



Senate

General Assembly

File No. 48

January Session, 2025

Senate Bill No. 1277

Senate, March 6, 2025

The Committee on Veterans' and Military Affairs reported through SEN. HONIG of the 8th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING AFFORDABLE HOUSING FOR CERTAIN DISABLED OR ELDERLY VETERANS.

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

1 Section 1. Subsection (l) of section 8-30g of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2025*):

4 (l) (1) Except as provided in subdivision (2) of this subsection, the
5 affordable housing appeals procedure established under this section
6 shall not be applicable to an affordable housing application filed with a
7 commission during a moratorium, which shall commence after (A) a
8 certification of affordable housing project completion issued by the
9 commissioner is published in the Connecticut Law Journal, or (B) notice
10 of a provisional approval is published pursuant to subdivision (4) of this
11 subsection. Any such moratorium shall be for a period of four years,
12 except that for any municipality that has (i) twenty thousand or more
13 dwelling units, as reported in the most recent United States decennial
14 census, and (ii) previously qualified for a moratorium in accordance

15 with this section, any subsequent moratorium shall be for a period of
16 five years. Any moratorium that is in effect on October 1, 2002, is
17 extended by one year.

18 (2) Such moratorium shall not apply to (A) affordable housing
19 applications for assisted housing in which ninety-five per cent of the
20 dwelling units are restricted to persons and families whose income is
21 less than or equal to sixty per cent of the median income, (B) other
22 affordable housing applications for assisted housing containing forty or
23 fewer dwelling units, or (C) affordable housing applications which were
24 filed with a commission pursuant to this section prior to the date upon
25 which the moratorium takes effect.

26 (3) Eligible units completed before a moratorium has begun, but that
27 were not counted toward establishing eligibility for such moratorium,
28 may be counted toward establishing eligibility for a subsequent
29 moratorium. Eligible units completed after a moratorium has begun
30 may be counted toward establishing eligibility for a subsequent
31 moratorium.

32 (4) (A) The commissioner shall issue a certificate of affordable
33 housing project completion for the purposes of this subsection upon
34 finding that there has been completed within the municipality one or
35 more affordable housing developments which create housing unit-
36 equivalent points equal to (i) the greater of two per cent of all dwelling
37 units in the municipality, as reported in the most recent United States
38 decennial census, or seventy-five housing unit-equivalent points, or (ii)
39 for any municipality that has (I) adopted an affordable housing plan in
40 accordance with section 8-30j, (II) twenty thousand or more dwelling
41 units, as reported in the most recent United States decennial census, and
42 (III) previously qualified for a moratorium in accordance with this
43 section, one and one-half per cent of all dwelling units in the
44 municipality, as reported in the most recent United States decennial
45 census.

46 (B) A municipality may apply for a certificate of affordable housing
47 project completion pursuant to this subsection by applying in writing to

48 the commissioner, and including documentation showing that the
49 municipality has accumulated the required number of points within the
50 applicable time period. Such documentation shall include the location
51 of each dwelling unit being counted, the number of points each dwelling
52 unit has been assigned, and the reason, pursuant to this subsection, for
53 assigning such points to such dwelling unit. Upon receipt of such
54 application, the commissioner shall promptly cause a notice of the filing
55 of the application to be published in the Connecticut Law Journal,
56 stating that public comment on such application shall be accepted by the
57 commissioner for a period of thirty days after the publication of such
58 notice. Not later than ninety days after the receipt of such application,
59 the commissioner shall either approve or reject such application. Such
60 approval or rejection shall be accompanied by a written statement of the
61 reasons for approval or rejection, pursuant to the provisions of this
62 subsection. If the application is approved, the commissioner shall
63 promptly cause a certificate of affordable housing project completion to
64 be published in the Connecticut Law Journal. If the commissioner fails
65 to either approve or reject the application within such ninety-day
66 period, such application shall be deemed provisionally approved, and
67 the municipality may cause notice of such provisional approval to be
68 published in a conspicuous manner in a daily newspaper having general
69 circulation in the municipality, in which case, such moratorium shall
70 take effect upon such publication. The municipality shall send a copy of
71 such notice to the commissioner. Such provisional approval shall
72 remain in effect unless the commissioner subsequently acts upon and
73 rejects the application, in which case the moratorium shall terminate
74 upon notice to the municipality by the commissioner.

