



General Assembly

January Session, 2021

Governor's Bill No.

LCO No. 3252



* 0 3 2 5 2 *

Referred to Committee on

Introduced by:

Request of the Governor Pursuant
to Joint Rule 9

AN ACT CONCERNING CLIMATE CHANGE ADAPTATION.

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

1 Section 1. Section 22a-498 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 (a) Any municipality [selected by the commissioner to participate in
4 the pilot program established pursuant to section 22a-497] may, by
5 ordinance adopted by its legislative body, designate any existing board
6 or commission or establish a new board or commission as the
7 stormwater authority for such municipality. If a new board or
8 commission is created, such municipality shall, by ordinance, determine
9 the number of members thereof, their compensation, if any, whether
10 such members shall be elected or appointed, the method of their
11 appointment, if appointed, and removal and their terms of office, which
12 shall be so arranged that not more than one-half of such terms shall

13 expire within any one year.

14 (b) The purposes of the stormwater authority shall be to: (1) Develop
15 a stormwater management program, including, but not limited to, (A) a
16 program for construction and post-construction site stormwater runoff
17 control, including control detention and prevention of stormwater
18 runoff from development sites; or (B) a program for control and
19 abatement of stormwater pollution from existing land uses, and the
20 detection and elimination of connections to the stormwater system that
21 threaten the public health, welfare or the environment; (2) provide
22 public education and outreach in the municipality relating to
23 stormwater management activities and to establish procedures for
24 public participation; (3) provide for the administration of the
25 stormwater management program; (4) establish geographic boundaries
26 of the stormwater authority district; and (5) recommend to the
27 legislative body of the municipality in which such district is located the
28 imposition of a [levy] fee upon the [taxable] interests in real property
29 within such district, the revenues from which [may] shall be used in
30 carrying out any of the powers of such district. In accomplishing the
31 purposes of this section, the stormwater authority may plan, layout,
32 acquire, construct, reconstruct, repair, maintain, supervise and manage
33 stormwater control systems.

34 (c) (1) (A) [Any] Except as provided in subparagraph (B) of this
35 subdivision, any stormwater authority created by a municipality
36 pursuant to subsection (a) of this section may levy fees [from] on
37 property owners of the municipality for the purposes described in
38 subsection (b) of this section, provided such fees are approved by the
39 legislative body of the municipality in accordance with the provisions
40 of subdivision (2) of this subsection. In establishing fees for [any]
41 property in its district, the stormwater authority [may] shall consider
42 criteria, including, but not limited to, the following: The area of the
43 property containing impervious surfaces from which stormwater runoff
44 is generated, land use types that result in higher or lower concentrations
45 of stormwater pollution and the grand list valuation of the property.

46 (B) [The stormwater authority may reduce or defer such fees for] In
47 the case of land classified as, or consisting of, farm, forest or open space
48 land, the stormwater authority may only levy such fees on areas of such
49 land that contain impervious surfaces from which stormwater runoff is
50 generated.

51 (2) Each stormwater authority shall annually present its budget for
52 the approval of the legislative body of the municipality. Such budget
53 shall include, but not be limited to, the specific programs the authority
54 proposes to undertake during the fiscal year for which such budget is
55 presented, the projected expenditures for such programs for such fiscal
56 year and the amount of the fee or fees the authority proposes to levy to
57 pay for such expenditures. In any such budget approved by such
58 legislative body, (A) the aggregate amount of the fees proposed for a
59 fiscal year shall not exceed the aggregate amount of the projected
60 expenditures for such fiscal year, (B) the amounts of such fees may be
61 less, but shall not be greater, than those proposed by the authority.

62 (3) Any fee levied pursuant to this subsection that is not paid in full
63 on or before the thirtieth day after the date on which such fee is due shall
64 bear interest at such rates and in such manner as provided for
65 delinquent taxes in accordance with section 12-146. Any unpaid fee or
66 portion of such fee, and interest due on such fee, shall constitute a lien
67 on the real or personal property of the owner of the property upon
68 which such fee was levied, which lien may be recorded and released in
69 the manner provided for property tax liens.

70 (d) Any person aggrieved by the action of a stormwater authority
71 under this section shall have the same rights and remedies for appeal
72 and relief as are provided for taxpayers claiming to be aggrieved by the
73 doings of the assessors or board of assessment appeals.

74 [(d)] (e) The authority may adopt municipal regulations to implement
75 the stormwater management program.

76 [(e)] (f) The authority may, subject to the commissioner's approval,
77 enter into contracts with any municipal or regional entity to accomplish

78 the purposes of this section.

79 Sec. 2. Section 22a-498a of the general statutes is repealed and the
80 following is substituted in lieu thereof (*Effective July 1, 2021*):

81 A municipal stormwater authority created pursuant to section 22a-
82 498, as amended by this act, and located in a distressed municipality, as
83 defined in subsection (b) of section 32-9p, having a population of not
84 more than twenty-eight thousand shall constitute a body politic and
85 corporate and the ordinance establishing such authority may confer
86 upon such authority the following powers: (1) To sue and be sued; (2)
87 to acquire, hold and convey any estate, real or personal; (3) to contract;
88 (4) to borrow money, including by the issuance of bonds, provided the
89 issuance of such bonds is approved by the legislative body of the
90 municipality in which such authority district is located; (5) to
91 recommend to the legislative body of such municipality the imposition
92 of a [levy] fee upon the [taxable] interests in real property within such
93 authority district, the revenues from which [may] shall be used in
94 carrying out any of the powers of such authority; (6) to deposit and
95 expend funds; and (7) to enter property to make surveys, soundings,
96 borings and examinations to accomplish the purposes of section 22a-
97 498, as amended by this act.

98 Sec. 3. (NEW) (*Effective July 1, 2021*) (a) A municipality may establish,
99 by vote of its legislative body, a buyer's conveyance fee on the
100 conveyance of real property in such municipality. The rate of such fee
101 shall be (1) for consideration paid by the buyer equal to or less than eight
102 hundred thousand dollars, not more than one-half of one per cent on the
103 portion of such consideration that exceeds one hundred fifty thousand
104 dollars, (2) for consideration paid by the buyer greater than eight
105 hundred thousand dollars but equal to or less than two million five
106 hundred thousand dollars, not more than one per cent on the portion of
107 such consideration that exceeds eight hundred thousand dollars, and (3)
108 for consideration paid by the buyer greater than two million five
109 hundred thousand dollars, not more than one and one-half per cent on
110 the portion of such consideration that exceeds two million five hundred

111 thousand dollars.

112 (b) (1) The fee established pursuant to subsection (a) of this section
113 shall be retained by the municipality, maintained in a separate account
114 and, except as provided in subdivision (2) of this subsection, used for
115 any of the following purposes: (A) Purchase, preservation or
116 stewardship of open space land or other interests in land in such
117 municipality, including, but not limited to, water resources, forest land
118 and farmland; (B) funding of a Climate Change and Coastal Resiliency
119 Reserve Fund, created by the municipality pursuant to section 7-159d of
120 the general statutes, as amended by this act, or other municipal climate
121 resilience, mitigation or adaptation strategies; (C) matching of
122 investments from state programs funded pursuant to section 4-66aa of
123 the general statutes; (D) funding of other environmental projects,
124 including, but not limited to, urban forestry and planting of trees; and
125 (E) repayment of municipal bonds obtained for any of the purposes
126 described in subparagraphs (A) to(E), inclusive, of this subsection.

