



General Assembly

Amendment

January Session, 2025

LCO No. 9382



Offered by:
REP. ZULLO, 99th Dist.

To: House Bill No. 5002

File No. 222

Cal. No. 151

(As Amended)

"AN ACT CONCERNING HOUSING AND THE NEEDS OF HOMELESS PERSONS."

1 Strike section 6 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 6. Section 8-30j of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2025*):

5 (a) [(1) Not later than June 1, 2022] As used in this section:

6 (1) "Affordable housing plan" means a plan for the development of
7 affordable housing units in a municipality pursuant to subsection (b) of
8 this section;

9 (2) "Affordable housing unit" means a dwelling unit conveyed by an
10 instrument containing a covenant or restriction that requires such
11 dwelling unit, for at least forty years after the initial occupation of the
12 unit, to be sold or rented at, or below, a price that will preserve the units

13 as housing for which persons and families pay thirty per cent or less of
14 their annual income where such person or family is considered a low-
15 income household, very low-income household or extremely low-
16 income household;

17 (3) "Compliance implementation mechanisms" means (A) changes to
18 a municipality's policies and procedures, and (B) proactive steps a
19 municipality may take in order to allow for the development of
20 affordable housing units, including, but not limited to, (i)
21 redevelopment of a site, (ii) seeking funding for the development of
22 affordable housing units or sewer infrastructure, (iii) donating
23 municipal land for development, and (iv) entering into agreements with
24 developers for a development that includes affordable housing units;

25 (4) "Developable land" means the area within the boundaries of a
26 municipality that feasibly can be developed into residential or mixed
27 uses, not including: (A) Land already committed to a public use or
28 purpose, whether publicly or privately owned; (B) existing parks,
29 recreation areas and open space that is dedicated to the public or subject
30 to a recorded conservation easement; (C) land otherwise subject to an
31 enforceable restriction on or prohibition of development; (D) wetlands
32 or watercourses as defined in chapter 440; and (E) areas exceeding one-
33 half or more acres of contiguous land that are unsuitable for
34 development due to topographic features, such as steep slopes;

35 (5) "Discretionary infrastructure funding" means any grant, loan or
36 other financial assistance program (A) administered by the state under
37 the provisions of sections 4-66c, 4-66g, 4-66h, 22a-477 to the extent said
38 section provides financial assistance for municipal drinking water or
39 sewerage system projects, or sections 8-13m to 8-13x, inclusive, or (B)
40 managed by the Secretary of the Office of Policy and Management, the
41 Commissioner of Economic and Community Development or the
42 Commissioner of Transportation, for the purpose of transit-oriented
43 development, as defined in section 13b-79o;

44 (6) "Dwelling unit" has the same meaning as provided in section 47a-

45 1;

46 (7) "Extremely low-income household" means a person or family with
47 an annual income less than or equal to thirty per cent of the median
48 income;

49 (8) "Family units" means a dwelling unit whose occupancy is not
50 restricted by age and has two or more bedrooms;

51 (9) "Low-income household" means a person or family with an
52 annual income less than or equal to eighty per cent of the median
53 income;

54 (10) "Median income" has the same meaning as provided in section 8-
55 30g, as amended by this act;

56 (11) "Municipal affordable housing allocation" or "municipality's
57 affordable housing allocation" has the same meaning as "municipal fair
58 share allocation" as defined in section 4-68ii, as amended by this act;

59 (12) "Priority affordable housing plan" means a plan for the
60 development of the number of affordable housing units allocated to a
61 municipality pursuant to such municipality's affordable housing
62 allocation pursuant to subsection (e) of this section;

63 (13) "Realistic opportunity" means utilizing (A) municipal powers,
64 including, but not limited to, adopting planning and zoning regulations,
65 and (B) municipal compliance implementation mechanisms, in order to
66 remove barriers and constraints for the construction, rehabilitation,
67 repair or maintenance of affordable housing units within a municipality
68 and the administrative burdens to construct, rehabilitate, repair or
69 maintain such affordable housing units on developable land for the
70 benefit of low-income households, including fees and hearings, and in
71 time frames that shall be consistent and comparable to those for single-
72 family homes;

73 (14) "Secretary" means the Secretary of the Office of Policy and

74 Management; and

75 (15) "Very low-income household" means a person or family with an
76 annual income less than or equal to fifty per cent of the median income.

