



ACTS AFFECTING MUNICIPALITIES



2015-R-0161

Julia Singer Bansal, Associate Legislative Analyst

July 28, 2015

NOTICE TO READERS

This report provides brief highlights of new laws affecting municipalities enacted during the 2015 regular session. It does not include vetoed acts. Each summary indicates the public act (PA) or special act (SA) number and effective date. In some cases, these acts have other effective dates for provisions not related to municipalities.

Not all provisions of the acts are included here. Complete summaries of all 2015 public acts will be available when OLR publishes its Public Act Summary book; some are already on OLR's website (<http://cga.ct.gov/olr/olrpasums.asp>).

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website (<http://www.cga.ct.gov>).

TABLE OF CONTENTS

Animals	5
Damage Caused by a Police Dog	5
Animal Control Officer (ACO) Duties.....	5
Task Force on the Humane Treatment of Animals in Shelters	5
Economic Development	5
Airport Development Zones (ADZ)	5
Bridgeport's Steel Point Special Taxing District.....	6
Cedar Hills Infrastructure Improvement District.....	6
Regional Economic Development Districts (REDD)	6
Tax Increment Financing (TIF) Districts.....	6
Energy and Utilities	7
Municipal Permitting Process for Residential Solar Systems.....	7
Municipal Utility Security Deposits	7
Nitrogen Credit Exchange Program	7
Public Information Meetings Regarding Telecommunication Towers.....	8
Environment	8
Conservation Easements Purchased with State Funds	8
Long Island Sound Inventory and Plan	8
Municipal Brownfield Grant Program and Brownfield Loan Program	8
Open Space and Watershed Land Acquisition Grant Program.....	9
Pesticides	9
Grants and Aid	10
Bond Act	10
Intertown Capital Equipment Purchase Incentive Program	10
Municipal Reimbursement and Revenue Account	10
Municipal Revenue Sharing Account (MRSA)	11
Municipal Video Competition Trust Account	11
PILOT Grants	12
Potable Water Grants.....	12
Recreational Trails Program	12
Regional Planning Incentive Account	12
West Haven Mixed Use Project	13
Youth Service Bureau (YSB) Grants	13
Property Taxes	13
Changes to Tax Collection Statutes.....	13
Class I Property Tax Abatement	14
Extension of Statutory Deadlines for Naugatuck	14
Filing Deadlines for Certain Property Tax Exemptions.....	14
Health System Property	14
Housing Authorities' Payments in Lieu of Taxes	15
Land Use Taxation Pilot Program	15
Motor Vehicle Property Tax Mill Rates.....	16
Natural Gas Expansion Property Tax Abatement	16
Property Tax Base Revenue Sharing Program.....	16
Residential Real Property Used or Intended for Student Housing	16
Revaluation Delay for North Stonington.....	17

Public Health and Safety.....	17
Booting Vehicles.....	17
Compliance with National Prison Rape Elimination Commission Standards.....	17
Concussion Information for Youth Athletes	18
Demolition Permits	18
Disclosure of Arrest Records	18
Emergency Medical Services (EMS) Providers.....	19
Lead Poisoning Prevention	19
Local Emergency Plans of Operation	19
Police Officers	19
Pursuing Ordinance Violators	20
Regional Dispatch Authority for New London, East Lyme, and Waterford.....	20
Resident State Trooper Program Costs	20
Miscellaneous	20
Court Authority to Return Cases to Certain Municipal Boards or Officers	20
Discontinued Highways	21
Hartford Election Monitor.....	21
Identifying Abutters.....	21
Indemnification of Municipal Employees	22
Joint Performance of Election Functions.....	22
Metropolitan District Commission (MDC).....	22
Minimum Budget Requirement (MBR) Reduction.....	23
Municipal Bonds Issued in Connection With a Community Facility Loan	23
Municipal Reserve Funds	24
Municipal Sewer Bonds.....	24
Nonstate Public Employees Participation in the State Employee Health Plan.....	24
Notification of Regional School District Referendum	24
Off-Reservation Casino.....	24
Pilot Program and Study on Municipal Campaign Finance Filings	25
Public Pools	25
Regional Election Monitors	25
Retention Schedule for Land Use and Development Records	25
Set-Aside Requirements	26
Updating Municipal Plans of Conservation and Development (Plans of C&D)	26
Winchester School District Receiver	26
Workers' Compensation Hospital Charges	26

ANIMALS

Animal Control Officer (ACO) Duties

[PA 15-103](#) expands the duties of ACOs to include enforcing laws on domestic animals, instead of just dogs (e.g., taking custody of a domestic animal found injured or neglected). In practice, ACOs already work with other domestic animals, and by law, ACOs may arrest someone who violates a law relating to dogs or other domestic animals. The new law requires municipal pounds to accommodate domestic animals.

EFFECTIVE DATE: October 1, 2015

Damage Caused by a Police Dog

Existing law generally imposes strict liability on the owner or “keeper” of a dog for any damage it causes to a person or property (“keeper” is any person, other than the owner, harboring or possessing a dog). [PA 15-26](#) creates a rebuttable presumption that a member of a law enforcement officer's household where the officer keeps a dog owned by and assigned to him or her by the municipality, state, or federal government is not the dog's keeper. Under the new law, in any action against such a household member for damage done by the dog, the plaintiff has the burden of proving that the

household member was the dog's keeper and had exclusive control of the dog.

EFFECTIVE DATE: October 1, 2015

Task Force on the Humane Treatment of Animals in Shelters

[SA 15-19](#) extends, from January 1, 2015 to February 1, 2016, the deadline by which the task force on the humane treatment of animals in municipal and regional shelters must report its recommendations to the Environment and Planning and Development committees.

