



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

| | |
|----------------------|---|
| Document Name | DECD – Brownfield Program Statute Revisions |
|----------------------|---|

| | |
|--|---|
| Legislative Liaison | Brie Wolf, brie.wolf@ct.gov , 860.990.8631 |
| Division Requesting This Proposal | Office of Brownfield Remediation and Development (OBRD) |
| Drafter | Binu Chandy, Director, Office of Brownfield Remediation and Development, binu.chandy@ct.gov |

| | |
|---|--|
| Title of Proposal | DECD Brownfield Program Statute Revisions |
| Statutory Reference, if any | Connecticut General Statutes Section 32-763 . (Formerly Sec. 32-9kk). Remedial action and redevelopment municipal grant program. Section 32-765 . Targeted brownfield development loan program. |
| Brief Summary and Statement of Purpose | The following updates are being proposed to the Brownfield Program statutes: <ol style="list-style-type: none">1. Increasing the maximum award possible under the Grant and Loan programs from \$4m to \$6m.2. Clarifying language regarding allowable supplemental funding to an original grant award.3. Clarifying language regarding enrollment in the Voluntary Remediation Program in situations whether there is no site-wide remediation. |
| How does this proposal relate to the agency's mission? | Brownfield redevelopment is directly related to the agency's mission of enabling economic and community redevelopment by cleaning up and bringing back derelict and contaminated properties back to being assets to the communities and municipalities of Connecticut. |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

1. Increasing the maximum award possible under the Grant and Loan programs from \$4m to \$6m.

- The \$4m limit was set when the program statutes were established, approximately 15 years ago. Since then, the costs for remediation have increased.
- There are cost efficiencies if remediation phases can be implemented at the same time.

2. Clarifying language regarding allowable additional funding to an original grant award.

- The grant statutes allow for 50% additional funding to an original grant award up to the maximum limit.
- The statutes are not clear whether additional funding awards can be made to a project or project phases beyond the 50% limit. So, clarification language has been included to:
 - i. Allow for grant application submissions (or grant awards) for related but distinct phases of a project or project addresses
 - ii. Allow for additional funding requests, if
 1. new parcels have been added to the original project site;
 2. the budget required to complete the remediation actions has increased due to inflation or issues identified during remediation action work; and/or
 3. the initial scope of remediation action has been altered or expanded.

3. Clarifying language regarding enrollment in the Voluntary Remediation Program in situations whether there is no site-wide remediation.

- The Department of Energy and Environmental Protection has proposed Released-Based Cleanup Regulations (RBCR). If adopted, the RBCR may impact the Brownfield Program. The proposed amendment will proactively provide options to potential applicants for brownfield funding. It allows them to choose to follow the RBCR Voluntary Remediation Program versus entering into a more formal brownfield remediation program.



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

BACKGROUND

Origin of Proposal New Proposal Resubmission

Please consider the following, if applicable:

| | |
|---|---|
| Have there been changes in federal/state laws or regulations that make this legislation necessary? | Department of Energy and Environmental Protection has proposed Released-Based Cleanup Regulations (RBCR) . |
| Has this proposal or a similar proposal been implemented in other states? If yes, to what result? | The proposed revisions are very specific to Connecticut's Brownfield Program. |
| Have certain constituencies called for this proposal? | Yes, the state cost for larger brownfield projects with complicated issues can be more than \$4 million and brownfield developers and municipalities have struggled with this funding limitation. Additionally, the Office of the Attorney General has encouraged DECD to clarify the statutory language so as to understand whether a project with a pre-defined scope can be awarded additional funding beyond the allowable fifty percent limit. |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

Check here if this proposal does NOT impact other agencies

| | |
|-------------------------------------|---|
| 1. Agency Name | Department of Energy and Environmental Protection |
| Agency Contact (name, title) | Graham Stevens, Bureau Chief, DEEP Bureau of Water Protection and Land Reuse; Ray Frigon, Director, DEEP Remediation Division; Megan Andrews, Legislative Liaison |
| Date Contacted | September 2024 |
| Status | <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Talks Ongoing |
| Open Issues, if any | |

