



General Assembly

February Session, 2022

***Raised Bill No. 5204***

LCO No. 1660



Referred to Committee on HOUSING

Introduced by:  
(HSG)

***AN ACT CONCERNING A NEEDS ASSESSMENT AND FAIR SHARE PLANS FOR MUNICIPALITIES TO INCREASE AFFORDABLE HOUSING.***

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

- 1 Section 1. (NEW) (*Effective July 1, 2022*) (a) As used in this section:
- 2 (1) "Affordable housing unit" means a dwelling unit conveyed by an  
3 instrument containing a covenant or restriction that requires such  
4 dwelling unit be sold or rented at or below a price intended to preserve  
5 such unit as housing for a low income household for the municipality in  
6 which such dwelling unit is located;
- 7 (2) "Commissioner" means the Commissioner of Housing;
- 8 (3) "Dwelling unit" means any house or building, or portion thereof,  
9 which is occupied, is designed to be occupied, or is rented, leased or  
10 hired out to be occupied, as a home or residence of one or more persons;
- 11 (4) "Low income household" means a person or family with an annual  
12 income less than or equal to eighty per cent of the lesser of the state

13 median income or area median income, as determined by the United  
14 States Department of Housing and Urban Development;

15 (5) "Very low income household" means a person or family whose  
16 income is less than or equal to fifty per cent of the lesser of the state  
17 median income or area median income, as determined by the United  
18 States Department of Housing and Urban Development;

19 (6) "Extremely low income household" means a person or family with  
20 an annual income less than or equal to thirty per cent of the lesser of the  
21 state median income or area median income, as determined by the  
22 United States Department of Housing and Urban Development;

23 (7) "Multifamily housing" means a residential building that contains  
24 three or more dwelling units;

25 (8) "Municipal fair share goal" means the portion of the minimum  
26 need for affordable housing units in a planning region, as determined  
27 pursuant to subsection (b) of this section, that is allocated to a  
28 municipality located within such planning region;

29 (9) "Municipal fair share plan" means a municipality's plan to achieve  
30 its municipal fair share goal;

31 (10) "Planning region" means a planning region of the state, as  
32 defined or redefined by the Secretary of the Office of Policy and  
33 Management or the secretary's designee under the provisions of section  
34 16a-4a of the general statutes;

35 (11) "Secretary" means the Secretary of the Office of Policy and  
36 Management; and

37 (12) "Supportive housing" means affordable housing units available  
38 to persons or families who qualify for assistance in accordance with  
39 section 17a-485c of the general statutes.

40 (b) (1) Not later than July 1, 2024, the secretary, in consultation with

41 the commissioner and, as may be determined by the secretary, experts,  
42 advocates and organizations with expertise in affordable housing, fair  
43 housing and planning and zoning, shall establish a methodology for (A)  
44 determining the minimum need for affordable housing units in each  
45 planning region; and (B) fairly allocating such need to the municipalities  
46 in each planning region to ensure adequate housing choice. Such  
47 methodology shall rely on figures from the Comprehensive Housing  
48 Affordability Strategy data set published by the United States  
49 Department of Housing and Urban Development, or from a similar  
50 source as may be determined by the secretary.

51 (2) In developing the methodology described in subdivision (1) of this  
52 subsection, the secretary shall consider (A) appropriate metrics of the  
53 minimum need for affordable housing units in a planning region to  
54 ensure adequate housing choice, including the number of extremely low  
55 income households in the planning region; and (B) appropriate factors  
56 for fairly allocating such need to the municipalities within each planning  
57 region, including the municipality's compliance with the requirements  
58 of sections 8-2 and 8-23 of the general statutes with regard to ensuring  
59 housing diversity and opportunities for multifamily housing and  
60 housing affordable to low and moderate income households.

