



House of Representatives

General Assembly

File No. 680

January Session, 2025

Substitute House Bill No. 6249

House of Representatives, April 14, 2025

The Committee on Environment reported through REP. PARKER of the 101st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT LIMITING APPEALS UNDER THE CONNECTICUT ENVIRONMENTAL PROTECTION ACT.

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

1 Section 1. Section 22a-19 of the general statutes is amended by adding
2 subsection (c) as follows (*Effective October 1, 2025*):

3 (NEW) (c) In any judicial review of any administrative, licensing or
4 other proceeding for a residential building permit application, at the
5 request of any party to such judicial review, not more than thirty days
6 after the filing of such a request, the court shall hold an expedited
7 hearing at which any and all parties intervening pursuant to this section
8 shall make a prima facie showing that the unreasonable pollution
9 alleged pursuant to subsection (a) of this section is reasonably likely to
10 occur. The court shall determine whether the intervenor has made a
11 prima facie showing as soon as is practicable. If the intervenor cannot
12 make a prima facie showing that the conduct that is the subject of
13 judicial review has, or is reasonably likely to have, the effect of
14 unreasonably polluting, impairing or destroying the public trust in the

15 air, water or other natural resources of the state, such matter shall be
16 subject to dismissal. For the purposes of this subsection, (1) "residential
17 building permit application" means any building permit application
18 submitted in connection with the proposed construction or renovation
19 of a structure that contains one or more dwelling units, and (2) "dwelling
20 unit" has the same meaning as provided in section 47a-1.

This act shall take effect as follows and shall amend the following sections:		
---	--	--

Section 1	October 1, 2025	22a-19(c)
-----------	-----------------	-----------

ENV *Joint Favorable Subst.*

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

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which modifies what courts should consider in any judicial review of a residential building permit application, is not anticipated to result in a cost to the state as the modifications are largely procedural.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6249*****AN ACT LIMITING APPEALS UNDER THE CONNECTICUT ENVIRONMENTAL PROTECTION ACT.*****SUMMARY**

The Connecticut Environmental Protection Act (CEPA) states that there is a public trust in the state's air, water, and other natural resources (see BACKGROUND). It allows any person, corporation, organization, or other legal entity to intervene in proceedings on, or judicial reviews of, conduct that has, or likely will, unreasonably (1) pollute or damage the state's natural resources or (2) destroy certain historic structures or landmarks (CGS §§ 22a-19 & -19a).

This bill allows parties to judicial reviews of proceedings on residential building permit applications to request an expedited hearing on the allegations of unreasonable pollution made by these intervening parties. Under the bill, if the judicial review is about a residential building permit application (to build or renovate a residential structure with at least one dwelling unit), any party to the judicial review may request an expedited hearing, which must be held within 30 days of the request.

At the hearing, all of the intervening parties must make a prima facie showing that the alleged unreasonable pollution is reasonably likely to occur. (A prima facie showing generally means the sufficient establishment of a fact or raising of a presumption, even though it may later be proven untrue.) Specifically, if an intervenor cannot make a prima facie showing that the conduct subject to the judicial review has, or likely will, unreasonably pollute, impair, or destroy the public trust, the matter is subject to dismissal. Under the bill, the court must make this determination as soon as practicable.

Under existing law, unchanged by the bill, parties seeking to intervene in these proceedings or judicial reviews must file a verified (i.e. sworn to) pleading that makes specific, factual allegations.

EFFECTIVE DATE: October 1, 2025

BACKGROUND

Connecticut Environmental Protection Act Intervenors

The state's 1971 Environmental Protection Act (otherwise known as CEPA) states that (1) there is a public trust in the state's air, water, and other natural resources; (2) each person is entitled to the protection of these resources; and (3) it is in the public interest to provide everyone with an adequate remedy to protect these resources from unreasonable pollution, impairment, or destruction (CGS § 22a-15).

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 19 Nay 14 (03/24/2025)