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

Check here if this proposal does NOT have a fiscal impact

| | |
|---|---|
| State | Allows for more bond funds to be allocated to each Brownfield Remediation project but does not increase the overall bond authorization required. Additional bond funds will not be requested. No fiscal impact. |
| Municipal (Include any municipal mandate that can be found within legislation) | None |
| Federal | None |
| Additional notes | None |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

INSERT FULLY DRAFTED BILL HERE

Section 1. Sec. 32-763 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2025):

(a) There is established a remedial action and redevelopment municipal grant program to be administered by the Department of Economic and Community Development for the purpose of providing grants pursuant to subsections (b) and (c) of this section.

(b) (1) [Grants may be provided to m] Municipalities, Connecticut brownfield land banks and economic development agencies may apply for grants under this section for the eligible costs of (A) brownfield remediation projects or distinct phases thereof; [J (B) brownfield assessment projects or distinct phases thereof; and (C) reasonable administrative expenses not to exceed five per cent of any grant awarded. Any grant awarded under this [sub]section shall not exceed [four] six million dollars for a project site or phase and under an application submitted as per subdivision (4) of this subsection. Notwithstanding this limit and the provisions of subdivision (6) of this subsection, additional grant awards may be made that exceed this limit to related but distinct phases of a project or project addresses if separate applications, as per subdivision (4) of this subsection, are submitted.

(2) A grant applicant shall submit an application for a grant under this subsection to the Commissioner of Economic and Community Development on forms provided by the commissioner and with such information the commissioner deems necessary, including, but not limited to: (A) A description of the proposed project or a distinct phase thereof; (B) an explanation of the expected benefits of the project in relation to the purposes of this section; (C) information concerning the financial and technical capacity of the applicant to undertake the proposed project; (D) a project budget; and (E) with respect to a brownfield remediation project, a description of the condition of the brownfield, including the results of any environmental assessment of the brownfield in the possession of or available to the applicant.

(3) The commissioner may approve, reject or modify any application properly submitted in accordance with the provisions of this subsection. The commissioner may not reject an application solely because a municipality has submitted more than one application in response to a request for applications. In reviewing an application and determining the amount of the



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

grant, if any, to be provided, the commissioner shall consider the following criteria: (A) The availability of funds; (B) the estimated costs of assessing and remediating the brownfield, if known; (C) the relative economic condition of the municipality in which the brownfield is located; (D) the relative need of the project for financial assistance; (E) the degree to which a grant under this subsection is necessary to induce the applicant to undertake the project; (F) the public health and environmental benefits of the project; (G) the relative benefits of the project to the municipality, the region and the state, including, but not limited to, the extent to which the project will likely result in a contribution to the municipality's tax base, the retention and creation of jobs and the reduction of blight; (H) the time frame in which the contamination occurred; (I) the relationship of the applicant to the person or entity that caused the contamination; (J) the length of time the brownfield has been abandoned; (K) the taxes owed and the projected revenues that may be restored to the community; (L) the relative need for assessment of the brownfield within the municipality or region; (M) whether the brownfield is located in a federally designated opportunity zone; and (N) such other criteria as the commissioner may establish consistent with the purposes of this subsection.

(4) The commissioner shall award grants under this subsection on a competitive basis, based on a request for applications occurring at least twice annually. The commissioner may increase the frequency of requests for applications and awards depending upon the number of applicants and the availability of funding. A **[municipality] grant applicant** may submit more than one application in response to a request for applications. On and after July 1, 2019, the commissioner **[shall] may** give priority to grant applications for brownfields located in federally designated opportunity zones.

