



# Senate

General Assembly

**File No. 156**

February Session, 2026

Substitute Senate Bill No. 335

*Senate, March 24, 2026*

The Committee on Housing reported through SEN. MARX of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING UTILITY CHARGES FOR RESIDENTIAL DWELLING UNITS.**

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

1 Section 1. Section 47a-4 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2026, and*  
3 *applicable to rental agreements entered into or renewed on or after said date*):

4 (a) A rental agreement shall not provide that the tenant: (1) Agrees to  
5 waive or forfeit rights or remedies under this chapter and sections 47a-  
6 21, 47a-23 to 47a-23b, inclusive, 47a-26 to 47a-26g, inclusive, 47a-35 to  
7 47a-35b, inclusive, 47a-41a, 47a-43 and 47a-46, or under any section of  
8 the general statutes or any municipal ordinance unless such section or  
9 ordinance expressly states that such rights may be waived; (2)  
10 authorizes the landlord to confess judgment on a claim arising out of the  
11 rental agreement; (3) agrees to the exculpation or limitation of any  
12 liability of the landlord arising under law or to indemnify the landlord  
13 for that liability or the costs connected therewith; (4) agrees to waive  
14 [his] such tenant's right to the interest on the security deposit pursuant

15 to section 47a-21; (5) agrees to permit the landlord to dispossess [him]  
 16 such tenant without resort to court order; (6) consents to the distraint of  
 17 [his] such tenant's property for rent; (7) agrees to pay the landlord's  
 18 attorney's fees in excess of fifteen per cent of any judgment against the  
 19 tenant in any action in which money damages are awarded; (8) agrees  
 20 to pay a late charge prior to the expiration of the grace period set forth  
 21 in section 47a-15a or to pay rent in a reduced amount if such rent is paid  
 22 prior to the expiration of such grace period; (9) agrees to pay a late  
 23 charge on rent payments made subsequent to such grace period in an  
 24 amount exceeding the amounts set forth in section 47a-15a; [or] (10)  
 25 agrees to pay a heat or utilities surcharge if heat or utilities is included  
 26 in the rental agreement; or (11) agrees to pay for utilities billed to the  
 27 tenant if no separate meter is used to measure utilities delivered  
 28 exclusively to such tenant's dwelling unit.

29 (b) A provision prohibited by subsection (a) of this section included  
 30 in a rental agreement is unenforceable.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026, and applicable to rental agreements entered into or renewed on or after said date</i>	47a-4

**Statement of Legislative Commissioners:**

The effective date was changed to add "applicable to rental agreements entered into or renewed on or after said date" to avoid potential impairment of contract concerns.

**HSG**      *Joint Favorable Subst.*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill prohibits provisions in a lease that charge utilities to a tenant without a separate utility meter, which is not anticipated to result in a fiscal impact. The state is not a direct residential landlord.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sSB 335*****AN ACT CONCERNING UTILITY CHARGES FOR RESIDENTIAL DWELLING UNITS.*****SUMMARY**

This bill prohibits residential rental agreements from requiring that tenants pay for utilities if there is no separate meter used to measure utilities delivered exclusively to their dwelling unit. (Existing law also prohibits rental agreements from requiring that tenants pay a heat or utilities surcharge if these costs are otherwise included in the rental agreement.) By law, statutorily prohibited provisions included in a rental agreement are unenforceable.

Existing law additionally makes the owner, agent, lessor, or manager of a residential dwelling (the landlord) liable for the costs of a utility service (specifically, electric, gas, water, or heating fuel) provided to the building, unless the utility company provides the service (1) to a dwelling unit of the building on an individually metered or billed basis and (2) for the exclusive use of the unit's occupants (CGS § 16-262e(c)).

Relatedly, in a recent case the Connecticut Supreme Court held that a landlord could not recoup its utility costs by imposing variable utility payments on individual tenants (see BACKGROUND – *Court Decision on Landlords and Utility Costs*).

EFFECTIVE DATE: October 1, 2026, and applicable to rental agreements entered into or renewed on or after this date.

**BACKGROUND*****Court Decision on Landlords and Utility Costs***

In a 2024 decision, the Connecticut Supreme Court held that a landlord could not recoup its utility costs, from buildings served by a

single master meter, by imposing variable utility payments on individual tenants for their proportional use as calculated by the landlord.

In its decision, the court noted that landlords whose buildings operate with master meters may use the “building in” approach to estimate utility costs for the year and build that figure into monthly rent as part of a rental agreement (*Northland Inv. Corp. v. Pub. Utilities Reg. Auth.*, 349 Conn. 35 (2024)).

**Related Bill**

sHB 5359, reported favorably by the Housing Committee, prohibits residential rental agreements from including certain other provisions (for example, those that trigger a rent increase if a tenant breaches the rental agreement).

**COMMITTEE ACTION**

Housing Committee

Joint Favorable Substitute

Yea 14 Nay 5 (03/10/2026)