



House of Representatives

General Assembly

File No. 648

January Session, 2023

House Bill No. 6391

House of Representatives, April 18, 2023

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

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

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

1 Section 1. Subdivision (10) of subsection (c) of section 7-148 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2023*):

4 (10) (A) Make all lawful regulations and ordinances in furtherance of
5 any general powers as enumerated in this section, and prescribe
6 penalties for the violation of [the same not to exceed two hundred fifty
7 dollars] such regulations and ordinances, not to exceed five hundred
8 dollars for a first violation or seven hundred fifty dollars for a second or
9 subsequent violation of the same regulation or ordinance occurring on
10 or before twelve months after the date of any prior violation, unless
11 otherwise specifically provided by the general statutes. Such regulations
12 and ordinances may be enforced by citations issued by designated
13 municipal officers or employees, provided the regulations and
14 ordinances have been designated specifically by the municipality for

15 enforcement by citation in the same manner in which they were adopted
16 and the designated municipal officers or employees issue a written
17 warning providing notice of the specific violation before issuing the
18 citation, except that no such written warning shall be required for
19 violations of a municipal ordinance regulating the operation or use of a
20 dirt bike, all-terrain vehicle or mini-motorcycle;

21 (B) Adopt a code of ethical conduct;

22 (C) Establish and maintain free legal aid bureaus;

23 (D) Perform data processing and related administrative computer
24 services for a fee for another municipality;

25 (E) Adopt the model ordinance concerning a municipal freedom of
26 information advisory board created under subsection (f) of section 1-205
27 and establish a municipal freedom of information advisory board as
28 provided by said ordinance and said section;

29 (F) Protect the historic or architectural character of properties or
30 districts that are listed on, or under consideration for listing on, the
31 National Register of Historic Places, 16a USC 470, or the state register of
32 historic places, as defined in section 10-410.

33 Sec. 2. Subsection (b) of section 51-164n of the general statutes is
34 repealed and the following is substituted in lieu thereof (*Effective October*
35 *1, 2023*):

36 (b) Notwithstanding any provision of the general statutes, any person
37 who is alleged to have committed (1) a violation under the provisions of
38 section 1-9, 1-10, 1-11, 2-71h, 4b-13, 7-13, 7-14, 7-35 or 7-41, subsection (c)
39 of section 7-66, section 7-83, 7-147h, 7-148, as amended by this act, 7-
40 148f, 7-148o, 7-283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-
41 185, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 10a-35, 12-52, 12-54,
42 12-129b or 12-170aa, subdivision (3) of subsection (e) of section 12-286,
43 section 12-286a, 12-292, 12-314b or 12-326g, subdivision (4) of section 12-
44 408, subdivision (3), (5) or (6) of section 12-411, section 12-435c, 12-476a,
45 12-476b, 12-476c, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-