(5) If a grant recipient under this subsection is not subject to section 22a-134a, such recipient shall enter a program for remediation of the property pursuant to either section 22a-133x, 22a-133y, 32-768 or 32-769, as determined by the commissioner, except no such recipient shall be required to enter such a program if the grant funds are used (A) for the abatement of hazardous building materials and such recipient demonstrates to the satisfaction of the Commissioners of Economic and Community Development and Energy and Environmental Protection that such hazardous building materials represent the sole or sole remaining environmental contamination on the property, (B) for remediation actions that are not site-wide and will not benefit from being in a formal program for remediation (C) solely for assessment of the brownfield, or **[C]** **(D)** as provided in subdivision (7) of this subsection.

(6) The commissioner, in consultation with the Commissioner of Energy and Environmental



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

Protection and following the award of a grant under this subsection to a municipality, Connecticut brownfield land bank or economic development agency pursuant to subdivisions (3) and (4) of this subsection, may award an additional grant under this subsection to such municipality, Connecticut brownfield land bank or economic development agency to enable the completion of a brownfield remediation or assessment project, provided such project is identified as a priority by said commissioners and such additional grant funds (A) will be used to address unexpected cost overruns or costs related to remedial activities that will provide a greater environmental benefit than originally proposed pursuant to subdivision (2) of this subsection, and (B) [do not exceed fifty per cent of the original grant, and (C)] will not result in more than [four] six million dollars in total grants being awarded under this section for a single brownfield remediation or assessment project or for a project site or phase. If the projected need for additional funding identified in the course of implementing the project exceeds fifty percent of the original grant award or six million dollars, a new application may be made under subdivision (4) of this subsection provided proof is provided to the satisfaction of the commissioner that (A) new parcels have been added to the original project; (B) the budget required to complete the remediation actions has increased due to issues identified during remediation action work; or (C) the initial scope of remediation action has been altered or expanded.

(7) The commissioner may award grants under this subsection to any municipality, Connecticut brownfield land bank, economic development agency or regional council of governments organized under sections 4-124i to 4-124p, inclusive, for the eligible costs of developing a comprehensive plan for the remediation and redevelopment of multiple brownfields whenever such plan is consistent with the state plan of conservation and development, adopted pursuant to chapter 297, and the plan of conservation and development, adopted pursuant to section 8-23, for each municipality in which such brownfields are located. For purposes of this subsection, “eligible costs” shall also include expenditures associated with the development of any such plan for remediation and redevelopment.

(c) (1) The commissioner may award capacity building grants for operational expenses to any Connecticut brownfield land bank, provided such land bank (A) matches any state funds awarded pursuant to this subsection, and (B) has not previously been awarded a capacity building grant under this subsection. A grant awarded under this subsection shall not exceed fifty thousand dollars.

(2) Any Connecticut brownfield land bank may apply to the Commissioner of Economic and



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

Community Development, in the form and manner prescribed by the commissioner, for a capacity building grant in an amount indicated by the Connecticut brownfield land bank. The Connecticut brownfield land bank shall include such information the commissioner deems necessary to determine whether to award such capacity building grant, in whole or in part, and to verify that such land bank has sufficient funds to match such amount and has not previously been awarded a capacity building grant under this subsection.

(d) The provisions of sections 32-5a and 32-701 shall not apply to grants provided pursuant to this section.

Sec 2. Sec. 32-765 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2025):

(a) The Department of Economic and Community Development shall establish a targeted brownfield development loan program to provide low-interest loans for the eligible costs of brownfield remediation projects to potential brownfield purchasers and current brownfield owners who (1) have no direct or related liability for the conditions of the brownfield, and (2) seek to develop brownfields for purposes of reducing blight or for industrial, commercial, residential or mixed use development.

