PA 25-33—sSB 9
Environment Committee
Judiciary Committee
Appropriations Committee
Finance, Revenue and Bonding Committee

AN ACT CONCERNING THE ENVIRONMENT, CLIMATE AND SUSTAINABLE MUNICIPAL AND STATE PLANNING, AND THE USE OF NEONICOTINOIDS AND SECOND-GENERATION ANTICOAGULANT RODENTICIDES

TABLE OF CONTENTS:

Generally expands the information that must be included in local, regional, and state plans of conservation and development to include strategies for responding to, and information related to, climate change effects (e.g., increased precipitation or extreme heat)

§ 15 — CIVIL PREPAREDNESS PLAN

Beginning October 1, 2028, requires the state's civil preparedness plan and program to consider observed and projected climate trends related to certain hazards

§ 16 — ZONING REGULATIONS

Requires that municipal zoning regulations provide that there are proper ways to mitigate and avoid the negative effects of sea level change; allows the regulations to (1) require or promote resilience and (2) include incentives for using flood-risk reduction building methods

§§ 16-18 & 33 — TRANSFER OF DEVELOPMENT RIGHTS

Allows municipal zoning regulations to provide for (1) a regional TDR system and (2) sending and receiving sites in conjunction with a multi-town or regional TDR system; allows COGs to administer joint or multi-town TDR systems; allows two or more municipalities to set up a TDR bank; sets criteria for eligible sending and receiving sites

§ 19 — STATE WATER PLAN UPDATE

Requires the state water plan's next update to (1) consider (a) the potential impact of climate change on water resource quality and (b) temperature and precipitation information when identifying water quantities and qualities for various uses and (2) include recommendations and an implementation plan for reducing effects on water from climate change and extreme weather

§ 20 — WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REGULATION AND PERMIT REVIEW

On a 10-year basis beginning by the end of 2028, requires DEEP, DPH, and PURA to review and revise their water supply regulations and DEEP and DPH to review and revise their sewage disposal systems permitting processes and related regulations, all to include certain projections

§§ 21-30 — RESILIENCY IMPROVEMENT DISTRICTS

Creates a framework authorizing municipalities to establish resiliency improvement districts to finance capital projects addressing climate change mitigation, adaptation, or resilience; allows municipalities to finance projects in these districts by designating incremental property tax revenue and specified savings generated in the district, imposing benefit assessments on real property in the district, and issuing bonds backed by these revenue streams and other sources; allows municipalities to fix property tax assessments in the district for up to 30 years

§ 31 — SECOND-GENERATION ANTICOAGULANT RODENTICIDES

Requires DEEP, by January 1, 2026, to classify second-generation anticoagulant rodenticides as restricted use pesticides

§ 32 — NEONICOTINOIDS

Generally prohibits, beginning October 1, 2027, using pesticides with neonicotinoids; exempts certain uses (e.g., for agriculture or in certain personal or pet care products)

SUMMARY: This act makes changes in laws related to planning for and preparing against certain hazards and climate change (e.g., sea level rise, rising groundwater,

extreme heat, wildfire, drought, or flooding). Among other things, the act:

1. requires certain entities to give consumers flood disclosure notices and adds flood risk information to the residential property condition report;
2. requires updates to local, regional, and state plans of conservation and development, the state's civil preparedness plan, and local evacuation or hazard mitigation plans;
3. allows municipal zoning regulations to provide for regional transfer of development rights systems;
4. requires updates to the state water plan and reviews of water supply and sewage disposal system regulations to account for certain projections; and
5. creates a framework for municipalities to establish resiliency improvement districts.

Additionally, the act (1) requires the Department of Energy and Environmental Protection (DEEP) to classify second-generation anticoagulant rodenticides as restricted use pesticides and (2) prohibits using pesticides with neonicotinoids, except for certain uses (e.g., agriculture or in personal or pet care products).

A section-by-section analysis follows below.

EFFECTIVE DATE: July 1, 2025, except as specified below.

§§ 1-4 — FLOOD DISCLOSURES

Requires insurers who issue homeowners or renters insurance policies to notify insureds about flood insurance availability; requires financial institutions to give mortgage loan applicants certain information about flood damage risk and flood insurance; adds questions and statements to the required residential property condition report about flood risk and flood insurance

Homeowners or Renters Insurance (§ 1)

The act requires insurers that deliver, issue, or renew homeowners or renters insurance policies in Connecticut to give the insured a notice that (1) the policy does not cover losses caused by flood, (2) flood insurance is available under separate policies, and (3) has information on flood insurance eligibility and access. The notice must be (1) prescribed or approved by the insurance commissioner and (2) in clear, conspicuous, and plain language.

EFFECTIVE DATE: July 1, 2026

Mortgage Loans (§ 2)

The act requires a creditor (e.g., state or federal bank, credit union, mortgage lender or correspondent lender, or other financial institution) to give a mortgage loan applicant a notice written in plain language with information about flood insurance by 10 days before the mortgage closing date.

Specifically, the notice must inform the applicant that (1) standard homeowners policies do not cover flood related losses, (2) flood damage can happen regardless of whether the property is in a designated flood zone, and (3) the applicant may want to consult an insurance producer or surplus lines broker about flood insurance availability and benefits. The applicant must sign and date the notice to

acknowledge receipt, and the creditor must keep a copy of it with the applicant's mortgage records.
EFFECTIVE DATE: July 1, 2026

Residential Property Condition Report (§§ 3 & 4)

By law, a person selling residential property must give a prospective buyer a written condition report that is set out in law. The act adds a section to the report on "flood risk awareness." Under this part of the report, the seller must answer questions on whether:

1. the property is in a Federal Emergency Management Agency (FEMA)-designated floodplain and, if so, which zone;
2. the seller (or previous owners, if the seller knows) received assistance from FEMA, the U.S. Small Business Administration, or other state or federal disaster assistance for flood damage to the property;
3. there is a current flood insurance policy in effect for the property;
4. a FEMA elevation certificate is available;
5. the seller ever filed a claim for flood damage to the property; and
6. a structure on the property has experienced water penetration or damage from seepage or a natural flood event.

The act also requires the report to have a separate statement on flood insurance, flood maps, and flood risk generally. It prescribes the text for this statement.

