



General Assembly

Amendment

June Special Session, 2024

LCO No. 6220



Offered by:

SEN. HARDING, 30th Dist.

SEN. SAMPSON, 16th Dist.

SEN. BERTHEL, 32nd Dist.

SEN. SOMERS, 18th Dist.

SEN. FAZIO, 36th Dist.

SEN. GORDON, 35th Dist.

SEN. KELLY, 21st Dist.

SEN. SEMINARA, 8th Dist.

To: Senate Bill No. 501

File No.

Cal. No.

"AN ACT CONCERNING MOTOR VEHICLE ASSESSMENTS FOR PROPERTY TAXATION, INNOVATION BANKS, THE INTEREST ON CERTAIN TAX UNDERPAYMENTS, THE ASSESSMENT ON INSURERS, SCHOOL BUILDING PROJECTS, THE SOUTH CENTRAL CONNECTICUT REGIONAL WATER AUTHORITY CHARTER AND CERTAIN STATE HISTORIC PRESERVATION OFFICER PROCEDURES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subdivision (2) of subsection (a) of section 14-33 of the 2024
4 supplement to the general statutes is repealed and the following is
5 substituted in lieu thereof (*Effective July 1, 2024, and applicable to*
6 *assessment years commencing on or after October 1, 2024*):

7 (2) For assessment years commencing on or after October 1, 2024, if
8 any property tax, or any installment thereof, laid by any city, town,

9 borough or other taxing district upon a motor vehicle remains unpaid,
10 [regardless of whether such motor vehicle is classified on the grand list
11 as a registered motor vehicle or personal property pursuant to section
12 12-41,] the tax collector of such city, town, borough or other taxing
13 district shall notify the Commissioner of Motor Vehicles of such
14 delinquency in accordance with subsection (e) of this section and
15 guidelines and procedures established by the commissioner. The
16 commissioner shall not issue registration for such motor vehicle for the
17 next registration period if, according to the commissioner's records, it is
18 then owned by the person against whom such tax has been assessed or
19 by any person to whom such vehicle has not been transferred by bona
20 fide sale. Unless notice has been received by the commissioner under
21 the provisions of section 14-33a, no such registration shall be issued
22 until the commissioner receives notification that the tax obligation has
23 been legally discharged; nor shall the commissioner register any other
24 motor vehicle, snowmobile, all-terrain vehicle or vessel in the name of
25 such person, except that the commissioner may continue to register
26 other vehicles owned by a leasing or rental firm licensed pursuant to
27 section 14-15, and may issue such registration to any private owner of
28 three or more paratransit vehicles in direct proportion to the percentage
29 of total tax due on such vehicles which has been paid and notice of
30 payment on which has been received. The Commissioner of Motor
31 Vehicles may immediately suspend or cancel all motor vehicle,
32 snowmobile, all-terrain vehicle or vessel registrations issued in the
33 name of any person (A) who has been reported as delinquent and whose
34 registration was renewed through an error or through the production of
35 false evidence that the delinquent tax on any motor vehicle had been
36 paid, or (B) who has been reported by a tax collector as having paid a
37 property tax on a motor vehicle with a check which was dishonored by
38 a bank and such tax remains unpaid.

39 Sec. 2. Subsection (b) of section 12-71d of the 2024 supplement to the
40 general statutes is repealed and the following is substituted in lieu
41 thereof (*Effective July 1, 2024, and applicable to assessment years commencing*

42 on or after October 1, 2024):

43 (b) Not later than October 1, 2024, and annually thereafter, the
44 Secretary of the Office of Policy and Management shall, in consultation
45 with the [Connecticut Association of Assessing Officers, recommend a
46 schedule of motor vehicle plate classes] Department of Motor Vehicles,
47 establish guidelines for the valuation of motor vehicles, which shall be
48 used by assessors in each municipality in determining the
49 [classification] use of motor vehicles for purposes of property taxation.
50 The value for each motor vehicle shall be determined by the schedule of
51 depreciation described in subdivision (7) of subsection (b) of section 12-
52 63, as amended by this act. The determination of the assessed value of
53 any vehicle for which a manufacturer's suggested retail price cannot be
54 obtained for purposes of the property tax assessment list in any
55 municipality shall be the responsibility of the assessor in such
56 municipality, in consultation with the Connecticut Association of
57 Assessing Officers. Any appeal from the findings of assessors
58 concerning motor vehicle values shall be made in accordance with
59 provisions related to such appeals under this chapter.

60 Sec. 3. Subsection (b) of section 12-63 of the 2024 supplement to the
61 general statutes is repealed and the following is substituted in lieu
62 thereof (*Effective July 1, 2024, and applicable to assessment years commencing*
63 *on or after October 1, 2024*):

64 (b) (1) For the purposes of this subsection, (A) "electronic data
65 processing equipment" means computers, printers, peripheral computer
66 equipment, bundled software and any computer-based equipment
67 acting as a computer, as defined in Section 168 of the Internal Revenue
68 Code of 1986, or any subsequent corresponding internal revenue code
69 of the United States, as from time to time amended; (B) "leased personal
70 property" means tangible personal property which is the subject of a
71 written or oral lease or loan on the assessment date, or any such
72 property which has been so leased or loaned by the then current owner
73 of such property for three or more of the twelve months preceding such

74 assessment date; and (C) "original selling price" means the price at
75 which tangible personal property is most frequently sold in the year that
76 it was manufactured.

77 (2) Any municipality may, by ordinance, adopt the provisions of this
78 subsection to be applicable for the assessment year commencing
79 October first of the assessment year in which a revaluation of all real
80 property required pursuant to section 12-62 is performed in such
81 municipality, and for each assessment year thereafter. If so adopted, the
82 present true and actual value of tangible personal property, other than
83 motor vehicles, shall be determined in accordance with the provisions
84 of this subsection. If such property is purchased, its true and actual
85 value shall be established in relation to the cost of its acquisition,
86 including transportation and installation, and shall reflect depreciation
87 in accordance with the schedules set forth in subdivisions (3) to (6),
88 inclusive, of this subsection. If such property is developed and produced
89 by the owner of such property for a purpose other than wholesale or
90 retail sale or lease, its true and actual value shall be established in
91 relation to its cost of development, production and installation and shall
92 reflect depreciation in accordance with the schedules provided in
93 subdivisions (3) to (6), inclusive, of this subsection. The provisions of
94 this subsection shall not apply to property owned by a public service
95 company, as defined in section 16-1.

96 (3) The following schedule of depreciation shall be applicable with
97 respect to electronic data processing equipment:

98 (A) Group I: Computer and peripheral hardware, including, but not
99 limited to, personal computers, workstations, terminals, storage
100 devices, printers, scanners, computer peripherals and networking
101 equipment:

T1		Depreciated Value
T2		As Percentage
T3	Assessment Year	Of Acquisition

T4	Following Acquisition	Cost Basis
T5	First year	Seventy per cent
T6	Second year	Forty per cent
T7	Third year	Twenty per cent
T8	Fourth year and thereafter	Ten per cent

102 (B) Group II: Other hardware, including, but not limited to, mini-
 103 frame and main-frame systems with an acquisition cost of more than
 104 twenty-five thousand dollars:

T9		Depreciated Value
T10		As Percentage
T11	Assessment Year	Of Acquisition
T12	Following Acquisition	Cost Basis
T13	First year	Ninety per cent
T14	Second year	Sixty per cent
T15	Third year	Forty per cent
T16	Fourth year	Twenty per cent
T17	Fifth year and thereafter	Ten per cent

105 (4) The following schedule of depreciation shall be applicable with
 106 respect to copiers, facsimile machines, medical testing equipment, and
 107 any similar type of equipment that is not specifically defined as
 108 electronic data processing equipment, but is considered by the assessor
 109 to be technologically advanced:

T18		Depreciated Value
T19		As Percentage
T20	Assessment Year	Of Acquisition
T21	Following Acquisition	Cost Basis
T22	First year	Ninety-five per cent
T23	Second year	Eighty per cent
T24	Third year	Sixty per cent
T25	Fourth year	Forty per cent

T26 Fifth year and thereafter Twenty per cent

110 (5) The following schedule of depreciation shall be applicable with
 111 respect to machinery and equipment used in the manufacturing process:

		Depreciated Value
T27		As Percentage
T28		Of Acquisition
T29	Assessment Year	
T30	Following Acquisition	Cost Basis
T31	First year	Ninety per cent
T32	Second year	Eighty per cent
T33	Third year	Seventy per cent
T34	Fourth year	Sixty per cent
T35	Fifth year	Fifty per cent
T36	Sixth year	Forty per cent
T37	Seventh year	Thirty per cent
T38	Eighth year and thereafter	Twenty per cent

112 (6) The following schedule of depreciation shall be applicable with
 113 respect to all tangible personal property other than that described in
 114 subdivisions (3) to (5), inclusive, and subdivision (7) of this subsection:

		Depreciated Value
T39		As Percentage
T40		Of Acquisition
T41	Assessment Year	
T42	Following Acquisition	Cost Basis
T43	First year	Ninety-five per cent
T44	Second year	Ninety per cent
T45	Third year	Eighty per cent
T46	Fourth year	Seventy per cent
T47	Fifth year	Sixty per cent
T48	Sixth year	Fifty per cent
T49	Seventh year	Forty per cent
T50	Eighth year and thereafter	Thirty per cent

115 (7) For assessment years commencing on or after October 1, 2024, the
 116 following schedule of depreciation shall be applicable with respect to
 117 motor vehicles based on the manufacturer's suggested retail price of
 118 such motor vehicles, provided no motor vehicle shall be [valued]
 119 assessed at an amount less than five hundred dollars:

T51	Age of Vehicle	Percentage of Manufacturer's Suggested Retail Price
T54	Up to year one	Eighty per cent
T55	Year two	Seventy-five per cent
T56	Year three	Seventy per cent
T57	Year four	Sixty-five per cent
T58	Year five	Sixty per cent
T59	Year six	Fifty-five per cent
T60	Year seven	Fifty per cent
T61	Year eight	Forty-five per cent
T62	Year nine	Forty per cent
T63	Year ten	Thirty-five per cent
T64	Year eleven	Thirty per cent
T65	Year twelve	Twenty-five per cent
T66	Year thirteen	Twenty per cent
T67	Year fourteen	Fifteen per cent
T68	Years fifteen to nineteen	Ten per cent
T69	Years twenty and beyond	Not less than
T70		five hundred dollars

120 (8) The present true and actual value of leased personal property
 121 other than motor vehicles shall be determined in accordance with the
 122 provisions of this subdivision. Such value for any assessment year shall
 123 be established in relation to the original selling price for self-
 124 manufactured property or acquisition cost for acquired property and
 125 shall reflect depreciation in accordance with the schedules provided in
 126 subdivisions (3) to (6), inclusive, of this subsection. If the assessor is

127 unable to determine the original selling price of leased personal
128 property other than a motor vehicle, the present true and actual value
129 thereof shall be its current selling price.

130 (9) With respect to any personal property which is prohibited by law
131 from being sold, the present true and actual value of such property shall
132 be established with respect to such property's original manufactured
133 cost increased by a ratio the numerator of which is the total proceeds
134 from the manufacturer's salable equipment sold and the denominator of
135 which is the total cost of the manufacturer's salable equipment sold.
136 Such value shall then be depreciated in accordance with the appropriate
137 schedule in this subsection.

138 (10) The schedules of depreciation set forth in subdivisions (3) to (6),
139 inclusive, of this subsection shall not be used with respect to motor
140 vehicles, videotapes, horses or other taxable livestock or electric
141 cogenerating equipment.

142 (11) If the assessor determines that the value of any item of personal
143 property, other than a motor vehicle valued pursuant to subdivision (7)
144 of this subsection, produced by the application of the schedules set forth
145 in this subsection does not accurately reflect the present true and actual
146 value of such item, the assessor shall adjust such value to reflect the
147 present true and actual value of such item.

148 (12) For assessment years commencing on or after October 1, 2024, for
149 any commercial motor vehicle (A) that is modified, or (B) to which is
150 affixed an attachment designed, manufactured or modified to be affixed
151 to such motor vehicle, the assessor shall determine whether to value
152 such motor vehicle and any such modifications or attachments to such
153 motor vehicle pursuant to subdivision (7) of this subsection or section
154 12-41, as amended by this act. The assessor shall determine valuation of
155 any modifications or attachments to such motor vehicle based on
156 whether such modifications or attachments are intended to be
157 permanently affixed to such motor vehicle.

158 [(12)] (13) Nothing in this subsection shall prevent any taxpayer from
159 appealing any (A) assessment made pursuant to this subsection if such
160 assessment does not accurately reflect the present true and actual value
161 of any item of such taxpayer's personal property, or (B) determination
162 of the manufacturer's suggested retail price used to value a motor
163 vehicle pursuant to this subsection.

164 Sec. 4. Subsections (b) and (c) of section 12-41 of the 2024 supplement
165 to the general statutes are repealed and the following is substituted in
166 lieu thereof (*Effective July 1, 2024, and applicable to assessment years*
167 *commencing on or after October 1, 2024*):

168 (b) [(1) For assessment years commencing prior to October 1, 2024,
169 no] No person required by law to file an annual declaration of personal
170 property shall include in such declaration motor vehicles that are
171 registered [in the office of the state Commissioner] with the Department
172 of Motor Vehicles. With respect to any vehicle subject to taxation in a
173 town other than the town in which such vehicle is registered, pursuant
174 to section 12-71, as amended by this act, information concerning such
175 vehicle may be included in a declaration filed pursuant to this section or
176 section 12-43, or on a report filed pursuant to section 12-57a.

177 [(2) For assessment years commencing on or after October 1, 2024,
178 any person required to file an annual declaration of tangible personal
179 property shall include in such declaration the motor vehicle listing,
180 pursuant to subdivision (2) of subsection (f) of section 12-71, of any
181 motor vehicle owned by such person. If, after the annual deadline for
182 filing a declaration, a motor vehicle is deemed personal property by the
183 assessor, such motor vehicle shall be added to the declaration of the
184 owner of such vehicle or included on a new declaration if no declaration
185 was submitted in the prior year. The value of the motor vehicle shall be
186 determined pursuant to section 12-63. If applicable, the value of the
187 motor vehicle for the current assessment year shall be prorated pursuant
188 to section 12-71b, and shall not be considered omitted property, as
189 defined in section 12-53, or subject to a penalty pursuant to subsection

190 (f) of this section.]

191 (c) The annual declaration of the tangible personal property owned
192 by such person on the assessment date, shall include, but is not limited
193 to, the following property: Machinery used in mills and factories, cables,
194 wires, poles, underground mains, conduits, pipes and other fixtures of
195 water, gas, electric and heating companies, leasehold improvements
196 classified as other than real property and furniture and fixtures of stores,
197 offices, hotels, restaurants, taverns, halls, factories and manufacturers.
198 Tangible personal property does not include a sign placed on a property
199 indicating that the property is for sale or lease. On and after October 1,
200 2024, tangible personal property shall include nonpermanent
201 modifications and attachments to commercial motor vehicles. [listed on
202 the schedule of motor vehicle plate classes recommended pursuant to
203 section 12-71d.] Commercial or financial information in any declaration
204 filed under this section [, except for commercial or financial information
205 which concerns motor vehicles,] shall not be open for public inspection
206 but may be disclosed to municipal officers for tax collection purposes.

207 Sec. 5. Subsection (a) of section 12-53 of the 2024 supplement to the
208 general statutes is repealed and the following is substituted in lieu
209 thereof (*Effective July 1, 2024, and applicable to assessment years commencing*
210 *on or after October 1, 2024*):

211 (a) For purposes of this section:

212 (1) "Omitted property" means property for which complete
213 information is not included in the declaration required to be filed by law
214 with respect to (A) the total number and type of all items subject to
215 taxation, or (B) the true original cost and year acquired of all such items;
216 [, or (C) on or after October 1, 2024, the manufacturer's suggested retail
217 price of a motor vehicle plus any applicable after-market alterations to
218 such motor vehicle,]

219 (2) ["books"] "Books", "papers", "documents" and "other records"
220 includes, but is not limited to, federal tax forms relating to the

221 acquisition and cost of fixed assets, general ledgers, balance sheets,
222 disbursement ledgers, fixed asset and depreciation schedules, financial
223 statements, invoices, operating expense reports, capital and operating
224 leases, conditional sales agreements and building or leasehold ledgers;
225 [.] and

226 (3) ["designee of an assessor"] "Designee of an assessor" means a
227 Connecticut municipal assessor certified in accordance with subsection
228 (b) of section 12-40a, a certified public accountant, a revaluation
229 company certified in accordance with section 12-2c for the valuation of
230 personal property, or an individual certified as a revaluation company
231 employee in accordance with section 12-2b for the valuation of personal
232 property.

233 Sec. 6. Subdivision (2) of subsection (a) of section 12-71 of the 2024
234 supplement to the general statutes is repealed and the following is
235 substituted in lieu thereof (*Effective July 1, 2024, and applicable to*
236 *assessment years commencing on or after October 1, 2024*):

237 (2) For assessment years commencing on or after October 1, 2024,
238 goods, chattels and effects or any interest therein, including any interest
239 in a leasehold improvement classified as other than real property,
240 belonging to any person who is a resident in this state, shall be listed for
241 purposes of property tax in the town where such person resides, subject
242 to the provisions of sections 12-41, as amended by this act, 12-43 and 12-
243 59. Any such property belonging to any nonresident shall be listed for
244 purposes of property tax as provided in section 12-43. Motor vehicles
245 shall be listed for purposes of the property tax as provided in subsection
246 (f) of this section.

247 Sec. 7. Subdivision (2) of subsection (f) of section 12-71 of the 2024
248 supplement to the general statutes is repealed and the following is
249 substituted in lieu thereof (*Effective July 1, 2024, and applicable to*
250 *assessment years commencing on or after October 1, 2024*):

251 [(2) (A) For assessment years commencing on or after October 1, 2024,

252 each municipality shall list motor vehicles registered and classified in
253 accordance with section 12-71d, and such motor vehicles shall be valued
254 in the same manner as motor vehicles valued pursuant to section 12-63.]

255 [(B)] (2) For assessment years commencing on or after October 1, 2024,
256 any unregistered motor vehicle or motor vehicle that is not used or
257 capable of being used that is located in a municipality in this state, shall
258 be listed and valued in the [manner described in subparagraph (A) of
259 this subdivision] same manner as motor vehicles valued pursuant to
260 section 12-63, as amended by this act.

261 Sec. 8. Section 12-71b of the 2024 supplement to the general statutes
262 is repealed and the following is substituted in lieu thereof (*Effective July*
263 *1, 2024, and applicable to assessment years commencing on or after October 1,*
264 *2024*):

265 (a) (1) For assessment years commencing prior to October 1, 2024, any
266 person who owns a motor vehicle which is not registered with the
267 Commissioner of Motor Vehicles on the first day of October in any
268 assessment year and which is registered subsequent to said first day of
269 October but prior to the first day of August in such assessment year shall
270 be liable for the payment of property tax with respect to such motor
271 vehicle in the town where such motor vehicle is subject to property tax,
272 in an amount as hereinafter provided, on the first day of January
273 immediately subsequent to the end of such assessment year. The
274 property tax payable with respect to such motor vehicle on said first day
275 of January shall be in the amount which would be payable if such motor
276 vehicle had been entered in the taxable list of the town where such
277 motor vehicle is subject to property tax on the first day of October in
278 such assessment year if such registration occurs prior to the first day of
279 November. If such registration occurs on or after the first day of
280 November but prior to the first day of August in such assessment year,
281 such tax shall be a pro rata portion of the amount of tax payable if such
282 motor vehicle had been entered in the taxable list of such town on
283 October first in such assessment year to be determined (A) by a ratio,

284 the numerator of which shall be the number of months from the date of
285 such registration, including the month in which registration occurs, to
286 the first day of October next succeeding and the denominator of which
287 shall be twelve, or (B) upon the affirmative vote of the legislative body
288 of the municipality, by a ratio the numerator of which shall be the
289 number of days from the date of such registration, including the day on
290 which the registration occurs, to the first day of October next succeeding
291 and the denominator of which shall be three hundred sixty-five. For
292 purposes of this section the term "assessment year" means the period of
293 twelve full months commencing with October first each year.

294 (2) For assessment years commencing on or after October 1, 2024, any
295 [person who owns a] motor vehicle [which] that is not registered with
296 the Commissioner of Motor Vehicles on the first day of October in any
297 assessment year and [which] that is registered subsequent to said first
298 day of October but prior to the [first day of April] last day of September
299 in such assessment year shall be added to the grand list by the assessor,
300 and the owner of such motor vehicle shall be liable for the payment of
301 property tax with respect to such motor vehicle in the town where such
302 motor vehicle is subject to property tax, in an amount as hereinafter
303 provided. [, on the first day of July in such assessment year. Any person
304 who owns a motor vehicle which is registered with the Commissioner
305 of Motor Vehicles on or after the first day of April in any assessment
306 year but prior to the first day of October next succeeding shall be liable
307 for the payment of property tax with respect to such motor vehicle in
308 the town where such motor vehicle is subject to property tax, in an
309 amount hereinafter provided, on the first day of January immediately
310 subsequent to the end of such assessment year.] The property tax
311 payable with respect to a motor vehicle described in this subdivision
312 shall be in the amount [which] that would be payable if such motor
313 vehicle had been entered into the taxable list of the town where such
314 motor vehicle is subject to property tax on the first day of October in
315 such assessment year if such registration occurs prior to the first day of
316 November. If such registration occurs on or after the first day of

317 November but prior to the first day of October next succeeding, such tax
318 shall be a pro rata portion of the amount of tax payable if such motor
319 vehicle had been entered in the taxable list of such town on October first
320 in such assessment year to be determined (A) by a ratio, the numerator
321 of which shall be the number of months from the date of such
322 registration, including the month in which registration occurs, to the
323 first day of October next succeeding and the denominator of which shall
324 be twelve, or (B) upon the affirmative vote of the legislative body of the
325 municipality, by a ratio the numerator of which shall be the number of
326 days from the date of such registration, including the day on which the
327 registration occurs, to the first day of October next succeeding and the
328 denominator of which shall be three hundred sixty-five.

329 (b) (1) For assessment years commencing prior to October 1, 2024,
330 whenever any person who owns a motor vehicle which has been entered
331 in the taxable list of the town where such motor vehicle is subject to
332 property tax in any assessment year and who, subsequent to the first
333 day of October in such assessment year but prior to the first day of
334 August in such assessment year, replaces such motor vehicle with
335 another motor vehicle, hereinafter referred to as the replacement
336 vehicle, which vehicle may be in a different classification for purposes
337 of registration than the motor vehicle replaced, and provided one of the
338 following conditions is applicable with respect to the motor vehicle
339 replaced: (A) The unexpired registration of the motor vehicle replaced
340 is transferred to the replacement vehicle, (B) the motor vehicle replaced
341 was stolen or totally damaged and proof concerning such theft or total
342 damage is submitted to the assessor in such town, or (C) the motor
343 vehicle replaced is sold by such person within forty-five days
344 immediately prior to or following the date on which such person
345 acquires the replacement vehicle, such person shall be liable for the
346 payment of property tax with respect to the replacement vehicle in the
347 town in which the motor vehicle replaced is subject to property tax, in
348 an amount as hereinafter provided, on the first day of January
349 immediately subsequent to the end of such assessment year. If the

350 replacement vehicle is replaced by such person with another motor
351 vehicle prior to the first day of August in such assessment year, the
352 replacement vehicle shall be subject to property tax as provided in this
353 subsection and such other motor vehicle replacing the replacement
354 vehicle, or any motor vehicle replacing such other motor vehicle in such
355 assessment year, shall be deemed to be the replacement vehicle for
356 purposes of this subsection and shall be subject to property tax as
357 provided herein. The property tax payable with respect to the
358 replacement vehicle on said first day of January shall be the amount by
359 which (i) is in excess of (ii) as follows: (i) The property tax which would
360 be payable if the replacement vehicle had been entered in the taxable list
361 of the town in which the motor vehicle replaced is subject to property
362 tax on the first day of October in such assessment year if such
363 registration occurs prior to the first day of November, however if such
364 registration occurs on or after the first day of November but prior to the
365 first day of August in such assessment year, such tax shall be a pro rata
366 portion of the amount of tax payable if such motor vehicle had been
367 entered in the taxable list of such town on October first in such
368 assessment year to be determined by a ratio, the numerator of which
369 shall be the number of months from the date of such registration,
370 including the month in which registration occurs, to the first day of
371 October next succeeding and the denominator of which shall be twelve,
372 provided if such person, on said first day of October, was entitled to any
373 exemption under section 12-81, as amended by this act, which was
374 allowed in the assessment of the motor vehicle replaced, such
375 exemption shall be allowed for purposes of determining the property
376 tax payable with respect to the replacement vehicle as provided herein;
377 (ii) the property tax payable by such person with respect to the motor
378 vehicle replaced, provided if the replacement vehicle is registered
379 subsequent to the thirty-first day of October but prior to the first day of
380 August in such assessment year such property tax payable with respect
381 to the motor vehicle replaced shall, for purposes of the computation
382 herein, be deemed to be a pro rata portion of such property tax to be
383 prorated in the same manner as the amount of tax determined under (i)

384 above.

385 (2) For assessment years commencing on or after October 1, 2024,
386 whenever any person who owns a motor vehicle which has been entered
387 in the taxable list of the town where such motor vehicle is subject to
388 property tax in any assessment year and who, subsequent to the first
389 day of October in such assessment year but prior to the [first day of
390 April] last day of September in such assessment year, replaces such
391 motor vehicle with another motor vehicle, hereinafter referred to as the
392 replacement vehicle, which vehicle may be in a different classification
393 for purposes of registration than the motor vehicle replaced, and
394 provided one of the following conditions is applicable with respect to
395 the motor vehicle replaced: (A) The unexpired registration of the motor
396 vehicle replaced is transferred to the replacement vehicle, (B) the motor
397 vehicle replaced was stolen or totally damaged and proof concerning
398 such theft or total damage is submitted to the assessor in such town, or
399 (C) the motor vehicle replaced is sold by such person within forty-five
400 days immediately prior to or following the date on which such person
401 acquires the replacement vehicle, such motor vehicle shall be added by
402 the assessor to the taxable grand list and such person shall be liable for
403 the payment of property tax with respect to the replacement vehicle in
404 the town in which the motor vehicle replaced is subject to property tax
405 pursuant to subdivision [(4)] (3) of this subsection. [, on the first day of
406 July in such assessment year.] If a replacement vehicle is replaced by the
407 owner of such replacement vehicle prior to the first day of October next
408 succeeding such assessment year, the replacement vehicle shall be
409 added by the assessor to the taxable grand list and subject to property
410 tax as provided in this subdivision. [and such other] Any motor vehicle
411 replacing [the] a replacement vehicle, or any motor vehicle replacing
412 such other motor vehicle in such assessment year, shall be deemed to be
413 the replacement vehicle for purposes of this subdivision.

414 [(3) For assessment years commencing on or after October 1, 2024,
415 whenever any person who owns a motor vehicle which has been entered
416 into the taxable list of the town where such motor vehicle is subject to

417 property tax in any assessment year and who, on or after the first day of
418 April of such assessment year but prior to the first day of October next
419 succeeding, replaces such motor vehicle with another motor vehicle,
420 hereinafter referred to as the replacement vehicle, which vehicle may be
421 in a different classification for purposes of registration than the motor
422 vehicle replaced, and provided one of the following conditions is
423 applicable with respect to the motor vehicle replaced: (A) The unexpired
424 registration of the motor vehicle replaced is transferred to the
425 replacement vehicle, (B) the motor vehicle replaced was stolen or totally
426 damaged and proof concerning such theft or total damage is submitted
427 to the assessor in such town, or (C) the motor vehicle replaced is sold by
428 such person within forty-five days immediately prior to or following the
429 date on which such person acquires the replacement vehicle, such
430 person shall be liable for the payment of property tax with respect to the
431 replacement vehicle in the town in which the motor vehicle replaced is
432 subject to property tax pursuant to subdivision (4) of this subsection, on
433 the first day of January immediately succeeding such assessment year.
434 If a replacement vehicle is replaced by the owner of such replacement
435 vehicle prior to the first day of October next succeeding such assessment
436 year, the replacement vehicle shall be subject to property tax as
437 provided in this subdivision and such other motor vehicle replacing the
438 replacement vehicle, or any motor vehicle replacing such other motor
439 vehicle in such assessment year, shall be deemed to be the replacement
440 vehicle for purposes of this subdivision.]

441 [(4)] (3) The property tax payable with respect to a replacement
442 vehicle described in subdivision (2) [or (3)] of this subsection shall be
443 the amount by which (A) is in excess of (B) as follows: (A) The property
444 tax which would be payable if the replacement vehicle had been entered
445 in the taxable list of the town in which the motor vehicle replaced is
446 subject to property tax on the first day of October in such assessment
447 year if such registration occurs prior to the first day of November,
448 however, if such registration occurs on or after the first day of
449 November but prior to the first day of October next succeeding, such tax

450 shall be a pro rata portion of the amount of tax payable if such motor
451 vehicle had been entered in the taxable list of such town on October first
452 in such assessment year to be determined by ratio, the numerator of
453 which shall be the number of months from the date of such registration,
454 including the month in which registration occurs, to the first day of
455 October next succeeding and the denominator of which shall be twelve,
456 provided if such person, on said first day of October, was entitled to any
457 exemption under section 12-81, as amended by this act, which was
458 allowed in the assessment of the motor vehicle replaced, such
459 exemption shall be allowed for purposes of determining the property
460 tax payable with respect to the replacement vehicle as provided herein;
461 (B) the property tax payable by such person with respect to the motor
462 vehicle replaced, provided if the replacement vehicle is registered
463 subsequent to the thirty-first day of October but prior to the first day of
464 October next succeeding such property tax payable with respect to the
465 motor vehicle replaced shall, for purposes of the computation herein, be
466 deemed to be a pro rata portion of such property tax to be prorated in
467 the same manner as the amount of tax determined under subparagraph
468 (A) [above] of this subdivision.

469 (c) (1) For assessment years commencing prior to October 1, 2024, any
470 person who owns a commercial motor vehicle which has been
471 temporarily registered at any time during any assessment year and
472 which has not during such period been entered in the taxable list of any
473 town in the state for purposes of the property tax and with respect to
474 which no permanent registration has been issued during such period,
475 shall be liable for the payment of property tax with respect to such motor
476 vehicle in the town where such motor vehicle is subject to property tax
477 on the first day of January immediately following the end of such
478 assessment year, in an amount as hereinafter provided. The property tax
479 payable shall be in the amount which would be payable if such motor
480 vehicle had been entered in the taxable list of the town where such
481 motor vehicle is subject to property tax on the first day of October in
482 such assessment year.