(b) Notwithstanding subsection (a) of this section, a current owner of a brownfield on which a manufacturing facility is located shall be eligible for a loan under this section, provided neither such owner nor any partner, member, officer, manager, director, shareholder, subsidiary or affiliate of such owner (1) is liable under section 22a-427, 22a-432, 22a-433, 22a-451 or 22a-452 with respect to the property; (2) is otherwise responsible, directly or indirectly, for the discharge, spillage, uncontrolled loss, seepage or filtration of the hazardous substance, material or waste; (3) is a member, officer, manager, director, shareholder, subsidiary, successor of, or affiliated with, directly or indirectly, the person who is otherwise liable under section 22a-427, 22a-432, 22a-433, 22a-451 or 22a-452 with respect to the property; or (4) has been found guilty of knowingly or wilfully violating any environmental law.

(c) An applicant for a loan pursuant to this section shall submit an application to the Commissioner of Economic and Community Development on forms provided by the commissioner and with such information the commissioner deems necessary, including, but not limited to: (1) A description of the proposed project; (2) an explanation of the expected benefits



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

of the project in relation to the purposes of this section; (3) information concerning the financial and technical capacity of the applicant to undertake the proposed project; (4) a project budget; and (5) a description of the condition of the brownfield involved, including the results of any environmental assessment of the brownfield in the possession of or available to the applicant. The commissioner shall provide loans based upon project merit and viability, the economic and community development opportunity, municipal support, contribution to the community's tax base, past experience of the applicant, compliance history and ability to pay. For applications received on and after July 1, 2019, the commissioner **[shall]** may give priority to proposed projects located in federally designated opportunity zones.

(d) If a loan recipient is not subject to section 22a-134a, such recipient shall enter a program for remediation of the property pursuant to either section 22a-133x, 22a-133y, 32-768 or 32-769, as determined by the commissioner, except if the loan funds are used (A) for the abatement of hazardous building materials and such recipient demonstrates to the satisfaction of the Commissioners of Economic and Community Development and Energy and Environmental Protection that such hazardous building materials represent the sole or sole remaining environmental contamination on the property or (B) for remediation actions that are not site-wide and will not benefit from being in a formal program for remediation.

(e) Loans made pursuant to this section shall have such terms and conditions and be subject to such eligibility and loan approval criteria as determined by the commissioner. Such loans shall be for a period not to exceed thirty years.

(f) If a loan recipient sells a property subject to a loan granted pursuant to this section before the loan is repaid, the loan shall be payable upon closing of such sale, according to its terms, unless the commissioner agrees otherwise. The commissioner may carry the loan forward as an encumbrance to the purchaser with the same terms and conditions as the original loan.

(g) A loan recipient may be eligible for a loan of not more than **[four]** six million dollars per year, subject to agency underwriting and reasonable and customary requirements to assure performance. If additional funds are required, the commissioner may recommend that the project be funded through other programs administered by the commissioner.

(h) The commissioner may modify the terms of any loan made pursuant to this section to provide for forgiveness of interest, principal, or both, or delay in repayment of interest, principal, or both, when the commissioner determines such forgiveness or delay is in the best interest of the state from an economic or community development perspective.



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Brownfield Program Statute Revisions

- (i) The provisions of sections 32-5a and 32-701 shall not apply to loans provided pursuant to this section.



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Good to Great Liens

| | |
|----------------------|----------------------------|
| Document Name | DECD – Good to Great Liens |
|----------------------|----------------------------|

| | |
|--|--|
| Legislative Liaison | Brie Wolf, brie.wolf@ct.gov , 860.990.8631 |
| Division Requesting This Proposal | Connecticut Office of the Arts |
| Drafter | Chris Kurker-Stewart, christon.kurker-stewart@ct.gov |

| | |
|---|--|
| Title of Proposal | DECD – Good to Great Liens |
| Statutory Reference, if any | None |
| Brief Summary and Statement of Purpose | To protect public assets and ensure appropriate use of public funds, liens are placed on land owned by the awardee of state funds. There is a requirement in a number of public acts (not codified into statute) that this lien be on land. It has come to our attention that some awardees may not own land. Therefore, the Department would like to allow a lien to be placed on real or personal property for grants-in-aid to non-profit organizations sponsoring cultural and historic sites (Good to Great Program) funded at \$100,000 or less. |
| How does this proposal relate to the agency's mission? | This amendment aligns with the department's mission to strengthen Connecticut's communities by providing funding and technical support for local community and economic development projects. |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Good to Great Liens

