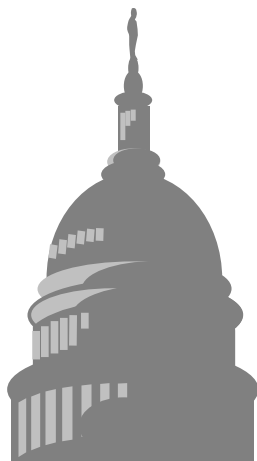


**Compendium Of Statutory And
Regulatory Mandates On Municipalities
In Connecticut:**

2011 Supplement



a report by the

**Connecticut Advisory Commission on
Intergovernmental Relations**

*450 Capitol Ave. - MS#54SLP
Hartford, CT 06106-1379
(860) 418-6438
www.ct.gov/opm/acir*

January 2011

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Commission Membership

Officers

W. David LeVasseur, Chair	Designee of the Secretary of the Office of Policy & Management
Alice V. Meyer, Vice-Chair	Designee of the House Minority Leader

Members

Hon. Gayle Slossberg	Designee of Senate President Pro Tempore
Hon. Christopher G. Donovan	Speaker of the House of Representatives, or designee
James O' Leary	Designee of Senate Minority Leader
Ron Harris	Designee of Commissioner of Education
Amy Marrella	Commissioner Environmental Protection, or designee
Joseph Oros	Designee of Commissioner of Economic and Community Dev.
Hon. Leo Paul	First Selectman of Litchfield
Joyce M. Stille	Town Administrator of Bolton
Hon. Kenneth A. Flatto	First Selectman of Fairfield
Scott Shanley	Town Manager of Manchester
Hon. Tim Stewart	Mayor of New Britain
Mark Allaben	Connecticut Association of Boards of Education
Virginia Seccombe, Ed.D.	Connecticut Association of Public School Superintendents
Linda Krause	Connecticut Association of Regional Planning Organizations
Adam D. Stolpen	Public Member, appointed by Governor
Mark Paquette	Public Member, appointed by Senate President Pro Tempore
John T. Finkle	Public Member, appointed by Senate Minority Leader
Margaret Wirtenberg, Ph.D.	Public Member, appointed by House Minority Leader
James Finley	Connecticut Conference of Municipalities
Hon. Barbara Henry	designee of the Council of Small Towns

Vacancies

public member, appointed by Speaker of the House of Representatives
municipal official, town of 60,000 or more, nominated by CCM and appointed by the Governor

Staff

Bruce Wittchen	Office of Policy & Management
----------------	-------------------------------

**COMPENDIUM OF STATUTORY AND
REGULATORY MANDATES ON MUNICIPALITIES
IN CONNECTICUT:**

2011 SUPPLEMENT

a report by the

**Connecticut Advisory Commission on
Intergovernmental Relations**

January 2011

W. David LeVasseur, Chairman

Principal Author
Bruce Wittchen

Table of Contents

Table of Contents		i
Description of Report		iii
	2010	This
	Compendium	Supplement
PART I: Statutory Mandates		
Section A	A-1	1
Title 1: Provisions of General Application	A-1	1
Freedom of Information Act	A-2	1
Title 9: Elections	A-53	2
Electors: Qualifications and Admission	A-54	2
Absentee Voting	A-74	3
Title 10: Education and Culture	A-126	5
State Board of Education. Department of Education	A-127	5
Teachers And Superintendents	A-149	5
Boards of Education	A-174	6
Support of Public Schools. Transportation	A-195	10
Title 12: Taxation	A-212	10
Property Tax Assessment	A-216	10
Title 19a: Public Health and Well-Being	A-306	20
Municipal Health Authorities	A-309	20
District Departments of Health	N/A	21
Mass Gatherings	A-316	22
Title 32: Commerce and Economic and Community Development	A-386	22
Innovation Capital Act Of 1989. Connecticut Innovations, Inc..	N/A	22
Title 47a: Landlord and Tenant	A-398	23
Summary Process	N/A	23
Title 49: Mortgages and Liens	A-399	23
Mortgages	A-399	23
Uncodified Public Acts (Section A Mandates)	N/A	24
Section B	B-1	25
Title 7: Municipalities	B-3	25
Municipal Police and Fire Protection	N/A	25
Title 53: Crimes	B-70	25
Offenses Against the Person	N/A	25
Uncodified Public Acts (Section B Mandates)	N/A	25

Section C	C-1	26
Title 16a: Planning and Energy Policy	N/A	26
Operation of Fuel Supply Business	N/A	26
Title 38c: Insurance	C-20	26
Health Insurance	C-20	26
Uncodified Public Acts (Section C Mandates)	N/A	27

PART 2: Regulatory Mandates

Section A	R-1	27
Title 14: Motor Vehicles. Use of the Highway by Vehicles. Gasoline	R-8	27
Title 16a: Planning and Energy Policy	R-11	28
Title 22a: Environmental Protection	R-16	28
Title 29: Public Safety and State Police	R-18	28
Section B	R-22	28
Title 14: Motor Vehicles. Use of the Highway by Vehicles. Gasoline	R-26	28

January 2011

To the Connecticut General Assembly:

In accordance with Section 2-79a of the Connecticut General Statutes (CGS), the Connecticut Advisory Commission on Intergovernmental Relations herewith submits this updated report on statutory and regulatory mandates affecting Connecticut municipalities. Section 2-79a requires the Commission to publish the complete compendium every four years, with supplements to the compendium published in the intervening years. The Commission most recently published a complete compendium in 2010, identifying statutory and regulatory mandates through 2009. This 2011 supplement contains new mandates adopted in 2010 and eliminates any mandates that have been reduced or repealed during 2010.

The nature of state statutory direction of municipal responsibilities has its origin in the State Constitution which, in Article Tenth, establishes that the General Assembly "shall by law delegate such legislative authority as from time to time it deems appropriate to towns, cities and boroughs relative to the powers, organization and form of government of such political subdivisions."

It has followed that the state statutes have been used to build a mosaic of authorizations, organizational frameworks and requirements regarding local government structure and operations. It is the degree of specificity of these state requirements that generally determines the policy relationship between the state and local governments. The greater the detail of the state law, the less flexibility and policy role exists for municipalities.

Regulatory mandates are those which are contained in formal state regulations, adopted in accordance with the Uniform Administrative Procedures Act. Regulations implement specific sections of the CGS and are usually more detailed.

Regulations cannot be enacted absent statutory authority. To the best of our knowledge, the mandates in this report all have such authority; although caution should be used to ensure that the underlying statute is still in effect. In the past, we have found regulations where the underlying statute has been repealed. In the normal course of events, the affected state agencies will repeal regulations in accordance with section 4-168(g) of the CGS; however, there may be a substantial period of time between the two events.

Users should be mindful that this publication is intended only as a reference guide. If an official provides regulatory information to the public, the appropriate source for such information is the *Regulations of Connecticut State Agencies*. The regulations are updated numerous times a year, with the most recent update available through the Commission on Legal Publications at (860) 741-3027.

This report is divided into two parts. Part I contains the changes in the statutory mandates and Part II contains the changes in the regulatory mandates. We have divided the statutory mandates into three sections to reflect three basically different types of mandates. Section A includes the general list of requirements which mandate actions on the part of municipalities; Section B includes statutes which mandate actions if a municipality chooses to perform a service which is not mandated (although which may be essentially unavoidable); and Section C includes statutes that are mandates on all entities performing certain functions including, but not limited to, municipalities.

The regulatory mandates are organized by Title and are divided into two sections. Section A consists of regulations that implement statutes that require municipalities to take certain action. Section B consists of those regulations which requires municipalities to take certain actions, but only after they

have voluntarily chosen to undertake a specific activity. In this case, once the activity is undertaken, the regulations contain requirements that necessitate additional municipal expenditures.

Where a 2010 bill or regulation has changed an existing statute or regulation, boldface print has been used to signify that change. Also listed separately, following each section, are those bills that created new law but are as yet uncodified.

Many of the statutes and regulations included in this report have impacts which clearly meet the statutory definition of mandate, while others have minimal effect by themselves, but cumulatively have a significant impact on either specific local officials or municipalities as a whole. A series of statutory or regulatory requirements, all of which require attention and/or action by a local official (such as a school superintendent, a registrar of voters, or a town clerk), can have the effect of defining and mandating the essence of that job, while none of the individual requirements would be considered as being significantly intrusive.

At the same time, this listing of mandates should not be considered to be a "hit list" of bad statutes and regulations. State and local officials concur that some degree of state guidelines and direction is appropriate under our system of government from both legal and practical standpoints. Legally, the state is the sovereign entity and the municipalities are creatures of the state. Practically, there are many governmental issues that are administered by local governments, but in which statewide uniformity is important. These issues can range from elections to property assessment standards to police training to aspects of education administration, and beyond. It is the determination of these issues, as well as the details of the requirements and the costs involved which have been, are now, and will continue to be the subjects of discussion and debate.

MANDATE REDUCTIONS

A major concern of the Commission over the years has been mandate reduction. The 2007 General Assembly passed legislation that reduced or eliminated several state mandates on municipalities. That legislation includes:

PA 10-1 (June Special Session) An Act Concerning the Real Estate Conveyance Tax, the Conveyance of Certain Parcels of State Land, Adjustments to Certain Programs Implemented Through the Department of Social Services, a Report on Tax Credits, Juvenile Justice, Absentee Voting by Members of the Military, Revisions to Various Task Forces, Commissions and Councils, and Amendments and Minor and Technical Changes to Certain Special and Public Acts of the 2010 Regular Session.

PA 10-151 An Act Concerning the Minimum Budget Requirement and Various Education Grants.

PA 10-171 An Act Concerning Municipal Mandate Relief.

W. David LeVasseur
Chairman

Part I – Statutory Mandates

Codified Section A Mandates

Title 1: Provisions of General Application

FREEDOM OF INFORMATION ACT

1-225

Meetings Of Government Agencies To Be Public. Recording Of Votes. Schedule And Agenda Of Meetings To Be Filed. Notice Of Special Meetings. Executive Sessions. - Requires all meetings of public agencies to be open to the public. Also requires that the minutes of such meeting be made available within seven days, that each agency file with the town clerk a schedule of all regular meetings of such agency for the ensuing year, and that the agenda for such meetings must be made available to the public twenty-four hours before the meeting. Notice of special meetings must be published at least twenty-four hours before the meeting and must specify the time, place and business to be transacted at the special meeting. (Formerly 1-21)

Enactment: 1957, PA 468

Amendments: 1967, PA 723 - act required filing schedules for meetings of public bodies with secretary of the state or clerks in political subdivisions of the state and made provisions regarding special meetings.

1971, PA 499 - act required that votes taken in closed executive sessions be available for public inspection and recorded in the minutes.

P.A. 75-342 - excluded the general assembly and its committees from provision requiring that schedule of meetings be filed, expanded provisions re special meetings and changed vote margin required to hold closed executive session from simple majority to two-thirds majority.

P.A. 76-435 - made technical changes.

P.A. 77-609 - required that the general assembly provide in its joint rules for giving notice of meetings, made provisions regarding agendas for regular public meetings and required that written notice of special meetings be sent to agency members.

P.A. 83-67 - required multitown districts and agencies to notify their member towns of the schedule of regular and special meetings and to file minutes of such meetings.

P.A. 83-148 - added a new Subsec. (b) which clarifies the method to be used in determining the time in which a notice or agenda is required to be given, deleting provisions in former language, now Subsec. (a), made redundant by its inclusion and adding provisions in Subsec. (a) requiring secretary or clerk to post notice in his office and requiring that notice be given at least twenty- four hours before time of special meeting.

P.A. 84-546 - amended Subsec. (b) to apply provisions to "offices of the clerk of each municipal member of any multitown district or agency".

P.A. 85-613 - made technical changes, deleting reference to Sec. 2-45.

P.A. 08-3 (June 11 Special Session) - Requires public agencies to post, on available websites, meeting dates, times and minutes required by law to be publicly disclosed.

