



General Assembly

February Session, 2022

Raised Bill No. 5209

LCO No. 1309



Referred to Committee on HOUSING

Introduced by:
(HSG)

AN ACT CONCERNING HOUSING AUTHORITY JURISDICTION.

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

1 Section 1. Section 8-39 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 The following terms, wherever used or referred to in this chapter,
4 [shall] have the following respective meanings, unless a different
5 meaning clearly appears from the context:

6 [(a)] (1) "Area of operation" [includes the municipality in which a
7 housing authority is created under the provisions of this chapter and
8 may include a neighboring municipality, provided the governing body
9 of such neighboring municipality agrees by proper resolution to the
10 extension of the area of operation to include such neighboring
11 municipality] means a municipal area of operation and, if adopted by a
12 housing authority, includes an expanded area of operation.

13 [(b)] (2) "Authority" or "housing authority" means any of the public
14 corporations created by section 8-40, as amended by this act, and the
15 Connecticut Housing Authority when exercising the rights, powers,

16 duties or privileges of, or subject to the immunities or limitations of,
17 housing authorities pursuant to section 8-121.

18 [(c)] (3) "Bonds" means any bonds, including refunding bonds, notes,
19 interim certificates, debentures or other obligations issued by the
20 authority pursuant to this chapter.

21 [(d)] (4) "Clerk" means the clerk of the particular city, borough or
22 town for which a particular housing authority is created.

23 (5) "Eligible developer" or "developer" means (A) a nonprofit
24 corporation; (B) any business corporation incorporated pursuant to
25 chapter 601 or any predecessor statutes thereto, having as one of its
26 purposes the construction, rehabilitation, ownership or operation of
27 housing, and having its articles of incorporation approved by the
28 Commissioner of Housing in accordance with regulations adopted
29 pursuant to section 8-79a or 8-84; (C) any partnership, limited
30 partnership, joint venture, trust, limited liability company or association
31 having as one of its purposes the construction, rehabilitation, ownership
32 or operation of housing, and having basic documents of organization
33 approved by the commissioner in accordance with regulations adopted
34 pursuant to section 8-79a or 8-84; (D) a housing authority; (E) a family
35 or person approved by the commissioner as qualified to own, construct,
36 rehabilitate, manage and maintain housing under a mortgage loan made
37 or insured under an agreement entered into pursuant to the provisions
38 of this chapter; or (F) a municipal developer.

39 (6) "Expanded area of operation" means an area in a municipality
40 adopted by a housing authority under section 8-40, as amended by this
41 act, other than the municipality in which the housing authority is
42 located.

43 [(e)] (7) "Families of low income" means families who lack the amount
44 of income which is necessary, as determined by the authority
45 undertaking the housing project, to enable them, without financial
46 assistance, to live in decent, safe and sanitary dwellings, without
47 overcrowding.

48 [(f)] (8) "Families of low and moderate income" means families who
49 lack the amount of income which is necessary, as determined by the
50 Commissioner of Housing, to enable them to rent or purchase moderate
51 cost housing without financial assistance as provided by this part and
52 parts II and III of this chapter.

53 (9) "Family" means a household consisting of one or more persons.

54 [(g)] (10) "Federal government" includes the United States of
55 America, the federal emergency administration of public works or any
56 other agency or instrumentality, corporate or otherwise, of the United
57 States of America.

58 [(h)] (11) "Governing body" means, for towns having a town council,
59 the council; for other towns, the selectmen; for cities, the common
60 council or other similar body of officials; and for boroughs, the warden
61 and burgesses.

62 [(i)] (12) "Housing project" means any work or undertaking [(1)] (A)
63 to demolish, clear or remove buildings from any slum area, which work
64 or undertaking may embrace the adaptation of such area to public
65 purposes, including parks or other recreational or community purposes;
66 or [(2)] (B) to provide decent, safe and sanitary urban or rural dwellings,
67 apartments or other living accommodations for families of low or
68 moderate income, which work or undertaking may include buildings,
69 land, equipment, facilities and other real or personal property for
70 necessary, convenient or desirable appurtenances, streets, sewers, water
71 service, parks, site preparation, gardening, administrative, community,
72 recreational, commercial or welfare purposes and may include the
73 acquisition and rehabilitation of existing dwelling units or structures to
74 be used for moderate or low rental units; or [(3)] (C) to accomplish a
75 combination of the [foregoing] purposes listed in subparagraphs (A)
76 and (B) of this subdivision. The term "housing project" also may [be
77 applied to] include the planning of the buildings and improvements, the
78 acquisition of property, the demolition of existing structures, the
79 construction, reconstruction, alteration and repair of the improvements

80 and all other work in connection therewith and may include the
81 reconstruction, rehabilitation, alteration, or major repair of existing
82 buildings or improvements which were undertaken pursuant to parts II
83 and VI of this chapter.

