
OLR Bill Analysis

HB 6391

AN ACT INCREASING PENALTIES FOR THE VIOLATION OF MUNICIPAL REGULATIONS AND ORDINANCES.

SUMMARY

This bill increases the maximum fine a municipality may generally set for violations of ordinances or regulations adopted pursuant to the municipal powers statute (see BACKGROUND). Current law generally caps these fines at \$250. The bill instead caps them at \$500 for first violations and \$750 for any violations of the same ordinance or regulation committed within 12 months of the previous violation. As under existing law, these caps apply unless another statute specifies a different amount and municipalities must follow the statute's procedures for setting and enforcing these fines.

The bill correspondingly increases, from \$250 to \$750, the upper limit of violations that are handled following the same procedures set by law for infractions. For example, these fines may be paid by mail to the Centralized Infractions Bureau without a court appearance. As under current law, these procedures do not apply to violations (1) of health and building codes or (2) subjected to a fine by a municipality that has established a local citation hearing procedure (see BACKGROUND). Under existing law and the bill, if the fine amount exceeds the limit, alleged violators must appear in Superior Court whether or not they are contesting the fine.

EFFECTIVE DATE: October 1, 2023

BACKGROUND

Municipal Powers Statute

The municipal powers statute grants municipalities broad authority to adopt regulations and ordinances to regulate aspects of the following, among other things:

1. buildings and housing,
2. traffic,
3. animals,
4. nuisances,
5. loitering and trespassing,
6. vice,
7. public health and safety, and
8. the environment (CGS § 7-148).

This law also allows municipalities to set penalties for violations of these ordinances or regulations. To do so, they must, in the same manner they adopted them, specifically designate the (1) ordinance or regulation as enforceable by citation and (2) officials who can issue citations. Generally, municipalities must first issue a written warning before the citation.

Local Citation Hearing Procedure

Municipalities may establish a citation hearing procedure through which people may pay or contest fines. To do so, the municipality's chief executive officer must appoint at least one citation hearing officer, who may not be a police officer or other employee who issues citations. Decisions of the hearing officer may be appealed to the Superior Court (CGS § 7-152c).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Change of Reference - JUD
Yea 21 Nay 0 (03/20/2023)

Judiciary Committee

Joint Favorable
Yea 27 Nay 4 (03/31/2023)