127 (2) In the case of a municipality not included in the list annually
128 reported by the Commissioner of Housing under subparagraph (D) of
129 subdivision (2) of subsection (a) of section 8-37qqq of the general
130 statutes, the fee established pursuant to subsection (a) of this section
131 shall only be used for funding of a Climate Change and Coastal
132 Resiliency Reserve Fund. Notwithstanding the provisions of subsection
133 (e) of section 7-159d of the general statutes, no part of such reserve fund
134 may be used for land acquisition.

135 (c) A distressed municipality, as defined in section 32-9p of the
136 general statutes, or a targeted investment community, as defined in
137 section 32-222 of the general statutes, may set aside up to ten per cent of
138 the fees maintained under subsection (b) of this section for the purpose
139 of offsetting property tax revenues that are reduced or eliminated as a
140 result of tax exemptions granted by the municipality for protected open
141 space land, forest land, farmland or recreational land.

142 (d) Each conveyance resulting in the preservation in perpetuity of

143 open space land, forest land or farmland shall be exempt from any fee
144 imposed pursuant to subsection (a) of this section.

145 (e) Any fee imposed pursuant to subsection (a) of this section shall
146 not apply to any transaction enumerated in subsection (a) of section 12-
147 498 of the general statutes.

148 Sec. 4. Section 25-84 of the general statutes is repealed and the
149 following is substituted in lieu thereof (*Effective July 1, 2021*):

150 (a) (1) Any municipality may, by vote of its legislative body, adopt
151 the provisions of this section and sections 25-85 to 25-94, inclusive, as
152 amended by this act, and exercise through a flood prevention, climate
153 resilience and erosion control board the powers granted thereunder. In
154 each town, except as otherwise provided by special act, the flood prevention, climate
155 resilience and erosion control board shall consist of
156 not less than five nor more than seven members, who shall be electors
157 of such town and whose method of selection and terms of office shall be
158 determined by local ordinance, except that in towns having a population
159 of less than fifty thousand the selectmen may be empowered by such
160 ordinance to act as such flood prevention, climate resilience and erosion
161 control board. In each city or borough, except as otherwise provided by
162 special act, the board of aldermen, council or other board or authority
163 having power to adopt ordinances for the government of such city or
164 borough may act as such flood prevention, climate resilience and
165 erosion control board. The flood prevention, climate resilience and
166 erosion control board of any town shall have jurisdiction over that part
167 of the town outside any city or borough contained therein.

168 (2) Two or more municipalities may, by concurrent votes of their
169 legislative bodies, enter into an agreement to jointly exercise through a
170 joint flood prevention, climate resilience and erosion control board the
171 powers granted under sections 25-85 to 25-94, inclusive, as amended by
172 this act. The joint flood prevention, climate resilience and erosion
173 control board shall have jurisdiction over each municipality subject to
174 such agreement.

175 (b) Any town, city or borough shall have the power to provide by
176 ordinance for the appointment or election of three alternate members to
177 its flood prevention, climate resilience and erosion control board. Such
178 alternate members shall, when seated as herein provided, have all the
179 powers and duties set forth for such board and its members. Such
180 alternate members shall be electors of such town, city or borough. If a
181 regular member of any of said board is absent or is disqualified, the
182 chairman of the board shall designate an alternate to so act, choosing
183 alternates in rotation so that they shall act as nearly equal a number of
184 times as possible. If any alternate is not available in accordance with
185 such rotation, such fact shall be recorded in the minutes of the meeting.

186 (c) Each flood prevention, climate resilience and erosion control
187 board shall publish a biannual report on the Internet web site of each
188 municipality under the jurisdiction of such board. Such report shall
189 include, but not be limited to, (1) a current inventory and description of
190 the flood prevention, climate resilience and erosion control system
191 managed by such board, (2) the extent and value of property,
192 infrastructure and natural resources protected by such system, (3) an
193 analysis of the manner in which vulnerable communities, as defined in
194 subsection (a) of section 16-243y, are prioritized and protected by such
195 system, and (4) the revenues and expenditures of such board.

196 Sec. 5. Section 25-85 of the general statutes is repealed and the
197 following is substituted in lieu thereof (*Effective July 1, 2021*):

198 (a) Such board shall have authority, within the limits of
199 appropriations from time to time made by the municipality or
200 municipalities, as applicable, to plan, lay out, acquire, construct,
201 reconstruct, repair, maintain, supervise, operate and manage a flood [or]
202 prevention, climate resilience and erosion control system. As used in
203 sections 25-84 to 25-94, inclusive, as amended by this act, ["flood or
204 erosion control system"] flood prevention, climate resilience and
205 erosion control system means any dike, berm, dam, piping, groin, jetty,
206 sea wall, embankment, revetment, tide-gate, water storage area, ditch,
207 drain or other structure or facility, and any nonstructural and nature-

208 based measure, including, but not limited to, removal, relocation or
209 modification of existing structures, restoration and maintenance of open
210 floodplain or other water storage area and any feasible, less
211 environmentally damaging alternative, as defined in section 22a-92, that
212 is useful in preventing or ameliorating damage from floods or erosion,
213 whether caused by fresh or salt water, [or] any dam forming a lake or
214 pond that benefits abutting properties or any open space reserved for
215 future accommodation or establishment of wetlands or watercourses,
216 and shall include any easements, rights-of-way and riparian rights
217 which may be required in furtherance of any such system.

218 (b) In planning for and conducting its activities, such board (1) shall
219 consider all applicable regional and municipal hazard mitigation plans,
220 resilience plans and identifications of vulnerable communities, as
221 defined in subsection (a) of section 16-243y, as well as all applicable
222 municipal plans of conservation and development adopted pursuant to
223 section 8-23, and (2) may consult with the Connecticut Institute for
224 Resilience and Climate Adaptation.

225 Sec. 6. Section 25-86 of the general statutes is repealed and the
226 following is substituted in lieu thereof (*Effective July 1, 2021*):

227 Such board is authorized to enter upon and to take and hold, by
228 purchase, condemnation or otherwise, any real property or interest
229 therein which it determines is necessary for use in connection with the
230 flood [or] prevention, climate resilience and erosion control system.
231 Whenever the board is unable to agree with the owner of any such
232 property as to the compensation to be paid for the taking thereof, the
233 board, in the name of the municipality, may bring condemnation
234 proceedings in accordance with the procedure provided by part I of
235 chapter 835 for condemnation by municipal corporations generally. In
236 such case, the court or judge may permit immediate possession of such
237 property by the board in accordance with the procedure provided by
238 said chapter.