483 (2) For assessment years commencing on or after October 1, 2024, any
484 person who owns a commercial motor vehicle which has been
485 temporarily registered at any time during any assessment year and
486 which has not during such period been entered in the taxable list of any
487 town in the state for purposes of the property tax and with respect to
488 which no permanent registration has been issued during such period,
489 shall be liable for the payment of property tax with respect to such motor
490 vehicle in the town where such motor vehicle is subject to property tax,
491 [on the first day of July of such assessment year or the first day of
492 January immediately following such assessment year, as applicable,
493 pursuant to subdivisions (2) and (3) of subsection (b) of this section.] The
494 property tax payable shall be in the amount which would be payable if
495 such motor vehicle had been entered in the taxable list of the town
496 where such motor vehicle is subject to property tax on the first day of
497 October in such assessment year.

498 (d) [Any] (1) For assessment years commencing prior to October 1,
499 2024, any motor vehicle subject to property tax as provided in this
500 section shall, except as otherwise provided in subsection (b) of this
501 section, be subject to such property tax in the town in which such motor
502 vehicle was last registered in the assessment year ending immediately
503 preceding the day on which such property tax is payable as provided in
504 this section.

505 (2) For assessment years commencing on or after October 1, 2024, any
506 motor vehicle subject to property tax as provided in this section shall,
507 except as otherwise provided in subsection (b) of this section, be subject
508 to property tax in the town in which such motor vehicle was first
509 registered in the assessment year.

510 (e) Whenever any motor vehicle subject to property tax as provided
511 in this section has been replaced by the owner with another motor
512 vehicle in the assessment year immediately preceding the day on which
513 such property tax is payable, each such motor vehicle shall be subject to
514 property tax as provided in this section.

515 (f) Upon receipt by the assessor in any town of notice from the
516 Commissioner of Motor Vehicles, in a manner as prescribed by said
517 commissioner, with respect to any motor vehicle subject to property tax
518 in accordance with the provisions of this section and [which] that has
519 not been entered in the taxable grand list of such town, such assessor
520 shall determine the value of such motor vehicle for purposes of property
521 tax assessment and shall, for assessment years commencing (1) prior to
522 October 1, 2024, add such value to the taxable grand list in such town
523 for the immediately preceding assessment date, and [the] (2) on or after
524 October 1, 2024, add such value to the taxable grand list in such town.
525 The tax thereon shall be levied and collected by the tax collector. Such
526 property tax shall be payable not later than the first day of [(1)] (A)
527 February following the first day of January on which the owner of such
528 motor vehicle becomes liable for the payment of property tax, for
529 assessment years commencing prior to October 1, 2024, and [(2)] (B) the
530 month succeeding the month in which such property tax became due
531 and payable, for assessment years commencing on or after October 1,
532 2024, with respect to such motor vehicle in accordance with the
533 provisions of this section, subject to any determination in accordance
534 with section 12-142 that such tax shall be due and payable in
535 installments. [Said]

536 (g) (1) For assessment years commencing prior to October 1, 2024,
537 said owner may appeal the assessment of such motor vehicle, as
538 determined by the assessor in accordance with [this] subsection (f) of
539 this section, to the board of assessment appeals next succeeding the date
540 on which the tax based on such assessment is payable, and thereafter, to
541 the Superior Court as provided in section 12-117a. If the amount of such
542 tax is reduced upon appeal, the portion thereof which has been paid in
543 excess of the amount determined to be due upon appeal shall be
544 refunded to said owner.

545 (2) For assessment years commencing on or after October 1, 2024, said
546 owner may appeal the determination of the manufacturer's suggested
547 retail price used to assess a motor vehicle to the board of assessment

548 appeals next succeeding the date on which the tax based on such
549 assessment is payable, and thereafter, to the Superior Court as provided
550 in section 12-117a. If the amount of such tax is reduced upon appeal, the
551 portion thereof which has been paid in excess of the amount determined
552 to be due upon appeal shall be refunded to said owner.

553 [(g)] (h) Any motor vehicle which is not registered in this state shall
554 be subject to property tax in this state if such motor vehicle in the normal
555 course of operation most frequently leaves from and returns to or
556 remains in one or more points within this state, and such motor vehicle
557 shall be subject to such property tax in the town within which such
558 motor vehicle in the normal course of operation most frequently leaves
559 from and returns to or remains, provided when the owner of such motor
560 vehicle is a resident in any town in the state, it shall be presumed that
561 such motor vehicle most frequently leaves from and returns to or
562 remains in such town unless evidence, satisfactory to the assessor in
563 such town, is submitted to the contrary.

564 Sec. 9. Subsection (b) of section 12-71c of the 2024 supplement to the
565 general statutes is repealed and the following is substituted in lieu
566 thereof (*Effective July 1, 2024, and applicable to assessment years commencing*
567 *on or after October 1, 2024*):

568 (b) Any person claiming a property tax credit with respect to a motor
569 vehicle in accordance with subsection (a) of this section shall file with
570 the assessor in the town in which such person is entitled to such
571 property tax credit, documentation satisfactory to the assessor
572 concerning the sale, total damage, theft or removal and registration of
573 such motor vehicle. [For assessment years commencing prior to October
574 1, 2024, such] Such documentation shall be filed not later than the thirty-
575 first day of December immediately following the end of the assessment
576 year which next follows the assessment year in which such motor
577 vehicle was sold, damaged, stolen or removed and registered. [For
578 assessment years commencing on or after October 1, 2024, such
579 documentation shall be filed not later than three years after the date

580 upon which such tax was due and payable for such motor vehicle.]
581 Failure to file such claim and documentation as prescribed herein shall
582 constitute a waiver of the right to such property tax credit.

583 Sec. 10. Subdivision (74) of section 12-81 of the 2024 supplement to
584 the general statutes is repealed and the following is substituted in lieu
585 thereof (*Effective July 1, 2024, and applicable to assessment years commencing*
586 *on or after October 1, 2024*):

587 (74) (A) (i) For a period not to exceed five assessment years following
588 the assessment year in which it is first registered, any new commercial
589 truck, truck tractor, tractor and semitrailer, and vehicle used in
590 combination therewith, which is used exclusively to transport freight for
591 hire and: Is either subject to the jurisdiction of the United States
592 Department of Transportation pursuant to Chapter 135 of Title 49,
593 United States Code, or any successor thereto, or would otherwise be
594 subject to said jurisdiction except for the fact that the vehicle is used
595 exclusively in intrastate commerce; has a gross vehicle weight rating in
596 excess of twenty-six thousand pounds; and prior to August 1, 1996, was
597 not registered in this state or in any other jurisdiction but was registered
598 in this state on or after said date. (ii) For a period not to exceed five
599 assessment years following the assessment year in which it is first
600 registered, any new commercial truck, truck tractor, tractor and
601 semitrailer, and vehicle used in combination therewith, not eligible
602 under subparagraph (A)(i) of this subdivision, that has a gross vehicle
603 weight rating in excess of fifty-five thousand pounds and was not
604 registered in this state or in any other jurisdiction but was registered in
605 this state on or after August 1, 1999. As used in this subdivision, "gross
606 vehicle weight rating" has the same meaning as provided in section 14-
607 1;

608 (B) Any person who on October first in any year holds title to or is
609 the registrant of a vehicle for which such person intends to claim the
610 exemption provided in this subdivision shall file with the assessor or
611 board of assessors in the municipality in which the vehicle is subject to

612 property taxation, on or before the first day of November in such year,
613 a written application claiming such exemption on a form prescribed by
614 the Secretary of the Office of Policy and Management. Such person shall
615 include information as to the make, model, year and vehicle
616 identification number of each such vehicle, and any appurtenances
617 attached thereto, in such application. The person holding title to or the
618 registrant of such vehicle for which exemption is claimed shall furnish
619 the assessor or board of assessors with such supporting documentation
620 as said secretary may require, including, but not limited to, evidence of
621 vehicle use, acquisition cost and registration. Failure to file such
622 application in this manner and form within the time limit prescribed
623 shall constitute a waiver of the right to such exemption for such
624 assessment year, unless an extension of time is allowed as provided in
625 section 12-81k. Such application shall not be required for any assessment
626 year following that for which the initial application is filed, provided if
627 the vehicle is modified, such modification shall be deemed a waiver of
628 the right to such exemption until a new application is filed and the right
629 to such exemption is established as required initially. With respect to
630 any vehicle for which the exemption under this subdivision has
631 previously been claimed in a town other than that in which the vehicle
632 is registered on any assessment date, the person shall not be entitled to
633 such exemption until a new application is filed and the right to such
634 exemption is established in said town;

635 (C) With respect to any vehicle which is not registered on the first day
636 of October in any assessment year and which is registered subsequent
637 to said first day of October [but prior to the first day of August] in such
638 assessment year, the value of such vehicle for property tax exemption
639 purposes shall be a pro rata portion of the value determined in
640 accordance with subparagraph (D) of this subdivision, to be determined
641 by a ratio, the numerator of which shall be the number of months from
642 the date of such registration, including the month in which registration
643 occurs, to the first day of October next succeeding and the denominator
644 of which shall be twelve. For purposes of this subdivision, "assessment

645 year" means the period of twelve full months commencing with October
646 first each year;

647 (D) For assessment years commencing prior to October 1, 2024,
648 notwithstanding the provisions of section 12-71d, as amended by this
649 act, the assessor or board of assessors shall determine the value for each
650 vehicle with respect to which a claim for exemption under this
651 subdivision is approved, based on the vehicle's cost of acquisition,
652 including costs related to the modification of such vehicle, adjusted for
653 depreciation;

654 (E) For assessment years commencing on or after October 1, 2024, the
655 assessor or board of assessors shall determine the value for each vehicle,
656 with respect to which a claim for exemption under this subdivision is
657 approved, pursuant to the provisions of section 12-71d, as amended by
658 this act;

659 Sec. 11. Subsection (a) of section 7-152e of the general statutes is
660 repealed and the following is substituted in lieu thereof (*Effective July 1,*
661 *2024*):

662 (a) Notwithstanding any provision of the general statutes or special
663 act, municipal charter or ordinance, any municipality may, by ordinance
664 adopted by its legislative body, establish a fine to be imposed against
665 any owner of a motor vehicle that is subject to property tax in the
666 municipality pursuant to subsection [(g)] (h) of section 12-71b, as
667 amended by this act, who fails to register such motor vehicle with the
668 Commissioner of Motor Vehicles, provided (1) such motor vehicle is
669 eligible for registration and required to be registered under the
670 provisions of chapter 246, (2) such fine shall not be more than two
671 hundred fifty dollars, (3) any penalty for the failure to pay such fine by
672 a date prescribed by the municipality shall not be more than twenty-five
673 per cent of such fine, and (4) such fine shall be suspended for a first time
674 violator who presents proof of registration for such motor vehicle
675 subsequent to the violation but prior to the imposition of a fine.

676 Sec. 12. Subparagraph (B) of subdivision (7) of subsection (f) of
677 section 12-71 of the 2024 supplement to the general statutes is repealed
678 and the following is substituted in lieu thereof (*Effective from passage*):

679 (B) For assessment years commencing on or after October 1, 2024,
680 information concerning any vehicle subject to taxation in a town other
681 than the town in which it is registered may be included on any
682 declaration or report filed pursuant to section 12-41, as amended by this
683 act, 12-43 or 12-57a. If a motor vehicle is listed in a town in which it is
684 not subject to taxation, pursuant to the provisions of subdivision (5) of
685 this subsection, the assessor of the town in which such vehicle is listed
686 shall notify the assessor of the town in which such vehicle is [listed]
687 registered of the name and address of the owner of such motor vehicle,
688 the vehicle identification number and the town in which such vehicle is
689 taxed. The assessor of the town in which said vehicle is registered and
690 the assessor of the town in which said vehicle is listed shall cooperate in
691 administering the provisions of this section concerning the listing of
692 such vehicle for property tax purposes.

693 Sec. 13. Section 12-71e of the general statutes is repealed and the
694 following is substituted in lieu thereof (*Effective July 1, 2025*):

695 (a) Notwithstanding the provisions of any special act, municipal
696 charter or home rule ordinance, (1) for the assessment year commencing
697 October 1, 2016, the mill rate for motor vehicles shall not exceed 39 mills,
698 (2) for the assessment years commencing October 1, 2017, to October 1,
699 2020, inclusive, the mill rate for motor vehicles shall not exceed 45 mills,
700 and (3) for the assessment year commencing October 1, 2021, and each
701 assessment year thereafter, the mill rate for motor vehicles shall not
702 exceed 32.46 mills.

703 (b) Any municipality or district may establish a mill rate for motor
704 vehicles that is equal to or lower than 32.46 mills, including zero mills.
705 Such mill rate may be different from [its] the mill rate for real property
706 and personal property other than motor vehicles to comply with the

707 provisions of this section, provided the mill rate for motor vehicles is
708 lower than the mill rate for real property and personal property. No
709 district or borough may set a motor vehicle mill rate that if combined
710 with the motor vehicle mill rate of the town, city, consolidated town and
711 city or consolidated town and borough in which such district or
712 borough is located would result in a combined motor vehicle mill rate
713 (1) above 39 mills for the assessment year commencing October 1, 2016,
714 (2) above 45 mills for the assessment years commencing October 1, 2017,
715 to October 1, 2020, inclusive, or (3) above 32.46 mills for the assessment
716 year commencing October 1, 2021, and each assessment year thereafter.

717 (c) Notwithstanding the provisions of any special act, municipal
718 charter or home rule ordinance, a municipality or district that set a
719 motor vehicle mill rate prior to May 7, 2022, for the assessment year
720 commencing October 1, 2021, may, by vote of its legislative body, or if
721 the legislative body is a town meeting, the board of selectmen, revise
722 such mill rate to meet the requirements of this section, provided such
723 revision occurs not later than June 15, 2022.

724 (d) Notwithstanding the provisions of section 12-112, any board of
725 assessment appeals of a municipality that mailed or distributed, prior to
726 October 31, 2017, bills to taxpayers for motor vehicle property taxes
727 based on assessments made for the assessment year commencing
728 October 1, 2016, shall hear or entertain any appeals related to such
729 assessments not later than December 15, 2017.

730 (e) The Secretary of the Office of Policy and Management shall notify
731 the chief executive officer of each municipality:

732 (1) Annually, (A) of the municipality's option to reduce the mill rate
733 for motor vehicles to lower than 32.46 mills, including zero mills, and
734 (B) that such mill rate may be different from the mill rate for real
735 property and personal property other than motor vehicles to comply
736 with the provisions of this section, provided the mill rate for motor
737 vehicles is lower than the mill rate for real property and personal

738 property; and

739 (2) In advance of the implementation of a municipality's revaluation
740 pursuant to section 12-62, of the municipality's option to consider and
741 evaluate the reduction of the mill rate for motor vehicles in the same
742 fiscal year in which the revaluation is implemented.

743 [(e)] (f) For the purposes of this section, "municipality" means any
744 town, city, borough, consolidated town and city, consolidated town and
745 borough and "district" [means any district, as defined] has the same
746 meaning as provided in section 7-324.

747 Sec. 14. Section 36a-2 of the 2024 supplement to the general statutes
748 is repealed and the following is substituted in lieu thereof (*Effective July*
749 *1, 2024*):

750 As used in this title, unless the context otherwise requires:

751 (1) "Affiliate" of a person means any person controlling, controlled
752 by, or under common control with, that person;

753 (2) "Applicant" with respect to any license or approval provision
754 pursuant to this title means a person who applies for that license or
755 approval;

756 (3) "Automated teller machine" means a stationary or mobile device
757 that is unattended or equipped with a telephone or televideo device that
758 allows contact with bank personnel, including a satellite device but
759 excluding a [point of sale] point-of-sale terminal, at which banking
760 transactions, including, but not limited to, deposits, withdrawals,
761 advances, payments or transfers, may be conducted;

762 (4) "Bank" means a Connecticut bank or a federal bank;

763 (5) "Bank and trust company" means an institution chartered or
764 organized under the laws of this state as a bank and trust company;

765 (6) "Bank holding company" has the meaning given to that term in 12
766 USC Section 1841(a), as amended from time to time, except that the term
767 "bank", as used in 12 USC Section 1841(a), includes a bank or out-of-state
768 bank that functions solely in a trust or fiduciary capacity;

769 (7) "Capital and surplus" has the same meaning as provided in 12 CFR
770 1.2, as amended from time to time;

771 (8) "Capital stock" when used in conjunction with any bank or out-of-
772 state bank means a bank or out-of-state bank that is authorized to
773 accumulate funds through the issuance of its capital stock;

774 (9) "Client" means a beneficiary of a trust for whom the Connecticut
775 bank acts as trustee, a person for whom the Connecticut bank acts as
776 agent, custodian or bailee, or other person to whom a Connecticut bank
777 owes a duty or obligation under a trust or other account administered
778 by such Connecticut bank, regardless of whether such Connecticut bank
779 owes a fiduciary duty to the person;

780 (10) "Club deposit" means deposits to be received at regular intervals,
781 the whole amount deposited to be withdrawn by the owner or repaid
782 by the bank in not more than fifteen months from the date of the first
783 deposit, and upon which no interest or dividends need to be paid;

784 (11) "Commissioner" means the Banking Commissioner and, with
785 respect to any function of the commissioner, includes any person
786 authorized or designated by the commissioner to carry out that
787 function;

788 (12) "Company" means any corporation, joint stock company, trust,
789 association, partnership, limited partnership, unincorporated
790 organization, limited liability company or similar organization, but does
791 not include (A) any corporation the majority of the shares of which are
792 owned by the United States or by any state, or (B) any trust which by its
793 terms shall terminate within twenty-five years or not later than twenty-
794 one years and ten months after the death of beneficiaries living on the

795 effective date of the trust;

796 (13) "Connecticut bank" means a bank and trust company, savings
797 bank or savings and loan association chartered or organized under the
798 laws of this state;

799 (14) "Connecticut credit union" means a cooperative, nonprofit
800 financial institution that (A) is organized under chapter 667 and the
801 membership of which is limited as provided in section 36a-438a, (B)
802 operates for the benefit and general welfare of its members with the
803 earnings, benefits or services offered being distributed to or retained for
804 its members, and (C) is governed by a volunteer board of directors
805 elected by and from its membership;

806 (15) "Connecticut credit union service organization" means a credit
807 union service organization that is (A) incorporated under the laws of
808 this state, located in this state and established by at least one Connecticut
809 credit union, or (B) wholly owned by a credit union that converted into
810 a Connecticut credit union pursuant to section 36a-469b;

811 (16) "Consolidation" means a combination of two or more institutions
812 into a new institution; all institutions party to the consolidation, other
813 than the new institution, are "constituent" institutions; the new
814 institution is the "resulting" institution;

815 (17) "Control" has the meaning given to that term in 12 USC Section
816 1841(a), as amended from time to time;

817 (18) "Credit union service organization" means an entity organized
818 under state or federal law to provide credit union service organization
819 services primarily to its members, to Connecticut credit unions, federal
820 credit unions and out-of-state credit unions other than its members, and
821 to members of any such other credit unions;

822 (19) "Customer" means any person using a service offered by a
823 financial institution;

824 (20) "Demand account" means an account into which demand
825 deposits may be made;

826 (21) "Demand deposit" means a deposit that is payable on demand, a
827 deposit issued with an original maturity or required notice period of less
828 than seven days or a deposit representing funds for which the bank does
829 not reserve the right to require at least seven days' written notice of the
830 intended withdrawal, but does not include any time deposit;

831 (22) "Deposit" means funds deposited with a depository;

832 (23) "Deposit account" means an account into which deposits may be
833 made;

834 (24) "Depositor" includes a member of a mutual savings and loan
835 association;

836 (25) "Director" means a member of the governing board of a financial
837 institution;

838 (26) "Equity capital" means the excess of a Connecticut bank's total
839 assets over its total liabilities, as defined in the instructions of the federal
840 Financial Institutions Examination Council for consolidated reports of
841 condition and income;

842 (27) "Executive officer" means every officer of a Connecticut bank
843 who participates or has authority to participate, otherwise than in the
844 capacity of a director, in major policy-making functions of such bank,
845 regardless of whether such officer has an official title or whether that
846 title contains a designation of assistant and regardless of whether such
847 officer is serving without salary or other compensation. The president,
848 vice president, secretary and treasurer of such bank are deemed to be
849 executive officers, unless, by resolution of the governing board or by
850 such bank's bylaws, any such officer is excluded from participation in
851 major policy-making functions, otherwise than in the capacity of a
852 director of such bank, and such officer does not actually participate in

853 such policy-making functions;

854 (28) "Federal agency" has the meaning given to that term in 12 USC
855 Section 3101, as amended from time to time;

856 (29) "Federal bank" means a national banking association, federal
857 savings bank or federal savings and loan association having its principal
858 office in this state;

859 (30) "Federal branch" has the meaning given to that term in 12 USC
860 Section 3101, as amended from time to time;

861 (31) "Federal credit union" means any institution chartered or
862 organized as a federal credit union pursuant to the laws of the United
863 States having its principal office in this state;

864 (32) "Fiduciary" means a person undertaking to act alone or jointly
865 with others primarily for the benefit of another or others in all matters
866 connected with its undertaking and includes a person acting in the
867 capacity of trustee, executor, administrator, guardian, assignee,
868 receiver, conservator, agent, custodian under the Connecticut Uniform
869 Gifts to Minors Act or the Uniform Transfers to Minors Act, and acting
870 in any other similar capacity;

871 (33) "Financial institution" means any Connecticut bank, Connecticut
872 credit union, or other person whose activities in this state are subject to
873 the supervision of the commissioner, but does not include a person
874 whose activities are subject to the supervision of the commissioner
875 solely pursuant to chapter 672a, 672b or 672c or any combination
876 thereof;

877 (34) "Foreign bank" has the meaning given to that term in 12 USC
878 Section 3101, as amended from time to time;

879 (35) "Foreign country" means any country other than the United
880 States and includes any colony, dependency or possession of any such
881 country;

882 (36) "Governing board" means the group of persons vested with the
883 management of the affairs of a financial institution irrespective of the
884 name by which such group is designated;

885 (37) "Holding company" means a bank holding company or a savings
886 and loan holding company, except, as used in sections 36a-180 to 36a-
887 191, inclusive, "holding company" means a company that controls a
888 bank;

889 (38) "Innovation bank" means a Connecticut bank that does not accept
890 retail deposits, but may accept nonretail deposits which are eligible for
891 insurance from the Federal Deposit Insurance Corporation or the
892 Federal Deposit Insurance Corporation's successor agency;

893 [(38)] (39) "Insured depository institution" has the meaning given to
894 that term in 12 USC Section 1813, as amended from time to time;

895 [(39)] (40) "Licensee" means any person who is licensed or required
896 to be licensed pursuant to the applicable provisions of this title;

897 [(40)] (41) "Loan" includes any line of credit or other extension of
898 credit;

899 [(41)] (42) "Loan production office" means an office of a bank or out-
900 of-state bank, other than a foreign bank, whose activities are limited to
901 loan production and solicitation;

902 [(42)] (43) "Merger" means the combination of one or more
903 institutions with another which continues its corporate existence; all
904 institutions party to the merger are "constituent" institutions; the
905 merging institution which upon the merger continues its existence is the
906 "resulting" institution;

907 [(43)] (44) "Mutual" when used in conjunction with any institution
908 that is a bank or out-of-state bank means any such institution without
909 capital stock;

910 [(44)] (45) "Mutual holding company" means a mutual holding
911 company organized under sections 36a-192 to 36a-199, inclusive, and
912 unless otherwise indicated, a subsidiary holding company controlled by
913 a mutual holding company organized under sections 36a-192 to 36a-199,
914 inclusive;

915 [(45)] (46) "Out-of-state" includes any state other than Connecticut
916 and any foreign country;

917 [(46)] (47) "Out-of-state bank" means any institution that engages in
918 the business of banking, but does not include a bank, Connecticut credit
919 union, federal credit union or out-of-state credit union;

920 [(47)] (48) "Out-of-state credit union" means any credit union other
921 than a Connecticut credit union or a federal credit union;

922 [(48)] (49) "Out-of-state trust company" means any company
923 chartered to act as a fiduciary but does not include a company chartered
924 under the laws of this state, a bank, an out-of-state bank, a Connecticut
925 credit union, a federal credit union or an out-of-state credit union;

926 [(49)] (50) "Person" means an individual, company, including a
927 company described in subparagraphs (A) and (B) of subdivision (12) of
928 this section, or any other legal entity, including a federal, state or
929 municipal government or agency or any political subdivision thereof;

930 [(50) "Point of sale terminal"] (51) "Point-of-sale terminal" means a
931 device located in a commercial establishment at which sales transactions
932 can be charged directly to the buyer's deposit, loan or credit account, but
933 at which deposit transactions cannot be conducted;

934 [(51)] (52) "Prepayment penalty" means any charge or penalty for
935 paying all or part of the outstanding balance owed on a loan before the
936 date on which the principal is due and includes computing a refund of
937 unearned interest by a method that is less favorable to the borrower than
938 the actuarial method, as defined by Section 933(d) of the Housing and

939 Community Development Act of 1992, 15 USC 1615(d), as amended
940 from time to time;

941 [(52)] (53) "Reorganized savings bank" means any savings bank
942 incorporated and organized in accordance with sections 36a-192 and
943 36a-193;

944 [(53)] (54) "Reorganized savings and loan association" means any
945 savings and loan association incorporated and organized in accordance
946 with sections 36a-192 and 36a-193;

947 [(54)] (55) "Reorganized savings institution" means any reorganized
948 savings bank or reorganized savings and loan association;

949 [(55)] (56) "Representative office" has the meaning given to that term
950 in 12 USC Section 3101, as amended from time to time;

951 [(56)] (57) "Reserves for loan and lease losses" means the amounts
952 reserved by a Connecticut bank against possible loan and lease losses as
953 shown on the bank's consolidated reports of condition and income;

954 [(57)] (58) "Retail deposits" means any deposits made by individuals
955 who are not "accredited investors", as defined in 17 CFR 230.501(a);

956 [(58)] (59) "Satellite device" means an automated teller machine which
957 is not part of an office of the bank, Connecticut credit union or federal
958 credit union which has established such machine;

959 [(59)] (60) "Savings account" means a deposit account, other than an
960 escrow account established pursuant to section 49-2a, into which
961 savings deposits may be made and which account must be evidenced
962 by periodic statements delivered at least semiannually or by a passbook;

963 [(60)] (61) "Savings and loan association" means an institution
964 chartered or organized under the laws of this state as a savings and loan
965 association;

966 [(61)] (62) "Savings bank" means an institution chartered or organized
967 under the laws of this state as a savings bank;

968 [(62)] (63) "Savings deposit" means any deposit other than a demand
969 deposit or time deposit on which interest or a dividend is paid
970 periodically;

971 [(63)] (64) "Savings and loan holding company" has the meaning
972 given to that term in 12 USC Section 1467a, as amended from time to
973 time;

974 [(64)] (65) "Share account holder" means a person who maintains a
975 share account in a Connecticut credit union, federal credit union or out-
976 of-state credit union that maintains in this state a branch, as defined in
977 section 36a-435b;

978 [(65)] (66) "State" means any state of the United States, the District of
979 Columbia, any territory of the United States, Puerto Rico, Guam,
980 American Samoa, the trust territory of the Pacific Islands, the Virgin
981 Islands and the Northern Mariana Islands;

982 [(66)] (67) "State agency" has the meaning given to that term in 12 USC
983 Section 3101, as amended from time to time;

984 [(67)] (68) "State branch" has the meaning given to that term in 12 USC
985 Section 3101, as amended from time to time;

986 [(68)] (69) "Subsidiary" has the meaning given to that term in 12 USC
987 Section 1841(d), as amended from time to time;

988 [(69)] (70) "Subsidiary holding company" means a stock holding
989 company, controlled by a mutual holding company, that holds one
990 hundred per cent of the stock of a reorganized savings institution;

991 [(70)] (71) "Supervisory agency" means: (A) The commissioner; (B) the
992 Federal Deposit Insurance Corporation; (C) the Resolution Trust
993 Corporation; (D) the Office of Thrift Supervision; (E) the National Credit

994 Union Administration; (F) the Board of Governors of the Federal
995 Reserve System; (G) the United States Comptroller of the Currency; (H)
996 the Bureau of Consumer Financial Protection; and (I) any successor to
997 any of the foregoing agencies or individuals;

998 [(71)] (72) "System" means the Nationwide Mortgage Licensing
999 System and Registry, NMLS, NMLSR or such other name or acronym as
1000 may be assigned to the multistate system developed by the Conference
1001 of State Bank Supervisors and the American Association of Residential
1002 Mortgage Regulators and owned and operated by the State Regulatory
1003 Registry, LLC, or any successor or affiliated entity, for the licensing and
1004 registration of persons in the mortgage and other financial services
1005 industries;

1006 [(72)] (73) "Time account" means an account into which time deposits
1007 may be made;

1008 [(73)] (74) "Time deposit" means a deposit that the depositor or share
1009 account holder does not have a right and is not permitted to make
1010 withdrawals from within six days after the date of deposit, unless the
1011 deposit is subject to an early withdrawal penalty of at least seven days'
1012 simple interest on amounts withdrawn within the first six days after
1013 deposit, subject to those exceptions permissible under 12 CFR Part 204,
1014 as amended from time to time; and

1015 [(74)] (75) "Trust bank" means a Connecticut bank organized to
1016 function solely in a fiduciary capacity. [; and

1017 (75) "Uninsured bank" means a Connecticut bank that does not accept
1018 retail deposits and for which insurance of deposits by the Federal
1019 Deposit Insurance Corporation or its successor agency is not required.]

1020 Sec. 15. Subsection (e) of section 36a-65 of the general statutes is
1021 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1022 *2024*):

1023 (e) (1) If the commissioner determines that the assessment to be
1024 collected from an [uninsured] innovation bank or a trust bank pursuant
1025 to subdivision (1) of subsection (a) of this section is unreasonably low or
1026 high based on the size and risk profile of the bank, the commissioner
1027 may require such bank to pay a fee in lieu of such assessment. Each such
1028 bank shall pay such fee to the commissioner not later than the date
1029 specified by the commissioner for payment. If payment of such fee is not
1030 made by the time specified by the commissioner, such bank shall pay to
1031 the commissioner an additional two hundred dollars.

1032 (2) Any [uninsured] innovation bank required to pay a fee in lieu of
1033 assessment shall also pay to the commissioner the actual cost of the
1034 examination of such bank, as such cost is determined by the
1035 commissioner.

1036 Sec. 16. Subsections (n) to (u), inclusive, of section 36a-70 of the
1037 general statutes are repealed and the following is substituted in lieu
1038 thereof (*Effective July 1, 2024*):

1039 (n) The Connecticut bank shall not commence business until: (1) A
1040 final certificate of authority has been issued in accordance with
1041 subsection (l) of this section, (2) except in the case of a trust bank, an
1042 interim Connecticut bank organized pursuant to subsection (p) of this
1043 section, or an [uninsured] innovation bank organized pursuant to
1044 subsection (t) of this section, until its insurable accounts or deposits are
1045 insured by the Federal Deposit Insurance Corporation or its successor
1046 agency, and (3) it has complied with the requirements of subsection (u)
1047 of this section, if applicable. The acceptance of subscriptions for deposits
1048 by a mutual savings bank or mutual savings and loan association as may
1049 be necessary to obtain insurance by the Federal Deposit Insurance
1050 Corporation or its successor agency shall not be considered to be
1051 commencing business. No Connecticut bank other than a trust bank
1052 may exercise any of the fiduciary powers granted to Connecticut banks
1053 by law until express authority therefor has been given by the
1054 commissioner.

