



General Assembly

Amendment

February Session, 2024

LCO No. 6136



Offered by:

REP. HORN, 64th Dist.

SEN. FONFARA, 1st Dist.

To: House Bill No. 5512

File No. 545

Cal. No. 371

"AN ACT CONCERNING A STUDY OF STATE REVENUE COLLECTIONS."

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

3 "Section 1. Subdivision (3) of subsection (b) of section 137 of house
4 bill 5524 of the current session is repealed and the following is
5 substituted in lieu thereof (*Effective January 1, 2025*):

6 (3) For the thirty-year period beginning with a combined group's first
7 income year that begins in 2026, a combined group entitled to a
8 deduction under this subsection shall deduct from combined group net
9 income an amount equal to one-thirtieth of the amount necessary to
10 offset the increase in the valuation allowance against net operating
11 losses and tax credits in the state, as computed in accordance with
12 generally accepted accounting principles, that resulted from the
13 enactment of sections 12-218e and 12-218f of the general statutes. Such
14 increase in valuation allowance shall be computed based on the change

15 in valuation allowance that was reported in the combined group's
16 financial statements for the income year commencing on or after
17 January 1, [2016] 2015, but prior to January 1, [2017] 2016.

18 Sec. 2. Section 45 of public act 23-205, as amended by section 52 of
19 house bill 5524 of the current session, is amended to read as follows
20 (*Effective July 1, 2024*):

21 The State Bond Commission shall have power, in accordance with the
22 provisions of this section and sections 46 to 50, inclusive, of public act
23 23-205, from time to time to authorize the issuance of special tax
24 obligation bonds of the state in one or more series and in principal
25 amounts in the aggregate, not exceeding [\$1,642,372,000] \$1,652,372,000.

26 Sec. 3. Subsection (b) of section 46 of public act 23-205, as amended
27 by section 55 of house bill 5524 of the current session, is amended to read
28 as follows (*Effective July 1, 2024*):

29 (b) For the Bureau of Public Transportation:

30 (1) Bus and rail facilities and equipment, including rights-of-way,
31 other property acquisition and related projects, not exceeding
32 \$273,450,000;

33 (2) Northeast Corridor Modernization Match Program, not exceeding
34 \$438,175,000;

35 (3) Grants for commercial rail freight lines pursuant to section 13b-
36 236 of the general statutes, not exceeding [\$10,000,000] \$20,000,000.

37 Sec. 4. Section 195 of house bill 5524 of the current session is repealed
38 and the following is substituted in lieu thereof (*Effective from passage*):

39 (a) Notwithstanding the provisions of section 10-283 of the general
40 statutes, as amended by [this act] house bill 5524 of the current session,
41 or any regulation adopted by the State Board of Education or the
42 Department of Administrative Services pursuant to said section
43 requiring a completed grant application be submitted prior to June 30,

44 2023, the new construction project at the new middle school in the town
45 of Ansonia shall be included in subdivision (1) of section 1 of [this act]
46 house bill 5524 of the current session and shall subsequently be
47 considered for a grant commitment from the state, provided the town of
48 Ansonia files an application for such school building project prior to
49 October 1, [2024] 2026, and meets all other provisions of chapter 173 of
50 the general statutes or any regulation adopted by the State Board of
51 Education or the Department of Administrative Services pursuant to
52 said chapter and is eligible for grant assistance pursuant to said chapter.

53 (b) Notwithstanding the provisions of section 10-285a of the general
54 statutes, as amended by [this act] house bill 5524 of the current session,
55 or any regulation adopted by the State Board of Education or the
56 Department of Administrative Services pursuant to said section
57 concerning the reimbursement percentage that a local board of
58 education may be eligible to receive for a school building project, the
59 town of Ansonia may use the reimbursement rate of eighty-seven per
60 cent for the new construction project at the new middle school.

61 (c) (1) Notwithstanding the provisions of section 10-285a of the
62 general statutes, as amended by [this act] house bill 5524 of the current
63 session, or any regulation adopted by the State Board of Education or
64 the Department of Administrative Services pursuant to said section
65 concerning the reimbursement percentage that a local board of
66 education may be eligible to receive for a school building project, the
67 town of Ansonia may use the reimbursement rate of eighty-seven per
68 cent for the construction of a central administration facility as part of the
69 new construction project at the new middle school.

70 (2) Notwithstanding the provisions of subdivision (3) of subsection
71 (a) of section 10-286 of the general statutes or any regulation adopted by
72 the State Board of Education or the Department of Administrative
73 Services limiting reimbursement to one-half of the eligible percentage of
74 the net eligible cost of construction to a town for construction, the town
75 of Ansonia shall receive full reimbursement of the reimbursement
76 percentage described in subdivision (1) of this subsection of the net

77 eligible cost for the construction of a central administration facility as
78 part of the new construction project at the new middle school.

79 (d) Notwithstanding the provisions of section 10-286 of the general
80 statutes, as amended by [this act] house bill 5524 of the current session,
81 or any regulation adopted by the State Board of Education or the
82 Department of Administrative Services pursuant to said section
83 concerning the calculation of grants using the state standard space
84 specifications, the town of Ansonia shall be exempt from the state
85 standard space specifications for the purpose of the calculation of the
86 grant for the new construction project at the new middle school.