84 [(j)] (13) "Mayor" means, for cities, the mayor and, for boroughs, the
85 warden.

86 [(k)] (14) "Moderate rental" means a rental which, as determined by
87 an authority with the concurrence of the Commissioner of Housing, is
88 below the level at which private enterprise is currently building a
89 needed volume of safe and sanitary dwellings for rental in the locality
90 involved; and "moderate rental housing project" means a housing
91 project, receiving state aid in the form of loans or grants, for families
92 unable to pay more than moderate rental. Such project may include the
93 reconstruction, rehabilitation, alteration, or major repair of existing
94 buildings or improvements which were undertaken pursuant to parts II
95 or VI of this chapter.

96 (15) "Mortgage" means a mortgage deed, deed of trust or other
97 instrument which constitutes a lien, whether first or second, on real
98 estate or on a leasehold under a lease having a remaining term, at the
99 time such mortgage is acquired, which does not expire for at least that
100 number of years beyond the maturity date of the obligation secured by
101 such mortgage as is equal to the number of years remaining until the
102 maturity date of such obligation.

103 (16) "Municipal area of operation" includes the municipality in which
104 a housing authority is created under the provisions of this chapter and
105 may include any other municipality, as provided in section 8-40, as
106 amended by this act.

107 (17) "Municipal developer" means a municipality which has not
108 declared by resolution a need for a housing authority pursuant to
109 section 8-40, as amended by this act, acting by and through its legislative
110 body, except that in any town in which a town meeting or representative
111 town meeting is the legislative body, "municipal developer" means the

112 board of selectmen if such board is authorized to act as the municipal
113 developer by the town meeting or representative town meeting.

114 [(l)] (18) "Municipality" means any city, borough or town. "The
115 municipality" means the particular municipality for which a particular
116 housing authority is created.

117 (19) "Nonprofit corporation" means a nonprofit corporation
118 incorporated pursuant to chapter 602 or any predecessor statutes
119 thereto, having as one of its purposes the construction, rehabilitation,
120 ownership or operation of housing and having articles of incorporation
121 approved by the Commissioner of Housing in accordance with
122 regulations adopted pursuant to section 8-79a or 8-84.

123 [(m)] (20) "Obligee of the authority" or "obligee" includes any
124 bondholder, trustee or trustees for any bondholders, or lessor demising
125 to the authority property used in connection with a housing project, or
126 any assignee or assignees of such lessor's interest or any part thereof,
127 and the state or federal government when it is a party to any contract
128 with the authority.

129 [(n)] (21) "Real property" includes all lands, including improvements
130 and fixtures thereon, and property of any nature appurtenant thereto,
131 or used in connection therewith, and every estate, interest and right,
132 legal or equitable, therein, including terms for years and liens by way of
133 judgment, mortgage or otherwise and the indebtedness secured by such
134 liens.

135 [(o)] (22) "Rent" means the entire amount paid to an authority for any
136 dwelling unit.

137 [(p)] (23) "Shelter rent" means rent less any charges made by an
138 authority for water, heat, gas and electricity.

139 [(q)] (24) "Slum" means any area where dwellings predominate
140 which, by reason of dilapidation, overcrowding, faulty arrangement or
141 design, lack of ventilation, light or sanitary facilities, or any combination

142 of these factors, are detrimental to safety, health and morals.

143 [(r)] (25) "State public body" means any city, borough, town,
144 municipal corporation, district or other subdivision of the state.

145 [(s)] (26) "Veteran" has the meaning assigned by section 27-103 and
146 includes any officer of the United States Public Health Service detailed
147 by proper authority to duty with any of the armed forces and the spouse
148 or widow or widower of such veteran, provided such veteran shall have
149 served for a period of ninety days or more in time of war after December
150 7, 1941, and shall have resided in this state at any time continuously for
151 two years.

152 [(t) "Family" means a household consisting of one or more persons.