1055 (o) Prior to the issuance of a final certificate of authority to commence
1056 business in accordance with subsection (l) of this section, the
1057 Connecticut bank shall pay to the State Treasurer a franchise tax,
1058 together with a filing fee of twenty dollars for the required papers. The
1059 franchise tax for a mutual savings bank and mutual savings and loan
1060 association shall be thirty dollars. The franchise tax for all capital stock
1061 Connecticut banks shall be one cent per share up to and including the
1062 first ten thousand authorized shares, one-half cent per share for each
1063 authorized share in excess of ten thousand shares up to and including
1064 one hundred thousand shares, one-quarter cent per share for each
1065 authorized share in excess of one hundred thousand shares up to and
1066 including one million shares and one-fifth cent per share for each
1067 authorized share in excess of one million shares.

1068 (p) (1) One or more persons may organize an interim Connecticut
1069 bank solely (A) for the acquisition of an existing bank, whether by
1070 acquisition of stock, by acquisition of assets, or by merger or
1071 consolidation, or (B) to facilitate any other corporate transaction
1072 authorized by this title in which the commissioner has determined that
1073 such transaction has adequate regulatory supervision to justify the
1074 organization of an interim Connecticut bank. Such interim Connecticut
1075 bank shall not accept deposits or otherwise commence business.
1076 Subdivision (2) of subsection (c) and subsections (d), (f), (g), (h) and (o)
1077 of this section shall not apply to the organization of an interim bank,
1078 provided the commissioner may, in the commissioner's discretion,
1079 order a hearing under subsection (e) or require that the organizers
1080 publish or mail the proposed certificate of incorporation or both. The
1081 approving authority for an interim Connecticut bank shall be the
1082 commissioner acting alone. If the approving authority determines that
1083 the organization of the interim Connecticut bank complies with
1084 applicable law, the approving authority shall issue a temporary
1085 certificate of authority conditioned on the approval by the appropriate
1086 supervisory agency of the corporate transaction for which the interim
1087 Connecticut bank is formed.

1088 (2) (A) Notwithstanding any provision of this title, for the period
1089 from June 13, 2011, to September 30, 2013, inclusive, one or more
1090 persons may apply to the commissioner for the conditional preliminary
1091 approval of one or more expedited Connecticut banks organized
1092 primarily for the purpose of assuming liabilities and purchasing assets
1093 from the Federal Deposit Insurance Corporation when the Federal
1094 Deposit Insurance Corporation is acting as receiver or conservator of an
1095 insured depository institution. The application shall be made on a form
1096 acceptable to the commissioner and shall be executed and
1097 acknowledged by the applicant or applicants. Such application shall
1098 contain sufficient information for the commissioner to evaluate (i) the
1099 amount, type and sources of capital that would be available to the bank
1100 or banks; (ii) the ownership structure and holding companies, if any,
1101 over the bank or banks; (iii) the identity, biographical information and
1102 banking experience of each of the initial organizers and prospective
1103 initial directors, senior executive officers and any individual, group or
1104 proposed shareholders of the bank that will own or control ten per cent
1105 or more of the stock of the bank or banks; (iv) the overall strategic plan
1106 of the organizers and investors for the bank or banks; and (v) a
1107 preliminary business plan outlining intended product and business
1108 lines, retail branching plans and capital, earnings and liquidity
1109 projections. The commissioner, acting alone, shall grant conditional
1110 preliminary approval of such application to organize if the
1111 commissioner determines that the organizers have available sufficient
1112 committed funds to invest in the bank or banks; the organizers and
1113 proposed directors possess capacity and fitness for the duties and
1114 responsibilities with which they will be charged; the proposed bank or
1115 banks have a reasonable chance of success and will be operated in a safe
1116 and sound manner; and the fee for investigating and processing the
1117 application has been paid in accordance with subparagraph (H) of
1118 subdivision (1) of subsection (d) of section 36a-65. Such preliminary
1119 approval shall be subject to such conditions as the commissioner deems
1120 appropriate, including the requirements that the bank or banks not
1121 commence the business of a Connecticut bank until after their bid or

1122 application for a particular insured depository institution is accepted by
1123 the Federal Deposit Insurance Corporation, that the background checks
1124 are satisfactory, and that the organizers submit, for the safety and
1125 soundness review by the commissioner, more detailed operating plans
1126 and current financial statements as potential acquisition transactions are
1127 considered, and such plans and statements are satisfactory to the
1128 commissioner. The commissioner may alter, suspend or revoke the
1129 conditional preliminary approval if the commissioner deems any
1130 interim development warrants such action. The conditional preliminary
1131 approval shall expire eighteen months from the date of approval, unless
1132 extended by the commissioner.

1133 (B) The commissioner shall not issue a final certificate of authority to
1134 commence the business of a Connecticut bank or banks under this
1135 subdivision until all conditions and preopening requirements and
1136 applicable state and federal regulatory requirements have been met and
1137 the fee for issuance of a final certificate of authority for an expedited
1138 Connecticut bank has been paid in accordance with subparagraph (M)
1139 of subdivision (1) of subsection (d) of section 36a-65. The commissioner
1140 may waive any requirement under this title or regulations adopted
1141 under this title that is necessary for the consummation of an acquisition
1142 involving an expedited Connecticut bank if the commissioner finds that
1143 such waiver is advisable and in the interest of depositors or the public,
1144 provided the commissioner shall not waive the requirement that the
1145 institution's insurable accounts or deposits be federally insured. Any
1146 such waiver granted by the commissioner under this subparagraph
1147 shall be in writing and shall set forth the reason or reasons for the
1148 waiver. The commissioner may impose conditions on the final certificate
1149 of authority as the commissioner deems necessary to ensure that the
1150 bank will be operated in a safe and sound manner. The commissioner
1151 shall cause notice of the issuance of the final certificate of authority to be
1152 published in the department's weekly bulletin.

1153 (q) (1) As used in this subsection, "bankers' bank" means a
1154 Connecticut bank that is (A) owned exclusively by (i) any combination

1155 of banks, out-of-state banks, Connecticut credit unions, federal credit
1156 unions, or out-of-state credit unions, or (ii) a bank holding company that
1157 is owned exclusively by any such combination, and (B) engaged
1158 exclusively in providing services for, or that indirectly benefit, other
1159 banks, out-of-state banks, Connecticut credit unions, federal credit
1160 unions, or out-of-state credit unions and their directors, officers and
1161 employees.

1162 (2) One or more persons may organize a bankers' bank in accordance
1163 with the provisions of this section, except that subsections (g) and (h) of
1164 this section shall not apply. The approving authority for a bankers' bank
1165 shall be the commissioner acting alone. Before granting a temporary
1166 certificate of authority in the case of an application to organize a
1167 bankers' bank, the approving authority shall consider (A) whether the
1168 proposed bankers' bank will facilitate the provision of services that such
1169 banks, out-of-state banks, Connecticut credit unions, federal credit
1170 unions, or out-of-state credit unions would not otherwise be able to
1171 readily obtain, and (B) the character and experience of the proposed
1172 directors and officers. The application to organize a bankers' bank shall
1173 be approved if the approving authority determines that the interest of
1174 the public will be directly or indirectly served to advantage by the
1175 establishment of the proposed bankers' bank, and the proposed
1176 directors possess capacity and fitness for the duties and responsibilities
1177 with which they will be charged.

1178 (3) A bankers' bank shall have all of the powers of and be subject to
1179 all of the requirements applicable to a Connecticut bank under this title
1180 which are not inconsistent with this subsection, except to the extent the
1181 commissioner limits such powers by regulation. Upon the written
1182 request of a bankers' bank, the commissioner may waive specific
1183 requirements of this title and the regulations adopted thereunder if the
1184 commissioner finds that (A) the requirement pertains primarily to banks
1185 that provide retail or consumer banking services and is inconsistent
1186 with this subsection, and (B) the requirement may impede the ability of
1187 the bankers' bank to compete or to provide desired services to its market

1188 provided, any such waiver and the commissioner's findings shall be in
1189 writing and shall be made available for public inspection.

1190 (4) The commissioner may adopt regulations, in accordance with
1191 chapter 54, to administer the provisions of this subsection.

1192 (r) (1) As used in this subsection and section 36a-139, "community
1193 bank" means a Connecticut bank that is organized pursuant to this
1194 subsection and is subject to the provisions of this subsection and section
1195 36a-139.

1196 (2) One or more persons may organize a community bank in
1197 accordance with the provisions of this section, except that subsection (g)
1198 of this section shall not apply. Any such community bank shall
1199 commence business with a minimum equity capital of at least three
1200 million dollars. The approving authority for a community bank shall be
1201 the commissioner acting alone. In addition to the considerations and
1202 determinations required by subsection (h) of this section, before
1203 granting a temporary certificate of authority to organize a community
1204 bank, the approving authority shall determine that (A) each of the
1205 proposed directors and proposed executive officers, as defined in
1206 subparagraph (D) of subdivision (3) of this subsection, possesses
1207 capacity and fitness for the duties and responsibilities with which such
1208 director or officer will be charged, and (B) there is satisfactory
1209 community support for the proposed community bank based on
1210 evidence of such support provided by the organizers to the approving
1211 authority. If the approving authority cannot make such determination
1212 with respect to any such proposed director or proposed executive
1213 officer, the approving authority may refuse to allow such proposed
1214 director or proposed executive officer to serve in such capacity in the
1215 proposed community bank.

1216 (3) A community bank shall have all of the powers of and be subject
1217 to all of the requirements and limitations applicable to a Connecticut
1218 bank under this title which are not inconsistent with this subsection,

1219 except: (A) No community bank may (i) exercise any of the fiduciary
1220 powers granted to Connecticut banks by law until express authority
1221 therefor has been given by the approving authority, (ii) establish and
1222 maintain one or more mutual funds, (iii) invest in derivative securities
1223 other than mortgage-backed securities fully guaranteed by
1224 governmental agencies or government sponsored agencies, (iv) own
1225 any real estate for the present or future use of the bank unless the
1226 approving authority finds, based on an independently prepared
1227 analysis of costs and benefits, that it would be less costly to the bank to
1228 own instead of lease such real estate, or (v) make mortgage loans
1229 secured by nonresidential real estate the aggregate amount of which, at
1230 the time of origination, exceeds ten per cent of all assets of such bank;
1231 (B) the aggregate amount of all loans made by a community bank shall
1232 not exceed eighty per cent of the total deposits held by such bank; (C) (i)
1233 the total direct or indirect liabilities of any one obligor, whether or not
1234 fully secured and however incurred, to any community bank, exclusive
1235 of such bank's investment in the investment securities of such obligor,
1236 shall not exceed at the time incurred ten per cent of the equity capital
1237 and reserves for loan and lease losses of such bank, and (ii) the
1238 limitations set forth in subsection (a) of section 36a-262 shall apply to
1239 this subparagraph; and (D) the limitations set forth in subsection (a) of
1240 section 36a-263 shall apply to all community banks, provided, a
1241 community bank may (i) make a mortgage loan to any director or
1242 executive officer secured by premises occupied or to be occupied by
1243 such director or officer as a primary residence, (ii) make an educational
1244 loan to any director or executive officer for the education of any child of
1245 such director or executive officer, and (iii) extend credit to any director
1246 or executive officer in an amount not exceeding ten thousand dollars for
1247 extensions of credit not otherwise specifically authorized in this
1248 subparagraph. The aggregate amount of all loans or extensions of credit
1249 made by a community bank pursuant to this subparagraph shall not
1250 exceed thirty-three and one-third per cent of the equity capital and
1251 reserves for loan and lease losses of such bank. As used in this
1252 subparagraph, "executive officer" means every officer of a community

1253 bank who participates or has authority to participate, other than in the
1254 capacity of a director, in major policy-making functions of the bank,
1255 regardless of whether such officer has an official title or whether such
1256 officer serves without salary or other compensation. The vice president,
1257 chief financial officer, secretary and treasurer of a community bank are
1258 presumed to be executive officers unless, by resolution of the governing
1259 board or by the bank's bylaws, any such officer is excluded from
1260 participation in major policy-making functions, other than in the
1261 capacity of a director of the bank, and such officer does not actually
1262 participate in major policy-making functions.

1263 (4) The audit and examination requirements set forth in section 36a-
1264 86 shall apply to each community bank.

1265 (5) The commissioner may adopt regulations, in accordance with
1266 chapter 54, to administer the provisions of this subsection and section
1267 36a-139.

1268 (s) (1) As used in this subsection, "community development bank"
1269 means a Connecticut bank that is organized to serve the banking needs
1270 of a well-defined neighborhood, community or other geographic area as
1271 determined by the commissioner, primarily, but not exclusively, by
1272 making commercial loans in amounts of one hundred fifty thousand
1273 dollars or less to existing businesses or to persons seeking to establish
1274 businesses located within such neighborhood, community or
1275 geographic area.

1276 (2) One or more persons may organize a community development
1277 bank in accordance with the provisions of this section, except that
1278 subsection (g) of this section shall not apply. The approving authority
1279 for a community development bank shall be the commissioner acting
1280 alone. Any such community development bank shall commence
1281 business with a minimum equity capital determined by the
1282 commissioner to be appropriate for the proposed activities of such bank,
1283 provided, if such proposed activities include accepting deposits, such

1284 minimum equity capital shall be sufficient to enable such deposits to be
1285 insured by the Federal Deposit Insurance Corporation or its successor
1286 agency.

1287 (3) The state, acting through the State Treasurer, may be the sole
1288 organizer of a community development bank or may participate with
1289 any other person or persons in the organization of any community
1290 development bank, and may own all or a part of any capital stock of
1291 such bank. No application fee shall be required under subparagraph (H)
1292 of subdivision (1) of subsection (d) of section 36a-65 and no franchise tax
1293 shall be required under subsection (o) of this section for any community
1294 development bank organized by or in participation with the state.

1295 (4) In addition to the considerations and determinations required by
1296 subsection (h) of this section, before granting a temporary certificate of
1297 authority to organize a community development bank, the approving
1298 authority shall determine that (A) each of the proposed directors and
1299 proposed executive officers possesses capacity and fitness for the duties
1300 and responsibilities with which such director or officer will be charged,
1301 and (B) there is satisfactory community support for the proposed
1302 community development bank based on evidence of such support
1303 provided by the organizers to the approving authority. If the approving
1304 authority cannot make such determination with respect to any such
1305 proposed director or proposed executive officer, the approving
1306 authority may refuse to allow such proposed director or proposed
1307 executive officer to serve in such capacity in the proposed community
1308 development bank. As used in this subdivision, "executive officer"
1309 means every officer of a community development bank who
1310 participates or has authority to participate, other than in the capacity of
1311 a director, in major policy-making functions of the bank, regardless of
1312 whether such officer has an official title or whether such officer serves
1313 without salary or other compensation. The vice president, chief financial
1314 officer, secretary and treasurer of a community development bank are
1315 presumed to be executive officers unless, by resolution of the governing
1316 board or by the bank's bylaws, any such officer is excluded from

1317 participation in major policy-making functions, other than in the
1318 capacity of a director of the bank, and such officer does not actually
1319 participate in major policy-making functions.

1320 (5) Notwithstanding any contrary provision of this title: (A) The
1321 commissioner may limit the powers that may be exercised by a
1322 community development bank or impose conditions on the exercise by
1323 such bank of any power allowed by this title as the commissioner deems
1324 necessary in the interest of the public and for the safety and soundness
1325 of the community development bank, provided, any such limitations or
1326 conditions, or both, shall be set forth in the final certificate of authority
1327 issued in accordance with subsection (l) of this section; and (B) the
1328 commissioner may waive in writing any requirement imposed on a
1329 community development bank under this title or any regulation
1330 adopted under this title if the commissioner finds that such requirement
1331 is inconsistent with the powers that may be exercised by such
1332 community development bank under its final certificate of authority.

1333 (6) The commissioner may adopt regulations, in accordance with
1334 chapter 54, to carry out the provisions of this subsection.

1335 (t) (1) One or more persons may organize an [uninsured] innovation
1336 bank in accordance with the provisions of this section, except that
1337 subsection (g) of this section shall not apply. The approving authority
1338 for an [uninsured] innovation bank shall be the commissioner acting
1339 alone. Any such [uninsured] innovation bank shall commence business
1340 with a minimum equity capital of at least five million dollars unless the
1341 commissioner establishes a different minimum capital requirement for
1342 such [uninsured] innovation bank based upon its proposed activities.

1343 (2) An [uninsured] innovation bank shall have all of the powers of
1344 and be subject to all of the requirements and limitations applicable to a
1345 Connecticut bank under this title which are not inconsistent with this
1346 subsection, except no [uninsured] innovation bank may accept retail
1347 deposits and, notwithstanding any provision of this title, sections 36a-

1348 30 to 36a-34, inclusive, do not apply to [uninsured] innovation banks.

1349 (3) (A) An [uninsured] innovation bank shall display conspicuously,
1350 at each window or other place where deposits are usually accepted, a
1351 sign stating that deposits are not insured by the Federal Deposit
1352 Insurance Corporation or its successor agency.

1353 (B) An [uninsured] innovation bank shall either (i) include in boldface
1354 conspicuous type on each signature card, passbook, and instrument
1355 evidencing a deposit the following statement: "This deposit is not
1356 insured by the FDIC", or (ii) require each depositor to execute a
1357 statement that acknowledges that the initial deposit and all future
1358 deposits at the [uninsured] innovation bank are not insured by the
1359 Federal Deposit Insurance Corporation or its successor agency. The
1360 [uninsured] innovation bank shall retain such acknowledgment as long
1361 as the depositor maintains any deposit with the [uninsured] innovation
1362 bank.

1363 (C) An [uninsured] innovation bank shall include on all of its deposit-
1364 related advertising a conspicuous statement that deposits are not
1365 insured by the Federal Deposit Insurance Corporation or its successor
1366 agency.

1367 (4) Notwithstanding any provision of this title, an innovation bank
1368 may accept and hold nonretail deposits, including, but not limited to,
1369 nonretail deposits received from a corporation that owns the majority of
1370 the shares of the innovation bank. An innovation bank may secure
1371 deposit insurance for such nonretail deposits, including from the
1372 Federal Deposit Insurance Corporation.

1373 (u) (1) Each trust bank and [uninsured] innovation bank shall keep
1374 assets on deposit in the amount of at least one million dollars with such
1375 banks as the commissioner may approve, provided a trust bank or
1376 [uninsured] innovation bank that received its final certificate of
1377 authority prior to May 12, 2004, shall keep assets on deposit as follows:
1378 At least two hundred fifty thousand dollars no later than one year from

1379 May 12, 2004, at least five hundred thousand dollars no later than two
1380 years from said date, at least seven hundred fifty thousand dollars no
1381 later than three years from said date and at least one million dollars no
1382 later than four years from said date. No trust bank or [uninsured]
1383 innovation bank shall make a deposit pursuant to this section until the
1384 bank at which the assets are to be deposited and the trust bank or
1385 [uninsured] innovation bank shall have executed a deposit agreement
1386 satisfactory to the commissioner. The value of such assets shall be based
1387 upon the principal amount or market value, whichever is lower. If the
1388 commissioner determines that an asset that otherwise qualifies under
1389 this section shall be valued at less than the amount otherwise provided
1390 in this subdivision, the commissioner shall so notify the trust bank or
1391 [uninsured] innovation bank, which shall thereafter value such asset as
1392 directed by the commissioner.

1393 (2) As used in this subsection, "assets" means: (A) United States dollar
1394 deposits payable in the United States, other than certificates of deposit;
1395 (B) bonds, notes, debentures or other obligations of the United States or
1396 any agency or instrumentality thereof, or guaranteed by the United
1397 States, or of this state or of a county, city, town, village, school district,
1398 or instrumentality of this state or guaranteed by this state; (C) bonds,
1399 notes, debentures or other obligations issued by the Federal Home Loan
1400 Mortgage Corporation and the Federal National Mortgage Corporation;
1401 (D) commercial paper payable in dollars in the United States, provided
1402 such paper is rated in one of the three highest rating categories by a
1403 rating service recognized by the commissioner. In the event that an issue
1404 of commercial paper is rated by more than one recognized rating
1405 service, it shall be rated in one of the three highest rating categories by
1406 each such rating service; (E) negotiable certificates of deposit that are
1407 payable in the United States; (F) reserves held at a federal reserve bank;
1408 and (G) such other assets as determined by the commissioner upon
1409 written application.

1410 Sec. 17. Subsections (a) to (h), inclusive, of section 36a-139a of the
1411 general statutes are repealed and the following is substituted in lieu

1412 thereof (*Effective July 1, 2024*):

1413 (a) Any [uninsured] innovation bank or any trust bank may, upon the
1414 approval of the commissioner, convert to a Connecticut bank that is
1415 authorized to accept retail deposits and operate without the limitations
1416 provided in subdivisions (2) and (3) of subsection (t) and subsection (u)
1417 of section 36a-70, as amended by this act, and subsection (b) of section
1418 36a-250.

1419 (b) The converting bank shall file with the commissioner a proposed
1420 plan of conversion, a copy of the proposed amended certificate of
1421 incorporation and a certificate by the secretary of the converting bank
1422 that the proposed plan of conversion and proposed amended certificate
1423 of incorporation have been approved in accordance with subsection (c)
1424 of this section.

1425 (c) The proposed plan of conversion and proposed amended
1426 certificate of incorporation shall require the approval of a majority of the
1427 governing board of the converting bank and the favorable vote of not
1428 less than two-thirds of the holders of each class of the converting
1429 [bank's] bank's capital stock, if any, or in the case of a converting mutual
1430 bank, the incorporators thereof, cast at a meeting called to consider such
1431 conversion.

1432 (d) Any shareholder of a capital stock Connecticut bank that proposes
1433 to convert under this section, who, on or before the date of the
1434 [shareholders'] shareholders' meeting to vote on such conversion,
1435 objects to the conversion by filing a written objection with the secretary
1436 of such bank may, within ten days after the effective date of such
1437 conversion, make written demand upon the bank for payment of such
1438 shareholder's stock. Any such shareholder that makes such objection
1439 and demand shall have the same rights as those of a shareholder that
1440 asserts appraisal rights with respect to the merger of two or more capital
1441 stock Connecticut banks.

1442 (e) The commissioner shall approve a conversion under this section

1443 if the commissioner determines that: (1) The converting bank has
1444 complied with all applicable provisions of law; (2) the converting bank
1445 has equity capital of at least five million dollars; (3) the converting bank
1446 has received satisfactory ratings on its most recent safety and soundness
1447 examination; (4) the proposed conversion will serve the public necessity
1448 and convenience; and (5) the converting bank will provide adequate
1449 services to meet the banking needs of all community residents,
1450 including low-income residents and moderate-income residents to the
1451 extent permitted by its charter, in accordance with a plan submitted by
1452 the converting bank to the commissioner, in such form and containing
1453 such information as the commissioner may require. Upon receiving any
1454 such plan, the commissioner shall make the plan available for public
1455 inspection and comment at the Department of Banking and cause notice
1456 of its submission and availability for inspection and comment to be
1457 published in the department's weekly bulletin. With the concurrence of
1458 the commissioner, the converting bank shall publish, in the form of a
1459 legal advertisement in a newspaper having a substantial circulation in
1460 the area, notice of such plan's submission and availability for public
1461 inspection and comment. The notice shall state that the inspection and
1462 comment period will last for a period of thirty days from the date of
1463 publication. The commissioner shall not make such determination until
1464 the expiration of the thirty-day period. In making such determination,
1465 the commissioner shall, unless clearly inapplicable, consider, among
1466 other factors, whether the plan identifies specific unmet credit and
1467 consumer banking needs in the local community and specifies how such
1468 needs will be satisfied, provides for sufficient distribution of banking
1469 services among branches or satellite devices, or both, located in low-
1470 income neighborhoods, contains adequate assurances that banking
1471 services will be offered on a nondiscriminatory basis and demonstrates
1472 a commitment to extend credit for housing, small business and
1473 consumer purposes in low-income neighborhoods.

1474 (f) After receipt of the commissioner's approval, the converting bank
1475 shall promptly file such approval and its amended certificate of

1476 incorporation with the Secretary of the State and with the town clerk of
1477 the town in which its principal office is located. Upon such filing, the
1478 bank shall cease to be an [uninsured] innovation bank subject to the
1479 provisions of subdivisions (2) and (3) of subsection (t) and subsection
1480 (u) of section 36a-70, as amended by this act, or a trust bank, subject to
1481 the limitations provided in subsection (u) of section 36a-70, as amended
1482 by this act, and subsection (b) of section 36a-250, and shall be a
1483 Connecticut bank subject to all of the requirements and limitations and
1484 possessed of all rights, privileges and powers granted to it by its
1485 amended certificate of incorporation and by the provisions of the
1486 general statutes applicable to its type of Connecticut bank. Such
1487 Connecticut bank shall not commence business unless its insurable
1488 accounts and deposits are insured by the Federal Deposit Insurance
1489 Corporation or its successor agency. Upon such filing with the Secretary
1490 of the State and with the town clerk, all of the assets, business and good
1491 will of the converting bank shall be transferred to and vested in such
1492 Connecticut bank without any deed or instrument of conveyance,
1493 provided the converting bank may execute any deed or instrument of
1494 conveyance as is convenient to confirm such transfer. Such Connecticut
1495 bank shall be subject to all of the duties, relations, obligations, trusts and
1496 liabilities of the converting bank, whether as debtor, depository,
1497 registrar, transfer agent, executor, administrator or otherwise, and shall
1498 be liable to pay and discharge all such debts and liabilities, and to
1499 perform all such duties in the same manner and to the same extent as if
1500 the Connecticut bank had itself incurred the obligation or liability or
1501 assumed the duty or relation. All rights of creditors of the converting
1502 bank and all liens upon the property of such bank shall be preserved
1503 unimpaired and the Connecticut bank shall be entitled to receive,
1504 accept, collect, hold and enjoy any and all gifts, bequests, devises,
1505 conveyances, trusts and appointments in favor of or in the name of the
1506 converting bank and whether made or created to take effect prior to or
1507 after the conversion.

1508 (g) The persons named as directors in the amended certificate of

1509 incorporation shall be the directors of such Connecticut bank until the
1510 first annual election of directors after the conversion or until the
1511 expiration of their terms as directors, and shall have the power to take
1512 all necessary actions and to adopt bylaws concerning the business and
1513 management of such Connecticut bank.

1514 (h) No such Connecticut bank resulting from the conversion of an
1515 [uninsured] innovation bank may exercise any of the fiduciary powers
1516 granted to Connecticut banks by law until express authority therefor has
1517 been given by the commissioner, unless such authority was previously
1518 granted to the converting bank.

1519 Sec. 18. Subsections (a) to (g), inclusive, of section 36a-139b of the
1520 general statutes are repealed and the following is substituted in lieu
1521 thereof (*Effective July 1, 2024*):

1522 (a) Any Connecticut bank may, upon the approval of the
1523 commissioner, convert to an [uninsured] innovation bank.

1524 (b) The converting bank shall file with the commissioner a proposed
1525 plan of conversion, a copy of the proposed amended certificate of
1526 incorporation and a certificate by the secretary of the converting bank
1527 that the proposed plan of conversion and proposed certificate of
1528 incorporation have been approved in accordance with subsection (c) of
1529 this section.

1530 (c) The proposed plan of conversion and proposed amended
1531 certificate of incorporation shall require the approval of a majority of the
1532 governing board of the converting bank and the favorable vote of not
1533 less than two-thirds of the holders of each class of the [bank's] bank's
1534 capital stock, if any, or, in the case of a mutual bank, the incorporators
1535 thereof, cast at a meeting called to consider such conversion.

1536 (d) Any shareholder of a converting capital stock Connecticut bank
1537 that proposes to convert to an [uninsured] innovation bank who, on or
1538 before the date of the [shareholders'] shareholders' meeting to vote on

1539 such conversion, objects to the conversion by filing a written objection
1540 with the secretary of such bank may, within ten days after the effective
1541 date of such conversion, make written demand upon the converted bank
1542 for payment of such [shareholder's] shareholder's stock. Any such
1543 shareholder that makes such objection and demand shall have the same
1544 rights as those of a shareholder who dissents from the merger of two or
1545 more capital stock Connecticut banks.

1546 (e) If applicable, a converting Connecticut bank shall liquidate all of
1547 its retail deposits with the approval of the commissioner. The converting
1548 bank shall file with the commissioner a written notice of its intent to
1549 liquidate all of its retail deposits together with a plan of liquidation and
1550 a proposed notice to depositors approved and executed by a majority of
1551 its governing board. The commissioner shall approve the plan and the
1552 notice to depositors. The commissioner shall not approve a sale of the
1553 retail deposits of the converting bank if the purchasing insured
1554 depository institution, including all insured depository institutions
1555 which are affiliates of such institution, upon consummation of the sale,
1556 would control thirty per cent or more of the total amount of deposits of
1557 insured depository institutions in this state, unless the commissioner
1558 permits a greater percentage of such deposits. The converting and
1559 purchasing institutions shall file with the commissioner a written
1560 agreement approved and executed by a majority of the governing board
1561 of each institution prescribing the terms and conditions of the
1562 transaction.

1563 (f) The commissioner shall approve a conversion under this section if
1564 the commissioner determines that: (1) The converting bank has
1565 complied with all applicable provisions of law; (2) the converting bank
1566 has equity capital of at least five million dollars unless the commissioner
1567 establishes a different minimum capital requirement based on the
1568 proposed activities of the converting bank; (3) the converting bank has
1569 liquidated all of its retail deposits, if any, and has no deposits that are
1570 insured by the Federal Deposit Insurance Corporation or its successor
1571 agency; and (4) the proposed conversion will serve the public necessity

1572 and convenience. The commissioner shall not approve such conversion
1573 unless the commissioner considers the findings of the most recent state
1574 or federal safety and soundness examination of the converting bank,
1575 and the effect of the proposed conversion on the financial resources and
1576 future prospects of the converting bank.