P.A. 10-171 – Removed a requirement that minutes of meetings must be posted on a municipality’s website.

Estimated Cost Characterization: PA 10-171 reduced the mandate from moderate to minor

Title 9: Elections

ELECTORS: QUALIFICATIONS AND ADMISSION

9-17 Sessions Of Registrars Of Voters. - Requires registrars of voters to hold sessions on certain days and during certain hours to examine the qualifications of electors at a time and in a manner provided for by this section, except the mandatory voter registration session before a primary date when the town, in fact, has no primary scheduled.

Enactment: Prior to 1949

Amendments: 1963, PA 530 - reduced duration of session in sixth week before election to "at least four" hours and deleted variations in length of sessions according to the town sizes.

1969, PA 694 - deleted provisions for towns holding a municipal election on the first Monday in October in the even-numbered years.

1971, P.A.s 708, 768 - added a session "on the first Saturday after Labor Day", added clarifying language to the provision of adjournment of session on the Saturday of the sixth week, deleted reference to the third week as the case may be and added a provision for additional sessions if the Saturday of the sixth or fourth week before election falls on day on which tenets of religion forbid secular activity.

1972, P.A. 144 - added provision for two evening sessions between the Saturdays of the sixth and fourth weeks before election.

P.A. 75-12 - provided for additional session on Saturday of fifth week before election and for adjournment of that session from time to time instead of provision for adjournment of the session on sixth Saturday, further provided for one evening session rather than two between the Saturday of fifth week and the Saturday of the fourth week and further substituted fifth week for sixth week in the requirement for additional session where that Saturday falls on day on which religious tenets forbid secular activity.

P.A. 77-330 - provided for evening session before primary, changed provisions for hours of sessions before elections to "from at least nine o'clock a.m. to one o'clock p.m.", specified that the evening session between the fifth and fourth week be a Wednesday, provided for a session on the twenty-first day before election between the hours of nine a.m. and eight p.m., changed the hours for the session on the last weekday before election to "from at least nine a.m. to eleven a.m.", changed the purpose of that admitting session to "those persons whose qualifications as to age or citizenship were attained after the twenty first day before the election", changed provision for extra session where religious tenet forbids secular activity on Saturday of fifth or fourth week to twenty-first day and provided that admission of electors on the last weekday before election would be determined from that next succeeding day.

P.A. 79-189 - divided statute into three Subsecs. with Subsec. (a) including information set forth in schedule format.

P.A. 83-391 - amended section to delete references to board for admission of electors and eliminated certain mandatory sessions in towns having a population under twenty-five thousand.

P.A. 87-210 - added Subsec. (c) re sessions at public high schools.

P.A. 89-297 - changed May 9th to May 12th in Subsec. (c).

P.A. 91-351 - amended Subsec. (a) to move all sessions one week closer to election day and changed ending time for last Saturday session to before election day from 8:00 to 5:00 p.m.

P.A. 93-230 - eliminates the requirement for a voter registration session on the fifth Saturday before election and provides that the session held on the Wednesday before the fourth and third Saturdays before election be held any two hours between 5:00 and 9:00 p.m.

P.A. 95-171 - amended Subsec. (b) to lengthen by one hour the time for the mandatory voter registration session held on the weekday morning before a regular election.

P.A. 96-134 - amended Subsec. (c) to extend the time period for holding voter registration sessions at high schools

P.A. 97-67 – amended Subsec. (a) by changing hours of Saturday session from 9:00 a.m. to 3:00 p.m. to 10:00 a.m. to 2:00 p.m.

P.A. 98-67 - deletes the mandatory voter registration session before a primary date when the town, in fact, has no primary scheduled.

P.A. 10-1 (June Special Session) – Sec. 36 amends Subsec. (b) to require registrars of voters to extend the session to examine the qualifications of electors as provided for by this section from 12:00 pm to 5:00 pm on the last week day before a general election.

Estimated Cost Characterization: Minor

ABSENTEE VOTING

9-140

Application for and issuance of absentee ballots. Distribution of absentee ballot applications. Mailing unsolicited applications. Downloading applications. Summary of absentee voting laws. - Requires municipal clerks to keep a log of all absentee ballot applications, to check the name of each applicant against the most recent registry and to notify any applicant not on the registry that he is not eligible to vote unless he registers. The clerk is required to **send** applicants an absentee voting set within 24 hours and to preserve executed applications as public records. The statute requires the municipal clerk to maintain a log of all absentee ballot applications, in a manner provided by this section and requires any person who distributes five or more absentees to register with the town clerk and to file a list of prospective absentee ballot applicants with the clerk.

Enactment: Prior to 1949

Amendments: 1959, PA 54 - act required applicant to give his bona fide personal mailing address to which ballot was to be sent.

1963, PAs 139, 207 - acts allowed application to be made at any time but reduced earliest time for giving or mailing ballot to applicant from two months to forty-five days and authorized mailing of ballot to applicant at his request.

1965, PA 59 - acts deleted box on application form where applicant could request list, added provision, in case of armed forces members, not more than ninety days before election date, for ballot to be furnished, also provided if application received more than ninety days before election date, ballot to be mailed on ninetieth day and further provided list of all applicants be open to public inspection for period beginning ninety days before election, in lieu of forty-five, effective for elections held after January 1, 1966.

1967, PA 176 - act added provision for procedure to cover spouse or dependent of armed forces member, if living where member is stationed, to be covered by the ninety-day provision, effective for elections held after January 1, 1968.

1971, PA 871 - act substituted "false statement" for "perjury".

P.A. 74-96 - added "in absentee balloting" following "false statement", effective January 1, 1975.

P.A. 74-141 - in addition to list to be maintained of all applicants for absentee ballots provided for including the voting address, bona fide mailing address and reason given for requesting absentee ballot.

P.A. 75-310 - deleted reference to ninety days in case of members of armed forces, their spouses and dependents; further changed reference to "forty-five" days to "thirty", further changed period for list open to public inspection to start thirty days before election, effective January 1, 1976.

P.A. 76-50 - made technical changes.

P.A. 78-153 - provided absentee ballots to be made available by a municipality thirty days before an election, spelled out procedure to be followed by clerk, specifying a twenty-four-hour period following receipt of application during which action to be taken, further provided executed applications to be kept on hand for sixty days after election, in lieu of six months.

P.A. 79-363 - deleted provision for maintaining a list as public record and provided for the applications themselves to constitute the public record with destruction authorized after sixty days.

P.A. 84-319 - amended section to allow applicant to designate person to deliver ballot to him or return it to clerk.

P.A. 85-514 - divided section into Subsecs. and amended Subsec. (a) to prohibit giving or accepting compensation for distributing absentee ballot applications or for assisting persons in the execution of such ballots.

P.A. 85-577 - changed time frame from thirty days before an election to the thirty-first day before an election or the next preceding business weekday, required notices to electors whose names are not on registry lists that unless the applicant is an elector by applicable cutoff dates, an absentee ballot will not be mailed, and provided that such notices are not mailed if registrar provided clerk with reliable information that absentee ballot applicant is elector of the municipality.

P.A. 85-592 - added new Subsec. which allowed electors to return application by U.S. postal service, commercial carrier, courier or messenger services.

P.A. 86-179 - made technical changes, added requirement that applicants list bona fide personal mailing address on application, prohibited issuance of ballot on day of election or during voting hours on day of special election primary or referendum and added prohibition of compensation for distributing applications or assisting in execution of ballot.

P.A. 87-382 - in Subsec. (d), added references to Secs. 9-153e and 9-153f.

P.A. 87-532 - amended Subsec. (a) to require clerk to maintain log of absentee ballot applications and to sign or stamp each application provided, under penalties of false statement in absentee balloting, and to require any person obtaining application from a clerk for use of another person to sign and type his name, under same penalties.

P.A. 89-297 - amended Subsec. (a) by allowing person obtaining application from municipal clerk for use of another person to affix his signature stamp instead of signing the application and by adding prohibition on clerk distributing campaign material with application, substituted "twenty-first" for "nineteenth" in Subsec. (f) and amended Subsec. (h) to prohibit an absentee ballot from being issued on day of "an election or primary", instead of on day of "a regular election", or after opening of polls on day of "a referendum" instead of "a special election, primary or referendum".

P.A. 93-384 - allows municipal clerk to fax an application for an absentee ballot.

P.A. 95-177 amended Subsec. (a) by deleting provisions re log of absentee ballot applications and signature stamp, changing identification requirement from person obtaining application for use of another person to person assisting with completion of application, adding requirement of assistant's address and telephone number, provision re not invalidating application lacking name of assistant, and Subdiv. indicators, moving provision re applicant's mailing address from Subsec. (b) to (a), and making provision re facsimile machine Subsec. (b), and amended Subsecs. (e) and (i) by deleting explanation of time period set in Sec. 9-150b.

P.A. 97-154 deleted provisions that forms prescribed by Secretary of the State be provided by the secretary.

P.A. 05-235 – added requirement that the municipal clerk to maintain a log of all absentee ballot applications and that any person who distributes five or more absentees to register with the town clerk and to file a list of prospective absentee ballot applicants with the clerk.

P.A. 10-1 (June Special Session) – adds a provision to allow municipal clerks to send and receive an application for absentee ballot by electronic means if requested by the applicant.

Estimated Cost Characterization: Minor

Sec. 9-153e Alternate application procedure for certain military personnel. - Requires municipal clerks to make blank absentee ballots available for all offices being contested if a member of the armed forces or the member's spouse applies for one. This also requires the clerk to provide the member or spouse a list of the candidates, as soon as it becomes available. (Formerly Sec. 9-143a)

Enactment: 1978, PA 94

Amendments: P.A. 84-319 - amended section to provide for special ninety-day ballot.

P.A. 86-179 - made technical changes and deleted provision re write-in of name of candidate which is printed on ballot; Sec. 9-143a transferred to Sec. 9-153e in 1987.

P.A. 87-382 - provided for absentee ballot to be blank, instead of containing titles of contested offices, added provisions re issuance of list of offices to be voted upon and list of candidates and repealed provision permitting elector to vote by writing in a party preference.

P.A. 93-30 updated reference to federal act.

P.A. 10-1 (June Special Session) adds a provision to allow a municipal clerk to send and receive an application for absentee ballot by electronic means if requested by the applicant.

Estimated Cost Characterization: Minor

9-153f

Alternate application procedure and early ballot for electors residing or traveling outside United States and certain military personnel. – Requires municipal clerks to make blank absentee ballots available to any elector who is living, or expects to be living or traveling before and on election day, outside the territorial limits of the several states of the United States and the District of Columbia and any member of the armed forces who is an elector or an applicant for admission as an elector, or the member's spouse or dependent if living where such member is stationed. This also requires the clerk to provide the elector member or spouse a list of the candidates, as soon as it becomes available. (Formerly Sec. 9-143b)

Enactment: P.A. 1984, P.A. 319

Amendments: P.A. 10-1 (June Special Session) adds a provision to allow a municipal clerk to send and receive an application for absentee ballot by electronic means if requested by the applicant.

Estimated Cost Characterization: Minor

Title 10: Education and Culture

STATE BOARD OF EDUCATION. DEPARTMENT OF EDUCATION

10-10a

Public School Information System. - Requires all school districts to **provide data for and to** participate in the Department of Education's state-wide public school information system, in a manner specified by this section.

Enactment: 2000, PA 187

Amendment: PA 09-241, Sec. 1 added Subsec. (e) which, among things, requires a school wishing to access data from a state-wide public school information system to pay the reasonable cost of such a request.

PA 10-111, Sec. 3 added Subsec. (c) which requires the state-wide public school system to include specific data regarding students, teachers, schools and school systems and Subsec. (f) which requires each school district to provide that data.