77 (b) (1) In accordance with the provisions of subdivision (2) of this
78 subsection, and at least once every five years thereafter, each
79 municipality shall prepare or amend and adopt an affordable housing
80 plan for the municipality and shall submit a copy of such plan to the
81 Secretary of the Office of Policy and Management. Such plan shall
82 specify how the municipality intends to [(A)] increase the number of
83 affordable housing developments in the municipality. [, and (B) for any
84 affordable housing plan submitted after October 1, 2023, improve the
85 accessibility of affordable housing units for individuals with an
86 intellectual disability or other developmental disabilities.] The secretary
87 shall post such affordable housing plans submitted pursuant to this
88 subsection on the office's Internet web site.

89 (2) Except as provided in subdivision (3) of this subsection, each
90 municipality shall submit such municipality's initial affordable housing
91 plan required pursuant to subdivision (1) of this subsection, and each
92 municipality required to prepare a priority affordable housing plan
93 pursuant to subsection (e) of this section shall additionally submit such
94 municipality's initial priority affordable housing plan, in accordance
95 with the following schedule:

96 (A) Not later than June 1, 2027, for municipalities that begin with the
97 letters "A" to "F", inclusive;

98 (B) After June 1, 2027, but not later than June 1, 2028, for
99 municipalities that begin with the letters "G" to "P", inclusive; and

100 (C) After June 1, 2028, but not later than June 1, 2029, for
101 municipalities that begin with the letters "Q" to "Z", inclusive.

102 [(2)] (3) If, at the same time the municipality is required to submit to
103 the Secretary of the Office of Policy and Management an affordable

104 housing plan pursuant to subdivision (1) of this subsection, the
105 municipality is also required to submit to the secretary a plan of
106 conservation and development pursuant to section 8-23, such affordable
107 housing plan may be included as part of such plan of conservation and
108 development. The municipality may, to coincide with its submission to
109 the secretary of a plan of conservation and development, submit to the
110 secretary an affordable housing plan early, provided the municipality's
111 next such submission of an affordable housing plan shall be five years
112 thereafter.

113 [(b)] (c) The municipality may hold public informational meetings or
114 organize other activities to inform residents about the process of
115 preparing the affordable housing plan and shall post a copy of any draft
116 plan or amendment to such plan on the Internet web site of the
117 municipality. If the municipality holds a public hearing, such posting
118 shall occur at least thirty-five days prior to the public hearing. After
119 adoption of the plan, the municipality shall file the final plan in the
120 office of the town clerk of such municipality and post the plan on the
121 Internet web site of the municipality.

122 [(c)] (d) Following adoption, the municipality shall regularly review
123 and maintain such affordable housing plan. The municipality may
124 adopt such geographical, functional or other amendments to the plan or
125 parts of the plan, in accordance with the provisions of this section, as it
126 deems necessary. If the municipality fails to amend and submit to the
127 Secretary of the Office of Policy and Management such plan every five
128 years, the chief elected official of the municipality shall submit a letter
129 to the secretary that (1) explains why such plan was not amended, and
130 (2) designates a date by which an amended plan shall be submitted.

131 (e) In addition to the affordable housing plan required pursuant to
132 subsection (b) of this section, any municipality identified by the
133 secretary to be in the highest eighty per cent of the adjusted equalized
134 net grand list per capita, as defined in section 10-261, as of the fiscal year
135 prior to the date the municipality's affordable housing plan is due
136 pursuant to subdivision (2) of subsection (b) of this section, shall prepare

137 a priority affordable housing plan. Such plan shall:

138 (1) Set forth how the municipality intends to create a realistic
139 opportunity for the development of the number of affordable housing
140 units allocated to such municipality pursuant to such municipality's
141 affordable housing allocation or the alternative number of affordable
142 housing units offered by the municipality pursuant to subsection (f) of
143 this section;

144 (2) Identify (A) specific zones or parcels within the municipality
145 sufficient to build the municipality's affordable housing allocation as of
146 right, and (B) the planned density for such zones or parcels;

147 (3) Detail how the municipality intends to change its zoning
148 regulations and utilize compliance implementation mechanisms in
149 order to allow for the development of the number of housing units
150 allocated to such municipality pursuant to such municipality's
151 affordable housing allocation or the alternative number of affordable
152 housing units offered by the municipality pursuant to subsection (f) of
153 this section; and

