in value and added provision re return of stolen property upon its owner's application to court in Subsec. (b) and changed applicable time periods re claims for property and return of property in Subsecs. (c) to (f) from one year to six months. P.A. 78-280 - deleted references to filing of inventories in counties.

P.A. 79-392 - added definitions of "stolen property" and "owner" in Subsec. (a) and substituted reference to Sec. 54-36c for reference to Sec. 54-36b.

P.A. 81-240 - replaced previous provisions re return of stolen property with new provisions re notification of the owner of stolen property, procedure for return of stolen property within thirty days of request therefor, except for good cause shown and specified that secondary nature of evidence may affect weight of evidence but not admissibility in Subsec. (b) and deleted provision in Subsec. (e) whereby return of compliance was filed after return of property to owner or at the end of six months in cases where court orders return within that time period.

P.A. 82-235 - required office of chief court administrator to provide forms for return of stolen property, required notice of stolen property within ten days instead of forty-eight hours, provided procedure for return of seized property, other than stolen property or contraband, within six months, eliminated sentence of imprisonment for criminal contempt for failure to file the return of compliance and required that any sale of unclaimed seized property ordered by the court shall be public.

P.A. 85-263 - amended Subsec. (a) by adding exceptions of stolen property which does not exceed two hundred fifty dollars in value or when an attempt was made to steal property but property remained on premises in sealed container, amended Subsec. (c) by adding "finds that such property is a controlled drug" and "drug paraphernalia", and added provisions re order of return of property by court, property adjudicated a nuisance, disposition of controlled drugs, controlled substances and drug paraphernalia and immediate filing of return of compliance if owner fails to claim property within six months.

P.A. 87-243 - added new Subsec. (f) re the forfeiture and destruction of fireworks and the admissibility of secondary evidence of such fireworks, and relettered the remaining subsections and internal references accordingly.

P.A. 87-294 - specified that property which is money and sale or auction proceeds be deposited in the general fund.

P.A. 99-247 - amended Subsec. (b) to insert Subdiv. indicators, reposition provision re transfer of inventory and add new Subdiv. (3) re the deposit of seized currency in a safe deposit box in a financial institution, the removal of such currency and the responsibility of such financial institution with respect to such safe deposit box and its contents.

P.A. 01-104 – added notification requirement for seized property that is currency. Also, changes procedure to allow a photograph of a motor vehicle along with a sworn affidavit to be sufficient evidence for the identity of the vehicle.

P.A. 12-72, Sec. 1 – increased the minimum threshold at which filing of a seized property inventory is required from \$250 to \$1000.

**Estimated Cost Characterization:** Minor

54-36n Identification And Tracing Of Seized And Recovered Firearms. - Requires a law enforcement agency that seizes a firearm, whether pursuant to an arrest, search warrant, or other means to immediately attempt to identify it and trace its history as specified. If stolen, such firearm and ammunition must be returned to its rightful owner.

**Enactment:** 1998, P.A.129

**Estimated Cost Characterization:** Minor

*INFORMATION, PROCEDURE AND BAIL*

54-63c Release By Law Enforcement Officer. - Requires the chief of police, or his authorized designate, of the police department having custody of a person arrested on a bailable offense to advise such person of his rights under section 54-16, and of his right to be interviewed concerning the terms and conditions of release. The police officer shall promptly interview the arrested person for

information relevant to his release from custody and then shall seek independent verification of such information.

**Enactment:** 1967, P.A. 549

**Amendments:** 1969, P.A. 826 - act transferred duty to notify arrested person of his rights, etc. from bail commissioner to chief of police or his designee and added provisions re bail commissioner's investigation and decision re release on bail in Subsec. (a).

P.A. 74-183 - amended section to reflect transfer of circuit court functions to court of common pleas, effective December 1, 1974.

P.A. 76-336 - deleted provisions which implied officer's or bail commissioner's right to deny release on bail if he "finds custody to be necessary to provide reasonable assurance of such person's appearance in court".

P.A. 76-436 - reworded exception in Subsec. (a) to clearly distinguish between bench warrants and arrest warrants in which court or judge has set conditions of release, replaced references to prosecuting attorneys with references to various categories of state's attorneys and deleted references to court of common pleas, reflecting transfer of all trial jurisdiction to superior court, effective July 1, 1978.

P.A. 79-216 - rephrased exception in Subsec. (a) to replace reference to condition of release with specific orders of judge or court re denial of bail, etc. and further amended subsection to specify that officer or bail commissioner may not modify condition of release set by court or judge.

P.A. 80-313 - deleted detailed provisions re bail procedure formerly comprising latter part of Subsec. (a) and Subsecs. (b) to (f), restated remaining provisions of Subsec. (a) and added new Subsec. (b) containing general statement of police officers' powers.

P.A. 99-186 - amended Subsec. (a) to prohibit the release of a person on the execution of a written promise to appear or the posting of a bond without surety if such person is charged with the commission of a family violence crime in which such person used or threatened the use of a firearm and to make technical changes for purposes of gender neutrality.

P.A. 99-240 - amended Subsec. (a) to add provisions requiring the police officer to prepare a report when cash bail in excess of ten thousand dollars is received for a person accused of a felony involving the use, attempted use or threatened use of physical force against another person, specifying the contents of such report and requiring such police officer not later than fifteen days after receipt of such cash bail to file such report with the Department of Revenue Services and mail a copy of such report to the state's attorney and each person offering the cash bail and amended Subsec. (b) to require any of the specified officials authorized to take action under said Subsec. to file any report required under Subsec. (a).

P.A. 00-196 - made technical changes in Subsec. (a).

**Estimated Cost Characterization:** Minor

54-63d

Release By Bail Commissioner - Requires local police to prepare a report whenever cash bail in excess of \$10,000 is received for a person accused of a felony involving use or threatened use of force against another person. Police must file the report with the Department of Revenue Services and mail a copy to the appropriate State's Attorney and to each person offering the cash bail.

**Enactment:** 1967, P.A. 549

**Amendments:** P.A. 80-313 - designated previous provisions as Subsec. (c), inserting new Subsecs. (a) and (b) containing provisions formerly found in Subsecs. (a) and (b) of Sec. 54-63b.

P.A. 81-437 - amended provisions concerning investigation by bail commissioner and criteria for release and added provisions re financial conditions of release and added new Subsec. (d) re written procedures for release of information in reports and files of office of the bail commission.

P.A. 82-383 - amended Subsec. (a) to provide that a term or condition of release recommended by a bail commissioner may include a term of supervision.

P.A. 95-225 and 95-261 - both amended Subsec. (c) to add exception for Subsec. (e) and added nearly identical provisions as new Subsec. (e) authorizing the Office of the Bail Commission to disclose reports and files to the Office of Adult Probation for the purposes of conducting investigations and supervising persons placed on probation.

P.A. 97-53 - amended Subsec. (a) by adding "without special conditions" after "appear" in Subdiv. (1), adding Subdiv. (2) re nonfinancial conditions as specified in Subsec. (b), renumbering existing Subdivs. (2) and (3) as Subdivs. (3) and (4), changing "financial" conditions of release to "the" conditions of release, and deleting provisions re bail commissioner's recommendation to the court, added Subsec. (b) re nonfinancial conditions and redesignated existing Subsecs. (b) to (e), inclusive, as Subsecs. (c) to (f), inclusive.

P.A. 98-90 - amended Subsec. (f) to add Subdivs. (2) and (3) authorizing the Office of the Bail Commission to disclose files and reports to the Family Division of the Superior Court for the purpose of preparing written or oral reports and to agencies and organizations under contract with the Office of Alternative Sanctions for the purpose of monitoring arrested persons, respectively.

P.A. 99-186 - amended Subsec. (a) to add provision that the release of a person by the bail commissioner is subject to the exception in Subsec. (b), added new Subsec. (b) to prohibit the release of a person on the execution of a written promise to appear or the execution of a bond without surety if such person is charged with the commission of a family violence crime in which such person used or threatened the use of a firearm, relettering former Subdivs. (b) to (f) as Subdivs. (c) to (g), respectively, and made technical changes to revise statutory references and make provisions gender neutral.

P.A. 99-187 - amended former Subsec. (b) to add new Subdiv. (4) providing that the arrested person may be required as a condition of release to participate in the zero-tolerance drug supervision program established under Sec. 53a-39d, renumbering existing Subdivs. (4) and (5) as Subdivs. (5) and (6), respectively, and to make a technical change for purposes of gender neutrality.

P.A. 99-240 - amended former Subsec. (c) to add provisions requiring the police department to prepare a report when cash bail in excess of ten thousand dollars is received for a detained person accused of a felony involving the use, attempted use or threatened use of physical force against another person, specifying the contents of such report and requiring such police department not later than fifteen days after receipt of such cash bail to file such report with the Department of Revenue Services and mail a copy of such report to the state's attorney and each person offering the cash bail.

P.A. 00-196 - made technical changes in Subsec. (b).

**Estimated Cost Characterization:** Minor

#### *TRIAL AND PROCEEDINGS AFTER CONVICTION*

54-82t Protective Services For Witness At Risk Of Harm - Stipulates that the cost of providing protective services to witnesses shall be shared by the state and local agencies providing such services pursuant to the witness protection policy established by the Office of the Chief State's Attorney.

**Enactment:** 1999, P.A. 240

**Estimated Cost Characterization:** Minor

54-102h Procedure for collection of blood or other biological sample for DNA analysis. - Makes the law enforcement agency that arrests a person subject to the collection of a blood or other biological sample, pursuant to subsection (a) of section 54-102g, responsible for collecting the sample.

**Enactment:** 1994, P.A. 94-246, Sec. 2

**Amendments:** P.A. 11-207, Sec. 2 imposed the mandate.

**Estimated Cost Characterization: Minimal**

*CRIMINAL RECORDS*

54-142a Erasure Of Criminal Records- Requires police departments to erase certain electronic records, in a manner specified by this section, when the criminal case has been disposed of.

**Enactment:** Prior to 1949

Amendments: 1963, P.A.s 482, 642 - acts substituted circuit court for court of common pleas, added provision for case when accused is found not guilty and provided for erasure of court records;

1967, P.A.s 181, 663 - acts added provisions re cases in common pleas, municipal and justice courts, reduced period to elapse before petition from three years to one year and added provisions requiring that petition have summons and proposed order appended, that copy of petition, summons and order be served at least fourteen days before return day on specified persons, that clerk not disclose information pertaining to erased charge, that fee not be charged with respect to petition and that person subject of erasure order shall not be deemed to have been arrested ab initio with respect to erased proceedings;

1969, P.A.229 - act inserted new provisions designated as Subsecs. (a) and (b) re final judgment of not guilty or dismissal of charges, designated previous provisions as Subsecs. (c) and (e), amending Subsec. (c) to remove references to judgments of not guilty and dismissal of charge for which application was previously same as for nolle and rephrasing Subsec. (e), and inserted new provisions re pardons as Subsec. (d);

1971, P.A. 635 - act deleted requirement that petition have summons and proposed order appended and that copy of petition, summons and proposed order be served at least fourteen days before return day on specified persons; 1972 act added provisions applicable to continued cases in Subsec. (c);

P.A. 73-276 deleted provisions re filing of petition with court granting nolle or with circuit court in matters pertaining to municipal court or justice of the peace and required that thirteen months rather than one year have elapsed since nolle before petition filed; P.A. 74-52 amended Subsec. (c) to delete reference to nolle in common pleas court, municipal court or by justice of the peace, adding provision re nolle entered in those courts and in superior and circuit courts prior to April 1, 1972;

P.A. 74-163 amended Subsec. (d) to specify applicability before or on and after October 1, 1974, added provisions in Subsec. (e) re forwarding of erasure notices, etc. and re storage or destruction of records and added Subsec. (f) re disclosure of records to accused or defendant;

P.A. 74-183 amended section to reflect transfer of circuit court jurisdiction to common pleas court, reflecting reorganization of judicial system, effective December 31, 1974; P.A. 75-541 restated Subsec., prohibiting law enforcement agencies from disclosing information, referring to law enforcement agencies generally, rather than to persons, bodies or agencies including state department of police and required that court records and records of state's or prosecuting attorneys be sealed, replacing reference to unspecified records and added Subsec. (g) clarifying applicability of provisions re police or court records or records of state's or prosecuting attorneys;

P.A. 76-345 added provisions in Subsec. (b) re police and court records and records of state's or prosecuting attorney, substituted nolle in common pleas court for those in circuit court in Subsec. (c) pursuant to requirements of P.A. 74-183 and added provisions in Subsec. (f) re disclosure of records in connection with perjury charge, re disclosure subject to records destruction program and re use of jury charge;

P.A. 76-388 specified applicability re office of chief judge of court of common pleas; P.A. 76-436 amended section to reflect transfer of all trial jurisdiction to superior court, deleting references to chief judge, clerk and prosecuting attorneys of common pleas and other lesser courts and adding references to chief court administrator, effective July 1, 1978;

P.A. 77-429 authorized disclosure to hospital or institution where accused confined in Subsec. (f); P.A. 77-452 confirmed substitution of chief court administrator for chief judge of common pleas court and other related changes made in Subsecs. (b), (c) and (e); Sec. 54-90 transferred to Sec. 54-142a in 1979;

P.A. 81-218 provided that in a criminal case where the accused is found not guilty, the charge shall be erased upon expiration of time to file a writ of error or appeal or upon final determination of the appeal sustaining a finding of not guilty, required retention and control of records in the records center of the judicial department rather than in the office of chief court administrator, allowed a charge to be construed as nolle only if the charge has been continued at the request of the prosecuting attorney, rather than continued in superior or common pleas court, allowed court to order disclosure of records upon application of the accused, replacing provision which allowed disclosure if court finds that nondisclosure "may be harmful to the accused in a civil action" and added references to indictments in Subsec. (g);

P.A. 83-486 amended Subsec. (a) by adding provision that erasure is not required of record pertaining to a charge for which the defendant was found, by reason of mental disease or defect, not guilty or guilty but not criminally responsible, amended Subsec. (b) by adding provision that erasure is not required of record pertaining to a charge for which the defendant was found not guilty by reason of mental disease or defect, and amended Subsec. (f) by deleting provision which authorized court to disclose records to "any hospital or institution to which an accused is confined under the provisions of section 53a-47";

P.A. 91-3 amended Subsec. (e) to permit disclosure of records to subject of record pursuant to guidelines of chief court administrator of satisfactory proof of identity and amended Subsec. (f) by deleting language re disclosure of records by the court to the accused;

P.A. 93-142 added "or dismissed" after "nolle";

P.A. 95-133 amended Subsec. (g) by deleting language re any count of any information which was nolle or dismissed and substituted indictment or information "containing more than one count" and added provision re disclosure and nonerasure of such information or indictment;

P.A. 96-63 added Subsec. (h) to provide that the term "court records" does not include a record or transcript of the proceedings made or prepared by an official court reporter, assistant court reporter or monitor;

P.A. 96-79 amended Subsec. (e) to add exception prohibiting the actual physical destruction of such records until three years have elapsed from the date of the final disposition of the criminal case to which such records pertain;

P.A. 99-215 amended Subsec. (g) by deleting former provision prohibiting erasure if conviction upon one or more counts of information and permitting disclosure of information or indictment and substituting provision prohibiting erasure while criminal case is pending or when criminal case is disposed unless and until all counts are entitled to erasure in accordance with the provisions of this section, effective June 29, 1999;

P.A. 02-132 amended Subsec. (g) by adding provision re information contained in the registry of protective orders established pursuant to Sec. 51-5c, effective January 1, 2003;

P.A. 08-151 – amended Subsec (g) by adding certain electronic records to the list of records to be erased when the criminal case has been disposed of.

**Estimated Cost Characterization:** Minor

## *REGISTRATION OF SEXUAL OFFENDERS*

54-257

Registry. Suspension Of Registration. Verification Of Address. The Department of Public Safety (DPS) annually must verify the addresses of people registered for committing a crime against a minor or a felony for sexual purposes. If the registrant fails to return the address verification form, this section requires the DPS to notify local police, who are in turn required to apply for a warrant for the registrant's arrest.

**Enactment:** 1998, P.A. 111

**Amendment:** P.A. 99-183 amended Subsec. (a) to delete the Board of Parole from list of agencies cooperating with the department in the development of forms to report registration information, added new Subsec. (b) re suspension of registration while a person is incarcerated, under civil commitment or residing out of state, redesignated former Subsec. (b) as Subsec. (c) and amended said Subsec. to add exception to address verification requirement when registration is suspended under Subsec.(b), to add reference to Sec. 54-253 in provision requiring the form to contain a statement that failure to return the form or providing false information is a violation of the specified statutes, to delete provision establishing an affirmative defense in a prosecution for failure to return the address verification form and to make technical changes for purposes of gender neutrality, and added Subsec. (d) to require the retaking of the photographic image of each registrant at least once every five years.

**Estimated Cost Characterization:** Minor

54-258

Availability Of Registration Information. Immunity. Requires each local police department to keep a record of all registration information transmitted to it by the Department of Public Safety.

**Enactment:** 1998, P.A. 111

**Amendment:** P.A. 99-183 amended Subsec. (a) to add exception for Subdivs. (3) and (4) of said Subsec., designate provisions re notification as new Subdiv. (2) and amend said Subdiv. to replace "The Department of Public Safety" with "Any state agency, the Judicial Department" and make technical changes, redesignate former Subdiv. (2) as Subdiv. (3) and amend said Subdiv. to replace "Notwithstanding the provisions of subdivision (1) of this subsection, the Department of Public Safety," with "Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, state agencies, the Judicial Department," add Subdiv. (4) providing that registration information the dissemination of which has been restricted by court order pursuant to Sec. 54-255 and is not otherwise subject to disclosure shall not be a public record and shall be released only for law enforcement purposes, redesignate former Subdiv. (3) as Subdiv. (5) and amend said Subdiv. to make provisions applicable when a registrant "completes the registrant's term of registration or is otherwise released from the obligation to register" rather than when a registrant "is released from the obligation to register" and to replace provision that when notified a person is no longer a registrant the Department of Public Safety, state police troop and local police department "shall remove and destroy all registration information pertaining to the person and shall make no further disclosure of such information to any government agency, private organization or individual" with provision that said department, troop and local police department "shall remove the registrant's name and information from the registry", amended Subsec. (b) to replace "Neither the state nor any municipality, nor any branch, agency or employee thereof, shall be liable" with "Neither the state nor any political subdivision of the state nor any officer or employee thereof, shall be held civilly liable" and to add provision that the state and any political subdivision of the state and, except in cases of wanton, reckless or malicious conduct, any officer or employee thereof, shall be immune from liability for good faith conduct in carrying out Subsec. (a)(2), effective July 1, 1999.

**Estimated Cost Characterization:** Minor

54-258a

Warning Against Wrongful Use Of Registry Information. - Requires any municipality providing public access to its sexual offender registry to post a warning stating "any person who uses information in the registry to injure, harass or commit a criminal act against any person included in the registry or any other person is subject to criminal prosecution". The warning must be in a suitable size and location so that it can be seen by persons accessing the registry.

**Enactment:** 1999, P.A. 183

**Estimated Cost Characterization:** Minor

## Uncodified Public Acts (Section A Mandates)

P.A. 95-351\* AAC Welfare Reform, Nursing Homes, Freestanding Chronic Disease Hospitals, Home Health Care Agencies, The Rental Assistance Program, CONNPAGE, Neighborhood Youth Center Grant Program and Payments to Hospitals. - Requires municipalities to be responsible for the full cost of general assistance for the quarter immediately preceding the quarter in which the state implements the administration of the general assistance program for the residents of such municipality.

**Enactment:** 1995, P.A. 351, Sec. 9

**Estimated Cost Characterization:** Moderate

P.A. 98-252\* An Act Concerning Revisions To The Education Statutes And The Registration Of Interpreters For The Deaf And Hearing-Impaired. – Requires the City of Hartford to amend its School Readiness Grant plan to ensure that by the school year commencing in 2000, at least 70% of kindergarten pupils in the four elementary schools with the lowest state mastery test scores have a school readiness experience before entering kindergarten. This requirement is part of the Priority School District program for which the City receives a grant. This will be a mandate if the cost to the City exceeds state grant funds.

**Enactment:** 1998, P.A. 252

**Estimated Cost Characterization:** Moderate

PA 05-289\* An Act Concerning Taxing Districts To Pay For Sound Barriers And Establishing Special Taxing Districts Within The City Of Bridgeport And The Town Of East Lyme. - Requires Bridgeport and East Lyme, upon the petition of at least fifteen eligible voters and in a manner prescribed by this statute, to call for a vote on establishing a special district as specified in this section.

**Enactment:** 2005, P.A. 289

**Estimated Cost Characterization:** Minor

P.A. 09-148\* An Act Concerning the Establishment of the Sustinet Plan. Sec. 3 requires that every municipal agency, department, board, commission and council fully cooperate with the Sustinet Health Partnership board of directors in the design and implementation of the Sustinet Plan.

**Enactment:** 2009, P.A. 09-148

**Estimated Cost Characterization:** Minor

P.A. 11-48\* An Act Implementing Provisions of the Budget Concerning General Government. - requires an interdistrict magnet school program that is not in compliance with specific racial minority enrollment requirements due to changes in federal racial reporting requirements to submit a compliance plan to the Dept. of Education to maintain to its status as an interdistrict magnet school program and remain eligible for interdistrict magnet school funding

**Enactment:** 2011, P.A. 11-48, Sec. 197

**Estimated Cost Characterization:** Minor

P.A. 12-1(JSS)\* An Act Implementing Provisions of the State Budget for the Fiscal Year Beginning July 1, 2012. Sec. 96 requires that a school-based health center receiving funding from DPH enter into an agreement with the board of education to establish minimum standards for communications between the school-based health center and school nurses or nurse practitioners.

**Enactment:** 2012, P.A. 12-1 (June Special Session), Sec. 96

**Estimated Cost Characterization:** Minor

P.A. 13-03 An Act Concerning Gun Violence Prevention and Children's Safety. - Sec. 19 requires a local police dept. to notify DESPP as prescribed regarding a registrant's compliance with the personal appearance requirement of this subsection. Sec 87 requires each local and regional board of education to develop and implement a school security and safety plan as specified, establish a school security and safety committee as specified and annually submit school security and safety plans to the Department of Emergency Services and Public Protection.

**Enactment:** 2013, P.A. 13-03, Sec. 19, 87

**Estimated Cost Characterization:** Minor

PA 13-41 An Act Concerning Hiring Standards For Athletic Directors. – Specifies minimum qualifications for athletic directors hired by a local or regional board of education and specifies responsibilities for athletic directors.

**Enactment:** 2013, P.A. 13-41, Sec. 1

**Estimated Cost Characterization:** Minor

PA 13-64 An Act Concerning Community Schools. - Requires a local or regional board of education to take specified actions in designating a community school and establishes annual reporting requirements.

**Enactment:** 2013, P.A. 13-64, Sec. 1

**Estimated Cost Characterization:** Minor

P.A. 13-173 An Act Concerning Childhood Obesity and Physical Exercise in Schools. – Requires local and regional boards of education to adopt a policy prohibiting an employee from requiring a student participate in physical exercise as a form of punishment.

**Enactment:** 2013, P.A. 13-173, Sec. 3

**Estimated Cost Characterization:** Minor

- PA 13-179 An Act Concerning the Permitting of Certain Coastal Structures by the Department of Energy and Environmental Protection. - Requires a municipality preparing a municipal evacuation plan or hazard mitigation plan to consider sea level change scenarios published by the National Oceanic and Atmospheric Administration
- Enactment:** 2013, P.A. 13-179, Sec. 6
- Estimated Cost Characterization:** Minor
- PA 13-203 An Act Concerning Arborists and Tree Wardens. – Requires a new or reappointed tree warden to complete coursework as specified.
- Enactment:** 2013, P.A. 13-203, Sec. 9
- Estimated Cost Characterization:** Minor
- PA 13-246 An Act Concerning Municipal Authority to Provide Tax Abatements to Encourage Residential Development and Establishing the Rentschler Field Improvement District in the Town of East Hartford. - Requires East Hartford to take specified actions in response to petitions regarding the potential Rentschler Field Improvement District.
- Enactment:** 2013, P.A. 13-246, Sec. 3
- Estimated Cost Characterization:** Minor
- P.A.13-247 An Act Implementing Provisions of the State Budget for the Biennium Ending June 30, 2015 Concerning General Government. - Sec. 257 requires municipalities, by 6/30/2015, to implement the uniform system of accounting for municipal revenues to be developed in accordance with this section to increase transparency regarding municipal expenditures and to meet the state's benchmarking goals. Sec. 322 requires local and regional boards of education to use the uniform regional school calendar approved by their regional educational service center, beginning with the 2015 school year.
- Enactment:** 2013, P.A. 13-247, Sec. 257, 322
- Estimated Cost Characterization:** Minor
- PA 13-273 An Act Concerning Dissection Choice. - Requires a local or regional school district to provide an alternative assignment for a student excused from participating in or observing an animal dissection as part of classroom instruction.
- Enactment:** 2013, P.A. 13-273, Sec. 1
- Estimated Cost Characterization:** Minor
- PA 13-277 An Act Concerning Revisions to the Transportation Statutes and the Designation of Roads and Bridges in Honor or in Memory of Persons and Organizations. - Sec. 58 establishes that the Connecticut Airport Authority cannot be required to pay any amount representing taxes or assessments levied by any municipality and instead will pay the amounts specified in Section 59 of this act. Sec 59 requires that any real property improvements completed at Bradley

International Airport on or after October 1, 2012 shall be deemed to be included in the annual tax payments prescribed in this section. .

**Enactment:** 2013, P.A. 13-277, Sec. 58, 59

**Estimated Cost Characterization:** Minor

S.A. 05-9\* An Act Concerning The Powers Of The Zoning Commission Of The Noank Fire District And Voting At Meetings Of The Fall Mountain Lake Property Owners Association. - Requires the Noank fire district to vote by referendum on the question of authorization of establishment of village districts.

**Enactment:** 2005, S.A. 9

**Estimated Cost Characterization:** Minor

S.A. 06-4\* An Act Concerning Certain Provisions Of Special Act 01-1. - Removes the Waterbury Financial Assistance Board's authority as the final arbitrator over labor contracts and places Waterbury municipal unions under the arbitration process established under the Municipal Employee Relations Act.

**Enactment:** 2006, P.A. 4

**Estimated Cost Characterization:** Minor

S.A. 06-6\* An Act Establishing A Drinking Water Quality Management Plan For The Town Of Groton, Establishing The Litchfield Hills Regional Water Authority And Concerning Examination Of Bore Holes Used For The Development Of Geothermal Heat Pumps. - Requires the City of Groton to develop a drinking water quality management plan for the preservation of Groton's drinking water and the Thames River Regional pipeline.

**Enactment:** 2006, P.A. 6

**Estimated Cost Characterization:** Minor

S.A. 09-5\* An Act Concerning the Thompsonville Fire District. - Allows any 18-year old resident of the district to vote at the annual special meetings of the district.

**Enactment:** 2009, S.A. 09-5

**Estimated Cost Characterization:** Minor

\* These particular sections remain uncodified because they are considered special in nature, but remain in the full force and effect.

## Part I - Statutory Mandates

# SECTION B

**Statute  
Section**

**Description and Enactment**

## Title 3: State Elective Officers

*TREASURER*

3-76r Municipal Refunding Bonds, Requisites, Proceeds. Excluded From Aggregate Municipal Indebtedness, Presumption Re Authorization. - Allows municipalities to issue municipal refinancing bonds, upon the credit of such municipality. Requires a separate trust account to deposit the proceeds from sale of such bonds.

**Enactment:** 1973, P.A. 591

3-76s Defaults In Principal Or Interest Payments On Municipal Refunding Bonds; Remedies. - Requires a municipality in default on the payment of the principal or interest on any municipal refunding bond to set apart from the first revenues of tax receipts an amount sufficient to pay the principal and interest due. Allows state treasurer to withhold state grant money until the amount due has been paid.

**Enactment:** 1973, P.A. 591

## Title 4: Management Of State Agencies

*OFFICE OF POLICY AND MANAGEMENT: GENERAL PROVISIONS; BUDGET AND APPROPRIATIONS;  
STATE PLANNING*

4-124j Creation, Membership, Withdrawal. - Allows councils of government to be created by ordinance, in a manner prescribed by this section, of the legislative bodies of not less than sixty percent of all municipalities within such planning region. This section requires that any member town which wishes to withdraw from the council to do so by ordinance, as long as it pays its pro rata share of expenses of active programs at date of such withdrawal.\*

**Enactment:** 1971, P.A. 821

\* If such regional council is created, the following sections become applicable:

4-124l Certification Of Establishment Of Councils Transitional Period. Reversion To Regional Council Of Elected Officials.

4-124m Rights And Duties Of Council.

4-124n By-laws, Officers, Committees Meetings.

4-124o Regional Planning Commission.

4-124p Receipt Of Funds, Dues, Contracts, Audits, Annual Report.

# Title 4b: State Real Property

## *STATE REAL PROPERTY*

4b-21 Assistant Town Clerks, Notice To Secretary Of The State Of Appointment, Vacancy. - Requires the legislative body of a municipality interested in acquiring state land deemed to be surplus in accordance with this section to vote to accept such conveyance and the municipality to deliver a resolution, verified by the municipal clerk, to the Commissioner of Administrative Services.

**Enactment:** Prior to 1949

# Title 7: Municipalities

## *TOWN CLERKS*

7-19 Assistant Town Clerks, Notice To Secretary Of The State Of Appointment, Vacancy. - Requires the town clerk to file notice with the secretary of state, in a manner prescribed by this section, of any appointment of an assistant town clerk or when a vacancy occurs in such office.

**Enactment:** Prior to 1949

## *REGISTERS OF VITAL STATISTICS*

7-38 Assistant Registrars, Notice To Secretary Of The State Of Appointment, Vacancy. - Requires the town clerk or registrar of vital statistics to file notice with the secretary of state, in a manner prescribed by this section, of any appointment of an assistant registrar of vital statistics or when a vacancy occurs in such office.

**Enactment:** Prior to 1949

## *TOWN MANAGER*

7-99 Duties. Bond. - Stipulates that the town manager is to exercise the powers which are conferred upon the selectmen. He must give such bond as is required by the board of finance, with sufficient surety, conditioned upon the faithful discharge of his duties. The premium upon such bond shall be paid by the town. This section also requires the town manager to file an annual report of his disbursements and receipts during the preceding fiscal year.

**Enactment:** Prior to 1949

## *MUNICIPALITIES: GENERAL PROVISIONS*

7-115 Establishment Of Disputed Boundaries. - Whenever there is a dispute between adjoining towns over the boundary line between them, the superior court, upon application of either town, shall appoint a committee to establish it by suitable monument. The court may allow costs at its discretion.

**Enactment:** Prior to 1949

7-121a Municipal Loans To Nonpublic Schools For Construction Or Renovation. - Requires the municipality, in the event a nonpublic school defaults on any payment installment of a municipal loan, to commence and continue legal proceedings to collect the entire outstanding balance.

**Enactment:** 1974, P.A. 287

7-121c Municipal Guarantee Of Notes And Bonds Issued By Water Authority Re Water Distribution System. - Whenever a water authority incurs debt that cannot be paid off by its revenues and assessments, the towns may guarantee the payment of definitive notes and bonds issued by the authority and thereafter lend to the authority such funds as may be required. The authority shall keep a separate account of such revenues and assessments as may be received by reason of the water service supplied to such town.

**Enactment:** 1978, P.A. 129

7-127c Municipal Agents For Children. - Stipulates that if a municipality appoints an agent for children, such agent must annually report to the municipality on his actions for the previous year. The town clerk is to notify the commissioner of the department of children and youth services immediately of the appointment of a municipal agent.

**Enactment:** 1992, P.A. 247

7-129a Parks And Recreation Capital And Non Recurring Expense Fund. - Allows municipalities, by vote of its legislative body, to establish a special parks and recreation capital and non-recurring expense fund. Certain monies are required to be deposited in said fund, including any investment income earned from the money in the fund. The officer having custody of the fund must submit an annual detailed report of the condition of said fund.

**Enactment:** 1967, P.A. 438

7-130b Creation Of Authority. Joining And Withdrawal. - Allows any municipality to create a public recreational facilities authority by ordinance. Such ordinance shall contain a brief statement of the purpose of the authority and shall set forth the article of incorporation of this authority.\*

**Enactment:** 1965, P.A. 460

\*If an authority is created, the following sections become applicable:

7-130c Commission To Exercise Powers Of Authority. Transfer Of Authority To  
Municipal Department And Vice-Versa.

7-130d Powers Of Authority

7-130g Bond Issues.

7-130i Rates, Rents, Fees And Charges.

7-130j Use Of Receipt.

7-130l Tax Exemption.

7-130q Lease Of Facilities.

7-130s Municipal Guarantee Of Authority Bonds.

7-130v Payment By Authority Of Sums In Lieu Of Taxes.

- 7-131 Municipal Forests. - Requires any municipality which establishes a municipal forest to create a three member forest commission to manage such forest. The commission is required to file an annual report with the municipality and the state forester.
- Enactment:** Prior to 1949
- 7-131a Conservation Commissions. - Allows any municipality to establish a conservation commission which is to consist of three to eleven members who are appointed by the chief executive officer of the municipality. The commission is to conduct research into the utilization of land areas of the municipality. It must keep an index of all open areas for the purpose of obtaining information on the proper use of such areas. It must keep records of its meetings and activities, and make an annual report to the municipality.
- Enactment:** 1961, P.A. 310
- 7-131b Acquisition Of Open Space Land And Easements. Revaluation Of Property Subject To Easement. - Allows any owner who encumbers his property, upon written application to the assessor or board of assessors of the municipality, to have a revaluation of such property to reflect the existence of such encumbrance.
- Enactment:** 1963, P.A. 490
- 7-131o Taking Of Active Agricultural Land By Eminent Domain. Purchase Of Agricultural Conservation Easement Or Development Rights. Notice To Commissioner Of Agriculture. - Requires any municipality that takes active agricultural land by eminent domain must, in a manner prescribed by this section, purchase an agricultural conservation easement on an equivalent amount of active agricultural land within the municipality or pay a fee for the purchase of development rights to an equivalent amount of active agricultural land of equal or better quality elsewhere in the state.
- Enactment:** 2004, P.A. 189
- 7-131q Agricultural Land Preservation Fund. - Allows a municipality to establish an agricultural land preservation fund that shall be in the custody of the treasurer, who must annually make a complete and detailed report of the condition of such fund to the municipality.
- Enactment:** 1984, P.A. 184
- 7-131r Land Acquisition Fund. - Allows a municipality to establish a land acquisition fund. Requires funds to be deposited annually in such fund, in an amount not to exceed the amount which would be generated by the imposition of a tax of two mills against the property subject to such tax. The fund is to be used for the acquisition of land for open space, recreation or housing.
- Enactment:** 1989, P.A. 370
- 7-136 Municipal Economic Development Commissions. - Allows municipalities to form economic development commissions, in a manner provided by this section, for the promotion and development of the economic resources of such municipality. The commission is to conduct research into the economic condition and trends in the municipality and must annually prepare and submit to the municipality a report on its activities and recommendations.

**Enactment:** 1955, Supp. 263d

7-136d Ordinance Authorizing Establishment Of Foreign Trade Zone. - Allows a municipality to create an agency to apply for the privilege of establishing a foreign trade zone, provided any ordinance authorizing such trade zone be submitted to the electors for approval or rejection at a regular or special election, in the manner prescribed in section 9-369 concerning referenda. If a municipality rejects such an ordinance, it must wait one year before voting again on the question.

**Enactment:** 1976, P.A. 160

7-136e Review By Regional Planning Agency And State Department Of Application To Operate Foreign Trade Zone. - Requires any municipality which has authorized the establishment of a foreign trade zone, to submit copies of the application to the regional planning agency within which such municipality is located and the departments of economic development, environmental protection and transportation for their comments on the advisability of establishing such a zone.

**Enactment:** 1976, P.A. 160

#### *HISTORIC DISTRICTS AND HISTORIC PROPERTIES*

7-147a Historic Districts Authorized. Definitions. - Allows any municipality to establish an historic district or districts within its confines.\*

**Enactment:** 1961, P.A. 430

\* If a municipality establishes such commission, the following sections become applicable:

7-147b Procedure For Establishment Of Historic District.

7-147c Historic District Commission.

7-147d Certificate of Appropriateness: Parking areas.

7-147e Application For Certificate. Hearing. Approval.

7-147h Action By Commission To Prevent Illegal Acts.

7-147p Historic Property Ordinance Authorized. Definitions. - Allows any municipality, in conformance with the standards and criteria formulated by the Connecticut Historical Commission, to designate an historic property, and to make appropriations for the purpose of carrying out the provisions of this part.\*

**Enactment:** 1984, P.A. 286

\* If a municipality establishes an historic property, the following sections become applicable:

7-147q Procedures For Establishment Of Historic Properties.

7-147r Historic Properties Commission.

7-147t Procedure For Application For Certificate.

7-147w Action By Commission To Prevent Illegal Acts.