87 Sec. 5. (*Effective from passage*) In the case of any underpayment of tax
88 by a taxpayer under chapter 208, 228z or 229 of the general statutes, no
89 interest shall be imposed under such chapters to the extent such
90 underpayment was due to the filing of an amended return necessitated
91 by the guidance in Notice 2021-20, issued by the Internal Revenue
92 Service, concerning the federal employee retention credit program. If
93 such interest has already been paid to the Department of Revenue
94 Services, the Commissioner of Revenue Services shall treat such
95 payment as an overpayment and shall refund the amount of such
96 payment, without interest, to the taxpayer.

97 Sec. 6. Section 19a-639f of the general statutes is amended by adding
98 subsection (m) as follows (*Effective July 1, 2024*):

99 (NEW) (m) The executive director may waive the examination of any
100 of the factors required as part of a cost and market impact review under
101 subsection (d) of this section with regard to a hospital for which an
102 application for a certificate of need involving a transfer in ownership
103 has been filed if a cost and market impact review concerning the hospital
104 was performed not more than twelve months prior to the filing of the
105 application for a certificate of need. The executive director shall report,
106 in accordance with the provisions of section 11-4a of the general statutes,
107 to the joint standing committee of the General Assembly having
108 cognizance of matters relating to public health regarding any waiver

109 issued under this subsection not later than sixty days after issuance of
110 such waiver. Such notification shall describe the factors for which the
111 examination has been waived, the rationale for the waiver and any
112 applicable terms and conditions attached to the waiver.

113 Sec. 7. Subsection (a) of section 19a-653 of the 2024 supplement to the
114 general statutes is repealed and the following is substituted in lieu
115 thereof (*Effective from passage*):

116 (a) Any person or health care facility or institution that is required to
117 file a certificate of need for any of the activities described in section 19a-
118 638, and any person or health care facility or institution that is required
119 to file data or information under any public or special act or under this
120 chapter or sections 19a-486 to 19a-486h, inclusive, or any regulation
121 adopted or order issued under this chapter or said sections, and
122 negligently fails to seek certificate of need approval for any of the
123 activities described in section 19a-638, or to so file within prescribed
124 time periods, and any person or health care facility or institution that
125 has agreed to fully resolve a certificate of need application through
126 settlement and negligently fails to comply with any term or condition
127 enumerated in the settlement agreement, shall be subject to a civil
128 penalty of up to one thousand dollars a day for each day such person or
129 health care facility or institution conducts any of the described activities
130 without certificate of need approval as required by section 19a-638, for
131 each day such information is missing, incomplete or inaccurate or for
132 each day any condition of a settlement agreement is not met, except that,
133 on or after the effective date of this section and prior to December 1,
134 2024, if such person or health care facility or institution fails to file a
135 certificate of need for the termination of an emergency department by a
136 short-term acute care general hospital pursuant to subdivision (8) of
137 subsection (a) of section 19a-638, such person or health care facility or
138 institution shall be subject to a civil penalty of up to two hundred fifty
139 thousand dollars for each week that such emergency department is
140 closed prior to such person's or health care facility's or institution's
141 certificate of need application for termination of such emergency
142 department is deemed complete by the unit. Any civil penalty

143 authorized by this section shall be imposed by the Office of Health
144 Strategy in accordance with subsections (b) to (e), inclusive, of this
145 section.

146 Sec. 8. Subsection (g) of section 21a-420m of the 2024 supplement to
147 the general statutes is repealed and the following is substituted in lieu
148 thereof (*Effective July 1, 2024*):

149 (g) If a producer has paid a reduced conversion fee, as described in
150 subsection (b) of section 21a-420l, and subsequently did not create two
151 equity joint ventures under this section that, not later than [fourteen]
152 twenty-four months after the Department of Consumer Protection
153 approved the producer's license expansion application under section
154 21a-420l, each received a final license from the department, the producer
155 shall be liable for the full conversion fee of three million dollars
156 established in section 21a-420l minus such paid reduced conversion fee.

157 Sec. 9. Section 38a-48 of the general statutes is repealed and the
158 following is substituted in lieu thereof (*Effective October 1, 2025*):

159 (a) On or before June thirtieth, annually, the Commissioner of
160 Revenue Services shall render to the Insurance Commissioner a
161 statement certifying the total amount of taxes [or charges imposed on]
162 reported to the Commissioner of Revenue Services on returns filed with
163 said commissioner by each domestic insurance company or other
164 domestic entity under chapter 207 on business done in this state during
165 the [preceding calendar year. The statement for local domestic insurance
166 companies shall set forth the amount of taxes and charges before any tax
167 credits allowed as provided in subsection (a) of section 12-202] calendar
168 year immediately preceding the prior calendar year. For purposes of
169 preparing the annual statement under this subsection, the total amount
170 of taxes required to be set forth in such statement shall be the amount of
171 tax reported by each domestic insurance company or other domestic
172 entity under chapter 207 to the Commissioner of Revenue Services prior
173 to the application of any credits allowable or available under law to each
174 such domestic insurance company or other domestic entity under

175 chapter 207.