153 (u) "Eligible developer" or "developer" means (1) a nonprofit
154 corporation; (2) any business corporation incorporated pursuant to
155 chapter 601 or any predecessor statutes thereto, having as one of its
156 purposes the construction, rehabilitation, ownership or operation of
157 housing, and having articles of incorporation approved by the
158 commissioner in accordance with regulations adopted pursuant to
159 section 8-79a or 8-84; (3) any partnership, limited partnership, joint
160 venture, trust, limited liability company or association having as one of
161 its purposes the construction, rehabilitation, ownership or operation of
162 housing, and having basic documents of organization approved by the
163 commissioner in accordance with regulations adopted pursuant to
164 section 8-79a or 8-84; (4) a housing authority; (5) a family or person
165 approved by the commissioner as qualified to own, construct,
166 rehabilitate, manage and maintain housing under a mortgage loan made
167 or insured under an agreement entered into pursuant to the provisions
168 of this chapter; or (6) a municipal developer.

169 (v) "Mortgage" means a mortgage deed, deed of trust, or other
170 instrument which shall constitute a lien, whether first or second, on real
171 estate or on a leasehold under a lease having a remaining term, at the
172 time such mortgage is acquired, which does not expire for at least that
173 number of years beyond the maturity date of the obligation secured by

174 such mortgage as is equal to the number of years remaining until the
175 maturity date of such obligation.

176 (w) "Nonprofit corporation" means a nonprofit corporation
177 incorporated pursuant to chapter 602 or any predecessor statutes
178 thereto, having as one of its purposes the construction, rehabilitation,
179 ownership or operation of housing and having articles of incorporation
180 approved by the Commissioner of Housing in accordance with
181 regulations adopted pursuant to section 8-79a or 8-84.

182 (x) "Municipal developer" means a municipality, as defined in
183 subsection (l) of this section, which has not declared by resolution a need
184 for a housing authority pursuant to section 8-40, acting by and through
185 its legislative body, except that in any town in which a town meeting or
186 representative town meeting is the legislative body, "municipal
187 developer" means the board of selectmen if such board is authorized to
188 act as the municipal developer by the town meeting or representative
189 town meeting.]

190 Sec. 2. Section 8-40 of the general statutes is repealed and the
191 following is substituted in lieu thereof (*Effective October 1, 2022*):

192 (a) In each municipality of the state there is created a public body
193 corporate and politic to be known as the "housing authority" of the
194 municipality; provided such authority shall not transact any business or
195 exercise its powers [hereunder] under this section until the governing
196 body of the municipality by resolution declares that there is need for a
197 housing authority in the municipality, provided it shall find [(1)] that (1)
198 insanitary or unsafe inhabited dwelling accommodations exist in the
199 municipality, [or] (2) [that] there is a shortage of safe or sanitary
200 dwelling accommodations in the municipality available to families of
201 low income at rentals they can afford, or (3) [that] there is a shortage of
202 safe or sanitary dwelling accommodations in the municipality available
203 to families of moderate income at rentals they can afford. In determining
204 whether dwelling accommodations are unsafe or insanitary, [said] such
205 governing body may take into consideration the degree of

206 overcrowding, the percentage of land coverage, the light, air, space and
207 access available to the inhabitants of such dwelling accommodations,
208 the size and arrangement of the rooms, the sanitary facilities and the
209 extent to which conditions exist in such buildings which endanger life
210 or property by fire or other causes.

211 (b) The governing bodies of two or more municipalities may create a
212 regional housing authority, which shall have all the powers, duties and
213 responsibilities conferred upon housing authorities by this chapter and
214 chapter 130. The area of operation of such authority shall include the
215 municipalities for which such authority is created, provided, in the case
216 of a municipal area of operation that includes any other municipality,
217 such other municipality agrees by proper resolution to the expansion of
218 the area of operation to include such other municipality. Such authority
219 shall act through a board of commissioners composed of two
220 representatives from each municipality appointed for terms of four
221 years in the manner provided in section 8-41.

222 (c) (1) Any housing authority may adopt an expanded area of
223 operation, provided the governing body of the municipality to be
224 included in the expanded area of operation, at its sole discretion after
225 evaluating the housing needs of the municipality and the qualifications
226 of the housing authority, adopts an agreement authorizing such housing
227 authority to operate in the municipality as an expanded area of
228 operation.

229 (2) If the governing body of such municipality does not adopt an
230 agreement with a housing authority that requests such agreement
231 pursuant to subdivision (1) of this subsection, the governing body's
232 failure to adopt such agreement shall not be construed to be a violation
233 of section 8-30g or of any other provision of the general statutes.

