



General Assembly

**Amendment**

January Session, 2025

LCO No. 9458



Offered by:  
REP. DUBITSKY, 47<sup>th</sup> 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 17 in its entirety and substitute the following in lieu  
2 thereof:

3 "Sec. 17. Subsection (g) of section 8-30g of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective October*  
5 *1, 2025*):

6 (g) Upon an appeal taken under subsection (f) of this section, the  
7 burden shall be on the commission to prove, based upon the evidence  
8 in the record compiled before such commission, that the decision from  
9 which such appeal is taken and the reasons cited for such decision are  
10 supported by sufficient evidence in the record. The commission shall  
11 also have the burden to prove, based upon the evidence in the record  
12 compiled before such commission, that (1) (A) the decision is necessary  
13 to protect substantial public interests in health, safety or other matters

14 which the commission may legally consider; (B) such public interests  
15 clearly outweigh the need for affordable housing; and (C) such public  
16 interests cannot be protected by reasonable changes to the affordable  
17 housing development, or (2) (A) the application which was the subject  
18 of the decision from which such appeal was taken would locate  
19 affordable housing in an area which is zoned for industrial use and  
20 which does not permit residential uses; and (B) the development is not  
21 assisted housing. If the commission does not satisfy its burden of proof  
22 under this subsection, the court shall wholly or partly revise, modify,  
23 remand or reverse the decision from which the appeal was taken in a  
24 manner consistent with the evidence in the record before it. In addition,  
25 the court may award attorney's fees and costs to the prevailing party."