§§ 5 & 6 — COASTAL SITE PLAN REVIEWS

Makes all new single-family home construction subject to coastal site plan review under the Coastal Management Act; requires municipal zoning commissions and zoning boards of appeals to give DEEP a copy of each coastal site plan for any activity proposed within certain FEMA-designated areas or sites with tidal wetlands, beaches, or dunes

By law, coastal municipalities must perform coastal site plan reviews under the state's Coastal Management Act (CMA). The CMA requires these reviews for certain activities in the coastal boundary and landward of the mean high water mark to determine conformity with municipal zoning regulations and certain state statutory requirements.

The act applies coastal site plan review requirements to building all new single-family homes. Prior law allowed municipalities to exempt the construction of these homes from the review, unless the structure was (1) on an island not connected to the mainland by an existing road bridge or causeway or (2) within 100 feet of tidal wetlands, coastal bluffs and escarpments, beaches, and dunes.

The act also requires municipalities to give DEEP a copy of each coastal site plan for any activity proposed within a FEMA-designated V, VE, A, or AE area (i.e. special flood hazard areas); Limit of Moderate Wave Action (LiMWA) area (i.e. where wave heights are between 1.5 and 3 feet); or any site with tidal wetlands, beaches, or dunes. They must do this within 15 days after receiving the plan. DEEP may comment on a plan within 35 days after receiving it, and DEEP's comments must be considered before final action is taken on the plan. Prior law required this

process only for the coastal site plans of shoreline flood and erosion control structures.

By law, municipal zoning commissions must give DEEP a copy of a submitted coastal site plan and receive DEEP's comments for consideration. The act extends these requirements to zoning boards of appeals.

EFFECTIVE DATE: October 1, 2025

§ 7 — LOCAL EVACUATION AND HAZARD MITIGATION PLANS

Beginning October 1, 2027, requires municipal evacuation and hazard mitigation plans to identify and address certain threats from sea level change (e.g., to critical infrastructure) and ways to avoid or reduce climate change's effects; requires using geospatial data to identify those threats

Beginning October 1, 2027, the act requires municipal evacuation plans and municipal hazard mitigation plans to identify and address (1) threats to surface transportation, critical infrastructure, and local land uses due to sea level change and (2) actions, strategies, and capital projects to avoid or reduce impacts and risks from climate change (e.g., increased precipitation, flooding, sea level rise, and extreme heat). The transportation, infrastructure, land uses, actions, strategies, and capital projects must also be (1) identified in geospatial data using the state's plane coordinate system, as applicable, and (2) available for the Department of Emergency Services and Public Protection (DESPP), the Department of Transportation (DOT), and the Office of Policy and Management (OPM) if they ask for it. This work may be done regionally.

§ 8 — MUNICIPAL CULVERT AND BRIDGE DATA

Beginning by May 1, 2028, requires each municipality to annually submit a geospatial data file to its regional COG on its culverts and bridges; requires the COGs to annually submit the files to OPM

Beginning by May 1, 2028, the act requires each municipality to annually submit a geospatial data file on each culvert and bridge within its control and boundaries to the regional council of governments (COG) to which it belongs. The report must include each culvert's and bridge's (1) geospatial data, using the state's plane coordinate system; (2) locational coordinates; and (3) age and dimensions. It must also have any other information determined necessary by, and be in the format set by, OPM in consultation with DOT and DEEP.

The act then requires each COG, beginning by July 1, 2028, to annually (1) submit the geospatial data file to the OPM secretary and (2) report any municipality that did not submit its data file.

§ 9 — MUNICIPAL RESERVE FUNDS

Explicitly allows municipal reserve funds to cover expenditures intended to increase a capital improvement's resiliency against climate change impacts

Existing law restricts the use of municipal reserve funds to specified purposes,

including financing capital and nonrecurring expenditures to plan, construct, reconstruct, or acquire a specific capital improvement. The act explicitly allows the funds to cover these expenditures when they are intended to increase a capital improvement's resiliency against climate change impacts (e.g., increased precipitation, flooding, sea level rise, and extreme heat).

As under existing law, reserve funds may also be used to (1) acquire a specific piece of equipment; (2) pay property tax revaluation costs; and (3) pay the costs to prepare, amend, or adopt a municipal plan of conservation and development. By law, the municipality's budget-making authority must recommend, and its legislative body must approve, any expenditure from the reserve fund.

§ 10 — TOWN AID ROAD PROGRAM GRANTS

Expands the eligible uses of Town Aid Road program funds by adding construction, reconstruction, improvements, and maintenance to increase resiliency against increased precipitation, flooding, sea level rise, and extreme heat

The act expands the eligible uses of municipal Town Aid Road (TAR) program grants to include construction, reconstruction, improvements, and maintenance to increase resiliency against increased precipitation, flooding, sea level rise, and extreme heat.

By law, $12.5 million of money appropriated to DOT is allocated each fiscal year for distribution under the TAR program. Under existing law, municipalities can use TAR grants for things such as highway and bridge construction or maintenance, snow plowing and sanding, tree trimming or removal, installing traffic signs and signals, traffic control, vehicle safety programs, parking planning, and providing essential public transportation services and facilities.

§§ 11-14 — PLANS OF CONSERVATION AND DEVELOPMENT

Generally expands the information that must be included in local, regional, and state plans of conservation and development to include strategies for responding to, and information related to, climate change effects (e.g., increased precipitation or extreme heat)

Plans of conservation and development (POCDs) are statements of development, resource management, and investment policies created by certain government entities. Municipalities and COGs must update their plans at least once every 10 years, and OPM must submit an updated state plan to the legislature for its approval every five years (CGS §§ 8-23, 8-35a & 16a-24 et seq.).

The act requires each type of plan (i.e. local, regional, and state) to include strategies for responding to, and information related to, climate change effects, as described below.

EFFECTIVE DATE: July 1, 2025, except the changes to the process for submitting the local plan copy to OPM are effective January 1, 2026.

Local Plans (§§ 11 & 12)

Required Considerations. State law prescribes what local planning commissions (or a special committee a commission appoints) must consider when preparing local POCDs, including things like the municipality's needs; protecting and preserving agriculture; using development patterns that are consistent with the municipality's soil, terrain, and infrastructure capacity; the state and regional POCDs; and the most recent sea level change scenario.

For plans adopted on or after October 1, 2027, the act broadens the commissions' considerations to include the most recent hazard and climate projections from federal and state authorities, such as the National Oceanic and Atmospheric Administration, FEMA, the U.S. Environmental Protection Agency, and UConn.

