



General Assembly

Amendment

February Session, 2026

LCO No. 6243



Offered by:

SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.

SEN. COHEN, 12th Dist.

SEN. MARONEY, 14th Dist.

SEN. MCCRORY, 2nd Dist.

SEN. WINFIELD, 10th Dist.

SEN. MARX, 20th Dist.

To: Subst. House Bill No. 5521

File No. 435

Cal. No. 555

(As Amended)

"AN ACT CONCERNING STERILE CULTIVARS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) On or before January 15,
4 2027, the Connecticut Agricultural Experiment Station shall submit a
5 report, in accordance with the provisions of section 11-4a of the general
6 statutes, to the joint standing committee of the General Assembly
7 having cognizance of matters relating to the environment on the safety
8 of the use and planting, import, transport, sale and purchase of sterile
9 cultivars and the distribution of Japanese barberry in this state. In
10 undertaking the considerations required by this section, the Connecticut
11 Agricultural Experiment Station shall provide for a public comment
12 period. Such report may include, but shall not be limited to, any

13 recommendations concerning such cultivars and Japanese barberry,
14 including any legislative recommendations.

15 Sec. 2. Subsection (c) of section 22a-209f of the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective from*
17 *passage*):

18 (c) (1) For purposes of this subsection: (A) "Beneficially reclaimed
19 materials" means any of the following materials that may contain de
20 minimis amounts of solid waste that is present incidentally in such
21 materials, including any mixture of the following materials:

22 (i) Soil or dewatered sediment that does not exceed the criteria
23 established by regulations adopted pursuant to section 22a-133k,
24 including, but not limited to, criteria for any additional polluting
25 substances for which criteria are not specified in such regulations;

26 (ii) Asphalt, brick, concrete or ceramic material, provided such
27 material is virtually inert and poses no threat to pollute any
28 groundwater or surface waters;

29 (iii) Casting sand;

30 (iv) Crushed recycled glass; or

31 (v) Street sweepings or catch basin clean-out materials.

32 "Beneficially reclaimed materials" does not include materials that
33 contain any asbestos, polychlorinated biphenyls, persistent
34 bioaccumulative toxins, hazardous waste or, unless approved by the
35 commissioner in writing, pyrrhotite-containing concrete;

36 (B) "Soil" means unconsolidated geologic material overlying bedrock;

37 (C) "Dewatered sediment" means unconsolidated material occurring
38 in a surface water body, with water removed;

39 (D) "Casting sand" means waste sand from the casting of metals,

40 provided such sand is not hazardous waste;

41 (E) "Crushed recycled glass" has the same meaning as provided in
42 section 22a-208z;

43 (F) "Hazardous waste" has the same meaning as provided in section
44 22a-448;

45 (G) "Persistent bioaccumulative toxins" means long-lived chemicals
46 that accumulate in the tissues of humans and that are toxic; and

47 (H) "Aquifer protection area" has the same meaning as provided in
48 section 22a-354h.

49 (2) (A) The Commissioner of Energy and Environmental Protection
50 may establish a pilot program for the beneficial use of beneficially
51 reclaimed materials. The primary purpose of such program shall be to
52 allow beneficially reclaimed materials to be used as fill when there is an
53 engineering need for fill materials and to facilitate the reclamation or
54 redevelopment of environmentally impaired or underutilized land.

55 (B) To implement the pilot program established pursuant to this
56 subsection, the commissioner may issue no more than four
57 authorizations, provided: (i) Such authorization does not allow an
58 activity for which an individual or general permit has been issued; (ii)
59 such authorization is not inconsistent with the requirements of the
60 federal Resource Conservation and Recovery Act, 42 USC 6901 et seq.;
61 (iii) such authorization is for single locations only and provides for not
62 less than one hundred thousand cubic yards of beneficially reclaimed
63 materials to be used as fill at such location; [(iv) that prior to the
64 submission of an application for authorization in accordance with this
65 subsection, each municipality in which beneficially reclaimed materials
66 will be used as fill has issued all the necessary approvals specified in
67 subdivision (4) of this subsection;] and [(v)] (iv) the commissioner finds
68 that the beneficial use of beneficially reclaimed materials does not harm
69 or present a threat to human health, safety or the environment.

