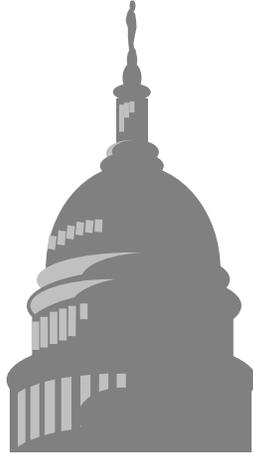


Compendium Of Statutory And Regulatory Mandates On Municipalities In Connecticut:

2012 Supplement



a report by the

Connecticut Advisory Commission on Intergovernmental Relations

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January 2012

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Municipal Official, town of 60,000 or more, nominated by CCM and appointed by the Governor

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Bruce Wittchen

Office of Policy & Management

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

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W. David LeVasseur, Chairman

Principal Author
Bruce Wittchen

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January 2012

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 This 2012 supplement contains new mandates adopted in 2011 and eliminates mandates that were reduced or repealed during 2011.

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 2011 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.

This report also includes 21 existing health insurance mandates that were not included in previous ACIR mandates reports but have been identified in reviews conducted for the state's Insurance Department by the University of Connecticut's Center for Public Health and Health Policy. **While those 21 mandates are included in this report and are in the same boldface print as new mandates, it is important to note that they are not new mandates; they are only new to the compendium.** PA 09-179 established a Health Benefit Review Program within the Insurance Department and required a it evaluate statutorily mandated health benefits existing or effective as of July 1, 2009. Additional information and links to that program's reports are available at <http://www.ct.gov/cid/cwp/view.asp?a=1254&q=447304>. The General Assembly's Insurance and Real Estate Committee also can request that the Health Benefit Review Program analyze possible mandated health benefits proposed in a legislative session.

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 2011 General Assembly passed legislation that reduced or eliminated several state mandates on municipalities. That legislation includes:

PA 11-24 (SB 828)

An Act Establishing a Paint Stewardship Program

PA 11-89 (HB 5178)	An Act Authorizing Notice of Zone Changes to be Sent by Electronic Mail
PA 11-99 (HB 5780)	An Act Concerning Interlocal Agreements
PA 11-173 (SB 939)	An Act Concerning Revisions to Elections Related Statutes
PA 11-185 (HB 5256)	An Act Concerning Receipt by Electronic Mail of Municipal Tax Bills

W. David LeVasseur
Chairman

Part I – Statutory Mandates

Codified Section A Mandates

Title 7: Municipalities

REGISTRARS OF VITAL STATISTICS

7-37 Town Clerk, Ex-Officio Registrar. Notice To Secretary Of The State Of Appointment Of Registrar, Vacancy In Appointed Office Of Registrar. - Requires, except in towns where registrars are elected or appointed under special laws, the town clerk to be the ex-officio registrar of vital statistics. If a registrar is appointed under special law or a town charter, the appointing authority or the chief executive official of the town must notify the secretary of the state within ten days of such appointment or vacancy in that position. **Additionally, newly elected or appointed registrar of vital statistics must notify DPH within ten days and, in the event of a vacancy, the first selectman or chief executive official of the town must notify DPH of the vacancy within ten days.**

Enactment: Prior to 1949

Amendment: P.A. 87-387 added Subsec. (b) re notice to secretary of the state of appointment of registrar of vital statistics or vacancy in appointed office of registrar of vital statistics.

P.A. 11-242, Sec. 6 added the notification requirement for a newly elected or appointed registrar.

Estimated Cost Characterization: Minor

MUNICIPAL POLICE AND FIRE PROTECTION

7-308 Assumption Of Liability For Damages Caused By Firemen Or Volunteer Ambulance Members. - Requires a municipality to **protect and save harmless** all volunteer firemen, ambulance drivers **and fire police** of such municipality, **from financial loss and expense, including legal fees and costs, arising from the specified claims, demands, suits or judgments.**

Enactment: 1955, S. 266d

Amendments: 1959, PA 446 - act substituted reference to Sec. 7-314 for reference to Sec. 7-309 and defined "fire duties".

1961, PA 355 - act added provisions re damages caused employee by fellow employee.

1965, PA 596 - act added provisions re representation of municipality and fireman by same attorney.

1998, PA 108 – divided existing section into Subsecs. (a) and (b) and added provisions re volunteer ambulance members.

2011, P.A. 11-243 – expanded the liability protection of the existing mandate and extended the protection to also include fire police.

Estimated Cost Characterization: Minor

Title 9: Elections

ELECTORS: QUALIFICATIONS AND ADMISSION

- 9-21a Search of Computerized Voter Registration Records. Duplicate Registrations. – requires registrars of voters, when notified by the Secretary of State of potential duplicate voter registrations, to send each elector a notice of duplicate registration in a form prescribed by the Secretary of the State.
- Enactment:** 1997, P.A. 97-154, Sec. 21 & 27
- Amendments:** **P.A. 11-173, Sec. 29 makes technical changes.**
- Estimated Cost Characterization:** Minor
- 9-36 Completion Of Preliminary Registry List. Distribution. - Requires the registry list referred to in Section 9-35 to be available for public inspection **in the office of the registrars of voters**. In municipalities with a population of more than five thousand, the list shall be compiled by voting district. Registrars are required, upon request, to give a copy of the list to **any candidate for election**.
- Enactment:** Prior to 1949
- Amendments:** 1967, PA 227 - added "and shall be on file in such office until the printing of the next preliminary registry list".
P.A. 89-19 - added provision that registrars give copies of list to general assembly candidates.
P.A. 11-173, Sec. 2 requires the preliminary registry be available for public inspection in the office of the registrars of voters and be made available to any candidate for election, not just candidates to the General Assembly.
- Estimated Cost Characterization:** Minor
- 9-37 Making Of Final Registry List; Registrars' Sessions For Revision And Correction Of Preliminary List. - Requires **registrars or assistant registrars to be available for at least one day during the fourteen-days before each election for revisions and corrections of the preliminary list**.
- Enactment:** Prior to 1949
- Amendments:** 1963, PA 202 - placed the fixing of the number of sessions in the registrars rather than the selectmen.
P.A. 75-287 - provided that on the third Saturday before a primary, registrars shall hold an additional session to hear requests for adding names, having published notice of such session at least five days in advance.
P.A. 81-350 - amended section to require registrars to post notice of sessions to revise and correct preliminary registry list at the office of the town clerk.
P.A. 83-391 - deleted reference to board of admission of electors.
P.A. 96-134 - eliminates one of the two additional sessions held to hear requests for adding names to the registry list.
P.A. 11-173, Sec. 3 replaced the previous mandate, which imposed multiple obligations, with a requirement that registrars or assistant registrars be available

for at least one day during the fourteen-days before each election for revisions and corrections of the preliminary list.

Estimated Cost Characterization: Minor

9-38 Deposit Of Final Registry List. Supplementary List. - Requires **registrars to produce and certify a final registry list that must be available for public inspection not later than the day following the last day that an elector may make changes to the elector's registration.**

Enactment: Prior to 1949

Amendments: 1963, P.A. 211 - act provided same time for filing list prior to state and town elections and gave towns of under 25,000 option of printing supplementary list or writing names on list.

P.A. 78-153 - substituted "for a period of two years" for "until the printing of the next such list", effective January 1, 1979.

P.A. 83-391 - deleted reference to board for admission of electors.

P.A. 99-276 – added references to “or updated” list.

P.A. 11-173, Sec. 4 replaced the previous mandate with a requirement that registrars produce and certify a final registry list that must be available for public inspection not later than the day following the last day that an elector may make changes to the elector's registration.

Estimated Cost Characterization: Minor

9-50a Monthly Compilation Of Changes To Registry List. - Requires the registrars of voters to compile a list of all changes to the registry list.

Enactment: 1987, PA 462

Amendment: P.A. 94-121 substituted "active and inactive registry lists" for "registry list" and added Subdiv. (3) re persons sent notices required under National Voter Registration Act.

P.A. 11-173, Sec. 8 eliminated the requirement to compile the list monthly.

Estimated Cost Characterization: Minor

9-55 Printing Of Corrected Enrollment Lists And List Of Unaffiliated Electors. - Requires registrars to have printed annually copies of the completed, corrected enrollment lists, in a manner provided for in this section. Upon request, the registrar shall give one complete set of such lists **to the public**, to each candidate for any office or for election as a town committee member or delegate to a convention.

Enactment: Prior to 1949

Amendments: 1963, PA 201 - reduced copies of registry lists to be filed with town clerk to one and added provision requiring registrars to keep copies available for public use.

1967, PA 370 - added provision for one copy to be filed with the town clerk, available for public use until next corrected list is available.

P.A. 75-269 - provided for a supplementary list to be printed within two weeks after session held on third Saturday before primary.

P.A. 76-128 - provided for separate supplementary list of those attaining age or citizenship qualifications after third Saturday and before day of primary and enrolling during that period.

P.A. 77-298 - changed provision for printing list of at least once during the calendar year, changed provision for supplementary list to be printed within one, instead of two weeks after session held on fourteenth day, before a primary and, with reference to the separate supplementary list of those attaining qualifications within period before primary, changed reference to fourteenth day.

P.A. 87-509 - added new Subsecs. (b), (c) and (d) re, respectively, when registrars required to cause list of unaffiliated electors to be printed, requirements when legislative body of municipality votes to eliminate separate enrollment lists and compilation of supplementary list and, in Subsec. (e), required registrars to give one complete set of lists to each candidate for election as town committee member or delegate to convention.

P.A. 99-276 added references to "or updated" list.

P.A. 11-173, Sec. 9 eliminated the deadline for completing the required list and requires the list be made available to the public upon request.

Estimated Cost Characterization: Minor

ELECTIONS

9-225 State Elections. - Requires each municipal clerk to warn voters regarding state elections in November of even-numbered years, notice of which must appear in a newspaper of general circulation, and give the time and location of each polling place in the town. **Two or more towns can jointly publish the warning.**

Enactment: Prior to 1949

Amendments: 1963, PA 393 - act substituted publication in a newspaper for posting notice on town signposts and omitted method of computing five-day notice period, for which see Sec. 9-2.

1965, PA 275 - act added "not more than ten nor less than" to the five days previous to election for publication in a newspaper, deleted "except as otherwise provided by law" and also provision for true and attested copy of warning to be left with town clerk by person who served same and provided for town clerk to record such warning.

1967, PA 119 - acts changed not more than "ten" to "fifteen" days and made minor changes in wording.

P.A. 11-173, Sec. 57 authorized two or more towns to jointly publish the required notice.

Estimated Cost Characterization: Minor

VOTING METHODS

9-242 Voting machine and direct recording electronic voting machine construction requirements. - specifies the procedure for a moderator to attribute duplicate votes for a cross-endorsed candidate between the cross-endorsing parties.

Enactment: Prior to 1949

Amendments: P.A. 11-173, Sec. 39 creates the mandate by specifying the procedure for a moderator to attribute duplicate votes for a cross-endorsed candidate between the cross-endorsing parties.

Estimated Cost Characterization: Minor

9-244

Inspection By Party Watchers, Party Chairmen, Candidates And Officials. - Requires registrars to prepare, test and seal the voting **tabulators** and to give written notice to the chairmen of town committees of political parties as to when they will do so.

Enactment: Prior to 1949

Amendments: 1959, PA 487 - act provided for registrars, rather than selectmen, wardens and mayors, to give notice to town committee chairmen.

1969, PAs 355, 694 - acts provided for the chairman rather than the committee to designate a watcher and added reference to additional machines.

P.A. 88-48 - allowed party chairman to be present for preparation of machines and any candidate to either be present or to designate a watcher and required any chairmen and candidates who are present to file report.

P.A. 98-67 – divided section into Subsecs., reordered provisions, amended Subsec. (a) to include test voting and sealing in notice, amended Subsec. (b) to prohibit chairpersons, candidates and watchers from assisting in preparation of machines and amended Subsec. (c) by adding provisions concerning testing and sealing of machines, requiring report to be filed by persons present for testing and sealing the machines instead of by persons present for preparation of the machines, and adding to the items to be certified in written report.

P.A. 11-173, Sec. 15 amended the existing mandate to reflect current voting technology.

Estimated Cost Characterization: Minor

9-246

Duties Of Mechanics. Repairs Made On Election Day. Required Reports. - Requires **registrars of voters** to certify in a report that all voting **tabulators** have been properly prepared, sealed and, if required, repaired.

Enactment: Prior to 1949

Amendments: 1959, PA 487 - act provided for registrars rather than selectmen, wardens and mayors to appoint the elector in charge of transferring the voting machines to the polling places.

1969, PA 355 - act provided that additional machines be located so as to be available for immediate transfer, effective with respect to all elections held on or after January 1, 1970.

P.A. 83-475 added Subsec. (b) requiring report re election day repairs.

P.A. 11-173, Sec. 54 amended the existing mandate to reflect current voting technology

Estimated Cost Characterization: Minor

9-247

Preparation Of Machines. - Requires registrars to ensure that **tabulators** are delivered to the polling stations, that all necessary furniture is available and that **tabulators and ballots** are tested.

Enactment: Prior to 1949

Amendments: 1969, PA 694 - act deleted "the official or officials ..." and substituted "registrars of voters" as having cognizance of preparation of machines.

P.A. 80-281 - required that each voting machine contain a pencil for write-in use.

P.A. 11-173, Sec. 37 amended the existing mandate to reflect current voting technology.

Estimated Cost Characterization: Minor

9-249 Instruction Of Election Officials In Use Of Machine. - Requires that each registrar of voters and certified head moderator instruct election officials before each election in the use of the voting **tabulators**. Also, requires the instructors to file a report with the municipal clerk and Secretary of State certifying that instruction was given and include a signed statement from each election official certifying that they have received the instruction

Enactment: Prior to 1949

Amendments: 1959, PA 551 - act placed responsibility for instructing election officials in municipal clerk, registrars, and mechanic rather than in board of selectmen.

1963, PA 318 - act eliminated the requirement of giving a certificate to qualified election officials and provided for filing a report re the instructions in the town clerk's office.

P.A. 77-245 - changed "town clerk" to "municipal clerk".

P.A. 81-467 - added reference to "certified" moderators and mechanics and required that election officials be appointed at least twenty, rather than ten, days before election except as provided in Sec. 9-229.

P.A. 05-235 – added provisions requiring signed statement from each election official and that the report go to the Secretary of State.

P.A. 11-173, Sec. 38 amended the existing mandate to reflect current voting technology

Estimated Cost Characterization: Minor

9-255 Sample Ballot Labels. - Requires municipalities to provide at least **two** sample ballots at all polling places that use voting **tabulators**. Sample ballots must be posted in a location visible to voters and at least one must be visible to those being instructed on the use of the voting **tabulators**.

Enactment: Prior to 1949

Amendments: P.A. 77-245 - changed "town" to "municipal" clerk.