## *MUNICIPAL POWERS*

- 7-148      Scope of Municipal Powers. – Under the Public Health and Safety Subparagraph, municipalities may institute fines for violations of regulations preventing housing blight. If such fines are prescribed, municipalities must adopt a hearing procedure for violations under this section. The municipality must give written notice of any violation and provide the opportunity to remediate the conditions and, if such fines are prescribed, there must be a hearing procedure.
- Enactment:** Prior to 1949
- 7-148g      Fair Housing Commission; Creation And Powers. - Allows municipalities to create fair housing commissions and to stipulate their duties, including having to make studies and receive complaints concerning discrimination and to enforce fair housing ordinances.
- Enactment:** 1979, P.A. 531
- 7-148h      Ethics Commission; Establishment Of Powers. Interest In Conflict With Discharge Of Duties. - Allows any municipality to establish a board or commission to investigate allegations of unethical conduct or illegal activities levied against any municipal official, officer or employee.
- Enactment:** 1979, P.A. 618
- 7-148v      Requirements for competitive bidding. - Prevents a municipality that has established requirements for competitive bidding from exempting contracts or purchases having a value of twenty-five thousand dollars or more from such requirements.
- Enactment:** 1989, P.A. 89-136
- 7-148bb      Agreement Between Municipalities to Share Revenue Received For Payment Of Property Taxes. – Notwithstanding any provision of the general statutes or any special act, municipal charter or home rule ordinance, the chief elected officials of two or more municipalities may initiate a process for such municipalities to enter into an agreement to share revenues received for payment of real and personal property taxes. The agreement shall be prepared pursuant to negotiations and shall contain all provisions on which there is mutual agreement between the municipalities, including, but not limited to, specification of the tax revenues to be shared, collection and uses of such shared revenue. The agreement shall establish procedures for amendment, termination and withdrawal. The negotiations shall include an opportunity for public participation. The agreement shall be approved by each municipality that is a party to the agreement by resolution of the legislative body. As used in this section “legislative body” means the council, commission, board, body or town meeting, by whatever name it may be known, having or exercising the general legislative powers and functions of a municipality and “municipality” means any town, city or borough, consolidated town and city or consolidated town and borough.
- Enactment:** 2000, P.A. 85
- 7-148cc      Joint performance of municipal functions. – Requires that, if two or more municipalities choose to jointly perform a function, they do so by entering into an interlocal agreement pursuant to Sec. 7-339a to 7-339l.

**Enactment:** 2001, P.A. 01-117, Sec. 1 and 2

7-148ff Special Assessment On Blighted Housing. - Requires any municipality which chooses to set a special assessment on blighted housing to form a study committee to evaluate the fiscal effect of implementing such an assessment, in a manner provided by this section. Any ordinance adopted under this act must include standards for determining whether assessment should be imposed, the amount of the assessment, notice procedures for property owner and the appointment of a board to determine when such assessment should be imposed. Whenever such assessment has been enacted, a special fund must be created to be the depository of all revenues from such assessment.

**Enactment:** 2006, P.A. 185

7-148gg Notice To Lienholder Of Notice Or Order To Remedy Health, Housing Or Safety Code Violation. - Requires municipalities, in addition to any other notice required under the general statutes or any municipal health, housing or safety codes or regulations, to send to every lien holder of real estate a copy of any notice or order to the owner of such real estate to demolish, remove or otherwise dispose of the real estate or to make any corrections therein and send it by first class mail.

**Enactment:** 2006, P.A. 185

7-148kk Negotiated agreement to promote regional economic development and share tax revenue from new economic development. – requires that if two or more municipalities enter into an agreement to promote regional economic development and to share the property tax revenues generated, the agreement must include a number of terms specified in this section.

**Enactment:** 2009, PA 09-231

7-148ll Determination re regional economic development agreement. – requires that municipalities entering into an agreement to promote regional economic development as specified in this section must submit a copy of the agreement to OPM.

**Enactment:** 2009, PA 09-231

7-151a Establishment Of Lake Authorities. Withdrawal Of Town. - Allows any two or more towns, which have within their territorial limits a body of state water, to establish a lake authority. The authority will act as an agent for the member towns with the commissioner of environmental protection in the enforcement of the boating laws on such body of water. The authority shall be made up of three delegates from each member town and each town shall pay to the authority its respective share of the expenses. Each member town is required to protect and save harmless such town's delegates to such lake authority from financial loss and expense arising out of any claim, demand, suit or judgment by reason of alleged negligence on the part of such delegates while acting in the discharge of his duties as such delegate.

**Enactment:** 1967, P.A. 682

7-152b Hearing Procedure For Parking Violations. - Requires any town which has established by ordinance a parking violation hearing procedure to appoint one or more hearing officers. Any person who requests a hearing shall be given written notice of the date, time and place. The original or certified copy of the initial notice of violation issued shall be filed and retained by the

municipality. The hearing officer must put the decision in writing at the end of the hearing. If the person is found to be at fault and fails to pay on the date of assessment, the hearing officer shall send, by first class mail, a notice of the assessment and shall file a certified copy with the clerk of the superior court together with an entry fee of eight dollars.

**Enactment:** 1981, P.A. 438

7-152c Hearing Procedure For Citations. - Requires any municipality which adopts by ordinance a citation hearing procedure to appoint one or more hearing officers. Requires any such municipality, within the time frame prescribed by this section, to send notice to the property owner of the allegations against him, the amount of the fines, penalties or costs due, and of his right to a hearing. Any person who requests a hearing shall be given written notice of the date, time and place. The original or certified copy of the initial notice of violation issued shall be filed and retained by the municipality. The hearing officer must put the decision in writing at the end of the hearing. If the person is found to be at fault and fails to pay on the date of assessment, the hearing officer shall send, by first class mail, a notice of the assessment and shall file a certified copy with the clerk of the superior court together with an entry fee of eight dollars.

**Enactment:** 1988, P.A. 221

7-163d Establishment Of Municipal Authority To Develop Or Redevelop Single Parcel. - Requires the establishment of an authority to oversee development or redevelopment of a specified area within any municipality with a population between 25,000 and 30,000 must be done by ordinance in a manner specified by this section.

**Enactment:** 2005, P.A. 33

#### *MUNICIPAL CHARTERS AND SPECIAL ACTS*

7-197 Consolidation Commission. - Requires that a five to fifteen member consolidation commission be appointed whenever a proposal for consolidation has been accepted in two or more units of local government.\*

**Enactment:** 1957, P.A. 465

\* If a consolidation commission is established, the following sections become applicable:

7-198 Duties Of Commission.

7-199 Referendum.

#### *MUNICIPAL PARKING AUTHORITIES*

7-203 Creation Of Parking Authorities. - Requires that a parking authority created under this section consist of five members. Such authority must maintain proper accounting and financial records and must make an annual report to the chief executive officer of the municipality.\*

**Enactment:** 1953, Supp. 281d

\* If a parking authority is established, the following sections become applicable:

7-204 Powers of Parking Authority.

- 7-205 Financing.
- 7-206 Revenue Bonds.

*MUNICIPAL GAS AND ELECTRIC PLANTS*

7-216 Board Of Commissioners. - Requires any municipality which constructs, purchases, leases or establishes, and maintains one or more plants for the manufacture and distribution of gas or electricity, to appoint a commission to be known as the board of gas commissioners, board of electrical commissioners, or the board of gas and electrical commissioners, which shall be responsible for the operation, control, management and repair of such plant. The commission must annually report to the municipality of its closings and of the business and financial matters in its charge.\*

**Enactment:** Prior to 1949

\* If such plant is established, the following sections become applicable:

- 7-217 Issuance Of Debt.
- 7-217a Temporary Notes. Method Of Issuance And Payment.
- 7-218 Reconstruction Or Enlargement Of Plant.
- 7-222 Price.
- 7-232 Damages By Reason Of Operating Plant.

*MUNICIPAL ELECTRIC ENERGY COOPERATIVES*

7-233c Municipal Electric Energy Cooperative Membership. Board Representatives. Appointment. Term. Removal. Officers. Meetings. Staff. Apportionment Of Expenses. - Allows two or more municipal electric utilities, by concurrent resolutions duly adopted by the governing board of each such utility to create and become members of a municipal electric energy cooperative. A cooperative utility board shall be the managing body charged with carrying out the corporate purposes and powers of the cooperative. Such board shall consist of not less than two nor more than six for each member municipality, all of whom must be officials with their respective utilities. This section also sets the procedure for other municipal electric utilities to join the cooperative, and how members may withdraw from the cooperative. Requires the organizational expenses of the cooperative to be paid ratably by each member in the same proportion as their population.\*

**Enactment:** 1975, P.A. 634

\* If a cooperative is established, the following sections become applicable:

- 7-233d Filings With Secretary Of State. Effect.
- 7-233e Powers.
- 7-233f Bonds.
- 7-233k Eminent Domain.
- 7-233m Sufficiency Of Rate Schedule. Public Hearing. Public Inspection.
- 7-233n Dissolution Of Cooperative.
- 7-233q Competitive Bidding.
- 7-233s Taxation.
- 7-233y Municipal energy conservation and load management fund.

7-233y Municipal energy conservation and load management fund. - Requires each municipal electric utility to accrue money into a municipal energy conservation and load management fund, in a

manner specified by this section, for investment in renewable energy sources and for conservation and load management programs.

**Enactment:** 2005, P.A. 1 (June Special Session)

#### *MUNICIPAL WATERWORKS SYSTEMS*

7-234 Operation Of System. When. Payment Of Expenses. Waiver Of Acquisition Rights. - Allows any municipality to acquire, construct and operate a municipal water supply system where there is no existing private waterworks system.\*

**Enactment:** Prior to 1949

\* If a municipality chooses to operate such a system, the following sections become applicable:

- 7-235 Revenue Bonds.
- 7-239 Rates For Use.
- 7-240 Separate Accounts.
- 7-244a Temporary Notes. Methods Of Payment.

#### *MUNICIPAL SEWERAGE SYSTEMS*

7-246 Water Pollution Control Authority; Designation. Preparation Of Municipal Plan. Successor To Sewer Authority; Validation Of Sewer Authority Acts. - Allows any municipality, by ordinance, to designate a water pollution control authority for such municipality. Each authority may, in a manner prescribed by this section, prepare and update a water pollution control plan.\*

**Enactment:** Prior to 1949

\*If such authority is established, the following sections become applicable:

- 7-246a Applications. Time For Decision. Appeal.
- 7-247 Powers Of Water Pollution Control Authority To Acquire, Construct And Operate sewerage System. Obligation To Consider Feasibility Of Sewage As Energy Source.
- 7-247a Public Hearing On Proposed Acquisition Or Construction.
- 7-250 Public Hearing. Appeal.
- 7-252 Due Date Of Assessment.
- 7-253 Installment Payment Of Assessment.
- 7-255 Charges. Hearing. Appeal. Payment By Municipalities Of Charges Upon Specified Classification Of Property Or Users. Optional Payment Plans.
- 7-257 Order To Connect. Appeal.
- 7-259 Bonds, Notes Or Other Obligations.
- 7-261 Full Faith And Credit.
- 7-263a Bonds To Finance Portion Of Sewage System Project.
- 7-267 Use Of Funds.

#### *TRANSIT DISTRICTS*

7-273b Legislative Finding. Definitions. Formation Of District. Withdrawal. - Allows any municipality, by itself or in cooperation with one or more other municipalities, to form a transit district. The legislative body of any municipality may vote to establish a transit district or to join with other municipalities to form such a district. Any municipality may at any time be included in the district

if the legislative body thereof so votes and that vote is accepted by a majority vote of the directors of the district.\*

**Enactment:** 1961, P.A. 507

\*If such district is formed, the following sections become applicable:

7-273c	Board Of Directors. Bond Required Of Officers And Employees.
7-273f	District Budget. Audit Of Accounts.
7-273h	Liability Of District. Joint Assumption Of Liability Imposed Upon District Officer, Agent Or Employee.
7-273i	Transfer Of Employees When Company Acquired By District.
7-273j	Collective Bargaining.
7-273k	Contracts For Mass Passenger Transportation Service. Grants. Borrowing Powers.
7-273m	Distribution Formula Exception.
7-273n	State Matching Grants For Elderly And Handicapped Demand Responsive Transportation Programs.

#### *MUNICIPAL RESOURCE RECOVERY AUTHORITIES*

7-273aa Municipal Resource Recovery Authority. Definitions. Designation. Regional Authorities. Withdrawal. - Allows any municipality, by charter or ordinance, in a manner provided by this section, to adopt the provisions of chapter 103b and designate a municipal or regional resource recovery authority. If a new board is created, the municipality shall determine, by ordinance, the makeup of the membership, its compensation and the method of its appointment and removal.\*

**Enactment:** 1981, P.A. 213

\* If such authority is established, the following sections become applicable:

7-273bb	Powers.
7-273cc	Bonds And Notes.
7-273dd	Sale Of Bonds Or Notes. Use Of Proceeds.
7-273ee	Security Of Bonds Of Municipality And Of Authority. Contracts And Agreements. Payments.
7-273kk	Use Of Funds.
7-273mm	Exemptions From Taxes. Payments In Lieu Of Taxes.

#### *MUNICIPAL POLICE AND FIRE PROTECTION*

7-274 Establishment Of Town Police Commissions. - Allows any town, by ordinance, in a manner prescribed in this section, to establish a board of police commissioners. The town treasury shall pay for its actual expenses and disbursements incurred in the performances of its duties. \*

**Enactment:** Prior to 1949

\*If such board is established, the following sections become applicable:

7-275	Meetings Of Commissioners. Vacancies.
7-276	Powers Of Commissioners.

- 7-277a Police Assistance Agreements. - Unless waived in writing by the chief executive officer of the municipality supplying police assistance pursuant to a request under this section from another municipality, such municipality shall be reimbursed for all expenditures incurred in providing such assistance by the municipality making such request.
- Enactment:** 1967, P.A. 198
- 7-278 Hearing Prior To Dismissal Of Municipal Police Head. Just Cause Requirement. Appeal. - Requires notice in writing before an active head of any municipal police department can be dismissed, such notice to contain the specific grounds for such dismissal and the officer must be given an opportunity to be heard in his own defense at a public hearing.
- Enactment:** 1949, 1951, 1955 Supp 425d
- 7-280 Witness Fees. - Requires the municipality to pay fees to witnesses who attend and testify before the board of police commissioners, the amount of such fee to be certified by the mayor or clerk of such board to the proper auditing officer of the municipality.
- Enactment:** Prior to 1949
- 7-282 Municipal Accident And Police Records. - Requires that all evidence acquired in the investigation of any accident wherein any person has been injured or property damaged shall be preserved for ten years by the police department.
- Enactment:** Prior to 1949
- 7-282c Filing And Dissemination Of Missing Child Reports. - Requires any municipal police department which receives a report of a missing child, up to the age of 18, to immediately accept such report for filing and communicate the report to other appropriate law enforcement agencies.
- Enactment:** 1985, P.A. 278
- 7-285 Sale Of Unclaimed Goods By Police Departments. - Allows the authority having charge of the police department in a given municipality to sell, by public auction, any and all articles found and which have remained in the possession thereof for one year or more. Before such sale, such authority must advertise once a week for four weeks in a daily newspaper published in the county. The proceeds of such sale, after deducting for expenses, shall be paid to the state treasurer or the treasurer of the municipality which shall be kept in a separate fund to be used for the relief of sick, injured or disabled policemen.
- Enactment:** Prior to 1949
- 7-293 Work Week. - Requires the work week for all permanent paid members of the uniformed police force of any municipality adopting sections 7-292 - 7-294 to be forty hours, with certain exceptions as detailed in this section.
- Enactment:** 1951, Supp. 432d

- 7-294d Powers Of Council, Certification Of Police Officers, Police Training, Schools And Law Enforcement Instructors. Refusal To Renew, Cancellation or Revocation Of Certification. Automatic Certification. Exemptions. - Stipulates the powers the municipal police training council has, including the development of a police training and retraining plan, setting of minimum courses of study, and establishing uniform minimum educational and training standards for all police officers. It also requires that any person to be hired as a police officer must be certified, and recertified as the case may be, by the council after receiving such training.
- Enactment:** 1965, P.A. 575
- 7-294e Recertification Of Police Officers. Regulations. - Requires every police officer to recertify with the municipal police training council within the time frame and in accordance with procedures established by the council.
- Enactment:** February, 1965, P.A. 575
- 7-294f State And Local Police Training Programs To Include Course On Rape Crisis Intervention. - Requires any police basic or review training program to include a course on rape crisis intervention and a course on sexual assault investigation.
- Enactment:** 1982, P.A. 60
- 7-294g State And Local Police Training Programs To Provide Training Re Domestic Violence, Child Abuse, And Suicide Intervention Procedures. - Requires each police basic or review training program to include courses on domestic violence, child abuse and suicide intervention procedures.
- Enactment:** 1985, P.A. 581
- 7-294h State And Local Police Training Programs To Provide Training On The Handling Of Juvenile Matters. - Requires each police basic and review training program to include courses on the handling of juvenile matters.
- Enactment:** 1989, P.A. 273
- 7-294o Development and implementation of policy re missing persons. - Each police basic or review training program, including a municipal police department's program, must include training in the policy regarding the acceptance of missing person reports, including, but not limited to, adult missing person reports.
- Enactment:** 2011, P.A. 11-102, Sec. 3
- 7-294q State and local police training programs to provide training on eyewitness identification procedures. - Requires each police basic and review training program to provide training to police officers in the administration of eyewitness identification procedures as specified.
- Enactment:** 2012, P.A. 12-111, Sec. 2

- 7-294y (Formerly 7-294i) State And Local Police Policy On The Handling And Processing Of Juvenile Matters. - Requires each municipal police department to establish a written policy or update its current policy with respect to the handling and processing of juvenile matters.
- Enactment:** 1989, P.A. 273
- 7-294aa Reinstatement Of State Or Municipal Police Officers Upon Return From Participation In International Peacekeeping Operations. - Requires that any police officer who takes a leave of absence or resigns from employment on or after September 11, 2001 to volunteer for an international peace keeping operation shall be returned to his or her original position, or an equivalent position, upon returning to the United States.
- Enactment:** P.A. 04 - 241
- 7-295 Acceptance Of Part. - Requires an affirmative vote of the electors at a referendum warned and held for the purpose of accepting the provisions of Part II of chapter 104 concerning a police reserve fund to apply to any municipality with a police department, except those authorized by special charter to establish a police benefit or reserve fund.
- Enactment:** Prior to 1949
- 7-296 Reserve Fund Of Police Department. - Requires each city to have a reserve fund of the police department, such fund to be kept in a manner prescribed by this section. The board of police commissioners or the police committee shall be the board of trustees of such fund and shall have general charge of the fund. The board of trustees must annually report to the council on the condition of the fund.
- Enactment:** Prior to 1949
- 7-301 Establishment Of Fire Department. - Allows towns to provide by ordinance for the protection of property within its limits from fire and for the establishment of a town fire department.
- Enactment:** Prior to 1949
- 7-302 Hearing Prior to Dismissal of Fire Department Head. Appeal. - Requires that a municipality, before dismissing the head of its fire department, give written notice to that person, stating the grounds for such dismissal, and providing him an opportunity to defend himself before the proper authorities.
- Enactment:** Prior to 1949
- 7-304 Participation of Municipalities. - Requires a municipality, upon petition of 5% of the electors, to submit the question of adopting the provisions of the statutes dealing with firemen's hours and wages to a vote at the next regular or at a special election.\*
- Enactment:** Prior to 1949:

\*If the vote to adopt this question passes, the following sections become applicable:

7-305 Work Week.  
7-306 Earnings.

7-308 Assumption Of Liability For Damages Caused By Firemen Or Volunteer Ambulance Members. - Requires a municipality to pay on behalf of all volunteer firemen and ambulance drivers of such municipality, all sums the firemen become liable to pay because of damage to persons or property, if non-wanton and in the course of their duties.

**Enactment:** 1955, S. 266d

7-313a Fire Police. – Specifies that fire police officers appointed by a town, city, borough or district shall wear a badge of office and certain safety gear.

**Enactment:** 1961, PA 444

7-314a Death, Disability And Injury Benefits. Presumption. - Requires active members of volunteer fire departments and volunteer ambulance services to be construed as employees of the municipality benefiting from their activities and be subject to the jurisdiction of the workers compensation commission while engaged in volunteer fire or ambulance duty. Any heart or hypertension condition occurring in a volunteer fireman, who was hired before July 1, 1997, shall be presumed to have been suffered in the line of duty.

**Enactment:** 1967, PA 892, S.2

7-314b Collection Of Workers' Compensation Benefits By Volunteer Firefighters. Fire Duties Defined. - Increases the workers' compensation benefit rate for volunteer firefighters injured or killed on duty at fires, returning directly from fires, answering fire alarms or answering or returning from mutual aid assistance calls from other towns. Benefits are based upon average production wage or the wage firefighters earn in their paid employment, whichever is more.

**Enactment:** 1995, P.A. 243

7-322a Benefits For Volunteers Rendering Service To Another Fire Company. - Whenever an active member of a volunteer fire company offers his services to another fire company actively engaged in fire activities, the municipality in which the volunteer fireman is a member is required to provide all benefits to which he is entitled under Sections 7-314 and 7-314a (Workers Compensation and Heart and Hypertension).

7-323e Benefits. – Requires that the surviving spouses of police officers and firefighters receive benefits, in a manner specified by this section.

**Enactment:** 1963, PA 390

#### *FIRE, SEWER AND OTHER DISTRICTS*

7-329a Establishment Of Port District And Authority. Jurisdiction. - Any town may, by vote of its legislative body, establish a port district, which shall embrace such town. The affairs of such

district shall be administered by a port authority. Requires that members of the authority be reimbursed for necessary expenses.\*

**Enactment:** 1967, P.A. 900

\*If a port authority is established, the following section becomes applicable:

7-329c Powers And Duties Of Port Authority.

7-330 Formation Of Municipal District. - Allows any two or more towns, by vote of their legislative bodies, to form a district for the performance of any municipal function that the constituent municipalities may perform. Requires that the affairs of the district be managed by a board consisting of two members from each municipality.\*

**Enactment:** 1955, Supp. 344d

\*If such district is established, the following section become applicable:

7-331 Payment Of Expenses.

7-334 Formation Of Metropolitan District. Jurisdiction. - The central city and any one or more municipalities within the metropolitan area may join to form a metropolitan district for the performance of one or more functions.\*

**Enactment:** 1955, Supp. 348d

\*If such district is established, the following section become applicable:

7-336 Petition To Establish District.

7-337 Charter Commission. - Allows two or more municipalities to form a municipal district and requires municipalities forming such district to meet and appoint a charter commission.\*

**Enactment:** 1955, Supp. 351d

\*If such district is established, the following sections become applicable:

7-338 Preparation Of Charter.

7-339 Vote On Charter.

7-339b Subjects Of Interlocal Agreements. - Allows any public agency to enter into interlocal agreements with any other public agency of this or any other state to exchange, furnish or provide services, personnel, facilities or equipment for a specific set of listed purposes.\*

Enactment: 1961, P.A. 429

\*If such agreement is established, the following sections become applicable:

7-339c Procedure For Entering Agreements.

7-339g Financing Of Activities.

*MUNICIPAL SPECIAL SERVICES DISTRICT*

7-339m Purpose Of Special Services Districts. - Allows any municipality to establish within its confines a special services district(s) by vote of its legislative body.\*

**Enactment:** 1973, P.A. 621

\*If such district is established, the following sections become applicable:

- 7-339n Powers Of Special Services District.
- 7-339p Referendum On Ordinance Establishing Special Services District.
- 7-339q Board Of Commissioners Of District. Contract Awards.
- 7-339r Tax Levy For Benefit Of Special Services District.
- 7-339s Dissolution Of Special Services District.

*TOWN BOARD OF FINANCE*

7-340 Towns May Establish. - A municipality may vote at any duly warned annual or special meeting to establish a Board of Finance, and if it does so, a certificate of such approval shall be recorded in the municipal clerk's office and a copy filed with the Secretary of State. Requires that the Board cannot be abolished until two years after its establishment.\*

**Enactment:** Prior to 1949

\*If such board is established, the following sections become applicable:

- 7-341 Oath. Expense.
- 7-342 Officers. Meetings. Filing Of Minutes And Records. Polling of Members.

7-344 Appropriations. Laying Of Tax. - Requires the Board to hold a public hearing on estimated expenditures for the upcoming year, two weeks prior to the annual meeting. Requires that subsequent to the public hearing, the Board hold a public meeting to consider those estimated expenditures. Also, requires the Board, except in towns under 5,000 in population, to publish in a newspaper of general circulation a report containing (a) a statement of receipts, (b) a statement of expenditure by classification, (c) estimated revenues, (d) estimated expenditures, and (e) surplus/deficit at the beginning of the ensuing fiscal year. For towns under 5,000 in population, requires that copies of the report numbering 10% of the population be printed and made available to the public.

**Enactment:** Prior to 1949

7-348 Towns Not To Contract In Excess Of Appropriations, Town Meeting To Increase Amount. - Stipulates that if more money is needed by any municipal department than was appropriated to it, any additional appropriation must be voted on at a town meeting called for that purpose.

**Enactment:** Prior to 1949

*MUNICIPAL RESERVE FUND*

7-360            Creation Of Fund. - Upon the recommendation and approval of the budget-making authority, the legislative body of any municipality may create a reserve fund for capital and non-recurring expenditures.

**Enactment:** Prior to 1949

7-363            Report of Treasurer. - Requires the municipal treasurer to annually submit a report detailing the condition of the reserve fund to the budget-making authority.

**Enactment:** Prior to 1949

*MUNICIPAL BOND ISSUES*

7-369            Authority To Issue Bonds. - Any municipality which has made appropriations or incurred debts exceeding \$10,000 may issue either serial or term bonds or both.\*

**Enactment:** Prior to 1949

\* If this section is implemented then the following sections become applicable:

- 7-369a            Issuance Of Bonds Subject To Federal Income Tax.
- 7-369b            Representations And Agreement To Ensure Federal Tax Exemption For Municipal Debt Obligations.
- 7-370            Manner of Issuance.
- 7-370a            Interest Rate Not Limited.
- 7-370b            Authority To Establish Credit Facilities.
- 7-371            Form Of Bonds.
- 7-373            Banks To Certify Municipal Bonds. Disbursing Agent.
- 7-374            Bonded Indebtedness Of Municipalities.
- 7-378            Anticipation Notes.
- 7-379            Issuance Of Bonds And Notes For Dire Emergencies.
- 7-380a            Assumption Of Liability By Municipality For Employees Providing Information Pertaining To Issuance Of Bonds Or Notes.

7-370b            Authority To Establish Credit Facilities. - Expands municipalities' ability to refinance their existing debt and establishes conditions under which they may enter into agreements to manage interest rate fluctuations relating to the issuance of municipal bonds or notes.

**Enactment:** 1983, P.A. 408

7-374c            Municipal Pension Deficit Funding Bonds. - Requires any municipality that intends to issue Pension Deficit funding Bonds to notify the Secretary of the Office of Policy and Management of its intent to do so, in a manner provided by this section. So long as the pension deficit funding bonds are outstanding, the municipality must make an actuarially recommended contribution each fiscal year and must notify the secretary annually of the amount and rate of any such contribution.

**Enactment:** 1999, P.A. 182

7-378a Renewal Of Temporary Notes. - Permits municipalities to renew temporary notes for a longer period and affords municipalities the opportunity to combine temporary notes for different stages of one long-term project or for several short-term projects into a single bond issue. This will reduce bond issuance costs for the municipality.

**Enactment:** 1967, P.A. 626

#### *MUNICIPAL FINANCE*

7-403a Loss And Retiree Benefits Reserve Fund. - Upon recommendation of the chief executive officer of a municipality with the approval of the budget-making authority, the legislative body of a municipality may, by majority vote, create a loss and retiree benefits reserve clause. Requires the treasurer to annually submit to the three entities listed above a report detailing the condition of such fund.

**Enactment:** 1986, P.A. 350

#### *MUNICIPAL EMPLOYEES*

7-427 Participation By Municipalities. - Any municipality may, by resolution passed by its legislative body, accept the provisions if this section regarding retirement and shall specify Fund A or B. The resolution shall not take affect until passed by a majority of the voters at the next regular election.

**Enactment:** Prior to 1949

7-428 Retirement On Account Of Length Of Service And Age. - Requires that any person in Fund A be eligible for retirement at age 60 if employed as a policeman and at age 65 if employed in any other capacity. Requires that any person in Fund B be eligible for retirement at age 55 or after 25 years of continuous service, provided there is five years of continuous service.

**Enactment:** Prior to 1949

7-432 Retirement for disability. – Specifies criteria for municipal employee disability retirement.

**Enactment:** prior to 1949

7-433b Survivors' Benefits For Firemen And Policemen. Maximum Cumulative Payment. - Requires a municipality to pay the survivors of any regular member of a paid police or fire department, in addition to any survivor benefits provided for in the workers' compensation act, such benefits as are provided for in the retirement system in which such member was a participant at the time of death, provided the pension benefits shall not exceed 100% of the maximum compensation for the same position that was held by the member at such time and the benefits shall not terminate upon the remarriage of the spouse.

**Enactment:** 1959, P.A. 604

7-433c Benefits For Policemen Or Firemen Disabled Or Dead As A Result Of Hypertension Or Heart Disease. - If a municipality, by vote of its legislative body, adopts the provisions of this part, requires the municipality to compensate a policeman or fireman suffering any condition caused by heart or hypertension on or off duty, as though such condition arose out of and in the course of his

employment, if he had passed a physical which failed to show an indication of such condition. Policemen or firemen hired after July 1, 1996 are not eligible for these benefits.

**Enactment:** 1971, P.A. 524

**Estimated Cost Characterization:** Moderate

7-460 Compensation Of Officials and Employees. - Any municipality, through its legislative body, may fix the compensation of its officials and employees, subject to approval of its budget-making authority. Requires that any proposed increase in the compensation of members of its legislative body be subject to confirmation by referendum at the next regular election.

**Enactment:** Prior to 1949

#### *MUNICIPAL RISK MANAGEMENT POOLS*

7-479b Membership In Interlocal Risk Management Agency; Bylaws; Administration Of Different Risk Management Pools. - Any two or more municipalities, through resolution of their legislative bodies, may become members of an interlocal risk management agency.\*

**Enactment:** 1979, P.A. 561

\*If such agency is established, the following statutes come into play:

7-479d Appointment Of Agent For Service Of Process.

7-479e Agency Not An Insurer. Reserve For Contingencies. Applicable Insurance Laws.

#### *CONNECTICUT CITY AND TOWN DEVELOPMENT ACT*

7-484 Actions To Be Taken By Means Of Separate Resolutions. - Requires that no action may be taken under the provisions of this chapter, unless approved by the legislative body of a municipality through a separate resolution.

**Enactment:** 1975, P.A. 2, July Sp. Sess.

7-485 Required Municipal Findings And Determination. Mandatory Referendum. - Requires that no powers granted under this chapter may be exercised unless a municipality shall have found and determined by resolution that: (1) an unreasonable number of residents suffer from unemployment and substandard housing, (2) conditions of blight exist, (3) private enterprise is not ameliorating these conditions, (4) conditions will be revitalized by exercising these powers, (5) provision will be made for associated costs, (6) provision will be made for relocation of residents, (7) environmental concerns will be addressed and (8) the best interests of the municipality will be advanced. Requires that the municipal resolution be submitted to the voters at a special election after having been duly warned in a newspaper of general circulation.

**Enactment:** 1975, P.A. 2, July Sp. Sess.

7-494 Municipal Moneys To Be Deposited In Separate Accounts. Annual Audits. - Requires that all accounts of a municipality established in furtherance of the purposes of this section be audited annually and that all records books and reports be kept and be open for public inspection.

**Enactment:** 1975, P.A. 2, July Special Session

# Title 8: Zoning, Planning, Housing, Economic Development and Human Resources

## ZONING

8-1 Zoning Commissions. - Provides the manner in which zoning commissions are to be formed within the municipality, as well as commission membership and jurisdiction.\*

**Enactment:** Prior to 1949.

\*If a zoning commission is established, the following sections become applicable:

8-2 Regulations.

8-2a Copies of Zoning and Subdivision Regulations to be Available.

8-2c Payment Of A Fee In Lieu Of Parking Requirements. - Allows any municipality with zoning authority to provide by regulation that any applicant may pay a fee to the municipality in lieu of any requirement to provide parking spaces in connection with any use of land pursuant to any zoning or planning regulations. Any such fees shall be placed in a separate fund to be used solely for the acquisition, development, expansion or capital repair of municipal parking facilities, and cannot be used for operating expenses.

**Enactment:** 1984, P.A.-497

8-2l Zoning Regulations Re Structures Or Uses Located In Floodplain. - Requires any municipality, when it is required to revise its zoning regulations or any other ordinances regulation a proposed building, structure, development or use located in a floodplain, must provide for restrictions for flood storage and conveyance of water for floodplains that are not tidally influenced, in a manner specified by this section.

**Enactment:** 2004, P.A. 144

8-2m Floating And Overlay Zones And Flexible Zoning Districts. - Allows New Haven to provide for floating and overlay zones and flexible zoning districts as long as its zoning regulations establish regulatory standards for these zones, in a manner specified by this section.

**Enactment:** 2006, P.A. 128

8-3 Establishment And Changing Of Zoning Regulations And Districts. Enforcement Of Regulations. Certification Of Building Permits And Certificates Of Occupancy Site Plans. District For Water Dependent Uses. - Provides the manner in which regulations under section 8-2 and the boundaries of zoning districts shall be established, changed and enforced. Requires a public hearing to establish or change any regulation or boundary, notice of which must be published at least twice in a newspaper with circulation in such municipality. The commission shall consider the report of

the inland wetlands agency and if the commission establishes terms and conditions for approval that are not consistent with the final decision of the inland wetlands agency, the commission shall state on the record the reason for such terms and conditions.

**Enactment:** Prior to 1949

- 8-3a Findings Of Consistency Of Proposed Regulations Or Boundaries With The Plan Of Development. Referral Of Proposed Regulations Or Boundaries To Planning Commission. - Requires municipalities with a combined planning and zoning commission, operating under the statutes or by special act, to state on the record its findings on consistency of a proposed zoning regulation or boundaries or changes. In municipalities with separate zoning and planning commissions proposed zoning regulations or boundaries or changes to them are to be referred to planning commissions for a report before the public hearing.

**Enactment:** 1959, P.A. 614

- 8-3b Notice To Council of Governments Of Proposed Zone Or Zone Use Change. - When a zoning commission considers any regulation affecting the use of a zone within 500 feet of another municipality, written notice must be given to the Council of Governments or agencies involved, by certified mail, return receipt requested, or by email within thirty days of the public hearing, which shall study the proposals and report its findings and recommendations to the zoning commission.

**Enactment:** 1961, P.A. 546

- 8-3c Special Permits, Exceptions And Exemptions. Hearings. Filing Requirements. - The zoning commission or combined planning and zoning commission must hold a public hearing on an application or request for special permit or exception. In making its decision, commission must give due consideration to the inland wetland agency report. Requires the notice of the hearing and the subsequent decision of the commission be published in a local newspaper.

**Enactment:** 1971, P.A. 862

- 8-3d Variances, Special Permits, Special Exceptions And Special Exemptions To Be Recorded. - Stipulates that no variance, special permit, special exception or special exemption listed in this statute will be effective until a certified copy is filed in the land records of the town. The town clerk shall index the same in the grantor's index.

**Enactment:** 1975, P.A.-317

- 8-3e Regulation of Community Residences For Mentally Retarded Persons And Child-Care Residential Facilities. - Stipulates that zoning regulations treat any group home housing mentally retarded persons and necessary staff persons, child care facilities housing children with mental or physical disabilities and necessary staff persons, and facilities housing persons needing mental health or addiction services and necessary staff persons the same as single family homes.

**Enactment:** 1979, P.A.-353

- 8-3f Establishment Of Community Residences For Mentally Retarded Persons. Zoning Approval Required. - Requires approval of body exercising zoning powers whenever a community residence under section 8-3e is to be established within 1000 feet of any other such residence.
- Enactment:** 1984, P.A.-517
- 8-3h Notice To Adjoining Municipalities. - Requires the zoning commission of any municipality to notify the clerk of any adjoining municipality by certified mail, return receipt requested of the pendency of any application, petition, request or plan, affecting such municipality.
- Enactment:** 1987, P.A.-307
- 8-5 Zoning Board of Appeals, Alternate Members. - Requires each municipality with a zoning commission to have a zoning board of appeals and also provides for such board's membership, officers and duties.
- Enactment:** Prior to 1949
- 8-6 Powers And Duties Of Board Of Appeals. - Specifies the powers and duties of the zoning board of appeal, one of which is to hold hearings on appeals of zoning decisions.
- Enactment:** Prior to 1949
- 8-7 Appeals To Board. Hearings. Effective Date of Exceptions Or Variances. Filing Requirements. - Requires notice of any hearing and decision made by the zoning appeals board to be published in a local newspaper, in a manner provided by this section.
- Enactment:** Prior to 1949
- 8-7a Evidence At Hearings To Be Taken By Stenographer Or Recorded. - Requires hearings or any meeting at which a formal petition is being considered of the zoning, planning, planning and zoning commissions and the zoning board of appeals to be recorded electronically or taken by a stenographer.
- Enactment:** 1959, P.A. 460
- 8-7b Notice To Contiguous Municipalities Of Variance Applications. - Requires the zoning board of appeals, when considering an application concerning property that lies within 500 feet of another municipality, to send written notification of that application to the clerk of such municipality.
- Enactment:** 1965, P.A. 54
- 8-7d Hearings And Decisions. Time Limits. Day of Receipt. - Requires a hearing to commence within sixty-five days of receipt of a written report or appeal by the zoning commission, planning commission, planning and zoning commission, zoning board of appeals **or an aquifer protection agency**. Hearings shall be completed with thirty days and a decision rendered within 65 days of the end of the hearings. Notice of the hearing shall be published in a newspaper, in a manner

specified by this section. If the commission or board does not have regular office hours, the clerk of the municipality shall act as agent for that commission or board. In cases where the decision affects any neighboring municipality, such municipality must be notified by certified mail, return receipt requested as specified by this section. **A zoning commission, planning commission or planning and zoning commission shall establish and maintain a public notice registry through which they must notify residents, by mail, about changes to land use regulations and plans the commission proposes.**

**Enactment:** 1971, P.A. 862

8-7e Notice To Adjoining Municipalities Of Applications Or Requests. - Requires the zoning board of appeals of any municipality, to notify the clerk of any adjoining municipality by certified mail, return receipt requested, of the pendency of any application affecting that municipality.

**Enactment:** 1987, P.A.-307

8-8 Appeal From Board To Court. Review By Appellate Court. – Stipulates the time frame in which a local commission must respond to an appeal of any decision or action of such commission, in a manner specified by this section. Any appeal by an aggrieved person to set aside a decision or action by a commission due to noncompliance with any law or regulation shall be taken within one year of the date of such decision or action.