70 (3) The commissioner may establish guidelines protective of public
71 health, safety and the environment for such authorizations and for a
72 letter of credit provided in accordance with this subsection and shall
73 give public notice on the Department of Energy and Environmental
74 Protection's Internet web site of such guidelines, or any subsequent
75 revision of such guidelines, with an opportunity for submission of
76 written comments by interested persons for a period of thirty days
77 following the publication of such notice. The commissioner shall post a
78 response to any comments received on the Department of Energy and
79 Environmental Protection's Internet web site. At a minimum, any such
80 guidelines shall contain a preference for use of environmentally
81 impaired or underutilized locations, provided that any location for
82 which an authorization is issued under this subsection shall:

83 (A) Be in an area (i) where the quality of the groundwaters of the
84 state, as classified in regulations adopted pursuant to section 22a-426,
85 and the classification maps adopted pursuant to said section, is either
86 "GB" or "GC", and (ii) that is served by a public drinking water supply;

87 (B) Not be in an aquifer protection area; and

88 (C) Be operated in compliance with sections 22a-426-1 to 22a-426-9,
89 inclusive, of the regulations of Connecticut state agencies and not
90 adversely affect sensitive receptors or resources, including, but not
91 limited to, public or private water supply wells, wetlands, floodplains,
92 or threatened or endangered species.

93 (4) ~~[Prior to the] The submission of an application for authorization~~
94 ~~in accordance with this subsection, [an applicant] shall [:(A) Obtain a]~~
95 ~~require the applicant to either (A) submit, or (B) indicate when such~~
96 ~~applicant reasonably estimates that it will have: (i) A valid certificate of~~
97 ~~zoning approval, special permit, special exception or variance, or other~~
98 ~~documentation, from each municipality in which beneficially reclaimed~~
99 ~~materials will be used as fill; [(B) obtain a copy of] and (ii) a wetlands,~~
100 ~~aquifer protection, coastal site plan and any other required approval~~
101 ~~from each municipality. [; and (C) comply] Any such application shall~~

102 additionally include proof of compliance with the process specified in
103 subsection (b) of section 22a-20a, regardless of whether the location
104 where beneficially reclaimed materials will be used as fill is located in
105 an environmental justice community;

106 (5) An application for authorization pursuant to this subsection shall
107 be submitted on forms prescribed by the commissioner and shall
108 include, at a minimum, the following information: (A) A plan for
109 ensuring that only beneficially reclaimed materials that satisfy the
110 requirements of this subsection are used as fill and a description of
111 acceptability criteria for the beneficially reclaimed materials proposed
112 for beneficial use at the subject location; (B) a plan describing the process
113 for placing and recording the placement of beneficially reclaimed
114 materials; (C) a plan for monitoring the waters of the state during the
115 filling process and for a period of not less than thirty years after filling
116 is complete; (D) a proposed letter of credit that conforms to the
117 guidelines established by the commissioner pursuant to subdivision (3)
118 of this subsection and the basis for the cost estimate used in such
119 proposed letter of credit; (E) the qualifications of the environmental
120 professionals intended to exercise oversight of all aspects of the
121 proposed activities; (F) a redevelopment plan for the location where
122 beneficially reclaimed materials will be placed, including engineering
123 plans and drawings in support of such redevelopment; (G) a list of each
124 municipal approval required for the proposed placement of beneficially
125 reclaimed materials and a written copy of each such approval or a
126 reasonable estimate of when such approval will be obtained, as
127 applicable; and (H) any additional information required by the
128 commissioner. Any such application shall be accompanied by a
129 nonrefundable application fee of twenty-five thousand dollars.