P.A. 87-382 substituted "demonstrator or spare voting" for "dummy" voting machine.

P.A. 11-173, Sec. **40 reduced the number of sample ballots to two and replaces references to machine to tabulator, reflecting current voting technology.**

Estimated Cost Characterization: Minor

9-260 Instruction By Means Of Demonstrator Or Spare Voting Machine. - Requires municipalities to provide a demonstrator **device** inside each polling place for the instruction of voters.

Enactment: Prior to 1949

Amendment: P.A. 87-382 - authorized the use of a spare voting machine in place of a demonstrator machine and changed the term "dummy machine" to "demonstrator machine".

P.A. 11-173, Sec. 18 amends the existing mandate to reflect current voting technology.

Estimated Cost Characterization: Minor

9-272 **Conditions under which use of voting tabulators may be discontinued.** – requires a registrar who chooses to discontinue the use of tabulators and instead use paper ballots to follow procedures for securing and counting the paper ballots that are in compliance as nearly as possible with the procedures prescribed by the Secretary of the State for securing and counting absentee ballots.

Enactment: Prior to 1949

Amendments: 1963 P.A. 210 authorized municipal clerk and registrars rather than board of selectmen, common council or, warden and burgesses to discontinue use of machines.

P.A. 11-173, Sec. 20 required that if a registrar decides to use paper ballots because tabulators are unavailable or impracticable, the procedures for securing and counting the paper ballots must be in compliance as nearly as possible with the procedures prescribed by the Secretary of the State for securing and counting absentee ballots.

Estimated Cost Characterization: Minor

ELECTION CANVASS AND RETURNS

9-308 **Canvass of returns.** Requires election officials to canvass returns as provided in section 9-309 and specifies requirements for the canvass location and for securing tabulators.

Enactment: Prior to 1949

Amendments: P.A. 11-173, Sec. 48 amends the existing mandate to reflect current voting technology.

Estimated Cost Characterization: Minor

NOMINATIONS AND POLITICAL PARTIES

9-433 **Notice Of Primary; State And District Office.** - Requires municipal clerks to publish in a newspaper of general circulation notice of a primary for party nomination, once the clerk is notified to that effect by the Secretary of State. **Two or more towns can jointly publish the warning.**

Enactment: 1955, June Supp. 597d

Amendments: 1963, PA 17 - acts restated previous provisions and deleted requirement that notice be posted on public signpost.

P.A. 79-616 - deleted reference to petition signatures under Sec. 9-403 and substituted reference to expiration of the fourteen-day period under Sec. 9-400 and further provided for notification of primary where one or more candidacies have been filed.

P.A. 87-509 - required notice to include, if applicable, statement that unaffiliated electors may vote in primary.

P.A. 11-173, Sec. 58 authorized two or more towns to jointly publish the required notice.

Estimated Cost Characterization: Minor

9-435 **Notice Of Primary; Municipal Office, Committee Members, Delegates.** - Whenever a petitioning candidate has met the requirements contained in statutes, requires the

registrar to notify the municipal clerk that a primary must be held and include a list of candidates, their addresses and the title of the offices they seek. Also, requires the clerk to publish notice of the primary in a newspaper of general circulation and to send a copy to the secretary of state **within three business days**.

Enactment: 1955, June Supp. 598d

Amendments: 1963, PA 17 - acts restated previous provisions and deleted requirement that notice be posted on public signpost.

P.A. 79-616 - changed reference to Sec. 9-399 to Sec. 9-400 and further added "of such notice" to the provision for a copy to be sent to the secretary of the state.

P.A. 87-472 - required notice, in case of primary for convention delegates, to also contain complete ballot label designation of each slate pursuant to Sec. 9-437(h).

P.A. 11-173, Sec. 22 added the three-day deadline to notify the Secretary of State.

Estimated Cost Characterization: Minor

9-440

Moderators To Make Returns. - Requires moderators, upon the closing of the polls, to lock the voting **tabulators** and to proceed to ascertain, record and announce the results of the primary. Requires the moderator to transmit the primary results to the secretary of state.

Enactment: 1955, June Supp. 604d

Amendments: 1963, PA 17 - act restated previous provisions.

1967, PA 557 - act added clarifying language pertaining to split voting districts, added "or assembly" to "senatorial" before the word "district".

1971, PAs 542, 836 - acts changed time limit for mailing or delivering list to "not later than twenty-four hours after the closing of the polls" and deleted reference to the moderator of the first district as alternative to the head moderator with reference to causing the vote to be tabulated.

P.A. 73-657 - added further clarifying language pertaining to split voting districts and assembly districts.

P.A. 84-319 - amended section to provide uniformity in procedures for filing head moderator's returns after primaries and elections.

P.A. 85-577 - imposed time limit for transmittal of vote results and late filing fee.

P.A. 11-173, Sec. 67 amends the existing mandate to reelect current voting technology.

Estimated Cost Characterization: Minor

9-452

Time for making nominations; certification. – Requires **registrars of voters** to promptly verify and correct the names on any candidate list filed with the town or forwarded by the Secretary of the State and endorse the list as having been so verified and corrected.

Enactment: 1955, S. N106

P.A. 11-173, Sec. 51 transferred the obligation from municipal clerks to registrars of voters.

Estimated Cost Characterization: Minor

PRESIDENTIAL PREFERENCE PRIMARY

9-464 Primary Date. - Requires each municipality to conduct a primary **on the last Tuesday in April** of the year of a presidential election if two or more candidates are to be placed on a party's ballot.

Enactment: 1977, PA 535

Amendments: P.A. 79-481 - changed the day for the primary to the Tuesday after the fourth Monday instead of the first Monday in March if the name of one or more candidates is to be placed on the ballot and further provided for the costs of conducting primary to be paid as prescribed in new Subsecs. (b) and (c).

P.A. 83-475 - amended section to require primary only if there are at least two qualifying candidates and to refer to number of voting districts used by towns in last preceding state election.

P.A. 90-156 - repealed former Subsec. (b) re limitations on reimbursement, relettered Subsec. (c) as Subsec. (b) and amended new Subsec. (b) by basing reimbursement on town's 1984 or 1988 reimbursement, whichever is applicable, plus three per cent annually.

June Sp. Sess. P.A. 91-3 - removed Subsecs. (a) and (b) designators, deleted provision in Subsec. (a) requiring costs of conducting primary in each town to be paid by state in the manner and to the extent prescribed in Subsec. (b), and deleted Subsec. (b) in its entirety.

P.A. 95-95 changed primary date from the Tuesday after the fourth Monday in March to first Tuesday in March.

P.A. 11-143, Sec. 1 changed the date of the presidential primary to the last Tuesday in April.

Estimated Cost Characterization: Minor

9-476 Conduct Of Primary. - Requires municipalities to conform to the statutory provisions concerning absentee voting at primaries, conduct of primaries and tabulation of the vote at such primaries. Requires primary officials for each polling place be the same as in a regular primary except the minimum number of checkers is one, and the minimum number of voting **tabulator** tenders is one for every two voting **tabulators** in use. Also, requires the moderator or head moderator in each town to prepare duplicate lists of returns **and either hand deliver a copy of the returns to the secretary of state on the day following the primary or transmit the returns electronically by 11:59 pm on primary day and mail a hard copy to the Secretary of the State not later than two o'clock p.m. of the day following the primary.**

Enactment: 1977, PA 535

Amendments: P.A. 79-481 - provided for exceptions to Sec. 9-436 in application to presidential preference primary in that appointment of challengers is not required and that registrar of voters shall have sole power to appoint the primary officials and shall attempt to provide representation for each candidate at each polling place, provided for appointment of unofficial checker, as designation by each candidate and further provided that the moderator or head moderator deliver one of lists prepared pursuant to Sec. 9-440, by his own hand, to either the secretary or the state police by noon of the day following the primary.

P.A. 85-577 - changed delivery time to the secretary of the state or state police from noon to two o'clock p.m. and established late filing fee.

P.A. 86-179 - made technical changes.

P.A. 92-1 - inserted new Subdivs. (1) to (5) re number and duties of polling place officials and deleted former Subdiv. (1) re optional appointment of challengers, renumbering former Subdiv. (2) as (6) and substituted "candidate checker" for "unofficial checker".

P.A. 11-173, Sec. 52 amended the existing mandate to reflect current voting technology and added the option to transmit returns electronically.

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.

PA 11-136, Sec. 15 amends existing mandate by authorizing a superintendent or designee to access mastery examination information in the state-wide public school information system to determine examination dates and scores for students enrolled in or transferring to that school district.

Estimated Cost Characterization: Moderate

EDUCATIONAL OPPORTUNITIES

10-69 Adult Education. - Requires each local and regional board of education to establish a program of adult classes or provide for participation in a program with another board of education. A program or classes for elementary and secondary school completion must be provided as well as classes in Americanization and United States citizenship, and English for adults with limited English proficiency. This section also requires a minimum of twenty credits to graduate. **A student who has been expelled from school must be allowed to participate in such a program.**

Enactment: Prior to 1949

Amendments: 1961, PA 512 - added exception re petitions for activities recreational in nature, and clarified that petition for instruction in English and citizenship obligation applies to town of any size.

P.A. 74-281- removed distinction between towns of less than ten thousand population and those of more than ten thousand, required all school districts to provide, either alone or in cooperation with another district, classes in Americanization and citizenship, subjects usually offered in elementary and secondary schools and others by petition and substituted "persons sixty-two years of age or over" for "aged person as defined by the state board".

P.A. 75-479 - required subjects be taught that are necessary for elementary and secondary school completion programs and made other teaching of elementary and secondary subjects optional.

P.A. 75-576 - defined "adult", "adult class" and "adult education activity", required one hundred fifty hours of adult classes per year, required approval of principal for full time student to enroll in adult education class, made optional the teaching of secondary and elementary subjects usually taught in that school district, rather than in the state, if requested by fifteen persons and made teaching of any other subject possible if requested by fifteen adults, rather than twenty persons over sixteen, and deleted special provision governing recreational activities for handicapped and elderly.

P.A. 78-218 - specified applicability to local and regional boards.

P.A. 81-397 - deleted requirement that adult education program consist of at least one hundred fifty clock hours per year, allowed provision of services at regional education service center, allowed admission of adults to public elementary and secondary schools, required that programs offered course in English for adults with limited English proficiency, authorized offering vocational education courses and deleted requirement A-1 that fifteen persons register for, or request, optional courses before such courses are offered.

May Sp. Sess. P.A. 86-1 - added Subsecs. (b) and (c) re credits towards adult education diplomas and Subsec. (d) re regulations concerning credits for learning experiences and in Subsec. (a) substituted that boards of education shall provide "for participation in a program of adult classes" for "adult education services".

P.A. 88-360 - in Subsec. (a) provided that classes or services provided by a cooperating eligible entity be in conformance with the program standards applicable to boards of education.

P.A. 90-33 - in Subsec. (a) added authorized private occupational schools to definition of "cooperating eligible entity".

P.A. 91-295 - expanded the definition of "cooperating eligible entity" to include regional community colleges, regional technical colleges, regional vocational-technical schools and libraries.

P.A. 92-126 - amended Subsecs. (a) and (c) to replace references to community colleges and technical colleges with single reference to community-technical colleges.

P.A. 92-262 - amended Subsec. (a) to add corporation or other business entity to the definition of "cooperating eligible entity".

P.A. 93-126 - amended Subsec. (a) to include any licensed or accredited institution of higher education in the definition of "cooperating eligible entity" rather than regional community-technical colleges and to make technical changes to the definition.

P.A. 95-259 - deleted part of former Subsec. (a) containing definitions which were added to Sec. 10-67 and made some technical changes.

P.A. 95-304 - amended Subsec. (a) to expand the definition of "adult" to include students assigned to adult classes, effective July 1, 1995, but failed to take effect.

P.A. 95-259 - having deleted that part of said Subsec. (a).

P.A. 97-290 - amended Subsec. (a) to add classes in adult literacy and parenting skills.

P.A. 11-126, Sec. 2 added the requirement that a student who has been expelled from school be allowed to participate in such a program.

Estimated Cost Characterization: Minor

TEACHERS AND SUPERINTENDENTS

10-145j Employment Of National Corps Of Teachers' Training Program Graduates. - Permits qualified graduates of a national corps of teachers' training program to be employed in the public schools of Bridgeport, Hartford and New Haven and in state charter schools in Stamford, notwithstanding the requirements of Section 10-145, in a manner specified by this section. Said graduates will be given a temporary permit for one year which can be renewed once and must complete a state approved program in order to be certified.

Enactment: 2011, P.A. 11-179, Sec.13 extended durational shortage area permits through 2015

Amendments: P.A. 11-179, Sec.

Estimated Cost Characterization: Minor

10-151

Employment Of Teachers. Definitions. Notice And Hearing On Failure To Renew Or Termination Of Contract. Appeal. - Requires that teachers be given tenure after 30 months of full-time continuous employment for the same board of education, **including earlier employment with the same school district prior to its decision to establish a cooperative arrangement with another district.** Also requires the board of education, upon written request by a teacher who has received a termination or nonrenewal notice, to hold a hearing, or make available an impartial hearing panel, in a manner prescribed by this section. However, a non-tenured teacher is not entitled to a hearing concerning nonrenewal if the reason for such nonrenewal is either elimination of the position or loss of position to another teacher.

Enactment: Prior to 1949

Amendments: 1961, P.A. 480 - amended Subsec. (a) by providing for the supplying of a statement of the reasons for failure to renew the contract upon request, amended Subsec. (b) to provide for giving copy of transcript to teacher.

1971, P.A. 61 - amended Subsec. (a) to require that board accepts or rejects nominations within thirty-five days rather than within a month.

P.A. 75-615 - amended section to include provisions concerning hearings before impartial hearing panels.

P.A. 79-90 - amended Subsec. (a) to delete provision, which had forbidden court appeal from decisions of impartial panel and clarified circumstances in which teachers whose contracts have been terminated may appeal.

P.A. 80-354 - clarified application of provisions to professional employees of incorporated or endowed high schools by requiring them to choose coverage in Subsec. (a) and amended Subdiv. (5) of Subsec. (b) re loss of position to another teacher and clarified provisions concerning layoffs and added to Subsec. (b) general proviso re agreements with bargaining representatives.

P.A. 81-216 - amended Subsec. (c) to define "continuous employment" and "part-time employment" for purposes of clarifying the provisions of the teacher fair dismissal law.

P.A. 82-257 - amended Subsec. (c) to require that authorized leave time be treated in the same manner as layoff time for purposes of computing continuous employment where previously authorized leave was entirely excluded in computations.