61 (3) The methodology established by the secretary pursuant to  
62 subdivision (1) of this subsection shall increase the municipal fair share  
63 goal of a municipality if such municipality, when compared to other  
64 municipalities in the same planning region, has (A) more ratable real  
65 and personal property, as reflected by its equalized net grand list,  
66 calculated in accordance with the provisions of section 10-261a of the  
67 general statutes, for residential, commercial, industrial, public utility  
68 and vacant land; (B) a higher median income, based on data reported in  
69 the most recent United States decennial census or a similar source; (C) a  
70 lower percentage of its population that is below the federal poverty  
71 threshold, based on data reported in such census or similar source; or  
72 (D) a lower percentage of its population that lives in multifamily  
73 housing, based on data reported in such census or similar source.

74 (4) (A) Not later than July 1, 2024, and every ten years thereafter, the  
75 secretary, in consultation with the commissioner, shall, using the  
76 methodology established pursuant to this subsection, determine the  
77 minimum need for affordable housing units for each planning region  
78 and a municipal fair share goal for each municipality within each  
79 planning region.

80 (B) No municipal fair share goal determined pursuant to  
81 subparagraph (A) of this subdivision shall exceed twenty per cent of the  
82 occupied dwelling units in such municipality.

83 (c) (1) Not later than July 1, 2024, the secretary, in consultation with  
84 the commissioner and, as may be determined by the secretary, experts,  
85 advocates and organizations with expertise in affordable housing, fair  
86 housing and planning and zoning, shall establish (A) a process by which  
87 municipalities shall be required to develop, adopt, and submit to the  
88 secretary and the commissioner municipal fair share plans setting forth  
89 the actions the municipality will take to achieve its municipal fair share  
90 goal; (B) the required contents and timing for submission of such plans;  
91 (C) requirements to ensure that each municipal fair share plan provides  
92 for the creation of a sufficient supply of the different types of deed-  
93 restricted affordable housing required for meeting the minimum need  
94 for affordable housing units to ensure adequate housing choice,  
95 including sufficient allocations of (i) rental units, (ii) units that will be  
96 available to families, including units with two or three, or more  
97 bedrooms, (iii) units that will be affordable to very low income  
98 households and extremely low income households, and (iv) supportive  
99 housing units; and (D) policies ensuring that no municipal fair share  
100 plan creates, in the determination of the secretary, undue concentrations  
101 of households below the federal poverty threshold in the applicable  
102 planning region.

103 (2) Not later than July 1, 2024, and every ten years thereafter, the  
104 secretary, in consultation with the commissioner and, as may be  
105 determined by the secretary, experts, advocates and organizations with  
106 expertise in affordable housing, fair housing and planning and zoning,

107 shall publish and appropriately disseminate technical assistance  
108 materials to aid municipalities in preparing to comply with the  
109 requirements of this section and shall arrange for the provision of  
110 technical assistance briefings, trainings, webinars and such other  
111 guidance as the secretary deems necessary.

112 (d) Not later than January 1, 2025, and every ten years thereafter, each  
113 municipality shall prepare and adopt a municipal fair share plan that  
114 creates a realistic opportunity for achieving the municipality's fair share  
115 goal, in accordance with the process established pursuant to subsection  
116 (c) of this section.

117 Sec. 2. (NEW) (*Effective July 1, 2022*) Not later than January 1, 2026,  
118 the secretary, in consultation with the commissioner and, as may be  
119 determined by the secretary, experts, advocates and organizations with  
120 expertise in affordable housing, fair housing and planning and zoning,  
121 shall submit a report to the joint standing committees of the General  
122 Assembly having cognizance of matters relating to housing and  
123 planning and development, in accordance with section 11-4a of the  
124 general statutes, concerning (1) implementation of the provisions of  
125 section 1 of this act; (2) the status of municipalities' performance of the  
126 obligations established by section 1 of this act; and (3) recommendations  
127 regarding implementation, compliance and enforcement of section 1 of  
128 this act, including, but not limited to, consideration of approaches used  
129 in other states for implementing and ensuring compliance with similar  
130 obligations.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	New section
Sec. 2	<i>July 1, 2022</i>	New section

**HSG**      *Joint Favorable*