EFFECTIVE DATE: Upon passage

ECONOMIC DEVELOPMENT

Airport Development Zones (ADZ)

[PA 15-192](#) generally transfers the Connecticut Airport Authority's (CAA) ADZ administrative functions to the Department of Economic and Community Development (DECD) in order to comply with federal law. In doing so, it authorizes municipalities, rather than the DECD commissioner, to develop and submit the proposals for new ADZs. Under prior law, the commissioner submitted ADZ proposals to CAA for its approval.

The new law requires the DECD commissioner to approve or reject ADZ proposals from municipalities and allows her to modify any proposed zone.

EFFECTIVE DATE: Upon passage

Bridgeport's Steel Point Special Taxing District

[PA 15-184](#) §§ 8-9 gives Bridgeport's Steel Point Special Taxing District five additional years to obtain funds for making public improvements. It extends, from June 30, 2015 to June 30, 2020, the deadline by which DECD and Connecticut Innovations, Inc. may provide up to \$40 million in financial assistance under their existing programs to develop and improve property in Bridgeport.

The new law also gives the district more time to issue its own bonds for these purposes before Bridgeport's city council may vote to merge the district with the city. Prior law allowed the council to do so if the district failed to issue bonds by July 1, 2015. The act extends this deadline to July 1, 2020.

EFFECTIVE DATE: Upon passage

Cedar Hills Infrastructure Improvement District

[SA 15-16](#) authorizes certain North Haven voters to establish a special taxing district in a specified area of the municipality (the Cedar Hill North

Haven Infrastructure Improvement District).

EFFECTIVE DATE: July 1, 2015

Regional Economic Development Districts (REDD)

[PA 15-155](#) increases, from eight to nine, the maximum number of REDDs that can be established in the state. By law, regional planning and economic development organizations may establish REDDs to coordinate economic development projects and prepare comprehensive economic development strategies, which are required for certain types of federal Economic Development Administration assistance (e.g., infrastructure and business development assistance).

The act also (1) requires REDD boundaries to align with at least one planning region's boundaries and (2) eliminates the requirement that each REDD meet economic distress criteria established in federal regulations.

EFFECTIVE DATE: October 1, 2015

Tax Increment Financing (TIF) Districts

[PA 15-57](#) allows, and specifies a process for, a municipality's legislative body to establish a tax increment district (generally known as a TIF district) to finance economic development projects in an eligible area. It allows the municipality to finance these projects by (1) designating all or part of the new or

incremental real property tax revenue generated in the district to repay the costs incurred to fund the projects, (2) imposing assessments on real property in the district benefiting from certain public improvements (i.e., benefit assessments), and (3) issuing bonds backed by these revenue streams to pay project costs.

Existing law already allowed municipalities to use TIF to finance economic development projects, but under narrower conditions than those the new law establishes.

EFFECTIVE DATE: October 1, 2015

ENERGY AND UTILITIES

Municipal Permitting Process for Residential Solar Systems

[PA 15-194](#) standardizes certain steps in the municipal permitting process for installing residential solar systems. Generally, it requires each municipality, by January 1, 2016, to incorporate residential solar photovoltaic (PV) systems in their building permit application process or use a residential solar PV system permit application supplement. It also requires the Connecticut Green Bank, in consultation with the state building inspector, to implement a residential solar PV system permit training seminar for municipal officials developing a permitting process.

EFFECTIVE DATE: October 1, 2015

Municipal Utility Security Deposits

[PA 15-5](#), June Special Session, § 109 allows municipal gas or electric utility company customers to pay their required security deposits by cash, letter of credit, or surety bond. It also allows municipal electric companies that are members of a municipal electric energy cooperative to return half of a nonresidential customer's security deposit if the customer's account remains in good standing for two years.

EFFECTIVE DATE: October 1, 2015

Nitrogen Credit Exchange Program

[PA 15-38](#) phases out the Department of Energy and Environmental Protection's (DEEP) obligation to purchase all equivalent nitrogen credits created by municipally-owned wastewater treatment facilities under the Nitrogen Credit Exchange Program. The phase-out occurs in three stages, and by the last one, beginning August 15, 2016, the commissioner must purchase only the credits necessary to meet the nitrogen limits in the general permit. The exchange program, overseen and managed by DEEP, was created to help these treatment facilities comply with required nitrogen discharge limits and reduce the amount of nitrogen entering Long Island Sound.

EFFECTIVE DATE: Upon passage

Public Information Meetings Regarding Telecommunication Towers

By law, before filing an application with the Siting Council to approve a telecommunication tower's location, the developer must consult with municipalities affected by the tower's location. A consulted municipality may hold a public information meeting on the proposed tower. [PA 15-186](#) requires developers to pay all administrative expenses of these public information meetings.

EFFECTIVE DATE: October 1, 2015

ENVIRONMENT

Conservation Easements Purchased with State Funds

[PA 15-5](#), June Special Session, § 472 excludes certain conservation easements purchased wholly or partially with state funds from any open space percentage allocation required by a local planning or zoning commission for final approval of a municipal land use application (including a cluster development application). The exclusion applies only to applications filed in a municipality with (1) a population of 82,000 to 90,000 people and (2) a total area of 35 to 37 square miles.

EFFECTIVE DATE: Upon passage

Long Island Sound Inventory and Plan

[PA 15-66](#) requires the DEEP commissioner to (1) coordinate the completion of an inventory of Long Island Sound's uses and natural resources and (2) develop a plan to preserve and protect the Sound that may include maps, illustrations, and other media. It creates a 16-member advisory committee to help the commissioner with these duties and requires that two members represent coastal municipalities. The new law also requires municipalities to consider the inventory and plan when reviewing certain applications, including applications for shellfish ground licenses.

EFFECTIVE DATE: July 1, 2015

Municipal Brownfield Grant Program and Brownfield Loan Program

[PA 15-193](#) adds new components to the Municipal Brownfield Grant program, which provides grants to municipalities and economic development agencies for assessing and remediating contaminated property. Under the new law, DECD may award these recipients (1) an additional grant to complete an ongoing project and (2) a new grant to prepare comprehensive plans for remediating and redeveloping multiple brownfields.