P.A. 83-398 - made the following changes: (1) Former Subsec.(c) containing definitions became Subsec. (a) adding definitions of "board of education", "full time employment", "tenure" and "school month" and redefining "part time employment"; (2) former Subsec. (a) relettered as Subsec. (b) and limited to employment of teachers; (3) termination of contract of employment previously contained in former Subsec. (a) moved to Subsec. (c) for teachers who have not attained tenure and Subsec. (d) for tenured teachers; and (4) former Subsec. (e) repealed concerning employment and termination of contracts for tenured teachers, effective July 1, 1983, provided provisions of P.A. 83-398 shall not apply to layoff, nonrenewal or termination proceedings initiated prior to that date.

P.A. 85-343 - amended Subsecs. (c) and (d) to allow the board to designate a subcommittee to conduct hearings and submit written findings and recommendations to the board for final disposition in certain teacher termination cases.

P.A. 86-22 - required that findings be submitted within ninety days after receipt of the request for a hearing rather than written fifteen days after the close of the hearing in Subsec. (d).

P.A. 95-58 - amended Subsec. (a)(2) to add employment "for at least ninety days", Subsec. (a)(6)(A) to apply the thirty school months to teachers hired prior to July 1, 1996, and to require teachers hired after said date to be employed for forty school months

provided the superintendent offers the teacher a contract to return for the following school year, Subsec. (a)(6)(C) to change "sixteen" to "twenty" school months for the attainment of tenure by teachers who previously attained tenure with the same or a different board of education, Subsec. (b) to require the superintendent to base the offer of a contract to return on the records of evaluations, Subsec. (c) to allow a terminated teacher to request and receive a statement of the reason for such termination, to remove provision for hearings for nonrenewal, to add alternative for a hearing before an impartial hearing officer, to limit extensions for the commencement of hearings to fifteen days, to require the submission of written findings and recommendations to the board of education in all cases not just in the case of teachers whose contracts are terminated for the reasons stated in Subdiv. (5) of Subsec. (d), to remove the right to an appeal for teachers terminated for the reasons enumerated in Subdivs. (1) and (2) of Subsec. (d), Subsec. (d) to replace board of education with superintendent re notice to teachers that termination is under consideration and provision of statements in writing of the reasons upon request, to allow boards of education to designate subcommittees to conduct hearings in all cases not just terminations for the reasons stated in Subdiv. (5), to limit extensions to fifteen days, to substitute agreement by the teacher and superintendent for "both parties" re hearings before single impartial hearing officers, to substitute superintendent for board of education re appointment of panels, to add provision for appointment of third panel member with the assistance of the American Arbitration Association, to reduce the time for the submission of findings from ninety to seventy-five days, to specify that the Subsec. does not limit the right of a superintendent to suspend a teacher and to make technical changes, deleted former Subsec. (e) specifying that the provisions of a special act regarding the dismissal or employment of teachers prevail over the provisions of the section in the event of conflict and relettered Subsecs., and amended newly designated Subsec. (e), formerly Subsec. (f), to require submission of the minutes of board of education meetings relating to the termination, including the vote of the board on termination, removed language allowing parties to the appeal to introduce evidence and added requirement that the court affirm or reverse the decision appealed from in accordance with Subsec. (j) of Sec. 4-183.

P.A. 97-247 – broadened hearing entitlement to include nonrenewal, except for non-tenured teachers if the reason for nonrenewal is either elimination of the position or loss of position to another teacher.

P.A. 00-13 - amended Subsec.(d) to add requirement for the determination of incompetence to be based on evaluations.

P.A. 11-135, Sec. 10 expands the criteria for gaining tenure to include earlier employment with the same school district prior to its decision to establish a cooperative arrangement with another district.

P.A. 11-136, Sec. 14 delays, from April to May, the deadline for notifying a teacher whose contract will not be renewed for the following year.

Estimated Cost Characterization: Moderate

10-151b

Evaluation By Superintendents Of Certain Educational Personnel. - Requires the superintendent of each local or regional board of education to 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.

P.A. 11-135, Sec. 7 & 9, reduce the existing mandate in Subsec. (a) by eliminating the requirement that teacher evaluation be continuous.

Estimated Cost Characterization: Minor

SCHOOL ATTENDANCE AND EMPLOYMENT OF CHILDREN

10-186 Duties Of Local And Regional Boards Of Education Re School Attendance. Hearings. Appeals To State Board. Establishment Of Such Board. - Requires each local or regional board of education to furnish, by transportation or otherwise, school accommodations so that school age children may attend public school **and specifies criteria and duration for exceptions**. Any school board which denies accommodations must inform students of their right to a hearing, and then hold such hearing, if requested, in a manner prescribed by this section.

Enactment: Prior to 1949

Amendments: 1967, P.A. 463 - act required school accommodations for children over five and under twenty-one who have not graduated from high or vocational school or are not otherwise legally excluded, rather than for those over six and under sixteen.

P.A. 75-639 - included regional school districts, deleted reference to children "not otherwise legally excluded from school", required stenographic or taped record of hearings, required provision of transcript to aggrieved parties upon request and allowed overturn of local or regional board's findings only when determined by state board to be "arbitrary, capricious or unreasonable".

P.A. 78-218 - substituted "local" for "town", "board of education" for "school district" and "five years of age and over" for "over five".

P.A. 79-292 - transferred duties formerly performed by state board and its members to established hearing board and added Subsecs. (b) and (c) re persons excluded from hearing board and members' reimbursement and re transcript copies for interested parties in event of appeal.

P.A. 80-175 - allowed emancipated minors or pupils eighteen or older to take action allowed parents or guardians under section.

P.A. 81-215 - added exception re provisions of Sec. 10-233d to requirement that boards of education furnish transportation under Subsec. (a).

P.A. 83-119 - amended Subsec. (a) to permit board of education to suspend transportation services, see Sec. 10-233c.

P.A. 85-384 - amended Subsec. (a) to require a copy of each notice of appeal to be filed simultaneously with the local or regional board of education and the state board of education to require that within ten days after receipt of such notice, the local or regional board must forward the hearing record to the state board, to require verbatim record of all formal hearing sessions, to require hearing board to render decision within forty-five days of receipt of the notice of appeal unless extension requested and granted, and to reduce deadline for providing for child deprived of schooling from thirty to fifteen days and to increase penalty from two dollars and twenty-five cents per child per week to fifty dollars per child per day.

P.A. 86-303 - restructured Subsec. (a) and transferred the provisions of Subsec. (b) to Subdiv. (2) of Subsec. (a) and substantially revised the section to place new obligations on boards of education when school accommodations are denied, to make special provisions when a denial is based on residency, to specify the burden of proof in a hearing under the section, to describe the powers of the hearing board, to provide for the assessment of tuition, and to make other procedural and technical changes.

P.A. 88-317 - amended reference to Secs. 4-177 to 4-180 in Subsec. (b)(1) to include new sections added to Ch. 54, effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.

P.A. 92-170 - amended Subdiv. (1) of Subsec. (b) to add the exception for residency disputes.

P.A. 92-262 - amended Subsec. (c) to allow the state board to charge for the copy rather than to provide it at the board's expense.

P.A. 96-26 - added Subsec. (d) allowing denial of school accommodations for up to ninety days to a child sixteen years of age or older who voluntarily terminated enrolment and seeks readmission.

P.A. 96-161 - gives the board of education the choice of holding the hearing itself, designating a three-member subcommittee of the board or establishing a local impartial hearing board consisting of one or more members who are not members of the school board.

P.A. 96-244 amended Subsec. (a) to add provision allowing a child determined pursuant to Subdiv. (2) to be attending school in a town other than his own to remain in the school he is attending until the school year is completed.

P.A. 97-31 changed provision in Subsec. (a) re residence for dwellings located in more than one town to provide for residency for purposes of school accommodations in each such town.

P.A. 09-6 (September Special Session) added Subsec. (d)(1) that, for the 2010 school year, a school district cannot deny school accommodations for up to ninety days to a child sixteen years of age or older who voluntarily terminated enrollment in a school district and subsequently seeks readmission within ten school days after such termination; and Subsec. (d)(2) that, beginning in the 2011 school year, a school district can only deny school accommodations for up to ninety days to a child seventeen years of age or older who voluntarily terminated enrollment in a school district and does not seek readmission within ten school days after such termination.

P.A. 11-115, Sec. 1 amended existing mandate by requiring a school district to immediately enroll any student who transfers from Unified School District #1 or Unified School District #2 and, if the student is returning to the previously attended school district, the student must be enrolled in the school previously attended if it has the appropriate grade level.

Estimated Cost Characterization: minor

BOARDS OF EDUCATION

10-220 Duties Of Boards Of Education. - Requires local and regional boards of education to maintain good public elementary and secondary schools and to implement the educational interests of the state, in a manner prescribed by this section. These duties include the maintenance and operation of buildings, lands and other property used for school purposes and the determination of the number, age and qualifications of the pupils to be admitted into each school. Boards of education must also establish procedures for the employment and dismissal of the teachers, develop and implement a plan for minority staff recruitment **and maintain records of any allegations, investigations and reports that a child has been abused or neglected by a school employee**. This section also requires the local or regional board of education to prepare a statement of educational goals for the district **and to establish student objectives annually**. The boards of education must also, in a manner provided, submit to the commissioner of education a strategic school profile report for each school under its jurisdiction and for the school district as a whole, including the specific item listed under PA 98-168 in the amendments. In addition, this section requires each local and regional board of education to provide an appropriate learning environment for its students which includes (1) adequate instructional books, supplies, materials, equipment, staffing, facilities and technology, (2) equitable allocation of resources among its schools, and (3) proper maintenance of facilities and (4) a safe school setting. This section requires boards of education to adopt and implement an indoor air quality program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality and, prior to January 1, 2008 and every five years thereafter, to inspect and evaluate every school building that has been constructed, extended, renovated or replaced on or after 1/1/03 for its indoor air quality, in a manner specified by this section. It also requires each board to **triennially** report to the State Board of Education on the condition of its facilities and the action taken to implement its long-term school building program, indoor air quality program and green cleaning program.

Enactment: Prior to 1949

Amendments: 1965, P.A. 574 - act substituted Sec. 10-158a for repealed Sec. 10-158; 1969 act added requirement that boards of education "implement the educational interests of the state as defined in section 10-4a".

P.A. 78-218 - substituted "school district" for "town" throughout, specified applicability of provisions to local and regional, rather than town, boards and required attendance of children "seven years of age and over and under sixteen" rather than "between the ages of seven and sixteen".

P.A. 79-128 - added Subsec. (b) re statement of goals by local and regional boards.

P.A. 80-166 - amended Subsec. (b) to require first attestation that programs are based on state goals "on September 1, 1982" rather than "in 1981".

P.A. 84-460 - amended Subsec. (a) requiring that boards insure all buildings and all capital equipment against loss in an amount not less than eighty per cent of replacement cost.

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

P.A. 86-333 - amended Subsec. (b) to extend from July 1, 1986, to July 1, 1987, the date when boards of education are to begin reviewing and updating the statement of goals.

P.A. 90-324 - added Subsec. (c) re strategic school profile reports.

P.A. 97-290 – added section requiring boards provide appropriate learning environment for its students and requires each board to annually report to the State Board of Education on the condition of its facilities and the action taken to implement its long-term school building program.

P.A. 98-168 amended Subsec. (c) to require every school district to include measures, as defined by this section, concerning special education in the strategic school profile.

P.A. 98-243 amended Subsec. (a) to lower the age requirement for school attendance from seven to five.

P.A. 98-252 amended Subsec. (a) to add requirement for a written plan for minority staff recruitment and to make a technical change and amended Subsec. (c) to remove November date for report and in Subdiv. (2) specified technological resources and utilization of such resources and infrastructure.

June Sp. Sess. P.A. 98-1 made a technical change in Subsec. (a).

P.A. 00-157 amended Subsec. (a) to change the reference to the school attendance age from "sixteen years of age" to "eighteen years of age who is not a high school graduate".

P.A. 01-173 amended Subsec. (a) to make a technical change for the purposes of gender neutrality, effective July 1, 2001;

P.A. 03-220 amended Subsec. (a) by adding provisions re maintenance of facilities and indoor air quality and making technical changes and added Subsec. (d) re indoor air quality inspection and evaluation program, effective July 1, 2003;

P.A. 04-26 made a technical change in Subsec. (d)(5), effective April 28, 2004;

P.A. 06-158 reduces the frequency of the report on the condition of education facilities from annual to biennial;

P.A. 06-167 requires school superintendents to include information about parental involvement and what, if any, measures have been taken to improve that involvement, in a manner specified by this section;

P.A. 09-143 requires school boards to include information on truancy in the strategic school profile report that it submits to the Commissioner of Education, in a manner specified by this section.

PA 09-6, (September Special Session), Sec. 54 amended Subsec. (c) to require each local and regional board of education's annual strategic school profile report to provide information on the number of students enrolled in an adult high school credit diploma program, pursuant to section 10-69, operated by a local or regional board of education or a regional educational service center.

P.A. 11-85, Sec. 6 requires school boards to establish student objectives annually.

P.A. 11-93, Sec. 6 requires school districts to maintain records of any allegations, investigations and reports that a child has been abused or neglected by a school employee.

P.A. 11-136, Sec. 10 reduces, from biennial to triennial, the frequency for a school boards to report to the State Board of Education on the condition of its facilities and actions taken to implement its long-term school building program, indoor air quality program and green cleaning program; and Sec. 17 requires the strategic school profile report to also include information regarding actions taken to reduce truancy.

Estimated Cost Characterization: minor

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 information about teen dating violence, domestic violence, prevention of and response to youth suicide, the identification and prevention of and response to bullying and the requirements and obligations of a mandated reporter**, 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.

P.A. 11-93, Sec. 5, amends the existing mandate by requiring in-service training to include the requirements and obligations of a mandated reporter.

P.A. 11-127, Sec. 3, amends the statute without affecting the existing mandate.

P.A. 11-136, Sec. 2, amends the statute without affecting the existing mandate. P.A. 11-232, Sec. 5 added the requirement for in-service training to also include information on the prevention of and response to youth suicide and the identification and prevention of and response to bullying.

Estimated Cost Characterization: Moderate

10-220h

Transfer Of Student Records. – Stipulates that when a student changes school districts, the student's new district is required to notify his old district in writing **within two days**. The old district must send the student's records to the new district within 10 business days of receiving the notice. If the student's parents had not authorized the records transfer in writing, the old district must send them a notice of the transfer when it sends the records to the new district.

Enactment: 2000, P.A. 220

Amendments: P.A. 07-38 – added a comparable requirement for records of students transferring from Unified School District #1.

P.A. 11-115, Sec. 2 added the requirement for a student's new school district to notify the student's previous school district within two days of a student enrolling.

Estimated Cost Characterization: Minor

10-221a

High school graduation requirements. Diplomas for veterans of World War II. – Requires, **beginning with the class graduating in 2020**, 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 **2021**, the minimum number of credits is increased to 25 and end of the year examinations are required for five specific classes. **School districts must create a student success plan that includes information regarding students' student's career and academic choices.**

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.

