



**Substitute House Bill No. 5153**

**Public Act No. 26-124**

**AN ACT CONCERNING MINOR REVISIONS TO DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION RELATED STATUTES.**

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

Section 1. Subsection (c) of section 7-131d of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Grants may be made under the protected open space and watershed land acquisition grant program established under subsection (a) of this section for restoration or protection of natural features or habitats of, or for repurposing for urban agricultural use on, open space already owned by a (1) distressed municipality, as defined in section 32-9p, (2) targeted investment community, as defined in section 32-222, (3) municipality, provided such open space is located in an environmental justice community, as defined in section 22a-20a, or is immediately adjacent to a United States census block group described in subdivision (1) of subsection (a) of section 22a-20a, or (4) nonprofit land conservation organization, provided such open space is located in a distressed municipality, targeted investment community or environmental justice community or is immediately adjacent to a United States census block group described in subdivision (1) of subsection (a) of section 22a-20a.

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Such restoration or protection may include, but need not be limited to, (A) wetland, wildlife or plant habitat restoration or restoration of other sites to a more natural condition, (B) urban agricultural use, or (C) replacement of vegetation. The total amount of grants made pursuant to this subsection shall not exceed twenty per cent of the total amount of grants made pursuant to the open space and watershed land acquisition grant program in any fiscal year.

Sec. 2. Subsection (c) of section 7-131g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Notwithstanding the provisions of [subdivision (3) of subsection (c) of] subparagraph (C) of subdivision (1) of subsection (d) of section 7-131d, any land that is the subject of the execution or recording of a conservation easement or restriction [that resulted from a federally funded land conservation program, municipal conservation grant program or a private conservation grant program,] prior to the recording of a permanent conservation easement described in subsection [(e)] (f) of section 7-131d [.] shall not be construed to constitute land that has already been committed for public use, provided:

(1) Such prior conservation easement or restriction is executed [after the execution of the grant agreement for a grant to preserve such land under the provisions of this section] or reserved not more than six months prior to the application deadline for the grant round under which the acquisition of the state's interest in such land will be funded,

(2) at the time of the recording of the permanent conservation easement required pursuant to subsection [(e)] (f) of section 7-131d, any nonfederal holder of any such prior easement subordinates such holder's interests in the land to the interests of the state [.] in form and substance satisfactory to the Commissioner of Energy and Environmental Protection, and (3) [such other federal funds, municipal

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grant funds or private grant funds are used as matching funds for a grant issued under this section, and (4)] the Commissioner of Energy and Environmental Protection determines, based on all pertinent circumstances, that the conveyance of such other conservation easement or restriction, in combination with the acquisition of the state's interest under this section, constitutes one concurrent acquisition of property or interests therein.

Sec. 3. Subsection (d) of section 22a-202 of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) On and after July 1, 2022, the Commissioner of Energy and Environmental Protection shall establish and administer a program to provide rebates or vouchers to residents, municipalities, businesses, nonprofit organizations and tribal entities located in this state when such residents, municipalities, businesses, organizations or tribal entities purchase or lease a new or used battery electric vehicle, plug-in hybrid electric vehicle or fuel cell electric vehicle. The commissioner, in consultation with the advisory board, shall establish and revise, as necessary, appropriate rebate levels, voucher amounts and maximum income eligibility for [such] prioritized rebates or vouchers. The commissioner shall prioritize the granting of rebates or vouchers to (1) residents [of environmental justice communities, residents] having household incomes at or below three hundred per cent of the federal poverty level, and (2) residents who participate in state and federal assistance programs, including, but not limited to, the state-administered federal Supplemental Nutrition Assistance Program, state-administered federal Low Income Home Energy Assistance Program, a Head Start program established pursuant to section 10-16n or assistance provided by Operation Fuel, Incorporated. Any such rebate or voucher awarded to [a] an income-qualified resident [of an environmental justice community] shall be in an amount not less than

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two hundred per cent [more than] of the standard rebate level or voucher amount. The commissioner, in consultation with the advisory board, may additionally prioritize the granting of rebates or vouchers to non-income-qualified residents of environmental justice communities over other non-income-qualified residents. An eligible municipality, business, nonprofit organization or tribal entity may receive not more than ten rebates or vouchers a year, within available funds, and not more than a total of twenty rebates or vouchers, except the commissioner may issue additional rebates or vouchers to an eligible business or nonprofit organization that operates a fleet of motor vehicles exclusively in an environmental justice community. On and after July 1, 2022, and until June 30, 2027, inclusive, a battery electric vehicle, plug-in hybrid electric vehicle or fuel cell electric vehicle that is eligible for a rebate or voucher under the program shall have a base manufacturer's suggested retail price of not more than fifty thousand dollars.