Estimated Cost Characterization: Moderate

TEACHERS AND SUPERINTENDENTS

10-151b

Evaluation By Superintendents Of Certain Educational Personnel. - Requires the superintendent of each local or regional board of education to continuously evaluate each teacher, **considering multiple indicators of student academic growth**, and report on such evaluation to the board of education. Also requires a report every five years to the state board of education on the development and implementation of teacher evaluation programs. In addition, this section allows

teachers to go through the grievance procedure in collective bargaining agreements for claims of failure to follow the established procedures of teacher evaluations.

Enactment: 1974, P.A. 278

Amendments: P.A. 77-27 - amended Subsec. (b) to make provisions generally applicable rather than specific to January 1, 1975, report.

P.A. 82-74 - amended Subsec. (b) to require boards of education to file triennial rather than annual reports on teacher evaluation programs.

P.A. 87-2 - amended Subsec. (a) to require a review of the guidelines and in Subsec. (b) substituted the fifteenth of June, 1989, for January first of 1983 and provided for monitoring teacher evaluation programs by the department of education.

P.A. 89-26 - amended the definition of "teacher" in Subsec. (a) to include the word "professional" and deleted an obsolete provision re a review and revision of guidelines not later than May 15, 1987.

P.A. 90-324 - in Subsec. (b) deleted reference to the program submitted pursuant to repealed Sec. 10-155ee.

P.A. 91-220 - in Subsec. (b) changed "triennial" to every five years re reports on teacher evaluation programs.

P.A. 93-353 – amended Subsec. (b) to substitute requirement that the report be submitted in accordance with Sec. 10-220 instead of every five years, to specify that the programs be consistent with the plan developed in accordance with the provisions of Sec. 10-220a and made technical changes.

P.A. 95-58 – amended Subsec. (a) to specify areas to be included in evaluations.

P.A. 95-182 – amended Subsec. (b) to delete requirement that report on teacher evaluation program be used to monitor program implementation.

P.A. 00-220 – amended Subsec. (b) to make a technical change.

P.A. 04-137 amended Subsec. (a) by adding provision re claims of failure to follow procedures of evaluation programs, effective May 21, 2004.

P.A. 10-111 – Sec. 4 amended Subsec. (a) to require that the evaluation of teachers also consider multiple indicators of student academic growth.

Estimated Cost Characterization: Minor

BOARDS OF EDUCATION

10-220a In-Service Training. Professional Development. Institutes For Educators. Cooperating And Beginning Teacher Programs, Regulations. - Requires local and regional boards of education to provide an in-service training program, which includes risk reduction education and the specific items listed for PA 98-243, 04-227 and **10-91** in the amendment section below, for its teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate, in a manner prescribed by this section. The board of education must also review and revise their plans to provide for the ongoing and systematic professional development of the professional staff every five years. These plans are to be reviewed and revised at least once every five years. Requires that the cooperating teachers and beginning teacher support and assessment programs operate in accordance with state regulations, that student teachers must be placed with trained cooperating teachers and that beginning teachers must participate in a beginning teacher support and assessment program. School districts are responsible for providing support to beginning teachers, in a manner prescribed by this section. Cooperating Teachers and teacher mentors are selected by the boards of education.

Enactment: 1973, P.A. 632

Amendments: P.A. 75-211 - included instruction re alcohol and its effects in in-service training programs and health education programs.

P.A. 78-218 - specified applicability of provisions to local and regional boards in Subsecs. (a) and (b), deleted phrase "of every school district" and deleted September 1, 1974, deadline for establishment of programs in said Subsecs. and deleted Subsec. (c) re policy statements on procedures to deal with drug sales or use.

P.A. 82-75 - deleted Subsec. (b) which had required development of an ongoing program on drug and alcohol abuse repealed, but see sections 10-16b and 10-19.

P.A. 84-314 - added new Subsecs. (b) and (c) re development of plans to provide for the ongoing and systematic professional development of the professional staff members of boards of education and annual institutes to be held by the state department of education.

P.A. 85-377 - substituted commissioner of education for state board.

May Sp. Sess. P.A. 86-1 - added Subsec. (d) re cooperating teacher program and institutes and beginning teacher program.

P.A. 87-352 - included certified teachers at approved private special education facilities in the cooperating teacher and teacher mentor programs and made a technical change in Subsec. (d).

P.A. 87-499 - in Subsec. (c) provided that the institutes be provided in cooperation with one or more regional educational service centers and amended Subsec. (d) to provide that funding be in cooperation with one or more regional educational service centers and that the programs pay stipends that institutes be for teacher mentors in Subdiv. (2) and made technical changes.

P.A. 88-96 - added a reference to the Connecticut Humanities Council in Subsec. (d).

P.A. 88-273 - in Subsec. (d) added "who are Connecticut public school teachers" and provided that after July 1, 1989, the cooperating teacher and beginning teacher programs operate in accordance with regulations, that for the fiscal year ending June 30, 1989, selection of teachers be made pursuant to Subsec. (e) added by the same act rather than based on state guidelines, that all provisions concerning teacher negotiation law, Secs. 10-153a to 10-153n, inclusive, not apply to certain aspects of participation in the program and that the state board of education protect and save harmless certain persons and added Subsec. (e) re cooperating teacher and teacher mentor selection, placement and compensation for the fiscal years up to and including the fiscal year ending June 30, 1989.

P.A. 88-360 - in Subdiv. (2) of Subsec. (d) added that the institutes be for Connecticut public school teachers, in Subdiv. (3) of Subsec. (d) added that the beginning teacher program be for "other qualified persons approved by the commissioner of education" and that it be for persons who serve as assessors for beginning teachers and provided for the selection of qualified persons by the commissioner of education and made a technical change.

P.A. 89-137 - in Subsec. (d) provided that the Connecticut Humanities Council cooperate in offering continuing education institutes and not in offering the cooperating teacher program and the beginning teacher support and assessment program, substituted "educators" for "teachers" as persons for whom continuing education institutes are to be provided and provided that funds available under the subsection be paid directly to school districts for specified purposes.

P.A. 89-168 - changed the name from "standard" certificate to "professional educator" certificate and added a new Subdiv. (2) which includes information on health and mental issues affecting children, including child abuse and youth suicide as component of in-service training program.

P.A. 90-324 - in Subsec. (a) substituted "pupil personnel" for "guidance personnel", added "educator" after "initial" and "provisional" and required the commissioner of education rather than the state board of education to approve the program and in Subsec. (b) added administrators and their bargaining representatives as persons who may advise boards of education on the development of five-year plans and added that such plans may include provisions concerning career incentives and parent involvement in Subdiv. (1) and added new Subdiv. (2) re comprehensive professional development plans.

P.A. 90-325 - in Subsec. (a) added Subdiv. (3) re the providing of information as to the growth and development of exceptional children, in Subsec. (d) provided that certain private special education facilities be approved by the commissioner of education, rather than the state board of education, that teachers at facilities designated by the commissioner be able to participate in the cooperating teacher and beginning teacher support and assessment programs and added that the institutes in Subdiv. (2) be for assessors and that funds available under the subsection are for professional

development activities for assessors, deleted Subsec. (e) re cooperating teachers and teacher mentors and made technical changes.

P.A. 91-220 - replaced requirement that program be approved by the commissioner with requirement that it be submitted to the commissioner in Subsec. (a).

P.A. 91-264 - in Subsec. (c) added language concerning the charging of fees.

P.A. 91-303 - in Subsec. (b)(2) added provision for submission of a plan on and after April 1, 1994, and provided for revision of plans every five years rather than every three years.

June Sp. Sess. P.A. 91-7 amended Subsec. (d) to remove provision for stipends for teachers who train student teachers and for mentors, added specific requirements pertaining to beginning teacher support and assessment programs and added provision regarding different requirements than those specified in regulations for the fiscal year ending June 30, 1992.

P.A. 93-23 - amends subsec (a) to have in-service training for teachers include risk reduction education.

P.A. 96-244 - expands the in-service training program for teachers and administrators to include information on computer and other information technology as applied to student learning and classroom instruction, communications and data management.

P.A. 97-45 amended Subsec. (a) to add provision concerning the Great Famine in Ireland.

P.A. 97-61 amended Subsec. (a) to expand the list of topics for in-service training programs by adding African-American history, Puerto Rican history, Native American history, personal financial management and topics approved by the State Board of Education at the request of local or regional boards of education.

P.A. 98-243 amended Subsec. (a) to add Subdiv. (7) re teaching of language arts, reading and reading readiness, effective July 1, 1998.

P.A. 00-220 amended Subsec. (a) to remove a requirement to submit the program to the Commissioner of Education;

P.A. 03-76 made technical changes in Subsecs. (c) and (d), effective June 3, 2003;

P.A. 03-174 amended Subsec. (d) by deleting provision allowing for less than six observations, substituting provisions requiring assessment by educators with teaching experience in same field for provision not requiring assessment by teacher with certification endorsement in same field and making a technical change, effective July 1, 2003;

P.A. 03-211 amended Subsec. (a)(3) by including children with attention-deficit hyperactivity disorder or learning disabilities, effective July 1, 2003;

P.A. 04-227 amended Subsec. (a) by adding Subdiv. (8) re second language acquisition, effective July 1, 2004.

P.A. 10-91 amended Subsec. (a) by adding requirement to include information about teen dating violence and domestic violence in the in-service training program for teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate.

Estimated Cost Characterization: Moderate

10-221

Boards of Education To Prescribe Rules, Policies And Procedures. - Requires boards of education to prescribe rules for the management, studies, classification and discipline of the public schools, subject to the control of the state board of education. The boards also have to develop and implement written policies concerning homework, attendance, promotions, retention, dealing with the use, sale or possession of alcohol or controlled drugs by students on school property, and for dealing with youth suicide prevention and youth suicide attempts. In addition, each board must, by September 1, 1998 develop, adopt and implement written policies and procedures to encourage parent-teacher communications **and, beginning in 2010, every district must schedule two flexible parent-teacher conferences each school year.**

Enactment: Prior to 1949

Amendments: P.A. 78-218 - substituted "public school buildings" for "schoolhouses".

P.A. 80-32 - substituted "library media centers" for "libraries" and included reference to "other educational media" to reflect increased scope of libraries.

P.A. 81-257 - added Subsec. (b) authorizing boards to prescribe rules to impose sanctions against pupils who damage or fail to return textbooks and library and other educational materials.

P.A. 82-137 - made permissive rather than mandatory the adoption of rules to impose sanctions against pupils who fail to return or damage textbooks.

P.A. 84-275 - added new Subsec. (b) re written policies concerning homework, attendance, promotion and retention, relettering former Subsec. (b) as Subsec. (c).

P.A. 87-499 - added new Subsec. (d) concerning policies and procedures re alcohol and controlled drugs; P.A. 89-168 - added Subsec. (e) requiring each local and regional board of education to adopt a written policy and procedures for dealing with youth suicide prevention and youth suicide attempts.

P.A. 89-168 - added Subsec. (e) requiring each local and regional board of education to adopt a written policy and procedures for dealing with youth suicide prevention and youth suicide attempts.

P.A. 90-133 - in Subsec. (d) extended the deadline for the implementation of policies and procedures from July 1, 1988, to July 1, 1991, and added that the procedures include a process for coordination with appropriate agencies.

P.A. 97-290 – added requirement that each board, by September 1, 1998, develop, adopt and implement written policies and procedures to encourage parent-teacher communications.

PA 10-111 – Sec. 29 added a requirement to Subsection (f) that every district must conduct two flexible parent-teacher conferences each school year.

Estimated Cost Characterization: PA 10-111 reduced mandate from moderate to minor

10-221a

High school graduation requirements. Diplomas for veterans of World War II. - Requires high school students to have a minimum of twenty credits, divided by subject matter in a manner prescribed by this section, in order for the board of education to issue a diploma to such student. **Beginning with the class graduating in 2018, the minimum number of credits is increased to 25 and end of the year examinations are required for five specific classes.**

Enactment: 1983, P.A. 282

Amendments: P.A. 84-297 - amended Subsec. (a) to establish a state-wide twenty credit requirement for graduation effective for classes graduating in 1988 and thereafter; to state the minimum number of credits to be earned in English, mathematics, social studies, science, the arts or vocational education and physical education and to allow the local or regional board of education to determine what is an eligible credit for purposes of fulfilling the requirement.