P.A. 11-135, Sec. 1 reduces the existing mandates in Subsec. (a) and (b) to delay until the classes graduating in 2020 and 2021, requirements that students have at least 20 credits and 25 credits, respectively, of specified courses to graduate from high school and amends existing mandate in Subsec. (c) to delay, until the class graduating in 2021, certain remedial education requirements. Sec. 2 amends the existing mandate in Subsec. (j) by replacing the requirement that school districts collect information regarding students' student's career and academic choices with a requirement that districts create a student success plan that includes such information.

Estimated Cost Characterization: Minor

10-221d

Criminal History Records Checks Of School Personnel. Fingerprinting. Termination or Dismissal. - Specifies that local school boards must require all job applicants to indicate whether they have been convicted of a crime or have criminal charges pending against them. Local school boards must require all new employees **to submit to a check of the Department of Children and Families child abuse and neglect registry** and to submit to a state and national criminal history record check, including state and FBI fingerprint analysis, within 30 days of hiring. The board may charge the employee for the cost of the FBI check. If the local or regional board of education discovers from a criminal record check that a certified employee has been convicted of a crime it must notify the state board of education.

Enactment: 1993, P.A. 328

Amendments: P.A. 94-221 - amended Subsec. (a) to allow local and regional boards of education to require criminal history records checks of persons hired prior to July 1, 1994, and to allow private schools to require such checks of applicants for positions in such schools and employees of such schools.

P.A. 95-259 amended Subsec. (a) to add references to Subsec. (d) and to regional educational service centers, designated existing Subsec. (b) as Subsec. (d), inserting new Subsec. (b) re regional educational service centers and Subsec. (c) re substitute teachers and amended Subsec. (d), formerly Subsec. (b), to add provision concerning teachers of adult classes or activities.

P.A. 98-252 amended Subsec. (b) to allow the service center to provide the results to other boards of education upon the request of the person fingerprinted.

P.A. 01-173 – changed time period for criminal records check from 90 to 30 days, and added notification requirement if certified employee has a criminal record.

P.A. 11-93, Sec. 1 added the requirement to check the Department of Children and Families child abuse and neglect registry.

Estimated Cost Characterization: Minor

- 10-221r Advanced placement course program. Guidelines. Requires each board of education to provide an advanced placement course program.
- Enactment:** 2010, P.A. 10-111, Sec. 31
- Amendments:** **P.A. 11-136, Sec. 21 revised the definition of “advanced placement course”.**
- 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, **unless the school has a single grade level or is under the jurisdiction of a local or regional board of education that already has an acceptable 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.
- P.A. 11-135, Sec. 5 reduces the existing mandate in Subsec. (g) by eliminating the requirement to have a school governance council if a school has a single-grade level or is under the jurisdiction of a local or regional board of education that already has an acceptable school governance council.**
- Estimated Cost Characterization:** Minor
- 10-233d Expulsion Of Pupils. Hearing Format. Age Limitation For An Alternate Educational Opportunity; Exceptions. Notice On Cumulative Educational Record. Adoption Of Decision Of Another School District. - Requires that a local school board complete and render a decision on a pending expulsion hearing, even if the offending student withdraws from the school before such decision is rendered. It also requires that such offending student be allowed to enroll in another school district until such expulsion hearing is completed, although the new district still has the authority to suspend or conduct an expulsion hearing against that student. **A school district cannot expel a student upon the student’s return from a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.** Any expelled pupil shall be offered an alternative educational opportunity, in a manner provided, during the period of expulsion and **be allowed to participate in adult education programs without being required to withdraw from school.** Requires local boards of education to initiate expulsion proceedings, unless the pupil is a special education student, whenever there is reason to believe that a pupil was in possession of a weapon on school grounds or at a school-sponsored activity, possession of a dangerous instrument or martial arts weapon on school grounds or at a school sponsored activity, off school grounds possession of a firearm or possession and use of a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime, and on or off school grounds sales or distribution of a controlled substance. Requires that if the offending student is a special education student, he must be referred to a planning and placement team for modification

of his individualized education plan. Requires that each local board of education provide in-service training on school violence prevention and conflict resolution. Requires local police to notify a school superintendent if any seven through twenty year old residing in his district is arrested for a Class A misdemeanor or a felony.

Enactment: 1975, P.A. 609

Amendments: P.A. 78-218 - substituted "local" for "town" boards of education, deleted reference to school districts and included feminine personal pronoun in Subsec. (c).

P.A. 79-115 - inserted new Subsec. (b) re consideration of past disciplinary problems in determining length of expulsion and alternative educational opportunity to be offered and relettered former Subsecs. (b) and (c) as (c) and (d).

P.A. 79-369 - required presence of at least three members at meeting for expulsion and required majority vote, with at least three votes in favor of expulsion, for expulsion to be effected in Subsec. (a) and made technical change in Subsec. (b).

P.A. 81-215 - inserted new Subsec. (b) authorizing boards of education to establish impartial hearing boards for the purpose of conducting expulsion hearings, relettering remaining Subsecs. accordingly and amended Subsec. (e) to limit the mandatory provision of an alternative educational opportunity to pupils under eighteen years of age, but specified that age limitation shall not apply to special education pupils.

P.A. 82-118 - repealed Subsec. (d) which required notification be sent to state board of education of any student against whom disciplinary action was taken, relettering Subsec. (e) accordingly, reduced age limitation on offering of alternative educational opportunities to expelled students from eighteen to sixteen and made offering of such programs to sixteen to eighteen year olds made conditional on students' acceptance of board of education requirements in newly relettered Subsec. (d).

P.A. 83-218 - added Subsec. (e) limiting requirement that boards of education offer alternative educational opportunities to expelled students between the ages of sixteen and eighteen.

P.A. 83-587 - made technical change in Subsec. (e).

P.A. 84-546 - made technical change, substituting references to pupils for references to students in Subsecs. (d) and (e).

P.A. 86-398 - amended Subsec. (e) by restructuring it and by not requiring boards of education to offer alternative educational opportunities to students expelled for offering controlled substances for sale or distribution and by imposing certain duties on boards of education.

P.A. 88-317 - amended references to Secs. 4-177 to 4-180 in Subsecs. (a) and (b) to include new sections added to Ch. 54, effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.

P.A. 92-37 added Subsecs. (f) and (g) concerning the notice on the cumulative educational record and the adoption of the decision of another school district, respectively.

P.A. 93-35 - requires board to render expulsion decision even if student withdraws and to hold a public hearing before deciding on adopting an expulsion decision of another district and also requires that expelled students be allowed to enroll in another school pending decision.

P.A. 94-221 - Requires local boards of education to initiate expulsion proceedings, unless the pupil is a special education student, whenever there is reason to believe that a pupil was in possession of a weapon on school grounds or at a school-sponsored activity. Requires that if the offending student is a special education student, he must be referred to a planning and placement team for modification of his individualized education plan. Requires that each local board of education provide in-service training on school violence prevention and conflict resolution. Requires local police to notify a school superintendent if any seven through twenty year old residing in his district is arrested for a Class A misdemeanor or a felony.

P.A. 96-244 - added possession of a dangerous instrument or martial arts weapon on school grounds or at a school sponsored activity, off school grounds possession of a firearm or possession and use of a firearm, dangerous instrument, deadly weapon or martial arts weapon in the commission of a crime, and on or off school grounds sales or distribution of a controlled substance to group of activities requiring expulsion proceedings. This act also eliminates the requirement to expunge notice of an expulsion, and the reasons for it, from the cumulative record of a student who is not expelled or suspended again for two years after his return to school.

P.A. 98-139 amended Subdiv. (1) of Subsec. (a) to add criteria for consideration in determining whether conduct is seriously disruptive of the educational process, added new Subsec. (j) re readmission and redesignated existing Subsec. (j) as Subsec. (k), (Revisor's note: In Subsec. (a)(1)(D) the word "in" in the phrase "whether the conduct involved in the use of alcohol" was deleted editorially by the Revisors for grammatical accuracy).

P.A. 00-157 amended Subsec. (d) to specify that boards of education are only required to offer an alternative educational opportunity in accordance with this section.

P.A. 11-115, Sec. 3 restricts a school district from expelling a student upon the student's return from a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

P.A. 11-126, Sec. 1 requires that a student who has been expelled from school be allowed to participate in adult education programs without being required to withdraw from school.

Estimated Cost Characterization: Minor

10-233h

Arrested students. Reports by police, disclosure, confidentiality. Police testimony at expulsion hearings. – Requires a municipal police department, after arresting any person of age seven to twenty for a violation specified in this section to orally notify the the school district in which that person resides **and the school district in which a student attends school** of the identity of such person and the offense or offenses. The police department must also provide written notification including a description of the incident. The superintendent shall maintain the written report in a secure location and the information must be confidential and disclosed only to persons identified in this section. If the arrest occurred during the school year, the district must, by the end of the next school day, assess the danger posed by such person to himself, other students, school employees or school property and assess the need to modify such person's educational plan or placement and assess the need for disciplinary action.

Enactment: 1994, P.A. 94-221, Sec. 10

Amendments: P.A. 95-304, Sec. 7 & 9 expanded the list of violations to include Class A misdemeanors. P.A. 97-149, Sec. 1 & 2 expanded the applicability to include violations outside the school year.

P.A. 11-157, Sec. 2 added the requirement to notify the district in which a student attends school.

Estimated Cost Characterization: Minor

SUPPORT OF PUBLIC SCHOOLS. TRANSPORTATION

10-261b

Data Re Transfers Of Real Property For Preparation Of Equalized Net Grand Lists. - Requires the town clerk and assessor or board of assessors in each town to submit monthly to the secretary of OPM all requested data concerning each transfer of property in that town during the preceding month, except in the year a revaluation is implemented. Failure to do so shall result in a forfeiture of one dollar to the state for each transfer

unreported. **Towns phasing in an increase in assessed values for real property after a revaluation must also submit specified data.**

Enactment: 1977, P.A. 478

Amendments: P.A. 77-614 and P.A. 78-303 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 86-351 - substituted "secretary of the office of policy and management" for "commissioner of revenue services" as the person to receive all required data concerning each transfer of real property, effective October 1, 1986, and applicable to the October 1, 1986, assessment list in any town and each assessment list thereafter.

P.A. 87-115 - added provisions (1) that transfers of real property recorded in October, November, December and January be submitted to the office of policy and management no later than sixty days following the last day of the month in which the transfer was recorded, (2) that any municipality which neglects to transmit the data as required shall forfeit one dollar to the state for each transfer for which data is required and that the secretary of the office of policy and management may waive such forfeiture in accordance with regulations to be adopted and (3) that said secretary may extend the time for submission of the data in any year in which a revaluation as required under section 12-62 becomes effective for the assessment list, effective May 11, 1987, and applicable to transfers of real property occurring on or after October 1, 1987.

P.A. 95-283 - amended Subsec. (b) to replace board of tax review with board of assessment appeals.

P.A. 97-244 – eliminates the requirement that towns submit a report of *Property Sales – Assessment Data* (Form M-45) with respect to each property transaction occurring between October 1 and September 30 in the year a revaluation is implemented.

P.A. 11-48, Sec. Sec. 193, - amends Subsection (b) of section 10-261b to narrow a previous exemption and requires towns phasing in an increase in assessed values for real property after a revaluation to submit data.

Estimated Cost Characterization: Minor

10-262f

Definitions. – Specifies that the Minimum Expenditure Requirement's foundation level of spending per need student be \$9,687 through June 30, 2012.

Enactment: 1988, P.A. 358

Amendments: P.A. 89-124 - redefined "regional bonus" to add a provision that the regional bonus is for towns which are members of regional school districts, to provide that the bonus equals twenty-five dollars for each student enrolled in the regional school district on October first or the immediately preceding full school day rather than for each resident student and made a technical change, redefined "regular program expenditures" to substitute "capital building expenditures" for "buildings" in Subpara. (B) (iii), transferred Subpara. (C) (i) re tuition received on account of nonresident students to new Subpara (E) and renumbered the subparagraph, in new Subpara. (C) (i) excepted grants received pursuant to Sec. 10-257f and chapter 173 and added new Subpara. (D) re expenditures of funds from private and other sources, and in Subdiv. (18) added a definition of "regular program expenditures per need student" for towns which are members of certain regional school districts and for such school districts.

P.A. 89-355 - redefined "education enhancement aid" by substituting four and one-half for five per cent as the amount to be added to base aid for the fiscal year ending June 30, 1990, in Subpara. (A) and by substituting four and one-half for five per cent as the amount to be added to the previous year's education enhancement aid for the fiscal year ending June 30, 1991, and each fiscal year thereafter in Subpara. (B), redefined "minimum aid" by substituting one-half of one per cent for one per cent as the amount to be added to

base aid for the fiscal year ending June 30, 1990, in Subpara. (A) and by substituting one-half of one per cent for one per cent as the amount to be added to the previous year's minimum aid for the fiscal year ending June 30, 1991, and each fiscal year thereafter in Subpara. (B), and redefined "state guaranteed wealth level" by substituting 1.8335 for two as the number to be multiplied by the town wealth of the town with the median wealth.

P.A. 90-225 - in Subdiv. (5) redefined "education enhancement aid" to be for towns which rank seventeen to one hundred sixty-nine in wealth rather than for towns which in a certain fiscal year did not receive certain educational equalization grants and for the fiscal years after the fiscal year ending June 30, 1990, added that education enhancement aid can be the previous year's minimum aid, if applicable, and reduced the additional percentage from four and one-half to four per cent; Subdiv. (13) redefined "minimum aid" to be for towns which rank one to sixteen in wealth rather than for towns which in a certain fiscal year did not receive certain educational equalization grants and for the fiscal years after June 30, 1990, added that minimum aid means the previous year's minimum aid or education enhancement aid rather than the previous year's minimum aid plus one-half of one per cent and in Subdiv. (22) redefined "state guaranteed wealth level" to be 1.6651 times the town wealth of the town with the median wealth for the fiscal year ending June 30, 1991, and thereafter.

June Sp. Sess. P.A. 91-7 - amended Subdivs. (5) and (13) to substitute "the fiscal year ending June 30, 1992" for "each fiscal year thereafter" and amended Subdiv. (17) to remove a reference to welfare services for nonpublic school children.

P.A. 92-262 - amended Subdiv. (22) to add 1992 in Subpara. (B) and to add Subpara. (C) pertaining to fiscal year 1993 and ensuing years and added Subdivs. (28) and (29) defining "equalized mill rate" and "grand levy".

May Sp. Sess. P.A. 92-14 - amended Subdiv. (29) to add "net taxable"; in 1993 obsolete reference in Subdiv. (14) to repealed Sec. 17-107 replaced editorially with reference to Sec. 17-106.

P.A. 93-145 - amended subdiv. (7) to freeze foundation level at \$4,800 for FYs 1994 and 1995.