176 (b) On or before July thirty-first, annually, the Insurance
177 Commissioner and the Office of the Healthcare Advocate shall render
178 to each domestic insurance company or other domestic entity liable for
179 payment under section 38a-47:

180 (1) A statement that includes (A) the amount appropriated to the
181 Insurance Department, the Office of the Healthcare Advocate and the
182 Office of Health Strategy from the Insurance Fund established under
183 section 38a-52a for the fiscal year beginning July first of the same year,
184 (B) the cost of fringe benefits for department and office personnel for
185 such year, as estimated by the Comptroller, (C) the estimated
186 expenditures on behalf of the department and the offices from the
187 Capital Equipment Purchase Fund pursuant to section 4a-9 for such
188 year, not including such estimated expenditures made on behalf of the
189 Health Systems Planning Unit of the Office of Health Strategy, and (D)
190 the amount appropriated to the Department of Aging and Disability
191 Services for the fall prevention program established in section 17a-859
192 from the Insurance Fund for the fiscal year;

193 (2) [a] A statement of the total amount of taxes [imposed on all
194 domestic insurance companies and domestic insurance entities under
195 chapter 207 on business done in this state during the preceding calendar
196 year] reported in the annual statement rendered to the Insurance
197 Commissioner pursuant to subsection (a) of this section; and

198 (3) [the] The proposed assessment against that company or entity,
199 calculated in accordance with the provisions of subsection (c) of this
200 section, provided for the purposes of this calculation the amount
201 appropriated to the Insurance Department, the Office of the Healthcare
202 Advocate and the Office of Health Strategy from the Insurance Fund
203 plus the cost of fringe benefits for department and office personnel and
204 the estimated expenditures on behalf of the department and the office
205 from the Capital Equipment Purchase Fund pursuant to section 4a-9,
206 not including such expenditures made on behalf of the Health Systems

207 Planning Unit of the Office of Health Strategy shall be deemed to be the
208 actual expenditures of the department and the office, and the amount
209 appropriated to the Department of Aging and Disability Services from
210 the Insurance Fund for the fiscal year for the fall prevention program
211 established in section 17a-859 shall be deemed to be the actual
212 expenditures for the program.

213 (c) (1) The proposed assessments for each domestic insurance
214 company or other domestic entity shall be calculated by (A) allocating
215 twenty per cent of the amount to be paid under section 38a-47 among
216 the domestic entities organized under sections 38a-199 to 38a-209,
217 inclusive, and 38a-214 to 38a-225, inclusive, in proportion to their
218 respective shares of the total amount of taxes [and charges imposed
219 under chapter 207 on such entities on business done in this state during
220 the preceding calendar year] reported in the annual statement rendered
221 to the Insurance Commissioner pursuant to subsection (a) of this
222 section, and (B) allocating eighty per cent of the amount to be paid under
223 section 38a-47 among all domestic insurance companies and domestic
224 entities other than those organized under sections 38a-199 to 38a-209,
225 inclusive, and 38a-214 to 38a-225, inclusive, in proportion to their
226 respective shares of the total amount of taxes [and charges imposed
227 under chapter 207 on such domestic insurance companies and domestic
228 entities on business done in this state during the preceding calendar
229 year] reported in the annual statement rendered to the Insurance
230 Commissioner pursuant to subsection (a) of this section, provided if
231 there are no domestic entities organized under sections 38a-199 to 38a-
232 209, inclusive, and 38a-214 to 38a-225, inclusive, at the time of
233 assessment, one hundred per cent of the amount to be paid under
234 section 38a-47 shall be allocated among such domestic insurance
235 companies and domestic entities.

236 (2) When the amount any such company or entity is assessed
237 pursuant to this section exceeds twenty-five per cent of the actual
238 expenditures of the Insurance Department, the Office of the Healthcare
239 Advocate and the Office of Health Strategy from the Insurance Fund,
240 such excess amount shall not be paid by such company or entity but

241 rather shall be assessed against and paid by all other such companies
242 and entities in proportion to their respective shares of the total amount
243 of taxes [and charges imposed under chapter 207 on business done in
244 this state during the preceding calendar year] reported in the annual
245 statement rendered to the Insurance Commissioner pursuant to
246 subsection (a) of this section, except that for purposes of any assessment
247 made to fund payments to the Department of Public Health to purchase
248 vaccines, such company or entity shall be responsible for its share of the
249 costs, notwithstanding whether its assessment exceeds twenty-five per
250 cent of the actual expenditures of the Insurance Department, the Office
251 of the Healthcare Advocate and the Office of Health Strategy from the
252 Insurance Fund. The provisions of this subdivision shall not be
253 applicable to any corporation [which] that has converted to a domestic
254 mutual insurance company pursuant to section 38a-155 upon the
255 effective date of any public act [which] that amends said section to
256 modify or remove any restriction on the business such a company may
257 engage in, for purposes of any assessment due from such company on
258 and after such effective date.

259 (d) [For purposes of calculating the amount of payment under section
260 38a-47, as well as the amount of the assessments under this section, the
261 "total taxes imposed on all domestic insurance companies and other
262 domestic entities under chapter 207" shall be based upon the amounts
263 shown as payable to the state for the calendar year on the returns filed
264 with the Commissioner of Revenue Services pursuant to chapter 207;
265 with respect to calculating the amount of payment and assessment for
266 local domestic insurance companies, the amount used shall be the taxes
267 and charges imposed before any tax credits allowed as provided in
268 subsection (a) of section 12-202] Each annual payment determined
269 under section 38a-47 and each annual assessment determined under this
270 section shall be calculated based on the total amount of taxes reported
271 in the annual statement rendered to the Insurance Commissioner
272 pursuant to subsection (a) of this section.

