



# Senate

General Assembly

**File No. 295**

February Session, 2026

Senate Bill No. 361

*Senate, April 1, 2026*

The Committee on Planning and Development reported through SEN. RAHMAN of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT CONCERNING FEES IN LIEU OF SIDEWALK REQUIREMENTS.**

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

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) Notwithstanding the  
2 provisions of any special act, any municipal planning commission,  
3 zoning commission or combined planning and zoning commission may  
4 adopt regulations that allow an applicant to pay a fee to the municipality  
5 in lieu of meeting any requirement or condition to construct and  
6 maintain a public sidewalk in connection with a proposed development,  
7 provided no such application shall be approved by the municipality  
8 unless the commission finds the construction of such sidewalk is  
9 unnecessary or impractical for such development.

10 (b) Any such regulations shall provide that the amount of such fee  
11 shall be determined in accordance with a formula or schedule of fees set  
12 forth in such regulations and that no such fee shall be imposed or paid  
13 without the consent of the applicant and the commission.

14 (c) Any such regulations may limit the areas of the municipality in  
15 which a fee in lieu of public sidewalk requirements may be considered.

16 (d) Any fee paid to the municipality pursuant to this section shall be  
17 deposited in a fund established by the municipality. Such fund shall be  
18 used solely for the construction or maintenance of public sidewalks in  
19 the municipality. The proceeds of such fund shall not be used for  
20 operating expenses of any kind or be considered a part of the municipal  
21 general fund. Expenditures from such fund shall be authorized in the  
22 same manner as any other capital expenditure of the municipality. Any  
23 income earned by any moneys on deposit in such fund shall accrue to  
24 the fund.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	New section

**PD**      *Joint Favorable*

*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:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 27 \$</b>	<b>FY 28 \$</b>
Various Municipalities	Potential Revenue Gain	Potential	Potential

**Explanation**

The bill allows municipalities to include a fee in their zoning regulations that developers can pay in lieu of sidewalk construction if it meets certain criteria. This results in a potential revenue gain to municipalities beginning in FY 27 to the extent fees are paid. Any revenue gain is dependent on the number of fees in lieu of sidewalk construction and the amount.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of fees.

**OLR Bill Analysis****SB 361*****AN ACT CONCERNING FEES IN LIEU OF SIDEWALK REQUIREMENTS.*****SUMMARY**

This bill broadly allows municipal planning and zoning commissions to include provisions in their zoning and subdivision regulations allowing a developer to pay a fee in lieu of sidewalk construction (FILOS), under certain conditions. The authority extends to commissions regardless of any conflicting special acts. (Some municipalities exercise land use powers under a special act, rather than the statutes.)

In practice, some Connecticut municipalities have interpreted state law as allowing FILOS provisions in zoning regulations. State law does not allow FILOS provisions in subdivision regulations.

EFFECTIVE DATE: October 1, 2026

**FILOS PROVISIONS ALLOWED**

The bill allows planning and zoning commissions to include FILOS provisions in their regulations. This means that local zoning or subdivision regulations may include provisions allowing an applicant (developer) to ask to pay a fee instead of complying with regulations on public sidewalk construction and maintenance. But commissions may accept a FILOS only if the sidewalk required by regulations would be unnecessary or impractical for the proposed development.

Under the bill, FILOS regulations must include a formula or schedule for setting the fee. Regulations may limit when a developer can ask to pay a FILOS by specifying that the commission will only consider them in certain areas of the town.

**Using Collected Fees**

Any collected FILOS must be put in a fund that is only used to pay for public sidewalk construction and maintenance. Municipalities must approve spending from the fund in the same way they approve other capital projects.

The bill specifies that (1) income earned on deposited FILOS accrues to the fund and (2) the fund cannot be used for operating expenses or be deemed part of the municipality's general fund.

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 13    Nay 8    (03/13/2026)