75 (5) For the purposes of this subsection, "elderly units" are dwelling
76 units whose occupancy is restricted by age, "family units" are dwelling
77 units whose occupancy is not restricted by age, [and] "resident-owned
78 mobile manufactured home park" has the same meaning as provided in
79 subsection (k) of this section, "disabled veteran units" are dwelling units
80 whose occupancy is restricted to veterans who (A) have a disability
81 rating from the United States Department of Veterans Affairs of at least
82 thirty per cent, or (B) are at least sixty-five years old, and "veteran" has

83 the same meaning as provided in section 27-103.

84 (6) For the purposes of this subsection, housing unit-equivalent
85 points shall be determined by the commissioner as follows: (A) No
86 points shall be awarded for a unit unless its occupancy is restricted to
87 persons and families whose income is equal to or less than eighty per
88 cent of the median income, except that (i) unrestricted units in a set-
89 aside development shall be awarded one-quarter point each; and (ii)
90 dwelling units in middle housing developed as of right pursuant to
91 section 8-2s shall be awarded one-quarter point each. (B) Family units
92 restricted to persons and families whose income is equal to or less than
93 eighty per cent of the median income shall be awarded one point if an
94 ownership unit and one and one-half points if a rental unit. (C) Family
95 units restricted to persons and families whose income is equal to or less
96 than sixty per cent of the median income shall be awarded one and one-
97 half points if an ownership unit and two points if a rental unit. (D)
98 Family units restricted to persons and families whose income is equal to
99 or less than forty per cent of the median income shall be awarded two
100 points if an ownership unit and two and one-half points if a rental unit.
101 (E) Elderly units restricted to persons and families whose income is
102 equal to or less than eighty per cent of the median income shall be
103 awarded one-half point. (F) A set-aside development containing family
104 units which are rental units shall be awarded additional points equal to
105 twenty-two per cent of the total points awarded to such development,
106 provided the application for such development was filed with the
107 commission prior to July 6, 1995. (G) A mobile manufactured home in a
108 resident-owned mobile manufactured home park shall be awarded
109 points as follows: One and one-half points when occupied by persons
110 and families with an income equal to or less than eighty per cent of the
111 median income; two points when occupied by persons and families with
112 an income equal to or less than sixty per cent of the median income; and
113 one-fourth point for the remaining units. (H) Disabled veteran units
114 restricted to persons and families whose income is equal to or less than
115 eighty per cent of the median income shall be awarded one and one-half
116 points.

117 (7) Points shall be awarded only for dwelling units which (A) were
118 newly-constructed units in an affordable housing development, as that
119 term was defined at the time of the affordable housing application, for
120 which a certificate of occupancy was issued after July 1, 1990, (B) were
121 newly subjected after July 1, 1990, to deeds containing covenants or
122 restrictions which require that, for at least the duration required by
123 subsection (a) of this section for set-aside developments on the date
124 when such covenants or restrictions took effect, such dwelling units
125 shall be sold or rented at, or below, prices which will preserve the units
126 as affordable housing for persons or families whose income does not
127 exceed eighty per cent of the median income, or (C) are located in a
128 resident-owned mobile manufactured home park.

129 (8) Points shall be subtracted, applying the formula in subdivision (6)
130 of this subsection, for any affordable dwelling unit which, on or after
131 July 1, 1990, was affected by any action taken by a municipality which
132 caused such dwelling unit to cease being counted as an affordable
133 dwelling unit.

134 (9) A newly-constructed unit shall be counted toward a moratorium
135 when it receives a certificate of occupancy. A newly-restricted unit shall
136 be counted toward a moratorium when its deed restriction takes effect.

137 (10) The affordable housing appeals procedure shall be applicable to
138 affordable housing applications filed with a commission after a three-
139 year moratorium expires, except (A) as otherwise provided in
140 subsection (k) of this section, or (B) when sufficient unit-equivalent
141 points have been created within the municipality during one
142 moratorium to qualify for a subsequent moratorium.

143 (11) The commissioner shall, within available appropriations, adopt
144 regulations in accordance with chapter 54 to carry out the purposes of
145 this subsection. Such regulations shall specify the procedure to be
146 followed by a municipality to obtain a moratorium, and shall include
147 the manner in which a municipality is to document the units to be
148 counted toward a moratorium. A municipality may apply for a
149 moratorium in accordance with the provisions of this subsection prior

150 to, as well as after, such regulations are adopted.