273 (e) On or before September thirtieth, annually, for each fiscal year
274 ending prior to July 1, 1990, the Insurance Commissioner and the

275 Healthcare Advocate, after receiving any objections to the proposed
276 assessments and making such adjustments as in their opinion may be
277 indicated, shall assess each such domestic insurance company or other
278 domestic entity an amount equal to its proposed assessment as so
279 adjusted. Each domestic insurance company or other domestic entity
280 shall pay to the Insurance Commissioner on or before October thirty-
281 first an amount equal to fifty per cent of its assessment adjusted to reflect
282 any credit or amount due from the preceding fiscal year as determined
283 by the commissioner under subsection (g) of this section. Each domestic
284 insurance company or other domestic entity shall pay to the Insurance
285 Commissioner on or before the following April thirtieth, the remaining
286 fifty per cent of its assessment.

287 (f) On or before September first, annually, for each fiscal year ending
288 after July 1, 1990, the Insurance Commissioner and the Healthcare
289 Advocate, after receiving any objections to the proposed assessments
290 and making such adjustments as in their opinion may be indicated, shall
291 assess each such domestic insurance company or other domestic entity
292 an amount equal to its proposed assessment as so adjusted. Each
293 domestic insurance company or other domestic entity shall pay to the
294 Insurance Commissioner (1) on or before June 30, 1990, and on or before
295 June thirtieth annually thereafter, an estimated payment against its
296 assessment for the following year equal to twenty-five per cent of its
297 assessment for the fiscal year ending such June thirtieth, (2) on or before
298 September thirtieth, annually, twenty-five per cent of its assessment
299 adjusted to reflect any credit or amount due from the preceding fiscal
300 year as determined by the commissioner under subsection (g) of this
301 section, and (3) on or before the following December thirty-first and
302 March thirty-first, annually, each domestic insurance company or other
303 domestic entity shall pay to the Insurance Commissioner the remaining
304 fifty per cent of its proposed assessment to the department in two equal
305 installments.

306 (g) If the actual expenditures for the fall prevention program
307 established in section 17a-859 are less than the amount allocated, the
308 Commissioner of Aging and Disability Services shall notify the

309 Insurance Commissioner and the Healthcare Advocate. Immediately
310 following the close of the fiscal year, the Insurance Commissioner and
311 the Healthcare Advocate shall recalculate the proposed assessment for
312 each domestic insurance company or other domestic entity in
313 accordance with subsection (c) of this section using the actual
314 expenditures made during the fiscal year by the Insurance Department,
315 the Office of the Healthcare Advocate and the Office of Health Strategy
316 from the Insurance Fund, the actual expenditures made on behalf of the
317 department and the offices from the Capital Equipment Purchase Fund
318 pursuant to section 4a-9, not including such expenditures made on
319 behalf of the Health Systems Planning Unit of the Office of Health
320 Strategy, and the actual expenditures for the fall prevention program.
321 On or before July thirty-first, the Insurance Commissioner and the
322 Healthcare Advocate shall render to each such domestic insurance
323 company and other domestic entity a statement showing the difference
324 between their respective recalculated assessments and the amount they
325 have previously paid. On or before August thirty-first, the Insurance
326 Commissioner and the Healthcare Advocate, after receiving any
327 objections to such statements, shall make such adjustments [which] that
328 in their opinion may be indicated, and shall render an adjusted
329 assessment, if any, to the affected companies. Any such domestic
330 insurance company or other domestic entity may pay to the Insurance
331 Commissioner the entire assessment required under this subsection in
332 one payment when the first installment of such assessment is due.

333 (h) If any assessment is not paid when due, a penalty of twenty-five
334 dollars shall be added thereto, and interest at the rate of six per cent per
335 annum shall be paid thereafter on such assessment and penalty.

336 (i) The Insurance Commissioner shall deposit all payments made
337 under this section with the State Treasurer. On and after June 6, 1991,
338 the moneys so deposited shall be credited to the Insurance Fund
339 established under section 38a-52a and shall be accounted for as expenses
340 recovered from insurance companies.

341 Sec. 10. (NEW) (*Effective October 1, 2024*) (a) As used in this section:

342 (1) "Actions which may significantly affect the environment" has the
343 same meaning as provided in section 22a-1c of the general statutes, but
344 does not include any action that (A) is a major federal action under the
345 National Environmental Policy Act, 42 USC 4321 et seq., as amended
346 from time to time, (B) is an undertaking under the National Historic
347 Preservation Act, 54 USC 300101 et seq., as amended from time to time,
348 (C) affects an archaeological site, or (D) affects a sacred site;

349 (2) "Archaeological site" has the same meaning as provided in section
350 10-381 of the general statutes;

351 (3) "Historic structures and landmarks" has the same meaning as
352 provided in section 10-410 of the general statutes;

353 (4) "Sacred site" has the same meaning as provided in section 10-381
354 of the general statutes;

355 (5) "Sponsoring agency" has the same meaning as described in
356 sections 22a-1 to 22a-1h, inclusive, of the general statutes;

357 (6) "State entity" means a state department, institution or agency
358 under sections 22a-1 to 22a-1h, inclusive, of the general statutes;

359 (7) "State funding recipient" means any person that receives funds
360 from the state to be used for an activity or a sequence of planned
361 activities that are subject to the process established by sections 22a-1 to
362 22a-1h, inclusive, of the general statutes; and

363 (8) "State Historic Preservation Officer" means the individual
364 appointed by the Governor pursuant to 54 USC 302301(1), as amended
365 from time to time, to administer the state historic preservation program
366 in accordance with 54 USC 302303, as amended from time to time.