234 Sec. 3. Section 8-44b of the general statutes is repealed and the
235 following is substituted in lieu thereof (*Effective October 1, 2022*):

236 (a) Any housing authority created by section 8-40, as amended by this
237 act, shall have the power to establish and maintain a housing authority

238 police force, [the] except that no housing authority shall have the power
239 to establish or maintain a housing authority police force in an expanded
240 area of operation. The members of [which] any such housing authority
241 police force shall be employees of such housing authority and shall be
242 known as housing authority police officers. Housing authority police
243 officers shall be appointed by the local board, agency or person
244 empowered to appoint municipal police officers, subject to approval of
245 the housing authority. The requirements for appointment as a police
246 officer in the municipality in which the housing authority is located,
247 except for age and physical qualifications, shall be mandatory for
248 housing authority police officers in such municipality. No person shall
249 be appointed to such housing authority police force unless [he] such
250 person has been awarded a certificate attesting to [his] such person's
251 successful completion of an approved municipal police basic training
252 program, as provided in section 7-294e. The initial appointment shall be
253 for a probationary term upon completion of which the appointing
254 authority may promote such probationary officers to permanent status;
255 provided such promotion shall be in accordance with procedures
256 applicable to municipal police officers in the municipality and shall be
257 made subject to the approval of the housing authority. Housing
258 authority police officers shall have and exercise the powers and
259 authority conferred upon municipal police officers and shall be subject
260 to the ultimate supervision and control of the chief of police of the
261 municipality in which the housing authority operates.

262 (b) Notwithstanding the provisions of subsection (a) of this section,
263 any housing authority police force which existed prior to October 1,
264 1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the
265 Demonstration Cities and Metropolitan Development Act of 1966, and
266 which, for any reason, does not constitute a housing authority police
267 force pursuant to subsection (a) of this section, shall constitute a housing
268 authority police force pursuant to this subsection and the members of
269 any such police [forces] force may exercise the powers granted to such
270 members pursuant to this subsection. The members of such police force
271 may act, at the expense of the municipality, as special police officers

272 upon property owned or managed by any housing authority. Such
273 special police officers: (1) May arrest, without previous complaint and
274 warrant, any person for any offense in their jurisdiction, when such
275 person is taken or apprehended in the act or on the speedy information
276 of others; (2) when in the immediate pursuit of one who may be arrested
277 under the provisions of this subsection, may pursue such offender
278 outside of their jurisdiction into any part of the municipality to effect an
279 arrest; (3) shall be peace officers as defined in subdivision (9) of section
280 53a-3; (4) shall have the authority to serve criminal process within their
281 jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color
282 from that worn by the police officers of the municipality; (6) shall, when
283 on duty, wear in plain view a shield, distinct in shape from that worn
284 by the police officers of the municipality which shall bear the words
285 "special police"; (7) shall complete a forty-hour basic training program
286 provided by the municipality within one hundred eighty days of June
287 27, 1983; (8) shall take an oath of office.

288 Sec. 4. Section 8-50 of the general statutes is repealed and the
289 following is substituted in lieu thereof (*Effective October 1, 2022*):

290 An authority shall have the right to acquire by the exercise of the
291 power of eminent domain any real property that is not located in an
292 expanded area of operation which it deems necessary for its purposes
293 under this chapter after the adoption by [it] such authority of a
294 resolution declaring that the acquisition of such real property described
295 [therein] in such resolution is necessary for such purposes. An authority,
296 in its own name and at its own expense and cost, may prefer a petition
297 and exercise the power of eminent domain in the manner provided in
298 section 48-12 and acts supplementary thereto, except that a housing
299 authority's power of eminent domain shall not extend to an expanded
300 area of operation. Property already devoted to a public use may be
301 acquired, provided no real property belonging to the municipality, the
302 state or any political subdivision thereof may be acquired without its
303 consent.

304 Sec. 5. Section 8-45a of the general statutes is repealed and the

305 following is substituted in lieu thereof (*Effective October 1, 2022*):