The new law also increases maximum loan amounts, from \$2 million per year for up to two years to \$4 million per year for an unlimited number of years, under the Brownfield Loan Program. The program provides loans to municipalities, among others, for (1) investigating and assessing a property's environmental condition and (2) remediating any contamination.

EFFECTIVE DATE: July 1, 2015

Open Space and Watershed Land Acquisition Grant Program

[PA 15-23](#) increases, from up to 70% of total cost to up to 90% of fair market value (and 100% in certain circumstances), the amount of state and federal funds Open Space and Watershed Land Acquisition Grant Program grantees may use to fund their projects. It also eliminates prior law's restrictions on the amount of grants the commissioner may approve for municipal grantees that also receive certain federal funds.

The program provides grants to municipalities, among others, to (1) acquire land for open space or to protect drinking water supplies and (2) restore or protect open space land they already own.

EFFECTIVE DATE: Upon passage

Pesticides

[PA 15-5](#), June Special Session, §§ 436-439 makes several changes to the law's requirements for applying pesticide (including lawn care pesticide) to municipal playgrounds and school grounds.

Municipal Playgrounds. Subject to exceptions for certain emergencies, the new law generally (1) bans applying lawn care pesticides on municipal playgrounds and (2) prohibits anyone other than a certified applicator from applying other pesticides on these playgrounds.

School Grounds. The new law exempts certain products from the existing ban on nonemergency lawn care pesticide application on the grounds of schools with students in grades eight or lower. It replaces postal notice, with electronic notice, of pesticide applications on school grounds to those who register for it. It also requires schools to post notice of pesticide applications (1) online, through social media, or by an alert system and (2) in a handbook or manual.

EFFECTIVE DATE: The school notice and playground requirements take effect October 1, 2015 and the lawn care product exemption is effective upon passage.

GRANTS AND AID

Bond Act

[PA 15-1](#), June Special Session, §§ 13(a) & (h), 32(a) & (j), 51-55, and 223-226 authorizes new GO bonds for:

1. grants to municipalities for purchasing body-worn recording equipment and digital data storage devices or services for law enforcement officers;
2. the regional dog pound grant program;
3. grants for port, harbor, and marina improvements, including dredging and navigational improvements;
4. grants to municipalities for the Town-Aid-Road program;
5. the pot hole repair assistance program;
6. Urban Action (economic and community development project grants);
7. the Small Town Economic Assistance Program (STEAP);
8. the Capital Equipment Purchase Fund; and
9. the Local Capital Improvement Program (LoCIP).

EFFECTIVE DATE: Generally, July 1, 2015 for FY 16 bond authorizations and July 1, 2016 for FY 17 authorizations.

Intertown Capital Equipment Purchase Incentive Program

[PA 15-170](#) increases the maximum grant amount the Office of Policy and Management (OPM) can provide under the program, which helps municipalities jointly buy or lease needed vehicles or capital equipment. Specifically, the new law increases the maximum grant amount from the lesser of \$250,000 or 50% of the total acquisition cost, to the lesser of \$375,000 or 80% of the cost.

EFFECTIVE DATE: October 1, 2015

Municipal Reimbursement and Revenue Account

[PA 15-169](#) eliminates the timeframes for expenditures by OPM from the municipal reimbursement and revenue account for:

1. the statewide high-speed network (Nutmeg Network),
2. a tax incidence study (i.e., an analysis of taxes' impact on various taxpayer groups), and
3. the universal chart of accounts for municipalities (a tool used to standardize accounting practices).

It also allows funds for the universal chart of accounts to be used to reimburse expenses incurred on or after July 1, 2013.

EFFECTIVE DATE: July 1, 2015

Municipal Revenue Sharing Account (MRSA)

[PA 15-244](#) §§ 72, 74, 207, & 209 (as amended by [PA 15-5](#), June Special Session, §§ 110-111, 132 & 494) diverts a portion of sales tax revenue to MRSA and establishes a schedule for distributing the funds to municipalities and regions. Among other things, it requires MRSA funds to be used to provide (1) supplemental education cost sharing grants, (2) grants to municipalities to mitigate the revenue loss attributed to the motor vehicle mill rate cap, (3) certain payment in lieu of taxes (PILOT) grants to qualifying municipalities, (4) newly established municipal revenue sharing grants, and (5) grants to the state's nine regional councils of governments (COG) for planning purposes and to achieve efficiencies in delivering municipal services on a regional basis.

[PA 15-5](#), June Special Session, § 483 requires the Department of Revenue Services (DRS) commissioner to transfer to the state treasurer the first \$800,000 in sales tax revenue scheduled to be deposited into MRSA. The state treasurer must use the funds to make grants in FY 16 to certain municipalities, as shown in

Table 1. (The total amount of the specified grants, \$814,891, exceeds the amount of the revenue transfer.)

Table 1: Grants to Specified Municipalities

Specified Purpose	Municipality (Grant Amount)
Education	Killingly (\$125,000)
	Plainfield (\$125,000)
	Stamford (\$250,000)
General Municipal Purposes	East Lyme (\$48,100)
	Farmington (\$166,791)
	Norwich (\$50,000)
	Branford (\$50,000)

Additionally, [PA 15-5](#), June Special Session, §§ 110-111, eliminates the requirement under PA 15-244 that grants to COGs be distributed on a per capita basis and replaces it with a requirement that they be distributed based on a formula determined by the OPM secretary.

EFFECTIVE DATE: Various

Municipal Video Competition Trust Account

Beginning in FY 16 and annually thereafter, [PA 15-244](#) § 98 transfers \$3 million from the Municipal Video Competition Trust Account to the General Fund.

Funds from the account are distributed to municipalities based on their proportional share of the total number of statewide subscribers to certified competitive video service.

