



General Assembly

**Amendment**

February Session, 2026

LCO No. 5118



Offered by:

REP. PARKER, 101<sup>st</sup> Dist.

REP. BUMGARDNER, 41<sup>st</sup> Dist.

REP. CALLAHAN, 108<sup>th</sup> Dist.

To: Subst. House Bill No. 5153

File No. 87

Cal. No. 79

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

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective July 1, 2026*) Except as prohibited in  
4 subdivision (1) of subsection (i) of section 22a-208a of the general  
5 statutes, the Commissioner of Energy and Environmental Protection  
6 may, notwithstanding any provision of title 22a of the general statutes,  
7 issue a general permit for any activity that the commissioner may  
8 authorize by issuance of an individual permit, provided the  
9 commissioner determines that such activity both separately and  
10 cumulatively causes minimal environmental effects. Such  
11 determination shall be specified in the public notice for any such general  
12 permit notice pursuant to this section.

13 Sec. 502. (NEW) (*Effective July 1, 2027*) On and after July 1, 2027, no  
14 food service establishment shall provide any single-use food service  
15 item, including any utensil, napkin, condiment packet or drinking  
16 straw, or combination thereof, except upon the express request of the  
17 customer or through the use of self-service, including utensil and  
18 napkin dispensers. Any such item provided upon a request shall be  
19 limited to the type and quantity requested by the customer.

20 Sec. 503. (NEW) (*Effective October 1, 2026*) (a) On and after July 1, 2027,  
21 any entity subject to section 22a-226e of the general statutes, shall  
22 prioritize the management of surplus edible food by first donating such  
23 surplus edible food for human consumption, secondly using such  
24 surplus food as animal feed or recycling such surplus food through  
25 composting, aerobic digestion or anaerobic digestion, and, finally, after  
26 such options have been exhausted, disposing of such surplus food.

27 (b) Each commercial food wholesaler or distributor, industrial food  
28 manufacturer or processor, supermarket, institution, resort or  
29 conference center that generates an average projected volume of not less  
30 than twenty-six tons per year of source-separated organic material,  
31 including any source-separated organic material subject to the  
32 requirements of subsections (a) and (b) of section 22a-226e of the general  
33 statutes, shall, on or before January 1, 2027, adopt a written policy  
34 pertaining to a food donation program that: (1) Describes how such  
35 wholesaler, distributor, manufacturer, processor, supermarket,  
36 institution, resort or conference center will make best efforts to donate  
37 excess edible food, as determined by such entity, using acceptable  
38 industry standards; (2) is designed to (A) reduce such entity's food  
39 waste, (B) support the operations of food relief organizations, and (C)  
40 ensure that all food donated by such entity under such policy is safe and  
41 fit for human consumption; (3) provides for the education of such  
42 entity's management, employees and third-party vendors who manage  
43 food for such facility regarding the food distribution process and the  
44 relationship between such process and food waste; (4) requires such  
45 entity to make reasonable efforts to identify, and partner with, not less

46 than two food relief organizations for the purpose of donating excess  
47 edible food to such food relief organizations prior to any such food  
48 becoming source-separated organic material; (5) includes a framework  
49 to formalize and streamline such entity's protocols concerning food  
50 donation; and (6) includes a process to ensure that food donated as part  
51 of such program has nutritional value.

52 (c) Each entity subject to the provisions of subsection (b) of this  
53 section, shall submit such plan to the Department of Energy and  
54 Environmental Protection, and may provide such plan to the applicable  
55 council of governments, political subdivision and resource recovery  
56 authority.

57 Sec. 504. (NEW) (*Effective July 1, 2026*) Notwithstanding any provision  
58 of the general statutes, for purposes of any municipal or regional  
59 materials management or solid waste reduction grant program  
60 administered by the Department of Energy and Environmental  
61 Protection, including, but not limited to, any such program under  
62 section 16-244bb or title 22a of the general statutes, eligible grant  
63 recipients may include school districts, and project costs may include,  
64 but are not limited to, equipment, infrastructure, facility improvements,  
65 implementation systems and operational components necessary to  
66 support waste reduction, reuse programs, food recovery, source  
67 separation, organics diversion or materials processing, including the  
68 reuse or processing of organic materials, including, but not limited to,  
69 marine-derived materials associated with shell recovery, aquaculture or  
70 habitat restoration activities, and including, but not limited to, storage  
71 infrastructure, cold storage equipment, reusable food service systems,  
72 dishwashing equipment, sanitation infrastructure, sorting systems and  
73 collection systems.