**Enactment:** Prior to 1949

8-12 Procedure When Regulations Are Violated. - Requires the zoning enforcement official, in cases where zoning regulations have been violated, to cause such building to be inspected and examined and to order in writing the remedying of any condition found to exist therein. Also provides the fines for violators.

**Enactment:** Prior to 1949

8-13 Controlling Requirement In Case Of Variation. - States that the provisions of chapter 124 concerning zoning shall govern in cases of conflict with any other statute, bylaw, ordinance or regulation, unless the other provisions impose other and higher standards.

**Enactment:** Prior to 1949

#### *INCENTIVE HOUSING ZONES*

8-13n Requirements For Incentive Housing Zones. – Allows any zoning commission, notwithstanding the provisions of a charter or special act, to establish an incentive housing zone, in a manner specified by this section.\*

**Enactment:** 2007, P.A. 4 (June Special Session)

\*If such zone is established, the following statutes come into play:

8-13m Definitions.

8-13o Design Standards.

8-13p Application For Preliminary Determination Of Eligibility For Zone Adoption Payment.

- 8-13q Preliminary Determination Of Eligibility For Financial Incentive Payments. Letter Of Final Approval Of Incentive Housing Zone.
- 8-13r Incentive Housing Zone Certificate Of Compliance.
- 8-13s Zone Adoption Payments. Building Permit Payments.
- 8-13t Application Process For Incentive Housing Development.
- 8-13u Report On Incentive Housing Zone Program To Governor And General Assembly.
- 8-13v Repayment By Municipality Of Payments Or Reimbursements. Regulations.
- 8-13w Technical Assistance Grants For Incentive Housing Zones.
- 8-13x Grants For Housing Development.

8-13q Preliminary determination of eligibility for financial incentive payments. Letter of final approval of incentive housing zone. - Requires a municipality waiving its right to receive a zone adoption payment pursuant to section 8-13p to provide a written notice of its intent.

**Enactment:** 2012, P.A. 12-1, June Special Session, Sec. 182 (created mandate)

**Estimated Cost Characterization:** Minor

#### *MUNICIPAL PLANNING COMMISSIONS*

8-19 Creation Of Planning Commissions. - Allows any municipality to create a planning commission, in a manner prescribed by these statutes. Also, determines the membership, powers and jurisdiction of such commissions. Requires the commission to submit an annual report to the town.

**Enactment:** Prior to 1949.

8-22 Contracts And Expenditures. Action By Majority Vote. - Allows the planning commission to engage necessary employees and to contract with consultants, but all of its expenditures must be within the amounts appropriated. Action of the commission is by majority vote.

**Enactment:** Prior to 1949.

8-23 Plan Of Conservation And Development. - Mandates that the planning commission prepare, adopt and amend a plan of development for the municipality as specified.

**Enactment:** Prior to 1949.

8-24 Municipal Improvements. - Requires certain public works projects, i.e. roads, public housing, public utilities, etc. to be reported on by the planning commission before such action is taken. In case of disapproval, the commission must record and transmit its reasons to the legislative body of the municipality.

**Enactment:** Prior to 1949.

8-25 Subdivision Of Land. - Requires the planning commission to approve any proposed subdivision of land and, once approved, the plan must be filed with the municipal clerk in a manner prescribed by this section. Requires the commission to adopt regulations regarding the subdivision of land before exercising any powers granted by this section. The commission is required to hold a public hearing when considering these regulations and is to publish notice of such hearings at least twice

in a local newspaper. This section also provides for a fine of up to \$500 to anyone who subdivides land without the approval of the commission.

**Enactment:** Prior to 1949.

8-25a Proposals For Developments Using Water. Prerequisite. - Prohibits any proposal for development using water supplied by a company incorporated on or after 10/1/84 to be approved by the planning commission or planning and zoning commission unless such company has been issued a certificate pursuant to section 16-262m. If such proposal is approved without a certificate, the municipality is responsible for the operation of the company in the event the company is unwilling or unable to provide service to customers.

**Enactment:** 1984, P.A.-330.

8-25b Fund Payments In Lieu Of Open Spaces. - Requires any municipality which provides in regulations, adopted pursuant to Section 8-25, for the payment of a fee on the fair market value of land transferred in lieu of any requirement to provide open space, to deposit any such payments in a fund which shall be used to preserve open space, or acquire land for open space or for recreational or agricultural purposes.

**Enactment:** 1990, P.A.-239.

8-26 Approval Of Subdivision And Resubdivision Plans. Waiver Of Certain Regulation Requirements. Applications Involving Inland Wetlands And Water Courses. - Requires all plans for subdivisions or resubdivisions to be submitted to the planning commission with an application in a form prescribed by it. The commission has the authority to determine if the land constitutes a proper subdivision or resubdivision. Allows commissions to provide waivers, charge processing fees and hold public hearings under certain circumstances. A public hearing is required for any resubdivision proposal. Requires notification of public hearing and the subsequent decision to be published in a newspaper of general circulation. Any proposal involving land regulated for an inland wetland or watercourse must first have decision by inland wetland agency and give it due consideration. The provisions of this section also applies to any municipality exercising planning powers pursuant to any special act. In making its decision the commission shall consider the report of the inland wetlands agency and if the commission establishes terms and conditions for approval that are not consistent with the final decision of the inland wetlands agency, the commission shall state on the record the reason for such terms and conditions.

**Enactment:** Prior to 1949.

8-26b Approval of subdivision and resubdivision plans. Waiver of certain regulation requirements. Fees. Hearing. Notice. Applications involving an inland wetland or watercourse. - Requires the planning commission to give written notice of subdivision plans to the Council of Governments as specified.

**Enactment:** 1961, P.A. 547

8-26d Hearings And Decisions. Time Limits. Day Of Receipt. - Requires the planning commission to hold a hearing within sixty-five days whenever an informal application, request or appeal has been made. Hearing will be completed within thirty days of its start and a decision must be rendered within sixty-five days of completion of hearing. If no hearing is held, the commission has sixty-

five days from receipt of application to make a decision. This section also provides for extensions of the time limits.

**Enactment:** 1971, P.A. 862

8-26e Hearings By Planning Commission On Applications For Special Permit Or Exceptions. Notice Of Decision. - Requires the planning commission to hold a public hearing on an application or request for a special permit or special exception as provided in Sec. 8-2. This section requires notice of the hearing and the decision to be published in a newspaper with substantial circulation in the municipality, and provides the effective date of any such rulings.

**Enactment:** 1971, P.A. 862.

8-26f Notice To Adjoining Municipalities. - Requires the planning commission of a municipality to notify the clerk of an adjoining municipality, by certified mail, return receipt requested, of the pendency of an application, petition, etc. affecting that municipality in certain ways. Prohibits any hearing unless that municipality has received notice.

**Enactment:** 1989, P.A.-307.

8-28 Notice Of Decision Of Planning Commission. Appeal. - Requires notice of all official actions or decisions of the planning commission to be published in a newspaper having substantial circulation in the municipality.

**Enactment:** Prior to 1949

8-29 Filing Of Maps And Plans. Notice Of Hearing. Assessments. - Authorizes planning commission to prepare and file maps, surveys, or plans of proposed highways, streets, sidewalks or improvements to such, in a manner prescribed by this section. It also requires notice to be published in a newspaper and to be mailed to each record owner or mortgagee of record included in such survey of when the public hearing will be held. If commission adopts the plan, they must make an assessment of all land within the area of the map or plan and shall give notice of benefits and damages to all mortgagees of record.

**Enactment:** 1951, 1953 Supp. 390d

*DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT: MUNICIPAL HOUSING PROJECTS*

8-40 Creation Of Housing Authorities. - Creates a housing authority in every municipality, but requires the governing body of the municipality, by resolution, to declare that there is a need for such authority.\*

**Enactment:** Prior to 1949

\*If there is a finding of such need, the following sections become applicable:

- 8-41 Appointment, Qualifications And Tenure Of Commissioners.
- 8-41a Liability Of Authority For Actions Of Commissioners And Employees.
- 8-43 Removal Of Commissioners; Subpoenas.

- 8-44 Powers Of Authority.
- 8-44b Housing Authority Police Force.
- 8-45 Rentals And Tenant Selection For Low Rental Projects.
- 8-48 Rentals For Persons Receiving Welfare Aid.
- 8-50 Eminent Domain.
- 8-51 Zoning And Building Laws.
- 8-53 Provisions Of Bonds, Trust Indentures And Mortgages.
- 8-63 Reports.
- 8-64a Disposal Of Housing Project By Housing Authority.
- 8-68d Housing Authority Annual Report.

8-64c Resident participation plan for major physical transformation and disposition activities. - requires a housing authority undertaking major physical transformation or disposition of property it owns or manages to notify residents and implement a resident participation plan providing meaningful resident participation during the planning, implementation and monitoring of the proposed work, beginning with the earliest stages of concept and design.

Enactment: 2011, P.A. 11-72

8-68f Tenant's Rights And Grievance Procedures. Regulations. - Requires housing authorities that receive financial assistance under any state housing program shall, for housing which it owns or operates, provide each tenant with a written lease, adopt complaint and grievance procedures, as well as procedures for soliciting tenant comments on future housing authority policies and procedures and encourage tenant participation in the authority's operation of state housing programs. If authority has both a federal and a state assisted program it must use the same tenant grievance procedure in both programs.

Enactment: 1989, P.A. 113

8-68h Tenant Escrow Accounts. - Requires each housing authority to establish, in accordance with this section, a program to enable tenants to save funds sufficient to rent a private dwelling unit or to make a down payment on a home. Requires the authority to notify eligible tenants of this program. Upon written request by the tenant, the authority shall set up an escrow account for that tenant and deposit such funds into that account as required by this section. The director of the authority must notify the tenant, in writing, when the balance in such account equals the amount specified by the tenant. The director must annually report to the tenant the balance in the account. Requires each authority to establish written procedures to implement this section and to annually submit a report to the commissioner of housing on the tenant escrow account administered by such authority.

Enactment: 1991, P.A. 202

8-72 Operation Of Projects. Rentals. Tenant Eligibility. Inspections. Semiannual Statements. Penalty For False Statement. - Requires housing authorities and nonprofit corporations to fix the rentals in its projects at no higher rates than necessary to meet its expenses. The commissioner of housing may set maximum income limits for admission and continued occupancy of tenants and shall define what constitutes the family income. Each authority and developer must provide a receipt to each applicant for admission and shall maintain a list such applications. The commissioner of housing shall, by regulation, provide for the manner in which such lists are to be created, maintained and revised. The authority or developer must semiannually submit to said commissioner a sworn statement concerning the tenant and rentals for each housing project and the costs to operate each such housing project.

**Enactment:** 1949, March, 1950 Supp 447d

8-73 Eviction Of Families Having Income Over Maximum Limits. Waiver Of Eviction Requirement. - Requires the housing authority or developer to mail, postage prepaid, written notice to any tenant whose annual income is in excess of that permitted for continued occupancy of such dwelling unit and then ask them to vacate the premises.

**Enactment:** 1957, P.A. 490

8-74 Hearings On And Approval Of Proposed Projects. Use Of Modern Materials. Regulations. Wage Rates. - Requires notice of any proposed moderate rental housing project to be published, in ten-point boldface, in a newspaper of general circulation within the municipality before such project can be developed. Also, requires the approval of the commissioner of housing.

**Enactment:** 1949, Supp 450d, 457d

8-115a Authority Of Commissioner Of Economic And Community Development. - Requires the approval of the commissioner of housing before any housing project or projects for elderly persons can be developed. Requires the housing authority or developer to submit to the commissioner, for his approval, its rent schedules, standards for tenant eligibility, proposed budget for each fiscal year, together with any report or financial statement as the commissioner finds necessary. Also, provides procedures for the acceptance of tenants who don't meet all the standards. The commissioner shall establish, by regulation, the maximum income limits for admission and continued occupancy in the housing projects.

**Enactment:** 1959, P.A. 600

8-116a Occupants Need Not Be Family Units; Design Of Construction; Maximum Income And Asset Limit; Waiting List; False Statement. - Requires housing for elderly persons to conform to standards established by the commissioner of housing, requires housing authorities and developers to fix maximum standard income and asset limits for admission, and requires the authority to provide a receipt to each applicant for admission to its housing projects and to maintain such list in a manner provided by the commission.

**Enactment:** 1959, P.A. 600

*DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT: REDEVELOPMENT AND URBAN RENEWAL; STATE AND FEDERAL AID; COMMUNITY DEVELOPMENT; URBAN HOMSTEADING*

8-126 Redevelopment Agency. - Allows the legislative body of any municipality to designate the housing authority of the municipality or the Connecticut housing authority as a redevelopment agency, or to create a new redevelopment agency. The members will be appointed by the chief executive of a city or borough and by the board of selectmen of a town. Requires a municipality seeking to dissolve a redevelopment agency that has received state assistance to request DECD approval and DECD can impose conditions for such approval.\*

**Enactment:** Prior to 1949

\* If a redevelopment agency is created, the following sections become applicable:  
8-127 Initiation And Approval Of Redevelopment Plan.

- 8-127a Limits On Redevelopment Agency's Use Of Eminent Domain Under A Redevelopment Plan
- 8-129 Agency To Determine Compensation And File With Superior Court And Town Clerks; Notice To Owners And Interested Parties. Possession Of Land. Certificate Of Taking.
- 8-130 Deposit Filed With Superior Court Clerk. Withdrawal Of Agency From Proceeding.
- 8-131 Acceptances To Be Filed. Approval By State Referee.
- 8-133a Relocation Or Removal Of Public Service Facilities From Streets Closed As Part Of Project.
- 8-133b Payments In Lieu Of Taxes.
- 8-134 Bonds; Authorization, Terms, Security, Payment.
- 8-134a Allocation Of Taxes On Real Property In A Redevelopment Project.
- 8-138 Bonds And Title To Land To Be In Name Of Municipality.

8-142 Urban Renewal Plan. - Requires that any urban renewal project that is to be undertaken be done in accordance with an urban renewal plan, such plan to be prepared and approved pursuant to the same procedure as provided with respect to a redevelopment plan.

**Enactment:** 1955, Supp 499d

8-169q Designation Of Urban Homesteading Agency. - Allows any municipality to establish, by ordinance, an urban homesteading program and to designate an existing agency or create a new agency to be the urban homesteading agency.\*

**Enactment:** 1975, P.A. 452

\*If the municipality creates such an agency, the following sections become applicable:

- 8-169r Acquisition Of Abandoned Property By Urban Homesteading Agency. Certification Of Vacant Municipally Owned Property.
- 8-169s Disposition Of Property By Urban Homesteading Agency.
- 8-169t Selection Of Urban Homesteaders.
- 8-169u Financial Assistance. Abate Of Real Property Taxes.
- 8-169v Acceptance Of Real Property From United States Government.

#### *MUNICIPAL DEVELOPMENT PROJECTS*

8-188 Designation Of Development Agency. - Allows any municipality which has a planning commission, by vote of its legislative body, to designate the economic development commission, redevelopment agency or a nonprofit development corporation as its development agency. The agency will oversee development projects conducted by such municipality for the assembly, improvement and disposition of land or buildings or both to be used principally for industrial or business purposes.\*

**Enactment:** 1967, P.A. 760

\*If the municipality establishes a development agency, the following sections become applicable:

- 8-189 Project Plan.
- 8-191 Adoption Of Plan.
- 8-192 Bond Issues. Federal And State Aid. Taxes. Temporary Notes.
- 8-192a Allocation Of Taxes On Real Property In A Development Project.
- 8-193 Acquisition And Transfer Of Real Property. General Powers Of Agency.
- 8-194 Readjustment, Relocation And Removal Of Public Service Facilities.

*HOUSING REDEVELOPMENT AND URBAN RENEWAL AND HUMAN RESOURCE DEVELOPMENT PROGRAMS*

8-215      Tax Abatement For Housing For Low Or Moderate Income Persons. - Allows municipalities to provide, by ordinance, for tax abatement on any housing solely for low or moderate income persons. Such abatement must be used to reduce rents, improve the quality and design of housing, effect occupancy of such housing by persons of varying income levels or to provide necessary related facilities or services in such housing.

**Enactment:** 1967, P.A. 522

*REHABILITATION OF ABANDONED INDUSTRIAL AND COMMERCIAL BUILDINGS*

8-292      Designation Of Urban Rehabilitation Agency. - Allows any municipality, by ordinance, to designate any existing agency as the urban rehabilitation agency, or to establish a new such agency. This section also determines the number of members, their term of office and the officers required.\*

**Enactment:** 1977, P.A. 503

\*If such agency is established by the municipality, the following sections become applicable:

8-293      Acquisition Of Abandoned Property By Urban Rehabilitation Agency.

8-294      Disposition Of Property By Urban Rehabilitation Agency.

*HOUSING DEVELOPMENT ZONES*

8-376      Designation Of Housing Development Zones. - Allows any municipality defined as distressed as of 10/1/87 to apply to the commissioner of housing to designate an area of such municipality as a housing development zone. At least twenty-five percent of the area must be zoned or allow for multifamily residential dwellings.\*

**Enactment:** 1987, P.A. 378

\*If the municipality makes such application, the following statutes come into play:

8-377      Plan Of Development And Rehabilitation.

8-380      Fixing Of Assessments In Housing Development Zones.

## Title 9: Elections

*ELECTORS: QUALIFICATIONS AND ADMISSION*

9-19e      Cross-Town Application For Admission. - Allows an admitting official, under certain conditions and in a manner prescribed by this section, to accept applications for admission as an elector from persons who reside in any Connecticut town, examine their qualifications and administer the elector's oath. Requires the admitting official to send a copy of the application to the town clerk or

registrar of voters of the town of residence and that clerk or registrar must act on the application following procedures stated in this section.

**Enactment:** 1975, P.A. 565

#### *ABSENTEE VOTING*

9-163K Pilot Program For Absentee Voting. - Requires each municipality that participates in this pilot program must appoint at least one absentee ballot coordinator for each two hundred persons who voted in the last municipal election or primary in the most recent primary or election, in a manner stipulated by this section. The coordinator shall assist applicants of absentee ballots in filling out those ballots and must sign such application. The coordinator shall deliver the completed application to the municipal clerk within two business days. Each coordinator shall account to the municipal clerk for blank absentee ballot applications issued by the coordinator.

**Enactment:** 2003, P.A. 227

#### *REFERENDA*

9-369b Local Questions And Proposals. Explanatory Text. Expenditure of State And Municipal Funds to Influence Vote Prohibited. Preparation And Printing Of Certain Materials Permitted. Exception. Civil penalty. Summaries Of Arguments For, Against Local Questions. Stipulates that for any municipality to print explanatory texts on referendum questions it must be authorized to do so by a vote of its legislative body. This section also stipulates the manner in which these texts are to be printed and distributed.

**Enactment:** 1961, P.A. 362

#### *NOMINATIONS AND POLITICAL PARTIES*

9-404c Registrar's Receipt And Verification Of petitions For Candidacies For Nomination To State Or District Office. Filing With Secretary. Tabulation. - Requires registrars, upon the receipt of any page of a petition proposing a candidacy for a state or district office, to sign and give to the person submitting the petition a receipt, in duplicate, stating the number of pages filed and the date and time of filing. In addition, the registrar must certify each page of the petition, in a manner specified by this section. Any candidate attempting to get on the ballot by way of petition must file such petition with the registrar of voters who shall then file same with the Secretary of State, in a manner provided by this section.

**Enactment:** 2003, P.A. 241

9-436a Candidate Checkers. - Each group of candidates, whose names appear on one single row on the official ballot in a voting district for a primary to be held by a political party, may designate two electors enrolled in such party as candidate checkers. Requires registrars to verify that each designee is enrolled in such party, and to furnish each checker one copy of the list of electors eligible to vote in such primary.

**Enactment:** 1967, P.A. 513

# Title 10: Education And Culture

## *EDUCATIONAL OPPORTUNITIES*

10-16p Definitions. Lead Agency For School Readiness; Standards. Grant Programs. - Requires each town that receives a grant to provide spaces in accredited or approved school readiness programs for eligible students who reside in priority school districts or in an area served by a priority school, to designate a person to be responsible for coordination, program evaluation and administration and to act as a liaison between the town and the Departments of Education and Social Services. Each school readiness program that receives such grant shall provide information to the department or school readiness council, as requested, that is necessary for purposes of any school readiness program evaluation. The chief elected official of such town and the superintendent of schools for such priority school district must submit a plan for the expenditure of any grant funds it receives to the Departments of Education and Social Services. As of 7/1/03 each classroom in school readiness programs must have an individual who has one of the following: an associates or four-year degree in any field, as long as the person earned at least nine, and after July 1, 2005, twelve early childhood education or child development credits. Also, this bill adds a Connecticut teaching certificate with an early childhood or special education endorsement as an acceptable credential.

**Enactment:** 1997, P.A. 259

10-16q School Readiness Program Requirements. Per Child Cost Limitation. Sliding Fee Scale. - Requires school readiness programs to develop plans; for collaboration with other community programs and services, transition of participating children from this program to kindergarten, including the transfer of records; professional staff development; and an annual evaluation of the effectiveness of the program. Also requires a records-keeping policy that requires documentation of the name and address of each child's doctor, primary care provider and health insurance company and information on whether the child is immunized and has had health screens pursuant to the federal Early and Periodic Screening, Diagnostic and Treatment Services Program.

**Enactment:** 1997, P.A. 259

10-16r Local School Readiness Councils; Duties. Regional School Readiness Councils. - Requires any town applying for a grant under the school readiness program to convene a school readiness council, in a manner provided by this section. Also stipulates the responsibility of the council including; identify the need for such a program; facilitate the coordination of the delivery of services to children and families; exchange information with other councils; and submit biannual reports to the Department of Education on the number and location of school readiness spaces and estimates of future needs.

**Enactment:** 1997, P.A. 259

10-21b Programs Offered Jointly By Boards of Education And Business Firms; Neighborhood Assistance. - Authorizes local and regional boards of education to develop, with business firms, jointly conducted programs which provide training and experience in those business activities which the boards believe would be of substantial educational benefit to the students.

**Enactment:** 1984, P.A. 448

10-39 Temporary Regional School Study Committee. - Allows two or more towns, school districts or boards of education to form a regional school district study committee, as provided for in this section. The state board of education shall promulgate regulations to standardize the formation of regional districts.\*

**Enactment:** 1951, 1953, 1955 Supp. 895d

\*If towns to form such study committee, the following sections become applicable:

- 10-40 Appointment Of Committee Members.
- 10-41 Officers And Records Of Committee.
- 10-42 Expenses of Committee.
- 10-43 Reports To Towns. Dissolution Of Committee.
- 10-44 Disposition Of Committee Records.

10-45 Referendum On Establishment Of Regional Districts. - Requires a referenda to be held on the same day in each of the participating towns seeking to establish a regional school district, in a manner determined by this section. In addition, a referenda is also to be held in the case of a recommendation from a study committee or a regional board of education to add or withdraw grades from the regional school district pursuant to section 10-47b of the Connecticut General Statutes.

**Enactment:** Prior to 1949

10-46 Regional Board Of Education. - Requires the affairs of the regional school district to be administered by a regional board of education, to be set up in a manner provided by this section. The moderator shall certify to the secretary of state the results of each district meeting in which new board members are elected.

**Enactment:** Prior to 1949

10-47b Addition Or Withdrawal Of Grades. - Requires a study committee to be set up whenever a regional school district wishes to determine if it should add or withdraw grades from the district. The study committee shall proceed in the same manner as the temporary regional school study committee except that the expenses of the committee shall be borne by the regional school district and cannot exceed an amount equal to three dollars times the number of students in the district. The section also requires the study committee to submit a report of its recommendations to the affected towns and if the committee recommends an addition to or withdrawal from the number of grades currently in the system, a referenda must be held in the district. Any such regional school district that has three member towns, each of which has a population between 3,000 and 7,500 and a combined population between 10,000 and 20,000 may recommend and develop a plan for the addition to or withdrawal of grades, in a manner specified by this section. (mandate reduction)

**Enactment:** 1969, P.A. 698

10-47c Amendment Of Plan. - Requires the regional board of education to prepare a report and hold a public hearing to present any amendments to a regional school plan. Also, requires a referenda to be held after the public hearing, notice of which must be published in a newspaper of general circulation.

**Enactment:** 1969, P.A. 6998

10-49a Site In Town Outside District. - Requires any school district that proposes to acquire property, to notify the town clerk in the town where the land is located and for such town to hold a referendum, the cost of which shall be borne by the school district.

**Enactment:** 1969, P.A. 698

10-51 Fiscal Year. Budget. Payments By member Towns; Adjustments To Payments. Investment Of Funds. Temporary Borrowing. Reserve Fund. - Requires the regional school board to hold a public district meeting to present a proposed budget, after which the board shall prepare the annual budget, in a manner provided by this section, have a reasonable amount printed and delivered to the town clerks of the member towns in the district where it shall be voted on at the annual meeting. This section also requires the expenses of each member town to be divided in the same proportion as the number of pupils resident in such town bears to the total pupils in the region.

**Enactment:** Prior to 1949

10-51a Petition To Determine Deficiency In Town Payment. - Whenever a court finds that a town has not budgeted its proportionate share of a regional school district, such town must provide for the amount of deficiency plus twenty five percent of that amount to be kept in a separate account and to be applied to the following year's budget.

**Enactment:** 1961, P.A. 114

10-53 Application Of Education Statutes. - Applies all provisions of the general statutes relating to public education to each town belonging to a regional school district.

**Enactment:** 1951, Supp. 908d

10-56 Corporate Powers. Bond Issues. - Designates the regional school district as a body politic and corporate with all the accompanying powers. Allows these districts to issue bonds for certain capital expenditures for school purposes, if approved by a referendum.

**Enactment:** Prior to 1949

10-60 Borrowing In Addition To Bonds. - Authorizes regional boards of education, in addition to section 10-56, to borrow sums of money, issue bonds, etc., for certain capital expenditures for school purposes, in a manner provided by this section. These loans, bonds, notes or other obligations are general obligations of the district and the member towns.

**Enactment:** Prior To 1949

10-63b Committee To Determine Conditions Of Withdrawal Or Dissolution. - Requires the regional board of education to form a committee whenever any town(s) applies to withdraw from the regional

district, in a manner provided by this section. Expenses of the committee and the regional board in connection with withdrawal or dissolution procedures are to be paid by the town applying for withdrawal or dissolution.

**Enactment:** 1963, P.A. 389

10-63c Report Of Committee. - Requires the committee to prepare a written report of its recommendation concerning the withdrawal or dissolution, within one year after its appointment. If the recommendation is for withdrawal or dissolution the plan must include how the assets and liabilities are to be divided up. Notice of the report must be published in a local newspaper with general circulation.

**Enactment:** 1963, P.A. 389

10-63m Approval Or Rejection Of Plan Recommended By Regional School Reapportionment Committee. - Whenever the state board of education notifies the town clerk of each town in the regional school district of its approval of a regional school reapportionment committee's recommended plan of representation on the regional board of education, the clerk must make copies of the certification available to the public and publish notice of it and the plan in a newspaper having general circulation in the town. The reapportionment committee must then hold a public meeting in each town of the district.

**Enactment:** 1975, P.A. 644

10-63n Referendum For Regional School Reapportionment. Establishment Of Plan. - Requires a referendum to be held in each town of the district to vote on approval of a reapportionment committee's representation plan.

**Enactment:** 1975, P.A. 644

10-66a Establishment. - Allows a regional educational service center to be established in any state regional planning area upon the approval by the state board of education of a plan of organization and operation submitted by four or more boards of education for the purpose of cooperative action to furnish programs and services.\*

**Enactment:** 1972, P.A. 117

\* If such educational center is established, the following sections become applicable:

10-66b Operation And Management. Boards.

10-66e Payment of Expenses.

10-66g Budgeted And Projected Revenues Statement. Annual Audit.

10-66h Annual Evaluation Of Programs And Services.

10-95 Vocational-Technical Schools. - Allows the state board of education to establish, in towns best adapted for the purpose, public day and continuation schools for instruction in the arts and practices of vocations.

**Enactment:** Prior to 1949

### *TEACHERS' RETIREMENT SYSTEM*

10-183jj      Retirement Incentive Plans For Teachers. - Stipulates the manner in which a local or regional board of education must establish a retirement incentive plan for teachers if they choose to do so. Also, requires the boards to pay an amount specified by the teachers retirement board for each year of additional credited service purchased pursuant to this section.

**Enactment:** 1989, P.A. 233

### *SCHOOL ATTENDANCE AND EMPLOYMENT OF CHILDREN*

10-199      Attendance Officers, Duties. - Allows boards of education to appoint one or more persons to prosecute for violations of the law relating to school attendance of children and of their employment. Places these officers under the direction of the principal or superintendent of schools. It also requires such officers to investigate the absence from, or the irregular attendance of, pupils at school and present cases requiring prosecution for violation of the school laws to prosecuting officers.

**Enactment:** Prior to 1949

### *BOARDS OF EDUCATION*

10-221p      An Act Concerning Childhood Nutrition In Schools, Recess And Lunch Breaks. - Requires each school district that provides food and drinks to its students to make available nutritious, low-fat foods and drinks, in a manner specified by this section.

**Enactment:** 2004, P.A. 224

10-221q      Sale Of Beverages. - Requires schools, in a manner provided by this section, to sell only healthy beverages that include milk, non-dairy milk, 100% fruit juice and water (Schools will lose revenue from sales of other types of beverages, but this revenue loss could potentially be short-term if there is a behavior adjustment among students).

**Enactment:** 2006, P.A. 63

10-222f      College Informational Forums. - Stipulates that every board of education may require any high school under its jurisdiction hosting an informational forum concerning college preparation or the college admission process to which parents and guardians of students are invited, to provide such parents and guardians information about the optional nature of some surveys and questions that come with college admission examinations, in a manner provided by this section.

**Enactment:** 2007, P.A. 241

10-231g      Green cleaning program at schools: Definitions. Implementation. Notice. – Requires boards of education to adopt and implement a green cleaning program that provides for the procurement and use of environmentally preferable cleaning products in school buildings and facilities and to report

on what actions have been taken to implement such program in its biennial report on school facilities to the Commissioner of Education.

**Enactment:** 2009, PA 81

10-233c Suspension Of Pupils. - Allows any school board to suspend any pupil, but requires school administrators to hold an informal hearing before such suspension can take place. Within twenty-four hours of suspension, the school administration must notify the superintendent of schools of the action and the reasons for such action. As of July 1, 2008, suspensions must be in-school suspensions unless the administration determines that the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension. School districts are to offer an administration specified program to students suspended or expelled for the first time, which may shorten the length of or waive the suspension period if the pupil successfully completes such program.

**Enactment:** 1975, P.A. 609

10-233d Expulsion Of Pupils. - Stipulates that if a student is to be expelled, it must be done by the board of education or some other impartial hearing board, after, unless there is an emergency, a formal hearing is held pursuant to sections 4-176e to 4-180a inclusive. Requires any pupil under sixteen years of age to be offered an alternative educational opportunity during the period of expulsion. For any pupil between the ages of sixteen and eighteen, they also shall be offered an alternative educational opportunities, with certain exceptions, as long as the pupil complies with conditions established by the board of education. A notice of the expulsion and the reasons for it are to be placed in the pupil's cumulative educational record, but it will be removed if the pupil graduates from high school, or is not expelled again or suspended one or more times during the ensuing two year period.

**Enactment:** 1975, P.A. 609

10-233f In-School Suspension Of Pupils. Reassignment. - Requires an informal hearing before the school principal before any pupil can be given an in-school suspension.

**Enactment:** 1979, P.A. 236

10-237 School Activity Funds. - Allows boards of education to establish and maintain a school activity fund which is to be used to handle the financing of that part of the cost of the school lunch program not provided by town appropriations, the financing of that part of the cost of driver education courses furnished by such board of education and not provided by town appropriations and such funds of schools and school organizations as are from time to time desirable. The board of education shall designate a treasurer of such fund and fix his salary, which shall be paid from town appropriations. The treasurer shall be bonded and shall keep separate accounts for each school lunch program, for each driver education program and for each school fund and school organization fund. The accounts of the school activity fund are to audited in the same manner as other town accounts.

**Enactment:** 1953, 1955, Supp 953d

*TOWN MANAGEMENT*

10-241a      Taking Of Site By Eminent Domain. - Requires any local or regional board of education to pay the owner of any land taken by eminent domain just compensation. The acquisition must be approved by the legislative body of the town and be in accordance with sections 8-129 to 8-133, inclusive.

**Enactment:** 1967, P.A. 720

*SUPPORT OF PUBLIC SCHOOLS. TRANSPORTATION*

10-261a      Equalized Net Grand Lists For Purposes Of Educational Equalization Grants. - Stipulates that any town which disagrees with the equalized net grand list computed by the office of policy and management must appeal in writing within fifteen days of receipt of the list figure with the Secretary of OPM for a hearing.

**Enactment:** 1977, P.A. 478

10-266x      Development Of Innovative Programs For Educational Improvement. - Stipulates that if a board of education files an application to participate in the program of this section, it should include a plan to provide for performance and outcome based education in accordance with the Connecticut common core of learning adopted by the state board of education and a plan evaluation process.

**Enactment:** 1991, P.A. 285

*PUBLIC SCHOOL BUILDING PROJECTS*

10-289f      Loans, Bond Issues, Guaranties. - Allows any municipality with a private academy within its boundaries, in accordance with the provisions in sections 10-289d to 10-289g, to make loans to the private academy for a school building by issuing bonds, after it has been approved at a referendum.

**Enactment:** 1987, P.A. 461

*STATE HISTORIC PRESERVATION BOARD*

10-321q      State Historic Preservation Board, Municipal Boards. - Allows any municipality, upon notification from the state historic preservation board that property has been nominated to the national register of historic places, to hold a public hearing. Notice of such hearing, with the time, place and subject matter must be published in a newspaper of general circulation and a copy of such must be sent to the state historic preservation officer.

**Enactment:** 1979, P.A. 607

# Title 11: Libraries

## *PUBLIC LIBRARIES*

11-20        Establishment. Gifts. Pensions. - Allows any municipality, fire district or school district to establish, by ordinance, a public library and to expend such sums as are necessary provided the use of the library shall be free to use by the inhabitants \*

**Enactment:** Prior to 1949

\*If such library is established, the following sections become applicable:

- 11-21    Directors.
- 11-22    Expenses. Town Clerk May Deposit Books.
- 11-25    Reports By Libraries, Confidentiality Of Records.
- 11-27    Library Fund.
- 11-29    Transfer Of Employees.

11-32        City Council May Establish And Maintain A Public Library. - Allows the city council of any city to establish and maintain a public library, provided it be free to use by the inhabitants of the city.\*

**Enactment:** Prior to 1949

\*If such library is established, the following sections become applicable:

- 11-33    Powers And Duties Of Directors In Cities. Gifts.
- 11-34    Report By Directors.

# Title 12: Taxation

## *PROPERTY TAX ASSESSMENT*

12-62c        Municipal option to phase in assessment increases resulting from revaluation of real property. – requires the chief executive officer of any municipality whose legislative body voted to phase-in real property assessment increases to notify the Secretary of the Office of Policy and Management, in writing, of such decision. Any assessor who changes any property valuation must document, in writing, the reason for such change on the property card for the real estate parcel whose revaluation was changed.

**Enactment:** 2006, PA 06-148

12-62r        Annual adjustments to assessment rates adopted for apartment and residential properties. Referendum. – Specifies certain procedures for the assessor of a municipality that adopts the property tax system under this section.

**Enactment:** 2011, P.A. 11-212, Sec. 1

12-63h Land value taxation program. - Requires that the municipality chosen on the basis of its application to be the pilot municipality for the land value taxation pilot program established by this act prepare and submit a plan as specified by this act.

**Enactment:** 2009, P.A. 09-236

12-107d Classification Of Land As Forest Land. – Requires any municipality that has had any land classified as forest land and wishes to appeal such designation to do so, in writing, to the State Forester within 30 days of such designation.

**Enactment:** 1963, P.A. 490

12-111 Appeals To Board Of Assessment Appeals. - Requires the board of assessment appeals to notify any taxpayer who has filed an appeal, of the time and place for the appeals hearing, in a manner specified by this section, except that the board may elect not to conduct an appeal hearing for any commercial, industrial, utility or apartment property with an assessed value greater than one million dollars. If board decides not to hold a hearing for any such property, the board must send written notice of such decision to the person having requested such hearing. Any assessor who changes any property valuation must document, in writing, the reason for such change on the property card for the real estate parcel whose revaluation was changed.

**Enactment:** Prior to 1949

#### *LOCAL LEVY AND COLLECTION OF TAXES*

12-129r Municipal Option To Abate Taxes On Open Space In Exchange For Transfer Of Development Rights To Municipality. - Requires that any municipality which chooses to abate taxes on open space land must do so by ordinance, in a manner provided by this section. Any ordinance adopted under this act must authorize the abatement only if the property's owner agrees to transfer the land's development rights to the municipality, accepts conservation easements on the property, allows rights of way, or agrees to any combination of these benefits. The abatement may not exceed the market value of the open space land.

**Enactment:** 2006, P.A. 128

#### *MUNICIPAL TAX LIENS*

12-181 Foreclosure Of Tax Liens. - The tax collector may bring suit for the foreclosure of tax liens in the name of the town in which the tax was laid.

**Enactment:** Prior to 1949

12-182 Summary Foreclosure Of Tax Liens. - The tax collector may bring, in addition to other remedies, an action in rem to foreclose a tax lien.

**Enactment:** Prior to 1949

12-183 Form Of Petition For Summary Foreclosure. - The tax collector may, not more than once a year, file a petition in superior court for the foreclosure of tax liens. Such petition must contain certain specific information regarding the property.

**Enactment:** Prior to 1949

#### *UTILITY COMPANIES TAX*

12-264 Tax On Gross Earnings. Registration Of Gas Sellers. Return. - Requires municipal gas or electric utilities to pay a quarterly tax on gross earnings and to submit a quarterly report to the department of revenue services specifying certain financial and logistical information.