EFFECTIVE DATE: July 1, 2015

PILOT Grants

[PA 15-244](#) §§ 183-205 restructures the state's PILOT programs by establishing minimum annual reimbursement rates and a method for disbursing PILOT grants when appropriations are not enough to fund the full grant amounts. For FY 17, it (1) requires that municipalities receive PILOTs equaling or exceeding the reimbursement rates they received in FY 15 and (2) establishes an additional PILOT grant for certain municipalities. Beginning in FY 18, it establishes minimum reimbursement rates for specific types of PILOT-eligible property, based on a municipality's mill rate and the percentage of tax-exempt property on its 2012 grand list.

EFFECTIVE DATE: July 1, 2016, except the provisions sunsetting the current PILOT programs are effective July 1, 2015

Potable Water Grants

[PA 15-105](#) prohibits DEEP from reducing the grant amount a municipality receives for a project to provide long-term potable water supply facilities in an area of a municipality next to a federal Superfund site where the (1) project involves a water line extension, (2) federal government provides fire flow capacity, and (3) water is groundwater provided by a municipal water company. Under the new law, if the municipality upgrades the

minimum size water main needed to address the pollution for fire flow purposes, it must pay only the incremental cost.

EFFECTIVE DATE: Upon passage

Recreational Trails Program

[PA 15-1](#), June Special Session, §§ 65 & 238 (1) authorizes \$5 million in GO bonds in FY 16 and FY 17 for an existing municipal grant program for establishing bikeways, pedestrian walkways, and greenways and (2) expands the purposes of the program to allow a wider range of potential projects and grant recipients. Substantially similar provisions were included in [PA 15-190](#), which this new law repealed.

EFFECTIVE DATE: October 1, 2015

Regional Planning Incentive Account

For calendar quarters ending on or after July 1, 2016 and prior to July 1, 2017, [PA 15-244](#) § 74 eliminates the requirement that the DRS commissioner deposit a portion of the hotel and rental car taxes in the Regional Planning Incentive Account. The account funds (1) annual grants to regional councils of government and (2) grants awarded under the regional performance incentive program.

By eliminating these required deposits, the new law requires these funds to go to the General Fund in FY 17.

EFFECTIVE DATE: Upon passage, and applicable to sales on or after October 1, 2015 and sales of services that are billed to customers for a period that includes October 1, 2015.

West Haven Mixed Use Project

[PA 15-184](#) § 10 exempts state economic development financial assistance awarded before July 1, 2020 for a West Haven mixed-use project or related infrastructure improvements from the law requiring legislative approval for such assistance above a specified threshold. The project must be located south of the New England Thruway and east of First Avenue and have at least 200,000 square feet of retail and entertainment space.

EFFECTIVE DATE: July 1, 2015

Youth Service Bureau (YSB) Grants

Prior law limited YSB grants to YSBs that (1) were eligible to receive them in FY 07 or (2) applied by June 30, 2012 after the host municipality provided its required matching grant. [PA 15-5](#), June Special Session, § 257 also makes YSBs eligible if they applied for a grant during FY 15.

YSB are agencies operated by one or more municipalities, or a private agency designated to act as an agent of one or more municipalities, that evaluate, plan, coordinate, and implement services, including programs for delinquent, pregnant, and troubled youth, among others.

EFFECTIVE DATE: July, 1, 2015

PROPERTY TAXES

Changes to Tax Collection Statutes

[PA 15-156](#) (as amended by PA 15-5, June Special Session, § 47) makes several changes in the municipal tax collection statutes. Among other things, it:

1. allows municipalities and district health departments to withhold or revoke a business license or permit if a business owes water, sewer, or sanitation charges that are at least one year delinquent;
2. requires municipalities to follow a taxpayer's written instructions specifying the property or properties to which a specific tax payment should be applied;
3. requires that state and municipal tax liens against a delinquent taxpayer take precedence or priority over any claim against the taxpayer by a party who redeems (i.e., buys

back) a property following a tax sale; and

4. specifies that tax payments made through a municipal electronic payment service are timely, and thus not subject to interest charges, if they are made within the payment's statutory deadline.

EFFECTIVE DATE: October 1, 2015

Class I Property Tax Abatement

For assessment years beginning on and after October 1, 2015, [PA 15-5](#), June Special Session, § 104 allows municipalities to abate up to 100% of the property taxes due for any tax year for Class I renewable energy sources that are subject to certain power purchase agreements. The abatement cannot last longer than the power purchase agreement's term. Class I sources include, among others, solar power, wind power, fuel cells, methane gas from landfills, and wave or tidal power.

EFFECTIVE DATE: Upon passage

Extension of Statutory Deadlines for Naugatuck

[PA 15-68](#) § 1 validates Naugatuck's October 1, 2014 grand list, regardless of the tax assessor's failure to meet statutory deadlines for publishing it, and authorizes the board of assessment appeals to hold appeal hearings in May, June, July, and

August 2015, but requires the board to finish its business by August 31, 2015.

EFFECTIVE DATE: Upon passage

Filing Deadlines for Certain Property Tax Exemptions

[PA 15-184](#) §§ 1-6 allows taxpayers in Durham, Hartford, New Haven, North Bradford, and Windsor to claim various property tax exemptions on specified grand lists even if they missed the mandatory filing deadlines. ([PA 15-68](#) makes the same extensions with regard to taxpayers in Durham, North Branford, and Windsor, except it is effective upon passage.)

EFFECTIVE DATE: July 1, 2015

Health System Property

[PA 15-5](#), June Special Session, §§ 238-240 makes several changes affecting the taxation of health system property.

Property Subject to Taxation.