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 of the proposal allows a lien to be placed on real or personal property for grants-in-aid to non-profit organizations sponsoring cultural and historic sites funded at \$100,000 or less.

BACKGROUND

Origin of Proposal New Proposal Resubmission

Please consider the following, if applicable:

| | |
|---|--|
| Have there been changes in federal/state laws or regulations that make this legislation necessary? | No |
| Has this proposal or a similar proposal been implemented in other states? If yes, to what result? | No |
| Have certain constituencies called for this proposal? | There is a small universe of Good to Great Program applicants that do not own land. These applicants would be unable to receive grant funds unless such an amendment is made and codified into the general statutes. |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Good to Great Liens

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

Check here if this proposal does NOT impact other agencies

| | |
|-------------------------------------|---|
| 1. Agency Name | Office of Policy and Management |
| Agency Contact (name, title) | Peter Hopko |
| Date Contacted | 10.4.24 |
| Status | <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Talks Ongoing |
| Open Issues, if any | |

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

Check here if this proposal does NOT have a fiscal impact

| | |
|---|------|
| State | None |
| Municipal (Include any municipal mandate that can be found within legislation) | None |
| Federal | None |
| Additional notes | None |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Good to Great Liens

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Good to Great Liens

ANYTHING ELSE WE SHOULD KNOW?

INSERT FULLY DRAFTED BILL HERE

Section 1. NEW (Effective July 1, 2025):

Notwithstanding section 15 of public act 14-98, section 38 of public act 15-1 of the June special session, section 414 of public act 17-2 of the June special session, section 38 of public act 20-1, section 38 of public act 21-111, section 320 of public act 22-118, or section 15 of public act 24-151, the commissioner of the department of economic and community development may require, for grants-in-aid not to exceed one hundred thousand dollars to non-profit organizations sponsoring cultural and historic sites, **[funded in an amount not to exceed one hundred thousand dollars, may require that]** a lien **[shall]** be placed on real or personal property in favor of the state to ensure that such amount shall be repaid in the event of such change in use, provided if the premises for which such grant-in-aid was made are owned by the state, a municipality or a housing authority no lien need be placed.



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Statewide Marketing Sales Program

| | |
|----------------------|--|
| Document Name | DECD – Statewide Marketing Sales Program |
|----------------------|--|

| | |
|--|--|
| Legislative Liaison | Brie Wolf, brie.wolf@ct.gov , 860.990.8631 |
| Division Requesting This Proposal | Office of Statewide Marketing and Tourism |
| Drafter | Brie Wolf, brie.wolf@ct.gov , 860.990.8631 |

| | |
|---|--|
| Title of Proposal | DECD – Statewide Marketing Sales Program |
| Statutory Reference, if any | Connecticut General Statutes Section 10-395b . Tourism Fund. |
| Brief Summary and Statement of Purpose | This proposal allows the Department to create a Sales Program to sell Connecticut brand merchandise and advertising space for Connecticut businesses on CTvisit.com, the state tourism website, due to the high number of impressions the site receives (9.4 million in 2024). All revenue from the Sales Program would be deposited in the Tourism Fund Statewide Marketing Account. This is another step toward making tourism funding more self-sustaining. The funds will be managed by Office of Statewide Marketing and Tourism, which is responsible for driving the narrative and shaping perceptions of Connecticut as one of the best places in the country to live, work, and play. |
| How does this proposal relate to the agency's mission? | It dovetails into the Department's mission to promote Connecticut industries and businesses here at home and make tourism a leading economic contributor and a source of pride for Connecticut. |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Statewide Marketing Sales Program

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section one of this proposal allows the Department to create a Sales Program to sell Connecticut brand merchandise and advertising space for Connecticut businesses on CTvisit.com, the state tourism website. All revenue from the Sales Program would be deposited in the Tourism Fund Statewide Marketing Account.