154 (4) Provide for the creation of a sufficient supply of the different types
155 of affordable housing units required for meeting twenty-five per cent of
156 the municipality's number of affordable housing units allocated to such
157 municipality pursuant to such municipality's affordable housing
158 allocation, including ensuring that:

159 (A) Not less than fifty per cent of the units are family units;

160 (B) Not less than twenty-five per cent of the units are rental units,
161 provided at least fifty per cent of such twenty-five per cent are family
162 units;

163 (C) Not more than twenty-five per cent of the units are restricted by
164 occupant age or disability; and

165 (D) Not more than twenty per cent of the units are studios or one-

166 bedroom units.

167 (f) Any municipality asserting that it is unable to satisfy the
168 requirements of subdivision (4) of subsection (e) of this section shall
169 provide an explanation for why the municipality is unable to satisfy
170 such requirements and the steps the municipality has taken or intends
171 to take in order to overcome any impediments to the development of
172 affordable housing units needed to achieve such municipality's
173 affordable housing allocation, including providing an alternative
174 number of affordable housing units the municipality is currently able to
175 develop. Such explanation shall include any evidence of a lack of
176 developable land, if applicable.

177 (g) (1) Any municipality required to submit a priority affordable
178 housing plan pursuant to subsection (e) of this section shall submit such
179 plan to the secretary for approval, in a form and manner prescribed by
180 the secretary, in accordance with the provisions of subdivisions (1) and
181 (2) of subsection (b) of this section, and at least once every five years
182 thereafter.

183 (2) Not later than ninety days after receipt of such submission, the
184 secretary shall either approve or reject such submission. Such approval
185 or rejection shall be accompanied by a written statement of the reasons
186 for approval or rejection, pursuant to the provisions of subsection (e) of
187 this section. If the submission is approved by the secretary, the secretary
188 shall issue a letter of approval to the municipality. If the secretary fails
189 to either approve or reject the submission within such ninety-day
190 period, such submission shall be deemed provisionally approved. Such
191 provisional approval shall remain in effect unless the secretary
192 subsequently acts upon and rejects the submission, in which case the
193 provisional approval shall terminate upon notice to the municipality by
194 the secretary.

195 (h) Following approval of a priority affordable housing plan
196 pursuant to subsection (g) of this section, a municipality shall (1) amend
197 its zoning regulation and implement compliance implementation

198 mechanisms in accordance with such approved plan, and (2) any
199 subsequent priority affordable housing plan submitted by such
200 municipality shall detail how the municipality has amended its zoning
201 regulations and implemented compliance implementation mechanisms
202 in accordance with the previously approved priority affordable housing
203 plan.

204 (i) (1) The following municipalities shall be eligible for discretionary
205 infrastructure funding on a priority basis, provided such municipality
206 meets the eligibility criteria for such discretionary infrastructure
207 funding:

208 (A) Any municipality not required to create a priority affordable
209 housing plan pursuant to subsection (e) of this section; and

210 (B) Any municipality with an approved priority affordable housing
211 plan pursuant to subsection (g) of this section, including municipalities
212 with provisionally approved priority affordable housing plans.

213 (2) To receive such funding on a priority basis, any such municipality
214 shall submit an application for such funding to the secretary in a form
215 developed by the secretary. The secretary shall make recommendations
216 to the state agency responsible for administering or managing such
217 funding and, if priority funding is permitted for such funding, such
218 agency may prioritize such municipality for the receipt of such funding
219 over any municipality that is not a qualifying municipality pursuant to
220 subdivision (1) of this subsection, based on the secretary's
221 recommendations.

222 (3) Nothing in this subsection shall be construed to make a
223 municipality that does not have an approved affordable housing plan
224 pursuant to subsection (g) of this section ineligible for discretionary
225 infrastructure funding.

226 (j) Notwithstanding the provisions of subsections (a) to (i), inclusive,
227 of this section, a municipality shall not be required to submit a priority
228 affordable housing plan if, in the twelve months preceding the date on

229 which such municipality is required to submit such priority affordable
230 housing plan, such municipality satisfied the provisions of subsection
231 (k) of section 8-30g, as amended by this act, and as a result is exempt
232 from the affordable housing appeals procedure established pursuant to
233 said section."

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

Sec. 6	July 1, 2025	8-30j
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