



House of Representatives

General Assembly

File No. 704

January Session, 2025

House Bill No. 6534

House of Representatives, April 15, 2025

The Committee on Planning and Development reported through REP. KAVROS DEGRAW of the 17th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING APPOINTMENTS TO MUNICIPAL HOUSING AUTHORITIES.

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

1 Section 1. Subsection (h) of section 8-39 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2025*):

4 (h) "Governing body" means [, for towns having a town council, the
5 council; for other towns, the selectmen; for cities, the common council
6 or other similar body of officials; and for boroughs, the warden and
7 burgesses] the legislative body of the municipality, or the board of
8 selectmen in a municipality where the legislative body is a town
9 meeting.

10 Sec. 2. Subsection (a) of section 8-41 of the general statutes is repealed
11 and the following is substituted in lieu thereof (*Effective October 1, 2025*):

12 (a) For purposes of this section, a "tenant of the authority" means a

13 tenant who lives in housing owned or managed by a housing authority
14 or who [is receiving] receives housing assistance in a housing program
15 directly administered by such authority. When the governing body of a
16 municipality [other than a town] adopts a resolution as described in
17 section 8-40, [it shall promptly notify the chief executive officer of such
18 adoption. Upon receiving such notice, the chief executive officer] such
19 governing body shall appoint five persons who are residents of such
20 municipality as commissioners of the authority. [, except that the chief
21 executive officer] The governing body may appoint two additional
22 persons who are residents of the municipality if (1) [the] such authority
23 operates more than three thousand units, or (2) upon the appointment
24 of a tenant commissioner pursuant to subsection (c) of this section, the
25 additional appointments are necessary to achieve compliance with 24
26 CFR 964.415 or section 9-167a. [If the governing body of a town adopts
27 such a resolution, such body shall appoint five persons who are
28 residents of such town as commissioners of the authority created for
29 such town, except that such body may appoint two additional persons
30 who are residents of the town if, upon the appointment of a tenant
31 commissioner pursuant to subsection (c) of this section, the additional
32 appointments are necessary to achieve compliance with 24 CFR 964.415
33 or section 9-167a.] The commissioners who are first so appointed shall
34 be designated to serve for a term of either one, two, three, four or five
35 years, except that if the authority has five members, the terms of not
36 more than one member shall expire in the same year. [Terms] The term
37 of a commissioner shall commence on the first day of the month next
38 succeeding the date of [their] the commissioner's appointment, and
39 annually thereafter a commissioner shall be appointed to serve for five
40 years, except that any vacancy [which may occur] that occurs because of
41 a change of residence by a commissioner [,] or the removal, [of a
42 commissioner,] resignation or death of a commissioner shall be filled for
43 the unexpired portion of the term. If a governing body increases the
44 membership of the authority, [on or after July 1, 1995,] such governing
45 body shall, by resolution, provide for a term of five years for each such
46 additional member. The term of the [chairman] chairperson shall be
47 three years. At least one of such commissioners of an authority having

48 five members, and at least two of such commissioners of an authority
49 having more than five members, shall be a tenant or tenants of the
50 authority selected pursuant to subsection (c) of this section. If, on or after
51 October 1, 1979, a [municipality] governing body that has adopted a
52 resolution as described in section 8-40 [, but] has no tenants serving as
53 commissioners, [the chief executive officer of a municipality other than
54 a town or] the governing body [of a town] shall appoint a tenant who
55 meets the qualifications set out in this section as a commissioner of such
56 authority when the next vacancy in the office of a commissioner occurs.
57 No commissioner of an authority [may] shall hold any public office in
58 the municipality for which the authority is created other than the office
59 of a commissioner of the authority. A commissioner shall hold office
60 until such commissioner's successor is appointed and has qualified.
61 [Not later than January 1, 2024, each commissioner who is serving on
62 said date and, thereafter, upon] Upon appointment, each newly
63 appointed commissioner who is not a reappointed commissioner, shall
64 participate in a training for housing authority commissioners provided
65 by an industry-recognized training provider. A certificate of the
66 appointment or reappointment of any commissioner shall be filed with
67 the clerk [and] after said commissioner has taken an oath in the form
68 prescribed in the first paragraph of section 1-25. Such certificate shall be
69 conclusive evidence of the legal appointment of such commissioner. [,
70 after said commissioner has taken an oath in the form prescribed in the
71 first paragraph of section 1-25.] The powers of each authority shall be
72 vested in the commissioners [thereof] of the authority. Three
73 commissioners shall constitute a quorum if the authority consists of five
74 commissioners. Four commissioners shall constitute a quorum if the
75 authority consists of six or more [than five] commissioners. Action may
76 be taken by the authority upon a vote of not less than a majority of the
77 commissioners present unless the bylaws of the authority require a
78 larger number. The [chief executive officer, or, in the case of an authority
79 for a town, the] governing body of the [town,] municipality shall
80 designate which of the commissioners shall be the first [chairman]
81 chairperson, but when the office of [chairman] chairperson of the
82 authority becomes vacant, the authority shall select a [chairman]