BACKGROUND

Origin of Proposal New Proposal Resubmission

Please consider the following, if applicable:

| | |
|---|---|
| Have there been changes in federal/state laws or regulations that make this legislation necessary? | No |
| Has this proposal or a similar proposal been implemented in other states? If yes, to what result? | Yes. NY State has the I ❤ NY online shop . This brand is iconic and in fact received intense public pushback when they refreshed the look in 2022. The brand awareness and positive public perception of this alone are worthy of our efforts, which will cost minimally to implement and keep running year after year. Sister state agencies Department of Agriculture and Department of Energy and Environmental Protection also operate sales programs. |
| Have certain constituencies called for this proposal? | The Office of Statewide Marketing and Tourism made a small number of Connecticut brand shirts for elected officials to wear in the Middletown PrideFEST. Many members of the public approached those wearing the apparel to ask where they could purchase it. This was the inspiration for our legislative proposal. |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Statewide Marketing Sales Program

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

Check here if this proposal does NOT impact other agencies

| | | |
|-------------------------------------|--|---|
| 1. Agency Name | | |
| Agency Contact (name, title) | | |
| Date Contacted | | |
| Status | <input type="checkbox"/> Approved | <input type="checkbox"/> Talks Ongoing |
| Open Issues, if any | | |

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

Check here if this proposal does NOT have a fiscal impact

| | |
|---|--|
| State | This proposal could generate new revenue, which is needed to bolster the tourism industry. |
| Municipal (Include any municipal mandate that can be found within legislation) | None |
| Federal | None |
| Additional notes | None |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Statewide Marketing Sales Program

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[] Check here if this proposal does NOT lead to any measurable outcomes

DECD staff will track the (1) type, quantity and cost of the state merchandise being sold; (2) type, quantity and cost of advertising space being sold to Connecticut businesses; (3) amount being deposited into the Tourism Fund Statewide Marketing Account.

ANYTHING ELSE WE SHOULD KNOW?



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Statewide Marketing Sales Program

INSERT FULLY DRAFTED BILL HERE

Section 1. Sec. 10-395b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) There is established a fund to be known as the “Tourism Fund” which shall be a separate, nonlapsing fund. The fund shall contain any moneys required by law to be deposited in the fund.

(b) On or after July 1, 2025, the Commissioner of Economic and Community Development may establish and administer a sales program to sell Connecticut brand merchandise and advertising space for Connecticut businesses. All revenue from the sales program shall be deposited in the Tourism Fund Statewide Marketing Account.



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Intellectual and Development Disability (IDD)

Workforce Development Grant Program

| | |
|----------------------|--|
| Document Name | DECD – Intellectual and Development Disability (IDD) Workforce Development Grant Program |
|----------------------|--|

| | |
|--|---|
| Legislative Liaison | Brie Wolf, brie.wolf@ct.gov , 860.990.8631 |
| Division Requesting This Proposal | Office of Business Development at the Department of Economic and Community Development in partnership with Department of Developmental Services. |
| Drafter | Brie Wolf, brie.wolf@ct.gov , 860.990.8631 Jill Kennedy, jill.kennedy@ct.gov ; 860.874.8095 |