239 Sec. 7. Section 25-87 of the general statutes is repealed and the

240 following is substituted in lieu thereof (*Effective July 1, 2021*):

241 At any time after voting to acquire, construct, [or] reconstruct,
242 operate or maintain any flood [or] prevention, climate resilience and
243 erosion control system or portion thereof, the board in its discretion may
244 elect to defray the cost thereof by issuing bonds or other evidences of
245 debt, [or] from general taxation, special assessment, federal, state or
246 private grant funds or any combination thereof or by drawing upon a
247 municipal Climate Change and Coastal Resiliency Reserve Fund created
248 pursuant to section 7-159d, as amended by this act. If it elects to defray
249 any part of such cost from special assessment, it may apportion and
250 assess such part upon the lands and buildings in the municipality
251 which, in its judgment, are especially benefited thereby, whether they
252 abut on such flood [or] prevention, climate resilience and erosion
253 control system or not, and upon the owners of such lands and buildings,
254 subject to the right of appeal as hereinafter provided. Such assessment
255 may include a proportionate share of any expenses incidental to the
256 completion of such flood [or] prevention, climate resilience and erosion
257 control system, such as fees and expenses of attorneys, engineers,
258 surveyors, superintendents or inspectors, the cost of any property
259 purchased or acquired for such work, interest on securities, the cost of
260 preparing maps, plans and specifications, the cost to reconstruct, repair,
261 maintain, supervise, operate and manage such system and the cost of
262 printing, publishing or serving advertisements or notices incidental
263 thereto. The board may divide the total territory to be benefited by any
264 flood [or] prevention, climate resilience and erosion control system into
265 sections and may levy assessments against the property benefited in
266 each section separately. In assessing benefits against the property in any
267 section, the board may add to the cost of the part of the flood [or]
268 prevention, climate resilience and erosion control system located in such
269 section a proportionate share of the cost of any part of such system
270 located outside the section which is useful for the operation or
271 effectiveness of that part of such system within the section and of any of
272 the other items of cost or expense above enumerated.

273 Sec. 8. Section 25-92 of the general statutes is repealed and the

274 following is substituted in lieu thereof (*Effective July 1, 2021*):

275 The proceeds of such assessments, whether or not pledged for the
276 payment of securities, shall be segregated from other funds of the
277 municipality and shall be used only to pay for the construction, [or]
278 reconstruction, repair, maintenance, supervision, operation or
279 management of the flood [or] prevention, climate resilience and erosion
280 control system or particular portion thereof in respect to which such
281 assessments are made or, as the case may be, for the payment of the
282 interest on or principal of any securities issued to pay for such system
283 or particular portion thereof.

284 Sec. 9. Section 25-94 of the general statutes is repealed and the
285 following is substituted in lieu thereof (*Effective July 1, 2021*):

286 Any flood prevention, climate resilience and erosion control board
287 established under section 25-84, any such board or commission
288 established by special act or any district having as one of its powers and
289 purposes the right to construct or maintain a flood prevention, climate
290 resilience and erosion control system under chapter 105, acting through
291 its officers, is authorized to negotiate, cooperate and enter into
292 agreements with (1) the United States, (2) the United States and the state
293 of Connecticut, [or] (3) the state of Connecticut, or (4) one or more
294 municipalities in the state of Connecticut, in order to satisfy the
295 conditions imposed by the United States or the state of Connecticut in
296 authorizing any system for the improvement of navigation of any
297 harbor or river and for [protection of property against damage by floods
298 or by erosion] constructing, reconstructing, operating or maintaining
299 any flood prevention, climate resilience and erosion control system,
300 provided such system shall have been approved by the Commissioner
301 of Energy and Environmental Protection.

302 Sec. 10. Section 25-95 of the general statutes is repealed and the
303 following is substituted in lieu thereof (*Effective July 1, 2021*):

304 The state, acting through the Commissioner of Energy and
305 Environmental Protection, may enter into agreements with such local

306 authority authorized to contract under section 25-94, as amended by this
307 act, for the purpose of constructing projects or systems to prevent,
308 correct and arrest [erosion and] flood damage and impacts of climate
309 change within the boundaries of the state. The plans, specifications,
310 system and construction shall be under the direct control and
311 supervision of the commissioner. The contract shall describe (1) the
312 nature and extent of the system, (2) the amount of the cost to the state,
313 (3) the share to be paid by the district or board, and (4) the method of
314 financing the payment by such local authority, all of which shall be
315 subject to the approval of the commissioner.

316 Sec. 11. Section 25-97 of the general statutes is repealed and the
317 following is substituted in lieu thereof (*Effective July 1, 2021*):

318 When any such improvement or protection project or system is
319 located within two or more municipalities, such municipalities, acting
320 by their individual or joint flood prevention, climate resilience and
321 erosion control boards, as applicable, are authorized to undertake
322 jointly any such action as is authorized by sections 25-94 and 25-95, as
323 amended by this act, and the cost to each board shall be determined by
324 [the Commissioner of Energy and Environmental Protection] mutual
325 agreement of the municipalities involved.

326 Sec. 12. Section 25-98 of the general statutes is repealed and the
327 following is substituted in lieu thereof (*Effective July 1, 2021*):

328 In carrying out the purposes for which it was established, any local
329 authority authorized to contract under section 25-94, as amended by this
330 act, may (1) accept, receive and expend gifts, devises or bequests of
331 money, lands or other properties to be applied and expended in the
332 manner provided herein, and (2) apply for and receive grants from state,
333 federal and private sources.

334 Sec. 13. Section 7-326 of the general statutes is repealed and the
335 following is substituted in lieu thereof (*Effective July 1, 2021*):

336 At such meeting, the voters may establish a district for any or all of

337 the following purposes: To extinguish fires, to light streets, to plant and
338 care for shade and ornamental trees, to construct and maintain roads,
339 sidewalks, crosswalks, drains and sewers, to appoint and employ
340 watchmen or police officers, to acquire, construct, maintain and regulate
341 the use of recreational facilities, to plan, lay out, acquire, construct,
342 reconstruct, repair, maintain, supervise and manage a flood [or]
343 prevention, climate resilience and erosion control system, to plan, lay
344 out, acquire, construct, maintain, operate and regulate the use of a
345 community water system, to collect garbage, ashes and all other refuse
346 matter in any portion of such district and provide for the disposal of
347 such matter, to implement tick control measures, to install highway
348 sound barriers, to maintain water quality in lakes that are located solely
349 in one town in this state, to establish a zoning commission and a zoning
350 board of appeals or a planning commission, or both, by adoption of
351 chapter 124 or chapter 126, excluding section 8-29, or both chapters, as
352 the case may be, which commissions or board shall be dissolved upon
353 adoption by the town of subdivision or zoning regulations by the town
354 planning or zoning commission, to adopt building regulations, which
355 regulations shall be superseded upon adoption by the town of building
356 regulations, and to provide ferry service. Any district may contract with
357 a town, city, borough or other district for carrying out any of the
358 purposes for which such district was established.

