



General Assembly

Amendment

January Session, 2023

LCO No. 9723



Offered by:
REP. ZULLO, 99th Dist.

To: Subst. Senate Bill No. 998

File No. 427

Cal. No. 584

(As Amended)

**"AN ACT ESTABLISHING A TAX ABATEMENT FOR CERTAIN
CONSERVATION EASEMENTS."**

1 Strike section 516 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 516. (NEW) (*Effective July 1, 2023*) (a) As used in this section:

4 (1) "Affordable housing unit" means a dwelling unit conveyed by an
5 instrument containing a covenant or restriction that requires such
6 dwelling unit to be sold or rented at or below a price intended to
7 preserve such unit as housing for a low-income household;

8 (2) "Commission", "zoning commission" or "zoning authority" means
9 a zoning commission, planning commission, planning and zoning
10 commission, zoning board of appeals or other municipal agency
11 exercising zoning or planning authority;

12 (3) "Commissioner" means the Commissioner of Housing, unless

13 otherwise specified;

14 (4) "Dwelling unit" means any house or building, or portion thereof,
15 which is occupied, is designed to be occupied, or is rented, leased or
16 hired out to be occupied, as a home or residence of one or more persons;

17 (5) "Median income" is the state median income, as determined by the
18 United States Department of Housing and Urban Development;

19 (6) "Multifamily housing" means a residential building that contains
20 three or more dwelling units;

21 (7) "Municipal fair share allocation" means the portion of the
22 minimum need for affordable housing units in a planning region, as
23 determined pursuant to subsection (b) of this section, that is allocated to
24 a municipality located within such planning region;

25 (8) "Planning region" means a planning region of the state, as defined
26 or redefined by the Secretary of the Office of Policy and Management,
27 or the secretary's designee, under the provisions of section 16a-4a of the
28 general statutes, except the Metropolitan and Western planning regions
29 shall be considered a single planning region; and

30 (9) "Secretary" means the Secretary of the Office of Policy and
31 Management.

32 (b) (1) Not later than December 1, 2024, the secretary, in consultation
33 with the Commissioners of Housing and Economic and Community
34 Development and, as may be determined by the secretary, experts,
35 advocates, state-wide organizations that represent municipalities,
36 organizations with expertise in affordable housing, fair housing and
37 planning and zoning, shall establish a methodology for each
38 municipality's fair share allocation by:

39 (A) Determining the need for affordable housing units in each
40 planning region; and

41 (B) Fairly allocating such need to the municipalities in each planning

42 region considering the duty of the state and municipalities to
43 affirmatively further fair housing pursuant to section 8-2 of the general
44 statutes and 42 USC 3608. Such methodology shall rely on data from the
45 Comprehensive Housing Affordability Strategy data set published by
46 the United States Department of Housing and Urban Development, or
47 from a similar source as may be determined by the secretary.

48 (2) The secretary shall ensure that the fair share allocation
49 methodology:

50 (A) Is designed with due consideration for the duty of the state and
51 each municipality to affirmatively further fair housing in accordance
52 with section 8-2 of the general statutes and 42 USC 3608;

53 (B) Relies on appropriate metrics of the minimum need for affordable
54 housing units in a planning region to ensure adequate housing options,
55 including the number of households whose income is not greater than
56 thirty per cent of the area median income and whose housing costs
57 constitute fifty per cent or more of such household's income;

58 (C) Relies on appropriate factors for fairly allocating such need to
59 each municipality within each planning region, including a
60 municipality's compliance with the requirements of sections 8-2 and 8-
61 23 of the general statutes with regard to promoting housing choice and
62 economic diversity in housing, including housing for both low and
63 moderate income households, and encouraging the development of
64 housing which meets the identified housing needs and the development
65 of housing opportunities, including opportunities for multifamily
66 housing, for all residents of the municipality and the planning region in
67 which the municipality is located;

68 (D) Does not assign a fair share allocation to any municipality with a
69 federal poverty rate of twenty per cent or greater based on data reported
70 in the most recent United States decennial census or similar source; and

71 (E) Increases the municipal fair share allocation of a municipality if
72 such municipality, when compared to other municipalities in the same

73 planning region, has:

74 (i) A greater dollar value of the ratable real and personal property, as
75 reflected by its equalized net grand list, calculated in accordance with
76 the provisions of section 10-261a of the general statutes, for residential,
77 commercial, industrial, public utility and vacant land;

78 (ii) A higher median income, based on data reported in the most
79 recent United States decennial census or similar source;

80 (iii) A lower percentage of its population that is below the federal
81 poverty threshold, based on data reported in such census or similar
82 source; or

83 (iv) A lower percentage of its population that lives in multifamily
84 housing, based on data reported in such census or similar source.

85 (3) (A) Not later than December 1, 2024, the secretary, in consultation
86 with the Commissioners of Housing and Economic and Community
87 Development, shall, using the methodology established pursuant to this
88 subsection, determine the minimum need for affordable housing units
89 for each planning region and a municipal fair share allocation for each
90 municipality within each planning region.

91 (B) No municipal fair share allocation determined pursuant to
92 subparagraph (A) of this subdivision shall exceed twenty per cent of the
93 occupied dwelling units in such municipality.

94 (c) The secretary shall submit the methodology established pursuant
95 to subsection (b) of this section to the joint standing committees of the
96 General Assembly having cognizance of matters relating to planning
97 and development and housing, in accordance with the provisions of
98 section 11-4a, and each chamber of the General Assembly for approval."