P.A. 93-262 - authorized substitution of commissioner and department of social services for commissioner and department of income maintenance.

P.A. 93-353 - amended Subdivs. (11) and (12) defining "mastery percentage" and "mastery test data of record" to remove a reference to Subsec. (c) of Sec. 10-14n.

P.A. 95-226 - revised the definitions of "adjusted equalized net grand list", "base aid ratio", "foundation", "grant mastery percentage", "mastery improvement bonus", "mastery percentage", "regular program expenditures", "resident students", "state guaranteed wealth level", "total need students" and "town wealth", added the definitions of "income adjustment factor", "median household income", "supplemental aid factor", "percentage of children eligible under the aid to families with dependent children program", "number of children age five to seventeen, inclusive", "supplemental aid ratio", "population", "base revenue", "density", "density aid ratio" and "mastery goal improvement count", deleted definitions, made technical changes and renumbered.

P.A. 96-161 - redefined "resident students" to change the basis for decreases and increases to correspond to the requirements of Sec. 10-16 and to rewrite the provision concerning the counting of students attending summer sessions.

P.A. 96-244 - amended Subdiv. (20) to make technical changes, deleting references to Secs. 10-257b to 10-257d, inclusive, and 10-257f, repealed elsewhere in the act, and amended Subdiv. (29) to substitute "enrolment" for "resident student counts (Revisor's note: P.A. 96-244 omitted the closing sentence of Subdiv. (20) re inclusion of Gilbert School expenses as part of public school expenses of the town of Winchester. Since the provision was not enclosed within brackets the omission has been treated as a clerical error and the provision, as enacted by section 1 of public act 95-226, preserved).

P.A. 97-290 - amended Subdiv. (22) to add provision concerning pupils participating in the program established pursuant to Sec. 10-266aa.

P.A. 97-318 - amended Subdiv. (9) to add June 30, 1998, and June 30, 1999, made a technical change in Subdiv. (13) and deleted former Subdiv. (23) defining "resident students in regular programs", renumbering the remaining Subdivs.

June 18 Sp. Sess. P.A. 97-2 - replaced references to "aid to families with dependent children" with "temporary family assistance".

P.A. 98-168 - amended the definition of "foundation" in Subpara. (E) of Subdiv. (9) to increase the amount to five thousand seven hundred seventy-five dollars.

P.A. 98-252 - made technical changes in Subdivs. (5) and (11).

P.A. 99-217 - amended Subdiv. (2) to substitute "six one-hundredths" for "zero", amended Subdiv. (9) to add provisions pertaining to the fiscal years ending June 30, 2000, and June 30, 2001, and to make technical changes, amended Subdiv. (17) to add reference to the predecessor federal program to the temporary family assistance program, and amended Subdiv. (25) to add provision in Subpara. (B)(ii) and to make the existing language in Subpara. (B)(i) apply to school years commencing prior to July 1, 1998.

P.A. 99-289 - amended Subdiv. (22) to remove an obsolete reference.

P.A. 00-187 - amended Subdiv. (19) to increase the amount from twenty-five to one hundred dollars.

P.A. 00-220 - amended Subdiv. (22) to make a technical change.

Estimated Cost Characterization: Minor

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 **each year through FY 13** than was budgeted in 2009, minus any reductions made pursuant to section 19 of public act 09-1 of the June 19 special session. **Such reductions cannot exceed 0.5% and a school district cannot reduce the budget if it is in its third year or more of being identified as in need of improvement pursuant to section 10-223e; has failed to make adequate yearly progress in mathematics or reading at the whole district level; has satisfied the requirements for adequate yearly progress by means of the allowances specified in Section 1111(b)(2)(l) of Subpart 1 of Part A of Title I of the No Child Left Behind Act; or is identified as in need of improvement and has a poverty rate exceeding 10%. A district that pays tuition to another school district rather than maintain a high school may reduce its budget by up to 0.5% if the number of resident students attending high school is lower than the previous year.**

Enactment: 1988, P.A. 88-358

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

P.A. 11-48, Sec. 190, extends the mandate through the 2012-2013 fiscal year and caps the amount of reduction to 0.5% of the budget for the previous year. It also limits such reductions to school districts satisfying certain criteria.

P.A. 11-234, Sec. 1, expands the mandate by adding the poverty rate to the criteria for preventing a town from reducing its school budget and reduces the mandate by allowing a district that pays tuition to another school district to reduce its budget if the number of resident students attending high school declines.

Estimated Cost Characterization: Minor

10-264I

Grants For The Operation Of Interdistrict Magnet School Programs. - Requires in the case of a special education student attending an interdistrict magnet school, that each local and regional board of education in which the student resides must hold a planning and placement team meeting that includes representatives from the magnet school. The resident district must pay the magnet school the difference between the reasonable cost for educating such student and the amount the magnet school gets from other federal,

state, local and private sources calculated on a per-pupil basis. **Every interdistrict magnet school, not just those operated by a regional educational service center, must annually file a financial audit with the Dept. of Education.**

Enactment: 1995, P.A. 226

Amendments: P.A. 97-290 - amended Subsec. (a) to add provision restricting the number of students that may enroll in the program from a participating district to eighty per cent of the total enrolment of the program and to make a technical change, and amended Subsec. (b) to require consideration of the percentage of the student enrolment in the program from each participating district, to add the prohibition against awarding a grant to a program if more than eighty per cent of the total enrolment is from one school district with a one-year exception for good cause, and to make technical changes.

P.A. 98-168 - amended Subsec. (a) to delete provision for program to be established with funds appropriated for purposes of Sec. 10-74d and to substitute provision for program to be established within available appropriations, and added new Subsec. (e) re retention of up to one per cent by the Department of Education.

P.A. 98-252 and 98-259 - both made cooperative arrangements eligible for grants and P.A. 98-252 also made technical changes.

P.A. 99-289 - amended Subsec. (a) to make the grants noncompetitive, amended Subsec. (c) to increase the percentage of the grant that programs operating less than full-time are eligible to receive from "fifty" to "sixty-five" per cent, and added Subsec. (f) re transportation and Subsec. (g) re determination of level of enrolment.

P.A. 00-48 – added requirements that the local or regional board of education must hold a ppt meeting for any special education student attending an interdistrict magnet school and that the resident district must pay the magnet school the difference between the reasonable cost for educating such student and the amount the magnet school gets from other federal, state, local and private sources calculated on a per-pupil basis.

P.A. 09-6 (September Special Session) added Subsec. (k), capping the amount granted for interdistrict magnet schools per out-of-district pupil at the FY 2009 level and capping tuition rates charged by such schools, resulting in a revenue loss to municipalities.

P.A. 11-179, Sec. 8 revised the payment schedule and adjustment procedure. Sec. 9 added requirement for every interdistrict magnet school, not just those operated by a regional educational service center, to annually file an financial audit with the Dept. of Education.

Estimated Cost Characterization: Moderate

Title 12: Taxation

PROPERTY TAX ASSESSMENT

12-43 Property Of Nonresidents. - Requires assessors to send declaration forms to nonresidents by mail **or electronically, if acceptable to the recipient**, and to keep a separate listing of such taxable property of nonresidents.

Enactment: Prior to 1949

Amendments: P.A. 75-454 - deleted requirement that blank forms be mailed at least fifteen days before expiration of filing time and inserted requirement that nonresidents file lists within fifteen days after receiving blank forms.

P.A. 76-322 - repealed 1975 amendments, returning statute to pre-1975 status.

P.A. 77-614 - substituted commissioner of revenue services for tax commissioner, effective January 1, 1979.

P.A. 79-610 - substituted secretary of the office of policy and management for commissioner of revenue services, effective July 1, 1980.

P.A. 82-458 - amended provisions concerning period of time personal property of nonresidents of any town must be located in such town to be subject to tax therein by deleting "more than seven months during the year" and substituting "three months or more during the assessment year immediately preceding any assessment day", effective June 8, 1982 and applicable in any town with respect to assessment years commencing October 1, 1981, and thereafter.

P.A. 99-189 - added procedure for discovery and assessment of nonresident property owner and defined nonresident.

P.A. 11-69, Sec. 2 reduced the mandate by authorizing assessors to send declaration forms to nonresidents electronically if acceptable to the recipient.

Estimated Cost Characterization: Minor

12-62

Revaluation of real estate. Regulations. Certain Indian lands exempt. - Requires all towns to conduct and implement a revaluation by physical observation of all real property no later than ten years after the last revaluation by physical observation. In addition, municipalities must perform a statistical revaluation every four years following such physical revaluation. If the assessor changes a property valuation determined by a revaluation company, the assessor must document the reason for the change and append a written explanation to the property card. Written notice of the implementation of a revaluation must be filed with OPM within five business days of the date the mill rate is set. Any municipality that can certify to the state that its property values have remained relatively stable, in a manner stipulated by this section, may be exempt from its next required revaluation. Any town which does not comply with the revaluation requirements, shall forfeit 10% of state formula grants-in-aid. The law also stipulates that if a municipality is unable to implement a required revaluation it may enter into an agreement with the Office of Policy and Management (OPM). The agreement must state certain conditions including, but not limited to, dates when specific aspects of the revaluation are to be completed, implementation of a computer system for future revaluations and quarterly updates to the secretary of OPM on the progress of the revaluation. Also, failure to meet any of the conditions may result in a loss of state formula grants-in-aid.

Enactment: Prior to 1949

Amendments: P.A. 74-253 - replaced obsolete reference to February 1, 1930, as date for commencement of ten-year revaluations with reference to October 1, 1978, and clarified that first required revaluation after that time be no later than ten years after last preceding revaluation.

P.A. 79-28 - replaced "thereafter" with "after each such revaluation" for clarity.

P.A. 79-485 - added Subsec. (b) requiring that criteria etc. used in revaluation be available for public inspection.

P.A. 89-251 - added (1) Subsec. (b) providing that a revaluation of all real estate within five years of a revaluation conducted by physical observation, may be conducted by use of a statistical method of adjustment without viewing the real estate, (2) Subsec. (d) providing that any municipality which has not revalued all real estate in the tenth year following the last preceding revaluation, or sooner, shall be required to revalue all real estate not later than October 1, 1991, (3) Subsec. (e) requiring filing of written notice of revaluation with the secretary of the office of policy and management not later than five business days following final action establishing a mill rate for the revalued grand list, and providing that any municipality failing to comply with this section shall forfeit ten per cent of total state grants-in-aid to such municipality for the fiscal year next following the assessment date on which the required revaluation was not implemented, with an additional provision allowing waiver of such forfeiture by the secretary of the office of policy and management under certain conditions and (4) Subsec. (f) providing that any

municipality which has implemented the program of property tax surcharges and credits under Sec. 12-62d shall revalue no later than five years following the last preceding revaluation and every five years thereafter, allowing revaluation by statistical adjustment in certain cases as provided in Subsec. (b) of this section.

P.A. 91-296 - provided that the revaluations required by this section would not be required until October 1, 1992, rather than October 1, 1991.

P.A. 92-197 - provided that the revaluations required by this section would not be required until October 1, 1993, rather than October 1, 1992.

P.A. 92-221 - added Subsec. (g) regarding designation of revaluation companies and amended Subsec. (c) to conform with its provisions, effective June 1, 1992, and applicable to assessment years of municipalities commencing on or after October 1, 1992.

P.A. 93-373 - amended Subsec. (b) authorizing municipalities under certain conditions to annually conduct a revaluation by use of a statistical method.

P.A. 95-283 - Changes the frequency of revaluations by physical observation, commencing with the October 1, 1996 grand list, from every ten years to every twelve years. Also adds the requirement that municipalities conduct statistical revaluations every four years following such physical revaluation.

P.A. 96-218 - Revises and accelerates the implementation of a new schedule for revaluations for property tax purposes.

P.A. 97-254 - deleted existing Subdivs. (1) and (2) of Subsec. (a) and inserted new provisions effective October 1, 1997, re valuing of all real estate in accordance with new schedule in new Subsec. (b), deleted existing Subsec. (b), amended Subsec. (f) to add requirement re when written revaluation notices must be sent out and made technical changes.

P.A. 98-242 - added new Subsec. (h) to allow one-time election by a town to revalue earlier than the date required by section.

P.A. 99-108 - designated Subsec. (i) by the Revisors, prohibited requiring a municipality to revalue prior to year of next revaluation, effective June 3, 1999, and applicable to assessment years of municipalities commencing on or after October 1, 1997.

P.A. 99-189 – added subsection concerning agreements with OPM if revaluation is not implemented when required.

P.A. 00-229 – exempts certain Mohegan and Mashantucket Pequot property from the requirement that property be revalued every four years. The exemption applies to real estate (1) designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Pequots before June 8, 1999 and (2) and taken into trust by the federal government for the Mohegans.

P.A. 02-49 – added exemption from revaluation for municipalities that can certify its property values have remained stable.

May Sp. Sess. P.A. 04-2 amended Subsec. (a) to provide for physical inspection every ten years and amended Subsec. (b) to delete former schedule for revaluation and to provide for revaluation every five years, effective October 1, 2003, and applicable to assessment years commencing on or after that date.

P.A. 06-148 allows assessors to perform inspections over time instead of all in one year, a greater ability to use in-house staff to complete inspections and implement a questionnaire process that results in a reduction in the number of parcels that are required to be physically inspected.

P.A. 07-246, Sec. 8 prohibits plans or drawings of residential dwelling units from being published or posted on the internet.

P.A. 09-196, Sec. 4 requires an assessor to document in writing any change made to the property valuation determined by a revaluation company.

Estimated Cost Characterization: Moderate

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 specified dates 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.
- (76) Machinery and equipment assessed commencing on or after October 1, 2011. - This section exempts from local property tax any machinery and equipment, including machinery and equipment used in connection with biotechnology.
- (77) Real property of regional council or agency. - This section exempts from property tax any real property belonging to, or held in trust for, a regional council of elected officials, a regional council of governments or a regional planning agency, provided that the property is used to advance the official duties of the organization and the exemption is approved by the municipality in which such property 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. 06-83 – amended Subdiv. 72 to revise the assessment years for which the exemption is applicable and added Subdiv. 76.

P.A. 07-254 – amended Subdiv. (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. 09-226 added Subdiv. 77.

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

P.A. 11-61, Sec. 3, amended Subdiv. 76 by removing limitation that exemption be for "new" or "newly acquired" equipment.

Estimated Cost Characterization: Major

LOCAL LEVY AND COLLECTION OF TAXES

12-146c Payments by residents in the armed forces called to active service for military action against Iraq. Notwithstanding the provisions of section 12-146, a municipality shall not charge or collect interest for a period of one year on any property tax or any installment or part thereof that is payable by **any resident of the state who is on active duty outside the US, associated with military action in Iraq or Afghanistan**, on the final day that payment of such property tax or installment or part thereof is due.

Enactment: 2003, P.A. 03-6 (June 30 Sp. Sess.), Sec. 42.

