



General Assembly

February Session, 2024

Raised Bill No. 5477

LCO No. 2227



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING PENALTIES FOR BLIGHT UPON REAL PROPERTY, MUNICIPAL AGREEMENTS TO FIX ASSESSMENTS AND A PERSONAL PROPERTY TAX EXEMPTION.

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

1 Section 1. Subparagraph (H) of subdivision (7) of subsection (c) of
2 section 7-148 of the 2024 supplement to the general statutes is repealed
3 and the following is substituted in lieu thereof (*Effective October 1, 2024*):

4 (H) (i) Secure the safety of persons in or passing through the
5 municipality by regulation of shows, processions, parades and music;

6 (ii) Regulate and prohibit the carrying on within the municipality of
7 any trade, manufacture, business or profession which is, or may be, so
8 carried on as to become prejudicial to public health, conducive to fraud
9 and cheating, or dangerous to, or constituting an unreasonable
10 annoyance to, those living or owning property in the vicinity;

11 (iii) Regulate auctions and garage and tag sales;

12 (iv) Prohibit, restrain, license and regulate the business of peddlers,

13 auctioneers and junk dealers in a manner not inconsistent with the
14 general statutes;

15 (v) Regulate and prohibit swimming or bathing in the public or
16 exposed places within the municipality;

17 (vi) Regulate and license the operation of amusement parks and
18 amusement arcades including, but not limited to, the regulation of
19 mechanical rides and the establishment of the hours of operation;

20 (vii) Prohibit, restrain, license and regulate all sports, exhibitions,
21 public amusements and performances and all places where games may
22 be played;

23 (viii) Preserve the public peace and good order, prevent and quell
24 riots and disorderly assemblages and prevent disturbing noises;

25 (ix) Establish a system to obtain a more accurate registration of births,
26 marriages and deaths than the system provided by the general statutes
27 in a manner not inconsistent with the general statutes;

28 (x) Control insect pests or plant diseases in any manner deemed
29 appropriate;

30 (xi) Provide for the health of the inhabitants of the municipality and
31 do all things necessary or desirable to secure and promote the public
32 health;

33 (xii) Regulate the use of streets, sidewalks, highways, public places
34 and grounds for public and private purposes;

35 (xiii) Make and enforce police, sanitary or other similar regulations
36 and protect or promote the peace, safety, good government and welfare
37 of the municipality and its inhabitants;

38 (xiv) Regulate, in addition to the requirements under section 7-282b,
39 the installation, maintenance and operation of any device or equipment
40 in a residence or place of business which is capable of automatically

41 calling and relaying recorded emergency messages to any state police
42 or municipal police or fire department telephone number or which is
43 capable of automatically calling and relaying recorded emergency
44 messages or other forms of emergency signals to an intermediate third
45 party which shall thereafter call and relay such emergency messages to
46 a state police or municipal police or fire department telephone number.
47 Such regulations may provide for penalties for the transmittal of false
48 alarms by such devices or equipment;

49 (xv) Make and enforce regulations for the prevention and
50 remediation of housing blight or blight upon any commercial real
51 property, including regulations reducing assessments and authorizing
52 designated agents of the municipality to enter property during
53 reasonable hours for the purpose of remediating blighted conditions,
54 provided such regulations define blight and require such municipality
55 to give written notice of any violation to the owner of the property and
56 provide a reasonable opportunity for the owner to remediate the
57 blighted conditions prior to any enforcement action being taken, except
58 that a municipality may take immediate enforcement action in the case
59 of a violation at a property that is the third or more such blight violation
60 at such property during the prior twelve-month period, and further
61 provided such regulations shall not authorize such municipality or its
62 designated agents to enter any dwelling house or structure on such
63 property, and including regulations establishing a duty to maintain
64 property and specifying standards to determine if there is neglect;
65 prescribe civil penalties for the violation of such regulations (I) for
66 housing blight upon real property containing six or fewer dwelling
67 units, of not more than one hundred fifty dollars for each day that a
68 violation continues if such violation occurs at an occupied property, not
69 more than two hundred fifty dollars for each day that a violation
70 continues if such violation occurs at a vacant property, and not more
71 than one thousand dollars for each day that a violation continues at a
72 property if such violation is the third or more such violation at such
73 property during the prior twelve-month period, [and, if] (II) for housing
74 blight upon real property containing more than six but fewer than forty