306 A housing authority, as defined in [subsection (b) of] section 8-39, as
307 amended by this act, in determining eligibility for the rental of public
308 housing units may establish criteria and consider relevant information
309 concerning (1) an applicant's or any proposed occupant's history of
310 criminal activity involving: (A) Crimes of physical violence to persons
311 or property, (B) crimes involving the illegal manufacture, sale,
312 distribution or use of, or possession with intent to manufacture, sell, use
313 or distribute, a controlled substance, as defined in section 21a-240, or (C)
314 other criminal acts which would adversely affect the health, safety or
315 welfare of other tenants, (2) an applicant's or any proposed occupant's
316 abuse, or pattern of abuse, of alcohol when the housing authority has
317 reasonable cause to believe that such applicant's or proposed occupant's
318 abuse, or pattern of abuse, of alcohol may interfere with the health,
319 safety or right to peaceful enjoyment of the premises by other residents,
320 and (3) an applicant or any proposed occupant who is subject to a
321 lifetime registration requirement under section 54-252 on account of
322 being convicted or found not guilty by reason of mental disease or defect
323 of a sexually violent offense. In evaluating any such information, the
324 housing authority shall give consideration to the time, nature and extent
325 of the applicant's or proposed occupant's conduct and to factors which
326 might indicate a reasonable probability of favorable future conduct such
327 as evidence of rehabilitation and evidence of the willingness of the
328 applicant, the applicant's family or the proposed occupant to participate
329 in social service or other appropriate counseling programs and the
330 availability of such programs.

331 Sec. 6. Subdivision (29) of section 12-412 of the 2022 supplement to
332 the general statutes is repealed and the following is substituted in lieu
333 thereof (*Effective October 1, 2022*):

334 (29) (A) Sales of and the storage, use or other consumption of tangible
335 personal property acquired for incorporation into or used and
336 consumed in the operation of housing facilities for low and moderate
337 income families and persons and sales of and the acceptance, use or

338 other consumption of any service described in subdivision (2) of section
339 12-407 that is used and consumed in the development, construction,
340 rehabilitation, renovation, repair or operation of housing facilities for
341 low and moderate income families and persons, provided such facilities
342 are constructed under the sponsorship of and owned or operated by
343 nonprofit housing organizations or housing authorities, as defined in
344 [subsection (b)] subdivision (2) of section 8-39, as amended by this act.
345 The nonprofit housing organization or housing authority sponsoring
346 the construction of or owning or operating such housing facility shall
347 obtain from the commissioner a letter of determination that the housing
348 facility has, to the satisfaction of said commissioner, met all the
349 requirements for exemption under this subsection. At the time of any
350 sale or purchase that is exempt under this subsection, the purchaser
351 shall present to the retailer a copy of the determination letter that was
352 issued to the nonprofit housing organization or housing authority
353 together with a certificate from the purchaser, in such form as the
354 commissioner may prescribe, certifying that the tangible personal
355 property or services that are being purchased from the retailer are to be
356 used or consumed exclusively for the purposes of incorporation into or
357 in the development, construction, rehabilitation, renovation, repair or
358 operation of the housing facility identified in the letter of determination.
359 For the purposes of this subsection, (i) "nonprofit housing organization"
360 means any organization which has as one of its purposes the
361 development, construction, sponsorship or ownership of housing for
362 low and moderate income families as stated in its charter, if it is
363 incorporated, or its constitution or bylaws, if it is unincorporated, and
364 which has received exemption from federal income tax under the
365 provisions of Section 501(c) of the Internal Revenue Code, as amended
366 from time to time, provided the charter of such organization, if it is
367 incorporated, or its constitution or bylaws, if unincorporated, shall
368 contain a provision that no officer, member or employee thereof shall
369 receive or at any future time may receive any pecuniary profit from the
370 operation thereof, except a reasonable compensation for services in
371 effecting the purposes of the organization; (ii) "housing facilities" means
372 facilities having as their primary purpose the provision of safe and

373 adequate housing and related facilities for low and moderate income
374 families and persons, notwithstanding that said housing provides other
375 dwelling accommodations in addition to the primary purpose of
376 providing dwelling accommodations for low and moderate income
377 families; (iii) "related facilities" means those facilities defined in
378 subsection (d) of section 8-243; and (iv) "low and moderate income
379 families" means those families as defined in subsection (h) of said
380 section 8-243.

381 (B) Sales of and the acceptance, use or other consumption of any
382 service described in subdivision (2) of section 12-407 that is used or
383 consumed in the development, construction, renovation or operation of
384 housing facilities for low and moderate income families and persons,
385 provided such facilities are owned or sponsored by a mutual housing
386 association, as defined in subsection (b) of section 8-214f, and operated
387 as mutual housing by such association at a location that was conveyed
388 to such association by the United States Secretary of Housing and Urban
389 Development prior to September 1, 1995.