P.A. 85-96 amended Subsec. (a) to permit an exception to the course requirement for graduation, allowing local or regional boards to grant a student credit toward a specified course requirement upon the successful completion in grade seven or eight of any course, the primary focus of which corresponds directly to the subject matter of a specified course requirement in grades nine to twelve, but specifying that students must complete at least twenty credits in grades nine to twelve, notwithstanding the grant of such credit.

P.A. 86-333 made provision in Subsec. (a) for credit for coursework earned at institutions of higher education to satisfy high school graduation requirements.

P.A. 88-136 deleted obsolete provisions in Subsec. (a) re students graduating in 1987.

P.A. 93-111 amended Subsec. (a) to add provisions on community service.

P.A. 95-182 deleted former Subsec. (b) concerning report to the General Assembly on graduation requirements.

P.A. 96-26 added provision allowing expelled students to graduate if they have completed the necessary credits and deleted provision requiring that twenty credits toward graduation be completed in grades nine through twelve.

P.A. 00-124 added new provision, designated as Subsec. (g), re diplomas for veterans of World War II.

P.A. 00-156, effective October 1, 2000, and 00-187, effective July 1, 2000, both divided the existing section into Subsecs., adding new provisions as Subsec. (b) to require that classes graduating in 2004 and thereafter have at least one-half credit in civics and American government. **P.A. 10-111, Sec. 16 adds new Subsec. (c) which increases, beginning in 2018, the number of credits students must complete before graduating from high school and adds new Subsec. (d), which requires districts to provide students remedial services to enable them to achieve the higher standard.**

Estimated Cost Characterization: Minor

10-223e

State-wide education accountability plan and possible actions. Study of academic achievement. – Requires any school or school district identified as “in need of improvement” and requiring corrective action pursuant to the No Child Left Behind Act to be designated as low achieving and subject to intensified supervision by the State Board of Education. New supervisory actions include additional training and technical assistance for parents and guardians of children attending the school or a school in the district; requiring local and regional boards of education to undergo training to improve their operational efficiency and effectiveness as leaders of their districts improvement plan; and submittal of an annual action plan to the Commissioner of Education outlining how, when and in what manner their effectiveness can be monitored. **A school which is designated a failing school due to a failure to make adequate yearly progress in mathematics and reading must establish a school governance council.**

Enactment: 2002, P.A. 02-7 (May 9 Special Session)

Amendment: P.A. 08-153 imposed the initial mandate.

P.A. 10-111 added the requirement for certain schools to establish a school governance council.

Estimated Cost Characterization: Minor

SUPPORT OF PUBLIC SCHOOLS. TRANSPORTATION

10-262i

Grant payments. Expenditures for educational purposes only, exception. Prohibition against supplanting local funding. Minimum budget requirement. Penalty. – Requires each town receiving an ECS grant to budget no less for education in FY 10 and FY 11 than was budgeted in 2009, minus any reductions made pursuant to section 19 of public act 09-1 of the June 19 special session.

Enactment: 1988, P.A. 88-358

Amendment: P.A. 09-6 (September Special Session), Sec. 30 imposed the mandate.

Estimated Cost Characterization: Minor

Title 12: Taxation

PROPERTY TAX ASSESSMENT

12-81

Exemptions. - Requires the following property be exempt from the local property tax:
(1) Federal property.- Property belonging to, or held in trust for, the United States.
(2) State property and reservation land. - Property belonging to, or held in trust for, the state and reservation land held in trust by the state for an Indian tribe.

- (4) Municipal property. - Property belonging to, or held in trust for, a municipal corporation of this state and used for a public purpose, including real and personal property used for cemetery purposes.
- (5) Property held by trustees for public purposes. - Property held by trustees named in a will or deed of trust and their successors as long as used by the public for public purposes.
- (6) Property of volunteer fire companies. - Property of any volunteer fire company used for fire protection or for other public purpose, if such company receives any annual appropriation from the town.
- (7) Property used for scientific, educational, literary, historical or charitable purposes. - Real property of, or held in trust for, a corporation organized exclusively for scientific, educational, literary, historical or charitable purposes, or for two or more such purpose and used exclusively for carrying out one or more of such purposes or for the purpose of preserving open space land, as defined in section 12-107b, for any of the uses specified in said section, that is owned by any such corporation, and the personal property of, or held in trust for, any such corporation.
- (8) College property. - Funds and estate which have been or may be granted, provided by the state, or given by any person or persons to certain colleges, and by them respectively invested and held for the use of such institution.
- (9) Personal property loaned to tax-exempt educational institutions. - Personal property loaned to a tax-exempt educational institution above the secondary level and used exclusively for teaching, research or teaching demonstration purposes.
- (10) Property belonging to agricultural or horticultural societies. - Property belonging to, or held in trust for, an agricultural or horticultural society incorporated by this state which is used in connection with an annual agricultural fair held by a nonprofit incorporated agricultural society of this state or any nonprofit incorporated society of this state carrying on or promoting any branch of agriculture.
- (11) Property held for cemetery use. - Tangible property owned by, or held in trust for, a religious organization, provided such property is used exclusively for cemetery purposes.
- (12) Personal property of religious organizations devoted to religious or charitable use. - Personal property within the state owned by, or held in trust for, a Connecticut religious organization
- (13) Houses of religious worship. - Houses of religious worship, the land on which they stand, their pews, furniture and equipment owned by, or held in trust for the use of, any religious organization.
- (14) Property of religious organizations used for certain purposes. - Real property and its equipment owned by, or held in trust for, any religious organization and used exclusively as a school, a Connecticut nonprofit camp or recreational facility for religious purposes, a parish house, an orphan asylum, a home for children, a thrift shop, the proceeds of which are used for charitable purposes, a reformatory or an infirmary.
- (15) Houses used by officiating clergymen as dwellings. - Dwelling houses and the land on which they stand owned by, or held in trust for, any religious organization and actually used by its officiating clergymen.
- (16) Hospitals and sanatoriums. - All property of, or held in trust for, any Connecticut hospital society or corporation or sanatorium.
- (17) Blind persons. - Property in the amount of \$3,000 belonging to, or held in trust for, any blind person, resident of this state.
- (18) Property of veterans organizations. - Property of bona fide war veterans organizations and property belonging to the Grand Army of the Republic.
- (19) Veteran's exemptions. - Property to the amount of \$1,000 belonging to, or held in trust for, any resident of the state who served in the armed forces during war or certain other U.S. military operations.
- (20) Servicemen and veterans having disability ratings. - Property not exceeding \$3,000 which belongs to, or is held in trust for, a resident veteran with a disability amounting to 10% or more of total disability.
- (21) Disabled veterans with severe disability. - The dwelling house and lot upon which it stands to the extent of \$10,000 of its assessed valuation, belonging to, or held in trust for, any resident of the

state who is a disabled veteran with a severe disability, or the dwelling house of the surviving spouse of a veteran with a severe disability, while such spouse remains a widower or widow. The exemption includes modifications to existing homes owned by disabled veterans.

(22) Surviving spouse or minor child of servicemen and veterans. - Property up to \$1,000 belonging to, or held in trust for, the surviving spouse or minor child of a deceased veteran or serviceman, and up to \$3,000 if the death occurred during active duty.

(23) Serviceman's surviving spouse receiving federal benefits. - Property to the amount of \$1,000 belonging to, or held in trust for, any surviving spouse of a veteran, who remains a widow, and who receives or received a pension or annuity from the United States.

(24) Surviving spouse and minor child of veteran receiving compensation from Veterans' Administration. - The exemption from taxation, to the amount of \$3,000, to the surviving spouse or minor child of a veteran whose death was service related while on active duty, is also granted to the surviving spouse or minor child drawing compensation from the Veterans' Administration.

(25) Surviving parent of a deceased serviceman or veteran. - Property to the amount of \$1,000 belonging to, or held in trust for, a sole surviving parent of a deceased serviceman or veteran who is a resident of the state and remains a widow or widower.

(26) Parents of veterans. - Property to the amount of \$1,000 belonging to, or held in trust for, any father or mother, resident of the state, of a veteran, if such parent receives or received a pension or annuity from the United States.

(27) Property of grand army posts. - Property belonging to, or held in trust for, a Connecticut Grand Army post, provided the major use of such property is a meeting place for its members.

(28) Property of United States Army instructors. - Property to the amount of \$1,000 belonging to, or held in trust for, any resident or non-resident Army instructor.

(29) Property of American National Red Cross. - All real estate and tangible property owned by the Red Cross.

(30) Fuel and provisions. - Fuel and provisions for the use of any family.

(31) Household furniture. - Furniture used by or held in storage for and belonging to any family.

(32) Private libraries. - Private libraries and books.

(33) Musical instruments. - Musical instruments, inclusive of radios and television sets, used by and belonging to families.

(34) Watches and jewelry. - Watches and jewelry used by any individual.

(35) Wearing apparel. - All other wearing apparel of every person and family.

(36) Commercial fishing apparatus. - Fishing apparatus actually used in the main business of any person or company to the value of \$500.

(37) Mechanic's tools. - Tools of a mechanic, actually used by him in his trade, to the value of \$500.

(38) Farming tools. - Farming tools actually and exclusively used in the business of farming on any farm to the value of \$500.

(39) Farm produce. - Produce of a farm, actually grown, growing or produced, including colts, calves and lambs, while owned and held by the producer or by a cooperative marketing corporation, when delivered to it by such producer.

(40) Sheep, goats and swine.

(41) Dairy and beef cattle, oxen, asses and mules.

(42) Poultry.

(43) Cash. - Cash on hand or on deposit.

(44) Nursery products. - Produce or products growing in any nursery, and any shrub and any forest, ornamental or fruit trees while growing in a nursery.

(45) Property of units of the Connecticut National Guard. - While being used for military or for other public purposes.

(47) Carriages, wagons and bicycles. - Owned and used by a person but not held for sale or rent in the regular course of business.

(48) Airport improvements. - Improvements on or to the landing area of a privately-owned airport, provided the owner shall grant the free use of such landing area to the general public for landing, taking off and taxing of aircraft.