| | |
|---|--|
| Title of Proposal | Revisions to DECD's Intellectual and Development Disability (IDD) Workforce Incentive Grant Program |
| Statutory Reference, if any | Connecticut General Statutes Section 32-7v . Workforce development program re grants to nonprofit organizations that employ individuals with intellectual disability. Application. |
| Brief Summary and Statement of Purpose | <p>This proposal would allow Connecticut statutes to conform to federal best practices on competitive integrated employment (CIE), which includes work that is performed on a full-time or part-time basis for which an individual with IDD is:</p> <ul style="list-style-type: none">• Compensated at or above minimum wage and comparable to the customary rate paid by the employer to employees without disabilities performing similar duties and with similar training and experience;• Receiving the same level of benefits provided to other employees without disabilities in similar positions;• At a location where the employee interacts with other individuals without disabilities; and• Presented opportunities for advancement similar to other employees without disabilities in similar positions. |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Intellectual and Development Disability (IDD)

Workforce Development Grant Program

| | |
|---|---|
| | The goal is for individuals with IDD earn a living wage and be fully integrated into the workforce (e.g. kitchen or laundry services in a hospital setting) as opposed to being placed in a work environment where they are exclusively surrounded by their peers. |
| How does this proposal relate to the agency's mission? | One component of the Department of Economic and Community Development's mission is to support existing businesses, and attract new businesses and jobs, with a wide range of programs and services. This grant program aims to incentivize IDD workforce participation, which enriches the culture of a work environment and empowers people with IDD to fully utilize their skill sets. It also embraces the agency's movement towards performance-based incentives for grant allocations. |

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

| |
|--|
| Section 1 makes several revisions: Changes the name of the program to better describe its goal. Swaps “development” for “incentive;” Allows for-profit employers to participate in the IDD Workforce Incentive Grant Program; Allows employers to use the grant to pay salary of workers with IDD by changing “startup” to “programmatic;” Requires workers with IDD to be paid at least minimum wage in order for employers to be eligible for the grant; Requires workers with IDD to be employed for at least six months in order for employers to be eligible for the grant; Requires employers to be in compliance with 34 Code of Federal Regulations (CFR) 361.5c (9)(D)(ii)(B) . in order to be eligible for the grant; Lowers the IDD workforce inclusion threshold from ten to five percent of total workers; |
|--|



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Intellectual and Development Disability (IDD)

Workforce Development Grant Program

Caps the percentage of total IDD workers in a workplace program to thirty percent of total workers; and

Ties the two grant award thresholds to different percentages of workers with IDD. An employer is eligible to receive a \$25,000 grant if 5-20 percent of their employees are workers with IDD. An employer is eligible to receive a \$75,000 grant if 21-30 percent of their employees are workers with IDD.

BACKGROUND

Origin of Proposal

New Proposal

Resubmission

Please consider the following, if applicable:

| | |
|---|--|
| Have there been changes in federal/state laws or regulations that make this legislation necessary? | Yes. Must be in compliance with Competitive Integrated Employment (CIE) as defined by the Workforce Innovation and Opportunity Act (WIOA). Workforce Innovation and Opportunity Act (WIOA) amendments passed in 2014. CFR Title 34, Subtitle B, Chapter III, Part 361 was revised in August 2016 to include Competitive Integrated Employment. |
| Has this proposal or a similar proposal been implemented in other states? If yes, to what result? | Employment First is a national systems-change framework centered on the premise that all individuals, including those individuals with the most significant disabilities, are capable of full participation in Competitive Integrated Employment (CIE). It aligns policies, regulatory guidance, and reimbursement structures to commit to CIE as the priority option with respect to the use of publicly financed day and employment services for youth and adults with significant disabilities. The Association of People Supporting Employment First (APSE) notes that, as of August 2021, 31 states have passed Employment First |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Intellectual and Developmental Disability (IDD)

Workforce Development Grant Program

| | |
|--|--|
| | legislation, 16 states have Employment First executive orders, and 32 states have Employment First state agency administrative policies or regulations in place. Multiple examples exist of other states committing to programs and initiatives that advance Competitive Integrated Employment (CIE). |
| Have certain constituencies called for this proposal? | Section 63 of Public Act 23-137 passed with the endorsement of Representatives Dathan and Case to support employment initiatives for individuals with Intellectual disability. The Department of Developmental Services supports the concept of employment initiatives, as long as they ensure individuals have access to Competitive Integrated Employment (CIE). |