**Enactment:** Prior to 1949

12-265 Rate. Deductions. - Requires that gross earnings of all utilities be taxed at a rate of 4% or 5% of gross earnings depending on the type of service provided.

**Enactment:** Prior to 1949

## Title 13a: Highways And Bridges

#### *HIGHWAY CONSTRUCTION AND MAINTENANCE*

13a-142e Route 11 Greenway Authority Commission. - Stipulates the method by which the towns of East Lyme, Montville, Salem and Waterford may establish a Route 11 Greenway Authority Commission, including the adoption of an ordinance creating such commission, the membership and length of service to the commission. The legislation puts the commission within the Department of Transportation for administrative purposes. The ordinance will require the Commissioners of Environmental Protection and Transportation to call a meeting of the commission within 90 days. The commission will hold public hearings for the purposes of developing the greenway project. The commission must report annually on its activities and finances to the General Assembly.

**Enactment:** 2000, P.A. 148

## Title 13b: TRANSPORTATION

#### *DEPARTMENT OF TRANSPORTATION*

13b-39g Municipality May Retain Fee. - Requires any municipality that issues and renews registrations for aircraft and chooses to keep such registration fees as a grant in lieu of taxes, to report to the commissioner on the amount of such fees and the number of registrations issued, in a manner provided by this section.

**Enactment:** 1993, P.A. 433

# Title 14: Motor Vehicles. Use Of The Highway By Vehicles. Gasoline

## *MOTOR VEHICLES*

- 14-33      Renewal Of Registration Denied For Failure To Pay Property Tax Or Fines For Parking Violations. Collection Of Delinquent Property Tax By Commissioner. - Allows municipalities with a population of one hundred thousand or more to participate in a program to facilitate the payment of fines for parking violations. For any municipality that so chooses, it must notify the commissioner of motor vehicles of every owner of a registered motor vehicle who has unpaid fines for more than five parking violations committed since March 1, 1989.
- Enactment:** Prior to 1949
- 14-36e      Course In Motor Vehicle Operation And Highway Safety. - Requires any local or regional board of education that offers driver education to provide a minimum of 30 hours of classroom instruction, including not less than 15 minutes concerning the responsibilities of a motor vehicle operator when pursued by a police officer and twenty hours of behind the wheel instruction.
- Enactment:** Prior to 1949
- 14-36i      Seizure and forty-eight-hour suspension of operator's license of person who is sixteen or seventeen years of age for certain violations. - This bill requires that any police officer, who issues an infraction to a motor vehicle operator for a violation of section 14-36g of the Connecticut General Statutes concerning operation of a motor vehicle by a 16-17 year old, file a written report, in a manner specified by this section, to the Commissioner of Motor Vehicles.
- Enactment:** 2008, P.A. 08-32
- 14-108a      Uniform Investigation Of Accident Report. - Requires the police to file, in a manner prescribed by this section, a report with the commissioner of transportation within five days of any motor vehicle accident in which any person is killed or injured. It also prescribes a uniform investigation of accident report to be used by all police departments.  
In addition, this act requires that each police department or agency or individual responsible for investigating motor vehicle accidents develop a policy, in a manner specified by this section, for identifying and notifying a member of a person's family or household with respect to any motor vehicle accident in which a person is killed and that they so notify such person
- Enactment:** 1961, P.A. 318
- 14-149      Mutilated Or Removed Vehicle Identification, Factory Or Engine Number. Discovery Of Vehicle Reported As Stolen Or Of Vehicle Or Major Component Part With Mutilated Or Missing Identification, Engine Or Factory Number. Disposition Of Vehicle Or Part held In Custody. Penalty Fee. - Requires any officer, upon discovery of any motor vehicle or major component part in which the vehicle identification, engine or factory number has been removed, to take such

vehicle into his custody. For purposes of this section, construction equipment, agricultural tractors and farm implements are included in the definition of motor vehicles. (This means that local law enforcement officers must handle stolen items mentioned above in the same manner as they handle stolen motor vehicles) The officer must also take into custody the operator of the vehicle. Also, requires any officer who finds a stolen motor vehicle to take such vehicle into his custody and return it to the owner.

**Enactment:** Prior to 1949

- 14-150 Abandoned Or Unregistered Motor Vehicles And Motor Vehicles Which Are A Menace To Traffic. Notice. Removal. Storage. Hearing. Lien. Sale. - Requires any officer of an organized police department who finds any motor vehicle which is a menace to traffic or the public health or safety, to take such vehicle into his custody and have it stored in a suitable place. Also, requires any police officer who finds an abandoned vehicle to affix a notice to it stating that it must be removed within 24 hours. If not removed, the affixing department must take such vehicle into its custody and place it in a suitable place. If it turns out to be a stolen vehicle, the police department must make a reasonable attempt to notify the owner. If such vehicle is determined to be worth less than \$100 and has been extremely vandalized, the title of such vehicle is immediately vested in the municipality in which the vehicle was discovered. The affixing department must give written notice to the commissioner of motor vehicles of the vehicle identification number. Upon sale of the vehicle, the affixing department must give written notice by certified mail to the last known owner of the vehicle. The proceeds of the sale, less the towing and sale or disposal expenses are to be turned over to such person. If the expenses exceed the sale proceeds, the owner shall pay the municipality the remainder. The chief executive officer of each town shall appoint a suitable person to be a hearing officer to determine whether or not the towing of a vehicle was authorized under the provision of this section. He shall also appoint a person to be responsible for the collection of data concerning abandoned motor vehicles within such municipality and the preparation and submission of periodic reports to the commissioner of motor vehicles.

**Enactment:** Prior to 1949

- 14-150a Removal Of Abandoned Motor Vehicles By Municipalities. Notice. - Allows any municipality to provide for the removal of any abandoned, inoperable or unregistered motor vehicle which remains unremoved for thirty days after giving notice to the owner of the property where the vehicle is, and notice has been placed in a newspaper having substantial circulation in such municipality.

**Enactment:** 1971, P.A. 817

- 14-151a Report By Owner Or Person In Lawful Possession Of Theft Of Motor Vehicle. Regulations Re Uniform Procedure. Report As Condition Precedent To Settling Insurance Claim. - Requires anyone who's car is stolen to file a written report with the police department or the state police troop having jurisdiction over such municipality.

**Enactment:** 1982, P.A. 450

- 14-152 Report By Law Enforcement Agencies Of Theft Or Recovery Of Motor Vehicle. - Requires each municipal police department and each constable of any town, within one week of a notice of a motor vehicle theft or recovery of such stolen vehicle, to report such incident to the commissioner

of motor vehicles and the national Automobile Theft Bureau. Failure to comply with this section will result in a fine of \$25.

**Enactment:** Prior to 1949

*UNIFORM MOTOR VEHICLE CERTIFICATE OF TITLE AND ANTITHEFT ACT*

14-197 Report Of Stolen, Recovered, Unclaimed or Abandoned Vehicle. - Requires any police officer, sheriff or constable who learns of an automobile theft or recovery of such stolen vehicle, to report such to the commissioner of motor vehicles.

**Enactment:** 1957, P.A. 607

*VEHICLE HIGHWAY USE*

14-227b Implied Consent To Test Operator's Blood, Breath Or Urine. Testing Procedures. License Suspension. Hearing. - Requires police officers to prepare a written report of any incident where a person, arrested on a motor vehicle charge, refuses to submit to a blood, breath or urine test, or fails such after taking test where the driver's license is suspended. The police officer shall mail such report, along with a copy of the results of any chemical test analysis and the completed temporary license form, to the commissioner of motor vehicles. This section also requires a police officer who obtains the result of a chemical analysis of a blood sample taken from a motor vehicle operator involved in and claiming injury as a result of an accident, to submit a written report to the Commissioner of Motor Vehicles. The report is required if the results indicate a blood alcohol rate of ten-hundredths of one percent or more and if the operator was arrested for driving under the influence.

**Enactment:** 1963, P.A. 616

14-227c Blood or breath samples required following accidents resulting in death or serious physical injury. - Requires police officers to obtain a blood or breath sample from any surviving operator involved in a motor vehicle accident if such operator is charged with a motor vehicle violation and such officer has a reasonable suspicion that the operator had operated the vehicle under the influence of alcohol or drugs.

**Enactment:** 2006, P.A. 173

14-250b Obstructing intersection. – requires a municipality that has designates that a specific intersection cannot be entered unless there is sufficient space to accommodate the vehicle on the other side must mark that intersection as specified in this section.

**Enactment:** 2009, PA 09-171

14-279a Operation of school bus monitoring system by board of education or municipality. Vendor agreement. Report. - requires a municipality or local or regional board of education that chooses to use a live digital video school bus violation detection monitoring system to post a warning sign on all school buses having such a monitoring system and to install the system so that it will not record images of the occupants of motor vehicles. If a vendor provides the service, a report of the number of citations and funds collected must be provided to the Transportation Committee.

**Enactment:** 2011, P.A. 11-255, Sec. 2

14-281c Report Of Serious Accidents Involving School Buses Or Student Transportation Vehicles. - Requires the police officer investigating an accident involving a school bus or student transportation vehicle to immediately report such incident to the commissioner of motor vehicles. If an injury is involved in the accident that results in the admission of such person into a hospital, the police officer must report to the commissioner within 24 hours.

**Enactment:** 1990, P.A. 112

14-283a Adoption Of State-Wide Policy For Pursuits By Police Officers. - Requires each police department to adopt a policy for handling pursuits. The police chief shall inform every officer of that policy and take whatever measures are necessary to see that such officer understands the policy. Also, requires municipalities to train/retrain all their police officers in proper pursuit techniques based on a new uniform statewide pursuit policy that must be adopted by January 1, 2000. The policy will specify various notifications and other requirements when a police officer engages in a pursuit.

**Enactment:** 1978, P.A. 372

14-286e Police officers, firefighters or emergency service personnel on bicycles. – Firefighters and emergency medical personnel who are responding to emergency calls, engaging in rescue operations, or pursuing criminals are exempt from certain requirements regarding the use of bicycles if they wear a distinct uniform, use an audible signal, and receive training in a basic bicycle patrol course.

**Enactment:** 1993, P.A. 292

14-289j Restrictions On The Use And Sale, Lease Or Rental Of Mini-Motorcycles. - Requires law enforcement officers who issue summons for the misuse of mini-motorcycles to impound said mini-motorcycle for forty-eight hours. A subsequent bill removed the prohibition against operating a mini-motorcycle on public property, easing the workload of police departments.

**Enactment:** 2005, P.A. 173

14-296aa Use Of Hand-Held Mobile Telephones And Mobile Electronic Devices By Motor Vehicle Operators And School Bus Drivers, Prohibited Or Restricted, When. Penalties. - Requires law enforcement officers who issue summons for use of a hand-held telephone while operating a motor vehicle to record on the summons the specific nature of the distracted behavior that was observed.

**Enactment:** 2005, P.A. 159

#### *TRAFFIC CONTROL AND HIGHWAY SAFETY*

14-309 Traffic Safety Measures And Control Devices; Approval Of State Traffic Commission. - Requires the approval of the state traffic commission before any municipal traffic authority can install traffic safety measures or traffic control devices.

**Enactment:** Prior to 1949

# Title 15: Navigation And Aeronautics

## *HARBORS AND RIVERS*

- 15-9            Vessels May Be Removed. Procedures. Notice. Regulations. Penalty. - Allows a municipal police officer, upon notification by the harbor master, to remove the vessel of anyone who willfully neglects the orders of the harbor master. Such officer must give written notice, containing information prescribed by this section, to the owner of the vessel by certified mail. Also, the municipality may appoint a hearing officer for such cases, subject to regulations established by the commissioner of transportation. If the owner is found guilty of the violation, he must pay all expenses for the removal of the vessel, including legal expenses and court costs.

**Enactment:** Prior to 1949

## *AERONAUTICS*

- 15-80            Aviation Commissions. - Requires the town clerk to send a certified copy of the certificate of approach to the secretary of state whenever a municipality votes to establish an aviation commission.

**Enactment:** Prior to 1949

## *BOATING*

- 15-136            Ordinances And Regulations. - Requires any municipality, which adopts ordinances respecting the operation of vessels on any body of water within its territorial limits, to submit such ordinances to the commissioner of environmental protection for approval.

**Enactment:** 1961, P.A. 520

- 15-138            Publication Of Laws, Regulations And Ordinances. - Requires any municipality, which passes an ordinance subject to section 15-136, to publish notice of such ordinance in a newspaper of general circulation in the affected municipalities.

**Enactment:** 1961, P.A. 520

# Title 16: Public Service Companies

## *DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION. PUBLIC UTILITIES REGULATORY AUTHORITY. OFFICE OF CONSUMER COUNSEL. MISCELLANEOUS PROVISIONS*

- 16-29            Reports from municipalities. - Requires municipal utilities, other than municipal water utilities, to submit the specified annual report.

**Enactment:** 2005, P.A. 5 (June Special Session)

*TELEGRAPH, TELEPHONE, ILLUMINATING, POWER AND WATER COMPANIES*

16-245m      Conservation And Load Management Program; Charge Assessed Against Electric Customers To Fund Program; Scope And Purpose Of Program. Deposit Of Certain Moneys From The Energy Conservation And Load Management Funds In General Fund. - Requires that if a municipality chooses to create a water authority it must do so by ordinance in a manner specified by this section, including transferring its public water system to this entity, submitting a plan of operation and the holding of a referendum.

**Enactment:** 2012, P.A. 2 (June Special Session), Sec. 157

## Title 16a: Planning and Energy Policy

*ENERGY UTILIZATION AND CONSERVATION*

16a-40g      Commercial sustainable energy program. - Requires a municipality notified of a commercial property financing agreement by the Clean Energy Finance and Investment Authority to place a caveat on the land records indicating that a benefit assessment and lien is anticipated or, at the direction of the authority, to levy the benefit assessment and file a lien on the land records.

**Enactment:** 2005, P.A. 5 (June Special Session)

## Title 18: Correctional Institutions and Department of Correction

*DEPARTMENT OF CORRECTION*

18-81cc      Prevention, detection and monitoring of, and response to, sexual abuse in correctional facilities. – Requires compliance with the standards recommended by the National Prison Rape Elimination Commission for the prevention, detection and monitoring of, and response to, sexual abuse in adult prisons and jails, community correction facilities and lockups.

**Enactment:** 2011, P.A. 11-159, Sec. 1

## Title 19a: Public Health And Well Being

*MUNICIPAL HEALTH AUTHORITIES*

19a-221      Quarantine Of Certain Persons. - Any municipal director of health may order any person into confinement whom he has reasonable grounds to believe is infected with a communicable disease and unable to conduct himself in a manner so as to not expose others. Requires that the order be in writing and set forth specific information, and that the order inform the person of his legal rights

in this regards including the right to counsel and the right to a hearing. Also, requires the director to notify the department of public health and addiction services that the order has been issued. In addition, this section requires each local or regional health director to comply with any orders of the Commissioner of Public Health for isolating or quarantining persons during a declared public health emergency, in a manner specified by this bill.

**Enactment:** Prior to 1949

## Title 21: Licenses

### *AUCTIONEERS*

21-2 Issue And Revocation. - A municipality may issue a license for a person to offer goods at auction if that person files the required application with the town in a timely manner. Also, the town may revoke the license, if it is in the public interest to do so.

**Enactment:** Prior to 1949

### *JUNK DEALERS*

21-10 Town Ordinance. Registration With Motor Vehicle Department. - Any municipality may establish ordinances regarding the licensing of junk dealers including the imposition of a license fee of between \$2 and \$10. No such license may be issued until a proper application has been filed with the municipality. Also, except where there is a planning and zoning commission, a municipality may, by ordinance, regulate the establishment location and conduct of a junk yard.

**Enactment:** Prior to 1949

### *HAWKERS AND PEDDLERS*

21-37 Town Ordinances. - A municipality may establish ordinances regarding vending or hawking on its public streets or from house to house, and may impose a fee not exceeding \$200 for such activity. Certain resident veterans are exempt from paying the permit fee.

**Enactment:** Prior to 1949

### *PAWNBROKERS AND SECONDHAND DEALERS*

21-40 Issuance Of Licenses. Fees. - Any municipality may grant a license for a person to carry on pawn broker activities, if that person files with the municipality a bond, approved by the town, in the amount of \$2,000 and pays a license fee of \$50.\*

**Enactment:** Prior to 1949

\*If such license is granted, the following sections become applicable:

21-41 Record of Pledges And Borrowers.

21-43 Weekly Reports. Penalty.

21-46a Seizure of property by law enforcement officer. - Requires a law enforcement officer who seizes property from a pawnbroker or precious metals or stones dealer to provide a signed receipt including information specified in this section.

**Enactment:** 1997, P.A. 97-164, Sec. 8

21-47d Secondhand dealer license. Fees. Applications. Criminal history records checks. Suspension or revocation of license. Exemption. Penalty. Requires a municipality receiving an application for a license to carry on secondhand dealer activities to approve or deny that application and hold any hearings within timeframes specified in this section.

Enactment: 2011, P.A. 11-100, Sec. 10

#### *LODGING HOUSES*

21-48 License; Records; Definitions. - A municipality may grant a license to a person to carry on a lodging house and may revoke that license for cause. Requires payment of an annual \$50 license fee to the municipality, The person operating the lodging house is required to keep a register which may be examined at any time by the municipal police or the selectmen.

**Enactment:** Prior to 1949

## Title 21a: Consumer Protection

#### *GENERAL PROVISIONS: PURE FOOD AND DRUGS*

21a-62 Analysis Of Food. - A local health authority may procure from any dealer any article for human consumption and have it analyzed by a state chemist to see if such article is adulterated. Requires that when such analysis shows the article is not adulterated, the cost of the analysis be paid by the municipality.

**Enactment:** Prior to 1949

## Title 22a: Environmental Protection

#### *COASTAL MANAGEMENT*

22a-94 Coastal Area; Coastal Boundary. Commissioner To Prepare Maps. - A municipal coastal boundary may be adopted by a municipality, but it is required to be done in accordance with statutory notice and hearing requirements. Upon adoption, such boundary must be submitted to the department of environmental protection.

**Enactment:** 1978, P.A. 152

22a-101 Municipal Coastal Programs. - Municipalities may adopt a municipal coastal program in order to carry out the provisions of this chapter and to provide specific guidance to coastal area property owners and developers. Such a plan is required to include: (a) revisions to the municipal plan of conservation and development as it affects the coastal area including implementation and enforcement procedures, and (b) revisions to the municipal zoning regulations as they affect the coastal area, specifically historic districts, sewerage, filling of land and removal of loam/sand and protection and improvement of the environment.

**Enactment:** 1979, P.A. 535

22a-102 Municipal Plan Of Development. Proposed Municipal Land Use Regulations. - If a municipality revises its plan of conservation and development, it must do so in accordance with the criteria listed in 8-23, and must submit such revisions to the department of environmental protection and the regional planning agency for review and comment. Any revisions to the plan or the zoning regulations must take into consideration; (a) the character of the coastal resources and the capacity/limitation of those resources to support development, (b) the nature of existing development and (c) the need for public services.

**Enactment:** 1979, P.A. 535

22a-103 Municipal Zoning Regulations. Criteria And Process For Revision. - If a municipality revises its zoning regulations, it must do so in accordance with criteria in 8-2, 22a-101 and 22a 103, and must submit the proposed revisions to the department of environmental protection for review and comment.

**Enactment:** 1979, P.A. 535

#### *HARBOR MANAGEMENT COMMISSIONS*

22a-113k Harbor Management Commissions. - Any municipality or any two or more municipalities acting jointly, having navigable waters within its/their limits, may establish a harbor management commission.\*

**Enactment:** 1984, P.A. 247

\*If such commission is established, the following sections become applicable:

22a-113m	Harbor Management Plan. Approval.
22a-113n	Content Of Plan.
22a-113o	Factors Considered In Preparation Of Plan.
22a-113r	Mooring Or Anchorage Permit. Enforcement Of Ordinances Implementing The Plan.
22a-113s	Permit Fee.

#### *HAZARDOUS WASTE MANAGEMENT*

22a-133dd Entry Of Licensed Environmental Professional Onto Certain Property. Requires any municipality that enters a home for the purpose of performing an environmental site assessment or investigation for any purpose provided for in this section to notify the property owner at least forty-five days prior by certified mail to the property owner's last known address.

**Enactment:** 1998, P.A. 253

#### *SOLID WASTE MANAGEMENT*

22a-227 Municipal Solid Waste Management Plan. - Any municipality may submit, prior to January 1, 1987, to the department of environmental protection, a twenty year plan for the management of solid waste within its boundaries. Requires that any municipality that does not submit or have an approved plan must manage its solid waste in accordance with the state solid waste plan.

**Enactment:** 1985, P.A. 436

22a-238 Appointment Of Resource Recovery Facility Inspector By Municipality or Group Of Municipalities. Regulations Re Qualifications. - Any municipality where a resource recovery facility is located or any group of participating municipalities may appoint an inspector for such facility. Requires such inspector to meet qualification standards set by the department of environmental protection.

**Enactment:** 1986, P.A. 332

22a-241j Municipal curbside or backyard collection of designated recyclable items. Exempt municipalities. Collector curbside or backyard collection of designated recyclable items. Exempt collectors. - requires that each municipality providing municipal curbside or backyard collection of solid waste also provide curbside or backyard collection of designated recyclable items. This provision does not apply to municipalities recycling a greater percentage of its solid waste than the state-wide average.

**Enactment:** 2010, P.A. 10-87, Sec. 5

22a-250 Littering Or Dumping Prohibited. Orders. Procedures. Penalties. - If a municipality finds after investigation that a person has illegally dumped material, it may send a notice by certified mail to the owner of the property informing him that violation has occurred, demanding removal of the material and indicating his right to a hearing to appeal the finding and the date time and place of such hearing. Requires the municipality to hold the hearing unless the property owner fails to appear.

**Enactment:** 1972, P.A. 262

#### *SOLID WASTE MANAGEMENT SERVICES ACT*

22a-282 Solid Waste Disposal Area. Payments To Municipalities. - Requires that the Connecticut Resources Recovery Authority pay to the municipality in which the disposal area is located, one dollar per ton of unprocessed solid waste received from outside of such municipality.

**Enactment:** 1984, P.A. 331

22a-285f Participation By Municipality In Negotiation. - Any municipality after receiving notice may participate in the negotiation and arbitration process if they file with the Connecticut Siting Council a resolution from the municipal legislative body stating its intent to negotiate and listing members of its negotiating committee. Failure to file, precludes a municipality from negotiations, from imposing any requirement on the siting of the ash residue disposal area and from requiring the facility from complying with local planning and zoning requirements.

**Enactment:** 1989, P.A. 384

22a-285g Negotiation. - Requires that municipal negotiations with the applicant begin after appointment of members of the committee and be conclude within 180 days. Negotiation must include: (a) compensation to any person for substantial economic effects resulting from the facility, (b) reimbursement for reasonable costs incurred by the committee, (c) screening and fencing, (d) operation of the facility,(e) traffic flows, (f) payments to the municipality for road repairs, (g)

establishment of a buffer, (h) purchase of fire equipment, (i) payment to the municipality for fire and police, (j) funding of municipal site monitoring and (k) Compensation plan for the host municipality. Negotiation sessions may be conducted with assistance of a mediator and each party is required to pay half the cost. If agreement is not reached within the 180 limit, the matter may be submitted for arbitration, and if so, a final offer by the committee must be submitted within 60 days after the request for arbitration.

**Enactment:** 1988, P.A. 230

#### *INTERSTATE ENVIRONMENTAL COMMISSION*

22a-300 Notice Of Pollution. Public Hearing. Orders. - Whenever the interstate sanitation commission determines that a municipality or other entity is discharging pollutants into the waterways thereby causing a danger to public health, the commission is required to give notice to the departments of environmental protection and public health and addiction services. If after six months abatement has not occurred, the commission may issue a show cause order to the polluting party which specifies the time and place for a public hearing. Following that hearing, the commission shall issue a cease and desist order to be implemented by a specific date, and may require evidence of progress made at specific dates along the timeline.

**Enactment:** Prior to 1949

#### *WATER RESOURCES*

22a-368 Registration Of Existing Diversions. Permits. Transfer. - Requires municipalities maintaining a diversion of water prior to July 1, 1982 to register with the department of environmental protection. Subsequent to that date, requires municipalities to obtain a permit from the department before commencing to divert water.

**Enactment:** 1982, P.A. 402

22a-369 Application For Permit. Information Required. - Requires municipalities applying to the department of environmental protection for a diversion permit to include the following information; (1) the need for the diversion, (2) the reasons for diversion and the use of the diverted water, (3) a description of the existing water system where the diversion is proposed, (4) the locations of withdrawals and discharges of the diverted water, (5) the quantity, frequency and rate of diversion, (6) the length of time for which the permit is sought, (7) the effect of the diversion, (8) the alternatives to diversion, (9) conservation measures adopted prior to the application and the applicant's long range conservation plan and (10) further information if the diversion is inter-basin.

**Enactment:** 1982, P.A. 402

22a-378a General Permits For Minor Activities. Regulations. - Requires municipalities which have been issued general permits for minor diversion activities by the department of environmental protection, to give written notice of their intention to conduct an activity covered by such general permit to the inland wetlands, conservation and planning and zoning commissions of any affected towns.

**Enactment:** 1991, P.A. 263

22a-379 Diversion Permit. Fee. - Requires municipalities holding a diversion permit authorizing a consumptive use of waters of the state to pay an annual fee of \$500 to the department of environmental protection.

**Enactment:** 1990, P.A. 231

#### *WATER POLLUTION CONTROL*

22a-428 Orders To Municipalities To Abate Pollution. If the department of environmental protection finds that a municipality is causing pollution of waters, it may issue an abatement order which is required to contain a time schedule for action by the municipality.

**Enactment:** 1967, P.A. 57

22a-446a Uniform Tipping Fee At Facilities Disposing Of Septic Tank Pumpings. - Any municipality operating a water pollution abatement facility, which receives funds under 22a-439 and which disposes of septic tank pumpings, shall establish a uniform tipping fee for pumpings collected in each municipality and delivered to such facility.

**Enactment:** 1987, P.A. 430

22a-458 Water Pollution Control Authority, Mandatory Establishment By Municipality. - Requires any municipality, ordered by the department of environmental protection to abate or control water pollution, to establish a water pollution control authority, and to authorize the necessary funds to undertake and complete any action necessary to comply with such order.

**Enactment:** 1971, P.A. 305

22a-498 Creation Of Stormwater Authority. Members. Purposes. Powers. - Requires that any qualified municipality that is selected to participate in the stormwater authority pilot program must adopt an ordinance either designating an existing board or commission or establishing a new board or commission as the stormwater authority, in a manner specified by this section.\*

**Enactment:** 2007, P.A. 154

\*If such authority is formed, the following section applies:

22a-499 Joint Report re Pilot Program.

## Title 25: Water Resources. Flood And Erosion Control

#### *FLOOD CONTROL AND BEACH EROSION*

25-84 Municipal Flood And Erosion Control Boards. Appointment Of Alternate Members. - Any municipality may, by vote of its legislative body, adopt the provisions of sections 25-85 to 25-94 and create a flood and erosion control board with the powers granted hereunder.\*

**Enactment:** 1955, Supp. 2383d

\*If such board is established, the following sections become applicable:

- 25-85 Establishment Of Flood And Erosion Control System.
- 25-86 Taking Of Property.
- 25-87 Bond Issue Authorized. Assessments.
- 25-88 Method Of Assessment.
- 25-89 New And Supplementary Assessments.
- 25-90 Assessment Due Date. Notice.
- 25-91 Installment Payment Of Assessments.
- 25-92 Segregation And Use Of Assessment Funds.

#### *LOWER CONNECTICUT RIVER CONSERVATION ZONE*

25-102d Connecticut River Gateway Committee: Membership, Duties. Election By Towns. - Requires creation of the Connecticut River Gateway Committee, with a representative from each of eight area municipalities which shall be convened within 90 days to (a) prepare minimum standards for the regulation of the usage of property within the conservation zone, (b) prepare an evaluation of whether the zoning ordinances and planning regulations of the area towns conform to those standards (c) make recommendations for lands and waters to be acquired and (d) hold public hearings to help develop appropriate standards. Requires that the Committee terminate upon creation by the area towns of the Connecticut River Gateway Commission or a decision by four towns not to be governed by the provisions of this chapter. Requires the planning and zoning commissions of the respective towns to study the standards developed, and to file with their town clerk recommendations to their legislative body as to whether the town should vote to join the Gateway Commission.\*

**Enactment:** 1973, P.A. 349

\*If such commission is established, the following sections become applicable:

- 25-102e Connecticut River Gateway Commission Established. Funds Held In Custody.
- 25-102g Local Zoning Within The Conservation Zone. Standards. Approval Procedure. Revisions And Standards.
- 25-102h Action On Applications To Zoning Boards Of Appeals Referred To Connecticut River Gateway Commission.
- 25-102j Withdrawal Of Town By Referendum. Reinstatement By Referendum.

#### *UPPER CONNECTICUT RIVER CONSERVATION ZONE*

25-102dd Connecticut River Assembly. Membership. Withdrawal. - Creates a 15 town Connecticut River Assembly and requires those municipalities to comply with the provisions of this chapter, including representation. Allows a municipality, upon vote of its legislative body, to withdraw from the Assembly, but only after the holding of a public hearing duly warned in a newspaper having a substantial circulation in such municipality.

**Enactment:** 1982, P.A. 296

25-102ff Review Of Land Use Applications. - Unless a municipality votes to withdraw, requires the 15 municipalities named in section 25-102dd to forward to the Connecticut River Assembly any applications for certain specific land uses within the conservation zone. Requires the

municipalities to read into the record of any public hearing held on the application, any comments submitted by the Assembly.

**Enactment:** 1982, P.A. 296

25-102gg Local Zoning Within The Conservation Zone. Revision Of Standards. - Unless a municipality votes to withdraw, requires the 15 municipalities named in section 25-102dd to revise their zoning and subdivision regulations to meet the minimum standards pursuant to P.A. 79-77 and P.A. 81-1 and any revised standards adopted by the Assembly.

**Enactment:** 1982, P.A. 296

#### *NIANTIC RIVER GATEWAY COMMISSION*

25-109e Niantic River Gateway Commission Established. - The towns of East Lyme and Waterford may establish by ordinance a Niantic River Gateway Commission. Requires that the ordinance set forth the number of members of the commission, their method of selection, terms of office and manner of filling vacancies.\*

**Enactment:** 1987, P.A. 512

\*If such commission is established, the following sections become applicable:

25-109f	Standards For Preservation.
25-109g	Local Zoning Within Conservation Zone.
25-109h	Action On Applications To Zoning Boards Of Appeals Referred To Niantic River Gateway Commission.

#### *WELL DRILLING*

25-129 Certificate Of Registration. Insurance Requirement. - Requires municipalities engaged in well drilling to submit an application annually to the department of environmental protection for issuance or renewal of a certificate of registration as a well driller. Municipalities are not required to pay a fee for the certificate if the drilling is done by regular employees, using municipal equipment and the work is on wells intended for use by the municipality.

**Enactment:** 1969, P.A. 659

## Title 26: Fisheries And Game

#### *FISHERIES AND GAME*

26-6a Constables For Fish And Game Protection. - A municipality with the approval of the police commissioner may appoint special officers known as constables for fish and game protection, whose duties shall be limited to the enforcement in the municipality of state and local fish and game regulations and ordinances. Each such officer shall report any arrests made by him to the municipality which in turn is required to report the arrest to the department of environmental protection.

**Enactment:** 1959, P.A. 150

26-82            Killing of Deer Regulated. Damage Permit. Jacklight Permit. Penalties. – Requires any municipality that wishes to take deer or Canada Geese that are a severe nuisance or causing ecological damage to submit a plan to the Commissioner of Environmental Protection describing the nuisance or damage and the proposed method for taking the deer. The municipality must notify landowners abutting such place where the plan will be implemented.

**Enactment:** Prior to 1949

*LOCAL SHELLFISHERIES*

26-240            Town Ground; Designation; Hearing. - Any person may apply to the selectmen to plant or cultivate oysters in any waters within municipal jurisdiction. The selectmen may make such designation, but before such designation can become effective, it is required that public hearing be held which has been duly warned two times in a newspaper of general circulation.

**Enactment:** Prior to 1949

26-243            Evidence Of Designation To Be Recorded. - Requires the selectmen of each municipality that has made designations for cultivation of shellfish in its navigable waters to provide a book, to be kept by the municipal clerk, for recording all applications for such places, together with the written designation and descriptions of the designated places and all assignments of such places. Requires the municipal clerk to record each application and the book and page where it was recorded and make an alphabetical index of all such applications, specifying the names of the applicants and assignees separately.

**Enactment:** Prior to 1949

26-257a            Local Shellfish Commissions. - A municipality, acting by its legislative body or board of selectmen, may establish or join with other municipalities in establishing a shellfish commission. Requires the commission to have charge of all shellfish grounds in the municipality not granted to others or under the control of the department of agriculture . Requires that all monies collected by the commission be used for the protection and propagation of the shellfish under its control. Also, requires the commission to prepare and periodically update a shellfish management plan, and to submit a copy to the department and any other appropriate boards or commissions.

**Enactment:** 1963, P.A. 306

26-258            Location Of Local Natural Clam Or Oyster Beds. - Upon application of any oyster ground committee, the superior court in any judicial district requires the court to appoint a committee to ascertain, locate and describe in a report all natural shellfish beds within such town. Requires the clerk of the court to transmit such report to the municipal clerk, which must be recorded by such clerk in the book kept for the record of applications, designations and conveyances of designated grounds.

**Enactment:** Prior to 1949

26-277            Clinton And Madison; Special Constables. - Allows Clinton and Madison to appoint, at annual or special town meeting, two or more special constables who may inspect and measure shellfish

taken from that part of the Hammonasset River within their jurisdiction. Requires the municipalities to provide for the payment of such constables.

**Enactment:** Prior to 1949

26-280 Taking Of Shellfish At Saugatuck Shores In Westport. - Requires that no person take shellfish from Saugatuck Shores without applying for, and obtaining, a permit from the Westport police department. Requires that the police issue such permits to such applicants as appear suitable and proper at a cost of one dollar per permit.

**Enactment:** Prior to 1949

26-287 Waterford-East Lyme Shellfish Commission. Taking Of Shellfish From Niantic River. - The commission may prohibit the taking of shellfish from certain portions of the Niantic River, designate the manner in which they may be taken and fix license and permit fees. If a prohibition is instituted, requires the commission to publish, at least twice, in a newspaper having a circulation in each town, a notice describing the places where the prohibition will be operative.

**Enactment:** Prior to 1949

26-290 Taking Of Escallops In Groton. - If the Town of Groton prohibits the taking of scallops from designated portions of town waters, requires that the town publish at least twice in a newspaper of general circulation, notice describing the places and the period of time such prohibition is to be operative. Requires the town to designate special officers for the enforcement of this section, and to pay them on a per diem basis.

**Enactment:** 1953, Supp. 2568d

26-291a Taking Of Clams And Oysters In Stonington. - The board of selectmen in Stonington may prohibit the taking of clams and oysters from designated portions of town waters, designate the manner in which they may be taken and the size and amount, provide for licensing and fix license and permit fees. Requires that the board publish in a newspaper of general circulation a notice describing the area where taking is prohibited. All moneys collected under this provision shall be used for the protection, conservation and propagation of shellfish in town waters

**Enactment:** 1959, P.A. 53

26-292 Taking Of Escallops In The Waters Of Stonington. - The board of selectmen in Stonington may prohibit the taking of escallops from designated portions of town waters and designate the daily catch. If a prohibition is instituted, requires the board to publish, at least twice, in a newspaper of general circulation, a notice describing the area where the taking is prohibited, and to post copies of such notices in conspicuous places. Requires the board to issue permits upon application and payment of a fee of not more than six dollars per bushel. All moneys collected under this provision shall be used for the protection, conservation and propagation of escallops in town waters

**Enactment:** 1953, Supp. 2563d

## Title 27: Armed Forces And Veterans

### VETERANS

27-102p Annual report of veterans' benefits. - requires any municipality that provides benefits to veterans to submit a report of such benefits to the Commissioner of Veterans' Affairs, in a manner provided by this section.

**Enactment:** 2006, P.A. 06-153, Sec. 3.

## Title 28: Civil Preparedness And Emergency Services

### CIVIL PREPAREDNESS. DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY

28-9a Governor's Further Powers. - Authorizes any municipality to acquire sites required for the installation of temporary housing units for disaster victims, and to enter into agreements necessary to prepare or equip such sites to utilize such units.

**Enactment:** 1975, P.A. 643

## Title 29: Public Safety And State Police

### DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION

29-1c Uniform Crime Reporting System. - Requires each organized police department to submit reports as necessary, to the commissioner of public safety concerning crimes committed within its jurisdiction. The state may deny a municipality eligibility for state or federal law enforcement grants if the municipality's police department fails to submit the report or submits a report with missing, incomplete or incorrect information

**Enactment:** 1979, P.A. 406

### DIVISION OF STATE POLICE

29-5 Resident State Policemen For Towns Without Police Force. - Requires a municipality with no organized police force to pay seventy percent of the cost of compensation, maintenance and other expenses of state policemen placed as resident troopers within such municipality, plus 100% of overtime costs and the fringe costs resulting from that overtime.

**Enactment:** Prior to 1949

29-12a Maintenance of fingerprints in electronic format. Destruction of paper copy. - Requires a local police department having the capability to electronically capture the fingerprints of arrested persons and of persons requesting a criminal history records to submit such fingerprints to the State Police Bureau of Identification electronically.