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

Section 1	<i>October 1, 2025</i>	8-30g(l)
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VA *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:

Municipalities	Effect	FY 26 \$	FY 27 \$
All Municipalities	Potential Savings	See Below	See Below

Explanation

The bill awards points toward a moratorium for housing units designated for certain veterans. This results in a potential savings to municipalities beginning in FY 26 for legal costs to the extent that more municipalities are awarded a moratorium. ¹

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ Several municipalities reported spending up to \$215,000 on legal costs, appeals, and litigation related to CGS 8-30g projects within the past two years.

OLR Bill Analysis**SB 1277*****AN ACT CONCERNING AFFORDABLE HOUSING FOR CERTAIN DISABLED OR ELDERLY VETERANS.*****SUMMARY**

This bill allows municipalities to receive 1.5 housing unit equivalent (HUE) points for disabled veteran units when calculating eligibility for a moratorium on the affordable housing land use appeals procedure. To qualify for these points, the unit must be restricted to:

1. occupancy by veterans who (a) have a disability rating from the U.S. Department of Veterans Affairs (U.S. DVA) of at least 30%, or (b) are at least 65 years old, and
2. income levels of up to 80% of the median income.

By law, municipalities are subject to the affordable housing land use appeals procedure (which generally places the burden of proof on the town to defend its decisions) if a developer proposes an affordable housing development and the municipality rejects it or approves it with certain restrictions. A municipality can be temporarily exempted from this procedure if it has the required level of affordable housing, based on a HUE point system outlined in state law.

EFFECTIVE DATE: October 1, 2025

BACKGROUND***Definition of Veteran***

Under state law, a veteran is anyone who was honorably discharged, or released under honorable conditions, from active service in the United States armed forces. This also includes anyone who was released from active service with an other than honorable (OTH) discharge based

on a “qualifying condition.”

A qualifying condition is a (1) post-traumatic stress disorder or traumatic brain injury diagnosis by a licensed health care professional at a U.S. DVA facility; (2) military sexual trauma disclosed to such a health care professional; or (3) determination by the Qualifying Review Board that sexual orientation, gender identity, or gender expression was more likely than not the primary reason for the OTH discharge (CGS § 27-103).

Eligibility for a Moratorium

A municipality is eligible for a temporary suspension of the affordable housing land use appeals procedure (such as a moratorium) each time it shows it has added a certain amount of affordable housing units over the applicable period. Generally, newly built set-aside and assisted housing developments count toward the moratorium, as do units subjected to certain deed restrictions.

A moratorium typically lasts four years, except that municipalities with at least 20,000 dwelling units are eligible for moratoria lasting for five years if they are applying for a subsequent moratorium (for example, they previously qualified for a moratorium).

With one exception, a municipality is eligible for a moratorium each time it shows it has added affordable housing units, measured in HUE points, equaling the greater of 2% of the housing stock, as of the last decennial census, or 75 HUE points. Under the exception, the 2% threshold drops to 1.5% for municipalities that have at least 20,000 dwelling units, adopt an affordable housing plan, and apply for a second or subsequent moratorium.

Awarding HUE Points

By law, HUE points are awards as described in the table below.

Table: HUE Point Values

Unit Type	Base HUE Value (per Unit)
Owned or rented market-rate unit in a "set-aside development"	0.25
Owned or rented elderly unit restricted to households earning no more than 80% of the median income	0.50
Owned family unit restricted to households earning no more than	80% of median income: 1.00 60% of median income: 1.50 40% of median income: 2.00
Rented family unit restricted to households earning no more than	80% of median income: 1.50 60% of median income: 2.00 40% of median income: 2.50
Owned or rented homes in resident-owned mobile manufactured home parks occupied by households earning 80% or less of the median income	1.50
Owned or rented homes in resident-owned mobile manufactured home parks occupied by households earning 60% or less of the median income	2.00
Owned or rented homes in resident-owned mobile manufactured home parks not otherwise eligible for points	0.25
Dwelling units in "middle housing" developed as of right	0.25
Rental family units in a set-aside development, if the developer applied for local approval before July 6, 1995	Bonus equal to 22% of the total points awarded to the development

COMMITTEE ACTION

Veterans' and Military Affairs Committee

Joint Favorable

Yea 20 Nay 0 (02/18/2025)