1577 (g) After receipt of the [commissioner's] commissioner's approval for
1578 the conversion, the converting bank shall promptly file such approval
1579 and its certificate of incorporation with the Secretary of the State and
1580 with the town clerk of the town in which its principal office is located.
1581 Upon such filing, the converted Connecticut bank shall not accept retail
1582 deposits and shall be an [uninsured] innovation bank, subject to the
1583 limitations in subdivisions (2) and (3) of subsection (t) and subsection
1584 (u) of section 36a-70, as amended by this act. Upon such conversion, the
1585 converted Connecticut bank possesses all of the rights, privileges and
1586 powers granted to it by its certificate of incorporation and by the
1587 provisions of the general statutes applicable to its type of Connecticut
1588 bank, and all of the assets, business and good will of the converting bank
1589 shall be transferred to and vested in the converted Connecticut bank
1590 without any deed or instrument of conveyance, provided the converting
1591 bank may execute any deed or instrument of conveyance as is
1592 convenient to confirm such transfer. The converted Connecticut bank
1593 shall be subject to all of the duties, relations, obligations, trusts and
1594 liabilities of the converting bank, whether as debtor, depository,
1595 registrar, transfer agent, executor, administrator or otherwise, and shall
1596 be liable to pay and discharge all such debts and liabilities, and to
1597 perform all such duties in the same manner and to the same extent as if
1598 the converted bank had itself incurred the obligation or liability or
1599 assumed the duty or relation. All rights of creditors of the converting
1600 bank and all liens upon the property of such bank shall be preserved
1601 unimpaired and the [uninsured] innovation bank shall be entitled to
1602 receive, accept, collect, hold and enjoy any and all gifts, bequests,
1603 devises, conveyances, trusts and appointments in favor of or in the
1604 name of the converting bank and whether made or created to take effect

1605 prior to or after the conversion.

1606 Sec. 19. Section 36a-215 of the general statutes is repealed and the
1607 following is substituted in lieu thereof (*Effective July 1, 2024*):

1608 If, in the opinion of the commissioner, a trust bank, or an [uninsured]
1609 innovation bank, in danger of becoming insolvent, is not likely to be able
1610 to meet the demands of its depositors, in the case of an [uninsured]
1611 innovation bank, or pay its obligations in the normal course of business,
1612 or is likely to incur losses that may deplete all or substantially all of its
1613 capital, the commissioner may require such trust bank or [uninsured]
1614 innovation bank to increase the assets kept on deposit as required by
1615 subsection (u) of section 36a-70, as amended by this act, to an amount
1616 that would be sufficient to meet the costs and expenses incurred by the
1617 commissioner pursuant to section 36a-222 and all fees and assessments
1618 due the commissioner. Such assets shall be deposited with such bank as
1619 the commissioner may designate, and shall be in such form and subject
1620 to such conditions as the commissioner deems necessary.

1621 Sec. 20. Subsection (a) of section 36a-220 of the general statutes is
1622 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1623 *2024*):

1624 (a) If it appears to the commissioner that (1) the charter of any
1625 Connecticut bank or out-of-state bank that maintains in this state a
1626 branch, as defined in section 36a-410, or the certificate of authority of
1627 any Connecticut credit union or out-of-state credit union that maintains
1628 in this state a branch, as defined in section 36a-435b, is forfeited, (2) the
1629 public is in danger of being defrauded by such bank or credit union, it
1630 is unsafe or unsound for such bank or credit union to continue business
1631 or its assets are being dissipated, (3) such bank or credit union is
1632 insolvent, is in danger of imminent insolvency or that its capital is not
1633 adequate to support the level of risk, or (4) the Federal Deposit
1634 Insurance Corporation, National Credit Union Administration or their
1635 successor agencies have terminated insurance of the insurable accounts

1636 or deposits of such bank, unless such Connecticut bank has filed an
1637 application with the commissioner to convert to an [uninsured]
1638 innovation bank pursuant to section 36a-139b, as amended by this act,
1639 or credit union, the commissioner shall apply to the superior court for
1640 the judicial district of Hartford or the judicial district in which the main
1641 office of such bank or credit union is located for an injunction restraining
1642 such bank or credit union from conducting business or, in the case of a
1643 Connecticut bank or Connecticut credit union, for the appointment of a
1644 conservator or for a receiver to wind up its affairs.

1645 Sec. 21. Subsections (a) to (c), inclusive, of section 36a-221a of the
1646 general statutes are repealed and the following is substituted in lieu
1647 thereof (*Effective July 1, 2024*):

1648 (a) (1) The receiver of a trust bank or [uninsured] innovation bank
1649 shall, as soon after the receiver's appointment as is practicable,
1650 terminate all fiduciary positions the bank holds, surrender all property
1651 held by the bank as a fiduciary and settle the fiduciary accounts. With
1652 the approval of the Superior Court, the receiver of a trust bank or
1653 [uninsured] innovation bank shall release all segregated and identifiable
1654 fiduciary property held by the bank to one or more successor fiduciaries,
1655 and may sell one or more fiduciary accounts to one or more successor
1656 fiduciaries on terms that appear to be in the best interest of the bank's
1657 estate and the persons interested in the property or fiduciary accounts.

1658 (2) Upon the sale or transfer of fiduciary property or a fiduciary
1659 account, the successor fiduciary shall be automatically substituted
1660 without further action and without any order of any court. Prior to the
1661 effective date of substitution of the successor fiduciary, the receiver shall
1662 mail notice of such substitution to each person to whom such bank
1663 provides periodic reports of fiduciary activity. The notice shall include:
1664 (A) The name of such bank, (B) the name of the successor fiduciary, and
1665 (C) the effective date of the substitution of the successor fiduciary. The
1666 provisions of section 45a-245a shall not apply to the substitution of a
1667 fiduciary under this section.

1668 (b) A successor fiduciary shall have all of the rights, powers, duties
1669 and obligations of such bank and shall be deemed to be named,
1670 nominated or appointed as fiduciary in any will, trust, court order or
1671 similar written document or instrument that names, nominates or
1672 appoints such bank as fiduciary, whether executed before or after the
1673 successor fiduciary is substituted, provided the successor fiduciary shall
1674 have no obligations or liabilities under this section for any acts, actions,
1675 inactions or events occurring prior to the effective date of the
1676 substitution.

1677 (c) If commingled fiduciary money held by the trust bank or
1678 [uninsured] innovation bank as trustee is insufficient to satisfy all
1679 fiduciary claims to the commingled money, the receiver shall distribute
1680 such money pro rata to all fiduciary claimants of such money based on
1681 their proportionate interest.

1682 Sec. 22. Section 36a-225 of the general statutes is repealed and the
1683 following is substituted in lieu thereof (*Effective July 1, 2024*):

1684 (a) The Superior Court, upon appointing a receiver of any
1685 Connecticut bank, other than a trust bank or an [uninsured] innovation
1686 bank, or Connecticut credit union, shall limit the time within which all
1687 claims against the bank or credit union may be presented to the receiver,
1688 and the court may, upon cause shown, extend such time and shall cause
1689 such public notice of such limitation or extension of time to be given as
1690 it deems reasonable and just. All claims not presented to the receiver
1691 within the period limited shall be forever barred, except that any claim
1692 for a deposit or share account, as shown by the depositor's or share
1693 account holder's passbook, certificate of deposit, statement or other
1694 evidence of deposit or the records of such bank or credit union, shall be
1695 allowed by the receiver.

1696 (b) (1) As soon as reasonably practicable after appointment of a
1697 receiver of a trust bank or an [uninsured] innovation bank, the receiver
1698 shall publish notice, in a newspaper of general circulation in each town

1699 in which an office of such bank is located, stating that: (A) The bank has
1700 been placed in receivership; (B) the depositors, clients and creditors are
1701 required to present their claims for payment on or before a specific date
1702 and at a specified place; and (C) all safe deposit box holders and bailors
1703 of property left with the bank are required to remove their property no
1704 later than a specified date. The dates that the receiver selects may not be
1705 earlier than the one hundred twenty-first day after the date of the notice,
1706 and shall allow: (i) The affairs of the bank to be wound up as quickly as
1707 feasible; and (ii) depositors, clients, creditors, safe deposit box holders
1708 and bailors of property adequate time for presentation of claims,
1709 withdrawal of accounts, and redemption of property. The receiver may
1710 adjust the dates with the approval of the court and with or without
1711 republication of notice if the receiver determines that additional time is
1712 needed for any such presentation, withdrawal or redemption.

1713 (2) As soon as reasonably practicable, given the state of the [bank's]
1714 bank's records and the adequacy of staffing, the receiver shall mail to
1715 each of the [bank's] bank's known depositors, clients, creditors, safe
1716 deposit box holders and bailors of property left with the bank, at the
1717 mailing address shown on the [bank's] bank's records, an individual
1718 notice containing the information required in the notice provided in
1719 subdivision (1) of this subsection, and specific information pertinent to
1720 the account or property of the addressee. The receiver of a trust bank or
1721 [uninsured] innovation bank may require a fiduciary claimant to file a
1722 proof of claim if the records of such bank are insufficient to identify the
1723 [claimant's] claimant's interest.

1724 Sec. 23. Subsection (a) of section 36a-226a of the general statutes is
1725 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1726 *2024*):

1727 (a) A contract between a trust bank or [uninsured] innovation bank
1728 in receivership and another person for bailment, of deposit for hire, or
1729 for the lease of a safe, vault or safe deposit box terminates on the date
1730 specified for removal of property in the notices that were published and

1731 mailed in accordance with section 36a-225, as amended by this act, or a
1732 later date approved by the receiver or the Superior Court. A person who
1733 has paid rental or storage charges for a period extending beyond the
1734 date designated for removal of property has a claim against such bank's
1735 estate for a refund of the unearned amount paid.

1736 Sec. 24. Subsections (a) and (b) of section 36a-237 of the general
1737 statutes are repealed and the following is substituted in lieu thereof
1738 (*Effective July 1, 2024*):

1739 (a) The assets of any Connecticut bank, other than a trust bank or
1740 [uninsured] innovation bank, in the possession of a receiver shall be
1741 distributed in the following order of priority: (1) All fees and
1742 assessments due the commissioner; (2) the charges and expenses of
1743 settling such bank's affairs; (3) all deposits; (4) all other liabilities; (5) any
1744 liquidation account; and (6) in the case of a capital stock Connecticut
1745 bank, the claims of shareholders or, in the case of a mutual savings bank
1746 or mutual savings and loan association, the claims of depositors in
1747 proportion to their respective deposits.

1748 (b) (1) The assets of a trust bank or an [uninsured] innovation bank
1749 shall be distributed in the following order of priority: (A) All fees and
1750 assessments due the commissioner; (B) administrative expenses; (C)
1751 approved claims of owners of secured trust funds on deposit to the
1752 extent of the value of the security as provided in subsection (d) of section
1753 36a-237f, as amended by this act; (D) approved claims of secured
1754 creditors to the extent of the value of the security as provided in
1755 subsection (d) of section 36a-237f, as amended by this act; (E) approved
1756 claims by beneficiaries of insufficient commingled fiduciary money or
1757 missing fiduciary property and approved claims of clients of the trust
1758 bank or [uninsured] innovation bank; (F) other approved claims of
1759 depositors and general creditors not falling within a higher priority
1760 under this subdivision, including unsecured claims for taxes and debts
1761 due the federal government or a state or local government; (G)
1762 approved claims of a type described by subparagraphs (A) to (F),

1763 inclusive, of this subdivision that were not filed within the period
1764 prescribed by sections 36a-215 to 36a-239, inclusive, as amended by this
1765 act; and (H) claims of capital note or debenture holders or holders of
1766 similar obligations and proprietary claims of shareholders or other
1767 owners according to the terms established by issue, class or series.

1768 (2) As used in this subsection, "administrative expense" means (A)
1769 any expense designated as an administrative expense by sections 36a-
1770 231 and 36a-237h, as amended by this act; (B) any charge or expense of
1771 settling the affairs of the bank, including court costs and expenses of
1772 operation and liquidation of the bank's estate; (C) wages owed to an
1773 employee of the bank for services rendered within three months before
1774 the date the bank was placed in receivership and not exceeding two
1775 thousand dollars to each employee; (D) current wages owed to an
1776 employee of the bank whose services are retained by the receiver for
1777 services rendered after the date the bank is placed in receivership; and
1778 (E) an unpaid expense of supervision or conservatorship of the bank
1779 before it was placed in receivership.

1780 Sec. 25. Section 36a-237f of the general statutes is repealed and the
1781 following is substituted in lieu thereof (*Effective July 1, 2024*):

1782 (a) To receive payment of a claim against the estate of a trust bank or
1783 [uninsured] innovation bank in receivership, a person who has a claim,
1784 other than a shareholder acting in that capacity, including a claimant
1785 with a secured claim or a fiduciary claimant ordered by the receiver to
1786 file a proof of claim under subdivision (2) of subsection (b) of section
1787 36a-225, as amended by this act, shall present proof of the claim to the
1788 receiver at a place specified by the receiver, within the period specified
1789 by the receiver. Receipt of the required proof of claim by the receiver is
1790 a condition precedent to the payment of the claim. A claim that is not
1791 filed within the period or at the place specified by the receiver may not
1792 participate in a distribution of the assets by the receiver, except that,
1793 subject to court approval, the receiver may accept a claim filed not later
1794 than the one-hundred-eightieth day after the date notice of the

1795 claimant's right to file a proof of claim is mailed to the claimant,
1796 provided such claim shall be subordinate to an approved claim of a
1797 general creditor. Interest does not accrue on any claim after the date the
1798 bank is placed in receivership. The provisions of this subsection shall
1799 not apply to a fiduciary claimant or depositor where the records of the
1800 bank in receivership are sufficient to identify the fiduciary claimant's or
1801 depositor's interest.

1802 (b) (1) The proof of claim against a trust bank or an [uninsured]
1803 innovation bank shall be in writing, be signed by the claimant, and
1804 include: (A) A statement of the claim; (B) a description of the
1805 consideration for the claim; (C) a statement of whether collateral is held
1806 or a security interest is asserted against the claim and, if so, a description
1807 of the collateral or security interest; (D) a statement of any right of
1808 priority of payment for the claim or other specific right asserted by the
1809 claimant; (E) a statement of whether a payment has been made on the
1810 claim and, if so, the amount and source of the payment, to the extent
1811 known by the claimant; (F) a statement that the amount claimed is justly
1812 owed by the bank to the claimant; and (G) any other matter that is
1813 required by the Superior Court.

1814 (2) The receiver may designate the form of the proof of claim. A proof
1815 of claim shall be filed under oath unless the oath is waived by the
1816 receiver. If a claim is founded on a written instrument, the original
1817 instrument, unless lost or destroyed, shall be filed with the proof of
1818 claim. After the instrument is filed, the receiver may permit the claimant
1819 to substitute a copy of the instrument until the final disposition of the
1820 claim. If the instrument is lost or destroyed, a statement of that fact and
1821 of the circumstances of the loss or destruction shall be filed under oath
1822 with the claim.

1823 (c) A judgment against a trust bank or [uninsured] innovation bank
1824 in receivership taken by default or by collusion before the date the bank
1825 was placed in receivership may not be considered as conclusive
1826 evidence of the liability of the bank to the judgment creditor or of the

1827 amount of damages to which the judgment creditor is entitled. A
1828 judgment against the bank entered after the date the bank was placed in
1829 receivership may not be considered as evidence of liability or of the
1830 amount of damages.

1831 (d) (1) The owner of secured trust funds on deposit may file a claim
1832 as a creditor against a trust bank or [uninsured] innovation bank in
1833 receivership. The value of the security shall be determined under
1834 supervision of the Superior Court by converting the security into
1835 money.

1836 (2) The owner of a secured claim against a trust bank or [uninsured]
1837 innovation bank in receivership may surrender the security and file a
1838 claim as a general creditor or apply the security to the claim and
1839 discharge the claim.

1840 (3) If the owner applies the security and discharges the claim under
1841 subdivision (2) of this subsection, any deficiency shall be treated as a
1842 claim against the general assets of the bank on the same basis as a claim
1843 of an unsecured creditor. The amount of the deficiency shall be
1844 determined as provided by subsection (e) of this section, except that if
1845 the amount of the deficiency has been adjudicated by a court in a
1846 proceeding in which the receiver has had notice and an opportunity to
1847 be heard, the court's decision is conclusive as to the amount.

1848 (4) The value of security held by a secured creditor shall be
1849 determined under supervision of the court by converting the security
1850 into money according to the terms of the agreement under which the
1851 security was delivered to the creditor or by agreement, arbitration,
1852 compromise or litigation between the creditor and the receiver.

1853 (e) (1) A claim against a trust bank or [uninsured] innovation bank in
1854 receivership based on an unliquidated or undetermined demand shall
1855 be filed within the period for the filing of the claim. The claim may not
1856 share in any distribution to claimants until the claim is definitely
1857 liquidated, determined and allowed. After the claim is liquidated,

1858 determined and allowed, the claim shares ratably with the claims of the
1859 same class in all subsequent distributions.

1860 (2) If the receiver in all other respects is in a position to close the
1861 receivership proceeding, the proposed closing is sufficient grounds for
1862 the rejection of any remaining claim based on an unliquidated or
1863 undetermined demand. The receiver shall notify the claimant of the
1864 intention to close the proceeding. If the demand is not liquidated or
1865 determined before the sixty-first day after the date of the notice, the
1866 receiver may reject the claim.

1867 (3) For the purposes of this subsection, a demand is considered
1868 unliquidated or undetermined if the right of action on the demand
1869 accrued while the trust bank or [uninsured] innovation bank was placed
1870 in receivership and the liability on the demand has not been determined
1871 or the amount of the demand has not been liquidated.

1872 (f) (1) Mutual credits and mutual debts shall be set off and only the
1873 balance allowed or paid, except that a set-off may not be allowed in
1874 favor of a person if: (A) The obligation of a trust bank or [uninsured]
1875 innovation bank to the person on the date the bank was placed in
1876 receivership did not entitle the person to share as a claimant in the assets
1877 of the bank; (B) the obligation of the bank to the person was purchased
1878 by or transferred to the person after the date the bank was placed in
1879 receivership or for the purpose of increasing set-off rights; or (C) the
1880 obligation of the person or the bank is as a trustee or fiduciary.

1881 (2) Upon request, the receiver shall provide a person with an
1882 accounting statement identifying each debt that is due and payable. A
1883 person who owes a trust bank or [uninsured] innovation bank an
1884 amount that is due and payable against which the person asserts set-off
1885 of mutual credits that may become due and payable from the bank in
1886 the future shall promptly pay to the receiver the amount due and
1887 payable. The receiver shall promptly refund, to the extent of the person's
1888 prior payment, mutual credits that become due and payable to the

1889 person by the bank in receivership.

1890 (g) (1) Not later than six months after the last day permitted for the
1891 filing of claims or a later date allowed by the Superior Court, the receiver
1892 shall accept or reject in whole or in part each claim filed against a trust
1893 bank or an [uninsured] innovation bank in receivership, except for an
1894 unliquidated or undetermined claim governed by subsection (e) of this
1895 section. The receiver shall reject a claim if the receiver doubts its validity.

1896 (2) The receiver shall mail written notice to each claimant, specifying
1897 the disposition of the person's claim. If a claim is rejected in whole or in
1898 part, the receiver in the notice shall specify the basis for rejection and
1899 advise the claimant of the procedures and deadline for appeal.

1900 (3) The receiver shall send each claimant a summary schedule of
1901 approved and rejected claims by priority class and notify the claimant:
1902 (A) That a copy of a schedule of claims disposition, including only the
1903 name of the claimant, the amount of the claim allowed, and the amount
1904 of the claim rejected, is available upon request; and (B) of the procedure
1905 and deadline for filing an objection to an approved claim.

1906 (h) The receiver of a trust bank or [uninsured] innovation bank, with
1907 the approval of the superior court, shall set a deadline for an objection
1908 to an approved claim. On or before that date, a depositor, creditor, other
1909 claimant or shareholder of a trust bank or [uninsured] innovation bank
1910 may file an objection to an approved claim. The objection shall be heard
1911 and determined by the court. If the objection is sustained, the court shall
1912 direct an appropriate modification of the schedule of claims.

1913 (i) The receiver's rejection of a claim may be appealed to the superior
1914 court in which the receivership proceeding of a trust bank or
1915 [uninsured] innovation bank is pending. The appeal shall be filed within
1916 three months after the date of service of notice of the rejection. If the
1917 appeal is timely filed, review is de novo as if it were an action originally
1918 filed in the court, and is subject to the rules of procedure and appeal
1919 applicable to civil cases. An action to appeal rejection of a claim by the

1920 receiver is separate from the receivership proceeding, and may not be
1921 initiated by a claimant intervening in the receivership proceeding. If the
1922 action is not timely filed, the action of the receiver is final and not subject
1923 to review.

1924 (j) (1) The commissioner shall deposit all money available for the
1925 benefit of persons who have not filed a claim and are, according to the
1926 bank's records, depositors and creditors of a trust bank or [uninsured]
1927 innovation bank in receivership in a bank, Connecticut credit union,
1928 federal credit union, out-of-state bank that maintains in this state a
1929 branch, as defined in section 36a-410, or out-of-state credit union that
1930 maintains in this state a branch, as defined in section 36a-435b. The
1931 commissioner shall pay the nonclaiming depositors and creditors on
1932 demand the undisputed amount, based on the bank's records, held for
1933 their benefit.

1934 (2) The receiver may periodically make a partial distribution to the
1935 holders of approved claims if: (A) All objections have been heard and
1936 decided as provided by subsection (h) of this section; (B) the time for
1937 filing appeals has expired as provided by subsection (i) of this section;
1938 (C) money has been made available to provide for the payment of all
1939 nonclaiming depositors and creditors in accordance with subdivision (1)
1940 of this subsection; and (D) a proper reserve is established for the pro rata
1941 payment of: (i) Rejected claims that have been appealed, and (ii) any
1942 claims based on unliquidated or undetermined demands governed by
1943 subsection (e) of this section.

1944 (3) As soon as practicable after all objections, appeals and claims
1945 based on previously unliquidated or undetermined demands governed
1946 by subsection (e) of this section have been determined and money has
1947 been made available to provide for the payment of all nonclaiming
1948 depositors and creditors in accordance with subdivision (1) of this
1949 subsection, the receiver shall distribute the assets of a trust bank or
1950 [uninsured] innovation bank in satisfaction of approved claims other
1951 than claims asserted in a person's capacity as a shareholder.

1952 Sec. 26. Section 36a-237g of the general statutes is repealed and the
1953 following is substituted in lieu thereof (*Effective July 1, 2024*):

1954 (a) All fiduciary records relating to the administration of fiduciary
1955 accounts of a trust bank or [uninsured] innovation bank shall be turned
1956 over to the successor fiduciary, as defined in section 45a-245a, in charge
1957 of administration of the accounts. The receiver may devise a method for
1958 the effective, efficient and economical maintenance of all other records
1959 of the trust bank or [uninsured] innovation bank and of the receiver's
1960 office.

1961 (b) On approval by the Superior Court, the receiver may dispose of
1962 records of the trust bank or [uninsured] innovation bank in receivership
1963 that are obsolete and unnecessary to the continued administration of the
1964 receivership proceeding.

1965 Sec. 27. Subsections (a) to (c), inclusive, of section 36a-237h of the
1966 general statutes are repealed and the following is substituted in lieu
1967 thereof (*Effective July 1, 2024*):

1968 (a) Persons entitled to protection under this section shall be: (1) All
1969 receivers or conservators of trust banks or [uninsured] innovation
1970 banks, including present and former receivers and conservators; and (2)
1971 the employees of such receivers or conservators. Attorneys,
1972 accountants, auditors and other professional persons or firms who are
1973 retained by the receiver or conservator as independent contractors, and
1974 their employees, shall not be considered employees of the receiver or
1975 conservator for purposes of this section.

1976 (b) The receiver or conservator and the employees of the receiver or
1977 conservator shall be immune from suit and liability, both personally and
1978 in their official capacities, for any claim for damage to or loss of
1979 property, personal injury or other civil liability caused by or resulting
1980 from any alleged act, error or omission of the receiver or conservator or
1981 any employee arising out of or by reason of their duties or employment,
1982 provided nothing in this section shall be construed to hold the receiver

1983 or conservator or any employee immune from suit or liability for any
1984 damage, loss, injury or liability caused by the intentional or wilful and
1985 wanton misconduct of the receiver or conservator or any employee.

1986 (c) (1) If any legal action is commenced against the receiver or
1987 conservator or any employee, whether personally or in such person's
1988 official capacity, alleging property damage, property loss, personal
1989 injury or other civil liability caused by or resulting from any alleged act,
1990 error or omission of the receiver or conservator or any employee arising
1991 out of or by reason of their duties or employment, the receiver or
1992 conservator and any employee shall be indemnified from the assets of
1993 the trust bank or [uninsured] innovation bank for all expenses,
1994 attorneys' fees, judgments, settlements, decrees or amounts due and
1995 owing or paid in satisfaction of or incurred in the defense of such legal
1996 action unless it is determined upon a final adjudication on the merits
1997 that the alleged act, error or omission of the receiver or conservator or
1998 employee giving rise to the claim did not arise out of or by reason of
1999 such person's duties or employment, or was caused by intentional or
2000 wilful and wanton misconduct.

2001 (2) Attorneys' fees and any related expenses incurred in defending a
2002 legal action for which immunity or indemnity is available under this
2003 section shall be paid from the assets of the trust bank or [uninsured]
2004 innovation bank, as they are incurred, in advance of the final disposition
2005 of such action upon receipt of an undertaking by or on behalf of the
2006 receiver or conservator or employee to repay the attorneys' fees and
2007 expenses if it shall ultimately be determined upon a final adjudication
2008 on the merits that the receiver or conservator or employee is not entitled
2009 to immunity or indemnity under this section.

2010 (3) Any indemnification for expense payments, judgments,
2011 settlements, decrees, attorneys' fees, surety bond premiums or other
2012 amounts paid or to be paid from the assets of the trust bank or
2013 [uninsured] innovation bank pursuant to this section shall be an
2014 administrative expense of the receivership or conservatorship.

2015 (4) In the event of any actual or threatened litigation against a receiver
2016 or conservator or any employee for which immunity or indemnity may
2017 be available under this section, a reasonable amount of funds, which in
2018 the judgment of the receiver or conservator may be needed to provide
2019 immunity or indemnity, shall be segregated and reserved from the
2020 assets of the trust bank or [uninsured] innovation bank as security for
2021 the payment of indemnity until such time as all applicable statutes of
2022 limitation shall have run and all actual or threatened actions against the
2023 receiver or conservator or any employee have been completely and
2024 finally resolved, and all obligations of the trust bank or [uninsured]
2025 innovation bank and the commissioner under this section shall have
2026 been satisfied.

2027 (5) In lieu of segregation and reserving of funds, the receiver or
2028 conservator may, in the receiver's or conservator's discretion, obtain a
2029 surety bond or make other arrangements that will enable the receiver or
2030 conservator to fully secure the payment of all obligations under this
2031 section.

2032 Sec. 28. Subdivision (2) of subsection (a) of section 36a-333 of the
2033 general statutes is repealed and the following is substituted in lieu
2034 thereof (*Effective July 1, 2024*):

2035 (2) Notwithstanding the provisions of subdivisions (1) and (3) of this
2036 subsection, to secure public deposits, each qualified public depository
2037 that (A) has been conducting business in this state for a period of less
2038 than two years, except for a depository that is a successor institution to
2039 a depository which conducted business in this state for two years or
2040 more, or (B) is an [uninsured] innovation bank, shall at all times
2041 maintain, segregated from its other assets as required under subsection
2042 (b) of this section, eligible collateral in an amount not less than one
2043 hundred twenty per cent of all uninsured public deposits held by the
2044 depository.

2045 Sec. 29. Section 36a-609 of the 2024 supplement to the general statutes

2046 is repealed and the following is substituted in lieu thereof (*Effective July*
2047 *1, 2024*):

2048 The provisions of sections 36a-597 to 36a-607, inclusive, and sections
2049 36a-611 and 36a-612 shall not apply to:

2050 (1) Any federally insured federal bank, out-of-state bank, Connecticut
2051 bank, Connecticut credit union, federal credit union or out-of-state
2052 credit union, provided such institution does not engage in the business
2053 of money transmission in this state through any person who is not (A) a
2054 federally insured federal bank, out-of-state bank, Connecticut bank,
2055 Connecticut credit union, federal credit union or out-of-state credit
2056 union, (B) a person licensed pursuant to sections 36a-595 to 36a-612,
2057 inclusive, or an authorized delegate acting on behalf of such licensed
2058 person, or (C) a person exempt pursuant to subdivisions (2) to (4),
2059 inclusive, of this section;

2060 (2) Any Connecticut bank that is an [uninsured] innovation bank
2061 organized pursuant to subsection (t) of section 36a-70, as amended by
2062 this act;

2063 (3) The United States Postal Service and any contractor that engages
2064 in the business of money transmission in this state on behalf of the
2065 United States Postal Service; and

2066 (4) A person whose activity is limited to the electronic funds transfer
2067 of governmental benefits for or on behalf of a federal, state or other
2068 governmental agency, quasi-governmental agency or government
2069 sponsored enterprise.

2070 Sec. 30. (*Effective from passage*) In the case of any underpayment of tax
2071 by a taxpayer under chapter 208, 228z or 229 of the general statutes, no
2072 interest shall be imposed under such chapters to the extent such
2073 underpayment was due to the filing of an amended return necessitated
2074 by guidance issued by the Internal Revenue Service concerning the
2075 federal employee retention credit program. If such interest has already

2076 been paid to the Department of Revenue Services, the Commissioner of
2077 Revenue Services shall treat such payment as an overpayment and shall
2078 refund the amount of such payment, without interest, to the taxpayer.

2079 Sec. 31. Section 38a-48 of the general statutes, as amended by section
2080 6 of public act 24-138, is repealed and the following is substituted in lieu
2081 thereof (*Effective October 1, 2025*):

2082 (a) On or before June thirtieth, annually, the Commissioner of
2083 Revenue Services shall render to the Insurance Commissioner a
2084 statement certifying the total amount of taxes [or charges imposed on]
2085 reported to the Commissioner of Revenue Services on returns filed with
2086 said commissioner by each domestic insurance company or other
2087 domestic entity under chapter 207 on business done in this state during
2088 the [preceding calendar year. The statement for local domestic insurance
2089 companies shall set forth the amount of taxes and charges before any tax
2090 credits allowed as provided in subsection (a) of section 12-202] calendar
2091 year immediately preceding the prior calendar year. For purposes of
2092 preparing the annual statement under this subsection, the total amount
2093 of taxes required to be set forth in such statement shall be the amount of
2094 tax reported by each domestic insurance company or other domestic
2095 entity under chapter 207 to the Commissioner of Revenue Services prior
2096 to the application of any credits allowable or available under law to each
2097 such domestic insurance company or other domestic entity under
2098 chapter 207.