**Enactment:** 2006, P.A. 06-111, Sec. 2

29-28 Permit For Sale At Retail Of Pistol Or Revolver. Permit To Carry Pistol Or Revolver. Confidentiality Of Name And Address Of Permit Holder. - Requires that no person be allowed to sell a pistol without having been issued a permit. A municipality may issue a permit to any person, but shall not unless the applicant has submitted documentation sufficient to prove that local zoning requirements have been met for the location where the sale occurs. A municipality may issue a permit to carry a pistol to an applicant, but shall not unless the municipality determines that the applicant will not make illegal use of it and is a suitable person. Requires that municipalities issue permits in triplicate, keeping one copy for its records and delivering one copy to the applicant and one copy to the commissioner of public safety.

**Enactment:** Prior to 1949

29-32 Revocation Of Permit. Notification. Penalty For Failure To Surrender Permit. - Any permit for carrying a pistol or revolver may be revoked by the issuing authority for cause or shall be revoked upon conviction of the holder for a felony. Upon revocation, requires the issuing authority to notify the holder, as well as the department of public safety, in writing.

**Enactment:** Prior to 1949

*BUILDING, FIRE AND DEMOLITION CODES. FIRE MARSHALS AND FIRE HAZARDS. SAFETY OF PUBLIC AND OTHER STRUCTURES*

29-254 Amendments To Code. Variations And Exemptions. - Requires applications for a modification of the state building code to be accompanied by a letter from the local building official, including comments on the merits of the application.

**Enactment:** 1969, P.A. 443

29-311 Fire Investigations. Warrant Requirements. Reports To Insurance Commissioner. - Within his jurisdiction, a local fire marshal may enter in or upon any premises where a fire or explosion has occurred. After the suppression of the fire or explosion, he shall apply in writing to a superior court judge for a warrant to enter such premises to determine the cause if not previously determined. Requires the application to include certain specified information regarding the premises and circumstances of the fire or explosion.

**Enactment:** 1981, P.A. 429

# Title 32: Commerce And Economic Development

## *ENTERPRISE ZONES, ENTERTAINMENT DISTRICTS, ENTERPRISE CORRIDOR ZONES AND AIRPORT DEVELOPMENT ZONES*

32-70            Enterprise Zones. Designation. Expansion. - Any municipality that was a distressed municipality on February 1, 1986, may, with the approval of the department of economic development, designate an area of the town as an enterprise zone. The census tract(s) within such zone must meet certain need criteria in order to qualify. Requires each municipality seeking designation of an area as an enterprise zone from the department to file a preliminary application with it, which shall review the preliminary application and make recommendations for improvement. Requires the municipality to incorporate those recommendations into a final application if it still wishes to apply.

**Enactment:** 1981, P.A. 445

32-70a           Goals And Performance Standards For Enterprise Zones. Municipal Reports To Commissioner. Assessment Of Each Enterprise Zone. - Requires each municipality with an enterprise zone to submit a report annually to the department of economic development evaluating the municipality's progress in meeting performance standards set by the department.

**Enactment:** 1993, P.A. 323

32-70b           Municipal Enterprise Zone Revitalization Plan. - Requires all municipalities with enterprise zones to adopt an enterprise zone revitalization plan which is to include goals and objectives for the zone and a schedule for meeting them. The plan must be submitted to the department for review and comment.

**Enactment:** 1993, P.A. 323

32-70c           Municipal Enterprise Zone Advisory Committee. - Requires all municipalities to establish an enterprise zone advisory committee to assist them in planning and implementing zone activities.

**Enactment:** 1993, P.A. 323

32-71            Fixing Of Assessments In Enterprise Zones. - Requires any municipality that has designated any area as an enterprise zone to provide, by ordinance, for the fixing of assessments on all real property within the zone that is improved during such designation. Requires that the assessment be fixed for seven years according to a percentage schedule contained in this section. Municipalities are prohibited from assessing improvements to real property that is being used for commercial or retail purposes in an enterprise zone while those improvements are under construction.

**Enactment:** 1981, P.A. 445

## *SMALL BUSINESS ADVISORY COUNCIL*

32-99            Powers. - Allows the Council to request and obtain from any municipality such assistance and data as will enable the Council to carry out its purposes.

**Enactment:** 1984, P.A. 400

*ECONOMIC DEVELOPMENT AND MANUFACTURING ASSISTANCE*

32-224      Designation Of Development Agency. Project Plan. Adoption of Plan. Readjustment, Relocation and Removal Of Public Service Facilities. - Any municipality which has a planning commission may, by vote of its legislative body, designate an implementing agency to exercise the powers granted under this part. The implementing agency may initiate a municipal development project by preparing and submitting to the department of economic development a development plan which must address a number of specific areas. Requires that the implementing agency hold at least one public hearing on the plan and duly warn it in a newspaper of general circulation, and following that hearing to submit the plan to the legislative body of the municipality for approval.

**Enactment:** 1990, P.A. 270

32-227      Bond Issue. - Requires a municipality to hold a public hearing, duly warned in a newspaper of general circulation, on any resolution authorizing a bond issue for the purposes of implementing a development project.

**Enactment:** 1990, P.A. 270

## Title 36a: The Banking Law Of Connecticut

*REGULATED ACTIVITIES*

36a-805      Prohibited Practices. – Requires municipalities to ensure that consumer collection agencies act in compliance with the requirements of this subdivision as it relates to the collection of property taxes on behalf of the municipality.

**Enactment:** 1953, P.A. 390

## Title 47: Land And Land Titles

*EASEMENTS AND RESTRICTIONS*

47-42e      Municipal property acquired with intent to place restriction or dedicated as park or open space land. Recording in land records. Enforcement. – Sec. 2 requires a municipality to record a restriction in the land records when it acquires property with the intent to place a conservation restriction, preservation restriction or other restriction on the use of the property, or when it permanently protects any municipal property by dedicating it as a park or open space.

**Enactment:** 2010, P.A. 10-85

# Title 47a: Landlord And Tenant

## *PUBLIC ENFORCEMENT OF HEALTH AND SAFETY STANDARDS IN TENEMENT AND BOARDING HOUSES, AND IN RENTED DWELLINGS*

47a-57      Certificate Of Occupancy Required For Lawful Occupation. Penalty For Allowing Occupancy Without Certificate. - In any municipality that has adopted the provisions of this section, no dwelling unit in any structure containing three or more housing units may be occupied, after a vacancy, until the municipality issues a certificate of occupancy.

**Enactment:** 1969, P.A. 462

# Title 48: Eminent Domain

## *EMINENT DOMAIN*

48-3      Town May Take Land For Town House Or Town Hall. - Any municipality may take land for a town hall, and if it does so, it is required to pay the owner just compensation.

**Enactment:** Prior to 1949

48-13      Inspection And Testing Prior To Condemnation. - Upon filing a notice of condemnation by a condemning authority, the superior court may authorize that authority to enter upon the premises for the purposes of inspection or testing. Requires that the condemning authority be responsible to the owners for any damage or injury caused by such entrance.

**Enactment:** 1955, Supp. 2968d

48-14      Value Of Crops Included In Damage Computation. - Requires a municipality to take into account the value of any crops on land it takes through condemnation in computing damage.

**Enactment:** 1957, P.A. 659

# Title 49: Mortgages And Liens

## *MORTGAGES*

49-5a      Master Mortgage Recording. - Any instrument containing a form or forms of covenants, conditions, obligations, powers and other clauses of a mortgage may be recorded in the land records of any town. Requires the municipal clerk to index such instrument under the name of the person, lending institution or corporation causing it to be recorded.

**Enactment:** 1971, P.A. 578

# Title 53: Crimes

## *OFFENSES AGAINST THE PERSON*

53-39a Indemnification of state police, State Capitol police, certain special police and local police. – Requires a police officer’s employer to indemnify the officer for economic loss resulting from prosecution for a crime allegedly committed by such officer in the course of duty if the charge is dismissed or the officer found not guilty, including the payment of attorney's fees and costs incurred during the prosecution **and the enforcement of this section.**

*Enactment: 1973, P.A. 627*

## *OFFENSES AGAINST PUBLIC PEACE AND SAFETY*

53-202g Report of loss or theft of assault weapon or other firearm. Penalty. - Requires local police departments to report any lost or stolen firearm, within 72 hours, and to submit a copy of the report to the Commissioner of Public Safety.

**Enactment:** 1993, P.A. 93-306

# Title 54: Criminal Procedure

## *COURT JURISDICTION AND POWER*

54-1o Electronic recording of custodial interrogations. – Requires a law enforcement official to record a custodial interrogation for the interrogation to be submitted as evidence in court, with some exclusions.

*Enactment:* 2011, P.A. 11-174

54-1p Eyewitness identification procedures. – Establishes procedures that must be used for determining and documenting an eyewitness’ identification of a suspected perpetrator.

**Enactment:** 2011, P.A. 11-252, Sec. 1

54-1r Complaint by protected person re violation of order of protection by electronic or telephonic means. Law enforcement agency’s responsibilities. - Requires a law enforcement agency receiving a complaint regarding a violation of a restraining order, protective order, standing criminal protective order or foreign order of protection as specified in this section to accept the complaint and take specified actions.

**Enactment:** 2012, P.A. 12-114, Sec. 8

54-33c Application For Warrant. Execution And Return Of Warrant. Copy Of Affidavit To Be Given To Owner, Occupant, Or Person Named In Warrant; Exceptions. Disclosure Of Affidavit Limited By Prosecuting Attorney, When. - Requires the applicant of a search warrant to file a copy of such

application with the clerk of the court for his geographical area. The warrant must be executed within ten days and returned with a written inventory of property seized. The owner of the property to be searched must be given a copy of the warrant.

**Enactment:** 1963, P.A. 652

#### *INFORMATION, PROCEDURE AND BAIL*

54-47aa Ex Parte Court Order To Compel Disclosure Of Certain Telephone And Internet Records. - Requires law enforcement officers, within 48 hours after the issuance of their requested order to compel disclosure of telephone and internet subscriber records to mail notice of the issuance of such order to the subscriber or customer whose information is the subject of such order, in a manner prescribed by this section. In addition, each law enforcement official must report to the Chief State's Attorney on all such activity, on an annual basis.

**Enactment:** 2005, P.A. 182

#### *VICTIM SERVICES*

54-222a Duty Of Peace Officer To Inform Victim Re Victim Services At Scene Of Crime. -Stipulates that whenever a peace officer determines that a crime has been committed, he shall render immediate assistance to any victim of such crime, including obtaining medical assistance if required.

**Enactment:** 1988, P.A. 260

## Uncodified Public Acts (Section B Mandates)

PA 00-186\* An Act Concerning The Assessment Of The Personal Property Of Certain Public Service Companies, Requiring The Registration Of Electric Generating Facilities And Exempting Certain Persons Involved With Communications-Related Property Negotiations From The Real Estate Broker Licensing Statutes. – Requires the assessor or board of assessors of Bridgeport, Cheshire, Fairfield, Hartford, Mansfield, Meriden, New Haven, New London, Southbury, Stamford and Windsor, when performing an audit pursuant to Section 12-80a of the general statutes, to give written notice to the property owner of the time and place of the audit, in a manner specified by this section. After completion of the audit, the assessor or board of assessors shall send the property owner written notice identifying any property believed to be 1) erroneously include in the return submitted by the owner, 2) was not included in the return, or 3) was included in said return but was not valued in the manner required by section 12-80a. The notice must be sent within thirty days after completion of the audit, a copy of which must be sent to the Secretary of OPM.

**Enactment:** 2000, P.A. 186

PA 00-187\* An Act Concerning Education Aid. – Requires school readiness councils in priority school districts and school districts with a severe need school to submit an operating and capital school readiness needs assessment that provides an estimate of the number of three and four year old children in such districts not enrolled in a school readiness program whose parents would likely

enroll them if a school readiness program were available and a proposed three year plan to address any gap in the number of available spaces and the demand for such spaces.

**Enactment:** 2000, P.A. 187

PA 05-5 (June Special Session)\* An Act Increasing Certain Bond Authorizations For Capital Improvements. Special Concerning The Collection Of Costs By The Probate Court And Concerning A Housing Trust Fund. – This bill stipulates that if a municipality chooses to create a water authority it must do so by ordinance in a manner specified by this section, including transferring its public water system to this entity, submitting a plan of operation and the holding of a referendum.

**Enactment:** 2005, P.A. 5 (June Special Session)

P.A. 13-93 An Act Authorizing Firefighters to Conduct Charitable Fundraising Boot Drives on State Highways. – The special event permit required to be issued to allow fire department members to collect donations on a state highway can require the municipality to provide a police escort.

**Enactment:** 2013, P.A. 13-93

P.A. 13-122 An Act Concerning Minor Revisions to the Education Statutes. - requires a local or regional board of education offering an alternative school program to provide specified information for a Dept. of Education study.

**Enactment:** 2013, P.A. 13-122, Sec. 12

P.A. 13-155 An Act Concerning Civil Immigration Detainers. - Requires a police officer to notify the United States Immigration and Customs Enforcement as specified upon determining whether an individual subject to a civil immigration detainer is to be detained or released.

**Enactment:** 2013, P.A. 13-155, Sec. 1

PA 13-161 An Act Concerning Pool Safety at Public Schools. – Establishes qualifications required for "qualified" swimming coaches, instructors and lifeguards, requires a public school pool to be monitored for swimmers in distress and requires a local or regional board of education with a school swimming pool to adopt and annually review a school swimming pool safety.

**Enactment:** 2013, P.A. 13-161, Sec. 1

PA 13-188 An Act Concerning School Safety. - Requires a municipality or local or regional board of education employing a person to provide security services in a public school to employ a current or retired police officer if such person is to possess a firearm.

**Enactment:** 2013, P.A. 13-188, Sec. 1

PA 13-298 An Act Concerning Implementation of Connecticut's Comprehensive Energy Strategy and Various Revisions to the Energy Statutes. - Requires a municipality that owns, operates or leases certain energy sources to meet specified criteria in order to independently distribute electricity generated from such source across a public highway or street.

**Enactment:** 2013, P.A. 13-298, Sec. 39

\* These particular sections remain uncodified because they are considered special in nature, but remain in the full force and effect.

## Part I - Statutory Mandates

### SECTION C

**Statute  
Section**

**Description and Enactment**

## Title 4: Management of State Agencies

*SINGLE AUDITS AND PROGRAM-SPECIFIC AUDITS FOR RECIPIENTS OF STATE FINANCIAL ASSISTANCE*

- 4-232      Designation of independent auditor to conduct audit. Audit report filing. If a nonstate entity, a term that includes but is not limited to municipalities, fails to designate an independent auditor and the state designates an auditor to conduct an audit pursuant to sections 4-230 through 4-236, the nonstate entity shall be responsible for paying the costs of the audit. Note that this new mandate is accompanied by a mandate reduction that raises the threshold of state financial assistance from one hundred thousand dollars to three hundred thousand dollars before such an audit is required.

**Enactment:** 2009, PA 09-7 (September Special Session)

## Title 7: Municipalities

*REGISTERS OF VITAL STATISTICS*

- 7-47b      Record Keeping Of Personal Data By Institutions. Release Or Disposal Of Dead Body Or Dead Fetus. - Requires any person in charge of a public or private medical institution to keep a record of personal data concerning each person admitted or confined to such institution. When a dead body or fetus is removed from such institution, the person in charge shall keep a record, in a manner prescribed by this section.

**Enactment:** 1979, P.A. 434

*MUNICIPAL POWERS*

- 7-169a.      Registration With Executive Director Of Division Of Special Revenue. - Requires any organization desiring to apply for a permit to operate bingo games under subsection (e) of section 7-169 to register first with the executive director of the division of special revenue and secure an identification number.

**Enactment:** 1965, P.A. 451

- 7-169c. Recreational Bingo For Senior Citizens. Registration. Records. Regulations. - Requires any organization whose membership consists of persons sixty years of age or older and which operates bingo games to be registered with the executive director of the division of special revenue and to keep accurate records of receipts and disbursements.

**Enactment:** 1988, P.A. 363

## Title 11: Libraries and Museums

### *MUSEUMS*

- 11-81 When property on loan deemed donated to museum. Termination of loan of property. Notice of change in ownership information. Notice of laws governing property loaned to museums.. requires a museum, including one operated by a municipality, that accepts the loan of property to provide a written copy of this act to the owner of that property.

**Enactment:** 2012, P.A. 12-171, Sec. 2

- 11-83 Maintenance of records of property in possession of museum.. – Requires a museum, including one operated by a municipality, to maintain a record of loaned property in accordance with this section and with regulations adopted by the State Librarian. Sec. 5 requires that a museum, including one operated by a municipality, provide notices as specified in this section prior to taking possession of loaned property in accordance.

**Enactment:** 2012, P.A. 12-171, Sec. 4

- 11-84 Notice that property on loan to museum may be deemed donated or abandoned. – Requires a museum, including one operated by a municipality, to provide notices as specified in this section prior to taking possession of loaned property in accordance.

**Enactment:** 2012, P.A. 12-171, Sec. 5

## Title 13a: Highways And Bridges

### *HIGHWAY CONSTRUCTION AND MAINTENANCE*

- 13a-153f Accomodations and provision of facilities for all users. - Requires municipalities, as of October 1, 2010, to spend 1% of all money received for road projects on bikeways and sidewalks.

**Enactment:** 2009, PA 154

# Title 14: Motor Vehicles. Use Of The Highway By Vehicles. Gasoline

## *MOTOR VEHICLES*

14-27 Number Plates For Public Service Motor Vehicles. - Requires all motor buses to carry number plates to be furnished by the commissioner of motor vehicles.

**Enactment:** Prior to 1949

14-29 Owners Of Motor or Service Buses, Taxicabs, School Buses And Motor Vehicles In Livery Service To Furnish Insurance Or Bond. - Requires owners or lessees of any motor or public service bus to be insured for an amount specified by this section, and to indemnify the insured against any legal liability for personal injury, death or property damage resulting from the operation of such vehicle before such vehicle may be registered, except that any municipality might be found by the commissioner to maintain sufficient financial responsibility to meet such liability.

**Enactment:** Prior to 1949

14-96p Color of lights. Flashing or revolving lights. Authorized use of blue or green lights. - Requires emergency medical service organizations, including municipalities, to annually identify, on the specified forms, the people authorized to use emergency lights on vehicles and establishes criteria for their use.

**Enactment:** 1967, P.A. 834, Sec. 17, 18

14-97 Defrosting Devices On School Buses And Motor Vehicles Used To Transport Passengers For Hire. - Requires every school bus to be equipped with a defrosting device in good working order.

**Enactment:** Prior to 1949

14-100a Seat safety belts. Child restraint systems. Wheelchair transportation devices. - Requires anyone transporting a wheelchair-bound individual to do so using a device designed to secure individuals while transferring them from the ground to the vehicle and vice-versa. Vehicles requiring this device include livery services, service buses, vanpool vehicles, school buses, student transportation vehicles and ambulance or rescue services.

**Enactment:** 1961, P.A. 532

## *VEHICLE HIGHWAY USE*

14-275 Equipment And Color Of School Buses. - Stipulates the color of all school buses in the state, specifies what safety equipment must be on them and stipulates that they include the name of the school bus company, the school bus company's telephone number and the school bus number.

**Enactment:** 1955, Supp. 1319d

14-276 School bus operators to hold a valid passenger and school endorsement. Duties of carrier re withdrawal, suspension or revocation of employee's operator's license or endorsement to operate a school bus or student transportation vehicle. Civil penalties. - Requires school buses to be operated by holders of valid public passenger transportation permits, in addition to a commercial drivers license and requires each carrier to check the Department of Motor Vehicles list of suspended licenses at least twice per month to ensure that its school vehicle drivers are not on the list.

**Enactment:** 1955, Supp 1320d

14-276a School bus operators and operators of student transportation vehicles: Regulations; qualifications; training; drug testing. - requires every school bus driver to undergo drug testing before being allowed to drive any school bus or school transportation vehicle and random tests thereafter. It also imposes restrictions on the employment of those who fail tests.

**Enactment:** 1973, P.A. 503

## Title 15: Navigation And Aeronautics

### *BOATING*

15-172 Provision Of Pump-Out Facilities. - Stipulates that the commissioner of transportation may require any docking facility with 150 or more slips to provide and operate pump-out facilities on the premises or have a valid contract for the use of a reasonably proximate pump-out facility.

**Enactment:** 1990, P.A. 173

## Title 16: Public Service Companies

### *DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION. PUBLIC UTILITIES REGULATORY AUTHORITY. OFFICE OF CONSUMER COUNSEL. MISCELLANEOUS PROVISIONS*

16-19b Purchased Gas Adjustment Clauses And Energy Adjustment Clauses. - Requires the rate charged by electric distribution companies for transmission services to be adjusted periodically to reflect recovery of the actual transmission costs.

**Enactment:** 1974, P.A. 216

16-19rr Rates Charged By Electric And Electric Distribution Companies And Electric Utilities To Veterans' Organizations. - Requires all electric utilities, including municipal electric utilities created by statute and electric utilities owned, managed or operated by any unit of local government to provide, upon request, electricity to military veterans' post and organizations at the lesser of the residential or commercial rate available in the service territory.

**Enactment:** 1999, P.A. 29

16-32e Emergency plans to be filed by public service companies, telecommunications companies and municipal utilities. Hearings. Revisions. – requires utilities, including municipal utilities, to develop a plan for post-emergency restoration of service as specified in this section and in accordance with the memorandum of understanding entered into pursuant to section 4-67e.

**Enactment:** 1986, P.A. 86-204

*PUBLIC UTILITY ENVIRONMENTAL STANDARDS ACT*

16-50r Report Of Forecast Of Loads And Resources. Investigation Of Life- Cycle Costs For Overhead And Underground Transmission Lines: Scope, Hearings, Consultants, Assessment. - Requires those engaged in electric transmission, generation or distribution, using a facility with a capacity greater than one megawatt, to file an annual report on the forecast of loads and resources, in a manner specified by this section, and identifying any potential reliability concerns during the forecast period.

**Enactment:** 1971, P.A. 575

*TELEGRAPH, TELEPHONE, ILLUMINATING, POWER AND WATER COMPANIES*

16-245d Billing Of Electric Service: Standard Format; Contents. - Requires electric companies' bills to consumers specify the transmission cost and meet additional requirements.

**Enactment:** 1998, P.A. 28

16-262c Termination of utility service for nonpayment, when prohibited. Amortization agreements. Moneys allowed to be deducted from customers' accounts and moneys to be included in rates as an operating expense. Hardship cases. Notice. Regulations. Annual reports. Privacy of individual customer utility usage and billing information. – restricts utilities, including municipal gas or electric companies, from terminating service at certain times when prompt reconnection might be difficult or during winter and prevents utilities from terminating service or refusing to reinstate service in certain hardship cases.

**Enactment:** 1969, P.A. 194

16-262d Termination Of Residential Service By Public Service And Municipal Utility Companies On Account Of Nonpayment. Notice. Nontermination In Event Of Illness Or During Pendency Of Customer Complaint Or Investigation. Amortization Agreement. Appeal Notice Re Credit Rating Information. - This section requires utilities, including municipal utilities, to notify delinquent customers before reporting their nonpayment to credit bureaus. The notice must be sent by first class mail at least 30 days before the report and it must state that "AS AUTHORIZED BY LAW, FOR RESIDENTIAL ACCOUNTS, WE SUPPLY PAYMENT INFORMATION TO CREDIT RATING AGENCIES. IF YOUR ACCOUNT IS MORE THAN SIXTY DAYS DELINQUENT, THE DELINQUENCY REPORT COULD HARM YOUR CREDIT RATING".

**Enactment:** 2000, P.A. 41

16-262e Notice Furnished By Tenants By Utility Re Intended Termination. Assumption By Tenants Of Liability For Future Service. Liability Of Landlords For Certain Utility Services. Deduction From Rent. - Whenever a public, private or municipal utility bills an owner of a building for utility services, and has actual or constructive knowledge that the occupants of the building are not the persons to whom bills are usually sent, the utility shall not terminate service for non-payment of a delinquent account unless the utility (1) makes a good faith effort to notify the occupants of the termination and (2) provides occupants with an opportunity to receive service in their own names without liability for the amount due from the owner. Requires the utility to restore terminated service when it has actual or constructive knowledge that the occupants of the building are not the persons to whom bills are usually sent. Requires the utility to inform the occupants in writing that they may deduct the amount they pay the utility for service in their own names from the amount they normally owe the owner.

**Enactment:** 1975, P.A. 625

## Title 16a: Planning and Energy Policy

### *OPERATION OF FUEL SUPPLY BUSINESS*

16a-21a Sulfur content of home heating oil and off-road diesel fuel. Suspension of requirements for emergency. – Reduces the allowable sulfur content of #2 heating oil.

**Enactment:** 2010, P.A. 10-74, Sec. 1 created the mandate

16a-21b Biodiesel blend requirement for heating oil. Restriction on effective dates of provisions. Standards. Distillate Advisory Board. Temporary waiver of requirements. Report. - Establishes minimum biodiesel blending requirements for #2 heating oil. The requirements do not go into effect until Massachusetts, New York and Rhode Island each adopt similar requirements and there is a provision for the Commissioner of Consumer Protection and a newly established Distillate Advisory Board to assess the feasibility of the requirement, in a manner specified in this subsection.

**Enactment:** 2010, P.A. 10-74, Sec. 2

## Title 17b: Social Services

### *PROTECTIVE SERVICES FOR THE ELDERLY*

17b-451 (Formerly 17a-431) Report Of Suspected Abuse, Neglect, Exploitation, Abandonment Or Need For Protective Services. Penalty For Failure To Report. Immunity For Report Or Testimony. - Requires specified people to report abuse or suspected abuse of the elderly and specified institutions to provide training on detecting abuse and neglect.

**Enactment:** 1977, P.A. 613

# Title 19a: Public Health And Well Being

## *DEPARTMENT OF PUBLIC HEALTH*

19a-36c      Display Of Sign Re Signs Of Choking By Foodservice Establishments. - Requires each food establishment to acquire and display a sign that describes how to recognize the signs of choking and the appropriate procedures to take if such incident occurs.

**Enactment:** 2005, PA 134

19a-38      Fluoridation Of Public Water Supplies. - Requires that whenever the fluoride content of public water supplies serving 20,000 or more reach a certain level, the person, corporation or municipality having jurisdiction over such supply must add a measured amount of fluoride to bring it back to a specified level.

**Enactment:** 1965, P.A. 156

19a-79      Regulations. Exemptions. - Requires that within three weeks of a child with a known or suspected allergy or a child who has a prescription for an automatic prefilled cartridge injector or similar automatic injectable equipment used to treat allergic reaction enrolling in a child day care center or group home, staff must be trained in the use of automatic injectable equipment.

**Enactment:** 1967, P.A. 696

19a-79a      Pesticide applications at day care facilities. - Requires that only a certified pesticide applicator shall apply pesticides within any day care center, except for emergencies to eliminate an immediate threat to human health. Also, prior to application of pesticide the day care center must notify the parents of each child, in a manner specified by this section.

**Enactment:** 1999, P.A. 99-165

19a-87b      License Required For Family Day Care Homes. Criminal Background Check. Regulations. Fees. Notification Of Changes In Regulations. - Requires anyone maintaining a family day care home to be licensed, in a manner prescribed by this section. These proceedings shall include fingerprinting and a national criminal background check of all employees and prospective employees. A fee may be charged by the Department of Public Health.

**Enactment:** 1994, P.A. 181

## *EMERGENCY MEDICAL SERVICES*

19a-197a      Administration Of Epinephrine. - Requires towns operating municipal ambulance companies to ensure that each emergency medical technician under their employ has been trained in the administration of epinephrine. Also, each licensed or certified ambulance service must be equipped with epinephrine delivery equipment.

**Enactment:** 2000, P.A. 135

19a-197c Automatic External Defibrillators Required On Public Golf Courses. – Requires all public golf courses with at least nine holes and at least 2,750 yards to provide and maintain at least one automatic external defibrillator at a central location on the premises.

**Enactment:** 2006, P.A. 195

#### *CEMETERIES*

19a-314a(b) Disclosure Of Dispute Resolution Procedure Relating To The Sale Of Any Item Or Service By A Town, Ecclesiastical Society Or Cemetery Association Which Owns, Manages Or Controls A Cemetery. “Cemetery” Defined. - Requires entities which own, manage or control a cemetery to disclose to each consumer, at the time of sale of any item or service, any dispute resolution procedure which the entity has and also that the consumer may contact the State Department of Public Health and Addiction Services with complaints concerning violation of specific statutes.

**Enactment:** 1995, P.A. 184

#### *CARCINOGENIC SUBSTANCES*

19a-332 Definitions: Asbestos. - Defines asbestos abatement as the removal, encapsulation, enclosure, renovation, repair, demolition or other disturbance of asbestos-containing materials, but excludes from that definition the removal of nonfriable asbestos-containing material found exterior to a building or structure other than material defined as regulated asbestos containing material in the national Emission Standards for Hazardous Air Pollutants. (Exempts anyone abating nonfriable material from the licensure, record-keeping, notice, handling and disposal requirements related to asbestos abatement projects.)

**Enactment:** 1986, P.A. 399

#### *HEALTH CARE INSTITUTIONS*

19a-496 Compliance with regulations. - Requires an institution, including one operated by a municipality, that has received a written notice of noncompliance to submit a plan of correction including specified items.

**Enactment:** 1953

19a-497 Filing of strike contingency plan. Summary order. Civil penalty: Notification and hearing requirement. Regulations. Collective bargaining implications. - Requires an institution, including one operated by a municipality, that has received a notice of intention to strike to file a strike contingency plan with DPH not later than five days before the expected strike.

**Enactment:** 1981: P.A. 81-201, Sec. 3

# Title 22a: Environmental Protection

## *AIR POLLUTION CONTROL*

22a-174g Sale, Purchase And Use Of Motor Vehicles Which Comply With California Motor Vehicle Emissions Standards For Purposes Of Generating Emissions Reduction Credits Under The Federal Clean Air Act. - Requires the Commissioner of the Department of Environmental Protection, by December 31, 2004, to adopt regulations to implement the light duty motor vehicle emission standards of the state of California to be applicable on motor vehicles with a model year of 2008 and later.

**Enactment:** 1993, P.A. 312

22a-191a Mercury Emissions Testing Program. - Requires operators of sewage sludge incinerators to annually conduct certain stack emission tests and the results must be reviewed and reported to the Commissioner.

**Enactment:** 1993, P.A. 366

22a-200b Greenhouse Gas Registry. Reporting Of Emissions Of Greenhouse Gases. Greenhouse Gas Emissions Inventory. Regulations. - Requires entities that own or operate electric utilities, commercial and industrial sites, and motor vehicle fleets, by April 15, 2006, to report annually to the Commissioner of Environmental Protection on greenhouse gas emissions they generate, as well as emissions generated elsewhere as a result of their activities.

**Enactment:** 2004, P.A. 252

## *SOLID WASTE MANAGEMENT*

22a-208a Permit For Construction, Alteration Or Operation Of Solid Waste Facility. – Prohibits a person or municipality from establishing, constructing or operating a solid waste facility without a permit issued by the commissioner and an application for such permit shall include a closure plan for such facility.

**Enactment:** 1985, P.A. 334

22a-208d Written Determination Of Need For Resources Recovery Facility, Composting Facility Or Ash Residue Disposal Area. - The department of environmental protection shall not issue a permit to construct or expand a resources recovery facility or a mixed municipal solid waste composting facility unless it makes a written determination of need, a preliminary copy of which must be published in a newspaper of general circulation, at the applicant's expense. An applicant for a permit must provide the following information to the department: (a) design capacity of the facility, (b) the planned operating rate and throughput, (c) an estimate of solid waste to be received, (d) a contingency plan for an increase/decrease in solid waste, (e), an analysis of reserve capacity, and the (f) technical feasibility of the project. The applicant must also submit a plan for the disposal of ash residue generated by the facility.

**Enactment:** 1989, P.A. 386

22a-208e Quarterly Reports By Owners Or Operators Of Resource Recovery Facilities And Recycling Facilities. Deliveries To Out-Of State Facilities. - The owner or operator of a resource recovery facility and each solid waste disposal area is required to submit a quarterly report to the department of environmental protection indicating the amount of solid waste, by weight, received from each municipality or other customer. Also, requires the owner or operator of any recycling facility which receives cardboard, glass, leaves, metal containers, newspapers, waste oil, storage batteries and plastic food containers from municipalities to submit a similar report on each item.

**Enactment:** 1989, P.A. 386

22a-208g Plan For Disposal Or Recycling Of Ash Residue Generated By Municipal Solid Waste Incinerators Or Resource Recovery Facility. Regulations. - Requires the owner or operator of a municipal solid waste incinerator or resources recovery facility to prepare and submit to the department of environmental protection, for approval, a plan for the recycling or disposal of ash residue generated at each incinerator or facility for a period of five years.

**Enactment:** 1989, P.A. 386

22a-208i Composting of Leaves. Regulations. Certain Recycling Facilities Exempt from Requirement of Permit for Solid Waste Facility. - Stipulates that the commissioner of environmental protection may adopt regulations concerning the design, operation, monitoring of and reporting from facilities whose sole design is for leaf composting. This section also prohibits anyone from operating a recycling facility without the proper permits issued under section 22a-208a or 22a-430 unless they file a written request for an exemption with the commissioner.

**Enactment:** 1989, P.A. 386

22a-208n Wood-Burning Facility. Ambient Air Quality Sampling. Air Emissions Monitoring. - Requires any wood burning facility to conduct ambient air quality sampling prior to the commencement of construction and to conduct continuous air emissions monitoring while in operation.

**Enactment:** 1990, P.A. 264

22a-208p Location of Wood-Burning Facility In Area Classified "GC". Conditions. Appeal. - Stipulates that no wood burning facility constructed after June 8, 1990, and utilizing wet cooling, may be located in any area classified "GC" by the water quality standard unless it has met certain conditions, including compliance with the following stipulations; it has obtained and water diversion permit, a wastewater discharge and stormwater discharge permits, an environmental impact statement has been filed with the commissioner and no discharge of wastewater to groundwater is permitted.

**Enactment:** 1990, P.A. 264

#### *WATER RESOURCES*

22a-354c Mapping Of Well Fields By Water Companies. - Requires all public or private water companies serving 1,000 or more persons to map at level B all areas of contribution and recharge areas for its existing and new wells located in stratified drift aquifers. Requires public or private water companies serving 10,000 or more persons to map all areas of contribution and discharge areas for potential wells located within stratified drift aquifers identified as future sources of water supply.

**Enactment:** 1988, P.A. 324

22a-368a Reporting Of Current Operating Data. - Requires anyone with a water diversion in use as of July 1, 2001 to annually report operating data to the Commissioner of the Department of Environmental Protection, in a manner specified by this section. Also, those maintaining a water diversion that has been registered or is eligible to be registered to report to the Commissioner of Environmental Protection by July 1, 2002 regarding the operating data of such diversion, in a manner specified by this section.`

**Enactment:** 2004, P.A. 185

#### *DAMS AND RESERVOIRS*

22a-402 Inspection of Dams And Other Structures. Repair Or Removal. Assessment Of Costs. - If after an inspection, the department of environmental protection finds a dam or other structure to be unsafe, it is required to order the corporation or municipality in control of such facility to fix or remove it within a specific period of time. If the time limit is not met, the department may carry out the order and shall assess the cost against such entity. If the department determines that maintenance or repairs are needed to maintain the dam in a safe condition, it may order the corporation or municipality in control of such facility to undertake the necessary maintenance or repairs.

**Enactment:** Prior to 1949

22a-403 Permits For Construction. Notice And Requirements For Hearings. - Requires a corporation or municipality to submit a permit application with specified information to DEEP before constructing or repairing a dam and, if constructing a dam for a public drinking water supply, also notify DPH.

**Enactment:** Prior to 1949

22a-404 Supervision Of Construction. Final Plans. - Requires the owner of a regulated dam to have a professional engineer inspect work on the dam and the owner to submit specified information to DEEP.

**Enactment:** Prior to 1949

22a-409 Survey And Maps. Registration Of Dams And Similar Structures. Inspection of Dams By Commissioner. - Requires the owner to register and inspect a dam as specified.

**Enactment:** 1955, Supp. N205

#### *WATER POLLUTION CONTROL*

22a-430 Permit For New Discharge. Regulations. Renewal. Special Category Permits Or approvals. Limited Delegation. General Permits. - No person or municipality may create or initiate any discharge of water into any waters of the state without a permit from the department of environmental protection. Applications for permits must include such information as the department may require, including the applicable fee.

**Enactment:** 1967, P.A. 57

22a-449 Duties And Powers Of Commissioner. Fees. - Requires owners of underground storage tanks to comply with regulations regarding inspection of tanks for compliance with laws and regulations concerning their design, construction, installation and operation, in a manner specified by this section. If a tank is found to be noncompliant, the owner will be required to empty out the tank and cannot be used again until violations have been corrected.

**Enactment:** 1969, P.A. 765

22a-471 Pollution Of Ground Waters. Orders To Provide Potable Drinking Water. Grants To Municipalities Hearing Order To Abate. Appeal. Injunction. Forfeiture For Violations. Orders To Persons Engaged In Agriculture For Contamination Of Groundwater By Pesticides. - If the department of environmental protection determines pollution of groundwater has or is about to occur, it may issue any order to any person or municipality responsible, to provide potable water, or if the department cannot determine the responsible party, it may issue such an order to the municipality in which the pollution occurred. Such a municipality may apply to the department for grants covering all to a portion of the municipal costs incurred.

**Enactment:** 1982, P.A. 240

## Title 25: Water Resources. Flood And Erosion Control

### *POLLUTION*

25-32 Department Of Public Health Jurisdiction Over And Duties Concerning Water Supplies, Water Companies And Operators Of Water Treatment Plants And Water Distribution Systems. - Requires that the department of public health and addiction services have jurisdiction over all matters concerning the purity and adequacy of any source of water or ice supply used by a municipality, public institution or water or ice company as may effect public health. Also, requires that any person operating a water treatment plant or water distribution system must be certified by the Department of Public Health (DPH). In addition, this section requires that water companies must report elevated levels of copper in public drinking water to DPH.