Amendment: P.A. 03-6 (June 30 Sp. Sess.), Sec. 42 imposed the initial mandate.

P.A. 11-62 expanded the existing mandate to include everyone on active duty outside the US if associated with action in Iraq or Afghanistan.

Estimated Cost Characterization: Minor

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

VEHICLE HIGHWAY USE

14-212a Highway construction zones, utility work zones and traffic incident management zones. Fines doubled. – **requires a municipality to post a "ROAD WORK AHEAD FINES DOUBLED" sign at the beginning of a municipal road construction zone and a "END ROAD WORK" sign at the end.** A public service company or water company must post a "UTILITY WORK AHEAD FINES DOUBLED" sign at the beginning of a utility work zone and a "END UTILITY WORK" sign at the end.

Enactment: 1995, P.A. 95-181, Sec. 1

Amendment: P.A. 98-196 created mandate for utility work zones.

P.A. 11-256 expanded existing mandate to include municipalities to post signs for municipal work zones.

Estimated Cost Characterization: Minor

Title 17a: Social And Human Services And Resources

CHILD WELFARE

17a-101b Oral report by mandated reporter. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when staff member suspected of abuse or neglect. – requires a school that has been notified that an employee has been reported for abuse or neglect to immediately notify the child's parent or other person responsible for the child's care.

Enactment: 1996, P.A. 96-246

Amendments: P.A. 97-319, Sec. 10 added provisions that do not affect the mandate. P.A. 02-138, Sec. 14 also allows a designee of the person in charge of a school to notify the child's parent or other responsible person.

P.A. 11-93, Sec. 11 added provisions that do not affect the mandate (not previously in compendium).

Estimated Cost Characterization: Minor

17a-101i Abuse Of Child By School Employee. Suspension. Notification By State's Attorney Re Conviction. Boards Of Education To Adopt Written Policy Re Reporting Of Child Abuse By School Employees. - Requires each local or regional board of education to adopt a written school policy regarding the reporting by school employees of suspected child abuse **or neglect and provide that policy to employees annually.** Also requires school superintendents, whenever an investigation produces evidence that a child has been abused **or neglected** by a certified public school employee, to suspend such employee, with pay, and notify the local board of education and the Commissioner of Education. If such employee is terminated **or resigns**, the superintendent must notify the Commissioner.

Enactment: 1996, P.A. 246

Amendments: P.A. 97-319 - amended Subsecs. (a) and (b) by adding provisions re notification by the commissioner to the superintendent or executive director of finding of abuse by employee and by adding provisions re disclosure of records.

P.A. 00-220 - amended Subsecs. (a) and (c) to expand the applicability of section to include school employees who hold permits or authorizations, made conforming and technical changes in Subsec. (a) and added reference re violation of Sec. 53-21 in Subsec. (c).

P.A. 11-93, Sec. 4 adds neglect as a cause for the suspension and reporting of a school employee; adds a requirement for the school district to notify the Dept. of Education if the employee resigns; and requires a school district to provide its written reporting policy to employees annually.

Estimated Cost Characterization: Minor

Title 22: Agriculture. Domestic Animals

DOGS AND OTHER COMPANION ANIMALS. KENNEL AND PET SHOPS

22-332 Impounding And Disposition Of Roaming, Injured Or Mistreated Dogs. - Requires the municipal animal control officer to impound animals taken into custody and to notify the owners, if known, of the impoundment, or if unknown, to place an ad describing the dog in a local newspaper **and ensure a photograph or description of an impounded dog is posted on a national pet adoption Internet web site or another site that is accessible to the public through an Internet search.** Requires the officer to have the animal destroyed if not claimed or purchased within a specified period of time. The cost of the advertisement and the fee of the veterinarian who destroys the dog is paid from the dog fund license account.

Enactment: Prior to 1949

Amendments: 1961, P.A. 517 - act substituted "prosecuting attorney for the circuit court of the circuit within which the dog is found" for "local prosecuting attorney".

1963, PAs 14, 613 - acts divided section into Subsecs., allowed immediate destruction of animal if necessary, deleted requirement that dog be kept for one hundred twenty hours, required notification of state warden if dog unclaimed after three days from published notice, revised and clarified provisions re disposition of dog if unclaimed after seven days, replaced "dog license fund" with "dog fund account", specified that hospitals, laboratories, etc. purchasing unclaimed dogs need not procure dog license and raised purchase fee for pets from four to five dollars.

1969, P.A. 81 - act replaced references to wardens with references to canine control officers as appropriate.

1971, P.A. 76 - act deleted requirement in Subsec. (b) requiring warden to notify chief canine control officer of dog's capture and dog's description.

P.A. 74-183 - replaced circuit court with court of common pleas and "circuit" with "county or judicial district" in Subsec. (a).

P.A. 76-436 - replaced court of common pleas with superior court and "prosecuting attorney" with "office of the state's attorney", effective July 1, 1978.

P.A. 78-280 - deleted reference to counties.

P.A. 80-315 - deleted provisions in Subsecs. (b) and (c) which had allowed hospitals, laboratories, etc. to purchase unclaimed dogs, but see Sec. 22-332a.

P.A. 86-45 - amended Subsec. (a) by deleting provision re reporting of violations to the state's attorney.

P.A. 91-59 replaced references to "local dog warden" with references to "municipal animal control officer".

P.A. 93-435 - made certain technical and grammatical revisions.

P.A. 96-243 - included "other animals" within the coverage of this section.
P.A. 98-12 - changed "canine control officer" to "animal control officer" in Subsec. (a).
P.A. 11-111 – Sec. 2 added the requirement to post a photo or description on an internet site.

Estimated Cost Characterization: Minor

Title 28: Civil Preparedness And Emergency Services

CIVIL PREPAREDNESS. DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY

28-5 Preparation For Civil Preparedness; Subpoenas. Training Programs. Cooperation By Other State Agencies. Orders And Regulations. Suspension Of Conflicting Provisions. - Requires municipalities to carry out the duties and functions of the plan and program for civil preparedness developed by the state office of emergency management and approved by the Governor. **Schools must have written multi-hazard disaster response plans addressing the evacuation and removal of children, notification of parents, reunification of parents with their children, and care for children with special needs**

Enactment: 1951, June Supp. 1909d

Amendments: 1972, P.A. 294 - act substituted "joint committee on legislative management" for "legislative council".
P.A. 73-544 - substituted "civil preparedness" for "civil defense" throughout.
P.A. 78-280 - substituted "for the judicial district of Hartford-New Britain" for "Hartford county" following "superior court".
P.A. 88-230 - replaced "judicial district of Hartford-New Britain" with "judicial district of Hartford", effective September 1, 1991.
P.A. 88-317 - amended reference to Secs. 4-168 to 4-173 in Subsec. (e) to include new section added to Ch. 54, effective July 1, 1989, and applicable to all agency proceedings commencing on or after that date.
P.A. 90-98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993.
May Sp. Sess. P.A. 92-12 - amended Subsec. (e) to authorize commissioner of public safety to make regulations in lieu of director.
P.A. 93-142 - changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996.
P.A. 95-220 - changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998.
P.A. 99-190 - amended Subsec. (e) by substituting "Adjutant General" for "Commissioner of Public Safety".

P.A. 11-66 – Sec. 2 (amended the existing mandate to require the Commissioner of Emergency Management and Homeland Security amend the state civil preparedness plan, including a new requirement for schools to have written multi-hazard disaster response plans addressing the evacuation and removal of children, notification of parents, reunification of parents with their children, and care for children with special needs.

Estimated Cost Characterization: Moderate

Title 29: Public Safety and State Police

BUILDING, FIRE AND DEMOLITION CODES, FIRE MARSHALS AND FIRE HAZARDS, SAFETY OF PUBLIC AND OTHER STRUCTURES

29-292 Fire Safety Code. Smoke Detection And Warning Equipment. Certificate Of Occupancy. - The state fire marshal shall adopt, promulgate and administer a fire safety code which shall provide for reasonable fire safety in all buildings except one or two family structures. No certificate of occupancy shall be issued for any building to be occupied by two or more families, or any new residential building designed to be occupied by one or more families for which a building permit is issued after 1978, unless the local fire marshal or municipal building official has certified that the building is equipped with smoke and carbon monoxide detection and warning equipment complying with the fire safety code. **The code must require carbon monoxide detectors to be installed, tested and inspected in public and nonpublic schools.**

Enactment: Prior to 1949

Amendments: 1971, P.A. 802 - act substituted "adopt, promulgate and administer" for "establish".

P.A. 73-95 - required that regulations provide reasonable safety from fire, smoke, etc. in areas adjacent to buildings as well as in buildings themselves.

P.A. 76-78 - added provisions re regulations concerning smoke detection systems in residential buildings and added Subsec. (b) requiring that buildings contain smoke detection systems before certificates of occupancy issued if building permit issued on or after October 1, 1976.

P.A. 77-334 - substituted "smoke detection and warning equipment" for "smoke detection systems" and required their installation in residential buildings to be occupied by one or more families after October 1, 1978, where previously they were required in buildings to be occupied by two or more families and required that regulations provide requirements for markings and literature which should accompany smoke detection and warning equipment.

P.A. 77-604 - made technical changes in Subsec. (b).

P.A. 80-297 - added Subsec. (c) re review of plans and specifications of structures subject to fire safety code to determine whether or not the structures comply with code requirements.

P.A. 81-381 - amended Subsec. (a) to require the installation of smoke detection and warning equipment in student dormitories at all colleges and universities not later than September 1, 1982.

P.A. 82-344 - repealed mandate for installation of smoke detection devices in student dormitories at all colleges and universities by September 1, 1982.

P.A. 82-432 - added reference to codes and standards committee in Subsec. (a); P.A. 82-472 attempted to make technical change in section 1 of vetoed public act 82-64 and therefore was without effect; Sec. 29-40 transferred to Sec. 29-292 in 1983.

P.A. 84-178 - amended Subsec. (a), adding a proviso requiring hotels, motels or inns to install or furnish visible fire alarm signals as specified.

P.A. 85-321 - amended Subsec. (a), (1) deleting language requiring provision of Level Four Protection and requiring smoke detection and warning equipment complying with the fire safety code, and (2) requiring equipment capable of operation using current and batteries in one-family or multifamily new residential buildings.

P.A. 86-327 - amended Subsec. (a) to require revision of code not later than January 1, 1987, and every four years thereafter to incorporate certain advances and improvements.

P.A. 87-186 - amended Subsec. (c), exempting municipalities from payment of fees for plan review to determine fire safety code compliance.

July Sp. Sess. P.A. 87-2 - amended Subdiv. (1) of Subsec. (a) to require smoke detection and warning equipment in all residential buildings designed to be occupied by two or more families by deleting provision which limited requirement to such buildings "for which a building permit is issued on or after October 1, 1976", amended Subdiv. (2) of Subsec. (a) to change "one or more families" to "one family" and amended Subsec. (b) to prohibit the issuance of a certificate of occupancy for any residential building designed to be occupied by two or more families, unless it is equipped with smoke detection and warning equipment by deleting provision which limited prohibition to any such building "for which a building permit is issued on or after October 1, 1976".

P.A. 88-364 made a technical change in Subsec. (a).

P.A. 97-25 - deleted former Subsec. (c) which authorized submission of plans and specifications of structures subject to State Fire Safety Code to State Fire Marshal for determination re compliance with code requirements.

P.A. 04-59 - amended Subsec. (a) to make a technical change, require that code be based on a nationally recognized model fire code and be revised not later than January 1, 2005, and thereafter as deemed necessary to incorporate subsequent revisions to the code not later than eighteen months following the date of first publication of such revisions to the code, and delete provision requiring revision by January 1, 1987, and every four years thereafter, effective May 10, 2004.

P.A. 05-161 – added requirement for installation of carbon monoxide detection and warning equipment.

P.A. 11-248 – added requirements regarding the testing and inspection of carbon monoxide detection and warning equipment installed in public or nonpublic schools and liability protections for employees.

Estimated Cost Characterization: Moderate

Title 46b: Family Law

MARRIAGE

46b-38b

Investigation Of Family Violence Crime By Peace Officer. Arrest, When. Assistance To Victim. Guidelines. Education And Training Program. - Requires a peace officer, whenever he determines upon speedy information that a family violence crime has been committed within his jurisdiction, to arrest the suspected perpetrator. Requires the peace officer to provide immediate assistance at the scene to the victim of a family violence incident **and to also provide the victim with contact information for a regional family violence organization.** Requires each law enforcement agency to develop, in conjunction with the division of criminal justice, and to implement and promulgate specific operational guidelines for arrest policies in domestic violence incidents.

Enactment: 1986, P.A. 337

Amendments: P.A. 87-554 - substituted commission on victim services for criminal injuries compensation board.

P.A. 87-567 - added "as defined in subdivision (3) of section 46b-38a" after "family violence crime" and deleted former provision of Subsec. (e) re release of person arrested in family violence case.

P.A. 87-589 - made technical change in Subsec. (d).

P.A. 95-108 - amended Subsec. (f) to rename Municipal Police Training Council as Police Officer Standards and Training Council.

P.A. 96-246 - amended Subsec. (e) by deleting references to Subsec. (e) of Sec. 17a-101 and Sec. 17a-107.

P.A. 99-186 - amended Subsec. (a) to exclude a family violence crime involving a dating relationship from provision requiring peace officer to make an arrest when a family

violence crime has been committed, to add provision authorizing a peace officer to seize any firearm in possession of any person or in plain view at the crime scene, to add provision requiring the law enforcement agency to return any such seized firearm in its original condition to the rightful owner within forty-eight hours unless the person is ineligible to possess such firearm or unless otherwise ordered by the court, and to make technical changes for purposes of gender neutrality.

P.A. 00-196 - changed reference to "Commission on" to "Office of" Victim Services in Subsec. (d).

P.A. 09-7 (September Special Session) – added that each law enforcement agency shall adopt and use protocols the Police Officer Standards and Training Council will establish for treating victims of family violence whose immigration status is questionable and designate at least one officer with supervisory duties to expeditiously process, upon request of a victim of family violence or other crime who is applying for U Nonimmigrant Status the necessary certifications and forms designated by the United States Department of Homeland Security and required by the victim.

P.A. 11-152 – Sec. 3 added requirement for a peace officer to provide a victim with contact information for a regional family violence organization.

Estimated Cost Characterization: Minor

JUVENILE MATTERS: GENERAL PROVISIONS

46b-133

Arrest Of Child. Release Or Detention Of Arrested Child. Alcohol Or Drug Testing Or Treatment As Condition Of Release. Admission Of Child To Overpopulated Juvenile Detention Center. - When a child is arrested or referred for the commission of a delinquent act, but is not placed in a detention center, the police are required to serve a written complaint and summons on that child and his parents or guardian. **Police are required to notify DCF of any suspected abuse or neglect of an arrested youth.**

Enactment: Prior to 1949

Amendments: P.A. 59-28 - substituted circuit court for city, police, borough or town court. P.A. 74-183 - replaced circuit court with court of common pleas, effective December 31, 1974.