- (49) Nonprofit camp or recreational facility. - Real property and equipment owned, or held in trust for, any charitable corporation exclusively used as a nonprofit camp or recreational facility for charitable purposes, provided 75% of beneficiaries using the property are residents of the state.
- (50) Manufacturers' inventories. - Manufacturers' inventories, comprised of the monthly average quantity of goods of any manufacturing business.
- (51) Water pollution control structures and equipment. - Structures and equipment acquired after July 1, 1965, for the treatment of industrial waste before the discharge thereof into any waters of the state or sewerage systems emptying into any such waters.
- (52) Structures and equipment for air pollution control. - Structures and equipment acquired or leased after July 1, 1967.
- (53) Motor vehicle of serviceman. - One passenger automobile belonging to, leased to, or held in trust for a serviceman, whether garaged inside or outside the state. In addition, any serviceman claiming this exemption is entitled to a refund of any tax paid on such vehicle.
- (54) Wholesale and retail business inventory. - The monthly average quantity of goods of any wholesale or retail business.
- (55) Property of totally disabled persons. - Property to the amount of \$1,000 belonging to, or held in trust for, any resident who is disabled and over 65 years old. Tax exemption is suspended for assessment year commencing October 1, 2003.
- (56) Solar Energy Systems. - Solar energy systems constructed between October 1, 1976 and October 1, 1991.
- (57) Solar energy generating systems. - Solar energy generating systems constructed between October 1, 1977 and October 1, 1991.
- (59) Manufacturing facility in a distressed municipality, targeted investment community, enterprise zone, or **in an airport development zone**. - Any manufacturing facility acquired, constructed, substantially renovated or expanded on or after July 1, 1978. Facilities manufacturing medicinal chemicals with at least 1,000 employees shall have their property tax abatement extended for five years, through the year 2003.
- (60) Machinery and equipment in a manufacturing facility in a distressed municipality, targeted investment community, enterprise zone, or **in an airport development zone**. - Machinery and equipment which represents an addition to the assessment or grand list of the municipality in which this exemption is claimed and is installed in any manufacturing facility constructed, or substantially renovated or expanded on or after July 1, 1978. Also, the Commissioner of DECD may extend personal property tax exemptions to pharmaceutical, medicinal chemical and botanical product companies for an additional five years.
- (61) Vessels used primarily for commercial fishing. - Provided that not less than 50% of the gross adjusted income of the owner, as determined for purposes of the federal income tax, is derived from commercial fishing.
- (62) Passive solar energy systems. - Passive solar energy systems constructed between April 20, 1977 and October 1, 1991.
- (63) Solar energy electricity generating and cogeneration systems. - Systems constructed between July 1, 1981 and July 1, 1991.
- (64) Vessels. - Any watercraft vessel other than a seaplane, capable of being used as a means of transportation on water.
- (65) Van pool vehicles. - Certain van pool vehicles such as those belonging to employers, regional ride sharing organizations, or dealers providing vans under lease to such employers or organizations.
- (66) State agency vehicles. - Motor vehicles leased to state agencies.
- (67) Beach property, belonging to or held in trust for cities. - Beach property used for any public purpose, owned or held in trust for a city within a town.
- (68) Livestock totally exempt except that the exemption for horses and ponies limited to \$1,000 in value unless used for farming. - If used for farming, horses and ponies are totally exempt.
- (69) Property of Metropolitan Transportation Authority. - Provided such property is used for the operation, maintenance, repair or improvement of the New Haven commuter railroad service.
- (70) Machinery and equipment acquired as a part of a technological upgrading of a manufacturing process. - New machinery and equipment used directly in the manufacturing of goods or products

and acquired through purchase by any business organization as part of a technological upgrading of the manufacturing process at a location in a distressed municipality, targeted investment community or enterprise zone. Tax assessors who grant exemptions on certain machinery and equipment are required to notify OPM in writing whenever a business that received an exemption either ceases operations or moves entirely out of state. The assessor has five years after October 1 of the last assessment year in which he granted the exemption to file the notice.

(71) Motor vehicles owned by American Indians. - Any motor vehicle owned by a member of an indigenous Indian tribe or spouse and garaged on the reservation of the tribe.

(72) Newly acquired machinery and equipment in manufacturing facilities. - New machinery and equipment acquired after October 1, 1990 and newly acquired equipment acquired on or after July 1, 1992, by the person claiming exemption under this subdivision, provided this exemption shall only be applicable in the four full years following the assessment year in which the machinery or equipment is acquired.

(73) Temporary devices or structures for seasonal production, storage or protection of plants or plant material. - Including but not limited to, hoop houses, poly houses, high tunnels, overwintering structures and shade houses.

(74) Certain Vehicles Used To Transport Freight For Hire. - For a period not to exceed five assessment years following the assessment year in which it is first registered, any new commercial truck, truck tractor, tractor and semitrailer, and vehicle used in combination therewith, which is used exclusively to transport freight for hire, in a manner specified by this section.

(75) Certain Health Care Institutions. - This section exempts from local property tax any real or personal property owned or leased by a licensed, nonprofit organization on which a nonprofit nursing home, rest home, or residential care home is located.

Enactment: Prior to 1949

Amendments: 1959, PAs 152, 239 - acts repealed exemptions for county property (county government abolished) and watercraft owned by nonresidents.

1961, PAs 235, 245 - acts added subsecs. (48) and (49).

1965, PAs 461, 465 - acts added Subsecs. (50) and (51).

1967, PAs 57, 425, 738, 754 - acts replaced former provisions of Subsec. (51) with wholly new provisions, amended Subsecs. (19) and (21) to include references to the Vietnam era, and added Subsecs. (52) and (53).

1969, PAs 630, 657, 758, 768 - acts amended Subsec. (50) to delete per cent figures for 1967, 1968 and 1969, to decrease by ten per cent the figures for 1970, 1971, 1972, 1973, 1974 and 1975 and to add "one hundred per cent in the year 1976", added Subsec. (54), amended Subsec. (52) to specify structures or equipment acquired "by lease or purchase", to substitute clean air commission for air pollution control commission and to allow certification of a portion of structures and equipment acquired, and substituted commissioner of transportation for Connecticut aeronautics commission in Subsec. (48).

1971, PAs 234, 872 - acts deleted reference to (17) in Subsec. (20) and substituted commissioner of environmental protection for clean air commission in Subsec. (52).

P.A. 73-435 - amended Subsec. (21) to include exemption for loss of use of one arm or one leg because of service-related injury.

P.A. 74-123 - added Subsec. (55).

P.A. 74-207 - amended Subsecs. (20) to (25) to include both widows and widowers.

P.A. 75-483 - simplified reference to Vietnam era in Subsecs. (19) and (21).

P.A. 75-500 - excluded subsidized housing for low and moderate income persons or families from consideration as charitable purpose in Subsec. (7).

P.A. 76-409 - added Subsec. (56).

P.A. 77-490 - clarified Subsec. (56)(a) by deleting reference to "addition to a building" and inserting "building to which a solar heating or cooling system is added...", deleted reference to windmills and water wheels in (b), and added Subsec. (57).

P.A. 77-533 added Subsec. (58).

P.A. 77-614 - and P.A. 78-303 substituted secretary of the office of policy and management for commissioner of planning and energy policy and, effective January 1, 1979 substituted commissioner of revenue services for tax commissioner.

P.A. 78-267 - removed requirement that veteran have served in time of war and listed eligible branches of service in Subsec. (21).

P.A. 78-296 - removed "Connecticut" in Subsecs. (7), (13), (18) and (49) thus making out-of-state organizations eligible, effective May 31, 1978, and applicable to assessment list in any town for assessment date next following May 31, 1978, and each assessment date thereafter.

P.A. 78-357 - added Subsecs. (59) and (60).

P.A. 79-82 - added Subsec. (61), effective May 3, 1979, and applicable to assessment list in any town for 1979 and any assessment list thereafter .

P.A. 79-472 - included in Subsec. (19) state residents who served in forces of Czechoslovakia or Poland in WWII and included parents of more than one serviceman or woman under certain conditions in Subsec. (25).

P.A. 79-479 - added Subsec. (62).

P.A. 79-492 - amended Subsecs. (59) and (60) to detail exemptions further.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980; P.A. 80-406 replaced "October 1, 1980" with "April 20, 1977" in Subsec. (61).

P.A. 80-412 - amended Subsec. (55) to replace requirements for federal old-age, survivors and disability insurance with requirements for social security or other permanent total disability payments comparable with social security, effective June 6, 1980, and applicable in any town to the assessment year commencing October 1, 1980, and each assessment year thereafter.

P.A. 81-333 - amended Subsec. (60) to allow exemption for existing machinery in newly purchased manufacturing facility in distressed municipality.

P.A. 81-423 - added Subsec. (64) providing exemption for vessels, effective July 1, 1981, and applicable in any municipality to the assessment year commencing October 1, 1981, and thereafter.

P.A. 81-439 - added Subsec. (63), authorizing municipalities to adopt ordinance exempting from property tax solar energy electricity generating systems not eligible for exemption under subsection (57), cogeneration systems or both, effective July 1, 1981.

P.A. 82-318 - amended Subdiv. (21) to allow municipalities to provide total exemption for the residence of a veteran with respect to which such veteran has received assistance for specially adapted housing under title 38 of United States Code, effective June 9, 1982 and applicable to assessment years in municipalities commencing October 1, 1982, and thereafter.

P.A. 82-382 - added Subdiv. (66) re motor vehicles leased to state agencies.

P.A. 82-449 - added Subdiv. (65) re exemption for certain vanpool vehicles, effective July 1, 1982 and applicable to assessment year commencing October 1, 1982, and each assessment year thereafter.

P.A. 83-75 - amended Subdiv. (19) to allow exemption for service during period beginning June 27, 1950, and ending January 31, 1955, in lieu of the period "between June 27, 1950 and October 27, 1953" as previously provided, effective May 10, 1983, and applicable in any town to the assessment year commencing October 1, 1983, and each assessment year thereafter.

P.A. 83-485 - amended Subdiv. (14) by adding thereto exemption with respect to real property and equipment owned by any religious organization and exclusively used as a thrift shop, the proceeds of which are used for charitable purposes and amended Subdivs. (51), (52) and (53) by the addition of Subpara. (b) to each of said subdivisions, which subparagraph in Subdivs. (51) and (52) concerns requirements related to certification of the exempt property by the commissioner of environmental protection and in Subdiv. (53) concerns time requirements applicable to claims for the exemption and the result of failure to file such application as prescribed.

P.A. 83-485 - amended Subdivs. (56) and (57) by providing in Subpara. (c) of each of said subdivisions that application for exemption shall not be required for any assessment year following that for which the initial application is filed unless the exempt property is altered in any manner and amended Subpara. (d) of Subdivs. (62) and (63) to provide that application for exemption shall not be required for any assessment year following that for which the initial application is filed

unless the exempt property is altered in any manner, effective June 30, 1983, and applicable in any town to the assessment year commencing October 1, 1983, and each assessment year thereafter. P.A. 83-568 - amended Subdivs. (59) and (60) to provide that the exemptions in those Subdivs. terminate for the assessment year following the date that the facility no longer qualifies for the exemption.

P.A. 84-429 - made technical changes in Subdiv. (65) for statutory consistency.

P.A. 84-533 - amended Subdivs. (40) and (41) to remove the fifty dollar specific exemption for swine in Subdiv. (41) and include it with sheep and goats in an exemption in Subdiv. (40) which was increased from two hundred to five hundred dollars and to insert in Subdiv. (41) an exemption for dairy and beef cattle and oxen and added Subdiv. (67) re exemption of city beach property, effective June 4, 1984, and applicable to the assessment year commencing October 1, 1984, and each assessment year thereafter.

P.A. 85-593 - amended Subdiv. (55) by adding Subpara. (3), clarifying that a person who has attained age sixty-five or over and because of payments received as retirement benefits, is no longer eligible to receive benefits under the disability benefit provisions of Social Security or any federal, state or local government retirement or disability plan, in accordance with which such person would be eligible under such disability benefit provisions except for having attained age sixty-five or over, shall be eligible for the exemption provided under said Subdiv. (55), effective July 8, 1985, and applicable in any municipality to the assessment year commencing October 1, 1985, and each assessment year thereafter.

P.A. 86-153 - amended Subdivs. (59) and (60) by clarifying filing requirements for the exemption under each of said subdivisions by inserting the provision that any person claiming the exemption shall file "annually" with the assessor "on or before the first day of November", effective April 28, 1986, and applicable in any municipality for purposes of the assessment year commencing October 1, 1986, and each assessment year thereafter.

P.A. 86-273 - amended Subparas. (b) and (c) of Subdiv. (21) to provide for reinstatement of exemption of a surviving spouse after the termination of a subsequent marriage, effective June 4, 1986, and applicable for the assessment year of any municipality commencing October 1, 1986, and each assessment year thereafter.

P.A. 86-394 - amended Subdiv. (19) to eliminate reference to state residents who served in forces of Czechoslovakia or Poland in World War II and included residents who served in forces of any government signatory to United Nations Declaration of January 1, 1942, effective June 9, 1986, and applicable in any municipality to the assessment year commencing October 1, 1987, and each assessment year thereafter.