**Enactment:** Prior to 1949

25-32d Water Supply Plans. - Requires all water companies supplying water to 1,000 or more persons or 250 or more consumers and any other water company as requested by the commissioner of public health, to submit a water supply plan, in a manner specified by this section. This plan, beginning January 1, 2004 must include an evaluation of source water protection measures for all sources of water supply and requires water companies to give the Public Health Department (DPH) sabotage prevention and response procedures separate from their water supply plans and exempts them from disclosure under the Freedom of Information Act. Also requires all water companies, including municipal water companies, to notify by certified mail certain private, non-profit land-holding institutions that have a mailing address or own land in the municipality in which the land is located or in an adjacent municipality before selling, leasing or otherwise disposing of company land.

**Enactment:** 1984, P.A. 502

- 25-32e Imposition Of Civil Penalties For Violations Of Certain Drinking Water Laws And Regulations. - Requires any water company that applies for a hearing with the commissioner of public health to contest the imposition of a penalty or order must send a copy of such application to the local director of health in the municipality or municipalities in which a violation occurred or that utilize such water.
- Enactment:** 1985, P.A. 450
- 25-32h Residential Retrofit Program. Civil Penalty. - Requires each water company supplying water to 1,000 or more persons or 250 or more consumers to make available without charge to all residential customers a residential retrofit program which must include water-saving devices for sanitary and domestic water fixtures. Requires each water company to send, annually, a notice to each residential customer of the availability of the program and the devices and to provide same upon request. Also requires the company to report to the department of public health and addiction services as to the number of devices supplied and a copy of the notice sent to residents.
- Enactment:** 1989, P.A. 266
- 25-32k Water Conservation Educational Materials. Civil Penalty. - Requires municipal or investor owned water companies to provide residential customers, without charge, educational materials or information on water conservation and water supply source protection methods, including methods to reduce contamination, and the health effects and sources of lead and copper. The Department of Public Health and Addiction Services (DPHAS) may impose a civil penalty not to exceed \$5,000 for failure to provide these materials.
- Enactment:** 1994, P.A. 144
- 25-33 Water Company Statement To Department. Construction Or Expansion Of System. Addition Or Abandonment Of Source. Water Company Customer Lists And Water Test Results. - Requires each water company to file annually with the department of public health a written statement containing the following information: (1) the company's name and address, (2) the name and address of the owner, (3) the number and types of customers and a description of the area served, (4) a description of the water supply source and (5) any other information requested. Requires each company to keep a list of names and addresses of customers and the results of water quality tests conducted under this chapter and requires each company to annually report the number and location of all new distribution water main installations.
- Enactment:** Prior to 1949
- 25-42 Power To Take Lands And Streams. - Requires water companies to undertake an analysis of future water supply demand and determine that an alternative means of supplying pure water is not reasonably available or feasible to meet that demand. The alternatives must include connecting the water supply system to other systems and implementing a water conservation program to manage the demand for water.
- Enactment:** Prior to 1949

# Title 26: Fisheries And Game

## *FISHERIES AND GAME*

26-47 Permits To Take Wildlife Damaging Crops. License To Control Nuisance Wildlife. - Requires anyone engaged in the business of controlling nuisance wildlife, including those licensed municipal employees, to provide all clients with a written statement regarding available lethal and non-lethal options. An annual report of activities must be submitted to the Commissioner of Environmental Protection, in a manner specified by this section.

**Enactment:** 1957, P.A. 497

26-141c Violation Of Regulations. - Requires owners of dams or any other structure impounding or diverting water to maintain and operate such structures according to regulations promulgated by this section.

**Enactment:** 1971, P.A. 229

# Title 27: Armed Forces And Veterans

## *MILITIA*

27-33 Leave From Employment To Attend Drills, Parades And Encampments. - Requires that employers cannot take action against any person ordered to military duty, and must continue to compensate that person during such absence up to thirty days annually.

**Enactment:** Prior to 1949

27-33a Leave From Employment To Attend Military Service Or National Guard Duty. - Requires employers to allow employees leave of absence to attend military reserve or national guard meetings or drills during regular hours.

**Enactment:** 1961, P.A. 583

# Title 31: Labor

## *EMPLOYMENT REGULATION*

31-13a Employer To Furnish Record Of Hours Worked, Wages Earned And Deductions. - Requires each employer to furnish to each employee in writing a record of hours worked, gross earnings showing straight time and overtime, itemized deductions and net earnings.

**Enactment:** 1959, P.A. 338

- 31-13b Visible Clock Required As Part Of Time Card System. - Requires each employer to use a time card system, recording clock or other such system.
- Enactment:** 1976, P.A. 87
- 31-40 Reporting Serious Accidents In Establishments Or Work Places Under Jurisdiction Of Labor Commissioner. - Requires the person in charge of any establishment or work place under the jurisdiction of the labor commissioner to provide the commissioner with a written report of any accident resulting in serious physical injury to any worker stating the name of the injured employee, the nature of the injury and a general description of the location in the establishment and any machinery involved. Also requires employers to make reasonable efforts to provide a room or other location, in close proximity to the work area, where the employee can express her breast milk in private
- Enactment:** Prior to 1949
- 31-40k Employee's Right To Information Concerning Toxic Substances. Employer's List. - Requires each employer to post a sign readily available for employee viewing, which informs them that they have the right to information from their employer regarding the toxic substances which the employer uses or produces.
- Enactment:** 1982, P.A. 251
- 31-40l Information Requirements For Employer Using Or Producing Toxic Substances. - Requires each employer to provide information on toxic substances he use or produces for each of his new or transfer employees and to provide it in readily understandable language.
- Enactment:** 1982, P.A. 251
- 31-40q Smoking In The Workplace: Definitions; Employers To Establish Non-Smoking Areas; Exemptions. - Requires each employer to establish a non-smoking area which is clearly posted and where smoking is prohibited.
- Enactment:** 1983, P.A. 268
- 31-40v Establishment of Safety And Health Committees By Certain Employers. - Requires each employer of twenty-five employees or more to administer a safety and health committee which shall establish procedures for workplace safety inspections, establish procedures for investigating all safety incidents, accidents, illnesses and deaths, evaluate accident and illness prevention programs, and establish training programs for the identification and reduction of hazards in the workplace which damage the reproductive systems of employees, in accordance with regulations adopted under this section.
- Enactment:** 1993, P.A. 228
- 31-511 Leave of Absence For Certain Public And Private Employees Elected To Public Office. - Requires that any municipality with no ordinance or charter provision to the contrary and any private employer which employs more than 25 persons, grant a leave of absence for two years to any employee who leaves his employment to accept a full-time elective state or municipal

office. Also, requires that upon reapplication the employee be reinstated to the same or similar position with equivalent pay and benefits.

**Enactment:** 1973, P.A. 258

31-51ss Leave from employment for victims of family violence. Action for damages and reinstatement. - Requires an employer of three or more people to permit an employee who is a victim of family violence to take up to 12 days of unpaid leave to seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim, to obtain services from a victim services organization on behalf of the victim, to relocate due to such family violence, or to participate in any civil or criminal proceeding related to or resulting from such family violence.

**Enactment:** 2010, P.A. 10-144, Sec. 15

## WAGES

31-58 Definitions. - Requires each employer unless specifically exempt to pay minimum wages and periodically changes that wage.

**Enactment:** Prior to 1949

31-66 Employers' Records. Orders To Be Posted. - Requires each employer to keep for three years wage and hour records for all employees and to make them available to the department of labor at all times. Also, requires each employer to furnish copies of labor orders or regulations on request without charge, and to post such orders in areas where they can be read easily by employees.

**Enactment:** Prior to 1949

31-71b Weekly Payment Of Wages. - Allows boards of education, in cooperation with the unions representing their certified or paraprofessional employees, to establish wage payment schedules in their collective bargaining agreements.

**Enactment:** 1967, PA 714

31-71f Employer To Furnish Employee Certain Information. - Requires each employer to advise each employee in writing at the time of hire regarding wages, hours and payment schedule, and to make available either in writing or by posting in a place accessible to employees, information regarding employment practices.

**Enactment:** 1967, P.A. 714

## UNEMPLOYMENT COMPENSATION

31-225a Definitions; employers' experience accounts; noncharging provisions; benefit ratio; rates of contribution; assessments to pay interest due on federal loans and to reimburse advance fund; fund balance tax rate; notice to employers; multiple employers; employers' quarterly reports; inspection of records; electronic payments. - Requires employers to file specified employment information quarterly.

**Enactment:** 1973, P.A. 73-536, Sec. 4, 12

31-227 Payment Of Benefits. Deductions For Child Support Obligations. Liability For And Optimal Deduction Of State, Federal And Local Income Taxes. - Eliminates the unemployment compensation benefit reduction for individuals receiving a Social Security pension. Currently, Connecticut reduces an individual's weekly unemployment benefit by 50% of his pro-rated weekly Social Security pension benefit. The bill eliminates the reduction, thus allowing the individual to receive all of his unemployment benefits and Social Security pension. To the extent that municipalities hire, then lay-off, part-time employees who are receiving Social Security, they are responsible for the increased cost to the unemployment compensation fund.

**Enactment:** Prior to 1949

31-230 Benefit Year, Base Period And Alternative Base Period. Regulations. - The statute removes the sunset date for unemployment compensation benefits to be calculated on an alternative base period, making the option to use an alternative period permanent. The alternative method is used to determine the eligibility of unemployment compensation claimants who do not qualify for benefits under the regular base period.

**Enactment:** Prior to 1949

31-235 Benefit eligibility conditions; qualifications; involuntary retirees. Reemployment services. Profiling system. - Exempts unemployed persons who have a disability from the unemployment compensation (UC) requirement of looking for full-time work and allows them eligibility upon meeting certain other requirements, in a manner provided by this section.

**Enactment:** Prior to 1949

31-236 Disqualifications. Exceptions. - Eliminates a June 30, 2008 sunset date, allowing an individual whose spouse is on active duty and required to relocate by the armed forces, to be permanently eligible to apply for unemployment compensation benefits.

**Enactment:** Prior to 1949

#### *WORKERS' COMPENSATION ACT*

31-275 Definitions. - requires that unless the context otherwise provides, the definitions in this section apply. A police officer is eligible for coverage for mental or emotional impairment arising from the use of deadly force or subjection to deadly force in the line of duty and a firefighter is eligible if diagnosed with post-traumatic stress disorder originating from the firefighter witnessing the death of another firefighter while engaged in the line of duty.

**Enactment:** Prior to 1949

31-279 Notice Of Availability Of Compensation. Uniform System For Determination Of Degree Of Physical Impairment. Employer-Sponsored Plan For Medical Care And Treatment. Indemnification Of Medical Advisory Panel Members. - Requires employers that provide workers' compensation medical benefits through a managed care plan to identify all participating pharmacies.

**Enactment:** Prior to 1949

- 31-294d Medical And Surgical Aid; Hospital And Nursing Service. - Requires employers, their workers' compensation insurers, or any other entity acting on behalf of the employer or insurer to pay pharmacists directly for prescriptions related to employees work-related injuries.
- Enactment:** 1991, P.A. 32
- 31-294h Benefits for police officers suffering mental or emotional impairment. - requires workers' compensation coverage to include counseling for mental and emotional impairments for police officers who use deadly force or are subjected to deadly force in the line of duty and for firefighters who suffer a mental or emotional impairment diagnosed as post-traumatic stress disorder originating from the firefighter witnessing the death of another firefighter in the line of duty.
- Enactment:** Prior to 1949
- 31-294i Municipal firefighters and police officers. Employer presumption of liability for cardiac emergencies. - This bill stipulates that for paid police officers and firefighters any condition or impairment of health caused by a cardiac emergency is to be presumed to have happened in the line of duty.
- Enactment:** 2008, P.A. 08-61
- 31-294j Eligibility of municipal firefighters, police officers, constables and volunteer ambulance service members re benefits for diseases arising out of and in the course of employment. - requires that, for the purpose of adjudication of claims for payment of benefits under the provisions of chapter 568 of the general statutes, a uniformed member of a paid municipal or volunteer fire department, a regular member of a paid municipal police department or constable, as defined in section 31-294i of the general statutes or a member of a volunteer ambulance service shall be eligible for such benefits for any disease arising out of and in the course of employment, including, but not limited to, hepatitis, meningococcal meningitis, tuberculosis, Kahler's Disease, non-Hodgkin's lymphoma, and prostate or testicular cancer that results in death or temporary or permanent total or partial disability.
- Enactment:** 2010, P.A. 10-37
- 31-296 Voluntary agreements. - Extends from ten to fifteen days the time period that an employee may request a hearing after receipt of notice concerning discontinuance or reduction of workers' compensation benefits.
- Enactment:** Prior to 1949
- 31-306 Death Resulting From Accident or Occupational Disease. Dependents. Compensation. – Requires compensation to be paid to dependents on account of death resulting from an accident arising out of and in the course of employment or from an occupational disease, in a manner described by this section as amended by PA 98-104.
- Enactment:** Prior to 1949

- 31-307      Compensation for total incapacity. – Deletes the former social security offset for individuals receiving workers' compensation benefits
- Enactment:** 2006, P.A. 06-84
- 31-308      Compensation For Partial Incapacity. - Workers may receive permanent partial disability benefits under the workers' compensation system for injuries specified in a statutory list of injuries.
- Enactment:** Prior to 1949
- 31-312      Compensation For Time Lost During And Expense Of Medical Treatment. Reimbursement Of Wages Lost Due To Appearance At Informal Hearing. Payments To Prevailing Claimants In Contested Cases. Medical Attention Outside Regular Work Hours. - Requires employers to compensate employees for the time lost from the job for required medical treatment and tests and shall furnish or pay for the transportation of the employee by ambulance or taxi where transportation is medically required from the point of his departure for treatment and return. In all other cases, the employer shall furnish the employee transportation or reimburse him for the cost of transportation actually used, in a manner specified by this section.
- Enactment:** 1959, P.A. 580
- 31-345      Insurance Commissioner To Approve Form Of Policy. Assessments Against Employers For Administrative Costs. Surpluses. - Increases the cap on the Workers' Compensation Administration Fund employer assessment to 5% for FY 00 and FY 01. This increase does not apply to any municipality participating for purposes of its liability in an interlocal risk management agency.
- Enactment:** Prior to 1949
- 31-349      Compensation For Second Disability. Payment Of Insurance Coverage. Second Injury Fund Closed July 1, 1995, To New Claims. Procedure. - Requires an employer, or his insurer, to notify the custodian of the Second Injury Fund by certified mail, in a manner and within a time frame specified by this statute, of its intention to transfer liability of a claim to such fund. This includes payment of a \$2,000 notification fee to the custodian to cover the fund's costs. Also requires the employer, by whom the employee is employed at the time of the second injury, or his insurer, to pay all awards of compensation and all medical expenses provided by this chapter for the first 104 weeks of disability. If the custodian accepts the claim the Fund will reimburse the employer for all payments made after the 104 week period. The Fund closed to new claims as of July 1, 1995.
- Enactment:** Prior to 1949

*OCCUPATIONAL SAFETY AND HEALTH ACT*

- 31-370      Duties Of Employer And Employee. - Requires each employer to furnish each employee employment and a place of employment which are free from recognized hazards that are causing or likely to cause death or serious physical harm.
- Enactment:** 1973, P.A. 379

31-379 Discriminatory Practices Prohibited. Complaint: Filing; Hearing; Relief. Appeal To Superior Court. - Requires that no employer may discharge or in any way discriminate against an employee because the employee has filed a complaint or initiated an action under this section. This statute also prohibits municipal employers from disciplining or penalizing employees who report health and safety violations and requires employers to pay employee costs, including reasonable attorney's fees, if the employee prevails in a complaint.

**Enactment:** 1973, P.A. 379

## Title 38a: Insurance

### HEALTH INSURANCE

38a-472i Payment amount of professional services component of covered colonoscopy or endoscopic services. - Requires individual and group health insurance providers to pay the same amount for the physician's professional services component of colonoscopy or endoscopic services covered under such policy, regardless of where the service is performed

**Enactment:** 2011, P.A. 11-225, Sec. 3

38a-478m Internal Grievance Procedure. Duty To Establish And Notify Enrollees Of Procedure. Deadline For Resolving Complaints. - Requires managed care organizations to establish and maintain an internal grievance procedure that may arise from any action or inaction, in a manner specified by this section. Also, enrollees must be informed of grievance procedures when a decision has been made to deny an admission, service or extension of a stay.

**Enactment:** 1997, P.A. 99

38a-479b Material changes to fee schedules. Return of payment by provider. Appeals. Filing of claim by provider under other applicable insurance coverage. - prohibits a health insurer from requiring providers to charge it the lowest reimbursement rate the provider accepts from any other insurer, potentially increasing insurers' costs and rates.

**Enactment:** 2011, P.A. 11-132, Sec. 2

38a-492c Coverage for low protein modified food products, amino acid modified preparations and specialized formulas. Increases the age of a child, from eight to twelve, for whom group health insurance policies must provide coverage for medically necessary specialized formulas.

**Enactment:** 1997, P.A. 97-167

38a-503b Carriers To Permit Direct Access To Obstetrician-Gynecologist. - Requires all entities delivering group health insurance policies to provide direct access to a participating in-network obstetrician-gynecologist for primary and preventive obstetric and gynecologic services required as a result of any gynecological examination or as a result of a gynecological condition. Such obstetric and gynecologic services include, but are not limited to, pap smear tests.

**Enactment:** 1995, P.A. 199

- 38a-504d Cancer clinical trials: Routine patient care costs. - Requires group health insurance policies to include hospitalization at an out-of-network facility for their insured clients involved in a cancer clinical trial if treatments are not available at an in-network facility and are not eligible for reimbursements by the sponsors of such clinical trials.
- Enactment:** 2001, PA 171
- 38a-513a Time Limits For Coverage Determinations. Notice Requirements. - Requires all entities delivering group health insurance policies to complete any coverage determination with respect to such policy and notify the insured of such decision within 45 days of receipt of such request. In the case of a denial, such entity shall notify the insured of the reason(s) for the denial.
- Enactment:** 1999, P.A. 284
- 38a-513b Coverage And Notice Re Experimental Treatments. Appeals. - Requires all entities delivering group health insurance policies to define the extent to which it provides coverage for experimental treatments. No such procedure may be denied if it has successfully completed a phase III clinical trial of the Federal Food & Drug Administration. Also, provision must be made for an appeals process.
- Enactment:** 1999, P.A. 284
- 38a-513d Insurers Prohibited From Issuing Policy With Limited Coverage To Employer As Replacement For A Comprehensive Health Insurance Plan. Disclosure Required In Policy Providing Limited Coverage. - Prohibits group health insurers after January 1, 2008 from issuing any policies providing limited coverage to any employer as a replacement for a comprehensive health insurance plan.
- Enactment:** 2007, P.A. 96
- 38a-513f Claims information to be provided to certain employers. Restrictions. Subpoenas. - Subsection (f) requires that, if a town, city, borough, school district, taxing district or fire district employing more than fifty employees has received health insurance claims information in accordance with this section and then receives a subpoena or other similar demand related to such information, it must notify the insurer, health care center, hospital service corporation, medical service corporation or other entity that disclosed such information.
- Enactment:** 2010, P.A. 10-163
- 38a-514 Mandatory coverage for the diagnosis and treatment of mental or nervous conditions. Exceptions. Benefits payable re type of provider or facility. State's claim against proceeds. - Requires group health insurance policies to cover benefits for the diagnosis and treatment of mental or nervous conditions and at no greater financial burden than treatment of physical health conditions, coverage for residential treatment when necessary and coverage for autism spectrum disorder as specified.
- Enactment:** 1971, P.A. 238

- 38a-514b Coverage for autism spectrum disorder therapies. - Requires that certain group health insurance policies include coverage for autism spectrum disorders as specified.  
**Enactment:** 2008, P.A. 08-132
- 38a-516a Coverage for birth-to-three program. – Requires group health insurance policies to provide coverage for medically necessary early intervention services as specified and coverage for autism spectrum disorder as specified.  
**Enactment:** 1996, P.A. 96-185, Sec. 7 & 16
- 38a-516b Coverage For Hearing Aids For Children Twelve And Under. – Requires group health insurance policies to provide coverage for hearing aids for children eighteen years of age or younger.  
**Enactment:** 2001, PA 171
- 38a-516c Coverage For Craniofacial Disorders. – Requires group health insurance policies to provide coverage for medically necessary orthodontic processes and appliances for the treatment of craniofacial disorders.  
**Enactment:** 2003, PA 37
- 38a-516d Coverage for neuropsychological testing for children diagnosed with cancer. Requires group health insurance policies to provide coverage without prior authorization for neuropsychological testing ordered by a licensed physician to assess the extent of any cognitive or developmental delays in such child due to chemotherapy or radiation treatment, for each child diagnosed with cancer on or after January 1, 2000.  
**Enactment:** 2006, P.A. 06-131, Sec. 3
- 38a-517a Coverage For In-Patient, Outpatient Or One-Day Dental Services In Certain Instances. - Requires group health insurance policies to provide coverage for general anesthesia, nursing and related hospital services provided in conjunction with in-patient, out-patient or one-day dental services for persons of all ages, within certain conditions.  
**Enactment:** 1999, P.A. 284
- 38a-518 Coverage for accidental ingestion or consumption of controlled drugs. Benefits prescribed. – Requires group health insurance policies to provide coverage for expenses of emergency medical care arising from accidental ingestion or consumption of a controlled drug, as specified by this section.  
**Enactment:** 1990, P.A. 90-243, Sec. 102
- 38a-518a Mandatory coverage for hypodermic needles and syringes. – Requires group health insurance policies to provide coverage for hypodermic needles or syringes prescribed by a prescribing practitioner for the purpose of administering medications for medical conditions if such medications are covered under the policy.

**Enactment:** 1992, P.A. 92-185, Sec. 5 & 6

38a-518b Coverage For Off-Label Drug Prescription. - Prohibits group health insurance policies providing coverage for the federal Food and Drug Administration-approved cancer treatment drugs from excluding coverage for "off-label" use of such drugs. Also, requires that each group health insurance policy delivered, issued for delivery or renewed in the state on or after October 1, 1997 provide coverage for laboratory and diagnostic tests for all types of diabetes.

**Enactment:** 1994, P.A. 49

38a-518c Coverage For Amino Acid Modified Preparations And Low Protein Modified Food Products. – Requires certain group health insurance policies that are delivered, issued for delivery, renewed or continued in Connecticut beginning October 1, 2001 to cover specialized formulas when such specialized formulas are medically necessary for the treatment of a disease or condition and are administered under the direction of a physician. Also, requires group health insurance policies to provide coverage for medically necessary formula for children up to eight years old. In addition, cystic fibrosis was added to the definition of “inherited metabolic disease” which means that insurance policies must now cover amino acid modified preparations and low protein modified food products prescribed for the treatment of cystic fibrosis.

**Enactment:** 1997, P.A. 167

38a-518d Mandatory coverage for diabetes testing and treatment. – Requires group health insurance policies to provide coverage for laboratory and diagnostic tests for all types of diabetes and for medically necessary treatment and equipment for insulin-dependent diabetes, insulin-using diabetes, gestational diabetes and non-insulin-using diabetes.

**Enactment:** 1997, P.A. 97-268, Sec. 5

38a-518e Mandatory Coverage For Diabetes Outpatient Self-Management Training. – Requires coverage for outpatient self-management training for the treatment of diabetes, in a manner specified by this section.

**Enactment:** 1999, P.A. 284

38a-518f Mandatory Coverage For Certain Prescription Drugs Removed From Formulary. - Requires coverage of prescription drugs that an insurer removes from its list of covered drugs if the insured was using it prior to the insurer dropping it.

**Enactment:** 1999, P.A. 284

38a-518g Mandatory Coverage For Prostate Cancer Screening. – Requires coverage of laboratory and diagnostic tests to screen for prostate cancer and coverage for medically necessary treatment of prostate cancer, in a manner specified by this section.

**Enactment:** 1999, P.A. 284

- 38a-518h Mandatory Coverage For Certain Lyme Disease Treatments. – Requires coverage of Lyme disease treatment, in a manner specified by this section.
- Enactment:** 1999, P.A. 284
- 38a-518i Mandatory Coverage For Pain Management. – Requires group health insurance policies to provide coverage for treatment by a pain treatment specialist and prohibits a policy from requiring an insured to use an alternative brand name prescription drug or over-the-counter drug prior to using a brand name prescription drug prescribed for pain treatment, but a policy can require an insured to use a therapeutically equivalent generic prescription drug.
- Enactment:** 2000, P.A. 216
- 38a-518j Mandatory Coverage For Ostomy-Related Supplies. – Requires certain group health insurance policies that are delivered, issued for delivery, renewed or continued in Connecticut beginning October 1, 2000 to cover, up to \$2,500 annually, medically necessary ostomy-related appliances and supplies, including collection devices, irrigation equipment and supplies, and skin barriers and protectors. Policies that cover ostomy, colostomy, ileostomy, or urostomy surgery must include this benefit. The benefit requirement applies to group hospital and medical service plans offered by HMOs and health insurance policies that offer the following types of coverage: (1) basic hospital expense, (2) basic medical-surgical expense, (3) major medical expense, and (4) hospital or medical expense.
- Enactment:** 2000, P.A. 63
- 38a-518k Mandatory Coverage For Colorectal Cancer Screening. – Requires group health insurance policies to provide coverage for colorectal cancer screening, including, but not limited to, (1) an annual fecal occult blood test, and (2) colonoscopy, flexible sigmoidoscopy or radiologic imaging, in accordance with the recommendations established by the American College of Gastroenterology, after consultation with the American Cancer Society. No such policy, except for a high deductible health policy, shall impose a coinsurance, copayment, deductible or other out-of-pocket expense for any additional colonoscopy ordered in a policy year by a physician for an insured and no additional deductible shall be imposed for a procedure that a physician initially undertakes as a screening colonoscopy or a screening sigmoidoscopy.
- Enactment:** 2001, P.A. 171
- 38a-518l Mandatory coverage for certain renewals of prescription eye drops. – Requires that that group and individual health insurance policies include benefits for prescription eye drops.
- Enactment:** 2009, PA 136
- 38a-518m Mandatory coverage for certain wound-care supplies. - Requires that certain group and individual health insurance policies include coverage for wound care supplies that are necessary for the treatment of epidermolysis bullosa and are administered under the direction of a physician.
- Enactment:** 2009, P.A. 09-51
- 38a-518o Mandatory coverage for bone marrow testing. - Requires group health insurance policies to provide coverage for human leukocyte antigen testing for bone marrow transplantation and limits

coinsurance, copayment, deductible or other out-of-pocket expense for such testing to 20%, except for a high deductible health plan.

**Enactment:** 2011, P.A. 11-88, Sec. 2

38a-519 Offset proviso prohibited in certain policies. – States that no group health insurance policy which provides disability income protection coverage can include an offset proviso. Each group long-term disability income protection coverage policy that contains an offset shall include a disclosure of that offset as specified by this subsection (Formerly Sec. 38-174j).

**Enactment:** 1975, P.A. 622

38a-520 Mandatory coverage for home health care. Deductibles. Exception from deductible limits for medical savings accounts. Archer MSAs and health savings accounts. – Requires group health insurance policies to provide coverage for home health care, as specified in this section.

**Enactment:** 1990, P.A. 90-243, Sec. 104

38a-523 Group hospital or medical insurance coverage for comprehensive rehabilitation services. – Requires group health insurance policies to provide coverage for comprehensive rehabilitation services as specified in this section:

**Enactment:** 1982, P.A. 82-20, Sec. 1 & 2

38a-524 Coverage for occupational therapy. Definitions. Benefits. – Requires group health insurance policies providing coverage for expenses incurred for physical therapy to also provide coverage for occupational therapy as specified in this section.

**Enactment:** 1990, P.A. 90-243, Sec. 108

38a-525 Mandatory Coverage For Emergency Ambulance Services. Direct Payment To Ambulance Provider. – Establishes the rate set by the Department of Public Health as the maximum ambulance service benefit. It also adds health care centers and other entities to the list of providers that are exempt from the group policy's direct payment through assignment requirement, if the center or other entity has a direct pay contract with the ambulance service. Finally, the bill requires certain group policies cover ambulance services only when medically necessary.

**Enactment:** 1990, PA 243

38a-525b Mandatory coverage for mobile field hospital. – Requires group health insurance policies to provide coverage for isolation care and emergency services provided by the state's mobile field hospital, subject to any policy provisions that apply to other services covered by such policy, and rates paid by group health insurance policies shall be equal to the rates paid under the Medicaid program.

**Enactment:** 2005, P.A. 05-280, Sec. 65

38a-525c Denial Of Coverage Prohibited For Health Care Services Rendered To Persons With An Elevated Blood Alcohol Content. - Requires group health insurance policies to include mandatory coverage

for people with elevated blood alcohol content.

**Enactment:** 2006, P.A. 39

38a-526 Mandatory coverage for services of physician assistants and certain nurses. – Requires group health insurance policies to provide coverage for the services of physician assistants, certified nurse practitioners, certified psychiatric-mental health clinical nurse specialists and certified nurse-midwives if such services are reimbursed when rendered by any other licensed health care provider.

**Enactment:** 1990, P.A. 90-243, Sec. 110

38a-529 Mandatory coverage for services provided by the Veterans' Home. – Prohibits group health insurance policies from excluding coverage for services provided by the Veterans' Home.

**Enactment:** 1990, P.A. 90-243, Sec. 113

38a-530 Mandatory Coverage For Breast Cancer Survivors. - Requires group insurance carriers to provide benefits for mammographic exams and medically necessary ultrasound **or MRI screening** for breast tumors, subject to any policy provisions applicable to other covered services, in a manner specified by this section.

**Enactment:** 1990, P.A. 243

38a-530a Mandatory Coverage For Breast Cancer Survivors. - Stipulates that no group insurance carrier may refuse to cover a group insurance applicant due to breast cancer, if such applicant has remained free from breast cancer for at least five years prior to the applicant's request.

**Enactment:** 1996, P.A. 177

38a-530b Carriers to permit direct access to obstetrician-gynecologist. – Requires group health insurance policies to permit direct access to a participating in-network obstetrician-gynecologist for any gynecological examination or care related to pregnancy and for primary and preventive obstetric and gynecologic services, as specified in this section.

**Enactment:** 1995, P.A. 95-199, Sec. 2

38a-530c Mandatory Coverage For Maternity Care. Notice Required. - Requires each group insurance carrier that offers maternity benefits to provide minimum coverage of forty-eight hours of inpatient care for mother and newborn infant following a vaginal delivery and a minimum of ninety-six hours for a cesarean delivery.

**Enactment:** 1996, P.A. 177

38a-530d Mandatory coverage for mastectomy care. Termination of provider contract prohibited. – Requires group health insurance policies to provide coverage for at least forty-eight hours of inpatient care following a mastectomy or lymph node dissection and for a longer period of inpatient care if such care is recommended by the patient's treating physician. No such insurance policy may require mastectomy surgery or lymph node dissection to be performed on an outpatient basis, but outpatient surgery or shorter inpatient care is allowable under this section if recommended by the patient's treating physician recommends after conferring with the patient. Group health insurance carriers cannot terminate the services of, require additional review or otherwise provide disincentives to a health care provider on the basis that the provider orders care consistent with the

provisions of this section.

**Enactment:** 1997, P.A. 97-198, Sec. 2 & 5

38a-530e Mandatory coverage for prescription contraceptives. – Requires group health insurance policies that provide coverage for outpatient prescription drugs to include coverage for approved prescription contraceptive methods, subject to certain exclusions.

**Enactment:** 1999, P.A. 99-79, Sec. 2

38a-533 Mandatory coverage for the treatment of medical complications of alcoholism. – Requires group health insurance policies to provide coverage for expenses incurred in connection with specified medical complications of alcoholism pursuant to diagnosis or recommendation by a physician.

**Enactment:** 1974, P.A. 74-162, Sec. 1-6

38a-534 Mandatory coverage for chiropractic services. – Requires group health insurance policies to provide coverage for services rendered by a chiropractor licensed to the same extent coverage is provided for services rendered by a physician if the condition being treated is covered by the policy.

**Enactment:** 1990, P.A. 90-243, Sec. 177

38a-535 Mandatory coverage for preventive pediatric care and blood lead screening and risk assessment. – Requires group health insurance policies to provide benefits for preventive pediatric care, as defined by this section, for any child covered by the policy or contract at specified age intervals. Policies must also provide coverage for blood lead screening and risk assessments if ordered by a primary care provider pursuant to section 19a-111g.

**Enactment:** 1989, P.A. 89-101

38a-536 Group Hospital Or Medical Expense Insurance Policy Coverage For Fertility. - Requires group insurance carriers to provide benefits for medically necessary costs of diagnosing and treating infertility.

**Enactment:** 1989, P.A. 120

38a-542 Mandatory Coverage For Treatment Of Tumors And Leukemia. Mandatory Coverage For Reconstructive Surgery, Prosthesis And Chemotherapy. Mandatory Coverage For Breast Reconstruction After Mastectomy. - Requires group health insurance policies to provide coverage for a wig if prescribed by a licensed oncologist for a patient who suffers hair loss as a result of chemotherapy or by a licensed physician or a licensed advanced practice registered nurse for a patient who suffers hair loss due to a diagnosed medical condition of alopecia areata other than as a result of androgenetic alopecia. It also requires group policies to provide coverage for orally administered anticancer medications on a basis that is no less favorable than intravenously administered anticancer medications.

**Enactment:** 1990, PA 243

38a-542a Cancer Clinical Trials: Coverage For Routine Patient Care Costs. - Requires group health insurance policies to provide coverage for the routine patient care costs, as defined in section 38a-542d, associated with cancer and other disabling or life-threatening chronic disease clinical trials.

**Enactment:** 2001, P.A. 01-171

38a-542d Cancer clinical trials: Routine patient care costs. - Requires group health insurance policies to include hospitalization at an out-of-network facility for their insured clients involved in a cancer clinical trial if treatments are not available at an in-network facility and are not eligible for reimbursements by the sponsors of such clinical trials.

**Enactment:** 2001, PA 171

38a-544 Prescription drug coverage. Mail order pharmacies. – Prohibits group health insurance policies that provide coverage for prescription drugs from requiring that prescription drugs be obtained from a mail order pharmacy.

**Enactment:** 1989, P.A. 89-374

38a-547 Termination of policy or contract due to insurer ceasing to offer health insurance in this state; maternity benefits to continue for six weeks following termination of the pregnancy, when. – Requires that, if a group health insurance policy that will not be continued or renewed because the insurance company will cease to offer health insurance within this state, the termination of coverage for shall be without prejudice to any claim for maternity benefits made by any employee or dependent covered under such policy or contract who is pregnant on the date of termination of such group coverage, provided that the pregnant employee or dependent provides written notice within thirty days after the termination date.

**Enactment:** 1990, P.A. 90-302

38a-549 Coverage For Adopted Children. – Requires group health insurance policies to cover adopted children on the same basis as other dependents of the insured and prohibits the policy from containing any preexisting condition, insurability, eligibility, or health underwriting approval provision relating to a legally adopted child.

**Enactment:** 1991, PA 97

38a-550 Copayments Re In-Network Imaging Services. - Limits the total amount of copayments that can be imposed on a person for all MRIs, CAT scans, and PET scans services performed in-network to \$750 in any policy year.

**Enactment:** 2006, P.A. 180

38a-554 Additional Requirements And Eligibility Under Group Comprehensive health Care Plans. Continuation Of Benefits Under Group Plans. Insurance Commissioner's Authority To Coordinate Benefits. – Requires group health insurance policies to offer policyholders and their dependents the option to continue group coverage during illness, injury, and certain disabilities, regardless of eligibility for other group coverage. It also requires group health insurance policies to cover stepchildren on the same basis as biological children.

**Enactment:** 1975, PA 616

*INSURANCE GUARANTY FUNDS*

38a-844      Assignment Of Rights Under Policy. Receiver Or Liquidator Bound By Settlements. Preservation Of Rights Of Association. Right Of Recovery. - Prohibits the Connecticut Insurance Guaranty Association from recovering from a municipality the amount of any covered claim the association paid on behalf of the municipality's insolvent insurer.

**Enactment:** 1971, PA 466

*OFFICE OF THE HEALTHCARE ADVOCATE*

38a-1046      Employers Required To Post Ombudsman Services. - An Office of Managed Care Ombudsman has been established and each employer must post a notice concerning the services that the managed care ombudsman provides.

**Enactment:** 1999, P.A. 284

## Title 46a: Human Rights

*PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES*

46a-11b      Reports of suspected abuse or neglect required of certain persons. Report by others. Immunity. Fine. Treatment by Christian Science practitioner. – Requires specified employees, including school teachers, principals, guidance counselors and paraprofessionals, plus police officers and others to, as specified, report a suspicion that a person with intellectual disability has been abused or neglected.

**Enactment:** 1984, P.A. 84-514, Sec. 2, 11

*PHYSICAL RESTRAINT, MEDICATION AND SECLUSION OF PERSONS RECEIVING CARE, EDUCATION OR SUPERVISION IN A SCHOOL, INSTITUTION OR FACILITY*

46a-152      Physical restraint, seclusion and use of psychopharmacologic agents restricted. Notification of parent or guardian of physical restraint or seclusion of child required. Monitoring and documentation required. – Requires boards of education providing special education, direct care, education or supervision to notify the parent or guardian of any child who has been placed in physical restraint or seclusion.

**Enactment:** 1999, P.A. 99-210

46a-153      Recording of use of restraint and seclusion required. Review of records by state agencies and State Board of Education. Reviewing state agency and State Board of Education to report serious injury or death to Office of Protection and Advocacy for Persons with Disabilities and to Office of Child Advocate. – requires a board of education, institution or facility that provides direct care, education or supervision of persons at risk or provides special education to record each instance of the use of physical restraint or seclusion, the nature of the emergency that necessitated its use and provide that information to the state board of education.

**Enactment:** 1999, P.A. 99-210, Sec. 4

# Title 47a: Landlord and Tenant

## *ADVANCE RENTAL PAYMENT. SECURITY DEPOSITS*

47a-22a. Security deposits of senior citizens and disabled persons in public housing, interest payable. – requires that a housing authority or other entity approved for state financial assistance and providing public housing for senior citizens and disabled persons to return a security deposit and pay an interest rate as specified.