359 Sec. 14. Subsection (a) of section 7-328 of the general statutes is
360 repealed and the following is substituted in lieu thereof (*Effective July 1,*
361 *2021*):

362 (a) The territorial limits of the district shall constitute a separate
363 taxing district, and the assessor or assessors of the town shall separate
364 the property within the district from the other property in the town and
365 shall annually furnish the clerk of the district with a copy of the grand
366 list of all property in the district after it has been completed by the board
367 of assessment appeals of the town. If the legislative body of the town
368 elects, pursuant to section 12-62c, to defer all or any part of the amount
369 of the increase in the assessed value of real property in the year a
370 revaluation becomes effective and in any succeeding year in which such

371 deferment is allowed, the grand list furnished to the clerk of the district
372 for each such year shall reflect assessments based upon such deferment.
373 When the district meeting has fixed the tax rate, the clerk shall prepare
374 a rate bill, apportioning to each owner of property his proportionate
375 share of the taxes, which rate bill, when prepared, shall be delivered to
376 the treasurer; and the district and the treasurer thereof shall have the
377 same powers as towns and collectors of taxes to collect and enforce
378 payment of such taxes, and such taxes when laid shall be a lien upon the
379 property in the same manner as town taxes, and such liens may be
380 continued by certificates recorded in the land record office of the town,
381 and foreclosed in the same manner as liens for town taxes or enforced
382 in accordance with any provision of the general statutes for the
383 collection of property taxes. The assessor or board of assessment appeals
384 shall promptly forward to the clerk of the district any certificate of
385 correction or notice of any other lawful change to the grand list of the
386 district. The district clerk shall, within ten days of receipt of any such
387 certificate or notice, forward a copy thereof to the treasurer, and the
388 assessment of the property for which such certificate or notice was
389 issued and the rate bill related thereto shall be corrected accordingly. If
390 the district constructs any drain, sewer, sidewalk, curb or gutter, such
391 proportion of the cost thereof as such district determines may be
392 assessed by the board of directors, in the manner prescribed by such
393 district, upon the property specially benefited by such drain, sewer,
394 sidewalk, curb or gutter, and the balance of such costs shall be paid from
395 the general funds of the district. In the construction of any flood [or]
396 prevention, climate resilience and erosion control system, the cost to
397 such district may be assessed and shall be payable in accordance with
398 sections 25-87 to 25-93, inclusive, as amended by this act. The cost for
399 the maintenance of water quality in a lake shall be assessed on the land
400 in a district and payment shall be apportioned equally among the
401 owners of parcels of property. Subject to the provisions of the general
402 statutes, the district may issue bonds and the board of directors may
403 pledge the credit of the district for any money borrowed for the
404 construction of any public works or the acquisition of recreational
405 facilities authorized by sections 7-324 to 7-329, inclusive, and such board

406 shall keep a record of all notes, bonds and certificates of indebtedness
407 issued, disposed of or pledged by the district. All moneys received by
408 the directors on behalf of the district shall be paid to the treasurer. No
409 contract or obligation which involves an expenditure in the amount of
410 (1) ten thousand dollars or more in districts where the grand list is less
411 than or equal to twenty million dollars, or (2) twenty thousand dollars
412 or more in districts where the grand list is greater than twenty million
413 dollars, in any one year shall be made by the board of directors, unless
414 the same is specially authorized by a vote of the district, nor shall the
415 directors borrow money without like authority. The clerk of the district
416 shall give written notice to the treasurer of the town in which the district
417 is located of any final decision of the board of directors to borrow
418 money, not later than thirty days after the date of such decision. The
419 district may adopt ordinances, with penalties to secure their
420 enforcement, for the purpose of regulating the carrying out of the
421 provisions of sections 7-324 to 7-329, inclusive, and defining the duties
422 and compensation of its officers and the manner in which their duties
423 shall be carried out.

424 Sec. 15. Section 22a-113p of the general statutes is repealed and the
425 following is substituted in lieu thereof (*Effective July 1, 2021*):

426 The commission may review and make recommendations, consistent
427 with the plan, on any proposal affecting the real property on, in or
428 contiguous to the harbor that is received by any zoning commission,
429 planning commission or combined planning and zoning commission,
430 zoning board of appeals, historic district commissions, flood
431 prevention, climate resilience and erosion control board, harbor
432 improvement agency, port authority, redevelopment agency, shellfish
433 commission, sewer commission, water pollution control authority or
434 special district with zoning or other land use authority. Such agencies
435 shall send a copy of any such proposal to the commission upon the
436 request of such commission. The commission shall be notified of any
437 such proposal at least thirty-five days prior to the commencement of the
438 hearing thereon or where no hearing is held, at least thirty-five days
439 prior to the taking of any final action on the proposal. The local agency

440 authorized to act on the proposal shall consider the recommendations
441 of the commission. A two-thirds vote of all the members of the local
442 agency having authority to act on the proposal shall be required to
443 approve a proposal which has not received a favorable recommendation
444 from the commission, provided that the provisions of this section shall
445 not be deemed to alter the authority of the agency having primary
446 jurisdiction over the proposal to deny, modify or condition the proposal.
447 Failure of the commission to submit a recommendation shall be deemed
448 to be approval of the proposal.

449 Sec. 16. Subdivision (2) of subsection (e) of section 22a-361 of the
450 general statutes is repealed and the following is substituted in lieu
451 thereof (*Effective July 1, 2021*):

452 (2) The commissioner may require that any person, firm or
453 corporation, public, municipal or private, who removes sand, gravel or
454 other material lying waterward of the mean high water mark of the
455 tidal, coastal or navigable waters shall make available such sand, gravel
456 or other material of appropriate grain size and composition to any
457 coastal municipality or to any district established pursuant to chapter
458 105 or by special act to plan, lay out, acquire, construct, reconstruct,
459 repair, maintain, supervise and manage a flood [or] prevention, climate
resilience and erosion control system. Such sand, gravel or other
461 material shall be offered for the purposes of an appropriately authorized
462 beach nourishment or habitat restoration project and shall be available
463 (A) to municipalities for the cost of transporting such sand, gravel or
464 other material, and (B) to districts for a reasonable fee.

465 Sec. 17. Section 25-76 of the general statutes is repealed and the
466 following is substituted in lieu thereof (*Effective July 1, 2021*):

467 The Commissioner of Energy and Environmental Protection is
468 authorized to negotiate, cooperate and enter into agreements with the
469 federal government and with any municipality through its flood
470 prevention, climate resilience and erosion control board for the purpose
471 of constructing small flood control systems or tidal and hurricane

472 protection and navigation projects including dams, dikes, flood walls,
473 reservoirs, river channel improvements and such other works as are
474 necessary to reduce or prevent damages due to floods, including
475 projects constructed under the provisions of Title 33, Chapter 15, Section
476 701s, of the United States Code, as amended. The commissioner is
477 authorized to use nonstructural measures of flood control, including but
478 not limited to, acquisition of real property which the commissioner
479 determines is reasonably necessary for use in connection with such
480 systems or projects, by purchase, lease or gift or by condemnation in the
481 manner provided by part I of chapter 835. The commissioner is
482 authorized to give assurances to the federal government that the state
483 will hold and save the United States free from damages due to the
484 construction works and that the state will pay cash contributions as may
485 be required as a local contribution for any flood control system or
486 project undertaken by the federal government or by the state, subject to
487 reimbursement as provided in sections 25-71 and 25-72, except that, for
488 tidal and hurricane protection and navigation projects, such
489 reimbursement shall be not less than fifty per cent.

