



General Assembly

January Session, 2025

Substitute Bill No. 6338



**AN ACT PERMITTING REMOVAL OF AN UNAUTHORIZED
INDIVIDUAL FROM REAL PROPERTY.**

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

1 Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

2 (1) "Dwelling unit", "owner", "rental agreement" and "tenant" have
3 the same meanings as provided in section 47a-1 of the general statutes;
4 and

5 (2) "Unauthorized person" means any individual who is unlawfully
6 occupying real property and who is not (A) a current or former tenant
7 of the owner of the real property, or (B) immediate family, as defined in
8 section 1-91 of the general statutes, of the owner of the real property.

9 (b) Any owner of real property, or such owner's authorized agent,
10 may request from a state marshal the immediate removal of any
11 unauthorized person pursuant to this section if:

12 (1) The person requesting such removal is the owner of the real
13 property that is being occupied by such unauthorized person or is such
14 owner's authorized agent;

15 (2) Such unauthorized person has unlawfully entered and remains or
16 continues to reside on such owner's real property;

17 (3) Such owner or such owner's authorized agent has directed such
18 unauthorized person to leave such owner's real property;

19 (4) Such unauthorized person cannot produce documentation,
20 correspondence or identification cards issued by any governmental
21 agency identifying that such unauthorized person resided on such real
22 property during the immediately preceding twelve months;

23 (5) Such unauthorized person cannot produce a rental agreement
24 signed by such owner of real property or such owner's authorized agent;
25 and

26 (6) There is no pending litigation related to such real property
27 between such owner of real property and such unauthorized person
28 occupying such real property.

29 (c) To request the immediate removal of any unauthorized person,
30 the owner of the real property, or such owner's authorized agent, shall
31 submit a completed Affidavit Concerning the Removal of Persons
32 Unlawfully Occupying A Dwelling Unit to a state marshal. The
33 submitted affidavit shall be in substantially the following form:

34 AFFIDAVIT CONCERNING THE REMOVAL OF PERSONS
35 UNLAWFULLY OCCUPYING A DWELLING UNIT

36 I, the owner or authorized agent of the owner of the real property
37 located at, declare under the penalty of perjury that (initial each
38 box):

39 1. I am the owner of the real property or the authorized agent of
40 the owner of the real property.

41 2. I purchased the property on

42 3. An unauthorized person or persons have unlawfully entered
43 and are remaining or residing unlawfully on the real property.

44 4. I have directed the unauthorized person or persons to leave

45 the real property, but they have not done so.

46 5. ... The person or persons are not current or former tenants
47 pursuant to any valid rental agreement authorized by the property
48 owner, and any rental agreement that may be produced by an occupant
49 is fraudulent.

50 6. ... The unauthorized person or persons sought to be removed are
51 not an owner or a co-owner of the property and have not been listed on
52 the title to the property unless the person or persons have engaged in
53 slander of the title.

54 7. ... The unauthorized person or persons are not immediate family
55 members of the property owner.

56 8. ... There is no litigation related to the real property pending
57 between the property owner and any person sought to be removed from
58 the real property.

59 9. ... I understand that a person or persons removed from the
60 property pursuant to this procedure may bring a cause of action against
61 me for any false statements made in this affidavit, and that as a result of
62 such action I may be held liable for actual damages, penalties, costs and
63 reasonable attorney's fees.

64 10. ... I am requesting the state marshal to immediately remove the
65 unauthorized person or persons from the property.

66 11. ... A copy of my valid government-issued identification is
67 attached, or I am an agent of the property owner, and documents
68 evidencing my authority to act on the property owner's behalf are
69 attached.

70 I HAVE READ EVERY STATEMENT MADE IN THIS AFFIDAVIT
71 AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND
72 THAT THE STATEMENTS MADE IN THIS AFFIDAVIT ARE MADE
73 UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN
74 SECTION 53A-156 OF THE GENERAL STATUTES.

75 Signed this day of, 20....

76 Witnessed by

77

78 (Acknowledgment)

79 (d) Upon receipt of an affidavit pursuant to subsection (c) of this
80 section, the state marshal shall verify that the person submitting such
81 affidavit is the record owner of the real property or the authorized agent
82 of such record owner and appears otherwise entitled to relief under this
83 section. If verified, the state marshal shall, without delay, serve a notice
84 to immediately vacate on any unauthorized person occupying such real
85 property and shall put such record owner of such real property in
86 possession of such real property. Service may be accomplished by hand
87 delivery of the notice to an occupant of the real property or by posting
88 such notice on the front door or entrance of such real property. Such
89 state marshal shall attempt to verify the identity of each person
90 occupying the dwelling and note such identity on the return of service.

91 (e) Any person may bring a civil cause of action against the owner of
92 the real property or such owner's authorized agent for wrongful
93 removal under this section. A person harmed by a wrongful removal
94 under this section may be restored to possession of the real property and
95 may recover actual costs and damages incurred, statutory damages
96 equal to triple the fair market rent of the dwelling, court costs and
97 reasonable attorney's fees.

98 (f) Any owner or such owner's authorized agent who makes a false
99 statement in an affidavit submitted to a state marshal pursuant to the
100 provisions of subsection (c) of this section shall be subject to the
101 penalties for false statement under section 53a-157b of the general
102 statutes.

103 (g) Any unauthorized person who is served a notice to immediately
104 vacate the owner's real property pursuant to the provisions of

105 subsection (d) of this section shall be subject to the penalties for criminal
106 trespass in the second degree under section 53a-108 of the general
107 statutes.

108 (h) This section does not limit the rights of any owner of real property,
109 or limit the authority of any law enforcement officer to arrest any
110 unlawful occupant for trespassing, vandalism, theft or other crimes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	New section

Statement of Legislative Commissioners:

In Subsecs. (b) and (c), "lease" was changed to "rental agreement" for consistency with the defined term.

HSG *Joint Favorable Subst. -LCO*