**Enactment:** 1979, P.A. 79-371

# Title 51: Courts

## *JURORS*

51-247a Employer Not To Discharge Employee For Jury Service. Penalty. Action For Recovery Of Wages And Reinstatement. Liability Of Employer For Failure To Compensate Juror -Employee. - Requires that employers not coerce, discipline or discharge any employee summoned to jury duty, and to continue to compensate that person during jury service. Requires fines for violators.

**Enactment:** 1980, P.A. 240

# Title 52: Civil Actions

## *STATUTORY RIGHTS OF ACTION AND DEFENSES*

52-557b "Good samaritan law". Immunity from liability for emergency medical assistance, first aid or medication by injection. - Requires that, upon the request and with the written authorization of the parent or guardian of a child attending any before or after school program, day camp or day care facility, the operator of such facility to approve and provide general supervision to an identified staff member trained to administer medication with a cartridge injector to such child if the child has a medically diagnosed allergic condition that may require prompt treatment in order to protect the child against serious harm or death. Such staff member shall be trained in a manner specified by this section.

**Enactment:** 2005, P.A. 144

# Uncodified Public Acts (Section C Mandates)

PA 13-197      An Act Concerning the Dam Safety Program and Mosquito Control. – Requires the owner of a dam to develop and implement an emergency action plan as specified.

**Enactment:** 2013, P.A. 13-197

P.A.13-247      An Act Implementing Provisions of the State Budget for the Biennium Ending June 30, 2015 Concerning General Government. - requires each local and regional board of education, regional educational service center and the governing authority for each state charter school to make information available online regarding its aggregate spending on salaries, employee benefits, instructional supplies, educational media supplies, instructional equipment, regular education tuition, special education tuition, purchased services and other expenditures.

**Enactment:** 2013, P.A. 13-247, Sec. 192

PA 13-307      An Act Concerning Copayments for Physical Therapy Services. - prohibits a group health insurance policy from imposing copayments exceeding thirty dollars per visit for in-network physical therapy services rendered by a physical therapist.

**Enactment:** 2013, P.A. 13-307, Sec. 2

# Part II - Regulatory Mandates

## SECTION A

**Regulation  
Section**

**Description**

### Title 4: Management of State Agencies

- 4-236      State Single Audit Act. - Pursuant to Sections 4-230 through 4-236 of the Connecticut General Statutes, each municipality, audited agency, tourism district or not-for-profit organization that expends state financial assistance equal to or in excess of one hundred thousand dollars in any fiscal year of that entity, shall have a single audit. Such audit shall report on that entity's financial statements and state financial assistance programs, including the internal controls and compliance with applicable laws and regulations related to the financial statements and state programs. The regulations specify the scope and objective of the audit, how the audit report is to be prepared and delineate the responsibilities of the non-state entities that expend state financial assistance. (Office of Policy and Management)

### Title 7: Municipalities

- 7-22a      Rules And Regulations For Certification Of Connecticut Town Clerks. - Stipulates that no one may be eligible to become a certified town clerk unless they have successfully completed the classroom training program, two years on-the-job training and passed the final examination. (Committee for Certification of Connecticut Town Clerks)
- 7-53      Filing Birth Certificates Of Adopted Persons. - Establishes the procedure for the registrar of vital statistics with regard to the filing, recording, and making certified copies of birth certificates for adopted persons. In addition, this section establishes the procedures that the registrar of vital statistics is to use in creating and indexing confidential adoption records, including keeping them separate from the public records. (Department of Public Health)
- 7-185      Operation Of Bazaars And Raffles. - Requires the chief of police, or first selectman if there is no separate police chief, to conduct an investigation of anyone wishing to conduct a bazaar, raffle or duck race. If a permit is issued, the police chief must send the original application, plus the state's share of the application fee, to the Division of Special Revenue. This section also stipulates the amount the municipality is entitled to keep from each application fee. The applicant must report on the net profit/loss, sale of tickets, etc., to the issuer of the permit, who must then send a duplicate copy to the state. (Division of Special Revenue)
- 7-186k      Operation And Conduct Of Games Of Chance. - Requires the chief of police, or first selectman if there is no separate police chief, to conduct an investigation of anyone wishing to conduct a game of chance and to send the original copy of the application to the Executive Director of the Division of Special Revenue. A representative of the police chief, first selectman or the executive director of Special Revenue must witness the counting of receipts. (Division of Special Revenue)

- 7-3231 Firefighter Qualification And Certification Policy And Procedures, Rules And Regulations. - Stipulates the professional levels of competence required of fire department members by specifying, in terms of performance objectives, the minimum requirements of professional competence required for service as a firefighter and other fire service personnel. (Commission on Fire Prevention and Control)
- 7-425 Definition Of Compulsory Retirement Age. - Establishes the retirement age for policemen, firemen, and other non-elective municipal employees. (State Employees Retirement Commission)
- 7-427 Participation By Municipalities. - Provides the form to be used by a municipality participating in the Fund A or Fund B municipal employees retirement system. It also requires the municipality to designate by position or title an officer or employee who will be responsible for supplying the State Employees Retirement Commission with information. (State Employees Retirement Commission)
- 7-471 Municipal Employee Relations Act. - Establishes the procedures for municipalities to follow in resolving all labor relations disputes, including the use of collective bargaining. (Board of Labor Relations)
- 7-572 Assisting Connecticut Communities Seeking Economic Stability. - Requires municipalities to notify the Secretary of OPM at least 90 days prior to the issuance of deficit obligations, in a manner specified by this section. Also, prior to the date of closing on the obligation, the CEO shall supply OPM with such additional information as requested. Within 90 days after the closing, the CEO shall submit to OPM a copy of the final closing documents related to the issuance. (Office of Policy and Management)

## Title 8: Zoning, Planning, Housing, Econ. and Comm. Dev. and Human Resources

- 8-45 The Setting Of Maximum Income Limits By Local Authorities. - Requires the local housing authority to get the approval of the Public Works Commissioner when it sets the income limit for admission of a family to a dwelling unit in any project. The regulation also set certain conditions for residence, requires the housing authority to supply the commissioner with certain information and stipulates other requirements that the housing authority must meet, including the maintenance of a waiting list for low rental projects and the manner in which such list is to be maintained. (Department of Economic and Community Development)
- 8-68d Housing Stock Report Regulations. - Requires the housing authority to submit an annual housing stock report to the Commissioner of Housing. (Department of Economic and Community Development)

- 8-72 Moderate Rental Projects. - Requires housing authorities to maintain a list of people waiting for openings in moderate rental projects, in a manner prescribed by these regulations. (Department of Economic and Community Development)

## Title 9: Elections

- 9-7b(25) Organization And Rules of Practice. – Requires the town clerk when notifying the elections enforcement commission of a person who has failed to file a required campaign finance statement, in accordance with subsection (b) of section 9-333y of the General Statutes, to do so by means of a sworn, written statement, accompanied by copies of all relevant material. (State Elections Enforcement Commission)
- 9-32 Registrars Of Voters - Canvass By Mail And Telephone. - Establishes when and how the registrar of voters is to conduct the canvas of voters. (Secretary of the State)
- 9-241 Direct Recording Electronic Voting Machines. - Requires municipalities to perform acceptance testing prior to contractual acceptance of these machines to determine if they meet state and local requirements. (Secretary of the State)
- 9-242 Marksense And Punchcard Voting Machines. - Requires municipalities to perform acceptance testing prior to contractual acceptance of these machines to determine if they meet state and local requirements. (Secretary of the State)
- 9-242a The Use Of Marksense Voting [Machines] Tabulators Approved By The Secretary of State. - Requires municipalities to provide enough voting [machines] tabulators, voting booths, ballot boxes and ballots for every voter in every district, in a manner specified by this section. The tabulators are to be stored in a secure, locked location, in a manner provided for by this section. Registrars are required to ensure the working operation of the voting [machines] tabulators and the municipal clerk and registrars are required to get the ballots and absentee ballots printed, in a manner specified by this section and then get them delivered top the election officials. The registrar must inspect and test the voting [machine] tabulator, as prescribed by the Secretary of State and they must deliver the voting [machine] tabulators to the clerk for safe keeping until election morning.

The regulations stipulate how many election officials are needed at each voting district, their training and the duties that they must perform including, the method that election officials are to deliver voting machine tabulators and ballots to the polls and the manner in which the voting [machines] tabulators and ballots are to be prepared. Election officials include moderators, demonstrators, ballot clerks, assistant registrars and [machine]voting tabulator tenders.

At the close of the polls, the moderator must announce the [machine] tabulator results for each candidate and question. The moderators and assistant registrars must sign the original election results report for each [machine] tabulator, attach them to the moderator's returns, which is filed with the clerk in a manner prescribed by this section. Finally, this section provides the procedure in which absentee ballots are to be counted, requires the filing of a ballot log summary, stipulates how the voting [machine] tabulator and polls are to be closed and the procedure for conducting a recanvass if one is needed. (Secretary of the State)

## Title 10: Education and Culture

- 10-17h Programs Of Bilingual Education. - Provides the methods and criteria to be used by boards of education in making their annual, mandated assessment of the dominant language of each child in the public schools. The regulation establishes the conditions which, when present, require the provision of a bilingual program and defines the minimum requirements to be provided in the program. Finally, the regulation requires the boards of education to grant reviews for parents concerning the dominant language determination made for their child. (State Board of Education)
- 10-76a Special Education. – Stipulates who the boards of education are responsible for providing special education as specified. (State Board of Education)
- 10-76b Children Requiring Special Education: Administration And Supervision. - Requires each board of education to administer special education as specified. (State Board of Education)
- 10-76d Children Requiring Special Education. - Requires school districts to provide special education programs and to administer and staff programs as specified. (State Board of Education)
- 10-76h Special Education Due Process – Requires special education due process be conducted in a manner as provided by this section. (Department of Education)
- 10-76l Program Evaluation. - Requires boards of education to annually evaluate their special education programs, in a manner provided by this section, and to send a written report of such evaluation to the Commissioner of Education. (State Board of Education)
- 10-145d State Education Certificates, Permits And Authorization. - Requires the employing agents of boards of education to ensure that every professional employee has the proper certificate, permit or authorization for their job classification and to submit such documents and forms as are required of him to the state board of education. Requires the employing agents to report to the State Board of Education whenever they issue a contract to a beginning teacher who is eligible to participate in the Beginning Educator Program. Also, requires boards of education to make available professional development activities for continuing education unit credit and report these to the state, in a manner prescribed by these regulations. The employing agent for the school district must submit a written request to the department of education, as appropriate, for the issuance of any temporary teacher's or other professional staff person's certificates, authorizations or permits. The local board must determine that any teacher hired to teach bilingual education must be bilingual in that language and English. (State Board of Education)
- 10-145j Employment Of National Corps Of Teachers' Training Program Graduates. – Permits qualified graduates of a national corps of teachers' training program to be employed in the public schools of Bridgeport, Hartford and New Haven. (mandate reduction)
- 10-183l Eligibility And Determination Of Benefits Under The Teacher's Retirement System. - Establishes the amount the local board of education must contribute for members of the teachers retirement system who serve less than 1 full year, based on six percent of such member's annual salary. Also,

stipulates that any teacher elected to a full-time position in a teacher's union is to receive credited service for up to eight years, in a manner provided for by this section. This section stipulates what is and what isn't to be included in a teacher's annual salary in determining each member's contribution to the retirement fund and requires school districts to make their mandatory retirement fund contributions on a monthly basis. (Teachers Retirement Board)

- 10-204a Immunization Of School Children. - All school-age children, including preschool & kindergarten, are required to be adequately immunized against measles, rubella, poliomyelitis, diphtheria, tetanus, pertussis, mumps, hemophilus influenza, hepatitis B and varicella, as stipulated in section 10-204a of the general statutes, before school attendance will be permitted. This regulation defines the kinds of immunization that is required and requires that immunization data specific to the individual be recorded on a student's health assessment record. Also, requires all schools to complete the annual survey on school immunization and return it to the Department Of Education. This section also allows for a religious exemption from the immunization requirements. (Department of Public Health)
- 10-214 Vision, Audiometric And Postural Screenings. - Establishes the procedures for conducting vision, audiometric and postural screenings of school children, which are required by statute. (State Board of Education)
- 10-214a Use Of Eye Protective Devices In School. - Requires the use of protective eye devices in schools under certain conditions where these devices will reduce the risk of injury to the eyes, and also stipulates the type of protective devices to be used. (State Board of Education)
- 10-215b Child Feeding Programs. - Requires the school food authority to prevent the sale or dispensing of extra food items on the school premises from thirty minutes prior to the start of a subsidized milk or food service program to thirty minutes after completion of any such program. Income from the sale of such food items is to accrue to the food authority for the benefit of state or federally subsidized milk or food service programs. (State Board of Education)
- 10-220a Cooperating Teacher And Beginning Educator Support And Assessment Programs. - Requires the employing agents of boards of education in the formation of these cooperating teacher and beginning educator support and assessment programs to, among other things, form a district committee to facilitate such programs, supervise such programs and report to the Department of Education as required. This section also stipulates the responsibilities of the district committees and provides the procedures for how these programs are to operate. Requires these employing agents to develop a process for nominating and selecting administrators to be trained as assessors, to provide release time for beginning teachers to observe or to be observed by their mentors, and to provide release time for assessors to conduct their assessments, as well as stipulating their responsibilities and compensation. This regulation also specifies with whom the school administrators can place beginning teachers. (State Board of Education)
- 10-226e Regulations To Implement The Racial Imbalance Law. - Local boards of education are required, by statute, to annually report to the Commissioner of Education, in a manner he specifies, on the racial composition of each school by grade, the racial composition of the teaching staff in each school and the number of elementary school students eligible to receive free or reduced price lunches. The regulations require that any board of education given notification that it has racial

imbalance in any school in any school must develop a plan to address it in that school in a manner prescribed by these regulations, and may be required to provide the Commissioner certain information including; student building assignments and interdistrict educational activities. In addition, if the school that is imbalanced is diverse or unique school, as defined by this section,, no plan may be required.

In addition to providing data in the same manner as all other schools, Unique schools must report to the Commissioner on all activities undertaken to provide opportunities for students to interact with students and teachers from other racial, ethnic and economic backgrounds The responsible authority of any unique school may be required to meet with the Commissioner to discuss the racial, ethnic and economic diversity of the students or teaching staff and the opportunities given them to interact with with other racial, ethnic or economic backgrounds. (State Board of Education)

10-287c School Construction Grants. - Requires school districts to submit its final plans and specifications for school construction projects to the department of education for review and advice. This is done in an attempt to avoid future unnecessary costs and to ensure that all educational facilities are maintained in accordance with all applicable codes. (State Board of Education)

10-295(4-25) Children's Services. - Establishes procedures and requirements for local boards of education to receive their reimbursement for children's services, including reimbursements for personnel expenses and requires certain reports to be filed by both the board and teachers. When a child has to be placed in a facility outside the local board of education's control, then the local board is responsible for a minimum payment per pupil. (Board of Education and Services for the Blind)

## Title 11: Libraries

11-8(1-12) Standards For Fire-Resistive Vaults And Safes. - Defines the standards for the design and construction of vaults used by municipalities to store public records. (State Library)

11-8(15-18) Examination Of The Indexes And Inspection Of Records Of The Town. - Requires towns, in a manner specified by this section, to examine the indexes of the land records and to inspect the town records annually. Certification of this must be filed with the public records administrator. (State Library)

11-8(19-26) Filing Requirements For Maps. - Requires all maps delivered to the town clerk for filing to be properly signed and sealed. Also, requires town clerks to maintain two separate map indexes, in a manner specified by this section, and to assign each map an identification number. Municipalities must provide the same security precautions for maps as they do for other public records. The original map must be preserved in map cases or bindings. (State Library)

## Title 12: Taxation

12-62 Statistical Revaluations. - Requires every municipality to conduct a sales assessment ratio study of fair market sales and also stipulates the method by which assessors are to conduct statistical revaluations. (Office of Policy and Management)

- 12-62i      Statistical Revaluations. – This section stipulates the standards for the certification of periodic revaluations of real property by towns. Requires every municipality to certify that assessments derived from its revaluation meet certain statistical tests or that certain procedures were performed in conjunction with the revaluation. The proposed regulations also set forth the procedure that a town’s assessor will use to certify that a revaluation meets the appropriate standards and the administration of the statutory penalty and appeal of such penalty if a town fails to comply with the provisions of these regulations. (Office of Policy and Management)
- 12-81g      Additional Veterans Exemptions: Eligibility And State Reimbursement Procedures. - Allows people who believe they are entitled to an additional exemption to apply for such with the municipal assessor, within a timeframe stipulated by this section. The municipalities must then file a claim with the Secretary of the Office of Policy and Management. Finally, the regulations set the procedures municipalities must follow in order to apply for a waiver of any late filing penalty that they may have been charged with. (Office of Policy and Management)
- 12-170aa      Reimbursement To Municipalities For Tax Reductions To Elderly Homeowners. - Requires each municipality to file a claim with the Office of Policy and Management(OPM) for reimbursement of lost property tax revenues related to the tax reductions allowed under 12-170aa. It also establishes the procedures for filing the claim and the procedure to follow if a town wishes to have the result of the claim reconsidered. Requires any municipality which applies for a waiver of a penalty for failing to submit the required reports to do so in writing, stating the reasons why. It must be signed by the official responsible for filing such report and the chief executive officer and filed with the Secretary of the Office Of Policy and Management. (Office of Policy and Management)
- 12-574(C4a)      Operation of Greyhound Racing. - Requires municipalities to assist the division of special revenue, when requested and in a manner specified by this section, concerning the enforcement of the regulations concerning greyhound racing. (Division of Special Revenue)
- 12-574(D4a)      Operation of Jai Alai. - Requires municipalities to assist the division of special revenue, when requested and in a manner specified by this section, concerning the enforcement of the regulations concerning Jai Alai. (Division of Special Revenue)

## Title 13b: Transportation

- 13b-283      Maintenance And Repair Of Orphan Bridges. - Requires municipalities to keep the surfaces of any orphan bridges in suitable condition, including the removal of ice and snow, for which they are solely responsible for the cost. Municipalities must also post load limits for any such bridge when directed by the Commissioner of Transportation. (Department of Transportation)

# Title 14: Motor Vehicles. Use of the Highway by Vehicles. Gasoline

- 14-36f Driver Education In Secondary Schools. - Requires each school conducting driver education programs to submit its curriculum to the Commissioner of Motor Vehicles for approval. This section also specifies what the program content and curriculum must consist of, including 4 hours of instruction concerning the nature and effects of alcohol and drugs in relation to the ability to safely operate a motor vehicle in a manner specified by this section. It also stipulates that contracting with a commercial driving program does not relieve the school from meeting driver training safety standards. The school must notify the Commissioner of any change in location of either the school or the classroom where training is provided, the school must inform the Commissioner, in writing, of the location of the records pertaining to the program, if not located at the main school. The school offering such program must have adequate staffing and space and shall be scheduled so that the program is completed within one calendar year. The school may not charge a fee if the course is held during the regular school day, and otherwise shall not exceed the per-pupil cost of maintaining such program. This section also stipulates the amount of instruction to be received, and the qualifications of the instructors. The school must maintain certain monthly records and submit such records to the Commissioner upon request. (Department of Motor Vehicles)
- 14-67q Motor Vehicle Junk Dealers. - Requires the municipal zoning authority to approve the location and use of any motor vehicle junkyard license application. (Department of Motor Vehicles)
- 14-78 Commercial Driving Schools. - Requires the fire marshal to conduct a safety inspection and certify that the facilities are sound prior to any building being used for a commercial driving school. (Department of Public Safety)
- 14-150(1-5) Hearing Procedures For Motor Vehicles Taken Into Custody Pursuant to Section 14-150. - Stipulates the manner in which hearing officers are to be appointed by the chief executive officer of each town and requires the names and addresses of such officers to be sent to the Commissioner of Motor Vehicles. Also, provides the procedures for holding such hearings concerning motor vehicles taken into custody pursuant to section 14-150. (Department of Motor Vehicles)
- 14-150(9) Towers Acquiring Title To Abandoned Towed Motor Vehicles. - Requires any municipality that has acquired title to an abandoned motor vehicle to furnish certain forms to any transferee. (Department of Motor Vehicles)
- 14-164a(3) Minimum Safety Requirements For Motor Vehicle Racing Or Exhibitions Of Speed Or Skill. - Requires police and fire protection be provided at all such motor vehicle racing events or exhibition. (Department of Motor Vehicles)
- 14-275b(136) Lifts For Vehicles Used For The Transportation Of Students Who Are Mobility Impaired. - Establishes equipment standards for Type Ischool buses built on a van-style cutaway chassis and the standards for all lift platforms on vehicles used to transport students with mobility impairments. (Department of Motor Vehicles)

- 14-275c Operation of School Buses; Motor Vehicles used to Transport Special Education students; Minimum Requirements for Inspection, Maintenance and Repair of School Buses and Other Vehicles Used for the Transportation of School Children; Responsibilities of Carriers for School Bus and Student Transportation Vehicle Drivers. – Imposes a wide range of requirements and specifies equipment and inspection requirements. It states that a special education child may be transported in a Type I or Type II school bus as long as the local or regional board of education determines that the bus is suitably equipped to insure the safety of such child. It also requires each student transportation carrier to maintain a written record of the required investigation of each school bus or student transportation driver and expands that investigation to also show that each driver meets all conditions and requirements for the necessary endorsements and does not have any disqualifying offenses. (Department of Motor Vehicles)
- 14-298(266) Description Of Organization: Legal Traffic Authority. - Requires all formal requests for traffic studies of a regulatory nature to be made through the legal traffic authority of each municipality. (State Traffic Commission)
- 14-298(500-555) Signs: General Provisions, Regulatory Signs And Warning Signs. - Establishes standards for the design and use of all highway, road and traffic signs, markings, and traffic control signals. Regulations also establish local traffic authority as the public body responsible for placing signs. (State Traffic Commission)
- 14-307 (1-11) Notice Required to Owners And Lienholders Of motor Vehicles Upon Towing By Police Or Traffic Authority And Upon Sale Or Other Disposition Of Motor Vehicles. - Requires the municipal agency (police or traffic authority) responsible for having a motor vehicle towed, notify the owner and all lienholders of record, in a manner specified by this regulation (notification by certified mail, return receipt requested, within 48 hours of tow). Also requires the municipality offer the owner and opportunity for a hearing. (Department of Motor Vehicles)

## Title 15: Navigation and Aeronautics

- 15-121 Boating Safety. - Requires towns to get permission from the Commissioner of DEP before putting up any marker in a body of water within its jurisdiction and any other person wishing to put a marker up must get the written approval of the chief executive authority of the town or the designated lake authority. Any local ordinance affecting lakes or ponds must be posted at every location where public access by boat to such lake or pond is available. For any ordinance affecting a river or tidal water, such ordinance must be posted at each public access within five miles of the affected water body. The regulation also stipulates the size of the sign, the material it is to be made of, and the wording of the sign. (Department of Environmental Protection)

## Title 16: Public Service Companies

- 16-11(139) Code of Electrical Standards And Specifications. Transmission Lines: Supporting Data. - Requires any affected municipality to submit a letter stating that it has been notified and has no objection to the method or manner of construction of any proposed new electric or

communications lines submitted in a petition by the utility company for approval by the Public Utility Commission, before such petition may be approved. (Department of Public Utility Control)

- 16-11(149) Code of Electrical Standards And Specifications. Induction And Corrosion: Coordination On Corrosion. - Requires municipalities to cooperate with utilities and to use all reasonable means to work out general coordinated methods applicable to corrosion problems or the protection of other utilities or municipalities. (Department of Public Utility Control)
- 16-243 Construction And Maintenance Standards Governing Traffic Signals Attached To Public Service Company Poles. - Standardizes the procedures for traffic signal installations and maintenance in Connecticut. (Department of Public Utility Control)
- 16-245c Application For Municipal Electric Utilities To Become Participating Municipal Electric Utilities. - Requires any municipal electric utility applying to become a participating municipal electric utility to submit proof of open and nondiscriminatory access to all distribution facilities by all suppliers, proof that the applicant has unbundled and separated all of its generation assets and all generation-related operations and functions, and file a licensing application, in a manner provided by this section. (Department of Public Utility Control)
- 16-262m(4) Certificates of Convenience And Necessity For Small Water Companies: Options When Main Extensions Are Not Feasible. - Stipulates that if a community water system is constructed without the required Certificate of Public Convenience and Necessity, the town in which the system is located shall become responsible for the future operations of that water system. (Department of Public Utility Control)
- 16-333(24-30) Establishment Of Advisory Councils For Cable Television Franchise Areas. - Requires the chief elected official, the board of education and the library board of each town in a cable TV franchise area to appoint representatives to these advisory councils, in a manner provided by this section. The council must annually file a report with the DPUC on its activities for the previous year. (Department of Public Utility Control)

## Title 16a: Planning and Energy Policy

- 16a-38k The Establishment of of High Performance Building Construction Standards for State-Funded Buildings. - Specifies minimum building standards for public school buildings having new construction costs of five million dollars or more or renovation costs of two million dollars or more, of which two million dollars or more is state funding and is authorized by the General Assembly pursuant to Chapter 173 on or after January 1, 2009. (Office of Policy & Management)
- 16a-39 Lighting Efficiency Standards For Public Buildings. - These regulations control all matters concerning the lighting efficiency within or on public buildings and the lighting equipment used within or on public buildings for the purposes of lighting. (Department of Administrative Services)

## Title 17a: Social and Human Services and Resources

- 17a-147      Licensing Of Extended Day Treatment Programs. - Requires extended day treatment programs to pass local health and fire inspections before getting a license to operate. If the program is served by well water, such water must be analyzed and approved by the local director of health. The local health department, in conjunction with the state department of health, shall determine the requirements for lavatories based upon the number of children and youth to be served. (Department of Children and Families)
- 17a-248      Early Intervention Services For Infants And Toddlers And Their Families. - Stipulates that when an eligible child is turning three years old and is thought to be eligible for preschool special education services and the birth –to-three surrogate parent gives consent for the referral to the school district, the local school district is required to request a three-to-21 surrogate parent from the State Department of Education. (Department of Mental Retardation)

## Title 17b: Social Services

- 17b-461      Protective Services For The Elderly. - Requires police officers to report any instance of abuse, neglect, exploitation or abandonment of an elderly person to the Commissioner of Social Services, in a manner specified by this section. Failure to do so results in a fine of up to \$500. (Department of Social Services)

## Title 19: Public Health and Safety

- 19-13(B2)      The Public Health Code Of The State Of Connecticut: Environmental Health. - Requires the local director of health to investigate any instance of a health nuisance and to order its abatement. (Department of Public Health)
- 19-13(B30)      Public Health Code Of The State Of Connecticut: Subsurface Sewage Disposal. - Requires schools to have toilet facilities, drinking water supply, drinking cups, washing facilities, heating, lighting and proper ventilation, that are to be maintained in a sanitary condition. (Department of Public Health)
- 19-13  
(B33b-36)      Public Health Code Of The State Of Connecticut: Swimming Pools And Bathing Places. - Establishes the procedures and requirements for how public pools and bathing places are to be constructed, maintained and operated. Requires the director of health to order any such facility to be closed when there is significant evidence of a communicable disease being transmitted through it. (Department of Public Health)
- 19-13(B41)      Public Health Code Of The State Of Connecticut: Sanitation Of Public Fairgrounds. - Requires that certain procedures be met to ensure the sanitary storage and service of food and water supply, and that refuse and excreta shall be properly disposed of before any public grounds may be used for horse shows, horse races or automobile races. (Department of Public Health)

- 19-13(B42) The Public Health Code Of The State Of Connecticut: Food Protection, Sanitation Of Places Dispensing Food Or Beverages. - Requires the local director of health, registered sanitarian or authorized agent, when given cause to suspect the possibility of disease transmission from any food service establishment employee, to investigate and take appropriate action. This section also requires the health director to classify each food service establishment, in a manner specified herein, and to review such classification at least annually. In addition, every food service establishment must be inspected, depending on its classification, anywhere from once every 90 days to once every 360 days. A copy of such inspection report must be given to the owner or operator of the food service establishment and to the Commissioner of Public Health. This section also specifies requirements for inspector certification and recertification. (Department Of Public Health)
- 19-13(B48) The Public Health Code Of The State Of Connecticut: Food Protection, Itinerant Food Vending. - Requires the local director of health, registered sanitarian or authorized agent, when given cause to suspect the possibility of disease transmission from any itinerant food vending establishment employee, to investigate and take appropriate action. This section also requires the health director to classify each itinerant food-vending establishment, in a manner specified herein, and to review such classification at least annually. In addition, every itinerant food-vending establishment must be inspected, depending on its classification, anywhere from once every 90 days to once every 360 days. A copy of such inspection report must be given to the owner or operator of the itinerant food-vending establishment and to the Commissioner of Public Health. (Department Of Public Health)
- 19-13(B49) The Public Health Code Of The State Of Connecticut: Catering Food Service. - Requires the local director of health, registered sanitarian or authorized agent, when given cause to suspect the possibility of disease transmission from any catering food service establishment employee, to investigate and take appropriate action. This section also requires the health director to classify each catering food service establishment, in a manner specified herein, and to review such classification at least annually. In addition, every catering food service establishment must be inspected, depending on its classification, anywhere from once every 90 days to once every 360 days. A copy of such inspection report must be given to the owner or operator of the catering food service establishment and to the Commissioner of Public Health. This section also specifies requirements for inspector certification and recertification (Department Of Public Health)
- 19-13 (B61-B62) Public Health Code Of The State Of Connecticut: Sanitation For Agricultural And Migratory Farm Workers. - Requires the local health director to approve the method of disposal for all kitchen, lavatory, toilet, bathhouse and laundry wastes when no municipal disposal system is available. Such health director must also approve the substitution of a bathtub for a shower when there are less than five agricultural or migratory farm workers. (Department of Public Health)
- 19-13(B100a) Building Conversions/Changes In Use, Building Additions, Garages/Accessory Structures, Swimming Pools, Sewage Disposal Area Preservation. - Requires the local health director to determine whether a code-complying area exists for a subsurface sewage disposal system on any property that is proposed for a building conversion or addition. Final decisions of the health diector are to be made in writing and sent to the appicant. Any decision adverse to the applicant shall state the factual reasons for it. (Department of Public Health)
- 19-13(B101) Testing Of Water Quality In Private Water Supply Systems. - Requires the local health director to order a test whenever he has reason to believe that organic chemicals are present in a private water

supply system. Also requires that the local health director approve the lab results of a testing of any newly constructed source of private water supply before such supply is used for domestic purposes. (Department of Public Health)

19-13(B103c) Public Health Code Of The State Of Connecticut: On-Site Sewage Disposal Systems With Design Flows Of 5,000 Gallons Per Day Or Less And Non-Discharging Toilet Systems: General Provisions. - Requires the local health director to investigate whenever it is brought to his attention that there is a sewer discharge into any storm drain, gutter, street, roadway, public place or onto any private property which creates a nuisance or a condition detrimental to health. (Department of Public Health)

19-13  
(B105-113) Toilet And Handwashing Facilities At Public Buildings: Toilet And Handwashing Facilities At Public Buildings, Places Of Public Assembly, Places Dispensing Food And Beverage For Consumption On The Premises, And For The Patrons Of Large Stores And Shopping Centers. - Requires that toilet and handwashing facilities be provided in all new or renovated public buildings (as of 1985) in a manner prescribed by these regulations. (Department of Public Health)

19-13(D255a) Licensure Of An Out-Patient Dialysis Unit And Standards For In-Hospital Dialysis Unit. - Requires all plans and specifications for new construction or alteration of such dialysis units to be submitted to the local fire marshal and building inspector for approval before construction starts. The local fire marshal must annually certify such facility. (Department of Public Health)

## Title 19a: Public Health and Well Being

19a-9 Appeals Of Orders Issued By A Town, City, Borough, Or District Director Of Health. - Requires any order issued by a town, city, borough, or district director of health must include notice of the right to appeal, which shall include the name and phone number of the Commissioner of Public Health and shall be accompanied by Sections 19a-9-8 and 19a-9-14 of the *Regulations of Connecticut State Agencies*. (Department of Public Health)

19a-36 Reportable Diseases And Laboratory Findings. - Requires the school administrator to report any instance of, or any believed instance of, a communicable disease to the local director of health, who must report any such case or suspected case to the Department of Public Health in a manner prescribed by these regulations. The regulations also list the duties and powers of a local health director in instituting measures to control the spread of these diseases. (Department of Public Health)

19a-41 Birth Certificates: Filing Requirements And Access. - Establishes the requirements for how municipalities are to amend or correct vital records, whether in electronic or paper formats, in a manner stipulated by this section. In addition, this section determines what records may be amended and who may apply for a vital record modification. (Department of Public Health)

19a-59c Special Supplemental Food Program For Women, Infants And Children (WIC). - Requires each local WIC agency to employ one full-time coordinator to be responsible for its overall operation, and one full-time WIC nutritionist. Each local agency must maintain a staff that is sufficient to

operate the program efficiently, effectively and economically. The state WIC program shall review and approve, in writing, certain staff decisions, and it shall also assign the number of people to be served by the local agency. Each local agency is required to prepare, revise, keep on file and implement a current program plan approved by the Department of Public Health. They must also maintain complete records, in a manner prescribed by this section, of, among other things, their financial management, civil rights record, nutrition education and vendor participation. The records must be kept for a minimum of three years and they must submit a written request to the state if they wish to destroy any records. All coordinators and nutritionists must attend meetings called by the state. Local agencies are required to submit to the state several reports a year, including audit reports, budgets, expenditure reports, etc., to publicize annually in a newspaper serving that program's area, the availability of WIC benefits and to encourage referral to WIC through the distribution of written information at least once a year to hospitals, clinics, social agencies, churches, etc. Local agency staff must conduct an orientation and nutrition education for each participant and nutrition education at least twice every six months through individual or group sessions. (Department of Public Health)

- 19a-79      Licensure Of Child Day Care Centers And Group Day Care Homes. - Requires that written approvals by the local building inspector, local health director, local zoning officer and local fire marshal be submitted to the Department of Public Health prior to the construction, expansion, renovation, etc. of a child day care center or group day care home. Also requires written approval from the local fire marshal specifying the hours of operation and from the local health director for evening care hours of operation. (Department of Public Health)
- 19a-111     Lead Poisoning Prevention And Control. - Requires local health departments to inspect homes of children who have been found to have an elevated blood lead level, in a manner specified by this section. If the inspection finds an elevated lead level the health department shall issue an order to correct all defective lead level based surfaces and soil. When the abatement is completed, the health department (or other code enforcement agency) must reinspect the property and a copy of the report shall be sent by certified mail or hand delivered to the property owner, local health director and the Commissioner of Public Health. The local health director shall review all lead abatement plans for completeness and compliance with these regulations. (Department of Public Health)
- 19a-333     Asbestos-Containing Materials In Schools. - Requires each local education agency, to ensure that inspectors develop and update management plans, develop and implement response actions, ensure that all custodial and maintenance employees are properly trained, and inform workers and building occupants yearly about inspections and responses to those inspections. Requires local education agencies to inspect each school building, in a manner provided by this section. Also, requires that at least once every three years after a management plan is implemented, that the local education agency conduct a reinspection of all friable and nonfriable asbestos-containing building material, in a manner provided for by this section. Requires local education agencies to implement an operation and maintenance program for the proper handling of any asbestos present in the building. Requires each such agency to develop and implement an asbestos management plan for each school building. Requires the records mandated under this section to be maintained in a centralized location in the administrative office of both the school and the local education agency. Warning labels must be attached adjacent to any friable or nonfriable asbestos material. (Department of Public Health)

## Title 22: Agriculture. Domestic Animals

- 22-336 Dog Pounds. - Establishes the standards to follow in the construction of and/or renovations to any building to be used as a dog pound. Also, stipulates the requirements necessary for the operation of such dog pound. (Department of Agriculture)
- 22-349 Surveys For Unlicensed Dogs. - Stipulates that every town must conduct a survey for unlicensed dogs, and establishes the procedures for how this is to be done. (Department of Agriculture)

## Title 22a: Environmental Protection

- 22a-2a Delegation Of Authority. - Stipulates the responsibilities and duties of any local health director who has been delegated authority by the Commissioner of Environmental Protection to investigate certain existing or potential air pollution or waste discharges, including the filing of an investigation report and the maintenance of orderly files. (Department of Environmental Protection)
- 22a-39(4.3d) Inland Wetlands And Water Course Regulations Of The Connecticut Department Of Environmental Protection: Local Agency To Direct Certain Applicants To Commissioner. - Requires the local inland wetlands agency to direct in writing any applicant wishing to undertake any activities specified in these sections, to apply to the Commissioner of Environmental Protection for the required license. (Department of Environmental Protection)
- 22a-39(4.6) Inland Wetlands And Water Course Regulations Of The Connecticut Department Of Environmental Protection: Boundary Maps To Be Established. - Requires the local inland wetlands agency or the Commissioner to establish or amend area boundary maps, which shall be kept on file at the municipal clerk's office and at the Department of Environmental Protection. (Department of Environmental Protection)
- 22a-39(11.1) Inland Wetlands And Water Course Regulations Of The Connecticut Department Of Environmental Protection: Submission Of Local Regulations To Commissioner. - Requires all regulations promulgated or amended by local wetland agencies to be submitted to the Commissioner of Environmental Protection. (Department of Environmental Protection)
- 22a-39(11.4a) Inland Wetlands And Water Course Regulations Of The Connecticut Department Of Environmental Protection: Amendment Of Nonconforming Regulations. - Requires the local wetlands agency to initiate proceedings to amend any regulation that the Commissioner finds to be nonconforming within 20 days of receipt of notice of nonconformance. (Department of Environmental Protection)
- 22a-39(11.7) Inland Wetlands And Water Course Regulations Of The Connecticut Department Of Environmental Protection: Jurisdiction of Municipality. - Requires municipalities to exercise jurisdiction over regulated activities of local wetlands once adopted local regulations have been approved by the Commissioner of DEP. (Department of Environmental Protection)