Sec. 4. Subsection (d) of section 22a-201d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The Commissioner of Energy and Environmental Protection shall establish and administer a grant program for the purpose of providing [matching] a portion of the funds necessary for municipalities, school districts and school bus operators [to submit federal grant applications in order] to maximize federal or other funding or financing for the purchase or lease of zero-emission school buses and electric vehicle charging or fueling infrastructure. Applications for such grants shall be filed with the commissioner at such time and in such manner as the commissioner prescribes. The commissioner shall give preference to applications concerning the purchase or lease of a zero-emission school bus that will be operated primarily in an environmental justice community. The commissioner shall determine the amount a municipality, school district or school bus operator shall be required to

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provide to match such grant.

Sec. 5. Subdivision (4) of section 25-231 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) "Major state plan" means any of the following: The plan for development of outdoor recreation adopted pursuant to section 22a-21, the state-wide solid waste management plan adopted pursuant to section 22a-228, the state-wide plan for the management of water resources adopted pursuant to section 22a-352, the state-wide environmental plan adopted pursuant to section 22a-8, the historic preservation plan adopted under the National Historic Preservation Act, 16 USC 470 et seq., the state-wide facility and capital plan adopted pursuant to section 4b-23, the state's consolidated plan for housing and community development prepared pursuant to section 8-37t, the water quality management plan adopted under the federal Clean Water Act, 33 USC 1251 et seq., and any plans for managing forest resources adopted pursuant to section 23-20; [and the Connecticut River Atlantic Salmon Compact adopted pursuant to section 26-302;]

Sec. 6. Section 26-86a of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) The commissioner shall establish by regulation adopted in accordance with the provisions of chapter 54 standards for deer management, and methods, regulated areas, bag limits, seasons and permit eligibility for hunting deer with bow and arrow, muzzleloader and shotgun, except that no such hunting shall be permitted on Sunday unless it is conducted on private lands pursuant to section 26-73, as amended by this act. No person shall hunt, pursue, wound or kill deer with a firearm without first obtaining a deer permit from the commissioner in addition to the license required by section 26-27.

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Application for such permit shall be made on forms furnished by the commissioner and containing such information as he may require. Such permit shall be of a design prescribed by the commissioner, shall contain such information and conditions as the commissioner may require, and may be revoked for violation of any provision of this chapter or regulations adopted pursuant thereto. As used in this section, "muzzleloader" means a rifle or shotgun of at least forty-five caliber, incapable of firing a self-contained cartridge, which uses [powder,] a projectile, including, but not limited to, a standard round ball, mini-balls, maxi-balls and Sabot bullets, [and wadding] loaded separately at the muzzle end, and "rifle" means a long gun the projectile of which is six millimeters or larger in diameter. The fee for a firearms permit shall be nineteen dollars for residents of the state and sixty-eight dollars for nonresidents, except that any nonresident who is an active full-time member of the armed forces, as defined in section 27-103, may purchase a firearms permit for the same fee as is charged a resident of the state. The commissioner shall issue, without fee, a private land deer permit to the owner of ten or more acres of private land and the husband or wife, parent, grandparent, sibling and any lineal descendant of such owner, provided no such owner, husband or wife, parent, grandparent, sibling or lineal descendant shall be issued more than one such permit per season. Such permit shall allow the use of a rifle, shotgun, muzzleloader or bow and arrow on such land from November first to December thirty-first, inclusive. Deer may be so hunted at such times and in such areas of such state-owned land as are designated by the Commissioner of Energy and Environmental Protection and on privately owned land with the signed consent of the landowner, on forms furnished by the department, and such signed consent shall be carried by any person when so hunting on private land. The owner of ten acres or more of private land may allow the use of a rifle to hunt deer on such land during the shotgun season. The commissioner shall determine, by regulation, the number of consent forms issued for any regulated area established by said commissioner. The commissioner shall provide for

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a fair and equitable random method for the selection of successful applicants who may obtain shotgun and muzzleloader permits for hunting deer on state lands. Any person whose name appears on more than one application for a shotgun permit or more than one application for a muzzleloader permit shall be disqualified from the selection process for such permit. No person shall hunt, pursue, wound or kill deer with a bow and arrow without first obtaining a bow and arrow permit pursuant to section 26-86c. "Bow and arrow", as used in this section and in section 26-86c, means a bow with a draw weight of not less than forty pounds. The arrowhead shall have two or more blades and may not be less than seven-eighths of an inch at the widest point. No person shall carry firearms of any kind while hunting with a bow and arrow under this section and section 26-86c.

