Senate

General Assembly

File No. 613

January Session, 2025

Senate Bill No. 1498

Senate, April 9, 2025

The Committee on Environment reported through SEN. LOPES of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE PARK REPLACEMENT STATUTE.

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

Section 1. Section 7-131n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

If any municipality takes, converts or repurposes any land, including, but not limited to, any land in such municipality's possession, for highway or other nonpark or nonopen space purposes, which land was purchased or acquired for park or other recreational or open space purposes, or for which bonds were issued for such purposes, or which had been dedicated for such purposes, such municipality shall provide comparable replacement land at least equal in value and per unit area size to the value and per unit area size of the land taken, converted or repurposed; provided before such municipality takes, converts or repurposes such land for highway or other nonpark or nonopen space purposes it shall hold a public hearing in addition to any public hearing required by section 13a-58 or by any other section of the general statutes or by any special act or city charter. At such public hearing and in the notice thereof, the municipality shall set forth the description of the land

proposed to be taken, converted or repurposed and the proposed use of such land, any reasons for the proposed taking, conversion or repurposing of the parkland, recreational space or open space rather than other land and the description of the replacement land to be provided. The municipality shall give notice of the time and place of such hearing by publication in a newspaper having a substantial circulation in such municipality, such notice to be given at least twice, at intervals of not less than two days, the first not more than fifteen days nor less than ten days and the second not less than two days before such hearing and such hearing shall be held within a period of not more than thirty and not less than fifteen days after any other public hearing required by section 13a-58 or by any other section of the general statutes. For purposes of this section "municipality" means any town, city or borough, or other political subdivision of the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	7-131n

ENV *Joint Favorable*

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

OFA Fiscal Note

State Impact: None

Municipal Impact: See below

Explanation

The bill requires a municipality that converts or repurposes certain land for park, recreational, or open space purposes to (1) provide comparable replacement land at least equal in value and size, and (2) hold a public hearing.

This may result in a cost to municipalities beginning in FY 26 associated with holding a public hearing.

Any additional impact will be dependent on how the land is used and what comparable land is provided as a replacement.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

SB 1498

AN ACT CONCERNING THE PARK REPLACEMENT STATUTE.

SUMMARY

This bill requires a municipality that converts or repurposes land, including land it owns, for highway, non-park, or non-open space purposes, when it was purchased, acquired, or dedicated for park, recreational, or open space purposes, to provide comparable replacement land that is at least equal in value and size. Before the municipality can convert or repurpose the land, it must hold a public hearing to discuss reasons for the proposed action and disclose the proposed replacement land. The municipality must give public notice of the hearing at least twice in a local newspaper.

Existing law already requires these actions when a municipality takes park, recreational, or open space land for highway or other purposes. The bill specifies that this also applies to land the municipality owns.

EFFECTIVE DATE: Upon passage

BACKGROUND

Recent Court Case

A recent court case found that the state's park replacement statute (CGS § 7-131n) does not apply when a municipality seeks to repurpose or transfer land that it already owns (*Friends of Kensington Playground, et al.* v. *City of New Haven*, Superior Court, judicial district of New Haven, Docket No. CV-20-6109292, 2022 WL 2132779 (June 9, 2022) (unpublished decision)).

COMMITTEE ACTION

Environment Committee

Joint Favorable
Yea 24 Nay 9 (03/24/2025)