P.A. 76-426 - authorized juvenile court, probation officer or other officer to turn child over to youth service program.

P.A. 76-436 - replaced references to court of common pleas and juvenile court with references to superior court and juvenile matters, effective July 1, 1978.

P.A. 77-452 - made technical grammatical change; Sec. 17-65 temporarily renumbered as Sec. 51-314 and ultimately transferred to Sec. 46b-133 in 1979 (see note to Sec. 17-65) and, similarly, reference to Sec. 17-63 revised to reflect its transfer.

P.A. 80-236 - authorized turning child over to juvenile detention center and similarly authorized detention supervisor to turn child over to youth service program.

P.A. 82-220 - added provision re taking photograph, physical description and fingerprints of child fourteen or older arrested and charged with a felony.

P.A. 83-504 - divided section into Subsecs. and added provision re arrest of child by an officer for the commission of a serious juvenile offense as Subsec. (e).

P.A. 84-369 - revised the procedures for the release or detention of an arrested child including deleting the provision allowing the police officer to set bond for a child arrested for a serious juvenile offense, providing that a child arrested for any offense may either be released to the custody of his parent, guardian or some other suitable person or agency or turned over to a detention center, requiring the detention release hearing to be held on the next business day for all arrested children who are detained, prohibiting detention unless certain findings are made including probable cause that the child has committed the acts alleged, prohibiting release from detention of a child who has committed a

serious juvenile offense except by order of a judge, and requiring a police officer to notify the parents or guardian of a child whom he intends to bring into detention.

P.A. 89-273 - added Subsec. (f) re the criteria for the admission of a child to a juvenile detention center when the population of the center equals or exceeds its maximum capacity.

P.A. 90-161 - inserted new Subsec. (f) permitting the court to order child to participate in drug testing and treatment as condition of release from detention, relettering former Subsec. as (g).

P.A. 95-225 - In Subsec. (a) changed from "shall" to "may be required" in reference to photographing or fingerprinting a child arrested and charged with a crime. In Subsec. (c) requires police to serve a written complaint and summons on a child and his parents or guardian When such child is arrested or referred for the commission of a delinquent act but is not placed in a detention center.

P.A. 98-256 – amended Subsec. (a) to revise provision authorizing the disclosure of the photograph of a child arrested for a capital felony or class A felony to also include the name and custody status of the child, amended Subsec. (c) to make requirement that an officer serve a written complaint and summons on a child arrested for a delinquent act and his parent, guardian or other person having control of the child inapplicable when the child is referred to a diversionary program and amended Subsec. (g) to add "an order to detain" in Subdiv. (2).

P.A. 11-180, Sec. 1 added Subdiv. 2, requiring police to notify DCF of suspected abuse or neglect of an arrested youth.

Estimated Cost Characterization: Minor

Title 54: Criminal Procedure

TRIAL AND PROCEEDINGS AFTER CONVICTION

54-102h **Procedure for collection of blood or other biological sample for DNA analysis. - Makes the law enforcement agency that arrests a person subject to the collection of a blood or other biological sample, pursuant to subsection (a) of section 54-102g, responsible for collecting the sample.**

Enactment: 1994, P.A. 94-246, Sec. 2

Amendments: P.A. 11-207, Sec. 2 imposed the mandate.

Estimated Cost Characterization: Minimal

Section A Mandate Changes that do not Affect the Compendium Description of the Mandate

7-51	P.A. 11-242, Sec. 8	9-468	P.A. 11-143, Sec. 4
7-294d	P.A. 11-251, Sec. 1	10-15	P.A. 11-85, Sec. 3, Sec. 4
8-23	P.A. 11-188, Sec. 2	10-16b	P.A. 11-136, Sec. 1
9-6	P.A. 11-173, Sec. 27	10-66ee	P.A. 11-179, Sec. 12
9-39	P.A. 11-173, Sec. 5	10-145a	P.A. 11-127, Sec. 2
9-42	P.A. 11-173, Sec. 6	10-145b	P.A. 11-93, Sec. 18, P.A. 11-127, Sec. 1
9-42a	P.A. 11-173, Sec. 7	10-145k	P.A. 11-179, Sec. 4
9-53	P.A. 11-173, Sec. 30	10-153f	P.A. 11-125, Sec. 1
9-54	P.A. 11-173, Sec. 31	10-198a	P.A. 11-136, Sec. 16
9-65	P.A. 11-173, Sec. 32	10-204a	P.A. 11-242, Sec. 13
9-135b	P.A. 11-173, Sec. 33	10-206	P.A. 11-179, Sec. 1
9-140	P.A. 11-173, Sec. 63	10-222d	P.A. 11-232, Sec. 1
9-140c	P.A. 11-173, Sec. 10	10-226h	P.A. 11-179, Sec. 3
9-150a	P.A. 11-173, Sec. 11	10-264o	P.A. 11-136, Sec. 13
9-172b	P.A. 11-173, Sec. 12	12-91	P.A. 11-233, Sec. 4
9-234	P.A. 11-173, Sec. 35	12-96	P.A. 11-198, Sec. 1
9-250	P.A. 11-173, Sec. 14	12-97	P.A. 11-198, Sec. 2
9-254	P.A. 11-173, Sec. 16	12-98	P.A. 11-198, Sec. 3
9-256	P.A. 11-173, Sec. 46	12-130	P.A. 11-185, Sec. 1
9-258	P.A. 11-173, Sec. 17	17a-101	P.A. 11-93, Sec. 3
9-369a	P.A. 11-173, Sec. 49	17a-101c	P.A. 11-93, Sec. 9
9-369c	P.A. 11-173, Sec. 50	19a-270	P.A. 11-242, Sec. 4
9-434	P.A. 11-173, Sec. 66	29-30	P.A. 11-186, Sec. 1
9-446	P.A. 11-173, Sec. 68	46b-133	P.A. 11-154, Sec. 1
9-461	P.A. 11-173, Sec. 24		

Uncodified Section A Mandates

P.A. 11-48 **An Act Implementing Provisions of the Budget Concerning General Government.** - requires an interdistrict magnet school program that is not in compliance with specific racial minority enrollment requirements due to changes in federal racial reporting requirements to submit a compliance plan to the Dept. of Education to maintain to its status as an interdistrict magnet school program and remain eligible for interdistrict magnet school funding

Enactment: 2011, P.A. 11-48, Sec. 197

Estimated Cost Characterization: Minor

P.A. 11-93 **An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.** – Sec. 12 requires a school district to provide a teacher's employment records to the Dept. of Children & Families when requested for an investigation of suspected child abuse or neglect by a teacher. Sec. 13 requires that, when a child has been abused or neglected by an employee, a school district must give priority to an investigation by the Dept. of Children and Families or local law enforcement. Sec. 15 expands the existing mandate in 17a-101d, not previously identified in the Compendium, which specifies information to be included in the report required by sections 17a-101a - 17a-101c.

Enactment: 2011, P.A. 11-93, Sec. 12 and 13

Estimated Cost Characterization: Minor

P.A. 11-157 An Act Concerning Juvenile Justice – Sec. 20 requires a school district in which a student attends school to disclose the student's records to state-operated detention facility or community detention facility if the student is confined and to notify the student's parent or guardian if the parent or guardian did not give prior written consent for the disclosure.

Enactment: 2011, P.A. 11-157, Sec. 20

Estimated Cost Characterization: Minor

P.A. 11-173 An Act Concerning Revisions to Elections Related Statutes – Sec. 26 requires that registrars ensure that each voter is offered a privacy sleeve.

Enactment: 2011, P.A. 11-173, Sec. 26

Estimated Cost Characterization: Minor

P.A. 11-173 An Act Concerning Revisions to Elections Related Statutes - Sec. 56 requires registrars of voters to send a written notice to each elector having permanent absentee ballot status in January of each year, on a form prescribed by the Secretary of the State, to determine the elector continues to reside at the same address.

Enactment: 2011, P.A. 11-173, Sec. 26

Estimated Cost Characterization: Minor

P.A. 11-194 An Act Concerning Cross-Reporting of Child Abuse and Animal Cruelty – Sec. 1 requires an animal control officer that has impounded an animal considered to have been harmed, neglected or treated cruelly to make a report to the Dept. of Agriculture, who will forward it to DCF.

Enactment: 2011, P.A. 11-194, Sec. 1

Estimated Cost Characterization: Minor

P.A. 11-232 An Act Concerning the Strengthening of School Bullying Laws – Sec. 6 requires non-teacher school employees to receive annual training from the Department of Education on the prevention, identification and response to school bullying and the prevention of and response to youth suicide. Sec. 9 requires that each school district have a district safe school climate coordinator, who will have specified duties, and each school must have a safe school climate specialist and committee, who will have specified duties.

Enactment: 2011, P.A. 11-232, Sec. 6 and 9

Estimated Cost Characterization: Minor

Codified Section B Mandates

Title 7: Municipalities

MUNICIPAL POWERS

7-148cc Joint performance of municipal functions. – Requires that, if two or more municipalities choose to jointly perform a function, they do so by entering into an interlocal agreement pursuant to Sec. 7-339a to 7-339l. **(not previously in Compendium)**

Enactment: 2001, P.A. 01-117, Sec. 1 and 2

MUNICIPAL POLICE AND FIRE PROTECTION

7-282c Filing And Dissemination Of Missing Child Reports. - Requires any municipal police department which receives a report of a missing child, **up to the age of 18**, to immediately accept such report for filing and communicate the report to other appropriate law enforcement agencies.

Enactment: 1985, P.A. 278

7-294o Development and implementation of policy re missing persons. - **Each police basic or review training program, including a municipal police department's program, must include training in the policy regarding the acceptance of missing person reports, including, but not limited to, adult missing person reports.**

Enactment: 2011, P.A. 11-102, Sec. 3

FIRE, SEWER AND OTHER DISTRICTS

7-339b Subjects Of Interlocal Agreements. - Allows any public agency to enter into interlocal agreements with any other public agency of this or any other state to exchange, furnish or provide services, personnel, facilities or equipment for a specific set of listed purposes.*

Enactment: 1961, P.A. 429

*If such agreement is established, the following sections become applicable:

7-339c Procedure For Entering Agreements.

7-339g Financing Of Activities.

MUNICIPAL EMPLOYEES

7-432 Retirement for disability. – Specifies that a person employed for at least ten years by a municipality participating in the retirement program established in this section is eligible for retirement and for a retirement allowance if permanently and totally disabled from engaging in any gainful employment for the municipality. **A position in which an employee customarily works less than twenty hours per week will not be considered "gainful employment" for this purpose.** If such disability is shown to be a result of the employment by the municipality, the employee is eligible for retirement irrespective of the duration of his employment.

Enactment: prior to 1949

Title 8: Zoning, Planning, Housing, Economic Development and Human Resources

ZONING

- 8-3b Notice To Regional Planning Agency Of Proposed Zone Or Zone Use Change. - When a zoning commission considers any regulation affecting the use of a zone within 500 feet of another municipality, written notice must be given to the regional planning agency or agencies involved, by certified mail, return receipt requested, **or by email** within thirty days of the public hearing, which shall study the proposals and report its findings and recommendations to the zoning commission.

Enactment: 1961, P.A. 546

Title 21: Licenses

PAWNBROKERS

- 21-40 Issuance Of Licenses. Fees. - Any municipality may grant a license for a person to carry on pawn broker activities, if that person files with the municipality a bond, approved by the town, in the amount of \$2,000 and pays a license fee of \$50, **although a person who is also a secondhand dealer is not required to pay these amounts. The municipality must approve or deny any application and hold any hearings within timeframes specified in this section.***

Enactment: Prior to 1949

*If such license is granted, the following sections become applicable:

21-41 Record of Pledges And Borrowers.

21-43 Weekly Reports. Penalty.

Title 29: Public Safety And State Police

DIVISION OF STATE POLICE

- 29-5 Resident State Policemen For Towns Without Police Force. - Requires a municipality with no organized police force to pay seventy percent of the cost of compensation, maintenance and other expenses of state policemen placed as resident troopers within such municipality, **plus 100% of overtime costs and the fringe costs resulting from that overtime.**

Enactment: Prior to 1949

Uncodified Section B Mandates

- P.A. 11-72 An Act Concerning Resident Participation in the Revitalization of Public Housing - requires a housing authority undertaking major physical transformation or disposition of property it owns or manages to notify residents and implement a resident participation plan providing meaningful resident participation during the planning, implementation and monitoring of the proposed work, beginning with the earliest stages of concept and design.

Enactment: 2011, P.A. 11-72

- P.A. 11-80 **An Act Concerning the Establishment of the Department of Energy and Environmental Protection and Planning for Connecticut's Energy Future** - Sec. 95 requires a water company that cuts and permanently patches a public highway in the course of repairs or installations to inspect the patch after one year and to make any necessary repairs and certify to the municipality that the patch meets generally accepted standards of repair. A municipal water company is subject to this in another town if it has underground components in another municipality. Sec. 100 establishes administrative requirements for a municipality that chooses to establish a sustainable energy program. Sec. 123 123 requires a municipality choosing to participate in the state standardized energy performance contract process to issue a request for proposals from three or more qualified energy service providers. The municipality must prepare a cost-effective feasibility analysis to guide the selection of a provider and may award the energy-savings performance contract to the qualified energy service provider that best meets its needs. The municipality must report the name of the project, the project host, the investment on the project and the expected energy savings to OPM and DEEP.
- P.A. 11-100 **An Act Concerning the Licensing and Record Keeping of Pawnbrokers, Secondhand Dealers and Precious Metals or Stones Dealers, The Retention of Certain Goods and Certain Fees Charged by Pawnbrokers.** - Any municipality may grant a license for a person to carry on secondhand dealer activities, if that person files with the municipality a bond, approved by the town, in the amount of \$10,000 and pays a license fee of \$250 and annual renewal fee of \$100. The municipality must approve or deny an application and hold any hearings within timeframes specified in this section.
- Enactment: 2011, P.A. 11-100
- P.A. 11-111 **An Act Concerning the Treatment of Ill and Injured Animals in Municipal Animal Shelters.** – Sec. 1 requires that if an employee or volunteer of a regional or municipal dog pound facility that has contracted with one or more public or private nonprofit animal rescue organizations for the payment of veterinarian costs for impounded animals notifies the animal control officer that an animal is in need of treatment, the animal control officer must contact the public or private nonprofit animal rescue organization to arrange for the treatment. It also requires each municipal and regional dog pound facility to maintain a list of any public or private nonprofit animal rescue organization that has notified the facility of the organization's interest in entering into such a contract.
- Enactment: 2011, P.A. 11-111
- P.A. 11-159 **An Act Concerning the Recommendations of the National Prison Rape Elimination Commission.** – Sec. 1 (new): requires compliance with the standards recommended by the National Prison Rape Elimination Commission for the prevention, detection and monitoring of, and response to, sexual abuse in adult prisons and jails, community correction facilities and lockups.
- Enactment: 2011, P.A. 11-159
- P.A. 11-174 **An Act Concerning the Electronic Recording of Custodial Interrogations.** – Sec.1 requires a law enforcement official to record a custodial interrogation for the interrogation to be submitted as evidence in court, with some exclusions.