(b) Any person who takes a deer without a permit shall be fined not less than two hundred dollars or more than five hundred dollars or imprisoned not less than thirty days or more than six months or shall be both fined and imprisoned, for the first offense, and for each subsequent offense shall be fined not less than two hundred dollars or more than one thousand dollars or imprisoned not more than one year or shall be both fined and imprisoned.

Sec. 7. Subsection (b) of section 26-91 of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(b) The Commissioner of Energy and Environmental Protection may authorize any municipality, homeowner association, [or] nonprofit land-holding organization or corporate entity approved by the commissioner under the provisions of this section to take resident Canada geese at any time or place using any method consistent with professional wildlife management principles. Any such municipality, homeowner association, [or] nonprofit land-holding organization or corporate entity shall submit to the commissioner, for the

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commissioner's review and approval, a plan that describes the extent and degree of the nuisance or ecological damage and the proposed method of taking. Such plan shall include prohibitions against feeding of such geese and requirements that landscaping in the area is managed in a way to be less hospitable to geese, utilizing native plantings. Prior to the implementation of such plan, the municipality, homeowner association, [or] nonprofit land-holding organization or corporate entity shall provide notice of such plan to abutting landowners of such place where the plan will be implemented. Such plan shall not authorize the use of a snare.

Sec. 8. Section 26-73 of the 2026 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

Notwithstanding any provision of this chapter, Sunday shall be a closed season except for hunting on private property and for the purpose of trapping under the provisions of this chapter. Sunday shall be a closed season for the hunting of migratory birds. The possession in the open air on Sunday of any implement for hunting shall be prima facie evidence of hunting. No provision of this section shall be construed so as to affect any provision of section 26-31, 26-48, 26-52 or 27-35. Artificially propagated birds designated by the commissioner may be shot on Sundays on licensed private shooting preserves subject to such regulations of the commissioner as may apply to such private shooting preserves, provided permission so to shoot has been obtained from the town or towns within which such licensed private shooting preserves are located. [Any] Except for any person that hunts with a private land turkey hunting permit or a Connecticut Resident Game Bird Conservation Stamp issued without a fee pursuant to regulations adopted pursuant to sections 26-66 and 26-27b, any person who hunts deer or turkey on private property pursuant to this section shall: (1) Have the written permission of the private property owner where such

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hunting is conducted, and (2) carry such written permission upon his or her person during the hunting. No person shall hunt on Sunday on private property pursuant to this section within forty yards of a blazed trail open to the public, including, but not limited to, Connecticut blue blazed trails and federally designated and regulated trails.

Sec. 9. (NEW) (*Effective July 1, 2026*) Except as prohibited in subdivision (1) of subsection (i) of section 22a-208a of the general statutes, the Commissioner of Energy and Environmental Protection may, notwithstanding any provision of title 22a of the general statutes, issue a general permit for any activity that the commissioner may authorize by issuance of an individual permit, provided the commissioner determines that such activity both separately and cumulatively causes minimal environmental effects. Such determination shall be specified in the public notice for any such general permit notice pursuant to this section.

Sec. 10. (NEW) (*Effective from passage*) For the purposes of any water discharge permit issued pursuant to chapter 446k of the general statutes, or any regulation adopted pursuant thereto, "discharges from public or private drinking water treatment systems" includes potable water system maintenance or sampling wastewaters which include: (1) Potable water storage tank or water line draining for maintenance or hydrostatic testing purposes; (2) raw or treated water from process sampling points, including on-line process analytical instrumentation; (3) raw or treated water from equipment leakage and bleed-off; and (4) periodic hydrant flushing.

