



General Assembly

**Amendment**

January Session, 2021

LCO No. 9157



Offered by:

SEN. LOPES, 6<sup>th</sup> Dist.

REP. MCGEE, 5<sup>th</sup> Dist.

REP. POLLETTA, 68<sup>th</sup> Dist.

To: Subst. House Bill No. 6531

File No. 685

Cal. No. 423

**"AN ACT CONCERNING THE RIGHT TO COUNSEL IN EVICTION PROCEEDINGS, THE VALIDITY OF INLAND WETLANDS PERMITS IN RELATION TO CERTAIN OTHER LAND USE APPROVALS, AND EXTENDING THE TIME OF EXPIRATION OF CERTAIN LAND USE PERMITS."**

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- 1 In line 43, after "stands;" insert "and"
  - 2 Strike lines 44 to 47, inclusive, in their entirety
  - 3 In line 48, strike "(11)" and insert "(10)" in lieu thereof
  - 4 In line 57, strike "contract" and insert "fund the provision of legal
  - 5 representation by designated organizations" in lieu thereof
  - 6 Strike line 58 in its entirety and insert "under" in lieu thereof
  - 7 In line 72, strike "pay the cost of: (1) Providing" and insert "fund: (1)
  - 8 The provision of" in lieu thereof

9 In line 73, strike "administering" and insert "the administration of" in  
10 lieu thereof

11 In line 75, strike "providing"

12 Strike lines 76 to 79, inclusive, in their entirety and insert the  
13 following in lieu thereof:

14 "(d) If the Judicial Branch receives state or federal funds pursuant to  
15 this section for the purpose of appointing additional housing mediators  
16 under section 47a-69 of the general statutes, the Judicial Branch shall  
17 appoint such additional housing mediators to facilitate the resolution of  
18 summary process actions."

19 Strike line 131 in its entirety

20 In line 132, strike "matters under the"

21 Strike sections 3 to 6, inclusive, in their entirety

22 After the last section, add the following and renumber sections and  
23 internal references accordingly:

24 "Sec. 501. Subsection (m) of section 8-3 of the general statutes is  
25 repealed and the following is substituted in lieu thereof (*Effective from*  
26 *passage*):

27 (m) (1) Notwithstanding the provisions of this section, any site plan  
28 approval made under this section prior to July 1, 2011, that has not  
29 expired prior to May 9, 2011, except an approval made under subsection  
30 (j) of this section, shall expire not less than nine years after the date of  
31 such approval and the commission may grant one or more extensions of  
32 time to complete all or part of the work in connection with such site  
33 plan, provided no approval, including all extensions, shall be valid for  
34 more than fourteen years from the date the site plan was approved.

35 (2) Notwithstanding the provisions of this section, any site plan  
36 approval made under this section on or after July 1, 2011, but prior to

37 the effective date of this section, that did not expire prior to March 10,  
38 2020, except an approval made under subsection (j) of this section, shall  
39 expire not less than fourteen years after the date of such approval and  
40 the commission may grant one or more extensions of time to complete  
41 all or part of the work in connection with such site plan, provided no  
42 approval, including all extensions, shall be valid for more than nineteen  
43 years from the date the site plan was approved.

44 Sec. 502. Subsection (e) of section 8-26c of the general statutes is  
45 repealed and the following is substituted in lieu thereof (*Effective from*  
46 *passage*):

47 (e) (1) Notwithstanding the provisions of this section, any  
48 subdivision approval made under this section prior to July 1, 2011, that  
49 has not expired prior to May 9, 2011, shall expire not less than nine years  
50 after the date of such approval and the commission may grant one or  
51 more extensions of time to complete all or part of the work in connection  
52 with such subdivision, provided no subdivision approval, including all  
53 extensions, shall be valid for more than fourteen years from the date the  
54 subdivision was approved.

55 (2) Notwithstanding the provisions of this section, any subdivision  
56 approval made under this section on or after July 1, 2011, but prior to  
57 the effective date of this section, that did not expire prior to March 10,  
58 2020, shall expire not less than fourteen years after the date of such  
59 approval and the commission may grant one or more extensions of time  
60 to complete all or part of the work in connection with such subdivision,  
61 provided no subdivision approval, including all extensions, shall be  
62 valid for more than nineteen years from the date the subdivision was  
63 approved.