Enactment: 2011, P.A. 11-174

P.A. 11-212 An Act Concerning the Municipal Option to Adopt Assessment Rates Limiting Property Tax Increases on Residential Properties. - Specifies certain procedures for the assessor of a municipality that adopts the property tax system under this section.

Enactment: 2011, P.A. 11-212

P.A. 11-252 An Act Concerning Eyewitness Identification. - Sec. 1 requires police departments to adopt specified protocols for conducting photo and live lineups for identifying suspects by Jan 1, 2012.

Enactment: 2011, P.A. 11-252

P.A. 11-255 An Act Concerning the Safety of Persons Entering or Exiting a School Bus. – Sec. 2 requires a municipality or local or regional board of education that chooses to use a live digital video school bus violation detection monitoring system to post a warning sign on all school buses having such a monitoring system and to install the system so that it will not record images of the occupants of motor vehicles. If a vendor provides the service, a report of the number of citations and funds collected must be provided to the Transportation Committee.

Enactment: 2011, P.A. 11-255

Codified Section C Mandates

Title 16: Public Service Companies

PUBLIC UTILITY ENVIRONMENTAL STANDARDS ACT

16-50r Report Of Forecast Of Loads And Resources. Investigation Of Life- Cycle Costs For Overhead And Underground Transmission Lines: Scope, Hearings, Consultants, Assessment. - Requires those engaged in electric transmission, generation or distribution, using a facility with a capacity greater than one megawatt, to file an annual report on the forecast of loads and resources, in a manner specified by this section, **and identifying any potential reliability concerns during the forecast period.**

Enactment: 1971, P.A. 575

DEPARTMENT OF PUBLIC UTILITY CONTROL: TELEGRAPH, TELEPHONE, ILLUMINATING, POWER AND WATER COMPANIES

16-245d Billing Of Electric Service; Standard Format; Contents. - Requires electric companies' bills to consumers specify the transmission cost **and meet additional requirements.**

Enactment: 1998, P.A. 28

16-262c Termination of utility service for nonpayment, when prohibited. Amortization agreements. Moneys allowed to be deducted from customers' accounts and moneys to be included in rates as an operating expense. Hardship cases. Notice. Regulations. Annual reports. Privacy of individual customer utility usage and billing information. – restricts utilities, including municipal gas or electric companies, from terminating service at certain times

when prompt reconnection might be difficult or during winter **and prevents utilities from terminating service or refusing to reinstate service in certain hardship cases.**

Title 38A: Insurance

HEALTH INSURANCE

38a-479b **Material changes to fee schedules. Return of payment by provider. Appeals. Filing of claim by provider under other applicable insurance coverage. - prohibits a health insurer from requiring providers to charge it the lowest reimbursement rate the provider accepts from any other insurer, potentially increasing insurers' costs and rates.**

Enactment: 2011, P.A. 11-132, Sec. 2

38a-516 Coverage for newborn infants in health insurance policies. Notice. Application. – Requires group health insurance policies providing coverage for a family member of the insured or subscriber to provide any health insurance benefits applicable for children from the moment of birth

Enactment: 1990, P.A. 90-243, Sec. 100

38a-516a Coverage for birth-to-three program. – Requires group health insurance policies to provide coverage for medically necessary early intervention services in accordance with this section and no payment shall be applied against any maximum lifetime or annual limits specified in the policy.

Enactment: 1996, P.A. 96-185, Sec. 7 & 16

38a-516d Coverage for neuropsychological testing for children diagnosed with cancer. Requires group health insurance policies to provide coverage without prior authorization for neuropsychological testing ordered by a licensed physician to assess the extent of any cognitive or developmental delays in such child due to chemotherapy or radiation treatment, for each child diagnosed with cancer on or after January 1, 2000.

Enactment: 2006, P.A. 06-131, Sec. 3

38a-518 Coverage for accidental ingestion or consumption of controlled drugs. Benefits prescribed. – Requires group health insurance policies to provide coverage for expenses of emergency medical care arising from accidental ingestion or consumption of a controlled drug, as specified by this section.

Enactment: 1990, P.A. 90-243, Sec. 102

38a-518a Mandatory coverage for hypodermic needles and syringes. – Requires group health insurance policies to provide coverage for hypodermic needles or syringes prescribed by a prescribing practitioner for the purpose of administering medications for medical conditions if such medications are covered under the policy.

Enactment: 1992, P.A. 92-185, Sec. 5 & 6

38a-518d Mandatory coverage for diabetes testing and treatment. – Requires group health insurance policies to provide coverage for laboratory and diagnostic tests for all types of diabetes and for medically necessary treatment and equipment for insulin-dependent diabetes, insulin-using diabetes, gestational diabetes and non-insulin-using diabetes.

Enactment: 1997, P.A. 97-268, Sec. 5

38a-518g Mandatory Coverage For Prostate Cancer Screening. – Requires coverage of laboratory and diagnostic tests to screen for prostate cancer **and coverage for medically necessary treatment of prostate cancer**, in a manner specified by this section.

Enactment: 1999, P.A. 284

38a-518i Mandatory Coverage For Pain Management. – Requires group health insurance policies to provide coverage for treatment by a pain treatment specialist **and prohibits a policy from requiring an insured to use an alternative brand name prescription drug or over-the-counter drug prior to using a brand name prescription drug prescribed for pain treatment, but a policy can require an insured to use a therapeutically equivalent generic prescription drug.**

Enactment: 2000, P.A. 216

38a-518j Mandatory Coverage For Ostomy-Related Supplies. – Requires certain group health insurance policies that are delivered, issued for delivery, renewed or continued in Connecticut beginning October 1, 2000 to cover, up to **\$2,500** annually, medically necessary ostomy-related appliances and supplies, including collection devices, irrigation equipment and supplies, and skin barriers and protectors. Policies that cover ostomy, colostomy, ileostomy, or urostomy surgery must include this benefit. The benefit requirement applies to group hospital and medical service plans offered by HMOs and health insurance policies that offer the following types of coverage: (1) basic hospital expense, (2) basic medical-surgical expense, (3) major medical expense, and (4) hospital or medical expense.

Enactment: 2000, P.A. 63

38a-518k Mandatory Coverage For Colorectal Cancer Screening. – Requires group health insurance policies to provide coverage for colorectal cancer screening, including, but not limited to, (1) an annual fecal occult blood test, and (2) colonoscopy, flexible sigmoidoscopy or radiologic imaging, in accordance with the recommendations established by the American College of Gastroenterology, after consultation with the American Cancer Society. No such policy, **except for a high deductible health policy**, shall impose a coinsurance, copayment, deductible or other out-of-pocket expense for any additional colonoscopy ordered in a policy year by a physician for an insured.

Enactment: 2001, P.A. 171

38a-520 Mandatory coverage for home health care. Deductibles. Exception from deductible limits for medical savings accounts. Archer MSAs and health savings accounts. – Requires group health insurance policies to provide coverage for home health care, as specified in this section.

Enactment: 1990, P.A. 90-243, Sec. 104

38a-523 Group hospital or medical insurance coverage for comprehensive rehabilitation services. – Requires group health insurance policies to provide coverage for comprehensive rehabilitation services as specified in this section:

Enactment: 1982, P.A. 82-20, Sec. 1 & 2

- 38a-524 Coverage for occupational therapy. Definitions. Benefits. – Requires group health insurance policies providing coverage for expenses incurred for physical therapy to also provide coverage for occupational therapy as specified in this section.
- Enactment:** 1990, P.A. 90-243, Sec. 108
- 38a-525b Mandatory coverage for mobile field hospital. – Requires group health insurance policies to provide coverage for isolation care and emergency services provided by the state's mobile field hospital, subject to any policy provisions that apply to other services covered by such policy, and rates paid by group health insurance policies shall be equal to the rates paid under the Medicaid program.
- Enactment:** 2005, P.A. 05-280, Sec. 65
- 38a-526 Mandatory coverage for services of physician assistants and certain nurses. – Requires group health insurance policies to provide coverage for the services of physician assistants, certified nurse practitioners, certified psychiatric-mental health clinical nurse specialists and certified nurse-midwives if such services are reimbursed when rendered by any other licensed health care provider.
- Enactment:** 1990, P.A. 90-243, Sec. 110
- 38a-529 Mandatory coverage for services provided by the Veterans' Home. – Prohibits group health insurance policies from excluding coverage for services provided by the Veterans' Home.
- Enactment:** 1990, P.A. 90-243, Sec. 113
- 38a-530 Mandatory Coverage For Breast Cancer Survivors. - Requires group insurance carriers to provide benefits for mammographic exams and medically necessary ultrasound **or MRI screening** for breast tumors, subject to any policy provisions applicable to other covered services, in a manner specified by this section.
- Enactment:** 1990, P.A. 243
- 38a-530b Carriers to permit direct access to obstetrician-gynecologist. – Requires group health insurance policies to permit direct access to a participating in-network obstetrician-gynecologist for any gynecological examination or care related to pregnancy and for primary and preventive obstetric and gynecologic services, as specified in this section.
- Enactment:** 1995, P.A. 95-199, Sec. 2
- 38a-530d Mandatory coverage for mastectomy care. Termination of provider contract prohibited. – Requires group health insurance policies to provide coverage for at least forty-eight hours of inpatient care following a mastectomy or lymph node dissection and for a longer period of inpatient care if such care is recommended by the patient's treating physician. No such insurance policy may require mastectomy surgery or lymph node dissection to be performed on an outpatient basis, but outpatient surgery or shorter inpatient care is allowable under this section if recommended by the patient's treating physician recommends after conferring with the patient. Group health insurance carriers cannot terminate the services of, require additional review or otherwise provide disincentives to a health care provider on the basis that the provider orders care consistent with the provisions of this section.
- Enactment:** 1997, P.A. 97-198, Sec. 2 & 5

- 38a-530e Mandatory coverage for prescription contraceptives. – Requires group health insurance policies that provide coverage for outpatient prescription drugs to include coverage for approved prescription contraceptive methods, subject to certain exclusions.
- Enactment:** 1999, P.A. 99-79, Sec. 2
- 38a-533 Mandatory coverage for the treatment of medical complications of alcoholism. – Requires group health insurance policies to provide coverage for expenses incurred in connection with specified medical complications of alcoholism pursuant to diagnosis or recommendation by a physician.
- Enactment:** 1974, P.A. 74-162, Sec. 1-6
- 38a-534 Mandatory coverage for chiropractic services. – Requires group health insurance policies to provide coverage for services rendered by a chiropractor licensed to the same extent coverage is provided for services rendered by a physician if the condition being treated is covered by the policy.
- Enactment:** 1990, P.A. 90-243, Sec. 177
- 38a-535 Mandatory coverage for preventive pediatric care and blood lead screening and risk assessment. – Requires group health insurance policies to provide benefits for preventive pediatric care, as defined by this section, for any child covered by the policy or contract at specified age intervals. Policies must also provide coverage for blood lead screening and risk assessments if ordered by a primary care provider pursuant to section 19a-111g.
- Enactment:** 1989, P.A. 89-101
- 38a-542a Cancer Clinical Trials: Coverage For Routine Patient Care Costs. - Requires group health insurance policies to provide coverage for the routine patient care costs, as defined in section 38a-542d, associated with cancer and **other disabling or life-threatening chronic disease** clinical trials.
- Enactment:** 2001, P.A. 01-171
- 38a-544 Prescription drug coverage. Mail order pharmacies. – Prohibits group health insurance policies that provide coverage for prescription drugs from requiring that prescription drugs be obtained from a mail order pharmacy.
- Enactment:** 1989, P.A. 89-374
- 38a-547 Termination of policy or contract due to insurer ceasing to offer health insurance in this state; maternity benefits to continue for six weeks following termination of the pregnancy, when. – Requires that, if a group health insurance policy that will not be continued or renewed because the insurance company will cease to offer health insurance within this state, the termination of coverage for shall be without prejudice to any claim for maternity benefits made by any employee or dependent covered under such policy or contract who is pregnant on the date of termination of such group coverage, provided that the pregnant employee or dependent provides written notice within thirty days after the termination date.
- Enactment:** 1990, P.A. 90-302

Uncodified Section C Mandates

P.A. 11-88 An Act Requiring Health Insurance Coverage for Bone Marrow Testing. - Sec. 2 requires group health insurance policies to provide coverage for human leukocyte antigen testing for bone marrow transplantation and limits coinsurance, copayment, deductible or other out-of-pocket expense for such testing to 20%, except for a high deductible health plan.

Enactment: 2011, P.A. 11-88

P.A. 11-225 An Act Concerning Insurance Coverage for the Screening and Treatment of Prostate Cancer and Prohibiting Differential Payment Rates to Health Care Providers for Colonoscopy or Endoscopic Services Based on Site of Service. - Sec. 3 requires individual and group health insurance providers to pay the same amount for the physician's professional services component of colonoscopy or endoscopic services covered under such policy, regardless of where the service is performed

Enactment: 2011, P.A. 11-225, Sec. 3

Part II – Regulatory Mandates

Section A Mandates

Title 10: Education and Culture

10-295(4-25) Children's Services. - Establishes procedures and requirements for local boards of education to receive their reimbursement for **children's** services, including reimbursements for personnel expenses and requires certain reports to be filed by both the board and teachers. When a child has to be placed in a facility outside the local board of education's control, then the local board is responsible for a minimum payment per pupil. (Board of Education and Services for the Blind)

Title 29: Public Safety and State Police

29-252 Connecticut State Building Code – 2005 Connecticut Supplement and 2011 Amendment to Adopt the 2009 International Energy Conservation Code. - Requires all municipalities, in accordance with Section 29-260 of the Connecticut General Statutes, to appoint a building official. The regulation also establishes the responsibilities of the building official in relation to this code and requires compliance with the building **and energy conservation** code. (Department of Public Safety)

Section B Mandates

Title 19a: Public Health and Well-Being

19a-497-1 Strike Contingency Plans for Health Care Facilities. – Specifies strike contingency plan requirements for health care institutions operated by a corporation or municipality. (Department of Public Health)

Title 26: Fisheries and Game

- 26-141b-(1-8) Stream Flow Standards and Regulations. – Requires owners and operators of dams, including municipal water companies, who own or operate a dam that impounds or diverts the waters of a river or stream system to comply with the requirements to maintain flows downstream as specified in the regulations, subject to certain allowances and exemptions. (Department of Energy and Environmental Protection)**