367 (b) Whenever a sponsoring agency requests an initial determination
368 from the State Historic Preservation Officer, in accordance with sections
369 22a-1 to 22a-1h, inclusive, of the general statutes, as to whether an
370 individual activity or a sequence of planned activities proposed to be
371 undertaken by the sponsoring agency, a state entity or a state funding

372 recipient, as applicable, is within the category of actions which may
373 significantly affect the environment because such activity or sequence
374 of activities could have an impact on the state's historic structures and
375 landmarks, the officer shall:

376 (1) In making such initial determination, consider all information
377 provided by the sponsoring agency, state entity or state funding
378 recipient, as applicable; and

379 (2) Make such initial determination not later than thirty days after the
380 officer receives information the officer deems reasonably necessary to
381 make such initial determination.

382 (c) If the State Historic Preservation Officer makes an initial
383 determination that such individual activity or sequence of planned
384 activities will not have any effect on historic structures and landmarks,
385 or is not within the category of actions which may significantly affect
386 the environment because such activity or sequence of activities will not
387 have an impact on historic structures and landmarks, the officer shall
388 provide such determination in writing to the sponsoring agency, state
389 entity or state funding recipient, as applicable. Such written
390 determination shall constitute a final determination by the officer for the
391 purposes of this section.

392 (d) (1) If the State Historic Preservation Officer makes an initial
393 determination that such individual activity or sequence of planned
394 activities will have an effect on historic structures and landmarks, or is
395 within the category of actions which may significantly affect the
396 environment because such activity or sequence of activities will have an
397 impact on historic structures and landmarks, the officer shall, in
398 collaboration with the sponsoring agency, state entity or state funding
399 recipient, as applicable, propose a prudent or feasible alternative to such
400 individual activity or sequence of planned activities to avoid such
401 impact, if such alternative is possible.

402 (2) If the State Historic Preservation Officer and the sponsoring
403 agency, state entity or state funding recipient, as applicable, reach an

404 agreement regarding such alternative, the officer shall provide to such
405 sponsoring agency, state entity or state funding recipient, as applicable,
406 a written determination that such alternative (A) will not have any effect
407 on historic structures and landmarks, or (B) is not within the category of
408 actions which may significantly affect the environment because such
409 activity or sequence of activities will not have an impact on historic
410 structures and landmarks. Such written determination shall constitute a
411 final determination by the officer for the purposes of this section.

412 (3) (A) If the State Historic Preservation Officer and the sponsoring
413 agency, state entity or state funding recipient, as applicable, cannot
414 reach an agreement regarding such alternative, the officer shall provide
415 to such sponsoring agency, state entity or state funding recipient, as
416 applicable, a written determination that such individual activity or
417 sequence of planned activities (i) will have an effect on historic
418 structures and landmarks, or (ii) is within the category of actions which
419 may significantly affect the environment because such activity or
420 sequence of activities will have an impact on historic structures and
421 landmarks.

422 (B) (i) Notwithstanding subsection (c) of section 22a-1b of the general
423 statutes, after the State Historic Preservation Officer provides a written
424 determination under subparagraph (A) of this subdivision, the officer
425 shall, in collaboration with the sponsoring agency, state entity or state
426 funding recipient, as applicable, propose a mitigation plan requiring
427 such sponsoring agency, state entity or state funding recipient, as
428 applicable, to mitigate such impact.

429 (ii) The sponsoring agency, state entity or state funding recipient, as
430 applicable, shall, to the extent possible, submit to the State Historic
431 Preservation Officer all pertinent information regarding such individual
432 activity or sequence of planned activities that may affect such mitigation
433 plan. Such information shall be considered by the officer in the
434 development of the mitigation plan.

435 (iii) In establishing the mitigation plan, the State Historic

436 Preservation Officer shall consult with the Commissioner of Economic
437 and Community Development, or the commissioner's designee, about
438 the economic impact of (I) the individual activity or sequence of planned
439 activities proposed to be undertaken by the sponsoring agency, state
440 entity or state funding recipient, as applicable, and (II) the mitigation
441 plan. Any information provided by the commissioner during such
442 consultation shall be considered by the officer in the development of the
443 mitigation plan.

444 (iv) Not later than forty-five days after the State Historic Preservation
445 Officer receives the information submitted under subparagraph (B)(ii)
446 of this subdivision, the officer shall memorialize the mitigation plan in
447 a proposed mitigation agreement that may be executed by the
448 sponsoring agency, state entity or state funding recipient, as applicable.
449 If the sponsoring agency, state entity or state funding recipient, as
450 applicable, executes such proposed mitigation agreement, the officer
451 shall also execute such proposed mitigation agreement. The execution
452 of such mitigation agreement shall constitute (I) a determination by the
453 officer that the officer is satisfied the effect on historic structures and
454 landmarks will be mitigated pursuant to the terms of such mitigation
455 agreement, and (II) a final determination by the officer for the purposes
456 of this section.