490 Sec. 18. Subsection (c) of section 7-159d of the general statutes is
491 repealed and the following is substituted in lieu thereof (*Effective July 1,*
492 *2021*):

493 (c) The budget-making authority of such municipality may, from time
494 to time, direct the treasurer to invest a portion of such Climate Change
495 and Coastal Resiliency Reserve Fund as in the opinion of such authority
496 is advisable, provided: (1) Not more than forty per cent, or with respect
497 to such a reserve fund for which the budget-making authority has
498 adopted an asset allocation and investment policy, fifty per cent, of the
499 total amount of such reserve fund shall be invested in equity securities,
500 and (2) any portion of such reserve fund not invested pursuant to
501 subdivision (1) of this subsection may be invested in: (A) Bonds or
502 obligations of, or guaranteed by, the state or the United States, or
503 agencies or instrumentalities of the United States, (B) certificates of
504 deposit, commercial paper, savings accounts and bank acceptances, (C)
505 the obligations of any state of the United States or any political

506 subdivision thereof or the obligations of any instrumentality, authority
507 or agency of any state or political subdivision thereof, if, at the time of
508 investment, such obligations are rated in the top rating categories of any
509 nationally recognized rating service or of any rating service recognized
510 by the Banking Commissioner, and applicable to such obligations, (D)
511 the obligations of any regional school district in this state, of any
512 municipality in this state or any metropolitan district in this state, if, at
513 the time of investment, such obligations of such government entity are
514 rated in one of the top two rating categories of any nationally recognized
515 rating service or of any rating service recognized by the Banking
516 Commissioner, and applicable to such obligations, (E) in any fund in
517 which a trustee may invest pursuant to section 36a-353, (F) investment
518 agreements with financial institutions whose long-term obligations are
519 rated in the top two rating categories of any nationally recognized rating
520 service or of any rating service recognized by the Banking
521 Commissioner or whose short-term obligations are rated in the top
522 rating category of any nationally recognized rating service or of any
523 rating service recognized by the Banking Commissioner, or (G)
524 investment agreements fully secured by obligations of, or guaranteed
525 by, the United States or agencies or instrumentalities of the United
526 States.

527 Sec. 19. Subsections (a) to (d), inclusive, of section 16-245n of the
528 general statutes are repealed and the following is substituted in lieu
529 thereof (*Effective July 1, 2021*):

530 (a) For purposes of this section: [, "clean energy"]

531 (1) "Carbon offsets" means any activity that compensates for the
532 emission of carbon dioxide or other greenhouse gases by providing for
533 an emission reduction elsewhere;

534 (2) "Clean energy" means solar photovoltaic energy, solar thermal,
535 geothermal energy, wind, ocean thermal energy, wave or tidal energy,
536 fuel cells, landfill gas, hydropower that meets the low-impact standards
537 of the Low-Impact Hydropower Institute, hydrogen production and

538 hydrogen conversion technologies, low emission advanced biomass
539 conversion technologies, alternative fuels, used for electricity
540 generation including ethanol, biodiesel or other fuel produced in
541 Connecticut and derived from agricultural produce, food waste or
542 waste vegetable oil, provided the Commissioner of Energy and
543 Environmental Protection determines that such fuels provide net
544 reductions in greenhouse gas emissions and fossil fuel consumption,
545 usable electricity from combined heat and power systems with waste
546 heat recovery systems, thermal storage systems, other energy resources
547 and emerging technologies which have significant potential for
548 commercialization and which do not involve the combustion of coal,
549 petroleum or petroleum products, municipal solid waste or nuclear
550 fission, financing of energy efficiency projects, projects that seek to
551 deploy electric, electric hybrid, natural gas or alternative fuel vehicles
552 and associated infrastructure, any related storage, distribution,
553 manufacturing technologies or facilities and any Class I renewable
554 energy source, as defined in section 16-1;

555 (3) "Ecosystem services" means benefits obtained from ecosystems,
556 including, but not limited to, (A) provisioning services such as food and
557 water, (B) regulating services such as regulation of floods, drought, land
558 degradation and disease, and (C) supporting services such as soil
559 formation and nutrient cycling; and

560 (4) "Environmental infrastructure" means structures, facilities,
561 systems, services and improvement projects related to (A) water, (B)
562 waste and recycling, (C) climate adaptation and resiliency, (D)
563 agriculture, (E) land conservation, (F) parks and recreation, and (G)
564 environmental markets, including, but not limited to, carbon offsets and
565 ecosystem services.

566 (b) On and after July 1, 2004, the Public Utilities Regulatory Authority
567 shall assess or cause to be assessed a charge of not less than one mill per
568 kilowatt hour charged to each end use customer of electric services in
569 this state which shall be deposited into the Clean Energy Fund
570 established under subsection (c) of this section.

571 (c) (1) There is hereby created a Clean Energy Fund which shall be
572 within the Connecticut Green Bank. The fund may receive any amount
573 required by law to be deposited into the fund and may receive any
574 federal funds as may become available to the state for clean energy
575 investments. Upon authorization of the Connecticut Green Bank
576 established pursuant to subsection (d) of this section, any amount in said
577 fund may be used for expenditures that promote investment in clean
578 energy in accordance with a comprehensive plan developed by it to
579 foster the growth, development and commercialization of clean energy
580 sources, related enterprises and stimulate demand for clean energy and
581 deployment of clean energy sources that serve end use customers in this
582 state and for the further purpose of supporting operational
583 demonstration projects for advanced technologies that reduce energy
584 use from traditional sources. Such expenditures may include, but not be
585 limited to, providing low-cost financing and credit enhancement
586 mechanisms for clean energy projects and technologies, reimbursement
587 of the operating expenses, including administrative expenses incurred
588 by the Connecticut Green Bank [and Connecticut Innovations,
589 Incorporated,] and capital costs incurred by the Connecticut Green Bank
590 in connection with the operation of the fund, the implementation of the
591 plan developed pursuant to subsection (d) of this section or the other
592 permitted activities of the Connecticut Green Bank, disbursements from
593 the fund to develop and carry out the plan developed pursuant to
594 subsection (d) of this section, grants, direct or equity investments,
595 contracts or other actions which support research, development,
596 manufacture, commercialization, deployment and installation of clean
597 energy technologies, and actions which expand the expertise of
598 individuals, businesses and lending institutions with regard to clean
599 energy technologies.

600 (2) (A) There is hereby created an Environmental Infrastructure Fund
601 which shall be within the Connecticut Green Bank. The fund may
602 receive any amount required by law to be deposited into the fund and
603 may receive any federal funds as may become available to the state for
604 environmental infrastructure investments, except that the fund shall not

605 receive: (i) Ratepayer or Regional Greenhouse Gas Initiative funds, (ii)
606 funds that have been deposited in, or are required to be deposited in, an
607 account of the Clean Water Fund pursuant to sections 22a-475 to 22a-
608 438f, inclusive, or (iii) funds collected from a water company, as defined
609 in section 25-32a.

610 (B) Upon authorization of the Connecticut Green Bank established
611 pursuant to subsection (d) of this section, any amount in said fund may
612 be used for expenditures that promote investment in environmental
613 infrastructure in accordance with a comprehensive plan developed by it
614 to foster the growth, development, commercialization and, where
615 applicable, preservation of environmental infrastructure and related
616 enterprises, except any project or purpose eligible for funding pursuant
617 to sections 22a-475 to 22a-483f, inclusive. Such expenditures may
618 include, but not be limited to, providing low-cost financing and credit
619 enhancement mechanisms for projects and technologies,
620 reimbursement of the operating expenses, including administrative
621 expenses incurred by the Connecticut Green Bank, and capital costs
622 incurred by the Connecticut Green Bank in connection with the
623 operation of the fund, the implementation of the plan developed
624 pursuant to subsection (d) of this section or the other permitted activities
625 of the Connecticut Green Bank, disbursements from the fund to develop
626 and carry out the plan developed pursuant to subsection (d) of this
627 section, grants, direct or equity investments, contracts or other actions
628 which support research, development, manufacture,
629 commercialization, deployment and installation of environmental
630 infrastructure and actions which expand the expertise of individuals,
631 businesses and lending institutions with regard to environmental
632 infrastructure.