The new law generally imposes the property tax on (1) real property that a "health system" acquires on or after October 1, 2015 that is subject to the tax at the time of the acquisition and (2) any personal property related to health care services delivered at the property. The new law applies to acquiring health systems that had, for the 2013 fiscal year (ending September 30, 2013), at least \$1.5 billion in net patient revenue from facilities located in the state. It

supersedes any property tax statute or special act that exempts from property taxes real or personal property held by or on behalf of health systems.

Fixed Assessments. Existing law allows a municipality, with its legislative body's approval, to fix the real property tax assessment increase resulting from improvements made to real property used for specified purposes. The new law expands the types of projects that qualify for the fixed assessments to include property improvements used by or on behalf of health systems.

Validating Tax Treatment. The new law validates, for property tax purposes, the acts and proceedings of a municipality's officers and officials concerning the tax treatment of health system property on the 2014 grand list and prior lists. It requires the municipality to continue to tax or exempt such property, as applicable, in subsequent tax years. The validation supersedes any contrary statute, special act, charter, or ordinance.

EFFECTIVE DATE: Upon passage and applicable to assessment years beginning on or after October 1, 2015.

Housing Authorities' Payments in Lieu of Taxes

The law (1) requires housing authorities for moderate rental housing projects to make payments to municipalities in lieu of property taxes, special benefit assessments, and sewerage system use charges the municipality would otherwise impose and (2) specifies how these payments must be calculated. From June 30, 2015 until June 30, 2016, [PA 15-5](#), June Special Session, § 495 prohibits municipalities that were reimbursed by the state for a property tax abatement on such housing projects in FY 15 from requiring payments from a project unless the project receives federal funds for these expenses.

EFFECTIVE DATE: Upon passage

Land Use Taxation Pilot Program

[PA 15-184](#) § 7 gives municipalities more time to comply with one of the procedural requirements for participating in the Land Value Taxation Pilot Program, under which they can tax land at a higher rate than buildings instead of taxing both at the same rate. It also allows municipalities to participate in the pilot program only once, making those selected for the program ineligible for subsequent selection.

EFFECTIVE DATE: Upon passage

Motor Vehicle Property Tax Mill Rates

[PA 15-244](#) §§ 206 & 208 allows municipalities to tax motor vehicles at a different rate than other taxable property but caps the motor vehicle rate at (1) 32 mills for the 2015 assessment year and (2) 29.36 mills for the 2016 assessment year and thereafter. It also prohibits special taxing districts and boroughs from imposing a rate that, if combined with the municipality's motor vehicle mill rate, would exceed these maximums.

EFFECTIVE DATE: October 1, 2015, and applicable to assessment years beginning on or after that date.

Natural Gas Expansion Property Tax Abatement

[PA 15-5](#), June Special Session, § 106 allows municipalities to abate up to 100% of a gas company's annual personal property taxes to facilitate natural gas expansion projects. The municipality can abate the taxes for up to 25 tax years.

The gas company must include the abatement when calculating the hurdle rate for gas expansion projects within the municipality. The "hurdle rate" refers to the amount of projected new distribution revenues needed over a 25-year period to pay for the expansion. If the expansion will not pay for itself in this period, the new customers served by the

expansion must pay for the shortfall through an additional contribution.

EFFECTIVE DATE: July 1, 2015 and applicable to assessment years commencing on or after October 1, 2015.

Property Tax Base Revenue Sharing Program

[PA 15-244](#) §§ 211-215 authorizes regional councils of governments, with the unanimous approval of their member municipalities, to establish a property tax base revenue sharing program under which the municipalities in their planning region (1) tax commercial and industrial (C&I) property at a composite mill rate, based in part on the average mill rate in their region, and (2) share up to 20% of the property tax revenue generated by the growth in their C&I property tax base since 2013, which the law designates as the base year.

EFFECTIVE DATE: October 1, 2015, and applicable to assessment years beginning on or after that date.

Residential Real Property Used or Intended for Student Housing

[PA 15-5](#), June Special Session, § 241 generally subjects to property tax any residential real property held by or on behalf of a private nonprofit institution of higher learning that is intended for or used as student housing. Under the new law, "residential real property" is any

house or building, or portion thereof, rented, leased, or hired out to be occupied as a home or residence for one or more students, excluding dormitories. "Dormitories" are buildings maintained by a private nonprofit institution of higher learning, containing living or sleeping facilities, with at least 20 beds, intended for or used as student housing.

The new law's requirement supersedes any property tax statute or special act that provides a property tax exemption for real or personal property owned by or on behalf of such institutions, except for the statutory provision for college property owned by certain educational institutions (i.e., Connecticut College for Women; Hartford Seminary Foundation; Trinity College; Wesleyan University; Yale College; and Berkeley Divinity School and Sheffield Scientific School, which are part of Yale; [CGS § 12-81 \(8\)](#)).

EFFECTIVE DATE: Upon passage and applicable to assessment years beginning on or after October 1, 2015.

Revaluation Delay for North Stonington

[PA 15-229](#) § 1 allows North Stonington, with its legislative body's approval, to delay a revaluation scheduled for 2015 to the 2016 assessment year.

EFFECTIVE DATE: Upon passage

PUBLIC HEALTH AND SAFETY

Booting Vehicles

[PA 15-42](#) regulates the use of wheel locking devices on vehicles to render them immovable (i.e., "booting").

Among other things, it:

1. requires an entity hired by a property owner to notify the local police before and after booting the vehicle,
2. requires local police to check whether a booted vehicle was reported stolen, and
3. authorizes municipalities to require that conspicuous signage be placed in any area where a vehicle could be towed or booted.

EFFECTIVE DATE: October 1, 2015

Compliance with National Prison Rape Elimination Commission Standards

Within available appropriations, [PA 15-218](#) requires state and municipal agencies that incarcerate or detain juvenile offenders, including those detained for immigration violations, to adopt and comply with the applicable standards recommended by the National Prison Rape Elimination Commission for preventing, detecting, monitoring, and responding to sexual abuse. The covered agencies are prisons, jails, community correction facilities, juvenile facilities, and

lockups. This requirement already applied to agencies incarcerating adult offenders.

