



General Assembly

Substitute Bill No. 5491

February Session, 2022



AN ACT CONCERNING THE STATE PROPERTIES REVIEW BOARD.

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

1 Section 1. Subsections (d) to (f), inclusive, of section 4b-3 of the 2022
2 supplement to the general statutes are repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2022*):

4 (d) Notwithstanding any [other statute] provision of the general
5 statutes or special act, [to the contrary,] the Commissioner of
6 Administrative Services shall be the sole person authorized to represent
7 the state in its dealings with third parties for the construction,
8 development, acquisition or leasing of real estate for housing the offices
9 or equipment of all agencies of the state or for the state-owned public
10 buildings or realty, as provided for in sections 2-90, 4b-1 to 4b-5,
11 inclusive, 4b-21, 4b-23, as amended by this act, 4b-24, 4b-26, 4b-27, 4b-
12 30 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to 4b-69,
13 inclusive, 4b-71, 4b-72, 10a-95, 10a-72, 10a-89, 10a-90, 10a-114, 10a-130,
14 10a-144, 17b-655, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d and 51-
15 27f, except that (1) the Joint Committee on Legislative Management may
16 represent the state in the planning and construction of the Legislative
17 Office Building and related facilities, in Hartford; (2) the Chief Court
18 Administrator may represent the state in providing for (A) space for the
19 Court Support Services Division as part of a new or existing contract for

20 an alternative incarceration program pursuant to section 54-103b or a
21 program developed pursuant to section 46b-121k, or (B) other real estate
22 needs of the Judicial Branch when delegated authority to do so by the
23 Commissioner of Administrative Services; (3) the board of trustees of a
24 constituent unit of the state system of higher education may represent
25 the state in the leasing of real estate for housing the offices or equipment
26 of such constituent unit, provided no lease payments for such realty are
27 made with funds generated from the general revenues of the state; (4)
28 the Labor Commissioner may represent the state in the leasing of
29 premises required for employment security operations as provided in
30 subsection (c) of section 31-250; (5) the Commissioner of Developmental
31 Services may represent the state in the leasing of residential property as
32 part of the program developed pursuant to subsection (b) of section 17a-
33 218, provided such residential property does not exceed two thousand
34 five hundred square feet, for the community placement of persons
35 eligible to receive residential services from the department; (6) the
36 Commissioner of Mental Health and Addiction Services may represent
37 the state in the leasing of residential units as part of a program
38 developed pursuant to section 17a-455a, provided each such residential
39 unit does not exceed two thousand five hundred square feet; and (7) the
40 Connecticut Marketing Authority may represent the state in the leasing
41 of land or markets under the control of the Connecticut Marketing
42 Authority. [and, except for the housing of offices or equipment in
43 connection with the initial acquisition of an existing state mass transit
44 system or the leasing of land by the Connecticut Marketing Authority
45 for a term of one year or more in which cases the actions of the
46 Department of Transportation and the Connecticut Marketing
47 Authority] All of the actions listed in subdivisions (1) to (7), inclusive,
48 of this subsection shall be subject to the review and approval of the State
49 Properties Review Board. The Commissioner of Administrative Services
50 may establish and implement any procedures necessary for the
51 commissioner to assume the commissioner's responsibilities as said sole
52 bargaining agent for state realty acquisitions and shall perform the
53 duties necessary to carry out such procedures. The Commissioner of
54 Administrative Services may appoint, within the department's budget

55 and subject to the provisions of chapter 67, such personnel deemed
56 necessary by the commissioner to carry out the provisions of this
57 section, including experts in real estate, construction operations,
58 financing, banking, contracting, architecture and engineering. The
59 Attorney General's office, at the request of the Commissioner of
60 Administrative Services, shall assist the commissioner in contract
61 negotiations regarding the purchase, lease or construction of real estate.

62 (e) The State Properties Review Board shall be within the Department
63 of Administrative Services and shall have independent decision-making
64 authority.