Plan Purposes. State law also sets the requirements for local POCDs. The act adds to the mandated content by requiring plans adopted beginning October 1, 2027, to:

1. include a climate change vulnerability assessment (see below);
2. consider the identified threats, vulnerabilities, and impacts from the vulnerability assessment for the recommended most desirable land uses;
3. note inconsistencies with reducing vehicle mileage as a growth management principle;
4. identify infrastructure (e.g., facilities, public utilities, and roadways) critical for evacuation and sustaining quality of life during a natural disaster that must always be operational;
5. identify strategies and design standards that may be used to avoid or reduce risks from natural disasters, hazards, and climate change; and
6. include geospatial data that is (a) used to prepare the plan or (b) needed to convey the plan's information.

The act allows local POCDs to identify areas vulnerable to climate change effects to prioritize funding for infrastructure needs and resilience planning.

Under the act, the climate change vulnerability assessment must (1) be based on information considered when preparing the plan and (2) assess existing and anticipated threats and vulnerabilities from natural disasters, hazards, and climate change (e.g., increased temperatures, drought, flooding, wildfire, storms, sea level rise, and saltwater intrusion). It must also assess the impacts of the disasters and hazards to individuals, communities, institutions, businesses, economic development, public infrastructure and facilities, public health, safety, and welfare.

Additionally, the plan must:

1. identify goals, policies, and techniques to avoid or reduce the above threats, vulnerabilities, and impacts;
2. describe any consistencies and inconsistencies between the assessment and any existing or proposed municipal natural hazard mitigation plan, floodplain management plan, comprehensive emergency operations plan, emergency response plan, post-disaster recovery plan, long-range transportation plan, or capital improvement plan; and
3. identify and recommend any needed (a) integration of data from the assessment into the above plans and (b) actions to make the assessment and plans consistent.

Lastly, the act allows a planning commission or its special committee to use information and data from the assessment and plans that are compared for consistency as part of the vulnerability assessment (e.g., hazard mitigation or emergency response plans) when preparing the POCD. This explicitly includes using a document the applicable COG coordinated. However, this data cannot be incorporated by reference; it must be summarized and applied in the plan to the municipality's specific policies, goals, and standards.

Optional Commission Recommendations. The act similarly expands the topics for which commissions and special committees may make recommendations in their plans. Existing law permits recommendations for things such as airports; parks; locations for public buildings, public utilities, and public housing projects; programs to implement the plan; and priority funding areas.

The act also permits recommendations for (1) a land use program to promote reducing and avoiding risks from natural disasters, hazards, and climate change; (2) a transfer of development rights program, which sets criteria for sending and receiving sites and related technical details; and (3) identifying a resiliency improvement district, which the act authorizes municipalities to establish (see §§ 21-30 below).

Plan Submission. Under existing law, the planning commission must submit a copy of the plan to OPM, along with a description of, and reasons for, any inconsistencies between the plan and the state POCD, within 60 days after adopting it. The act requires that the (1) submission also include the geospatial data used to prepare the plan and (2) described inconsistencies include a comparison with the applicable regional POCD. Under the act, the OPM secretary prescribes the form and manner for submitting the copy.

Regional Plans (§ 13)

By law, regional POCDs must, among other things, identify areas where it is feasible and prudent to promote compact, transit-accessible, pedestrian-oriented mixed-use development patterns and land reuse. They also must note inconsistencies of those patterns with certain specified growth management principles, including protecting environmental assets that are critical to public health and safety. The act adds protecting ecosystem services to this principle.

The law allows for these POCDs to encourage energy-efficient development patterns, use of solar and other forms of renewable energy, and energy conservation. Under the act, the plans may also include land use strategies to reduce climate change effects, and the development patterns must be resilient in addition to energy efficient.

The act also requires these plans, beginning October 1, 2025, to (1) show consistency with the regional long-range transportation plan and the regional summary of the hazard mitigation plan (if there is a multijurisdictional hazard mitigation plan) and (2) identify critical facilities in the region along with geospatial data showing the facilities' location, address, and general function. This data must be available to DESPP, DOT, and OPM if they ask for it.

State Plan (§ 14)

The state POCD is a five-year plan to guide state agency action affecting land and water resources. OPM, through its secretary, prepares revisions to the plan and the law specifies numerous considerations and components the POCD must address and include (CGS § 16a-24 et seq.).

The act broadens the required considerations and recommendations related to flooding and erosion beginning with POCDs adopted after the adoption of the 2025-2030 POCD. Specifically, as shown in the table below, these later plans must also (1) consider risks from changes in the rate and timing of precipitation and increased average temperatures from extreme heat; (2) identify impacts from extreme heat and drought; and (3) make land use strategy recommendations that minimize risks to public health, infrastructure, and the environment.

Required POCD Contents Under Prior Law and the Act

Prior Law	*Future POCDs Under the Act*
Consider risks due to increased coastal flooding and erosion (depending on site topography), based on the most recent sea level change scenario for Connecticut published by UConn's Marine Sciences Division	Consider risks due to: • increased flooding and erosion (depending on site topography), based on the most recent sea level change scenario for Connecticut published by UConn's Marine Sciences Division and other sources OPM deems appropriate, and • changes in the rate and timing of annual precipitation and increased average temperatures from extreme heat
Identify impacts from the increased flooding and erosion on infrastructure and natural resources	Identify impacts from extreme heat, drought, and increased flooding and erosion on infrastructure and natural resources
Make recommendations for siting future infrastructure and property development to minimize using areas prone to the flooding and erosion	Make recommendations for: • siting future infrastructure and property development to minimize using areas prone to the flooding and erosion and • land use strategies that minimize risks to public health, infrastructure, and the environment
Consider the state's greenhouse gas (GHG) reduction goals*	Consider the state's GHG reduction goals*

*The Global Warming Solutions Act requires the state to reduce GHG emissions to certain levels, like 45% below 2001 emission levels by January 1, 2030, and 80% below 2001 emission levels by January 1, 2050. It also requires the state to reduce GHG emissions from electricity supplied to electric customers in the state to zero percent by January 1, 2040 (CGS § 22a-200a).

§ 15 — CIVIL PREPAREDNESS PLAN

Beginning October 1, 2028, requires the state's civil preparedness plan and program to consider observed and projected climate trends related to certain hazards

By law, the DESPP commissioner must prepare a comprehensive state plan and program for civil preparedness (i.e. activities and measures to address certain disasters or emergencies), subject to the governor's approval. Beginning October 1, 2028, the act requires the plan and program to consider observed and projected climate trends related to extreme weather events, drought, coastal and inland flooding, storm surge, wildfire, extreme heat, and any other hazards the commissioner deems relevant.