633 (d) (1) (A) The Connecticut Green Bank is hereby established and
634 created as a body politic and corporate, constituting a public
635 instrumentality and political subdivision of the state of Connecticut
636 established and created for the performance of an essential public and
637 governmental function. The Connecticut Green Bank shall not be
638 construed to be a department, institution or agency of the state.

639 (B) The Connecticut Green Bank shall (i) develop separate programs
640 to finance and otherwise support clean energy and environmental
641 infrastructure investment in residential, municipal, small business and
642 larger commercial projects and such others as the Connecticut Green
643 Bank may determine; (ii) support financing or other expenditures that
644 promote investment in clean energy sources and environmental
645 infrastructure in accordance with a comprehensive plan developed by it
646 to foster the growth, development and commercialization of clean
647 energy sources, environmental infrastructure and related enterprises;
648 and (iii) stimulate demand for clean energy and the deployment of clean
649 energy sources within the state that serve end use customers in the state.

650 (C) The Clean Energy Finance and Investment Authority shall
651 constitute a successor agency to Connecticut Innovations, Incorporated,
652 for the purposes of administering the Clean Energy Fund in accordance
653 with section 4-38d. The Connecticut Green Bank shall constitute a
654 successor agency to the Clean Energy Finance and Investment Authority
655 for purposes of administering the Clean Energy Fund in accordance
656 with section 4-38d. The Connecticut Green Bank shall have all the
657 privileges, immunities, tax exemptions and other exemptions of
658 Connecticut Innovations, Incorporated, with respect to said fund. The
659 Connecticut Green Bank shall administer the Environmental
660 Infrastructure Fund. The Connecticut Green Bank shall be subject to suit
661 and liability solely from the assets, revenues and resources of said bank
662 and without recourse to the general funds, revenues, resources or other
663 assets of Connecticut Innovations, Incorporated. The Connecticut Green
664 Bank may provide financial assistance in the form of grants, loans, loan
665 guarantees or debt and equity investments, as approved in accordance
666 with written procedures adopted pursuant to section 1-121. The
667 Connecticut Green Bank may assume or take title to any real property,
668 convey or dispose of its assets and pledge its revenues to secure any
669 borrowing, convey or dispose of its assets and pledge its revenues to
670 secure any borrowing, for the purpose of developing, acquiring,
671 constructing, refinancing, rehabilitating or improving its assets or
672 supporting its programs, provided each such borrowing or mortgage,

673 unless otherwise provided by the board or said bank, shall be a special
674 obligation of said bank, which obligation may be in the form of bonds,
675 bond anticipation notes or other obligations which evidence an
676 indebtedness to the extent permitted under this chapter to fund,
677 refinance and refund the same and provide for the rights of holders
678 thereof, and to secure the same by pledge of revenues, notes and
679 mortgages of others, and which shall be payable solely from the assets,
680 revenues and other resources of said bank and such bonds may be
681 secured by a special capital reserve fund contributed to by the state,
682 provided that any bond secured by such special capital reserve fund
683 shall have a maturity not exceeding twenty-five years. The Connecticut
684 Green Bank shall have the purposes as provided by resolution of said
685 bank's board of directors, which purposes shall be consistent with this
686 section. No further action is required for the establishment of the
687 Connecticut Green Bank, except the adoption of a resolution for said
688 bank.

689 (D) In addition to, and not in limitation of, any other power of the
690 Connecticut Green Bank set forth in this section or any other provision
691 of the general statutes, said bank shall have and may exercise the
692 following powers in furtherance of or in carrying out its purposes:

693 (i) To have perpetual succession as a body corporate and to adopt
694 bylaws, policies and procedures for the regulation of its affairs and the
695 conduct of its business;

696 (ii) To make and enter into all contracts and agreements that are
697 necessary or incidental to the conduct of its business;

698 (iii) To invest in, acquire, lease, purchase, own, manage, hold, sell and
699 dispose of real or personal property or any interest therein;

700 (iv) To borrow money or guarantee a return to investors or lenders;

701 (v) To hold patents, copyrights, trademarks, marketing rights,
702 licenses or other rights in intellectual property;

703 (vi) To employ such assistants, agents and employees as may be
704 necessary or desirable, who shall be exempt from the classified service
705 and shall not be employees, as defined in subsection (b) of section 5-270;
706 establish all necessary or appropriate personnel practices and policies,
707 including those relating to hiring, promotion, compensation and
708 retirement, and said bank shall not be an employer, as defined in
709 subsection (a) of section 5-270; and engage consultants, attorneys,
710 financial advisers, appraisers and other professional advisers as may be
711 necessary or desirable;

712 (vii) To invest any funds not needed for immediate use or
713 disbursement pursuant to investment policies adopted by said bank's
714 board of directors;

715 (viii) To procure insurance against any loss or liability with respect to
716 its property or business of such types, in such amounts and from such
717 insurers as it deems desirable;

718 (ix) To enter into joint ventures and invest in, and participate with
719 any person, including, without limitation, government entities and
720 private corporations, in the formation, ownership, management and
721 operation of business entities, including stock and nonstock
722 corporations, limited liability companies and general or limited
723 partnerships, formed to advance the purposes of said bank, provided
724 members of the board of directors or officers or employees of said bank
725 may serve as directors, members or officers of any such business entity,
726 and such service shall be deemed to be in the discharge of the duties or
727 within the scope of the employment of any such director, officer or
728 employee, as the case may be, so long as such director, officer or
729 employee does not receive any compensation or financial benefit as a
730 result of serving in such role;

731 (x) To enter into a memorandum of understanding or other
732 arrangements with Connecticut Innovations, Incorporated, with respect
733 to the provision or sharing of space, office systems or staff
734 administrative support, on such terms as may be agreed to between said

735 bank and Connecticut Innovations, Incorporated; and

736 (xi) To do all other acts and things necessary or convenient to carry
737 out the purposes of said bank.

738 (E) (i) The Connecticut Green Bank may form one or more
739 subsidiaries to carry out the purposes of said bank, as described in
740 subparagraph (B) of subdivision (1) of this subsection, and may transfer
741 to any such subsidiary any moneys and real or personal property of any
742 kind or nature. Any subsidiary may be organized as a stock or nonstock
743 corporation or a limited liability company. Each such subsidiary shall
744 have and may exercise such powers of said bank, as set forth in the
745 resolution of the board of directors of said bank prescribing the
746 purposes for which such subsidiary is formed, and such other powers
747 provided to it by law.

748 (ii) No such subsidiary of said bank shall be deemed a quasi-public
749 agency for purposes of chapter 12. [and no such subsidiary shall] No
750 such subsidiary of said bank shall have all the privileges, immunities,
751 tax exemptions and other exemptions of said bank, unless such
752 subsidiary is a single member limited liability company that is
753 disregarded as an entity separate from its owner. In no event shall any
754 such subsidiary have the power to hire or otherwise retain employees.
755 The governing documents of any such subsidiary shall provide for the
756 dissolution of such subsidiary upon the completion of the purpose for
757 which such subsidiary was formed. Each such subsidiary may sue and
758 shall be subject to suit, provided its liability shall be limited solely to the
759 assets, revenues and resources of the subsidiary and without recourse
760 to the general funds, revenues, resources or any other assets of said
761 bank. Each such subsidiary is authorized to assume or take title to
762 property subject to any existing lien, encumbrance or mortgage and to
763 mortgage, convey or dispose of its assets and pledge its revenues to
764 secure any borrowing, provided each such borrowing or mortgage shall
765 be a special obligation of the subsidiary, which obligation may be in the
766 form of bonds, bond anticipation notes and other obligations, to fund
767 and refund the same and provide for the rights of the holders thereof,

768 and to secure the same by a pledge of revenues, notes and other assets
769 and which shall be payable solely from the revenues, assets and other
770 resources of the subsidiary. The Connecticut Green Bank may assign to
771 a subsidiary any rights, moneys or other assets it has under any
772 governmental program. No subsidiary of said bank shall borrow
773 without the approval of the board of directors of said bank.