EFFECTIVE DATE: October 1, 2015

Concussion Information for Youth Athletes

[PA 15-5](#), June Special Session, §§ 114-115 requires youth athletic activity operators, beginning by January 1, 2016, to annually make a written or electronic statement on concussions available to every youth participating in a youth athletic activity and his or her parent or legal guardian. The (1) operator must make the statement available when the youth registers and (2) statement must be consistent with current information provided by the National Centers for Disease Control and Prevention. Under the new law, an "operator" includes a municipality that conducts or oversees youth athletic activities.

EFFECTIVE DATE: July 1, 2015

Demolition Permits

[PA 15-131](#) resolves a conflict in prior law concerning hold harmless clauses that protect municipalities from a demolition permit holder's negligence. Under the new law, instead of including the hold harmless language in the required demolition insurance certificate, an applicant for

a demolition permit must furnish a separate written declaration to this effect.

EFFECTIVE DATE: Upon passage

Disclosure of Arrest Records

[PA 15-164](#) increases law enforcement agencies' disclosure obligations under the Freedom of Information Act for records relating to a person's arrest. By law, generally, when a person is arrested, a law enforcement agency must disclose the "record of the arrest." Under prior law, the record of the arrest consisted of (1) the arrestee's name and address; the date, time, and place of the arrest; and the offense for which the person was arrested (i.e., "blotter information") and (2) at least one additional report designated by the agency. The additional report could be the arrest report, incident report, news release, or other similar report of the arrest.

The new law modifies both components of the record of the arrest. Among other things, it (1) requires that the blotter information also include the arrestee's race and (2) eliminates the requirement to disclose the one additional report and instead requires the law enforcement agency to disclose certain other records describing the arrest (e.g., arrest warrant application and supporting affidavits).

EFFECTIVE DATE: October 1, 2015

Emergency Medical Services (EMS) Providers

[PA 15-223](#) makes various changes to the EMS provider laws, including emergency scene responsibilities, data reporting requirements, and credentialing. For example, it establishes a hierarchy for determining which EMS provider is responsible for making patient care decisions at the scene of an emergency call and specifies that the hierarchy does not limit the authority of the local fire officer-in-charge to control and direct emergency activities at the scene.

EFFECTIVE DATE: October 1, 2015

(For other acts affecting EMS providers, see Acts Affecting Health Professionals.)

Lead Poisoning Prevention

[PA 15-172](#) lowers the blood lead level threshold at which local health directors must inform parents or guardians about (1) a child's potential eligibility for the state's Birth-to-Three program and (2) lead poisoning dangers, ways to reduce risks, and lead abatement laws.

EFFECTIVE DATE: October 1, 2015

Local Emergency Plans of Operation

Beginning January 1, 2017, [PA 15-20](#) reduces, from annually to biennially, the frequency with which a municipality must submit its

emergency plan of operations to the emergency services and public protection commissioner. By law, every municipality must have a current plan approved by the commissioner to be eligible for certain state or federal emergency management benefits.

EFFECTIVE DATE: October 1, 2015

Police Officers

Municipal Police Departments. [PA 15-4](#), June Special Session, makes a number of changes regarding law enforcement training, procedures, equipment, use of force, hiring, and lawsuits. Among other things, it requires police basic and review training programs conducted by municipal police departments, State Police, and the Police Officer Standards and Training (POST) Council to include training on (1) using physical force; (2) using cameras and retaining the records they create; and (3) cultural competency, sensitivity, and bias-free policing. It also creates new grants for municipal police departments to purchase body cameras and requires their use under certain circumstances.

EFFECTIVE DATE: Most provisions are effective October 1, 2015.

Police Certification Costs.

Beginning July 1, 2016, PA 15-5, June Special Session, § 508 requires any law enforcement unit that hires an officer from another law enforcement

unit within two years after the officer's certification by POST to reimburse the initial hiring unit for 50% of the total certification costs (i.e., the cost of training, equipment, uniforms, salary and fringe benefits, and any cost related to the council's entry-level requirements). Such costs do not include equipment or uniforms the officer returns.

EFFECTIVE DATE: July 1, 2016

(For other acts affecting municipal police officers, see Acts Affecting Criminal Justice & Public Safety.)

Pursuing Ordinance Violators

Existing law allows local police officers and certain other law enforcement officers to pursue someone outside of their precincts into any part of the state while in immediate pursuit of someone the officers have authority to arrest. Under [PA 15-83](#), this authority does not apply if the person is alleged to have violated only a municipal ordinance.

EFFECTIVE DATE: October 1, 2015

Regional Dispatch Authority for New London, East Lyme, and Waterford

[SA 15-22](#) authorizes New London, East Lyme and Waterford to adopt ordinances designating an existing dispatch authority, or creating a new authority, to serve as a regional

dispatch authority (i.e., a regional emergency communications center).

EFFECTIVE DATE: October 1, 2015

Resident State Trooper Program Costs

Under prior law, municipalities participating in the resident trooper program had to pay (1) 70% of the regular cost and expense of having a trooper assigned to the municipality and (2) 100% of any overtime costs and the portion of the fringe benefits directly associated with those costs. [PA 15-244](#), § 170 instead requires participating municipalities to pay (1) 85% of the compensation, maintenance, and other expenses of the first two troopers assigned to the municipality; (2) 100% of such costs for any additional troopers assigned there; and (3) 100% of the overtime costs and the portion of the fringe benefits directly associated with those costs.

EFFECTIVE DATE: July 1, 2015

MISCELLANEOUS

Court Authority to Return Cases to Certain Municipal Boards or Officers

By law, someone can appeal to Superior Court from a decision of certain municipal boards or commissions or a chief elected official. [PA 15-85](#) §§ 2-3 gives the court more options when disposing of these cases on appeal, including the authority to

return certain cases for further proceedings to the municipal official, board, or commissions that made the decision.