390 Sec. 7. Section 8-389 of the general statutes is repealed and the
391 following is substituted in lieu thereof (*Effective October 1, 2022*):

392 Upon the incorporation of a successfully negotiated regional fair
393 housing compact into a regional plan of conservation and development
394 by a regional planning agency pursuant to section 8-386, the
395 Commissioner of Housing and the Connecticut Housing Authority may
396 give priority to any application for financial or technical assistance made
397 by a municipality, housing authority or eligible developer as defined in
398 [subsection (u) of] section 8-39, as amended by this act, in connection
399 with any project located in a municipality which has approved the
400 regional fair housing compact pursuant to section 8-386.

401 Sec. 8. Subsection (i) of section 12-631 of the general statutes is
402 repealed and the following is substituted in lieu thereof (*Effective October*
403 *1, 2022*):

404 (i) "Families of low and moderate income" means families meeting

405 the criteria for designation as families of low and moderate income
406 established by the Commissioner of Housing pursuant to [subsection
407 (f)] subdivision (8) of section 8-39, as amended by this act.

408 Sec. 9. Section 8-113a of the general statutes is repealed and the
409 following is substituted in lieu thereof (*Effective October 1, 2022*):

410 The following terms, wherever used or referred to in this part, shall
411 have the following respective meanings, unless a different meaning
412 clearly appears from the context:

413 [(a)] (1) "Authority" or "housing authority" means any of the public
414 corporations created by section 8-40, as amended by this act.

415 [(b) "Municipality" means any city, borough or town. "The
416 municipality" means the particular municipality for which a particular
417 housing authority is created.

418 (c) "Governing body" means, for towns having a town council, the
419 council; for other towns, the selectmen; for cities, the common council
420 or other similar body of officials; and for boroughs, the warden and
421 burgesses.

422 (d) "Mayor" means, for cities, the mayor, and, for boroughs, the
423 warden. "Clerk" means the clerk of the particular city, borough or town
424 for which a particular housing authority is created.

425 (e) "Area of operation" shall include the municipality in which a
426 housing authority is created under the provisions of this chapter, and
427 may include a neighboring municipality, provided the governing body
428 of such neighboring municipality shall agree by proper resolution to the
429 extension of the area of operation to include such neighboring
430 municipality.]

431 (2) "Bonds" means any bonds, notes, interim certificates, certificates
432 of indebtedness, debentures or other obligations issued by the authority
433 pursuant to this chapter.

434 (3) "Elderly persons" means persons sixty-two years of age and over
435 who lack the amount of income that is necessary, as determined by the
436 authority or nonprofit corporation, subject to approval by the
437 Commissioner of Housing, to enable them to live in decent, safe and
438 sanitary dwellings without financial assistance as provided under this
439 part, or persons who have been certified by the Social Security Board as
440 being totally disabled under the federal Social Security Act or certified
441 by any other federal board or agency as being totally disabled.

442 (4) "Housing partnership" means any partnership, limited
443 partnership, joint venture, trust or association consisting of (A) a
444 housing authority, a nonprofit corporation or both, and (B) (i) a business
445 corporation incorporated pursuant to chapter 601 or any predecessor
446 statutes thereto, having as one of its purposes the construction,
447 rehabilitation, ownership or operation of housing, and having articles of
448 incorporation approved by the commissioner in accordance with
449 regulations adopted pursuant to section 8-79a or 8-84, (ii) a for-profit
450 partnership, limited partnership, joint venture, trust, limited liability
451 company or association having as one of its purposes the construction,
452 rehabilitation, ownership or operation of housing, and having basic
453 documents of organization approved by the commissioner in
454 accordance with regulations adopted pursuant to section 8-79a or 8-84,
455 or (iii) any combination of the entities included under subparagraphs
456 (B)(i) and (B)(ii) of this subdivision.

457 [(f)] (5) "Housing project" means any work or undertaking [(1)] (A) to
458 demolish, clear or remove buildings from any slum area, which work or
459 undertaking may embrace the adaptation of such area to public
460 purposes, including parks or other recreational or community purposes;
461 [(2)] (B) to provide decent, safe and sanitary urban or rural dwellings,
462 apartments or other living accommodations for elderly persons, which
463 work or undertaking may include buildings, land, equipment, facilities
464 and other real or personal property for necessary, convenient or
465 desirable appurtenances, streets, sewers, water service, parks, site
466 preparation, gardening, administrative, community, recreational or
467 welfare purposes; [(3)] (C) to provide a continuum of housing

468 comprising independent living accommodations, residential care,
469 intermediate housing facilities and skilled nursing care and facilities
470 with ready access to medical and hospital services; or [(4)] (D) to
471 accomplish a combination of the [foregoing] purposes specified in
472 subparagraphs (A) to (C), inclusive, of this subdivision. The term
473 "housing project" also may be applied to the planning of the buildings
474 and improvements, the acquisition of property, the demolition of
475 existing structures, the construction, reconstruction, alteration and
476 repair of the improvements and all other work in connection therewith.