774 (iii) Each such subsidiary shall act through its board of directors or
775 managing members, at least one-half of which shall be members of the
776 board of directors of said bank or their designees or officers or
777 employees of said bank.

778 (iv) The provisions of section 1-125 and this subsection shall apply to
779 any officer, director, designee or employee appointed as a member,
780 director or officer of any such subsidiary. Any such person so appointed
781 shall not be personally liable for the debts, obligations or liabilities of
782 any such subsidiary as provided in section 1-125. The subsidiary shall,
783 and said bank may, save harmless and indemnify such officer, director,
784 designee or employee as provided by section 1-125.

785 (v) The Connecticut Green Bank, or such subsidiary, may take such
786 actions as are necessary to comply with the provisions of the Internal
787 Revenue Code of 1986, or any subsequent corresponding internal
788 revenue code of the United States, as amended from time to time, to
789 qualify and maintain any such subsidiary as a corporation exempt from
790 taxation under said code.

791 (vi) The Connecticut Green Bank may make loans to each such
792 subsidiary from its assets and the proceeds of its bonds, notes and other
793 obligations, provided the source and security for the repayment of such
794 loans is derived from the assets, revenues and resources of the
795 subsidiary.

796 (2) (A) The Connecticut Green Bank may seek to qualify as a
797 Community Development Financial Institution under Section 4702 of
798 the United States Code. If approved as a Community Development
799 Financial Institution, said bank would be treated as a qualified

800 community development entity for purposes of Section 45D and Section
801 1400N(m) of the Internal Revenue Code.

802 (B) Before making any loan, loan guarantee, or such other form of
803 financing support or risk management for a clean energy or
804 environmental infrastructure project, the Connecticut Green Bank shall
805 develop standards to govern the administration of said bank through
806 rules, policies and procedures that specify borrower eligibility, terms
807 and conditions of support, and other relevant criteria, standards or
808 procedures.

809 (C) Funding sources specifically authorized include, but are not
810 limited to:

811 (i) Funds repurposed from existing programs providing financing
812 support for clean energy projects, provided any transfer of funds from
813 such existing programs shall be subject to approval by the General
814 Assembly and shall be used for expenses of financing, grants and loans;

815 (ii) Any federal funds that can be used for the purposes specified in
816 subsection (c) of this section, provided such funds are not required to be
817 deposited in the accounts of the Clean Water Fund pursuant to sections
818 22a-475 to 22a-483f, inclusive;

819 (iii) Charitable gifts, grants, contributions as well as loans from
820 individuals, corporations, university endowments and philanthropic
821 foundations;

822 (iv) Earnings and interest derived from financing support activities
823 for clean energy and environmental infrastructure projects backed by
824 the Connecticut Green Bank;

825 (v) If and to the extent that the Connecticut Green Bank qualifies as a
826 Community Development Financial Institution under Section 4702 of
827 the United States Code, funding from the Community Development
828 Financial Institution Fund administered by the United States
829 Department of Treasury, as well as loans from and investments by

830 depository institutions seeking to comply with their obligations under
831 the United States Community Reinvestment Act of 1977; and

832 (vi) The Connecticut Green Bank may enter into contracts with
833 private sources to raise capital. The average rate of return on such debt
834 or equity shall be set by the board of directors of said bank.

835 (D) The Connecticut Green Bank may provide financing support
836 under this subsection if said bank determines that the amount to be
837 financed by said bank and other nonequity financing sources do not
838 exceed [eighty] one hundred per cent of the cost to develop and deploy
839 a clean energy project or [up to one hundred per cent of the cost of
840 financing an energy efficiency] an environmental infrastructure project.

841 (E) The Connecticut Green Bank may assess reasonable fees on its
842 financing activities to cover its reasonable costs and expenses, as
843 determined by the board.

844 (F) The Connecticut Green Bank shall make information regarding
845 the rates, terms and conditions for all of its financing support
846 transactions available to the public for inspection, including formal
847 annual reviews by both a private auditor conducted pursuant to
848 subdivision (2) of subsection (f) of this section and the Comptroller, and
849 providing details to the public on the Internet, provided public
850 disclosure shall be restricted for patentable ideas, trade secrets,
851 proprietary or confidential commercial or financial information,
852 disclosure of which may cause commercial harm to a nongovernmental
853 recipient of such financing support and for other information exempt
854 from public records disclosure pursuant to section 1-210.

855 (G) The Connecticut Green Bank shall not apply, directly or through
856 a subsidiary, to be eligible for grants under (i) the Clean Water Act, 33
857 USC 1251 et seq., as amended from time to time, without the approval
858 of the State Treasurer and the Commissioner of Energy and
859 Environmental Protection, or (ii) the Safe Drinking Water Act, 42 USC
860 300f et seq., as amended from time to time, without the approval of the
861 State Treasurer and the Commissioner of Public Health.

862 (3) No director, officer, employee or agent of the Connecticut Green
863 Bank, while acting within the scope of his or her authority, shall be
864 subject to any personal liability resulting from exercising or carrying out
865 any of the Connecticut Green Bank's purposes or powers.

866 Sec. 20. Subsection (f) of section 16-245n of the general statutes is
867 repealed and the following is substituted in lieu thereof (*Effective July 1,*
868 2021):

869 (f) (1) The board shall issue annually a report to the Department of
870 Energy and Environmental Protection reviewing the activities of the
871 Connecticut Green Bank in detail and shall provide a copy of such
872 report, in accordance with the provisions of section 11-4a, to the joint
873 standing committees of the General Assembly having cognizance of
874 matters relating to energy, the environment, banking and commerce.
875 The report shall include a description of the programs and activities
876 undertaken during the reporting period jointly or in collaboration with
877 the Conservation and Load Management Plan established pursuant to
878 section 16-245m.

879 (2) The Clean Energy Fund and the Environmental Infrastructure
880 Fund shall be audited annually. Such audits shall be conducted with
881 generally accepted auditing standards by independent certified public
882 accountants certified by the State Board of Accountancy. Such
883 accountants may be the accountants for the Connecticut Green Bank.

884 (3) Any entity that receives financing for a clean energy or
885 environmental infrastructure project from the [fund] Clean Energy
886 Fund or the Environmental Infrastructure Fund shall provide the board
887 an annual statement, certified as correct by the chief financial officer of
888 the recipient of such financing, setting forth all sources and uses of funds
889 in such detail as may be required by the bank for such project. The
890 Connecticut Green Bank shall maintain any such audits for not less than
891 five years. Residential projects for buildings with one to four dwelling
892 units are exempt from this and any other annual auditing requirements,
893 except that residential projects may be required to grant their utility

894 companies' permission to release their usage data to the Connecticut
895 Green Bank.