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

Check here if this proposal does NOT impact other agencies

| | |
|-------------------------------------|---|
| 1. Agency Name | Department of Developmental Services |
| Agency Contact (name, title) | Jill Kennedy, Legislative and Regulations Specialist Kevin Bronson, Director of Communications, Legislation & Regulations |
| Date Contacted | 9.9.24 |
| Status | [X] Approved [] Talks Ongoing |
| Open Issues, if any | |

| | |
|-------------------------------------|--|
| 2. Agency Name | Department of Labor |
| Agency Contact (name, title) | Marissa Morello, Legislative Director Billy Taylor, Legislative Liaison |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Intellectual and Development Disability (IDD)

Workforce Development Grant Program

| | |
|----------------------------|---|
| | |
| Date Contacted | 10.11.24 |
| Status | <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Talks Ongoing |
| Open Issues, if any | |

| | |
|-------------------------------------|---|
| 3. Agency Name | Department of Aging and Disability Services |
| Agency Contact (name, title) | Jennifer Proto, Legislative and Administrative Advisor |
| Date Contacted | 10.11.24 |
| Status | <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing |
| Open Issues, if any | |

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

Check here if this proposal does NOT have a fiscal impact

| | |
|---|---|
| State | The Intellectual and Development Disability Workforce Incentive Grant Program is not yet operationalized, so this revision will not lead to additional program costs. |
| Municipal (Include any municipal mandate that can be found within legislation) | None |
| Federal | None |
| Additional notes | None |



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Intellectual and Developmental Disability (IDD)
Workforce Development Grant Program

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[] Check here if this proposal does NOT lead to any measurable outcomes

The Office of Business Development will collect and track the number of workers with and without IDD in a workplace that receives IDD Disability Workforce Incentive Grant in order to assess compliance with the cap and inclusion threshold.

ANYTHING ELSE WE SHOULD KNOW?



Agency Legislative Proposal – 2025 Session

Document Name: DECD – Intellectual and Development Disability (IDD)

Workforce Development Grant Program

INSERT FULLY DRAFTED BILL HERE

Section 1. Sec. 32-7v of the general statutes is repealed and the following is substituted in lieu thereof:

(a)(1) The Commissioner of Economic and Community Development shall, within available resources, establish a workforce **[development]** incentive program to provide grants to **[nonprofit organizations]** employers that employ individuals with intellectual disability, as defined in section 1-1g who receive at least minimum wage compensation and are in compliance with Competitive Integrated Employment, in accordance with 34 CFR 361.5c (9)(D)(ii)(B). Such grants shall be awarded for infrastructure expenditures, **[start-up]** programmatic costs or expansion costs.

(2) Any **[nonprofit organization]** employer that employs, at the time of application, a workforce of which not less than **[ten]** five per cent consists of individuals with intellectual disability, as defined in section 1-1g, who have been employed for a period of not less than six months in the previous calendar year may apply for a grant under the program.

(3) Grants awarded pursuant to this section shall not exceed:

(A) Twenty-five thousand dollars per **[nonprofit organization]** employer employing a workforce of which between **[ten]** five and **[thirty]** twenty per cent, inclusive, consists of individuals with intellectual disability; and

(B) Seventy-five thousand dollars per **[nonprofit organization]** employer employing a workforce of which at least twenty one percent, but not more than thirty per cent consists of individuals with intellectual disability.

(b) The Department of Economic and Community Development may enter into an agreement, pursuant to chapter 55a, with a person, firm, corporation or other entity to operate the program established pursuant to this section.

(c) The commissioner shall prescribe the form and manner of the application and such application procedure shall include a competitive award process.