457 (v) At the time the State Historic Preservation Officer provides the
458 mitigation agreement proposed under subparagraph (B)(iv) of this
459 subdivision to the sponsoring agency, state entity or state funding
460 recipient, as applicable, the officer shall notify such sponsoring agency,
461 state entity or state funding recipient, as applicable, that a request may
462 be submitted in accordance with the provisions of subdivision (1) of
463 subsection (e) of this section to the Commissioner of Economic and
464 Community Development to review such proposed mitigation
465 agreement.

466 (e) (1) If the sponsoring agency, state entity or state funding recipient,
467 as applicable, declines to execute the mitigation agreement proposed
468 under subparagraph (B)(iv) of subdivision (3) of subsection (d) of this

469 section, such sponsoring agency, state entity or state funding recipient,
470 as applicable, may submit, not later than fifteen days after the State
471 Historic Preservation Officer provides such proposed mitigation
472 agreement to such sponsoring agency, state entity or state funding
473 recipient, as applicable, a request to the Commissioner of Economic and
474 Community Development to review the proposed mitigation agreement
475 and make recommendations to revise such proposed mitigation
476 agreement. Such request shall be in the form and manner prescribed by
477 the commissioner and may include a request for a conference with the
478 commissioner, the officer, the sponsoring agency, the state entity or the
479 state funding recipient, as applicable, and any other interested party.

480 (2) (A) Not later than thirty days after receiving such request, the
481 commissioner shall (i) if such conference was requested, hold such
482 conference, and (ii) make recommendations, if any, for revisions to the
483 proposed mitigation agreement. If such revisions are recommended, the
484 commissioner's review pursuant to this subsection shall be concluded
485 and the State Historic Preservation Officer shall include such revisions
486 in a revised mitigation agreement. Such revised mitigation agreement
487 may be executed by the sponsoring agency, state entity or state funding
488 recipient, as applicable. If the sponsoring agency, state entity or state
489 funding recipient, as applicable, executes such revised mitigation
490 agreement, the officer shall also execute such revised mitigation
491 agreement. The execution of such revised mitigation agreement shall
492 constitute (I) a determination by the officer that the officer is satisfied
493 the effect on historic structures and landmarks will be mitigated
494 pursuant to the terms of such revised mitigation agreement, and (II) a
495 final determination by the officer for the purposes of this section.

496 (B) If the commissioner makes no recommendations for revisions to
497 the mitigation agreement, the commissioner's review pursuant to this
498 subsection shall be concluded. The sponsoring agency, state entity or
499 state funding recipient, as applicable, may subsequently elect to execute
500 the mitigation agreement proposed by the State Historic Preservation
501 Officer under subparagraph (B)(iv) of subdivision (3) of subsection (d)
502 of this section. If the sponsoring agency, state entity or state funding

503 recipient, as applicable, executes such proposed mitigation agreement,
504 the officer shall also execute such proposed mitigation agreement. The
505 execution of such mitigation agreement shall constitute (i) a
506 determination by the officer that the officer is satisfied the effect on
507 historic structures and landmarks will be mitigated pursuant to the
508 terms of such mitigation agreement, and (ii) a final determination by the
509 officer for the purposes of this section.

510 (f) (1) A state funding recipient may elect to pay mitigation costs, to
511 be used for historic preservation purposes, to an entity designated by
512 the State Historic Preservation Officer, in an amount equal to the lesser
513 of fifteen per cent of the state funding received by such state funding
514 recipient for the individual activity or sequence of planned activities
515 proposed to be undertaken by such state funding recipient or seven
516 hundred fifty thousand dollars if:

517 (A) Such state funding recipient has not executed a mitigation
518 agreement within thirty days after the State Historic Preservation
519 Officer provides to such state funding recipient a mitigation plan in a
520 proposed mitigation agreement under subparagraph (B)(iv) of
521 subdivision (3) of subsection (d) of this section; or

522 (B) Such state funding recipient has submitted a request to the
523 Commissioner of Economic and Community Development to review a
524 proposed mitigation plan under subdivision (1) of subsection (e) of this
525 section and such state funding recipient has not executed a mitigation
526 agreement within thirty days after the commissioner concludes such
527 review.

528 (2) If a state funding recipient elects to pay mitigation costs under
529 subdivision (1) of this subsection, the State Historic Preservation Officer
530 shall memorialize such election in a mitigation agreement. Such
531 mitigation agreement may be executed by such state funding recipient.
532 If such state funding recipient executes such mitigation agreement, the
533 officer shall also execute such mitigation agreement. The execution of
534 such mitigation agreement shall constitute (A) a determination by the

535 officer that the officer is satisfied that such payment will be used for
536 historic preservation purposes, (B) a determination by the officer that
537 the use of such mitigation costs for such purposes will mitigate the effect
538 on historic structures and landmarks, and (C) a final determination by
539 the officer for the purposes of this section.

540 (g) If the State Historic Preservation Officer proposes a mitigation
541 plan pursuant to subparagraph (B)(i) of subdivision (3) of subsection (d)
542 of this section but a mitigation agreement is not executed, the
543 sponsoring agency shall conduct an early public scoping process in
544 accordance with subsection (b) of section 22a-1b of the general statutes.

545 (h) Not later than January first, annually, the State Historic
546 Preservation Officer shall post on the Department of Economic and
547 Community Development's Internet web site all mitigation agreements,
548 including any mitigation costs paid under subdivision (1) of subsection
549 (f) of this section and to whom such payments were made, executed
550 during the preceding fiscal year.

