

Judiciary Committee

JOINT FAVORABLE REPORT

Bill No.: HB-7138

AN ACT CONCERNING A PROPERTY OWNER'S LIABILITY FOR THE

Title: EXPENSES OF REMOVING A FALLEN TREE OR TREE LIMB.

Vote Date: 4/10/2025

Vote Action: Joint Favorable

PH Date: 3/10/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

CO-SPONSORS:

Rep. Gary A. Turco, 27th Dist.

REASONS FOR BILL:

Currently, if a tree falls on your property and causes damage, you are covered by insurance, and if a tree falls in your yard, you're responsible for cleaning up the debris. However, in order to alleviate liability concerns when a tree falls on a neighboring property, this bill seeks to impose liability on certain owners of real property for the expenses of removing a tree or tree limb that falls on an adjoining owner's private real property if the neighbor obtains an arborist report and informs the neighbor that their tree may fall.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

None expressed.

NATURE AND SOURCES OF OPPOSITION:

Keith Ainsworth, Environmental Attorney: They testified in opposition to this bill. As a practicing environment attorney for 35 years, he has seen people who seek to enhance their

views, or have arborists report to remove a tree that does not need to be removed. Connecticut has maintained that a falling tree is an Act of God for the last 300 years, where no one is liable. If a tree falls in your yard and causes damage, insurance will pay for clean-up; if it falls in the yard, the owner is responsible for the clean-up.

Elizabeth Gara, Executive Director, Connecticut Water Works Association (CWWA):

She testified in opposition to this bill. She explained that activities are limited on water company lands by state and federal regulations to protect the state's water resources. HB 7138 as drafted exempts land owned by water companies and other entities including land conservation organizations. The concerns she has about this bill is that it might have unintended consequences, such as causing the removal of healthy trees and additional liability and operational costs. CWWA respectfully urges the Committee to maintain the exemption in the bill to protect the integrity of source water protections and land conservation programs.

Christopher Goodwin, Board Member, CNLA: He testified in opposition to this bill. This legislation will increase neighbor disputes as well as reduce the tree canopy, especially if there is a small lot. He believes that healthy trees will be removed due to neighbor disputes and that it also conflicts with local tree removal rules.

Reported by: Bonnie Gray

Date: April 22, 2025