46 117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-253, 13a-263 or
47 13b-39f, subsection (f) of section 13b-42, section 13b-90 or 13b-100,
48 subsection (a) of section 13b-108, section 13b-221 or 13b-292, subsection
49 (a) or (b) of section 13b-324, section 13b-336, 13b-337, 13b-338, 13b-410a,
50 13b-410b or 13b-410c, subsection (a), (b) or (c) of section 13b-412, section
51 13b-414 or 14-4, subdivision (2) of subsection (a) of section 14-12,
52 subsection (d) of section 14-12, subsection (f) of section 14-12a,
53 subsection (a) of section 14-15a, section 14-16c, 14-20a or 14-27a,
54 subsection (f) of section 14-34a, subsection (d) of section 14-35, section
55 14-43, 14-44j, 14-49, 14-50a, 14-58 or 14-62a, subsection (b) of section 14-
56 66, section 14-66a or 14-67a, subsection (g) of section 14-80, subsection
57 (f) or (i) of section 14-80h, section 14-97a or 14-98, subsection (a), (b) or
58 (d) of section 14-100a, section 14-100b, 14-103a, 14-106a, 14-106c, 14-145a
59 or 14-146, subsection (b) of section 14-147, section 14-152, 14-153, 14-161
60 or 14-163b, subsection (f) of section 14-164i, section 14-213b or 14-219,
61 subdivision (1) of section 14-223a, subsection (d) of section 14-224,
62 section 14-240, 14-250, 14-253a, 14-261a, 14-262, 14-264, 14-266, 14-267a,
63 14-269, 14-270, 14-272b, 14-274, 14-275 or 14-275a, subsection (c) of
64 section 14-275c, section 14-276, subsection (a) or (b) of section 14-277,
65 section 14-278, 14-279 or 14-280, subsection (b), (e) or (h) of section 14-
66 283, section 14-283d, 14-283e, 14-283f, 14-283g, 14-291, 14-293b, 14-296aa,
67 14-298a, 14-300, 14-300d, 14-300f, 14-319, 14-320, 14-321, 14-325a, 14-326,
68 14-330 or 14-332a, subdivision (1), (2) or (3) of section 14-386a, section
69 15-15e, 15-25 or 15-33, subdivision (1) of section 15-97, subsection (a) of
70 section 15-115, section 16-15, 16-16, 16-44, 16-256e, 16-278 or 16a-15,
71 subsection (a) of section 16a-21, section 16a-22, subsection (a) or (b) of
72 section 16a-22h, section 16a-106, 17a-24, 17a-145, 17a-149 or 17a-152,
73 subsection (b) of section 17a-227, section 17a-465, subsection (c) of
74 section 17a-488, section 17b-124, 17b-131, 17b-137, 19a-33, 19a-39 or 19a-
75 87, subsection (b) of section 19a-87a, section 19a-91, 19a-102a, 19a-102b,
76 19a-105, 19a-107, 19a-113, 19a-215, 19a-216a, 19a-219, 19a-222, 19a-224,
77 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
78 19a-339, 19a-340, 19a-425, 19a-442, 19a-502, 19a-565, 20-7a, 20-14, 20-
79 153a, 20-158, 20-231, 20-233, 20-249, 20-257, 20-265, 20-324e, 20-329c or
80 20-329g, subsection (b) of section 20-334, section 20-341l, 20-366, 20-482,

81 20-597, 20-608, 20-610, 20-623, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48 or
82 21-63, subsection (d) of section 21-71, section 21-76a or 21-100,
83 subsection (c) of section 21a-2, subdivision (1) of section 21a-19, section
84 21a-20 or 21a-21, subdivision (1) of subsection (b) of section 21a-25,
85 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-46,
86 21a-61, 21a-63, 21a-70b or 21a-77, subsection (b) or (c) of section 21a-79,
87 section 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-
88 159, section 21a-278b, subsection (c), (d) or (e) of section 21a-279a,
89 section 21a-421eee, 21a-421fff, 21a-421hhh, subsection (a) of section 21a-
90 430, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-30, 22-34, 22-35,
91 22-36, 22-38, 22-39, 22-39f, 22-49, 22-54, 22-61j or 22-61l, subdivision (1)
92 of subsection (n) of section 22-61l, subsection (f) of section 22-61m,
93 subdivision (1) of subsection (f) of section 22-61m, section 22-84, 22-89,
94 22-90, 22-96, 22-98, 22-99, 22-100 or 22-111o, subsection (d) of section 22-
95 118l, section 22-167, subsection (c) of section 22-277, section 22-278, 22-
96 279, 22-280a, 22-318a, 22-320h, 22-324a or 22-326, subsection (b),
97 subdivision (1) or (2) of subsection (e) or subsection (g) of section 22-344,
98 subsection (a) or (b) of section 22-344b, section 22-344c, subsection (d) of
99 section 22-344d, section 22-344f, 22-350a, 22-354, 22-359, 22-366, 22-391,
100 22-413, 22-414, 22-415, 22-415c, 22a-66a or 22a-246, subsection (a) of
101 section 22a-250, section 22a-256g, subsection (e) of section 22a-256h,
102 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,
103 section 22a-449, 22a-450, 22a-461, 23-4b, 23-38, 23-45, 23-46 or 23-61b,
104 subsection (a) or subdivision (1) of subsection (c) of section 23-65, section
105 25-37 or 25-40, subsection (a) of section 25-43, section 25-43d, 25-135, 26-
106 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-43, 26-49, 26-54, 26-55, 26-
107 56, 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61,
108 section 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89,
109 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-114a, 26-117,
110 subsection (b) of section 26-127, 26-128, 26-128a, 26-131, 26-132, 26-138,
111 26-139 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,
112 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-
113 230, 26-231, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-280, 26-284, 26-
114 285, 26-286, 26-287, 26-288, 26-290, 26-291a, 26-292, 26-294, 27-107, 28-13,
115 29-6a, 29-16, 29-17, 29-25, 29-143o, 29-143z or 29-156a, subsection (b), (d),