Sec. 11. Subsection (f) of section 22a-174 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(f) The commissioner shall allow the open burning of brush on residential property, provided the burning is conducted by the resident

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of the property or the agent of the resident and a permit for such burning is obtained from the local open burning official of the municipality in which the property is located, and the open burning of brush in municipal landfills, transfer stations and municipal recycling centers, provided a permit for such burning is obtained from the fire marshal of the municipality where the facility is located, except that no open burning of brush shall occur (1) when national or state ambient air quality standards may be exceeded; (2) where a hazardous health condition might be created; (3) when the forest fire danger in the area is identified by the commissioner as high, very high or extreme and where woodland or grass land is within one hundred feet of the proposed burn; (4) where there is an advisory from the commissioner of any air pollution episode; (5) where prohibited by an ordinance of the municipality; and (6) in the case of a municipal landfill, when such landfill is within an area designated as a hot spot on the open burning map prepared by the commissioner. A permit for the burning of brush at any municipal landfill, municipal transfer station or municipal recycling center shall be issued no more than six times in any calendar year. The proposed permit to burn brush at any municipal landfill, municipal transfer station or municipal recycling center shall be submitted to the commissioner by the fire marshal, with the approval of the chief elected official of the municipality in which the municipal landfill, municipal transfer station or municipal recycling center is located. The commissioner shall approve or disapprove the fire marshal's proposed permitting of burning of brush at a municipal landfill, municipal transfer station or municipal recycling center within a reasonable time of the filing of such application. The burning of leaves, demolition waste or other solid waste deposited in such landfill shall be prohibited. The burning of nonprocessed wood for campfires and bonfires is not prohibited if the burning is conducted so as not to create a nuisance and in accordance with any restrictions imposed on such burning. Nothing in this subsection or in any regulation adopted pursuant to this subsection shall affect the power of any municipality to

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regulate or ban the open burning of brush within its boundaries for any purpose. Notwithstanding any other provision of this section, fire breaks for the purpose of controlling forest fires and controlled fires in saltwater marshes to forestall uncontrolled fires are not prohibited. Open burning may be engaged in for any of the following purposes if the open burning official with jurisdiction over the area where the burning will occur issues an open burning permit: Fire-training exercises; eradication or control of insect infestations or disease; agricultural purposes; clearing vegetative debris following a natural disaster; and vegetative management or enhancement of wildlife habitat or ecological sustainability on municipal property or on any privately owned property permanently dedicated as open space. Open burning for such purposes on state property may be engaged in with the written approval of the commissioner. Local burning officials nominated for the purposes of this subsection shall be nominated only by the chief executive officer of the municipality in which the official will serve and shall be certified by the commissioner. The chief executive officer may revoke the nomination. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, governing open burning and may authorize or prohibit open burning consistent with this section. The regulations may require the payment of an application fee and inspection fee and may establish a certification procedure for local burning officials.

Sec. 12. Section 23-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

The State Forest Fire Warden may take such action as said warden deems necessary to provide for the prevention and control of forest fires. Said warden may enter into agreements with federal agencies, with cities, boroughs and fire districts and with forest protective associations for the purpose of carrying out the provisions of this section. Said warden, if the Commissioner of Energy and Environmental Protection

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deems necessary, may prohibit open flames upon any or all lands under the commissioner's control. Said warden shall divide the state into districts for the purpose of preventing and controlling forest fires and shall appoint within these districts such district fire wardens, not exceeding two hundred and fifty, as said warden deems necessary, who shall serve for two years or until their successors are appointed. The State Forest Fire Warden shall have supervision of district fire wardens and shall instruct them in their duties. Each district fire warden may, with the approval of the State Forest Fire Warden, appoint deputies to assist in extinguishing fires and to take charge of such extinguishing in such district fire warden's absence, provided, in cities having paid fire departments and whose boundaries are coterminous with the town boundaries, the State Forest Fire Warden may appoint a district fire warden and may assume responsibility for forest fires only upon the written request of the mayor of such city and for such portions as may be designated by such mayor. Cities without paid fire departments and portions of towns outside of city limits shall be included in forest fire districts and the State Forest Fire Warden may employ volunteer fire companies under the conditions described in this section and sections 23-37 to 23-42, inclusive. The State Forest Fire Warden shall establish rates of compensation for equipment usage, fire fighting materials and supplies expended and firefighter and laborer time expended in extinguishing forest fires to be paid to such volunteer fire companies as may be employed. In establishing such rates, the State Forest Fire Warden may differentiate between various kinds of equipment and material and supplies used and the provisions of section 23-39, as amended by this act, shall apply to the establishment of rates of compensation for firefighter and laborer time. Notwithstanding any provision of the general statutes or any municipal ordinance, upon the declaration by the Governor of the existence of a state of emergency due to forest fire, the State Forest Fire Warden may assume direct authority over efforts to extinguish any forest fire and may assign such authority to any state forest fire control personnel.