896 Sec. 21. Subdivision (1) of subsection (e) of section 16-245n of the
897 general statutes is repealed and the following is substituted in lieu
898 thereof (*Effective July 1, 2021*):

899 (e) (1) The powers of the Connecticut Green Bank shall be vested in
900 and exercised by a board of directors, which shall consist of [eleven]
901 twelve voting members and [two] one nonvoting [members] member
902 each with knowledge and expertise in matters related to the purpose
903 and activities of said bank appointed as follows: The Treasurer or the
904 Treasurer's designee, the Commissioner of Energy and Environmental
905 Protection or the commissioner's designee, [and] the Commissioner of
906 Economic and Community Development or the commissioner's
907 designee, and the Secretary of the Office of Policy and Management or
908 the secretary's designee, each serving ex officio, one member who shall
909 represent a residential or low-income group appointed by the speaker
910 of the House of Representatives for a term of four years, one member
911 who shall have experience in investment fund management appointed
912 by the minority leader of the House of Representatives for a term of
913 three years, one member who shall represent an environmental
914 organization appointed by the president pro tempore of the Senate for
915 a term of four years, and one member who shall have experience in the
916 finance or deployment of renewable energy appointed by the minority
917 leader of the Senate for a term of four years. Thereafter, such members
918 of the General Assembly shall appoint members of the board to succeed
919 such appointees whose terms expire and each member so appointed
920 shall hold office for a period of four years from the first day of July in
921 the year of his or her appointment. The Governor shall appoint four
922 members to the board as follows: Two for two years who shall have
923 experience in the finance of renewable energy; one for four years who
924 shall be a representative of a labor organization; and one for four years
925 who shall have experience in research and development or
926 manufacturing of clean energy. Thereafter, the Governor shall appoint
927 members of the board to succeed such appointees whose terms expire

928 and each member so appointed shall hold office for a period of four
929 years from the first day of July in the year of his or her appointment. The
930 president of the Connecticut Green Bank shall be elected by the
931 members of the board. The president of the Connecticut Green Bank
932 shall serve on the board in an ex-officio, nonvoting capacity. The
933 Governor shall appoint the chairperson of the board. The board shall
934 elect from its members a vice chairperson and such other officers as it
935 deems necessary and shall adopt such bylaws and procedures it deems
936 necessary to carry out its functions. The board may establish committees
937 and subcommittees as necessary to conduct its business.

938 Sec. 22. Subsection (g) of section 16-245mm of the general statutes is
939 repealed and the following is substituted in lieu thereof (*Effective July 1,*
940 2021):

941 (g) Notwithstanding any other provision contained in this section,
942 the aggregate amount of bonds secured by such special capital reserve
943 fund authorized to be created and established by this section shall not
944 exceed [one hundred] two hundred fifty million dollars.

945 Sec. 23. Subsection (c) of section 16-245kk of the general statutes is
946 repealed and the following is substituted in lieu thereof (*Effective July 1,*
947 2021):

948 (c) The bonds may be issued as serial bonds or as term bonds, or the
949 Connecticut Green Bank, in its discretion, may issue bonds of both
950 types. The bonds shall be authorized by resolution of the members of
951 the board of directors of said bank and shall bear such date or dates,
952 mature at such time or times, not exceeding [twenty] twenty-five years
953 for bonds issued for clean energy and fifty years for bonds issued for
954 environmental infrastructure from their respective dates and in each
955 case not to exceed the expected useful life of the underlying project or
956 projects, bear interest at such rate or rates, be payable at such time or
957 times, be in such denominations, be in such form, either coupon or
958 registered, carry such registration privileges, be executed in such
959 manner, be payable in lawful money of the United States at such place

960 or places, and be subject to such terms of redemption, as such resolution
961 or resolutions may provide. The bonds or notes may be sold at public or
962 private sale for such price or prices as said bank shall determine. The
963 power to fix the date of sale of bonds, to receive bids or proposals, to
964 award and sell bonds, and to take all other necessary action to sell and
965 deliver bonds may be delegated to the chairperson or vice-chairperson
966 of the board, a subcommittee of the board or other officers of said bank
967 by resolution of the board. The exercise of such delegated powers may
968 be made subject to the approval of a majority of the members of the
969 board which approval may be given in the manner provided in the
970 bylaws of said bank. Pending preparation of the definitive bonds, said
971 bank may issue interim receipts or certificates which shall be exchanged
972 for such definitive bonds.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	22a-498
Sec. 2	<i>July 1, 2021</i>	22a-498a
Sec. 3	<i>July 1, 2021</i>	New section
Sec. 4	<i>July 1, 2021</i>	25-84
Sec. 5	<i>July 1, 2021</i>	25-85
Sec. 6	<i>July 1, 2021</i>	25-86
Sec. 7	<i>July 1, 2021</i>	25-87
Sec. 8	<i>July 1, 2021</i>	25-92
Sec. 9	<i>July 1, 2021</i>	25-94
Sec. 10	<i>July 1, 2021</i>	25-95
Sec. 11	<i>July 1, 2021</i>	25-97
Sec. 12	<i>July 1, 2021</i>	25-98
Sec. 13	<i>July 1, 2021</i>	7-326
Sec. 14	<i>July 1, 2021</i>	7-328(a)
Sec. 15	<i>July 1, 2021</i>	22a-113p
Sec. 16	<i>July 1, 2021</i>	22a-361(e)(2)
Sec. 17	<i>July 1, 2021</i>	25-76
Sec. 18	<i>July 1, 2021</i>	7-159d(c)
Sec. 19	<i>July 1, 2021</i>	16-245n(a) to (d)
Sec. 20	<i>July 1, 2021</i>	16-245n(f)
Sec. 21	<i>July 1, 2021</i>	16-245n(e)(1)
Sec. 22	<i>July 1, 2021</i>	16-245mm(g)

Section 1	<i>July 1, 2021</i>	22a-498
Sec. 2	<i>July 1, 2021</i>	22a-498a
Sec. 3	<i>July 1, 2021</i>	New section
Sec. 4	<i>July 1, 2021</i>	25-84
Sec. 5	<i>July 1, 2021</i>	25-85
Sec. 6	<i>July 1, 2021</i>	25-86
Sec. 7	<i>July 1, 2021</i>	25-87
Sec. 8	<i>July 1, 2021</i>	25-92
Sec. 9	<i>July 1, 2021</i>	25-94
Sec. 10	<i>July 1, 2021</i>	25-95
Sec. 11	<i>July 1, 2021</i>	25-97
Sec. 12	<i>July 1, 2021</i>	25-98
Sec. 13	<i>July 1, 2021</i>	7-326
Sec. 14	<i>July 1, 2021</i>	7-328(a)
Sec. 15	<i>July 1, 2021</i>	22a-113p
Sec. 16	<i>July 1, 2021</i>	22a-361(e)(2)
Sec. 17	<i>July 1, 2021</i>	25-76
Sec. 18	<i>July 1, 2021</i>	7-159d(c)
Sec. 19	<i>July 1, 2021</i>	16-245n(a) to (d)
Sec. 20	<i>July 1, 2021</i>	16-245n(f)
Sec. 21	<i>July 1, 2021</i>	16-245n(e)(1)
Sec. 22	<i>July 1, 2021</i>	16-245mm(g)

Sec. 23	July 1, 2021	16-245kk(c)
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Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]