P.A. 87-240 - amended Subdiv. (59) by adding reference to the extension of time that may be allowed for filing the application for exemption as required under said Subdiv. (59), and amended Subdiv. (60) by (1) adding provisions allowing exemption for machinery and equipment acquired and installed on or after October 1, 1986, in a manufacturing facility eligible for exemption under Subdiv. (59), when such machinery and equipment is installed in conjunction with an expansion of such facility contiguous to and representing an increase of not less than fifty per cent of the floor space in the certified manufacturing facility and (2) adding reference to the extension of time that may be allowed for filing the application for exemption as required under said Subdiv. (60), effective June 1, 1987, and applicable to the assessment year commencing October 1, 1987, and each assessment year thereafter.

P.A. 87-346 - amended (1) Subdiv. (40) by allowing complete exemption for sheep, goats and swine in the state, eliminating the maximum amount of exemption previously applicable to assessed value of such livestock, except when totally exempt as a result of being used in farming, (2) Subdiv. (41) by allowing complete exemption for dairy and beef cattle and oxen, eliminating the maximum amount of exemption previously applicable to assessed value of such livestock, except when totally exempt as a result of being used in farming, and by allowing complete exemption for asses and mules and (3) Subdiv. (43) by allowing complete exemption for poultry, eliminating the maximum exemption previously applicable to poultry except when used in farming, and added Subdiv. (68) allowing total exemption for all livestock except that the exemption for horses and ponies shall be limited to one thousand dollars in assessed value unless used in farming,

effective June 10, 1987, and applicable to the assessment year commencing October 1, 1987, and each assessment year thereafter.

P.A. 87-584 - amended Subdiv. (54) by deleting reference to Sec. 12-24c and by incorporating a definition of "wholesale and retail business".

P.A. 88-134 - added Subdiv. (69) exempting certain property belonging to the metropolitan transportation authority, effective May 6, 1988, and applicable to assessment year commencing October 1, 1988, and thereafter.

P.A. 88-287 - added Subdiv. (70) re exemption for machinery and equipment used in manufacturing goods or products and acquired as part of a technological upgrading of the manufacturing process, effective June 6, 1988, and applicable to assessment years of municipalities commencing on or after October 1, 1988.

P.A. 88-342 - added certain members of the merchant marine to Subdiv. (19), effective June 6, 1988, and applicable to assessment years commencing on and after October 1, 1988.

P.A. 89-235 - amended Subdiv. (60) to require in Subparas. (1) and (2) that machinery and equipment eligible for an exemption represent an addition to the assessment or grand list of the municipality, and to provide in Subpara. (3) that the manufacturing facility is or has at one time been certified for an exemption, effective June 16, 1989, and applicable to assessment years commencing on and after October 1, 1989.

P.A. 89-368 - amended Subdiv. (2) by exempting reservation land held in trust by the state for Indian tribes and added Subdiv. (71) allowing exemption for motor vehicles owned by member of indigenous Indian tribe or spouse and garaged on the reservation of the tribe.

P.A. 90-270 - amended Subdivs. (59) and (60) by expanding exemption to facilities, machinery and equipment in municipalities located in a targeted investment community or enterprise zone, amended Subdiv. (70) to expand exemption to new machinery and equipment located in a targeted investment community or enterprise zone and made technical changes and added Subdiv. (72) re exemption for new machinery and equipment in manufacturing facilities, effective January 1, 1991, and applicable to assessment years commencing on or after October 1, 1991.

P.A. 91-257 - added Subdiv. (73) concerning temporary devices or structures used in the seasonal production, storage or protection of plants or plant material, effective June 19, 1991, and applicable to assessment years of municipalities commencing on or after October 1, 1991.

P.A. 91-307 - amended Subdiv. (10) concerning property belonging to agricultural or horticultural societies to revise the requirements for exemption thereunder.

P.A. 92-64 - amended Subsec. (39) to remove the requirement that produce be grown in the season next preceding the assessment date to qualify for the exemption, effective May 20, 1992, and applicable to assessment years of municipalities commencing on or after October 1, 1992.

P.A. 92-193 - amended Subsec. (72) by (1) adding provisions allowing exemption for "newly acquired machinery and equipment, as defined herein, acquired on or after July 1, 1992", (2) substituting "fabricating" for "assembling of raw materials, parts or manufactured products" and inserting "for measuring or testing or for metal finishing" in definitions of "machinery", "equipment" and "manufacturing facility", (3) adding further definitions of "machinery" and "equipment", (4) repealing definition of "manufacturer" and (5) adding definition of "manufacturing", "fabricating", "processing" and "measuring or testing", effective July 1, 1992, and applicable to assessment years of municipalities commencing on and after October 1, 1992.

P.A. 93-434 - amended Subpara. (c) of Subdivs. (56) and (57) by deleting obsolete reference to forms prescribed by the secretary and providing that such forms be approved by the assessor, effective June 30, 1993, and amended Subpara. (a) of Subdiv. (72) by inserting reference to Subpara. (b) and amended Subpara. (b) of Subdiv. (72) by establishing a procedure to claim exemption for leased machinery or equipment, effective June 30, 1993, and applicable to assessment years commencing on and after October 1, 1992.

P.A. 94-157 - (1) amended Subdiv. (56) by extending end date of construction or addition from 1991 to 2006, adding "active" before "solar energy heating or cooling system", dividing Subpara. (b) into numbered subparagraphs, adding Subpara. (2) re mechanical means to transfer energy in Subpara. (b), adding reference to chapter 54 in Subpara. (3) of Subpara. (b) and adding provision re building permit in Subpara. (c), (2) amended Subdiv. (57) by extending end date of installation from 1991 to 2006, adding reference to chapter 54 in Subpara. (b) and adding provision re

building permit in Subpara. (c), (3) amended Subdiv. (62) by extending end date of construction or addition from 1991 to 2006, deleting Subpara. (b) re regulations to define and set standards for passive and hybrid solar energy heating or cooling systems and adding new Subpara. (b) defining "passive solar energy heating or cooling system" and "hybrid system", requiring application in manner and form as provided by assessor or board rather than on form prescribed by the office of policy and management in Subpara. (c) and adding provision re building permit in Subpara. (c), and (4) amended Subdiv. (63) by extending end date of installation from 1991 to 2006, making prohibition of applicability in Subpara. (a) mandatory rather than permissive, adding provision re resources recovery facilities in Subpara. (a), adding references to chapter 54 in Subpara. (b), changing "energy which is used for heating, cooling" to "thermal energy which is used for space or water heating or cooling," in Subpara. (b), requiring application in manner and form as provided by assessor or board rather than on form prescribed by the office of policy and management in Subpara. (d) and adding provision re building permit in Subpara.(d), effective October 1, 1994, and applicable to assessment years commencing on or after that date.

May Sp. Sess. P.A. 94-6 - amended Subpara. (c) of Subdiv. (72) to exclude public service companies defined in Sec. 16-1, effective June 21, 1994, and applicable for the assessment year commencing October 1, 1993, and each assessment year thereafter.

P.A. 95-283 - amended Subdiv. (72) to extend exemption period from four years to five years, effective July 6, 1995, and applicable to assessment years of municipalities commencing on or after October 1, 1996.

P.A. 96-180 - amended Subdivs. (59), (60) and (70) by substituting "Department of Economic and Community Development" for "department".

P.A. 96-208 - amended Subdiv. (72) to require taxpayer identification number and federal employer identification number on application and to add provision allowing denial of exemption if the claimant is delinquent in a property tax payment, effective June 4, 1996, and applicable to assessment years commencing on or after October 1, 1996.

P.A. 96-222 - amended Subdiv. (60) to provide that exemption shall not apply to rolling stock, effective October 1, 1996, and applicable to assessment years commencing on or after said date.

P.A. 96-239 - amended Subdivs. (59) and (60) by dividing the Subdivs. into Subparas., adding Subpara. (b) re tax exemption for service facilities and adding references to "service facility" in Subpara. (c) of both, effective July 1, 1996 (Revisor's note: In Subparas. (b) of both Subdivs. (59) and (60) "department" was replaced editorially by the Revisors with "Department of Economic and Community Development" to mirror technical change enacted in P.A. 96-180).

P.A. 96-252 - amended Subdiv. (a) of Subsec. (72) by adding provisions re machinery and equipment used in the biotechnology industry, effective July 1, 1996, and applicable to assessment years of municipalities commencing on or after October 1, 1996.

P.A. 96-265 - added Subdiv. (74) re exemption for certain commercial motor vehicles, effective October 1, 1996, and applicable to assessment years commencing on or after said date.

P.A. 97-193 - amended Subdiv. (72) to add new Subpara. (E) re denial of exemption if applicant delinquent in corporation business tax and to make technical and renumbering changes, effective June 24, 1997, and applicable to income years commencing on or after January 1, 1998.

P.A. 97-282 - amended Subdiv. (72) to make assessors instead of the Office of Policy and Management responsible for granting extensions, to provide that machinery or equipment that is transferred by sale or lease is only eligible for the exemption only to the extent it would be exempt for the seller or lessor and to make technical changes and amended Subdiv. (74) to require commercial vehicles to be valued on the basis of their acquisition costs and depreciated in accordance with the schedule in Sec. 12-94c, to provide for prorating the value of vehicles that appear on the supplemental motor vehicle list, and to make technical changes, effective June 26, 1997, and applicable to assessment years commencing on or after October 1, 1996 (Revisor's note: In Subdiv. (72)(A)(vii) the phrase "to development microorganisms" was replaced editorially by the Revisors with "to develop microorganisms" for grammatical accuracy).

P.A. 98-28 - amended Subdiv. (57) by replacing solar energy electricity generating systems with Class I renewable energy sources and certain hydropower facilities, by deleting October 1, 2006 sunset date in Subsec. (a), by deleting Subsec. (b) and by relettering former Subsec. (c) as (b),

effective April 29, 1998, and applicable to assessment years of municipalities commencing on or after October 1, 1999.

P.A. 98-146 - amended Subpar. (a) of Subdiv. (59) by applying exemption to properties designated as manufacturing plants under Sec. 32-75c and authorized extension of assessment period for manufacturing facilities with a Standard Industrial Classification Code of 2833 (medicinal chemicals with 1,000 employees), effective July 1, 1998, and applicable to assessment years commencing on or after October 1, 1998 to 2003.

June Sp. Sess. P.A. 98-1 - amended Subdiv. (a) of Subsec. (59) by adding reference to Standard Industrial Classification Code 2834 and making a technical change, effective July 1, 1998.

P.A. 99-272 - amended Subdiv. (21) to allow exemption for modification of dwelling house in Subpara. (C) and to make technical changes, effective June 15, 1999, and applicable to assessment years commencing on or after October 1, 1998.

P.A. 99-280 - amended Subdiv. (74) by requiring the five-year assessment period of a new commercial truck, truck tractor, tractor and semitrailer, and vehicle used in combination therewith, to begin following the assessment year in which such a vehicle was "first registered" in lieu of "purchased" in Subpara. (A)(i), added Subpara. (A)(ii) re vehicles not eligible under Subpara. (A)(i) and made technical changes, effective October 1, 2000, and applicable to assessment years commencing on or after that date.

P.A. 00-120 - amended Subdiv. (19) to define "veteran", "service in time of war", and "armed forces" and to make technical changes, effective May 26, 2000, and applicable to assessment years commencing October 1, 2000.

P.A. 00-169 - amended Subdiv. (74)(A) by making a technical change.

P.A. 00-170 - amended Subdivs. (59)(b) and (60)(b) to allow certain financial institutions receiving state assistance to extend the assessment period for five years, effective May 26, 2000.

P.A. 00-215 - amended Subdivs. (7), (10) and (16) to require that the assessor provide the statement form under those Subdivs. and to provide that the statement is due on November first quadrennially, amended Subdivs. (59)(c), (60)(c) and (70) to provide that extensions of deadlines for applications under those Subdivs. be in accordance with Sec. 12-81k and amended Subdiv. (74)(B) to make a technical change and to modify the filing requirements for new commercial vehicles, effective June 1, 2000, and applicable to assessment years commencing on and after October 1, 2000 (Revisor's note: In 2001 the word "if" in the phrase "sworn to by the president, secretary or treasurer if the society" in Subdiv. (10) was changed editorially by the Revisors to "of" to conform provision with P.A. 91-307, thereby correcting a clerical error first published in the 1993 edition of the general statutes).

