



General Assembly

Substitute Bill No. 5174

February Session, 2024



AN ACT CONCERNING TEMPORARY SHELTER UNITS FOR PERSONS EXPERIENCING HOMELESSNESS OR REFUGEES LOCATED ON REAL PROPERTY OWNED BY RELIGIOUS ORGANIZATIONS.

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

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

2 (1) "As of right" has the same meaning as provided in section 8-1a of
3 the general statutes;

4 (2) "Municipality" has the same meaning as provided in subsection
5 (a) of section 7-148 of the general statutes;

6 (3) "Refugee" means any person located in the state who has been
7 admitted to the United States under the federal refugee admissions
8 program established pursuant to the Immigration and Nationality Act
9 and who is outside their country of origin for reasons of feared
10 persecution, conflict, generalized violence or other circumstances that
11 have significantly disturbed public order;

12 (4) "Religious organization" has the same meaning as provided in
13 section 49-31k of the general statutes; and

14 (5) "Temporary shelter unit" means a nonpermanent commercially

15 prefabricated accessory structure that is designed to be easily
16 dismantled or removed, but does not include tarps, tents, other nonrigid
17 materials or motor vehicles.

18 (b) In each municipality with a population of twenty-five thousand
19 or more, as determined by the most recent decennial census, any zoning
20 regulations adopted pursuant to section 8-2 of the general statutes by
21 such municipality shall allow the installation and maintenance of
22 temporary shelter units to provide shelter for persons experiencing
23 homelessness or refugees upon any real property owned by a religious
24 organization as of right, provided any such temporary shelter unit shall
25 be an accessory use to a house of religious worship owned by such
26 organization. A municipality may:

27 (1) Prohibit the installation of more than eight temporary shelter units
28 on any single lot;

29 (2) Prescribe a maximum size of four hundred square feet for any
30 temporary shelter unit;

31 (3) Require that each temporary shelter unit be structurally sound,
32 protect occupants from the elements and not pose a threat to the health
33 and safety of any occupant;

34 (4) Require that each temporary shelter unit be equipped with
35 necessary heating and cooling equipment in proper operating condition;

36 (5) Require that each temporary shelter unit have sufficient electrical
37 sources to permit the safe use of personal electrical appliances and
38 devices and lighting fixtures in the unit;

39 (6) Prohibit the occupancy of any shelter unit by more than one family
40 or two unrelated individuals;

41 (7) Prohibit any individual from occupying a temporary shelter unit
42 for a period exceeding twelve consecutive months;

43 (8) Prohibit the installation of any temporary shelter unit within one

44 thousand feet of any public or private elementary or secondary school
45 or cemetery;

46 (9) Require any religious organization that installs a temporary
47 shelter unit on the real property of such organization to provide
48 sufficient numbers of male and female toilets and shower facilities to
49 accommodate the occupants of any such unit, including (A) a minimum
50 of one toilet for every eight such occupants per gender, and (B) a
51 minimum of one shower for every eight such occupants per gender;

52 (10) Require that any temporary shelter unit be set back not less than
53 ten feet from any adjacent real property not owned by the religious
54 organization;

55 (11) Require that any outdoor storage of the personal belongings of
56 any occupant of a temporary shelter unit be obscured from public view
57 by a minimum six-foot-tall wall or fence; and

58 (12) Require the illumination by exterior lighting of the entire outdoor
59 and parking area of the property upon which any temporary shelter unit
60 is installed.

61 (c) The as-of-right permit application and review process for
62 approval of any temporary shelter unit shall require that a decision on
63 any such application be rendered not later than sixty-five days after
64 receipt of such application by the applicable zoning commission, except
65 that an applicant may consent to one or more extensions of not more
66 than an additional sixty-five days or may withdraw such application.

67 (d) Nothing in this section shall be interpreted to exempt a temporary
68 shelter unit from any applicable provision of any building code or fire
69 code, except no provision of the State Building Code that would have
70 the effect of limiting the duration of the permitted use of a temporary
71 shelter unit shall apply to such unit.

72 (e) Nothing in this section shall be interpreted to limit a religious
73 organization from using any building, or portion of a building, located

74 on real property owned by such organization to provide temporary
75 shelter for persons experiencing homelessness or refugees.

76 (f) A municipality shall not condition the approval of a temporary
77 shelter unit on the correction of a nonconforming use, structure or lot.

78 (g) A municipality, special district, sewer or water authority shall not
79 (1) consider a temporary shelter unit to be a new residential use for the
80 purposes of calculating connection fees or capacity charges for utilities,
81 including water and sewer service, or (2) require the installation of a
82 new or separate utility connection directly to a temporary shelter unit
83 or impose a related connection fee or capacity charge.

84 (h) If a municipality fails to adopt new zoning regulations or amend
85 existing zoning regulations by July 1, 2025, for the purpose of complying
86 with the provisions of subsections (b) to (g), inclusive, of this section,
87 any noncompliant existing zoning regulation shall become void. No
88 municipality shall use or impose additional standards concerning the
89 installation and maintenance of temporary shelter units to provide
90 shelter for persons experiencing homelessness or refugees upon any real
91 property owned by a religious organization beyond those standards set
92 forth in subsections (b) to (g), inclusive, of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	New section

Statement of Legislative Commissioners:

In Subsec. (a)(4), "of the general statutes" was added for consistency with standard drafting conventions; in Subsec. (b)(7), "an individual" was changed to "any individual" for clarity; in Subsec. (h), "zoning" was added before "regulations" and "regulation" throughout for clarity, and after "additional standards", "concerning the installation and maintenance of temporary shelter units to provide shelter for persons experiencing homelessness or refugees upon any real property owned by a religious organization" was added for accuracy, and "standards" was added after "beyond those" for clarity.

PD *Joint Favorable Subst.*