65 (f) The State Properties Review Board shall review and approve or
66 disapprove (1) real estate acquisitions, sales, leases and subleases
67 proposed by the Commissioner of Administrative Services or proposed
68 by the Chief Court Administrator pursuant to the authority delegated
69 to the Chief Court Administrator by the Commissioner of
70 Administrative Services, (2) the acquisition, other than by
71 condemnation, or the sale, [or] lease or licensing of any real property or
72 any other contractual agreement concerning any real property by the
73 Commissioner of Transportation under subdivision (11) of section 13b-
74 4 or subsection (b) of section 13b-36, subject to section 4b-23, as amended
75 by this act, and subsection (h) of section 13a-73, [and review, for
76 approval or disapproval,] (3) any contract for a project described in
77 subsection (h) of section 4b-91, (4) any acquisition of development rights
78 of agricultural land by the Commissioner of Agriculture under section
79 22-26cc, and (5) any real estate acquisition by any state agency other
80 than those listed in subdivisions (1) to (4), inclusive, of this subsection
81 under any provision of the general statutes that is paid for with bonds,
82 as defined in section 3-20, but excluding any such acquisition under
83 sections 7-131d to 7-131k, inclusive, or sections 23-73 to 23-79, inclusive.
84 Such review shall consider all aspects of the proposed actions, including
85 feasibility and method of acquisition and the prudence of the business
86 method proposed. The board shall also cooperate with and advise and
87 assist the Commissioner of Administrative Services and the

88 Commissioner of Transportation in carrying out their duties. The board
89 shall have access to all information, files and records, including financial
90 records, of the Commissioner of Administrative Services, [and] the
91 Commissioner of Transportation and any other state agency acquiring
92 real estate described in subdivision (5) of this subsection, and shall,
93 when necessary, be entitled to the use of personnel employed by said
94 commissioners. [The board shall approve or disapprove any acquisition
95 of development rights of agricultural land by the Commissioner of
96 Agriculture under section 22-26cc.] The board shall hear any appeal
97 under section 8-273a and shall render a final decision on the appeal
98 within thirty days thereafter. The written decision of the board shall be
99 a final decision for the purposes of sections 4-180 and 4-183. The
100 provisions of this section shall not apply to any airport, airport site or
101 any part thereof operated by the Connecticut Airport Authority
102 established pursuant to section 15-120bb.

103 Sec. 2. Subsection (i) of section 4b-23 of the general statutes is repealed
104 and the following is substituted in lieu thereof (*Effective October 1, 2022*):

105 (i) As used in this subsection, (1) "project" means any state program,
106 except the downtown Hartford higher education center project, as
107 defined in section 4b-55, requiring consultant services if the cost of such
108 services is estimated to exceed [one hundred] fifty thousand dollars or,
109 in the case of a constituent unit of the state system of higher education,
110 the cost of such services is estimated to exceed three hundred thousand
111 dollars, or in the case of a building or premises under the supervision of
112 the Office of the Chief Court Administrator or property where the
113 Judicial Department is the primary occupant, the cost of such services is
114 estimated to exceed three hundred thousand dollars; (2) "consultant"
115 means "consultant" as defined in section 4b-55; and (3) "consultant
116 services" means "consultant services" as defined in section 4b-55. Any
117 contracts entered into by the Commissioner of Administrative Services
118 with any consultants for employment (A) for any project under the
119 provisions of this section, (B) in connection with a list established under
120 subsection (d) of section 4b-51, or (C) by task letter issued by the

121 Commissioner of Administrative Services to any consultant on such list
122 pursuant to which the consultant will provide services valued in excess
123 of [one hundred] fifty thousand dollars, shall be subject to the approval
124 of the Properties Review Board prior to the employment of such
125 consultant or consultants by the commissioner. The Properties Review
126 Board shall, not later than thirty days after receipt of such selection of or
127 contract with any consultant, approve or disapprove the selection of or
128 contract with any consultant made by the Commissioner of
129 Administrative Services pursuant to sections 4b-1 and 4b-55 to 4b-59,
130 inclusive. If upon the expiration of the thirty-day period a decision has
131 not been made, the Properties Review Board shall be deemed to have
132 approved such selection or contract.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	4b-3(d) to (f)
Sec. 2	October 1, 2022	4b-23(i)

Statement of Legislative Commissioners:

In Section 1(f) "for approval or disapproval" was changed to "and approve or disapprove" for clarity.

GAE *Joint Favorable Subst.*