64 Sec. 503. Subsection (c) of section 8-26g of the general statutes is  
65 repealed and the following is substituted in lieu thereof (*Effective from*  
66 *passage*):

67 (c) (1) Notwithstanding the provisions of this section, for any  
68 subdivision of land for a project consisting of four hundred or more

69 dwelling units and approved prior to July 1, 2011, that has not expired  
70 prior to May 9, 2011, any person, firm or corporation making such  
71 subdivision shall complete all work in connection with such subdivision  
72 not later than the date fourteen years after the date of approval of the  
73 plan for such subdivision. The commission's endorsement of approval  
74 on the plan shall state the date on which such fourteen-year period  
75 expires.

76 (2) Notwithstanding the provisions of this section, for any  
77 subdivision of land for a project consisting of four hundred or more  
78 dwelling units and approved on or after July 1, 2011, but prior to the  
79 effective date of this section, that did not expire prior to March 10, 2020,  
80 any person, firm or corporation making such subdivision shall complete  
81 all work in connection with such subdivision not later than the date  
82 nineteen years after the date of approval of the plan for such  
83 subdivision. The commission's endorsement of approval on the plan  
84 shall state the date on which such nineteen-year period expires.

85 Sec. 504. Subsection (g) of section 22a-42a of the general statutes is  
86 repealed and the following is substituted in lieu thereof (*Effective from*  
87 *passage*):

88 (g) (1) Notwithstanding the provisions of subdivision (2) of  
89 subsection (d) of this section, any permit issued under this section prior  
90 to July 1, 2011, that has not expired prior to May 9, 2011, shall expire not  
91 less than nine years after the date of such approval. Any such permit  
92 shall be renewed upon request of the permit holder unless the agency  
93 finds that there has been a substantial change in circumstances that  
94 requires a new permit application or an enforcement action has been  
95 undertaken with regard to the regulated activity for which the permit  
96 was issued, provided no such permit shall be valid for more than  
97 fourteen years.

98 (2) Notwithstanding the provisions of subdivision (2) of subsection  
99 (d) of this section, any permit issued under this section on or after July  
100 1, 2011, but prior to the effective date of this section, that did not expire

101 prior to March 10, 2020, shall expire not less than fourteen years after  
102 the date of such approval. Any such permit shall be renewed upon  
103 request of the permit holder unless the agency finds that there has been  
104 a substantial change in circumstances that requires a new permit  
105 application or an enforcement action has been undertaken with regard  
106 to the regulated activity for which the permit was issued, provided no  
107 such permit shall be valid for more than nineteen years.

108 Sec. 505. Section 8-3c of the general statutes is repealed and the  
109 following is substituted in lieu thereof (*Effective from passage*):

110 (a) If an application for a special permit or special exception involves  
111 an activity regulated pursuant to sections 22a-36 to 22a-45, inclusive, the  
112 applicant shall submit an application to the agency responsible for  
113 administration of the inland wetlands regulations no later than the day  
114 the application is filed for a special permit or special exception.

115 (b) The zoning commission or combined planning and zoning  
116 commission of any municipality shall hold a public hearing on an  
117 application or request for a special permit or special exception, as  
118 provided in section 8-2, and on an application for a special exemption  
119 under section 8-2g. Such hearing shall be held in accordance with the  
120 provisions of section 8-7d. The commission shall not render a decision  
121 on the application until the inland wetlands agency has submitted a  
122 report with its final decision to such commission. In making its decision  
123 the zoning commission shall give due consideration to the report of the  
124 inland wetlands agency. Such commission shall decide upon such  
125 application or request within the period of time permitted under section  
126 8-7d. Whenever a commission grants or denies a special permit or  
127 special exception, it shall state upon its records the reason for its  
128 decision. Notice of the decision of the commission shall be published in  
129 a newspaper having a substantial circulation in the municipality and  
130 addressed by certified mail to the person who requested or applied for  
131 a special permit or special exception, by its secretary or clerk, under his  
132 signature in any written, printed, typewritten or stamped form, within  
133 fifteen days after such decision has been rendered. In any case in which

134 such notice is not published within such fifteen-day period, the person  
135 who requested or applied for such special permit or special exception  
136 may provide for the publication of such notice within ten days  
137 thereafter. Such permit or exception shall become effective upon the  
138 filing of a copy thereof (1) in the office of the town, city or borough clerk,  
139 as the case may be, but, in the case of a district, in the offices of both the  
140 district clerk and the town clerk of the town in which such district is  
141 located, and (2) in the land records of the town in which the affected  
142 premises are located, in accordance with the provisions of section 8-3d.

