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## OLR Bill Analysis

### sHB 7062

#### ***AN ACT CONCERNING TEMPORARY SHELTER UNITS FOR PERSONS EXPERIENCING HOMELESSNESS OR REFUGEES.***

#### **SUMMARY**

This bill requires zoning regulations in certain municipalities to allow, as of right, federally tax-exempt religious organizations to install and maintain on their property temporary shelter units for refugees and people experiencing homelessness, subject to certain conditions and limitations. The bill's requirement applies to municipalities with at least 25,000 residents, based on the most recent decennial census, that adopt zoning regulations under the statutes (CGS § 8-2), as opposed to a special act.

The bill authorizes municipalities to, among other things, (1) require the units to meet certain size and structural specifications, (2) prohibit more than eight of these units on a single lot, and (3) limit individuals' occupancy to 12 consecutive months. Under the bill, if an impacted municipality does not amend or adopt new zoning regulations to comply with the bill by July 1, 2026, its noncompliant regulations are voided. Municipalities may not use or impose additional standards on these units' installation and maintenance beyond those set in the bill.

The bill also requires the State Building Code and Fire Safety Code, when next amended and in conformity with the existing processes for amendments, to include provisions on temporary shelter units that, among other things, (1) ensure safe occupancy and (2) impose on these units certain model code requirements applicable to tiny homes.

EFFECTIVE DATE: October 1, 2025, except the building and fire code amendment provisions are effective upon passage.

#### **§ 1 — TEMPORARY SHELTER UNITS**

The bill defines these units as nonpermanent, commercially

prefabricated accessory structures designed to be easily dismantled or removed, excluding motor vehicles, tarps, tents, and other nonrigid materials. It requires that they be an accessory use to a house of religious worship owned by the religious organization. It also specifies that its provisions do not limit a religious organization from using all or part of any building on their property to provide temporary shelter for refugees or people experiencing homelessness. Under the bill, a “refugee” is anyone (1) located in Connecticut who was admitted to the country under the Immigration and Nationality Act’s federal refugee admissions program and (2) who is outside their country of origin because of feared persecution, conflict, generalized violence, or other circumstances that significantly disturbed public order.

The bill explicitly subjects these units to building and fire safety codes but exempts them from any State Building Code provision that effectively limits the duration of their use. It also authorizes municipalities to set certain additional requirements and limitations for these units, as described below.

### ***Density, Size, and Occupancy Limitations***

Municipalities may (1) prohibit more than eight temporary shelter units on a single lot and (2) set their maximum size at up to 400 square feet. They may also prohibit (1) more than one family or two unrelated people from occupying a unit and (2) anyone from occupying the unit for longer than 12 consecutive months.

### ***Permissible Locations***

Municipalities may (1) prohibit these units from being installed within 1,000 feet of any cemetery or elementary or secondary school (public or private) and (2) require they be set back at least 10 feet from any adjacent property the organization does not own.

Municipalities may also require that (1) any outdoor storage of occupants’ personal belongings be blocked from public view by a wall or fence at least six feet tall and (2) the entire outdoor and parking area of the property where they are installed have exterior lighting.

### ***Structural and Facilities Requirements***

Municipalities may require that these units (1) be structurally sound, protect occupants from the elements, and pose no threat to their health or safety; (2) have working heating and cooling equipment; and (3) have enough electrical sources to allow the safe use of lighting and personal electrical appliances and devices.

They may also require the religious organizations installing temporary shelter units to provide enough male and female toilets and shower facilities to accommodate their occupants (including at least one toilet and shower for every eight occupants per gender).

### ***Permit Application and Review Process***

The bill requires an as-of-right permit application and review process for approving these units. By law, and under the bill, “as of right” means able to be approved without requiring (1) a public hearing; (2) a variance, special permit, or special exception; or (3) other discretionary zoning action, other than a determination that a site plan conforms with applicable zoning regulations.

It requires municipalities to issue their decisions on applications within 65 days after the applicable zoning commission receives an application, unless the applicant agrees to one or more extensions of up to an additional 65 days or withdraws their application. They may not condition the unit’s approval on the correction of a nonconforming use, structure, or lot.

### ***Utility Connections***

The bill prohibits municipalities, special districts, and sewer and water authorities from:

1. considering a temporary shelter unit to be a new residential use for calculating utility connection fees or capacity charges, including for water or sewer service, and
2. requiring new or separate utility connections directly to a unit or imposing related connection fees or capacity charges.

**§ 2 — BUILDING CODE AND FIRE SAFETY CODE AMENDMENTS**

Subject to the procedural requirements described below, the bill requires the State Building Code and Fire Safety Code, when they are next amended and adopted, to include provisions that regulate temporary shelter units' erection and use, ensuring the applicable code provisions:

1. are consistent with safe occupancy and egress;
2. regulate the installation and use of heating and cooking equipment and equipment that utilizes flammable fuel; and
3. require units to comply with Appendix Q of the 2021 International Residential Code, which generally applies to tiny houses (see BACKGROUND).

But the bill's amendment requirements only apply if:

1. for the State Building Code, the state building inspector and the Codes and Standards Committee amend it jointly, with the administrative services commissioner's approval, and in conformity with existing law's procedures and requirements on amending the code; and
2. for the Fire Safety Code, the state fire marshal and the Codes and Standards Committee adopt the amendments in conformity with existing law's procedures and requirements on amending the code.

**BACKGROUND*****Appendix Q of the 2021 International Residential Code***

The International Residential Code is a model building code developed by the International Code Council. Appendix Q is its model code for foundation-based and movable tiny houses, providing building standards for houses that are 400 square feet or smaller.

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Substitute

Yea 18 Nay 3 (03/28/2025)