74 Sec. 505. Subsection (f) of section 22a-174 of the general statutes is  
75 repealed and the following is substituted in lieu thereof (*Effective October*  
76 *1, 2026*):

77 (f) The commissioner shall allow the open burning of brush on

78 residential property, provided the burning is conducted by the resident  
79 of the property or the agent of the resident and a permit for such burning  
80 is obtained from the local open burning official of the municipality in  
81 which the property is located, and the open burning of brush in  
82 municipal landfills, transfer stations and municipal recycling centers,  
83 provided a permit for such burning is obtained from the fire marshal of  
84 the municipality where the facility is located, except that no open  
85 burning of brush shall occur (1) when national or state ambient air  
86 quality standards may be exceeded; (2) where a hazardous health  
87 condition might be created; (3) when the forest fire danger in the area is  
88 identified by the commissioner as high, very high or extreme and where  
89 woodland or grass land is within one hundred feet of the proposed  
90 burn; (4) where there is an advisory from the commissioner of any air  
91 pollution episode; (5) where prohibited by an ordinance of the  
92 municipality; and (6) in the case of a municipal landfill, when such  
93 landfill is within an area designated as a hot spot on the open burning  
94 map prepared by the commissioner. A permit for the burning of brush  
95 at any municipal landfill, municipal transfer station or municipal  
96 recycling center shall be issued no more than six times in any calendar  
97 year. The proposed permit to burn brush at any municipal landfill,  
98 municipal transfer station or municipal recycling center shall be  
99 submitted to the commissioner by the fire marshal, with the approval of  
100 the chief elected official of the municipality in which the municipal  
101 landfill, municipal transfer station or municipal recycling center is  
102 located. The commissioner shall approve or disapprove the fire  
103 marshal's proposed permitting of burning of brush at a municipal  
104 landfill, municipal transfer station or municipal recycling center within  
105 a reasonable time of the filing of such application. The burning of leaves,  
106 demolition waste or other solid waste deposited in such landfill shall be  
107 prohibited. The burning of nonprocessed wood for campfires and  
108 bonfires is not prohibited if the burning is conducted so as not to create  
109 a nuisance and in accordance with any restrictions imposed on such  
110 burning. Nothing in this subsection or in any regulation adopted  
111 pursuant to this subsection shall affect the power of any municipality to  
112 regulate or ban the open burning of brush within its boundaries for any

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

135 Sec. 506. Section 23-36 of the general statutes is repealed and the  
136 following is substituted in lieu thereof (*Effective October 1, 2026*):

137 The State Forest Fire Warden may take such action as said warden  
138 deems necessary to provide for the prevention and control of forest fires.  
139 Said warden may enter into agreements with federal agencies, with  
140 cities, boroughs and fire districts and with forest protective associations  
141 for the purpose of carrying out the provisions of this section. Said  
142 warden, if the Commissioner of Energy and Environmental Protection  
143 deems necessary, may prohibit open flames upon any or all lands under  
144 the commissioner's control. Said warden shall divide the state into  
145 districts for the purpose of preventing and controlling forest fires and

146 shall appoint within these districts such district fire wardens, not  
147 exceeding two hundred and fifty, as said warden deems necessary, who  
148 shall serve for two years or until their successors are appointed. The  
149 State Forest Fire Warden shall have supervision of district fire wardens  
150 and shall instruct them in their duties. Each district fire warden may,  
151 with the approval of the State Forest Fire Warden, appoint deputies to  
152 assist in extinguishing fires and to take charge of such extinguishing in  
153 such district fire warden's absence, provided, in cities having paid fire  
154 departments and whose boundaries are coterminous with the town  
155 boundaries, the State Forest Fire Warden may appoint a district fire  
156 warden and may assume responsibility for forest fires only upon the  
157 written request of the mayor of such city and for such portions as may  
158 be designated by such mayor. Cities without paid fire departments and  
159 portions of towns outside of city limits shall be included in forest fire  
160 districts and the State Forest Fire Warden may employ volunteer fire  
161 companies under the conditions described in this section and sections  
162 23-37 to 23-42, inclusive. The State Forest Fire Warden shall establish  
163 rates of compensation for equipment usage, fire fighting materials and  
164 supplies expended and firefighter and laborer time expended in  
165 extinguishing forest fires to be paid to such volunteer fire companies as  
166 may be employed. In establishing such rates, the State Forest Fire  
167 Warden may differentiate between various kinds of equipment and  
168 material and supplies used and the provisions of section 23-39, as  
169 amended by this act, shall apply to the establishment of rates of  
170 compensation for firefighter and laborer time. Notwithstanding any  
171 provision of the general statutes or any municipal ordinance, upon the  
172 declaration by the Governor of the existence of a state of emergency due  
173 to forest fire, the State Forest Fire Warden may assume direct authority  
174 over efforts to extinguish any forest fire and may assign such authority  
175 to any state forest fire control personnel.