130 (6) Notwithstanding section 22a-208a or any regulations adopted
131 pursuant to section 22a-209, the issuance of an authorization under this
132 subsection, or a modification of an authorization under this subsection
133 when such modification is sought by the holder of an authorization,
134 shall conform to the following procedures: (A) The Commissioner of

135 Energy and Environmental Protection shall publish a notice of intent to
136 issue an authorization on the Department of Energy and Environmental
137 Protection's Internet web site. Such notice shall, at a minimum, include:
138 (i) The name and mailing address of the applicant and the address of the
139 location of the proposed activity; (ii) the application number; (iii) the
140 tentative decision regarding the application; (iv) the type of
141 authorization sought, including a reference to the applicable provision
142 of the general statutes or regulations of Connecticut state agencies; (v) a
143 description of the location of the proposed activity and any natural
144 resources that will be affected by such activity; (vi) the name, address
145 and telephone number of any agent of the applicant from whom
146 interested persons may obtain copies of the application; (vii) the length
147 of time available for submission of public comments to the
148 commissioner; and (viii) any other additional information the
149 commissioner deems necessary. There shall be a comment period of
150 thirty days following the publication of such notice by the commissioner
151 during which interested persons may submit written comments to the
152 commissioner; (B) the commissioner shall post a response to any
153 comments received on the Department of Energy and Environmental
154 Protection's Internet web site; and (C) the commissioner may approve
155 or deny such authorization based upon a review of the submitted
156 information. Any authorization issued pursuant to this subsection shall
157 define clearly the activity covered by such authorization and may
158 include such conditions or requirements as the commissioner deems
159 appropriate, including, but not limited to, investigation or remediation
160 of a location prior to placement of beneficially reclaimed materials,
161 operation and maintenance requirements, best management practices,
162 qualifications and requirements for environmental professional
163 exercising oversight, groundwater monitoring, compliance with fill
164 management, closure, redevelopment or other plans, reporting and
165 recordkeeping requirements, auditing by an independent party and a
166 specified term. The commissioner shall require the posting of a letter of
167 credit to assure compliance with any authorization issued under this
168 subsection, including, but not limited to, implementation of a closure
169 plan and post-closure maintenance and monitoring.

170 (7) The commissioner may suspend or revoke any such authorization
171 and may modify an authorization if such modification is not sought by
172 the holder of an authorization, in accordance with the provisions of
173 section 4-182 and the applicable rules of practice adopted by the
174 department.

175 (8) Unless required by the federal Clean Water Act, a discharge
176 permit under section 22a-430 shall not be required for a discharge
177 authorized under this subsection. In addition, the soil reuse provisions
178 of the state remediation standards, adopted pursuant to section 22a-
179 133k, shall not apply to an activity authorized under this subsection.

180 Sec. 3. Subsection (d) of section 8-3n of the 2026 supplement to the
181 general statutes is repealed and the following is substituted in lieu
182 thereof (*Effective October 1, 2026*):

183 (d) Notwithstanding the provisions of this section, any municipality,
184 as defined in section 7-148, may adopt not more than two conservation
185 and traffic mitigation districts in which the municipality may require a
186 minimum number of off-street motor vehicle parking spaces for a
187 residential development that contains [~~fewer than sixteen~~] sixteen or
188 fewer dwelling units, provided (1) no such district shall be larger than
189 four per cent of a municipality's land area, (2) a municipality shall
190 submit a property description of any such district adopted by the
191 municipality to the Secretary of the Office of Policy and Management
192 upon the adoption of such district, (3) any such zones may be
193 contiguous, and (4) the municipality shall allow the proposed developer
194 of such development to submit to the zoning enforcement officer,
195 planning commission, zoning commission or combined planning and
196 zoning commission a parking needs assessment that conforms with the
197 requirements of subsection (c) of this section. If a parking needs
198 assessment is submitted pursuant to subdivision (4) of this subsection,
199 such officer or commission shall condition the approval of such
200 development on the construction of off-street parking spaces not
201 exceeding one such space for each studio or one-bedroom dwelling and
202 two such spaces for each dwelling unit with two or more bedrooms, or

203 the number of such spaces recommended for the development by the
204 parking needs assessment submitted pursuant to this section,
205 whichever results in the least required number of off-street parking
206 spaces.