551 Sec. 11. Subsection (b) of section 1-210 of the 2024 supplement to the
552 general statutes is amended by adding subdivision (29) as follows
553 (*Effective October 1, 2024*):

554 (NEW) (29) The name and badge number of a police officer, as
555 defined in section 7-294a, who is the subject of a formal investigation or
556 formal inquiry, until the issuance of a final report by the investigating
557 authority, or two years after such investigation or inquiry is initiated,
558 whichever occurs first, unless such information is required to be
559 disclosed under section 29-6d or 29-10c.

560 Sec. 12. Section 18-81jj of the general statutes is repealed and the
561 following is substituted in lieu thereof (*Effective from passage*):

562 (a) There is established the Correction Advisory Committee that shall
563 consist of eleven members. Such members shall be appointed as follows:

564 (1) One who is directly impacted, appointed by the Senate

565 chairperson of the joint standing committee of the General Assembly
566 having cognizance of matters relating to the Department of Correction;

567 (2) One who has expertise in law, specifically the rights of
568 incarcerated persons, appointed by the House chairperson of the joint
569 standing committee of the General Assembly having cognizance of
570 matters relating to the Department of Correction;

571 (3) One who has a demonstrated interest in advancing the rights and
572 welfare of incarcerated persons, appointed by the president pro tempore
573 of the Senate;

574 (4) One who has a demonstrated interest in advancing the rights and
575 welfare of incarcerated persons, appointed by the speaker of the House
576 of Representatives;

577 (5) One who has expertise in the provision of mental health care to
578 incarcerated persons or formerly incarcerated persons, appointed by the
579 minority leader of the Senate;

580 (6) One who has expertise in the provision of medical care to
581 incarcerated persons or formerly incarcerated persons, appointed by the
582 minority leader of the House of Representatives;

583 (7) One of whom is a victim of a violent crime, a person who
584 advocates for victims' rights or an attorney who has represented a victim
585 of a violent crime, appointed by the House ranking member of the joint
586 standing committee of the General Assembly having cognizance of
587 matters relating to the Department of Correction;

588 (8) One who has an expertise in corrections, appointed by the Senate
589 ranking member of the joint standing committee of the General
590 Assembly having cognizance of matters relating to the Department of
591 Correction; and

592 (9) Three who are appointed by the Governor, one of whom has
593 expertise in corrections, one of whom has expertise in medication in a
594 correctional setting and one of whom is directly impacted.

595 (b) For purposes of subsection (a) of this section, "directly impacted"
596 means (1) a person who was previously incarcerated within a facility
597 operated by the department and is no longer under probation or any
598 supervision by the department, or (2) a family member of a person
599 described in subdivision (1) of this subsection or of a person who is in
600 the custody of the Commissioner of Correction.

601 (c) All appointments to the committee, including vacancy
602 appointments which shall be filled by the appointing authority having
603 the power to make the original appointment, shall be made as follows:

604 (1) Not later than thirty days after May 10, 2022, or after any vacancy,
605 each appointing authority or any such authority filling a vacancy shall
606 submit a letter designating such authority's appointment or
607 appointments to the joint standing committee of the General Assembly
608 having cognizance of matters relating to the Department of Correction.
609 Such joint standing committee shall post such letters on its Internet web
610 site. The Senate and House chairpersons of such joint standing
611 committee shall schedule a public hearing of such proposed
612 appointments to be conducted not later than forty days after May 10,
613 2022, or ten days after the submission of a letter in the case of a vacancy.

614 (2) After such hearing, each appointing authority shall confirm or
615 withdraw such authority's appointment or appointments. Any
616 appointing authority who withdraws an appointment shall, not later
617 than ten days after such withdrawal, submit a new letter to such joint
618 standing committee of the General Assembly designating a different
619 appointment or appointments, which shall initiate the hearing and
620 approval or withdrawal process pursuant to subdivision (1) of this
621 subsection and this subdivision for such appointment or appointments.

622 (d) The chairpersons of the Correction Advisory Committee shall be
623 the members appointed pursuant to subdivisions (1) and (2) of
624 subsection (a) of this section. Such chairpersons shall schedule the first
625 meeting of said committee, which shall be held not later than sixty days
626 after May 10, 2022.

627 (e) Each committee member shall serve a four-year term, except that
628 each initial term shall run for four years from February 1, 2023. Each
629 committee member may serve up to two terms. In the event of a vacancy
630 appointment, the member appointed to fill the vacancy shall serve the
631 remainder of the original member's four-year term and may be
632 reappointed for up to two more terms.

633 (f) Each member shall serve without compensation but shall, within
634 available appropriations, be reimbursed for necessary expenses that
635 such member may incur through service on the Correction Advisory
636 Committee.

637 (g) Each member shall, not later than ten days after the first meeting
638 of the Correction Advisory Committee in which such member
639 participates, take an oath of office to diligently and honestly administer
640 the affairs of said committee. The oath shall be administered by a
641 chairperson of said committee.

642 (h) A majority of the members appointed to the Correction Advisory
643 Committee shall constitute a quorum, which shall be necessary for the
644 committee to conduct business. A majority vote of the members present
645 shall be required for action of the committee.