75 dwelling units, not more than ten cents per square foot of each
76 residential building upon such real property for each day that a
77 violation continues, (III) for housing blight upon real property
78 containing forty or more dwelling units, not more than twelve cents per
79 square foot of each residential building upon such real property for each
80 day that a violation continues, and (IV) for blight upon any commercial
81 real property, not more than ten cents per square foot of any commercial
82 building upon such real property for each day that a violation continues.
83 If any such civil penalties are prescribed, such municipality shall adopt
84 a citation hearing procedure in accordance with section 7-152c. For the
85 sole purpose of determining if a violation is the third or more such
86 violation at such property during the prior twelve-month period,
87 "violation" means a violation of any municipal blight regulation for
88 which the municipality has issued a notice of violation and either, [(I)]
89 in the determination of such municipality, the conditions creating such
90 violation were previously cured [,] or [(II)] one hundred twenty days
91 have passed from the notice of violation and the conditions creating
92 such violation have not been cured. A third violation may also be
93 established where three or more conditions constituting such violation
94 exist at a property simultaneously;

95 (xvi) Regulate, on any property owned by or under the control of the
96 municipality, any activity deemed to be deleterious to public health,
97 including the burning of a lighted cigarette, cigar, pipe or similar device,
98 whether containing, wholly or in part, tobacco or cannabis, as defined
99 in section 21a-420, and the use or consumption of cannabis, including,
100 but not limited to, electronic cannabis delivery systems, as defined in
101 section 19a-342a, or vapor products, as defined in said section,
102 containing cannabis. If the municipality's population is greater than fifty
103 thousand, such regulations shall designate a place in the municipality
104 in which public consumption of cannabis is permitted. Such regulations
105 may prohibit the smoking of cannabis and the use of electronic cannabis
106 delivery systems and vapor products containing cannabis in the
107 outdoor sections of a restaurant. Such regulations may prescribe
108 penalties for the violation of such regulations, provided such fine does

109 not exceed fifty dollars for a violation of such regulations regarding
110 consumption by an individual or a fine in excess of one thousand dollars
111 to any business for a violation of such regulations;

112 Sec. 2. Section 12-65b of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective October 1, 2024*):

114 (a) (1) Any municipality may, by affirmative vote of its legislative
115 body or, pursuant to subdivision (2) of this subsection, by its board of
116 selectmen, enter into a written agreement, for a period of not more than
117 [ten] thirty years, with any party (A) owning or proposing to acquire an
118 interest in real property in such municipality, [or with any party] (B)
119 owning personal property in such municipality, (C) owning or
120 proposing to acquire an interest in air space in such municipality, or
121 [with any party] (D) who is the lessee of, or who proposes to be the
122 lessee of, air space in such municipality in such a manner that the air
123 space leased or proposed to be leased shall be assessed to the lessee
124 pursuant to section 12-64, fixing the assessment of the personal
125 property, real property or air space which is the subject of the
126 agreement, and all improvements [thereon or therein] on such real
127 property or in such air space and to be constructed [thereon or therein]
128 on such real property or in such air space, subject to the provisions of
129 subsection (b) of this section. For purposes of this section,
130 "improvements to be constructed" includes the rehabilitation of existing
131 structures for retail business use.

132 (2) In the case of a municipality where the legislative body is a town
133 meeting and such town meeting has adopted an ordinance delegating
134 to the board of selectmen the authority to enter into an agreement
135 described in subdivision (1) of this subsection, such board of selectmen
136 may enter into such agreement.

137 (b) The provisions of subsection (a) of this section shall only apply if
138 the personal property, improvements or improvements to be
139 constructed are for at least one of the following: (1) Office use; (2) retail
140 use; (3) permanent residential use in connection with a residential

141 property consisting of four or more dwelling units; (4) transient
142 residential use in connection with a residential property consisting of
143 four or more dwelling units; (5) manufacturing use; (6) warehouse,
144 storage or distribution use; (7) structured multilevel parking use
145 necessary in connection with a mass transit system; (8) information
146 technology; (9) recreation facilities; (10) transportation facilities; (11)
147 mixed-use development, as defined in section 8-13m; or (12) use by or
148 on behalf of a health system, as defined in section 19a-508c.

149 Sec. 3. Subdivision (79) of section 12-81 of the 2024 supplement to the
150 general statutes is repealed and the following is substituted in lieu
151 thereof (*Effective October 1, 2024, and applicable to assessment years*
152 *commencing on or after October 1, 2024*):

153 (79) Tangible personal property with an original value of not more
154 than [two hundred fifty] one thousand dollars that is owned by a
155 business organization, provided this exemption shall not apply for the
156 first ten full assessment years following the assessment year in which
157 the property was acquired;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	7-148(c)(7)(H)
Sec. 2	<i>October 1, 2024</i>	12-65b
Sec. 3	<i>October 1, 2024, and applicable to assessment years commencing on or after October 1, 2024</i>	12-81(79)

PD Joint Favorable