2099 (b) On or before July thirty-first, annually, the Insurance
2100 Commissioner shall render to each domestic insurance company or
2101 other domestic entity liable for payment under section 38a-47:

2102 (1) A statement that includes (A) the amount appropriated to the
2103 Insurance Department, the Office of the Healthcare Advocate and the
2104 Office of Health Strategy from the Insurance Fund established under
2105 section 38a-52a for the fiscal year beginning July first of the same year,
2106 (B) the cost of fringe benefits for department and office personnel for

2107 such year, as estimated by the Comptroller, (C) the estimated
2108 expenditures on behalf of the department and the offices from the
2109 Capital Equipment Purchase Fund pursuant to section 4a-9 for such
2110 year, not including such estimated expenditures made on behalf of the
2111 Health Systems Planning Unit of the Office of Health Strategy, and (D)
2112 the amount appropriated to the Department of Aging and Disability
2113 Services for the fall prevention program established in section 17a-859
2114 from the Insurance Fund for the fiscal year;

2115 (2) [a] A statement of the total amount of taxes [imposed on all
2116 domestic insurance companies and domestic insurance entities under
2117 chapter 207 on business done in this state during the preceding calendar
2118 year] reported in the annual statement rendered to the Insurance
2119 Commissioner pursuant to subsection (a) of this section; and

2120 (3) [the] The proposed assessment against that company or entity,
2121 calculated in accordance with the provisions of subsection (c) of this
2122 section, provided for the purposes of this calculation the amount
2123 appropriated to the Insurance Department, the Office of the Healthcare
2124 Advocate and the Office of Health Strategy from the Insurance Fund
2125 plus the cost of fringe benefits for department and office personnel and
2126 the estimated expenditures on behalf of the department and [such] said
2127 offices from the Capital Equipment Purchase Fund pursuant to section
2128 4a-9, not including such expenditures made on behalf of the Health
2129 Systems Planning Unit of the Office of Health Strategy shall be deemed
2130 to be the actual expenditures of the department and [such] said offices,
2131 and the amount appropriated to the Department of Aging and Disability
2132 Services from the Insurance Fund for the fiscal year for the fall
2133 prevention program established in section 17a-859 shall be deemed to
2134 be the actual expenditures for the program.

2135 (c) (1) The proposed assessments for each domestic insurance
2136 company or other domestic entity shall be calculated by (A) allocating
2137 twenty per cent of the amount to be paid under section 38a-47 among
2138 the domestic entities organized under sections 38a-199 to 38a-209,

2139 inclusive, and 38a-214 to 38a-225, inclusive, in proportion to their
2140 respective shares of the total amount of taxes [and charges imposed
2141 under chapter 207 on such entities on business done in this state during
2142 the preceding calendar year] reported in the annual statement rendered
2143 to the Insurance Commissioner pursuant to subsection (a) of this
2144 section, and (B) allocating eighty per cent of the amount to be paid under
2145 section 38a-47 among all domestic insurance companies and domestic
2146 entities other than those organized under sections 38a-199 to 38a-209,
2147 inclusive, and 38a-214 to 38a-225, inclusive, in proportion to their
2148 respective shares of the total amount of taxes [and charges imposed
2149 under chapter 207 on such domestic insurance companies and domestic
2150 entities on business done in this state during the preceding calendar
2151 year] reported in the annual statement rendered to the Insurance
2152 Commissioner pursuant to subsection (a) of this section, provided if
2153 there are no domestic entities organized under sections 38a-199 to 38a-
2154 209, inclusive, and 38a-214 to 38a-225, inclusive, at the time of
2155 assessment, one hundred per cent of the amount to be paid under
2156 section 38a-47 shall be allocated among such domestic insurance
2157 companies and domestic entities.

2158 (2) When the amount any such company or entity is assessed
2159 pursuant to this section exceeds twenty-five per cent of the actual
2160 expenditures of the Insurance Department, the Office of the Healthcare
2161 Advocate and the Office of Health Strategy from the Insurance Fund,
2162 such excess amount shall not be paid by such company or entity but
2163 rather shall be assessed against and paid by all other such companies
2164 and entities in proportion to their respective shares of the total amount
2165 of taxes [and charges imposed under chapter 207 on business done in
2166 this state during the preceding calendar year] reported in the annual
2167 statement rendered to the Insurance Commissioner pursuant to
2168 subsection (a) of this section, except that for purposes of any assessment
2169 made to fund payments to the Department of Public Health to purchase
2170 vaccines, such company or entity shall be responsible for its share of the
2171 costs, notwithstanding whether its assessment exceeds twenty-five per

2172 cent of the actual expenditures of the Insurance Department, the Office
2173 of the Healthcare Advocate and the Office of Health Strategy from the
2174 Insurance Fund. The provisions of this subdivision shall not be
2175 applicable to any corporation that has converted to a domestic mutual
2176 insurance company pursuant to section 38a-155 upon the effective date
2177 of any public act that amends said section to modify or remove any
2178 restriction on the business such a company may engage in, for purposes
2179 of any assessment due from such company on and after such effective
2180 date.

2181 (d) [For purposes of calculating the amount of payment under section
2182 38a-47, as well as the amount of the assessments under this section, the
2183 "total taxes imposed on all domestic insurance companies and other
2184 domestic entities under chapter 207" shall be based upon the amounts
2185 shown as payable to the state for the calendar year on the returns filed
2186 with the Commissioner of Revenue Services pursuant to chapter 207;
2187 with respect to calculating the amount of payment and assessment for
2188 local domestic insurance companies, the amount used shall be the taxes
2189 and charges imposed before any tax credits allowed as provided in
2190 subsection (a) of section 12-202] Each annual payment determined
2191 under section 38a-47 and each annual assessment determined under this
2192 section shall be calculated based on the total amount of taxes reported
2193 in the annual statement rendered to the Insurance Commissioner
2194 pursuant to subsection (a) of this section.

2195 (e) On or before September first, annually, for each fiscal year, the
2196 Insurance Commissioner, after receiving any objections to the proposed
2197 assessments and making such adjustments as in the commissioner's
2198 opinion may be indicated, shall assess each such domestic insurance
2199 company or other domestic entity an amount equal to its proposed
2200 assessment as so adjusted. Each domestic insurance company or other
2201 domestic entity shall pay to the Insurance Commissioner (1) on or before
2202 June thirtieth, annually, an estimated payment against its assessment for
2203 the following year equal to twenty-five per cent of its assessment for the
2204 fiscal year ending such June thirtieth, (2) on or before September

2205 thirtieth, annually, twenty-five per cent of its assessment adjusted to
2206 reflect any credit or amount due from the preceding fiscal year as
2207 determined by the commissioner under subsection (f) of this section,
2208 and (3) on or before the following December thirty-first and March
2209 thirty-first, annually, each domestic insurance company or other
2210 domestic entity shall pay to the Insurance Commissioner the remaining
2211 fifty per cent of its proposed assessment to the department in two equal
2212 installments.

2213 (f) If the actual expenditures for the fall prevention program
2214 established in section 17a-859 are less than the amount allocated, the
2215 Commissioner of Aging and Disability Services shall notify the
2216 Insurance Commissioner. Immediately following the close of the fiscal
2217 year, the Insurance Commissioner shall recalculate the proposed
2218 assessment for each domestic insurance company or other domestic
2219 entity in accordance with subsection (c) of this section using the actual
2220 expenditures made during the fiscal year by the Insurance Department,
2221 the Office of the Healthcare Advocate and the Office of Health Strategy
2222 from the Insurance Fund, the actual expenditures made on behalf of the
2223 department and [the] said offices from the Capital Equipment Purchase
2224 Fund pursuant to section 4a-9, not including such expenditures made
2225 on behalf of the Health Systems Planning Unit of the Office of Health
2226 Strategy, and the actual expenditures for the fall prevention program.
2227 On or before July thirty-first, annually, the Insurance Commissioner
2228 shall render to each such domestic insurance company and other
2229 domestic entity a statement showing the difference between their
2230 respective recalculated assessments and the amount they have
2231 previously paid. On or before August thirty-first, the Insurance
2232 Commissioner, after receiving any objections to such statements, shall
2233 make such adjustments [which] that in [their] the commissioner's
2234 opinion may be indicated, and shall render an adjusted assessment, if
2235 any, to the affected companies. Any such domestic insurance company
2236 or other domestic entity may pay to the Insurance Commissioner the
2237 entire assessment required under this subsection in one payment when

2238 the first installment of such assessment is due.

2239 (g) If any assessment is not paid when due, a penalty of twenty-five
2240 dollars shall be added thereto, and interest at the rate of six per cent per
2241 annum shall be paid thereafter on such assessment and penalty.

2242 (h) The Insurance Commissioner shall deposit all payments made
2243 under this section with the State Treasurer. On and after June 6, 1991,
2244 the moneys so deposited shall be credited to the Insurance Fund
2245 established under section 38a-52a and shall be accounted for as expenses
2246 recovered from insurance companies.

2247 Sec. 32. Section 10-287 of the general statutes is repealed and the
2248 following is substituted in lieu thereof (*Effective July 1, 2024*):

2249 (a) A grant for a school building project under this chapter [to meet
2250 project costs not eligible for state financial assistance under section 10-
2251 287a] shall be paid in installments, the number and time of payment of
2252 which shall correspond to the number and time of principal installment
2253 payments on municipal bonds, including principal payments to retire
2254 temporary notes renewed for the third and subsequent years pursuant
2255 to section 7-378a or 7-378e, issued for the purpose of financing such costs
2256 and shall be equal to the state's share of project costs per principal
2257 installment on municipal bonds or notes, except in cases where the
2258 project has been fully paid for, in which case the number of installments
2259 shall be five or, in the case of a regional agricultural science and
2260 technology education center or a cooperative regional special
2261 educational facility, shall be one; provided final payment shall not be
2262 made prior to an audit conducted by the State Board of Education for
2263 each project for which a final calculation was not made prior to July 31,
2264 1983. Grants under twenty-five thousand dollars shall be paid in one
2265 lump sum. The Commissioner of Administrative Services shall certify
2266 to the State Comptroller, upon completion of the issuance of bonds or
2267 such renewal of temporary notes to finance each school building project,
2268 the dates and amounts of grant payments to be made pursuant to this

2269 chapter and the State Comptroller shall draw an order on the State
2270 Treasurer upon such certification to pay the amounts so certified when
2271 due. All site acquisition and project cost grant payments shall be made
2272 at least ten days prior to the principal payment on bonds or temporary
2273 notes related thereto or short-term financing issued to finance such site
2274 acquisition or project. Annual grant installments paid pursuant to this
2275 section on principal installment payments to retire temporary notes
2276 renewed pursuant to section 7-378a or 7-378e shall be based each year
2277 on the amount required to be retired pursuant to said sections, as
2278 adjusted for any ineligible project costs, and shall be paid only if at the
2279 time such temporary notes are renewed the rate of interest applicable to
2280 such notes is less than the rate of interest that would be applicable with
2281 respect to twenty-year bonds if issued at the time of such renewal. The
2282 determination related to such rates of interest pursuant to this
2283 subsection may be reviewed and shall be subject to approval by the
2284 Commissioner of Administrative Services prior to renewal of such
2285 notes. In the event that a school building project is not completed at the
2286 time bonds or temporary notes related thereto are issued to finance the
2287 project, the certification of the grant payments made pursuant to this
2288 section by the Commissioner of Administrative Services may be based
2289 on estimates, provided upon completion of such project and notification
2290 of final acceptance to the state, the Commissioner of Administrative
2291 Services shall adjust and recertify the dates and amounts of subsequent
2292 grant payments based on the state's share of final eligible costs.

2293 (b) (1) All orders and contracts for school building construction
2294 receiving state assistance under this chapter, except as provided in
2295 subdivisions (2) to (4), inclusive, of this subsection, shall be awarded to
2296 the lowest responsible qualified bidder only after a public invitation to
2297 bid, except for (A) school building projects for which the town or
2298 regional school district is using a state contract pursuant to subsection
2299 (d) of section 10-292, and (B) change orders, those contracts or orders
2300 costing less than ten thousand dollars and those of an emergency nature,
2301 as determined by the Commissioner of Administrative Services, in

2302 which cases the contractor or vendor may be selected by negotiation,
2303 provided no local fiscal regulations, ordinances or charter provisions
2304 conflict. Any of the qualified bidders under this subdivision may be a
2305 cooperative purchasing contract offered through a regional educational
2306 service center or a council of government.

2307 (2) All orders and contracts for architectural services shall be
2308 awarded from a pool of [not more than the four] at least three of the
2309 most responsible qualified proposers after a public selection process.
2310 Such process shall, at a minimum, involve requests for qualifications,
2311 followed by requests for proposals, including fees, from the proposers
2312 meeting the qualifications criteria of the request for qualifications
2313 process. Following the qualification process, the awarding authority
2314 shall evaluate the proposals to determine [the four] at least three of the
2315 most responsible qualified proposers using those criteria previously
2316 listed in the requests for qualifications and requests for proposals for
2317 selecting architectural services specific to the project or school district.
2318 Such evaluation criteria shall include due consideration of the
2319 proposer's pricing for the project, experience with work of similar size
2320 and scope as required for the order or contract, organizational and team
2321 structure, including any subcontractors to be utilized by the proposer,
2322 for the order or contract, past performance data, including, but not
2323 limited to, adherence to project schedules and project budgets and the
2324 number of change orders for projects, the approach to the work required
2325 for the order or contract and documented contract oversight
2326 capabilities, and may include criteria specific to the project. Final
2327 selection by the awarding authority is limited to the pool of [the four] at
2328 least three of the most responsible qualified proposers and shall include
2329 consideration of all criteria included within the request for proposals.
2330 As used in this subdivision, "most responsible qualified proposer"
2331 means the proposer who is qualified by the awarding authority when
2332 considering price and the factors necessary for faithful performance of
2333 the work based on the criteria and scope of work included in the request
2334 for proposals.

2335 (3) (A) All orders and contracts for construction management services
2336 shall be awarded from a pool of [not more than the four] at least three
2337 of the most responsible qualified proposers after a public selection
2338 process. Such process shall, at a minimum, involve requests for
2339 qualifications, followed by requests for proposals, including fees, from
2340 the proposers meeting the qualifications criteria of the request for
2341 qualifications process. Following the qualification process, the
2342 awarding authority shall evaluate the proposals to determine [the four]
2343 at least three of the most responsible qualified proposers using those
2344 criteria previously listed in the requests for qualifications and requests
2345 for proposals for selecting construction management services specific to
2346 the project or school district. Such evaluation criteria shall include due
2347 consideration of the proposer's pricing for the project, experience with
2348 work of similar size and scope as required for the order or contract,
2349 organizational and team structure for the order or contract, past
2350 performance data, including, but not limited to, adherence to project
2351 schedules and project budgets and the number of change orders for
2352 projects, the approach to the work required for the order or contract,
2353 and documented contract oversight capabilities, and may include
2354 criteria specific to the project. Final selection by the awarding authority
2355 is limited to the pool of [the four] at least three of the most responsible
2356 qualified proposers and shall include consideration of all criteria
2357 included within the request for proposals. As used in this subdivision,
2358 "most responsible qualified proposer" means the proposer who is
2359 qualified by the awarding authority when considering price and the
2360 factors necessary for faithful performance of the work based on the
2361 criteria and scope of work included in the request for proposals.

2362 (B) The construction manager's contract shall include a guaranteed
2363 maximum price for the cost of construction. Such guaranteed maximum
2364 price shall be determined not later than ninety days after the selection
2365 of the trade subcontractor bids. Each construction manager shall invite
2366 bids and give notice of opportunities to bid on project elements on the
2367 State Contracting Portal. Each bid shall be kept sealed until opened

2368 publicly at the time and place set forth in the notice soliciting such bid.
2369 The construction manager shall, after consultation and approval by the
2370 town or regional school district, award any related contracts for project
2371 elements to the responsible qualified contractor submitting the lowest
2372 bid in compliance with the bid requirements, provided that (i) the
2373 construction manager shall not be eligible to submit a bid for any such
2374 project element, and (ii) construction shall not begin prior to the
2375 determination of the guaranteed maximum price. [, except work relating
2376 to site preparation and demolition may commence prior to such
2377 determination.] On and after July 1, 2024, the construction manager's
2378 contract shall include a requirement that the construction manager
2379 retain all documents and receipts relating to the school building project
2380 for a period of two years following the date of completion of an audit
2381 conducted by the Department of Administrative Services pursuant to
2382 this section, for such project.

2383 (C) The construction manager shall submit quarterly reports
2384 regarding the ineligible project costs for the school building project to
2385 date to the town or regional board of education. Upon submission of the
2386 notice of project completion pursuant to subsection (d) of this section,
2387 and prior to the audit conducted by the commissioner, the construction
2388 manager shall submit a final report on the total ineligible costs for such
2389 project to the town or regional school district.

2390 (D) The construction manager shall meet quarterly with the town or
2391 regional board of education to review any change orders for eligibility
2392 as the school building project progresses.

2393 (4) All orders and contracts for any other consultant services,
2394 including, but not limited to, consultant services rendered by an owner's
2395 representatives, construction administrators, program managers,
2396 environmental professionals, planners and financial specialists, shall
2397 comply with the public selection process described in subdivision (2) of
2398 this subsection. No costs associated with an order or contract for such
2399 consultant services shall be eligible for state financial assistance under

2400 this chapter unless such order or contract receives prior approval from
2401 the Commissioner of Administrative Services in writing or through a
2402 written electronic communication.

2403 (c) If the Commissioner of Administrative Services determines that a
2404 building project has not met the approved conditions of the original
2405 application, the Department of Administrative Services may withhold
2406 subsequent state grant payments for said project until appropriate
2407 action, as determined by the commissioner, is taken to cause the
2408 building project to be in compliance with the approved conditions or
2409 may require repayment of all state grant payments for said project when
2410 such appropriate action is not undertaken within a reasonable time.

2411 (d) (1) Each town or regional school district shall submit a final grant
2412 application to the Department of Administrative Services [within] not
2413 later than one year from the date of completion and acceptance of the
2414 school building project by the town or regional school district. If a town
2415 or regional school district fails to submit a final grant application [within
2416 said period of time] on or before such one-year date, the commissioner
2417 may withhold ten per cent of the state reimbursement for such project.

2418 (2) (A) On and after July 1, [2022] 2024, each town or regional school
2419 district shall submit a notice of project completion [within three years]
2420 not later than one year from the date of the issuance of a certificate of
2421 occupancy for the school building project by the town or regional school
2422 district. If a town or regional school district fails to submit such notice
2423 of project completion [within said period of time] on or before such one-
2424 year date, the commissioner shall deem such project completed and
2425 conduct an audit of such project in accordance with the provisions of
2426 this chapter.

2427 (B) For any school building project authorized by the General
2428 Assembly prior to July 1, 2022, the commissioner shall deem as complete
2429 any such project in which a certificate of occupancy has been granted,
2430 but for which a notice of project completion has not been submitted by

2431 the town or regional school district on or before July 1, 2025.

2432 Sec. 33. Section 163 of public act 24-151 is repealed. (*Effective from*
2433 *passage*)

2434 Sec. 34. Section 1 of special act 77-98, as amended by section 5 of
2435 special act 99-12, section 2 of public act 02-85, section 1 of special act 13-
2436 20, section 1 of special act 17-5 and section 1 of special act 24-7, is
2437 amended to read as follows (*Effective from passage*):

2438 It is found and declared as a matter of legislative determination that
2439 the creation of the South Central Connecticut Regional Water Authority
2440 for the primary purpose of providing and assuring the provision of an
2441 adequate supply of pure water and the safe disposal of wastewater at
2442 reasonable cost within the South Central Connecticut Regional Water
2443 District and such other areas as may be served pursuant to cooperative
2444 agreements and acquisitions authorized by section 11 of special act 77-
2445 98, as amended by section 5 of special act 78-24, section 3 of special act
2446 84-46, section 7 of public act 02-85 and section 3 of special act 17-5, as
2447 amended by this act, and, to the degree consistent with the foregoing, of
2448 advancing water conservation and the conservation and compatible
2449 recreational use of land held by the authority, conducting or investing
2450 in noncore businesses, provided, at the time of any investment in such
2451 businesses, the authority's investment, less returns of or on such
2452 investments in such businesses made on and after June 30, 2013, shall
2453 not exceed the greater of five per cent of the authority's net utility plant
2454 devoted to its water and wastewater utility businesses or such higher
2455 amount approved by a majority of the total weighted votes of the
2456 membership of the representative policy board, excluding vacancies,
2457 except that the acquisition of the Aquarion Water Company or one or
2458 more of its subsidiaries shall have no such limitations, and the carrying
2459 out of its powers, purposes, and duties under sections 1 to 33, inclusive,
2460 of special act 77-98, as amended by special act 78-24, special act 84-46,
2461 sections 5 to 7, inclusive, of special act 99-12, sections 2 to 21, inclusive,
2462 of public act 02-85, special act 13-20, special act 17-5, special act 24-7 and

2463 this act, and for the benefit of the people residing in the South Central
2464 Connecticut Regional Water District and the state of Connecticut, and
2465 for the improvement of their health, safety and welfare, that said
2466 purposes are public purposes, and that the authority will be performing
2467 an essential governmental function in the exercise of its powers under
2468 sections 1 to 33, inclusive, of special act 77-98, as amended by special act
2469 78-24, special act 84-46, sections 5 to 7, inclusive, of special act 99-12,
2470 section 2 of public act 02-85, special act 13-20, special act 17-5, special act
2471 24-7 and this act. The authority shall have the power to conduct or invest
2472 in noncore businesses authorized pursuant to this section, either directly
2473 or through an affiliated business entity.

2474 Sec. 35. Section 2 of special act 77-98, as amended by section 1 of
2475 special act 78-24, section 3 of public act 02-85, section 2 of special act
2476 13-20, section 2 of special act 17-5 and section 2 of special act 24-7, is
2477 amended to read as follows (*Effective from passage*):

2478 As used in sections 1 to 33, inclusive, of special act 77-98, as
2479 amended by special act 78-24, public act 02-85, special act 13-20, special
2480 act 17-5, special act 24-7 and this act, unless a different meaning
2481 appears in the context: "Authority" means the South Central
2482 Connecticut Regional Water Authority created by section 5 of special
2483 act 77-98, as amended by section 4 of special act 78-24, public act 02-85
2484 and special act 13-20; "district" means the South Central Connecticut
2485 Regional Water District created by section 3 of special act 77-98, as
2486 amended by section 2 of special act 78-24; "representative policy
2487 board" means the representative policy board of the South Central
2488 Connecticut Regional Water District created by section 4 of special act
2489 77-98, as amended by section 3 of special act 78-24; "chief executive
2490 officer" means that full time employee of the authority responsible for
2491 the execution of the policies of the authority and for the direction of
2492 the other employees of the authority; "treasurer" means the treasurer of
2493 the authority; "customer" means any person, firm, corporation,
2494 company, association or governmental unit furnished water or
2495 wastewater service by the authority or any owner of property who

2496 guarantees payment for water or wastewater service to such property;
2497 "properties" means the water supply and distribution system or
2498 systems, wastewater collection and treatment systems and other real or
2499 personal property of the authority; "bonds" means bonds, notes and
2500 other obligations issued by the authority; "revenues" means all rents,
2501 charges and other income derived from the operation of the properties
2502 of the authority; "wastewater" means any substance, liquid or solid,
2503 which may contaminate or pollute or affect the cleanliness or purity of
2504 any water; "water supply system" means plants, structures and other
2505 real and personal property acquired, constructed or operated for the
2506 purpose of supplying water, including basins, dams, canals,
2507 aqueducts, standpipes, pumping stations, water distribution systems,
2508 including land, reservoirs, conduits, pipelines, mains, compensating
2509 reservoirs, waterworks or sources of water supply, wells, purification
2510 or filtration plants or other plants and works, connections, rights of
2511 flowage or diversion and other plants, structures, conveyances, real or
2512 personal property or rights therein and appurtenances necessary or
2513 useful and convenient for the accumulation, supply or distribution of
2514 water or for the conduct of water or environment related activities;
2515 "wastewater system" means plants, structures and other real and
2516 personal property acquired, constructed or operated for the purpose of
2517 collecting, treating and discharging or reusing wastewater, whether or
2518 not interconnected, including wastewater treatment plants, pipes and
2519 conduits for collection of wastewater, pumping stations and other
2520 plants, works, structures, conveyances, real or personal property or
2521 rights therein and appurtenances necessary or useful and convenient
2522 for the collection, transmission, treatment and disposition of
2523 wastewater; "subsidiary corporation" means a corporation organized
2524 under the general statutes or by special act which owns or operates all
2525 or part of a water supply system or a wastewater system within the
2526 district and all of the voting stock of which is owned by the authority;
2527 [] "noncore business" means an activity, including an activity
2528 conducted outside the state of Connecticut, that is the acquisition of
2529 the Aquarion Water Company or one or more of its subsidiaries or an

2530 activity that is related to water, environment, agriculture, sustainable
2531 manufacturing support, or an energy project consisting of either a class
2532 I renewable energy source, as defined in subdivision (20) of subsection
2533 (a) of section 16-1 of the general statutes, or a class III source, as
2534 defined in subdivision (38) of said section, but excluding wind sources
2535 located within the district and any activity located on property that is
2536 class I or class II land owned by the authority; and "affiliated business
2537 entity" means a corporation, a limited liability company or a limited
2538 partnership controlled directly or indirectly by the authority that
2539 conducts or invests in a noncore business. A reference in sections 1 to
2540 33, inclusive, of special act 77-98, as amended by special act 78-24,
2541 special act 84-46, public act 02-85 and special act 13-20, to any general
2542 statute, public act or special act shall include any amendment or
2543 successor thereto.

2544 Sec. 36. Section 4 of special act 77-98, as amended by section 3 of
2545 special act 78-24, section 2 of special act 84-46, section 5 of public act
2546 02-85, section 2 of special act 03-11, section 10 of special act 13-20 and
2547 section 3 of special act 24-7, is amended by adding subsection (f) as
2548 follows (*Effective from passage*):

2549 (f) The members of the representative policy board shall have the
2550 authority to act on behalf of the Aquarion representative policy board,
2551 as defined in section 35 of section 41 of this act, until such time as the
2552 members of the Aquarion representative policy board are appointed.

2553 Sec. 37. Section 5 of special act 77-98, as amended by section 4 of
2554 special act 78-24 and section 4 of special act 24-7, is amended to read as
2555 follows (*Effective from passage*):

2556 (a) A public corporation, to be known as the "South Central
2557 Connecticut Regional Water Authority," constituting a public
2558 instrumentality and political subdivision, is created for the purposes,
2559 charged with the duties and granted the powers provided in sections 1
2560 to 33, inclusive, of special act 77-98, as amended by special act 78-24 and

2561 this act. On and before December 31, 2024, the authority shall consist of
2562 five members who shall be residents of the district and not be members
2563 of the representative policy board. On and after January 1, 2025, except
2564 as provided in subsection (c) of this section, the authority shall consist
2565 of seven members who shall reside in Connecticut and not be members
2566 of the representative policy board, and not fewer than five such
2567 members shall be residents of the district. All members shall be
2568 appointed without regard to political affiliation by a majority of the total
2569 votes of those members of the representative policy board present at a
2570 meeting at which at least two-thirds of the weighted vote, excluding
2571 vacancies, is present, for terms of five years, not to exceed four
2572 consecutive full terms, and until their successors are appointed and
2573 have qualified, except that of the members first appointed, one shall be
2574 appointed for a term ending January 1, 1983, one for a term ending
2575 January 1, 1982, one for a term ending January 1, 1981, one for a term
2576 ending January 1, 1980, and one for a term ending January 1, 1979. The
2577 sixth member first appointed shall be appointed for a three-year term
2578 ending January 1, 2028, and the seventh member first appointed shall be
2579 appointed for a five-year term ending January 1, 2030. Any vacancy
2580 occurring on the authority shall be filled in the same manner for the
2581 unexpired portion of the term. Any member of the authority may be
2582 removed from office by the representative policy board for cause.
2583 Members of the authority shall receive such compensation to be
2584 adjusted every three years by the Consumer Price Index factor, as
2585 described in section 4 of special act 77-98, as amended by special act 78-
2586 24, special act 84-46, public act 02-85, special act 03-11, special act 13-20
2587 and this act, if approved by the majority of weighted votes of the
2588 membership of the representative policy board, excluding vacancies,
2589 and shall be reimbursed for their necessary expenses incurred in
2590 performance of their duties.

2591 (b) The members of the South Central Connecticut Regional Water
2592 Authority board shall have the authority to act on behalf of the
2593 Aquarion Water Authority, as described in section 35 of section 41 of

2594 this act, until such time as the members of the Aquarion Water
2595 Authority board are appointed.

2596 (c) Notwithstanding the provisions of subsection (a) of this section,
2597 upon the Public Utilities Regulatory Authority's approval of the South
2598 Central Connecticut Regional Water Authority or the Aquarion Water
2599 Authority to own and operate the Aquarion Water Company or one or
2600 more of its subsidiaries, the authority board shall consist of eleven
2601 members who shall reside in Connecticut and not be members of the
2602 representative policy board, six of whom shall be residents of the South
2603 Central Connecticut Regional Water District appointed by the
2604 representative policy board, and five of whom shall be appointed by the
2605 representative policy board of the Aquarion Regional Water District, as
2606 described in section 35 of section 41 of this act, in accordance with
2607 section 38 of section 41 of this act. The six members appointed by the
2608 representative policy board of the authority shall have the authority to
2609 act on behalf of the Aquarion Water Authority until such time as the
2610 members of the Aquarion Water Authority are appointed. All such
2611 authority members shall be appointed without regard to political
2612 affiliation by a majority of the total votes of those members of the
2613 representative policy board present at a meeting at which at least two-
2614 thirds of the weighted vote, excluding vacancies, is present, for terms of
2615 five years, not to exceed four consecutive full terms, and until their
2616 successors are appointed and have qualified. The sixth member first
2617 appointed shall be appointed for a three-year term ending January 1,
2618 2028, and the seventh member first appointed shall be appointed for a
2619 five-year term ending January 1, 2030. Any vacancy occurring on the
2620 authority shall be filled in the same manner for the unexpired portion of
2621 the term. Any member of the authority may be removed from office by
2622 the representative policy board for cause. Members of the authority
2623 shall receive such compensation to be adjusted every three years by the
2624 Consumer Price Index factor, as described in section 4 of special act 77-
2625 98, as amended by special act 78-24, special act 84-46, public act 02-85,
2626 special act 03-11, special act 13-20, special act 24-7 and this act, if

2627 approved by the majority of weighted votes of the membership of the
2628 representative policy board, excluding vacancies, and shall be
2629 reimbursed for their necessary expenses incurred in performance of
2630 their duties.

2631 Sec. 38. Section 9 of special act 77-98, as amended by section 5 of
2632 special act 24-7, is amended to read as follows (*Effective from passage*):

2633 The authority shall meet at least quarterly. Except as the bylaws of
2634 the authority may provide in emergency situations, the powers of the
2635 authority shall be exercised by the members at a meeting duly called
2636 and held. On and before December 31, 2024, three members shall
2637 constitute a quorum, and on and after January 1, 2025, four members
2638 shall constitute a quorum, provided that after the appointment of all
2639 authority members appointed by the representative policy board of the
2640 Aquarion Regional Water District, a quorum shall be six members, and
2641 no action shall be taken except pursuant to the affirmative vote of a
2642 quorum. The authority may delegate to one or more of its members,
2643 officers, agents or employees such powers and duties as it may deem
2644 proper.