P.A. 00-229 - effective June 1, 2000, and applicable to assessment years commencing on or after October 1, 1998 (Revisor's note: P.A. 00-229 was designated editorially by the Revisors as Subdiv. (75) and the words "... shall be exempt from taxation under chapter 203 of the general statutes," were deleted editorially by the Revisors since they were no longer needed in the Subdiv. as codified).

June Sp. Sess. P.A. 00-1 - amended Subdiv. (36) to replace fishing apparatus "actually used in the main business of" with fishing apparatus "belonging to" and to add proviso that such apparatus was purchased for use in the main business of such business or company at the time of purchase, effective June 21, 2000, and applicable to assessment years commencing on or after October 1, 2000.

June Sp. Session P.A. 01-6 – amended subsection 60 to allow commissioner of DECD to extend exemption to pharmaceutical, medicinal chemical and botanical product companies for an additional five years.

P.A. 02-49 amended Subdiv. (11) to require quadrennial statements be filed with the assessor rather than the Secretary of the Office of Policy and Management and to make technical changes, effective May 9, 2002;

P.A. 02-143 – Required assessors to notify OPM whenever a business that has received an exemption has either ceased operations or moved entirely out of the state.

P.A. 03-269 amended Subdiv. (53) to provide exemption for leased vehicles and to delete requirement that vehicle be for passengers, effective October 1, 2003, and applicable to assessment

years commencing on or after that date, and added the entitlement of a refund on taxes already paid under this section;

P.A. 03-270 amended Subdiv. (7) to make a technical change and define "housing" to include a charitable corporation's real property for purposes of that subdivision, effective July 9, 2003, and applicable to assessment years commencing on or after October 1, 2002;

June 30 Sp. Sess. P.A. 03-6 amended Subdiv. (10) to replace Commissioner of Agriculture with Commissioner of Agriculture and Consumer Protection, effective July 1, 2004, and amended Subdiv. (55) to suspend the exemption for property of totally disabled persons for the 2003 assessment year and make a technical change, and amended Subdiv. (72)(A) to make Subpara. effective for assessment years commencing on or after October 1, 2002, redefine "fabricating" to exclude presorting, sorting, coding, folding, stuffing or delivery of certain mail services, limit definition of "processing" to manufacturing and make technical changes, both effective August 20, 2003, and applicable to assessment years commencing on or after October 1, 2002;

P.A. 04-72 amended Subdiv. (72)(A)(i) to provide that "machinery" and "equipment" must be claimed on the owner's federal income tax return, and amended Subdiv. (72)(B) to revise reference to certain other sections requiring lists of property to be filed and to add provisions re reporting of certain information on a claimant's federal income tax return, effective May 10, 2004;

P.A. 04-189 repealed Sec. 146 of June 30 Sp. Sess. P.A. 03-6, thereby reversing the merger of the Departments of Agriculture and Consumer Protection, effective June 1, 2004;

P.A. 04-240 amended Subdiv. (7) by making technical changes and adding provision re operation of housing by charitable organization deemed an exclusively charitable purpose, effective October 1, 2002, and applicable to assessment years commencing on or after that date;

May Sp. Sess. P.A. 04-2 amended Subdiv. (55) to restore exemption for the 2003 assessment year and to provide for the issuance of certificates of correction, effective May 12, 2004, and applicable to assessment years commencing on or after October 1, 2003.

P.A. 07-254 – amended Subdivision (7) to exempt from local property taxes the property of certain charitable organizations even if these organizations lease space to another charitable corporation and amended Subdivision (14) to exempt property owned by a religious organization used exclusively as a daycare center.

P.A. 08-121 – amended Subdivision (53) to exempt from local property taxes one motor vehicle belonging to, leased to or held in trust for, any member of the United States armed forces from local property taxes even if such motor vehicle is garaged inside the state, instead of limiting such exemption to a vehicle garaged outside the state.

P.A. 08-174 – amended subdivision (7) to include land held for the purpose of preserving open space land to the list of exempt lands.

P.A. 10-98 – Sec. 2 amended Subdivs. (59) and (60) to include an airport development zone.

Estimated Cost Characterization: Major

Title 19a: Public Health and Well-Being

MUNICIPAL HEALTH AUTHORITIES

19a-200 City, borough and town directors of health. Sanitarians. Authorized agents. - Requires municipalities, unless otherwise indicated in their charter, to nominate and confirm a director of health, who shall be a physician **and** hold a graduate degree in public health **from an accredited school, college, university or institution.** Requires the director to file a report of his activities annually with the department of health and addiction services. Requires municipalities to provide for the services of a sanitarian (The director may act in that capacity). Requires any municipality with a population over 40,000 for five consecutive years to have a full-time director.

Enactment: Prior to 1949

Amendments: 1971, P.A. 325 - act included directors of health for towns nominated by town chief executive officer.

1972, P.A. 65,239 - acts deleted general requirement that nominees be "discreet" and "learned in medical and sanitary science", requiring instead that all nominees be licensed physicians or possessors of "graduate" degree in public health "including at least sixty hours in local public health administration", required that in places with population of 40,000 or more, director must not engage in private practice, required confirmation or rejection of nominee by "legislative body" rather than by "common council" and modified requirement that health director devote full time to duties by allowing him to serve as chief medical adviser for public schools.

P.A. 75-352 - made qualifications for health director mandatory "notwithstanding the charter provisions of any city, town or borough" with respect to such qualifications.

P.A. 75-573 - specified action on nomination to be taken by board of selectmen if there is one.

P.A. 77-598 - clarified reference to appointment of interim director in cases where vacancy exists in the office.

P.A. 77-614 - replaced commissioner and department of health with commissioner and department of health services, effective January 1, 1979.

P.A. 78-303 - required approval of training and experience of health directors by commissioner rather than public health council and removed provision requiring consent of public health council for removal of officer; Sec. 19-75 transferred to Sec. 19a-200 in 1983.

P.A. 84-26 - authorized the appointing authority of a city, town or borough to appoint an acting director of health during a period of absence, inability or vacancy in the office provided the commissioner may appoint such director if the local authority fails to do so.

P.A. 87-521 - redefined powers of the director of health to include those necessary to enforce applicable statutes and provisions of the health code and added Subsecs. (b) and (c) re sanitarians and authorized agents.

June Sp. Sess. P.A. 91-12 - amended Subsec. (a) to require that department use its own estimated population figures rather than those of the latest federal census.

P.A. 92-8 - amended Subsec. (a) to require a full-time director of health in towns with a population of forty thousand or more for five consecutive years.

P.A. 93-381 - replaced department and commissioner of health services with department and commissioner of public health and addiction services.

P.A. 95-257 - replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health.

P.A. 99-125 - amended Subsec. (a) by requiring directors in cities, towns or boroughs with a population of forty thousand or more to "serve in a full-time capacity" rather than "devote his entire time to the duties of his office" and making technical changes.

P.A. 10-117 – amended Subsec. (a) to require that a physician nominated to be Director of Health on or after 10/1/2010 also have a degree in public health from an accredited school, college, university or institution.

Estimated Cost Characterization: Moderate

DISTRICT DEPARTMENTS OF HEALTH

19a-244

Qualifications, term and duties of director of health. Employees. - Requires health districts to nominate and confirm a director of health, who shall be a physician and hold a graduate degree in public health from an accredited school, college, university or institution. Requires the director to file a report of his activities annually with the department of public health. Requires municipalities to provide for the services of a sanitarian (The director may act in that capacity). Requires any municipality with a population over 40,000 for five consecutive years to have a full-time director. (formerly 19-109)

Enactment: Prior to 1949

Amendments: P.A. 10-117 – Sec. 46 requires that a physician nominated to be Director of Health on or after 10/1/2010 also have a degree in public health from an accredited school, college, university or institution.

Estimated Cost Characterization: Minor

MASS GATHERINGS

19a-437 **Information required of applicant.** – Sec. 2 of PA 10-292 removed Subsec. (2)(L), which previously indemnified a municipality that had granted a license for a mass gathering from any liability or causes of action which might arise by reason of granting the license, and from any cost incurred in cleaning up any waste material produced or left by the assembly[previously Sec. 19-551].

Enactment: 1971, P.A. 696

Amendment: P.A. 10-92 – removed the previous indemnification.

Estimated Cost Characterization: Minor

Title 32: Commerce and Economic and Community Development

INNOVATION CAPITAL ACT OF 1989. CONNECTICUT INNOVATIONS, INCORPORATED

32-41s **Biotechnology, pharmaceutical and photonics businesses. Benefits. Regulations.** – States that eligible businesses and eligible commercial property **located in Hartford and specific blocks, block groups and/or census tracts of Bristol, Farmington and New Britain, or** located in any municipality which has (1) a major research university with programs in **bioscience**, biotechnology, pharmaceuticals or photonics and (2) an enterprise zone, shall be entitled to the same benefits, subject to the same conditions, under the general statutes for which businesses located in an enterprise zone qualify.

Enactment: 1996, P.A. 264

Amendments: P.A. 73-599 - replaced Connecticut development commission with Connecticut development authority.

P.A. 99-223 – added new a subsection which directs Connecticut Innovations, Inc. to evaluate the feasibility of establishing a bio-processing facility and to facilitate the formation of a business consortium to launch and operate such facility, if feasible. This amendment has no impact on the mandate.

P.A. 10-104 – added Hartford and specific blocks, block groups and/or census tracts of Bristol, Farmington and New Britain to the locations eligible for this exemption and bioscience to the list of university programs.

Estimated Cost Characterization: Tax Exemption: No data available on monetary impact.

Title 47a: Landlord and Tenant

SUMMARY PROCESS

47a-42 **Eviction of tenant and occupants from residential property. Removal and sale of unclaimed possessions and personal effects.** - Requires the chief executive officer of a town to designate a place of storage where a state marshal will transport the possessions and personal effects of any tenant or occupant who has been evicted from their home and who doesn't immediately remove such possessions and effects. If the possessions and effects are not reclaimed and the expenses are not paid to the town, the chief executive officer shall sell the same at public auction, after using reasonable efforts to locate and notify such person of the sale and posting notice of such auction, in a manner prescribed by this section. The chief executive officer shall deliver to such person the net proceeds of the sale, if any, after deducting a reasonable charge for storage of such possessions and effects. (Formerly Sec. 52-549)

Enactment: Prior to 1949

Amendments: PA 10- 171 - eliminated the requirement for a municipality to transport to a storage facility the possessions and personal property of people ejected from their property upon foreclosure.

Estimated Cost Characterization: PA 10-171 reduced the mandate from moderate to minor

Title 49: Mortgages and Liens

MORTGAGES

49-22 **Execution of ejectment on foreclosure judgment. Disposition of property.** - **Requires the chief executive officer of a town to designate a place of storage where a state marshal will transport the possessions and personal effects of any person who has been ejected from their home and who doesn't immediately remove such possessions and effects. If the possessions and effects are not reclaimed and the expenses are not paid to the town, the chief executive officer shall sell the same at public auction, after using reasonable efforts to locate and notify such person of the sale and posting notice of such auction, in a manner prescribed by this section. The chief executive officer shall deliver to such person the net proceeds of the sale, if any, after deducting a reasonable charge for storage of such possessions and effects.**

Enactment: Prior to 1949

Amendments: P.A. 79-602 - substituted "the" for "such" where appearing.

P.A. 82-234 - authorized an officer to remove the possessions and personal effects of a person ejected from the land and set them out on the adjacent sidewalk, street or highway, and added Subsecs. (b) and (c) concerning the procedure for the removal and disposition of such possessions and personal effects.

P.A. 84-146 - included a reference to posting of notice on a place other than a signpost.

