



**Substitute Senate Bill No. 72**

**Public Act No. 14-100**

**AN ACT CONCERNING LIABILITY FOR THE GROWING OF RUNNING BAMBOO.**

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

Section 1. Subsection (c) of section 22a-381e of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) No person shall plant running bamboo or allow running bamboo to be planted on his or her property at a location that is [one hundred] forty feet or less from any abutting property or public right-of-way. [unless such planting is contained by a properly constructed and maintained barrier system or such running bamboo is planted above ground in a container or planter such that the running bamboo does not come in contact with the surrounding soil. ] Any person who violates the provisions of this subsection shall be fined one hundred dollars. In the case of a continuing violation, each day of continuance shall be deemed a separate and distinct offense until such time as such bamboo is removed or contained by a properly installed and constructed barrier system. [The provisions of this subsection shall not be deemed to apply to any running bamboo planted on or before October 1, 2013. ]

Sec. 2. Section 22a-381e of the 2014 supplement to the general statutes is amended by adding subsection (f) as follows (*Effective from passage*):

(NEW) (f) Allowing running bamboo to grow beyond the boundaries of a parcel of property that a person owns shall be deemed to be a nuisance.

Approved June 6, 2014

Noted changes take effect from passage – Signed by Governor June 6, 2014  
New language in bold, strikethrough is deleted language.

**2014 SUPPLEMENT  
TO THE  
GENERAL STATUTES OF CONNECTICUT**

**Sec. 22a-381e. Prohibited actions re running bamboo. Disclosure statement. Penalties. Enforcement.** (a) For the purpose of this section, “running bamboo” means any bamboo in the genus *Phyllostachys*, including *Phyllostachys aureosulcata*.

(b) No person who plants running bamboo or who allows running bamboo to be planted on his or her property shall permit such bamboo to grow beyond the boundaries of his or her property. On and after October 1, 2013, any person who violates the provisions of this subsection shall be liable for any damages caused to any neighboring property by such bamboo, including, but not limited to, the cost of removal of any running bamboo that grew beyond the boundaries of his or her property.

(c) No person shall plant running bamboo or allow running bamboo to be planted on his or her property at a location that is ~~one hundred~~ **forty** feet or less from any abutting property or public right-of-way. ~~unless such planting is contained by a properly constructed and maintained barrier system or such running bamboo is planted above ground in a container or planter such that the running bamboo does not come in contact with the surrounding soil.~~ Any person who violates the provisions of this subsection shall be fined one hundred dollars. In the case of a continuing violation, each day of continuance shall be deemed a separate and distinct offense until such time as such bamboo is removed or contained by a properly installed and constructed barrier system. ~~The provisions of this subsection shall not be deemed to apply to any running bamboo planted on or before October 1, 2013.~~

(d) Each retail seller or installer of running bamboo shall provide to each customer who purchases running bamboo from such seller or installer a statement that discloses that running bamboo is a fast growing plant that may spread if not properly contained and a plain language summary of the provisions contained in subsections (b) and (c) of this section. Such statement shall also provide recommendations, based on best available information, on how to properly contain running bamboo. Any retail seller or installer of running bamboo who violates the provisions of this subsection shall be fined one hundred dollars for each plant sold in violation of this section.

(e) The Department of Energy and Environmental Protection, any duly authorized municipal constable, municipal tree warden, zoning enforcement officer or inland wetlands and watercourses enforcement officer may enforce the provisions of subsections (c) and (d) of this section.

**(f) Allowing running bamboo to grow beyond the boundaries of a parcel of property that a person owns shall be deemed to be a nuisance.**

(P.A. 13-82, S. 1.)

History: P.A. 13-82 effective June 5, 2013.

Note: A nuisance is a condition that interferes with the use or enjoyment of property, and is a type of tort (civil wrong) for which a person can sue for damages (see *Black's Law Dictionary*).