- 22a-39(11.8) Inland Wetlands And Water Course Regulations Of The Connecticut Department Of Environmental Protection: Reports To Commissioner. - Requires a municipality to report to the Commissioner of Environmental Protection on all enforcement activities and appeals involving such municipality which pertain to wetlands and water courses. (Department of Environmental Protection)
- 22a-39(14) Inland Wetlands And Water Course Regulations Of The Connecticut Department Of Environmental Protection: Reporting Requirements For Municipal Inland Wetland Agencies. - Requires each inland wetlands and water courses agency to report to the Commissioner on a number of topics, including, permits issued and denied, enforcement notices and orders, map amendments and jurisdictional rulings, in a manner prescribed by this section. (Department of Environmental Protection)
- 22a-39(15) Inland Wetlands And Water Course Regulations Of The Connecticut Department Of Environmental Protection: Payments To The State For Acting On Inland Wetlands And Watercourses Permit Applications. - Requires any municipality whose jurisdiction under sections 22a-36 - 22a-45 concerning inland wetlands and watercourses has been revoked to pay the state for acting on the applications for inland wetland or watercourses activity in such municipality. Also, requires that any application fees the municipality would ordinarily have collected must now be forwarded to the state. (Department of Environmental Protection)
- 22a-241b Mandatory Recycling. - Requires mandatory recycling by municipalities of specified materials. (Department Of Environmental Protection)
- 22a-255b Plastic Bottle Coding. - Requires municipalities to publicize the codes and acronyms of plastic bottles in the context of their recycling program's public education effort. (Department Of Environmental Protection)
- 22a-354i Regulations for Delineation Of Aquifer Protection Areas On Municipal Maps, Best Management Practices, and Prohibition Of Regulated Activities Within Such Areas. – Requires municipalities, upon notification from the Commissioner of Environmental Protection, to delineate boundaries of designated aquifer protection areas on a municipal zoning map and to publish notice of such delineation in a newspaper, in a manner specified by this section. Within six months, the municipal aquifer protection agency shall adopt regulations providing for how boundaries are to be established and amended; the application process to conduct regulated activities; notification and publication requirements, and concerning administration and enforcement. Any amendment to these regulations must be approved in writing by the Commissioner in a manner specified by this section. (Department of Environmental Protection)
- 22a-638 Standards for the Recycling of Covered Electronic Devices. – Requires a municipality to submit a plan on how it will prioritize convenience and accessibility in providing electronic device collection and recycling opportunities for its residents. The municipality must implement and comply with the approved plan and, if DEP determines that an approved plan is deficient, the municipality must resolve the deficiencies and submit a revised plan. A municipality also must notify DEP of the electronic recyclers that it has arranged to implement the plan and cannot charge its residents a fee for bringing seven or fewer electronic devices to a collection point. (Department of Environmental Protection)

## Title 26: Fisheries and Game

- 26-48(3) Migratory Bird Harvest Permit. - Requires that migratory bird permits be purchased from the town clerk for two dollars, the clerk must send one dollar to the Department of Environmental Protection. Also, the town clerk must mail the appropriate part of each permit to the US Fish and Wildlife Service within 21 days of the permit being purchased. (Department of Environmental Protection)

## Title 28: Civil Defense and Emergency Services

- 28-27 Establishment And Operation Of Public Safety Answering Points And Private Safety Answering Points. - Requires every answering point providing enhanced 9-1-1 service to operate on a twenty-four hour, seven days a week basis, and to have sufficiently equipped answering positions and staff to ensure that ninety percent of all calls are answered in no more than ten seconds during normal peak operating periods. There must be a minimum of two incoming 9-1-1 lines at each answering point, which must have the ability to respond to all 9-1-1 calls received from their service area by dispatching appropriate safety agencies to the emergency. This regulation also specifies what the standard capabilities of the terminal equipment must be and requires each answering point to be equipped with an emergency power generator capable of ensuring continuous operation for twenty-four hours during a commercial power outage. (Department of Public Safety)
- 28-27a Final Enhanced 9-1-1 Service Utilization Plan. - Establishes the procedure for municipalities to develop their 9-1-1 utilization plans. (Bureau of State-Wide Emergency Telecommunications)

## Title 29: Public Safety and State Police

- 29-7h Firearms Evidence Databank Regulations. - Requires police departments to have all handguns issued to officers or confiscated in crimes to be test fired for purposes of maintaining an evidence databank. If the police department conducts its own test fires, these regulations stipulate the process for collecting and submitting test fires. The police department must label each envelope with the manufacturer, type of handgun, serial number, date of test fire and name of person collecting the test fire. This section also stipulates the procedure to be followed if the police department wants the laboratory to conduct the actual test firing, including having a representative of the police department present at the time of test fires. (Department of Public Safety)
- 29-36m Weapons. - Requires the municipal authority (either the chief of police or first selectman) to send written notification to the applicant for a pistol/revolver permit if they find any reason to deny such permit. Also, requires any application for permit for retail sale of any pistol/revolver be kept on file by the municipal authority for a minimum of five years, in a manner specified by this section. (Department of Public Safety)

- 29-37j Application For And Issuance Of Certificates Of Possession For Assault Weapons. - Requires each application form for a certificate of possession for an assault weapon have the right and left thumbprints of the applicant, together with a full set of fingerprints, which shall be taken at a municipal police department, state police troop or any resident state trooper's office. (Department of Public Safety)
- 29-136(11a) Connecticut Mechanical Amusement Ride And Device Regulations. - Requires the town building official to give written approval of the electrical service and equipment hookup before the ride may be inspected in accordance with Section 29-136-8a. (Department of Public Safety)
- 29-140 Connecticut Tent And Portable Shelter Code. - The local fire marshal or building inspector must make the initial determination concerning code compliance, except on State-owned property. In municipalities in which the local fire marshal has jurisdiction over the site where the tent is located, he must determine when fire protection is needed and the fire department must furnish the amount of protection needed. On state-owned property, the Commissioner of Public Safety shall determine when fire protection is necessary, and the chief of the municipal fire department shall provide such protection. (Department of Public Safety)
- 29-200 Vertical And Inclined Wheelchair Lifts And Inclined Stairway Lifts. - Requires the local building official to issue a permit before any lift may be installed, relocated or altered and no such permit will be issued before the local building official or local fire marshal has reviewed and approved detailed plans and specifications of the proposed installation, relocation or alteration. (Department of Public Safety)
- 29-252 Connecticut State Building Code – 2005 Connecticut Supplement and 2011 Amendment to Adopt the 2009 International Energy Conservation Code. - Requires all municipalities, in accordance with Section 29-260 of the Connecticut General Statutes, to appoint a building official. The regulation also establishes the responsibilities of the building official in relation to this code and requires compliance with the building and energy conservation code. (Department of Public Safety)
- 29-262 Licensure Of Building Officials. - Stipulates the minimum qualifications which must be met by anyone being appointed as a provisional building official. This section also stipulates the duties and minimum qualifications for: residential building inspectors, plan review technicians, mechanical inspectors, electrical inspectors, plumbing inspectors, heating and cooling inspectors, and construction inspectors. This includes the amount of continuing education programs each group of inspectors must meet, in a manner specified by this section. (Department of Public Safety)
- 29-291 State Fire Prevention Code. - Specifies minimum requirements for the frequency of inspections by local fire marshals. (Department of Environmental Protection)
- 29-292 Connecticut Fire Safety Code. – Specifies obligations of local fire marshals and stipulates minimum construction requirements. (Department of Public Safety)
- 29-298 Classes Of Certification And Standards Of Qualifications For Local Fire Marshals, Deputy Fire Marshals, Fire Inspectors, And Other Local Fire Officials. - Establishes the different classes of

local fire officials, their duties and the qualifications necessary for each class. (Department of Public Safety)

- 29-317(2a) Connecticut Oil Burning Equipment Code. - Requires the local fire marshal to make the initial determination concerning compliance with this code, except as otherwise stated in this section. (Department of Public Safety)
- 29-320(2a) Connecticut Flammable And Combustible Liquids Code. - Requires the local fire marshal to make the initial determination concerning compliance with this code, except as otherwise stated in this section. (Department of Public Safety)
- 29-329(2) Connecticut Gas Equipment And Piping Code. - Requires the local fire marshal to make the initial determination concerning compliance with this code, except as otherwise stated in this section. (Department of Public Safety)
- 29-331(3) Connecticut Liquefied Petroleum Gas And Liquefied Natural Gas Code. - Requires the local fire marshal or building official to make the initial determination concerning compliance with this code, except as otherwise stated in this section. (Department of Public Safety)
- 29-337(1b-3b) Connecticut Hazardous Chemicals Code. - Requires the local fire marshal to make the initial determination concerning compliance with this code. (Department of Public Safety)
- 29-349  
(108-114) Storage, Transportation And Use Of Explosives And Blasting Agents: Chapter II. Local Fire Marshals. - Requires the local fire marshal to investigate any person who applies for a permit to keep, store, sell or deal in explosives. If, after the investigation, the fire marshal finds the applicant to be in compliance, such fire marshal shall issue a one-year permit. Any denial of a permit must be given to the applicant in writing. (Department of Public Safety)
- 29-349(151) Storage, Transportation And Use Of Explosives And Blasting Agents: Inspection Of Magazines. - Establishes that all magazines (explosives storage containers) shall be periodically inspected by the local or state fire marshal and that he must notify the owner in writing when a magazine does not meet minimum safety factors. (Department of Public Safety)
- 29-349(248) Storage, Transportation And Use Of Explosives And Blasting Agents: Accidents, Thefts, Fires To Be Reported. - Requires the local fire marshal to report in writing to the State Fire Marshal on all accidents, theft or fires occurring with the use of explosives. (Department of Public Safety)
- 29-349(258) Storage, Transportation And Use Of Explosives And Blasting Agents: Unclaimed Or Undelivered Explosives. - Establishes that the local fire marshal shall order the removal or storage of any explosives which have been brought into the state and left unclaimed or undelivered for 48 hours. (Department of Public Safety)
- 29-349(261) Storage, Transportation And Use Of Explosives And Blasting Agents: Permits For Waterfront Facilities. - Requires the local fire marshal to issue a permit before the owner or operator of a

waterfront facility may handle, load, etc., any Class A explosive. The fire marshal shall ensure that the explosives are properly marked and labeled and shall specify the limits as to maximum quantity, isolation and remoteness. (Department of Public Safety)

29-357 Connecticut Fireworks And Special Effects Code. –Requires the local fire marshal to notify the State Fire Marshal of any accident resulting in personal injury due to the use of fireworks or special effects, and within 48 hours the local fire marshal must submit a written report of the accident. All equipment and items used in the display causing the accident shall be secured in place until the accident scene is released. Fire and police protection are required at all fireworks and special effects displays, the extent of which shall be determined by the local police chief and fire marshal, except that at fireworks fire personnel must be on duty from the time the fireworks are delivered to the display site until the show is ended and all fireworks and debris have been removed from the site. Fireworks and special effects may not be stored in a municipality without permission of the local fire marshal whose responsibility it is to ensure that all such fireworks and special effects are stored in a secure place, in a manner provided by this section. (Department of Public Safety)

29-401(5) State Demolition Code. - Requires the local building official to administer the state demolition code. (Department of Public Safety)

## Title 31: Labor

31-91(64-70) Rules Of Procedure - Article V. - Establishes the requirements and procedures for municipal mediation, fact finding and binding arbitration by the Connecticut Board of Mediation and Arbitration. (Department of Labor)

## Title 54: Criminal Procedure

54-240a Address Confidentiality Program - Requires municipalities, or any agency of said municipality, upon request of any person participating in the address confidentiality program (ACP), to use the ACP address when creating records of such person, in a manner specified by this section. If a law enforcement agency requests a release of record of a person in the program it must do so in writing, in a manner specified by this section. (Office Of The Secretary of State)

# SECTION B

## Title 7: Municipalities

- 7-169h  
(a1 – 28)      The manufacture, distribution and sale of sealed tickets. – requires organizations, including volunteer fire departments, to follow specified procedures if they sell sealed tickets. (Department of Consumer Protection)
- 7-294e  
(1 – 14)      Original appointment and reappointment to the position of police officer. – Specifies police officer requirements, including the duties of municipalities for their police officer candidates. (Department of Emergency Services and Public Protection)
- 7-394a      Monitoring Municipalities In Financial Distress. - If the Municipal Finance Advisory Commission receives a report from the Secretary of the Office of Policy and Management stating that a municipality is in non-compliance with section 7-392 of the State Agency Regulations or is practicing unsound or irregular financial practices, it may require the chief executive officer of such municipality or audited agency or the superintendent of same, to provide information on the municipality's financial practices and/or to appear before the Commission to discuss the financial condition of such municipality and the implementation of remedial measures to correct them. (Office of Policy and Management)
- 7-442a      Transfer Of Retirement Credit Between Municipalities Under Section 7-442c. - Establishes the liability of municipalities when a member of the Municipal Employees Retirement Fund has his retirement credit in the fund transferred from one municipality to another. (State Employees Retirement Commission)

## Title 8: Zoning, Planning, Housing, Econ. and Comm. Dev. and Human Resources

- 8-30g      Affordable Housing Appeals Procedure. – Stipulates that if the chief elected official of any municipality applies for a state certificate of affordable housing completion it must do so in a manner specified by this section. The municipality must publish a notice of its application and make a copy of such available for public inspection. Also, municipalities are required to inspect accessory apartments to ensure that they meet the criteria for purposes of counting towards the affordable housing appeals list. Municipalities must also maintain a list of such apartments and submit the list, along with other data as requested, to the Commissioner. (Department of Economic and Community Development)
- 8-37y      Surplus Property Regulations. - Allows developers (municipalities and housing authorities are listed in the definition of developers) to acquire state or federal surplus property for use as a transitional living facility for homeless persons and housing for low and moderate income persons and families. Developers must ensure that any and all property acquired under this program shall be permanently made affordable to low and moderate income families. These regulations specify eligibility requirements for developers, the requirements necessary for the exchange of property,

the application process, contract provisions, income limits and restrictions on the sale or use of the property. Requires the developer to maintain complete and accurate records, to furnish the Commissioner of Housing with financial statements and other reports upon request and to annually provide income and racial data on all households under this program. Also, requires an audit of all books and records related to this program. (Department of Economic and Community Development)

- 8-198 Municipal Development Projects. - Requires municipalities to have a planning commission in order to be eligible to receive the development grants under this section. Also, stipulates the requirements for the adoption and approval of the project plan, including the holding of at least one public hearing, a notice of which must be publicized in a newspaper of general circulation in the municipality. (Department of Economic and Community Development)
- 8-214d(14) Land Bank/Land Trust Fund Regulations. –Stipulates that land defaulted under this program will be offered to the municipality in which it is located who will have thirty days to respond. If the municipality agrees to take the land it must pass a resolution stating that it will comply with a restrictive usage covenant that ensures compliance with section 8-214d of the general statutes. (Department of Economic and Community Development)
- 8-336f Connecticut Housing Partnership Program. - Establishes the procedures that municipalities must follow when forming local housing partnerships. This section stipulates the membership of the partnerships and requires them to submit to the Commissioner of Housing certain information, including, a housing needs assessment and a long-range plan to meet those needs. (Department of Economic and Community Development)
- 8-365 Municipal Housing Trust Fund Program. - Establishes a program under which the Commissioner of Housing enters into a contract with a municipality for financial assistance to finance new construction or substantial rehabilitation of projects in which a majority of the tenants are low and moderate income families. Requires those municipalities that want to participate to have established a municipal housing trust fund program, which shall be set up in a manner specified by this section. Requires any municipality selected for this program by the Commissioner to maintain complete and accurate books and records and to furnish such information to the Commissioner as may be requested. (Department of Economic and Community Development)
- 8-381 Housing Development Zone Regulations. - Establishes the manner in which distressed municipalities are to apply to be designated as a housing development zone, and determines the requirements for those municipalities that are chosen, including the preparation of a plan for the development and rehabilitation of housing. (Department of Economic and Community Development)

## Title 10: Education and Culture

- 10-19m The Youth Service Bureau Standards Grant Program. - Requires a Youth Services Bureau to have an advisory board with a minimum of seven members as determined by this section, who shall be appointed by and be responsible to the chief elected official. The board is to make recommendations on overall policy and program direction for the bureau. These regulations

establish the minimum standards under which the bureau shall operate and the criteria and application procedure necessary to qualify for state cost sharing, including the method for funding the local share. Every bureau approved for state aid is to make its records and facilities available for examination by the Department. If any deficiencies are found and not corrected, state funding will be removed. Requires a complete and separate accounting of state funds and other funds used as a match by the applicant. This section requires each bureau to state in writing its purposes, programs and services to be distributed to families and shall report to the Department on its activities, as requested. (State Board of Education)

- 10-64 Operating Vocational Agriculture Programs. - Stipulates that regional vocational agriculture consulting committees, which are formed when local or regional boards of education establish regional vocational agriculture centers, must meet at least twice a year to review the program. The regulations also establish that all programs must operate on a full year basis to allow for occupational instruction and insure proper coverage of occupational experiences (This could be one teacher being available to go onsite and evaluate student progress). (State Board of Education)
- 10-65 Operating Vocational Agriculture Programs – Procedure. - Requires budgets for the operation of regional vocational agriculture centers to be submitted to the Department of Education annually prior to the implementation of such budget. Any budget change greater than 5% requires notification to the Department of what caused these changes. Travel to out-of-state activities requires prior approval by the Department. Also requires the centers to make provisions for the upgrading and retraining of out-of-school youth and adults who are established or about to be established in agriculture or related projects. This regulation stipulates that on the job supervision shall be an integral part of the program. The centers must maintain a total staff to student ratio of 1-35 except that in laboratory situations the ratio should not exceed 1-15. The operating board of education shall maintain an information program whereby all students of sending schools are informed of the availability of the vocational agriculture program. (State Board of Education)
- 10-66j Standards For The Review And Approval Of Regional Educational Service Centers. - Establishes the manner in which regional educational service centers are to be established, including the submission of a plan of organization and operation and an annual report to the State Board of Education. (State Board of Education)
- 10-153e School Board-Teacher Negotiations. - Establishes the procedures for using the Board of Labor Relations to help resolve labor disputes between the school board and teachers, including the filing of a complaint in writing and meeting with the board. (Department of Labor)
- 10-212a Administration Of Medication By School Personnel. - Requires each board of education which chooses to administer medication to develop policies and procedures in the event of an emergency, and to maintain a medication administration record for each student who receives medication during school hours. Also, stipulates that if the school district chooses to administer medication, it must have the written order of a physician, dentist, advanced practice registered nurse or physician assistants and the written authorization of a parent or guardian before any such medication may be administered, and the school personnel that would administer the medication must be trained, in a manner provided for by this section. (Department of Public Health)
- 10-215d Nutrition Standards for Breakfasts and Lunches. - Establishes nutrition standards for all local or regional boards of education which serve breakfast or lunch. (State Board of Education)

- 10-261b Penalties And The Waiver Of Penalties For Failure To Comply With Certain State Reporting Requirements. - Establishes the procedure and manner in which municipalities are to return funds forfeited due to non-compliance with section 10-261b of the general statutes concerning certain state reporting requirements. The regulation also stipulates that the municipalities can apply for a penalty waiver in writing and that it must be signed by the official responsible for filing the regional data and the chief executive officer. (Office of Policy and Management)

## Title 11: Libraries

- 11-31c Procedures To Govern The Administration Of The Connecticut Program. - Establishes procedures to govern the administration of the Connecticut program. Stipulates the basis on which each participating library shall be reimbursed. Requires these libraries to lend to non-residents and to return items borrowed from other libraries. (Connecticut State Library)

## Title 12: Taxation

- 12-19b Penalties And The Waiver Of Penalties For Failure To Comply With Certain State Reporting Requirements. - Requires any municipality which applies for a waiver of a penalty for failing to report on the valuation of state-owned land and buildings to do so in writing, stating the reasons why. It must be signed by the official responsible for filing such report and the chief executive officer and filed with the Secretary of the Office of Policy and Management. (Office of Policy and Management)
- 12-20b Penalties And The Waiver Of Penalties For Failure To Comply With Certain State Reporting Requirements. - Requires any municipality which applies for a waiver of a penalty for failing to report on the valuation of private colleges and general hospitals to do so in writing, stating the reasons why. It must be signed by the official responsible for filing such report and the chief executive officer and filed with the Secretary of the Office of Policy and Management. (Office Of Policy and Management)
- 12-94a Penalties And The Waiver Of The Penalties Regarding Certain Elderly/Total Disability Tax Relief Program. - Requires any municipality which applies for a waiver of a penalty for failing to report on the Elderly/Total Disability Tax Relief Program, pursuant to Section 12-94a of the General Statutes, to do so in writing, stating the reasons why. It must be signed by the chief executive officer and filed with the Secretary of the Office Of Policy and Management. (Office Of Policy and Management)
- 12-129b Penalties And The Waiver Of The Penalties Regarding Certain Elderly/Total Disability Tax Relief Program. - Requires any municipality which applies for a waiver of a penalty for failing to report on the Elderly/Total Disability Tax Relief Program, pursuant to Section 12-129b of the General Statutes, to do so in writing, stating the reasons why. It must be signed by the chief executive officer and filed with the Secretary of the Office Of Policy and Management. (Office Of Policy and Management)

- 12-129d Penalties And The Waiver Of The Penalties Regarding Certain Elderly/Total Disability Tax Relief Program. - Requires any municipality which applies for a waiver of a penalty for failing to report on the Elderly/Total Disability Tax Relief Program, pursuant to Section 12-129d of the General Statutes, to do so in writing, stating the reasons why. It must be signed by the chief executive officer and filed with the Secretary of the Office Of Policy and Management. (Office Of Policy and Management)
- 12-170f Penalties And The Waiver Of The Penalties Regarding Certain Elderly/Total Disability Tax Relief Program. - Requires any municipality which applies for a waiver of a penalty for failing to report on the Elderly/Total Disability Tax Relief Program, pursuant to Section 12-170f of the General Statutes, to do so in writing, stating the reasons why. It must be signed by the chief executive officer and filed with the Secretary of the Office Of Policy and Management. (Office Of Policy and Management)
- 12-217f Regulations To Provide Uniform Procedures For The Approval Of Cooperative Work Education-Diversified Occupations Programs Described In PA 79-474. - Establishes the requirements necessary for a public high school to begin a Cooperative Work Education-Diversified Occupations program, including the employment of a coordinator, and the balancing of academic study with paid employment. (State Board of Education)

## Title 14: Motor Vehicles. Use of the Highway by Vehicles. Gasoline

- 14-11a Issuance And Use Of Suppressed Motor Vehicle Licenses And Registrations. - Requires each request from a municipality for a suppressed motor vehicle license and registration to be in writing and contain a statement justifying such action. The request must be made by the chief executive officer or the highest ranking police officer. If the license or registration is to be kept, a renewal application must be filed annually. (Department of Motor Vehicles)
- 14-33 Municipal Parking Tickets Program. - Requires municipalities to submit a formal written request to the Commissioner of Motor Vehicles if they wish to participate in the municipal parking ticket program. Requires the participating municipality to notify the Commissioner of Motor Vehicles of every owner of a registered motor vehicle who has more than five unpaid parking violations, to be furnished and updated at a minimum of every thirty days. Municipalities must promptly notify the Commissioner if the fines get paid. (Department of Motor Vehicles)
- 14-36f Driver Education In Secondary Schools. - Requires each school conducting driver education programs to submit its curriculum to the Commissioner of Motor Vehicles for approval. This section also specifies what the program content and curriculum must consist of, including specific instruction concerning the nature and effects of alcohol and drugs in relation to the ability to safely operate a motor vehicle in a manner specified by this section. The section also requires an instructor to issue an affidavit attesting that a student's parent or guardian attended a required two-hour instruction session. It also stipulates that contracting with a commercial driving program does not relieve the school from meeting driver training safety standards. The school must notify the Commissioner of any change in location of either the school or the classroom where training is provided, the school must inform the Commissioner, in writing, of the location of the records pertaining to the program, if not located at the main school. The school offering such program

must have adequate staffing and space and shall be scheduled so that the program is completed within one calendar year. The school may not charge a fee if the course is held during the regular school day and otherwise shall not exceed the per-pupil cost of maintaining such program. This section also stipulates the amount of instruction to be received, and the qualifications of the instructors. The school must maintain certain monthly records and submit such records to the Commissioner upon request. (Department of Motor Vehicles)

- 14-63      Motor Vehicle Dealers And Repairers Licensing And Operation. - Requires the local zoning authority to hold a public hearing on any application regarding the location of a car dealership and/or repairer. Any approved certificate must be signed by the proper authorities. Approval also must be given by the chief of police or the commander of the local state police barracks, if there is no police force. (Department of Motor Vehicles)
- 14-217      Taking Possession Of Operator's Licenses By Certain State And Local Authorities. - Requires a police officer, if he takes possession of the license of a motor vehicle operator, who in his opinion is unfit to drive, to forward that license and a report of the offense or violation to the Commissioner of Motor Vehicles. (Department of Motor Vehicles)
- 14-227a      Measurement Of Alcohol In Blood, Breath Or Urine. -Requires police officers, or any law enforcement officer, to conduct breath alcohol analysis tests according to specified methods and procedures and with equipment certified by the Department of Public Safety. Also, stipulates the requirements for a police officer to be an operator of such breath analysis device. The accuracy of these devices must be verified before and after each test in a manner specified by this section. Police officers, or any law enforcement officer that operate breath alcohol analysis devices must annually be tested on their proficiency, the results of which are sent to the Commissioner. Requires the police officer collecting the urine sample to monitor such collection, in a manner specified by this section, to ensure that there is no contamination of the sample. The containers are then to be sealed and labeled. (Department of Public Safety)
- 14-227b      Administrative Procedures For "Per Se" Suspension Of Motor Vehicle Operator's License. - Stipulates that a police officer who arrests a person operating a motor vehicle for some offense may ask the person to submit to a chemical analysis to test for alcohol or drugs. It could be a blood, breath or urine test. The arresting officer must revoke and take possession of the person's operator license, or if the person is not a state resident, suspend the driving privilege of such person, and issue a temporary permit, in a manner prescribed by the Commissioner of Motor Vehicles if such person is arrested under these regulations. If the arrested person gives the arresting officer an address different from the one on record, all correspondences and notices required by this section must be mailed to both locations. The officer must prepare a written report of the incident on a form approved by the commissioner and then forward such report to the administrative per se unit of the Department of Motor Vehicles. (Department of Motor Vehicles)
- 14-275c      Motor Vehicles Used To Transport Special Education Students. - Stipulates that a special education child may be transported in a Type I or Type II school bus as long as the local or regional board of education determines that the bus is suitably equipped to insure the safety of such child. (Department of Motor Vehicles)
- 14-283a      Uniform Statewide Pursuit Policy. - Establishes the minimum standard for all police pursuits in Connecticut and supersedes those of any individual police agency unless the local standards are more stringent. These regulations determine when a pursuit is to be initiated and the manner in

which it is to be conducted. When a pursuit leads to another jurisdiction communication is required between the police agencies to determine action to be taken. The pursuing officer must file a report with his department describing the circumstances of the pursuit. (Department of Public Safety)

- 14-298(267) Rules of Practice: Course And Methods Of Operation, Rules Of Practice For Procedures Available. - Stipulates that the local traffic authority must apply to the State Traffic Commission for permits for the installation of traffic control signal lights, speed limit signs and other such traffic control devices. (State Traffic Commission)
- 14-298  
(600-636) Markings: General Provisions, Pavement And Curb Markings, Object Markings, Delineation, And Colored Pavements. - Establishes the standard size, color, material used and types of street markings and their uses. (State Traffic Commission)
- 14-298  
(700-741) Signals: General Provisions, Pedestrian Signals, And Other Highway Traffic Signals. - Establishes the standardization of traffic control and pedestrian signal devices, including their installation and usage. (State Traffic Commission)
- 14-298  
(900-911) Traffic Control Systems For Railroad-Highway Grade Crossings: General Provisions, Signs And Pavement Markings, And Crossing Signals. - Establishes the functions and standardization of traffic control systems for railroad - highway grade crossings. (State Traffic Commission)

## Title 15: Navigation And Aeronautics

- 15-9 Hearing Process - Contesting Removal Of A Vessel. - Requires hearing officers to be appointed by the chief executive of each town, except where two or more towns join together, then only one is to be appointed for the group. This section establishes the qualifications of the hearing officer, and requires the name and address of such officer be sent to the Commissioner of Transportation. Requires the hearing officer to promptly schedule a hearing upon receipt of application for such hearing, pursuant to section 15-9 of the Connecticut General Statutes regarding contesting the removal of vessels owned or operated by those who refuse to obey the orders of harbor masters. The hearing officer must provide both parties a written notice of his decision. (Department of Transportation)
- 15=140r Forensic Chemical Testing Under An Act Concerning Boating Safety – Whenever a boater is stopped for suspected alcohol or drug use, the peace officer is required, in a manner specified by this section, to monitor the collection of the urine sample to be used to determine the presence of alcohol or drugs. (Department of Public Safety)

## Title 16: Public Service Companies

- 16-1(98) Petitions And Applications, Motor Carriers, Special Components, Police Record, And Agent For Service of Process. - Stipulates that the chief of police must submit a police record for each proprietor, partner, association member, corporation officer and person owning an interest in any

applicant or transferee for a certificate of public convenience and necessity as an operator of a motor common carrier, contract carrier, motor bus service, taxicab service or livery service. (Department of Public Utility Control)

- 16-333(12a) Cost Accounting For Municipalities Constructing, Purchasing Or Operating A CATV Company. - Requires any municipality constructing, purchasing or operating a community antenna television company to develop rules and maintain accounting records in order to fairly allocate costs and expenses between the operations of the CATV system and other operations of the municipality. Such rules must be submitted to the Department of Public Utility Control for approval. (Department of Public Utility Control)

## Title 16a: Planning and Energy Policy

- 16a-42g Loans For Payment Of Home Heating Fuel Bills. - Requires each town participating in the fuel loan program to request its share of the funds from the Office of Policy and Management (OPM), in a manner specified by this section. The town must publish the availability of such funds in a newspaper of general circulation. Each participating town must file bi-monthly reports with OPM. (Office of Policy and Management)

## Title 17: Public Assistance and Welfare Services

- 17-227(14b) Licensure of Hospitals for Mentally Ill Persons. - Requires the local fire marshal to inspect and certify for compliance with the fire code any proposed hospital for mentally ill persons and to annually inspect the premises, thereafter, for as long as it is such a hospital. (Department of Mental Health and Addiction Services)

## Title 17a: Social and Human Services and Resources

- 17a-101 Circumstances Requiring Immediate Removal Of A Child From His/Her Home. - Requires a local law enforcement official, upon request, to accompany a DCYS employee when removing a child from an abusive home. (Department of Children and Families)

## Title 17b: Social Services

- 17b-78 General Assistance Policy Manual. - Requires Norwich to provide for and administer the General Assistance program. The manual is divided into three chapters. Chapter One covers the application process, due process, hearings, confidentiality and the Workfare program. Chapter Two covers those policies and procedures that are specific to the medical assistance program. Chapter Three covers the administrative aspects of the General Assistance program, including the reporting requirements and billing procedures. This was transferred from 17-3a and Norwich is the only municipality which chose to stay under the old system. (Department Of Social Services)

17b-423(4) Community Services Policy Manual For Title III Programs Of The Older Americans Act. - Stipulates the requirements, functions and responsibilities for any municipality designated an Area Agency on Aging, including the requirement to develop and administer an area plan for a coordinated and comprehensive system of services. (Department of Social Services)

17b-734 Bond Fund Grants To Establish Child Care Facilities For Children Of Municipal And State Employees. - Establishes the application procedures for municipalities to receive state grants to establish child care facilities for children of municipal employees. Such application shall include the physical development of the facility and the program operation plan. The municipality shall make periodic project reports to the Department of Social Services. (Department of Social Services)

## Title 19: Public Health and Safety

19-13(B103d) Public Health Code Of The State Of Connecticut: On-Site Sewage Disposal Systems With Design Flows Of 5,000 Gallons Per Day Or Less And Non-Discharging Toilet Systems: Minimum Requirements. - Stipulates that if the local director of health grants an exception to the minimum requirement for constructing, repairing or altering a subsurface sewage disposal system, the exceptions must be submitted to the Commissioner of Public Health. (Department of Public Health)

19-13  
(D55a(m)) Public Health Code Of The State Of Connecticut: Licensing Outpatient Clinics Operated By Corporations Or Municipalities. - Requires that all plans and specifications for new construction or alterations to current out-patient dialysis units be approved by the local fire marshal and building inspector. (Department of Public Health)

19-13  
(D62-D64) Public Health Code Of The State Of Connecticut: Public Health Nursing Grants To Towns Having Population Of Less Than Five Thousand. - Establishes the standards that a health director must use in choosing an agency to provide public health nursing services. Also, it stipulates the procedures for applying for state aid for these purposes, which include a nursing program description and its financial policy. The municipality must also submit periodic reports, including monthly and annual statistical reports of services rendered, annual audits and quarterly cost reports. (Department of Public Health)

## Title 19a: Public Health and Well Being

19a-41(4) Electronic Vital Records. - Establishes the standards, conditions, and procedures for the creation, ownership, use, distribution, receipt and maintenance of vital records in the form of electronic records; the conversion of written vital records into electronic records; and, if a vital record is to be electronically signed, the type of electronic signature required and the manner and format in which it may be affixed to the electronic record. (Department of Public Health)

19a-76 State Financial Aid For Local Health Departments. - Establishes the basic services that a municipal health department must provide in order for it to receive state aid. The regulations also

stipulate how the funds are to be applied for and how they are to be used and requires the health director to submit an annual report to the Commissioner concerning the expenditures, operations and services provided. (Department of Public Health)

- 19a-179(4(e)) Office Of Emergency Medical Services. - Establishes that in order for a chief administrative officer of a municipality to have his assigned emergency medical service provider replaced on the basis of inadequate performance he must petition the Commissioner of Public Health in writing, demonstrate that there is a potential danger to the safety, health and welfare of the citizens in the area and develop an alternative plan that is acceptable to the Commissioner. (Department of Public Health)
- 19a-497-1 Strike Contingency Plans for Health Care Facilities. – Specifies strike contingency plan requirements for health care institutions operated by a corporation or municipality. (Department of Public Health)

## Title 20: Professional and Occupational Licensing, Certification

- 20-491 (15) Home Inspectors: Schools, Institutions or Organizations. – If a school, institution or other organization decides to offer a course in home inspection this regulation stipulates the requirements for course filings, content, intern training, approval by the State Licensing Board and record keeping. (Department of Consumer Protection)

## Title 22a: Environmental Protection

- 22a-174(28) Abatement of Air Pollution Oxygenerated Gasoline. - Requires any municipality which requested, and was given, authority to inspect gasoline facilities in the central or southwestern control areas to submit an annual written report to the Commissioner of Environmental Protection which summarizes their activities for the year, including the number of inspections. The municipality may apply to waive this responsibility upon thirty (30) days written notice to the Commissioner. (Department of Environmental Protection)
- 22a-228 State Solid Waste Management Plan. - Requires a municipality, to include all information that the Commissioner deems necessary if it applies to the Department of Environmental Protection for an amendment to or variance from the State Solid Waste Management Plan, including evidence in writing, whenever possible, of the opinion of the municipal legislative bodies of any municipality affected by such amendment. (Department of Environmental Protection)

## Title 26: Fisheries and Game

- 26-141b-(1-8) Stream Flow Standards and Regulations. – Requires owners and operators of dams, including municipal water companies, who own or operate a dam that impounds or diverts the waters of a river or stream system to comply with the requirements to maintain flows downstream as specified in the regulations, subject to certain allowances and exemptions. (Department of Energy and Environmental Protection)

## Title 28: Civil Defense and Emergency Services

- 28-24      Enhanced 9-1-1 Telecommunications Fund Regulations. - Stipulates the requirements for municipalities and regional emergency telecommunications centers to be eligible for receipt of funding, including the filing of an annual report with the Department of Public Safety and Office of Statewide Emergency Telecommunications. Each regional center shall have a chief administrative officer. All public safety answering points must submit an updated, enhanced 9-1-1 service utilization plan, and all eligible centers must submit quarterly financial reports and shall have an annual audit in accordance with Sections 4-230-4-236 of the General Statutes. The fund may only be used for operational expenses, including training programs and their relevant expenses. (Department of Public Safety)

## Title 32: Commerce and Economic and Community Development

- 32-70      Enterprise Zone Designation. - Establishes the application procedures for an eligible municipality to apply for an enterprise zone designation, including; the submittal of maps and information delineating boundaries, an inventory of the existing land use and any other factors that will contribute to the success of the program. (Department of Economic and Community Development)
- 32-75a      Railroad Depot Zone Designation. - Establishes the application procedures for an eligible municipality to apply for an railroad depot zone designation and requires municipalities with such a designation to submit an annual activity report on the goals, objectives and timetables of the district. (Department of Economic and Community Development)
- 32-75c      Qualified Manufacturing Plant Designation. - Establishes the application procedures for an eligible municipality to apply for an qualified manufacturing plant designation and requires municipalities with such a designation to submit an annual activity report on the goals, objectives and timetables of the district. (Department of Economic and Community Development)
- 32-76      Entertainment District Designation. - Establishes the application procedures for an eligible municipality to apply for an entertainment district designation and requires municipalities with such a district to submit an annual activity report on the goals, objectives and timetables of the district. (Department of Economic and Community Development)
- 32-141      Issuance Of Private Activity Bonds. - Requires any municipality, or subdivision of that municipality, to get the approval of the Secretary of the Office of Policy and Management before it can issue any private activity bonds. This section also provides the application procedures for this issuance. (Office of Policy and Management)