176 Sec. 507. Section 23-39 of the general statutes is repealed and the  
177 following is substituted in lieu thereof (*Effective October 1, 2026*):

178 The compensation of district and deputy fire wardens, trained

179 firefighters organized in accordance with rules issued by the State Forest  
180 Fire Warden and such laborers as said warden finds it necessary to  
181 employ shall be fixed by said warden on an hourly basis, subject to the  
182 approval of the Commissioner of Administrative Services. Volunteer  
183 fire companies may be compensated in accordance with section 23-36,  
184 as amended by this act. The chief of the fire department in any town,  
185 city or borough who receives a regular salary shall be paid no additional  
186 compensation when acting as a fire warden. District fire wardens shall  
187 prepare their bills for services rendered by them and by the personnel  
188 and automobiles and other apparatus employed or used by them in  
189 extinguishing fires. The chief of any volunteer fire company may  
190 prepare bills for services rendered by said company and by the  
191 personnel and automobiles and other apparatus employed or used by  
192 them in extinguishing forest fires, if said company is allowed by town  
193 ordinance to receive payment for such bills. Such bills shall be on a form  
194 prescribed by the State Forest Fire Warden and shall be submitted to the  
195 State Forest Fire Warden within one month after the services have been  
196 rendered, and, if found correct and approved by said warden, shall be  
197 ordered paid by the State Comptroller. Due to emergency, the State  
198 Forest Fire Warden may extend the one-month submittal deadline to not  
199 more than four months. A copy of each bill so paid on account of any  
200 fire within a city, as provided in section 23-36, as amended by this act,  
201 shall be sent by the State Forest Fire Warden to the city treasurer of the  
202 city in which the fire occurred, except bills for which a railroad company  
203 is liable under the provisions of section 23-42, and, on or before the tenth  
204 day of December in each year, such city treasurer shall draw the  
205 treasurer's order in favor of the State Treasurer for the full amount of  
206 such bills submitted during the twelve months next preceding. The State  
207 Forest Fire Warden may forgive such bills if the state would incur  
208 administrative costs in collecting the debt owed that would exceed the  
209 actual debt owed. Bills for expenses incurred or services rendered by  
210 district or deputy wardens in the performance of duties other than fire  
211 fighting shall be submitted to the State Forest Fire Warden on or before  
212 the tenth day of December and the tenth day of June in each year. Upon  
213 approval by the State Forest Fire Warden, such bills shall be ordered

214 paid by the State Comptroller from any sums available for the expenses  
 215 of the State Forest Fire Warden. All fire warden bills authorized by  
 216 sections 23-37, 23-38, 23-40 to 23-42, inclusive, and this section shall  
 217 show in detail the amount and character of the services performed, the  
 218 exact duration thereof and all disbursements made by such wardens.

219 Sec. 508. Section 23-50 of the general statutes is repealed and the  
 220 following is substituted in lieu thereof (*Effective October 1, 2026*):

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

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2026</i>	New section
Sec. 502	<i>July 1, 2027</i>	New section
Sec. 503	<i>October 1, 2026</i>	New section
Sec. 504	<i>July 1, 2026</i>	New section
Sec. 505	<i>October 1, 2026</i>	22a-174(f)
Sec. 506	<i>October 1, 2026</i>	23-36
Sec. 507	<i>October 1, 2026</i>	23-39
Sec. 508	<i>October 1, 2026</i>	23-50