§ 16 — ZONING REGULATIONS

Requires that municipal zoning regulations provide that there are proper ways to mitigate and avoid the negative effects of sea level change; allows the regulations to (1) require or promote resilience and (2) include incentives for using flood-risk reduction building methods

The act requires that zoning regulations adopted under the Zoning Enabling Act (as opposed to a special act) provide that there are proper ways to mitigate and avoid the potential negative effects of sea level change on public health, public welfare, and the environment. They must consider the most recent sea level change scenario for Connecticut published by UConn's Marine Sciences Division.

The act allows zoning regulations to require or promote resilience (i.e. the ability to prepare for and adapt to changing conditions and withstand and recover rapidly from deliberate attacks, accidents, or naturally occurring threats or incidents, such as those associated with climate change), including risks from extreme heat, drought, or prolonged or intense precipitation. It also allows them to include incentives for developers who use flood-risk reduction building methods.
EFFECTIVE DATE: October 1, 2027

§§ 16-18 & 33 — TRANSFER OF DEVELOPMENT RIGHTS

Allows municipal zoning regulations to provide for (1) a regional TDR system and (2) sending and receiving sites in conjunction with a multi-town or regional TDR system; allows COGs to administer joint or multi-town TDR systems; allows two or more municipalities to set up a TDR bank; sets criteria for eligible sending and receiving sites

Municipal or Regional TDR Systems (§§ 16, 18 & 33)

A transfer of development rights (TDR) system involves separating the right to develop land from the land itself, a process that makes the development right a marketable credit. These systems usually involve designating (1) preservation areas (i.e. sending sites) where building is restricted and (2) development areas (i.e. receiving sites) where developers can exceed permitted densities if they buy development rights from owners in the preservation areas. Existing law allows (1) a single municipality to establish a TDR system through its zoning regulations and (2) two or more municipalities to enter into an agreement for a joint or multi-town TDR system.

The act authorizes municipalities to provide for (1) a regional TDR system through their zoning regulations, just as existing law allows for municipal TDR systems, and (2) sending and receiving sites in conjunction with a multi-town or regional TDR system. It also allows COGs or other agencies to administer these joint or multi-town TDR systems.

As under existing law for municipal TDR systems, the act allows regional TDR systems to vary density limits in connection with a transfer. It also eliminates the requirement that a TDR system adopted through zoning regulations require both parties (transferors and transferees) to apply jointly for the transfer.

TDR Banks (§ 18)

The act allows two or more municipalities that have entered into a TDR agreement to enter into an interlocal agreement to set up a TDR bank. These interlocal agreements must:

1. identify potential sending and receiving sites and include the local development rights legislation that was or will be adopted by the municipality or municipalities where the site is located,
2. describe procedures for terminating the TDR bank, and
3. describe the conversion ratio to be used in the receiving site.

Under the act, the conversion ratio may express the extent of additional development rights in any combination of units, floor area, height, or other applicable development standards that the municipality may modify to create incentives for purchasing development rights.

Eligible Receiving Sites. Under the act, each of these receiving sites must be:

1. eligible to connect with a public water system;
2. within one-half mile from public transportation facilities (e.g., rail and bus stations) and above the 100-year flood elevation;
3. outside the boundaries of core forest (i.e. unfragmented forest land that is at least 300 feet from the boundary between forest land and non-forest land, as determined by the DEEP commissioner); and
4. outside the boundaries of any area impacted by the state's most recent sea level change scenario.

Eligible Sending Sites. The act specifies that eligible sending sites may include:

1. core forest or agricultural land;
2. farm land classified under the "PA 490 program" (which allows eligible land to be assessed for property tax purposes based on its current use, rather than its fair market value);
3. areas identified as containing habitat for endangered or threatened species (as identified under state or federal law or a written determination by the U.S. Fish and Wildlife Service or a state and federally recognized tribe that the area is appropriate for preservation); and
4. areas within the boundaries of a floodplain or an area impacted by the state's most recent sea level change scenario.

Definitions (§ 17)

Under the act, a "receiving site" is one or more designated sites or land areas to which development rights from one or more sending sites may be transferred and where increased development is allowed to occur because of the transfer. A "sending site" is one or more designated sites or land areas in which development rights are designated for use in one or more receiving sites.

EFFECTIVE DATE: July 1, 2025, except the new receiving and sending site definitions are effective upon passage and the zoning regulations provision is effective October 1, 2027.

§ 19 — STATE WATER PLAN UPDATE

Requires the state water plan's next update to (1) consider (a) the potential impact of climate change on water resource quality and (b) temperature and precipitation information when identifying water quantities and qualities for various uses and (2) include recommendations and an implementation plan for reducing effects on water from climate change and extreme weather

The act requires the next update to the state water plan to consider (1) the potential impact of climate change on water resource quality and (2) past conditions and predictions of future temperatures and precipitation when identifying available quantities and qualities of surface water and groundwater that are for public water supply, health, economic, recreation, and environmental benefits on a regional basin scale. The next update must also have recommendations and an implementation plan to reduce effects on water quality and quantity from climate change and extreme weather events.

By law, the Water Planning Council (WPC) is responsible for preparing and periodically updating the state water plan, which is used to manage the state's water resources. The WPC is comprised of the DEEP and Department of Public Health (DPH) commissioners, the Public Utilities Regulatory Authority (PURA) chairperson, and the OPM secretary, or their designees. Adoption of the plan, and revisions to it, involve (1) an opportunity for the public to review the plan, attend a public hearing on it, and submit written comments; (2) legislative review, which may include a public hearing; and (3) approval by the governor if the legislature does not timely approve it (i.e. within 24 months after its original submission) (CGS §§ 25-33o and 22a-352).

§ 20 — WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REGULATION AND PERMIT REVIEW

On a 10-year basis beginning by the end of 2028, requires DEEP, DPH, and PURA to review and revise their water supply regulations and DEEP and DPH to review and revise their sewage disposal systems permitting processes and related regulations, all to include certain projections

The act requires DEEP, DPH, and PURA to each (1) review their respective water supply regulations and (2) revise them to include the most concurrent projections on precipitation, temperature, or other conditions that could impact water quality, quantity, and distribution.

It also requires DEEP and DPH to each review and revise their sewage disposal

systems permitting processes and related regulations to include the most concurrent projections on precipitation, flooding, sea level rise, or other conditions that could impact public safety and environmental quality.

Both efforts must be done every 10 years, beginning by December 31, 2028.