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Sec. 13. Section 23-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

The compensation of district and deputy fire wardens, trained firefighters organized in accordance with rules issued by the State Forest Fire Warden and such laborers as said warden finds it necessary to employ shall be fixed by said warden on an hourly basis, subject to the approval of the Commissioner of Administrative Services. Volunteer fire companies may be compensated in accordance with section 23-36, as amended by this act. The chief of the fire department in any town, city or borough who receives a regular salary shall be paid no additional compensation when acting as a fire warden. District fire wardens shall prepare their bills for services rendered by them and by the personnel and automobiles and other apparatus employed or used by them in extinguishing fires. The chief of any volunteer fire company may prepare bills for services rendered by said company and by the personnel and automobiles and other apparatus employed or used by them in extinguishing forest fires, if said company is allowed by town ordinance to receive payment for such bills. Such bills shall be on a form prescribed by the State Forest Fire Warden and shall be submitted to the State Forest Fire Warden within one month after the services have been rendered, and, if found correct and approved by said warden, shall be ordered paid by the State Comptroller. Due to emergency, the State Forest Fire Warden may extend the one-month submittal deadline to not more than four months. A copy of each bill so paid on account of any fire within a city, as provided in section 23-36, as amended by this act, shall be sent by the State Forest Fire Warden to the city treasurer of the city in which the fire occurred, except bills for which a railroad company is liable under the provisions of section 23-42, and, on or before the tenth day of December in each year, such city treasurer shall draw the treasurer's order in favor of the State Treasurer for the full amount of such bills submitted during the twelve months next preceding. The State Forest Fire Warden may forgive such bills if the state would incur

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administrative costs in collecting the debt owed that would exceed the actual debt owed. Bills for expenses incurred or services rendered by district or deputy wardens in the performance of duties other than fire fighting shall be submitted to the State Forest Fire Warden on or before the tenth day of December and the tenth day of June in each year. Upon approval by the State Forest Fire Warden, such bills shall be ordered paid by the State Comptroller from any sums available for the expenses of the State Forest Fire Warden. All fire warden bills authorized by sections 23-37, 23-38, 23-40 to 23-42, inclusive, and this section shall show in detail the amount and character of the services performed, the exact duration thereof and all disbursements made by such wardens.

Sec. 14. Section 23-50 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

Whenever it appears to the Governor that by reason of extreme drought or other hazardous conditions there is danger of forest fires, [he] the Governor may proclaim [that] one or more of the following: (1) That any or all sections of woodland and brush land in the state shall be closed, for such time as [he] the Governor may designate, to all persons except the owners or tenants of such woodlands and their agents and employees, and [during such period of closure] (2) that no fire shall be kindled in the open air in any or all areas of the state. As soon as the woodland is deemed free from the danger of fire, the Governor may revoke [his] such proclamation. Any person who enters upon forest or brush land, except as provided herein, or who kindles or causes to be kindled a fire in the open air, during the period covered by the Governor's proclamation, shall be fined not less than five hundred dollars nor more than one [hundred] thousand dollars or imprisoned not more than six months or be both fined and imprisoned.

Sec. 15. Subsection (a) of section 26-136 of the general statutes, as amended by section 6 of public act 26-101, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) [Any person] Ten or more persons may submit a petition to the Commissioner of Energy and Environmental Protection for a safe, timely and effective fish passage for any hydroelectric dam that is not subject to the jurisdiction of the Federal Energy Regulatory Commission. Upon the submittal of such a petition, the commissioner shall determine whether there is a safe, timely and effective fish passage for migratory fish at all life stages upstream and downstream of such dam and associated reservoir. For purposes of this section, a fish passage is deemed safe, timely and effective if it meets or exceeds the Connecticut River Migratory Fish Restoration Cooperative's fish passage standards developed by the Connecticut River Atlantic Salmon Commission.

Sec. 16. Section 26-302 of the general statutes is repealed. (*Effective from passage*)