2645 Sec. 39. Section 11 of special act 77-98, as amended by section 5 of
2646 special act 78-24, section 3 of special act 84-46, section 7 of special act
2647 02-85, and section 3 of special act 17-5, is amended to read as follows
2648 (*Effective from passage*):

2649 Subject to the provisions of sections 1 to 33, inclusive, of special act
2650 77-98, as amended by special act 78-24, special act 84-46 sections 5 to 7,
2651 inclusive, of special act 99-12, public act 02-85, special act 13-20, special
2652 act 17-5, special act 24-7 and this act, the authority shall have the
2653 power: (a) To sue and be sued; (b) to have a seal and alter the same at
2654 its pleasure; (c) to acquire in the name of the authority by purchase,
2655 lease or otherwise and to hold and dispose of personal property or any
2656 interest therein, including shares of stock of a subsidiary corporation;
2657 (d) to acquire in the name of the authority by purchase, lease or

2658 otherwise and to hold and dispose of any real property or interest
2659 therein, including water rights and rights of way and water discharge
2660 rights, which the authority determines to be necessary or convenient,
2661 and to acquire any existing wastewater system or water supply system
2662 or parts thereof which are wholly or partially within the district as
2663 described under section 3 of special act 77-98, as amended by section 2
2664 of special act 78-24, section 1 of special act 84-46 and public act 02-85.
2665 As a means of so acquiring, the authority or a subsidiary corporation
2666 may purchase all of the stock or all of any part of the assets and
2667 franchises of any existing privately owned water or wastewater
2668 company, whereupon the authority or such subsidiary corporation
2669 shall succeed to all rights, powers and franchises thereof. Sections 16-
2670 43, 16-50c and 16-50d of the general statutes shall not apply to any
2671 action by the authority or a subsidiary corporation or any action by
2672 any privately owned water company or sewage company, as defined
2673 in section 16-1 of the general statutes, taken to effectuate the
2674 acquisition of the stock or all or any part of the assets and franchises of
2675 such water company or sewage company by the authority, provided
2676 section 16-43 of the general statutes shall apply to any action taken to
2677 effectuate the acquisition of the stock or all or any part of the assets
2678 and franchises of the Ansonia Derby Water Company by the authority.
2679 Notwithstanding any provision of section 25-32 of the general statutes,
2680 land may be transferred to the authority or a subsidiary corporation of
2681 the authority as part of such an acquisition. The commissioner of
2682 health services shall not grant a permit for a change in the use of any
2683 class I or class II land owned by the Ansonia Derby Water Company
2684 on the effective date of this section and not transferred to the authority
2685 or a subsidiary corporation or a permit for the sale, lease or assignment
2686 of any such class II land, unless (1) all provisions of section 25-32 of the
2687 general statutes are complied with, and (2) the commissioner of health
2688 services determines, after holding a hearing, notice of which shall be
2689 published not later than thirty days before the hearing in one or more
2690 newspapers having a substantial circulation in the municipalities in
2691 which the land is located, that such change in the use or sale, lease, or

2692 assignment of the land will not have a significant adverse impact upon
2693 present and future water supply needs of the authority or a subsidiary
2694 corporation of the authority; [:] (e) to construct and develop any water
2695 supply system or any wastewater system; (f) to own, operate,
2696 maintain, repair, improve, construct, reconstruct, replace, enlarge and
2697 extend any of its properties; (g) any provision in any general statute,
2698 special act or charter to the contrary notwithstanding, but subject to
2699 the provisions of section 12 of special act 77-98, as amended by section
2700 8 of public act 02-85, and section 28 of special act 77-98, as amended by
2701 section 9 of special act 78-24, to sell water, however acquired, to
2702 customers within the district or to any municipality or water company;
2703 (h) any provisions in any general statute, special act or charter to the
2704 contrary notwithstanding, to purchase water approved by the
2705 commissioner of health from any person, private corporation or
2706 municipality when necessary or convenient for the operation of any
2707 water supply system operated by the authority; (i) to adopt and amend
2708 bylaws, rules and regulations for the management and regulation of its
2709 affairs and for the use and protection of the water and properties of the
2710 authority or a subsidiary corporation and, subject to the provisions of
2711 any resolution authorizing the issuance of bonds, rules for the sale of
2712 water, the collection and processing of wastewater and the collection
2713 of rents and charges for both water supply and wastewater functions.
2714 A copy of such bylaws, rules and regulations and all amendments
2715 thereto, certified by the secretary of the authority, shall be filed in the
2716 office of the secretary of the state and with the clerk of each town and
2717 city within the district. Any superior court located within the district
2718 shall have jurisdiction over any violation of such bylaws, rules or
2719 regulations and the authority may prosecute actions before the
2720 superior court to enforce such bylaws, rules and regulations; (j) to
2721 make contracts and to execute all necessary or convenient instruments,
2722 including evidences of indebtedness, negotiable or non-negotiable; (k)
2723 to borrow money, to issue negotiable bonds or notes, to fund and
2724 refund the same and to provide for the rights of the holders of the
2725 authority's obligations; (l) to open the grounds in any public street or

2726 way or public grounds for the purpose of laying, installing,
2727 maintaining or replacing pipes and conduits, provided upon the
2728 completion of such work the grounds shall be restored to the condition
2729 they were in previously; (m) to enter into cooperative agreements with
2730 other water authorities, municipalities, water districts, water
2731 companies or water pollution control authorities within or without the
2732 district for interconnection of facilities, for exchange or interchange of
2733 services and commodities or for any other lawful purpose necessary or
2734 desirable to effect the purposes of sections 1 to 33, inclusive, of special
2735 act 77-98, as amended by special act 78-24, special act 84-46 and
2736 sections 5 to 7, inclusive, of special act 99-12, special act 13-20, special
2737 act 17-5, special act 24-7 and this act, such agreements to be binding for
2738 a period specified therein; (n) to acquire, hold, develop and maintain
2739 land and other real estate and waters for conservation and for
2740 compatible active and passive recreational purposes and to levy
2741 charges for such uses, provided the state department of health finds
2742 that such uses will not harm the quality of water provided by the
2743 authority; (o) to apply for and accept grants, loans or contributions
2744 from the United States, the state of Connecticut or any agency,
2745 instrumentality or subdivision of either of them or from any person,
2746 and to expend the proceeds for any of its purposes; (p) to create
2747 programs and policies for the purpose of conserving water; (q) to do
2748 any and all things necessary or convenient to carry out the powers
2749 expressly given in sections 1 to 33, inclusive, of special act 77-98, as
2750 amended by special act 78-24, special act 84-76, sections 5 to 7,
2751 inclusive, of special act 99-12, public act 02-85, special act 13-20, special
2752 act 17-5, special act 24-7 and this act, including the powers granted by
2753 the general statutes to stock corporations, except the power to issue
2754 stock, and the powers granted by the general statutes to water
2755 pollution control authorities; and (r) to borrow money, to issue
2756 negotiable bonds or notes, to fund and refund the same and to provide
2757 for the rights of the holders of the authority's obligations for the
2758 specific purpose of acquiring the Aquarion Water Company or one or
2759 more of its subsidiaries.

2760 Sec. 40. Subsection (a) of section 15 of special act 77-98, as amended
2761 by section 8 of special act 99-12 and section 11 of special act 02-85, is
2762 amended to read as follows (*Effective from passage*):

2763 (a) The representative policy board shall establish an office of
2764 consumer affairs to act as the advocate for consumer interests in all
2765 matters which may affect consumers, including without limitation
2766 matters of rates, water quality and supply and wastewater service
2767 quality. The costs of such office of consumer affairs, unless otherwise
2768 provided by the state, shall jointly be paid by the authority and the
2769 Aquarion Water Authority.

2770 Sec. 41. Special act 77-98, as amended by special act 78-24, special act
2771 84-46, special act 99-12, special act 02-85, special act 03-11, special act 13-
2772 20, special act 17-5, special act 18-04 and special act 24-7, is amended by
2773 adding sections 34 to 65, inclusive, as follows (*Effective from passage*):

2774 Sec. 34. It is found and declared as a matter of legislative
2775 determination that the creation of the Aquarion Water Authority for the
2776 primary purpose of providing and assuring the provision of an
2777 adequate supply of pure water and the safe disposal of wastewater at
2778 reasonable cost within the Aquarion Regional Water District and such
2779 other areas as may be served pursuant to cooperative agreements and
2780 acquisitions and, to the degree consistent with the foregoing, of
2781 advancing water conservation and the conservation and compatible
2782 recreational use of land held by the authority, conducting or investing
2783 in noncore businesses, provided, at the time of any investment in such
2784 businesses, the authority's investment, less returns of or on such
2785 investments in such businesses, shall not exceed the greater of five per
2786 cent of the authority's net utility plant devoted to its water and
2787 wastewater utility businesses or such higher amount approved by a
2788 majority of the total weighted votes of the membership of the Aquarion
2789 representative policy board, excluding vacancies, and the carrying out
2790 of its powers, purposes, and duties under sections 34 to 65, inclusive, of
2791 this act and for the benefit of the people residing in the Aquarion

2792 Regional Water District and the state of Connecticut, and for the
2793 improvement of their health, safety and welfare, that said purposes are
2794 public purposes, and that the authority will be performing an essential
2795 governmental function in the exercise of its powers under sections 34 to
2796 65, inclusive, of this act. The authority shall have the power to conduct
2797 or invest in noncore businesses authorized pursuant to this section,
2798 either directly or through an affiliated business entity.

2799 Sec. 35. As used in sections 34 to 65, inclusive, of this act unless a
2800 different meaning appears in the context: "Authority" means the
2801 Aquarion Water Authority; "district" means the Aquarion Regional
2802 Water District; "Aquarion representative policy board" means the
2803 representative policy board of the Aquarion Regional Water District;
2804 "chief executive officer" means that full time employee of the authority
2805 responsible for the execution of the policies of the authority and for the
2806 direction of the other employees of the authority; "treasurer" means the
2807 treasurer of the authority; "customer" means any person, firm,
2808 corporation, company, association or governmental unit furnished
2809 water or wastewater service by the authority or any owner of property
2810 who guarantees payment for water or wastewater service to such
2811 property; "properties" means the water supply and distribution system
2812 or systems, wastewater collection and treatment systems and other real
2813 or personal property of the authority; "bonds" means bonds, notes and
2814 other obligations issued by the authority; "revenues" means all rents,
2815 charges and other income derived from the operation of the properties
2816 of the authority; "wastewater" means any substance, liquid or solid,
2817 which may contaminate or pollute or affect the cleanliness or purity of
2818 any water; "water supply system" means plants, structures and other
2819 real and personal property acquired, constructed or operated for the
2820 purpose of supplying water, including basins, dams, canals, aqueducts,
2821 standpipes, pumping stations, water distribution systems, including
2822 land, reservoirs, conduits, pipelines, mains, compensating reservoirs,
2823 waterworks or sources of water supply, wells, purification or filtration
2824 plants or other plants and works, connections, rights of flowage or

2825 diversion and other plants, structures, conveyances, real or personal
2826 property or rights therein and appurtenances necessary or useful and
2827 convenient for the accumulation, supply or distribution of water or for
2828 the conduct of water or environment related activities; "wastewater
2829 system" means plants, structures and other real and personal property
2830 acquired, constructed or operated for the purpose of collecting, treating
2831 and discharging or reusing wastewater, whether or not interconnected,
2832 including wastewater treatment plants, pipes and conduits for
2833 collection of wastewater, pumping stations and other plants, works,
2834 structures, conveyances, real or personal property or rights therein and
2835 appurtenances necessary or useful and convenient for the collection,
2836 transmission, treatment and disposition of wastewater; "subsidiary
2837 corporation" means a corporation organized under the general statutes
2838 or by special act which owns or operates all or part of a water supply or
2839 a wastewater system within the district and all of the voting stock of
2840 which is owned by the authority; "noncore business" means an activity,
2841 including an activity conducted outside the state of Connecticut, that is
2842 the acquisition of the Aquarion Water Company or one or more of its
2843 subsidiaries or an activity that is related to water, environment,
2844 agriculture, sustainable manufacturing support, or an energy project
2845 consisting of either a class I renewable energy source, as defined in
2846 subdivision (20) of subsection (a) of section 16-1 of the general statutes,
2847 or a class III source, as defined in subdivision (38) of said section, but
2848 excluding wind sources located within the district and any activity
2849 located on property that is class I or class II land owned by the authority;
2850 and "affiliated business entity" means a corporation, a limited liability
2851 company or a limited partnership controlled directly or indirectly by the
2852 authority that conducts or invests in a noncore business. A reference in
2853 sections 34 to 65, inclusive, of this act to any general statute, public act
2854 or special act shall include any amendment or successor thereto.

2855 Sec. 36. There is created a district to be known as the "Aquarion
2856 Regional Water District" which embraces the area and territory of the
2857 towns and cities of Beacon Falls, Bethel, Bridgeport, Brookfield,

2858 Burlington, Canaan, Cornwall, Danbury, Darien, East Derby, East
2859 Granby, East Hampton, Easton, Fairfield, Farmington, Goshen, Granby,
2860 Greenwich, Groton, Harwinton, Kent, Lebanon, Litchfield, Mansfield,
2861 Marlborough, Middlebury, Monroe, New Canaan, New Fairfield, New
2862 Hartford, New Milford, Newtown, Norfolk, North Canaan, Norwalk,
2863 Norwich, Oxford, Plainville, Redding, Ridgefield, Salisbury, Seymour,
2864 Shelton, Sherman, Simsbury, Southbury, Southington, Stamford,
2865 Stonington, Stratford, Suffield, Torrington, Trumbull, Washington,
2866 Weston, Westport, Wilton, Wolcott, and Woodbury; provided, if the
2867 authority shall neither own land or properties nor sell water or provide
2868 wastewater services directly to customers in any city or town within the
2869 district, the area and territory of such city or town thereupon shall be
2870 excluded from the district.

2871 Sec. 37. (a) The Aquarion representative policy board shall consist of
2872 one elector from each city and town within the district who shall be
2873 appointed by the chief elected official of such city or town, with the
2874 approval of its legislative body, and one elector of the state who shall be
2875 appointed by the governor. The term of the initial members of the
2876 Aquarion representative policy board shall commence when each
2877 member is first appointed and each member shall serve for a term of
2878 three years, except that members first appointed from Beacon Falls,
2879 Bethel, Bridgeport, Brookfield, Burlington, Canaan, Cornwall, Danbury,
2880 Darien, East Derby, East Granby, East Hampton, Easton, Fairfield,
2881 Farmington, Goshen, Granby, Greenwich, Groton, and Harwinton shall
2882 serve until June 30, 2026, the members first appointed from Kent,
2883 Lebanon, Litchfield, Mansfield, Marlborough, Middlebury, Monroe,
2884 New Canaan, New Fairfield, New Hartford, New Milford, Newtown,
2885 Norfolk, North Canaan, Norwalk, Norwich, Oxford, Plainville,
2886 Redding, and Ridgefield shall serve until June 30, 2027, and the
2887 members first appointed from Salisbury, Seymour, Shelton, Sherman,
2888 Simsbury, Southbury, Southington, Stamford, Stonington, Stratford,
2889 Suffield, Torrington, Trumbull, Washington, Weston, Westport, Wilton,
2890 Wolcott, and Woodbury shall serve until June 30, 2028, and the member

2891 first appointed by the governor shall serve for a term commencing upon
2892 appointment and ending on the third June thirtieth thereafter; provided
2893 members shall continue to serve until their successors are appointed
2894 and have qualified. In the event of the resignation, death or disability of
2895 a member from any city or town or the state, a successor may be
2896 appointed by the chief elected official of such city or town, or in the case
2897 of the member appointed by the governor, by the governor, for the
2898 unexpired portion of the term. Members shall receive two hundred fifty
2899 dollars, adjusted as provided in this subsection, for each day in which
2900 they are engaged in their duties and shall be reimbursed for their
2901 necessary expenses incurred in the performance of their duties. Such
2902 two-hundred-fifty dollar compensation amount shall be adjusted on
2903 January 1, 2027, and every third year thereafter to reflect changes in the
2904 Consumer Price Index for All Urban Consumers, Northeast Urban, All
2905 Items (1982-84=100) published by the United States Bureau of Labor
2906 Statistics or a comparable successor index. They shall elect a chairman
2907 and a vice-chairman, who shall be members of the Aquarion
2908 representative policy board, and a secretary. The chairman shall receive
2909 a per diem payment of one and one-half times the amount paid to
2910 members and provisional members. The Aquarion representative policy
2911 board shall meet at least quarterly with the authority and such members
2912 of the staff of the authority as the Aquarion representative policy board
2913 deems appropriate.

2914 (b) Notwithstanding the provisions of subsection (a) of this section,
2915 no members shall be appointed to the board of the authority or the
2916 Aquarion representative policy board until the date of the Public
2917 Utilities Regulatory Authority's approval of the South Central
2918 Connecticut Regional Water Authority or the Aquarion Water
2919 Authority to own and operate the Aquarion Water Company or one or
2920 more of its subsidiaries. The South Central Connecticut Regional Water
2921 Authority shall send written notice to each entity with appointment
2922 authority pursuant to subsection (a) of this section upon such approval.

2923 (c) In voting upon all matters before the Aquarion representative

2924 policy board, the vote of each member from a city or town shall be
2925 accorded a weight, determined as follows: The sum of (1) the quotient
2926 obtained by dividing the number of customers in the city or town from
2927 which such member is appointed by the total number of customers in
2928 all cities and towns from which members have been appointed, taken
2929 twice, and (2) the quotient obtained by dividing the number of acres of
2930 land owned by the authority within the city or town from which such
2931 member is appointed by the total number of acres of land owned by the
2932 authority in all cities and towns from which members have been
2933 appointed, shall be divided by three, the quotient thereof multiplied by
2934 one hundred and the product thereof shall be rounded to the nearest
2935 whole number. The weighted vote of the member appointed by the
2936 governor shall be one. For the purposes of this section, "number of
2937 customers" means the number of premises or groups of premises treated
2938 as units for ordinary billing or other ordinary receipt of charges by the
2939 authority and shall be determined from the records of the authority on
2940 the last day of its preceding fiscal year and "number of acres of land"
2941 means the number of acres of land rounded to the nearest whole number
2942 as may appear on the records of the authority on the last day of its
2943 preceding fiscal year. Whenever a vote is taken on any matter by the
2944 Aquarion representative policy board, the vote shall be determined in
2945 accordance with this subsection. Members of the Aquarion
2946 representative policy board holding a majority of the votes so weighted
2947 shall constitute a quorum.

2948 (d) The Aquarion representative policy board shall adopt and may
2949 amend such rules of procedure and bylaws for the conduct of its affairs
2950 as it deems appropriate. It shall establish (1) a standing committee on
2951 land use and management to consult with the authority on all matters
2952 of land use and management, including acquisition and sale,
2953 recreational use, cutting of timber and other products, mining and
2954 quarrying; (2) a standing committee on finance to consult with the
2955 authority on matters relating to financial and budgetary matters and the
2956 establishment of rates; and (3) a standing committee on consumer affairs

2957 to consult with the authority and the officer of consumer affairs
2958 established pursuant to section 48 of this act on matters concerning the
2959 interests of people residing within the district. The Aquarion
2960 representative policy board may appoint such other committees as it
2961 considers convenient from time to time.

2962 Sec. 38. (a) A public corporation, to be known as the "Aquarion Water
2963 Authority", constituting a public instrumentality and political
2964 subdivision, is created for the purposes, charged with the duties and
2965 granted the powers provided in section 34 to 65, inclusive, of this act.
2966 On and after December 31, 2025, the authority shall consist of eleven
2967 members. Five of the members shall be residents of the Aquarion
2968 Regional Water District who are appointed by the Aquarion
2969 representative policy board and shall not be members of the Aquarion
2970 representative policy board, and six of the members shall be members
2971 of the South Central Connecticut Regional Water Authority who are
2972 appointed by the South Central Connecticut Regional Water Authority
2973 representative policy board. The eleven members of the board for the
2974 Aquarion Water Authority shall be and remain the same eleven
2975 members of the board of the South Central Connecticut Water
2976 Authority. All authority board members shall be appointed without
2977 regard to political affiliation by a majority of the total votes of those
2978 members of the Aquarion representative policy board present at a
2979 meeting at which at least two-thirds of the weighted vote, excluding
2980 vacancies, is present, for terms of five years, not to exceed four
2981 consecutive full terms, and until their successors are appointed and
2982 have qualified, except that of the members first appointed, two shall be
2983 appointed for a term ending January 1, 2026, two for a term ending
2984 January 1, 2027, two for a term ending January 1, 2028, two for a term
2985 ending January 1, 2029, and three for a term ending January 1, 2030. Any
2986 vacancy occurring on the authority shall be filled in the same manner
2987 for the unexpired portion of the term. Any member of the authority may
2988 be removed from office by the Aquarion representative policy board for
2989 cause. Members of the authority shall receive such compensation, to be

2990 adjusted every three years by the Consumer Price Index factor, as
2991 described in section 37 of this act, if approved by the majority of
2992 weighted votes of the membership of the Aquarion representative
2993 policy board, excluding vacancies, and shall be reimbursed for their
2994 necessary expenses incurred in performance of their duties.

2995 (b) Notwithstanding the provisions of subsection (a) of this section,
2996 no members shall be appointed to the board of the authority or the
2997 Aquarion representative policy board until the date of the Public
2998 Utilities Regulatory Authority's approval of the South Central
2999 Connecticut Regional Water Authority or the Aquarion Water
3000 Authority to own and operate the Aquarion Water Company or one or
3001 more of its subsidiaries.

3002 Sec. 39. The duration of the Aquarion representative policy board and
3003 of the authority shall be perpetual unless terminated or altered by act of
3004 the General Assembly, provided the General Assembly shall not
3005 terminate the existence of the authority until all of its liabilities have
3006 been met and its bonds have been paid in full or such liabilities and
3007 bonds have otherwise been discharged.

3008 Sec. 40. The officers of the authority shall be a chairman and a vice-
3009 chairman, who shall be members of the authority, and a treasurer and a
3010 secretary, who may be members of the authority. The first chairman and
3011 vice-chairman shall be the chairman and vice-chairman of the South
3012 Central Connecticut Regional Water Authority, who shall each serve for
3013 two-year terms, and each subsequent chairman and vice-chairman shall
3014 be elected by the authority for two-year terms. All other officers shall be
3015 elected by the authority for one-year terms. The treasurer shall execute
3016 a bond conditioned upon the faithful performance of the duties of his
3017 office, the amount and sufficiency of which shall be approved by the
3018 authority and the premium therefor shall be paid by the authority. The
3019 authority shall, from time to time, appoint an agent for the service of
3020 process, and shall notify the secretary of the state of the same and
3021 address of said agent.

3022 Sec. 41. The authority may employ such persons as it may determine
3023 to be necessary or convenient for the performance of its duties and may
3024 fix and determine their qualifications, duties and compensation,
3025 provided the chief executive officer shall be the chief executive officer of
3026 the South Central Connecticut Regional Water Authority. The authority
3027 shall establish a position with ongoing responsibilities for the use and
3028 management of its land resources and such other senior managerial
3029 positions as it deems appropriate, which shall be filled by appointment
3030 by the chief executive officer with the approval of the authority. The
3031 authority may also, from time to time, contract for professional services.

3032 Sec. 42. The authority shall meet at least quarterly. Except as the
3033 bylaws of the authority may provide in emergency situations, the
3034 powers of the authority shall be exercised by the members at a meeting
3035 duly called and held. On and after December 31, 2025, six members shall
3036 constitute a quorum, and no action shall be taken except pursuant to the
3037 affirmative vote of a quorum. The authority may delegate to one or more
3038 of its members, officers, agents or employees such powers and duties as
3039 it may deem proper.

3040 Sec. 43. Except in the event of an emergency, whenever a public
3041 hearing is required under sections 34 to 65, inclusive, of this act, notice
3042 of such hearing shall be published by the Aquarion representative
3043 policy board at least twenty days before the date set therefor, in a
3044 newspaper or newspapers having a general circulation in each city and
3045 town comprising the district. In the event of an emergency, notice of
3046 such hearing shall be authorized by the chairman of the Aquarion
3047 representative policy board and published in such newspaper or
3048 newspapers at least seven days before the date set therefor. If there is no
3049 such newspaper, such notice shall be published in one or more
3050 electronic media, including, without limitation, the authority's Internet
3051 web site, as are likely to reach a broad segment of persons within the
3052 district. Such notice shall set forth the date, time and place of such
3053 hearing and shall include a description of the matters to be considered
3054 at such hearing. A copy of the notice shall be filed in the office of the

3055 clerk of each such city and town and shall be available for inspection by
3056 the public. At such hearings, all the users of the water supply system or
3057 the wastewater system, owners of property served or to be served and
3058 other interested persons shall have an opportunity to be heard
3059 concerning the matter under consideration. When appropriate, the
3060 chairman of the Aquarion representative policy board may convene
3061 more than one hearing on any matter and direct such hearings to be held
3062 in suitable locations within the district so as to assure broader
3063 participation by the general public in discussion of the matters under
3064 consideration, provided in the case of the sale or transfer of real
3065 property pursuant to section 51 of this act, a public hearing shall be held
3066 in the city or town in which such real property is situated. Any decision
3067 of the Aquarion representative policy board on matters considered at
3068 such public hearing shall be in writing and shall be published in a
3069 newspaper or newspapers having a general circulation in each city and
3070 town comprising the district within thirty days after such decision is
3071 made. For purposes of this section, "emergency" means a determination
3072 by the chief executive officer of the authority, the chairman of the
3073 authority and the chairman of the Aquarion representative policy board,
3074 or their designees, that (1) delay in the award of a contract or the
3075 expenditure of capital funds may threaten the public's safety or place
3076 property at risk, (2) immediate action is necessary to respond to or
3077 recover from a natural disaster or invasion or other hostile action, or (3)
3078 immediate action is necessary to respond to an event threatening or
3079 compromising the integrity of the authority's information systems and
3080 associated infrastructure.

3081 Sec. 44. Subject to the provisions of sections 34 to 65, inclusive, of this
3082 act, the authority shall have the power: (a) To sue and be sued; (b) to
3083 have a seal and alter the same at its pleasure; (c) to acquire in the name
3084 of the authority by purchase, lease or otherwise and to hold and dispose
3085 of personal property or any interest therein, including shares of stock of
3086 a subsidiary corporation; (d) to acquire in the name of the authority by
3087 purchase, lease or otherwise and to hold and dispose of any real

3088 property or interest therein, including water rights and rights of way
3089 and water discharge rights, which the authority determines to be
3090 necessary or convenient, and to acquire any existing wastewater system
3091 or water supply system or parts thereof which are wholly or partially
3092 within the district as described under section 36 of this act. As a means
3093 of so acquiring, the authority or a subsidiary corporation may purchase
3094 all of the stock or all of any part of the assets and franchises of any
3095 existing privately owned water or wastewater company, whereupon the
3096 authority or such subsidiary corporation shall succeed to all rights,
3097 powers and franchises thereof. Sections 16-43, 16-50c and 16-50d of the
3098 general statutes shall not apply to any action by the authority or a
3099 subsidiary corporation or any action by any privately owned water
3100 company or sewage company, as defined in section 16-1 of the general
3101 statutes, taken to effectuate the acquisition of the stock or all or any part
3102 of the assets and franchises of such water company or sewage company
3103 by the authority. Notwithstanding any provision of section 25-32 of the
3104 general statutes, land may be transferred to the authority or a subsidiary
3105 corporation of the authority as part of such an acquisition; (e) to
3106 construct and develop any water supply system or any wastewater
3107 system; (f) to own, operate, maintain, repair, improve, construct,
3108 reconstruct, replace, enlarge and extend any of its properties; (g)
3109 notwithstanding any provision of the general statutes, special acts or
3110 this charter, but subject to the provisions of section 45 of this act, to sell
3111 water, however acquired, to customers within the district or to any
3112 municipality or water company; (h) notwithstanding any provision of
3113 the general statutes, special acts or this charter, to purchase water
3114 approved by the Commissioner of Public Health from any person,
3115 private corporation or municipality when necessary or convenient for
3116 the operation of any water supply system operated by the authority; (i)
3117 to adopt and amend bylaws, rules and regulations for the management
3118 and regulation of its affairs and for the use and protection of the water
3119 and properties of the authority or a subsidiary corporation and, subject
3120 to the provisions of any resolution authorizing the issuance of bonds,
3121 rules for the sale of water, the collection and processing of wastewater

3122 and the collection of rents and charges for both water supply and
3123 wastewater functions. A copy of such bylaws, rules and regulations and
3124 all amendments thereto, certified by the secretary of the authority, shall
3125 be filed in the office of the Secretary of the State and with the clerk of
3126 each town and city within the district. Any superior court located within
3127 the district shall have jurisdiction over any violation of such bylaws,
3128 rules or regulations and the authority may prosecute actions before the
3129 superior court to enforce such bylaws, rules and regulations; (j) to make
3130 contracts and to execute all necessary or convenient instruments,
3131 including evidences of indebtedness, negotiable or non-negotiable; (k)
3132 to borrow money, to issue negotiable bonds or notes, to fund and refund
3133 the same and to provide for the rights of the holders of the authority's
3134 obligations; (l) to open the grounds in any public street or way or public
3135 grounds for the purpose of laying, installing, maintaining or replacing
3136 pipes and conduits, provided upon the completion of such work the
3137 grounds shall be restored to the condition they were in previously; (m)
3138 to enter into cooperative agreements with other water authorities,
3139 municipalities, water districts, water companies or water pollution
3140 control authorities within or without the district for interconnection of
3141 facilities, for exchange or interchange of services and commodities or for
3142 any other lawful purpose necessary or desirable to effect the purposes
3143 of sections 34 to 65, inclusive, of this act, such agreements to be binding
3144 for a period specified therein; (n) to acquire, hold, develop and maintain
3145 land and other real estate and waters for conservation and for
3146 compatible active and passive recreational purposes and to levy charges
3147 for such uses, provided the state department of health finds that such
3148 uses will not harm the quality of water provided by the authority; (o) to
3149 apply for and accept grants, loans or contributions from the United
3150 States, the state of Connecticut or any agency, instrumentality or
3151 subdivision of either of them or from any person, and to expend the
3152 proceeds for any of its purposes; (p) to create programs and policies for
3153 the purpose of conserving water; (q) to do any and all things necessary
3154 or convenient to carry out the powers expressly given in sections 34 to
3155 36, inclusive, of this act and sections 38 to 40, inclusive, of this act,

3156 including the powers granted by the general statutes to stock
3157 corporations, except the power to issue stock, and the powers granted
3158 by the general statutes to water pollution control authorities; and (r) to
3159 borrow money, to issue negotiable bonds or notes, to fund and refund
3160 the same and to provide for the rights of the holders of the authority's
3161 obligations for the specific purpose of acquiring the Aquarion Water
3162 Company or one or more of its subsidiaries.