§§ 21-30 — RESILIENCY IMPROVEMENT DISTRICTS

Creates a framework authorizing municipalities to establish resiliency improvement districts to finance capital projects addressing climate change mitigation, adaptation, or resilience; allows municipalities to finance projects in these districts by designating incremental property tax revenue and specified savings generated in the district, imposing benefit assessments on real property in the district, and issuing bonds backed by these revenue streams and other sources; allows municipalities to fix property tax assessments in the district for up to 30 years

Overview

The act allows municipalities, through their legislative bodies, to establish a resiliency improvement district to finance capital projects meant to address climate change mitigation, adaptation, or resilience. It allows a municipality to finance projects in the district by (1) designating all or part of the new or incremental real property tax revenue and specified savings generated in the district for repaying the costs incurred to fund the projects; (2) imposing assessments on real property in the district benefiting from certain public improvements (i.e. benefit assessments); and (3) issuing bonds with up to 30-year terms backed by various sources, including these revenue streams, to pay project costs.

The act imposes certain criteria for designating a resiliency improvement district that generally parallel those in existing law for designating a tax increment financing district. It specifies a process for establishing a resiliency improvement district that, among other things, requires a municipality to (1) consider the proposed district's contribution to the municipality and its residents, (2) determine whether it conforms with its plan of conservation and development, and (3) hold at least one public hearing on the proposal.

It requires a municipality's legislative body to adopt a master plan for the resiliency improvement district and prescribes the plan's components, including a financial plan that defines the costs and revenue sources required to accomplish the master plan. It also allows municipalities to fix property tax assessments in the district for up to 30 years.

To carry out a district master plan, the act allows municipalities to issue bonds with up to 30-year terms backed by various sources, including (1) their full faith and credit (i.e. general obligation (GO) bonds); (2) the income, proceeds, revenues, and property within the district; and (3) tax increment revenues, increased savings, and benefit assessments.

Establishing the District (§ 22(a), (d) & (e))

The act allows a municipality's legislative body to establish a resiliency improvement district within the municipality's boundaries subject to the act's

requirements. (Under the act, a "municipality" is a town, city, borough, consolidated town and city, or consolidated town and borough.) The district is effective when the legislative body approves it and adopts a district master plan, as described below. If the municipality operates under a charter that prohibits these districts, the act prohibits it from establishing one.

The act also allows two or more contiguous municipalities to enter into an interlocal agreement to set up a district and adopt a district master plan for a district made up of contiguous properties partially located in each. They must adopt the agreement before they set up the district or plan according to the interlocal agreement law. The agreement must divide among the participating municipalities any power, right, duty, or obligation set out in the act. As with other districts, joint districts are effective when the respective legislative bodies approve it and adopt a district master plan.

Advisory Board (§ 29)

The act allows the legislative body of each applicable municipality to create a board to advise it and designated administrative entities on (1) planning, building, and implementing the district master plan and (2) maintaining and operating the district after the plan's completion. The advisory board's members must include people who own or occupy real property in or next to the district.

Conditions for Approval (§ 23)

The act requires municipalities (through their legislative bodies, or board of selectmen if the legislative body is a town meeting) to take certain steps before establishing a district and approving a district master plan.

Planning Commission. The municipality must give the proposed district master plan to its planning commission, if it has one, and ask it to study the plan and issue a written advisory opinion, with a determination as to whether it is consistent with the municipality's POCD.

Public Hearing. The municipality must hold at least one public hearing on the proposed district and master plan. It must publish notice about the hearing at least 10 days in advance in a conspicuous place on the municipality's website (or municipalities' websites, in the case of a joint district) and show the date and time it was posted. The notice must include (1) the hearing's date, time, and place; (2) a legal description of the proposed district's boundaries; and (3) the draft district master plan. The draft plan must also be (1) available for people to physically review it and (2) posted on each applicable municipality's website.

Approval Criteria. The municipality must determine whether the proposed district meets certain criteria. First, it must consider if it and its master plan will contribute to the municipality's well-being or improve its residents' health, welfare, or safety.

In addition, it must determine whether the proposed district meets the following conditions:

1. it must contain an area that experiences, or is likely to experience, adverse

impacts from hazards or climate change (e.g., sea level rise, rising groundwater, extreme heat, wildfire, drought, or flooding);
2. it must have been identified in (a) a municipal hazard mitigation plan, (b) a local or regional POCD, or (c) another related planning process;
3. the plan must show that it reduces risks from these identified adverse impacts in the district;
4. a portion of its real property must be suitable for commercial, industrial, mixed-use, or retail uses or transit-oriented development; and
5. it must not increase (a) the vulnerability and risk to adjacent properties or (b) other hazards in the district.

If there are existing residential uses in the district, the proposed district must also provide for replacing or renovating these residential buildings under certain conditions. Specifically, if the district is in a flood zone or within the sea level rise boundaries in the sea level change scenario for Connecticut published by UConn's Marine Sciences Division, it must:

1. (a) include a height standard of at least two feet of freeboard above the base flood elevation, or as designated by the state building code or municipal building requirements, whichever has a greater height standard, and (b) indicate whether construction of or renovation to commercial or industrial buildings must be flood-proofed or elevated; and
2. allow vehicles to access these buildings at a height of two feet above base flood elevation.

Lastly, the proposed district's original assessed value (i.e. the value of all taxable real property in the district as of the prior October 1), plus the original assessed value of all of the existing tax increment districts in the relevant municipalities, cannot exceed 10% of the total value of taxable property in the municipalities as of the October 1 immediately before the district's establishment. This calculation does not include any districts consisting entirely of contiguous property owned by a single taxpayer (i.e. parcels divided by a road, power line, railroad line, or right-of-way).

Dissolving the District or Changing Its Boundaries (§ 22(c))

Under the act, a municipality's legislative body may generally vote to dissolve a district or change its boundaries at any time. But it may not dissolve the district or decrease its boundaries if the district has any outstanding bonds, other than municipal GO bonds.

District Powers (§ 22(b) & (f))

Development. The act authorizes a municipality, within a district and consistent with its district master plan, to:

1. acquire, construct, reconstruct, improve, preserve, alter, extend, operate, and maintain property or promote development to meet the plan's objectives (in doing so, it may acquire property, land, and easements through negotiation or by other legal means);

2. execute and deliver contracts, agreements, and other documents related to the district's operation and maintenance;
3. issue bonds and other obligations as the act allows;
4. enter into fixed assessment agreements for real property in the district, subject to the restrictions described below;
5. accept grants, advances, loans, or other financial assistance from public or private sources and do anything necessary or desirable to secure the aid (the act specifies that this funding includes funds from the Climate Change and Coastal Resiliency Reserve Fund, the Connecticut Green Bank, stormwater authorities, and flood prevention, climate resilience, and erosion control systems); and
6. according to terms it establishes, (a) provide services, facilities, or property; (b) lend, grant, or contribute funds; and (c) take any other action it is authorized to perform for other municipal purposes.