116 (e), (g) or (h) of section 29-161q, section 29-161y or 29-161z, subdivision
117 (1) of section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of
118 section 29-291c, section 29-316 or 29-318, subsection (b) of section 29-
119 335a, section 29-381, 30-19f, 30-48a or 30-86a, subsection (b) of section
120 30-89, subsection (c) or (d) of section 30-117, section 31-3, 31-10, 31-11,
121 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36,
122 31-38, 31-40, 31-44, 31-47 or 31-48, subsection (b) of section 31-48b,
123 section 31-51, 31-51g, 31-52, 31-52a, 31-53 or 31-54, subsection (a) or (c)
124 of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-
125 134, subsection (i) of section 31-273, section 31-288, 31-348, 33-624, 33-
126 1017, 34-13d or 34-412, subdivision (1) of section 35-20, subsection (a) of
127 section 36a-57, subsection (b) of section 36a-665, section 36a-699, 36a-
128 739, 36a-787, 38a-2 or 38a-140, subsection (a) or (b) of section 38a-278,
129 section 38a-479qq, 38a-479rr, 38a-506, 38a-548, 38a-626, 38a-680, 38a-713,
130 38a-733, 38a-764, 38a-786, 38a-828, 38a-829, 38a-885, 42-133hh, 42-230,
131 42-470 or 42-480, subsection (a) or (c) of section 43-16q, section 45a-283,
132 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
133 section 46a-59, 46a-81b, 46b-22, 46b-24, 46b-34, 46b-38d, 47-34a, 47-47 or
134 47-53, subsection (i) of section 47a-21, subdivision (1) of subsection (k)
135 of section 47a-21, section 49-2a, 49-8a, 49-16, 52-143 or 52-289, subsection
136 (j) of section 52-362, section 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-
137 264, 53-280, 53-290a, 53-302a, 53-303e, 53-311a, 53-314, 53-321, 53-322, 53-
138 323 or 53-331, subsection (b) of section 53-343a, section 53-344,
139 subsection (b) or (c) of section 53-344b, subsection (b) of section 53-345a,
140 section 53-377, 53-422 or 53-450 or subsection (i) of section 54-36a, or (2)
141 a violation under the provisions of chapter 268, or (3) a violation of any
142 regulation adopted in accordance with the provisions of section 12-484,
143 12-487 or 13b-410, or (4) a violation of any ordinance, regulation or
144 bylaw of any town, city or borough, except violations of building codes
145 and the health code, for which the penalty exceeds ninety dollars but
146 does not exceed [two] seven hundred fifty dollars, unless such town,
147 city or borough has established a payment and hearing procedure for
148 such violation pursuant to section 7-152c, shall follow the procedures
149 set forth in this section.

150 Sec. 3. Subsection (b) of section 51-164p of the general statutes is

151 repealed and the following is substituted in lieu thereof (*Effective October*
152 *1, 2023*):

153 (b) Notwithstanding any provision of any special act, local law or the
154 general statutes, any violation of any ordinance, regulation or bylaw of
155 any town, city or borough, except violations of building codes and the
156 health code, for which the penalty exceeds ninety dollars but does not
157 exceed [two] seven hundred fifty dollars shall be a violation as provided
158 for in sections 51-164m and 51-164n, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	7-148(c)(10)
Sec. 2	October 1, 2023	51-164n(b)
Sec. 3	October 1, 2023	51-164p(b)

PD *Joint Favorable C/R*

JUD

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
All Municipalities	Revenue Gain	See Below	See Below

Explanation

The bill increases the maximum fines a municipality may set for violations of ordinances or regulations. This results in a revenue gain to municipalities beginning in FY 24 that is dependent on the amount the fines are set at and the number of fines.

The bill increases maximum fines from \$250 for each violation, to \$500 for the first violation and \$750 for subsequent violations of the same ordinance committed within 12 months.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the amount the fines are set at and the number of violations.

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)