477 [(g) "Bonds" means any bonds, notes, interim certificates, certificates
478 of indebtedness, debentures or other obligations issued by the authority
479 pursuant to this chapter.

480 (h) "Real property" shall include all lands, including improvements
481 and fixtures thereon, and property of any nature appurtenant thereto,
482 or used in connection therewith, and every estate, interest and right,
483 legal or equitable, therein, including terms for years and liens by way of
484 judgment, mortgage or otherwise and the indebtedness secured by such
485 liens.

486 (i) "Obligee of the authority" or "obligee" shall include any
487 bondholder, trustee or trustees for any bondholders, or lessor demising
488 to the authority property used in connection with a housing project, or
489 any assignee or assignees of such lessor's interest or any part thereof,
490 and the state government when it is a party to any contract with the
491 authority.

492 (j) "State public body" means any city, borough, town, municipal
493 corporation, district or other subdivision of the state.]

494 [(k)] (6) "Rent" means the entire amount paid to a local authority,
495 nonprofit corporation or housing partnership for any dwelling unit.

496 [(l)] (7) "Shelter rent" means "rent" as defined [herein] in this section,
497 less any charges made by a local authority, nonprofit corporation or
498 housing partnership for water, heat, gas, electricity and sewer use

499 charges.

500 [(m) "Elderly persons" means persons sixty-two years of age and over
501 who lack the amount of income which is necessary, as determined by
502 the authority or nonprofit corporation, subject to approval by the
503 Commissioner of Housing, to enable them to live in decent, safe and
504 sanitary dwellings without financial assistance as provided under this
505 part, or persons who have been certified by the Social Security Board as
506 being totally disabled under the federal Social Security Act or certified
507 by any other federal board or agency as being totally disabled.

508 (n) "Housing partnership" means any partnership, limited
509 partnership, joint venture, trust or association consisting of (1) a housing
510 authority, a nonprofit corporation or both and (2) (A) a business
511 corporation incorporated pursuant to chapter 601 or any predecessor
512 statutes thereto, having as one of its purposes the construction,
513 rehabilitation, ownership or operation of housing, and having articles of
514 incorporation approved by the commissioner in accordance with
515 regulations adopted pursuant to section 8-79a or 8-84, (B) a for-profit
516 partnership, limited partnership, joint venture, trust, limited liability
517 company or association having as one of its purposes the construction,
518 rehabilitation, ownership or operation of housing, and having basic
519 documents of organization approved by the commissioner in
520 accordance with regulations adopted pursuant to section 8-79a or 8-84
521 or (C) any combination of the entities included under subparagraphs
522 (A) and (B) of this subdivision.]

523 Sec. 10. Subsection (a) of section 8-116c of the general statutes is
524 repealed and the following is substituted in lieu thereof (*Effective October*
525 *1, 2022*):

526 (a) An elderly person [, as defined in subsection (m) of section 8-113a,]
527 shall not be eligible to move into a housing project [, as defined in
528 subsection (f) of section 8-113a,] if the person (1) is currently using illegal
529 drugs, (2) is currently abusing alcohol and has a recent history of
530 disruptive or dangerous behavior and whose tenancy (A) would

531 constitute a direct threat to the health or safety of another individual; or
532 (B) would result in substantial physical damage to the property of
533 another, (3) has a recent history of disruptive or dangerous behavior and
534 whose tenancy (A) would constitute a direct threat to the health and
535 safety of another individual; or (B) would result in substantial physical
536 damage to the property of another, or (4) was convicted of the illegal
537 sale or possession of a controlled substance, as defined in section 21a-
538 240, within the prior twenty-four-month period.

539 Sec. 11. Section 8-116d of the general statutes is repealed and the
540 following is substituted in lieu thereof (*Effective October 1, 2022*):

541 Any elderly person [, as defined in subsection (m) of section 8-113a,]
542 who applies for and is accepted for admission to a housing project
543 pursuant to this part or part VII of this chapter or pursuant to any other
544 state or federal housing assistance program may terminate the lease or
545 rental agreement for the dwelling unit that he or she occupies at the time
546 of such acceptance, without the penalty or liability for the remaining
547 term of the lease or rental agreement, upon giving thirty days' written
548 notice to the landlord of such dwelling unit.