These powers are in addition to those the municipality has under the Constitution, the statutes, special acts, or the act's other provisions.

Fixing Assessments. The act allows a municipality, through its board of selectmen, town council, or other governing body, to enter into written agreements with a taxpayer to fix the assessment of real property in the district for up to 30 years. The property's fixed assessment, plus the value of any future improvements, cannot be less than its assessment as of the last regular assessment date without the future improvements.

Fixed assessment agreements must be recorded on the municipality's land records. This recording (1) constitutes notice to the property's subsequent purchasers or encumbrancers, whether they acquire the property voluntarily or involuntarily, and (2) is binding.

A municipality may bring an action in the Superior Court for the judicial district in which it is located to force compliance with the agreement's terms.

Tax Abatements for Affordable Housing. The act specifies that it does not limit a municipality's authority under the law to offer, enter into, or change any tax abatement for real property in the district if that property has at least one affordable housing unit. (By law, a unit is affordable if it costs a household no more than 30% of its income, for households making up to the median income of the town where the unit is located.)

District Master Plan (§ 24)

Requirement. The act requires a municipality's legislative body to adopt a (1) "district master plan" for the district and (2) statement of the percentage or amount of "increased assessed value" that will be designated as "captured assessed value" under the plan, as described below. It must adopt the plan (1) at the same time it adopts the district, subject to the act's procedures, and (2) after receiving the planning commission's (or combined planning and zoning commission's) written advisory opinion or 90 days after it requested the opinion, whichever comes first.

Purpose. Under the act, the "district master plan" is a statement of means and objectives prepared by the municipality, or municipalities acting under an interlocal

agreement, relating to a district designed to do the following:

1. reduce the risk of, or exposure to, extreme events, hazards, and climate change effects;
2. support economic development;
3. provide housing opportunities in existing residential areas;
4. improve or broaden the tax base; and
5. build or improve the physical facilities and structures needed for "resilience projects," "environmental infrastructure," or "clean energy projects."

Under the act, "resilience projects" are those (including capital projects) designed and implemented to address climate change mitigation, adaptation, or resilience. They include projects (1) mitigating the effects of river, bay, sea, or groundwater rise; extreme heat or the urban heat island effect; or drought and (2) meant to reduce flooding risk. (By law, "resilience" is the ability to prepare for and adapt to changing conditions and withstand and recover rapidly from deliberate attacks, accidents, or naturally occurring threats or incidents, such as those associated with climate change.)

"Environmental infrastructure" is structures, facilities, systems, services, and improvement projects related to water, waste and recycling, climate adaptation and resiliency, agriculture, land conservation, parks and recreation, and environmental markets such as carbon offsets and ecosystem services. "Clean energy projects" are renewable energy projects using Class I renewable sources (e.g., wind and solar).

Components. The district master plan must include:

1. a legal description of the district's boundaries;
2. the tax identification numbers for its lots or parcels;
3. the present condition and uses of its land and buildings and how building or improving physical facilities or structures will reduce or eliminate risk from existing or expected hazards;
4. the district's existing or expected hazards;
5. the public facilities, improvements, or programs anticipated to be financed in whole or part;
6. if the district has existing residential housing, a plan to rehabilitate, build, or replace the housing, subject to the state's POCD and consolidated plan for housing and community development, that includes meaningful efforts to reduce displacement;
7. a plan for maintaining and operating the resiliency improvements after they are completed;
8. the district's maximum duration, which cannot exceed 50 fiscal years, beginning with the year in which the district is established; and
9. a financial plan, as described below.

Financial Plan Component. The act requires the district master plan to include a financial plan that identifies the project costs and revenue sources required to accomplish the district master plan. The financial plan must contain:

1. cost estimates (a) for the anticipated public improvements and developments and (b) to support relocating or temporarily housing displaced residents;
2. the maximum amount of indebtedness to be incurred to implement the plan;

3. the anticipated revenue sources (e.g., increased savings, fees, assessments, grants, or other sources);
4. a description of the terms and conditions of any agreements, including any anticipated savings agreements, assessment agreements, contracts, or other obligations related to the master plan;
5. estimates of the district's increased assessed values and increased savings; and
6. for each year, the (a) portion of the increased assessed values and savings that will be applied to the plan as captured assessed values and (b) resulting tax increments.

Amending and Reviewing the Master Plan. The act (1) authorizes the legislative body of each applicable municipality to amend the master plan and (2) requires it to review the plan at least once every 10 years after its initial approval in order for the district and plan to remain in effect. (However, as long as any debt authorized and issued by the municipality under the act's authority is outstanding, a district cannot be dissolved for failing to comply with this requirement.) The act specifies that these provisions do not apply to plans with development funded in whole or part by federal funds if federal law prohibits it.

Tax Increment Revenues (§ 25)

In addition to imposing benefit assessments to finance projects, the act allows municipalities to finance projects using the incremental (1) real property tax revenue generated in the district ("tax increment") and (2) savings to district residents or businesses resulting from the reduction of any existing insurance premium or other premium, surcharge, or fee after the district's implementation ("increased savings"). It also allows the municipality to use this revenue stream to repay the bonds issued to finance the projects, as described below.

Captured Assessed Value. The act generally allows each applicable municipality to designate all or part of the district's tax increment and increased savings to finance all or part of the district's master plan. In the case of any existing or planned residential use in the district, it allows the municipality to use the percentage of this revenue and savings needed to (1) rehabilitate, build, or replace dwellings and (2) increase or improve access to affordable housing within the municipality, either in or next to the district.

Under the act, the amount of tax increment revenue designated by the municipality is determined by the district's "captured assessed value," that is, the percentage or amount of the incremental increase in property values ("increased assessed value") that is used from year to year to finance the plan's project costs. The incremental increase in property values is the amount by which the value of the district's property as of October 1 of each year ("current assessed value") exceeds its value as of October 1 of the tax year before the district was established ("original assessed value"). The captured assessed value is subject to any fixed assessment agreements.