P.A. 84-539 - amended Subsec. (a) with respect to persons against whom execution may issue by replacing "unless the person" with "except a transferee or lienor who".

P.A. 00-99 - replaced reference to sheriff and deputy sheriff with state marshal in Subsec. (b).

PA 10- 171 - eliminated the requirement for a municipality to transport to a storage facility the possessions and personal property of people ejected from their property upon foreclosure.

Estimated Cost Characterization: PA 10-171 reduced the mandate from moderate to minor

Uncodified Section A Mandates

- P.A. 10-111** **An Act Concerning Education Reform in Connecticut.** – Requires a school district with a dropout rate of eight per cent or greater in the previous school year to establish an online credit recovery program to allow students at risk of not graduating to complete on-line coursework. Each school in the district must designate a staff member to be an online learning coordinator to administer and coordinate the online credit recovery program.
- Enactment: 2010, P.A. 111, Sec. 28
- Estimated Cost Characterization: Moderate
- P.A. 10-111** **An Act Concerning Education Reform in Connecticut.** – Requires every school system to provide an advanced placement course program, offering courses at the high school level for which an advanced placement examination is available through the College Board.
- Enactment: 2010, P.A. 111, Sec. 31
- Estimated Cost Characterization: Moderate
- P.A. 10-175** **An Act Concerning Special Education.** - Sec. 2 requires that, on and after July 1, 2012, a local or regional board of education that is responsible for providing special education and related services to a child must provide applied behavior analysis services for autism spectrum disorder if the individualized education plan or plan pursuant to Section 504 of the Rehabilitation Act of 1973 requires such services.
- Enactment: 2010, P.A. 111, Sec. 31
- Estimated Cost Characterization: Minor
- P.A. 10-182** **An Act Concerning the Removal of Snow and Ice from Motor Vehicles.** - requires motorists, beginning 12/31/2013, to remove accumulated snow and ice from vehicles so that it is not a threat to people or property and establishes fines for violations. Police enforcement will add to existing duties and the requirement will also apply to drivers of municipal vehicles.
- Enactment: 2010, P.A. 182, Sec. 1
- Estimated Cost Characterization: Minor
- P.A. 09-144** **An Act Concerning Neighborhood Protection.** - requires a municipality to have a system available for a person to register a one-to-four family dwelling acquired by foreclosure if that property is vacant at the time of foreclosure or is vacated within 120 days after foreclosure.
- Enactment: 2009, P.A. 144, Sec. 2
- Estimated Cost Characterization: Minor
- PA 09-171** **An Act Prohibiting Blocking the Box.** - requires a municipality that designates that a specific intersection cannot be entered unless there is sufficient space to accommodate the vehicle on the other side must mark that intersection as specified in this section.
- Enactment: 2009, P.A. 171, Sec. 1
- Estimated Cost Characterization: Minor

Codified Section B Mandates

Title 7: Municipalities

MUNICIPAL POLICE AND FIRE PROTECTION

7-294f State and local police training programs to include course on rape crisis intervention. - Requires any police basic or review training program to include a course on rape crisis intervention **and a course on sexual assault investigation.**

Enactment: 1982, P.A. 60

Title 53: Crimes

OFFENSES AGAINST THE PERSON

53-39a Indemnification of state police, State Capitol police, certain special police and local police. – Requires a police officer’s employer to indemnify the officer for economic loss resulting from prosecution for a crime allegedly committed by such officer in the course of duty if the charge is dismissed or the officer found not guilty, including the payment of attorney's fees and costs incurred during the prosecution **and the enforcement of this section.**

Enactment: 1973, P.A. 627

Uncodified Section B Mandates

P.A. 10-37 **An Act Concerning Firefighters, Police Officers and Workers' Compensation Claims Pertaining to Certain Diseases.** - requires that, for the purpose of adjudication of claims for payment of benefits under the provisions of chapter 568 of the general statutes, a uniformed member of a paid municipal or volunteer fire department, a regular member of a paid municipal police department or constable, as defined in section 31-294i of the general statutes or a member of a volunteer ambulance service shall be eligible for such benefits for any disease arising out of and in the course of employment, including, but not limited to, hepatitis, meningococcal meningitis, tuberculosis, Kahler's Disease, non-Hodgkin's lymphoma, and prostate or testicular cancer that results in death or temporary or permanent total or partial disability.

P.A. 10-83 **An Act Providing a Partial Refund of the Sales Tax Imposed on the Sale of School Buses Equipped by the Manufacturer with Seat Safety Belts.** – Sec. 1 requires a school district that chooses to participate in a program offsetting a portion of the sales tax for the purchase of school buses equipped with 3-point lap/shoulder seat safety belts to provide written notice concerning the availability and proper use of such seat belts to a parent or legal guardian of each student who will be transported on such school bus and to instruct such students on the proper use, fastening and unfastening of such seat belts.

P.A. 10-85 **An Act Concerning Conservation and Preservation Restrictions Held by the State.** – Sec. 2 requires a municipality to record a restriction in the land records when it acquires property with the intent to

place a conservation restriction, preservation restriction or other restriction on the use of the property, or when it permanently protects any municipal property by dedicating it as a park or open space.

- P.A. 10-87** **An Act Concerning Private and Municipal Recycling, Zoning Ordinances and Solid Waste Collection Contracts.** - requires that, no later than July 1, 2011, each municipality providing municipal curbside or backyard collection of solid waste also provide curbside or backyard collection of designated recyclable items. This provision does not apply to municipalities recycling a greater percentage of its solid waste than the state-wide average.
- PA 09-231** **An Act Concerning Regionalism.** – Sec. 1 requires that, if two or more municipalities enter into an agreement to promote regional economic development and to share the property tax revenues generated, the agreement must include a number of terms specified in this section and Sec. 2 requires that a copy of the agreement be sent to OPM.
- PA 09-236** **An Act Establishing a Land Value Taxation Pilot Program.** - requires that the municipality chosen on the basis of its application to be the pilot municipality for the land value taxation pilot program established by this act prepare and submit a plan as specified by this act.

Codified Section C Mandates

Title 16a: Planning and Energy Policy

OPERATION OF FUEL SUPPLY BUSINESS

- 16a-21a** **Sulfur content of home heating oil and off-road diesel fuel. Suspension of requirements for emergency.** – Reduces the allowable sulfur content of #2 heating oil, but this requirement does not go into effect until Massachusetts, New York and Rhode Island each adopt similar requirements.

Title 38A: Insurance

HEALTH INSURANCE

- 38a-519** **Offset proviso prohibited in certain policies.** – States that no group health insurance policy which provides disability income protection coverage can include an offset proviso. Each group long-term disability income protection coverage policy that contains an offset shall include a disclosure of that offset as specified by this subsection (Formerly Sec. 38-174j).

Enactment: 1975, P.A. 622

- 38a-542** **Mandatory coverage for treatment of tumors and leukemia. Mandatory coverage for reconstructive surgery, prosthesis, chemotherapy and wigs. Mandatory coverage for breast reconstruction after mastectomy.** - Requires group health insurance policies to provide coverage for a wig if prescribed by a licensed oncologist for a patient who suffers hair loss as a result of chemotherapy or by a licensed physician or a licensed advanced practice registered nurse for a patient who suffers hair loss due to a diagnosed medical condition of alopecia areata other than as a result of androgenetic alopecia. It also requires. **It also requires group policies to provide coverage for orally administered anticancer medications on a basis that is no less favorable than intravenously administered anticancer medications.**

Enactment: 1990, PA 243

Uncodified Section C Mandates

- P.A. 10-74 **An Act Requiring Biodiesel Blended Heating Oil and Lowering the Sulfur Content of Heating Oil Sold in the State.** - Establishes minimum biodiesel blending requirements for #2 heating oil. The requirements do not go into effect until Massachusetts, New York and Rhode Island each adopt similar requirements and there is a provision for the Commissioner of Consumer Protection and a newly established Distillate Advisory Board to assess the feasibility of the requirement, in a manner specified in this subsection.
- P.A. 10-144 **An Act Concerning the Recommendations of the Speaker of the House of Representatives' Task Force on Domestic Violence.** - Requires an employer of three or more people to permit an employee who is a victim of family violence to take up to 12 days of unpaid leave to seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim, to obtain services from a victim services organization on behalf of the victim, to relocate due to such family violence, or to participate in any civil or criminal proceeding related to or resulting from such family violence.
- P.A. 10-163 **An Act Concerning Transparency in Health Insurance Claims Data.** - Subsection (f) requires that, if a town, city, borough, school district, taxing district or fire district employing more than fifty employees has received health insurance claims information in accordance with this section and then receives a subpoena or other similar demand related to such information, it must notify the insurer, health care center, hospital service corporation, medical service corporation or other entity that disclosed such information.

Part II – Regulatory Mandates

Section A Mandates

Title 14: Motor Vehicles. Use of the Highway by Vehicles. Gasoline

- 14-275c **Operation of School Buses; Motor Vehicles used to Transport Special Education students; Minimum Requirements for Inspection, Maintenance and Repair of School Buses and Other Vehicles Used for the Transportation of School Children; Responsibilities of Carriers for School Bus and Student Transportation Vehicle Drivers.** – Imposes a wide range of requirements and specifies equipment and inspection requirements. It states that a special education child may be transported in a Type I or Type II school bus as long as the local or regional board of education determines that the bus is suitably equipped to insure the safety of such child. It also requires each student transportation carrier to maintain a written record of the required investigation of each school bus or student transportation driver and expands that investigation to also show that each driver meets all conditions and requirements for the necessary endorsements and does not have any disqualifying offenses. (Department of Motor Vehicles)

Title 16a: Planning and Energy Policy

- 16a-38k **The Establishment of of High Performance Building Construction Standards for State-Funded Buildings.** - Specifies minimum building standards for public school buildings having new construction costs of five million dollars or more or renovation costs of two million dollars or more, of which two million dollars or more is state funding and is authorized by the General Assembly pursuant to Chapter 173 on or after January 1, 2009. (Office of Policy & Management)

Title 22a: Environmental Protection

- 22a-638 **Standards for the Recycling of Covered Electronic Devices.** – Requires a municipality to submit a plan on how it will prioritize convenience and accessibility in providing electronic device collection and recycling opportunities for its residents. The municipality must implement and comply with the approved plan and, if DEP determines that an approved plan is deficient, the municipality must resolve the deficiencies and submit a revised plan. A municipality also must notify DEP of the electronic recyclers that it has arranged to implement the plan and cannot charge its residents a fee for bringing seven or fewer electronic devices to a collection point. (Department of Environmental Protection)

Title 29: Public Safety and State Police

- 29-291 **State Fire Prevention Code.** - Specifies minimum requirements for the frequency of inspections by local fire marshals. (Department of Environmental Protection)

Section B Mandates

Title 14: Motor Vehicles. Use of the Highway by Vehicles. Gasoline

- 14-36f **Driver Education In Secondary Schools.** - Requires each school conducting driver education programs to submit its curriculum to the Commissioner of Motor Vehicles for approval. This section also specifies what the program content and curriculum must consist of, including specific instruction concerning the nature and effects of alcohol and drugs in relation to the ability to safely operate a motor vehicle in a manner specified by this section. **The section also requires an instructor to issue an affidavit attesting that a student's parent or guardian attended a required two-hour instruction session.** It also stipulates that contracting with a commercial driving program does not relieve the school from meeting driver training safety standards. The school must notify the Commissioner of any change in location of either the school or the classroom where training is provided, the school must inform the Commissioner, in writing, of the location of the records pertaining to the program, if not located at the main school. The school offering such program must have adequate staffing and space and shall be scheduled so that the program is completed within one calendar year. The school may not charge a fee if the course is held during the regular school day and otherwise shall not exceed the per-pupil cost of maintaining such program. This section also stipulates the amount of instruction to be received, and the qualifications of the instructors. The school must maintain certain monthly records and submit such records to the Commissioner upon request. (Department of Motor Vehicles)