EFFECTIVE DATE: October 1, 2015

Discontinued Highways

Existing law generally allows town boards of selectmen to discontinue all or part of a highway, private way, or land dedicated to these uses with approval by a majority vote at a regular or special town meeting. [PA 15-147](#) requires the selectmen to notify owners of certain abutting properties (1) before meeting to take final action on a discontinuance and (2) if the discontinuance is approved. It also requires the selectmen to record certain information on the land records if the discontinuance is approved.

It also reduces, from eight months to 120 days, the appeals period for people aggrieved by a (1) discontinuance, (2) decision to lay out (i.e., designate) a highway, or (3) failure to act on a discontinuance petition within 12 months.

EFFECTIVE DATE: October 1, 2015 and applicable to discontinuances or partial discontinuances proposed to take effect on or after that date.

Hartford Election Monitor

[PA 15-5](#), June Special Session, § 434 establishes a temporary "election monitor" in a municipality with a population of 124,000 to 128,000, according to the most recent federal decennial census (i.e., Hartford). It (1) specifies that the election monitor is not considered a state employee and (2) requires the secretary of the state to contract with an individual to serve in this capacity until January 1, 2017, unless she terminates the contract for any reason before that date.

Under the new law, the election monitor's purpose is to detect and prevent irregularity and impropriety within the municipality in the management of election administration and conduct. The municipality must provide office space, supplies, equipment, and services necessary for the monitor to properly carry out his or her duties.

EFFECTIVE DATE: January 1, 2016

Identifying Abutters

[PA 15-68](#) limits the steps municipal land use commissions must take to identify owners of property abutting a property that is the subject of a public hearing related to a petition, application, request, or appeal to a zoning commission, planning commission, planning and zoning commission, zoning board of appeals,

inland wetlands agency, or aquifer protection agency.

By law, in addition to publishing newspaper notices about public hearings concerning land use matters, land use commissions may notify property owners directly affected by the matter. The new law specifies municipal land use commissions need not conduct a title search or engage in additional identification methods to identify abutters to whom they give additional notice.

EFFECTIVE DATE: Upon passage

Indemnification of Municipal Employees

In most circumstances, the law requires municipalities to pay, on behalf of their employees, any damages the employees are obligated to pay in an action for infringing a person's civil rights or causing physical damage to a person or property within the performance of their duties and within the scope of their employment. By law, the same attorney can represent the municipality and employee.

[PA 15-85](#) § 1 eliminates a (1) requirement that the municipality file a statement with the court indicating that it will pay any final judgment against the employee and (2) prohibition on the attorney mentioning the statement during trial.

EFFECTIVE DATE: October 1, 2015

Joint Performance of Election Functions

[PA 15-224](#) § 30 gives municipalities broad authorization to jointly perform functions required of them by state election law. Under the new law, two or more municipalities may enter into an agreement to jointly perform any election function that they perform individually.

The new law also modifies state election laws affecting, among other things, registrars of voters, voter registration, endorsements and nominations, election returns, and post-election audits.

EFFECTIVE DATE: Upon passage, except the provisions on endorsements and nominations are effective January 1, 2016.

Metropolitan District Commission (MDC)

[PA 15-114](#) §§ 1-3 makes several changes in the MDC's special act charter. It:

1. broadens MDC's ability to appropriate funds for capital expenditures that exceed certain threshold amounts without the approval of a majority of the district voters or a supermajority of the district's board;
2. allows MDC, instead of publishing in a newspaper a full legal notice soliciting

competitive bids or proposals, to advertise a brief description of the notice, which must be published in full on a newspaper website; and

3. increases, from one to two years, the time that a lien for delinquent MDC water rates and charges runs before it must be continued by filing a certificate with the town clerk.

EFFECTIVE DATE: October 1, 2015

Minimum Budget Requirement (MBR) Reduction

[PA 15-99](#) extends, for FYs 16 and 17, the MBR for local education spending and provides municipalities a greater ability to lower their MBR. Under prior law, the MBR prohibited a municipality from budgeting less for education than it did in the previous year unless it could demonstrate a (1) decrease in school enrollment or (2) savings through increased efficiencies.

The new law affords municipalities greater ability to lower their MBR by (1) increasing the per-student reduction allowed for decreased enrollment, (2) raising the overall cap on how much a municipality can reduce its MBR, and (3) removing the limit on how many ways a municipality can qualify for MBR flexibility. And for reductions based on declining enrollment, it creates a two-tiered mechanism tied to the number of

students eligible for free and reduced price lunch.

It also (1) repeals the MBR for school districts that have district performance index (DPI) scores in the top 10% of all state districts and (2) prohibits alliance districts (i.e., the 30 districts with the lowest DPI scores) from reducing their MBR.

EFFECTIVE DATE: July 1, 2015

Municipal Bonds Issued in Connection With a Community Facility Loan

[PA 15-33](#) extends, from 20 to 40 years, the maximum term of municipal bonds issued in connection with a community facility loan from the U.S. Department of Agriculture (USDA). Existing law already allowed municipalities to issue 40-year bonds only for municipal waterworks or sewer system bonds issued in connection with USDA loans. The law limits municipal bond terms to 20 years, unless the general statutes or a special act expressly allows another term.

The USDA's Community Facilities Direct Loan & Grant Program provides low-interest loans, grants, or both to develop essential community facilities in rural areas and towns.

EFFECTIVE DATE: Upon passage

Municipal Reserve Funds

[PA 15-229](#) §§ 2-4 expands the purposes for which a municipality may create a reserve fund to include property tax revaluation costs. Prior law restricted the use of such funds to capital and nonrecurring expenditures to (1) acquire a specific piece of equipment or (2) plan, construct, reconstruct, or acquire a specific capital improvement.