Once the municipality establishes the district and adopts its master plan, its assessor must certify the original assessed value of the taxable real property within

the district's boundaries. The assessor must also annually certify the:

1. current assessed value of the district's taxable real property,
2. amount by which the current assessed value increased or decreased from the original assessed value, and
3. amount of the captured assessed value.

Apportioning Property Taxes in the Municipality. The act requires that property taxes paid by property owners within the district be apportioned equally with the property taxes paid by other property owners in the municipality located outside the district. It specifies that its provisions do not authorize the unequal apportionment or assessment of taxes on real property in the municipality.

District Master Plan Fund (§ 25(c))

Under the act, municipalities that designate a percentage or amount of captured assessed value in their district master plans must establish a fund for depositing the resulting incremental tax revenues and paying project costs. They must also deposit in the fund any benefit assessments imposed on real property in the district, as described below.

Account Structure. The fund must consist of a (1) project cost account and (2) development sinking fund account for any bonds issued to carry out or administer the district master plan. The act authorizes the municipality to transfer funds between the accounts, as long as they do not yield an insufficient balance in either account to cover its annual obligations.

The project cost account is pledged to and charged with paying project costs outlined in the financial plan, including reimbursing project cost expenditures incurred by a public body (e.g., the municipality, a developer, a property owner, or another third-party entity), other than reimbursements paid with bond proceeds.

The development sinking fund account is pledged to and charged with (1) paying interest and principal on district bonds as they come due, including any redemption premium; (2) paying the costs of providing or reimbursing any entity that provides a guarantee, letter of credit, bond insurance policy, or other credit enhancement device used to secure debt service payments on district bonds; and (3) funding any required reserve fund.

Depositing Tax Increment Revenues. The municipality must annually set aside all tax increment revenues on captured assessed values and deposit the revenues in a specific order. The revenues must first go to the development sinking fund account, in an amount necessary to pay the annual debt service on the bonds issued (considering estimated future revenues that will be deposited to the account and earnings on this amount), excluding any GO bonds issued by the municipality that are backed solely by its full faith and credit. Any remaining revenues must go to the project cost account.

Excess Revenues. At any time during the district's term, the municipality's legislative body may vote to return to the municipality's general fund any tax increment revenues remaining in either account that exceed the amount necessary to pay the account's obligations. In doing so, it must consider any transfers made between the accounts.

Audit Requirement. The act requires the district master plan fund and its accounts to be audited annually by an independent auditor according to generally accepted accounting standards. The audit report must be open to public inspection and certified copies of it must be provided to the state's Auditors of Public Accounts.

Eligible Costs (§ 26)

The act limits the use of a district master plan fund to paying certain costs for (1) improvements made within the district, (2) improvements made outside the district that are directly related to or necessary for the district's establishment or operation, and (3) environmental improvement projects developed by the municipality that are associated with the district.

Improvements Made in the District. The act allows the fund to pay the following costs for improvements made within the district:

1. capital costs, as described below;
2. financing costs, including closing and issuance costs, reserve funds, and capitalized interest;
3. real property assembly costs;
4. technical and marketing assistance program costs;
5. professional service costs, including licensing, architectural, planning, engineering, development, and legal expenses;
6. maintenance and operation costs (i.e. the cost of the activities needed to maintain and operate facilities after their development, including informational, promotional, and educational programs, as well as safety and surveillance activities);
7. administrative costs, including reasonable charges for the time municipal employees, other agencies, or third-party entities spend implementing a district master plan; and
8. organizational costs related to the district's planning and establishment, including the cost of conducting environmental impact and other studies, informing the public about the district, and implementing the district master plan.

Under the act, capital costs include the cost of:

1. acquiring or constructing land, improvements, infrastructure, measures designed to improve resilience, environmental infrastructure, clean energy projects, public ways, parks, buildings, structures, railings, signs, landscaping, plantings, curbs, sidewalks, turnouts, recreational facilities, structured parking, transportation improvements, pedestrian improvements, and other related improvements, fixtures, and equipment for public or private use;
2. demolishing, altering, remodeling, repairing, or reconstructing existing buildings, structures, and fixtures;
3. remediating environmental contamination;
4. preparing a site and finishing work; and
5. incurring associated fees and expenses, such as licensing, permitting,

planning, engineering, architectural, testing, legal, and accounting expenses.

Improvements Made Outside the District. For improvements made outside the district that are directly related to or necessary for establishing or operating the district, the fund may pay the:

1. portion of the costs reasonably related to constructing, altering, or expanding facilities required due to improvements or activities within the district, including roadways, traffic signals, easements, sewage or water treatment plants or other environmental protection devices, storm or sanitary sewer lines, water lines, electrical lines, fire station improvements, and street signs;
2. costs of public safety and public school improvements made necessary by the district's establishment; and
3. costs of mitigating any of the district's adverse impacts on the municipality and its constituents.

Benefit Assessments (§ 27)

Funding Mechanism. Under the act, a municipality that constructs, improves, extends, equips, rehabilitates, repairs, acquires, provides a grant for, or finances the cost of public improvements in a district may assess a proportion of these costs as a benefit assessment on real property in the district that benefits from these public improvements. It may, by ordinance, apportion the value of the improvements according to a formula that reflects the actual benefits accruing to the various properties because of the development and maintenance.

The municipality may (1) require property owners to pay the benefit assessments in annual installments for up to 50 years and (2) forgive the benefit assessments in any given year without affecting future installments. It may assess buildings or structures constructed or expanded in the district after the initial benefit assessment is imposed as if they existed at the time of the original benefit assessment.

Revising and Adopting the Assessments. The municipality must revise and adopt the assessments at least once a year within 60 days before the start of the fiscal year. If the municipality imposes the benefit assessments before acquiring or constructing the public improvements, it may subsequently adjust the assessments once the improvements are complete to reflect their actual cost.

Public Hearing and Notice Requirement. Before estimating and imposing a benefit assessment, the municipality must hold at least one public hearing on the payment schedule or any revisions to it. It must publish a notice about the hearing at least 10 days in advance in a conspicuous place on the municipality's website (or municipalities' sites for joint districts), with the date and time of its posting. The notice must include:

1. the hearing's date, time, and place;
2. a legal description of the district's boundaries;
3. a statement that all interested property owners in the district will have an opportunity to be heard at the hearing and file objections to the assessment

amount;
4. the maximum assessment rate to be increased in any one year; and
5. a statement indicating that the proposed list of properties to be assessed and the estimated assessments against those properties are available at the town or assessor's office.

The notice may also include the maximum number of years that the assessments will be levied. The municipality must make the proposed benefit assessment schedule available to any member of the public, upon request, by the notice's publication date.