3163 Sec. 45. The authority shall not sell water to customers in any part of
3164 the district with respect to which any person, any firm or any
3165 corporation incorporated under the general statutes or any special act
3166 has been granted a franchise to operate as a water company, as defined
3167 in section 16-1 of the general statutes, or in which any town, city or
3168 borough or any district organized for municipal purposes operates a
3169 municipal water supply system, unless the legislative body of such
3170 town, city, borough or district, such person, or the governing board of
3171 such firm or corporation shall consent in writing to such sale by the
3172 authority. The authority shall not extend wastewater services into new
3173 areas previously unserved without the approval of either the legislative
3174 body of the town, city, borough or district in which such area is located
3175 or a duly authorized water pollution control authority.
3176 Notwithstanding the provisions of any town or district charter, any
3177 town or district may sell or transfer a wastewater system to the authority
3178 with the approval of the legislative body of such town or district after a
3179 public hearing.

3180 Sec. 46. (a) Except with respect to (1) any real or personal property or
3181 interest therein, the legal title to which is vested in the state or a political
3182 subdivision thereof, (2) any existing water supply system, or (3) any
3183 existing wastewater system, if such authority cannot agree with any
3184 owner upon the terms of acquisition by the authority of any real or
3185 personal property or interest therein which the authority is authorized
3186 to acquire, the authority may proceed, at its election, in the manner
3187 provided in subsection (b) of this section or in the manner provided in
3188 subsection (c) of this section, except that the authority may not proceed

3189 in the manner described in subsections (b) and (c) of this section with
3190 respect to property to be acquired for noncore businesses.

3191 (b) The authority may, after ten days' written notice to such owner,
3192 petition the superior court for the county or judicial district in which
3193 such property is located, or, if said court is not then sitting, any judge of
3194 said court, and thereupon said court or such judge shall appoint a
3195 committee of three disinterested persons, who shall be sworn before
3196 commencing their duties. Such committee, after giving reasonable
3197 notice to the parties, shall view the property in question, hear the
3198 evidence, ascertain the value, assess just damages to the owner or
3199 parties interested in the property and report its doings to said court or
3200 such judge. Within fourteen days after such report is made to said court
3201 or such judge, any party may move for the acceptance thereof. Said court
3202 or such judge may accept such report or may reject it for irregular or
3203 improper conduct by the committee in the performance of its duties. If
3204 the report is rejected, the court or judge shall appoint another
3205 committee, which shall proceed in the same manner as did the first
3206 committee. If the report is accepted, such acceptance shall have the effect
3207 of a judgment in favor of the owner of the property against said
3208 authority for the amount of such assessment, and, except as otherwise
3209 provided by law, execution may issue therefor. Such property shall not
3210 be used by such authority until the amount of such assessment has been
3211 paid to the party to whom it is due or deposited for his use with the state
3212 treasurer and, upon such payment or deposit, such property shall
3213 become the property of the authority; provided, if at any stage of
3214 condemnation proceedings brought hereunder, it appears to the court
3215 or judge before whom such proceedings are pending that the public
3216 interest will be prejudiced by delay, said court or such judge may direct
3217 that the authority be permitted to enter immediately upon the property
3218 to be taken and devote it temporarily to the public use specified in such
3219 petition upon the deposit with said court of a sum to be fixed by said
3220 court or such judge, upon notice to the parties of not less than ten days,
3221 and such sum when so fixed and paid shall be applied so far as it may

3222 be necessary for the purpose of the payment of any award of damages
3223 which may be made, with interest thereon from the date of the order of
3224 said court or judge, and the remainder if any returned to the authority.
3225 If such petition is dismissed or no award of damages is made, said court
3226 or such judge shall direct that the money so deposited, so far as it may
3227 be necessary, shall be applied to the payment of any damages that the
3228 owner of such property or other parties in interest may have sustained
3229 by such entry upon and use of such property, and of the costs and
3230 expenses of such proceedings, such damages to be ascertained by said
3231 court or such judge or a committee to be appointed for that purpose, and
3232 if the sum so deposited is insufficient to pay such damages and all costs
3233 and expenses so awarded, judgment shall be entered against the
3234 authority for the deficiency, to be enforced and collected in the same
3235 manner as a judgment by the superior court; and the possession of such
3236 property shall be restored to the owner or owners thereof. The expenses
3237 or costs of any such proceedings shall be taxed by said court or such
3238 judge and paid by the authority.

3239 (c) The authority, in its name, may proceed in the manner specified
3240 for redevelopment agencies in accordance with sections 8-128 to 8-133,
3241 inclusive, of the general statutes.

3242 Sec. 47. With the approval of the Aquarion representative policy
3243 board, the authority shall establish just and equitable rates or charges
3244 for the use of the water supply system and the wastewater system
3245 authorized herein, to be paid by any customer, including rates of
3246 interest on unpaid rates or charges, and may change such rates, charges
3247 or rates of interest from time to time. Such water supply system rates or
3248 charges shall be established so as to provide funds sufficient in each
3249 year, with other water supply related revenues, if any, (a) to pay the cost
3250 of maintaining, repairing and operating the water supply system and
3251 each and every portion thereof, to the extent that adequate provision for
3252 the payment of such cost has not otherwise been made, (b) to pay the
3253 principal of and the interest on outstanding water supply bonds of the
3254 authority as the same shall become due and payable, (c) to meet any

3255 requirements of any resolution authorizing, or trust agreement
3256 securing, such bonds of the authority, (d) to make payments in lieu of
3257 taxes as provided in section 54 of this act, as the same become due and
3258 payable, upon the water supply system properties of the authority or of
3259 a subsidiary corporation to the municipalities in which such properties
3260 are situated, (e) to provide for the maintenance, conservation and
3261 appropriate recreational use of the land of the authority, and (f) to pay
3262 all other reasonable and necessary expenses of the authority and of the
3263 Aquarion representative policy board to the extent that such expenses
3264 are allocable to the water supply system activities of the authority and
3265 the Aquarion representative policy board. Such wastewater system
3266 rates or charges shall be established so as to provide funds sufficient in
3267 each year with other wastewater related revenues, if any, (1) to pay the
3268 cost of maintaining, repairing and operating the wastewater system and
3269 each and every portion thereof, to the extent that adequate provision for
3270 the payment of such cost has not otherwise been made, (2) to pay the
3271 principal of and the interest on outstanding wastewater bonds of the
3272 authority as the same shall become due and payable, (3) to meet any
3273 requirements of any resolution authorizing, or trust agreement
3274 securing, such bonds of the authority, and (4) to pay all other reasonable
3275 and necessary expenses of the authority and of the Aquarion
3276 representative policy board to the extent that such expenses are
3277 allocable to the wastewater activities of the authority and of the
3278 Aquarion representative policy board. No such rate or charge shall be
3279 established until it has been approved by the Aquarion representative
3280 policy board, after said board has held a public hearing at which all the
3281 users of the waterworks system or the wastewater system, the owners
3282 of property served or to be served and others interested have had an
3283 opportunity to be heard concerning such proposed rate or charge. The
3284 Aquarion representative policy board shall approve such rates and
3285 charges unless it finds that such rates and charges will provide funds in
3286 excess of the amounts required for the purposes described previously in
3287 this section, or unless it finds that such rates and charges will provide
3288 funds insufficient for such purposes. The rates or charge, so established

3289 for any class of users or property served, shall be extended to cover any
3290 additional premises thereafter served which are within the same class,
3291 without the necessity of a hearing thereon. Any change in such rates or
3292 charges shall be made in the same manner in which they were
3293 established. The rates or charges levied upon any customer of any water
3294 supply system shall not be required to be equalized with the authority's
3295 existing rates, but may be set on a separate basis, provided such rates
3296 are just, equitable and nondiscriminatory. Such rates or charges, if not
3297 paid when due, shall constitute a lien upon the premises served and a
3298 charge against the owners thereof, which lien and charge shall bear
3299 interest not to exceed the maximum rate as would be allowed for unpaid
3300 taxes. Such lien shall take precedence over all other liens or
3301 encumbrances except taxes and may be foreclosed against the lot or
3302 building served in the same manner as a lien for taxes, provided all such
3303 liens shall continue until such time as they shall be discharged or
3304 foreclosed by the authority without the necessity of filing certificates of
3305 continuation, but in no event for longer than fifteen years. The amount
3306 of any such rate or charge that remains due and unpaid after twenty-
3307 eight days, which number of days may be changed with the approval of
3308 the majority of the weighted votes of the membership of the Aquarion
3309 representative policy board, excluding vacancies, with interest thereon
3310 at a rate approved by the Aquarion representative policy board but not
3311 to exceed the maximum interest rate allowed pursuant to the
3312 Connecticut general statutes for unpaid property taxes and with
3313 reasonable attorneys' fees, be recovered by the authority in a civil action
3314 in the name of the authority against such owners. Any municipality
3315 shall be subject to the same rate or charges under the same conditions as
3316 other users of the water supply system or the wastewater system. The
3317 assets or the revenues of the water system shall not be available to
3318 satisfy debts, judgments or other obligations arising out of the operation
3319 of the wastewater system and the assets or the revenues of the
3320 wastewater system shall not be available to satisfy debts, judgments or
3321 other obligations arising out of the operation of the water system.

3322 Sec. 48. The office of consumer affairs established by the
3323 representative policy board of the South Central Connecticut Regional
3324 Water District shall act as the advocate for consumer interests in all
3325 matters which may affect consumers of the Aquarion Regional Water
3326 District, including without limitation matters of rates, water quality and
3327 supply and wastewater service quality and shall have those powers and
3328 authorizations set forth in section 15 of special act 77-98, as amended by
3329 section 8 of special act 99-12 and section 11 of special act 02-85, as
3330 amended by this act. The costs of such office of consumer affairs, unless
3331 otherwise provided by the state, shall be jointly shared paid by the
3332 South Central Connecticut Regional Water Authority and the Aquarion
3333 Water Authority.

3334 Sec. 49. All contracts in excess of fifty thousand dollars for any
3335 supplies, materials, equipment, construction work or other contractual
3336 services shall be in writing and shall be awarded upon either sealed bids
3337 or proposals or electronic submission of bids or proposals, and in each
3338 case made in compliance with a public notice duly advertised by
3339 publication in one or more newspapers of general circulation or, if there
3340 are no such newspapers, in appropriate electronic media, including,
3341 without limitation, the authority's Internet web site, as are likely to reach
3342 a broad segment of potential vendors, at least ten days before the time
3343 fixed for review of said bids or proposals, except for (1) contracts for
3344 professional services, (2) when the supplies, materials, equipment or
3345 work can only be furnished by a single party, (3) when the authority
3346 determines by a two-thirds vote of the entire authority that the award
3347 of such contract by negotiation without public bidding will be in the best
3348 interest of the authority, or (4) when the procurement is made as a result
3349 of participation in a procurement group, alliance or consortium made
3350 up of other state or federal government entities in which the state of
3351 Connecticut is authorized to participate. The authority may in its sole
3352 discretion reject all such bids or proposals or any bids received from a
3353 person, firm or corporation the authority finds to be unqualified to
3354 perform the contract, and shall award such contract to the lowest

3355 responsible bidder qualified to perform the contract.

3356 Sec. 50. (a) If any member or employee of the Aquarion representative
3357 policy board or of the authority or any employee of a subsidiary
3358 corporation or an affiliated business entity is financially interested in or
3359 has any personal beneficial interest, directly or indirectly, in any
3360 proposed contract or proposed purchase order for any supplies,
3361 materials, equipment or contractual services to be furnished to or used
3362 by the Aquarion representative policy board, the authority, a subsidiary
3363 corporation or an affiliated business entity such member or employee
3364 shall immediately so inform the Aquarion representative policy board,
3365 the authority, the subsidiary corporation or the affiliated business entity
3366 whichever he or she is a member or employee of, and shall take no part
3367 in the deliberations or vote concerning such contract or purchase order.
3368 The Aquarion representative policy board, as to its members and
3369 employees, and the subsidiary corporation or affiliated business entity
3370 as to its employees, the authority, as to its members and employees, may
3371 terminate the membership or employment of any person who violates
3372 this subsection.

3373 (b) No member or employee of the Aquarion representative policy
3374 board, the authority, a subsidiary corporation or an affiliated business
3375 entity shall accept or receive, directly or indirectly, from any person,
3376 firm or corporation to which any contract or purchase order may be
3377 awarded, by rebate, gift or otherwise, any promise, obligation or
3378 contract for future reward or compensation or any money or anything
3379 of value in excess of ten dollars, provided the aggregate value of all such
3380 things provided by a donor to a recipient in any calendar year shall not
3381 exceed fifty dollars and, excluding any food or beverage or food and
3382 beverage, costing less than fifty dollars in the aggregate per recipient in
3383 a calendar year, and consumed on an occasion or occasions at which the
3384 person paying, directly or indirectly, for the food or beverage, or his
3385 representative, is in attendance. Any person who violates any provision
3386 of this subsection shall be fined not more than five hundred dollars or
3387 imprisoned for not more than six months or both.

3388 Sec. 51. (a) Notwithstanding any provision of sections 34 to 65,
3389 inclusive, of this act, the authority shall not sell or otherwise transfer any
3390 unimproved real property or any interest or right therein, except for
3391 access or utility purposes, or develop such property for any use not
3392 directly related to a water supply function, other than for public
3393 recreational use not prohibited by section 25-43c of the general statutes,
3394 until the land use standards and disposition policies required by
3395 subsection (b) of this section have been approved by the Aquarion
3396 representative policy board, unless the chief executive officer of the
3397 town or city in which such property is located has approved such sale,
3398 transfer or development in writing. The provisions of this section shall
3399 not apply to any portion of a wastewater system.

3400 (b) Within two years from the date it acquires all or part of a water
3401 supply system, the authority shall develop and submit to the Aquarion
3402 representative policy board for approval (1) standards for determining
3403 the suitability of its real property for categories of land use, including
3404 which, if any, of its real property may be surplus with regard to the
3405 purity and adequacy of both present and future water supply, which, if
3406 any, may be desirable for specified modes of recreation or open space
3407 use and which may be suitable for other uses, giving due consideration
3408 to the state plan of conservation and development, to classification and
3409 performance standards recommended in the final report of the council
3410 on water company lands pursuant to subsection (c) of section 16-49c of
3411 the general statutes and to such other plans and standards as may be
3412 appropriate, and (2) policies regarding the disposition of its real
3413 property including identification of dispositions which are unlikely to
3414 have any significant effect on the environment. Prior to approving any
3415 standards or policies specified in this subsection, the Aquarion
3416 representative policy board shall hold one or more public hearings to
3417 consider the proposed standards and policies. The proposed standards
3418 and policies shall be available for public inspection in the offices of the
3419 authority from the date notice of such hearing is published. The
3420 authority may amend such standards and policies from time to time

3421 with the approval of the Aquarion representative policy board, which
3422 shall hold public hearings if it deems such amendments substantial.

3423 (c) After approval of land use standards and disposition policies in
3424 the manner provided in subsection (b) of this section, the authority shall
3425 not: (1) Sell or otherwise transfer any real property or any interest or
3426 right therein, except (A) for access, (B) for utility purposes, or (C) to
3427 dedicate land as open space by conveying a conservation restriction, as
3428 defined in section 47-42a of the general statutes, to the federal, state or a
3429 municipal government or a nonprofit land-holding organization, as
3430 defined in section 47-6b of the general statutes, or (2) develop such
3431 property for any use not directly related to a water supply function,
3432 other than for public recreational use not prohibited by section 25-43c of
3433 the general statutes, without the approval of a majority of the weighted
3434 votes of all of the members of the Aquarion representative policy board,
3435 excluding vacancies, in the case of a parcel of twenty acres or less, and
3436 by three-fourths of the weighted votes of all of the members of said
3437 board, excluding vacancies, in the case of a parcel in excess of twenty
3438 acres. The Aquarion representative policy board shall not approve such
3439 sale or other transfer or development unless it determines, following a
3440 public hearing, that the proposed action (A) conforms to the established
3441 standards and policies of the authority, (B) is not likely to affect the
3442 environment adversely, particularly with respect to the purity and
3443 adequacy of both present and future water supply, and (C) is in the
3444 public interest, giving due consideration, among other factors, to the
3445 financial impact of the proposed action on the customers of the
3446 authority and on the municipality in which the real property is located.

3447 (d) Each request by the authority for approval pursuant to subsection
3448 (c) of this section shall be accompanied by an evaluation of the potential
3449 impact of the proposed action for which approval is requested, which
3450 shall include: (1) A description of the real property and its environment,
3451 including its existing watershed function and the costs to the authority
3452 of maintaining such property in its current use, (2) a statement that the
3453 proposed action conforms to the land classification standards and

3454 disposition policies of the authority, (3) a detailed statement of the
3455 environmental impact of the proposed action and, if appropriate, of any
3456 alternatives to the proposed action, considering (A) direct and indirect
3457 effects upon the purity and adequacy of both present and future water
3458 supply, (B) the relationship of the proposed action to existing land use
3459 plans, including municipal and regional land use plans and the state
3460 plan of conservation and development, (C) any adverse environmental
3461 effects which cannot be avoided if the proposed action is implemented,
3462 (D) any irreversible and irretrievable commitments of resources which
3463 would be involved should the proposed action be implemented, and (E)
3464 any mitigation measures proposed to minimize adverse environmental
3465 impacts; except that for a sale or transfer identified in accordance with
3466 subsection (b) of this section as being unlikely to have any significant
3467 effect on the environment, the authority may submit a preliminary
3468 assessment of the impact likely to occur in lieu of such detailed
3469 statement of environmental impact, and the Aquarion representative
3470 policy board may, on the basis of such preliminary assessment, waive
3471 or modify the requirements for such detailed statement, and (4) a
3472 summary of the final evaluation and recommendation of the authority.

3473 (e) The Aquarion representative policy board shall submit the
3474 evaluation required by subsection (d) of this section for comment and
3475 review, at least sixty days in advance of the public hearing, to the
3476 department of health, the department of planning and energy policy,
3477 the regional planning agency for the region, the chief executive officer
3478 of the city or town in which the real property is situated and other
3479 appropriate agencies, and shall make such evaluation available to the
3480 public for inspection. The decision of the Aquarion representative policy
3481 board approving or disapproving the proposed action shall be
3482 published in a newspaper or newspapers having a general circulation
3483 within the district and copies of such decision shall be filed with the
3484 clerk of each town and city in the district.

3485 (f) Whenever the authority intends to sell or otherwise transfer any
3486 unimproved real property or any interest or right therein after approval

3487 by the Aquarion representative policy board, the authority shall first
3488 notify in writing, by certified mail, return receipt requested, the
3489 Commissioner of Energy and Environmental Protection and the
3490 legislative body of the city or town in which such land is situated, of
3491 such intention to sell or otherwise transfer such property and the terms
3492 of such sale or other transfer, and no agreement to sell or otherwise
3493 transfer such property may be entered into by the authority except as
3494 provided in this subsection. (1) Within ninety days after such notice has
3495 been given, the legislative body of the city or town or the Commissioner
3496 of Energy and Environmental Protection may give written notice to the
3497 authority by certified mail, return receipt requested, of the desire of the
3498 city, town or state to acquire such property and each shall have the right
3499 to acquire the interest in the property which the authority has declared
3500 its intent to sell or otherwise transfer, provided the state's right to
3501 acquire the property shall be secondary to that of the city or town. (2) If
3502 the legislative body of the city or town or the Commissioner of Energy
3503 and Environmental Protection fails to give notice as provided in
3504 subdivision (1) of this subsection or gives notice to the authority by
3505 certified mail, return receipt requested, that the city, town or state does
3506 not desire to acquire such property, the city or town or the state shall
3507 have waived its right to acquire such property in accordance with the
3508 terms of this subsection. (3) Within eighteen months after notice has
3509 been given as provided in subdivision (1) of this subsection by the city
3510 or town or the state of its desire to acquire such property, the authority
3511 shall sell the property to the city or town or the state, as the case may be,
3512 or, if the parties cannot agree upon the amount to be paid therefor, the
3513 city or town or the state may proceed to acquire the property in the
3514 manner specified for redevelopment agencies in accordance with
3515 sections 8-128 to 8-133, inclusive, of the general statutes, provided
3516 property subject to the provisions of subsections (b) and (c) of section
3517 25-32 of the general statutes shall not be sold without the approval of
3518 the department of health. (4) If the city or town or the state fails to
3519 acquire the property or to proceed as provided in said sections within
3520 eighteen months after notice has been given by the city or town or the

3521 state of its desire to acquire the property, such city or town or the state
3522 shall have waived its rights to acquire such property in accordance with
3523 the terms of this subsection. (5) Notwithstanding the provisions of
3524 section 54 of this section, the authority shall not be obligated to make
3525 payments in lieu of taxes on such property for the period from the date
3526 the city or town gives notice of its desire to acquire such property. (6)
3527 Notwithstanding the provisions of subdivision (4) of this subsection, if
3528 the authority thereafter proposes to sell or otherwise transfer such
3529 property to any person subject to less restrictions on use or for a price
3530 less than that offered by the authority to the city or town and the state,
3531 the authority shall first notify the city or town and the Commissioner of
3532 Energy and Environmental Protection of such proposal in the manner
3533 provided in subdivision (1) of this subsection, and such city or town and
3534 the state shall again have the option to acquire such property and may
3535 proceed to acquire such property in the same manner and within the
3536 same time limitations as are provided in subdivisions (1) to (4),
3537 inclusive, of this subsection. (7) The provisions of this subsection shall
3538 not apply to transfers of real property from the authority to any public
3539 service company. (8) A copy of each notice required by this subsection
3540 shall be sent by the party giving such notice to the clerk of the town or
3541 city in which the real property is situated and such clerk shall make all
3542 such notices part of the appropriate land records.

3543 (g) Nothing contained in this section shall be construed to deprive the
3544 state Department of Public Health of its jurisdiction under section 25-32
3545 of the general statutes. The authority shall notify the state Commissioner
3546 of Public Health of any proposed sale or other transfer of land, or change
3547 or use, as required by said section.

3548 (h) The authority shall use the proceeds of any sale or transfer under
3549 this section solely for capital improvements to its remaining properties,
3550 acquisition of real property or any interest or right therein, retirement
3551 of debt or any combination of such purposes.

3552 (i) The provisions of this section shall apply to any unimproved real

3553 property or any interest or right therein related to the water supply
3554 system whether owned or possessed by the authority or by any
3555 subsidiary corporation.

3556 Sec. 52. The authority shall not (1) acquire, by purchase, lease or
3557 otherwise any existing water supply system or parts thereof or any
3558 wastewater system or parts thereof, (2) commence any project costing
3559 more than three and one-half million dollars to repair, improve,
3560 construct, reconstruct, enlarge and extend any of its properties or
3561 systems, or (3) acquire or make a subsequent investment in any noncore
3562 business in an amount more than one and one-half million dollars
3563 without the approval, following a public hearing, of a majority of the
3564 total weighted votes of the membership of the Aquarion representative
3565 policy board, excluding vacancies. The dollar amounts specified in
3566 subdivisions (2) and (3) of this section shall be adjusted every three years
3567 by the Consumer Price Index factor, as described in section 37 of this act,
3568 with the approval of a majority of the weighted votes of the membership
3569 of the Aquarion representative policy board, excluding vacancies.

3570 Sec. 53. (a) The authority shall have an annual audit of its accounts,
3571 books and records by a certified public accountant selected by the
3572 Aquarion representative policy board. A copy of the audit shall be filed
3573 in the office of the town clerk in each town within the district and shall
3574 be available for public inspection during the ordinary business hours of
3575 the authority at the principal office of the authority. A concise financial
3576 statement shall be posted annually on the Aquarion Water Authority's
3577 web site.

3578 (b) The attorney general may examine the books, accounts and
3579 records of the authority.

3580 Sec. 54. (a) Neither the authority nor a subsidiary corporation or an
3581 "affiliated business entity" shall be required to pay taxes or assessments
3582 upon any of the properties acquired by it or under its jurisdiction,
3583 control or supervision, provided in lieu of such taxes or assessments the

3584 authority shall make annual payments to each municipality in which it
3585 or a subsidiary corporation owns property related to the water supply
3586 system equal to the taxes which would otherwise be due for the
3587 property of the authority or such subsidiary corporation in such
3588 municipality, excluding any improvements made to or constructed on
3589 any such real property by the authority or such subsidiary corporation,
3590 provided land owned by the authority or a subsidiary corporation
3591 related to the water supply system shall be assessed in accordance with
3592 section 12-63 of the general statutes, and provided further payments for
3593 property acquired by the authority or a subsidiary corporation during
3594 any tax year shall be adjusted for such fractional year in accordance with
3595 the customary practice in such municipality for adjusting taxes between
3596 the buyer and seller of real property. In addition, the authority or a
3597 subsidiary corporation shall reimburse each such municipality for its
3598 expenses in providing municipal services to any improvements made to
3599 or constructed on any real property by the authority or such subsidiary
3600 corporation within such municipality. As used in this section,
3601 "improvements" does not include water pipes or improvements to water
3602 pipes.

3603 (b) The authority may contest the assessed valuation of any
3604 properties owned by the authority or a subsidiary corporation with
3605 respect to which any payment in lieu of taxes is determined in the same
3606 manner as any owner of real property in such municipality. Payments
3607 in lieu of taxes payable to any municipality shall be paid by the authority
3608 to the municipality upon the date and in the manner provided for the
3609 payment of real property taxes of the municipality.

3610 (c) In the event the authority in any year does not have sufficient
3611 funds to make such payments in lieu of taxes, or any portion of them, as
3612 the same become due and payable, the authority shall adjust its rates
3613 and charges and the Aquarion representative policy board shall
3614 approve such adjustment of rates and charges, after a public hearing
3615 thereon as provided in section 14 of special act 77-98, as amended by
3616 section 6 of special act 78-24, so as to provide funds within one year after

3617 the date on which such payment became due and payable to make such
3618 payment. Any municipality or any holder of bonds or notes of the
3619 authority aggrieved by the failure of the authority to make any payment
3620 in lieu of taxes or portion thereof as the same becomes due and payable
3621 may apply to the superior court for the county in which such
3622 municipality is situated for an order directing the authority to
3623 appropriately increase its rates and charges.

3624 (d) Neither the authority nor a subsidiary corporation shall be
3625 required to pay taxes imposed upon or measured by the receipts or
3626 earnings derived by the authority or such subsidiary corporation
3627 through the ownership or operation of a water supply system, or
3628 imposed as a result of the income, powers, activities or items reflected
3629 on the balance sheet of the authority or such subsidiary corporation.

3630 Sec. 55. (a) The authority, subject to the approval of the Aquarion
3631 representative policy board, shall have the power and is authorized
3632 from time to time to issue its negotiable bonds for any of its corporate
3633 purposes, including incidental expenses in connection therewith, and to
3634 secure the payment of the same by a lien or pledge covering all or part
3635 of its contracts, earnings or revenues. The authority shall have power
3636 from time to time, without the approval of the Aquarion representative
3637 policy board, to refund any bonds by the issuance of new bonds within
3638 the terms of any refunding provisions of its bonds, whether the bonds
3639 to be refunded have or have not matured, and may issue bonds partly
3640 to refund bonds then outstanding and partly for any of its public
3641 purposes. Except as may be otherwise expressly provided by the
3642 authority every issue of bonds by the authority shall be preferred
3643 obligations, taking priority over all other claims against the authority,
3644 including payments in lieu of taxes to any municipality, and payable out
3645 of any moneys, earnings or revenues of the authority, subject only to
3646 any agreements with the holders of particular bonds pledging any
3647 particular moneys, earnings or revenues. Notwithstanding the fact that
3648 the bonds may be payable from a special fund, if they are otherwise of
3649 such form and character as to be negotiable instruments under the terms

3650 of the uniform commercial code, the bonds shall be negotiable
3651 instruments within the meaning of and for all the purposes of the
3652 uniform commercial code, subject only to the provisions of the bonds
3653 for registration.

3654 (b) The bonds shall be authorized by resolution of the authority and
3655 shall bear such date or dates, mature at such time or times, bear interest
3656 at such rates per annum, not exceeding statutory limitations, be payable
3657 at such times, be in such denomination, be in such form, either coupon
3658 or registered, carry such registration privileges, be executed in such
3659 manner, be payable in lawful money of the United States of America, at
3660 such place or places, and be subject to such terms of redemption as such
3661 resolution or resolutions may provide. All bonds of the authority shall
3662 be sold through a negotiated sale or a public sale to the bidder who shall
3663 offer the lowest true interest cost to the authority, to be determined by
3664 the authority.

3665 (c) Any resolution or resolutions authorizing any bonds or any issue
3666 of bonds may contain provisions which shall be a part of the contract
3667 with the holders of the bonds thereby authorized as to (1) pledging all
3668 or any part of the moneys, earnings, income and revenues derived from
3669 all or any part of the properties of the authority to secure the payment
3670 of the bonds or of any issue of the bonds subject to such agreement with
3671 the bondholders as may then exist, (2) the rates, rentals, fees and other
3672 charges to be fixed and collected and the amounts to be raised in each
3673 year thereby, and the use and disposition of the earnings and other
3674 revenues, (3) the setting aside of reserves and the creation of sinking
3675 funds and the regulation and disposition thereof, (4) limitations on the
3676 rights of the authority to restrict and regulate the use of the properties
3677 in connection with which such bonds are issued, (5) limitations on the
3678 purposes to which, and the manner in which, the proceeds of sale of any
3679 issue of bonds may be applied, (6) limitations on the issuance of
3680 additional bonds, the terms upon which additional bonds may be issued
3681 and secured, and the refunding of outstanding or other bonds, (7) the
3682 procedure, if any, by which the terms of any contract with bondholders

3683 may be amended or abrogated, the amount of bonds the holders of
3684 which must consent thereto and the manner in which such consent may
3685 be given, (8) the creation of special funds into which any earnings or
3686 revenues of the authority may be deposited, (9) the terms and provisions
3687 of any trust deed or indenture securing the bonds or under which bonds
3688 may be issued, (10) definitions of the acts or omission to act which shall
3689 constitute a default in the obligations and duties of the authority to the
3690 bondholders and providing the rights and remedies of the bondholders
3691 in the event of such default, including as a matter of right the
3692 appointment of a receiver, provided such rights and remedies shall not
3693 be inconsistent with the general laws of this state, (11) limitations on the
3694 power of the authority to sell or otherwise dispose of its properties, (12)
3695 any other matters, of like or different character, which in any way affect
3696 the security or protection of the bonds, and (13) limitations on the
3697 amount of moneys derived from the properties to be expended for
3698 operating, administrative or other expenses of the authority.