83 chairperson from among its commissioners. An authority shall select
84 from among its commissioners a vice [chairman, and it] chairperson.
85 The authority may employ a secretary, who shall be the executive
86 director of the authority, and technical experts and such other officers,
87 agents and employees, permanent and temporary, as [it] the authority
88 requires. [, and] The authority shall determine [their] the qualifications,
89 duties and compensation [, provided,] for such experts, officers, agents
90 and employees, except that in municipalities having a civil service law,
91 all appointments and promotions, except the employment of the
92 secretary, shall be based on examinations given and lists prepared
93 under such law, and, [except so far as may be] unless inconsistent with
94 the terms of this chapter, such [civil service] law and regulations
95 adopted thereunder shall apply to such housing authority and its
96 personnel. For such legal services as it requires, an authority may
97 employ its own legal counsel and legal staff. An authority may delegate
98 any of its powers and duties to one or more of its agents or employees.
99 A commissioner, or any employee of the authority who handles its
100 funds, shall be required to furnish an adequate bond. The
101 commissioners shall serve without compensation, but shall be entitled
102 to reimbursement for their actual and necessary expenses incurred in
103 the performance of [their] such commissioners' official duties.

104 Sec. 3. Section 8-67 of the general statutes is repealed and the
105 following is substituted in lieu thereof (*Effective October 1, 2025*):

106 Any person injured in person or property within boundaries of
107 property owned or controlled by an authority, for which injury such
108 authority is or may be liable, may bring an action within two years after
109 the cause of action therefor arose to recover damages from such
110 authority, provided written notice of the intention to commence such
111 action and of the time when and the place where the damages were
112 incurred or sustained has been filed with the [chairman] chairperson or
113 the secretary of the authority within six months after the cause of action
114 therefor arose.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2025</i>	8-39(h)
Sec. 2	<i>October 1, 2025</i>	8-41(a)
Sec. 3	<i>October 1, 2025</i>	8-67

PD *Joint Favorable*

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 makes changes to who is responsible for appointing commissioners to a housing authority's board, does not result in a fiscal impact to the state or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6534*****AN ACT CONCERNING APPOINTMENTS TO MUNICIPAL HOUSING AUTHORITIES.*****SUMMARY**

This bill changes who is responsible for appointing commissioners to a housing authority's board in municipalities that are not towns. Under current law, housing authority commissioners are appointed by (1) the town council or board of selectmen, if applicable, or (2) if the municipality is not a town, the chief executive officer (CEO).

The bill transfers appointment authority from the CEO to the local legislative body. This means that under the bill, in all municipalities, the appointing authority is the local legislative body (or the board of selectmen if the legislative body is a town meeting).

By law, the appointing authority is also responsible for appointing a tenant commissioner under certain circumstances, if one is not elected or chosen by tenants or a tenant organization (CGS § 8-41(c)). Additionally, existing law allows the appointing authority to remove a commissioner for inefficiency, neglect of duty, or misconduct in office (CGS § 8-43).

The bill also makes minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2025

BACKGROUND***Municipal Housing Authorities***

State law establishes a housing authority in every municipality. But a housing authority may only operate if the municipality's governing body declares by resolution that there is a need for the authority after

finding there (1) are unsanitary or unsafe occupied apartments or homes in the municipality or (2) is a shortage of sanitary or safe affordable rental housing available to low- or moderate-income families. A housing authority's powers are vested in locally appointed commissioners who govern the authority (CGS § 8-40).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 12 Nay 8 (03/28/2025)