The act generally applies the same statutory public hearing and appeal procedures to district benefit assessments as apply under existing law to municipal sewer system benefit assessments levied by water pollution control authorities (CGS § 7-250). It substitutes the municipality's board of finance (or legislative body if it has none) for the water pollution control authority for this process. The municipality must also follow this notice and hearing process when increasing benefit assessments or extending the number of years that they will be levied.

Collection and Enforcement. The municipality has the same powers to collect and enforce the benefit assessments as it does for municipal taxes. It must establish the payment due date and issue notice about the due date at least 30 days in advance by (1) publishing it in a conspicuous place on each applicable municipality's website (with the posting's date and time) and (2) mailing it to the last known address of each affected property owner. Assessment revenues must be paid into the appropriate district master plan fund account.

Unpaid benefit assessments are liens against the property. Property owners must pay the same interest rate on delinquent assessments as on delinquent property taxes (1.5% per month or 18% per year). The liens (1) may be continued, recorded, and released in the same manner as property tax liens; (2) take precedence over all other liens and encumbrances, except those for municipal property taxes; and (3) may be enforced in the same way as property tax liens.

Bonds (§ 28)

To carry out or administer a district master plan or other functions under the act's provisions, municipalities may issue bonds and other obligations (e.g., refunding bonds, notes, interim certificates, and debentures) backed by:

1. their full faith and credit (i.e. GO bonds);
2. the income, proceeds, revenues, and property within the district, including grants, loans, advances, or contributions from state, federal, or other sources;
3. tax increment and increased savings revenues and benefit assessments; or
4. any combination of these sources.

Under the act, only the municipality's GO bonds count towards its bond cap.

The act requires municipalities to authorize these bonds, including without the state's consent, by resolution of its legislative body, regardless of any other statute, municipal ordinance, or charter provision governing municipal bond issuances. The municipality's legislative body, or the municipal officers to which the legislative

body delegates authority for issuing the bonds, must determine:

1. how the bonds will be issued and sold;
2. their interest rates, including variable rates;
3. the term over which they will mature, which must be no more than 30 years;
4. when interest will be paid;
5. whether and under what terms bonds may be purchased or redeemed; and
6. all other issuing conditions.

It allows the municipality to secure the bonds by executing a trust agreement with a bank or trust company that contains reasonable provisions for protecting and enforcing bondholders' rights. Any pledge the municipality makes concerning such an agreement is (1) valid and binding from the time it is made; (2) immediately subject to a lien without physical delivery of the money; and (3) valid and binding against all parties with claims against the municipality, regardless of whether the parties have notice of the lien. It specifies that any expenses the municipality incurs in carrying out the trust agreement may be treated as project costs.

The act assures bondholders that state and local entities may invest in the bonds and that the state will not limit or alter the district, or the municipality's powers and duties with respect to it, until the bonds are repaid.

It specifies that its provisions do not restrict a municipality's ability to raise revenue to pay project costs by any other legal means.

Priority Projects (§ 30)

Under the act, districts must prioritize the solicitation, selection, and design of infrastructure projects designed to increase resilience and that either:

1. use natural and nature-based solutions meant to restore, maintain, or enhance ecosystem services and processes that maintain or improve environmental quality in or next to the district or
2. address the needs of environmental justice communities (i.e. distressed municipalities or areas where at least 30% of the population consists of low-income people who are not institutionalized and have an income below 200% of the federal poverty level) or vulnerable communities (i.e. populations that may be disproportionately affected by climate change).

If the resiliency project results in affordable housing being demolished or reduced, the municipality, resiliency project developer, a property owner, or a third-party entity must commit to replacing these units in the district within four years. If this is not feasible within the district, then the units must be replaced reasonably close to the district at a rate of at least two units for each one that would have otherwise been replaced in the district.

§ 31 — SECOND-GENERATION ANTICOAGULANT RODENTICIDES

Requires DEEP, by January 1, 2026, to classify second-generation anticoagulant rodenticides as restricted use pesticides

The act requires the DEEP commissioner, by January 1, 2026, to classify all second-generation anticoagulant rodenticides for restricted use, meaning that they

may cause unreasonable adverse environmental effects. By law, this classification requires pesticides to be applied only by, or under the direct supervision of, a certified applicator or subject to other restrictions the commissioner imposes through regulations. (Previously, DEEP classified these rodenticides for general use, meaning no specialized license was required to apply them.)

Under the act, "second-generation anticoagulant rodenticides" are pesticide products containing brodifacoum, bromadiolone, difenacoum, or difethialone.

EFFECTIVE DATE: Upon passage

Background — Second-Generation Anticoagulant Rodenticides

Most rodenticides are anticoagulant compounds that interfere with blood clotting and cause death from excessive bleeding. Second-generation anticoagulants were developed to control rodents that are resistant to first-generation anticoagulants. These pesticides are more likely to be effective after a single feeding and may remain in animal tissue longer than first-generation products. They are registered only for the commercial and structural pest control markets.

§ 32 — NEONICOTINOIDS

Generally prohibits, beginning October 1, 2027, using pesticides with neonicotinoids; exempts certain uses (e.g., for agriculture or in certain personal or pet care products)

Beginning October 1, 2027, the act prohibits using a pesticide that has any neonicotinoid, unless the DEEP commissioner, upon receiving a request, determines that there is no other effective control option available. To make this determination, the act requires the commissioner to consult with the Connecticut Agricultural Experiment Station's (CAES) director and it allows the director to consult with the Pesticide Advisory Council.

The act exempts from the ban any neonicotinoid that is:

1. for use in, or application to, agriculture, seeds, ornamental shrubbery, or trees or
2. not labeled for plant use, like those for personal care products, pet care, veterinary purposes, or indoor or structural pest control.

The act authorizes the DEEP commissioner to assess a civil penalty of up to $2,500 per violation to anyone who violates the ban.

EFFECTIVE DATE: Upon passage

Background — Neonicotinoids

By law, a neonicotinoid is a pesticide that selectively acts on an organism's nicotinic acetylcholine receptors (i.e. impacts the nervous system), including clothianidin, dinotefuran, imidacloprid, thiamethoxam, and any other pesticide that the DEEP commissioner, after consulting with CAES, determines will kill at least 50% of a bee population when up to two micrograms of it is applied to each bee (CGS § 22-61k). Neonicotinoids that are labeled for treating plants are "restricted

use," and may only be applied by someone certified under state law to do so or by someone that person supervises.