143 (c) Notwithstanding the provisions of subsections (a) and (b) of this  
144 section, any special permit or special exception approval made under  
145 this section on or after July 1, 2011, but prior to the effective date of this  
146 section, that did not expire prior to March 10, 2020, and that specified a  
147 deadline by which all work in connection with such approval is required  
148 to be completed, shall expire not less than nineteen years after the date  
149 of such approval and the commission may grant one or more extensions  
150 of time to complete all or part of the work in connection with such  
151 special permit or special exception.

152 Sec. 506. Section 8-26e of the general statutes is repealed and the  
153 following is substituted in lieu thereof (*Effective from passage*):

154 (a) The planning commission of any municipality shall hold a public  
155 hearing on an application or request for a special permit or special  
156 exception, as provided in section 8-2. Any such public hearing shall be  
157 held in accordance with the provisions of section 8-7d. Such commission  
158 shall decide upon such application or request within the period of time  
159 permitted under section 8-26d. Whenever a commission grants or denies  
160 a special permit or special exception, it shall state upon its records the  
161 reason for its decision. Notice of the decision of the commission shall be  
162 published in a newspaper having a substantial circulation in the  
163 municipality and addressed by certified mail to the person who  
164 requested or applied for a special permit or special exception, by its  
165 secretary or clerk, under his signature in any written, printed,  
166 typewritten or stamped form, within fifteen days after such decision has

167 been rendered. In any case in which such notice is not published within  
168 such fifteen-day period, the person who requested or applied for such a  
169 special permit or special exception may provide for the publication of  
170 such notice within ten days thereafter. Such permit or exception shall  
171 become effective upon the filing of a copy thereof (1) in the office of the  
172 town, city or borough clerk, as the case may be, but, in the case of a  
173 district, in the offices of both the district clerk and the town clerk of the  
174 town in which such district is located, and (2) in the land records of the  
175 town in which the affected premises are located, in accordance with the  
176 provisions of section 8-3d.

177 (b) Notwithstanding the provisions of subsection (a) of this section,  
178 any special permit or special exception approval made under this  
179 section on or after July 1, 2011, but prior to the effective date of this  
180 section, that did not expire prior to March 10, 2020, and that specified a  
181 deadline by which all work in connection with such approval is required  
182 to be completed, shall expire not less than nineteen years after the date  
183 of such approval and the commission may grant one or more extensions  
184 of time to complete all or part of the work in connection with such  
185 special permit or special exception.

186 Sec. 507. (NEW) (*Effective from passage*) (a) Notwithstanding the  
187 provisions of any special act or any site plan, subdivision or permit  
188 approval by a zoning commission, planning commission, combined  
189 planning and zoning commission, zoning board of appeals or inland  
190 wetlands agency pursuant to the provisions of any such special act that  
191 occurred on or after July 1, 2011, but prior to the effective date of this  
192 section, and that did not expire prior to March 10, 2020, such approval  
193 shall expire not less than fourteen years after the date of such approval  
194 and such commission, board or agency, as applicable, may grant one or  
195 more extensions of time to complete all or part of the work in connection  
196 with such approval, provided no approval, including all extensions,  
197 shall be valid for more than nineteen years from the date the site plan,  
198 subdivision or permit was initially approved.

199 (b) Notwithstanding the provisions of any special act or any special

200 permit or special exception approval by a zoning commission, planning  
 201 commission, combined planning and zoning commission, zoning board  
 202 of appeals or inland wetlands agency pursuant to the provisions of any  
 203 such special act that occurred on or after July 1, 2011, but prior to the  
 204 effective date of this section, that did not expire prior to March 10, 2020,  
 205 and that specified a deadline by which all work in connection with such  
 206 approval is required to be completed, such approval shall expire not less  
 207 than nineteen years after the date of such approval and such  
 208 commission, board or agency, as applicable, may grant one or more  
 209 extensions of time to complete all or part of the work in connection with  
 210 such special permit or special exception approval."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	8-3(m)
Sec. 502	<i>from passage</i>	8-26c(e)
Sec. 503	<i>from passage</i>	8-26g(c)
Sec. 504	<i>from passage</i>	22a-42a(g)
Sec. 505	<i>from passage</i>	8-3c
Sec. 506	<i>from passage</i>	8-26e
Sec. 507	<i>from passage</i>	New section