3699 (d) The authority may obtain from a commercial bank or insurance
3700 company a letter of credit, line of credit or other liquidity facility or
3701 credit facility for the purpose of providing funds for the payments in
3702 respect of bonds, notes or other obligations required by the holder
3703 thereof to be redeemed or repurchased prior to maturity or for
3704 providing additional security for such bonds, notes or other obligations.
3705 In connection therewith, the authority may enter into reimbursement
3706 agreements, remarketing agreements, standby bond purchase
3707 agreements and any other necessary or appropriate agreements. The
3708 authority may pledge all or any part of the moneys, earnings, income
3709 and revenues derived from all or any part of the properties of the
3710 authority and any other property which may be pledged to bondholders
3711 to secure its payment obligations under any agreement or contract
3712 entered into pursuant to this section subject to such agreements with the
3713 bondholders as may then exist.

3714 (e) In connection with or incidental to the carrying of bonds or notes
3715 or in connection with or incidental to the sale and issuance of bonds or

3716 notes, the authority may enter into such contracts to place the obligation
3717 of the authority, as represented by the bonds or notes, in whole or in
3718 part, on such interest rate or cash flow basis as the authority may
3719 determine, including without limitation, interest rate swap agreements,
3720 insurance agreements, forward payment conversion agreements,
3721 contracts providing for payments based on levels of, or changes in,
3722 interest rates or market indices, contracts to manage interest rate risk,
3723 including, without limitation, interest rate floors or caps, options, puts,
3724 calls and similar arrangements. Such contracts shall contain such
3725 payment, security, default, remedy and other terms and conditions as
3726 the authority may deem appropriate and shall be entered into with such
3727 party or parties as the authority may select, after giving due
3728 consideration, where applicable, for the creditworthiness of the
3729 counterparty or counterparties, provided such parties or counterparties
3730 shall be a financial institution whose unsecured long-term obligations
3731 are rated within the top two rating categories of any nationally
3732 recognized rating service. The authority may pledge all or any part of
3733 the moneys, earnings, income and revenues derived from all or any part
3734 of the properties of the authority and any other property which may be
3735 pledged to bondholders to secure its payment obligations under any
3736 agreement or contract entered into pursuant to this section subject to
3737 such agreements with the bondholders as may then exist.

3738 (f) It is the intention of the general assembly that any pledge of
3739 earnings, revenues or other moneys made by the authority shall be valid
3740 and binding from the time when the pledge is made; that the earnings,
3741 revenues or other moneys so pledged and thereafter received by the
3742 authority shall immediately be subject to the lien of such pledge without
3743 any physical delivery thereof or further act, and that the lien of any such
3744 pledge shall be valid and binding as against all parties having claims of
3745 any kind in tort, contract or otherwise against the authority irrespective
3746 of whether such parties have notice thereof. Neither the resolution nor
3747 any other instrument by which a pledge is created need be recorded.

3748 (g) Neither the members of the authority nor any person executing

3749 the bonds shall be liable personally on the bonds or be subject to any
3750 personal liability or accountability by reason of the issuance thereof.

3751 (h) The authority shall have the power out of any funds available to
3752 purchase, as distinguished from the power of redemption above, and all
3753 bonds so purchased shall be cancelled.

3754 (i) In the discretion of the authority, the bonds may be secured by a
3755 trust indenture by and between the authority and a corporate trustee,
3756 which may be any trust company or bank having the powers of a trust
3757 company. Such trust indenture may contain such provisions for
3758 protecting and enforcing the rights and remedies of the bondholders as
3759 may be reasonable and proper and not in violation of any law, including
3760 covenants setting forth the duties of the authority in relation to the
3761 construction, maintenance, operation, repair and insurance of the
3762 properties and the custody, safeguarding and application of all moneys,
3763 and may provide that the properties shall be constructed and paid for
3764 under the supervision and approval of consulting engineers. The
3765 authority may provide by such trust indenture or other depository for
3766 the methods of disbursement thereof, with such safeguards and
3767 restrictions as it may determine. All expenses incurred in carrying out
3768 such trust indenture may be treated as part of the cost of maintenance,
3769 operation and repair of the properties. If the bonds are secured by a trust
3770 indenture, bondholders shall have no authority to appoint a separate
3771 trustee to represent them.

3772 (j) Notwithstanding any other provision of sections 34 to 65,
3773 inclusive, of this act, any resolution or resolutions authorizing bonds or
3774 notes of the authority shall contain a covenant by the authority that it
3775 will at all times maintain rates, fees, rentals or other charges sufficient
3776 to pay, and that any contracts entered into by the authority for the sale
3777 and distribution of water or the collection of wastewater shall contain
3778 rates, fees, rentals or other charges sufficient to pay, the cost of operation
3779 and maintenance of the properties and the principal of and interest on
3780 any obligation issued pursuant to such resolution or resolutions as the

3781 same severally become due and payable, and to maintain any reserves
3782 or other funds required by the terms of such resolution or resolutions.

3783 (k) If any officer of the authority whose signature or a facsimile of
3784 whose signature appears on any bonds or coupons ceases to be such
3785 officer before delivery of such bonds, such signature or such facsimile
3786 shall nevertheless be valid and sufficient for all purposes as if they had
3787 remained in office until such delivery.

3788 Sec. 56. The authority shall have the power and is authorized to issue
3789 negotiable notes and may renew the same from time to time, but the
3790 maximum maturity of any such note, including renewals thereof, shall
3791 not exceed eight years from date of issue of such original note. Such
3792 notes shall be paid from any moneys of the authority available therefor
3793 and not otherwise pledged or from the proceeds of the sale of the bonds
3794 of the authority in anticipation of which they were issued. The notes
3795 shall be issued and may be secured in the same manner as the bonds
3796 and such notes and the resolution or resolutions authorizing such notes
3797 may contain any provisions, conditions or limitations which the bonds
3798 or a bond resolution of the authority may contain. Such notes shall be as
3799 fully negotiable as the bonds of the authority.

3800 Sec. 57. The state of Connecticut does pledge to and agree with the
3801 holders of the bonds or notes of the authority that the state will not limit
3802 or alter the rights vested in the authority to acquire, construct, maintain,
3803 operate, reconstruct and improve the properties, to establish and collect
3804 the revenues, rates, rentals, fees and other charges referred to in sections
3805 34 to 66, inclusive, of this act and to fulfill the terms of any agreements
3806 made with the holders of the bonds or notes, or in any way impair the
3807 rights and remedies of the bondholders or noteholders until the bonds
3808 or notes together with interest thereon, interest on any unpaid
3809 installments of interest and all costs and expenses in connection with
3810 any action or proceeding by or on behalf of the bondholders or
3811 noteholders are fully met and discharged.

3812 Sec. 58. The bonds, notes or other obligations of the authority shall
3813 not be a debt of the state of Connecticut or of any municipality, and
3814 neither the state nor any municipality shall be liable therefor, nor shall
3815 they be payable out of funds other than those of the authority.

3816 Sec. 59. The bonds and notes of the authority shall be securities in
3817 which all public officers and bodies of this state and all municipalities,
3818 all insurance companies and associations and other persons carrying on
3819 an insurance business, all banks, bankers, trust companies, savings
3820 banks, savings and loan associations, investment companies and other
3821 persons carrying on a banking business and all other persons whatever,
3822 except as hereinafter provided, who are now or may be authorized to
3823 invest in bonds or other obligations of the state, may properly and
3824 legally invest funds, including capital in their control or belonging to
3825 them; provided, notwithstanding the provisions of any other general
3826 statute or special act to the contrary, such bonds shall not be eligible for
3827 the investment of funds, including capital, of trusts, estates or
3828 guardianships under the control of individual administrators,
3829 guardians, executors, trustees or other individual fiduciaries. The bonds
3830 shall also be securities that may be deposited with and may be received
3831 by all public officers and bodies of this state and all municipalities and
3832 municipal subdivisions for any purpose for which the deposit of bonds
3833 or other obligations of this state is now or may be authorized.

3834 Sec. 60. The state of Connecticut covenants with the purchasers and
3835 with all subsequent holders and transferees of bonds or notes issued by
3836 the authority, in consideration of the acceptance of and payment for the
3837 bonds or notes, that the bonds and notes of the authority, the income
3838 therefrom and all moneys, funds and revenues pledged to pay or secure
3839 the payment of such bonds or notes shall at all times be free from
3840 taxation.

3841 Sec. 61. Nothing in sections 34 to 65, inclusive, of this act shall be
3842 construed to deprive the Commissioner of Energy and Environmental
3843 Protection, the Commissioner of Public Health or any successor

3844 commissioner or board of any jurisdiction which such commissioners or
3845 boards may now or hereafter have. Neither the Public Utilities
3846 Regulatory Authority nor any successor board or commissioner shall
3847 have jurisdiction of any kind over the authority, a subsidiary
3848 corporation, the Aquarion representative policy board or the rates fixed
3849 or charges collected by the authority.

3850 Sec. 62. Insofar as the provisions of sections 34 to 65, inclusive, of this
3851 act are inconsistent with the provisions of any other general statute,
3852 special act or any municipal ordinance, the provisions of sections 34 to
3853 65, inclusive, of this act shall be controlling; provided nothing contained
3854 in sections 34 to 65, inclusive, of this act shall exempt the authority from
3855 compliance with zoning regulations lawfully established by any
3856 municipality, except that the plants, structures and other facilities of the
3857 water supply system or the wastewater system owned or operated by
3858 the authority shall be permitted uses in all zoning districts in every city,
3859 town or borough within the district; and provided further that the
3860 authority may not construct purification or filtration plants or
3861 wastewater treatment plants in any zoning district in which such use is
3862 not permitted under local zoning regulations without first obtaining
3863 approval of the proposed location of such facility from the Aquarion
3864 representative policy board following a public hearing.

3865 Sec. 63. (a) The authority or any person who is aggrieved by a
3866 decision of the Aquarion representative policy board with respect to the
3867 establishment of rates or charges, the establishment of land use
3868 standards and disposition policies, the sale or other transfer or change
3869 of use of real property, the location of purification, filtration or
3870 wastewater treatment plants, the commencement of any project costing
3871 more than three and one-half million dollars, and as adjusted by the
3872 Consumer Price Index factor, as described in section 37 of this act, and
3873 subject to the approval of a majority of the weighted votes of the
3874 membership of the Aquarion representative policy board, excluding
3875 vacancies, to repair, improve, construct, reconstruct, enlarge or extend
3876 any of the properties or systems of the authority or the acquisition by

3877 purchase, lease or otherwise of any existing water supply system,
3878 wastewater system or part thereof, other than the purchase of all or any
3879 part of the properties and franchises of the Aquarion Water Company,
3880 is entitled to review by the Superior Court as provided in this section.
3881 For the purposes of this section, the holders of any bonds or notes of the
3882 authority and any trustee acting on behalf of such holders shall be
3883 deemed aggrieved persons with respect to any decision of the Aquarion
3884 representative policy board which violates any covenant or other
3885 provision of the resolution or resolutions authorizing such bonds or
3886 notes.

3887 (b) Proceedings for review shall be instituted by filing a petition in
3888 the superior court for the judicial district of Hartford within forty-five
3889 days after publication of the decision of the Aquarion representative
3890 policy board or, if a rehearing is requested, within forty-five days after
3891 the decision thereon. Copies of the petition shall be served upon the
3892 Aquarion representative policy board and published in a newspaper or
3893 newspapers having a general circulation in each town or city
3894 comprising the district.

3895 (c) The filing of the petition shall not of itself stay enforcement of the
3896 decision of the Aquarion representative policy board. The Aquarion
3897 representative policy board may grant, or the reviewing court may
3898 order, a stay upon appropriate terms, provided enforcement of a
3899 decision respecting the establishment of rates or charges may be stayed
3900 only after issuance of a judgment for the appellant by the reviewing
3901 court.

3902 (d) Within thirty days after service of the petition, or within such
3903 further time as may be allowed by the court, the Aquarion
3904 representative policy board shall transmit to the reviewing court the
3905 original or a certified copy of the entire record of the proceeding under
3906 review, which shall include the Aquarion representative policy board's
3907 findings of fact and conclusions of law, separately stated. By stipulation
3908 of all parties to the review proceedings, the record may be shortened. A

3909 party unreasonably refusing to stipulate to limit the record may be taxed
3910 by the court for the additional costs. The court may require or permit
3911 subsequent corrections or additions to the record.

3912 (e) If, before the date set for hearing, application is made to the court
3913 for leave to present additional evidence, and it is shown to the
3914 satisfaction of the court that the additional evidence is material and that
3915 there were good reasons for failure to present it in the proceeding before
3916 the Aquarion representative policy board, the court may refer the case
3917 back to the board with instructions to take such evidence as the court
3918 directs. The Aquarion representative policy board may modify its
3919 findings and decision by reason of the additional evidence and shall file
3920 that evidence and any modifications, new findings, or decisions with the
3921 reviewing court.

3922 (f) The review shall be conducted by the court without a jury and
3923 shall be confined to the record. In cases of alleged irregularities in
3924 procedure before the Aquarion representative policy board, not shown
3925 in the record, proof thereon may be taken in the court. The court, upon
3926 request, shall hear oral argument and receive written briefs.

3927 (g) The court shall not substitute its judgment for that of the Aquarion
3928 representative policy board as to the weight of the evidence on
3929 questions of fact. The court shall affirm the decision of the Aquarion
3930 representative policy board unless the court finds that the substantial
3931 rights of the appellant have been prejudiced because the Aquarion
3932 representative policy board's findings, inferences, conclusions, or
3933 decisions are: (1) In violation of constitutional provisions, the general
3934 statutes or the provisions of this or another special act; (2) in excess of
3935 the authority of the Aquarion representative policy board; (3) made
3936 upon unlawful procedure; (4) affected by other error of law; (5) clearly
3937 erroneous in view of the reliable probative, and substantial evidence on
3938 the whole record; or (6) arbitrary or capricious or characterized by abuse
3939 of discretion or clearly unwarranted exercise of discretion. If the court
3940 finds such prejudice, it shall sustain the appeal and, if appropriate, may

3941 render a judgment under subsection (h) of this section or remand the
3942 case for further proceedings.

3943 (h) If a particular Aquarion representative policy board action is
3944 required by law, the court, on sustaining the appeal, may render a
3945 judgment that modifies the Aquarion representative policy board
3946 decision, orders the Aquarion representative policy board action, or
3947 orders the Aquarion representative policy board to take such action as
3948 may be necessary to effect the particular action.

3949 (i) In any case in which an aggrieved party claims that he cannot pay
3950 the costs of an appeal under this section and will thereby be deprived of
3951 a right to which he is entitled, he shall, within the time permitted for
3952 filing the appeal, file with the clerk of the court to which the appeal is to
3953 be taken an application for waiver of payment of such fees, costs and
3954 necessary expenses, including the requirements of bond, if any. After
3955 such hearing as the court determines is necessary, the court shall enter
3956 its judgment on the application, which judgment shall contain a
3957 statement of the facts the court has found, with its conclusions thereon.
3958 The filing of the application for the waiver shall toll the time limits for
3959 the filing of an appeal until such time as a judgment on such application
3960 is entered.

3961 (j) Neither the authority nor the Aquarion representative policy
3962 board shall be construed to be an agency within the scope of chapter 54
3963 of the general statutes.

3964 Sec. 64. (a) Whenever the authority acquires the property and
3965 franchises of any private water company or companies operating a
3966 water supply system within its district, all employees of such company
3967 or companies who are necessary for the operation of the authority,
3968 except senior managerial officers, shall become employees of the
3969 authority and shall be credited by the authority with all rights that have
3970 accrued as of the date of such acquisition with respect to seniority, sick
3971 leave, vacation, insurance and pension benefits in accordance with the

3972 records, personnel policies or labor agreements of the acquired
3973 company or companies.

3974 (b) The authority shall assume and observe all accrued pension
3975 obligations of such acquired company or companies, and members and
3976 beneficiaries of any pension, retirement or other employee benefit
3977 system established by the acquired company or companies shall
3978 continue to have such rights, privileges, benefits, obligations and status
3979 with respect to such established systems as have accrued as of the date
3980 of such acquisition. The authority may enter into agreements with
3981 representatives of its employees relative to the inclusion of its
3982 employees in any applicable state or municipal employee's retirement
3983 plan or plans, and the authority shall constitute a municipality eligible
3984 to participate in such retirement plans. The authority may enter into
3985 agreements with representatives of its employees relative to the transfer
3986 to or the establishment of pension trust funds under the joint control of
3987 such authority and representatives of its employees, and shall have all
3988 powers necessary to maintain and administer such trust funds jointly
3989 with representatives of its employees.

3990 (c) The authority shall assume and observe all labor contracts of such
3991 company or companies in existence at the time of transfer and all
3992 obligations incurred by such contracts regarding wages, salaries, hours,
3993 sick leave and other leave, working conditions, grievance procedures,
3994 collective bargaining and pension or retirement.

3995 (d) The authority shall assume and observe personnel policies of such
3996 company or companies in existence at the time of transfer relating to
3997 personnel not covered by labor contracts, and all obligations incurred
3998 through such personnel policies regarding wages, salaries, hours, sick
3999 leave, vacation, pension and retirement, subject to such modifications
4000 therein as the authority may subsequently adopt, provided such
4001 modifications shall not affect any rights of such employees which have
4002 vested prior to such modification.

4003 (e) Nothing in this section shall prevent the authority from hiring any
4004 senior managerial officers of such company on such terms as it may
4005 determine or be construed to prohibit the authority from exercising the
4006 normal prerogatives of management with respect to such matters as the
4007 promotion, demotion, assignment, transfer or discharge of its
4008 employees, nor shall the authority be bound by any term of any
4009 personnel policy entered into by such company or companies in
4010 anticipation of acquisition by the authority.

4011 Sec. 65. The relations between the authority and its employees with
4012 respect to collective bargaining and the arbitration of labor disputes
4013 shall be governed by sections 7-467 to 7-477, inclusive, of the general
4014 statutes.

4015 Sec. 42. (*Effective from passage*) Sections 34 to 41, inclusive, of this act
4016 shall not be effective on and after December 31, 2027, unless the Public
4017 Utilities Regulatory Authority approves the South Central Connecticut
4018 Regional Water Authority or the Aquarion Water Authority to own and
4019 operate the Aquarion Water Company, or one or more of its
4020 subsidiaries, by said date.

4021 Sec. 43. (NEW) (*Effective October 1, 2024*) (a) As used in this section:

4022 (1) "Actions which may significantly affect the environment" has the
4023 same meaning as provided in section 22a-1c of the general statutes, but
4024 does not include any action that (A) is a major federal action under the
4025 National Environmental Policy Act, 42 USC 4321 et seq., as amended
4026 from time to time, (B) is an undertaking under the National Historic
4027 Preservation Act, 54 USC 300101 et seq., as amended from time to time,
4028 (C) affects an archaeological site, or (D) affects a sacred site;

4029 (2) "Archaeological site" has the same meaning as provided in section
4030 10-381 of the general statutes;

4031 (3) "Historic structures and landmarks" has the same meaning as
4032 provided in section 10-410 of the general statutes;

4033 (4) "Sacred site" has the same meaning as provided in section 10-381
4034 of the general statutes;

4035 (5) "Sponsoring agency" has the same meaning as described in
4036 sections 22a-1 to 22a-1h, inclusive, of the general statutes;

4037 (6) "State entity" means a state department, institution or agency
4038 under sections 22a-1 to 22a-1h, inclusive, of the general statutes;

4039 (7) "State funding recipient" means any person that receives funds
4040 from the state to be used for an activity or a sequence of planned
4041 activities that are subject to the process established by sections 22a-1 to
4042 22a-1h, inclusive, of the general statutes; and

4043 (8) "State Historic Preservation Officer" means the individual
4044 appointed by the Governor pursuant to 54 USC 302301(1), as amended
4045 from time to time, to administer the state historic preservation program
4046 in accordance with 54 USC 302303, as amended from time to time.

4047 (b) Whenever a sponsoring agency requests an initial determination
4048 from the State Historic Preservation Officer, in accordance with sections
4049 22a-1 to 22a-1h, inclusive, of the general statutes, as to whether an
4050 individual activity or a sequence of planned activities proposed to be
4051 undertaken by the sponsoring agency, a state entity or a state funding
4052 recipient, as applicable, is within the category of actions which may
4053 significantly affect the environment because such activity or sequence
4054 of activities could have an impact on the state's historic structures and
4055 landmarks, the officer shall:

4056 (1) In making such initial determination, consider all information
4057 provided by the sponsoring agency, state entity or state funding
4058 recipient, as applicable; and

4059 (2) Make such initial determination not later than thirty days after the
4060 officer receives information the officer deems reasonably necessary to
4061 make such initial determination.

4062 (c) If the State Historic Preservation Officer makes an initial
4063 determination that such individual activity or sequence of planned
4064 activities will not have any effect on historic structures and landmarks,
4065 or is not within the category of actions which may significantly affect
4066 the environment because such activity or sequence of activities will not
4067 have an impact on historic structures and landmarks, the officer shall
4068 provide such determination in writing to the sponsoring agency, state
4069 entity or state funding recipient, as applicable. Such written
4070 determination shall constitute a final determination by the officer for the
4071 purposes of this section.

4072 (d) (1) If the State Historic Preservation Officer makes an initial
4073 determination that such individual activity or sequence of planned
4074 activities will have an effect on historic structures and landmarks, or is
4075 within the category of actions which may significantly affect the
4076 environment because such activity or sequence of activities will have an
4077 impact on historic structures and landmarks, the officer shall, in
4078 collaboration with the sponsoring agency, state entity or state funding
4079 recipient, as applicable, propose a prudent or feasible alternative to such
4080 individual activity or sequence of planned activities to avoid such
4081 impact, if such alternative is possible.

4082 (2) If the State Historic Preservation Officer and the sponsoring
4083 agency, state entity or state funding recipient, as applicable, reach an
4084 agreement regarding such alternative, the officer shall provide to such
4085 sponsoring agency, state entity or state funding recipient, as applicable,
4086 a written determination that such alternative (A) will not have any effect
4087 on historic structures and landmarks, or (B) is not within the category of
4088 actions which may significantly affect the environment because such
4089 activity or sequence of activities will not have an impact on historic
4090 structures and landmarks. Such written determination shall constitute a
4091 final determination by the officer for the purposes of this section.

4092 (3) (A) If the State Historic Preservation Officer and the sponsoring
4093 agency, state entity or state funding recipient, as applicable, cannot

4094 reach an agreement regarding such alternative, the officer shall provide
4095 to such sponsoring agency, state entity or state funding recipient, as
4096 applicable, a written determination that such individual activity or
4097 sequence of planned activities (i) will have an effect on historic
4098 structures and landmarks, or (ii) is within the category of actions which
4099 may significantly affect the environment because such activity or
4100 sequence of activities will have an impact on historic structures and
4101 landmarks.

4102 (B) (i) Notwithstanding subsection (c) of section 22a-1b of the general
4103 statutes, after the State Historic Preservation Officer provides a written
4104 determination under subparagraph (A) of this subdivision, the officer
4105 shall, in collaboration with the sponsoring agency, state entity or state
4106 funding recipient, as applicable, propose a mitigation plan requiring
4107 such sponsoring agency, state entity or state funding recipient, as
4108 applicable, to mitigate such impact.

4109 (ii) The sponsoring agency, state entity or state funding recipient, as
4110 applicable, shall, to the extent possible, submit to the State Historic
4111 Preservation Officer all pertinent information regarding such individual
4112 activity or sequence of planned activities that may affect such mitigation
4113 plan. Such information shall be considered by the officer in the
4114 development of the mitigation plan.

4115 (iii) In establishing the mitigation plan, the State Historic
4116 Preservation Officer shall consult with the Commissioner of Economic
4117 and Community Development, or the commissioner's designee, about
4118 the economic impact of (I) the individual activity or sequence of planned
4119 activities proposed to be undertaken by the sponsoring agency, state
4120 entity or state funding recipient, as applicable, and (II) the mitigation
4121 plan. Any information provided by the commissioner during such
4122 consultation shall be considered by the officer in the development of the
4123 mitigation plan.

4124 (iv) Not later than forty-five days after the State Historic Preservation

4125 Officer receives the information submitted under subparagraph (B)(ii)
4126 of this subdivision, the officer shall memorialize the mitigation plan in
4127 a proposed mitigation agreement that may be executed by the
4128 sponsoring agency, state entity or state funding recipient, as applicable.
4129 If the sponsoring agency, state entity or state funding recipient, as
4130 applicable, executes such proposed mitigation agreement, the officer
4131 shall also execute such proposed mitigation agreement. The execution
4132 of such mitigation agreement shall constitute (I) a determination by the
4133 officer that the officer is satisfied the effect on historic structures and
4134 landmarks will be mitigated pursuant to the terms of such mitigation
4135 agreement, and (II) a final determination by the officer for the purposes
4136 of this section.

4137 (v) At the time the State Historic Preservation Officer provides the
4138 mitigation agreement proposed under subparagraph (B)(iv) of this
4139 subdivision to the sponsoring agency, state entity or state funding
4140 recipient, as applicable, the officer shall notify such sponsoring agency,
4141 state entity or state funding recipient, as applicable, that a request may
4142 be submitted in accordance with the provisions of subdivision (1) of
4143 subsection (e) of this section to the Commissioner of Economic and
4144 Community Development to review such proposed mitigation
4145 agreement.

4146 (e) (1) If the sponsoring agency, state entity or state funding recipient,
4147 as applicable, declines to execute the mitigation agreement proposed
4148 under subparagraph (B)(iv) of subdivision (3) of subsection (d) of this
4149 section, such sponsoring agency, state entity or state funding recipient,
4150 as applicable, may submit, not later than fifteen days after the State
4151 Historic Preservation Officer provides such proposed mitigation
4152 agreement to such sponsoring agency, state entity or state funding
4153 recipient, as applicable, a request to the Commissioner of Economic and
4154 Community Development to review the proposed mitigation agreement
4155 and make recommendations to revise such proposed mitigation
4156 agreement. Such request shall be in the form and manner prescribed by
4157 the commissioner and may include a request for a conference with the

4158 commissioner, the officer, the sponsoring agency, the state entity or the
4159 state funding recipient, as applicable, and any other interested party.

4160 (2) (A) Not later than thirty days after receiving such request, the
4161 commissioner shall (i) if such conference was requested, hold such
4162 conference, and (ii) make recommendations, if any, for revisions to the
4163 proposed mitigation agreement. If such revisions are recommended, the
4164 commissioner's review pursuant to this subsection shall be concluded
4165 and the State Historic Preservation Officer shall include such revisions
4166 in a revised mitigation agreement. Such revised mitigation agreement
4167 may be executed by the sponsoring agency, state entity or state funding
4168 recipient, as applicable. If the sponsoring agency, state entity or state
4169 funding recipient, as applicable, executes such revised mitigation
4170 agreement, the officer shall also execute such revised mitigation
4171 agreement. The execution of such revised mitigation agreement shall
4172 constitute (I) a determination by the officer that the officer is satisfied
4173 the effect on historic structures and landmarks will be mitigated
4174 pursuant to the terms of such revised mitigation agreement, and (II) a
4175 final determination by the officer for the purposes of this section.

4176 (B) If the commissioner makes no recommendations for revisions to
4177 the mitigation agreement, the commissioner's review pursuant to this
4178 subsection shall be concluded. The sponsoring agency, state entity or
4179 state funding recipient, as applicable, may subsequently elect to execute
4180 the mitigation agreement proposed by the State Historic Preservation
4181 Officer under subparagraph (B)(iv) of subdivision (3) of subsection (d)
4182 of this section. If the sponsoring agency, state entity or state funding
4183 recipient, as applicable, executes such proposed mitigation agreement,
4184 the officer shall also execute such proposed mitigation agreement. The
4185 execution of such mitigation agreement shall constitute (i) a
4186 determination by the officer that the officer is satisfied the effect on
4187 historic structures and landmarks will be mitigated pursuant to the
4188 terms of such mitigation agreement, and (ii) a final determination by the
4189 officer for the purposes of this section.

4190 (f) If the State Historic Preservation Officer proposes a mitigation
 4191 plan pursuant to subparagraph (B)(i) of subdivision (3) of subsection (d)
 4192 of this section but a mitigation agreement is not executed, the
 4193 sponsoring agency shall conduct an early public scoping process in
 4194 accordance with subsection (b) of section 22a-1b of the general statutes.

4195 (g) Not later than January first, annually, the State Historic
 4196 Preservation Officer shall post on the Department of Economic and
 4197 Community Development's Internet web site all mitigation agreements
 4198 executed during the preceding fiscal year."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	14-33(a)(2)
Sec. 2	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-71d(b)
Sec. 3	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-63(b)
Sec. 4	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-41(b) and (c)
Sec. 5	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-53(a)
Sec. 6	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-71(a)(2)

Sec. 7	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-71(f)(2)
Sec. 8	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-71b
Sec. 9	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-71c(b)
Sec. 10	<i>July 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-81(74)
Sec. 11	<i>July 1, 2024</i>	7-152e(a)
Sec. 12	<i>from passage</i>	12-71(f)(7)(B)
Sec. 13	<i>July 1, 2025</i>	12-71e
Sec. 14	<i>July 1, 2024</i>	36a-2
Sec. 15	<i>July 1, 2024</i>	36a-65(e)
Sec. 16	<i>July 1, 2024</i>	36a-70(n) to (u)
Sec. 17	<i>July 1, 2024</i>	36a-139a(a) to (h)
Sec. 18	<i>July 1, 2024</i>	36a-139b(a) to (g)
Sec. 19	<i>July 1, 2024</i>	36a-215
Sec. 20	<i>July 1, 2024</i>	36a-220(a)
Sec. 21	<i>July 1, 2024</i>	36a-221a(a) to (c)
Sec. 22	<i>July 1, 2024</i>	36a-225
Sec. 23	<i>July 1, 2024</i>	36a-226a(a)
Sec. 24	<i>July 1, 2024</i>	36a-237(a) and (b)
Sec. 25	<i>July 1, 2024</i>	36a-237f
Sec. 26	<i>July 1, 2024</i>	36a-237g
Sec. 27	<i>July 1, 2024</i>	36a-237h(a) to (c)
Sec. 28	<i>July 1, 2024</i>	36a-333(a)(2)
Sec. 29	<i>July 1, 2024</i>	36a-609
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>October 1, 2025</i>	38a-48
Sec. 32	<i>July 1, 2024</i>	10-287
Sec. 33	<i>from passage</i>	Repealer section
Sec. 34	<i>from passage</i>	SA 77-98, Sec. 1

Sec. 35	<i>from passage</i>	SA 77-98, Sec. 2
Sec. 36	<i>from passage</i>	SA 77-98, Sec. 4
Sec. 37	<i>from passage</i>	SA 77-98, Sec. 5
Sec. 38	<i>from passage</i>	SA 77-98, Sec. 9
Sec. 39	<i>from passage</i>	SA 77-98, Sec. 11
Sec. 40	<i>from passage</i>	SA 77-98, Sec. 15(a)
Sec. 41	<i>from passage</i>	SA 77-98
Sec. 42	<i>from passage</i>	New section
Sec. 43	<i>October 1, 2024</i>	New section