549 Sec. 12. Section 8-119h of the general statutes is repealed and the
550 following is substituted in lieu thereof (*Effective October 1, 2022*):

551 Upon preliminary approval by the State Bond Commission pursuant
552 to the provisions of section 3-20, the state, acting by and through the
553 Commissioner of Housing, may enter into a contract or contracts with
554 an authority, a municipal developer, a nonprofit corporation or a
555 housing partnership for state financial assistance for a congregate
556 housing project, in the form of capital grants, interim loans, permanent
557 loans, deferred loans or any combination thereof for application to the
558 development cost of such project or projects. A contract with an
559 authority, a municipal developer, a nonprofit corporation or a housing
560 partnership may provide that in the case of any loan made in
561 conjunction with any housing assistance funds provided by an agency
562 of the United States government, if such housing assistance funds

563 terminate prior to complete repayment of a loan made pursuant to this
564 section, the remaining balance of such loan may be converted to a capital
565 grant or decreased loan. Any such state assistance contract with an
566 authority, a municipal developer, a nonprofit corporation or a housing
567 partnership for a capital grant or loan entered into prior to the time
568 housing assistance funds became available from an agency of the United
569 States government, may, upon the mutual consent of the commissioner
570 and the authority, municipal developer, nonprofit corporation or
571 housing partnership, be renegotiated to provide for a loan or increased
572 loan in the place of a capital grant or loan or a part thereof, consistent
573 with the above conditions. Such capital grants or loans shall be in an
574 amount not in excess of the development cost of the project or projects,
575 including, in the case of grants or loans financed from the proceeds of
576 the state's general obligation bonds issued pursuant to any
577 authorization, allocation or approval of the State Bond Commission
578 made prior to July 1, 1990, administrative or other cost or expense to be
579 incurred by the state in connection therewith, as approved by said
580 commissioner. In anticipation of final payment of such capital grants or
581 loans, the state, acting by and through said commissioner and in
582 accordance with such contract, may make temporary advances to the
583 authority, municipal developer, nonprofit corporation or housing
584 partnership for preliminary planning expense or other development
585 cost of such project or projects. Any loan provided pursuant to this
586 section shall bear interest at a rate to be determined in accordance with
587 subsection (t) of section 3-20. Any such authority, municipal developer,
588 nonprofit corporation or housing partnership may, subject to the
589 approval of the Commissioner of Housing, contract with any other
590 person approved by the Commissioner of Housing for the operation of
591 a project undertaken pursuant to this part. As used in this section,
592 "housing partnership" has the same meaning as provided in [subsection
593 (n) of] section 8-113a, as amended by this act.

594 Sec. 13. Section 8-119l of the general statutes is repealed and the
595 following is substituted in lieu thereof (*Effective October 1, 2022*):

596 The state, acting by and through the Commissioner of Housing, may

597 enter into a contract or contracts with an authority, a municipal
 598 developer, a nonprofit corporation or a housing partnership for state
 599 financial assistance in the form of a grant-in-aid for an operating cost
 600 subsidy for state-financed congregate housing projects developed
 601 pursuant to this part. In calculating the amount of the grant-in-aid, the
 602 commissioner shall use adjusted gross income of tenants. As used in this
 603 section, "adjusted gross income" means annual aggregate income from
 604 all sources minus fifty per cent of all unreimbursable medical expenses.
 605 As used in this section, "housing partnership" has the same meaning as
 606 provided in [subsection (n) of] section 8-113a, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	8-39
Sec. 2	<i>October 1, 2022</i>	8-40
Sec. 3	<i>October 1, 2022</i>	8-44b
Sec. 4	<i>October 1, 2022</i>	8-50
Sec. 5	<i>October 1, 2022</i>	8-45a
Sec. 6	<i>October 1, 2022</i>	12-412(29)
Sec. 7	<i>October 1, 2022</i>	8-389
Sec. 8	<i>October 1, 2022</i>	12-631(i)
Sec. 9	<i>October 1, 2022</i>	8-113a
Sec. 10	<i>October 1, 2022</i>	8-116c(a)
Sec. 11	<i>October 1, 2022</i>	8-116d
Sec. 12	<i>October 1, 2022</i>	8-119h
Sec. 13	<i>October 1, 2022</i>	8-119l

Statement of Purpose:

To allow a housing authority to expand its jurisdiction to include neighboring municipalities.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]