207 Sec. 4. Section 2-139 of the general statutes is repealed and the
208 following is substituted in lieu thereof (*Effective from passage*):

209 (a) There is established the majority leaders' roundtable group on
210 affordable housing. The group shall study (1) existing affordable
211 housing policies, programs and initiatives in the state, (2) the potential
212 conversion of state properties into affordable housing developments, (3)
213 successful models and best practices from other states or regions to
214 inform potential policy recommendations, (4) the potential conversion
215 of commercial properties such as hotels, malls and office buildings into
216 residential buildings, and (5) any other topics related to the promotion
217 and development of affordable housing in the state.

218 (b) The roundtable group shall consist of the following members:

219 (1) The cochairpersons and ranking members of the joint standing
220 committees of the General Assembly having cognizance of matters
221 relating to housing and planning and development;

222 (2) The majority leader of the Senate;

223 (3) The majority leader of the House of Representatives;

224 (4) Three appointed by the majority leader of the House of
225 Representatives, one of whom has expertise in public housing, one of
226 whom represents a regional council of governments, and one of whom
227 represents a business advocacy organization or regional chamber of
228 commerce;

229 (5) Three appointed by the majority leader of the Senate, one of whom
230 has expertise in regional planning, one of whom has expertise in local
231 planning and zoning, and one of whom has expertise in housing

- 232 development;
- 233 (6) The Commissioner of Administrative Services, or the
234 commissioner's designee;
- 235 (7) The Commissioner of Housing, or the commissioner's designee;
- 236 (8) The Commissioner of Economic and Community Development,
237 or the commissioner's designee;
- 238 (9) The Commissioner of Transportation, or the commissioner's
239 designee;
- 240 (10) The Responsible Growth Coordinator, or the coordinator's
241 designee;
- 242 (11) The executive director of the Connecticut Housing Finance
243 Authority, or the executive director's designee;
- 244 (12) A representative of the Connecticut Conference of
245 Municipalities; and
- 246 (13) A representative of the Connecticut Council of Small Towns.
- 247 (c) Any member of the roundtable group appointed under
248 subdivision (1), (2), (3) or (4) of subsection (b) of this section may be a
249 member of the General Assembly.
- 250 (d) All initial appointments to the roundtable group shall be made
251 not later than thirty days after the effective date of this section. Any
252 vacancy shall be filled by the appointing authority.
- 253 (e) The majority leader of the Senate and the majority leader of the
254 House of Representatives shall be the chairpersons for the roundtable
255 group. The chairpersons shall schedule the first meeting of the
256 roundtable group, which shall be held not later than sixty days after the
257 effective date of this section.

258 (f) The administrative staff of the joint standing committee of the
259 General Assembly having cognizance of matters relating to housing
260 shall serve as administrative staff of the roundtable group.

261 (g) Not later than January 1, 2024, and annually on January first
262 thereafter until January 1, 2026, the roundtable group shall submit a
263 report on its findings and recommendations to the joint standing
264 committee of the General Assembly having cognizance of matters
265 relating to housing, in accordance with the provisions of section 11-4a.
266 The roundtable group shall terminate on June 30, 2026.

267 Sec. 5. Section 8-13ii of the 2026 supplement to the general statutes is
268 repealed and the following is substituted in lieu thereof (*Effective July 1,*
269 *2026*):

270 (a) There is established a Council on Housing Development to advise
271 and assist the State Responsible Growth Coordinator in reviewing
272 regulations, developing guidelines and establishing programs
273 concerning the growth of housing in the state, and to approve or modify
274 any municipal housing growth plan or regional housing growth plan if
275 the Secretary of the Office of Policy and Management has not acted on
276 such plan in the time provided in section 8-13bb₂ or 8-13cc, as applicable.