646 (i) Any committee member shall be indemnified and represented by
647 the Attorney General pursuant to section 5-141d.

648 (j) The Correction Advisory Committee shall perform the following
649 functions:

650 (1) Submit a list of candidates for Correction Ombuds for the
651 Governor's consideration, pursuant to subsection (k) of this section;

652 (2) Review the actions of the Correction Ombuds pursuant to section
653 18-81qq;

654 (3) Meet not less than quarterly to bring matters to the Correction
655 Ombuds' attention and to consult on the Correction Ombuds' services,
656 findings and recommendations; and

657 (4) Convene semiannual public hearings to discuss the Correction
658 Ombuds' services, findings and recommendations.

659 (k) Not later than [eighty days after May 10, 2022] September 1, 2024,
660 or not later than sixty days after any vacancy in the position of
661 Correction Ombuds, the Correction Advisory Committee shall solicit
662 applications for such position and meet to consider and interview the
663 most qualified candidates who are residents of this state for such
664 position. Any person serving as acting Correction Ombuds pursuant to
665 subsection (n) or (o) of this section may submit an application and shall
666 be considered a candidate. Said committee shall select not fewer than
667 three and not more than five of the most outstanding candidates,
668 publish the names of such selected candidates on said committee's
669 Internet web site and hold a public hearing allowing testimony from
670 members of the public concerning the selected candidates. Said
671 committee shall submit to the Governor a list of selected candidates, [.
672 Such list shall rank the candidates in the order of committee preference]
673 provided for the initial appointment pursuant to this section, the
674 committee shall submit such list not later than December 31, 2024.

675 (l) (1) Not later than thirty days after receiving the list submitted
676 under subsection (k) of this section, the Governor, with the approval of
677 the General Assembly, shall appoint a person qualified by training and
678 experience as the Correction Ombuds.

679 (2) If at any time any of the candidates withdraw from consideration
680 prior to confirmation by the General Assembly, the designation shall be
681 made from the remaining candidates on the list submitted to the
682 Governor.

683 (3) If, not later than thirty days after receiving the list, the Governor
684 fails to designate a candidate from the list, the [candidate ranked first
685 shall receive the designation and be referred] committee shall rank the
686 candidates in order of committee preference and refer to the General
687 Assembly for confirmation the candidate designated as having been
688 ranked first.

689 (4) If the General Assembly is not in session, the designated candidate
690 shall serve as acting Correction Ombuds and be entitled to the
691 compensation, privileges and powers of the Correction Ombuds until
692 the General Assembly meets to take action on said appointment.

693 (m) The person appointed as Correction Ombuds shall serve for an
694 initial term of two years and may serve until a successor is appointed
695 and confirmed in accordance with this section. Such person may be
696 reappointed for succeeding terms.

697 (n) (1) Upon any vacancy in the position of Correction Ombuds and
698 until such time as a candidate has been confirmed by the General
699 Assembly or, if the General Assembly is not in session, has been
700 designated by the Governor, the Associate Correction Ombuds, as
701 designated by the Correction Advisory Committee, shall serve as the
702 acting Correction Ombuds and be entitled to the compensation,
703 privileges and powers of the Correction Ombuds until the General
704 Assembly meets to take action on said appointment.

705 (2) On and after June 4, 2025, if the Governor has submitted a
706 candidate for consideration and confirmation by the General Assembly
707 and the General Assembly fails to take action on such appointment, the
708 position shall be considered vacant and the Associate Correction
709 Ombuds shall serve as acting Correction Ombuds in accordance with
710 the provisions of subdivision (1) of this subsection.

711 (o) The Governor shall, after consultation with the chairperson of the
712 Black and Puerto Rican Caucus of the General Assembly and the
713 ranking members and chairperson of the joint standing committee of the
714 General Assembly having cognizance of matters relating to the judiciary
715 and not later than July 1, 2024, appoint a resident of this state to serve as
716 acting Correction Ombuds who shall be entitled to the compensation,
717 privileges and powers of the Correction Ombuds until such time as (1)
718 the General Assembly (A) confirms an appointment for Correction
719 Ombuds pursuant to subdivision (1) of subsection (l) of this section, or
720 (B) a designated candidate is made the acting Correction Ombuds

721 pursuant to subdivision (3) of said subsection (l), or (2) the position is
 722 considered vacant in accordance with subdivision (2) of subsection (n)
 723 of this section.

724 Sec. 13. Section 501 of house bill 5055 of the current session, as
 725 amended by House Amendment Schedule "A", is repealed. (*Effective*
 726 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2025</i>	HB 5524 (current session), Sec. 137 (b)(3)
Sec. 2	<i>July 1, 2024</i>	PA 23-205, Sec. 45
Sec. 3	<i>July 1, 2024</i>	PA 23-205, Sec. 46(b)
Sec. 4	<i>from passage</i>	HB 5524 (current session), Sec. 195
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>July 1, 2024</i>	19a-639f(m)
Sec. 7	<i>from passage</i>	19a-653(a)
Sec. 8	<i>July 1, 2024</i>	21a-420m(g)
Sec. 9	<i>October 1, 2025</i>	38a-48
Sec. 10	<i>October 1, 2024</i>	New section
Sec. 11	<i>October 1, 2024</i>	1-210(b)(29)
Sec. 12	<i>from passage</i>	18-81jj
Sec. 13	<i>from passage</i>	Repealer section