EFFECTIVE DATE: October 1, 2015

Municipal Sewer Bonds

[PA 15-114](#) § 4 increases, from 30 to 40 years, the maximum term of municipal sewer bonds. It applies to sewer bonds secured by municipal revenue (i.e., general obligation bonds) and sewer system user charges (i.e., revenue bonds).

EFFECTIVE DATE: October 1, 2015

Nonstate Public Employees Participation in the State Employee Health Plan

[PA 15-93](#) requires the comptroller to offer nonstate public employers, and their employees and retirees, coverage under the state employee health insurance plan. It defines “nonstate public employer” as a municipality or other state political subdivision, including a board of education, quasi-public agency, or public library.

Prior law permitted the comptroller to provide insurance to these same employees and employers under another state plan, known as the partnership plan, but did not pool them with state employees.

EFFECTIVE DATE: October 1, 2015 for most provisions.

Notification of Regional School District Referendum

Prior law generally prohibited municipalities from sending residents unsolicited communications about referenda, with one exception. It authorized those that maintain a community notification system to use it to notify enrolled residents of an upcoming municipal referendum. [PA 15-173](#) creates an additional exception by authorizing regional school boards to request that their member municipalities use the system to notify enrolled residents of an upcoming regional school district referendum.

EFFECTIVE DATE: Upon passage

Off-Reservation Casino

[SA 15-7](#) creates a process for the possible establishment of an off-reservation casino. The process allows the Mohegans and Mashantucket Pequot to issue a request for proposals (RFP) to solicit proposals for an off-reservation casino.

Any municipality may respond to the RFP, and the tribe may enter into a development agreement with a municipality to possibly establish a casino in the municipality. However, the agreement is contingent upon changes in state law allowing an off-reservation casino.

EFFECTIVE DATE: Upon passage

Pilot Program and Study on Municipal Campaign Finance Filings

By law, town clerk's offices are the filing repository for municipal campaign finance filings. [SA 15-14](#) authorizes the State Elections Enforcement Commission (SEEC) to establish a pilot program to provide assistance to up to 20 town clerks in completing these repository duties. It also requires SEEC to study the possibility of transferring from town clerks' offices to SEEC some or all of these duties. SEEC must report on the pilot program and study by February 2, 2019 to the Government Administration and Elections Committee.

EFFECTIVE DATE: Upon passage

Public Pools

[PA 15-148](#) makes several changes to laws affecting public swimming pools, including adding statutory definitions concerning existing fees for public pool plan reviews and inspections by the Department of Public Health (DPH). Among other

things, the new law specifically classifies splash pads and spray parks as public pools, thus making them subject to DPH fees and oversight.

EFFECTIVE DATE: October 1, 2015

Regional Election Monitors

[PA 15-5](#), June Special Session, §§ 441-443 establishes a "regional election monitor" within each of the state's nine planning regions to represent, consult with, and act on the secretary of the state's behalf before and during each election, primary, recanvass, and audit.

Existing law authorizes each planning region's COG to determine the services it provides its member municipalities. The new law creates an exception to this authorization and requires COGs to provide the monitor-related services it prescribes. Specifically, the new law requires each COG, by March 1 annually, to (1) contract with an individual to serve as the monitor for that planning region and (2) enter into a memorandum of understanding with the secretary of the state about the monitor.

EFFECTIVE DATE: January 1, 2016

Retention Schedule for Land Use and Development Records

[SA 15-4](#) requires the State Librarian, by January 1, 2016, to submit to the Planning and Development Committee, a report detailing the findings,

recommendations, and conclusions of the advisory committee on the municipal records retention schedule for land use and development (Schedule M10). Schedule M10 specifies (1) how long municipalities must preserve such records and (2) how to dispose of them.

EFFECTIVE DATE: Upon passage

Set-Aside Requirements

[PA 15-5](#), June Special Session, §§ 58-71 & 88 subjects certain public works contracts awarded by municipalities (with a total value over \$50,000) to state set-aside requirements for small and minority contractors. The new law subjects contractors awarded such contracts to, among other things, (1) existing law's nondiscrimination and affirmative action requirements and (2) the Commission on Human Rights and Opportunities' enforcement authority.

EFFECTIVE DATE: October 1, 2015 for most provisions.

Updating Municipal Plans of Conservation and Development (Plans of C&D)

[PA 15-95](#) extends, from July 1, 2015 to July 1, 2016, the deadline by which municipalities must resume complying with the statutory requirement that they update their plans of C&D every 10 years to remain eligible for discretionary state funding.

It also requires plans scheduled for adoption on or after July 1, 2015, to identify the general location and extent of areas where sewer systems exist, are planned, and are to be avoided. In identifying these areas, municipalities must consider the existing requirements (1) applicable to municipal plans of C&D and (2) concerning priority funding areas. Prior law allowed plans to include recommendations for the general location and extent of sewer systems.

EFFECTIVE DATE: Upon passage

Winchester School District Receiver

[PA 15-5](#), June Special Session, §§ 302-305 requires the education commissioner, by August 1, 2015, to appoint a receiver for the town of Winchester school district. The receiver becomes the chief executive officer of the school district and is vested with the duties, rights, and responsibilities of the board of education.

EFFECTIVE DATE: July 1, 2015

Workers' Compensation Hospital Charges

[PA 15-5](#), June Special Session, § 459 requires that any charges for workers' compensation-related hospital services rendered before a new fee schedule became effective on April 1, 2015 be the hospital's actual costs of treating an injured worker, as determined by a workers'

compensation commissioner. (In 2012, a compensation commissioner ruled that a workers' compensation payor must pay a hospital's billed charges, rather than actual costs.)

The new law also creates a deadline for filing disputes over a hospital's workers' compensation-related charges. The deadline is one year after the initial payment for the services was remitted.

EFFECTIVE DATE: Upon passage

JSB:bs