277 (b) The council shall consist of the following regular members: (1) The
278 Governor, or the Governor's designee; (2) the State Responsible Growth
279 Coordinator; (3) the Secretary of the Office of Policy and Management,
280 or the secretary's designee; (4) the Commissioner of Housing, or the
281 commissioner's designee; (5) the Commissioner of Energy and
282 Environmental Protection, or the commissioner's designee; (6) the
283 Commissioner of Economic and Community Development, or the
284 commissioner's designee; (7) the Commissioner of Transportation, or
285 the commissioner's designee; (8) the executive director of the
286 Connecticut Housing Finance Authority, or the executive director's
287 designee; (9) the executive director of the Connecticut Municipal
288 Development Authority, or the executive director's designee; (10) the
289 president pro tempore of the Senate, or the president's designee; (11) the

290 majority leader of the Senate, or the majority leader's designee; (12) the
291 speaker of the House of Representatives, or the speaker's designee; (13)
292 the majority leader of House of Representatives, or the majority leader's
293 designee; (14) the minority leader of the Senate, or the minority leader's
294 designee; (15) the minority leader of the House of Representatives, or
295 the minority leader's designee; (16) one individual appointed by the
296 [chairperson of the majority leaders' roundtable group on affordable
297 housing from the Senate] president pro tempore of the Senate; and (17)
298 one individual appointed by the [chairperson of the majority leaders'
299 roundtable group on affordable housing from the House of
300 Representatives] speaker of the House of Representatives.

301 (c) The chairpersons of the council shall be (1) the president pro
302 tempore of the Senate, or the president's designee, and (2) the speaker
303 of the House of Representatives, or the speaker's designee.

304 (d) The administrative staff of the Connecticut Municipal
305 Development Authority shall serve as the administrative staff of the
306 council.

307 (e) The council shall convene not later than January 1, 2026, and meet
308 not less than once every six months thereafter, and more often upon the
309 call of a chairperson, to:

310 (1) Review and evaluate the plans, programs, regulations and policies
311 of state or quasi-public agencies for opportunities to combine efforts and
312 resources of such agencies to increase housing development;

313 (2) Develop consistent reporting methods concerning data and
314 documentation related to housing development;

315 (3) Provide a forum to develop approaches to housing growth that
316 balance both needs for conservation and development, including the
317 need for additional housing and economic growth, the protection of
318 natural resources and the maintenance and support for existing
319 infrastructure;

320 (4) Review existing discretionary grant programs to make
 321 recommendations to state or quasi-public agencies concerning the
 322 adherence of such programs with the goals established in the state plan
 323 of conservation and development adopted under chapter 297. Such
 324 recommendations shall include, but need not be limited to, methods to
 325 increase the development of deed-restricted housing in transit-oriented
 326 districts and middle housing, as defined in section 8-1a;

327 (5) Develop guidelines, in consultation with the Secretary of the
 328 Office of Policy and Management and consistent with the requirements
 329 of subsection (j) of section 8-13hh, concerning the adoption and
 330 development of transit-oriented districts within qualifying transit-
 331 oriented communities; and

332 (6) Review applications for grants-in-aid under the housing growth
 333 program established pursuant to section 8-13jj, including any
 334 supporting materials submitted by an applicant in connection with such
 335 application, that have been submitted by the secretary to the council
 336 pursuant to section 8-13jj.

337 (f) Not later than January 1, 2027, the council shall submit a report, in
 338 accordance with the provisions of section 11-4a, to the joint standing
 339 committees of the General Assembly having cognizance of matters
 340 relating to planning and development and housing, concerning the
 341 recommendations and guidelines developed by the council pursuant to
 342 subdivisions (4) and (5) of subsection (e) of this section or any other
 343 recommendations of the council. The coordinator shall publish such
 344 recommendations and guidelines on the Internet web site of the Office
 345 of Policy and Management."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	22a-209f(c)
Sec. 3	<i>October 1, 2026</i>	8-3n(d)
Sec. 4	<i>from passage</i>	2-139

Sec. 5	July 1, 2026	8-13ii
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